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Battered and Beloved: An Analysis of Legal Violence Specific to International, Interracial Chinese

American Adoptees

A thesis submitted in partial satisfaction
of the requirements for the degree Master of Arts

in Asian American Studies

by

Alyssa Maureen Yukang Hemler

2026

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2026

ABSTRACT OF THESIS

Battered and Beloved: An Analysis of Legal Violence Specific to International, Interracial Chinese
American Adoptees

by

Alyssa Maureen Yukang Hemler

Master of Arts in Asian American Studies

University of California, Los Angeles, 2026

Professor Lee Ann S. Wang, Co-Chair

Professor Renee Tajima, Co-Chair

“Battered and Beloved” analyzes how the Law inflicts, facilitates, and justifies legal violence towards international, interracial Chinese American adoptees through its categorization of adoptees as sources of labor, commodities, and possessions. To better understand how the Law inflicts legal violence against international, interracial Chinese American adoptees, “Battered and Beloved” traces the origins and progression of adoption laws, interrogates the underlying logics of modern adoption laws, and explores the lived experiences of international, interracial Chinese American adoptee women through oral histories. Through these methodologies, it is revealed that the United States settler colonial project imagines international, interracial Chinese

American adoptees as an evergreen and replaceable labor force that can fulfil the myth of the nuclear family, carry out the logics of the settler colonial state, offer extractable labor for the settler colonial state, and produce the next generation of laborers. Legal violence against international, interracial Chinese American adoptees is pervasive and affects adoptee's access to basic needs and their ability to exist within the settler colonial project. Laws concerning international, interracial Chinese American adoptees operate on settler colonial logics, labor extraction, and disposability rather than creating conditions in which children's basic needs are met and material conditions are to a high standard of care.

The thesis of Alyssa Maureen Yukang Hemler is approved.

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University of California, Los Angeles

2026

DEDICATION

This thesis is dedicated to adoptees everywhere. You are strong even when you should not have to be. You inspire me every day.

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Battered and Beloved: An Analysis of Legal Violence Specific to International, Interracial Chinese
American Adoptees

Excitement is in the air as expecting parents rapidly and joyfully gather into a room in a state run orphanage somewhere in China. “That’s my baby!” My mother enthusiastically points me out of a lineup of sixteen total infant adoptees as she sees me for the first time in person. After months of paperwork, studying every bit of information provided in my dossier, and enthusiastically conversating with other prospective adopters in my adoption group¹ over Yahoo Groups, my mother is more than ready to finally hold me in her arms. Name after name is called. Each expecting parent walks up to the line of orphanage employees holding tiny babies, offers their \$3,000 donation in crisp one hundred bills, and then takes their adoptee into their arms for the first time. A name is called and a concerned expression crosses my mother’s face as she strides to the front of the line. “Excuse me, I think there’s been a mistake. That’s my child,” my mother firmly but calmly explains to the orphanage employees and the confused expecting mother that was about to embrace me. “My apologies.”²

My name is Alyssa Hemler, I am an international, interracial Chinese American adoptee, and I am a subject of the Law. My first encounter with the Law was the day I was born and discarded at a police station in the People’s Republic of China because I was born a girl during the One Child Policy era. Despite being praised as a ‘happy buddha baby’ and ‘the orphanage favorite’ by orphanage employees,³ the day I was handed over to my adopters (parents) was the

¹ An adoption group is all of the members of an orphanage who were adopted on the same day, at the same time, and from the same orphanage.

² This is one of the many stories my parents passed down to me through oral history about my adoption. It has been told and retold and supported by other adopters from my adoption group on multiple occasions throughout my life.

³ According to my parents and their communications with orphanage staff.

day that the orphanage staff revealed how interchangeable they saw us, orphaned infants for adoption. For my parents and other adopters in my adoption group, the accidental mix up is a funny and happy story where my mother heroically corrects an individual's lighthearted mistake while simultaneously (re)uniting our family, as governed by the People's Republic of China, the Communist Party of China (also known as the Chinese Communist Party (CCP)), and what is claimed as the United States government. However, for me, other adoptees in my adoption group, and other adoptees that I have shared this story with in my personal life, this story acts as cautionary tale and a reminder of how even our caretakers and (prospective) parents see adoptees, infant orphans, and other youth subject to the adoption industrial complex as interchangeable, replaceable, and ultimately, disposable. Since it did happen to me, it could have and can happen to anyone subject to the adoptee subject position. This research is in part a product of the legal violence I have experienced, born witness to, heard, saw, and continue to carry with me. "Battered and Beloved: An Analysis of Legal Violence Specific to International, Interracial Chinese American Adoptees" is a research project that was created and sustained by an abundance of care, love, and compassion for the adoptee community.

I. Introduction

Adoption is not a singular event, it is a process. In many ways, adoption is a legal construct and a social fact. A legal construct is an abstract man-made theoretical concept, idea, or fiction that is created by Law to assign legal rights, duties, or status to a situation where it might not naturally exist. In this case, adoption acts as a legal process or a series of legal and social processes that are constructed and continually reconstructed by the Law. According to the Oxford English Dictionary, a social fact is "a thing originating in the institutions or culture of a

society which affects the behavior or attitudes of an individual member of that society,”⁴ derived from the field of sociology, and was first documented to be used by John Stuart Mill in *A System of Logic, Ratiocinative and Inductive: Being a Connected View of Principles of Evidence and Methods of Scientific Investigation*. To put more simply, a social fact is a belief, concept, or idea that is made real through the collective societal belief individuals have in a social fact being real, true, or correct. Adoption abrogates biological familial ties and produces new legal and cultural familial ties between the adoptee, the person being exchanged, and the adopter, the one taking the adoptee as their own. While adoption as a legal or social or cultural practice cannot literally erase and replace biological familial ties, the collective societal belief that adoption can effectively sever biological familial ties and construct equivalent familial ties through both the Law and the collective cultural and societal belief is what makes the lived reality of adoption real. To restate, adoption is real because people believe it is real, which in turn creates the substantive, meaningful, and material conditions that create and facilitate the legal and social subject position of the adoptee. Adoption is a long process that requires continual maintenance to both create and continuously facilitate sociological kinship relations and upkeep dominant, hegemonic narratives about adoption. In general, adoption is intimate as it firmly dictates the legal construction of families. In specific, China’s One Child Policy, Chinese orphaning laws (dictating surrender of parental obligations, the legal parameters of child abandonment, and what legally constitutes as an orphan), Chinese citizenship laws, Chinese migration laws, Chinese adoption laws, international adoption law, the Hague Convention, United States adoption laws, United States immigration laws, United States citizenship laws, United States child welfare laws

⁴ Oxford English Dictionary, “social fact (n.),” Oxford English Dictionary, <https://doi.org/10.1093/OED/4604321273>.

create and continually reconstruct international, interracial, Chinese American adoptee material realities and identities. This research is a result of listening to adoptees, being in community with other international, transnational, interracial, transracial Asian American adoptees (specifically, Chinese American and Korean adoptees), witnessing state sanctioned systemic harm inflicted onto adoptees, and engaging in the radical feminist, abolitionist, speculative collective labor of imagining futures beyond the settler colonial project, where all peoples are free from violence. I explore the counternarratives that challenge the United States settler colonial state's hegemonic narratives of adoption as charity and benevolence throughout this research. These counternarratives interrogate how the Law conceptualizes adoptees, not as family members by the sociological and kinship definition, but as sources of extractable labor for the United States settler colonial state. This research traces the United States settler colonial project's governance of adoptee bodies and highlights emergent counternarratives from international, interracial Chinese American adoptee women through the practice of community oral history.

II. Background

"Adoption itself seems easily defined, but it isn't. We [the field of Critical Adoption Studies and its scholars] struggle to [comprehensively define] adoption."⁵ The critical study of adoption within the humanities and social sciences is referred to as Critical Adoption Studies.⁶ Whereas, the science based sociobiological inquiries into adoptee subjects are most commonly referred to as adoption studies⁷ and does not necessarily constitute a field of study but rather categorizes

⁵ Emily Hipchen, "Introduction: Belonging," in *The Routledge Critical Adoption Studies Reader*, ed. Emily Hipchen (New York: Routledge, 2024), 2-3.

⁶ Emily Hipchen, "The Routledge Critical Adoption Studies Reader," in *The Routledge Critical Adoption Studies Reader*, ed. Emily Hipchen (New York: Routledge, 2024), ii.

⁷ Peggy Phelan, "Letter to the Special Issue Editor," in *Critical Adoption Studies: Conversation, Adoption & Culture* 6, no.1 (2018): 6, <https://doi.org/10.1353/ado.2018.0015>; As seen with Remi J. Cadoret, "Adoption Studies," *Alcohol Health and Research World* 13, no. 3

scientific research based on subject population. In short, “Critical Adoption Studies has come into being as the field of cultural critique and scholarly debate that captures and finds meaning in these controversies, and, in so doing, poses fundamental and constructive challenges to existing modes of thought and of scholarly inquiry.”⁸ Similarly to Ethnic Studies, Black Studies, Indigenous Studies, Pasifika Studies, Latine Studies, Asian American Studies, Queer Studies, Gender Studies, and Critical Race Studies, Critical Adoption Studies arose out of a community need for the engaged community knowledge making, preserving, and dissemination of community knowledge within the adoptee community. It is significant that Critical Adoption Studies and early understandings of interracial adoption knowledge production is because of the Indigenous Peoples of Turtle Island, Black adoptees, Black foster care children, and the National Association of Black Social Workers. Three hundred and ninety-five Native American (Indigenous Peoples from Turtle Island) children were violently displaced from Native Nations into white family structures through the federal program known as “the Indian Adoption Project,” from 1956 to 1967.⁹ Black United States adoptees and Black children in the United

(1995): 195-200, <https://pmc.ncbi.nlm.nih.gov/articles/PMC6875765/>; Leslie D. Leve et al., “The Pernicious Role of Stress on Intergenerational Continuity of Psychopathology,” *Development and Psychopathology* 36, no. 5 (2024): 2376-2389, <https://doi.org/10.1017/S0954579424000191>; Thalia C. Eley et al., “An Adoption Study of Depressive Symptoms in Middle Childhood,” *The Journal of Child Psychology and Psychiatry and Allied Disciplines* 39, no. 3 (1998): 337-345, <https://doi.org/10.1111/1469-7610.00329>; Loring J. Ingraham and Seymour S. Kety, “Adoption Studies of Schizophrenia,” *American Journal of Medical Genetics* 97, no. 1 (2002): 18-22, [https://doi.org/10.1002/\(SICI\)1096-8628\(200021\)97:1%3C18::AID-AJMG4%3E3.0.CO;2-L](https://doi.org/10.1002/(SICI)1096-8628(200021)97:1%3C18::AID-AJMG4%3E3.0.CO;2-L); and B. Verhulst et al., “The Heritability of Alcohol Use Disorders: A Meta-analysis of Twin and Adoption Studies,” *Psychological Medicine* 45, no. 5 (2015): 1061-1072, <https://doi.org/10.1017/S0033291714002165>.

⁸ Margret Homans, “Critical Adoption Studies: Conversation in Progress: Introduction,” *Adoption and Culture* 6, no. 1 (2018): 2, <https://doi.org/10.1353/ado.2018.0015>.

⁹ Jill Duerr Berrick, “Adoption from Care: Policy and Practice in the United States,” in *Adoption from Care: International Perspectives on Children’s Rights, Family Preservation, and*

States foster care system were increasingly placed into white families in the 1960s to early 1970s, when the National Association of Black Social Workers claimed placing Black children into white families equated to cultural genocide.¹⁰ These are the foundations of modern adoption in the United States and from which the settler colonial state expanded to incorporate Asian bodies. In regard to Critical Adoption Studies and Asian American Studies, Critical Adoption Studies is “an emergent area of study within and beyond Asian American Studies that underlines key questions at the core of Asian America Studies scholarship. Our work is concerned with the ways power and knowledge operate to define notions of identity, race, class, gender, sexuality, family, and nation as they relate to transnational adoption from Asia.”¹¹ Notably, Asian American adoption is deeply implicated in and predicated on the United States as a settler colonial project, the United States as an ever-expanding imperialist empire, and the anti-Black preference for international Asian adoptee bodies over United States based Black adoptee bodies. This is not to say it is preferable to be the desired commodified target of the United States nation state but rather to emphasize the anti-Indigenous and anti-Black racist logics that underlie the United States interracial adoption practices systemically. Critical Adoption Studies aims to take a global approach, decenter the United States, expand understanding and language used around what is now called “adoption,” be transdisciplinary, understand adoptee trauma, generate multimedia as a means to better distribute knowledge, understand third party actors within the adoption industrial complex, and a space to create new understandings of love, family, and

State Intervention, ed. Tarja Pösö et al., (Bristol: Bristol University Press, 2021): 68, <https://www.jstor.org/stable/j.ctv1n1brv7.10>.

¹⁰ Duerr Berrick, “Adoption from Care,” 69.

¹¹ Kim Park Nelson, “Critical Adoption Studies,” AAS. <https://aaastudies.org/sections/critical-adoption-studies/>.

kinship.¹² Additionally, Critical Adoption Studies “seeks to complicate current views of adoption, family, and kinship.”¹³

“Difficult to define, adoption is best seen as a set of loosely related and time-bound practices – social and legal, also political and economic – whose meaning shifts as they are contested.”¹⁴ Critical Adoption Studies is constantly grappling with what constitutes adoption, preferred terms, and how it understands foundational terms such as “origins, family, roots, kinship, reproduction, natural – among many others.”¹⁵ I turn to legal understandings and definitions created from and fitting online adoptee community use of terms frequently used to discuss adoption within online spaces by adoptees, adopters, biological parents, adoption agencies, United States government agencies, and non-profits organizations within the United States. There are broadly four categories of adoption: intrafamilial, kin, stranger, and community kinship adoption. Intrafamilial adoption is when an adoptee is legally recognized as being under the guardianship of (a) stepparent(s) in addition to one or both of the biological parents.¹⁶ Kin adoption is when an adoptee is legally redefined under law as being under the guardianship of a family member other than their direct biological parents, such as aunts, uncles, and grandparents.¹⁷ Stranger adoption is when a person who is not biologically related to the adoptee becomes the legal parent and

¹² Phelan, “Letter to the Special Issue Editor,” 5-9.

¹³ Kim Park Nelson, “Critical Adoption Studies as Inclusive Knowledge Production and Corrective Action,” in *Critical Adoption Studies: Conversation in Progress*, 20-21.

¹⁴ Margret Homans, “Critical Adoption Studies: Conversation in Progress: Introduction,” *Adoption and Culture* 6, no. 1 (2018): 1, <https://doi.org/10.1353/ado.2018.0015>.

¹⁵ Hipchen, “Introduction,” 2-3.

¹⁶ Justia, “Types of Adoption Available Under the Law,” Justia, November 2025, <https://www.justia.com/family/adoptions/types-of-adoption/>.

¹⁷ Justia, “Types of Adoption.”

guardian of the adoptee.¹⁸ However, there is also a kind of community kinship adoption, which is when a community member takes in an adoptee that they are not biologically related to, as their own; kinship in this sense is defined in the indigenous meaning of kinship where one has responsibility to land, air, water, and other life outside of their strict biological family. This type of adoption falls into the black (w)holes¹⁹ of Critical Adoption Studies as kin adoption is also referred to as “kinship adoption” and this community based adoption is illegible and ill-defined in current literature and online adoptee spaces, often being lumped into stranger adoption.

Additionally, there are different systems of adoption: private, domestic, international, closed, open, and “black market.” Private adoption, also called “independent adoption” and “grey market adoption,” is a direct one to one adoption where the birth parents select adoptive parents in a process usually facilitated through attorneys, “adoption facilitators,” and/or aided by a physician.²⁰ Adoption Facilitators are “unlicensed individuals or organizations that act as intermediaries, charging fees to ‘match’ birth parents with prospective adoptive parents.”²¹ These Adoption Facilitators are not legal in every state within the settler colonial project claimed as the United States of America.²² International adoptions must be facilitated through the federal government, states such as California cannot oversee the private adoption of international

¹⁸ Maria Haenga-Collins, “Creating Fictitious Family Memories: The Closed Stranger Adoption of Māori Children into White Families,” *The Journal of New Zealand Studies*, NS29 (2019): 37, <https://doi.org/10.26686/jnzs.v0iNS29.6260>.

¹⁹ From Evelyn Hammonds’ conception of black (w)holes in “Black (W)holes and the Geometry of Black Female Sexuality.” Black (w)holes refer to the gaps in research that might be there due to lack of current known knowledge or due to a deliberate withholding. It questions what belongs to publicly available research literature and what should be kept for community members only.

²⁰ Justia, “Types of Adoption.,” Ruth-Arlene W. Howe, “Adoption Practice, Issues, and Laws 1958-1983,” *Family Law Quarterly* 17, no. 2, 1983, 179.

²¹ Justia, “Types of Adoption.”

²² Justia, “Types of Adoption.”

children.²³ Domestic adoption is adopting a child within the same nation state as the adoptive parents, often facilitated by the nation state and its government, private agencies, attorneys, and/or the foster care system.²⁴ International adoption is adoption of a child in another country than that of the adopters, often overseen by the Hague Convention; Interlockers include both nation states, their governments, adoption agencies, and attorneys.²⁵ Closed adoptions, also known as confidential adoptions, are arrangements where no identifying information is disclosed and there limited to no contact with the birth family post adoption.²⁶ Closed adoptions prevent adoptees from knowing their family health histories, family histories, and lineages. Open adoptions are relationships that maintain contact between the adoptee, the birth family, and the adopters. Many people claim open adoptions are for the benefit of the adoptee. However, the adoptee never gets to choose whether their adoption is open or closed. There is legal violence in the Law permitting an adoptee to be stripped of their family, cultural, and health histories for the benefit of the birth families, adopters, and/or the participating nation states. It is imperative to question who the Law protects and prioritizes. Outside of the law, black market adoption, also called “Facebook Marketplace Adoption,” is the illegal exchange and obtainment of a child that bypasses state and federal adoption laws.²⁷ In recent years, there has been a rise in “re-homing”

²³ California Department of Social Services, “Frequently Asked Questions about Adoption,” CDSS: Social Services, <https://www.cdss.ca.gov/adoptions>.

²⁴ Assistant Secretary for Planning and Evaluation (ASPE), “Adoption USA. A Chartbook Based on the 2007 National Survey of Adoptive Parents,” ASPE, October 31, 2009, <https://aspe.hhs.gov/reports/adoption-usa-chartbook-based-2007-national-survey-adoptive-parents-0>.; Show Hope, “4 Types of Domestic Adoption,” Show Hope, May 19, 2018, <https://showhope.org/stories/domestic-adoption/>.

²⁵ Justia, “Types of Adoption.”

²⁶ Justia, “Types of Adoption.”

²⁷ Zena Hamilton, “Adopters’ Remorse: The Unregulated Use of Social Media to Rehome Children,” *Minnesota Journal of Law & Inequality*, Inequality Inquiry, Spring 2025 (2025): <https://lawandinequality.org/2025/01/27/adopters-remorse-the-unregulated-use-of-social-media-to-rehome-children/>.; Melinda Lucas, “Adoption: Distinguishing Between Gray Market

or “secondary adoption” of adopted children, on the black market, to new adopters, which is sometimes facilitated on social media platforms such as Facebook.²⁸ Additionally, on sites like Facebook, whether it be on community boards or the Marketplace hub, adopters have increasingly referred to “secondary adoption” as “re-homing.” “Re-homing” is a term that stems from the additional adoption of an animal after the original adopters are no longer able or want to care for their pet. Thus, adopters using the term “re-homing” to refer to the additional adoption of a human child aids in the dehumanization of adoptees. Both “re-homing” and subsequent adoptions of any one singular adoptee falls into what Korean adoptee scholar, JaeRan Kim, describes as “adoption discontinuity.”²⁹ “Adoption discontinuity can be best thought of as a continuum of scenarios in which the adoptee is no longer living in the [original] adoptive family home (Rolock, 2015; Rolock & White, 2016).”³⁰ It is also of note that while this research concentrates on child adoption, adult adoption does exist and is usually utilized for “inheritance purposes, to provide a legal basis for caregiving, or for purely emotional reasons.”³¹ “Battered and Beloved” mainly focuses on and critiques closed, international, stranger adoption of Chinese children to white United States citizens; thus, mainly refers to this specific grouping of adoption types and systems when talking about “adoption,” unless otherwise specified.

and Black Market Activities” *Family Law Quarterly* 34, no. 3 (fall 2000): 553-564.; Howe, “Adoption Practice,” 179-181.

²⁸ Hamilton, “Adopters’ Remorse,” 333-564.

²⁹ JaeRan Kim, “‘Forever Family is Like a Manufactured Hallmark Idea:’ Adoption Discontinuity Experiences of Intercountry Adoptees,” *Child Abuse and Neglect* 130 (2022): 105183. <https://doi.org/10.1016/j.chiabu.2021.105184>.

³⁰ Nancy Rolock, “Post-Permanency Continuity: What Happens After Adoption and Guardianship From Foster Care?,” *Journal of Public Child Welfare* 9, no. 2 (2015): 153-173). <https://doi.org/10.1080/15548732.2015.1021986>; and Nancy Rolock and Kevin R. White, “Post-Permanency Discontinuity: A Longitudinal Examination of Outcomes for Foster Youth After Adoption or Guardianship,” *Children and Youth Services Review* 70 (2016): 419-427; paraphrased in Kim, “‘Forever Family,’” 105184.

³¹ Justia, “Types of Adoption.”

I intentionally utilize the word international to describe the population of adoptees adopted from China and migrated to the United States from 1989 to August 28, 2024. International refers to the global relations that created and continually facilitate the adoption and exporting of children into other countries. Some adoptees and Critical Adoption Studies scholars, such as Kit W. Myers³² and Kimberly D. McKee,³³ prefer the term “transnational” over the term “international.” According to Myers, the term ‘international’ “lack[s] attention to the power relations involved with the movement of bodies because they either convey cooperation, equality, or universality.”³⁴ This is especially relevant when looking at adoptees who were adopted from Korea and Vietnam, then migrated to the United States as they are largely products of war and United States imperial violence. The term international is also ill-equipped to attend to the power dynamics between Hong Kong as a colonized British subject and the United States, in the case of children adopted from Hong Kong as a part of the Hong Kong Project, which operated in the 1950s and 1960s. However, international is best suited to describe the relations between China and the United States settler colonial project surrounding adoption from 1989 to August 28, 2024. I utilize the term international due to the United States and China’s consensual relationship as consumer and producer countries, respectively, of adoptee bodies. The use of international is an intentional interrogation at the active, informed, and continuous relationship

³² Kit W. Myers is a transnational, transracial Hong Kong adoptee and an assistant professor in the Department of History & Critical Race and Ethnic Studies at UC Merced. Myers utilizes the word transnational in their book, *The Violence of Love: Race, Family, and Adoption in the United States*.

³³ Kimberly D. McKee is a Korean adoptee woman and the Director and Professor in the School of Interdisciplinary Studies at Grand Valley State University. McKee utilizes the word transnational in their book, *Disrupting Kinship: Transnational Politics of Korean Adoption in the United States*.

³⁴ Kit W. Myers, *The Violence of Love: Race, Family, and Adoption in the United States*. (Oakland: University of California Press, 2025), xiv.

the United States and China engaged in to commodify, buy, and sell adoptee bodies, through legal mechanisms, from 1989 to August 28, 2024. Chapter One, “Constructed Disposability: An Analysis of the Western Construct of the International, Interracial Chinese American Adoptee,” will explore the ways that the United States and China engaged in international adoption for mutual benefit and profit during 1989 to August 28, 2024, in more depth.

Other adoptees and Critical Adoption Studies researchers prefer the term transnational due to the differing histories, countries involved, and power dynamics present but this term is insufficient in describing Chinese American adoption. Critical Adoption Studies Professor, Kit W. Myers looks towards the idea of transnationalism to understand Hong Kong, Korean, Vietnamese, Native American, Haitian, and Ethiopian people who have been adopted and migrated to the United States and to put these histories into conversation with one another. Myers cites “Towards a Definition of Transnationalism: Introductory Remarks and Research Questions” by Nina Glick Schiller, Linda Basch, and Cristina Blanc-Szanton, they discuss ‘transnationalism’ in regard to an emerging pattern of migrant behavior, in the 1990s. Specifically, they noticed a pattern with migrants from the eastern Caribbean, Haiti, and the Philippines, stating that they “were forging and sustaining multi-stranded social relations that linked their societies of origin and settlement.”³⁵ Their idea of transnationalism aims to “emphasize the emergence of a social process in which migrants establish social fields that cross geographic, cultural, and political borders. Immigrants are understood to be transmigrants when they develop and maintain multiple relations- familial, economic, social, organizational,

³⁵ Nina Glick Schiller et al., “Towards a Definition of Transnationalism: Introductory Remarks and Research Questions,” *Annals of the New York Academy of Sciences* 645, no. 1 (1992): ix, <https://doi.org/10.1111/j.1749-6632.1992.tb33482.x>.

religious, and political – that span borders.”³⁶ This definition may fit other adoptee populations and be most particularly apt to describe Hong Kong adoptees, who were adopted in the 1950s and 1960s. Specifically, a majority of Hong Kong adoptees adopted as a part of the Hong Kong Project, in the 1950s and 1960s, were kin and community kinship adoptions: “the majority of [Hong Kong Project] placements involved the adoption of ‘known’ children by Chinese American families, meaning that the adoptive parents either knew the child through a friend or other intermediary in Hong Kong or were even related to the child.”³⁷ Adopters having a pre-established relationship and connection to Hong Kong increases the likelihood that those relationships and connections would be extended to the adoptee, and presumably be maintained. Unlike stranger adoptions, such as Chinese American adoptees that were adopted from China to the United States in 1989 to August 28, 2024, wherein which the adopter(s) have no pre-established relationships or connections to the Peoples, communities, land, and potentially culture from which they are extracting, stranger adoptions are more likely to be a transactional interaction, contained within a set time period.

Catherine Ceniza Choy³⁸ terms this phenomenon of intercontinental, multi-pronged, and continuously sustained relationship between an adoptee and individuals from their country of birth as “global families” in her book, *Global Families: A History of Asian International*

³⁶ Glick Schiller et al., “Towards a Definition of Transnationalism,” ix.

³⁷ Catherine Ceniza Choy, *Global Families: A History of Asian International Adoption in America*. (New York: New York University Press, 2013), 49.

³⁸ Dr. Catherine Ceniza Choy is an Asian American historian and professor of Ethnic Studies at the University of California, Berkeley. Choy is not adopted, has not adopted, does not have anyone in her immediate family who has adopted a child, and most of her interactions with the adoptee community come from her role as a professor. She is best known for her books, *Empire of Care: Nursing and Migration in Filipino American History* and *Asian American Histories of the United States*.; University of California, Berkely, “Catherine Ceniza Choy,” UC Berkely: Ethnic Studies, <https://ethnicstudies.berkeley.edu/people/catherine-ceniza-choy>.

Adoption in America. Choy broadly applies her concept of “global families” onto the international and transnational Asian American adoptee family structure as a whole.³⁹ Choy’s “global families” claims to call “for more attention to the nonstate actors, such as the international workers, adoptive parents, and adoptees and their birth families who participate in the global family making process.”⁴⁰ However, throughout *Global Families*, Choy uses “global families” to look into the transnational manner of Asian American families’ migratory nature. In this research, I push back on the idea that this should be widely applied adoptee families broadly and suggests that this concept is more applicable to Asian American families at large. Global families are not applicable to international Chinese American adoptees that were adopted from 1989 to August 28, 2024, given what is currently know about this population. There is nothing in the literature to suggest that these Chinese American adoptees, at large, have intercontinental, multi-pronged, and continuously sustained relationship(s) between an adoptee (or adoptee family) and individuals from the producer country (often claimed as the ‘sending country’ within adoption spheres, not limited to the field of Critical Adoption Studies). Moreover, Choy suggests that her concept of the “global family” is applicable to international marriages, “global families” are not necessarily made as Choy suggests, rather they are facilitated through a concerted effort to maintain international and transnational familial kinship ties. Chinese American adoptees, which were adopted from 1989 to August 28, 2024, have been systemically denied the ability to know their biological families through the system of closed adoptions and these sociological ties are completely severed for the benefit of both the Chinese nation state and the United States settler colonial project. According to Travel.State.Gov: US Department of State’s Adoption

³⁹ Choy, *Global Families*, 9.

⁴⁰ Choy, *Global Families*, 9.

Statistics, there have been 82,698 Chinese adoptees that were documented to have been adopted to the United States.⁴¹ There are several non-profit and private organizations globally who work towards reconnecting international Chinese American adoptees to their biological families. The Nanchang Project, a United States based non-profit organization; International Child Search Alliance, an international organization spanning five countries; and Help for Family Reunion, a private non-profit organization based in China have claimed to reunite 139 Chinese adoptees,⁴² 56 Chinese adoptees in 2025,⁴³ and over 800 Chinese adoptees,⁴⁴ respectively, with their biological families. International Child Search Alliance and United States based Chinese adoptee reunification organization, The Roots of Love,⁴⁵ have not released official or complete statistics on how many Chinese American adoptee reunifications with Chinese birth families they have overseen, facilitated, or otherwise aided. That is 995 confirmed Chinese American adoptee reunifications out of 82,698 Chinese American adoptees or 1.2032%. To claim international Chinese American adoptees are part of these global families which require continuous and concerted effort to maintain global kinship ties is erroneous if only approximately 1.2032% of Chinese American adoptees get to participate in a global family kinship through reunification and contact with birth families. While reunification does not constitute sustained multiple social

⁴¹ Travel.State.Gov, “Adoption Statistics Dashboard,” Travel.State.Gov: U.S. Department of State, https://travel.state.gov/content/travel/en/Intercountry-Adoption/adopt_ref/adoption-statistics-esri.html.

⁴² Nanchang Project, “Home Page,” Nanchang Project, <https://www.nanchangproject.com/#:~:text=As%20of%20today%2C%20Nanchang%20Project,for%20Chinese%20adoptees%20since%202018!>.

⁴³ International Child Search Alliance, “About Us,” International Child Search Alliance, <https://www.icsachina.org/about-us>.

⁴⁴ International Child Search Alliance, “DNA Testing,” International Child Search Alliance, <https://www.icsachina.org/adoptees>.

⁴⁵ The Roots of Love, “Who We Are,” The Roots of Love, <https://www.therootsoflove.org/about-us>.

relations with individuals, families, or communities in China, individuals who have social connections to a physical geographic location are more likely to build and maintain social relationships with members of the country of origin than those who do not have any social connections to the country of origin. Current literature and the findings of “Battered and Beloved” do not suggest that international, interracial Chinese American adoptees hold these relationships of transnationalism.

