# Where She Comes From:
# Locating Queer Transracial Adoption

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ABSTRACT

    This article attempts to answer the oft-asked question of where my daughter—an African American girl with two white, middle-class gay dads—"comes from," by tracing power constellations that make our family possible. Through critical autoethnography, it interweaves narrative about the evolving relationship we share with her birth family with analysis of intersecting, conflicting histories of U.S. transracial adoption, same-sex family recognition, shrinking public support systems for and growing criminalization of low-income women and families of color, gendered dynamics in parenting, and the shift toward foster-adoption permanency. Utilizing queer, feminist, and critical race theories of kinship, I advocate for "queer transracial family" as a form of differential becoming that is attentive to complex power relations. Queer transracial family as a critical practice seeks to enact a blended, open vision for belonging that contests colorblindness, homonormativity, and the consumerist, privatized family.

It's May 2008. Barack Obama is about a month away from becoming the presumptive Democratic presidential nominee and six weeks past his big speech on race. The California Supreme Court is a week away from ruling marriage discrimination against same-sex couples unconstitutional. California's voters are six months away from making it constitutional again. David and I are driving from San Francisco into a Sacramento suburb to meet Sharon, the black foster mother of our presumptive daughter-to-be, a two-and-a-half-year-old. We're taking the girl on our first unsupervised visitation, and we're nervous.

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Sharon's wary but polite. She asks if we know how to care for a little girl, and I know she's asking if we know how to care for a little black girl. Fair enough—we're two white, middle-class, urban gay men. Yes, I assure her, anticipating what I imagine to be her doubts. We have black friends to help us learn to do her hair. Then I find myself using words like "multicultural" and "diverse" to describe our world, explaining that I teach about "race" and "gender" and "African American women's history." I'm overcompensating.

"That's good, so she'll know where she comes from," Sharon says. I think, *Will she*?

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Many multiracial families face public scrutiny about what for others are private, unremarkable aspects of their lives. Transracially adopted kids, in particular, have what Andrew Solomon calls "horizontal identities."[1] Like most LGBT people, they arrive in families not initially designed for them, and, as such, disrupt the supposedly seamless vertical identities of reproduction, familiarity, and generational passage. White same-sex parented transracially adoptive families weave multiple horizontal identities together, making a spectacle of the constructedness of family and its relationship to race, gender, sexuality, class, and the state. Since my family came together, our origins have been a social matter that invites inquiry, even suspicion. When we travel, we carry copies of our marriage certificate and our daughter's adoption-revised birth certificate that includes our names. Even these papers may not protect us. In airports, on the street, at school, we get asked mostly well-intentioned versions of, "Is she yours?" Once, when our daughter was having a supermarket tantrum, a middle-aged African American woman came up to us—her, really—and asked, "Honey, are you lost?" My favorites are the teenage girls, often of color, who come right up to us with "How'd you get her?" In San Francisco, whether we want it or not, some cast us in a progress narrative that cheers their hopes for a blended future of families, races, genders, and sexualities. Others look at us with less sentimentality, just another white gay male couple with a black daughter or, simply, just another family. Unlike heteronormative reproduction, though, we don't get glossed with the shellac supposedly holding society together, that magical sheen of nature, normality, God's plan, and romantic love. With our family, it's obvious to everyone that something else has been at work. But what?

To explain where our daughter comes from, this article locates the constellations of power and representation that make our family possible. Intersecting, conflicting histories include U.S. transracial adoption, same-sex family rights,

shrinking public support systems, the growing criminalization of low-income women and families of color, and the shift toward "concurrent" federal and state foster-adoption policies. I also explore our evolving relationship to our daughter's birth family, a difficult process fueled by mutual love for our girl and an appreciation for what brings us together. Because I write from my standpoint, when I refer to "transracial adoption," I principally mean African American children and white parents, although obviously many other dynamics make up transracial adoption. All adoption narratives are open-ended insofar as they begin with loss and continually unsettle the nature of familial connections and parenting. Transracial adoptions further trouble normative lineage and assimilability. As such, transracial adoption stories compel a disidentificatory relationship with the romance of adoption as a facsimile of the reproductive family narrative. In this article, I advocate for "queer transracial family" not as a descriptive synonym for "gay interracial adoptive family," but as a particular form of "differential becoming" that can effect a blended open vision for belonging attentive to complex power relations.[2] It is clear that many white gay dads with adopted kids of color have politics quite different from ours. Narrating how we strive to do queer transracial family through experiential, historical, and critical analyses allows for the specifics of our story while inviting others to explore its generalizability to different families, systems, and approaches to social justice.

My eccentric approach draws on autoethnographic methods, particularly queer techniques and Menna Pratt-Clarke's transdisciplinary applied social justice model, which brings together interdisciplinarity, black feminist thought, and critical race feminism to "facilitate an interrogation of racism, power, and privilege."[3] This article operates as a "hinge" between analysis and evocation, and between intersecting histories and theories, in order to testify about my family's intimate yet broadly relational circumstances. Tony Adams and Stacey Holman Jones, drawing on Chela Sandoval's methodology of differential consciousness, assert that the hinge "asks us to align what may seem divided perspectives—without forgetting their differences or their purposeful movements." Working the hinge punctures through "everyday narratives that tie us to social time and space, to the descriptions . . . and plots that dull and order our senses."[4] In autoethnographic terms, this article embarks on a layered account that compares our experience with existing research to generate new analyses. By articulating the historical, structural, cultural, and political processes through which we constantly renegotiate belonging, it seeks to narrate where we come from in ways that make personal and social justice possible for more people.

Narratives such as this matter because, in practical terms, increasing numbers of kids like my daughter exist, for whom transracial gay foster-adoption is reality.

