

**ADOPTION AND AGENCY:**  
**American Adoptions of Marshallese Children**

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**Abstract:**

From 1996-1999 over 500 children were adopted from the Marshall Islands by Americans, placing the RMI well within the top twenty source nations for international adoptions. Without government regulation of this sudden and rapidly growing phenomenon, the potential for misunderstanding and exploitation grew alarming to national leaders who supported a moratorium on foreign adoptions late in 1999. This paper examines possible factors of foreign adoption in a society where customary adoptions have been among the highest in the Pacific. Social and economic marginalization in recent years combined with understandings of America and Americans based on historic relations are linked to the growth of a “baby business” whose social, legal, cultural, and emotional implications have yet to be imagined, much less addressed. **Key words:** Marshall Islands, adoption, US relations, , identity, migrant communities.

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In late August of 1999, a five year old Marshallese boy was dragged kicking and screaming on the concrete floor of Amata Kabua International Airport on Majuro, the capitol atoll of the Republic of the Marshall Islands. The woman who dragged him, and ultimately carried him aboard Continental's Air Micronesia flight to Honolulu, was an American representative of the largest adoption agency working in the Marshalls. The event was witnessed by the general public at the airport that fateful day which happened to consist of the family members of lawyers who work with adoptions, numerous elected government officials, and in particular, the Secretary of Foreign Affairs and Trade, who also served as the Chair of the Task Force on Adoption. This was the "straw that broke the camel's back," an event acknowledged by those present and in involved in the adoptions, (lawyers, agency workers and government official alike) as the reason a moratorium prohibiting foreign adoptions was pushed so rapidly through the *Nitijela* (Parliament) in the final days of its Summer session. (See Appendix 1 for detailed correspondence about the incident.)

Over 500 Marshallese children were adopted by Americans between 1996 and 1999 (personal communication, RMI Ministry of Foreign Affairs and Trade). Prior to that period, the average annual number of foreign adoptions was approximately seven. (Figure 1) By the time the moratorium was put into place in September of 1999 at least 12 different adoption agencies had established themselves in the Marshall Islands assisted by five local lawyers, four American and one Marshallese. Additionally, each agency hired local liaisons to identify potential children for adoption, and to coordinate, translate, and facilitate adoptions on both Majuro, and Ebeye, Kwajalein Atoll. While the majority of adopted children come from the two urban centers of the nations (where 2/3rd of the entire Marshallese population reside) others were adopted from the "outer islands," or atolls.

How does one explain the sudden growth of this phenomenon? What is the appeal of Marshallese children to Americans? Why are Marshallese parents offering their children for adoption outside the extended family? (Figure 2) With a tradition of intra-clan adoption dating centuries, how can one understand the sudden growth of this "Booming Baby Business", what the Marshall Islands Journal termed the nation's "Saddest Export." (*MIJ* 2 January 1998; *MIJ* 2 February 1999).

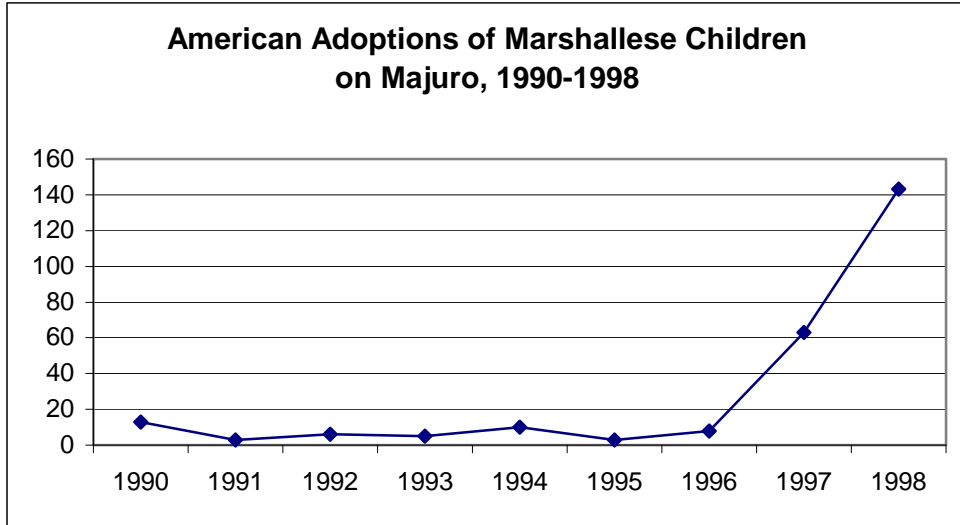


Figure 1

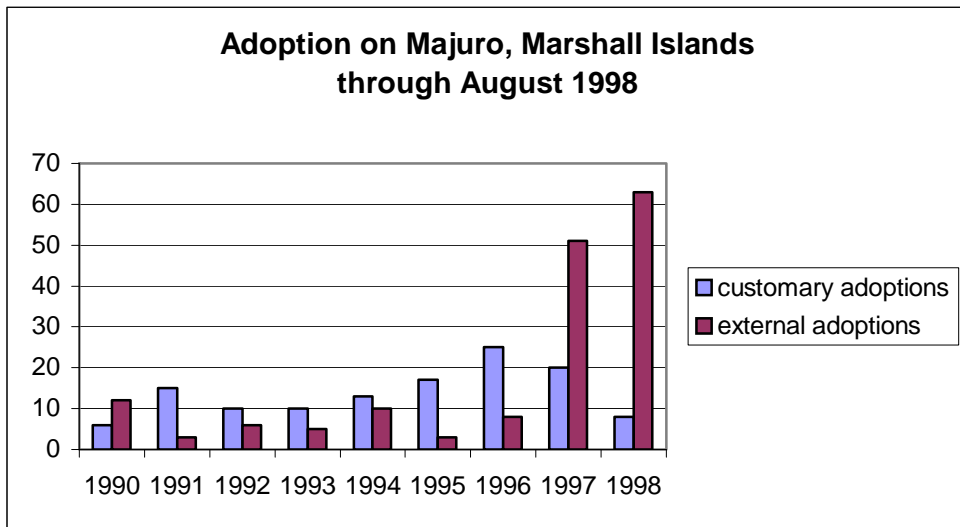


Figure 2

The answers to these questions require an understanding of social and economic issues in the RMI at the peak of the adoptions, as well as the broader context of historical relations between the Marshall Islands and the United States. Further the issue cannot be understood without discussion of Marshallese cultural models of authority, family affiliation and, adoption. It also requires an understanding of the larger context of international

adoptions and immigration in which these adoptions continue to occur. First, I will address the reasons Americans are drawn to Marshallese children, based on communication with adoptive parents and advertisements from agencies' web sites. Next, I will examine factors that influence Marshallese parents' decisions to place their child(ren) for adoption, in light of historical, political and economic ties to the United States as well as cultural models of adoption and authority. Finally this paper will briefly point to the issues yet to be addressed that require serious consideration.

### *Locating the Marshall Islands*

Americans are largely ignorant of their nation's contemporary ties, if not historic link, to the Republic of the Marshall Islands. Knowledge of the Marshall Islands is usually limited to an awareness of the Pacific Theater of World War II, the testing of nuclear weapons at Bikini and Enewetak Atolls, and, sometimes, familiarity with the US Army base at Kwajalein Atoll. Locating the islands, much less, any information about the history and culture of Marshallese people is a challenge.