I employ the terms interracial and transracial interchangeably. Interracial and transracial are terms meaning that the adoptee is a different race than the adopters or adoptive parents. While these terms are used interchangeably, it is of note that non-adoptees, often white people, have in recent years co-opted the term transracial and distorted its original meaning.⁴⁶ This is particularly offensive as the terms emerged out of the history of settler colonial, imperial, and racist violence against Indigenous Peoples of Turtle Island and Black peoples who were systemically removed from their communities and family kinship networks and placed into white families. Moreover, the same anti-Indigenous and anti-Black racial logics impeded these terms, interracial and transracial, from being applied to Asian American adoptees.⁴⁷ Asian Americans generally and Asian American adoptees specifically were racialized and imagined as having proximity to whiteness within the United States settler colonial logics of anti-Blackness.⁴⁸ By imagining the Asian American as ‘the model minority,’ marking the Asian American body as distinct from

⁴⁶ Kimberley McKee et al., “An Open Letter: Why Co-opting ‘Transracial’ in the Case of Rachel Dolezal is Problematic,” Medium, June 16, 2015, https://medium.com/@Andy_Marra/an-open-letter-why-co-opting-transracial-in-the-case-of-rachel-dolezal-is-problematic-249f79f6d83c.

⁴⁷ Kim Park Nelson, *Invisible Asians: Korean American Adoptees, Asian American Experiences, and Racial Exceptionalism*. (New Brunswick and London: Rutgers University Press, 2016): 95-96.

⁴⁸ Nelson, *Invisible Asians*, 95-96.

Blackness and defined as the absence of racialized negative traits associated with but not inherent to Blackness, the United States settler colonial project was more easily able to illustrate the Asian American adoptee as an assimilable body ripe for socialization and acculturation by a white family. However, the model minority myth is a fiction predicated on anti-Indigenous and anti-Black racial logics. Under the model minority myth, Asian and Asian Americans are conceptualized as pliable and docile bodies that the settler colonial state can use to shame other racialized, disenfranchised, and under resourced populations for not operating as efficiently or ‘successfully’ in conditions of subjugation. In this way, the settler colonial state transforms the Asian and Asian American into an accessory, as in someone who aids or contributes to the commission or concealment of colonialism, to further displace Indigenous Peoples of Turtle Island from their land, legitimize the settler colonial government, and subjugate racialized peoples. Asians, Asian Americans, and Asian American adoptees are not immune to violent racialized practices of othering, exclusion, and subjugation. Asian American adoptees faced parallel violence to other racialized children subject to forced displacement into white families. I am aligning Asian American adoptees with Indigenous and Black experiences of systemic violence in the United States settler colonial project of family making and highlighting a shared subject position as interracial subjects in order to tend to the many ways our liberation is interconnected. It is also a call to action for Asian American adoptees to know our shared histories, act in solidarity, and engage in active community with other racialized adoptee populations. The use of transracial here and in other adoptee spaces is an act of reclamation of diction, language, and vernacular specific to the adoptee community. This is a radical political act and a liberatory act that can only be done by interracial and transracial adoptees. Additionally, this research is interested in interracial and transracial adoptees who were adopted

by white parents, since 92% of people who adopted internationally in the United States of America are non-Hispanic white, based on a 2007 survey.⁴⁹ Richard Tessler, Gail Gamache, and Liming Liu's *West Meets East: Americans Adopt Chinese Children* as well as Tony Xing Tan and Kofi Marfo's "Pre-adoption Adversity and Behavior Problems in Adopted Chinese Children: A Longitudinal Study" also report that over 90% of adopters in the United States are white.⁵⁰ The percentage of white people adopting is statistically significant and provoke "Battered and Beloved" to question the racial dynamics at play in international, interracial Chinese American adoption.

Chinese American is used as an identifier for the population of Chinese children adopted from China and exported to the United States settler colonial state from 1989 to August 28, 2024, in order to call attention to the settler colonial logics utilized to inflict harm onto the adoptee. While the term "Chinese American" is used as an identifier by the population that I interviewed and observed frequently in my online ethnographic studies, most Chinese adoptees often self-identify with this identity, the choice to invoke Chinese American is deliberate, intentional, and meticulous. Broadly speaking, international, interracial Chinese American adoptee individuals are transformed into Chinese Americans during the adoption process when their legal status in China is surrendered by their adopter(s) on the adoptee's behalf and the adoptee's life is irreparably changed by the United States settler colonial project. The adoptee's marked subjectivity to the United States settler colonial state and categorization into ill-defined legal status aligns with larger historical patterns of United States treatment of Chinese American

⁴⁹ Assistant Secretary for Planning and Evaluation (ASPE), "Chartbook."

⁵⁰ Richard Tessler et al., *West Meets East: Americans Adopt Chinese Children* (Westport: Bergin and Garvey, 1999); Tony Xing Tan and Kofi Marfo, "Pre-adoption Adversity and Behavior Problems in Adopted Chinese Children: A Longitudinal Study," *Journal of Applied Developmental Psychology* 42, (2016): 49-57, <https://doi.org/10.1016/j.appdev.2015.11.006>.

people. Additionally, the term Chinese American was chosen because the oral history participants interviewed for this research project as well as self-identified international, interracial Chinese American adoptees on platforms such as Instagram and TikTok frequently report that they were adopted from China and have lived in the United States since their adoption. They very strongly feel connected to the associations with and cultural identity of Chinese Americans. Chinese American adoptee history is part of Chinese American and Asian American histories at large.

“Battered and Beloved” is particularly interested in the stories and experience of adoptees assigned female at birth. According to “Amid Decline in International Adoptions to U.S., Boys Outnumber Girls for the First Time” by Abby Budiman and Mark Hugo Lopez, from 1999 to 2016, approximately 61% of all international, Chinese American adoptees were reported as assigned female at birth.⁵¹ The significant gender imbalance prompts a meticulous and detailed inspection into the ways that gendering functions in both abandonment and adoptability. Additionally, according to Travel.State.Gov: US Department of State’s Adoption Statistics, there have been 82,698 Chinese adoptees that were documented to have been adopted to the United States.⁵² Of the 82,698 Chinese adoptees, 82,480 adoptions fell under the Hague Convention and of those 82,480 adoptions, 69,422 or 84.17% were adoptees assigned female at birth.⁵³ The United States Department of State did not disaggregate the data of non- Hague adoptee genders.⁵⁴ This also urges the research to look meticulously into the gendered aspects of mass

⁵¹ Abby Budiman and Mark Hugo Lopez, “Amid Decline in International Adoptions to U.S., Boys Outnumber Girls for the First Time,” Pew Research Center, October 17, 2017, <https://www.pewresearch.org/short-reads/2017/10/17/amid-decline-in-international-adoptions-to-u-s-boys-outnumber-girls-for-the-first-time/>.

⁵² Travel.State.Gov, “Adoption Statistics.”

⁵³ Travel.State.Gov, “Adoption Statistics.”

⁵⁴ Travel.State.Gov, “Adoption Statistics.”

orphaning, exploitation of gendered labor, and what bodies are burdened with the mark of disposability. I take particular care in attending to the gendered practices, perception, conception, and treatment of adoptees. Since not all people assigned female at birth are women, this research is not interrogating experiences based on gender identity but rather analyzing how nation states gender adoptee bodies and how that gendering affects how adoptee bodies are governed.

III. Literature Review

To ground and situate “Battered and Beloved: An Analysis of Legal Violence Specific to International, Interracial Chinese American Adoptees,” specifically, within the existing landscape of Critical Adoption Studies literature, “Battered and Beloved” will first turn to “Critical Adoption Studies: Conversation in Progress,” edited by Margaret Homans. Dr. Margaret Homans is a professor in the departments of English and Women’s, Gender, and Sexuality Studies at Yale University, where she teaches a class on adoption, WGSS 369 Adoption Narratives.⁵⁵ She is an adopter and mother to two children: one biological child and one adopted child from China.⁵⁶ Dr. Homans curated and cultivated “Critical Adoption Studies: Conversation in Progress” from conversations and connections to the Alliance for the Study of Adoption and Culture, a scholarly organization founded in 1998.⁵⁷ The Alliance for the Study of Adoption and Culture operates a journal called *Adoption & Culture* and hosts “biennial conferences that bring together scholars in the humanities and social sciences, adoption practitioners (lawyers, social workers, psychologists), creative artists, and activists.”⁵⁸ “Critical

⁵⁵ Yale University, “Women’s Gender, and Sexuality Studies: Margaret Homans,” Yale University, <https://wgss.yale.edu/people/margaret-homans>.; Yale University, “English: Margaret Homans,” Yale University, <https://english.yale.edu/people/tenured-and-tenure-track-faculty-professors/margaret-homans>.

⁵⁶ Homans, “Adoption and Essentialism,” 257; Homans, “Conversation in Progress,” 3,

⁵⁷ Homans, “Conversation in Progress,” 4.

⁵⁸ Homans, “Conversation in Progress,” 4.

Adoption Studies: Conversation in Progress,” edited by Margaret Homans, is a collection of fifteen short essays working through what Critical Adoption Studies is, what it wants to be, essential collaborating fields, foundational frameworks, and prioritizing key questions within the field.⁵⁹ It is one of, if not the first, documented written endeavors to define the field of Critical Adoption Studies as the discipline is significantly large, decentralized, and fragmented.⁶⁰ Contributors include Margaret Homans, Peggy Phelan, Janet Mason Ellerby, Eric Walker, Karen Balcom, Kit Meyers, Kim Park Nelson, Laura Briggs, Cynthia Callahan, Rosemarie Peña, Elisabeth Wesseling, Bruno Perreau, Lucy Curzon, Kimberly Leighton, Barbara Yngvesson.⁶¹ The themes of the inherently interdisciplinary nature of Critical Adoption Studies as a field of study, advocacy for utilization of a Reproductive Justice lens within the discipline, expansive understandings of ways of knowledge, centering of social justice ideologies, and challenges to heteronormative understandings of family were repeatedly invoked across “Critical Adoption Studies: Conversation in Progress.”⁶² Many scholars in “Critical Adoption Studies,” push the field to recognize new categories of people as experts in the field.⁶³ For example, Kit W. Myers notes that historically only “adoptive parents and adoption professionals” were considered experts on the study of adoption but Critical Adoption Studies urges the inclusion of “adult adoptees and birth or first parents” as experts and authoritative knowledge producers.⁶⁴ This also raises the questions: who is an expert? Who deserves space and a voice in the field? What knowledge is considered valuable or important within the field of Critical Adoption Studies?

⁵⁹ Homans et al., “Conversation in Progress,” 1-49.

⁶⁰ Hipchen, “Introduction,” 1.

⁶¹ Homans et al., “Conversation in Progress,” 1-49.

⁶² Homans et al., “Conversation in Progress,” 1-49.

⁶³ Homans et al., “Conversation in Progress,” 1-49.

⁶⁴ Kit W. Myers, “Marking the Turn and New Shakes in (Critical) Adoption Studies,” in *Critical Adoption Studies: Conversation, Adoption & Culture* 6, no.1 (2018): 19.

“Battered and Beloved” is in conversation with “Critical Adoption Studies: Conversation in Progress,” working through the formation of the field of study and complicating emergent questions within the field. This research aims to center adoptee research conducted by adoptees, in community with adoptees, and created for adoptees. I firmly assert that adoptees are experts of their own experiences and should be recognized as authoritative knowledge producers in the field of Critical Adoption Studies. While Critical Adoption Studies largely values contributions by any scholar regardless of their relationship to adoption, “Battered and Beloved” pays close attention to the critical need for adoptee narrated stories and engaging in the Disability Justice praxis of “nothing about us, without us,”⁶⁵ as a deliberate act of resistance and to complicate the predominately adopter narrated experiences of adoption.

To further contextualize “Battered and Beloved” within the existing Critical Adoption Studies literature, “Battered and Beloved” will turn to *The Routledge Critical Adoption Studies Reader*, edited by Emily Hipchen. Emily Hipchen is an adoptee who was adopted during the United States Baby Scoop Era and has been in reunion with her biological family since 1999.⁶⁶ She is an active member in the adoptee community as someone who runs a blog on a platform called substack, “On Adoption and Culture (Emily Hipchen),” interacts with other adoptees on the internet, and creates adoptee led and adoptee centered research.⁶⁷ “Hipchen is a Fulbright scholar, the editor of *Adoption & Culture*, co-editor of the book series *Formations: Adoption*,

⁶⁵ Amber Knight, “Democratizing Disability: Achieving Inclusion (without Assimilation) through ‘Participatory Parity,’” *Hypatia* 30, no. 1 Special Issue: New Conversations in Feminist Disability (2015): 99-100, <https://www.jstor.org/stable/24542061>.

⁶⁶ Emily Hipchen, “On Adoption and Culture (Emily Hipchen),” Substack, https://substack.com/@emilyhipchen?utm_source=about-page; Emily Hipchen, *Coming Apart Together: Fragments from an Adoption*. (Pendleton: The Literature Chigger Press, 2005).

⁶⁷ Hipchen, “On Adoption and Culture); Brown University, “Researchers@Brown: Emily Hipchen,” Brown University, <https://vivo.brown.edu/display/ehipchen>.

Kinship, and Culture (OSUP), and a former co-editor of *a/b: Autobiography Studies*.”⁶⁸ *The Routledge Critical Adoption Studies Reader* acts as “the beginnings of a textual” home to the vast and sprawling discipline of Critical Adoption Studies.⁶⁹ It navigates, questions, and starts to define the emergent field within existing literature and offers a centralized place to explore a curated selection of Critical Adoption Studies research.⁷⁰ This book is organized into three sections: Part One: Foundations, Histories, Frames; Part Two: Embodiment and Adoption; Part Three: Adoption Narratives. Part One: Foundations, Histories, Frames outlines broad histories of adoption, particularly in the United States; traces historical and contemporary relationships between religion, politics, and adoption, especially as it pertains to the disability and eugenics; gestures towards nation state governance of adoptees through child protective services, criminal surveillance, and immigration control; and explores the United States settler colonial state’s positioning of Korean adoptees as measures of multiculturalism and a racially tolerant society.⁷¹ Authors included in Part One are E. Wayne Carp, Judith Modell, Kimberly Leighton, Dorothy Roberts, Sandra Sufian, Viviana Zelizer, Kim Park Nelson, Marilyn Strathern, Carol Singley, Cynthia Callahan, and Sarah Potter. Part Two: Embodiment and Adoption grapples with the theoretical idea of the adoptee body as grounds for contending and contesting conceptualizations of gender, race, sex, class, and nation.⁷² Included Authors in Part Two are Shelley M. Park, Margaret D. Jacobs, Elizabeth Bartholet, Judith Butler, Jacqueline Stevens, Laura Briggs, Marianne Novy, Sara K. Dorow, Sarah Franklin, Marina Fedosik, and David L. Eng. Part Three: Adoption Narratives offers an overview of dominant narratives around adoption and narrative

⁶⁸ Brown University, “Researchers@Brown.”

⁶⁹ Hipchen, “Introduction,” 1.

⁷⁰ Hipchen, “Introduction,” 1-9.

⁷¹ Hipchen et al., *The Routledge Critical Adoption Studies Reader*, 1-97.

⁷² Hipchen et al., *Critical Adoption Studies Reader*, 99-175.

structures that Critical Adoption Studies engages with and critiques.⁷³ Contributors to Part Three are Barbara Melosh, Margaret Homans, Catherine Ceniza Choy, Kori A. Graves, Arissa Oh, Mark Jerng, Sandra Patton, Gabrielle Glaser, Sally Haslanger, Heather Jacobson, and Frances J. Latchford. This collection of research offer insight into main questions Critical Adoption Studies interrogates, exhibits popular methodologies and approaches, and asks for further study and participation from overlapping fields. Notably, there is no standard distinction nor prioritization of who is conducting this research. *The Routledge Critical Adoption Studies Reader* similarly to “Critical Adoption Studies: Conversation in Progress,” works on a system of self-disclosure where an author decides and describes what relation or non-relation they have to adoption within the text of their work. “Battered and Beloved” is not advocating for the practice of mandatory self-disclosure as an adoptee or other persons related to adoption, rather bringing attention to the fact that the flattening of the varied and wide-ranging relational statuses researchers have to adoption into one category brings into question who is able to be an expert in adoption. To put another way, can non-adoptees be considered experts in adoptee experiences within the field of Critical Adoption Studies? Perhaps, Critical Adoption Studies, as a discipline, should start deeply interrogating the researcher’s positionality and who is permissible to be an expert or more clearly define in what ways different relational statues grant expertise in specific perspectives within the field.

Moving towards the intersection of Asian American Studies and Critical Adoption Studies, “Battered and Beloved” joyfully and intentionally engages with Dr. Kimberly D. McKee’s work *Disrupting Kinship: Transnational Politics of Korean American Adoption in the United States* and *Adoption Fantasies: The Fetishization of Asian Adoptees from Girlhood and*

⁷³ Hipchen et al., *Critical Adoption Studies Reader*, 77-261.

Womanhood. Dr. Kimberly D. McKee is a Korean adoptee woman and the Director and Professor in the School of Interdisciplinary Studies at Grand Valley State University.⁷⁴

Disrupting Kinship: Transnational Politics of Korean American Adoption in the United States is a monograph that traces what McKee coins the “transnational adoption industrial complex,”⁷⁵ specifically as it pertains to the adoption of South Korean children to the United States. She defines the transnational adoption industrial complex (TAIC) as “a neocolonial, multi-million-dollar global industry that commodifies children’s bodies,”⁷⁶ consisting of the Korean social welfare state, orphanages, adoption agencies, and the United States government. “Chapter One: Generating a Market in Children” contextualizes TAIC within the geopolitical landscape of the Cold War, paying close attention to South Korea and the United States.⁷⁷ “Chapter Two: (Un)documented Citizens, (Un)naturalized Americans” interrogates the Cold War politics influences on transnational Korean adoptee migration into the United States as a category of exception from other Asian migrant groups and as a category of admittance into the United States.⁷⁸ This bifurcation of transnational Korean adoptees from Korean and Korean American racial categories produced what Kim Park Nelson terms “White Koreans,” where Korean adoptees exert the labor of performing whiteness.⁷⁹ Dr. Kim Park Nelson states that “Daniel

⁷⁴ Kimberley McKee, “Welcome,” Kimberley McKee, <https://mckeekimberly.com>.

⁷⁵ Kimberly D. McKee, *Disrupting Kinship: Transnational Politics of Korean Adoption in the United States*, 1st ed. (Illinois: University of Illinois Press, 2019): 2.

⁷⁶ McKee, *Disrupting Kinship*, 2.

⁷⁷ Kimberly D. McKee, “Chapter One: Generating a Market in Children,” in *Disrupting Kinship: Transnational Politics of Korean Adoption in the United States*, 1st ed. (Illinois: University of Illinois Press, 2019): 19-37.

⁷⁸ Kimberly D. McKee, “Chapter Two: (Un)documented Citizens, (Un)naturalized Americans,” in *Disrupting Kinship: Transnational Politics of Korean Adoption in the United States*, 1st ed. (Illinois: University of Illinois Press, 2019): 39-60.

⁷⁹ Kim Park Nelson, “Adoptees as White Koreans: Identity, Racial Visibility, and the Politics of Passing among Korean American Adoptees,” *Invisible Asians: Korean American*

Bernardi understands all [w]hiteness as a performance” by the invocation of whiteness through action or appearance by white or non-white peoples.⁸⁰ “Chapter Three: The (Re)production of Family” complicates understandings of kinship structures, adoptee kinship structures, and how adoption disrupts kinship structures.⁸¹ McKee explores adoptee lived experiences through print media in “Chapter Four: Rewriting the Adoptee Experience,”⁸² oral history in “Chapter Five: Adoption in Practice: Adult Adoptee Reflections,”⁸³ and online media in “Chapter Six: Adoptees Strike Back: Who Are You Calling Angry?”⁸⁴

Disrupting Kinship first introduces the internet as a space that can foster community for adoptees, which can be a site of ethnographic research as explored in “Chapter Six: Adoptees Strike Back: Who Are You Calling Angry?”⁸⁵ and expanded upon in *Adoption Fantasies: The Fetishization of Asian Adoptees from Girlhood and Womanhood*. *Adoption Fantasies: The*

Adoptees, Asian American Experiences, and Racial Exceptionalism. (New Brunswick: Rutgers University Press, 2016), 122.

⁸⁰ Daniel Bernardi, “Introduction: Race and the Hollywood Style,” in *Classic Hollywood, Classic Whiteness* (University of Minnesota Press, 2001), xiii, quoted in Kim Park Nelson, “Adoptees as White Koreans: Identity, Racial Visibility, and the Politics of Passing among Korean American Adoptees,” *Invisible Asians: Korean American Adoptees, Asian American Experiences, and Racial Exceptionalism*. (Rutgers University Press, 2016): 121-149.

⁸¹ Kimberly D. McKee, “Chapter Three: The (Re)production of Family,” in *Disrupting Kinship: Transnational Politics of Korean Adoption in the United States*, 1st ed. (Illinois: University of Illinois Press, 2019): 61-76.

⁸² Kimberly D. McKee, “Chapter Four: Rewriting the Adoptee Experience,” in *Disrupting Kinship: Transnational Politics of Korean Adoption in the United States*, 1st ed. (Illinois: University of Illinois Press, 2019): 77-100.

⁸³ Kimberly D. McKee, “Chapter Five: Adoption in Practice: Adult Adoptee Reflections,” in *Disrupting Kinship: Transnational Politics of Korean Adoption in the United States*, 1st ed. (Illinois: University of Illinois Press, 2019): 101-122.

⁸⁴ Kimberly D. McKee, “Chapter Six: Adoptees Strike Back: Who Are You Calling Angry,” in *Disrupting Kinship: Transnational Politics of Korean Adoption in the United States*, 1st ed. (Illinois: University of Illinois Press, 2019): 123-145.

⁸⁵ Kimberly D. McKee, “Chapter Six: Adoptees Strike Back: Who Are You Calling Angry,” in *Disrupting Kinship: Transnational Politics of Korean Adoption in the United States*, 1st ed. (Illinois: University of Illinois Press, 2019): 123-145.

Fetishization of Asian Adoptees from Girlhood and Womanhood is a systematic map of existing hegemonic narratives surrounding the adoption of Asian girls and women as well as Asian adoptee experiences with this media.⁸⁶ This book states that “the 1990s also marked a shift in the formation of Asian adoptee communities due to internet technologies. [...] These digital, deterritorialized communities should be seen as an outgrowth of the connections forged within local adult adoptee organizations that emerged in the late 1980s and early 1990s.”⁸⁷ By conceptualizing the internet as a space where adoptees create an adoptee culture, it creates a theoretical territory wherein which adoptees can be ethnographically researched. If not for the internet as an adoptee site of culture, adoptees would not be ethnographically studied as adoptees do not have a geographic location central to adoptee culture creation and cultivation. Additionally, McKee reveals that transracial adoption exposes the limits of multiculturalism. Multiculturalism is the idea that the incorporation of peoples from all cultures, races, and ethnicities into the dominant political sphere through acknowledgement can create equality in a neoliberal society. However, McKee argues that adoption exposes what Mary Thomas calls banal multiculturalism, “which describes the everydayness of multiculturalism that bears little nuance, context, or explanation.”⁸⁸ Where McKee conceptualizes transracial adoption as an exposure of multiculturalism’s limits, I propose that both transnational, transracial Asian adoption and international, interracial Asian American adoption are processes created in service of white supremacist multiculturalism. Dylan Rodríguez conceptualizes white supremacist

⁸⁶ Kimberly D. McKee, *Adoption Fantasies: The Fetishization of Asian Adoptees from Girlhood and Womanhood*, 1st ed. (Columbus: Ohio State University Press, 2023).

⁸⁷ McKee, *Adoption Fantasies*, 2.

⁸⁸ Mary Thomas, *Multicultural Girlhood: Racism, Sexuality, and the Conflicted Spaces of American Education (Global Youth)* (Temple University Press, 2011), quoted in Kimberly D. McKee, *Adoption Fantasies: The Fetishization of Asian Adoptees from Girlhood and Womanhood*, 1st ed. (Columbus: Ohio State University Press, 2023): 9.

multiculturalism as a neoliberal politic that upholds systems of white supremacy and thus the subjugation of non-white racialized peoples while simultaneously utilizing the language multiracial and multiethnic inclusion.⁸⁹ By acculturating Asian American bodies into white supremacist culture and ways of thinking through transracial adoption and socialization of the adoptee by the white adopter(s), the United States settler colonial state has essentially manufactured racialized bodies that uphold the systems of white supremacy while doing the labor promoting the narrative of multiculturalism by politely existing. This is until the adoptee comes into a racial consciousness and “out of the fog,” as conceptualized in “Out of the Fog and into Consciousness: A Model of Adoptee Awareness” by Susan F. Branco, JaeRan Kim, Grace Newton, Stephanie Kripa Cooper-Lewter, and Paula O’Loughlin.⁹⁰ For example, when an Asian adoptee comes “out of the fog” and reculturates into Asian and/or Asian American understandings of race, racial hierarchies, and racial ideologies of self-identity, the adoptee ruptures white supremacist multiculturalist narratives.

Invisible Asians: Korean American Adoptees, Asian American Experiences, and Racial Exceptionalism by Kim Park Nelson is a collection and analysis of sixty-five oral history interviews that offer insights on transnational, transracial Korean American adoptee experiences within the contexts of history, geopolitics, and the multiple overlapping cultural contexts at the intersection of transnational, transracial Korean American adoptee identity, situated in Cold War politics and beyond.⁹¹ Dr. Kim Park Nelson is a transnational adoptee, researcher, educator, an

⁸⁹ Dylan Rodríguez, *White Reconstruction: Domestic Welfare and the Logics of Genocide*, 1st ed. (New York: Fordham University Press, 2020).

⁹⁰ Susan F. Branco et al., “Out of the Fog and into Consciousness: A Model of Adoptee Awareness,” *International Body Psychotherapy Journal* 22, no. 1 (Summer 2023): 53-63.

⁹¹ Nelson, *Invisible Asians*.

Associate Professor and the Director of Ethnic Studies at Winona State University.⁹² She proposes the idea of Korean American adoptees as the “invisible Asians” due to multiculturalist narratives surrounding inclusion and representation for an equitable neoliberal society, Korean American adoptee identities were flattened and invisibilized by the United States settler colonial project.⁹³ Moreover, Nelson argues that transracial adoption transformed into the embodiment of multiculturalism and trans mutated into perfect symbols of “color-blind” society through racial isolation and racial etiquette,⁹⁴ which “Battered and Beloved” engages with further in “Chapter One: Constructed Disposability: An Analysis of the Western Construct of International, Interracial Chinese American Adoptees.” Additionally, *Invisible Asians* informs this research’s approach to methodology as Kim Park Nelson grappled with her positionality as a “within-group researcher”⁹⁵ and took great care into expressing “judgement without judgement.”⁹⁶

Building off of Korean American Adoptee research at the intersection of Asian American Studies and Critical Adoption Studies, “Battered and Beloved” turns to *The Violence of Love: Race, Family, and Adoption in the United States* by Kit W. Myers.⁹⁷ Dr. Kit W. Myers is a transnational, transracial Hong Kong adoptee and an Assistant Professor in the Department of History & Critical Race and Ethnic Studies at UC Merced.⁹⁸ *The Violence of Love* is a genealogy tracing the history of transnational and transracial adoption as it pertains the United States settler colonial nation state.⁹⁹ In the “Preface,” Meyers situates their experiences with adoptees and

⁹² Nelson, “Kim Park Nelson.”

⁹³ Nelson, *Invisible Asians*.

⁹⁴ Nelson, *Invisible Asians*.

⁹⁵ Nelson, *Invisible Asians*, 17.

⁹⁶ Nelson, *Invisible Asians*, 27.

⁹⁷ Myers, *The Violence of Love*, 3.

⁹⁸ Myers, *The Violence of Love*.; University of California, Merced, “Kit Myers,” University of California, Merced, <https://sites.ucmerced.edu/kitmyers/>.

⁹⁹ Myers, *The Violence of Love*, 3.

coming into their identity as a transnational, transracial Hong Kong adoptee with working at an adoptee birth heritage cultural camp, which they refer to as Adoptee Camp.¹⁰⁰ It is important to note that the type of adoptees that are able to attend these camps have very specific experiences and backgrounds. Their adopter(s)/parents must first know about these camps, be interested in having their child(ren) know more about their birth culture, and have the financial means to afford this type of camp. For example, the most affordable adoption birth heritage camp is hosted by Heritage Camps for Adoptive Families Inc., which was started in 1992, by forty families who adopted children from Korea.¹⁰¹ Heritage Camps for Adoptive Families Inc. currently offers a four day camp experience for “African/Caribbean,”¹⁰² “Chinese,”¹⁰³ “Domestic,”¹⁰⁴ “Indian/Nepalese,”¹⁰⁵ “Korean,”¹⁰⁶ “Latin American,”¹⁰⁷ “Slavic/Eastern European/Central

¹⁰⁰ Kit W. Myers, “Preface,” in *The Violence of Love: Race, Family, and Adoption in the United States*. (Oakland: University of California Press, 2025), xi-xiv.

¹⁰¹ Heritage Camps for Adoptive Families Inc., “About Heritage Camps for Adoptive Families,” Heritage Camps for Adoptive Families Inc., <https://www.heritagecamps.org/about-us/>.

¹⁰² Heritage Camps for Adoptive Families Inc., “African/Caribbean Heritage Camp,” Heritage Camps for Adoptive Families Inc., <https://www.heritagecamps.org/african-caribbean-heritage-camp-2/>.

¹⁰³ Heritage Camps for Adoptive Families Inc., “Chinese Heritage Camp,” Heritage Camps for Adoptive Families Inc., <https://www.heritagecamps.org/chinese-heritage-camp/>.

¹⁰⁴ Heritage Camps for Adoptive Families Inc., “Domestic Heritage Camp,” Heritage Camps for Adoptive Families Inc., <https://www.heritagecamps.org/domestic-adoption-camp/>.

¹⁰⁵ Heritage Camps for Adoptive Families Inc., “Indian/Nepalese Heritage Camp,” Heritage Camps for Adoptive Families Inc., <https://www.heritagecamps.org/indian-nepalese-camp/>.

¹⁰⁶ Heritage Camps for Adoptive Families Inc., “Korean Heritage Camp,” Heritage Camps for Adoptive Families Inc., <https://www.heritagecamps.org/korean-camp/>.

¹⁰⁷ Heritage Camps for Adoptive Families Inc., “Latin American Heritage Camp,” Heritage Camps for Adoptive Families Inc., <https://www.heritagecamps.org/latin-american-camp/>.