According to a study from 2007, the year before we placed with our daughter, approximately 3 percent of foster children nationally (14,000) had gay or lesbian parents. Now more than one in six gay men are parents (through adoption or other means). An estimated 65,000 children live with lesbian or gay adoptive parents, or approximately 4 percent of adoptees, with more than 16,000 in California alone, nearly 10 percent of that state's adopted children.[5] Between 2000 and 2010, California was particularly successful in reducing the number of children in the foster care system while it expanded placements with LGBT parents. African American children continue to be disproportionately removed from birth families. Some counties, such as Sacramento, where our daughter is from, and the Bay Area, where we live, have had especially high removal and adoption rates.[6]

Structural circumstances lead LGBT people and particularly white gay men into transracial foster-adoptive parenting at higher rates than white heterosexual married couples. Same-sex couples are more likely than heterosexuals to be interracial, and interracial couples are far more likely to adopt multiracial or nonwhite children.[7] For gay men, paths to biological reproduction require costly surrogacy or complex coparenting arrangements. Institutional and birth parent bias and expense make private adoption difficult. Agencies focusing on infants and toddlers have historically been less inclusive of lesbians and gay men than those placing more diverse populations of children.[8] Transnational adoption, another pricey option popular with heterosexual couples, lesbian couples, and single women, is harder for gay men due to greater scrutiny of men and country policies banning same-sex adoption. Perhaps most significant, many gay men arrive at foster-adoption as a first choice rather than a fallback after failed reproduction, which is often the case for heterosexual and lesbian couples. Because of this, gay men tend to be less driven to approximate reproduction by securing either an infant or a child that looks "like us." Unless prospective parents adamantly pursue whiteness and infancy, they will likely end up with nonwhite older placements.[9]

Historically, U.S. adoption services were designed for white, wealthy, infertile married heterosexual couples seeking healthy white babies. The early twentieth century was an era of closed adoptions, Jim Crow segregation, eugenics, the intense racialization of various peoples of color, and a gradual consolidation of European ethnic immigrant groups under the sign of whiteness. One goal in social welfare adoption was "matching," or attempting to place children in families that most resembled them. Race, skin color, religious background, and mental capacity became major determinants of which children were eligible to be considered for this white-dominant, heteronormative system. As Winifred

Cobbledick, a California social worker, claimed in 1949, "[n]atural parents derive a normal satisfaction from the similarity of their children to themselves. It is understandable that adopting parents experience this need as well."[10] Adoptive parents, too, underwent increasing scrutiny. Although single men had never been likely candidates, single women, who had been able to adopt previously, were by the 1950s formally rejected in California and across the nation. Adoption became a mechanism through which to celebrate the white, middle-class, heteronormative, privatized nuclear ideal of the modern American family as if it was the most natural and normal kinship arrangement. This, in turn, pathologized and marginalized other familial possibilities. Gay and lesbian adoptive parents, unless in a heterosexual marriage, were excluded, although by the early 1960s homophile organizations had begun to debate the merits of pushing for adoption as a civil rights cause.[11]

In the 1950s and 1960s, African American parents and children were brought into the child welfare, foster care, and adoption systems. Historian Laura Briggs explains that the extension of federal welfare to African American families led to new state scrutiny of black households and growing rates of state removal of African American children to foster care.[12] Nevertheless, nearly fifty programs across the United States were formed to reach out to prospective black adoptive parents. When that did not meet the supply of available black and multiracial kids, agencies pursued white parents. Throughout the 1960s and 1970s, reductions in the numbers of adoption-eligible nondisabled white infants led more white prospective parents to pursue transracial adoptions. By 1971, white adoptions of black children made up around 1.5 to 2 percent of all adoptions (totaling 2,574).[13] By the mid-1970s, efforts refocused on placing children of color into race "matched" homes. Through the next two decades, states implemented policies prioritizing birth parent reunification. If that failed, kin and in-race placement were considered before transracial adoption. By 1990, California, for example, had ranked-value guidelines and a ninety-day period after parental rights termination in which in-race placement was sought before allowing transracial adoption.[14]

The National Association of Black Social Workers's (NABSW) 1972 statement denouncing transracial adoption informed this trend. Formed in 1968, the NABSW drew inspiration from the Black Power movement to critique "culture of poverty" discourses that demonized black families and a history extending back to slavery of state-sponsored removal of African American children. Its "Statement on Trans-Racial Adoption" sought to slow the acceleration of black children out of birth families. Rejecting the liberal narrative of transracial adoption as middle-class white altruism, the statement called such adoptions an

"unnatural," "artificial," and "damaging" expedient to meet white parents' demand. It also asserted that transracial adoption hurt African American communities and stripped black children of protective socialization against racism, resulting in a weak sense of self, stunted development, and a superficial understanding of black culture. Although the statement acknowledges black ethnicity as a "societal construct," it also essentializes a "total sense" that "only a black family" can reproduce in a child. In its amended 1994 statement, the NABSW refers to culture as "second nature" and laments the stripping of a "protective device" of "historical continuity" from transracially adopted black children. Its 2003 addendum adds that such children are "denied . . . optimal development and functioning."[15]

As someone in the trenches of community-based multiracial queer activism and public history, I sympathize with the argument that cultures and families under siege must work toward preservation. I appreciate the need to identify potential shortcomings of white families and benefits of black birth families and communities. Many adult African American and multiracial adoptees testify to their challenge of dealing with others feeling they were not "black enough" even as they confronted racism in a society structured for white dominance and "color-blind" race evasiveness. They describe the painful lifelong process of feeling like, as one anthology is titled, "outsiders within" their often white middle-class families and communities.[16]

Some research asserts that transracial and in-racial adoptees do as well as each other in terms of psychosocial adjustment and developing a positive sense of blackness and ethnic identity.[17] Studies have more frequently found that transracial adoptees face greater challenges than either nonadopted or in-racially adopted children regarding racial/ethnic identity, especially in adolescence and early adulthood.[18] Some research asserts that white adoptive parents of black children have tended more than parents of other children of color to engage in extensive cultural socialization efforts.[19] Studies suggest that problems with racial/ethnic adjustment have lessened when families live in racially heterogeneous communities and maintain relationships with people of their children's race/ethnicity, children attend diverse schools and have caregivers and role models with which they share racial/ethnic identity, and parents cultivate competency with their children's birth cultures. Adolescent and young adult transracial adoptees' adjustment seems to have been strengthened by explorations with parents of racial/ethnic difference, in-group racial dynamics, and issues of related social justice. Problems tend to be heightened for transracial adoptees whose parents who take a "color blind" approach or approach race lessons from a "white racial frame" emphasizing individualism, meritocracy, and the need for their

children to maintain harmony with white people.[20] A recent study found that transracially adopted children of gay and lesbian parents fare as well as other adoptees in terms of behavior, academics, parental ability, and family stress.[21]

