

How Did This Man Think He Had the Right to Adopt This Baby?'

Army Rangers killed her parents. A Marine is raising her in America. But her Afghan family says she was taken under false pretenses.

By Rozina Ali

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The Night Raid

Around 10 p.m. on the night of Sept. 5, 2019, a counterterrorism team of United States Army Rangers and partner forces descended onto a small village in the mountains of central Afghanistan, on a mission to capture or kill foreign fighters associated with Al Qaeda. The soldiers approached a row of three mud houses near a line of trees, beyond which lay farmland. Gunfire erupted. Shouting, booms, more shots. A man and a woman emerged from one of the houses; the woman was carrying a baby. The man was wearing a suicide vest, and he set it off. Bits of him flew into the air. Through their night vision goggles, the Rangers saw the woman, wounded but moving. She tugged at something — a bomb? — and a Ranger shot her dead.

The Afghan and American soldiers stood amid the remains of the house, debating what to do with the infant. Her head was bleeding and her left leg was oddly bent, but she was alive. The Americans carried her away to a medical unit at the international military base in the province.

Word spread about the baby girl who was found in battle, hardly 2 months old, with big, bright eyes. The Americans called her by a name that started with L. (I am using only the initial to protect the identity of the child.) On Sept. 25, L. arrived at the Craig Joint Theater Hospital at Bagram Air Base, outside Kabul, to be treated for fractures to her skull and femur and for second-degree burns on her face and neck. A child on the base was rare, and the Americans, entranced, passed her around so much that she barely seemed to touch her crib.

Joshua Mast, a Marine captain and judge advocate general who was in Afghanistan as part of an interagency effort to evaluate civilian casualties, took a particular interest in her. Mast had left his wife, Stephanie, and their children back home in Palmyra, Va. The couple met at Liberty University, a Christian college in Lynchburg, Va., founded by the evangelical pastor and activist Jerry Falwell “to influence the moral and ethical course of America.” On his Facebook page, Mast described himself as “a Christian man, a husband, a father, an American and a Marine.”

At the medical unit, Mast, wearing a camouflage uniform and a wide smile, cradled L. in his arms. His lawyer would later tell a U.S. court that he “saw the writing on the wall” — that L., as an abandoned girl in Afghanistan, would be trafficked or trained as a child soldier. That October, Mast appealed to the White House for help in adopting the baby; using his connections, he reached Vice President Mike Pence’s office. He made inquiries about securing immigration parole for L., which would allow her to enter the United States. And he reached out to an American lawyer named Kimberley Motley for advice. Motley opened a practice in Kabul in 2009 and had gained recognition for her work representing Afghan women and children. She had been contacted by another American who wanted to adopt L. and was already in conversations with U.S. military officers at Bagram about the baby’s health and legal status.

At the base, L. was in the custody of the U.S. Department of Defense and almost certainly would be handed over to the Afghan authorities and then, some of the Americans feared, to an orphanage. An informal group of American service members at Bagram was concerned about her immediate medical needs and her fate: They wanted to find a legal avenue to have her evacuated to a health care facility in the United States, and they asked Motley for guidance. But the legal avenue was unclear. State Department representatives, Afghan officials and the International Committee of the Red Cross, which conducts family tracing in conflict zones, met to discuss the situation. Mast, who was present alongside other American military officers, asked about adoption. The Afghan officials explained that under their rules, they would have to look for the baby’s family first.

“The Afghan government assumes responsibility for the welfare of the child within the Afghan guardianship system,” the State Department later confirmed in an email to the office of a U.S. senator who was asking about adoption for two of his constituents, a military couple who had taken an interest in L.

Mast, however, decided to continue his efforts. Armed with preliminary intelligence about the September operation, he and his wife petitioned the family court in Fluvanna County, Va., where they lived, with an unusual argument: L.’s parents were foreign fighters, which meant that L. wasn’t Afghan at all; Afghan law simply did not apply to her. With the help of Mast’s brother, Richard, an attorney with Liberty Counsel, a conservative Christian legal-aid group affiliated with Liberty University, they made their appeal: The Masts wanted custody of the baby.

Another matter fell to Richard E. Moore, a State Circuit Court judge, who came under fire earlier that year for ruling that city officials had no authority to remove Confederate statues from public grounds. On Nov. 10, 2019, Moore approved an interlocutory adoption order for the Masts, the first step toward permanent adoption. That same day, the Commonwealth of Virginia issued a certificate of foreign birth for L. Her adoptive parents were listed as Joshua and Stephanie Mast.

One Baby, Two Countries

Over the next three years, the case of Baby L. would expand into a legal battle over her adoption, allegations of a transnational child-abduction scheme in federal court and investigations by state and federal agencies. The U.S. government has stated that the adoption should not have happened.

For five months, I have been investigating how an American Christian man was able to take custody of a Muslim child from a country that does not allow adoptions to non-Muslims. To piece together what went wrong, I have interviewed dozens of Afghan and U.S. officials, lawyers and experts; pored over hundreds of pages of legal records and internal emails; and gathered reporting from the village where the baby was made an orphan. But what I found is that the system didn’t break down. Almost everyone, technically, did their job — members of the broad evangelical Christian network who aided Mast, the Afghan officials who followed government protocol, the State Department officials at Bagram who tried to stop attempts to evacuate the baby to the United States and the American government agencies that would see only the court order listing Mast as the child’s father and allow him to take her.

Two central questions seemed to drive how people considered the fate of this baby: One, who were her parents — Afghan or foreign insurgents? Two, should the United States have the authority to determine the future of a child half a world away? This fundamental issue of sovereignty is one that has troubled the United States for two decades of its occupation of the country — and it was made all the more complicated against the fall of Kabul.

‘It’s the complete collapse of rule of law that allowed this abduction to happen. And it didn’t happen in Afghanistan — it happened in America.’

Afghanistan is not a signatory to the Hague Convention, which sets standards on international adoption, but the former Afghan government had its own guardianship system that placed a child with relatives, or relied on a court to decide who her new family would be. Despite American interest, only 34 Afghan children have been adopted in the United States since 2001.

Mast did not wait for that process to unfold. In November 2019, he and his brother convinced the family court in Virginia that this child in Afghanistan was stateless and had no family. Moreover, the court noted when granting the Masts custody, the Afghan government intended to waive its authority in the matter; a written copy of the waiver would come “in a matter of days.”

The brothers appeared to understand that they were engaged in an extraordinary legal project, with equally extraordinary moral repercussions. According to text exchanges I obtained through Freedom of Information Act requests, Richard Mast, Judge Moore and Allyson Tysinger, a senior officer at the Virginia attorney general’s office, had discussed some knotty legal issues around the case in early November. The family court had granted the Masts custody of the child, and two days later, Moore, in Circuit Court, ordered a certificate of foreign birth to be issued. It would establish a legal identity for Baby L. But

Tysinger, who appeared to have a friendly relationship with Richard, was concerned: Virginia couldn't issue the certificate listing the Masts as the baby's parents without a court order that approved them for adoption, not just custody. On Nov. 9, she spoke with Moore, who had questions about his authority to issue such an order in this case. He was reassured. On Nov. 10, Moore and Richard discussed the matter over the phone, Richard drafted the order and Moore signed it the same day. In a letter, Richard told the attorney general's office that Baby L.'s case presented "exceptional circumstances" and that "these facts will probably never occur again in any of our lifetimes." (Joshua Mast, Stephanie Mast and Richard Mast did not respond to multiple requests for comment.)

