

Social Justice and Intercountry Adoptions: The Role of the U.S. Social Work Community

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Using social justice as the conceptual foundation, the authors present the structural barriers to socially just intercountry adoptions (ICAs) that can exploit and oppress vulnerable children and families participating in ICAs. They argue that such practices threaten the integrity of social work practice in that arena and the survival of ICA as a placement option. Government structures, disparity of power between countries and families on both sides, perceptions regarding poverty, cultural incompetence, misconceptions about orphans and orphanages, lack of knowledge about the impact of institution-based care, and the profit motive are driving forces behind the growing shadow of unethical ICAs. The U.S. social work community has a large role and responsibility in addressing these concerns as the United States receives the most children adopted through ICAs of all receiving countries. In addition to the centrality of social justice as a core value of the profession, the responsibility to carry out ethical and socially just ICA has recently increased as a matter of law, under the implementation legislation to the Hague Convention on Intercountry Adoption. While acknowledging that these issues are complex, authors provide suggestions for corrective policy and practice measures.

KEY WORDS: *Hague Convention on Intercountry Adoption; human rights; intercountry adoption; social justice; subsidiarity principle*

Once considered international charity, intercountry adoption (ICA) is being overshadowed by concerns of fraud, coercion, and corruption, suggesting social justice implications. Such implications are of particular importance to the social work profession in the United States, as the United States receives the largest number of children adopted internationally among all receiving countries (Selman, 2012). ICA has provided permanent families for approximately one million children since its inception during World War II (Selman, 2012); however, rapid and complex dynamics associated with ICA threaten the integrity of social work participation in the process and possibly the survival of the ICA option.

The several hundred adoption agencies based in the United States that facilitate ICAs from dozens of countries are largely administered by social workers who supervise case managers engaged in frontline work at home and abroad; thus, there is a need for the profession's self-regulation. Furthermore, agency accreditation in the United States places emphasis on social work practices as well as social work leadership in agency management and clinical supervision (Council on Accreditation,

2007). Legal changes in agency oversight place greater expectations on professional social workers, demanding more transparency, improved practices, and ethical and legal accountability (Rotabi, 2012).

Dubinsky (2010), on close examination of adoption ethics within the Americas, noted with irony, "Professional concerns about adoption practice are voiced in relative obscurity of social work journals" (p. 100). We agree, and we welcome the opportunity to discuss such concerns in a wide forum shared by the U.S. social work community. This discussion is couched in the social justice framework, exploring the challenges of a socially just ICA practice and making recommendations for corrective action.

SOCIAL JUSTICE, SOCIAL WORK, AND ICA

Social justice, as a historic and defining foundation of the social work profession in the United States and globally (Hölscher, 2012), is an apt conceptual framework for discussing unethical ICA practices. Within the U.S. social work community, the NASW (2008) and the Council on Social Work Education (2008) require the advancement of human rights and social justice as a foundation to ethical and globally aware social work practice. An examination

of ICA practices in this framework is useful in understanding and correcting many of the current problems in that arena.

ICA involves multiple layers of structurally based disparities, creating fertile ground for seeds of social injustice. The exchange of children through ICA usually occurs between developed and developing countries and between resourced and impoverished families, and it is facilitated by multiple intermediaries who wield considerable control and power. Within the country of origin, birth families tend to be low on the “internal status hierarchy” (Fraser, 2008, p. 12) of their communities and society, having little or no power to assert their rights. Although adoption may offer greater opportunities for the child, it comes at the expense of dislocating the child from his or her biological family and culture (Hollingsworth, 2003). Furthermore, the child may become commoditized or trafficked (Freundlich, 2000; Roby & Maskew, 2012). The current market dynamics of ICAs are powerful and resistant to regulation (Freundlich, 2000; Siegal, 2011). As many countries are transitioning to new international norms for the practice of ICA, confusion and chaos are common. In this milieu, the practice of socially just ICA is a daunting challenge.

As thoughtfully examined by Dickens (2012), social work involvement in ICA has inherent risks. For example, Lauryn Galindo and her sister Lynn Devin, a licensed social welfare practitioner, were charged with multiple federal crimes, which brought the increasing activity in Cambodian ICAs to an abrupt halt in 2001 (Bainbridge, 2003; Oreskovic & Maskew, 2008). Guatemala, the top country of origin for adoptions to the United States in 2008, saw a sharp increase in adoptions from 1,516 in 2000 to 4,726 in 2007; in late 2008, the United States announced a moratorium due to signs of corruption including child abduction. Social workers in Guatemala were instructed by attorneys hired by U.S. adoption agencies to provide routine approval for adoptions despite ample evidence that most of the children were not true orphans (Bunkers, Groza, & Lauer, 2009; Siegal, 2011; U.S. Department of State, 2010).