Beyond the data, though, the NABSW's cultural nationalism makes children into passive receptacles of a uniform culture, rather than active navigators of changing contexts. In discussing transracial adoption, political scientist and transgender studies scholar Heath Fogg Davis affirms the need for African American children to acquire skills to value their own existences, navigate institutionalized and social racism, and find sustenance among fellow African Americans. Fogg Davis calls for cultivating flexible "racial solidarity" rather than more narrow "racial solidity." The latter, he says, ignores diversity among U.S. black people, overstates transracial adoption's impact on Black Nationalism, and presumes adults are the proprietors of culture.[22] Transcultural parenting practices require recognition of children's birth culture, reflexive thinking based on personal experiences, and critical insight about the essentialism of some cultural approaches.[23]

This resonates with my understanding of queerness as a fluid subject position and mode of critique. Both heteronormativity and universalizing claims about gay identity tend toward whiteness and wealth. They resist recognition of the intersectional power relations that shore them up. Rather than having a "gay solidity," therefore, I practice a queer solidarity, as a person and a parent, that heightens attentiveness to ways in which race, class, gender, and nation discipline us all. Such a solidarity cultivates suspicion toward border patrols being made ostensibly on my behalf or requiring my allegiance (as some combination of white, male, parent, American, gay, and/or middle class). It keeps eyes open to how transracial adoption is, as Briggs writes, "always layered with pain, coercion, and lack of access to necessary resources."[24] We cannot love our way out of the psychic and structural preconditions of loss and disorientation upon which we build a family, so we develop tools to live through them.

The imperfect metaphor of coming out is helpful. David and I, as gay parents, have a particular opportunity to collaborate with our transracially adopted daughter on strategies of openness, disclosure, and circumspection through which she will navigate heavily contextual processes of racialization that will result from either the spectacle of our family when it is seen, or the erasure of her family dynamics when we as parents are not present or known. As gay dads, we know a thing or two about how to come out, be out, and address being outed across many contexts.[25] Practicing racialized queer solidarities goes beyond that, though, through appreciating how contingent such outings are upon their relationship to others and the scenes of encounter. Cultivating racial and queer

solidarities intersectionally requires a critical engagement with the categories of family, race, ethnicity, culture, gender, and sexuality through which our family gets made and unmade, over and over.

In a new article, Fogg Davis suggests that he "overstated the navigational agency of [transracially adoptive] children" in his 2002 book and that transracially adoptive white parents have an obligation to cultivate strategies for inhabiting and moving through many contexts. He argues such parents are ethically obligated to make residential and schooling decisions centered on a substantial presence of black neighbors, teachers, and peers.[26] It is unsurprising that researchers have found that the most important projects of cultural socialization, the ones that require the deepest investments, are also the ones in which white transracially adoptive parents are least likely to engage.[27] David and I are not always successful. We often wonder if we serve our daughter well by continuing to live in neighborhoods with only a small minority of black neighbors in San Francisco, which has been losing its African American population for decades. Yet here we have assembled a multigenerational African American and diverse LGBT and straight community of parents, kids, and fabulously childless adults that affirms her. For now, this feels right. Such work is hard, intentional, changing, and constant. David and I do it for our daughter and ourselves because it makes sense to who we are, together. I hope this will be useful to my daughter as she develops her own racialized and queered solidarities.

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It's now July 2008, a few weeks after the legal termination of the birth parents' rights, when our first face-to-face meeting with our daughter's mom happens. Everyone is trying to be friendly but it's impossibly awkward. We know too much and too little about one another. She had initially reacted badly to news of her girl being placed with two white gay men. Thanks to our fantastic (and queer) social worker, she had worked toward acceptance. I had been working on my own acceptance of her, of the circumstances that led to the state's removal of her kids.

By then, I had already become weary of the well-meaning "I think what you're doing is so great" comment that placed us on a child-saving white horse. I'd come up with a pat response: "Thanks, but it's basically selfish." I would add that our opportunity to have a daughter was predicated on many individual, institutional, structural, and societal failures. "A lot had to go wrong," I would say, "before we could come together." I might underscore how expensive and ethically complex routes for two men to get a kid were. We had chosen foster-adoption because in

its complicated way it seemed best for us and because it was the only way we would afford.

Here, in a meeting room in a drab office building for Sacramento's Department of Health and Human Services, we face a mother with no romance for child-saving discourses. We are strangers the state placed between her and her family. Trust and connection seem unattainable under these circumstances. If she wants any relationship with her daughter, she has to act grateful although she feels anything but. With social workers watching over, we have to be considerate. Here's what connects us: Structural forces have accelerated in recent decades such that what goes on between us is a standardized procedure in which we're compelled to play these roles. But, no, that's what binds us.

Here's what connects us: We love our daughter. So that is where we start.

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In the 1990s, changing federal laws caused a dramatic shift in state and agency fostering and adoption policy and practice. These occurred in tandem with a selective appropriation of color-blind discourses, a restriction of social welfare, and a heightened struggle over lesbian and gay family recognition through which my family could come into being. Together, these would coalesce in a new era of LGBT family possibility. They would also facilitate a false dichotomy between birth families and adoptive ones that failed to serve either the children or the interlocking social justice interests of diverse marginalized peoples.

In 1993, transnational adoptive parent and Harvard law professor Elizabeth Bartholet's *Family Bonds* called for dismantling all barriers to transracial adoption, characterizing race-conscious foster and adoption placement as a policy unfair to prospective parents that left prospective adoptees languishing in foster care.[28] In 1994, President Bill Clinton signed the Multiethnic Placement Act (MEPA), which sought to decrease the length of time from fostering to adoption and prevent racial discrimination in placement.