The Republic of the Marshall Islands (RMI) is a nation of 29 coral atolls and five islands spread across 750,000 square miles of the Central Pacific. The nation's total land area of the nation is approximately 70 square miles. The strategic value of the Marshall Islands to the United States has been the defining factor of the Marshallese economic and political life since the close of World War II. The US took the islands from Japan and administered them as a United Nations' Strategic Trust, known as the Trust Territory of the Pacific Islands (TTPI) which also included the Caroline and Marianas islands, as well as Palau. The signing of the Compact of Free Association (1986) between the governments of the United States and the Republic of the Marshall Islands marked the end of the Trust agreement, and offered in its place an association that allowed for permanent political affiliation with the United States (thus maintaining the US's strategic interest in the Marshalls and the larger region), while permitting self-governance of the island by their democratically-elected officials.

The Compact of Free Association (CFA) between the Marshalls and the US, like the Compacts signed between two other Micronesian nations (Federated States of Micronesia, and the Republic of Palau), is a fifteen year agreement that allows the US the right of strategic denial, and the right to establish military bases as needed in return for US funding for national development, access to particular US federal programs, and most significant and relevant to the case at hand, visa-free entry of RMI nationals into the United States. The agreement signed in 1986 is

scheduled for renegotiation of its economic provisions beginning in 2000. (Military provisions continue into perpetuity.)

The Compact of Free Association is one of the major factors in adoption of Marshallese children since it permits adoptive parents to avoid the bureaucratic process of the Immigration and Naturalization Services (INS) necessary for international adoptions. With visa-free entry into the US for all Marshallese citizens, infants holding RMI passports are a dream-come-true for adoptive parents and agencies working internationally.

Web sites of agencies working in the Marshalls explain the attractions (and drawbacks) of Marshall Island adoptions. Initially, the Compact is the attraction, as it eliminates INS red tape. (The children must later be recognized as permanent residents, rather than resident aliens, the status of other Marshallese immigrants.) The second appeal is subtly stated. Because the Marshall Islands has not established regulations or laws concerning foreign adoption of children, adoption programs are highly flexible. No minimum stays are required (unlike other international adoption source nations), no requirements placed on adoptive families' ages, marital status, years of marriage, or the number of children already in the family. Without any government interference, agencies are free to create their own procedures and are accountable to no one. The only regulation of the adoptions was instituted by the High Court which established its own regulations for the adoptions that required home studies of potential adoptive parents by licensed agencies in the United States. (*MIJ* 2 January 1998, 11). The end result of this is that in the overall scheme of international adoptions, Marshallese children are considered bargains. Shorter on-island stays, and less paperwork translates into lower expenses for adopting families and agencies. Many of the sites advertise that Marshallese children cost 1/2 to 1/3 less than adoptions of children from popular source location such as Russia, China, and Central and South America.

The all-inclusive price of a Marshall Islands adoption ranges from \$14-26,000. Approximately \$3,000 of that estimate covers transportation and accommodations on the island. The remainder goes toward lawyer fees and agency program costs. The birth families receive no money, though they do receive gifts of food (bags of rice, cases of chicken, etc.) and other miscellaneous items through the local facilitator. Often adoptive parents bring gifts for birth families and their children, the siblings of the child to be adopted.

Americans are considering and pursuing the adoption option at record rates. Since the signing of the Adoption and Safe Families Act of 1997, adoption rates rose 22 percent in the United States. The State of Hawaii noted the highest rate of growth in adoptions in the nation -- up 249 percent since 1996 -- jumping from 85

adoptions in 1996 to 297 in 1998. (*The Honolulu Advertiser*, 10 October 1999; *The Honolulu Advertiser*, 24 September 1999). While I claim no clear connection between adoption increases in the US and the industry that developed in the Marshall Islands, I believe it is worth noting that adoptions now illegal in the Marshalls are currently being conducted in Honolulu. Whether these numbers are included in the Hawaii State figures or not, the trend deserves further study. Agencies are so intent on pursuing the adoptions that pregnant women and new mothers are flown to Honolulu to meet give birth and relinquish their children to adoptive parents. It has been argued that this functions as an incentive for the young mothers who leave the Marshalls without the knowledge or consent of the extended family and sometimes the father of the child.

Placing the Marshalls within trends for US domestic and international adoption is difficult due to the liminal status of Marshalls Islands as an independent nation (a member of the United Nations, 1990) and yet in Free Association with the US. Its unique immigration status prevents an accurate counting of Marshallese adoptions by the US State Department. Using the Ministry of Foreign Affairs and Trade's estimate of adoptions, the Marshall Islands would be ranked within the top ten source nations for international adoptions in 1998. Using the figure I have for Majuro adoptions alone places the RMI as the fourteenth largest source nation. (Figure 3). The contrast to the tremendous populations of other source nations, and their economic conditions, is incredible. If one were to consider the per capita adoption rate, the Marshall Islands would certainly have the highest rate in the world. (See figure below.) With a population of only 60,000 and a gross domestic product per capita at approximately \$1,600 in 1998 (Bank of Hawaii Pacific Economic Report, April 1998), both the impact and cause of these adoptions must be closely examined.

Why are foreign adoptions occurring the Marshalls but not in other Freely Associated States, such as the FSM or Palau? How might the decision to seek an adoptive family be viewed as an act of agency by Marshallese families socially and economically marginalized? How might historical understanding of America and Americans factor into this decision? How do Marshallese cultural models of adoption, family affiliation, and incorporation influence understandings of adoption, as well?