The ICA experience between Vietnam and the United States has been eventful, starting with the controversial Operation Babylift in 1975 (Bergquist, 2009) and continuing to the U.S. imposition of a moratorium in 2008. Once again, there were improprieties such as child buying and per-child

commissions paid to the local agents by U.S.-based adoption agencies (Rotabi, 2012). ICAs to the United States from Ethiopia surged from 95 in 2000 to 2,511 in 2010, but they declined to 1,727 in 2011 (a 31 percent drop in a single year) amidst serious concerns about fraud, malfeasance, and child trafficking (Bunkers, Rotabi, & Mezmur, 2012). Two U.S.-based adoption agencies were barred from facilitating ICAs from Honduras in early 2012 (Embassy of the United States, 2012). Our collective experience around the globe suggests that these examples are the tip of the iceberg. Some known cases of misbehavior related to adoption agency conduct are made public by the U.S. Department of State's Web site (<http://www.adoption.state.gov>).

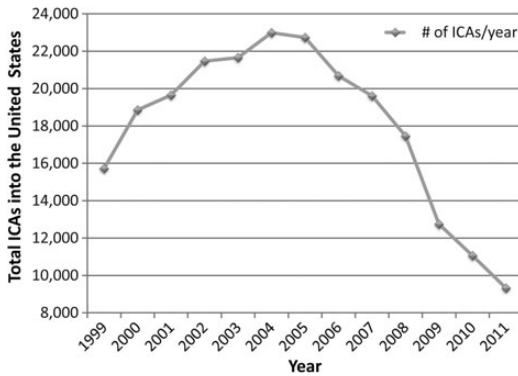
Numerous scholars and practitioners have recommended urgent corrections to these fraudulent and coercive practices (Bailey, 2009; Bergquist, 2012; Bunkers et al., 2009; Freundlich, 2000; Hollingsworth, 2003; Roby & Maskew, 2012; Rotabi & Bergquist, 2010; Triseliotis, 2000). Some observers have argued that without drastic corrections, the viability of ICA is threatened (Wiley & Baden, 2005), although a minority (see Bartholet & Smolin, 2012) have attributed the plummeting ICA numbers to the rising global sentiment against ICA and the difficulties of implementing the 1993 Hague Conference on Private International Law Convention on the Protection of Children and Co-operation in Respect of Intercountry Adoption (Hague Convention), an international agreement tailored to prevent illicit transfers of children through adoption (see Roby & Maskew, 2012).

In either case, the numbers of children arriving in the United States through ICA have decreased by 62 percent, from 22,991 in 2004 to 8,668 in 2012 (U.S. Department of State, 2012) (see Figure 1). Although an in-depth analysis of cause and effect are beyond the scope of this discussion, there is no question that fraud, malfeasance, and corruption—all ingredients for social injustice—have played a major role. Compared to the United States, the other top receiving countries (Spain, France, Italy, and Canada) experienced only a 17 percent decline in ICAs between 2004 and 2010 (Selman, 2012).

STRUCTURAL BARRIERS TO SOCIAL JUSTICE

To address the social justice concerns about ICA, we believe that the discussion must go beyond finger pointing toward honest self-reflection as a

Figure 1: Intercountry Adoptions (ICAs) into the United States, 1999–2011



profession and a solution-focused exploration. Due to the power disparities and economic and cultural hierarchies in countries of origin, we have observed that social injustice is the default condition unless countered through proactive intervention. Therefore, even well-meaning practitioners can find themselves in ethical dilemmas created by structural forces.

Governmental Structures for Facilitating and Regulating ICA

A threshold challenge for U.S.-based practitioners is the current structure of the ICA process in the United States, where ICA is facilitated by licensed private agencies and accredited organizations operating on fees that are paid by prospective adoptive parents (PAPs). This arrangement differs sharply from European and Australian systems, in which a centralized government agency facilitates ICA as a public service ([European Parliament Directorate, 2009](#)), and from the Canadian system that allows private facilitations in only four provinces ([Human Resources and Skills Development Canada, n.d.](#)).

Under the current U.S. system, there is pressure to handle ICA as a PAP-centered business rather than as a service for highly vulnerable families and children in developing countries. This demand-driven orientation increases the vulnerability of children and families in countries of origin; they may be pulled into ICA without full knowledge of the implications or access to alternative social services. Although there was discussion about exclusive public facilitation of ICA during the debates leading up to the Hague Convention ([Parra-Aranguren,](#)

1988), the idea has not gained foothold in the United States. This is most likely because the American public continues to view adoptions as charitable work that belongs largely in the private nonprofit sphere with only procedural approval by the government.