Color-blindness intensified in 1996. Congress made explicit that states could not deny or delay adoption placement based on race. President Clinton announced his "Adoption 2002" initiative, which sought to double adoptions out of foster care within five years, offering states bonuses for greater placements. California voters passed Proposition 209, a constitutional amendment that replaced race-conscious eductional and employment policies with "color-blind" ones that have most benefitted whites. The next year, Clinton and Congress created the Adoption and Safe Families Act (ASFA), pushing permanent placement and aggressive standards for terminating parental rights.[29]

Adoption reform fit into a broader agenda that included the welfare-dismantling Personal Responsibility and Work Opportunity Reconciliation Act and the antigay Defense of Marriage Act. "Culture of poverty" discourses around since the 1960s fed into "welfare queen" attacks on poor women of color in the 1980s and 1990s. Social workers gained profound authority to remove children from families for "neglect," an amorphous term that accounts for the majority of foster children. Families shouldered structural burdens caused by decades of divestment from urban centers, worsening economic conditions for the poor, the war on drugs, and "tough-on-crime" policing. These led to higher conviction rates for people of color, particularly black men, and accelerated removals to foster care. The Personal Responsibility Act slashed entitlements, exacted harsh controls on teenage single mothers, and compelled unrealistic welfare-to-work and childcare expectations. States crafted stricter qualifications. Poor women, some of whom resorted to drugs and alcohol to medicate stress caused by poverty and domestic violence, lost children to the system in greater numbers.[30] These policies also sought to privatize welfare through pushing "responsible fatherhood" and patriarchal heterosexual marriage.[31] Foster-adoption became widespread during the first time in U.S. history that, as Dorothy Roberts writes, the "federal government mandated states protect children from abuse and neglect with no corresponding mandate to provide basic economic support to poor families."[32]

Heteronormative and neoconservative marriage, family, and responsibility discourses relating to poverty, race, and adoption dovetailed with those that sought to preempt full citizenship for LGBT families. The Defense of Marriage Act followed several decades of struggle for family recognition. In 1974 and 1977 respectively, the Lesbian Mothers National Defense Fund (later the Lesbian Mothers Resource Network) and the Lesbian Rights Project (later the National Center for Lesbian Rights) were founded to advocate for divorced mothers who came out. A handful of foster and adoption victories followed the 1973 American Psychiatric Association's removal of homosexuality from its list of mental disorders. In 1976, the American Psychological Association declared that prospective parents' sexual orientation should not be the "primary" variable in determining foster and adoptive placement. Some agencies quietly allowed gay foster parents, particularly for hard-to-place children. A few paralleled "race matching" logic by placing openly homosexual youth with gay foster moms and dads. These gains were overshadowed by routine antigay discrimination in practice and explicit policies banning gay placements. This culminated when Florida passed a 1977 law prohibiting gay adoption.[33]

Since then, family rights have taken on new urgency. The AIDS epidemic heightened couples' needs for state recognition. In the mid-1980s, gay father

and lesbian mother support groups began national organizing and by the early 1990s, the National Center for Lesbian Rights' second-parent adoption legal strategy gained traction. In 1997, New Jersey became the first state to formally authorize same-sex joint adoption, but family courts in other states such as California had done so on a case-by-case basis. In 2003, the U.S. Supreme Court ruling in *Lawrence* v. *Texas*, which overturned sodomy laws, stripped agencies and legislatures of a key justification to restrict gay foster parenting and adoption, namely, that such people's sexual activity made them de facto criminals. In California, the state Supreme Court formally affirmed the right of same-sex couples to adopt. By that year, the American Bar Association advocated same-sex joint adoption, nearly 60 percent of U.S. adoption agencies accepted applications from gays and lesbians, and 19 percent actively recruited lesbian and gay prospective parents.[34] From 1993 until May 14, 2014, twenty-four states and the District of Columbia had either passed explicit laws allowing same-sex couples to adopt, or, through legal marriages, civil unions, and domestic partnerships, recognized both of a child's same-sex parents. In California, by the time we began our journey to becoming a family, foster and adoption laws disallowed discrimination based on sexual orientation, gender identity, or marital status. In 2010, courts overturned the longstanding Florida gay adoption ban. The watershed 2013 U.S. Supreme Court same-sex marriage rulings are already leading to challenges to states' barriers to equality in family rights. Michigan, for example, is likely to legalize same-sex marriage through a case that centers on the rights of two lesbians to be able to adopt one another's adoptive children.[35] Still, courts and agencies continue to discriminate in subtle and open ways, and ten states still have foster or adoption bans targeting LGBT people directly or indirectly.[36]

All this has intensified the stakes through which LGBT people and organizations have staked full citizenship on inclusive legal and institutional definitions of family. We must be mindful of the ways in which our struggles overlap with mounting restrictions and challenges faced by poor, single, and nonwhite mothers. In 2008, the year we were placed with our daughter, foster parents adopted a record number of children nationally (55,000). For the first time, the system's exits exceeded entries, and it had the lowest number of children since 2000. Public domestic adoptions now make up greater proportions of overall U.S. adoptions. This is especially true in California, where levels are double those of the mid-1990s. Transracial adoptions have made up greater percentages of overall adoptions since then.[37] Still, in 2006 nearly double the 1999 number of children in California's foster care system awaited adoption. Nationally, proportional growth in African American transracial adoption rates has been slower than for

Latino(a)s. Children over three remain in the system far longer than younger ones.[38]

It was in this context—an overhauled fostering and adoption system within a broader "color-blind" logic of rights and equality, a shrinking social safety net, an increasingly racialized criminalization of poverty, the growing linkage of LGBT justice to access of legal family making and recognition, and a persistent disproportionality of black kids in the foster care system—that David, our daughter's birth mom, and I stepped into our meeting. Developing systems and structures regarding seemingly competing viability, rights, and resources intensified the stakes through which our families were coming together and falling apart.

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In fall 2007, David and I had completed our foster-adoption trainings, home studies, and criminal background checks. For the next nine months, we made monthly agency visits to look through a binder containing truncated case histories of available children. Each narrative blended each-kid-is-a-beautiful-snowflake cheer and grim clinical assessment, raising another ethical, emotional, and practical question. Would two gay men be good parents for a young girl who had endured sexual abuse? How much would a child's prenatal drug exposure and subsequent neglect shape our abilities to build a family? Could we take siblings? Page after page, month after month, we had intense exchanges, sticking Post-Its on those for which we hoped that social workers would decide we might match. Each return compounded how disproportionately black, brown, disabled, and/or over-four-years-old children who remained were. Younger, lighter-skinned ones without physical or mental disabilities or siblings got matched or reunified. The hierarchy of worth was so bare.