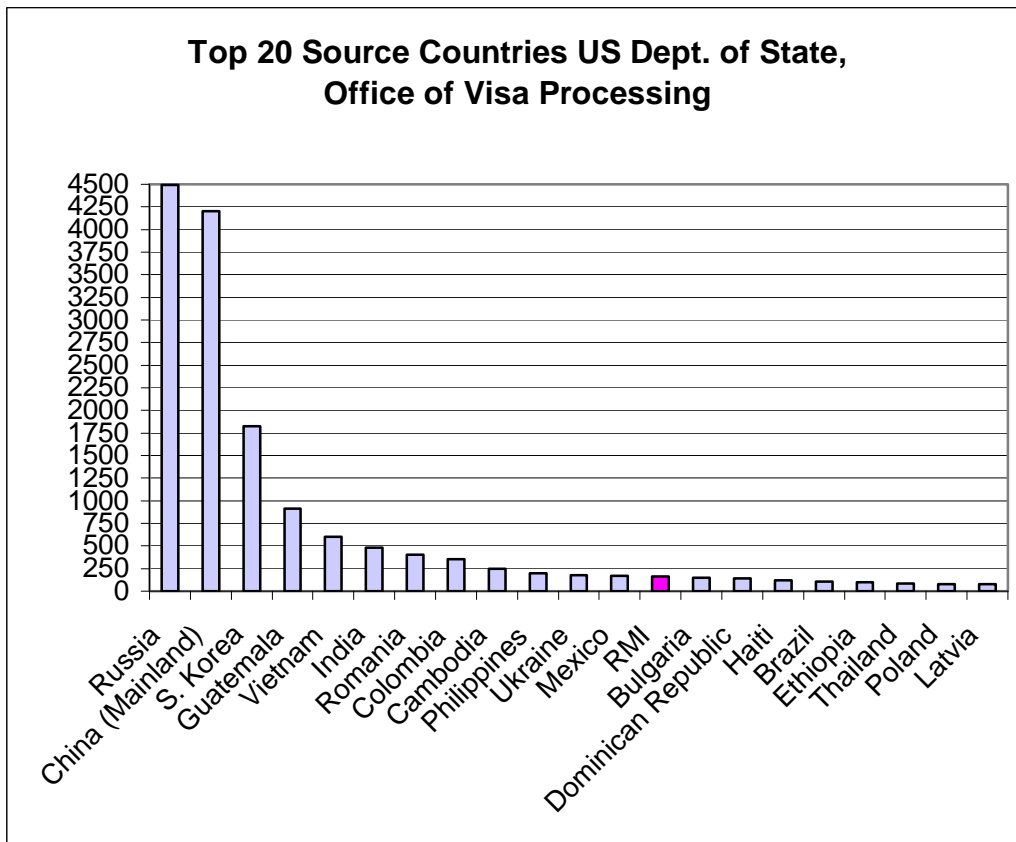
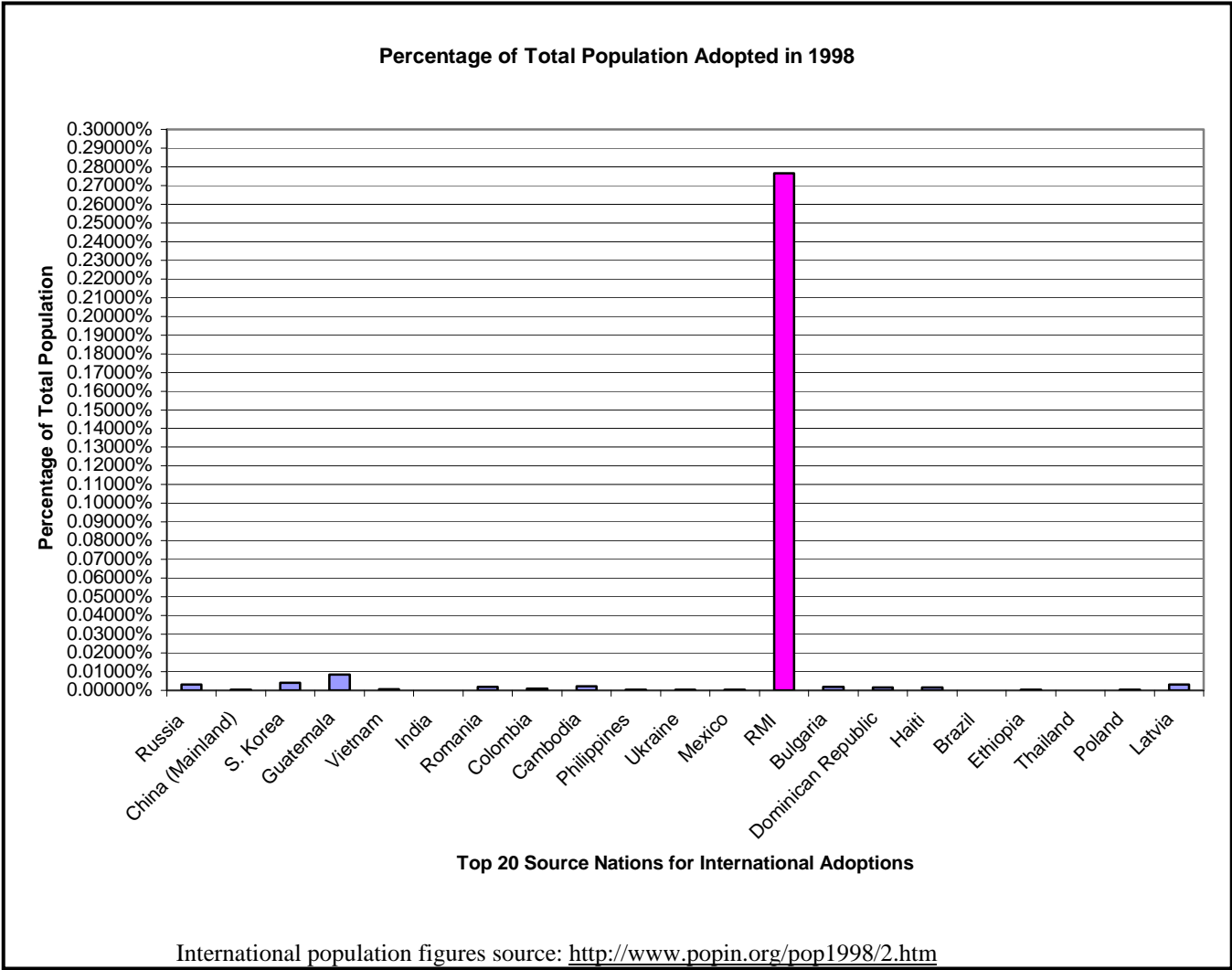


Figure 3

Source: Joint Council on International Children's Services\*. <http://www.jcics.org/visasfy98.html>

(Note\* - RMI figures added to original information.)



*A History of Traditional Adoption*

Adoption is central to social, political, and economic life in Pacific Island cultures (Brady 1976; Carroll 1970). Adoption is a common and acceptable method of not only of distributing people relative to resources within a family or, more usually, a clan, but also serves to incorporate outsiders into a relationship that allows for future exchange of resources (Howard and Kirkpatrick 1989, 75).

Adoption functions practically to address issues of sterility, inheritance, labor, and family size, while accomplishing other ends as well. It allows for economic mobility, the formation of socio-political alliances, community solidarity, and the redistribution of property. With strong systems of exchange and reciprocity already in



place, the adoption of children can expand a resource base, or strengthen preexisting bonds. Further, adoption confers status on birth parents (Howard and Kirkpatrick 1989).

What is also often overlooked is that adoption may also provide status for the adopting parent, who is viewed as generous for sharing his or her wealth with the child of a family member with fewer resources. It is usually the case that children are adopted by family members in a superior position to the birth parents, in age, inheritance, and overall resources (Fischer 1970, 299). Implicit acknowledgement of the difference in status makes it difficult to for birth parents to refuse the requests of a senior lineage member.

In the Marshall Islands, studies of adoption are few. Michael Rynkiewich (1976) examined the numerous forms of adoption and its impact on land tenure. Only one of six named adoption relationships involved the adoption of children, *kokajriri* (1976). Like adoption patterns in other Pacific island societies, children are generally adopted by clan members (clan membership is determined by the mother in the matrilineal Marshalls), frequently by maternal grandparents, or a parent's elder sibling. The adoptions are usually a response to the adoptive parent's need for labor, or care, or to solidify family relationships, to prevent cross cousin marriage, or to ensure an inheritance. Occasionally, adoptions occur for the benefit of the birth parents who may have many children already, or may be considered too young to adequately provide for the child (Rynkiewich 1976). What is most revealing about adoptions in the Marshall Islands is their prevalence. As in other areas of Micronesia, levels of adoption are exceptionally high. According to research conducted in the 1970s that contrasted Polynesian and Micronesian rates of adoption, Micronesian communities were among those with the highest rates with nearly 70 percent of households having one or more adopted or foster children (Smith 1976, 250).