What helped the Masts succeed was a set of assumptions that for many have become accepted truths: that those we kill abroad in the dead of night are terrorists, that Islam is inherently dangerous, that the courts are inherently just, that prosperity confers morality. In all the time that politicians, religious leaders, lawyers and federal and local government officials sought to help the Masts obtain custody of this baby, no one took seriously the possibility that she might have a family, and that they might care for her, too. Despite the rumors that spread through Bagram that fall, L. was not without a past or loved ones. She had relatives, and one day, they were located.

This is the story of a baby girl who was rescued by Americans in a battlefield they helped create. Ultimately, this is a story about the fictions we tell ourselves about the 20 years we spent in Afghanistan. "It's the complete collapse of rule of law that allowed this abduction to happen," Sehla Ashai, one of the lawyers who would go on to represent the baby's relatives, told me. "And it didn't happen in Afghanistan — it happened in America."

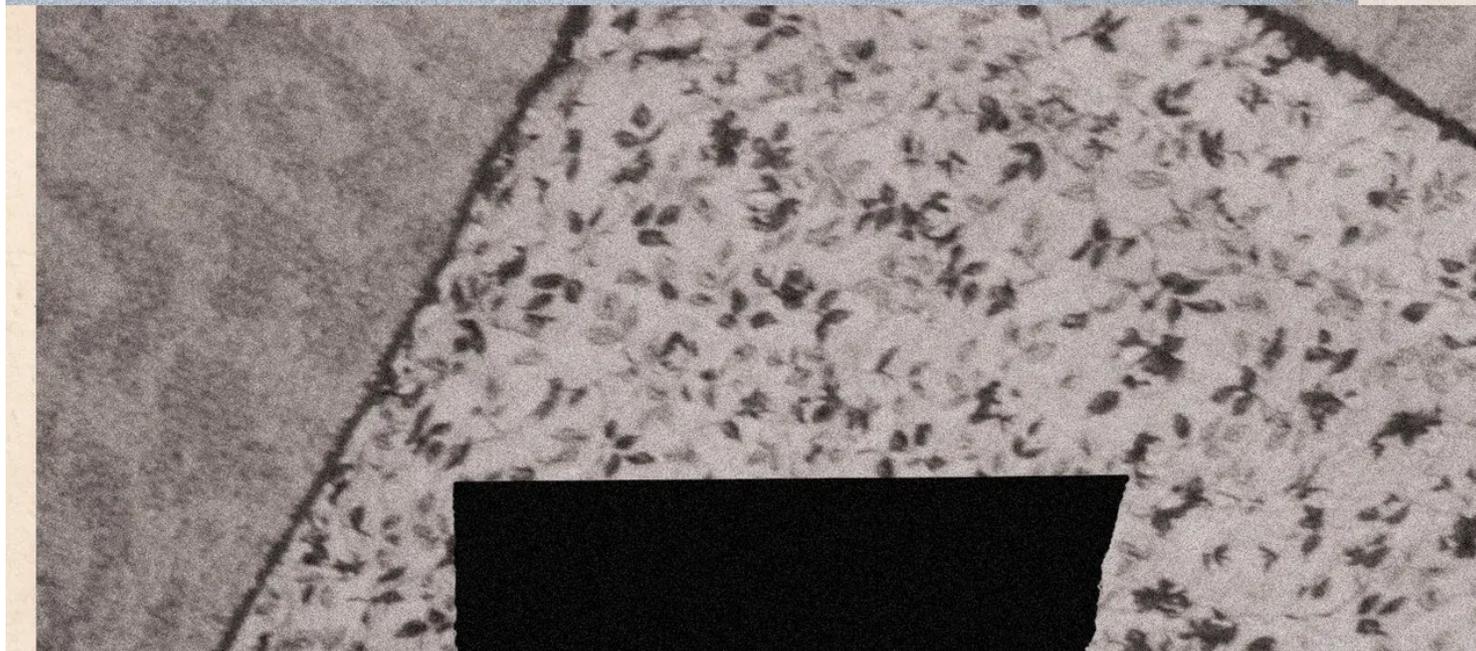




Photo illustration by Vanessa Saba

The Baby's Afghan Family

In recent years, the welfare of orphans in Afghanistan had fallen to the Ministry of Labor and Social Affairs, which in late 2019 was led by a former provincial governor named Syed Anwar Sadat. He faced a delicate situation: A man from the village where the raid took place had approached the local authorities about a missing baby. The Americans, meanwhile, were caring for the infant at Bagram, and they were saying that her parents were foreign insurgent fighters. Some wanted to send her to the United States for medical care, even adopt her. Now the case had reached the ears of Sadat's boss, President Ashraf Ghani, who was trying to navigate not only peace talks between American forces and the Taliban about the future of the country but also the disputed outcome of a very close re-election victory.

Ghani was open to the possibility of sending the baby to the United States to be adopted if an Afghan court would allow it, Sadat told me, but first he wanted the ministry to look for her family. There appeared to be some urgency: The State Department had encouraged the Afghan authorities to speed up their investigation. One State Department official with direct knowledge of the matter told me that the agency grew alarmed when it learned there had been requests to the presidential palace for a waiver. Additionally, they were concerned about the baby's welfare; she had been at Bagram for months now, and the base was ill-equipped to care for an injured infant over the long term.

An investigation by the Afghan authorities and the Red Cross led to two direct relatives: the baby's maternal and paternal uncles. Each was Afghan, and each wanted to care for the baby. It also emerged that the baby had siblings who survived the attack and remained in the village. The State Department reviewed the investigation's findings and on Jan. 5, 2020, sent a message to the Ministry of Labor and Social Affairs: "We stand ready to transfer custody of the infant." According to Sadat, an Afghan court decided that L. would be placed in the care of her paternal uncle. The transfer date was set for Feb. 11.

Mast, who was back in the United States, heard that a potential uncle had come forward but didn't believe he was L.'s real relative. The uncle was Afghan; how could he be the brother of a foreign fighter? Richard Mast told Allyson Tysinger, at the Virginia attorney general's office, that this was "demonic activity from principalities over Afghanistan." Together, the brothers continued their appeals to American allies for help in bringing L. to the United States, including Jerry Falwell Jr., then the president of Liberty University, and Dr. Russell Moore, then the president of the Ethics and Religious Liberty Commission at the Southern Baptist Convention. Mast met with Senator Ted Cruz's staff on Capitol Hill and sent out packets of information about L., including her patient records and photos. In one appeal to policymakers, Mast noted that attributes of the girl's "physical appearance are consistent" with the "ethnic Chinese foreign fighters" he said had been targeted in the coalition raid in September. Falwell told me that he does not remember the case well, but he said that in one email chain he was on, the Masts asked Cruz's staff if the senator would make public remarks about Joshua Mast's good deed. (Cruz did not respond to requests for comment.)

The Mast brothers also appealed to Jenna Ellis, a senior legal adviser for the Trump administration. Ellis elevated the situation to Mick Mulvaney, President Donald Trump's acting chief of staff, and wrote to Richard, "I'm praying for your success." In his emails to Mulvaney, Mast requested that the president order the baby to be "evacuated immediately to the United States." (Mulvaney and Ellis did not respond to requests for comment.) Mast worried about her injuries. He sent around a patient summary of L. from Bagram that recommended checkups for, in part, "delayed-onset seizures." But according to incomplete medical records from Bagram that I obtained, L. didn't appear to be at great risk. She was sleeping well and playing on her stomach. She would need long-term health care maintenance to "ensure childhood development," the reports noted, but she appeared to be "happy and in stable condition."

