

CHAIN OF LIFE

AN ADOPTION REFORM NEWSLETTER

Lesbian and Gay Families: Issues in Adoption and Donor Insemination

by Janine Baer

Most of this first issue of CHAIN OF LIFE is about a workshop entitled "Adoption and Donor Insemination: Issues for Women, Children and Men," co-sponsored by the Lesbian and Gay Parenting Project and the Adoption Rights Taskforce, both of San Francisco. It was held on a rainy Saturday morning, March 18, 1989 at a church in Oakland. Some of the names of speakers have been changed.

Maybe we should do our own

recruiting of "yes donors," suggested Francie, a Lesbian mother by donor insemination. This was one of several practical suggestions for better parenting at a workshop on adoption and donor insemination in the lesbian and gay community. She was referring to a new practice, done only by Oakland's Sperm Bank of California, in which donors can choose to say "yes" to their willingness to meet the children conceived by their sperm when the children turn 18. The Sperm Bank is said to be experiencing a shortage of such "yes donors" in relation to requests by prospective mothers.

The importance of "yes donors" became increasingly clear, especially after testimony by "donor offspring" Suzanne Ariel and social worker/author Reuben Pannor, who spoke on the psychological importance of people having access to accurate information of their heritage. Closed adoption, the kind generally practiced in the United States, similarly came under scrutiny for separating birth family members from each other. Between painful accounts were more hopeful stories of how people are creating alternatives. They held listeners in our seats with interest for nearly four hours.

First were the adoption stories, told by a birth mother, an adoptive father, and a man raised in foster care because he refused the broken family ties of closed adoption. These speakers were gay or lesbian.

Randa, who prefers the term

"natural mother" to birth mother, described how poverty led to her decision to relinquish her child 15 years ago to a married couple who seemed to have similar values to her own. Reluctantly, she signed away her legal ties, but did not lose the emotional ties to her daughter. Incredible pain followed, something Randa later learned from PACER birth parent support groups (see phone number for PACER at the end of this article) was not unusual. Relinquishing mothers often become depressed, alcohol abusers, or otherwise self-destructive as an aftermath to surrendering their babies to closed adoption.

With the support of adopted friends, Randa decided to attend her daughter's junior high school graduation last year. (Randa always

knew where her daughter was, but the adoptive parents' lawyer had told her not to contact them directly.) After the graduation ceremony, Randa's adoptive friend asked Randa's daughter if she wanted to meet her birth mother; the girl said yes. Meeting for the first time since her daughter was an infant, Randa felt "frozen," unable to express her feelings. She told her she was sorry, and her daughter nodded in recognition. The daughter had a typical teenage question: Where did I get my dark hair?

Shortly after the reunion, however, Randa received another letter from the adoptive parents' lawyer, signed by the entire family, including her daughter. It stated they did not want Randa to contact them again. Though it was she who gave birth on that day, Randa is forbidden from sending her daughter a birthday card. Having missed sharing her daughter's childhood, Randa feels her grief is unresolvable. She concluded that "closed adoption is violence against women and children."▲

The two men had to go to a doctor to prove they were an infertile couple!

In contrast, Mark is a gay adoptive father involved in a cooperative adoption. This is a new kind of adoption that avoids the secrecy and separation described by the previous speaker.

With his lover of ten years, Mark went to adoption agencies to try to adopt a baby. One such agency's workshop mentioned "moral requirements" as the speaker looked directly at Mark and Gerald, implying they were unacceptable parents because they were gay. It became clear to them that agency adoption was not going to work.

In California there is an alternative to agency adoption. It is called independent or private adoption. (It is not legal in all states.) Independent adoption made it possible for the men eventually to adopt an infant. They did this by meeting a pregnant woman through mutual friends. The birth parents knew the men were gay, and chose to relinquish their child to them. (Only one person of the same gender can adopt a child, so only one man is the legal parent.)

Gerald and Mark knew they wanted to have ongoing contact with the birth parents -- an open or cooperative adoption. They received counseling through PACER; the birth mother and birth father had counseling; and it was decided that the child would have ongoing contact with his birth mother.