Asian,”¹⁰⁸ “Southeast Asian/Pacific Islander,”¹⁰⁹ and “Adult”¹¹⁰ adoptees. For a four day camp, the price, to attend as a participant, ranges from \$230 to \$260 for children adoptees, \$175 for adult adoptees, and \$285 for adult adopters/parents; if four or more children are enrolled into the camp by the same family, the fourth and each additional child’s cost of attendance is \$95.¹¹¹ There are additional events and programming that people can opt into through an additional fee.¹¹² While Heritage Camps for Adoptive Families Inc. offers financial assistance, adopters and adult adoptees must pay upfront, apply for financial assistance, and upon approval, get reimbursed approximately 60%-70%, depending on the year.¹¹³ Other organizations such as The Park: Adoption Community Center and Holt International are currently hosting six day, five night adoptee birth heritage cultural camps that cost approximately \$950 to \$975.¹¹⁴ The Park: Adoption Community Center offers partial and full fee waivers upon application approval,¹¹⁵ while Holt International does not seem to offer any financial assistance programs to offset the costs of participating in the Holt International adoptee summer camp.¹¹⁶ Adoptees that

¹⁰⁸ Heritage Camps for Adoptive Families Inc., “Slavic/Eastern European/Central Asian Heritage Camp,” Heritage Camps for Adoptive Families Inc., <https://www.heritagecamps.org/slavic-eastern-europe-central-asia/>.

¹⁰⁹ Heritage Camps for Adoptive Families Inc., “Southeast Asian/Pacific Islander Heritage Camp,” Heritage Camps for Adoptive Families Inc., <https://www.heritagecamps.org/southeast-asian-pacific-islander/>.

¹¹⁰ Heritage Camps for Adoptive Families Inc., “Adult Adoptee Programing,” Heritage Camps for Adoptive Families Inc., <https://www.heritagecamps.org/posthighschool/>.

¹¹¹ Heritage Camps for Adoptive Families Inc., “Camp Fees and Financial Assistance,” Heritage Camps for Adoptive Families Inc., <https://www.heritagecamps.org/camp-fees-assistance/>.

¹¹² Heritage Camps for Adoptive Families Inc., “Camp Fees and Financial Assistance.”

¹¹³ Heritage Camps for Adoptive Families Inc., “Camp Fees and Financial Assistance.”

¹¹⁴ The Park: Adoption Community Center, “Adopteen,” The Park: Adoption Community Center, <https://theparkcommunity.org/adopteeconnections/adopteen/#feewaiver>; Holt International, “Holt Adoptee Summer Camp!,” Holt International, <https://www.holtinternational.org/post-adoption/summer-camps/>.

¹¹⁵ The Park: Adoption Community Center, “Adopteen.”

¹¹⁶ Holt International, “Holt Adoptee Summer Camp!”

participate in these programs, generally, have to be open or willing to engage with their identity as an adoptee and all of the intersecting layers of their adoptee identity. Many of these adoptee birth heritage cultural camps were founded by adopters and have since either been taken over by adoptees or adoptees have integrated into leadership. These adoptee birth heritage cultural camps tend to reinforce dominant hegemonic adoption narratives, offer what the adoptee birth heritage cultural camps deem authentic cultural programming events and activities, and create a space for adoptees to connect with other adoptees in a highly specific context and environment. Moreover, these adoptee birth heritage cultural camps encourage adoptee participants to view themselves and their experience through the lens of gratitude, recipient of adoption as benevolence, and the saved subject of preconceived negative promised futures of poverty and hardship in China or their country of birth. This is not to discount nor discredit Myers' experience with, knowledge created from being in community with, or the experiences of the "more than 250 other transracial/transnational adoptee youths."¹¹⁷ The purpose of noting that these adoptees come from specific backgrounds, have specific perspectives, and are sharing their experiences in a particular setting, the Adoptee Camp, is to say that not every adoptee has the opportunity to attend one of these camps, the perspectives of children adoptees may change as they grow older, and while these viewpoints and insights are valuable, they are not the only ones that exist. In regard to "Battered and Beloved," one of the oral history participants that were interviewed for this research project has attended these camps, while the other three have not, and the perspectives the oral history participants in this research share may align or challenge viewpoints expressed in other adoptee led research such as *Invisible Asians*, *Disrupting Kinship*, and *The Violence of Love*.

¹¹⁷ Myers, *The Violence of Love*, xi.

The Violence of Love: Race, Family, and Adoption in the United States by Kit W. Myers explores how love as the politics of life and death create violence that adoptees must contend with and navigate.¹¹⁸ “Chapter One: A Genealogy of Transracial and Transnational Adoption” traces newspaper and adoption agency created media that transforming Black, Indigenous People of Turtle Island, and Asian children from unadoptable to adoptable populations.¹¹⁹ “Chapter Two: The New Normal: Positively Defining (Adoptive) Motherhood and Family” is a historical analysis of the ways social work and social sciences attempted to reframe narratives around adoption through the creation of Positive Adoption Language (PAL), which advocated for “universal” and “loving” terminology that institutionalizes a racial hierarchy of motherhood where the white adoptive mother is placed above Black, Indigenous People of Turtle Island, and Asian biological mothers.¹²⁰ “Chapter Three: Color-Evasive Love and Freedom from Violence in (Neo)Liberal Adoption Laws” interrogates how congressional hearings and federal adoption laws weaponize invocations of love within (neo)liberal discourse to reframe adoption from shameful to charitable.¹²¹ “Chapter Four: Love, Life, Death: Opposite Futures and Protecting the Wrong Subjects” explores how adoption narratives, laws, and the Hague Adoption Convention imagined “opposite futures” for racialized adoptees where their imagined future in their country of birth

¹¹⁸ Myers, *The Violence of Love*.

¹¹⁹ Kit W. Myers, “Chapter One: A Genealogy of Transracial and Transnational Adoption,” in *The Violence of Love: Race, Family, and Adoption in the United States*. (Oakland: University of California Press, 2025), 21-51.

¹²⁰ Kit W. Myers, “Chapter Two: The New Normal: Positively Defining (Adoptive) Motherhood and Family,” in *The Violence of Love: Race, Family, and Adoption in the United States*. (Oakland: University of California Press, 2025), 52-82.

¹²¹ Kit W. Myers, “Chapter Three: Color-Evasive Love and Freedom from Violence in (Neo)Liberal Adoption Laws,” in *The Violence of Love: Race, Family, and Adoption in the United States*. (Oakland: University of California Press, 2025), 83-110.

could only produce worse a quality of life than a life in the United States with white adopters.¹²²

“Chapter Five: Eliminating the Native and the Privileging of White Rights in *Adoptive Couple v. Baby Girl*” examines *Adoptive Couple v. Baby Girl* and *Haaland v. Brackeen* (2023), both of which challenge the Indian Child Welfare Act (ICWA) of 1978 and argue that ICWA uses race as a factor to discriminate against white adopters in cases involving an Indigenous child of Turtle Island, in an attempt to further privilege white adopters over Indigenous parents and Native Nations.¹²³ “Conclusion: Love, Alternative Kinships, and Imagining Otherwise” draws upon Native knowledge to imagine solutions and alternatives to the adoption industrial complex.¹²⁴

Many of these solutions are short term solutions to immediately address legal violence adoptees face today but there is a greater need to create intermediary steps to legally support kinship networks beyond the nuclear family and invest in long term solutions beyond the settler colonial state. “Battered and Beloved” is in conversation with Critical Adoption Studies and aims to contribute to this emergent field of study.

Shifting away from Critical Adoption Studies and towards Asian American Studies, “Battered and Beloved” turns to *Reencounters: On the Korean War and Diasporic Memory* by Crystal Mun-hye Baik. Crystal Mun-hye Baik is the Chair and an Associate Professor of the Gender and Sexuality Studies at the University of California, Riverside.¹²⁵ Baik is not an

¹²² Kit W. Myers, “Chapter Four: Love, Life, Death: Opposite Futures and Protecting the Wrong Subjects,” in *The Violence of Love: Race, Family, and Adoption in the United States*. (Oakland: University of California Press, 2025), 111-131.

¹²³ Kit W. Myers, “Chapter Five: Eliminating the Native and the Privileging of White Rights in *Adoptive Couple v. Baby Girl*,” in *The Violence of Love: Race, Family, and Adoption in the United States*. (Oakland: University of California Press, 2025), 132-162.

¹²⁴ Kit W. Myers, “Conclusion: Love, Alternative Kinships, and Imagining Otherwise,” in *The Violence of Love: Race, Family, and Adoption in the United States*. (Oakland: University of California Press, 2025), 163-183.

¹²⁵ University of California, Riverside, “UC Riverside | Profiles: Crystal Mun-hye Baik,” University of California, Riverside, <https://profiles.ucr.edu/app/home/profile/cbaik>.

adoptivee. *Reencounters: On the Korean War and Diasporic Memory* by Crystal Mun-hye Baik discusses the delinking of war from the population the war has and continues to affect.¹²⁶ She offers the idea of reencounters to trace the illegible effects of the Korean War (on going) on affected populations and push past inherited trauma and post-memory. Additionally, she proposes the idea of the militarized migrant as a means of identifying and tracing the population effected by the Korean War, including war brides and transnational Korean adoptees. These migrants are both the product of war and what the United States of America extracted from Korea through the war. These individuals are sites of imperial violence, transnational war, gender based violence, and state sanctioned violence. Moreover, Baik discusses “adoptable children” in terms of demand for and “domestic shortage of” “adoptable children.”¹²⁷ These “adoptable children” are orphans and paper orphans. Many of the transnational Korean American adoptees were “not orphans at all”¹²⁸ but rather paper orphans because they had families and family members who were alive and often wanted them but for whatever reason (war, cultural stigma, etc.) could not keep and care for these children. Paper orphans is a term first coined by Terre Des Hommes and Unicef in their documentary, *Paper Orphans*.¹²⁹ Paper orphans are children who have living family members who want them but are legally constructed as an “orphan,” usually for profit and human trafficking.¹³⁰ Moreover, the term, paper orphans, recognizes the legal violence in claiming a child is an orphan when the orphaning is systemic rather than interpersonal or individual.

¹²⁶ Crystal Mun-hye Baik, *Reencounters: On the Korean War and Diasporic Memory Critique*, (Philadelphia: Temple University Press, 2019).

¹²⁷ Baik, *Reencounters*, 43.

¹²⁸ Baik, *Reencounters*, 48.

¹²⁹ *Paper Orphans* (Terre Des Hommes and Unicef, 2010).

¹³⁰ Kathryn E. Van Doore, “Paper Orphans: Exploring Child Trafficking for the Purpose of Orphanages,” *International Journal of Children’s Rights*, 2016.

At the intersection of Asian American Studies and Critical Race Theory, Dr. Lee Ann S. Wang offers an intentional interrogation of legal violence specific to Asian American immigrant women who survived domestic violence in her article, “‘Of the Law, but Not Its Spirit’: Immigration Marriage Fraud as Legal Fiction and Violence Against Asian Immigrant Women.” Dr. Lee Ann S. Wang is an Assistant Professor of Asian American Studies at the University of California, Los Angeles who specializes in gender violence, policing, Asian Americans, and the Law.¹³¹ “‘Of the Law, but Not Its Spirit’: Immigration Marriage Fraud as Legal Fiction and Violence Against Asian Immigrant Women” by Lee Anne S. Wang discusses the Immigration Marriage Fraud Amendments of 1986 (IMFA) and the ways in which constructs of fraud, citizenship, race, and marriage interact with each other within that piece of legislation. Wang masterfully deconstructs the concept of immigration marriage fraud, exposes it as a legal fiction, reveals the racial problem with “coaching,” and uncovers the racist equivalation of requiring a translator equating to being a fraudulent speaker while highlighting the abhorrent white standard of love to legally prove love between Asian immigrant women and their spouses and emphasizing the dangerous assumption of the citizen subject as innocent.¹³² Most poignantly, Wang eloquently articulates that the legal system in place for immigrant women is not for helping immigrant survivors of domestic violence but to protect the nation-state from immigrants ‘fraudulently receiving citizenship’ and thus incite legal violence: “the IMFA places women in more restrictive dependency upon their spouses thereby furthering conditions of violence due to

¹³¹ UCLA Asian American Studies, “Lee Ann S. Wang,” UCLA Asian American Studies, <https://asianam.ucla.edu/person/lee-ann-s-wang/>.

¹³² Lee Ann S. Wang, “‘Of the Law, But Not Its Spirit’: Immigration Marriage Fraud as Legal Fiction and Violence Against Asian Immigrant Women,” *UC Irvine Law Review* 3, no. 4 (2013): 1221-1250.

such dependency.”¹³³ Similarly, the United States laws around adoption and citizenship have historically and continue in the contemporary moment to inflict legal violence against international Asian American adoptees by rendering a select population of international Asian American adoptees ineligible for automatic citizenship, subject to the arduous naturalization process as a means to permanent legal status in the United States, and vulnerable to systems of deportation. For the purposes of this research project, I conceptualize legal violence as any violence constructed, perpetuated, or facilitated by the Law and policies that legitimize and propagate mental, emotional, physical, economic, spiritual, and psychological harm. The laws and policies that govern adoptees and adoptable children are usually justified under the guise of the wellbeing of a child, even when these practices deliberately inflict violence onto the children the laws and policies claim to protect. Legal violence is manufactured, facilitated, and exacerbated by carceral logics, the surveillance state, and the family policing system (Child Welfare, Child Protect Services, and mandated reporters).

Looking towards Critical Race Theory and three of its founding members, “Battered and Beloved” engages with “Race to the Bottom” by Devon W. Carbado, “Whiteness as Property” by Cheryl I. Harris, and “Mapping the Margins: Intersectionality, Identity Politics, and Violence against Women of Color” by Kimberlé Crenshaw to understand Law as a productive discursive site of analysis and inform the critical legal analysis of race. Devon W. Carbado is a legal scholar, and critical race theorist with a concentration on Black Americans, and a Distinguished Research Professor at the University of California, Los Angeles School of Law and New York University Law School.¹³⁴ “Race to the Bottom” by Devon W. Carbado addresses Critical Race

¹³³ Wang, “Of the Law, but Not Its Spirit,” 1223.

¹³⁴ UCLA School of Law, “Devon W. Carbado,” UCLA Law, <https://law.ucla.edu/faculty/faculty-profiles/devon-w-carbado>.

Theory's position that antiracist politics and legal theory should be informed by the people "on the bottom" by interrogating how individuals define "the bottom," the purposes of "looking to the bottom," and challenging the Black/white paradigm.¹³⁵ Carbado's concept of a multiracial, multiethnic bottom comprising of different classes, genders, and sexual orientations¹³⁶ urges researchers, legal professionals, and activists to consider the many different populations that are affected by the Law and are subjugated by the neoliberal, white supremacist, multiculturalist United States settler colonial project. Identifying vulnerable populations allows researchers, legal professionals, and activists to direct their attention to impacted groups and better allocate their labor to serve these populations. Moving away from the Black/white paradigm expands understandings of race, Law, and its effects. Utilizing Carbado's concept of a multiracial, multiethnic bottom, this research aims to empower international, interracial Chinese American adoptees and recognize how the subject position of the international, interracial Chinese American adoptee is part of this multiracial, multiethnic bottom that requires meticulous attention be paid to this group as a vulnerable population who need to be listen to, understood, acknowledged, and served.

"Whiteness as Property" by Cheryl I. Harris expertly outlines the law's conceptualization of whiteness as property that holds legal entitlements, that those who the law recognizes as having the identity and status of being white, can invoke. Cheryl I. Harris is a prolific legal scholar, critical race theorist, and Professor of law at the University of California, Los Angeles School of Law.¹³⁷ Harris outlines how the law constructs and affirms the category of white people: who is

¹³⁵ Devon W. Carbado, "Race to the Bottom," *UCLA Law Review* 49, no. 5 (2002): 1283-1312.

¹³⁶ Carbado, "Race to the Bottom," 1283-1312.

¹³⁷ UCLA School of Law, "Cheryl I. Harris," UCLA Law, <https://law.ucla.edu/faculty/faculty-profiles/cheryl-i-harris>.

white and non-white. Whiteness acts as an identity, accrues privileges based on that identity, and are legally reinforceable (thus, constituting property). In United States law, property is a bundle of legally recognized, invokable, and enforceable rights to possess, use, transfer, or dispose of items, tangible attributes, and intangible attributes that have value.¹³⁸ Within the context of adoption in the United States settler colonial project, whiteness is used as legal property to both exclude racialized peoples from whiteness and invoke it as a legally enforceable privilege to parent racialized children. Specifically, whiteness is an identity that holds a privileged status within adoption spaces, due to social work and social sciences creating Positive Adoption Language (PAL) and standardizing terminology that (re)produces a racial hierarchy of motherhood that privileges the white adoptive mother above Black, Indigenous People of Turtle Island, and Asian biological mothers.¹³⁹ In practice, white adoptive mothers are deemed to be more well suited to motherhood than racialized biological mothers by the United States settler colonial nation state. Historical examples of this are “the Indian Adoption Project,” where Indigenous children from Native Nations were extracted and placed into the custody of white ‘adopters,’ and Black children’s foster care and adoption placements into white homes during the 1960s to early 1970s. A more contemporary example is the rise of “re-homing” and “secondary adoption” on social media platforms, where white adopters sell children they transracially adopted to (an)other individual(s)¹⁴⁰ when the transracial adoptee’s usefulness or utility ends. The white adopter is sociologically positioned as the best caretaker for racialized children, this

¹³⁸ Cornell Law School, “Property,” Cornell Law School: LII Legal Information Institute, <https://www.law.cornell.edu/wex/property>.

¹³⁹ Kit W. Myers, “Chapter Two: The New Normal: Positively Defining (Adoptive) Motherhood and Family,” in *The Violence of Love: Race, Family, and Adoption in the United States*. (Oakland: University of California Press, 2025), 52-82.

¹⁴⁰ Hamilton, “Adopters’ Remorse,” 333-564.

status grants white adopters the privilege to acquire and discard racialized children regardless of these children's living community members who are willing to care for the child. The racialized family and community members of the transracial adoptee are systemically rendered as unfit to care for these children by the nation state. Even in cases where the white adopters extract and extrapolate all of the transracial adoptee's perceived usefulness, utility, and labor prior to illegally selling these minor aged, racialized children, white adopters maintain both the status and privilege of white parenthood of racialized children, which is legally reinforceable. Since "re-homing" and "secondary adoption" practices are illegal, there are no official metrics or datasets on the statistics of who is adopting on the black market.¹⁴¹ However, many private Facebook groups that "re-home" transracial adoptees have a notable participation from white people from what I have personally observed from 2022 to 2026. A significant number of publicly viewable Facebook Marketplace interactions on advertisements for the buying and selling of transracial adoptees come from white people. This is not to say that white people are the only participants in the illegal market of transracial adoptees, but to demonstrate how whiteness is invoked as legal property within the context of parenthood and the guardianship of racialized adoptee children.

"Mapping the Margins: Intersectionality, Identity Politics, and Violence against Women of Color" by Kimberlé Crenshaw introduces the framework of intersectionality as a tool to better understand how multiple overlapping and intersecting identities interact and shape an individual's experience.¹⁴² Kimberlé Crenshaw is a founder and leader in the intellectual

¹⁴¹ Hamilton, "Adopters' Remorse," 333-564.

¹⁴² Kimberlé Crenshaw, "Mapping the Margins: Intersectionality, Identity Politics, and Violence against Women of Color," *Stanford Law Review* 43, no. 6 (1991): 1241-1299.

movement known as Critical Race Theory, legal scholar, Professor, and critical race theorist.¹⁴³ Crenshaw demonstrates how intersectionality can aid in the analysis of a multifaceted identity population on a structural level, political level, and representational level through the meticulous interrogation of how each aspect of the multifaceted identity relates to the other(s).¹⁴⁴ I utilize the framework of intersectionality to understand how the various aspects of the international, interracial Chinese American adoptee identity inform, interact, and compound social perceptions of these identities into lived realities in Chapter One “Constructed Disposability: An Analysis of the Western Construct of the International, Interracial Chinese American Adoptee.”

Indigenous Scholars such as Charles Sepulveda and David Uahikeaikalei‘ohu Maile offer thoughtful scholarship on Indigenous issues and generously offer individuals the opportunity to be in solidarity with Indigenous Peoples. “Our Sacred Waters: Theorizing *Kuuyam* as Decolonial Possibility” by Charles Sepulveda engages with the past and emerging history of the Santa Ana River in Southern California in its management, stewardship, and offers a firm recommendation to return to Indigenous tradition to re-center Indigenous Peoples, water, and land.¹⁴⁵ Dr. Charles Sepulveda is an Assistant Professor in the Ethnic Studies Department at the University of California, Riverside, who previously held appointments at Cal Poly Pomona and the University of Utah.¹⁴⁶ Sepulveda offers “*Kuuyam*, the Tongva word for guests,” as a decolonial possibility that thoughtfully engages with the culture and tradition in which people on Turtle Island must

¹⁴³ UCLA School of Law, “Kimberlé Crenshaw,” UCLA Law, <https://law.ucla.edu/faculty/faculty-profiles/kimberle-w-crenshaw>.

¹⁴⁴ UCLA School of Law, “Kimberlé Crenshaw.”

¹⁴⁵ Charles Sepulveda, “Our Sacred Waters: Theorizing *Kuuyam* as Decolonial Possibility,” *Decolonization: Indigeneity, Education & Society* 7, no. 1 (2018): 40-58.

¹⁴⁶ University of California, Riverside, “Charles Sepulveda,” UC Riverside Profiles, <https://profiles.ucr.edu/app/home/profile/csepu004>.

engage with to reform, heal from, and abolish settler colonialism.¹⁴⁷ This generous offer to be in solidarity with Indigenous Peoples of Turtle Island is engaged with and extended to Indigenous Hawaiians Kanaka Maoli by Kanaka Maoli scholar, David Uahikeaikalei‘ohu Maile. Dr. David Uahikeaikalei‘ohu Maile is a Kanaka Maoli scholar, strategist, practitioner, and an Assistant Professor in the Department of Race, Diaspora, and Indigeneity at the University of Chicago.¹⁴⁸ “Becoming Hoa: Indigenous Political Thought and the Question of Settler Aloha ‘Āina in Hawai‘i” by David Uahikeaikalei‘ohu Maile offers an example of how the language and conceptualization of “solidarities” (settler aloha ‘āina) can distort actual solidarity. The text goes onto offer an alternative model of what genuine solidarity could look like (becoming hoa),¹⁴⁹ Maile defines “becoming hoa” as “the active practice and dialectic process of binding relationships in Indigenous social movements across Hawai‘i—is a necessary alternative to being settler aloha ‘āina.”¹⁵⁰ As a scholar who lives on the traditional homelands of the Gabrielino Tongva Peoples, I have and continuously, actively work towards becoming *Kuuyam* and hoa, build beloved community with the Indigenous Peoples of Turtle Island and beyond, and act in solidarity with Indigenous Peoples everywhere. This research acknowledges the many ways Indigenous Peoples histories and knowledges have and continue to inform and contend with conceptualizations and the practice of adoption in the United States settler colonial project.

IV. Methodology

¹⁴⁷ Sepulveda, “Our Sacred Waters,” 40.

¹⁴⁸ The University of Chicago, “Uahikea Maile,” The University of Chicago Department of Race, Diaspora, and Indigeneity, <https://rdi.uchicago.edu/directory/uahikea-maile>.

¹⁴⁹ David Uahikeaikalei‘ohu Maile, “Becoming Hoa: Indigenous Political Thought and the Question of Settler Aloha ‘Āina in Hawai‘i,” *American Quarterly* 76, no. 3 (2024): 617-643.

¹⁵⁰ Uahikeaikalei‘ohu Maile, “Becoming Hoa,” 637.

This thesis is a legal ethnography of adoption laws that create, govern, and contextualize international, interracial Chinese American adoptees. *Practicing Ethnography in Law*, “Introduction Legal Ethnography: New Dialogues, Enduring Methods” by June Starr and Mark Goodale argue that ethnographic methods, as applied to the Law and legal field, acts as “useful tools for accessing the complex ways in which the law, decision-making, and legal regulations are embedded in wider social processes.”¹⁵¹ Ethnographic methods are employed throughout this research to make the Law, legal and political decision-making, and legal regulations legible in the ways that they are created by, are in dialogue with, and inform wider social processes surrounding adoption at large. I utilize a multitude of primary and secondary sources to locate, understand, and investigate the legal violence that international, interracial Chinese American adoptees are subjected to. Primary Source documents utilized in this research include Ancient Mesopotamian laws, United States laws, Chinese laws, United States court cases, the Hague Convention, official United States government websites, a speech transcript, the Bible, and a film. Secondary sources employed throughout this research include scholarly articles, law journal articles, archive (the way back machine), Chinese Baby Come Home database, newspaper articles, magazine articles, academic books, encyclopedia, and dictionary entries.

From December 2025 to February 2026, I conducted six oral history interviews with four participants, who all self-identify as international, interracial, Chinese American adoptees, over the course of sixteen total hours. All four of the oral history participants were adopted through Chinese Children Adoption International (CCAI), now named Cherish Children Adoption International (CCAI), an international adoption agency that specialized in solely Chinese United

¹⁵¹ June Starr and Mark Goodale, “Introduction Legal Ethnography: New Dialogues, Enduring Methods,” *Practicing Ethnography in Law* (Palgrave Macmillan New York, 2002): 1. <https://doi.org/10.1007/978-1-137-06573-5>.

States adoption from 1994 to approximately the early 2000s and has since expanded to other countries. They all belong to the same adoption group, an adoption group is all of the members of an orphanage who were adopted on the same day, at the same time, and from the same orphanage. Meaning, all of the oral history participants that were interviewed for this research project were adopted together, on the same day in the late 1990s to early 2000s, at the same time, and in the same orphanage. Since their adoption from Guangdong, China, they have lived in the United States. Each family is composed of two adopters (parents) and at least two international, interracial Chinese American adoptees. Every oral history participant was asked the same set of base questions, including but not limited to: “can you describe what a day in third grade was like? From going to school to coming home. Did you have an after school activity,” “do you by chance know where you were found? / Was it documented that you were found,” “can you please describe the members of your family,” and “can you describe what your home life was like growing up?” From those questions, the themes of childhood, adoption, and family emerged.

Oral history was chosen as the main methodology for chapter 2, “Multifaceted Feelings: An Analysis of International, Interracial Chinese American Adoptee Feelings as Expressed in Oral Histories,” because of its powerful community centered approach to knowledge making, sharing, disseminating, and preserving shared experiences and perspectives. Oral histories can capture counter-narratives, “historical narratives that challenge the dominant narrative or perspective of history,”¹⁵² and create community history. Community history is “a form of historical research that is generally conducted by, for, and about members of a community whose stories have long

¹⁵² William Gow, “Preserving Community Stories: The Art and Practice of Oral History,” *Foundations and Futures: Asian American and Pacific Islander Multimedia Textbook*, ed. Robert Ku et al., (Los Angeles: UCLA Asian American Studies Center, 2025). <https://wwwFOUNDATIONSANDFUTURES.org/chapter/preserving-community-stories-the-art-and-practice-of-oral-history/module-2-defining-oral-history/>.

been overlooked.”¹⁵³ The “oral history interview [acts] as a meta-space that generates critical reencounters with a life event that otherwise might not be intentionally shared.”¹⁵⁴ Oral histories act as spaces for coalition affinities and listening spaces for personal community narratives that delineate from heteronormative relationships and blood kinship.¹⁵⁵

V. Chapter Descriptions

My first chapter, “Constructed Disposability: An Analysis of the Western Construct of the International, Interracial Chinese American Adoptee” roughly traces the historical roots of adoption law back to the Code of Ur-Namma, the Code of Hammurabi, and “An Act to Provide for the Adoption of Children;” explores how the category of the international, interracial Chinese American adoptee is constructed as a class of laborers; and reveals how international, interracial Chinese American adoptees are manufactured as disposable. The United States manufactured the constructed category of the international, interracial Chinese American adoptee as a disposable class of people, intertwining both the legal and disposable nature of this population into the Law, for the purposes of extracting free labor from the adoptee and broadening carceral logics within the family unit.

My second chapter, “Multifaceted Feelings: An Analysis of International, Interracial Chinese American Adoptee Feelings as Expressed in Oral Histories,” explores how adoptee experiences align with other normative experiences, drastically delineates from normativity, and showcase multifaceted human emotions when contending with adoptee lived experiences within concepts of the biological family and the adoptive family. Utilizing four international, interracial

¹⁵³ Gow, “Preserving Community Stories.”

¹⁵⁴ Baik, *Reencounters*, 50.

¹⁵⁵ Baik, *Reencounters*, 70.

Chinese American adoptee oral histories, “Multifaceted Feelings” offers insights into various adoptive family structures and the ways adoptees navigate them.

Constructed Disposability: An Analysis of the Western Construct of the International, Interracial Chinese American Adoptee

I. Introduction

Adoption, as it is known in the contemporary moment, is many things, but it was first conceptualized as a legal system of labor attainment that invokes the language of family making. Adoption, as a legal process, severs biological familial ties and replaces them with new legal and familial kinship ties between the adoptee, the person being exchanged, and the adopter, the one taking the adoptee as their own. Adoption is continuously and rigorously maintained as a social fact, wherein a significant portion of a society individually supports their government's power and ability to make and unmake familial relationships as true, thus the societal reinforcement (and continual reinforcement) of governmental powers is essential to both realize and maintain these governmental powers as legitimate. Analyzing adoption through the lens of labor within the law and society reveals how the legal violence operates to construct, perpetuate, and/ or facilitate multiple, varied types of violence towards the international, interracial Chinese American adoptee utilizing the Law and policies.

From Ancient Mesopotamia to the contemporary United States settler colonial project, people have practiced alternative forms of kinship and legal systems pertaining to kinship that have informed, constructed, and complicated what we know today as adoption. Most societies start practicing kinship adoption before codifying adoption into formal laws. Ancient Mesopotamia started with codifying laws around adults adopting children they were in community with and had some level of prior relationship with, known as community kinship adoption. With the dawn of the United States settler colonial project and its ever evolving imperial technologies, came the invention of the modern day adoption industrial complex, also

termed “the transnational adoption industrial complex”¹⁵⁶ by Kimberly D. McKee. McKee defines the transnational adoption industrial complex (TAIC) as “a neocolonial, multi-million-dollar global industry that commodifies children’s bodies.”¹⁵⁷ Western logics require the dehumanization, objectification, and commodification of Black, Indigenous, and other racialized people in order to facilitate and continually reassert white supremacy ideology within white supremacist structures such as the pre-existing legal, economic, and carceral systems. Western thinking has constructed and continually re-produced categories of people. One such category the West has constructed is that of the adoptee. Specifically, the international, interracial Chinese American adoptee. For the purposes and scope of this thesis, an international, interracial Chinese American adoptee refers to anyone of Chinese heritage, born in China, adopted by white parents as a legal minor, and extracted/migrated to the United States of America. The United States has codified the constructed category of the international, interracial Chinese American adoptee as a disposable class of people into the Law in order to uphold the free labor market and further carceral logics.