On Feb. 3, Richard Mast sent a stern letter to U.S. Central Command from Liberty Counsel. His client, he wrote, "categorically forbids" the removal of the child from the medical facility at Bagram and placement into Afghan care. He added a warning: "You may be held personally liable for any harm that comes to an infant female with medical needs in a country known for child abuse, neglect and sexual trafficking of children." The Feb. 11 transfer day came and went. The baby remained at Bagram. Richard Mast had been updating Tysinger on developments, and he shared that Garrett Exner, a military legislative assistant from Cruz's office, was helping and had "been outstanding." He also told Tysinger he had spoken about the case with Ken Cuccinelli, a former Virginia attorney general who was by then at the Department of Homeland Security. "Cuccinelli is standing by," Richard texted Tysinger.

A new date was set for the transfer — Feb. 27 — as the Masts continued to make their case. Just hours before L. was to be removed from Bagram, Richard Mast argued before Norman Moon, a federal judge in the Western District of Virginia, that the Department of Defense and the State Department were handing L. over to someone who had not been properly vetted, who might potentially be a terrorist. He added that his brother was invested in the best interest of the child and was ready to care for her. The matter would be resolved quickly, Richard argued in the hearings, if the State Department "would just get out of the way." One Justice Department lawyer responded that the custody order Mast had obtained was "deeply flawed and incorrect" — contrary to the court's understanding, President Ghani never waived custody of the child.

Moon decided against the Masts. A private litigant couldn't "determine the foreign policy of the United States," he said. Joshua might have been unhappy with the results of the Afghan government's investigation, Moon said, but he had no legal basis for bringing Baby L. to the United States. The transfer would proceed.

On Feb. 27, 2020, a small contingent of Afghan officials arrived at Bagram. The commander of the hospital seemed reluctant to hand over the baby, one of them told me. As the group walked to the car, they were met by a line of about a dozen U.S. military personnel, standing in salute. A few, the official recalled, had tears in their eyes.

Later that day, the baby landed in southern Afghanistan on a Red Cross plane. Her uncle, a white beard framing his narrow face, was waiting at the airport. As the passengers disembarked, he saw a small bundle of pink and started to cry. Boxes of baby supplies accompanied her from Bagram, bearing the name L. He didn't know who that was. He called her by the name her parents had given her: R.

'He Wants to Take Care of Her'

R. was with her family now, but her uncle was an elderly man. He had to consider how best to care for her. His son, who lived in a city with good hospitals, had just married. It wasn't uncommon for families to collectively assume responsibility for a child, and after observing the baby in their care for several days, R.'s uncle decided that the young couple — John and Jane

Doe, as they were later named in the federal suit they filed against Mast — would serve as her parents.

John Doe, a 23-year-old with a trimmed beard and soft eyes, worked at a medical office and ran a tutoring center for schoolchildren. Jane Doe, who was born shortly before the United States invaded in 2001, was finishing high school at the top of her class. She was 19, her cheeks still round with baby fat, but she had raised her five brothers and three sisters alongside her mother. From the first night R. arrived at her home, Jane told me, she fell in love with the baby. Soon, bottles and diapers appeared next to Jane's notebooks and English-language awards. She began to plan where R. would go to school when she was older.

An ocean away, Joshua Mast was making his own plans. Shortly after R. left Bagram, he reached out again to Kimberley Motley, the American lawyer with a practice in Kabul. Motley had been involved in the case in various ways. A different American who initially wanted to adopt R. told me that he paid her more than \$10,000 before it became clear that the Afghan government was not going to give her up. (Through her lawyer, Motley disputed the amount, saying it was less.) To U.S. military and State Department officials at Bagram, Motley described herself as an unofficial guardian ad litem for the baby, someone typically appointed by a court to represent her best interest. "This was uncharted territory within Afghanistan," Motley told me in August, adding that she was happy to "essentially volunteer" as the child's advocate. "I was trying to do the right thing," she said. (Motley's own lawyer later emphasized that Mast himself was never a client.)

Mast sent Motley a copy of the certificate of foreign birth he acquired in Virginia, as well as an identity card he secured from the Department of Defense, both of which would clear hurdles to bringing R. to the United States. "He wanted to adopt her," Motley recalled to me, and he wanted her help in tracking down the baby. That he had the certificate and identity card for the child surprised her. "I've never seen anything like it," she said. (The Department of Defense did not answer queries, citing ongoing litigation.)

Nonetheless, the fact that R.'s relatives had been found in Afghanistan gave her pause: She, too, had heard that the baby's parents were foreign insurgents. Despite her skepticism about the legal basis of his adoption effort — which, in her view at that time, probably should have come to an end once the baby was reunited with her Afghan family — Motley said she would find her and report back. "You know, *I'm* concerned about where she is going," she told me.

Using her network in Afghanistan, Motley tracked down R.'s uncle and explained that she was an American lawyer who knew about the baby girl who lost her parents. The uncle connected her to John Doe, and on March 6, 2020, the two started texting. "I think she has medical problems," Motley wrote, "and I know someone who wants to help her." The couple had heard stories of Americans offering money to families of civilians who were killed during conflict, and John Doe told me they thought she wanted to do the same. He said a local Red Cross representative had vouched for Motley, and they began to trust her.

Months passed. R. started to crawl and then, steadily, to walk. Her legs learned to pedal a tricycle. Her tongue began to sound words, her first attempts at her native Pashto. Jane Doe liked to tease her new family. "Who is crazy?" she would ask R., who would point to John Doe. More than anyone, R. clung to Jane. She would place Jane's shoes in front of her door and forbid anyone else to use them. Motley asked for photos of R., which Jane sent, including one of the baby playing in a tub of water in her underwear.

As Motley came to know the Does, it became clear to her that they loved R. Motley told Mast, she said, that whatever he thought he was doing about adoption, Jane was not going to give up the baby. According to her, Mast told her he was focused on getting R. medical care. Motley decided to continue connecting him with the Does. I asked Motley if, in all her conversations with the Does, she ever mentioned that the Masts had a custody order and a certificate of foreign birth for R. from an American court. She said she had not. She had considered the documents briefly when Mast first contacted her and then, she told me, didn't think about them again as she focused on the baby's health concerns. What did she tell the Does about who Mast was and what he wanted? "I said he wants to take care of her," she told me. "I don't think 'adopt' was really used that much — but that's because it was more a semantic thing."

When Motley told the Does that R. needed advanced treatment and that an American family was ready to help, they were baffled. How could parents allow their child to be sent so far without them? The skin on R.'s forehead would redden at times, and her eyes would swell, itchy and watery; the local doctors they visited were unsure of the cause but seemed largely unconcerned.

While the Does and Motley were discussing medical matters, the Masts were taking the final steps to secure their legal right to the baby in Fluvanna County, Va. R. had been living with the Does for 10 months, but on Dec. 3, 2020, Judge Moore determined that she remained “orphaned, undocumented, stateless.” The waiver from President Ghani never came, but Moore granted the American couple permanent adoption. The Masts, he wrote, “are suitable parents and will provide the child with a loving and stable home.”

In Virginia, final adoption orders are binding after six months and can be challenged only by someone with an “actual relationship of parental responsibility.” Motley told me that Mast updated her when he obtained permanent adoption, but she did not inform the Does. In her view, the adoption was moot. “It’s one thing to have an order on paper, but how do you enforce it?” she told me. The baby was in Afghanistan; the Masts were in the United States. (Through her lawyer, Motley later denied knowing about the final adoption order before mid-2021.)

