INTRO

Conf title a stimulus to first principles thinking: What if took seriously Justice to next generations? If took their Rights as seriously as Existing Adult Rights?

Thought Experiment: 8-12 million kids in Institutions: What if took 8-12 million Childless Young Adults & proposed Sterilizing, denying Parenting opportunity?

- Predictable Outrage
- Yet 8-12 million Kids in Institutions, denied most basic of Human Rights – to be Parented; predictable that if grow up they will be incapable of Parenting next generation
  - Relative Importance of Parenting/Being Parented??
  - Many unparented kids literally won’t make it, life & death difference
- More millions “orphaned” (145 million single & double) & many of these w/o Parents in any real sense
- Where’s the Outrage over Unparented??

More Thought Experiments:
Congress Magnitsky Bill – outrage over violation of One Adult triggers bill which in turn triggers IA shutdown
  o What if Russia sterilized 650,000 adults – Level of Outrage?
  o What if Guatemala sterilized some 5000 adults per year – Outrage level?
  o What if UNICEF provided services to promote sterilization of hundreds of thousands per year? Would Congress continue to fund without Q?

Yet No Outrage, no action by Congress, when Kids not Adults at stake
  o when IA shut down by Russia condemning 650,000
  o same by Guatemala condemning 5000/yr
  o UNICEF systematically shuts down IA from any large sending country condemning all to institutions

Net: Kid interests, Intergenerational Justice concerns don’t count as vs Adult interests

MY THESIS

If concerned with Intergenerational Justice, would:

  ■ Limit/discourage Procreation: no need for more kids; aren’t caring for those we have; focus on existing (and those definitely to-be-born)
  ■ Encourage Adoption
  ■ More Child Welfare to support Existing Unparented

Instead, we do the opposite:

  ■ Encourage Procreation: Subsidies, Free Market, including for ART; even when restrict in some countries, allowed internationally and so virtually allowed for all – eg Commercial Surrogacy – medical tourism
    o Gather from Pamela paper Israel extreme version of pronatalist policy – state payment for 2 IVF babies, while no concern re problematic status of those born by ART
- Discourage Adoption, both Domestic and especially IA: by overreg, by hostile reg (deliberate shutdowns of IA)
  - Note IA key if want to provide Kids with Parents bc socioeconomics of world
- Grossly Limited Child Welfare for Existing Unparented (and poor)

BUT IS IA PROBLEMATIC? SAID TO BE SO by most Intnat’l “Human Rights/Child Rights” orgs and many others – many Sending & Receiving countries

Not from Child viewpoint: see social science & common sense

Shutdowns of IA have nothing to do with BIC or with “abuses” but only to do with Adult Interests: National Interests – Sending & Receiving, UNICEF organizational interests

Russia: an outrage but at least helps illustrate total cynicism and adult orientation of IA Shut Downs

- Shutdown bc violation of Magnitsky human rights; Tit for Tat – revenge on Americans; no pretense anything else, bolstered by National pride more generally, see e.g. Russia’s Child Rights Commissioner, big proponent of ban, want to extent to all IA: “I think any foreign adoption is bad for the country.”

- Easy to condemn Russia gross Human Rights violation as way of revenging insult to their pride; But do WE take Human Rights seriously?

  - Is Cong now concerned re violation of 100s of thousands Russian kids human rights? Yes but How Concerned? Enough to take action vs Russia?
  - Congress concerned re systematic violation of Kid rights by IA shutdowns elsewhere? No, it helps facilitate both by support of UNICEF and by own DOS actions
Russia extra facts:
  o 650,000 in institutions (incl foster care); 6,600 domestic Adoptions in Russia in 2011 – 10%
  o US adoptions more than 45,000 since 1999; some dozen documented Abuses – 0.0002% of total are problems?

Other Shutdowns: All large sender countries:
  o Romania
  o Guatemala & rest of South America
  o Ethiopia
  o Recent African Conference:
    ▪ “African Child Policy Forum”: Trend now Africa so shut down;
    ▪ see also UNICEF same position along with Save the Children, etc: The Way Forward conference Ethiopia 1 yr ago

NET OF WHAT’S HAPPENING:

CHART: an outrageous demonstration of Intergenerational INjustice for Children: Gross Human Rights Violation: if Adults involved would be talked about in Holocaust terms
  o US fallen by 2/3 since 2004
  o Rest of world by more than 1/3

CONTRAST INTERNATIONAL SURROGACY POLICY & other ART policy
  o India, Russia: shut down or limit IA while Green Light, Facilitative Regulation for International Surrogacy
  o Ertman paper: ART created more than 1 million Amer families in past ½ century; while we discourage Americans from adopting here & abroad
CONCLUSION: Let’s take Intergenerational Justice for Kids seriously – if did would do best to provide Child Welfare and Families for Unparented including through IA