It is important to note that Marshallese traditional adoptions do not include total denial of parental rights. Birth parents continue to have a relationship with their child, and their biological connection is known. No stigma is attached to the child, and the child is considered shared among the parents. Unlike American adoption customary adoptions in the Marshalls involve additional sets of parents, rather than the exchange of parents. Further, adoptions may, in rare cases, be reversed, in cases of abuse or neglect, and often when a child is older he or she may feel free to return to the birth parents if they are willing.

The potential for misunderstanding between Americans and Marshallese regarding adoptions is high. The act of adoption among Marshallese creates a fictive relationship of siblings between birth and adoptive parents. It allows for future assistance, reciprocal exchanges, and a lifetime of mutual support all based on the shared

connection to the child. American understandings of adoption are more legalistic. While there is generally good will on both sides, expectations of the birth family of future support may not be understood by adoptive families who feel they have adequately fulfilled their share of the deal by remaining in contact and sending packages. The children who evidently maintain their land rights back in the islands, will not have the cultural knowledge or linguistics ability to contribute to the extended family or community. The adoption process may not be adequately represented by local or America facilitators unfamiliar with the cross-cultural expectations of adoptions. In the past, grandparents were frequent adopters of their children's children, particularly their first born. Children raised by grandparents are considered lucky, as the grandparents have useful skills, knowledge, and resources to share.

In studies of adoption in Eastern Oceania, (1970), Jack Fischer noted that children in Pohnpei are adopted from the homes of younger siblings, or those with few economic resources into the families of elder siblings slated for a greater inheritance, or senior family members able to provide children with greater resources. (Fischer 1970, 299) These senior relatives who desire children either for reasons of childlessness or for care in old age, hold a position of authority that commands deference. While there is no culturally approved method to force a parent to give up a child, it is very difficult to deny a request by a senior family member.

Similar to adoptions in the past solicitation of children by local agency representatives who are usually older women, has been documented by the Ministry of Health and Environment. As early as July of 1997 the Secretary of the Ministry of Health and Environment requested a briefing with the RMI attorney general concerning adoptions. The Secretary noted the numbers of children had recently been "taken directly from the Majuro hospital and transported to Hawai'i." It was unclear whether this was happening with or without government knowledge or approval (Office of the Attorney General, personal communication). The Office of the Attorney General replied in September of 1997 noting, "There are no procedures for adoption other than those contained in the Domestic Relations Act" (9/2/97) In May of 1998 the RMI Attorney General submitted a memorandum to the Minister of Justice regarding recent questionable adoptions and a request for further inquiry and regulation of the increasing foreign adoptions (19 May, 1998). Later, it recommended making the solicitation of mothers and children a crime. Pressure from senior women representing American adoption agencies cannot easily be dismissed. As emphasized previously, requests from those in positions of authority are especially difficult to resist. The Task force on Adoptions notes that families have been repeatedly harassed by agency facilitators. The report states, that "given the

strong cultural obligation many Marshallese feel to say ‘yes’ when approached about any matter, the aggressive actions of certain agents and/or agencies is a matter of grave concern” (5).

This superior position of the adopting family/agent corresponds to traditional patterns of adoption where children are solicited by senior family members with need and the justification that the child will be better provided for.

#### *Historical hierarchies: US and RMI relations*

The relationship between the Marshall Islands and the United States is often characterized in terms of the familial authority of the United States by both parties. The US is understood in light of the indigenous models of authority and power of the traditional Marshallese hierarchy, between chiefs and commoners. Cultural patterns of leadership informed local understandings of US leadership during the Trust Territory administration of the islands. At the same time, US actions reinforced these understandings and perpetuated a relationship that remains understood as familial, authoritative, protective, even parental.

Marshallese society has traditionally consisted of two classes of people: the royalty, or *Iroij*, and the commoners, or *kajur*. While the *kajur* are the strength (literally) of an *Iroij*, and his source of wealth, his prestige also comes from the generous redistribution of that wealth. A chief is recognized as a provider -- constant source of wealth and therefore, possible assistance. Further, a good chief not only provides, but also guides.

The United States Navy’s role in the Marshall Islands at the close of World War II, fits this local model of chiefly behavior at a critical moment (Carucci 1989) . After suffering under Japanese military rule, Marshallese first experiences with Americans were credible in familiar cultural terms. The US, it can be argued, came into the islands much like foreign conquering chiefs . Rescuing the islanders from starvation and, in places, extermination, older Marshallese refer to the first American soldiers as *Lomoren*, or Saviors. Those who were children at the time remember the soldiers handing out goods to their families -- clothes, ship biscuits, cigarettes, and candy for the children. The goods were in endless supply and distributed by soldiers who rode amphibious tanks, and such machines as had never before been seen or imagined. The impact of this impression of American force, endless wealth , and generosity is still felt to this day.

The subsequent administration of the islands, particularly since the drastic funding increases begun in the late 1960s, largely strengthened notions of endless US wealth and American generosity. Despite a nuclear testing

program in the 1950s and the continued use of Kwajalein lagoon as target practice for US missiles, the majority of Marshallese citizens today hold positive valuations of the United States.

Many Marshallese use metaphors of kinship and cultural authority to describe the relationship between the United States and the Marshall Islands. Similar to adoption, metaphors point to the incorporation of the US into Marshallese social life, by creating a relationship of kinship. Over the course of my fieldwork I asked people to evaluate the Compact of Free Association and the US/RMI relationship. Most evaluations of the Compact were critiques of local and national leaders who took advantage of their positions. Criticism of the United States was based on metaphors of poor parenting, for not guiding or carefully observing these leaders or the nation and now demanding full accountability for things some Marshallese people feel they were not equipped or trained to handle. Metaphors of parenthood and chief/commoner relations were common.

“I blame the local leadership because under the Compact it says, this is you, ‘You take care of your internal affairs, we’ll take care of your military. Here’s your money. Use it wisely as it’s spelled out in the Compact while we watch you. We’ll take care and if someone comes to rob you we’ll come in.’ **It’s like a baby, you tell a baby, a little kid, not a baby, someone who can think.**, you say, ‘Ok, here’s your dollar, don’t buy anything sweet, go buy a pencil or something.’ Instead, they run to the store and get an ice cream and enjoy it while they have it.”

“We’re independent now but still we can ask help from States. **We’re independent -- not that we can be alone and stand with our own feet, cause we’re still crawling.** Yeah, we’re still crawling and **we’re now learning how to one step, two step, but once we fall we’ll grab to the United States.**”

“I don’t blame the US. They helped us really good. [Acting out:] **‘We help you, cause, you know, we’re like your Iroij who knows what is bad or good.’** US is the Iroij, and [acting again:] ‘I give you this.’ It’s like your father, it’s like **parents**, eh? ‘I’m your father and you take \$1 bill and use it wisely, ‘cause if you don’t, I’ll think about it. Next time when you come to ask for money from me, I’ll think about whether I give you \$1, or 75 cents, or 50 cents, so if you use the money right, then if you ask for help again, I’m still gonna give you as much. It’s like US giving us but [saying], ‘you use it correctly and I’m not going to punish you.’”