About half a year later, in the summer of 2021, Motley introduced the Does to Mast over the phone. An Afghan man who went by the name Ahmad Osmani was also present to interpret for him. The Does remember Osmani saying he lived outside Afghanistan and was married to a Turkish woman. Mast explained to the Does that he met R. when he was a volunteer at Bagram and that he wanted to help her.

“Why?” John Doe asked. For humanity, he remembered Mast saying.

Mast and Osmani began contacting John Doe frequently, encouraging him to come to the United States with the baby. According to the couple, Osmani said they could all stay with the Masts. The Does were facing financial troubles, and Osmani persuaded them to accept assistance; in late July, they received \$1,000 by wire transfer. Jane Doe, though, was growing suspicious of Mast’s eagerness to help an Afghan family he’d never met. She suggested that John ask Osmani about the American privately. According to the couple, Osmani reassured them that he had worked for Mast for years, that Mast was a good person. “We didn’t trust Joshua,” John told me. “We trusted Ahmad because we knew him; he’s Afghan.”

Still, Mast and Motley’s warnings about the baby’s injuries had started to worry the Does. They admitted that the doctors they visited did not know what to make of the redness on her face. They had not scanned her brain for any lasting damage from her head wound. Had the doctors missed something?

The Does considered taking her to India or Pakistan, somewhere closer to Afghanistan with medical specialists. There was another consideration: By late summer 2021, Jane was eight months pregnant, and the Does hoped to return home quickly after whatever treatment R. might need. But when they suggested their idea to Mast, they recalled, he said that those countries did not have the necessary medical equipment. The Does, he said, had to bring the baby to the United States.

The Fall of Afghanistan

In August 2021, the war’s front lines, which had been relegated to the hinterlands for much of the last two decades, were suddenly in major cities, and at the Does’ doorstep. At night, they heard the pop-pop of gunfire as the police battled Taliban fighters. By morning, only the Taliban roamed the streets. On Aug. 15, the Taliban took control of Kabul, and with it the entire country.

The Does watched videos of Afghans rushing to the airport. Everyone was trying to flee. Mast and Osmani called and texted, imploring them to leave. It was their last chance to get on a plane, the Does remembered the men saying. Mast, meanwhile, left an excited message at the Virginia attorney general’s office, explaining that a group of former Marines, “sponsored by a very wealthy American” he did not name, had volunteered to help get the baby out. They would pay Afghan guards at the airport. “They’re Christians,” Mast said of the former Marines in the voice message I obtained. Pray for their safety, he implored.

On Aug. 22, Jane Doe quickly packed up their home and handed the keys to her mother. They would be back in two months, after R.’s treatment, she promised. They hired a taxi, John Doe in the front, Jane and R. in the back. For eight hours, they passed fields, hills, and dirt roads where Taliban checkpoints waved them through toward Kabul. According to the Does, Osmani told them to delete their text conversations with him and Mast. But Jane, noting that the Taliban wasn’t inspecting phones, told her husband not to.

When they reached Kabul, Osmani and Mast directed them where to go over WhatsApp. It turned out that Osmani's three younger siblings, two boys and a girl, would be joining them. At the airport, desperate Afghans were shot at the gates and small children fainted from dehydration, but their group was picked up in a car and taken to an entrance. Behind the gates, an American military officer called out their name. He recognized them by Jane's pregnant belly, he explained, and escorted them to the military plane.

'She's going to die because the U.S. is going to kill whoever she's with.'

The Does, R. and Osmani's siblings landed in Qatar early the next morning. Mast sent Jane a message to show to an American soldier at the airport who could direct them. "I am a Judge Advocate with MARSOC," the message read, adding that he was helping to escort this group of passengers. Osmani also sent a photo: Mast was standing on the steps of a red-brick house, surrounded by three blond sons, a baby in his arms. What confused Jane was what he was wearing: a camouflage uniform. Mast was in the American military. Jane was frightened. Why had he not told them he was in the military? Was he hiding something? John was equally perplexed, but he assuaged her fears. Osmani said Mast could be trusted.

They were flown to Ramstein Air Base in Germany, where they expected to meet Mast. To their surprise and confusion, his wife, Stephanie, was also waiting for them. The Does had hardly eaten since Kabul, and Jane's back ached from the hours on the plane. Now they sat around a table. The Masts wanted to take the baby to the United States with them, Jane recalled Joshua saying. If R. went with them, her medical treatment and school would be free. Jane translated for her husband. "We don't need money," John said, angry.

Jane started crying, and Stephanie tried to comfort her. You will forget your last life when you come to the U.S., Jane remembered her whispering in her ear. "No, I don't want to forget," she replied. John tore off the bracelet that Afghan arrivals were required to wear on the base. They would return to Afghanistan, he said. Mast hurriedly called Osmani. According to John, Osmani told him that Jane had mistranslated — the Masts were only trying to help them because Jane was pregnant; they weren't trying to take R. Mast added his own plea, invoking Abraham, Isaac and Joseph. I swear by them I will not harm you, the couple recall him saying.

The Masts flew back to the United States alone. Though Joshua had calmed the couple's fears, Jane recalled an odd remark that Osmani's sister made to her. While Jane was playing with R., the teenage girl asked why she was getting close to the baby when they would be separated soon. Jane was surprised. "Why will she be separated from me?" Jane said. "She's my daughter." The girl didn't respond.

The Does pushed their anxiety aside and continued their journey to Dulles International Airport outside Washington. They arrived on Aug. 29 along with hundreds of other evacuated Afghans. Mast met them there with another woman, who led Osmani's three siblings away. He escorted the couple through passport control, then to a resting area. It was past midnight, but Mast handed John Doe a black bag he was carrying and went into a room, where he appeared to be meeting with some officers. Mast emerged more than 30 minutes later. His face, Jane remembered, was red with anger, his lips pressed together. Mast didn't explain. He went home, leaving the black bag in John's hands.

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The Does and R. settled into beds at an airport hangar. It was their first night in America, and something gnawed at them. At passport control, an officer took their fingerprints and asked for R.'s identification. The Does explained that they didn't have any, but then Mast, to their surprise, presented a passport. The officer handed it back to John, who kept it. Outside, "Islamic

Republic of Afghanistan” was printed in gold. Inside was a familiar picture. It was one Jane had sent to Motley, of R. playing in the tub. The same wet hair was plastered to her forehead, except instead of a naked torso, someone had photoshopped a burgundy and teal top. The name read L. Mast.