Once placed, we found out that our daughter, like nearly all children adopted through foster care in California, was designated as "special needs." We were initially confused about what this meant. We were happy to receive the corresponding financial assistance and social services. Yet she seemed to have no clear physiological, psychological, or cognitive challenges warranting her designation. Her one service-worthy diagnosis, "situational mutism," seemed a pathologizing interpretation of her reasonable response to the challenges she faced. Raising a black girl, we celebrate her growing capacities to speak up and out. At the same time, she has a healthy skepticism of new people and is savvy about when to speak or remain silent. She's quiet and wary, not struck with sudden audible incapacities. The speech therapist told us as much after a few sessions, so we stopped going. Facing such ambiguity regarding her designation, we concluded then that

our daughter was labeled "special needs" mostly because she's black. The truth is both that simple and more complicated.

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Children of color and gay men (of any color) within the foster-adoption system get defined as "special." The term "special needs" emerged in child welfare discourses in the late 1950s. Doctrinaire eugenics gave way to medical and environmental interventional optimism. "Special needs" came to encompass an array of children: older, siblings, those with mental/physical disabilities, and children of color. In 1980, Congress codified the Adoption Assistance and Child Welfare Act, which established a federal foster-adoption subsidy. "Special needs" was defined as a condition, "such as . . . ethnic background, age, or membership in a minority or sibling group, or . . . medical conditions or physical, mental, or emotional handicaps." It framed special needs as a market problem by incentivizing adoption of such children. In 1996, a $6,000 special-needs adoption credit was also added to the tax code. In 2001, Congress added another $4,000.[39]

To families with children who have identified or projected disabling conditions, the "special needs" designation facilitates necessary access to therapeutic services. Designation for nonwhite children on the basis of their race, however, is particularly consumer driven. At best it is a clumsy attempt to close the permanency gap into which black children fall disproportionately. It rests upon the presumption that anyone but an able-bodied, healthy white baby is wanted less, particularly by the white parents who make up the vast majority of adoptive families. This devaluing of children of color, which is not particular to the foster-adoption system, ennobles those white middle-class heterosexual married couples opting to parent nonwhite domestic kids. (For black prospective parents, the presumption that they will match with an African American or black multiracial child means that they do not accrue the same kind of "sacrifice" in their placement.) Atop devaluation of black children and ennobling of white families choosing them is layered a market solution. This assumes prospective white parents will overcome anxieties about adopting transracially if financially compensated. "Love is color blind" discourse sutures this by minimizing difference.

Legal scholar Patricia Williams underscores how a late 1970s neoliberal academic thought experiment has become today's structuring logic. In 1978, law professors Richard Posner and Elizabeth Landes made the argument that as the free market pushes up costs and time for acquiring a healthy white infant, most would choose children who come cheaper and faster. Williams notes that this

hypothesis fails to consider how people building families are not purely rational economic actors. Rather, they make economic evaluations about routes to family that are situated within intersecting relations of social power, tangled in their own deep investments of what they imagine a family should be.[40]

Adoption is priced alongside many reproductive services. Those with money can spend nearly limitless amounts in search of the child of their dreams. This freedom at the top presses everyone's decisions into a racialized economic determinism. Surrogacy, assisted reproductive technologies, and private domestic adoption of nondisabled white infants are the most costly and potentially time consuming, then international adoption. Cheapest is domestic public foster adoption, with its disproportionate overrepresentation of African American, disabled, and older children. At the same time, the market logic of family making depoliticizes those decisions as if they are merely personal consumer preferences through which all prospective parents choose the family that is "right" for them affectively.

If Posner and Landes's theory worked, a market with a light regulatory hand toward "color blindness" would lead to the efficient privatization of foster children into adoptive homes, presumably ushering in a post-racial society. According to a 2007 U.S. General Accounting Office report, child welfare officials from thirty-four states reported that race-based special needs designation either made African American kids harder to place or had no effect. Only a third of states' officials said the designation made placement easier. Black disproportionality remains a big problem. Most white adoptive parents still choose more expensive routes of domestic private or transnational infant adoption over foster-adoption of black children.[41] In any case, neither a tax break nor a child's special needs designation have anything to do with the capacity to transracially parent well.

In October 2008, after we had placed with our daughter, Congress passed the Fostering Connections to Success and Increasing Adoptions Act to address issues with the 1990s adoption reforms. It supports payments for kin doing guardian care, allows flexibility in licensing relatives, and requires reasonable effort to keep siblings together and accommodate post-placement visitation. It allocated $75 million over five years for grants supporting birth family connections, kinship care, birth family mediation and counseling services, and family-accommodating residential drug and alcohol treatment facilities. In 2009, President Obama further extended kin guardianship payments.[42] Still, neither Obama nor Congress have revised "color-blind" race-evasive mandates for placement. They also have not addressed the means through which families of color, particularly African Americans, face greater scrutiny in removal and reunification. The

recession worsened all of this through massive state and county budget cuts for foster care. Contra Costa County, California, for example, slashed half of its child welfare staff in early 2009 and put others on furlough. In 2009, a $20 billion state budget deficit meant that $100 million got cut from child welfare services. Statewide, economic recovery has not resulted in a restoration of crucial funds for poor families and children.[43]

Whereas nonwhite and specifically black children represent a supply-side "special need," LGBT parents have been a demand-side "special need." The adoption industry has come to consider us, along with unmarried couples, single, or older people, for hard-to-place children. Gay men, in particular, have become candidates. By the late 1980s, the War on Drugs and rise of HIV/AIDS had accelerated the numbers of children in the foster care system. The overblown "crack baby epidemic" was an analog to the "welfare queen." Despite the fallacy of projections—other cofactors are more likely to cause challenges than prenatal cocaine exposure—"crack babies" were positioned alongside "AIDS babies" in special needs logic. In the mid-1980s, some foster and adoption agencies began to see gay men, already associated with AIDS, as placement candidates for drug- and HIV-exposed children. Today, gay men adopt children with disabilities at higher rates than married heterosexual or lesbian couples.[44]

Other forces add to the "special" status of gay men as parents. Until the last decade, we were conspicuously underrepresented in same-sex family studies, specifically on adoption. In addition, as male and gay, we confront fears that we are, at worst, potential sexual predators or, at best, less capable parents than women or men coupled with women. As a gay dad, it is tiresome to trot out the professional organizations, scientific data, and law that validate my family's existence as worthy of approval, "special" or otherwise. Still, these gestures enable political and professional discourses to debunk antigay myths, contest challenges to our security and integrity, and advance diverse family recognition.