I. The Legal Origins of Adoption

Adoption is a legal construct and the adoptee is a category that is produced through this legal construct. Early legal conceptualizations of adoption governed relationships between two individuals belonging to the same geographical location and region, typically they would share similar cultural and ethnic backgrounds in what contemporary scholars call domestic adoption. Ancient Mesopotamian society first created the category of the adoptee through the

¹⁵⁶ Kimberly D. McKee, *Disrupting Kinship: Transnational Politics of Korean Adoption in the United States*, 1st ed. (Illinois: University of Illinois Press, 2019): 2.

¹⁵⁷ McKee, *Disrupting Kinship*, 2.

establishment of adoption laws. Tracing back further than the Code of Hammurabi,¹⁵⁸ adoption was first documented and codified into law in the Code of Ur-Namma¹⁵⁹ (also referred to as the Code of Ur-Nammu).¹⁶⁰ According to Andrea Rebecca Marrocchi Savoi, the Code of Ur-Namma included several laws dictating the establishment and dissolution of kinship ties, which were reliant on social recognition and affirmation of these kinship ties (or in other words, the reinforcement of a society's members to collectively support claims of legal kinship ties to be true) through legal processes such as adoption: "kinship, from a legal point of view could be established and dissolved through some processes, like adoption or disinheritance."¹⁶¹ The Code of Ur-Namma outlined processes of kinning, de-kinning, re-kinning, un-kinning, akinning, and never-kinning¹⁶² as a means to govern the inclusion or exclusion of specific individuals or groups for the purposes of dictating permissible socio-economic, political, and fiscal positionalities of members in Ancient Mesopotamian society through either the social positive affirmation or the negative disavowal of a legally formed kinship tie. "Kinning can be understood as the active incorporation of individuals into a network of kinship, creating ties that are both meaningful and enduring," such as "adoptions, marriage contracts, and subsistence obligations."¹⁶³ "De-kinning represents the opposite process: the separation or removal of an individual from kinship ties," such as "disinheritance, cutting of familial duties, or exclusion from recognized networks of care

¹⁵⁸ Samuel Noah Kramer, "The Oldest Laws." *Scientific American* 188, no. 1, (1953): 27, <https://www.jstor.org/stable/24944098>.

¹⁵⁹ Andrea Rebecca Marrocchi Savoi, "From Families to Relatives: A Brief Consideration About Social Scenarios in the Ur III Records," in *Origini: Prehistory and Protohistory of Ancient Civilizations* (2024), 207-218.

¹⁶⁰ Savoi, "From Families to Relatives, 207-218.

¹⁶¹ Savoi, "From Families to Relatives," 208.

¹⁶² Savoi, "From Families to Relatives," 210-211.

¹⁶³ Savoi, "From Families to Relatives," 210.

and support.”¹⁶⁴ Re-kinning “refers to the reactivation or reformation of kinship ties that had been severed or creating entirely new ones in specific contexts,” for purposes such as “strategic alliances, re-marriage, or the reintegration of individuals into temple economies or community networks.”¹⁶⁵ Un-kinning, akinning, or never-kinning are terms used to distinguish kinship relationships that are “not activated or recognized.”¹⁶⁶ Within these early legal cases of adoption in Ancient Mesopotamia, adoption acts as a social fact which requires society’s affirmative recognition of legal kinship ties to be determined as legitimate. These legal kinship ties are challenged or rendered invalid by either the lack of affirmation or the concerted disavowal of a legal kinship tie which could result in the legal dissolution of a familial kinship tie. Legally, family functions as a mechanism of legibility, labor, inheritance, and succession.

It is of note that labor and work are often used interchangeably, they hold different connotations and have been defined distinctly from one another in philosophical and anthropological literature. “‘Work’ tends to cover a more diverse range of purposeful activities including gainful employment, voluntary and community service, crafts and creative activities, domestic and subsistence tasks.”¹⁶⁷ “‘Labour,’ by contrast, more often describes physical toil, performed out of necessity, coercion, or domination (Gamst 1995; Wallmann 1979, 1).”¹⁶⁸ The adoptee is a laborer as their labor is a condition of kinship. If an adoptee failed to provide the adopter labor, the adoptee was at risk of de-kinning or otherwise having their kinship tie severed and losing any inheritance benefit that might have come with adoption. Since the kinship

¹⁶⁴ Savoi, “From Families to Relatives,” 211.

¹⁶⁵ Savoi, “From Families to Relatives,” 211.

¹⁶⁶ Savoi, “From Families to Relatives,” 211.

¹⁶⁷ Jasmine Folz and Rachel Smith, “Work/labour,” in *The Open Encyclopedia of Anthropology*, edited by Riddhi Bhandari (Online, 2024): <http://doi.org/10.29164/24worklabour>.

¹⁶⁸ Folz and Smith, “Work/labour.”

structure of Ancient Mesopotamia was so flexible and depended on social recognition of a kinship tie to affirm the kinship relationship, the adoptee is constantly laboring to prove and affirm this kinship in order to keep any perceived or explicit benefit. This concept of labor is further complicated by the concept of “forced labor,” which is the “lack of worker freedom to quit or change jobs as well as the victim’s exclusion from the labor market.”¹⁶⁹ Forced labor is more relevant to modern day adoptees, which will be discussed later in this paper. In contrast to labor and work, is leisure:

Leisure is not simply idleness or the absence of work, nor is it the absence of activity altogether (Pieper 1952, Walzer 1983: 184–87, Adorno 2001, Haney and Kline 2010). When at leisure, individuals engage in activities that produce goods for their own enjoyment [...] Leisure thus produces subjective value that we ‘make’ for ourselves, value that (unlike the objective value generated from work) cannot be transferred to or exchanged with others.¹⁷⁰

The Code of Ur-Namma and its successor, the Code of Hammurabi, are largely uninterested with the adoptee’s right or ability to work or leisure but solely concerned with how the adoptee can perform as a laborer for the adopter(s). The Code of Hammurabi builds on the Code of Ur-Namma, dictates the adoption of minor children exclusively, and conceptualizes adoption as and offers a more comprehensive conceptualization of adoption as a more effective alternative to indentured servitude or slavery.¹⁷¹ Within these laws, adoptees were conceptualized as those who

¹⁶⁹ Marley S. Weiss, “Human Trafficking and Forced Labor: A Primer,” *ABA Journal of Labor and Employment Law* 31, no. 1 (Fall 2015): 3: <https://www.jstor.org/stable/26410780>.

¹⁷⁰ Josef Pieper, *Leisure, the Basis of Culture* (Faber and Faber, 1952); Michael Walzer, *Spheres of Justice: A Defense of Pluralism and Equality* (Basic Books, 1983), 184–187; Theodor Adorno, “Free Time,” *The Culture Industry: Selected Essays on Mass Culture* (Routledge, 2001), 187–198; Mitchell R. Haney and A. David Kline, *The Value of Time and Leisure in a World of Work* (Lexington Books, 2010), all quoted in Stanford Encyclopedia of Philosophy, “Philosophical Approaches to Work and Labor,” Stanford Encyclopedia of Philosophy, January 11, 2022, <https://plato.stanford.edu/entries/work-labor/>.

¹⁷¹ Pamela Barmash, “Adoption in the Laws of Hammurabi,” in *The Laws of Hammurabi: At the Confluence of Royal and Scribal Traditions* (Oxford University Press, 2020), 219–220.

continue a family's male line and practice ceremonial ancestor worship.¹⁷² Adoptees are a constructed category of laborers within the law that preform physical, emotional, and psychological labor, carry on a familial lineage, preform religious ceremonies for the adopters' families, and have emotional familial ties to the adopter(s). Additionally, this labor continually upholds this subjugated position of the adoptee by and in relation to the adopter(s), where the adoptee is constantly trying to affirm this kinship relationship through their labor in order to retain their position within a family unit, kinship network, and within the legible legal structure of Ancient Mesopotamian society while trying to maintain a legal claim to all the benefits the adoptee is entitled to due to this legal kinship tie.

II. The Social and Communal Practice of Adoption

Adoption was first documented in the Code of Ur-Namma and the Code of Hammurabi but many societies across the world and throughout time opted for an informal, social and communal practice of adoption rather than the legal mechanism of adoption. Prior to the codification of community based adoption into law, many societies opted to practice social and communal adoption informally as a way of procuring domestic and familial labor, which would also fall under the contemporary definition of domestic adoption. According to Amanda C. Pustilnik in her article, "Private Ordering, Legal Ordering, and the Getting of Children: A Counterhistory of Adoption Law," many Western countries, during the Medieval period and forward, culturally practiced adoption on an interpersonal and individualistic level while not necessarily having specific adoption laws: "documentary evidence from France and England, primarily notarial contracts and public records from French and English public institutions, demonstrates that

¹⁷² Ruth-Arlene W. Howe, "Adoption Practice, Issues, and Laws 1958-1983," *Family Law Quarterly* 17, no. 2, 1983, 174.

adoption and stranger adoption existed in Europe from at least the Medieval period forward.” In the absence of adoption laws, Europeans culturally embraced adoption and saw it as an interpersonal act rather than a state sanctioned process and a widespread practice. While adoption was not codified into France’s and England’s laws during the Medieval period, adoption still acted as a mechanism to procure domestic and familial labor. Similarly, China documented the cultural practice of adoption during the Han dynasty and developed legal statutes regarding inheritance. Adoption practiced by Chinese people in the Han dynasty was generally practiced by cultural and political elites. In this context, adoption only dictated a formal kinship tie of a male heir and an adult male who did not have a biological son. This practice was not widely accepted and many disapproved of the practice of adoption in Han Dynasty Chinese society. Although adoption in China functioned slightly differently than that of adoption in the West, it still acted as a mechanism for procuring cultural familial labor. However, it is currently unclear whether adoption was developed independently or was a practice learned through China’s trade relations. Across Ancient Mesopotamia, Medieval England, Medieval France, and Han Dynasty China, each society’s sociological development of domestic adoptions contained an age and class dynamic where the adult adopter is wealthy enough to obtain this familial labor while the child adoptee needs the money and other legal entitlements provided by both legal and social affirmations of adoptive kinship ties. The adoptee is subjected to the power imbalance where the wealthier adult adopter socially and/ or legally exerts control over the child adoptee and defines the terms of adoptive familial labor expected of the child adoptee. The West and the East constructed and re-constructed the category of the adoptee as a type of laborer and familial connection. Thus, both adoption laws and the cultural practice of adoption created the category of adoptee.

III. The Contemporary Legal Re-Construction of the Adoptee

In order to situate the origins of the first United States adoption law, often referred to as the first modern adoption law, it is important to understand the religious climate that facilitated and produced the conditions in which these laws were created. The Massachusetts Bay Colony is one of the first ‘successful’ settler colonial projects in what is now claimed to be the United States of America¹⁷³ and was imagined as an idyllic Puritan “city on the hill”¹⁷⁴ by John Winthrop.¹⁷⁵ “A city upon a hill” is a biblical reference to Matthew 5:14, which in the King James version of the Bible reads “Ye are the light of the world. A city that is set on an hill cannot be hid.”¹⁷⁶ The Massachusetts Bay Colony was imagined as an exemplary Puritan society that would inspire other Puritans to pursue Puritanism and providential settler colonialism, which included children who acted in accordance to this strict idea of Puritanism. Where Ancient Mesopotamia saw the law as a way to reform societal ills, the Massachusetts Bay Colony envisioned the Law as a way to assure strict accordance to Puritan values.

To further situate the origins of the first United States adoption law, often referred to as the first modern adoption law, it is important to understand the cultural and social positioning of children prior to and during the 1800s. Children were subjugated by adults within the social hierarchy prior to the 1800s in what is claimed to be the United States of America. Laws, inherently rooted in carceral logics, aimed to regulate and manage children’s behavior. “Carceral

¹⁷³ Janine Ungvarsky, “Massachusetts Bay Colony,” EBSCO, 2023, <https://www.ebsco.com/research-starters/history/massachusetts-bay-colony>.

¹⁷⁴ John Winthrop, “A Modell of Christian Charity,” University of Texas at Austin, 9, <https://minio.la.utexas.edu/webeditor-files/coretexts/pdf/163020model20of20christian20charity.pdf>.

¹⁷⁵ John Winthrop was a Puritan, English lawyer, one of the founders of the Massachusetts Bay Colony, and one of the governors of the Massachusetts Bay Colony.

¹⁷⁶ “Matthew 5:14” Sacred Texts, <https://sacred-texts.com/bib/kjv/mat005.htm#014>.

logic can be understood as a punishment mindset that view retribution and control, including physical constraint (e.g. imprisonment, surveillance (e.g. electronic monitoring via ankle bracelet), or violence, as central components of a public safety system.”¹⁷⁷ The control and regulation of the child utilized language of adherence to societal norms of acceptable behavior, for the betterment of social spaces and higher moral standards, as a justification for the surveillance and punishment of children. Within the vast system of child welfare in the United States and governmental process of adoption, adoption acts as a mechanism of ‘child safety’ for adoptee bodies and the adoptive family is the observable site of adoption where carceral logics can be made legible. Amanda C. Pustilnik states “Prior to the 1800s, sources argue, adults recognized their children and others’ children as ‘chattel,’ valuable primarily as a source of labor.”¹⁷⁸ Specifically, the Massachusetts Stubborn Child Law of 1641, found within the Laws and Liberties of Massachusetts (1648):

If a man have a STUBBORN or REBELLIOUS SON, of sufficient years and understanding (viz.) sixteen years of age, which will not obey the voice of his Father, or the voice of his Mother, and that when they have chastened him will not harken unto them: then shall his Father and Mother being his natural parents, lay hold, on him, and bring him to the Magistrates assembled in Court and testify unto them, that their son is

¹⁷⁷ Christy E. Lopez, “Abolish Carceral Logic,” *Stanford Journal of Civil Rights and Civil Liberties* 17 (2022): 386. https://law.stanford.edu/wp-content/uploads/2022/03/Lopez_Abolishing-Carceral-Logic_02.27.22-Eds-Edit-2.pdf.

¹⁷⁸ Amanda C. Pustilnik, “Private Ordering, Legal Ordering, and the Getting of Children: A Counterhistory of Adoption Law,” *Yale Law & Policy Review* 20, no.1, (2002): 268.; Woodhouse, ““Who Owns the Child?,”” 1038; Howe, “Adoption Practice,” 174.; Catherine J. Ross, “Families Without Paradigms: Child Poverty and Out-of-Home Placement in Historical Perspective,” *Ohio State Law Journal* 60, no. 4, (1999): <http://ssrn.com/abstract=1785809>. (stating that “apprenticeship was the only legal form through which a family could care for a child who was not a relative, because adoption was unknown at common law”); Carol A. Gorenberg, “Fathers’ Rights vs. Children’s Best Interests: Establishing a Predictable Standard for California Adoption Disputes,” *Family Law Quarterly* 31, no. 2 (1997): 175, <https://www.jstor.org/stable/25740122>.; Burton Z. Sokoloff, “Antecedents of American Adoption,” *The Future of Children* 3, no. 1 (1993): 17, <https://www.jstor.org/stable/1602399>.

stubborn and rebellious and will not obey their voice and chastisement, but lives in sundry notorious crimes, such a son shall be put to death.¹⁷⁹

The Massachusetts Stubborn Child Law appeared again, unchanged, in the General Laws of the Massachusetts Colony, revised and published by Order of the General Court in October 1658.¹⁸⁰

Both versions of this law derived their language from the Bible, specifically, Deuteronomy 21: 18-21, with minor change:

When a man has a stubborn son, or rebellious son who won't do a thing his mother and father tell him, and even though they discipline him he still won't obey, his father and mother shall forcibly bring him before the leaders at the city gate and say to the city fathers, "This son of ours is a stubborn rebel; he won't listen to a thing we say. He's a glutton and a drunk." Then all the men of the town are to throw rocks at him until he's dead. You will have purged the evil pollution from among you. All Israel will hear what's happened and be in awe.¹⁸¹

The Massachusetts Stubborn Child Law of 1641 positioned children as problems to be dealt with and managed rather than as human beings. This law and laws similarly criminalizing 'deviant' or abnormal child behaviors do not address the children as individuals needing protection nor do they address the underlying reasons that instigate unwanted behaviors and actions from children. These laws aim to protect society from children. Children in the Massachusetts Bay Colony were expected to uphold Puritan values, any deviation such as spending too much time with friends,¹⁸²

¹⁷⁹ *The Book of the General Lawes and Libertyes Concerning the Inhabitants of the Massachusetts: Collected Out of the Records of the General Court for the Several Years Wherein They Were Made and Established*, 1648 ed. (San Marino: Huntington Library, 1975) 6, <https://archive.org/details/bookofgenerallaw0000mass/page/22/mode/1up?q=son>.

¹⁸⁰ *The Colonial Laws of Massachusetts: Reprinted from the Edition of 1660, with the Supplements to 1672, Contains Also The Body of Liberties of 1641*, (Boston: Rockwell & Churchill, 1889): 129, <https://ia601601.us.archive.org/23/items/coloniallawsofma00mass/coloniallawsofma00mass.pdf>.

¹⁸¹ "Deuteronomy 21: 18-21," Sacred Texts, <https://sacred-texts.com/bib/kjv/deu021.htm#018>.

¹⁸² Matt Delisi, "Juvenile Delinquency," in *21st Century Criminology: A Reference Handbook*, ed. J. Mitchell Miller (Thousand Oaks: SAGE Publications, Inc., 2009), 5, <https://edge.sagepub.com/system/files/Ch13RennisonJuvenileDelinquency.pdf>.

seen as delinquency,¹⁸³ was punishable by death under the Massachusetts Stubborn Child Law. This transformed community members into agents of surveillance and reinforcement for punishment of children, advancing carceral logics and practices in early United States culture and society. Disobeying one's parents and violating the Massachusetts Stubborn Child Law of 1641 was punishable by death in its earliest applications, with less severe punishments as time went on. As recently as 1971, the Supreme Judicial Court of Massachusetts upheld the constitutionality of this law.¹⁸⁴ It was repealed in 1973.¹⁸⁵

Furthermore, other laws included in the *Laws and Liberties of Massachusetts* (1647) seemingly positioned children and servants similarly, having low social status and being sources of labor: "all masters of families doe once a week (at the least) catechize their children and servants in the grounds & principles of Religion"¹⁸⁶ and "all parents and masters do breed & bring up their children & apprentices in some honest lawful calling, labour or employmet, either in husbandry, or some other trade profitable for themselves, and the Common-wealth if they will not or cannot train them up in learning to fit them for higher employments."¹⁸⁷ The child does not exist outside of their relationships to adults and providing labor for "parents and masters."¹⁸⁸ According to Barbara Bennett Woodhouse's article "'Who Owns the Child?': Meyer and Pierce and the Child as Property," "Into the mid-1880's, the law gave parents the right to transfer children by formalized instruments of indenture or apprenticeship, giving up their rights to use

¹⁸³ Delisi, "Juvenile Delinquency," 5.

¹⁸⁴ Irene Merker Rosenberg, "The Legacy of the Stubborn and Rebellious Son," *Michigan Law Review* 74, no. 6 (1976): 1097-1098. (pp.1097-1165)
<https://repository.law.umich.edu/mlr/vol74/iss6/2>.

¹⁸⁵ Rosenberg, "Legacy of Stubborn Son," 1098.

¹⁸⁶ *The Book of the General Lawes and Libertyes*, 11.

¹⁸⁷ *The Book of the General Lawes and Libertyes*, 11.

¹⁸⁸ *The Book of the General Lawes and Libertyes*, 11.

the child as labor in exchange for the master's assuming the duty to provide food, clothing, and vocational education.”¹⁸⁹ The social understanding of children at the time of the 1851 Massachusetts statute, “An Act to Provide for the Adoption of Children” was that children existed to provide labor. This context is essential to understanding adoption as a system of labor.

Following similar logic patterns of Ancient Mesopotamia and Western traditions of adoption, the United States reproduced the legal construction of the adoptee. According to Amanda C. Pustilnik and *Bray v. Miles*, “Because of the punitive absence of any practice of adoption in the centuries between the end of the Roman Empire and the passage of American statutes in the mid-1800s,¹⁹⁰ ‘modern legislation upon the subject (of adoption)¹⁹¹ has derived its chief features’¹⁹² from Roman law.”¹⁹³ Pustilnik notes that “analogizing American adoption practices to Greco-Roman practice or asserting that American adoption law derives from Roman law is inconsistent.”¹⁹⁴ Specifically, Pustilnik posits that the fact that Greco-Roman adoptions were not concerned with childrearing “or even children” is the reason these two systems of adoption should not be directly compared. However, Pustilnik refers to children in her remark “or even children” as a way to point out the category and modern understanding of children and

¹⁸⁹ Woodhouse, “Who Owns the Child?” 1038.; Steven Mintz and Susan Kellogg, *Domestic Revolutions: A Social History of American Family Life*, (New York: Free Press; London: Collier Macmillan, 1988): 15-16, <https://archive.org/details/domesticrevoluti0000mint/page/n10/mode/1up>.; Edmund S. Morgan, *The Puritan Family: Religion and Domestic Relations in the Seventeenth-Century New England*, (New York: Harper & Row, 1966), 75, 131, n.81, <https://archive.org/details/puritanfamilyrel0000morg>.; Jamil S. Zainaldin, “The Emergence of A Modern American Family Law: Child Custody, Adoption, and the Courts, 1796-1851,” *Northwestern University Law Review* 73, no. 6 (1979): 1077-1078, <https://heinonline.org/HOL/P?h=hein.journals/illlr73&i=1088>.

¹⁹⁰ Pustilnik, “Private Ordering,” 266.

¹⁹¹ Pustilnik, “Private Ordering,” 266.

¹⁹² *Bray v. Miles*, 54 N.E. 446 (Ind. App. 1899).

¹⁹³ Pustilnik, “Private Ordering,” 266.

¹⁹⁴ Pustilnik, “Private Ordering,” 266.

childhood is distinctly different than Ancient Mesopotamian understandings, rather than a population of people grouped by age range. To clarify, the Code of Ur-Namma and the Code of Hammurabi are solely and explicitly concerned with creating legal fictive kinship ties between an adult and a human child, a person in the age of minority and someone not considered an adult. These laws are not concerned with the social or material conditions of the adoptee outside of the labor the adoptee could provide to the adopter. In order to complicate Pustilnik's claim, adoption laws in the United States employ language around childrearing and child welfare as a tool of the settler colonial state while continuing to conceptualize children as sources of labor for the nation state, which will be talked about, at length, later in this paper. Utilizing the logics presented in the Code of Ur-Namma, the Code of Hammurabi, and the cultural practices seen throughout Europe, a Massachusetts statute was the first adoption law introduced in the United States: "historians and legal scholars agree that the American law of adoption emerged in the middle of the ninetieth century with the 1851 passage of the Massachusetts statute, 'An Act to Provide for the Adoption of Children.'" ¹⁹⁵ The United States legal system is built on the doctrine of *stare decisis*, or the system in which "courts will adhere to precedent in making their decisions." ¹⁹⁶ *Stare decisis* means 'to stand by things decided' in Latin." ¹⁹⁷ When there is no set precedent, United States law often looks toward articles of persuasive authority, "a source of law – primary or secondary – that carries some authoritative weight but does not bind a court." ¹⁹⁸ For adoption

¹⁹⁵ Pustilnik, "Private Ordering," 278.

¹⁹⁶ Cornell Law School, "Stare Decisis," Cornell Law School: LII Legal Information Institute, https://www.law.cornell.edu/wex/stare_decisis.

¹⁹⁷ Cornell Law School, "Stare Decisis."

¹⁹⁸ Cornell Law School, "Persuasive Authority," Cornell Law School: LII Legal Information Institute, https://www.law.cornell.edu/wex/persuasive_authority#:~:text=Some%20examples%20of%20persuasive%20authority%20include:%20*,is%20against%20the%20forum%20jurisdiction's%20public%20policy.

law, this means the United States most likely looked for other legal documents that outlined and dictated the practice of adoption, such as the Code of Ur-Namma and the Code of Hammurabi. Drawing directly from the logics presented in the Code of Hammurabi, “An Act to Provide for the Adoption of Children” reproduces a sole concern for constructing, facilitating, and policing the adoption of children. The United States conceptualizes the adoptee as commodity, property, and a source of child labor meant to preform physical, emotional, and psychological labor, carry on a familial lineage, and act as a caretaker in adulthood for the adopters’ families. The adoptee occupies a subhuman positionality, by which they are stripped of their humanity and reduced to commodities, within societal and labor hierarchies. The purpose of creating a subhuman category is so that those subjugating and categorizing others into the subhuman category can retain their moral status and justify acts of violence against those they dehumanize: “they characterize those whom they wish to harm as less-than-human creatures, and in so doing diminish their moral status to such an extent as to make the commission of the most hideous acts of violence against them permissible or even obligatory.”¹⁹⁹ Adoptees are stripped of their humanity, individuality, and personhood in order to forcibly shrink adoptees into a space where they can occupy this subhuman positionality. Rendering adoptee personhood as void, fabricates a status in which adoptees are deemed interchangeable, replaceable, and thus, disposable. By creating the adoptee as a member of a family unit, the state creates an emotional and ‘moral’ duty to the family unit for the adoptee. The adoptee is expected to be grateful²⁰⁰ to both the United States and the family

¹⁹⁹ David Livingstone Smith, “Paradoxes of Dehumanization,” *Social Theory and Practice* 42, no.2 (2016): 416, <https://www.jstor.org/stable/24871350>.

²⁰⁰ McKee, *Disrupting Kinship*, 8-13.

they were adopted by for the “gift of freedom”²⁰¹ and liberation from “opposite futures.”²⁰² Additionally, it reframes the kinship relation of ‘master’ and ‘indentured servant’ to a palatable, consumable, and digestible relationship of ‘adopted child’ and ‘parent.’ The insinuation of love being inherent to familial structures is injected into this relationship of acquiring labor for the purposes of maintaining emotional, moral, and psychological obligation from the adoptee to the adopter(s). This is a tool of colonization that reframes forced labor as dutiful free labor by utilizing manufactured sociopolitical conditions of adoptee indebtedness, obfuscating the complex and multifaceted nature of the adoptee subject position, and deliberately flattening the cultural understanding of adoptee children as no different from biological children in a given family unit. Thus, producing the false illusion of the adoptee as a free or willing laborer, who is able to consent or decline to labor. Emotional and moral connections to the family unit create a more willing and emotionally obligated laborer. The United States Law created and continually reconstructs the social category of the “adoptee” as subhuman positionality that is meant to be occupied by individuals and populations the nation state deems both malleable enough to transform into the dutiful free laborer and simultaneously worthy of the violent and forced extraction of their labor.

IV. The United States Settler Colonial Imaginings of Adoption: A Racial Erasure Project

The United States is a settler colonial project that requires the constant, continuous, and violent maintenance of the settler colonial state, which is predicated on the displacement of Indigenous Peoples, the enslavement of Black Peoples, and the subjugation of racialized peoples.

²⁰¹ Mimi Thi Nguyen, *The Gift of Freedom: War, Debt, and Other Refugee Passages*, Duke University Press, 2012.

²⁰² Kit W. Myers, *The Violence of Love: Race, Family, and Adoption in the United States*. (Oakland: University of California Press, 2025), 3.

Settler colonial logics require a continual expansion of power over peoples, land, air, water, and life. One way the United States settler colonial nation state expanded its governing power, is by legislating regulations that created a governable population and instituting invasive systemic policing mechanisms to control these populations. For example, the United States adoption laws categorized orphaned children (children without state recognized legal guardians) as adoptees (or adoptable children), as a subject position to render this populace legible to the state, which transformed them into commodities that could be bought and sold for labor extraction. Social categories are constructed by the law to render vulnerable populations ultravulnerable to the law. Through the law and institutionalized state sanctioned mechanisms, the United States settler colonial state fashions and shapes the social, political, and material realities of the adoptee's life. Furthermore, the United States nation state dehumanizes individuals belonging to the social categories the state created as a means recognize and facilitate subhuman positionalities. "Dehumanization is a psychological lubricant for the machinery of violence."²⁰³ By rendering groups of human people as subhuman or non-human entities, the settler colonial nation state justifies its relentless and violent subjugation of Indigenous, Black, and other racialized peoples in the name of 'justice,' 'civility,' and 'progress.' Taking an intersectional approach to how the settler colonial state imagines the international, interracial adoptee, it reveals entanglement of imperialist, racist, classist, ableist, and sexist logics in the United States settler colonial state and how it operates. The United States settler colonial state developed and employed the technologies of child welfare language in an attempt to attend the children's wellbeing within the legal system and process of adoption.

²⁰³ Livingstone Smith, "Paradoxes of Dehumanization," 416.

The United States manufactured and institutionalized the language of child welfare, during the mid-1800s when children's rights activists pushed for reform. During the mid-1800s, there was a shift in attitudes pertaining to children: "influential courts in the mid-1800's, however, began to articulate a theory that parental control was not an absolute power conferred by God, but a civic duty conferred and regulated by the state, in the interests of children and of the public."²⁰⁴ This marks an important shift in power within the United States as a settler colonial project's government and its understanding of itself. Starting around 1607,²⁰⁵ the proclaimed origins of the United States settler colonial project, popularly referred to as the thirteen colonies, started occupying Indigenous land, challenging Native Nations' sovereignty, and displaced Indigenous Peoples. The thirteen colonies operated on a fragmented colonial governmental system that claimed its power and authority was divinely ordained by the Puritan, Christian God; this governmental system aimed to control, discipline, and punish individual human actions deemed intolerable and 'criminal' based on Puritan cultural understandings of behaviors in need of social reform. By the mid 1800's, the United States settler colonial project inflicted the violent forced displacement, ethnic cleansing, and mass genocide of Indigenous Peoples, specifically the members of the Cherokee, Muscogee, Seminole, Chickasaw, and Choctaw Nations. This violent, prolonged, and cruel series of events became known as the Trail

²⁰⁴ *Mercein v. The People ex relatione Barry.*, 25 Wend. 64 (N.Y. Ct. Err. 1840), cited in Barbara Bennett Woodhouse, "'Who Owns the Child?': Meyer and Pierce and the Child as Property," *William and Mary Law Review* 33, no. 4 (1991-1992): 1038, <https://www.jstor.org/stable/24871350>.