Part of the initial plan was that the birthmother would not see her baby for six months, to allow Mark and Gerald to establish a relationship with him. But on the first day of their

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separation, the new adoptive parents missed the birth mother! And four days later, the birth mother, having similar feelings, called to say she wanted to visit them. So the separation plan was scrapped, and the birth mother visited once a week for the first few months. The birth father has not wanted to be involved, but has agreed to talk to his child when the child is older.

To ensure the baby knows his roots, videotapes were made of everyone, "in case everyone dropped dead from a nuclear holocaust." These people were doing everything to avoid the problems of closed adoption -- the painful curiosity of adoptees who do not know their heritage -- by providing their son with extensive video genealogy.

Mark's friends thought this new kind of adoption sounded odd. The social worker from the state, which must approve independent adoptions, also found it strange, especially when she called Mark and Gerald to ask for the birth mother's new address. Usually it is the other way around, with social workers unable to divulge anyone's whereabouts. Cooperative adoption circumvents the inevitable secrecy of closed adoption, and hence the frustrating searches that often ensue for adopted people and their birth parents.

In addition, the system is set up for heterosexual adoptive parents, creating the absurd situation in which Gerald and Mark had to go to a doctor to prove to the state that they were an infertile couple!

There are problems with this kind of adoption, too. Sometimes the birth mother and the adoptive fathers have disagreed on parenting styles. Other times, the birth mother's need for support herself was difficult for the men. In the end, Mark says of cooperative adoption, "it's better, but it still ain't easy." He wants to encourage gay men that adoption is possible, that there will be other birth parents who will choose them to raise their children.

Foster and adoptive kids are told to be grateful.

The third speaker was T. J. Anthony, who spoke as a former foster child. "It's easier being openly gay in Orange County than talking about yourself as a foster kid," he said. From the age of 3, he and his five sisters were taken from their mother's custody following their father's abandonment of the family. His mother wrote bad checks to pay the bills, and was arrested. The girls were adopted, and T.J. was put first in an orphanage, then in a series of 19 foster homes. It was foster care policy to try to prevent emotional attachment between foster family and children, so they moved children frequently. T.J. felt ashamed of being a foster child.

His sense of ethnicity changed with every foster family. When asked, T. J. would give the ethnic group of his current foster family as his own. This was not very credible when T.J., who is white, would tell people he was black. It was not until his eventual reunion with a sister and then his birth parents that Anthony learned his true ethnicity, which is Greek.

At the age of eleven, the social workers wanted T. J. to be adopted, and even used him as a "poster boy" to encourage adoptions in Michigan. The publicity only embarrassed him. T.J. always wanted to be reunited with his family, and recited his sisters' names every night before he went to bed. He feared he would not be able to meet them again if he were adopted and had to change his name. He even stayed in an abusive foster home for several years as a pre-teen and teenager to avoid this final separation.

When T.J. Anthony was 16 his wish came true: his oldest sister found him and reunited the family. Ironically, T.J. is now his mother's only legal child, since his sisters, one of whom is a lesbian, were legally adopted by other families.

Anthony concluded that closed adoption is a cruel and violent act. So-called pro-family forces today that favor adoption are actually favoring the separation of families.

Foster and adoptive kids, said Anthony, are told to be grateful. But he is not grateful for the lies, deceit, dishonesty, physical abuse, 62 social workers, and a judge who stole kids from their mother. He also is not grateful for Massachusetts Governor Dukakis's policy that prevents gay people in that state from being adoptive or foster parents.

He is grateful for his birth mother, for PACER, and for new forms of parenting that respect a child's humanity. Parents, he said, should give their children two things: truth and love.

T.J. Anthony is also grateful for his experience, which made him a radical feminist committed to social justice. Organizations in which he is involved favor abortion rights ("Men Who Care About Women's Lives") and feminism ("Feminist Men's Alliance"). Both groups can be reached at 71 Ashton Ave., San Francisco, CA 94112.▲

The final four speakers focused on families created by donor insemination. A Lesbian mother who used donor insemination spoke first. Subsequent speakers were a sperm donor and a 40-year-old woman conceived by donor insemination. The last speaker was the co-author of a book about donor insemination.