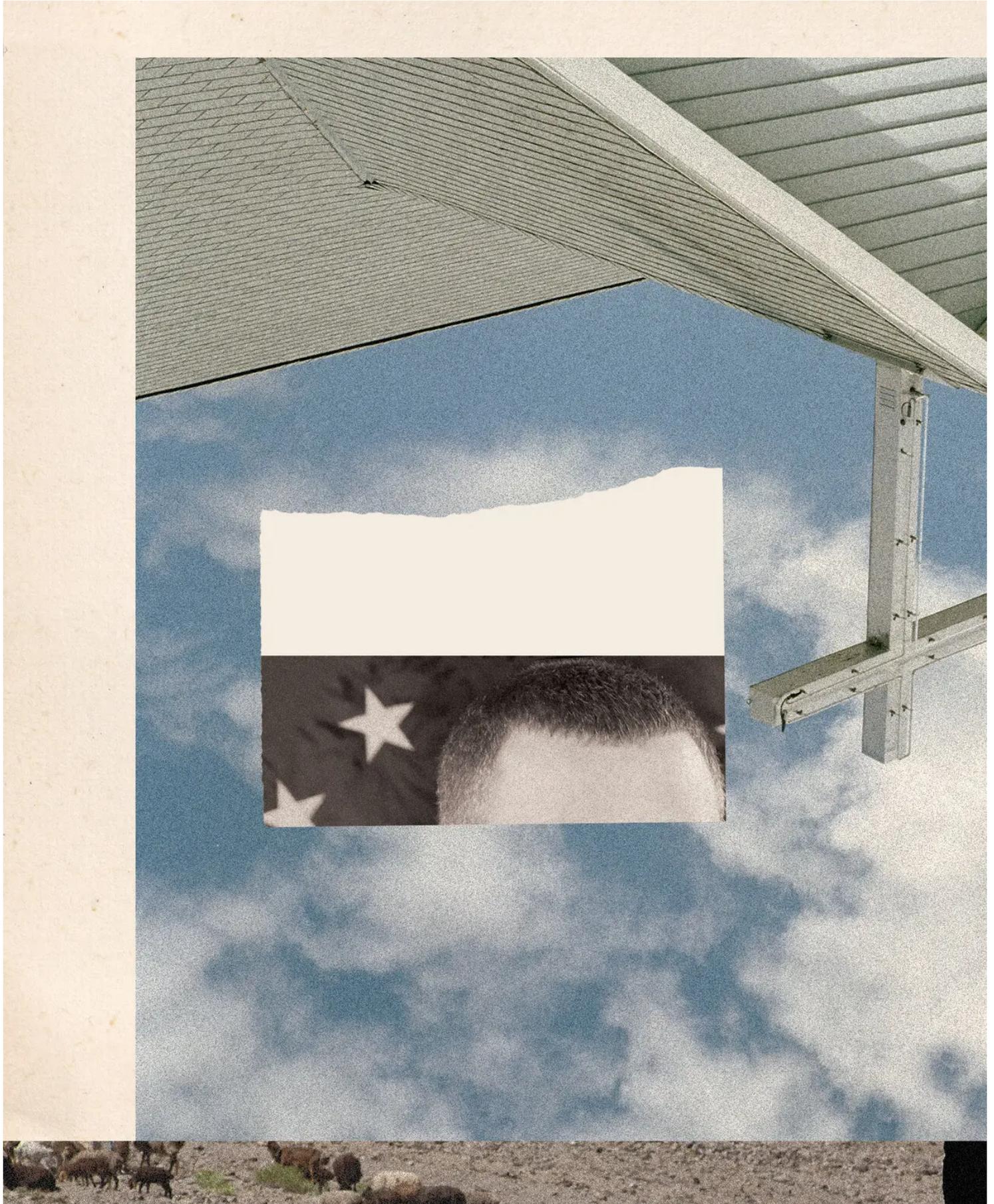




Photo illustration by Vanessa Saba

'This Is Not Your Child'

After the U.S.-backed Afghan government collapsed last year, more than 64,000 Afghans arrived in the United States in August and September alone, settling into eight military bases around the country. During his presidency, Trump had slashed the number of refugees allowed to enter the United States, and the Biden administration, which carried out the U.S. withdrawal from Afghanistan, struggled to handle the sudden influx. Community and religious groups raced to fill the gaps.

Following Mast's direction, the Does requested to be sent to Fort Pickett, 45,000 wooded acres in southeastern Virginia. The base had a close relationship with the surrounding community, including Liberty University, Mast's alma mater, which was sending student volunteers to help with the Afghan arrivals. The Masts visited them their first night. The next day, John held R.'s hand as the family strolled the wide roads of the base. Pink bangles decorated her wrist.

Three days after they arrived, on the afternoon of Sept. 3, Jane lay on one of the twin beds in their room while John dozed on the other. They had eaten lunch, showered and prayed. Now Jane was trying to put R. to sleep. The toddler's brown hair had lightened over time and was speckled with gold. The redness on her forehead that worried the Does was starting to fade. She still had the same wide eyes, and they stared up at Jane, refusing to close. With one hand, R. clutched a pink stuffed pig; with the other, she played with Jane's dangling braid.

A knock sounded at the door. Two men in uniform told them to collect their items — they were being moved to a new apartment. The couple stuffed their belongings in their bags, Jane gathered R. in her arms and they walked out. On the street, a black van waited for them. Sitting inside next to an infant car seat was an American woman: an official from the State Department named Rhonda Slusher.

They drove around the base and stopped in front of a low building. Slusher insisted on holding R., Jane said, because she was pregnant. The Does couldn't see any other Afghans or security guards, and they approached the building warily. They were led to a room with a desk and some chairs. A tall blond woman greeted them — another government official. An interpreter was also present. Neither of the Does remember what the official's name was or what department she represented, but what she said next pierced their memory: This is not your child, she told them, gesturing to R.

John explained that R. was his cousin, and now his daughter. "I raised her for two years," he said. But the official repeated the same thing: They were not the biological parents of the child, and therefore they could not keep her.

John was confused and started to panic. He tried calling Mast, the only American he knew, but there was no answer. And then, suddenly, Mast entered the room. John rushed to him. "What is this lady telling me?" he asked in English, desperate. Mast, the Does recalled, said he came because he had received an email: He had to take the child from the base, or she would be sent to an orphanage. Don't worry, the Does recalled Mast saying. We are family. He would sort everything out.

Jane ran to Slusher, the State Department official, who was still holding R. "Please, give my daughter," Jane pleaded. According to the Does, Slusher refused. R. was wailing now, and Slusher led her out of the room, the pink pig still in her hand.

Jane screamed and fell to the ground. John grabbed Mast's arm. "You told me you are my brother," he said. "Why are you doing this to me?" John Doe told me that Mast stepped hard on his foot and shoved him away. Then he left the room.

The Web of Bureaucracy

Operation Allies Welcome, the operation led by the Department of Homeland Security that oversaw the Afghan evacuees' arrival in the United States, was strict about people, and information, getting in or out. But several people who were employed at Fort Pickett in September 2021 told me they were not surprised that Mast entered the base multiple times, even though he didn't work there. It was not difficult to get through checkpoints to the area where the Afghans resided, they said, if you had friends in the military, especially if you were wearing a military uniform. Security would tighten in later months.

Slusher did not respond to requests for comment. In an email statement in October, a State Department spokesman said that its employees at Fort Pickett "had no awareness of the U.S. Embassy's previous involvement in reuniting the child with her next of kin in Afghanistan." A Department of Homeland Security spokesman said the department "has and will continue to cooperate as appropriate with federal investigations into this matter." The interpreter who was in the room was too frightened to talk, someone close to her told me.

For days afterward, the Does sent Mast desperate messages. They texted Osmani. "Let go of whatever happened," Osmani advised them in voice messages I obtained. When they reached Mast, he tried to placate the Does. He told them everything would be OK and offered to bring them food and baby supplies. "No sir we do not want anything," the Does wrote back. They only wanted to see R.

Mast made excuses for why he could not put the baby on the phone — he was asleep, his phone wasn't charged — but he continued to dangle the possibility that they would see her soon. He was making plans for John to get a scholarship at Liberty University, he told them, and his community was gathering furniture for their new home. He texted Jane to explain the tradition of a baby shower. "We will have one for you after you are out of the camps," he promised. "We love you guys," he said in a voice message, one week after he took the child.