²⁰⁵ The language "starting around" denotes the longer history of attempts to establish settler colonial projects on Turtle Island and recognizes that most 17th century attempts at settler colonialism in what is now claimed to be the United States of America failed. The year 1607 was invoked here to note the year that the first claimed "successful" settler colonial project on Turtle Island (the Colony of Virginia) was established. This is a deliberate choice and reminder that settler colonial projects fail.

of Tears, it is also sometimes referred to as the death marches. The United States settler colonial project expanded the borders of its nation state, doubled the amount of Indigenous ancestral lands it dispossessed Native Nations of, and claimed it had legitimate governance over this rapidly expanding geopolitical territory maintained through systemic subjugation of Black enslaved peoples and their extracted labor. Mirroring the land mass expansion of the settler colonial state, the United States settler colonial project evolved and expanded its governmental power by centralizing and consolidating governmental rule into a singular concentrated federal government which derives its sovereignty from itself, replacing the Puritan Christian God. Initially, the settler colonial government systems acted as the enforcer of the Puritan Christian God's will, which developed into a self-justifying, all-encompassing governing system that creates law, applies laws, and enforces laws. In other words, the United States settler colonial governmental systems from the original thirteen settler colonial projects to its evolution as a more centralized federal United States settler colonial government in the mid-1800's transferred its source of authority away from a Puritan and Christian God to a closed loop self-justifying system where the settler colonial government derives its 'sovereignty' or legitimate right to self-govern from itself. Within this newly established settler colonial logic, the settler colonial government stripped ownership claims of minor children from their biological parents and transferred ownership privileges to itself under the guise public interest, child welfare, and governmental civic duty. Minor children are thus rendered a governable commodity that the settler colonial government can manage through the regulation sociological ties. This construct relies on settler colonial logics of ownership and dispossession as well as carceral logics of retribution and control as essential to the safety and maintenance of the settler colonial nation state. "According to the modern narrative synthesis, by the end of the nineteenth century, [...]"

children, formerly private economic assets of parents, increasingly were viewed as individuals and proper subjects of public concern.”²⁰⁶ However, the laws that governed children did not fundamentally change, the cultural and societal understanding of children shifted, and the technologies of child welfare were developed.

These cultural and governmental shifts in thinking, understanding, and caring for children started to materialize in the form of organizations and governmental agencies. In 1875, the New York Society for the Prevention of Cruelty to Children was created in response to the rise in child abuse and throughout the late 1800s, the first child care institutions were founded throughout the settler colonial nation state.²⁰⁷ The New York Society for the Prevention of Cruelty to Children heavily relied on “forms of protection which were based upon law enforcement.”²⁰⁸ Rather than providing funding towards programs that feed children, house children, provide healthcare to children, or anything analogous to changing the material conditions children live in, the New York Society for the Prevention of Cruelty to Children opted for a carceral solution that expanded carceral logics to include perceived acts of cruelty towards children as being constitutive of incarcerable offenses. The implementation of the word “cruelty,” a vague and broad term, allowed for a mass expansion of carceral thinking, logics, and employable practices. The language of children’s welfare was used to expand the carceral state and bolster settler colonial governance, rather than address material needs of children and their

²⁰⁶ Woodhouse, ““Who Owns the Child?””; Mintz and Kellogg, *Domestic Revolutions*, 119-120; Zainaldin, “Emergence of A Modern American Family Law,” 1086-1088; Slaughter-House Cases, 83 U.S. 36 (Wall. 1872) (holding that lengthy apprenticeships violated the Thirteenth Amendment ban on involuntary servitude).

²⁰⁷ C.C. Carstens, “The Prevention of Cruelty to Children,” *Proceedings of the Academy of Political Science in the City of New York* 2, no. 4 (1912): 613, <https://www.jstor.org/stable/1171974>.

²⁰⁸ Carstens, “The Prevention of Cruelty to Children,” 613.

families, through its claims of retribution and control being necessary to create or maintain children's safety. Despite the New York Society for the Prevention of Cruelty to Children and the numerous other Societies for the Prevention of Cruelty to Children across the settler colonial project not being government run and operated organizations, they openly collaborated with the carceral settler colonial law enforcement systems operated by the nation state. Carceral logics employed in child welfare practices extend and expand the reach, authority, and legitimacy of both the settler colonial nation state and its carceral policing systems.

Nongovernmental Societies for the Prevention of Cruelty to Children across the settler colonial project failed to provide resources, access, and its carceral solutions to those in rural areas, which led to public outcry calling for the United States settler colonial government to take over providing carceral child welfare solutions. On April 9, 1912, President Howard Taft approved the creation of the US Children's Bureau, "the first federal agency within the U.S. Government to focus exclusively on improving the lives of children and families."²⁰⁹ The Children's Bureau was created under the Department of Commerce and Labor, intended to oversee "all matters pertaining to the welfare of children and child life among all classes of our people"²¹⁰ and "investigate the questions of infant mortality, the birth rate, orphanage, juvenile courts, desertion, dangerous occupations, accidents and diseases of children, employment,

²⁰⁹ Children's Bureau, "History," Children's Bureau: An Office of the Administration for Children and Families, November 12, 2024, <https://acf.gov/cb/about/history>.

²¹⁰ An Act to Establish in the Department of Commerce and Labor a Bureau to be Known as the Children's Bureau, 42 USC Ch.6 §192, <https://uscode.house.gov/view.xhtml?hl=false&edition=prelim&path=%2Fprelim%40title42%2Fchapter6&req=granuleid%3AUSC-prelim-title42-chapter6&num=0&saved=L3ByZWxpbUB0aXRsZTQyL2NoYXB0ZXI2%7CZ3JhbnVsZWlkO1VTQy1wcmVsaW0tdGl0bGU0Mi1jaGFwdGVyNg%3D%3D%7C%7C%7C0%7Cfalse%7Cprelim>.

legislation affecting children in the several States and Territories.”²¹¹ Notably, ‘An Act to Establish in the Department of Commerce and Labor a Bureau to be Known as the Children’s Bureau’ and the Children’s Bureau, itself, pay close attention to class but ignore race. Thus, making the issues of race child laborers were facing illegible to the state. The Children’s Bureau main priorities were the regulation of health, women’s bodies, governmental regulation of bodies, criminalization, and labor. This means that the Children’s Bureau acted as a governmental body that recommended legislation and policy on the regulation of children or more specifically, the perspective emerging labor force. Concerns of infant mortality, dangerous workplaces, and disease were pertinent to the maintenance of a healthy, able bodied work force. By housing the Children’s Bureau in the Department of Commerce and Labor, the United States recognizes and prioritizes children’s status as laborers and value as sources of labor; even when the Children’s Bureau fought to remove children from ‘hard labor’ and dangerous workplace environments such as mines, farms, factories, and servitude, the child was only made legible to the state as a governable laborer. The Children’s Bureau moved to the Social Security Administration in 1946, then to the Welfare Administration in 1963, and finally, to the Office of Child Development within the Department of Health, Education, and Welfare in 1969, where it is housed today. The movement of the Children’s Bureau highlights how the United States settler colonial government understood and categorized children as a governable subject population. Regarding adoption, the Children’s Bureau supports the belief that permanent adoption of children into individual families is better for children than to be in orphanages or foster homes.²¹² This highlights the nation state’s underlying desire to transfer legal duty, responsibility, and any

²¹¹ An Act to Establish the Children’s Bureau, 42 USC Ch.6 §192.

²¹² Children’s Bureau, “Adoption,” Children’s Bureau: An Office of the Administration for Children and Families, June 30, 2024, <https://acf.gov/cb/focus-areas/adoption>.

financial burden that may accrue during the period of legal guardianship of an adoptee (or adoptable child) onto individuals. Therefore, the Children's Bureau has and continues to work towards eliminating barriers to adoption rather than studying adoptee wellbeing or providing support services to adoptees.²¹³ The framing of caretaking and language of child welfare obfuscates the regulation, policing, and management of children, adoptees, and family units. It is not the settler colonial government's earnest attempt to change the material conditions of children, adoptees, or family units for the public good. These carceral and settler colonial technologies of caretaking and children's welfare have expanded and have been applied to adoptee governance and regulation that disempowers and further makes vulnerable, the adoptee.

Carceral and settler colonial technologies of caretaking and children's welfare started to mature as the United States federal government seized control and authority over child welfare and caretaking. In 1974, Congress passed the Child Abuse Prevention and Treatment Act of 1974 (CAPTA), which "authorized federal funds to improve the state response to physical abuse, neglect, and sexual abuse"²¹⁴ and operated on the same racist, settler colonial, classist, and ableist logics that previous organizational iterations relied on. The National Center on Child Abuse and Neglect was created to administer and oversee the implementation of the Child Abuse Prevention and Treatment Act.²¹⁵ Furthermore, the Child Abuse Prevention and Treatment Act marked the end of privately funded, nongovernmental child protection societies and "played a major role in shaping the nationwide system of governmental child protective services in place today."²¹⁶ Modern and contemporary Child Protective Services (CPS) in the United States are

²¹³ Children's Bureau, "Adoption."

²¹⁴ John E. B. Myers, "A Short History of Child Protection in America," *Family Law Quarterly* 42, no. 3 (2008): 457. All pages:(449-463)

²¹⁵ Myers, "A Short History of Child Protection in America," 457.

²¹⁶ Myers, "A Short History of Child Protection in America," 457.

carceral, federally funded, state run organizations that closely collaborate with law enforcement entities and disproportionately effect Indigenous, Black, and Brown communities.²¹⁷ The rise in child abuse actively threatened the United States' emerging labor force and the United States settler colonial nation state responded by passing legislation, broadening categories of criminally punishable offenses, and deploying law enforcement to intervene. This expanded the settler colonial and carceral state into the private and intimate lives of the family unit. More concerning, the settler colonial nation state utilized public outcry for child safety to empower itself and yield the unchecked authority to determine who is listened to, who is believed, what constitutes care, what level of harm is permissible for a child to endure, what level of suspicion is deserving of investigation, who is credible, which children are worthy of 'rescue,' standards for parenthood, who is worthy of parenthood, which families will be more heavily surveilled, and which families are subjected to the scrutiny and violence of family separation. Child Welfare, Child Protect Services, and mandated reporters work in concert to surveil, control, and punish families in what some refer to as the family policing system.²¹⁸ The family policing system disproportionately targets and affects Black, Indigenous, and other Racialized Peoples' families. Mandated reporting laws are legislated on the state level and require certain individuals (often social workers, health care professionals, teachers, child care providers, and law enforcement officers) to document, report, and disclose all known or suspected instances of child abuse and neglect to the state.²¹⁹ Some states bind all people to the mandated reporting

²¹⁷ Shanta Trivedi and Erin Carrington Smith, "Surviving the 'Child Welfare' System: How the Family Policing System Punishes and Controls Survivor of Violence," *Policing Not Protecting Families: The Child Welfare System as Poverty Governance*, (New York City: NYU Press, 2025), 115-116.

²¹⁸ Trivedi and Carrington Smith, "Surviving the 'Child Welfare' System," 116.

²¹⁹ Child Welfare Information Gateway, "Mandated Reporting," Child Welfare Information Gateway, <https://www.childwelfare.gov/topics/safety-and-risk/mandated-reporting/>.

requirements²²⁰ and anyone across the United States can document, report, and disclose known or suspected instances of child abuse and neglect to the state through publicly available channels such as local law enforcement.²²¹ Thus, transforming individuals into agents of the family policing system and tools of mass surveillance. The family policing system is a complex and institutionalized mechanism that is established by and incessantly facilitates the carceral and settler colonial technologies of caretaking and children's welfare developed by the United States settler colonial project.

Adoption is an extension of the United States imperial and colonial projects. Imperialism is defined by prolific Kānaka Maoli scholar and activist, Dr. Haunani-Kay Trask, as “a total system of foreign power in which another culture, people, and way of life penetrate, transform, and come to define the colonized society.”²²² Indigenous scholar and member of the Yellowknives Dene First Nation in Canada,²²³ Dr. Glen Sean Coulthard, builds on this, claiming that settler colonialism is an ongoing system of domination where power in the forms of economic, gendered, racial, and state power are integrated into the foundation of hierarchical social relationships that facilitate the continuous dispossession of Indigenous Peoples of their lands and sovereignty, or self-determining authority.²²⁴ This system of domination and displacement of both land and power requires the continuous participation and recruitment of bodies that act as tools of displacement, disenfranchisement, and disempowerment of Indigenous

²²⁰ Child Welfare Information Gateway, “Mandated Reporting.”

²²¹ Child Welfare Information Gateway, “Mandated Reporting.”

²²² Haunani-Kay Trask, *From a Native Daughter: Colonialism and Sovereignty in Hawai'i*, Revised Edition. (Honolulu: University of Hawai'i Press, 1999), 41.

²²³ Critical Ethnic Studies Journal, “‘Land Claims Get the Goods’: An Interview with Glen Sean Coulthard,” July 10, 2018, <https://www.criticalethnicstudiesjournal.org/blog/2018/7/10/student-interview-series-part-x>.

²²⁴ Glen Sean Coulthard, *Red Skin, White Masks: Rejecting the Colonial Politics of Recognition*, (Minneapolis: University of Minnesota Press, 2014): 7.

Peoples. Adoption, and especially international, interracial adoption, acts as a mechanism to secure more bodies to further displace, disenfranchise, and disempower Indigenous Peoples. The procurement of additional bodies that are under the legal guardianship of middle class white people, beneficiaries of and contributors to the upkeep of the settler colonial state, through international adoption acts as an instrument of settler colonialism. Since family is a site of socialization, the adoptee is subject to acculturation into white conceptualizations of racial etiquette, especially in instances of white adopters and transracial adoptees. Transracial Korean adoptee and Associate Professor of Ethnic Studies, Dr. Kim Park Nelson,²²⁵ puts into conversation racial etiquette, polite whites, and the transracial adoptee.²²⁶ Omi and Winant conceptualize racial etiquette as a process of socialization wherein which an individual learns the rules of racial classification and thus, “race becomes ‘common sense’ – a way of comprehending, explaining, [and acting within] the world.”²²⁷ The adoptee learns concepts of race and racial hierarchy through their adopters, but they also learn how to treat other people of differing racialization from their adopters. Janis McDonald, Professor of Law Emerita at Syracuse University College of Law, adds to racial etiquette by proposing the phenomena of “polite whites,” who prefer not to engage in discussions about race that would challenge their or others status within the racial hierarchy and chose ‘polite silence’ to prevent further engagement.²²⁸ The disengagement of discursive ideas surrounding race and racial hierarchy are exhibited by white adopters to adoptees. These ideas of politeness and acceptable social behaviors are internalized

²²⁵ Kim Park Nelson, “Kim Park Nelson,” Kim Park Nelson, <http://kimparknelson.org>.

²²⁶ Kim Park Nelson, *Invisible Asians: Korean American Adoptees, Asian American Experiences, and Racial Exceptionalism*. (New Brunswick: Rutgers University Press, 2016): 145.

²²⁷ Michael Omi and Howard Winant. *Racial Formations in the United States*, 60.

²²⁸ Janis McDonald, “Looking in the Honest Mirror of Privilege: ‘Polite White’ Reflections,” *Columbia Journal of Gender and Law*, 12:3 (2003): 650-659.

by the adoptee. Dr. Kim Park Nelson complicates both racial etiquette and polite whites by bringing in the transracial adoptee, stating “adoptees often make it easy for those around them to look past their race, which in turn enforces the correctness of colorblind racial etiquette among nonadoptees in their communities.”²²⁹ The transracial adoptee of color is socialized into white conceptualizations about race, racial hierarchy, and acceptable social behavior, which transforms them into a racialized body that upholds white racial hierarchies. Their presence as a racialized body upholding white supremacist ideologies about belonging and unbelonging create specific racialized dynamics. These specific racialized dynamics position the transracial adoptee of color as experts on racialized experiences, but they espouse and disseminate narratives that uphold racial hierarchies that subjugate Indigenous Peoples, themselves, and other racialized peoples.

Adoption transforms the adoptee’s body is a site of the imperial and colonial violence. The colonial and imperial violence of recruitment and domination manifests as “the occupation of the senses.” “The Occupation of The Senses: The Prosthetic and Aesthetic of State Terror” by Nadera Shalhoub-Kevorkian describes ‘the occupation of the senses’ as the violent control of language, sight, sound, time, and space in order to justify and legitimize the colonial project: “utilizing various sensory phenomena (e.g. graffiti, sound, vocabulary, narratives, smells), the settler colony institutionalizes itself to cement its legitimacy and hegemony.” Understanding adoption as an extension of the United States settler colonial project is most accessible when tracing the specific history of the adoption of Indigenous Peoples of Turtle Island within these settler colonial borders. The Indian Adoption Project of 1958 to 1967 was a program that mandated the removal of Indigenous children from their homes in order to be ‘civilized’ or more accurately, socialized, by white colonizers. This project was twofold: an extension of settler

²²⁹ Nelson, *Invisible Asians*, 145.

colonialism and a newly formed structure for the cultural genocide of Indigenous Peoples of Turtle Island. By violently asserting colonizer culture and settler colonial logics onto Indigenous Peoples, the Indian Adoption Project disrupted pre-existing cultures, histories, language systems, and memories within those communities. Moreover, the Indian Adoption Project simultaneously worked to legitimize the colonizers' sovereignty, government, and superiority within the hierarchy that the colonizers instituted. The settler colonial institution of adoption built upon itself and expanded to Black Peoples already located within the settler colonial project, war orphaned Korean and Vietnamese children, and then Chinese children. In the case of Korean, Vietnamese, and Chinese adoptee populations, adoption is both an extension of settler colonialism and United States imperialism. Additionally, the US nation state imposes and (re)produces the colonial state onto individual adoptees' bodies. Within Critical Adoption Studies, this is conceptualized as disorientation.²³⁰ As the removal of an individual from the language, cultures, smells, sounds, places, histories, etc. they were born into, disorients the adoptee in time and space. Not only are disabled children more likely to be put up for adoption, adoptees experience higher rates of disability and experience mass disablement (trauma induced by familial separation and occupation of the senses).²³¹ Interracial adoptees are targeted because they are perceived as moldable, malleable, and impressionable children who can act as a site of assimilation into white settler colonial ideals of Americanness and perform a variety of complex

²³⁰ John Sooja, "Language of the Heart: Korean Adoptee Identity and Disorientation," (PhD diss., University of California, Riverside, 2017), 28-71 and 123-177, eScholarship, <https://escholarship.org/uc/item/5vd383m9>.

²³¹ Rose M. Kreider and Philip N. Cohen, "Disability Among Internationally Adopted Children in the United States," *Pediatrics* 124, no. 5 (2009): 1311-1318, <https://doi.org/10.1542/peds.2008-3206>; Assistant Secretary for Planning and Evaluation (ASPE), "National Survey of Adoptive Parents (NSAP)," ASPE, <https://aspe.hhs.gov/national-survey-adoptive-parents-nsap>.

labor within white families. Functionally, adoptees act as stand-ins to fulfill the United States image of the nuclear family for the adopters at the microlevel and perpetuate settler colonial fictions on a macrolevel. Adoptees are simultaneously forced laborers and tools of empire. Especially and specifically, the structure of interracial adoption, which places children of color into white families with the purpose of assimilating the adoptee into white supremacist culture and indoctrinating settler colonial ways of thinking into the adoptee. Interracial adoption is a mechanism for extracting labor and eroding any meaningful social and cultural racial alignment individual adoptees may have.

The international, interracial Chinese American adoptee is constructed as a disposable class of people. Since adoption is an extension of the United States imperial and colonial projects and the adoptee's body is a site of the imperial and colonial violence, the law acts as a facilitator of the violence. The United States nation state views international, interracial, Chinese American adoptees as disposable, displaces blame squarely onto China, and absolves itself and any individual actors of any wrongdoing. Not only does the United States extract Chinese children from their homes, but they legally bind these children to people who can and in some cases, have cause harm to the children. An adoptee is legally bound to the adopters and forced to dutifully perform physical, emotional, familial, domestic, and psychological labor. Legal, carceral, and financial systems keep adoptees bound to their adopters, regardless of the harms that may occur within the family unit. The adoptee and the adoptive family are also subject the surveillance and scrutiny of the United States settler colonial project's family policing system. The family policing system, made up of Child Welfare, Child Protect Services, and mandated reporters, works to surveil, control, and punish families when behaviors exhibited delineate from expected and enforced social norms of family. The home is an observable place of surveillance where one

must perform normative and permissible family member behavior for the nation state, transforming the home into an essential element of the carceral system. Thus, state sanctioned violence becomes intimately intertwined with the adoptee's place of residence, further inflicting emotional and psychological violence onto the adoptee. Thus, extracting emotional and psychological labor from the adoptee in order to protect the feelings and comfortability of the white adopters, white supremacist culture, and the settler colonial nation state. Adoptees must perform the role of child. "They actively 'do family.' In other words, they continually perform their kinship to be read as legible and legitimate parent-child and sibling-sibling formations."²³² For adoptee girls and women, there is an expectation of gendered labor such as maintaining the emotional health and quality relationships of the family in addition to traditionally gendered, domestic labor such as cleaning, cooking, the cognitive labor of anticipating others' needs, and meeting others' unspoken needs. Adoptees are forced to perform the labor of grateful, rescued orphan child or risk becoming an "adoptee killjoy."²³³ Kimberly McKee describes the "adoptee killjoy" as a disruptive force that challenges adoption narratives of child rescue through political activism that rupture humanitarian aid narratives about the adopter(s) and the settler colonial state.²³⁴ For interracial, international Chinese American adoptees, the labor of gratitude places the adoptee in a position in which they must constantly and consistently reinforce hegemonic narratives that life with their white adoptive family in the United States is better than any life that they could have had in China. They are expected to be perpetually happy and express words that affirm their kinship ties to their adopters. Thus, reinforcing the ideas that the white adopter is a benevolent orphan savior, the United States benevolently cares for the discarded children of

²³² McKee, *Disrupting Kinship*, 72.

²³³ McKee, *Disrupting Kinship*.

²³⁴ McKee, *Disrupting Kinship*.

China that the Chinese governmental systems cannot support, and the United States is superior to China. However, the adoptee killjoy is not allowed to exist without the United States settler colonial state violently constructing and reconstructing the adoptee killjoy as outlier. Instead of understanding adoption as a system of labor attainment that may or may not produce positive sociological relationships, similar to likable co-workers in the workplace, dominant narratives insist that the adoptee killjoy is the outlier, and that the normative adoptee experience is a happy one. There is not one monolithic way to be an adoptee and agreement on how to feel about being an adoptee. Legal, carceral, and financial systems keep adoptees bound to their adopters and constantly reinforce these kinship ties. Thus, extracting emotional and psychological labor from the adoptee in order to protect the feelings and comfortability of the white adopters, white supremacist culture, and the nation state.

V. Illusions of Benevolence

The United States positions its international, interracial adoption as a testament to its benevolence and moral goodness despite its functionality being a mechanism for extraction. Specifically, the United States manufactured the category of international, interracial Chinese American adoptee by offering international adoption as ‘solution’ to China’s abandoned and orphaned child problem. In reality, the United States extended the modern day adoption industrial complex to China, which it had originated for Korean and Vietnamese children that the United States orphaned during the Korean War and Vietnam War, respectively. International adoption from China to the United States resulted in interracial adoption since a majority of adopters were white.²³⁵ As with other adoptee populations, the United States as a settler colonial

²³⁵ Assistant Secretary for Planning and Evaluation (ASPE), “Chartbook.”; Richard Tessler et al., *West Meets East: Americans Adopt Chinese Children* (Westport: Bergin and Garvey, 1999); Tony Xing Tan and Kofi Marfo, “Pre-adoption Adversity and Behavior Problems

project integrated settler colonial logics into the foundation of the US adoption of Chinese children. The United States asserts that the nation state functions as a benevolent caretaker with open arms who accepts the world's orphaned youth. Mimi Thi Nguyen's *The Gift of Freedom: War, Debt, and Other Refugee Passages* illustrates how the United States settler colonial project manufactured this narrative of the US as benevolent caretaker, utilizing "the gift of freedom," in wake of the Vietnam War, an event in which the United States murdered people and mass orphaned children that were later exported to the states to be adopted to white peoples.²³⁶ Nguyen introduces the concept of "the gift of freedom" as a debt refugees accept by migrating to the United States and are unable to repay.²³⁷ The gift of freedom is extended to international adoptees as the United States settler colonial empire imagines international adoptees as debtors who without US intervention would be stuck in a static, permanently fixed future where the adoptee suffers devastation, starvation, poverty, abuse, homelessness, human trafficking, and often imagined prostitution for adoptees born female. This static future is a fiction the US settler colonial project manufactured for the purposes of positioning itself as a benevolent and altruistic sovereign nation. Moreover, Kit Myers's reimagines the "gift" extended to specifically international and transnational adoptees as "opposite futures," "a spatiotemporal reference—where adoption rescues children from the certainty of a bleak future and the space attached to it that not placing for adoption portends."²³⁸ Complicating the idea of both gift and freedom, it is revealed that the settler colonial project offers membership to the settler colonial state in exchange for labor and compliance to the settler colonial status quo, but this membership is

in Adopted Chinese Children: A Longitudinal Study," *Journal of Applied Developmental Psychology* 42, (2016): 49-57, <https://doi.org/10.1016/j.appdev.2015.11.006>.

²³⁶ Nguyen, *The Gift of Freedom*.

²³⁷ Nguyen, *The Gift of Freedom*.

²³⁸ Myers, *The Violence of Love*, 3.

tenuous. Dr. Kimberly D. McKee argues that the gift of freedom is terminated upon adoptees obtaining an undocumented status: “the gift of adoption no longer exists—undocumented status erases the supposed gifts of American exceptionalism accrued via adoption.”²³⁹ Yet hegemonic narratives surrounding adoption posit that the gift of freedom from an adoptee’s opposite future remains an unpayable debt, accepted by the adopter(s) on behalf of the adoptee, and agreed upon regardless of legal status. Additionally, the structure and institution of international adoption continually legitimizes the United States as a sovereign state rather than challenge it as an illegitimate settler colonial project, which is, in part, why the US incessantly works to manufacture the adoption industrial complex globally.

This illusion of benevolence is continually reconstituted and perpetuated by adoption agencies who profit off the procurement and sale of orphans. Within International, Interracial Chinese American adoption, one adoption agency has continually worked to become an authority on international Chinese adoption. Chinese Children Adoption International (CCAI), now named Cherish Children Adoption International (CCAI), was founded by Joshua Zhong and Lily Nie in 1992.²⁴⁰ “CCAI (Cherish Children Adoption International) is a non-profit 501c3 charity recognized by the U.S. federal government, accredited by the Hague Accreditation, and licensed by the states of Colorado, Florida, Georgia, Texas, and Wyoming.”²⁴¹ By Western metrics, CCAI is an ethical non-profit organization meant to give “abandoned/orphaned children” “loving homes”: “CCAI is deeply committed to ethical, child-centered adoption practices – ensuring that each adoption prioritizes the best interests of the child, honors their story, and supports families

²³⁹ McKee, *Disrupting Kinship*, 48.

²⁴⁰ CCAI, “About CCAI: Who We Are,” CCAI, <https://ccaifamily.org/our-team/who-we-are/>.

²⁴¹ CCAI, “About CCAI: Who We Are.”

for a lifetime.”²⁴² “CCAI exists to find loving and permanent homes for abandoned/orphaned children, to offer humanitarian assistance to orphans left behind, and to provide cultural, educational and emotional support to adopted individuals and their families.”²⁴³ In 1993, the Hague Convention passed a set of international policies and procedures of what Western ruling powers considered to be ethical international adoption, which claimed to put the best interests of the child as the top priority. The United States agreed to abide by the policies set forth in the Hague Convention on April 1, 2008.²⁴⁴ Hague Accreditation is just a self-affirming mechanism in which the West claims benevolence, ethicality, and morality for itself and its state sanctioned independent actors. Despite legitimate inquiries into the efficacy of the Hague Convention and credible documentation of both China and the United States using the Hague Adoption Convention to avoid scrutiny of abusive adoption practices, the United States continues to perpetuate the myth of Hague Accreditation as proof of ethical adoption practices. CCAI and other adoption agencies are recognized by the federal government as non-profit 501c3 charities. Charities are institutions meant to benefit others, specifically the poor or helpless, and are generally seen as morally good organizations. By classifying adoption agencies as charities, the United States continually reasserts adoption as a morally good, ethical, and altruistic process of family creation. According to Chinese Children Adoption International, they are one of the largest adoption agencies for Chinese children in the world²⁴⁵ and a majority of the children

²⁴² CCAI, “Services: Adoption,” CCAI, March 16, 2026.

<https://web.archive.org/web/20260316045548/https://ccaifamily.org/adoption/>.

²⁴³ CCAI, “About CCAI: Who We Are.”

²⁴⁴ Travel.State.Gov, “Understanding the Hague Convention,” Travel.State.Gov U.S. Department of State, <https://travel.state.gov/content/travel/en/Intercountry-Adoption/Adoption-Process/understanding-the-hague-convention.html>.

²⁴⁵ CCAI, “About CCAI: Who We Are;” CCAI, “Financial Integrity,” CCAI, October 23, 2012.

whose adoptions they facilitate are girls and disabled children.²⁴⁶ “Lily Nie and Joshua Zhong founded the Chinese Children Adoption International Agency (now Cherish Children Adoption International) and changed the fate of many abandoned Chinese children, most of them girls and children with medical conditions. CCAI became the largest adoption agency for Chinese children in the world.”²⁴⁷ CCAI positions itself as the gift giver, benevolently offering orphaned children “the gift of freedom” and bestowing the gift of parenthood to the adopters. Cherish Children Adoption International and other adoption agencies weaponize narratives of benevolence to obfuscate any possible bad behaviors. One of the main issues with CCAI as an organization located within the study of adoption is that they are often looked to as a trustworthy authority on international Chinese adoption. The logical fallacy in this analysis is not recognizing that CCAI and other adoption agencies are not neutral parties but rather benefactors in the adoption industrial complex. This positionality as one of the greatest benefactors of international Chinese adoption and source of authority on international Chinese adoption allows CCAI to perpetuate these illusions of benevolence.

VI. The West’s Contribution to Chinese Orphaning

<https://web.archive.org/web/20121023072630/http://www.ccaifamily.org/AboutUs/FinancialIntegrity.aspx>.

²⁴⁶ CCAI, “About Us,” CCAI, November 24, 2012.

<https://web.archive.org/web/20121124053227/http://www.ccaifamily.org/AboutUs/Default.aspx>; CCAI, “Financial Integrity,” CCAI, October 23, 2012.

<https://web.archive.org/web/20121023072630/http://www.ccaifamily.org/AboutUs/FinancialIntegrity.aspx>; CCAI, “Waiting Child Program,” CCAI, October 23, 2012.

<https://web.archive.org/web/20121023074846/http://www.ccaifamily.org/WaitingChild/Default.aspx>.

²⁴⁷ CCAI, “About Us,” CCAI, September 19, 2012.

<https://web.archive.org/web/20120919033619/http://www.ccaifamily.org/AboutUs/Default.aspx>; CCAI, “About Us,” CCAI, October 3, 2022.