Francie is the mother of two children.

She and her woman partner of 15 years are each the biological mother of one child, who are now 6 and 10 years old. The children are genetically related to each other because their mothers used the same sperm donor for both pregnancies. The donor is known, and has met the children.

First Francie gave some historical information on donor insemination in the context of lesbian-feminism. Lesbians began to use DI in the late 1970s, when feminism was at its height. A major tenet of feminism was reproductive rights for women. At this time, donor insemination was also done by heterosexuals (since 1890 in the U.S. in fact) but it was not being discussed. So lesbians had no role models at that time for DI motherhood. Francie and her partner found the donor themselves, not through a sperm bank.

A major concern of lesbian mothers at that time was, What would the child call the non-biological mother?

Then, in 1979 or 1980 came the Mary K case, in which a known donor (a gay man) used by a lesbian asked for and was awarded visitation rights to the child conceived by his sperm. This landmark decision spread fear of using known donors among lesbians. Lesbian attorneys advised women to write contracts with the donor to avoid such an outcome. These contracts would provide for relinquishment of parental rights, similar to that in adoption, and could be shown to judges in case of custody battles.

At about the same time, the 8-year Reagan era began, bringing further restrictions of reproductive rights. The climate of fear influenced some women's decision to use unknown donors.

To her dismay, Francie realized that she had become a lesbian mother role model! She and

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her partner also found the idea that kids had 2 mothers and no father was not an adequate answer when the kids asked who their fathers were, or when they wanted to meet them.

In the early '80s came AIDS, making gay men potentially dangerous donors (especially before the HIV test was developed). Recently, the analogy of DI parenting with adoption has had an impact on lesbians' parenting decisions.

Francie doesn't want to have to feel defensive about her choices in being a parent. She'd like to be able to talk freely about the difficulties she has encountered, and about incidents with her children that "break her heart." She concluded that her "mother was right when she told me it was hard to have kids."

In questions from the audience that followed, Francie explained that she and her partner had felt threatened when their donor's mother sent gifts to the children. But when the children finally met the donor, his mother came along too, and it worked out fine. ▲

After a break, the last 3 speakers

began with Paul, a heterosexual man who had been a donor for a sperm bank over 250 times. If pregnancies develop on the average of one time in eight inseminations, Paul figures he may have fathered 35 to 40 children over 8 or 9 years.

Paul seemed apologetic that his story did not have the same emotional intensity as the previous speakers, and said he was learning a lot from the workshop. He also mentioned that he was afraid of becoming a symbol of the problems of DI practices.

Originally recruited to be a donor by a doctor he was seeing for another condition, Paul's main motivation for being a donor was altruism -- the desire to help infertile couples -- and secondly was the motivation of money he obtained for each "donation" (about \$25. when he began). He was recruited, he said, because he has blond hair, blue eyes, and is a graduate of U.C. Berkeley to match the characteristics of infertile men whose wives were being inseminated. After Paul reached a certain age (35 for some clinics) the clinic retired him in accordance with their policies.

Paul described the conventional clinic with which he was involved. The doctor told him that not only were records of donors not kept, but if anyone wanted the records, he would destroy them (the non-existent records?). In any event, donors and recipients were unknown to each other. There was no "yes donor" option. Women sometimes came from out of state for the inseminations.

Paul thought of the procedure the way he thinks of donating blood, as a service to others. He mentioned that he "doesn't have kids" and hasn't had the desire to raise any.