Jane tried to appeal to his fatherhood. "You have four sons if any of them separate from you how will you feel?"

"I know exactly how it feels," Mast wrote back, explaining that he had lost R. before, too. "That is why I have compassion on you."

The Does had no idea that back in Palmyra, Joshua and Stephanie threw a "little welcome-home party" for R. In one photo I obtained, she is in Joshua's arms, in front of a large chocolate cake. Stephanie hugs them, surrounded by their sons.

Jane stopped eating and drinking. When she slept, she placed R.'s clothes on top of her, as if to embrace the child again. Most nights, though, she sat at the stairwell at the end of their hallway. Twice, she told me, she considered throwing herself down the stairs. The Does pleaded with one agency after another for help. They approached one person at the base who worked for the State Department. She grew teary when she heard their story, they recalled, but after she looked into the matter, she said she could do nothing.

'It was not about money or privilege. They were feeling attached to her, because they lost their whole family.'

One day, as Jane cleaned their room, she came across the black bag that Mast had inadvertently left with John at Dulles. Inside were pages of text she couldn't comprehend. At their next medical appointment, the Does showed one of the documents to the staff there. It was a copy of the adoption order, and an interpreter explained to the couple what it meant. It was the first time John and Jane understood that Mast had become R.'s father under U.S. law, almost a year after he had done so. The staff alerted the authorities on base, who took photos of the papers.

In late September, Mast finally returned to Fort Pickett. He brought only his brother, Richard. The Masts sat across from Jane and John. I spoke to an Afghan friend the couple met at the base, who was in the room when the Masts came in. He told me that Joshua explained he was going to get R. medical treatment because the Does didn't have the means to do so. "You're not

treating her,” Jane said. “You’re keeping her.” The couple’s friend turned to Richard. “If you just have her for treatment, then give us a promise that you’ll release the child.” Before Richard could respond, the friend recalled, Joshua Mast told him not to say, “Yes.”

Jane went into labor a few days later. She gave birth to a healthy baby girl, and almost immediately after, she texted Mast, telling him the news and pleading with him to bring R., even if only to visit. Mast wrote back: “We are very excited for you both! Having a baby is one of the best experiences in life.”

Not long after, Jane received her first and only message from Stephanie Mast. “Motherhood brings a lot of change and can be challenging at times,” she wrote. “I would love to be your friend and support you.” Jane didn’t respond.

On Oct. 25, the Does approached Martha Jenkins, a lawyer working with the United States Conference of Catholic Bishops at Fort Pickett who was helping to run information sessions for those arriving from Afghanistan. Jenkins’s supervisor was also present and went to higher-ups at the Conference, as well as to the Marine Corps and government agencies. The issue “kept getting kicked down the road,” Jenkins told me. “Everyone had sympathy but no direction, nothing to be done.” After a few days, Jenkins told me, she and the supervisor heard back from someone who looked into the matter: “The Masts really covered their bases.”

They encouraged the Does to reach out to Motley, the American lawyer in Afghanistan, whom the couple had not spoken to since August. Perhaps she had not known what Mast would do, Jenkins reasoned. “The person who is introduced to us by you, by the name of Joshua Mast” took R. “from us by force,” the Does wrote in a WhatsApp message. “You are the one who knows about our story and we kindly requesting you to help us please.” Motley did not respond. Motley told me that Mast informed her R. was with him and that she didn’t ask for more details. She texted the Does months later; she didn’t do so immediately because, she explained, she was receiving hundreds of requests for help from Afghans in the wake of the U.S. withdrawal.

Jenkins and her supervisor were growing concerned about Jane’s deteriorating mental health. In one of their meetings, Jane cried uncontrollably, and the interpreter in the room held her. They took Jane to the behavioral health clinic, where a health officer heard what happened and, alarmed that Mast had taken the child, immediately contacted Department of Homeland Security law-enforcement officers on base. The interpreter who was present for the subsequent conversation told me that both officers appeared to be upset by what they heard.

One person at Fort Pickett, who has long worked with refugees and who asked to remain anonymous because they did not have permission to speak, told me that they heard of the “baby case” at the time, but that it was one fire among many in the context of the rushed resettlement operation itself. “None of us that were there, including military and government actors and international NGOs, had a blueprint for what we were doing,” they said. Still, one thing remained a mystery to them: “How did this man think he had the right to adopt this baby?”

By November, the Does’ story had reached almost every agency at Fort Pickett. On Nov. 6, staff members gathered to discuss the situation. One person who was at the meeting told me that Chris Cronen, the federal coordinator for the Department of Homeland Security on the base, was shocked. “His eyebrows were all the way up to his hairline,” this person recalled. An immigration officer in the room who had some understanding of Afghan law explained that the adoption should never have happened. The group agreed to notify the F.B.I.

In their first two months in America, the Does had lost R. and become entangled in a web of a foreign government’s bureaucracy. They presented documents and pictures of the child. They shared their story again and again. But no one could bring R. back. The response they received was always the same: Legal papers stated the baby belonged to an American family. The couple, who had just arrived in a new country without family or jobs or money, would have to take the fight to court.

What Really Happened That Night?

The central argument in Mast’s claim to the baby comes down to whether her parents were Afghan villagers or foreign fighters. Who, exactly, did the Army Rangers kill the night of Sept. 5, 2019? This summer, I decided to find out.

From a satellite view, R.’s village, along a river in central Afghanistan, emerges from lush green and blue, beyond which the land is brown and flat until it fades into the mountains. Reaching it from the district capital requires a day of driving on unpaved, craggy road. By 2019, the Ghani government had lost effective control over the area to the Taliban, Al Qaeda and

insurgent groups. Around the country, the United States was redoubling counterterrorism efforts in a last bid to force the Taliban into a negotiating position for a political settlement.

That summer, a group of foreigners moved into the village, women living among them. Locals noticed that they all kept to themselves and didn't speak their language, Pashto. The military operation in September lasted more than four hours. After the forces left, when dawn broke, a few men from the village rushed to one of the houses, now only half standing. They knew it well. It belonged to a man who worked in the fields nearby, who was born in that house and raised his 11 children there. The villagers shouted his name. Near the door, they saw two partly charred bodies. But they recognized them, a man and a woman.

Suddenly, they heard muffled yells and started digging. For hours, the men pulled out bodies, one by one, trying to ascertain who was alive, who was dead. In the final tally, five children were killed, two boys and three girls. The youngest was a girl of 11. The eldest boy was 15. "He still didn't have any facial hair," one of the men told me over the phone.

When Trump loosened the rules of engagement in the Afghanistan war in 2017, it lowered the bar for intelligence that would justify airstrikes and night raids. Across the country, civilian deaths started ticking up. The United Nations Assistance Mission in Afghanistan, which monitors human rights abuses, found that in the first half of 2019, Afghan and international forces were responsible for more civilian deaths than the Taliban and insurgent groups, "a trend that UNAMA had not documented before 2019." Ground operations were one of the leading causes.

Hours after the Sept. 5 operation, U.S. forces produced an initial summary report, assessing the targets and casualties. Not long after, according to a former Ranger I spoke with who had been stationed at Bagram and was familiar with the contents of the report, the military conducted an investigation to gather more information about what took place on the ground. He recalled that the investigation revealed that the Americans shot at the mother — the woman with the baby — because she appeared to be detonating a device, but it turned out she was unarmed. A representative for U.S. Special Operations Command told me that two civilian casualties were officially registered from that night: a baby, injured, and an Afghan woman, who died from her wounds.