So here is what the data shows: From 1998 through 2004, most major child welfare organizations issued formal statements opposing sexual orientation discrimination in fostering and adoption. These were based on overwhelming social scientific evidence mounting since the 1970s indicating that children of lesbian and gay parents have similar outcomes in psychological adjustment, sexual orientation, gender identity, and basically every other developmental evaluative marker to children of heterosexual parents in similar family arrangements. Since the mid-2000s, a growing number of studies addressing lesbian, gay, and heterosexual foster and adoption families have found that they share similar outcomes, challenges, and levels of support; one showed that older children placed with gay and lesbian parents tend of have stronger outcomes. Denying

LGBT prospective parents' access to foster and adoptive children exacerbates academic delay, behavioral problems, mental health issues, and attachment challenges foster children face. LGBT inclusion in permanency placement has meant more stability and greater chances of positive outcomes.[45] Gay fathers do no worse or better than straight or lesbian parents. This does not mean that we might not differ.

Gay dads in some ways get seen as "maternal men" who queer fathering-mothering binary parental gender scripts. Our caretaking roles often functionally resemble motherhood more than mainstream heterosexual fatherhood.[46] In her remarkable book on transracial adoption, Barbara Rothman writes about the "intense love of mothering" as central to doing right by our children and their worlds. She explains that both women and men can engage in this feminine gendered activity.[47] This is easier said than done. Feminist mothering theory has long prescribed dads to step up as egalitarian, emotionally nurturing coparents, often presuming this gets done alongside women. It has also suggested that men struggle to mother for all sorts of reasons, ranging from psychoanalytic child–parent dynamics to gendered socialization and structures.[48] Judith Stacey remarks that because most gay men are raised as heterosexual males, they are not socialized in maternal practices. Studies suggest that gay dads also tend to be less constrained by women's wishes of how we should parent than most straight men (or women, for that matter).[49] One unexpected benefit of being transracially adoptive gay dads in a mother-centered family culture has been that we do not feel particularly threatened by our daughter's birth mother and, as time has gone on, she has felt less threatened by us in terms of us all having roles in our daughter's life and love. In this, our openness to transracial fostering and adoption, and our nonmaternal disinterest in having an infant, our family apparently fits into gay dad trends.[50]

One gift and challenge for our family is claiming value beyond "special needs" designations, color-blind love, or the narrowly gendered and privatizing demands of the nuclear family. Intuitive and intentional practices of queer transracial family blend our developing awareness of what gay fatherhood means for us with an affirmation of our daughter's growing realization of her (queer) black girlhood. These practices do not sidestep market logics or normativity, but they facilitate what we hope are more just ways through them. A recent study suggests that many gay fathers choose foster-adoption in part because they do not perceive such children's prior life experience to be a liability to their own development or family formation.[51] Rather, they tend to nurture resilience in ways that overlap with many queer men's journeys from challenging childhoods into fierce, affirming adulthoods. This rings true for us.

Long before we were parents, David and I strove to do this in our lives, not by leaving the past behind but by turning what were once deemed weaknesses into strengths and by learning how to surround ourselves with others who recognized our value. That has informed our approaches to parenting, community, and justice. Some agencies support LGBT foster and adoption equality because they recognize that our community has long sustained nontraditional family arrangements.[52] Our family has learned these lessons in ways that connect us more intimately with our girl's birth family.

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It's August 2010. We are headed to Sacramento to visit our daughter's birth family following our finalized adoption over a year before. Social workers and mandated visitations have stopped, leaving us to manage the relationship. The common foster-adoptive approach of just sending pictures and letters didn't feel right for us. So we kept up visits, at roller rinks and playgrounds, in our town and theirs. Each time was exhausting for all, but our daughter left feeling so much love. With every visit she became more casual and upbeat about the experience. This time we're going to a barbeque with their extended family.

The park is filled with activity. For the first time, David and I hug our daughter's birth mom. Her family is cautious but welcoming. I'm initially unclear how the butch lesbian in charge of the grill is related. It turns out she is our girl's birth godmother, her mom's old friend, and she's great. Her presence instantly puts us more at ease.

Next to our tables, a black church is holding an outdoor tent revival, complete with singing and preaching, teenagers praise dancing, and kids careening around a bouncy house. The woman organizing it invites us to join; we send our girl into the bouncy house with two of her birth brothers. The birth mom's fiancé, a tough but kind veteran, tells me he has converted to Islam, and we talk about how because of Ramadan he's not going to eat and, besides, he can't have pork ribs anymore. Grandma holds court from a wheelchair. She makes known her displeasure with his complaints about the revival's testimony that Christianity is the one true faith. I wonder how our daughter is taking all this in.

My head and heart are full as we chat with the relatives and our girl sits on her mama's lap. Later in the day, David takes all the kids to the park's public pool and I am struck by how readily the family entrusts their kids to him. Our daughter comes from a birth family where kin care for one another's children, casually in day-to-day life and, when possible, intensively in crises. Through our girl we are all, gradually, becoming family.

Near the end of the visit, the birth mother and her fiancé tell me how hard it was to see our daughter adopted, how if they had been able to afford a lawyer, the outcome might have been different. I agree and share some of the things I learned as my research for this article began. They say our daughter is lucky, that they are lucky, for having us there for her. I express gratitude that they are open to us and don't view us as just another part of the system. Then it is time to go, and our girl, happy and tired, gets into her car seat, ready to go home. We all hug and say goodbyes, pledging to another visit in the winter.

"Thanks again, for how you are handling this impossible situation," I say.