Structural barriers in the countries of origin are much greater than in the United States. All countries but the United States and Somalia have ratified the Convention on the Rights of the Child (CRC) ([United Nations High Commissioner for Human Rights, 1989](#)), which is a United Nations convention on children's rights, including those pertinent to ICA, but most of them have not passed implementation legislation. Under the CRC, ICA is to be used only when a suitable family cannot be found in the country of origin (Articles 20 and 21). In addition, although 84 countries have ratified the Hague Convention, not all of them are implementing it. More fundamentally, as governments struggle with other pressing priorities related to national development, most countries of origin lack a system of family support. Finally, corruption can cripple efforts to carry out ethical and socially just ICAs, as adoption service providers (ASPs) find themselves competing with less scrupulous facilitators who curry favors from orphanage directors with access to children and government officials who are willing to turn a blind eye to questionable practices.

There are no simple answers to these complex structural issues, but some ASPs choose to work only in more established countries with strong legal frameworks and necessary safeguards in place. Other ASPs have diversified their child welfare roles in countries of origin so that their funding base extends beyond ICA activities. They promote child survival and development of domestic options such as family preservation services, foster care, and in-country adoption. However, these services should not be used as a foothold for channeling children into ICA without considering the domestic options in the country of origin. Many ASPs are also involved in advocating for enforceable regulations and transparent procedures.

Disparity of Power between Sending and Receiving Countries

The disparity of power can be found at the national level. In early discussions of social justice issues in the ICA process, [Melone \(1976\)](#) lamented the ethnocentrism involved when a wealthy country takes

advantage of a country of origin that is struggling with poverty, conflict, or disasters by spiriting away its children. He saw large-scale adoption of children by families in wealthy countries from developing countries as a form of aggression. [Freundlich \(1999\)](#) cautioned that the national interests of the country of origin must be considered in the ICA equation and that exploitation must be avoided. [Roby and Ife \(2009\)](#) examined how politics between sending and receiving countries have been interwoven with their ICA relationships. Trade relationships can also shape ICA dynamics between sending and receiving countries ([Breuning & Ishiyama, 2009](#)). Such disparities of power and resources can result in compromises at the international level that can ultimately affect social justice for vulnerable people.

Misperceptions Regarding Poverty

Another ICA-related dilemma is the impulse to “rescue” children from the poverty found in many countries of origin. Poverty is often identified as the leading cause of ICA ([Hollingsworth, 2003](#)). Certainly, extreme poverty can be a crippling barrier to human potential; however, ICA as a solution to poverty is a drastic measure when other less invasive means can be used to assist families and promote child well-being. Interventions that access traditional mechanisms of support such as kin- and community-based efforts and, at a macro-structural level, that target poverty reduction and expand social protection to vulnerable families are being implemented with promising results ([Greenberg, 2009](#)). Emerging research suggests that family support and strengthening programs are a relatively low-cost, culturally appropriate, and sustainable approach to providing children with lasting permanency and preserving families ([Roby & Shaw, 2008](#); [U.S. Agency for International Development Health Care Improvement Project & United Nations Children’s Fund \[UNICEF\], 2008](#)).

A seldom discussed but powerful attitudinal issue related to poverty and social justice that we have noted around the globe is the assumption that poor people are less deserving of raising their children or that individuals at the bottom rung of society will not feel the pain of separation as much as others. This attitude, which is often very subtle and possibly unconscious, is not infrequently demonstrated by those involved in ICA, as seen in the cases of human rights violations described earlier. The social justice perspective calls for an accurate

understanding and acceptance of poverty as the product of the interplay between the multiple layers of the ecosystem surrounding the family, owing much to the structural issues that impose powerful influences. The appropriate mandate in this context requires, at the very least, the avoidance of the exploitation of the poor. Furthermore, it calls for the promotion of policies and programs that will empower vulnerable populations and increase accessible resources.

Cultural Incompetence or Insensitivity

Cross-cultural misunderstanding or disrespect of culturally embedded perspectives—such as what adoption means or what constitutes a “family”—have led to serious problems with ICAs in many regions. For example, birth families in the Marshall Islands and Samoa believed that adoption was only a temporary sharing of a child. This was a natural belief based on millennia of adoption practices within their cultures where adoptions were open and informal and the concept of terminating parental rights had never been instituted ([Roby & Matsumura, 2002](#); [U.S. Department of Justice, 2007](#)). More recently, the same concerns have emerged in Ethiopia ([Bunkers et al., 2012](#)) and elsewhere, as ASPs are not required to provide information and counseling to birth parents, to bridge the gap in their understanding of the implications of adoption, through an uninterested counselor who is fluent in the birth parents’ language and culture.

ASP’s who are culturally less aware assume that the child who does not live with both parents is in need of an adoption, but it is important for them to conduct a careful assessment to determine close relationships and traditional forms of care before considering adoption. The definition of a family varies in countries of origin. Kinship care and other informal forms of alternative care are widely practiced throughout the world as a natural form of family. For example, in many African cultures, kinship care is a social norm that has been practiced for millennia ([Abebe, 2009](#); [Madhavan, 2004](#); [Silk, 1987](#)), blurring lines between nuclear and extended families ([Abebe & Aase, 2007](#); [Foster, 2000](#)). There is also evidence that informal permanency (without government oversight but culturally approved) can be as stable as formal permanency, as demonstrated by *Guddifachaa*, which is a cultural practice of informal adoption in Ethiopia ([Bunkers et al., 2012](#)) that involves a special ceremony and oath-taking in front

of family and community leaders (Beckstrom, 1972). *Guddifachaa* has been used as a family-based alternative for children in two regions of Ethiopia for centuries and was incorporated into the legal language of Ethiopia as the term for adoption (Beckstrom, 1972). Failure to recognize diverse forms of traditional family life can inadvertently deprive the child of existing relationships, community, and culture.