“It’s like we were **asking the US if they could adopt us** and like [they] have a baby and saying, **‘ok, here’s your milk, here’s your bottle, now you take care of it.’** And then not following up with it. “Is it getting spoiled? Come and I’ll correct you with that.’ They should have [checked] every quarter. “Quarter one, ok what is your balance?’ Like it was a trick, eh? The US knows we’re like a hermit crab coming out of a shell, don’t know what to do, see the money and go crazy about it. Like we were a baby and under the UN. Once a baby and started crawling and now coming. Don’t wait [for us] to fall off a cliff, [to] say, ‘That’s the wrong way.’ We didn’t know. Like you play a trick on us. We use it and now when come to the end, ‘See, you didn’t listen. You see your mistake.’” (**Marshallese Evaluations of the Compact of Free Association, field notes Majuro 1998**).

This familial rhetoric is not only coming from the Marshallese. In President Ronald Reagan’s speech to the Trust Territory citizens in 1986, a similar discourse is found:

“Greetings on this historic occasion to our friends in Micronesia. For many years a very special relationship has existed between the United States and the people of the Trust Territory. **Under the Trusteeship we’ve come to know and respect you as members of our American family, and now, as happens in all family, members grow up and leave home.** I want you to know that we wish you all the best as you assume full responsibility for your domestic affairs and foreign relations.

As you chart your own course for economic development and as you take up your new status in the world as a sovereign nation, we look forward to continuing our close relationship with you in your new status.

**But you’ll always be family to us.**

Over the years, perhaps the most lasting and valuable things we’ve built together are not the roads, the airports, the schools and hospitals, but rather an understanding of the meaning of democracy and freedom and the dignity of self-determination. You’ve built a strong foundation for your future, together in Free Association we can and will build a better life for all. Thank you and congratulations.” (President Ronald Reagan’s Address to the Trust Territory of the Pacific Islands 1986) (Author-selected text in bold.)

Hierarchical relationships are defined in terms of power and dependency. The prevalence and strength of these patterns of relationships within the Marshalls (between parents and children, elder and younger siblings, chiefs and commoners) inform understandings of international relations between the US and the RMI as well as contacts between many Americans and Marshallese individuals. Americans hold positions of high status within the Marshallese hierarchy. This is due to the long-standing perception of America as a powerful and benevolent provider, and the source of knowledge, technology, missionaries, and other valued resources in local lives. After more than half a century of an American presence as teachers, Peace Corps volunteers, missionaries, Kwajalein Atoll employees, soldiers, lawyers, health care providers, etc., these views have been steadily reinforced. This history has contributed to the high valuation of Americans as potential parents, able to provide well for Marshallese children. In fact many of the birth families note that the reason they offer their child for adoptions is to “receive blessings, knowledge, and health” (see Appendix D).

#### *Economic Decline and Marshallese Agency*

As the adoptions increased and awareness of the US demand for children spread, Marshallese families also began to solicit Americans to adopt their children. Through my correspondence with Americans who have adopted Marshallese children, I have learned of many American families being asked to adopt other and more children after their initial adoption. Frequently, the child the adoptive parents are prepared to adopt happens to change at the last moment. Web sites warn potential adopting parents of this common occurrence. This to me is a sign that the extended families of the adopted children are extensively involved in the adoptions. Corporate decisions are made as to which child in the family is better served to go, or which should accompany a younger child being adopted. It is this switch in babies and children that is evidence of family agency.

One family had the experience of arriving on Majuro to adopt a seventeen month-old young boy. While there another family asked that they adopt their twenty-nine month-old daughter who was extremely ill. Later, the father of the adopted son asked if they would adopt his oldest son. They agreed. When a new child was born to this same family, the American couple were also requested to adopt this new child.

I consider this type of soliciting an act of agency by the socially and economically marginalized. It is a deliberate strategy to serve the needs of the larger family, the child, and to establish future reciprocal relations with generous and wealthy Americans, when local family members are either unwilling or unable to be relied upon.

Establishing familial ties to Americans through adoption of children in traditional logic is not only “good” for the children, but also may be beneficial for the rest of the family, particularly given the contemporary economic trials faced by average Marshallese families. Connecting these two non-blood related groups creates a common heir, and a shared interest among group members. (Howard 1989, 87). The needs of the larger group are placed before individual needs, and added to that is a more diffuse model of parenthood, in which child-rearing is the responsibility of the community (Howard 1989, 77).

As the US payments to the Marshalls decline in this last five year segment of the Compact, socially and economically marginalized Marshallese, with limited skills and access to goods, have a near impossible time feeding their families. Even more so, at the time the adoptions were at their peak the nation was suffering an extreme drought caused by *El Nino*, that made it difficult to even find potable water. Simultaneously, the Asian Development Bank enforced a proposed reduction in force, designed to eliminate 1/3 of all government jobs. Since 2/3rd of all employed people work for the government, the impact of these cuts was tremendous (Connell 1991). The private sector, which is primarily a service economy built upon expendable government wages, could not compensate.

The impact of decreasing Compact funding, combined with Asian Development Bank proposals, and an influx of Chinese and Taiwanese nationals vying for pieces of a shrinking pie all contributed to the decrease in economic opportunities. The sharp increase in adoptions in late 1997 and most of 1998 point to the inability of many Marshallese families to provide for themselves, for their government to assist them, and their heartrending resourcefulness in surviving.

*Social change: Joij eo; Mij eo* (generosity bring death)

Economic concerns also impacted the ties that hold families together. One might suppose that families in crisis will come together, pool their resources, and make do. But in conditions that are already nearly impossible, and decades of wage earning, families must to look after themselves. Sometimes the challenges are overwhelming.

From 1992-1996, 17-21 percent of all registered births were to mothers who ranged in age from fifteen to nineteen. Thirty-five to thirty-seven percent of registered births were to twenty to twenty-four year old mothers (RMI Vital and Health Statistics Abstracts 1997, 13c). Significant is the health of the children born to young mothers. With 15 percent of all births weighing in at “low” birth weights of less than 680 grams (5 pounds, 8 ounces), 27 percent of these are children of teenage mothers, 44 percent are children of women age twenty to twenty-four (RMI Vital and Health Statistics 1997, 13i). The national birth rate while still among the highest in the world, has decreased from a peak of 4.2 percent in 1988 to approximately 3.4 percent per year (RMI Statistical Abstract 1992; Pacific Islands Populations Data Sheet 1999). Even so, children under the age of fifteen make up the largest percentage of the population (RMI Vital and Health Statistics 1997, 71). In contemporary times, grandparents often still have very young children of their own to care for in addition to their teenager’s child. With 45 percent of the RMI population (those between the ages of fifteen and fifty-nine) supporting the remaining 55 percent of the population (*SPESS* 1998, 45), those of working age have a difficult time balancing family responsibilities and economic survival. This has impacted the transmission of cultural knowledge and skills as well, as grandparents are not the babysitters of the past, they are working adults.

The most significant national statistic relates to migration to the urban centers of Majuro and Ebeye where nearly 65 percent of the entire Marshallese population ( about 39,000 people) share their lives on less than two square kilometers (.65 square miles) of coral. (Pacific Islands Populations Data Sheet 1999).