<https://web.archive.org/web/20221003210031/https://www.ccaifamily.org/AboutUs/Default.aspx>.

The West aided in the creation and proliferation of the Chinese orphan market by contributing to the formation of the political and cultural landscape that formed China's One Child Policy, which produced Chinese orphans and paper orphans. Paper orphans, first coined by Terre Des Hommes and Unicef in their documentary, *Paper Orphans*,²⁴⁸ are children who have living family members who want them but are legally constructed as an "orphan," usually for profit and human trafficking.²⁴⁹ "Although various laws define human trafficking differently, it generally encompasses recruiting, harboring, transporting, providing, or obtaining a person for labor or commercial sex through the use of force, fraud, or coercion."²⁵⁰ Britain inflicted imperialist violence onto China during the First Opium War. France and Britain with the help of the United States and Russia eroded what was left of China's semblance of power on the global stage during the Second Opium War. Imperialist violence from the West stemmed from Britain's desire to extract capital and wealth from China while implementing imperialist logics of civility and fairness. Anupama Rao and Steven Pierce provide insight into the functions of colonization, which extend to imperialism and the West's relationship with China during the Century of Humiliation, in their book, *Discipline and the Other Body: Humanitarianism, Violence, and the Colonial Exception*. "If colonialism was about the management of difference – the civilized ruling the uncivilized – the allegedly necessary violence of colonial government threatened to undermine the very distinction that justified it." Colonialism and by extension, imperialism, is a contradiction in which the perpetrators justify their violence under the guise of benevolence and concern for the morality of the brutalized. When in reality, the perpetrators' main goal is

²⁴⁸ *Paper Orphans* (Terre Des Hommes and Unicef, 2010).

²⁴⁹ Kathryn E. Van Doore, "Paper Orphans: Exploring Child Trafficking for the Purpose of Orphanages," *International Journal of Children's Rights*, 2016.

²⁵⁰ Marley S. Weiss, "Human Trafficking and Forced Labor: A Primer," *ABA Journal of Labor and Employment Law* Vol. 31, no. 1 (Fall 2015): 3.

malicious, extractive, and self-serving. Port cities along the Pacific Ocean that most effected by the Opium Wars would later become sites of extraction in the transnational adoption industrial complex.²⁵¹ Particularly, Guangzhou who was ravaged by the first Opium War,²⁵² became a large site of extraction,²⁵³ and currently houses the US Consulate and therefore is most adoptees' departure port.²⁵⁴ The Opium Wars produced China's Century of Humiliation, which ended in and manufactured the establishment of the People's Republic of China founded and ruled by the Communist Party of China (also known as the Chinese Communist Party (CCP)). In 1979, the Communist Party of China implemented the One Child Policy, a form of population control issued by the nation state and implemented by local officials. China codified eugenics against women, girls, and disabled people into law with the One Child Policy. While the West and particularly, the United States, portrayed the One Child Policy as horrific, barbaric, and uncivilized, they take no accountability for the manner in which their actions aided and abetted in the creation of the conditions that produced the mass orphaning of children. Tracing this history is essential for understanding the United States as a willing and eager participant in the

²⁵¹ CCI, "Home is Project," CCI, <https://chinaschildreninternational.org/home-is->.

²⁵² Xiangmin Guo and Changtao Liu, "Guangzhou's Special Path to Global City Status," *Aspects of Urbanization in China: Shanghai, Hong Kong, Guangzhou* (2012): 59-76. <https://www.jstor.org/stable/j.ctt46mzks.8>.

²⁵³ Brian H. Stuy, "Open Secret: Cash and Coercion in China's International Adoption Program," *Cumberland Law Review* 44, no. 3 (2013-2024): 366-367, 372-374, 378, 402. <https://heinonline.org/HOL/Page?handle=hein.journals/cumlr44&id=385>; Patricia J. Meier and Xiaole Zhang, "Sold into Adoption: The Hunan Baby Trafficking Scandal Exposes Vulnerabilities in Chinese Adoptions to the United States," *Cumberland Law Review* 39, no. 1 (2008): 89-90. <https://access.heinonline.com/HOL/Page?handle=hein.journals/cumlr39&id=89>.

²⁵⁴ Robert S. Gordon, "The New Chinese Export: Orphaned Children – An Overview of Adopting Children from China," *Transnational Lawyer* 10, no. 1 (1997): 140. <https://access.heinonline.com/HOL/Page?handle=hein.journals/tranl10&id=129>; CCAI, "China Adoptions: Adoption Trip – Sample Itinerary," CCAI, January 23, 2013. <http://www.ccaifamily.org/China-Adoption/AdoptionTrip.aspx>.

mass orphaning process of the adoption industrial complex and not just the extraction of human children.

The United States's desire and demand to adopt orphaned Chinese children outpaced the population rate of Chinese children abandoned due to the One Child Policy, which drove the Chinese adoption system as a business operation to increase the number of and supply of orphaned children in China to be made available for international adoption. Around the 1990s, the population of Chinese children orphaned by the One Child Policy started to decline.²⁵⁵ However, international adoption was extremely lucrative because wealthy foreign adopters would adopt Chinese orphaned children which was facilitated through legal processes and financial exchanges that transferred wealth between the financially affluent United States nation state and the economically struggling Chinese nation state.²⁵⁶ Since the Communist Party of China did not provide enough state resources to operate Social Welfare Institutions, which provided state sanctioned care to disabled, elderly, and orphaned populations,²⁵⁷ Chinese state run orphanages looked for other economic opportunities to finance their operations. As early as 1996, orphanages began offering financial incentives to find and obtain children for the purposes of maintaining a steady revenue stream through international adoption and attempt to meet the United States' demand for orphaned infant children.²⁵⁸ Orphanages started to standardize a

²⁵⁵ Barbra Demick, *Daughters of the Bamboo Grove: From China to America, a True Story of Abduction, Adoption, and Separated Twins*, Random House (New York, 2025): 75-76; Stuy, "Open Secret," 374; Deng Fei, "Hunan One Year After Part One: The Hengyang Infant Dealing Case: Benevolence or Vice," Research-China.org, (October 9, 2006), <https://research-china.weebly.com/hunan---one-year-after---part-one.html>. This is the English translation of the article. It was originally published in Phoenix Weekly in Mandarin Chinese. Deng Fei, "The Hengyang Infant Dealing Case: Benevolence or Vice," *Phoenix Weekly* (April 11, 2006).

²⁵⁶ Demick, *Daughters of the Bamboo Grove*, 75-77.

²⁵⁷ Meier and Zhang, "Sold into Adoption," 100; Demick, *Daughters of the Bamboo Grove*, 75-76.

²⁵⁸ Stuy, "Open Secret," 374;

\$3,000 United States dollar “donation” per child to the orphanage to cover operation costs.²⁵⁹

These claims were bolstered by adoption agencies who engaged with and benefited from international adoption between China and the United States. Some adoption agency websites explicitly explained this practice to all potential adopters as a means to secure their adoption and support the ongoing need of child support for China’s orphaned youth. Moreover, these adoption agencies advised all adopters to bring crisp \$100 bills (in United States currency), amounting to \$3,000 as a “donation” to the orphanages.²⁶⁰ However, orphanage funds including these \$3,000 donations were often misappropriated.²⁶¹ There is limited evidence that documented and reported that a number local civil affairs officials and orphanage employees bought cars and other personal luxuries with orphanage funds meant to dress, feed, and otherwise provide care for orphaned children.²⁶² A majority of these \$3,000 donations were used to obtain more orphaned infant children in an attempt to meet market demand, which was driven by the United States and their desire to adopt orphaned Chinese infant children.²⁶³ This financial incentive of a finder’s

²⁵⁹ Stuy, “Open Secret,” 364; Meier and Zhang, “Sold into Adoption,” 88-89; Gordon, “The New Chinese Export,” 144; Peter S. Goodman, “Stealing Babies for Adoption: With U.S. Couples Eager to Adopt, Some Infants Are Abducted and Sold in China,” *Washington Post*, March 11, 2006. <https://www.washingtonpost-com.lapl.idm.oclc.org/archive/politics/2006/03/12/stealing-babies-for-adoption-span-classbankheadwith-us-couples-eager-to-adopt-some-infants-are-abducted-and-sold-in-china-span/7fb75927-9b0c-4d62-88f6-cbb799d3801e/ve/politics/2006/03/12/stealing-babies-for-adoption-span-classbankheadwith-us-couples-eager-to-adopt-some-infants-are-abducted-and-sold-in-china-span/7fb75927-9b0c-4d62-88f6-cbb799d3801e/>; Demick, *Daughters of the Bamboo Grove*, 75-76, 84-85.

²⁶⁰ These adoption agency websites are constantly being updated and previously available digital recreations of these websites and their specific webpages have since been made unavailable on websites such as the way back machine and the internet archive.

²⁶¹ Meier and Zhang, “Sold into Adoption,” 101; Demick, *Daughters of the Bamboo Grove*, 75-76.

²⁶² Meier and Zhang, “Sold into Adoption,” 101; Demick, *Daughters of the Bamboo Grove*, 75-76.

²⁶³ Stuy, “Open Secret,” 364; Meier and Zhang, “Sold into Adoption,” 88-89.

fee from state run orphanages encouraged poor and impoverished Chinese individuals to manufacture paper orphans, children who have living family members who want these children but are denied the ability to caretake, in this case, because of child trafficking and the theft of Chinese children. These paper orphans were manufactured through the state incentivised financial reward of a finder's fee and individual financially poor Chinese people who orphaned these children through abduction and theft. Under Chinese Adoption Law 1992 and amended in 1998, only the Chinese government can arrange adoptions and child abandonment is illegal, which caused birth parents to hide and obscure their identities.²⁶⁴ The Chinese government constructed an adoption system through laws that criminalize and punish child abandonment while simultaneously facilitating the same adoption system that financially incentivizes individuals to obtain and surrender Chinese children to state run orphanages through the language of finding. The finder's fee started quite modest, then standardized around \$60 equivalent United States dollars. This was significant at this time as many people throughout China were experiencing financial hardship, some even trying to survive on pay as little as the equivalent to \$1 United States dollar. Such as Chen Zhijin, mother of three adult children also experiencing financial hardship (Duan Yueneng, Meilin, and Zhilin), who worked as an ayi (aunt), a woman domestic worker, at an orphanage that paid only one United States equivalent dollar per day for her labor.²⁶⁵ These child finding fees increased over time and at its peak, a healthy infant baby could earn the finder \$600 United States dollars. On November 15, 2005, Chinese police followed a tip that led to the discovery of twelve infant babies in a state devoid of basic hygiene, on a minibus

²⁶⁴ Stuy, "Open Secret," 361; Gordon, "The New Chinese Export," 132; Kerry O'Halloran, "Chapter 17: China," *The Politics of Adoption: International Perspectives on Law, Policy and Practice, Ius Gentium: Comparative Perspectives on Law and Justice* 41, Third Edition (New York: Springer, 2015): 683-720.

²⁶⁵ Demick, *Daughters of the Bamboo Grove*, 76-77.

in Hengyang, Hunan, China, and the subsequent arrest of Duan Mei Lin and Duan Zi Lin, two sisters and the children of Chen Zhijin, under charges of child trafficking.²⁶⁶ On November 24, 2005, Reuters reported that twenty seven people were arrested, including the head of an orphanage in Hunan, for child trafficking, which would come to be known as the “Hunan baby trafficking scandal,” as named by the Western press.²⁶⁷ This Reuters report and subsequent reports in Western media revealed how Chinese state run orphanages, global non-profit adoption agencies, and an intricate system of third party individuals colluded to manufacture paper orphans, mass orphan Chinese children, and profit from child trafficking. The Duan family (Duan Yueneng, Meilin, and Zhilin with the support of extended family members aid) claims that they were driven to this due to harsh economic conditions in China.²⁶⁸ The Duan family claim that it started as a practice of care and that they were not the only ones child trafficking, but rather claim that many families create a vast network of child trafficking to supply state run Chinese orphanages with adoptable children.²⁶⁹ Child traffickers would steal children, move the child a few towns or provinces over, claim the child had been abandoned, and obfuscate the true facts in which the child was found.²⁷⁰ By moving the child from the town or province they were born into, it significantly decreased the ability of the biological family to find their child. Orphanages would further obfuscate known facts about a child that came into their legal

²⁶⁶ Stuy, “Open Secret,” 371-372; Demick, *Daughters of the Bamboo Grove*, 70.

²⁶⁷ Stuy, “Open Secret,” 372; Meier and Zhang, “Sold into Adoption,” 87; Deng, “Benevolence or Vice.”

²⁶⁸ Demick, *Daughters of the Bamboo Grove*, 70-93.

²⁶⁹ Demick, *Daughters of the Bamboo Grove*, 70-93; Stuy, “Open Secret,” 372; Barbra Demick, “A Family in China Made Babies Their Business,” Los Angeles Times (January 24, 2010), <https://www.latimes.com/archives/la-xpm-2010-jan-24-la-fg-china-adopt24-2010jan24-story.html>. In this article, Demick had the opportunity to interview Duan Yuelin.

²⁷⁰ Meier and Zhang, “Sold into Adoption,” 89; Stuy, “Open Secret,” 367, 372, 374, 378, 399-405, 471-418.

guardianship by falsifying documents with manufactured new names, birthdates, and sometimes they alter the facts of how the child was found, when the child was found, and where the child was found.²⁷¹ Thus increasing the likelihood that a child will not be identified or reunified with their birth family, but rather be transformed into a paper orphan and an adoptable child that the Chinese orphanage and Chinese nation state can profit off of. These claims can be cooperated by the data base, Baby Come Home (Bao Bei Huijia). Baby Come Home (Bao Bei Huijia) is a volunteer-run platform based in China and aimed at reuniting birth families with their missing children.²⁷² Baby Come Home (Bao Bei Huijia) lists thousands of profiles of Chinese children that are claimed to be kidnapped or otherwise missing in over 12345 searchable pages.²⁷³ Each profile has biographical information such as the child's family name, individual name, current age; some have photos, age at kidnapping, the closest orphanage to the last known location of the child, and information about the family the child belongs too.²⁷⁴ Notably, there are higher concentration of profiles for children kidnapped in the 1990s and onward.²⁷⁵ International Child Search Alliance also has a data base of reported missing children which lists all available information in the following categories: the year they went missing, date of birth, Lunar or Gregorian date of birth, whether the date of birth is estimated, the gender, which province the child went missing from, the date they went missing, Lunar or Gregorian missing date, missing city, missing location, missing age, orphanage, items left with, (birth family) DNA collected,

²⁷¹ Stuy, "Open Secret," 399-405, 471-418; Meier and Zhang, "Sold into Adoption," 103.

²⁷² The Park: Adoption Community Center, "Navigating a Birth Parent Search: A Guide for Chinese Adoptees," The Park: Adoption Community Center, <https://theparkcommunity.org/navigating-a-birth-parent-search-a-guide-for-chinese-adoptees/>.

²⁷³ Baby Come Home (Baobeihuijia), "Send Information About Looking For Relatives," Baby Come Home (Baobeihuijia), <https://www.baobeihuijia.com/bbhj/> and <https://www.baobeihuijia.com/bbhj/channels/7.html>.

²⁷⁴ Baby Come Home (Baobeihuijia), "Send Information About Looking For Relatives."

²⁷⁵ Baby Come Home (Baobeihuijia), "Send Information About Looking For Relatives."

(birth family) DNA location (which database(s)), circumstances of disappearance, special needs, physical characteristics, additional information, and who to contact.²⁷⁶ While the People's Republic of China created and facilitated an adoption system vulnerable to abuse, the United States' demand for Chinese orphaned children fueled and funded the child trafficking of Chinese children for the purposes of international adoption.

The United States demand for Chinese orphans was met by the illegal and unsanctioned practice of child trafficking, but it would not have been possible without orphanages and adoption agencies. Orphanages procured orphaned infants and children through essentially anonymized individuals. It was a crime for parents of children to surrender their children to orphanages but legal for non-related individuals to surrender children to state run orphanages.²⁷⁷ There was police collaboration as the police would protect the state run orphanages' legal guardianship over surrendered children, even in cases where children were reported stolen.²⁷⁸ In other words, the police state would protect the financial asset (the adoptable orphaned child) of the state for the financial profit of the state. The orphanages would shift their duty and responsibility for locating an orphan's biological family, as required by law, onto other state entities such as the police.²⁷⁹ Police would claim it was another department's responsibility.²⁸⁰ Adoption agencies would promote the orphan child as available for adoption without checking to see if the child was a legitimate orphan or a paper orphan.²⁸¹ This research urges for the critical

²⁷⁶ ICSA International Child Search Alliance, "As Birth Parents," ICSA International Child Search Alliance, <https://www.icsachina.org/birth-parents-searching>.

²⁷⁷ Stuy, "Open Secret," 361; Gordon, "The New Chinese Export," 132; O'Halloran, "Chapter 17: China," 683-720.

²⁷⁸ Stuy, "Open Secret," 378; Meier and Zhang, "Sold into Adoption," 89, 103, 110-112.

²⁷⁹ Stuy, "Open Secret," 378; Meier and Zhang, "Sold into Adoption," 89, 103, 110-112.

²⁸⁰ Stuy, "Open Secret," 378; Meier and Zhang, "Sold into Adoption," 89, 103, 110-112.

²⁸¹ Stuy, "Open Secret," 378; Meier and Zhang, "Sold into Adoption," 89, 103, 110-112.

interrogation of the role of adoption agencies, orphanages, and the police act within the adoption industrial complex. This brings into question United States adoption agencies role in facilitating the orphaning of Chinese children, the procurement of orphaned infants, and the profiteering from child trafficking.

VII. Gender Based Violence and Disposability

China's One Child Policy inflicted gender based violence against Chinese women and baby girls. Chinese women were targeted, made to be disposable, and constructed as inconsequential due to Chinese cultures tracing familial lineages through paternal lines and relying on sons to carry out socially valuable familial labor. From 1980 to 2015, the People's Republic of China and the Communist Party of China subjected millions of women to gender based violence in the form of forced contraception, forced sterilization, and forced abortion.²⁸² Additionally, China's increasing anxieties about overpopulation were intensified with the famine and transformed into gendered violence and as a reproduction of imperial and colonial violence inflicted onto China during the Century of Humiliation. To better understand this gendered violence, Rao and Pierce offer that "gendered susceptibility to violence and violation came to stand in for the other woman's subjectivity, and pain and suffering were its unique expression. Other women's suffering was transformed into a marker of their civilizational status, and troubling issues of embodies difference were displaced onto other spaces, other bodies."²⁸³ The specific gendered susceptibility to violence, influenced by the West, can be seen as the Communist Party of China's method of imprinting a marker of subservient status and disposability onto Chinese

²⁸² Yaqiu Wang, "It's time to abolish China's three-child policy," in *Essays on Equality: The Politics of Childcare* (2023): 54.

²⁸³ Anupama Rao and Steven Pierce, *Discipline and the Other Body: Humanitarianism, Violence, and the Colonial Exception* (Duke University Press, 2006), 14.

women's bodies. Gendered susceptibility and subjectivity are transformed into gender disposability when violence is inflicted culturally and legally onto a group of people for a prolonged period of time. This gendered violence extends to infants in the form of abandonment, infanticide, and commodification through the adoption industrial complex.

International adoption from China to the United States resulted in interracial adoption since a majority of adopters were white.²⁸⁴ International, interracial Chinese American adoptees were racialized by white Americans and white American identity formation of these adoptees were deeply entrenched in ideas of sexism, racism, and ableism. Since Chinese culture favored sons, the abandoned and orphaned children were girls. Returning to Rao and Pierce's gendered susceptibility, the ideology of women suffering as a marker of civility²⁸⁵ is exhibited in interracial Chinese American adoptees who grew up with white parents, especially those raised in predominately white cities. There is an inherent violence in international and interracial adoption: being separated from the context in which one exists and being given a fiction to live. International, interracial Chinese American adoptees grow up with white parents who never have and never will experience racism. Thus, they often grow up in environments where nobody can relate or understand the specificities of experiencing racism, validate their feelings, and help them process the violence they face. Often times these adoptees are dismissed and told they do not understand racism when in reality, they did experience racism directed at them. In order to function in white American society, international, interracial Chinese American adoptees are forced face these violent interactions in silence and alone. They are purposefully socialized to be 'civil' and 'polite' by ignoring and remaining silent about the mental, emotional, spiritual, and

²⁸⁴ Assistant Secretary for Planning and Evaluation (ASPE), "Chartbook.," Tessler et al., *West Meets East*; Tan and Marfo, "Pre-adoption Adversity," 49-57.

²⁸⁵ Rao and Pierce, *Discipline and the Other Body*, 14.

physical violence they are forced to endure. White America reproduces its concepts of civility onto international, interracial Chinese American adoptee bodies through racial and gender violence.

To understand the multiple intersecting prejudices the international, interracial Chinese American adoptees is subject to, I will utilize the intersectionality framework as proposed by Kimberlé Crenshaw in “Mapping the Margins: Intersectionality, Identity Politics, and Violence against Women of Color” by Kimberlé Crenshaw.²⁸⁶ Crenshaw demonstrates how intersectionality can aid in the analysis of a multifaceted identity population on a structural level, political level, and representational level through the meticulous interrogation of how each aspect of the multifaceted identity relates to the other(s).²⁸⁷ Utilizing the framework of intersectionality, this research aims to understand how this multilayered subject position is informed by the compounding prejudices based on transnational political relationships, race, power imbalances (due to race, which are reinforced, reproduced, and worsened by the white adopter and Chinese American adoptee imbalanced power dynamic that replicates preexisting racial hierarchies), ageism, Sinophobia as manifested in the United States, disability, and the discomfort to engage with and understand the adoptee. The international, interracial Chinese American adoptee is subject to the historical and ongoing, volatile and contentious, transnational relationship between the People’s Republic of China and the United States, which extends far beyond the strictly international adoption relationship between these nation states that existed from 1989 to August 28, 2024. Moreover, the international, interracial Chinese American adoptee is subject to white settler colonial conceptualizations of Asian bodies. The Asian body

²⁸⁶ Kimberlé Crenshaw, “Mapping the Margins: Intersectionality, Identity Politics, and Violence against Women of Color,” *Stanford Law Review* 43, no. 6 (1991): 1241-1299.

²⁸⁷ UCLA School of Law, “Kimberlé Crenshaw.”

imagined as a racialized and cheap source of labor within the historical conceptualizations of Asian bodies and particularly, Chinese bodies, within the white settler colonial imagination, which was largely informed by white settler colonial understandings of Chinese laborers during the mid 1850's to the 1900s. Additionally, the white settler colonial sexualization and fetishization of Asian women's bodies as docile, compliant, malleable, and ornamental inform both the adopters' and third party nonadoptees' interactions with adoptees (and by extension, in some cases, the adoptee's family). These racial prejudices are reinforced and maintained by the Law. Within the United States Law, white parenthood is used as the legal standard of parenthood and the social standard of white parenthood is realized through the international, interracial Chinese American adoptee's lived experiences. Other compounding influences include age where infants and young children are seen as moldable both socially and politically. Additionally, the simultaneous and multifocal perception (by different independent parties such as Chinese state run orphanage employees, Chinese local officials, international adopters, United States government officials, United States Child Welfare, United States Child Protect Services, white community members, etc.) of the international, interracial Chinese American adoptee as interchangeable, replaceable, expendable, an acceptable body for disablement, which renders these adoptees as subhuman. Disabled or otherwise physically and/ or mentally impaired international, interracial Chinese American adoptees are seen as unworthy of accommodation and/ or as uneducated participants in their healthcare instead of as experts of their lived experiences. This distrust of the international, interracial Chinese American adoptees highlights how all of these prejudices act in concert to render this adoptee population ultravulnerable. International, interracial Chinese American adoptees are perceived as untrustworthy and unreliable, both in childhood and adulthood, due to historic and contemporary distrust of Chinese

Peoples within the predominantly white United States political and xenophobic and sinophobic machinations of the international, interracial Chinese American adoptee. White adults also disregard Chinese Peoples' claims and often do not perceive their assertions as credible statements of fact. There is additionally a general tendency of adults to dismiss children's statements in the United States. Chinese Americans are frequently perceived as and accused of being Chinese spies in dominant racialized narratives about Chinese Peoples in the United States, which further creates distrust or presumed unreliability. Within the popular, hegemonic United States' understanding of adoption, the adopters are understood as morally good and benevolent people, while adoptees are imagined as the subjects of this benevolence and charity. Moreover, there is a compounding distrust of adoptee testimonies that contradict preconceived notions of adopters being anything other than morally and ethically upstanding, these are often experienced as uncomfortable conversations and/ or violent confrontations. When the international, interracial Chinese American adoptee is believed to be an unreliable narrator or orator of truth, testimonies of complex, complicated, and uncomfortable adoptee experiences as understood through the lens of adoption and the frame of legal violence that informs adoptees' lived and material realities. The framework of intersectionality is applied to and throughout this research so that each component of the international, interracial Chinese American adoptee identity is made legible and understandable when discussing international, interracial Chinese American adoptee experiences.

VIII. Conclusion

Ultimately, the United States manufactured the constructed category of the international, interracial Chinese American adoptee as a disposable class of people, intertwining both the legal and disposable nature of this population into the Law, for the purposes of extracting free labor

from the adoptee and broadening carceral logics within the family unit. International, interracial adoption is inherently violent as it extracts a child from their biological family for the purposes of extracting emotional, physical, and psychological labor from the adoptee and transforming the adoptee into a dutiful free laborer. Adoptees are ‘civilized’ using Western logics and multiple compounding and interlocking social mechanisms. Thus, transforming adoptee bodies into sites of imperial and colonial violence. Imperial and colonial violence inflicted on the adoptee acts to further carceral logics since the family unit is designed as a system of surveillance. Furthermore, Child Protective Services and Child Welfare only further inflict state sanction violence on the adoptee as surveillance intensifies and the threat of being placed into the foster system only aims to further extract labor from the adoptee. When the adoptee’s indebted servitude and labor are challenged as unethical and immoral, the United States nation state becomes endangered as its guise of benevolence falls. Therefore, the United States will do anything in its power to continually reassert adoption as a moral good and claim the extraction labor from adoptees is to the adoptee’s benefit.

Multifaceted Feelings: An Analysis of International, Interracial Chinese American Adoptee Feelings as Expressed in Oral Histories

I. Introduction

In my experience, as an adoptee, I hear about friend of a friend or a cousin or a great aunt who's also adopted, not infrequently. Stories of discomfort, of gratitude, of pain, of incomprehensible tragedy, of grief, of unassuredness, of disconnectedness, of confusion, of anger, of a deep desire to be cared for beyond reason, of uncomfortability, of control or lack thereof, of a ceaseless sadness that runs down to the bone, and of so many other complicated feelings arise in conversations about being adopted with adoptees. Adoptees are expected to perform gratitude and play their role as the rescued orphan.²⁸⁸ Sharing stories that do not center expressing gratitude often feel awkward, uncomfortable, frowned upon, and generally avoided by adoptees in my experience. With approximately 1.46028% of people in the United States being adoptees in 2000,²⁸⁹ meeting other adoptees naturally in daily life is not a common or frequent occurrence. When adoptees are able to come together and talk about their shared experiences, it can be healing, empowering, and comforting.

In conceptualizing this research, it was always a goal to center adoptee voices and create knowledge with other adoptees in the community. Having been trained by Dr. William Gow, Dr. Kelly Fong, and the Chinese Historical Society of Southern California, oral histories felt like the best fit for community knowledge creation and the intentional centering of adoptee voices in stories about adoption. Oral histories are community based semi structured interviews. Oral

²⁸⁸ Kimberly D. McKee, *Disrupting Kinship: Transnational Politics of Korean Adoption in the United States*, 1st ed. (Illinois: University of Illinois Press, 2019), 8-13.

²⁸⁹ Census 2000 Special Reports, "Adopted Children and Stepchildren: 2000," *Census 2000 Special Reports* (2003): 1-22, <https://pages.uoregon.edu/adoption/archive/Census2000AC.pdf>.

histories were chosen as a primary methodology to listen to previously unheard voices, to empower adoptees by acknowledging their position as an equal in the knowledge making process, and to give autonomy to adoptees in sharing their lived experiences through offering the structure of questions but following the flow of the conversation (compared to traditional methods of interviewing).²⁹⁰ The adoptees that participated in this oral history project were given the full autonomy and power to decline to answer questions or stop the conversation at any time. The goal of this oral history project is to uplift adoptee voices, empower adoptees, make adoptees feel seen, give adoptees space to be heard, and Serve the People in the tradition and long history of Asian American activism. To accomplish this, I curated a series meticulously crafted scenes from these oral history interviews to create an accessible and understandable overarching narrative that offers insight on adoptees' lives, documents the contemporary moment, and depicts how four individual members of the same adoption group are experiencing the contemporary moment as international, interracial Chinese American adoptees. Fragments and snippets of the oral histories have been chosen to be shared in this chapter, but there moments of silence and intentional withholding.

Within this chapter, silence is understood as a multifaceted emotional plane where forgetting and remembering coexist. Silence is often perceived as memory lost, signs of forgetting, and the absence of knowledge. However, Dr. Luisa Passerini, feminist oral historian, asserts that silence is “connected with remembering, not forgetting.”²⁹¹ Some feelings,

²⁹⁰ Kim Park Nelson, *Invisible Asians: Korean American Adoptees, Asian American Experiences, and Racial Exceptionalism*. (New Brunswick: Rutgers University Press, 2016): 19-22.

²⁹¹ Luisa Passerini, “Memories between Silence and Oblivion,” in *Contested Pasts: The Politics of Memory*, ed. Katherine Hodgkin and Susannah Radstone (New York: Routledge, 2003), 248.

memories, and knowledge are all encompassing, incredibly raw, too intimate, abundant, and/or too painful to speak aloud. Remembering can manifest as silence. Additionally, silence can be invoked as a deliberate and meaningful act of refusal or intentional withholding. Emeritus Professor of African American Studies and Professor of History at Northwestern University, Dr. Darlene Clark Hine,²⁹² coined the term “culture of dissemblance” to describe the practice of secrecy by Black women during the Reconstruction era,²⁹³ also referred to as the ‘post Civil Rights’ era. The “culture of dissemblance” was a powerful act of resistance and a tool Black women implemented to “protect the sanctity of inner aspects of their lives” by creating a veil of secrecy.²⁹⁴ Hegemonic narratives rooted in white supremacy, heteropatriarchy, and settler colonialism, often reinforced through gender based sexual violence of racialized peoples, have long silenced Black, Indigenous, and other racialized peoples. This active choice Black women made to protect the interiority of their lives pushed back on notions that non-Black peoples could consume Black women’s stories, especially in instances to improve non-Black peoples’ moral character.²⁹⁵ Here, I extend this framework of the “culture of dissemblance” to the international, transnational, transracial adoptee population as an acknowledgement of the many ways Black women have historically and continue to create radical acts of community care, which in turn extends care to other racialized peoples and empowers them to engage with the long history of radical care and resistance Black women have founded. Additionally, I employ framework of the “culture of dissemblance” to recognize that the systems of oppression are the same, the forms of

²⁹² Northwestern Weinberg College of Arts & Sciences, “Darlene Clark Hine,” Northwestern Weinberg College of Arts & Sciences: Department of Black Studies, <https://blackstudies.northwestern.edu/people/emeritus-faculty/darlene-clark-hine.html>.