Misconceptions about Orphans and Orphanages

ICA activity has been fueled by the plight of children who are orphaned by conflict, massive political shifts, natural disasters, or extreme poverty, and yet the presumption that such events create orphans in need of new families has been repeatedly challenged (Bergquist, 2012). Even in the face of the AIDS pandemic, research shows that 80 percent to 90 percent of the children who lose one or both parents are being absorbed into the extended family as culturally provided (Lombe & Ochumbo, 2008; Madhavan, 2004). Furthermore, research has consistently shown that the vast majority (80 percent to 90 percent) of children in orphanages have at least one living parent or relative with whom they could be reunited (Csáky, 2009; Williamson & Greenberg, 2010).

Many ASPs recruit children for ICA purposes and keep them in large institutions while awaiting matches with adoptive families, as seen in Ethiopia and Guatemala (Bunkers, et al., 2012; Holt International Children's Services, 2005), despite the negative impact of institutional care. Research findings beginning in the early 1900s (Chapin, 1915, 1926) and culminating in the seminal work by the Bucharest Early Intervention Group (Zeanah et al., 2003; Zeanah, Smyke, Koga, Carlson, & Bucharest Early Intervention Project Core Group, 2005) have highlighted the negative effects of institutional care on children's physical, cognitive, and social development as well as the comparative positive effects produced by family-based care. The evidence strongly suggests that children thrive in families rather than in institutions, early attachment is crucial to children's development, and uninterrupted attachments are optimal. This line of research has guided many of the global child welfare policies and programs, including the Guidelines for the Alternative Care of Children (United Nations General Assembly, Human Rights Council, 2010).

Some residential child care institutions have evolved into holding centers for children recruited for ICA and as fundraising venues. Studies conducted in Cambodia (Holt International Children's Services, 2005) and Ethiopia (Family Health International, Children's Investment Fund Foundation, & UNICEF, 2010) demonstrate clear parallels between the proliferation of residential child care centers and the number of children being channeled into ICAs, with many centers relying exclusively on funding from adoption agencies. Even though institutional care may be the only option immediately available to a child, it should be used as a temporary and last-resort measure (United Nations, 2010). In addition, the rapidly growing specter of "orphan tourism" (Friends International, Save the Children, UNICEF, & La France au Cambodge, n.d.; Richter & Norman, 2010), through which children are displayed, touched, and photographed by strangers and then left behind repeatedly, has been linked to ICA-related ASPs (for example, Bawden, 2009; Jordan, 2012). The primary purpose of orphan tourism is to recruit donors and volunteers for the host institutions, some supported by ASPs and operating for ICA purposes (Bunkers et al., 2012; Holt International Children's Services, 2005). These practices result in exploitation and social injustice, as they violate the dignity and privacy of the children and ignore their developmental and attachment needs. Family-based care is more economical and better serves the children's needs (Williamson & Greenberg, 2010).

Profit Motive

ICA has evolved from its benevolent beginnings as a response to the widespread exigencies of war and natural disasters into what some have labeled an intensely competitive international business (Freundlich, 2000; Kapstein, 2003). This is not surprising when one takes into account the economic aspects of ICA activity from a supply-and-demand perspective. Unlike other international businesses, however, ICA activities tend not to be tightly controlled, and abuse is easy to perpetrate. Although we believe that most ASPs operate with altruistic motives, some ASPs succumb to the profit motive, as demonstrated in the Lauryn Galindo case of the Cambodian adoption scandal in which children were bought and documents falsified to obtain orphan visas (Oreskovic & Maskew, 2008), in the Marshall Islands adoption scandal in which

birth families relinquished custody after being told that the adoptive families would continue to support birth families (Roby & Matsumura, 2002), in the Samoan adoption debacle in which birth families were led to believe that their children were being placed in foster homes (*U.S. vs. Focus on Children*, 2009), and in Guatemala where the identities of children and birth parents were falsified (Bunkers et al., 2009; Siegal, 2011). Each of these cases illustrates several structural issues related to social justice.