Hypothetically, if there had been a donor registry in the U.S., with the possibility of donor/child contact as there now is in Sweden, Paul thinks he would not have donated so often, since he feels he would not have been able to handle contact with so many children. Virginia Keeler-Wolf, moderator of this panel and director of PACER, mentioned that there is no shortage of donors in Sweden, where donor anonymity is now forbidden. It has been pointed out elsewhere, however, that lesbians are forbidden from using donor insemination in Sweden. ▲

Next was Suzanne Ariel, the most fiery panelist and the product of donor insemination that took place in 1949. Ariel, who flew here from Los Angeles to be on the panel, said she is the person whom no one thinks about: the result of DI. The child is a "commodity to be

brought forth and forgotten." Parents have thought that if they love their children well enough, questions of identity would not come up. But they came up for her. Suzanne felt like a "space alien" in her family as a tall, light-haired woman with short, dark Jewish parents.

After her mother died in 1979, Ariel had the feeling to finish unfinished business in her life. At the age of 15, she had surrendered a child to adoption, and chose this time to search for her daughter. After Ariel found and met her daughter, her father told her some shocking news. If she wanted to give her newfound daughter accurate information about her heritage, he said, Suzanne would have to do another search -- she was not his biological daughter, but the product of donor insemination.

Ariel began researching donor insemination, and found very little information. DI has been done for 200 years in Europe and 100 in the United States. But the information she found, written by DI practitioners, revealed no problems with the procedure. They claimed it made everyone happy, and insisted donor anonymity was essential and in everyone's best interest. This was "medical arrogance at its worst," said Ariel. Protecting the sperm bank was its main concern. The couple's and the child's rights were unprotected.

People don't have a right to take away what belongs to you.

Anonymous donor insemination was the only game in town, and you had to play by the existing rules: Don't know the donor; live with a lie (don't tell the child how he or she was conceived); and absolve everyone of accountability and responsibility. There have been no changes in those rules in 100 years.

Donor insemination should be thought of as a step-parent adoption, she continued. Secrecy about the child's conception protects the infertile social father from dealing with his infertility; it protects his ego. But a problem with secrets is that they tend to loom large; they grow and grow and you can't have healthy relationships built on lies. Ariel is "saddened about denying children half their heritage." People, "whether heterosexual or homosexual, don't have the right to take away what belongs to you," she insisted. The child should be able to make that decision. Custody issues are not the concern only of lesbians, she said, but of all parents.

Ariel pointed out that in the often-cited "Mary K" lesbian custody case, the donor was not legally defined as a donor (and was given visitation rights) because a doctor wasn't used to perform the inseminations. She thinks there should be a contract with the donor/birth father at the outset, and that the birth father should sign a relinquishment after the birth.

Ariel said she does not feel comfortable with birth certificates on which parents list "father" as "unknown." "It's against the law to falsify information on public documents," she said. Regarding the donor, she continued, "whether you invite him in or not, he's there, folks." ▲

Reuben Pannor was the last person to speak. He is well known in the adoption reform movement as a co-author of *The Adoption Triangle* (1978), which describes the problems of closed records adoptions -- the kind Pannor arranged for years as a social worker. He is also co-author with Annette Baran of *Lethal Secrets*, a new book about donor insemination, which includes interviews with adult donor offspring, lesbian couples, and heterosexual couples who have used DI. In fact Pannor said he learned a lot from the lesbian community as a result of his research.

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The attitudes of most people about DI are oversimplified.

The speaker began by praising the panel for its enlightenment. The attitudes of most people about DI are romantic and oversimplified. President Bush and Ronald Reagan support adoption as an alternative to abortion without knowing anything about it. Pannor is most in favor of educating people about how to avoid unplanned pregnancies, and is surprised and distressed to see the current boom in infant adoptions, something he used to think would be obsolete by now as a result of birth control. Pannor believes open adoption must become standard practice, with birth parents and adoptive parents meeting once at the very minimum.

Among the families interviewed for *Lethal Secrets*, children of heterosexual marriages usually were not told their social father was not their biological father. The stress of this family secret sometimes led to divorce and blackmail: one husband threatened to tell the children that he wasn't their biological father if the wife asked for more alimony money.