The combined factors of teen pregnancy, high birthrates, and densely populated and extremely small land areas are challenging to any society. Adequately nourishing a child is especially difficult on a coral atoll with meager land resources where 92 percent of the local diet is imported and expensive (Kiste 1993, X ). Marshallese children suffer extremely high rates of malnutrition. In one study of Majuro schoolchildren over 50 percent were noted as undernourished (*MIJ*, March 2000). Rates are especially high for children of young mothers.

The age specific death rate for 1996 was nearly seventeen per 1,000 children less than one year of age. The next highest rate was twenty-two per 1,000 for people ages fifty to fifty-four, with the death rate increasing with each

additional age increment. The average death rate for people between the ages of one and fifty was only slightly over 2 per 1,000 (RMI Vital and Health Statistics 1998, 18d). In 1996 malnutrition was the referral cause stated for over 300 social work cases, over three hundred times other stated referral reasons such as child neglect, sexual abuse, physical abuse, etc.

These conditions contribute to the increase in foreign adoptions. Further, a breakdown of extended family relations contributed to the marginalization of families and individuals. Recognition of this is seen in the subtle humor of colleagues at Alele Museum who commented about the *jabon kennan* proverb cards sold there. One reads: *Joi eo Mour eo; Lej eo, Mij eo*. Translated the concept is, “Generosity bring life; hate brings death.” One person quipped that today the card should read “generosity brings death.” In a society of mutual dependence and limited resources, generosity is more than a nice trait. It’s a necessity as your own generosity will be repaid in your time of need. The alteration in this expression shows a quiet understanding exchange is no longer reciprocal. It is this breakdown in extended family relations, in the ability to share and provide for one another, that is made manifest in the adoption of Marshallese children by Americans.

In support of my position of the generous valuations of Americans and the role of economic decline I cite the following quotation from the founder of the Pacific Children Adoption Agency. In an interview in the Marshall Islands Journal, Lina Morris states, “This is a solution to the economic problems, but we need to make rules to govern then adoptions.” While she is one of the people most active and involved in the adoptions she is aware of the potential for problems, but she sees adoption as an economic solution. If you can’t feed your children, give them away. She makes no case against government spending priorities, or policies. Instead, she encourages people to consider adoption as a solution. Further, she adds: “Just because they are Americans isn’t enough... if someone wants to adopt check them out before going through with it. One bad adoption would be tragic.” She calls attention to the local understanding that an American would make a good parent, by calling that into question – just because they are American isn’t enough.” She is obviously concerned with the public image of adoption. In the same interview she noted a change in local perceptions. Lina noticed that when the adoptions first began the community reaction was positive. She said, “It used to be people would say, ‘She’s so lucky!’ about a mother having her baby adopted. Now they say, ‘Will you see your baby again?’ Some are embarrassed because they fear their family members will say they don’t love their kids, so they ask me to do the adoptions quietly. . . but I have to talk to the families. They must know what is going on” (*MIJ*, 30 January 1998, 12).



There are cases of tragic adoption stories like those to which she refers, particularly a case in Florida where a person representing an adoption agency took a baby that was later sold for \$17,000. The mother wanted the baby back and the father had never approved of the adoption. A family member supposedly received money to encourage the mother to sign papers (*MIJ*, 15 May 1998). RMI High Court Judge H. Dee Johnson termed this incident a “black market” adoption that violated the fundamental rights of several people, the criminal laws of the RMI, the dictates of the Compact of Free Association, and the immigration laws of the United States (*MIJ*, 3 December 1999)

The current moratorium is an act of vigilance in protecting the children. Adoption Task Force chair, Secretary of Foreign Affairs, Marie Maddison states, “We don’t want to be in a situation ten years from now where kids are saying they were abused or complain that they had no say in being adopted into a foreign culture” (*MIJ*, 5 February 1999, 11).

### *Implications*

The implications of these adoptions are tremendous. Without government regulation children’s rights are surely jeopardized. In January 2000 a lawyer and professor at BYU, Utah, offered her services to the RMI government to assist in drafting adoption legislation (personal communication). As a signatory to the United Nations declaration on Social and Legal Principles Relating to the Protection and Welfare of Children, the RMI has established a Convention on the Rights of the RMI Child under the jurisdiction of the Ministry of Internal Affairs. The Task Force has recommended a special division within Foreign Affairs be established with the responsibility for coordinating and overseeing all adoption related activities including: reviewing and verifying case studies of potential adoptive families, coordinating counseling services and conducting home studies of Marshallese families involved in an international adoption, making recommendations to the Court based on their findings in each case, compiling a list of adoption agencies complete with an ongoing review of their activities, providing information regarding adoption in the RMI, ensuring that Marshallese families have proper representation throughout the adoption process, assisting in monitoring the adopted children, establishing and maintaining guidelines for international adoptions (6).

Additionally, the Ministry of Foreign Affairs and Trade is attempting to communicate its concerns with US Immigration and Naturalization Service. INS has proposed a visa requirement for Marshallese children adopted by American parents which calls into question the Compact commitments. A RMI suggestion for a meeting of

representatives from the RMI and US State Department, INS, and Department of Health and Human Services be convened to address the matter in a coordinated bilateral approach has received no response.

Further recommendations by the RMI attorney General's office include alteration of the Domestic Relations Act to include an offense provision to make soliciting, harassing, bribing, and threatening natural parents illegal, as well as obtaining consent by fraud and deceit, and failure to carry out obligations imposed upon agencies and individuals under the additional amendments to the adoption legislation (Recommended Additions to Adoption Laws for the Task Force, September 1999).

Other legal concerns include the land rights of the adopted children. Lawyers assert that the adoptions do not strip children of their land rights, but only the future will tell. John Silk, current Minister of Resources and Development states that "even if they are adopted and go to live in the US, they still retain their land rights" (*MIJ*, 2 January 1999, 11).

Identity issues are particularly salient in cross cultural adoptions. Children adopted from Vietnam in the 1970s and raised by Australian parents have recently shared their experiences of inter-racial and inter-ethnic adoption (*Sydney Morning Herald*, 17 September 1999, 13). Many point to the conflicting emotions of gratitude for "being rescued", and anger at being taken away. They expressed resentment at feeling obligated to be grateful. They stressed that providing an environment of respect and openness about their culture and heritage is crucial to a healthy sense of identity, particularly growing up among in dominantly white communities where their ethnicity was cause for differentiation. Always having to explain oneself was a major difficulty for the adoptees, as was their embarrassment at being different. Some explained that they never developed any sense of cultural pride, and many grieved over their loss of cultural identity – "When part of your identity is ignored, you're building your life on a black hole" (*SMH*, 17 September 1999, 13). Many of the adoptive parents of Marshallese girls refer to their daughters as "Pacific princesses," a label that exoticizes their heritage and distinguishes them from the other children in the family and the community. Images of the Pacific as paradise are such a common trope that Pacific Islanders are hard put in their struggle to have the difficult reality of their contemporary lives recognized.