Competition for “Adoptable” Children. Currently, there is keen competition for healthy children under the age of two years for placement into ICAs (United Nations, Department of Economic and Social Affairs, Population Division, 2009), which is driven by the desires of adopting families (Oreskovic & Maskew, 2008). This demand has caused successive surges of ICAs, as some ASPs seek points of quick and easy access and quick delivery of healthy infants. Patterns of these surges demonstrate an increased effort by ASPs to find countries with fewer regulations (for example, Bergquist, 2009; Rotabi, 2012), to apply shortcuts such as ignoring licensing requirements (for example, Embassy of the United States, 2012), and to bypass ethical consent processes (this is covered in more detail in the later discussion). These practices ignore established international standards under which children are “adoptable” when (a) ICA will serve their best interest and (b) they are legally eligible (*Hague Conference on Private International Law*, 2008).

Shortcuts in the Child’s Right to a Best-Interest Determination. A child becomes legally available when (a) the child meets the legal qualifications under the laws of the country of origin and the receiving country, (b) the proposed adoption is determined to be in the child’s best interest, and (c) a valid consent process has taken place. All three are independent and essential steps in ICA, but ASPs can misunderstand the separateness of each or find compromising shortcuts. The child’s legal qualifications are only the legal gateway, whereas the determination of the child’s best interest is the psycho-social gatekeeping mechanism for ICAs. The determination of a child’s best interest should be made after the child’s legal eligibility is established but before the parent gives consent to prevent unnecessary termination of parental rights. Unfortunately, neither the CRC nor the Hague

Convention has articulated the components of the “best interest” standard, although many countries of origin have developed a checklist at the procedural or regulatory levels that should be followed. As a secondary resource, the *Guide to Good Practice* by the *Hague Conference on Private International Law* (2008) suggests a number of key considerations in determination of the child’s best interest, such as the individual, familial, cultural, and social contexts of the proposed adoption.

The determination of the child’s best interest should be individualized and contextualized to take into account the child’s entire environment and existing relationships. Of particular importance is the subsidiarity principle, grounded on the ecosystems model (Bronfenbrenner, 1999), and discussed in the *Guide to Good Practice* (*Hague Conference on Private International Law*, 2008). This principle recognizes that when the birth family experiences a crisis, the respective systems—such as the extended family network, community resources, and domestic permanency options—are the natural lines of protection for the child. ICA is an option for a child whose birth family cannot provide care and after consideration has been given to families in the country of origin. The best-interest determination should be made by independent qualified experts, never by the ASP, to avoid conflict of interest and compromise of the integrity of the report.

The role of birth families in the child’s best-interest determination should also be considered. Research shows that most birth parents agonize over the decision to place a child for adoption, and many struggle to weigh their perception of serving the child’s best interest through adoption against their sense of loss and grief (Wiley & Baden, 2005). Socially just practices suggest that birth parents in developing countries should be provided with the right to fully consider the child’s best-interest issue through professional counseling and support; if they choose adoption, they should receive similar rights as birth families choosing adoptive placements for their children in U.S. domestic adoptions.

Consent Process. The consent process is of unparalleled importance in the consideration of social justice in ICA practice. It is the culminating point at which the disparity of power, structural deficiencies, cultural incompetence or disrespect, and prejudicial attitudes result in the most significant consequence—the permanent termination of the parent-child relationship. A valid consent should be

both informed and voluntary: an *informed* consent is based on birth parents or pertinent, legal guardians (and the subject children who are mature enough, as defined by the national laws, or in the absence of such laws, as determined by trained child experts) having all necessary knowledge to make the decision; a *voluntary* consent can only occur in the absence of inducement, deception, fraud, or coercion in any form. Fraud is perpetrated when the person giving consent has received false or incomplete information, such as a promise of continued contact when the promise is not enforceable (U.S. Department of Justice, 2007). Inducements can be in the form of money, gifts, or promises of future opportunities. Coercion can be in the form of psychological pressure, for example, pointing out that it is wrong to deny the child a better life (Roby & Matsumura, 2002). Fraud and inducement can also be perpetrated against or by government officials. Providing counseling by a qualified and uninterested party, educating the parents about the consequences of consenting, following ethical guidelines even in the absence of laws and regulations, and taking the utmost care to extend full protection that clients deserve can stem much of the potential abuse.

At a broader level, it can be further argued that when the country of origin offers no family support services for birth parents in extreme poverty, the concept of voluntary consent is strained. The lack of a true choice in parenting one's children suggests an element of coercion and social injustice. Although this article is focused on the responsibilities of ASPs based in the United States, the primary responsibility for supporting families in raising their children rests on the countries of origin. In several studies, caregivers in developing countries have indicated that their greatest household needs are school-related materials, food, and health care (UNICEF, 2003; Roby & Shaw, 2008). Thus, social justice considerations should include advocacy for providing access to these basic needs in preventing family separation.

CONCLUSION

The ICA process is fraught with structural barriers to social justice, but properly conducted ICAs are possible as a permanency option for children in need of families. Although the countries of origin have the responsibility to assist families and to provide a holistic child protection framework, many are not yet willing or able to do so. Working in

this context of weak policies and insufficient safety net services, those who are engaged in ICA practices have a great responsibility.