According to the former Ranger, as well as a legal adviser I spoke with who worked with the Ranger regiment in Afghanistan, Mast would have most likely seen the initial assessment of the operation, which was more widely shared, as was typical, but not the subsequent reports alleging a civilian casualty. "The joke is that the first report is always wrong," the former Ranger said. Still, he and another Ranger I spoke with said they did not think the woman killed was Afghan, because the targeted compounds were assessed to be teeming with foreign fighters. They pointed out that she may have been registered as a civilian because she was not actively engaged in hostilities. But no one I spoke with could provide me with proof of her identity.

'If I knew the child's parents were living or relatives were interested, I would have brought the issue to the court.'

In a report about the September operation that I obtained, Afghanistan's former National Directorate of Security noted that casualties included "foreign national and domestic Taliban." Unlike the United States, the Afghan agency appeared to believe that not everyone who died that night was a foreigner. It was also unclear if the Afghans killed were, in fact, Taliban. A former N.D.S. official told me that the agency helped gather intelligence for months before the raid. But the sources were not from the district, and they did not return after the operation to confirm the identities of the dead.

R.'s other uncle, her mother's brother, lived near his sister and watched her children grow. They were Afghan, like him, and, like him, they spoke Pashto. He was one of the men who pulled bodies from the rubble, bodies of his nephews and nieces. They had accounted for everyone, he told me over the phone, except the baby. They searched into the late afternoon hours but couldn't find her. Days later, they heard that the baby was with the Americans. That's when the uncle approached the local authorities.

Najibullah Akhlaqi, the former director of child protection at the Ministry of Labor and Social Affairs, which oversaw the locating and vetting of R.'s family members, told me that the ministry's starting point was that R.'s family were foreigners, because that's what the Americans told them. By the end of its inquiry, that suspicion vanished. I asked three other former Afghan government officials familiar with the case if they had any reason to believe R.'s parents were not Afghan. They all told me no.

R. had siblings who survived the attack that night. I briefly spoke with one of them, her 9-year-old brother. He seemed withdrawn and spoke haltingly. He and several of his siblings had been sleeping when they heard a loud boom, the boy recalled to me over the phone. His parents were in the other room with the baby. "It was a lot of bombs," he told me. There was other noise too: the sound of gunfire, his parents yelling from behind the wall to sit down.

In court filings, Mast said that R.'s "likely biological father detonated a suicide vest." But the man in the suicide vest might have been someone else. R.'s maternal uncle told me that her father was wearing only clothes when they found him and that his body was largely intact. Mast also said in the filings that R.'s mother had sustained "multiple gunshot wounds" while "reportedly resisting." Or was she trying to protect her family from gunmen as her children cowered in the next room?

Implicit in the Masts' court filings is that the Does' claim over R. is a conspiracy by two different families — the supposed maternal and paternal uncles, living in two different provinces — to dupe the Red Cross and the American and Afghan governments. This perplexed the former Afghan officials I spoke with. One, who helped investigate the case and agreed to speak with me on the condition of anonymity, told me that the family had no incentive to claim the baby as theirs, especially when Afghans struggle to feed their own children. "It was not about money or privilege," she said. "They were feeling attached to her, because they lost their whole family."

I later showed John Doe the photos of the village I had gathered. It had been a long time since he had seen the province where he was born. He left as a child, he told me, but he remembered the foreign armies who descended with their tanks and planes that seemed, to him, to shoot everything, cows, sheep, trees. "Every family has a story of someone killed," he said. Doe's father left, but his uncle remained. They visited him in later years. At mealtime, his uncle would sit on his haunches and eat quickly, then rush back out to the fields.

Mast, Motley and other Americans at Bagram said they were convinced R. would suffer a terrible fate if she stayed in Afghanistan. Yet all the photos and videos I saw of her showed a happy, healthy child. She giggled in her polka-dot *shalwar kameez*; her eyes grew in wonder when someone asked her a question. She was hugged and cuddled by those around her.

But the Masts did articulate one of the major threats to R.'s life if she stayed in Afghanistan as the war dragged on, a threat that, as John Doe pointed out, came to even the happiest of families. In court, Richard Mast said, "She's going to die because the U.S. is going to kill whoever she's with."

A Legal Battle Begins

The Does waited for weeks at Fort Pickett, hoping Mast would change his mind and bring R. back. But the base was only a temporary option; they had to resettle somewhere. Their Afghan friend had family in Texas, and the Does decided to follow him there.

The couple had started talking to the F.B.I. Aware of the agency's tense history with Muslims, a volunteer at a resettlement organization recommended that the couple speak to agents with lawyers present. A chain of contacts led them to Sehla Ashai, an immigration attorney based in Dallas. They also connected with an experienced adoption lawyer in Virginia, Elizabeth Vaughan, who was initially skeptical. There are statutory safeguards for international adoptions, Vaughan told me, because it is "fraught with ethical problems." Then she saw the court order.

In December 2020, as Mast sought a final adoption order, the Virginia court appointed a guardian ad litem, someone who would represent R.'s best interests during the proceedings to determine if the Masts should be her permanent guardians. I spoke with the person who served in this role, John David Gibson, a lawyer who has known Judge Moore for years. The case was unusual, he told me. "I didn't know how it would fit into Virginia law," he said. Gibson explained that he supported the Masts' adoption based on the limited information he had: The baby's birth parents died in a violent confrontation overseas, there were no other known relatives and the child had severe injuries. "There was no family to care for her," he told me. Fluvanna County's Department of Social Services had visited the Masts at their two-story home and determined them to be fit

parents. This was strange, because R. was not with them at the time — she was not even in the United States. When I pressed Gibson, he repeated that he had little information. “If I knew the child’s parents were living or relatives were interested, I would have brought the issue to the court,” he said.

Last December, Vaughan, the adoption lawyer in Virginia, filed a petition on behalf of the Does to vacate the Masts’ adoption order. Ashai, the immigration attorney in Dallas, contacted the State Department, the Department of Health and Human Services and the Justice Department. She was met with little interest. As the Does and their lawyers started putting together their case, they discovered something else: Osmani, Mast’s interpreter, seemed to have misled them about his life. He was not Muslim, and his wife was not Turkish after all — she was an American named Natalie Gandy, whom Osmani met in Turkey. The couple live in Tennessee with Osmani’s three siblings and two children of their own. When I called Osmani in August and introduced myself, he hung up the phone. I tried again. “I don’t want to talk about anything,” he told me, and hung up again. I contacted his lawyer, Tyler Brooks, who also serves as special counsel to the Thomas More Society, a conservative legal group that has pursued cases against abortion providers and filed legal challenges to the 2020 presidential election. After an initial message, Brooks stopped responding to queries.

This summer, I visited the Does in their home in Texas. They live in a small apartment compound off a highway. Debris floated in a swimming pool surrounded by broken chairs. John Doe found work at a milk factory, where he hauls crates onto trucks, sometimes late into the night. In the apartment, a crib stood in the living room, next to a small kitchen, where Jane Doe was baking bread. Their 9-month-old baby crawled from one person to the next, her hair bouncing. John tickled her and put her on his shoulders.

The hearings in the case to vacate the adoption order began in December, in a small courthouse amid the lush green hills of Virginia, before the same judge who approved the adoption, Richard Moore. Despite the challenge to their adoption, the Masts decided to share their story with others. In February, they traveled to Fredericksburg, Ohio, to tell a congregation of 300 people at the Mennonite Christian Assembly how they saved a child from Afghanistan. “Stories of rescue and redemption are always inspiring and encouraging,” John Risner, the assembly’s pastor, told me.