In interviewing donor offspring, Reuben Pannor found that they could not visualize the donor as a real person. "It's mind-boggling to leave a human being with that," he said. Parents should describe the donor to their children as a real person. In response to the question "Who is my father?" parents should not just say, "We don't know," because that implies "We don't care." A more caring attitude can even be conveyed by saying, "I don't know, but I wish I did." "Put some flesh around it [a description of the donor] as time goes on," he suggested. He thinks the chapter in *Lethal Secrets* on how, when and what to tell kids is the most important chapter in the book. Telling must be consonant with the child's age; don't spill out the whole story based on the parents' needs, but gear it to the child's level of understanding. At age 2 or 3, children don't understand the details of donor insemination or adoption, but they do understand who the people are whom they depend on, and can understand a general explanation that "this is how we started our family."

According to Pannor, four principles are important with DI parenting: 1) that the donor offspring has two genetic parents, who are important to him or her; 2) the donor health record should be ongoing; 3) the donor offspring has a right to know the identity of the donor and to meet him; and 4) the parents (as opposed to the donor) must be accepted as the legal and nurturing parents.

There are also four principles regarding the donor's responsibilities: 1) he should provide full and complete health history; 2) he has a right to meet the parents of the child he genetically fathers; 3) he has a right to request contact with the offspring; and 4) he has no financial responsibility.

The end of the panel brings us back to the issues mentioned at the beginning of this article. For lesbian parents who accept their child's right to know the donor, more "yes donors" are needed by the Sperm Bank of California in Oakland. In addition, the option needs to become widespread, for the peace of mind of future children and their families.

* PACER, the Post Adoption Center for Education and Research (Walnut Creek, CA) can be reached at (415) 935-6622.▲

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Argentinian Grandmothers Gain Custody of Kidnapped Grandchildren With Help of Genetic Tests

Kidnappings and illegal adoptions took place in Argentina between 1977 and 1983 when the fascist government officials then in power would kill so-called subversives and their children, but often spared babies. Sometimes they kept pregnant women alive just long enough to deliver their babies and then would kill the mothers and keep the babies, adopting them illegally.

Since 1983 when a democratic government regained power, the Grandmothers, a group of women who had protested the disappearances of their children during the military reign, have been trying to identify and gain custody of their grandchildren who were stolen in this brutal way. They asked for the help of geneticist and U.C. Berkeley professor Mary-Claire King to try to identify the children.

King has been successful in matching children with their biological families through the use of blood tests and statistical methods that can show if there is a high probability that people are related to each other. Tests must result in ninety-five percent or more probability for the children and grandparents to be considered a match.

As someone concerned about human rights and an adoptee, I was fascinated to hear Professor King describe the work she has done in Argentina at a lecture at U.C. Berkeley in April.

Children matched through human leucocyte antigen (HLA) blood tests (when 3 or 4 grandparents were living and could be tested), or through the newer process involving mitochondrial DNA (when only the maternal grandmother could be tested) have in most cases been returned to their biological families in spite of living with their adoptive families for a number of years. The successful arguments used by psychologists to explain why the children should be returned to their grandparents were these:

- 1) We do not know what young children may remember from before they were kidnapped;
- 2) Kidnapping is a crime, and other kidnap victims are returned to their families even after many years have passed; and
- 3) The children would eventually find out the circumstances of their kidnappings: that the parents with whom they are living were involved in the murders of their birthparents; and that their extended families, if not supportive of the murders, did nothing to stop them.

In Argentina today, military personnel whose crimes were committed under orders of their superiors have been absolved of their crimes, with two exceptions: kidnapping and rape. People can still be tried for these crimes. Meanwhile, the Grandmothers' offices have enlarged, they are using personal computers to store information about missing relatives, and they are providing for future grandchildren to be able to find their birth heritage by storing family "pedigree" information in the computers in case the grandmothers die before they are found.

As an interesting aside, one adoptive mother in Argentina contacted the Grandmothers to say she thought her adopted child might be one of theirs; her awareness was sparked by the film "The Official Story," which gives a fictionalized account of an adoptive family created by kidnapping. In a situation such as this, where the adopting parent was innocent and adopted the child believing it was truly abandoned, the Grandmothers have allowed the child to stay with his or her adoptive parents, and have had, in effect, open adoptions.▲