As gatekeepers and facilitators of complex and fast-changing ICA processes, social workers in the United States must accept the responsibility of upholding and promoting social justice at home and abroad. This requires careful attention to what is known about ICA and the social ecology of the practice, including concerns about human rights, lack of regulatory structures, gender inequalities, and traditional family life that interfaces with market demands for healthy children. The CRC, although not ratified by the United States, provides nearly universal standards, and the Hague Convention and the U.S. implementation regulations provide further conceptions of protecting the best interests of the child. Balancing these new requirements with the pushes and pulls of the U.S. adoption agency model is a challenge and requires unyielding commitment to social justice above expediency and the economic bottom line, especially in the face of adoption agency or organizational survival. Research focused on policy and practice is essential as the profession continues to define ethical engagement in ICA in this era of reform. This responsibility is enlarged for the U.S. social work community, as they are the professionals who represent the largest receiving country of children adopted across national borders. As emphasized by Rawls (1971), social justice calls for the protection of the most vulnerable—in this case, the children and families of the countries of origin. **SW**

REFERENCES

- Abebe, T. (2009). Orphanhood, poverty and the care dilemma: Review of global policy trends. *Social Work and Society*, 7(1), 70–85. Retrieved from http://www.socwork.net/2009/1/special_issue/abebe/SI_Abebe.pdf
- Abebe, T., & Aase, A. (2007). Children, AIDS and the politics of orphan care in Ethiopia: The extended family revisited. *Social Science and Medicine*, 5, 1058–1069.
- Bailey, J. D. (2009). Expectations of the consequences of new international adoption policy in the U.S. *Journal of Sociology & Social Welfare*, 36(2), 169–183.
- Bainbridge, B. (2003). *U.S. adoption agent guilty of visa fraud*. Retrieved from <http://poundpuplegacy.org/node/30559>
- Bartholet, E., & Smolin, D. (2012). The debate. In J. L. Gibbons, & K. S. Rotabi (Eds.), *Intercountry adoption: Policies, practices, and outcomes* (pp. 233–251). Surrey, England: Ashgate.
- Bawden, A. (2009, November 23). Save the Children claims most 'orphans' have living parent. *The Guardian*. Retrieved from <http://www.theguardian.com/society/2009/nov/24/save-the-children-orphans-report>

