

Open Adoption: Differing Experiences

a book review by Mirah Riben

THE OPEN ADOPTION EXPERIENCE
by Lois Ruskai Melina and Sharon
Kaplan Roszia (1993, NY:
HarperCollins, \$10.00 paperback)

This book is subtitled, "A Complete Guide for Adoptive and Birth Families." Yet, reading it as a birth parent — perhaps a cynical and admittedly biased birth parent — I have to conclude that it is not evenly balanced in offering help to both adoptive and birth parents. Birth parents will need to go over it with a fine tooth comb and read between the lines in order to protect their own rights and their emotional well-being. The book is quite obviously biased about whose concerns are foremost in the minds of the adoptive mother authors, who admit that "...the relationship between birth and adoptive parents is inequitable. The parents who are the legal guardians of the child have more power."

As a birth parent with many years of working with birth parents, I disagree that the major concern of new birth parents is the fear that seeing their child will make letting go more difficult. It is a normal, natural desire for a birth mother to see and touch her child and know he or she is well, even if she cannot always be with her child or parent him.

I wholeheartedly agree with the authors that "Many birth parents worry that the adoptive parents will renege on the open adoption agreement by not maintaining contact." Birth mothers have good reason to worry. According to the authors, open adoption agree-

ments recently became part of adoption decrees and are required to be maintained in only one state: Washington. Not mentioned, perhaps because it occurred just after the publication of the book, is that open adoption agreements were found unenforceable in New Jersey, as they could be in other states in the future. Nowhere in this book are birth mothers, who are usually younger and less sophisticated than adopting parents, cautioned that all they can do is hope that promises are kept! Rather, it is adoptive parents who are told in *The Open Adoption Experience* to be cautious about what they put in writing as laws may change in the future.

Your agreement might read, "The birth parents want to receive a letter from the adoptive parents at least once a year" rather than "The adoptive parents will send a letter at least once a year." Try not to be too specific about your expectations ... Even though you may sign a preadoption agreement, it is more a statement of intent than a legal document binding you to the behaviors you outline.

One adoption mediator, we are told, includes in her agreements that the adoptive parents are not obligated to maintain the agreement if the birth parents become adversarial, a practice to dissuade (threaten?) birth parents from taking legal action to reclaim their child, knowing the adoptive parents will cease all openness if they do.

The book is well-written, very detailed and clear, and the authors' intentions appear sincere when they write that the major purpose of open adoption is for the benefit of the child. To their credit, they go to



great lengths to dispel adoptive parents' fears, assuring them that it will be to their advantage to give their child the gift of openness. They are opposed to semi-open adoption in which communication is through an intermediary, or where letters sent from the birth to adoptive family are not shared with the child. However, the vast majority of the nearly 400-page compendium of everything you ever wanted to know about open adoption is a "how-to" book for adoptive parents, specifically, how to walk on eggshells in order to get the goose to lay the golden egg in your lap!

Adoptive parents are cautioned not to say anything offensive to the birth mother-to-be (p. 81). It's insensitive, for instance, to remind a birth mother that they are paying all the bills, etc. Birth mothers, on the other hand, are told not to end a relationship because of one or two insensitive remarks. After all, you won't "know whether another set of adoptive parents would be more sensitive..."

In several places the authors compare the relationship between birth and adopting parents to that of a dating, but not married, couple because such relationships are dependent on the wishes, desires, and verbal promises of both parties for as long as they wish them to be so, with no legal obligations. It can be ended at the whim of one of the parties, regardless of the pain, disappointment and broken expectations it causes the other. The analogy is somewhat correct, though a better one would be a relationship of a wealthy, older man using his money and power to woo a young girl; it's nice to do thus and such to win her trust. The authors advise that honesty is best because dishon-

esty could backfire and end the relationship prematurely — before the golden egg has been laid.

The authors make another viable analogy: comparing the relationship between birth and adoptive parents to a relationship with in-laws. The parties may have different lifestyles, ages (even generations), and values, but both are committed to a relationship because doing so is in the best interests of someone to whom they are both deeply committed. They state very clearly, "Your relationship will not be equal. The power in the relationship is directly related to the legal issues in adoption. Whoever is the child's legal parent will have more power and control in the relationship" (p. 20). They then state that the obligation of adopting parents to birth parents "is a moral responsibility and not a legal one. We believe open adoptions are relationships more than agreements and we are not in favor of the court system being used to negotiate relationships." With power being that which is legally enforceable, this contradiction is stunning indeed: the child is legally the adoptive parents'; the birth parent has no right to renege; but openness, well, let's not make that legally binding because that would give back some power to the birth parent and destroy the imbalance!

There is a section titled, "Adoptive Parents Who Don't Honor the Agreement." In it, the authors openly admit that in some cases, "Adoptive parents go along with an open adoption plan because they recognize it is the only way some birth parents will place a child for adoption, and after the adoption is finalized, they change their phone number, move or stop communicating with the birth

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parents. However, this doesn't happen in most cases." They further state that when adoptive parents renege, "sometimes the facilitator is unwilling to become involved in negotiating a resolution to such a problem. Sometimes the adoptive parents cannot be traced. Sometimes they refuse to negotiate with the birth parents or meet with the facilitator or counsellor..." Why should they, when there are no recriminations? Nowhere did I see them caution or advise adoptive parents against such deceptive practices. "And remember," say Melina and Roszia, "that even when there are no other consequences, breaking your word without good reason reflects on your personal integrity." Now that surely will prevent deceit by the deceitful!

Birth parents however, have an obligation to maintain contact, "not only because they made a commitment but because they have a responsibility to the life they helped create..." The suggestion is that birth and adoptive parents swap social security numbers as a means of keeping in touch and of assessing each others' sincerity of intentions. While it may be helpful as an indicator, having someone's social security number (like your ex-boyfriend's?) will do nothing more than give false security and very little to locate them without the expense of hiring a private investigator. Nothing can maintain a relationship with someone who chooses not to, and attempting to do so could bring charges of harassment.

Also insidious is the aspect of commodification: the child is a trophy to be fought over. While it is stated that "no matter how committed she may feel, the birth mother cannot make a legal or even a full emotional commitment to the adoption until after the child is born..." (p. 63), *The Open Adoption*

Experience is a handbook for establishing and maintaining a relationship during the pregnancy. The adopting mother may enter a caretaking role in relation to the pregnant woman, which can result in a strong attachment that has the effect of putting pressure on the birth mother to feel obligated to relinquish. Adoptive parents are also advised not to do anything before the placement they wouldn't continue afterward and are cautioned to "think carefully" before inviting the birth mother to live with them during her pregnancy.

Perhaps the most offensive part of the book is about birth mothers who are thinking about "changing the plan." The birth mother who is considering parenting is advised to immediately speak to her counselor.

A birth mother considering reclaiming a child already placed with the adoptive parents must be aware that even though she has a valid legal and biological claim to the child, once that child has been placed with the adoptive parents a family has been created.... The family may have no legal standing; nor is it a family by virtue of shared genetic heritage. But it is a psychological family. The decision to disrupt that family... must be given careful thought, especially with regard to the effects on the child.

If only the book applied this logic to the original family! ▲

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