Like other migrant communities, adopted children and their families continue to maintain contact and share goods, information, and assistance. We have yet to see how these relationships will be maintained as children grow older, and as understandings and misunderstandings play out. Cultural concepts of familial affiliation and boundaries will certainly be challenged in these cases. Where Marshallese, as other Pacific islanders, see adoption

as an expansion of jural rights, as a means of creating relations of kinship to incorporate others, and garner support and community, American adoptive parents are relatively unfamiliar with the cultural concept of shared rights, and “open adoptions.” One of the most frequently asked questions of Marshallese parents prior to the adoptions is if the child can return. In customary adoptions children who are not well-cared for may be reclaimed, and they grow up knowing their birth parents, often visiting with them and their siblings. The comment that perhaps islanders “don’t recognize the possibility of supplanting a relationship founded on natural parenthood” (Carroll 1970, 14) is consistent with my interviews with close relatives of birth parents who insist that the children will eventually return to the island. It is presumed that the children will be well-educated, a great asset to their family, and able and willing to look after and provide for their natural parents. Inevitable cross-cultural misunderstandings may have agonizing results. Certainly Task Force recommendations that both birth and adoptive parents receive counseling would significantly improve the current situation.

Cross-cultural adoptions, such as those examined, speak to the cultural concepts of family affiliation and boundaries, to issues of class, to historical colonial relationships and contemporary understandings, and they may be interpreted by some as successful responses to limited resources by economically marginalized individuals. Further, they have a tremendous impact on Marshallese concepts of identity, history, and homeland.

This paper has attempted to represent a variety of experiences of Marshallese adoption, but obviously, the most significant voices are silent. We will have to wait to hear the voices of the children.

**Appendix A “The Proverbial Straw”:** Email correspondence regarding the events leading to the moratorium on foreign adoptions in the Marshall Islands. (Note: Bold emphasis added by author, not in original.)

From: **David Strauss** (Attorney on Majuro)

Date: **09/04/99**

For your information, my wife and 15 year old daughter were at the Majuro airport two weeks ago when the head of Wasatch caused the scene which has led to the introduction of the bill to ban adoptions until the end of 2000. My wife and daughter were horrified - as were the Secretary of Foreign Affairs [**Marie Maddison**] and other governmental officials that were present - and as were the Continental Airlines staff- to observe this lady dragging the child by the arm on the concrete floor through the departure line as the child was screaming hysterically. It was obvious to everyone that the child did not know this woman and did not wish to leave with her. The lady informed the Continental station manager that the child was being taken for a medical emergency operation. The Marshall Islands allows adoptions or legal guardianships, but ONLY by court order. This lady had no court order. Instead she had gotten the mother to sign a "power of attorney". There was no signature of the father.

It is my understanding that this lady was going to "give" the child to her daughter to adopt. In any event, **this scene was the proverbial straw that broke the camel's back.** Any statements by Wasatch to the contrary are disingenuous. You may feel free to forward this email to the licensing authorities in Utah or any other persons that you desire. ALSO, there was no medical emergency for the child and it did not have oozing sores on its body. The child merely had undescended testicles which, of course, should be corrected at some time.

David M. Strauss

From: **David Strauss** (Attorney on Majuro)

Date: **09/23/99**

Just to let you know that thanks to Wasatch, tonight the Nitijela passed the bill banning adoptions. . . . All is not lost. I think all adoptions will now be done at the adoptive families location rather than here. It probably costs about the same with a lot less trouble to the adoptive families.

Subj.: from **K.**

Date: 9/23/99

Dear RMI List: I have not responded to any of the talk or the accusations that have been posted on this list because I thought that perhaps people would get past this. However, I think it is time for me to post so that everyone can hear first hand what happened in the Majuro airport. This is straight from the source.

While in Majuro I spoke with a mother who asked me for help with her child. She had been waiting for a family to adopt her child for quite a while and badly needed him placed. This boy is 5 years old and very sweet. His mother is a very loving mother who wanted a better life for her child. He has some physical problems and needed a family that would be willing to take a child that needed surgery. He also had a terrible infection in his foot that was not being treated and he would actually try to bring his foot up close to his face so he could blow on his sore. At that time his toe was leaking pus and it bothered him quite a bit. I was very touched by his plight and told the mother I would help her. I took the child to Hawaii with me and had his foot treated, his toenail removed and the infection drained. I left Majuro with a guardianship paper that listed my name as [name omitted] which is my full name listed on my passport.

While in the airport [the child] was frightened and didn't want to leave his mother, but after his mother talked to him he was very brave and willing to go with me. After she left he kept his brave front for almost 2 minutes, but when we began to walk in the line to get on the plane, he totally fell apart. This little boy is only 5 years old and he was leaving everything that was familiar. His behavior was very age appropriate. I am sure if I was leaving all of my family and loved ones behind I would probably act just the same as he did. [He] fell to the ground and I tried to stand him up on his feet as we moved along in the line. He kept falling back down so finally I picked him up and carried him the to the plane.

People in the airport were very upset but instead of helping this child calm down they added to the problem by refusing my request for help and just loudly telling me that I was abusing this child. At no time did I ever say that I was taking this child for emergency surgery. I did tell the people who were yelling at me that I was taking [the boy] to the US for treatment and that he needed surgery, which he did need and still does need. But I never told anyone it was an emergency. I was struggling with a small child who was frightened and crying and trying to get him on the plane. He cried for about 5 minutes after we boarded the plane and then was fine for the rest of the trip.

I would also like to clarify another misunderstanding. As we had not found a family for this child I spoke with my daughter and asked her if she would be interested in adopting this [child]. My daughter spoke with the members of this child's family before she agreed to do this and had their blessing and permission to adopt Ricky. I did leave with relinquishment papers signed by the mother. However, my daughter was very willing to travel to the Marshall Islands to adopt this child. Unfortunately, before any arrangements could be made for anything concerning this matter, officials insisted that the child be returned.

Those are the circumstances surrounding this incident. I hope that makes things more clear than they were. This is exactly what happened. As for adoptions closing down in the Marshall Islands, I truly apologize for any part I had to play in this. I stepped forward and reached out to help a mother as one human being to another. Perhaps what I did was foolish and I re-acted with my heart instead of my brain. I just want to say that it is easy for people to pass judgment on a situation when they didn't see any of the circumstances. Perhaps many of you would have acted differently. Maybe I should have. But instead I reached out and answered a mothers plea to help her and her child.

My actions perhaps were **the straw that broke the camel's back**, but I did not gather together the whole bundle. I did something that had been done dozens of times before by everyone working in the Marshall Islands. The flight attendant on the plane was very supportive and helped me when everyone else turned their back on me and this little boy. She was much more charitable and kind than anyone in the airport.

To all of those who have criticized me so harshly, I ask this question. To the Marshallese people, what are you doing to help this mother. You have insisted that we give her back a child that she can't support. You have taken away her parental right and permission to place this child in a good home. Are any of you helping her feed her children or helping her carry her burden? What about the rest of you who are so critical. Are you thinking of the children - or this child specifically? Or are you thinking about how to place blame on a specific agency or person when this situation has been building for years because of the **unethical things that have been happening with adoptions in the Marshall Islands**.

I admit that I made a big mistake by stepping in and trying to help this mother and for this I apologize because it caused a lot of problems for not only our agency but for many other people. But please remember, I didn't build this whole bundle - it was already huge and already loaded on the camel's back when I arrived on the scene.