"Well," our daughter's mother replies, "we are all making the impossible possible."

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Social conservatives view LGBT bids for family recognition alongside poor black mothers as mutually antithetical to their national imaginary of a well-ordered society of self-sufficient parents that cultivate moral, patriotic children. At the same time, as a leaked National Organization for Marriage report shows, they pit African Americans and LGBT people against one another in this fight, in two ways. First, they hope to "equip . . . African American spokespeople . . . to develop a media campaign around their objections to marriage as a civil right." Second, their "Gay Rights or Parents Rights" strategy positions LGBT efforts to build state-recognized families against "parents," presumed to be heterosexual.[53] Without alternative narratives, such discourses of straight over gay could appropriate arguments about the rights of birth parents, which correctly criticize removal and adoption systems that favor rich over poor and white over black.

LGBT advocates have seen things differently, of course. Many have celebrated expanded family rights. Recent policy arguments for LGBT foster and adoption inclusion highlight the numbers of needy children, LGBT desire to parent, and the unfounded bias that prevents kids from securing permanency. The 2009 "Life, Liberty, and Pursuit of Family" public service announcements of the Human Rights Campaign (HRC) and its related report, *Promising Practices in Adoption and Foster Care*, go further. Parenting is framed as a fundamental element of U.S. citizenship and a universal right. Their arguments for equality and fairness have an appeal similar to those made for color-blind foster care and adoption. Indeed, color-blind adoption advocate Elizabeth Bartholet supports gay adoption.[54]

Critical perspectives grounded in queer theory have problematized the rise of a marriage-and-kids-focused LGBT national movement since the 1990s. They

often characterize this within a neoliberal shift from downward to upward redistribution of rights and resources that led the movements for many marginalized peoples away from liberationist views toward "individual rights" equality concepts. Homonormativity promises that once access to marriage, family, the military, and employment nondiscrimination are secured, "good" gays will retreat into normative aspirations of domesticity, consumption, and nationalism. This undercuts the work of those queer peoples seeking structural transformation and accountability for intersectional forms of marginalization and injustice.[55] Color-blind, permanency-based foster-adoption policy fits into homonormativity. As Laura Briggs asserts, lesbian and gay families, now imagined as mostly white and wealthy, "have become the ultimate safety value for a neoliberal U.S. state."[56]

Homonormativity also pits gay families and birth families against one another in ways that erase racialized and socioeconomic realities. HRC's informational materials and public service announcements on parenting neither feature birth families nor confront "color-blind" and rapid permanency policies. Brodzinky and Pertman's otherwise groundbreaking 2012 social scientific anthology, *Adoption by Lesbians and Gay Men*, remains silent on the structural challenges faced by birth parents or how lesbian and gay adoptive parents might relate to them. It promotes HRC's *Promising Practices in Adoption and Foster Care* as "required reading for all child welfare administrators and professionals."[57] HRC promises that securing individualistic "sexual orientation blindness" alongside "color blindness" will result in justice for children, LGBT people, and society. Yet critical race and queer scholars have shown how color blindness and homonormativity mutually perpetuate structural inequity even as they champion equality for all.

When anthropologist Kath Weston described "families we choose" in 1991, she celebrated the inventiveness through which lesbians and gays, much like African Americans, made kinship beyond the state and then demanded state recognition. In the new century, though, "choosing" is more about looking enough like what the state desires that it might grant conditional inclusion.[58] Transracially adopting white gay couples get framed as families that *can* choose because we appear to *deserve* choice. We get contrasted with families divided by foster care and adoption, who have supposedly failed to make the right choices to such an extent that choosing is no longer an option. Any discussion of LGBT-inclusive fostering and adoption that does not explicitly challenge this tension will tend toward its replication. Even with greater legal protections for LGBT parents, queer low-income people of color may become birth families who face accelerated removals.

Anthropologist Ellen Lewin positions gay dads as a gentle, pragmatic, "middle" way of American family. She finds that our everyday lives testify against the fears and fantasies of either conservative antigay ideologies or what she calls "fundamentalist queer" (i.e., queer theory-driven) critiques of normative marriage and family.[59] Lewin's characterization certainly reflects many gay fathers' perspectives. Yet for some transracially adoptive gay fathers, the ways we come into and do parenting give us more affinity with queer theories than Lewin or some of those she would characterize as "queer fundamentalists" would lead us to think.

In *The Feeling of Kinship,* David Eng explores the affective dimensions of homonormativity. He suggests that our contemporary era grants some U.S. gay and lesbian subjects fuller recognition than others, in part through their visible and public occupation of normative family structures. Eng asserts that transracial and transnational adoption have come to exemplify a troubling premise: That the LGBT embrace of white, middle-class, consumerist, and privatized forms of love can overcome persistent legacies of racism and present-day assertions of racial difference.[60] Eng's characterization of lesbian and gay transracial and transnational adoption, though, makes parents into passive dupes of homonormativity. He argues that we press our children into the affective labor of making good on its promises of incorporation into the intimacies of U.S., white, middle-class family formations. Systems and cultures of faith, kinship, politics, racialization, and class might push us toward such practices, but this need not be so. Our links to our kids' birth families, to so many families like them, and to the structural problems they face are more practical and intimate than our allegiance to the state's desires or enabling ideologies. We are queer people who share children with birth families. Shouldn't our notions of love, justice, and society extend from that exceptional truth?

Doing queer transracial family should mean embracing openness in adoption as expansively as possible. When social workers presented the concept of "open adoption" at a 1975 Child Welfare League of America conference, they advocated ongoing birth family relationships for older foster children as a way of providing the stabilizing love of two sets of parents. This well-received argument gestured toward native Hawaiian and Eskimo practices in which children placed outside immediate birth families continued to have close contact. A black social worker spoke of similar African American practices. Since then, the adoption rights movement built disclosure and birth mother contact into domestic adoption procedure.[61] Most social science research has supported this shift as a child-centered move. Since the early 1990s, the San Francisco Bay Area has been an epicenter of foster-adoption openness.[62]

I am inspired by transracial adoption critic Twila Perry, who argues that a grounding principle for any discussion of family formation must be the goal of "working toward a world in which the choice of women to place their children for adoption is not dictated by oppressive circumstances."[63] One implication would be that fewer children would be available for adoption, which would give all of us a greater stake in redefining womanhood (and adulthood generally) beyond the expectation of parenthood. Briggs calls for a greater space for foster and kin care, because adoption's focus on permanency and legal exclusivity forecloses more flexible practices in which children might have multiple sets of parents. Why, she asks, when so many U.S. children are living in complex blended families, do we insist that foster kids need to be rushed into exclusivity and permanency? By rejecting the legal fiction that "families are 'private,' constituted in opposition to the 'public,'" we can find value in alternative meanings of family and care beyond the confines of exclusive marriage and parent-child models.[64] In the meantime, how can adoptive families resist the state's privatization of them?