- Beckstrom, J. H. (1972). Adoption in Ethiopia ten years after the civil code. *Journal of African Law*, 16, 145–168.
- Bergquist, K. (2009). Operation Babylift or Babyabduction? Implications of the Hague Convention on the humanitarian evacuation and “rescue” of children. *International Social Work*, 52, 621–633.
- Bergquist, K.J.S. (2012). Implications of the Hague Convention on the humanitarian evacuation and “rescue” of children. In J. L. Gibbons & K. S. Rotabi (Eds.), *Intercountry adoption: Policies, practices, and outcomes* (pp. 43–54). Surrey, England: Ashgate.
- Breuning, M., & Ishiyama, J. (2009). The politics of intercountry adoption: Explaining variation in the legal requirements of sub-Saharan African countries. *Perspectives on Politics*, 7(1), 89–101.
- Brofenbrenner, U. (1999). Environments in developmental perspectives: Theoretical and operational models. In S. L. Friedman & T. D. Wachs (Eds.), *Measuring environment across the life span: Emerging methods and concepts* (pp. 3–28). Washington, DC: American Psychological Association Press.
- Bunkers, K. M., Groza, V., & Lauer, D. P. (2009). International adoption and child protection in Guatemala: A case of the tail wagging the dog. *International Social Work*, 52, 649–660.
- Bunkers, K. M., Rotabi, K. S., & Mezmur, B. (2012). Ethiopia: Intercountry adoption risks and considerations for informal care. In J. L. Gibbons & K. S. Rotabi (Eds.), *Intercountry adoption: Policies, practices, and outcomes* (pp. 131–142). Surrey, England: Ashgate.
- Chapin, H. D. (1915). Are institutions for infants really necessary? *JAMA*, 64(1), 1–3.
- Chapin, H. D. (1926). Family vs. institution. *Survey*, 55, 485–488.
- Council on Accreditation. (2007). *Hague accreditation and approval standards*. New York: Author. Retrieved from http://www.coanet.org/files/Hague_Accreditation_and_Approval_Standards.pdf
- Council on Social Work Education. (2008). Educational policy and accreditation standards. Retrieved from <http://www.csw.org/File.aspx?id=13780>
- Csáky, C. (2009). *Keeping children out of harmful institutions: Why we should be investing in family-based care*. Retrieved from http://www.savethechildren.org.uk/sites/default/files/docs/Keeping_Children_Out_of_Harmful_Institutions_Final_20.11.09_1.pdf
- Dickens, J. (2012). Social policy approaches and social work dilemmas in intercountry adoption. In J. L. Gibbons & K. S. Rotabi (Eds.), *Intercountry adoption: Policy, practice, and outcomes* (pp. 7–28). Surrey, England: Ashgate.
- Dubinsky, K. (2010). *Babies without borders: Adoption and migration across the Americas*. Toronto: University of Toronto Press.
- Embassy of the United States. (2012, January 30). *Message for U.S. citizens—Barring of two U.S. adoption agencies by IHNFA*. Retrieved from http://honduras.usembassy.gov/message_013012.html
- European Parliament Directorate. (2009). *General internal policies, policy department citizens rights and constitutional affairs. International adoption in the European Union. Final report* (p. 130). Brussels, Belgium: Author.
- Family Health International, Children’s Investment Fund Foundation, & UNICEF. (2010). *Improving care options for children in Ethiopia through understanding institutional childcare and factors that drive institutionalizations*. Retrieved from <http://www.crin.org/docs/Ethiopia%20Child%20Care%20Institution%20Study%20report-FHI-Jun'10.pdf>
- Foster, G. (2000). The capacity of the extended family safety net for orphans in Africa. *Psychology, Health & Medicine*, 5(1), 55–62.
- Fraser, N. (2008). *Scales of justice: Reimagining political space in a globalising world*. Cambridge, England: Polity Press.
- Freundlich, M. (1999). Families without borders. *U.N. Chronicle*, 1(2), 88–90.
- Freundlich, M. (2000). Market forces: The issues in international adoption. In M. Freundlich (Ed.), *Adoption and ethics: The role of race, culture, and national origin in adoption* (pp. 37–66). Washington, DC: Child Welfare League of America.
- Friends International, Save the Children, UNICEF, & La France au Cambodge. (n.d.). *Children are not tourist attractions*. Retrieved from <http://www.thinkchildsafely.org/thinkbeforevisiting/>
- Greenberg, A. (2009). Strengthening the social welfare sector—expanding the reach and effectiveness of cash transfers. *Vulnerable Children and Youth Studies*, 4(1), 81–85.
- Hague Conference on Private International Law. (1993, May 29). *Convention on protection of children and co-operation in respect of intercountry adoption*. Retrieved from http://www.hcch.net/index_en.php?act=conventions.pdf&cid=69
- Hague Conference on Private International Law. (2008). *The implementation and operation of the 1993 Hague Intercountry Adoption Convention: Guide to good practice. Guide no. 1. Family law*. Bristol, England: Author. Retrieved from http://www.hcch.net/upload/adoguide_e.pdf
- Hollingsworth, L. D. (2003). International adoption among families in the United States: Considerations of social justice. *Social Work*, 48, 209–217.
- Hölscher, D. (2012). Social justice. In L. M. Healy & R. J. Link (Eds.), *Handbook of international social work* (pp. 44–51). New York: Oxford University Press.
- Holt International Children’s Services. (2005). *Cambodia orphanage study September 2005*. Retrieved from http://pdf.usaid.gov/pdf_docs/PNADI624.pdf
- Human Resources and Skills Development Canada. (n.d.). *Intercountry adoption services*. Retrieved from http://www.hrsdc.gc.ca/eng/community_partnerships/international_adoption/publications/2006/canadian_issues.shtml
- Jordan, M. (2012, April 28). Inside Ethiopia’s adoption boom. *Wall Street Journal*. Retrieved from <http://online.wsj.com/article/SB10001424052702304811304577368243366708110.html>
- Kapstein, E. B. (2003). The baby trade. *Foreign Affairs*, 82(6), 115–125.
- Lombe, M., & Ochumbo, A. (2008). Sub-Saharan Africa’s orphan crisis: Challenges and opportunities. *International Social Work*, 51, 682–698.
- Madhavan, S. (2004). Fosterage patterns in the age of AIDS: Continuity and change. *Social Science & Medicine*, 58, 1443–1454.
- Melone, T. (1976). Adoption and the crisis in the third world: Thoughts on the future. *Chronicle*, 28, 20–25.
- National Association of Social Workers. (2008). *Code of ethics of the National Association of Social Workers*. Retrieved from <http://www.socialworkers.org/pubs/code/code.asp>
- Oreskovic, J., & Maskew, T. (2008). Red thread or slender reed: Deconstructing Prof. Bartholot’s mythology of international adoption. *Buffalo Human Rights Law Review*, 147, 71–128.
- Parra-Aranguran, G. (1988). *Explanatory report on the Convention on the Protection of Children and Co-operation in Respect of Intercountry Adoption*. Retrieved from <http://www.hcch.net/upload/expl33e.pdf>
- Rawls, J. (1971). *A theory of justice*. Cambridge, MA: Harvard University.