²⁹³ Darlene Clark Hine, “Rape and the Inner Lives of Black Women in the Middle West: Preliminary Thoughts on the Culture of Dissemblance,” *Signs* 14, no. 4 (1989): 915. (p.915-920)

²⁹⁴ Hine, “Preliminary Thoughts on the Culture of Dissemblance,” 915.

²⁹⁵ Hine, “Preliminary Thoughts on the Culture of Dissemblance,” 915.

violence employed are similar, our histories and experiences run parallel, and our collective liberation is intertwined.

Within the context of what Dylan Rodríguez proposed as “the current half-century of White Reconstruction”²⁹⁶ - “an emergent political, cultural, and racial capitalist project”²⁹⁷ dependent on anti-Black, gendered, and racial-colonial logics - the transracial adoptee is subject to the imperial and colonial state violence of acculturation or the inscribing of whiteness onto the racialized body as a ‘moral cleansing.’²⁹⁸ The United States settler colonial project imagines suffering and violence as a moral cleansing, the nation state as morally superior because of its historical conflict with Great Britain, and racialized peoples as those in need of moral cleansing.²⁹⁹ In addition to narratives of adoption as benevolent, charitable, and morally good, the settler colonial imagination transforms all violence (but especially, legal violence) the adoptee endures into a necessary moral cleansing, which nonadoptees can consume as a site of knowledge and moral improvement. Thus, I take great care navigating what parts of adoptee lives should be shared and which parts belong to adoptee spaces only, for the protection of individuals, their interior lives, and the adoptee community. Adoptee lives are multifaceted. They are filled with joy and laughter and sadness, which is captured in these oral histories. “Battered and Beloved” incorporates many aspects of how laws effect adoptee lives seen through these oral histories but withholds intimate scenes showing adoptee’s interior lives because the adoptee community does not need to perform their humanity to prove they are worthy of safety. Adoptees live full and beautiful lives, some of which have been captured and shared to the internet through

²⁹⁶ Dylan Rodríguez, *White Reconstruction: Domestic Welfare and the Logics of Genocide*, 1st ed. (New York: Fordham University Press, 2020), 6.

²⁹⁷ Rodríguez, *White Reconstruction*, 6.

²⁹⁸ Rodríguez, *White Reconstruction*.

²⁹⁹ Rodríguez, *White Reconstruction*.

the adopter's perspective for public consumption. This research takes immense care in protecting adoptees and preserving their stories. Adoptees deserve to be seen and heard, in whatever ways they feel comfortable sharing. For the protection and privacy of all oral history participants, all names, places, and exact dates have been anonymized. Oral history participants have been identified as "Participant" A, B, C, or D, while people mentioned in their oral histories are given pseudonyms.

It is my great honor to have been able to conduct oral histories with four members of the same adoption group over six sessions and sixteen total hours. An adoption group is all of the members of an orphanage who were adopted on the same day, at the same time, in the same orphanage. These oral history interviews took place from December 2025 to February 2026. This particular adoption group was adopted through Chinese Children Adoption International (CCAI), now named Cherish Children Adoption International (CCAI), from Guangdong province in Southern China, in the late 1990s to early 2000s, prior to the Child Citizenship Act of 2000 and February 27, 2001, when it went into effect. All four oral history participants report being adopted by middle class white adopters³⁰⁰ and living within the United States settler colonial project from adoption into the present day. Each oral history participant has at least one sibling, all siblings are international, interracial Chinese American adoptees who were adopted through CCAI from different regions of China than the oral history participants and to their knowledge are not biologically related. Participant C has a brother who was adopted approximately four years prior to her adoption, a younger sister who was adopted two years after her adoption, and a younger brother who was adopted approximately six to seven years after her adoption.

³⁰⁰ Participant A's mother, Pam, is white and Polish. Participant A's father, Jim, is "at least half Native American." Participant B, C, and D's parents are all white only.

Participant D has an older sister who was adopted four years prior to her own adoption and a cousin who was adopted three years after her adoption. Participants A, B, and D all have younger sisters who were adopted four years after Participants A, B, and D, making them approximately 4 years apart in age. None of the people in the oral history participants' adoption group were adopted at ages older than one year old and thus, their memories surrounding their adoption are memories conveyed to them by their parents (adopters).

Without further ado, I would like to introduce the oral history participants. Participant A is an international, interracial Chinese American adoptee. She is a cisgender, heterosexual woman who was originally migrated to Hawai'i and currently lives in Pennsylvania with her mom, her dad, her younger sister, and her two dogs: Pam, Jim, Taylor, Bao, and Jo.³⁰¹ Jim is the only parent (adopter) included in the families of the oral history participants that did not identify as solely white, Jim was identified by Participant A as "at least half Native American."³⁰² It is unclear if Jim identifies as solely Native American, when asked to clarify, Participant A said they would check and later restated that is how Jim identifies. Jim did specify the tribe he belongs to, but for the purposes of privacy and anonymity it will not be specifically named or identified in this paper. Participant B is an international, interracial Chinese American adoptee. She is a queer disabled woman who was originally migrated to Pennsylvania and currently lives in Virginia.³⁰³ Her family consists of her mother, father, younger sister, and cat: Lisa, David, Lily, and Prim.³⁰⁴ Participant C is an international, interracial Chinese American adoptee. She is

³⁰¹ Participant A, oral history interview by Alyssa Hemler, December 15, 2025, interview 1A, transcript.

³⁰² Participant A, text message to author, April 28, 2026.

³⁰³ Participant B, oral history interview by Alyssa Hemler, January 22, 2026, interview 1B, transcript.

³⁰⁴ Participant B, oral history interview 1B.

a cisgender, lesbian woman who was originally migrated to Georgia but currently lives in Tennessee.³⁰⁵ Her adoptive family consists of her adoptive mother, her adoptive father, her step father (married to her adoptive mother but did not adopt Participant C nor her siblings), her eldest brother, her younger brother, and her youngest sister (siblings are listed in adoption and age order): Elizabeth, Philip, Peter, Chris, Steve, and Parker.³⁰⁶ She has a dog and three cats: Aurora, Raphael, Robot, Mitchel, and James.³⁰⁷ Participant D is an international, interracial Chinese American adoptee who was originally migrated to Georgia and currently lives in Maryland.³⁰⁸ Her mom's name is Beverly and her dad's name is Benjamin.³⁰⁹ She has two sisters, one older and one younger: Sadie and Dorothea.³¹⁰ Her cousin, Wendy, is an international, interracial Chinese American adoptee who was adopted through CCAI in the time period between Participant D and Dorothea's adoption.³¹¹

II. Glimpses of Childhood

Childhood is often imagined as a universally experienced state of vulnerability and innocence, distinctly marked by the deficit of experience,³¹² within dominate hegemonic narratives perpetuated by the United States settler colonial project. For adoptees, their experiences of time and space as a product of specific social, political, and cultural institutions located within the Western understanding of the age of minority, early life, and childhood are

³⁰⁵ Participant C, oral history interview by Alyssa Hemler, February 10, 2026, interview 1C, transcript.

³⁰⁶ Participant C, oral history interview 1C.

³⁰⁷ Participant C, oral history interview 1C.

³⁰⁸ Participant D, oral history interview by Alyssa Hemler, February 12, 2026, interview 1D, transcript.

³⁰⁹ Participant D, oral history interview 1D.

³¹⁰ Participant D, oral history interview 1D.

³¹¹ Participant D, oral history interview 1D.

³¹² Joanne Faulkner, "Vulnerability of 'Virtual' Subjects: Childhood, Memory, and Crisis in the Cultural Value of Innocence," *SubStance* 42, no. 3, Issue 132: Vulnerability (2013): 127.

often understood as belonging to this manufactured idea of a universally experienced childhood. However, adoptee experiences are often manufactured into consumable products for public consumption by adopters in ways that produce, reinforce, and promote dominant narratives of adoption as a benevolent and charitable humanitarian act. The filtering of adoptee experiences through the adopter(s)'s lens constructs a meticulously perfected idyllic understanding of adoptee life, particularly, narratives surrounding the adoptee's early life as it concerns the fashioning of a neoliberal, multiculturalist nuclear family within a settler colonial understanding. This oral history project empowers adoptees to narrate their lived experiences in their own words, which produces counternarratives and complicates understandings of the adoptee experience. In this chapter, childhood is used as an observable site of knowledge production and a deeply compassionate recognition of adoptees' humanity. Memories of childhood are intimate looks into an individual's recollection of the natural rhythms and routines of life present in early childhood, which color and inform the ways in which they engage with the world.

Hemler: "Can you describe what your home life was like growing up? What did a typical day look like?"³¹³ Participant A: "Okay, so typical day, I guess, when I was, like. Before kindergarten, my mom was at home with me and my sister. And then, I went to school when I was in kindergarten."³¹⁴ Participant B: "Um, growing up...I think, going back to elementary school, um...I think my mom wakes up really early and that's a part of her lovely OCD patterns."³¹⁵ When asked to describe their home lives and what a typical day looked like, Participants A, B, C, and D illustrated scenes from their childhood that sound familiar to most

³¹³ Participant A, oral history interview 1A. Participant B, oral history interview 1B. Participant C, oral history interview 1C. Participant D, oral history interview 1D.

³¹⁴ Participant A, oral history interview 1A.

³¹⁵ Participant B, oral history interview 1B.

people. Mothers do the domestic and traditionally feminized labor of childcare and cooking: Participant C: Elizabeth cooked “homemade food four to five nights a week”³¹⁶ and Participant D: “We would wake up and then my mom would be going through our draws to pick out our clothes.”³¹⁷ Fathers fall into the background of a child’s life and memory, often collapsing into a singular parental unit with the mother: “I think my parents also watched Fox,” in the mornings before school.³¹⁸ In all of the oral histories, when asked about daily life, the fathers’ presence was often absent in memories shared while the mothers were active parts of adoptee’s lives. This is not to say that fathers were absent from these adoptees’ lives but rather to highlight that even in adoptee families, mothers take on the role of primary caretaker for the children. In many ways, adoptive families look and feel and sound statistically normative.

Adoptees describe childhood memories of experiences that sound statistically unremarkable in the ways that Adoptive Parents had to navigate taking care of ‘fussy children.’ Participant A described what most parents would call finnick behavior:

I would wake up, eat breakfast. We’d have a power struggle of like if I’d get dressed to go to school or not, like all of kindergarten. [...] I just wouldn’t put my socks on and go to school. They wouldn’t let wear open toed shoes because like you go to recess and you need sneakers. Like you need shoes that cover your foot, or it might get hurt. Again, it makes sense but yeah. To this day, I still hate wearing socks. But now, they make seamless socks so it’s not as bad.³¹⁹

This scene may resonate with a lot of parents as many parents report that their children do not like wearing socks. There are many reasons children might not want to wear socks from not being used to wearing socks, finding socks uncomfortable, and having sensory issues, which is common amongst disabled children. For parents, this is most likely a very frustrating experience,

³¹⁶ Participant C, oral history interview 1C.

³¹⁷ Participant D, oral history interview 1D.

³¹⁸ Participant B, oral history interview 1B.

³¹⁹ Participant A, oral history interview 1A.

particularly when it repeatedly impacts the family's schedule: "My mom was like this is useless. I dropped you off, had one hour to myself."³²⁰ Logically and practically, a child should wear socks with closed toed shoes to school, especially if they run around and frolic about the school yard as children should. It is a matter of safety and health, but many children cannot or struggle to communicate when they do not want to wear socks. As an adult now, Participant A reflected back on this memory with a sense of nostalgia and humor. In hindsight, the issue with the socks could have been resolved with a simple accommodation, seamless socks, and as an adult, it is a little silly to reflect on a time when a major reoccurring conflict in your life was wearing socks. The phrasing of "we'd have a power struggle of like if I'd get dressed to go to school or not"³²¹ was told with a mischievous little smile, which emphasized the silliness of the power dynamics at play in this situation and the playful manner in which Participant A is engaging with this memory.

Adoptees reported experiencing extremely common issues revolving food when recounting memories of their childhood. Participant A recounted being a picky eater and enjoying one food consistently: "I was very picky. I would eat, like, I'll find, like, eat the same thing every day if I could when I was little. I still [enjoy eating the same thing repeatedly . . .] I feel like every school year, I'd be like, okay, I want to eat this like same exact thing for lunch like every single, literally every single day [...] for like the whole year."³²² Picky eating is a very common problem children face. According to "Prevalence of Picky Eaters Among Infants and Toddlers and Their Caregivers' Decisions about Offering a New Food," a 2002 United States national survey, found that 50% of nineteen to twenty four month old children are classified as

³²⁰ Participant A, oral history interview 1A.

³²¹ Participant A, oral history interview 1A.

³²² Participant A, oral history interview 1A.

picky eaters.³²³ “Picky Eating During Childhood: A Longitudinal Study to Age 11 Years” had similar findings: “at any given age between 13% and 22% of the children were reported to be picky eaters. Incidence declined over time whereas point prevalence increased indicating that picky eating is often a chronic problem with 40% having a duration of more than 2 years.”³²⁴ It is no surprise that picky eating is also seen within adoptee populations. The National Council for Adoption and Dr. Katja Rowell recognize that adoptees also struggle with picky eating: “Relationship-Building Strategies for Adoptive and Foster Parent to Address Picky Eating and Feeding Challenges.”³²⁵ Many adoptive parents and child related nonprofit organizations made blog web posts that documented these struggles with adoptees, offered possible reasons that cause the picky eating (often citing possible and speculative conditions of food availability at the orphanage), and suggest solutions to address the problem: “Some children from Chinese orphanages may need to be on a soft food diet, even if it does not seem age appropriate. Sometimes children in orphanages are on a soft or liquid diet until they are 3 or 4 years old due to lack of funds for solid foods.”³²⁶ Participant B echoed similar habits and preferences surrounding food: “I was very much a routine person in food. [...] I would have, like, grits and butter, or I would have oatmeal or apple bananas, but, like, it was, like, I could eat them every

³²³ Betty Ruth Carruth et al, “Prevalence of Picky Eaters Among Infants and Toddlers and Their Caregivers’ Decisions about Offering a New Food,” *Journal of the American Dietetic Association* 104, no. 1 (January 2004): 57-64. <https://doi.org/10.1016/j.jada.2003.10.024>.

³²⁴ Anthony J. Mascola, “Picky Eating During Childhood: A Longitudinal Study to Age 11 Years,” *Eating Behaviors* 11, no. 4 (2010): 253-257.

³²⁵ Katja Rowell, “Relationship-Building Strategies for Adoptive and Foster Parent to Address Picky Eating and Feeding Challenges,” National Council for Adoption. <https://adoptioncouncil.org/publications/adoption-advocate-no-123/>.

³²⁶ SPOON Foundation, “Ideas for Feeding Kids Adopted from China,” Spoonfoundation’s Weblog, <https://spoonfoundation.wordpress.com/2012/01/07/ideas-for-feeding-kids-adopted-from-china/>.

single day, and I'm still like that as an adult. Like, I would eat them every single day.”³²⁷ Both Participant A and Participant B expressed comfort in, preference for, and contentedness with eating the same foods for prolonged periods of time (more than six months) and eating in very routine manners. Behavior Nation, an Applied Behavior Analysis (ABA) Service Provider, suggests that children who eat one food almost exclusively are expressing a need for predictability.³²⁸ Routines for food availability and consistency offer the adoptee comfort, predictability and stability, which is especially important for international, interracial Chinese American adoptees undergoing massive change in every aspect of their lives. Most relevantly in this context, time zone change, geographic change, completely different diets, perhaps different textures and flavors that are not common in Chinese cuisine, new and unfamiliar locations, new feeding schedules, and new caretakers are a few of the factors that might make adoptees express this need for predictability within their diets. According to “The Importance of Mealtime Structure for Reducing Child Food Fussiness,” a 2016 study, “Mealtime structure emerged as an important factor which significantly distinguished children with higher compared with lower levels of food fussiness. [...] Findings of this study suggest that it may be important for parents to strike a balance between structured mealtimes, where the family eats together and distractions are minimal, alongside allowing children some autonomy in terms of food choice and intake.”³²⁹ Providing an adoptee structure around food and mealtime as well as empowering adoptee children to take part in the decision making process of what to eat and how much to eat seems to accommodate some of the stress, anxiety, and/or feelings of lacking control adoptees express

³²⁷ Participant B, oral history interview 1B.

³²⁸ Behavior Nation, “When Your Child Only Eats One Food,” Behavior Nation, <https://behaviornation.com/feeding/only-eats-one-food>.

³²⁹ Faye Powell et al., “The Importance of Mealtime Structure for Reducing Child Food Fussiness,” *Maternal and Child Nutrition* 13, no.2 (2016). <https://doi.org/10.1111/mcn.12296>.

through their eating habits and behaviors. For Participant A, this strategy worked very well when she went with her parents to China to adopt her younger sister, enthusiastically noting that one of her highlights of that trip and experience was her diet: “Oh! And I got to eat cereal like every day because like I didn’t eat whatever they had so I don’t know. I guess I was picky, but I don’t know. I got to eat cereal every day and I thought it was great.”³³⁰ Food may seem like a very mundane and pedestrian aspect of daily life, but food carries cultural meaning, historical context, and observable insights on power dynamics at play. On a micro level, cereal is representative of a typical, early 2000’s, middle class (white) American family where both parents work and are busy. Cereal is relatively inexpensive, widely available, and extremely consistent. This provides Participant A predictability, stability, and routine while she visits a completely new place (a different region of China, compared to where she was adopted from). It also represents the adoptee’s autonomy as she chose what to eat. There is immense joy and humor and nostalgia tied to this memory that on its face might seem to be insignificant or fanciful.

Adoptees additionally reported other similar, common issues surrounding food. Participant D recalled having structured and consistent breakfast routines but would not eat, did not feel hunger, and expressed dejected feelings towards the food: “And then I would get breakfast. And I don’t know why I remember this, but I always remember I got the Quakers, um, granola bars, and she [(Beverly)] would give me two of them every morning. I remember I would just sit there...”³³¹ This memory evoked a demeanor and mood that was in stark contrast to many of the other memories Participant D shared, where Participant D was generally very bubbly and lively throughout the rest of the oral history interview. According to a University of

³³⁰ Participant A, oral history interview 1A.

³³¹ Participant D, oral history interview 1D.

Michigan Health: C.S. Mott Children's Hospital Mott Poll Report, many parents struggle to get their school aged children to eat a healthy breakfast: "Most parents identify at least one obstacle to their child having a healthy breakfast. The most common challenges include picky eating, being slow or grumpy in the morning, and not having enough time are familiar issues for families with school-age children."³³² While Participant D is given stability, structure, and consistency within their diet, they are denied autonomy and input into food choice and intake by their adopter(s)/parent(s). Here, the adopter(s) provide nutrients and they 'parent'/'caretake' (in the strictest definitions), but they manage the child adoptee instead of nurture the adoptee as an autonomous person able to engage in the process of learning to care for oneself and advocate for oneself. Participant C recollected issues with eating that were similarly caused by lack of autonomy, but Participant C additionally lacked sufficient access to food.

Participant C: Elizabeth made sure we had home-cooked meals four to five nights a week. Three, if, like, she worked more nights than the others. But she made sure we had food in the fridge and things to eat. But, like, we would just be snacking all the time. There's four of us, so I shouldn't keep track of who's eating what, necessarily. Uh, but I still love the snack. I love food [...] I used to hate food [...] my slight bulimia and my ADHD medication and me just not wanting to get in trouble for going out to eat food in the kitchen.³³³

While Elizabeth performed white American constructions of motherhood through cooking homemade meals and preparing food for a family of six, the four children of the family (all international, interracial Chinese American adoptees) were still hungry. There is no autonomy, insufficient structure, and conserving levels of instability within these adoptees' diets because there was not enough food to meet the needs of these children. Participant C's adopters and caretakers (Elizabeth, Philip, and Peter) weaponized food for these children, which created

³³² University of Michigan Health: C.S. Mott Children's Hospital, "Mott Poll Report," University of Michigan Health, <https://mottpoll.org/reports/starting-day-healthy-way>.

³³³ Participant C, oral history interview 1C.

anxiety, shame, and surveillance around food. The four adoptee children in Participant C's family would sometimes be denied family socialization and/or dinner as punishment for misbehaving (including for having consumed 'too much food' 'too fast'): I didn't want "to get in trouble for going out to eat food in the kitchen"³³⁴ and "whenever we were in trouble, or we were being punished, we would be sent to our room, either with or without dinner."³³⁵ There was an anxiety adopters (plus the stepfather) had around the cost of food, the speed at which food was consumed, and the ability to provide sufficient nutrition to all of members of the family unit. This is a systemic failure of the state to look after the wellbeing of its citizen subjects but it is exacerbated by the nation state's delegation of responsibility onto the individuals to provide and protect themselves and the adoptees. The adoptee internalizes this anxiety around the consumption of food and cost, which results in the self regulation on the amount of food consumed for both self protection and self-regulation: "I just didn't want to eat too much to piss them off. I don't want to steal food. [...] food is ate, more food, and then she'd be upset with how much she had to go buy more food."³³⁶ This heightened level of self regulation transforms into self policing one's habits, behaviors, and thoughts. The adoptee becomes their own surveillance and the surveillance of their adopted siblings. Then, they enforce these restricting habits onto themselves, which can follow them into adulthood. Consequently, this self regulation and self policing around food became increasingly harmful to Participant C and Participant C's sister, Parker, as it manifested into eating disorders: "so I think we were conditioned into thinking we were eating too much. So, I became bulimic for a little bit."³³⁷ "[Parker] thought she was... she

³³⁴ Participant C, oral history interview 1C.

³³⁵ Participant C, oral history interview 1C.

³³⁶ Participant C, oral history interview 1C.

³³⁷ Participant C, oral history interview 1C.

thought she was fat, so she had eating problems also I think she was on the verge of becoming bulimic? Because she would throw up.”³³⁸ Unfortunately, adoptees experience higher rates of eating disorders compared to nonadoptees:

The significant associations between adoption status and W2 EWLBS and W3 binge eating suggest that while adopted individuals are not more likely to report conscious attempts to lose or maintain their weight by dieting, adopted older adolescents who do attempt to control their weight may be more likely to engage in unhealthy or dangerous weight-control behaviors, and adopted adults may be more likely to engage in binge eating.³³⁹

Chris, Participant C, Steve, and Parker experienced violence in the surveillance of food consumption, weaponization of food, and lack of medical care concerning disordered eating and suspected eating disorders. Participant C often spoke passionately about their lived experiences and generously offered raw insights into her emotional state throughout our oral history conversation. However, when speaking about the provision, surveillance, and weaponization of food, Participant C spoke as if she was detached from the version of herself that experienced that harm. It seemed to be too painful to remember at 100% capacity and required cognitive distance in order to accept this part of her past and continue living her life. Adoptees experience a wide range of struggles with food as a manifestation for a need of stability, structure, and autonomy. While many of these experiences feel familiar to nonadoptees, the next section will discuss the ways adoptees are different from nonadoptees and provide insights on adoptee experiences.

III. Adoption: A Series of Nonnormative Experiences

“I don’t know where I came from and that makes me sad. And I hate being sad.”³⁴⁰

³³⁸ Participant C, oral history interview 1C.

³³⁹ Setareh M. Rossman et al., “Behavioral Symptoms of Eating Disorders Among Adopted Adolescents and Young Adults in the United States: Findings from the Add Health Survey,” *International Journal of Eating Disorders* 53 (2020): 1515-1525. <https://doi.org/10.1002/eat.23334>.

³⁴⁰ Participant C, oral history interview 1C.

Throughout my life and again during the process of conducting this research project, I have been asked ‘what is the difference between the adoptee and a (biological) child?’ This question is often asked by well-meaning nonadoptees and is based in the neoliberal multiculturalist dominant adoption narrative that there are no differences between an adopted child and a biological child. I argue that being an adoptee fundamentally changes the manners in which one moves through time and space, how one is perceived, the context of one’s life, and the lens one sees the world through. Throughout this research project, I have outlined a few of the many ways in which adoptees experience and are subject to multiple forms of violence. This is not to say that adoptees do not, have not, or cannot live happy, fulfilling, and beautiful lives because many do. Rather, I assert that the many violences that adoptees experience act as a frame that contextualizes their lives and colors the ways in which they experience the world. A child’s greatest fear is abandonment, the greatest shock (in terms of news) that a child could experience revolving around their family is that who they think are their biological family members are not, and a child’s greatest pain is thinking that they are unworthy of love (experienced as perceiving themselves as being disposable or unwanted or undeserving of belonging). The essential difference between the adoptee and a biological child is that for the adoptee, a child’s worst fear has already been realized. Regardless of adopters’ efforts to reassure and soothe the adoptee, adoptees feel the weight of abandonment, often live in a reality where they do not know a single person that they are biologically related to, and are forced to contend with the complex feelings that arise from being adopted. Adoption is trauma. No matter how secure an adoptee is within an adoptive family, an adoptee will subconsciously and/or consciously think that their place within a family unit is precarious. When a child acts up or behaves in a manner deemed unacceptable by their parents (or caregivers), the threat of being abandoned arises. This is often said jokingly to

biological children by their biological parents. For adoptees, this threat is often unspoken but understood and experienced as a viable possible punishment for ‘bad behavior’ because the adoptee has already experience abandonment once. Adoptees are expected to perform emotional, physical, psychological, cognitive, familial, religious, domestic, and gendered labor as well as performing whiteness, promoting neoliberal multiculturalism, and upholding dominant adoption narratives. If adoptees fail to perform this labor, they are at risk for re-abandonment. Adoptee re-abandonment is often reframed as the benevolent and charitable act of ‘re-homing’ the adoptee due to inability to provide the highest standards of care for a ‘troublesome,’ ‘difficult,’ and/or disabled adoptee child. While adoptees do experience many statistically normative experiences, adoptees also experience a number of statistically nonnormative experiences.

Adoptees experience the statistically rare experience of being orphaned in early life. In order to become an adoptee, a child must become legally adoptable and hold the legal status of an orphan, or one who has no legal guardian. Under the Hague Convention on Protection of Children and Co-operation, in respect of intercountry adoption, in order for a child to be adopted, “the competent authorities of the State of origin,”³⁴¹ (in this case, China) must “have established that the child is adoptable”³⁴² and “the persons, institutions and authorities whose consent is necessary for adoption, have been counselled as may be necessary and duly informed of the effects of their consent, in particular whether or not an adoption will result in the termination of the legal relationship between the child and his or her family of origin.”³⁴³ Under the presiding United States federal and Chinese laws, a child is eligible for adoption if they are relinquished.

³⁴¹ Travel.State.Gov., “Hague Convention Text,” Travel.State.Gov: U.S. Department of State. <https://travel.state.gov/content/travel/en/passports/need-passport/under-16.html>.

³⁴² Travel.State.Gov., “Hague Convention Text.”

³⁴³ Travel.State.Gov., “Hague Convention Text.”

Relinquishment of a child terminates all legal rights the parent may have over the child and can happen through voluntary surrender, death of parents, or through formal judicial or administrative proceeding. In China, once a child enters any of the state run Children's Welfare Institutes, parental rights are effectively surrendered. Thus, many adoptees carry the stories of where they were allegedly found and abandoned. Within adoptee circles, they share these stories with each other. "Hemler: Do you by chance know where you were found? Where was it documented?"³⁴⁴ "Participant D: I believe I was found outside of a police station."³⁴⁵ Participants A, B, and C did not know where they were abandoned or found. Both Participants B and C remarked that at least one of their siblings knew where they were allegedly found and abandoned. A person being physically abandoned, literally found, and legally classified as an orphan or adoptable child is a statistically uncommon experience, meaning that most people do not have this particular lived experience. For many adoptees, being found after abandonment is often discussed as a simple fact of their lives.

International, interracial Chinese American adoptees experience a wide range of emotions and feelings when it comes to the inherent unknowing that comes with being adopted. Many adoptees do not know the basic facts of their lives including what city they were born in, when they were born, their accurate birthdate, and family medical history. These are basic facts of one's own life that most people have access to through their contact and maintained relationship with their biological parent(s), people who witnessed the earliest moments of their life. The University of Oregon estimates that "approximately 5 million Americans alive today are adoptees, 2-4 percent of all families have adopted, and 2.5 percent of all children under 18 are

³⁴⁴ Participant D, oral history interview 1D.

³⁴⁵ Participant D, oral history interview 1D.

adopted.”³⁴⁶ Moreover, “estimates suggest that adoptive families are atypical as well as few in number.”³⁴⁷ In other words, most people are not adoptees and thus have not been subject to these statistically nonnormative experiences. The physical and legal separation of an adoptee from their biological parents and their familial medical history records results in the multistate, globally manufactured and facilitated ambiguity surrounding the basic facts of an adoptee’s early life. Within the oral histories captured in this research, adoptees expressed a wide range of emotions when asked to state their birthday. When discussing an adoptee’s birthdate within the documented long history of orphanages creating fictional birthdays for orphaned children, Participant A remarked that their recorded birthday is most likely made up: “I think it’s probably fake.”³⁴⁸ At first, Participant A stated that their recorded birthday is likely inaccurate as an uncomfortable state of fact and a truth they are still contending with. Almost immediately following that, Participant A reframed it (through restating the sentiment in a different tone) in a more lighthearted manner that highlighted the absurdity of the transnational adoption industrial complex that intentionally strips an adoptee of fundamental knowledge through a self-selecting population of orphanage employees and other third party actors who assign individual orphaned children random birthdates. Participant B implied that her documented birthdate may not be accurate: “Supposedly. Laughs. The joys of being adopted, the point of this interview. Laughs.”³⁴⁹ Humor is employed by Participant B here (and by adoptees in general) as a way to self soothe, comfort themselves, and accept the fact that they may never know this elementary datapoint about themselves. For many adoptees, being uncomfortable and accepting the

³⁴⁶ The Adoption History Project, “Adoption Statistics,” The Adoption History Project, University of Oregon, <https://pages.uoregon.edu/adoption/topics/adoptionstatistics.htm>.

³⁴⁷ The Adoption History Project, “Adoption Statistics.”

³⁴⁸ Participant A, oral history interview 1A.