Several months after the hearings began, Joshua Mast suddenly sought a protective order to limit the Does’ access to information about the American couple. According to Ashai, the Does’ attorney in Texas, Mast claimed that John Doe had terrorist ties and that insurgent groups might retaliate against the Masts. This was a reversal from the Masts’ overtures to the government about the Afghan couple last year. In emails Richard Mast sent to U.S. Citizenship and Immigration Services and the State Department during the evacuations, he explained that the Does “are helping US DoD at great risk to themselves.” They would be killed by the Taliban if they didn’t leave Afghanistan, he added.

“Before, we were his family members,” and John “was his brother,” Jane told me. “Now we’re terrorists.”

Every few months, the Does travel to the Virginia courthouse, where Mast sits in his military dress uniform with his wife. R. is never there. In early August, I contacted Judge Moore’s office and was informed that “direct and/or ex parte communication with the judge about cases is prohibited.” About a week later, the case number disappeared from the Virginia court database.

In the Does’ Texas apartment, Jane cooked as we spoke, plate upon plate of Afghan stuffed bread. She told me that John’s testimony in court took three days, because the attorneys representing the Masts — Richard Mast and a Virginia lawyer named Hannon Wright — questioned everything he said, including how he knew where his relatives lived. When they asked John if he ever saw foreign fighters in Afghanistan, he said, in earnest, Yes, the Americans.

I asked the couple how they felt about R. probably being raised Christian. They fell silent. Then Doe spoke. Do they know what she wants to drink and eat? The things she likes? “How do they understand?” he asked. “How can she understand them?”

They reach for her the only way they are able, swiping through the photos on their phones. In one, R. sits between Jane’s parents, a large chocolate cake before them. In another, Jane and R. beam in matching outfits. It wasn’t just her absence but the reason for the absence that consumed them. “She’s living with a person who kidnapped her,” Jane said.

‘We Don’t Know If She Remembers Us’

According to Islamic legal tradition, an adopted child's lineage and history must be preserved, in part to protect the child's rights. American law, on the other hand, tends to sever a child's relationship to the biological family and past life, to help them assimilate. After adoption, the child assumes a new name, culture, religion. R. Doe becomes L. Mast.

The Islamic and American adoption systems, though, are not entirely at odds with each other. Both try, in their own way, to give the child dignity. One Department of Health and Human Services official with knowledge of U.S. and Islamic family law, who asked to remain anonymous because they did not have direct knowledge of the case or permission to speak about it, told me that they didn't see a competition between them in this case. "If the accusation is true that this soldier absconded with the child," they said, "no legal authority, Virginia or Islamic, would permit such a thing." (The department did not respond to multiple requests for comment about this case.)

Late last year, the F.B.I. started interviews and took possession of the contents of the bag that Mast had left with John Doe; it appeared that some of the documents may have been classified. The Does had earlier turned over the passport for R. that Mast presented at Dulles to the Department of Homeland Security.

To Ashai, the Afghan passport suggests the Masts' willingness to deceive. "If Mast is saying the baby is stateless, and then getting a passport for her, he knows she's not stateless," she told me. An investigator from the Naval Criminal Investigative Service has been looking into whether Mast, who has been promoted from captain to major in the last three years, mishandled classified information. The Does' team of lawyers has grown to more than 15, all working pro bono.

On Sept. 2, the Does filed a lawsuit in a federal court against Joshua, Stephanie and Richard Mast; Osmani, the interpreter; and Motley, the lawyer. It accuses them variously of conspiracy, fraud and false imprisonment of a child. A victory in the federal case could win the Does compensatory and punitive damages, but it still would not return R. As part of their filed response, the Masts called the allegations in the complaint "outrageous," adding that they "have acted admirably." They hired a different attorney for the case. "Joshua and Stephanie Mast have done nothing but ensure she receives the medical care she requires, at great personal expense and sacrifice, and provide her a loving home," their lawyer wrote. In his response, Richard wrote that "the Does have no legal authority to assert claims on behalf" of R. Motley and Osmani have also filed motions to dismiss the complaint, partially on grounds that they have no connection to Virginia. They all deny all charges against them.

In August, before the federal lawsuit was filed, I asked Motley how she felt about introducing the Masts and the Does, after learning how Mast had taken the child. Motley told me that if R. stayed in Afghanistan, she would have little prospect for a formal education or a good life. "If I didn't introduce them," she said, "I don't think she would be here right now."

Though the Masts have since moved to North Carolina, to a town near the coast, the case over who should have legal custody of R. continues in Fluvanna County, Va. The Masts and the Does have not spoken. The legal argument that the Does' lawyers are making is that Judge Moore did not have the authority to issue the adoption order, and that Joshua Mast presented fraudulent information to the court to obtain it. But they face a significant hurdle. By law, the Does first have to prove that they have enough of a relationship to R. to even challenge the adoption. "When the Legislature made that law, they didn't have in mind what happens when someone internationally abducts a child," Vaughan, the Virginia adoption lawyer, told me. The Does have offered testimony and presented documents from the Afghan government, the Red Cross and Bagram. After I tracked down Sadat, the former head of the Ministry of Labor and Social Affairs, for this article, the Does' lawyers asked him to testify to the authenticity of the Afghan government documents. The Does have never seen records of the court proceedings that granted the Masts custody.

The Virginia case will probably be decided this month, before Judge Moore's scheduled retirement. Any decision will most likely be appealed by the losing party. The court appointed a new guardian ad litem for these proceedings, even though the questions at hand are about whether Mast adopted the child through fraud and whether the court had authority to grant that adoption, not who should have the child.

At least one U.S. Army Ranger who participated in the 2019 raid has testified about his recollection of that night on Mast's behalf. However, the U.S. government officially entered the proceedings and submitted a Statement of Interest, in late August, outlining its position on the case; that statement remains under seal.

At every step of his journey, Mast portrayed R.'s parents and John Doe's family as a dangerous people, driven by religious ideology, who traffic young children and transform them into terrorists, who seek to gain what they want by murdering and lying. But from the Does' perspective, Mast is an officer of a military that has killed their countrymen, women, children, with

impunity over the last 20 years, who was driven by his own moral compass and abducted their daughter, removing her from a loving family and forcing a religion upon her that is not her own.

R. is 3 years old now. It has been over a year since Jane and John Doe have seen her. In the bedroom of their apartment, a table displays both girls' toys. It reminded me of a shrine. Bright plastic cups, unused, bore the girls' names. A toy piano was carefully set near a stuffed teddy bear. Jane pulled out two identical white dresses with pearls and tulle, unworn. "We don't know if she remembers us or forgot us," Jane told me. There is no one to speak to R. in Pashto, no one to teach her Muslim prayers. Does she still like to eat rice and tomatoes? Is she still frightened by the sounds of an airplane flying above?

In Texas, a couple collect dresses and carefully set them aside, waiting for the child who will wear them. In North Carolina, white faces smile at a little girl, coaxing her to sound out foreign words. Seven thousand miles away, in a small mountain village at the edge of a dirt path, are seven graves. They are marked by stones and curved tree branches, a piece of white cloth tied to each. In two of these graves lie a mother and a father who once had a baby girl.

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Second illustration, source photographs: Stocktrek Images/Getty Images; Lee Ergulec/Getty Images.

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