- Richter, L., & Norman, A. (2010). AIDS orphan tourism: A threat to children in residential care. *Vulnerable Children and Youth Studies*, 5(3), 217–229.
- Roby, J. L., & Ife, J. (2009). Human rights, politics, and intercountry adoption: An examination of two sending countries. *International Social Work*, 52, 661–672.
- Roby, J. L., & Maskew, T. (2012). Human rights considerations in intercountry adoption: The children and families of Cambodia and the Marshall Islands. In J. L. Gibbons & K. S. Rotabi (Eds.), *Intercountry adoption: Policies, practices, and outcomes* (pp. 55–66). Surrey, England: Ashgate.
- Roby, J. L., & Matsumura, S. (2002). If I give you my child, aren't we family? A study of birthmothers participating in Marshall Islands–U.S. adoptions. *Adoption Quarterly*, 5(4), 7–31.
- Roby, J. L., & Shaw, S. A. (2008). Evaluation of a community-based orphan care program in Uganda. *Families in Society*, 89(1), 119–128.
- Rotabi, K. S. (2012). Fraud in intercountry adoption: Child sales and abduction in Vietnam, Cambodia and Guatemala. In J. L. Gibbons & K. S. Rotabi (Eds.), *Intercountry adoption: Policy, practice, and outcomes* (pp. 7–28). Surrey, England: Ashgate.
- Rotabi, K. S., & Bergquist, K. J. S. (2010). Vulnerable children in the aftermath of Haiti's earthquake of 2010: A call for sound policy and processes to prevent international child sales and theft. *Journal of Global Social Work Practice*, 3(1). Retrieved from <http://www.globalsocialwork.org/vol3no1/Rotabi.html>
- Selman, P. (2012). The rise and fall of intercountry adoption in the 21st century: Global trends from 2001 to 2010. In J. L. Gibbons & K. S. Rotabi (Eds.), *Intercountry adoption: Policy, practice, and outcomes* (pp. 7–28). Surrey, England: Ashgate.
- Siegal, E. (2011). *Finding Fernanda: Two mothers, one child, and a cross-border search for truth*. Oakland, CA: Cathexis Press.
- Silk, J. (1987). Adoption and fosterage in human communities: Adaptations or enigmas? *Cultural Anthropology*, 2(1), 39–49.
- Triseliotis, J. (2000). Intercountry adoption: Global trade or global gift? *Adoption & Fostering*, 24(2), 45–54.
- United Nations Children's Fund (UNICEF). (2003). *Africa's orphaned generations*. New York: United Nations.
- United Nations, Department of Economic and Social Affairs, Population Division. (2009). *Child adoption, trends and policies* (ST/ESA/SER.A/292). New York: United Nations.
- United Nations General Assembly, Human Rights Council. (2010, February 24). *Guidelines for the alternative care of children* (A/Res/64/142). Retrieved from <http://www.unicef.org/protection/files/100407-UNGA-Res-64-142.en.pdf>
- United Nations High Commissioner for Human Rights. (1989). *United Nations Convention on the Rights of the Child*. Retrieved from <http://www2.ohchr.org/english/law/crc.htm>
- U.S. Agency for International Development Health Care Improvement Project & United Nations Children's Fund (UNICEF). (2008). *Quality Assurance Project: The evidence base for programming for children affected by HIV/AIDS in low prevalence and concentrated epidemic countries*. Bethesda, MD: University Research.
- U.S. Department of Justice. (2007). *Focus on Children fact sheet on adoption fraud case*. Retrieved from http://www.brandeis.edu/investigate/adoption/docs/DOS_fact_sheet_on_Focus_on_Children_Adoption_Fraud_Case_3-1-07.pdf
- U. S. Department of State. (2010). *Alert: Guatemala pilot program*. Retrieved from http://adoption.state.gov/country_information/country_specific_alerts_notices.php?alert_notice_type=alerts&alert_notice_file=guatemala_8
- U.S. Department of State. (2012). *Intercountry adoption*. Retrieved from http://adoption.state.gov/content/pdf/fy2011_annual_report.pdf
- U.S. vs. *Focus on Children, sentencing press release*. (2009). Pound Pup Legacy Web site. Retrieved from <http://poundpuplegacy.org/node/30034>
- Wiley, M. O., & Baden, A. L. (2005). Birth parents in adoption: Research, practice, and counseling psychology. *Counseling Psychologist*, 33, 13–50.
- Williamson, J., & Greenberg, A. (2010, September). *Families, not orphanages* [Better Care Network working paper]. Retrieved from <http://www.bettercarenetwork.org/docs/Families%20Not%20Orphanages.pdf>
- Zeanah, C. H., Nelson, C. A., Fox, N. A., Smythe, A. T., Marshall, P., Parker, S., & Koga, S. (2003). Effects of institutionalization on brain and behavioral development: The Bucharest Early Intervention Project. *Development and Psychopathology*, 15, 885–907.
- Zeanah, C. H., Smyke, A. T., Koga, S. F., & Carlson, E., Bucharest Early Intervention Project Core Group. (2005). Attachment in institutional and community children in Romania. *Child Development*, 76, 1015–1028.

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