³⁴⁹ Participant B, oral history interview 1B.

circumstances of a multistate, globally produced condition, in which they are denied the data of self, can and do coexist. Out of all four oral history participants, Participant C conveyed the most outwardly explicit expression of sadness. She stated that her birthday was chosen based on an estimate age from when she came into the care of the orphanage: “My... so I actually don't know if my birthday, if my birthday... I think I was told that they were just kind of giving me my birthday.”³⁵⁰ This is further contextualized by Participant C’s laments of not knowing the contexts of her life, which were expressed throughout the interview: “I think if I knew why I was given up, I think my feelings would be hurt.”³⁵¹ “I don’t know where I came from and that makes me sad. And I hate being sad.”³⁵² Participant C offered a raw display of her deepest sorrows generously and consistently as a plead for recognition, compassion, and care that she deserves but has frequently and wrongly been denied. Participant D offered insight on her journey of learning that her birthdate is potentially a fiction:

Participant D: I remember I assumed my birthday is kinda accurate. Until I met another fellow adoptee, not from CCAI, but from a different adoption agency. She told me that our birthdays, not everyone’s birthdays, but a good amount of birthdays are estimated. And I was shocked. I think I had a little bit of a ... a little disappointment because for so long I thought, “at least, my birthday is accurate.” But to find out that it was probably estimated, was pretty disappointing to hear, to learn about.

Melancholy, disappointment, and the reconciliation with the notion that her birthday might be inaccurate, she might never know the truth about her actual birthday, and acknowledging the reality where she may never have certainty around the facts of her early life are present in Participant D’s response. Participant A, Participant B, Participant C, and Participant D are all members of the same adoption group, meaning they were all under the same care in the same orphanage. They represent four of the sixteen adoptees belonging to that adoption group, or 25%.

³⁵⁰ Participant C, oral history interview 1C.

³⁵¹ Participant C, oral history interview 1C.

³⁵² Participant C, oral history interview 1C.

It is of note that all four of their reported birthdays belong to two consecutive months, which may indicate that the orphanage was fabricating these adoptee's birthdays or were receiving an influx of infants in the concentrated time period of two months. These oral histories offer insight how four members of the same adoption group feel and express a wide range of emotions as they navigate a multistate, globally manufactured ambiguity that obfuscates adoptee origin stories.

International, interracial Chinese American Adoptees have nonnormative immigrant experiences because they hold statistically nonnormative positionalities within the governing international, Chinese, and United States federal citizenship and immigration laws. The Hague Convention is the international law that governs all international and transnational adoption, it provides neither provisions nor requirements concerning citizenship status of an adoptable child, and is only concerned with the migration of the adoptee so far as ensuring that the adopters have the legal right to migrate the child (via the termination of the biological parents' rights to the child).³⁵³ Chinese citizenship and immigration laws governing international, interracial Chinese American adoptees are concerned with protecting the Chinese nation state from the adoptee rather than providing protections for Chinese children adopted through state run orphanages. The People's Republic of China requires international adoptees to surrender their citizenship status to the People's Republic of China (as it does not allow for dual citizenship) through the adoption process in order to be adopted internationally: "Article 3: The People's Republic of China does not recognize dual nationality for any Chinese national"³⁵⁴ and "Article 9: Any Chinese national who has settled abroad and who has been naturalized as a foreign national or has acquired

³⁵³ Travel.State.Gov., "Hague Convention Text."

³⁵⁴ China's National Immigration Administration, "Nationality Law of the People's Republic of China," March 10, 2021, <https://en.nia.gov.cn/n147418/n147458/c155976/content.html>.

foreign nationality of his own free will shall automatically lose Chinese nationality.”³⁵⁵ The United States federal immigration and citizenship laws prior to February 27, 2001, allowed for the immigration (importation) of international, interracial Chinese American adoptees but required them to undergo a completely different legal process in order to obtain permanent legal status in the United States. Upon adoption by United States citizens, international adoptees were not automatically granted citizenship to the United States of America: “Persons who were 18 years of age or older as of February 27, 2001 (the effective date of the CCA [the Child Citizenship Act of 2000]) did not acquire U.S. citizenship automatically under the CCA. They may, however, have acquired U.S. citizenship pursuant to former INA §§320 and 321, or other historical sections, if the applicable requirements of those sections were met.”³⁵⁶ Children adopted in China were able to be transported into the United States via green card, IR-3 orphan visa³⁵⁷ (“orphan adopted abroad by a U.S. Citizen”)³⁵⁸, or IR-4 immigrant visa³⁵⁹ (“Orphan to be adopted in the United States by a U.S. citizen”), all of which provide the adoptee temporary legal status.³⁶⁰ This places the adoptee in a precarious position because their legal status is dependent on their visa or green card, the green card requires continuous renewal every eight years to maintain legal status in the United States. Alternatively, adoptees can be transported within the

³⁵⁵ China’s National Immigration Administration, “Nationality Law.”

³⁵⁶ Travel.State.Gov, “Adoptees,” Travel.State.Gov: U.S. Department of State, September 30, 2025, <https://travel.state.gov/content/travel/en/Intercountry-Adoption/post-adoption/adoptees.html>.

³⁵⁷ International Adoption Help, “Re-adopting in the U.S. and Naturalization,” International Adoption Help, https://www.internationaladoptionhelp.com/international_adoption/international_adoption_usa_a_dopting.htm#:~:text=Re%2Dadoption%20is%20not%20required,naturalization%20are%20two%20separate%20processes.

³⁵⁸ Orphan Adopted Abroad by a U.S. Citizen, 8 FAM 301.10-3 (H) IR-3, <http://fam.state.gov/FAM/08FAM/08FAM030110.html#>.

³⁵⁹ International Adoption Help, “Re-adopting.”

³⁶⁰ Orphan to be Adopted by a U.S. Citizen.

borders of the United States on a Chinese passport, but the Chinese passport becomes void upon landing in the United States as the adoptee has relinquished legal status in China.³⁶¹ Thus, the adoptee is rendered stateless and becomes vulnerable to deportation without completing the separate legal process of naturalization in order to obtain United States citizenship.

Within the contemporary sociopolitical moment of mass state sanctioned violence through United States Immigration and Customs Enforcement agents and in the long history of international and transnational adoptee deportations, international, interracial Chinese American adoptees have been expressing fear and anxiety. International, interracial Chinese American adoptees are immigrants but are not often thought of as immigrants. While the most easily recognizable form of citizenship is the United States birth certificate, international, interracial Chinese American adoptees have two possible forms of proof of United States citizenship: the United States Certificate of Citizenship and/ or the United States passport, which must be renewed every eight years. Pam and Jim, Participant A's parents, completed the naturalization process on behalf of Participant A, which granted her United States citizenship: "I know I have the naturalization form [...] I'm pretty sure they had to fill out some paperwork forms."³⁶² Participants B, C, and D were unsure how their legal status was obtained but they all asserted that they do have United States citizenship, which was most likely obtained by their adopters through the naturalization process sometime close to when they were adopted. Participant C expressed anxiety, frustration, and a sense of helplessness when discussing her citizenship status as a neverending legal process that requires lifelong maintenance: "they got me a passport that proved my citizenship. And as long as I kept that up every 8 years, or however long it expires,

³⁶¹ China's National Immigration Administration, "Nationality Law."

³⁶² Participant A, oral history interview 1A.

that I still have citizenship until I marry somebody who is fully citizenized, or whatever you want to call it, I guess. Um, or that piece of paper.”³⁶³ Some of the frustration comes from a deep sense of sadness and just anger that Participant C’s adopters, Elizabeth and Philip, failed to protect Participant C and their siblings by not filing for a Certificate of Citizenship for each of the four children. Due to the lack of care and labor, Participant C and their siblings are subjected to the additional labor required to maintain United States citizenship and upkeep their proof of citizenship, which is necessary to legally protect them from the settler colonial state sanctioned violence of detainment and deportation. The looming threat of detainment and deportation, especially when traveling through airports in the United States, is top of mind for many adoptees, including Participant A: “I was reading online. Maybe I should stay off the internet. I don’t know. For my own good. But people are like ‘oh yeah, I scanned. Like photocopied my passport and then put a copy in every coat pocket and like bag I have.’ And I was like eugh. I was like I don’t know. I was debating, if I should. I don’t know. [...] I know they say don’t carry your original because they’ll take it and not give it back to you.”³⁶⁴ This reliance on a temporary document created by and only accessible through the United States nation state creates this constant state of fear and panic for adoptees. It serves as a reminder that the adoptee is a deportable body that is reliant on a paper documentation as proof of citizenship, which makes their legal status precarious and them feel anxious. International, interracial Chinese American adoptees experience a wide range of statistically nonnormative experiences that elicit multifaceted, complex, and at times contradictory emotions.

IV. Thank you, Family (Whatever Family is)

³⁶³ Participant C, oral history interview 1C.

³⁶⁴ Participant A, oral history interview by Alyssa Hemler, February 11, 2026, interview 2A, transcript.

Adoption is commonly thought of as a family making process, but adoptees have a varied assortment of thoughts and feelings surrounding both the birth family and the adoptive family. This section is organized by adoptee. Each subsection will explore how each adoptee thinks about family and how family as a theme emerged in their recollection of memories shared throughout this oral history project.

Participant A offers a reserved and restrained peak into her family and her family's life. She is protective of her family, which is likely influenced by the multiple nonadoptees and occasions that demonstrated an unwanted and invasive curiosity about her family. Information about her younger sister, Taylor, was limited to her name, her age, and the fact that Taylor is also an international, interracial Chinese American adoptee. Similarly, Participant A limited the information she shared about her parents to their jobs: "My mom, um, before I was born, she did like substitute teaching and stuff."³⁶⁵ "And then my dad, that's a good question. He does multiple things that are like they are related somehow."³⁶⁶ Taylor, Pam, and Jim are occasionally mentioned as characters that are part of other stories. From the stories shared, each family member is comfortable and relaxed with each other, they generally get along, they can rely on one another, and they make lighthearted jokes with each other: "my sister and I like make, like probably, not great jokes. Like, frequently, of 'oh, make sure you like, get the non-spicy food for mom.' [... our parents] don't take too much offense."³⁶⁷ Participant A's love for animals shines through in her oral history as Hannah, Bao, and Jo, the family dogs, are at the heart of most of Participant A's family stories. Early childhood memories included Hannah, who "was a seventy pound Doberman, who was terrible on the leash. She was scared of everything. She was scared

³⁶⁵ Participant A, oral history interview 1A.

³⁶⁶ Participant A, oral history interview 1A.

³⁶⁷ Participant A, oral history interview 1A.

of lightning. She was scared bubbles, scared of flashlights. She had a very ferocious bark. [... Hannah] would be out there to hang out with me and play guard dog. Not trained to but very protective.”³⁶⁸ Stories about Bao and Jo revolve around feeding time: “it’s very chaotic. They have to be separated. We have to put gates between them in case someone moves a gate. Don’t. I’m not kidding. There’s like a door and two gates when they eat [...] There would have to be many mistakes if they got together.”³⁶⁹ This love of animals extended to Participant A’s beloved stuffed cat who she brought everywhere as a child and continues to be protective over as an adult: “sometimes I would take the train home on the weekend, and usually, I would either bring [my stuffed cat] back with me, in my backpack. Because I was like if, you know when you have people over? Like I don’t really care. But I was gone though. OR I would hide [my stuffed cat] in my closet under a bunch of stuff. Because I was like if someone goes in here, there not. Nothing can happen. Like take my stuff, I don’t really care. But if, ... I need [my stuffed cat] intact.”³⁷⁰ Participant A is deeply loving, thoughtful, and protective with good reason. She shared three separate accounts where people pried into her personal life and her interracial adoptive family became a point of invasive curiosity:

Participant A: I don’t really put too much on the internet, I guess compared to what some people do. Like a lot of dogs but not myself. There’s not a ton about my family on the internet either. But one day, [Margaret, an acquaintance] was like. And she only could have known this because she looked on the internet. There’s no way. Because she was like “oh your mom doesn’t look like you.”

Hemler: jaw dropped.

Participant A: And I said “What?” No literally, I said “what do you mean?” Yeah. Literally. “[Margaret], excuse me?” At that point, I was like what are you doing? How far did you dig on the internet to find this? She was like “um, your mom is white.”

³⁶⁸ Participant A, oral history interview 1A.

³⁶⁹ Participant A, oral history interview 1A.

³⁷⁰ Participant A, oral history interview 1A.

Many international, interracial Chinese American adoptees have their identities, families, and lived experiences turned into a spectacle by nonadoptees. This can cause adoptees to become protective of the parts of their interior lives that other people feel entitled to knowing about or commenting on. In regard to the birth family, Participant A said she did “not really” think about finding them or knowing more about them.³⁷¹

Participant B offers an emotionally complex insight into her tumultuous family. Lisa, Participant B’s mother, was a high level athlete earlier in life and a stay at home mother for Participant B’s childhood. “My mom has dissociative identity disorder. Um, so that’s kind of stems from her childhood, and, like, I think that definitely has impacted my growing up.”³⁷² Lisa’s dissociative identity disorder and OCD have contributed to the deterioration of her relationship with Participant B: “my mom, who...Um... I don’t have as much of those a relationship with, and I think it kind of goes into, like, more family things and mental health things that have gone on”³⁷³ and “Mom still has her OCD tendencies, and like, she’s a bit more present now, but, like, not fully.”³⁷⁴ David, Participant B’s father is an engineer who has a close and nurturing relationship with Participant B: My dad is “the one I have the, kind of, the closest relationship with. Um, because growing up, I think we did a lot of things together when I was younger, whether that was, like, painting. Like, um, watching thunderstorms.”³⁷⁵ Participant B’s parents are currently divorced which is informed by and contributes to the family’s dynamics. Lily is an international, interracial Chinese American adoptee and Participant B’s extroverted younger sibling who Participant B shares a complicated relationship with: “vastly different

³⁷¹ Participant A, oral history interview 2A.

³⁷² Participant B, oral history interview 1B.

³⁷³ Participant B, oral history interview 1B.

³⁷⁴ Participant B, oral history interview 1B.

³⁷⁵ Participant B, oral history interview 1B.

personality. Like, I'm much more of an introvert, and they are the extrovert, and, like, the partygoers, and. Um, we didn't really have a close relationship growing up, there was a lot of, like, sister cat fighting [...] But I think I would say we're closer now, to a degree.”³⁷⁶ Growing up, Lily would steal items from Participant B that Participant B had to keep a list of: “I remember making a list of all the things my sister took from me. It was like, ‘you gotta give them back!’”³⁷⁷ As a child, Lily was described as having a “brazen personality”³⁷⁸ and a spirited attitude: “my parents had, like, and their parents on the sidelines had a body count for my sister, how many people they knocked over when they were playing soccer, when they were little.”³⁷⁹ Participant B described her family as “dysfunctional,”³⁸⁰ “chaotic,”³⁸¹ and “loyal.”³⁸² Participant B is a music therapist who is career focused, has a deep love for music stemming from childhood, and learned to love live music from her mom: “I think, I've definitely gotten into the concert bugs from my mom.”³⁸³ Prim is Participant B’s beloved chatty cat and her favorite living companion: “He's very clean, very lovable boy. He’s the love of my life.”³⁸⁴ Participant B reflects on the infinite possibilities of who her birth parents could be and what similarities they share with a dream reverence: in a “college writing course as a freshman seminar for, like, creative nonfiction. So, like, one of my creative nonfiction letters, I wrote to my birth parents.”³⁸⁵

³⁷⁶ Participant B, oral history interview 1B.

³⁷⁷ Participant B, oral history interview 1B.

³⁷⁸ Participant B, oral history interview 1B.

³⁷⁹ Participant B, oral history interview 1B.

³⁸⁰ Participant B, oral history interview 1B.

³⁸¹ Participant B, oral history interview 1B.

³⁸² Participant B, oral history interview 1B.

³⁸³ Participant B, oral history interview 1B.

³⁸⁴ Participant B, oral history interview 1B.

³⁸⁵ Participant B, oral history interview 1B.

Participant C offers a heart wrenching account of her experiences with her adoptive family. Elizabeth is Participant C's adoptive mother: "my mother [...] is a pathological liar."³⁸⁶ Philip is Participant C's adoptive father and Elizabeth's ex husband, who was largely absent from Chris, Participant C, Steve, and Parker's childhood because he was a pilot for a major American airline: "because my entire childhood, he was in and out, because he was a pilot [...]" So I didn't have, like, a lot of him."³⁸⁷ Elizabeth and Philip divorced when Participant C was eleven years old, which has resulted in a lot of fighting especially concerning money: "My mother likes to hide the fact that she has money and so does my father. But my father likes to try and get money for my mother. But she likes to pretend that she doesn't have money, and she does. My father pretends like... my father pretends that he does not have money, and he does. So it's a whole bunch of still back and forth."³⁸⁸ Peter is Elizabeth's second husband, referred to as a stepfather (although he did not adopt Chris, Participant C, Steve, or Parker), and largely absent from the children's lives.³⁸⁹ Participant C expresses discomfort and unease with both her adopters and her birth parents: "I did have parents who birthed me, I guess. But, like, I had parents who raised me."³⁹⁰ "I think that [Parker] think[s] of both sets of people. And I just don't [think of both sets of people]."³⁹¹ Tensions within the house and particularly between the parental figures caused Participant C to look for comfort in her friend's parents and within their families: Elizabeth "likes to call me or not to say that I was always shopping for parents. I would always get close, and just become close with my friends' parents, to the point where I was never

³⁸⁶ Participant C, oral history interview 1C.

³⁸⁷ Participant C, oral history interview 1C.

³⁸⁸ Participant C, oral history interview 1C.

³⁸⁹ Participant C, oral history interview 1C.

³⁹⁰ Participant C, oral history interview 1C.

³⁹¹ Participant C, oral history interview 1C.

home.”³⁹² Chris is Participant C’s eldest brother who she most looked up to as a young child but has since become distant from: “I wanted to be my big brother and his best friend so badly my entire life. I wanted to be him. And he wanted nothing to do with me. And I know all of his internal issues with, like, not wanting to be close with his parents, or close with his siblings, comes from him being adopted. He had probably the most the most issues internally with being adopted than any of us.”³⁹³ Steve is Participant C’s younger brother and is described as a “trouble kid, because he has had, like, a lot of siblings look up to, X, Y, and Z, not a lot of, like, parental guidance.”³⁹⁴ Parker is Participant C’s youngest sister who wanted a close relationship with Participant C but never did: Parker “and I were never close in the sense of just, her and I live together, and her and I having the same mom to complain about.”³⁹⁵ All of Participant C’s siblings are international, interracial Chinese American adoptees who struggle with being adopted and its impacts on their lives: “Between them, I think that I took the... well, maybe not, because I think I'm biased. I guess, could definitely have abandonment issues, and all these other things, I guess, that I don't come to terms with, because I ignore them [...] But on the outside, looking in, or I guess on the outside, they have more adoption emotional issues than I do.”³⁹⁶ The very tense relationships between the members of Participant C’s adoptive family have caused her to set firm boundaries and maintain zero contact for her well-being: “I don't know anything about my siblings that I grew up with for at least 15 years. So, it was just crazy that I had siblings. I had siblings. I don't have siblings anymore.”³⁹⁷ Participant C recalls these memories with great

³⁹² Participant C, oral history interview 1C.

³⁹³ Participant C, oral history interview 1C.

³⁹⁴ Participant C, oral history interview 1C.

³⁹⁵ Participant C, oral history interview 1C.

³⁹⁶ Participant C, oral history interview 1C.

³⁹⁷ Participant C, oral history interview 1C.

sadness, grief, and pain. Currently, Participant C has a job she really enjoys, a dog, three cats, a stable home, and a loving girlfriend: “I surely do love [Kai] with my entire being, and that's how I know I'm a lesbian.”³⁹⁸ “I love, like, her attributes and, like, what she brings to the table, and, like, who she is as a human being. And her passion behind the things that she talks about because she's very passionate. She's very opinionated.”³⁹⁹ Kai and Participant C deeply care about one another, support each other, and share a beautiful life together.

Participant D offers an honest look into her complicated family life. Beverly is Participant D's mother and she is emotionally volatile: “My mom is kind of an emotional person.”⁴⁰⁰ “My mom was kind of, um...unpredictable with her emotions. She would just kind of, like, one day she'd just feel bad, and start yelling? Not necessarily for any reason, but it was just kind of like, ‘don't talk to me.’ ‘I'm not feeling good,’ and then she just, like, slammed the door.”⁴⁰¹ Benjamin is Participant D's father works in public health and has a PhD.⁴⁰² Since Benjamin worked full time in public health and Beverly was a stay at home mom, there seemed to be a reoccurring tension surrounding money: “My dad was, like, working. He was kind of away and working almost all the time.”⁴⁰³ “So, I think in a lot of ways, [my mom] kind of felt that she was alone in raising us.”⁴⁰⁴ Sadie is Participant D's older smart sister who enjoys puzzle games: “She's very intelligent. Like, she's very, very smart. She was in the gifted program.”⁴⁰⁵ Dorothea is Participant D's younger sister who tends to butt heads with Participant D,

³⁹⁸ Participant C, oral history interview 1C.

³⁹⁹ Participant C, oral history interview 1C.

⁴⁰⁰ Participant D, oral history interview 1D.

⁴⁰¹ Participant D, oral history interview 1D.

⁴⁰² Participant D, oral history interview 1D.

⁴⁰³ Participant D, oral history interview 1D.

⁴⁰⁴ Participant D, oral history interview 1D.

⁴⁰⁵ Participant D, oral history interview 1D.

experiences emotions intensely, and is a picky eater: “Dorothea's just really emotional.”⁴⁰⁶

“Dorothea, we made the joke that she only eats tan food.”⁴⁰⁷ Participant D went through periods of closeness and distance with her sisters: “I would say growing up, me and my older sister were very close for a very long time. [...] but then at one point, too, I was also very close to my younger sister for about probably 5 years.”⁴⁰⁸ Dorothea and Participant D also came into conflict because they shared a bedroom growing up: “Her resentment of sharing a room with me, because I'm a very messy person. And she's a very clean person. And I'm not sure if she's clean because she saw how messy I am. Or if she's clean because she naturally is clean.”⁴⁰⁹ The authoritative parenting style, micromanaging behaviors, and implementation of corporal punishment as discipline (spanking) that Beverly and Benjamin utilized negatively affected Sadie, Participant D, and Dorothea: “to be honest, I think it was kind of difficult growing up, because they had a, I think it's called an authoritative parenting style.”⁴¹⁰ “My mom would pick out our clothes for us. And I don't, I think, like, she didn't like. It wasn't until 8th grade that she stopped. [...] I remember for me, when I was in 8th grade, I asked her to stop.”⁴¹¹ “So, for [the children's] nighttime routine, um...Because of the cavity situation, they didn't trust us brushing our teeth, so my dad would brush our teeth for us. [...] Probably up until 7th grade.”⁴¹² “I think they spanked me a couple times.”⁴¹³ In regard to Participant D's birth family, Participant D reported feeling a bit dejected about the thought of a birth family: “It's weird, I don't feel anything. Like, I don't

⁴⁰⁶ Participant D, oral history interview 1D.

⁴⁰⁷ Participant D, oral history interview 1D.

⁴⁰⁸ Participant D, oral history interview 1D.

⁴⁰⁹ Participant D, oral history interview 1D.

⁴¹⁰ Participant D, oral history interview 1D.

⁴¹¹ Participant D, oral history interview 1D.

⁴¹² Participant D, oral history interview 1D.

⁴¹³ Participant D, oral history interview 1D.

feel happy, sad, mad, angry. It's just kinda like in standstill, I guess? Like, it's like...Um...It just feels so far away. It just feels untouchable. Like, I can't even grasp it to have emotions. A little bit, sometimes. But I do know that it, deep down, I think I am emotional about it.”⁴¹⁴ Although, Participant D is open to finding or being in contact with her birth family and has previously taken preliminarily steps to find them (DNA testing and talking to others): “The closest I got was putting my 23andMe stuff.”⁴¹⁵ Participant D is funny, bubbly, and joyful.

Adoptive families widely vary. Adoptees have complex and complicated feelings about family. This section offered insights into four adoptee’s families, their thoughts concerning birth families, and the multifaceted nature of adoptee feelings about family in their own words.

V. Conclusion

Adoption is not a monolithic experience and there is no one correct way to be an adoptee. Adoptees experience many different and varied feelings when it comes to adoption, biological family, adoptive family, new family formations created as an adult, and their lived experiences. They confront, contend with, and complicate their feelings that at times may seem completely contradictory to other simultaneous felt emotions surrounding adoption and their lived experiences as adoptees. Much like their live experiences, their identities, and their families, adoptee feelings are multifaceted. I conducted six oral history interviews with four participants, who all self-identify as international, interracial, Chinese American adoptees, over the course of sixteen total hours, from December 2025 to February 2026. Participant A, Participant B, Participant C, and Participant D each shared stories, offered insights, and allowed their multifaceted feelings to be heard. These stories are counternarratives that challenge dominant

⁴¹⁴ Participant D, oral history interview 1D.

⁴¹⁵ Participant D, oral history interview 1D.

hegemonic adoption narratives that claim adoption is benevolent, adoptees all have solely positive experiences, and any negative adoptee experience or testimony is an outlier. Adoption is a process that is upheld through multiple interlocking and compounding social processes. Adoptee feelings reflect these complex, dynamic, and uncomfortable realities, lived experiences, and the nature of adoption as a legal family making system and a system of labor attainment, which is further supported and complicated by simultaneous social processes of kinship and community building.

Appendix: Interview Questions

I. Adoption and Migration

1. How old are you and where do you currently live?
2. Would you mind sharing with me how you would identify your race or ethnicity, and your gender or sexuality?
3. You do not need to answer this if you do not want to. If you don't mind me asking, do you identify as disabled or as having a disability?
4. When is your birthday?
 - A. Have you ever heard of orphanages making up birth dates?
 - B. Do you have any opinions or feelings about that?
5. Do you know by chance where you were born?
6. What age were you when you were adopted?
7. Do you by chance know where you were found? / Was it documented that you were found?
 - A. Do you happen to know the circumstances around being found?
 - B. Have you ever heard of orphanages falsifying where children were found?
 - C. Do you have an opinion about that?
8. Do you know by chance when you were adopted?
9. Did your parents adopt you through Chinese Children Adoption International (CCAI), now called Cherish Children Adoption International (CCAI)?
 - A. Do you have any opinions on CCAI?
 - B. Have your opinions on CCAI changed over time?

- C. Do you share the same opinions with any of your family members about CCAI?
10. When you were adopted, do you know by chance if you received automatic citizenship?
- A. If not, did you have a green card?
1. When did you become a US citizen?
 2. Who applied for you to get citizenship?
11. Do you know what the orphanage told your parents/adopters about you and your personality type while under their care?
12. Did you dream or make up stories around your adoption when you were younger, or now currently?
- A. Did your parents?
- B. Has any of this changed over time?
13. Did you receive any gifts from the orphanage during your adoption?
- A. Did you receive the Mattel Going Home Chinese Adoption Barbie?
- B. Do you still have your first winter outfit from the orphanage?
- C. Did you receive any kind of jewelry?
- D. Did you receive a stamp engraved with your name either Chinese or English?
- E. Did your parents buy anything in China to commemorate your adoption?

F. Did any of these gifts play a role in your childhood or in your current life for you, or for your parents or family members?

14. Were you given a Chinese name?

A. If yes, do you have any stories or memories about this name and the role it played in your life in the past or currently?

B. If no, do you have any opinions about not being given a Chinese name?

15. Did you take a picture on the red couch at the White Swan Hotel?

16. Did the adoption organizations tell you anything about your biological family?

Siblings?

17. When you were adopted, where did you originally move to?

A. Have you moved since then?

II. Family

18. Can you please describe the members of your family?

A. Who are they? What are their names and ages?

B. This might be a general question to answer, but how would you generally describe what your family is like?

C. Can you describe what your home life was like growing up?

1. What kind of food did you eat growing up?

2. Do you have any memories about sharing items?

a) Do you remember if there were any moments when it was difficult to share things?

b) Do you have strong feelings around things that are just yours now?

3. Can you describe what a day in third grade was like? From going to school to coming home. Did you have an after school activity?
 4. Did you ever have a big change in schooling or friend group during your k-12 experience?
 5. Did your identity as an international, interracial, Chinese American adoptee ever play a part in challenges you had growing up?
 6. Did your identity as an international, interracial, Chinese American adoptee ever play a part in strengths as well?
19. Has your relationship with your family members changed from childhood to now?
20. How did your parents handle conflict?
- A. How did you handle conflict as a child?
 - B. How do you handle conflict now?
21. Did you have siblings that are the biological children of your (adoptive) parents?
22. This might be a difficult question to answer, and you may or may not know, but how did the adults in your life treat money when you were growing up?
- A. Did you get an allowance as a child?
 - a) Did the amount increase or decrease as you grew up?
 2. Did you have any responsibilities that you had to complete for the allowance?
 - a) Did any of this change as you grew up?
 - b) Did your responsibilities differ from any of your siblings?

B. Did your parents' relationship with money affect your relationship to money?

23. Have you ever thought about finding your birth/biological family?

A. If yes, have you taken steps to find them or are you planning to?

B. What feelings come up when you think about your birth/biological family?

III. School

24. Did people at school in the past know you were adopted?

A. Did your parents tell the school?

B. If yes, which school was that at the time?

C. Did other children have questions about your family?

D. Can you please describe your experiences in school as an interracial adoptee?

E. How did the other children treat you? Was it similar or different than non-adoptee peers?

If you are currently in school, does being an adoptee play a role in your everyday in any way as a student?

25. Did you attend college? Did you graduate? If yes, what field of study is your degree in?

A. Did you have any help or resources when applying to college specifically for adoptees?

B. Did you have any help or resources once you got to college either financially or socially specifically for adoptees?

IV. Friends and Community

26. Can you describe the kinds of friends you had as a child?

A. What types of friends did you gravitate towards?

B. Are they similar or different from the kinds of friends you've made later in life?

27. In your memory, have you experienced racism in the past as an adoptee?

28. If so, would you be willing to describe the experience?

A. Do you remember what feelings came up for you?

B. Was there someone at the time that you talked to during or after?

29. Did you have any friends who were also adoptees?

A. Do you remember how you met?

B. Did your family, school, or any other institution or organization play a role in how you met?

30. When you hear the word "community," who do you think of?

31. Did you have a support system growing up?

A. Who did that consist of?

32. Do you have a support system now?

V. Political Opinions

33. What emotions came up when China's One Child Policy ended?

A. Do you have any political opinions about the One Child Policy?

34. What emotions came up when China ended their participation in international adoption?

A. Do you have any political opinions on China ending their participation in international adoption?

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Chapter One: Constructed Disposability: An Analysis of the Western Construct of the International, Interracial Chinese American Adoptee

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