Right now I am asking all of you to forgive me for what I did and try to understand that I was only trying to help a mother and child that needed help. I am hopeful that in the future all agencies that work in the Islands can help work together to give suggestions to the government in the Marshall Islands that will help establish reasonable regulations on adoptions. Instead of this terrible **competitive stance** that everyone has taken, both with people in the Marshall Islands and people in the US, it is time to turn our energies and concern to the people in the islands who choose adoption as a way to help their children have better opportunities in life. If anyone would like to email me and tell me what they think about this situation and me in general, please feel free to do so. I am sure that there are many of you who would like to tell me what you think of me - good or bad - but it is time to stop this waste of energy posting negative things on this list and try to get some positive energy into your lives.

Adoptions will go forward - just in a different way. Again, I hope you will forgive my actions in all of this.

Sincerely,  
K., Wasatch Adoptions

## **Appendix B Letter from adoptive Parent Concerning Child's Adjustment**

“As far as adopting older children goes, it seems to be working out well with K. He is at a good age for this I think. I've been reading books on toddler adoption and they say that the toddler can be expected to grieve and cry and regress in behavior (i.e. potty training, etc) for a few weeks only. If it lasts more than that then they need counseling. Looking back I can see that K. has gone through several phases already and has apparently worked through the worst of his grief, etc. in about a week and a half. The first couple days we were traveling and there was constant stimulus of new and amazing things. He was distracted enough by these to get his mind off the loss and grief. When we slowed down, waited in a line somewhere, and at bed time, he was inconsolable in his grief. It was really heart rending. We hugged him a lot and he slept with us, falling asleep when he was exhausted from crying. I felt totally inadequate as a mother to this little boy during these days and afraid I'd never be able to provide what he needed. But, I had sworn to do this in the court, and I was already growing fond of the little guy and rationally I knew it would get better in time.

The next phase was one of silent compliance, almost like defeat. He would move or do whatever we indicated he should do. He didn't fight anything. He also didn't respond to anything (even questions I KNEW I was asking correctly in Marshallese). He didn't smile or laugh or run around. Just stood stock still. Periodically, he'd start to cry quietly and moan this mantra, "I want to go home, I want my mama, " over and over again. If I never hear those phrases again in Marshallese, I'll be very happy! This phase lasted 4 or 5 days, with the crying spells becoming less frequent. He would also still cry all out when he was really tired, etc.

The next phase, he started responding to questions about “Are you hungry?” etc. with just a yes or no or nod of his head. He also would occasionally smile or play timidly, especially with other kids. He would still cry and moan some, especially when tired.

The next 4 days or so he really blossomed! He didn't cry or moan at all during the day and really laughs, speaks whole paragraphs to me (which I only understand about 1/3 of!), he'll initiate contact with me and run up to show me things, we have developed habits (walk to the mail each morning, he unlocks and locks the car doors for us, etc.) He loves these. He also really blossomed in playing with other kids. We tickle him and wrestle with him and he loves it. He plays tricks on us and laughs. He runs constantly, full of joy. He still fights going to sleep at night. He'll stay awake until midnight if we don't put him to bed. When we do, he cries loudly for about 5 to 10 minutes and then stops abruptly when he falls asleep. The crying is not so much a moan of "I want to go home" as an outraged cry of "I don't want to go to bed, come get me up, NOW". He doesn't cry when he wakes up anymore. Just hops out of bed and comes downstairs to find us. He eats well (always did from the first day or so). In typical toddler fashion, he doesn't want to eat vegetables (probably hasn't seen too many green veggies in his life anyway) and gets in ruts where he wants only peanut butter and bread for breakfast, lunch and supper) He's learning English fast and asks me "What is this" pointing to objects, to learn the English names.

I think his age is about the upper limit for the transition going so smoothly long term. I don't remember being 3 1/2, so I figure in a few years he may not even remember a time when he wasn't with us. Or maybe he will, since this is a pretty memorable event in his life. He will still be pretty bonded and comfortable with us though and probably won't remember enough about his family and life in Marshall Islands to still long for it again. An older child probably understands and comprehends what is happening better as it happens and may be easier during the first week or so after the adoption, but is probably going to have stronger long term difficulties with it all. Just my perspective on this....."

Now more than a year later he is fluent in English, claims to have forgotten all Marshallese, and is thoroughly adapted to life here with us. His memories of his birth family are fading, although he still remembers them. We really want to take him back to Majuro before too much longer so he won't let go of his roots too entirely. I'd like for him to regain some of his Marshallese and to remember and feel a tie to his homeland and birth family. We write letters and send pictures every couple months but they don't write back much. It is difficult for them to read and write even in Marshallese, I think. I encourage K. to send notes and drawings to his birth mom and dad also which he does but it doesn't seem too important to him.”

**Appendix C**                    **Reasons stated on agency forms for the relinquishing of children for adoption:  
(Personal Communication, Wasatch International Adoptions Staff)**

Male age two/female age 6: "Head of the family does not have a job and does not have a means of supporting his family." female--newborn (from outer island): "To receive health and find knowledge. Also there isn't enough money to meet the needs of the family."

Female age 3/male age 6/male age 5/female age 7: "The mother does not work, and the father died and they have a difficult life." This mother was living in the "cook house" with all of her children after the father had died of complications of diabetes.

Female--2 months: "To receive blessings and knowledge and health and most importantly change a life of poverty/problems to blessings." This baby's mother was young, and had abandoned her several times. Friends were caring for the baby. The mother wanted to place the baby for adoption because the father was a Vietnamese man who she'd slept with for money.

Male newborn: "From the two of us on our own, we need help with this child because there isn't enough money with us to support him."

Male age 5: "Because there isn't a lot of money to support him." This boy's father drinks a lot.

Male 6 months: "Because they don't have enough money to take care of them and this is the reason we want to give our child."

Male age 8: "To receive knowledge." I met this boy's grandparents. He was living with grandparents, and they were also concerned that they were getting older. The grandmother was losing her eyesight, and was concerned that she wouldn't be able to care for him. Both parents living on an outer island were in favor of this decision.

Male age 5/female age 8: "They can't support them financially." These children were also in horrible circumstances. The boy was seriously neglected--more than the girl, but they were both left on their own a lot to fend for themselves, and because they lived near the dump, frequently ate from the dump.

Male age 10: "They don't have enough for life (*ejab bwe air mour*) in the way of money, and the father drinks a lot." This mother was a very loving mother, but was very abused by her husband.

Male age 3/female 8 months: "Because there isn't enough money to take care of the children."

## Appendix D    Agencies Facilitating RMI Adoptions

Adoption Choices

<http://www.adoptionchoices.org/>

Children's House International

<http://www.adopting.com/chi/>

Tedi Bear Adoptions

<http://www.geocities.com/Heartland/Prairie/4887/index.html>

Pacific Joy

<http://www.pacificjoy.com/>

Focus on Children

<http://www.focus-on-children.com/>

Wasatch International Adoptions

<http://www.wiaa.org/index.html>

Hope International

<http://www.hopeadoption.com/>

Adoption Pro's

<http://www.adoptionpros.com/>

Adoption Associates

<http://www.adoptassoc.com/>

Journey's of the Heart

<http://www.journeys-heart.org/>



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