

## Limits on Transracial Adoption Hurt Children

To the Editor:

"Black Children, White Parents" (editorial, Nov. 27) and "Debate on Race and Adoptions Is Being Reborn" (news article, Oct. 24), dealing with race-matching policies in adoption, have been seriously misleading and inaccurate in describing the issues and the legislation introduced by Senator Howard M. Metzenbaum now pending before the United States Senate. Your articles describe this legislation as prohibiting the use of race to prevent adoptive placement, and give the impression that opposition to the bill is limited to those who oppose transracial adoption.

It is true that this legislation was originally developed in recognition of the fact that child welfare workers throughout the country are holding children of color in foster and institutional care for years at a time rather than placing them in permanent adoptive homes, solely because of their reluctance to place children transracially. It is also true that the legislation Senator Metzenbaum introduced last spring was designed to deal with this problem, and prohibited the use of race to delay, deny or otherwise discriminate in adoptive placement.

However, the current version of this legislation, a result of pressure by the National Black Social Workers Association and the North American Council on Adoptable Children, which oppose transracial placement under any circumstances, would make things worse, not better, for the black children now condemned to foster limbo. This version endorses race matching, prohibits only "undue" delay, and would permit social workers to choose "long-term foster care" in preference to adoption.

Dozens of law professors across the country and across the political spectrum have signed a letter to the United States Congress urging rejection of this legislation as "unwise, intolerable and unconstitutional." Many responsible adoption leaders are actively opposing this legislation.

ELIZABETH BARTHOLET  
Cambridge, Mass., Nov. 30, 1993

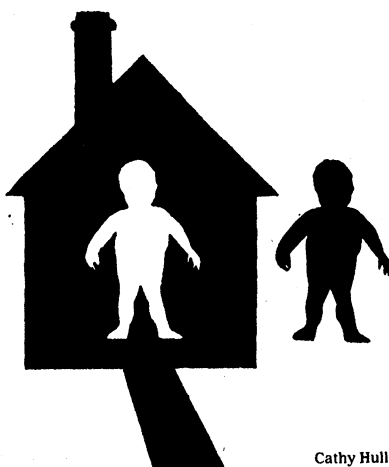
*The writer, professor of law at Harvard Law School, is the author of "Family Bonds: Adoption and the Politics of Parenting" (1993).*

### No to Race Preferences

To the Editor:

"Black Children, White Parents" (editorial, Nov. 27) begins well enough by reporting a recent study that shows black children adopted by white parents do not suffer the kinds of harm that the National Association of Black Social Workers proclaimed when it branded such transracial adoptions "genocide." Indeed the study you report, that these adopted children have a perfectly wholesome sense of identity, accords with the weight of dispassionate research.

Unfortunately you go on to repeat the canard that "clearly, matching adoptive parents with children of the same race is a good idea." Why is this so clear? Lurking behind this unproven assumption is the same logic that held that "clearly" blacks and whites should serve in segregated military units. Or, "clearly" it is preferable not to award custody of a child to a parent who after divorce entered an interracial marriage — a judgment



Cathy Hull

the Supreme Court many years ago ruled unconstitutional.

Of course, as you rightly advocate, black couples should be more actively recruited as adoptive parents, and criteria that inappropriately and disproportionately disqualify them should be revised. But mandating, or even explicitly authorizing preferences based on race, as the Metzenbaum bill you support would do, is to place in the hands of a militant, hostile social-worker bureaucracy a de-

vice that will easily be used to perpetuate the very situation you deplore.

Also, you fail to recognize that this bill would permit substantial periods of delay solely because no race-matched adoption is available. Nor does your unexplained remark that the bill is supported "by Senator Carol Moseley-Braun, Democrat of Illinois, who is black" serve to allay this concern or lend authority to your judgment.

CHARLES FRIED  
Cambridge, Mass., Nov. 29, 1993

*The writer, professor of law at Harvard Law School, was Solicitor General of the United States, 1985-89.*

### Foster Care Limbo

To the Editor:

"Black Children, White Parents" (editorial, Nov. 27), about the politics of race-matching policies in adoption, fails to address the impact these policies have on the lives of thousands of black children who are left without families. The fate of these children and not their ethnicity or the ethnicity of their parents should determine policy, not politics or ideology.

Black children can spend an average of three years in the limbo of foster care before the determination is made that adoption is the best option for them. The fastest growing age group entering foster care is the very young child. For these children the average stay is more than seven years. Imagine: seven years without a permanent home. Black children wait twice as long for an adoptive home as white children. Is this equal protection under the law?

The fate of black children rests in policies that will address their needs as children. These needs are basic to their emotional, physical and intellectual development and are inconsistent with the politics of race. Black children (like white children) need to grow up in families and in homes with loving parents.

Policies that move these children out of institutions and into homes must make the child's best interests paramount. To do anything else is to care more about racial politics than about the fate of the next generation.

CAROL STATUTO BEVAN  
Director of Public Policy  
National Council for Adoption  
Washington, Dec. 2, 1993