Radically open adoption within practices of queer transracial family require flexible, attentive, intersectional, and active queer and racial solidarities instead of fixed expectations for gay or black identities. As Cathy Cohen notes, the narrow strip of heteronormativity upon which LGBT peoples and African Americans have been made to stand and fall can also lead us to misrecognize our interests as competing.[65] David Eng sees promise in the "disjunctive affect" of transracial adoptees. Their awkward feelings about origins and belonging can push white middle-class subjects, including their parents, into powerful alliances that embody an "ethical multiculturalism that rejects the liberal model of private and public, as well as the ideals of the white heteronormative nuclear family, as the standard against which all social orderings must be measured."[66] José Muñoz calls for queerness as horizon, a space not yet realized, in which "multiple forms of belonging in difference adhere to a belonging in collectivity."[67] Reaching for such potentialities requires a humble recognition that we have not yet made them manifest. We must embrace perverse desires for odd associations that resist normative assimilation. Although some queer critics might think "gay family = homonormativity," our queer transracial family has a deep, and personal, investment in doing otherwise.

Acknowledging how racialized structural injustices have enhanced LGBT family formation opportunities means resisting a divisive arrangement that pits "good" middle-class/wealthy and often white gays as deserving and charitable parents against "bad" poor blacks as undeserving and damaging ones. These conversations with the LGBT community, birth families, communities of color,

social workers and policy makers, and, in age-appropriate ways, our kids, build bridges of intimacy, trust, advocacy, and justice.

When David and I began the process toward foster-adopting a second child in 2012, we actively engaged social workers and other prospective parents in related dialogues. We have similar conversations with our friends, families (including our daughter's family), colleagues, careworkers, and educators. Within our own and our daughter's peer network, we maintain ties to other gay transracially adoptive families. We also have bonds with low-income black families, some of whom have had struggles with addiction, family violence, socioeconomic precarity, and experiences with child welfare agencies that have included the removal of their children. We advocate a politics that enhances federal, state, local, and nonprofit programs that support existing families even as it supports children growing up in foster care and strives to ensure that children in need of permanent homes are not denied them because of prospective parents' sexual orientation or gender identity. Beyond the state, we urge our society and communities to facilitate continued relationships as appropriate between birth children and their biological kin even as we affirm the ties of foster and adoptive kin. We do not always do this as well as we would like to, but we try.

Doing queer transracial family can promote dynamic black girlhood, but this is not automatic. Lived practice and intentional dialogue cultivate a cultural competence that values a functionally intersectional diversity. An accessible, critical reflexivity underscores how deeply relational our lives are. Although this is true for all children, it is evident in gay transracially adoptive families. Separated from biological lineage, attachment from birth, or fully "intact" families, our family has come to recognize transmission as a complex set of multidirectional relays. Barbara Rothman rightly insists that white transracially adoptive parents must make themselves, rather than their children, the bridge to communities of color.[68] Our daughter should also feel empowered to stretch and flex herself adaptively. We hope that she will learn that she can, as Fogg Davis writes, turn "an external contradiction into something internally coherent."[69] We have embarked on a lifetime of recognizing and responding to discrimination, embracing and disidentifying with racialized and queer identities, communities, and cultures, and, ultimately, pursuing our collective and particular visions of a just world.

To achieve this, we must go beyond the state to the heart of things. To paraphrase Heather Love, we must try to make a family backward enough that even the most reluctant among us might want to live there.[70] A truly open adoption need not purge bad feelings, ambivalences, "bad influences," and other supposed invasions of the privatized nuclear family. Rather, a collective embrace,

generous and guarded, awkward and moving, enacts the impossible as possible. Muñoz calls for a "queer feeling of hope in the face of hopeless heteronormative maps of the present where futurity is the province of normative reproduction." He urges us to "look for queer relational formations" open to aspects of the past discarded by straight time as trace or residual.[71] Birth families are often understood as part of a *then* that disrupts the *now* of the adoptive family. Laura Briggs's book title, *Somebody's Children*, drags on this temporal dislocation by countering the myth that most children brought into adoption are "orphans," rather than children the state and its related ideological manifestations separates from birth families. Holding birth and adoptive families together in a dynamic present challenges the family's seemingly compulsory alignment with normativity, reproduction, and privatization. David Eng calls for attentiveness to the "feeling of kinship," an "affective responsibility" to exceed "prescriptions of traditional perception, legal recognition, and social belonging."[72] For gay transracially adoptive families, openness to the unknown possibilities made manifest through birth family relationships represents a belonging-in-difference that occupies the uncomfortable spaces of asymmetry produced by neoliberal family making.

We must work within our homes and communities to insist upon recognition and support for the inherent worth of transracially adoptive kids, as meaningful parts of communities of color, LGBT communities, and society. We must also work toward valuing transracially adoptive white gay dads. And we must insist upon the worth of birth parents and families, embracing them, when possible, as kin. By making our collective value known, those engaging in queer transracial family practices demonstrate diverse ways of doing family at interpersonal levels that, in turn, insist that our society and state promote them. This is not easy.

Gay transracially adoptive families come together through a system that fails many and privileges few. All parties do not enter into the relationship on equal terms. No one can opt out of this reality through familial love, any more than they can opt out of discrimination through unseeing difference. But all of us can move through them to something more. Injustice is bound into justice, but we can work to diminish the former and enhance the latter. That queer transracial horizon sustains my family's daily life. Perhaps, someday, our daughter will come to see that this is where she comes from.

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