

Children Without Mothers:  
Questioning Argentina's Ban On International Adoption

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During the time I spent volunteering there, Argentina's Arco Iris Hogar Para Niños housed ten children ranging in age from one to thirteen in two tiny bedrooms. They shared three bunk beds and one regular twin bed between them, and sleeping accommodations weren't all the place was lacking. On my first day, I walked in on these kids playing with some sticks and three marbles. They had just finished their daily breakfast of warm milk and a piece of bread. Some had parents who had died or were drug addicts. One kid was there simply because his father's new girlfriend made him choose between her or his son. In selfishness he chose her, and the little boy lost his family in the same instant that his father got a new one.

I never felt more fortunate than I did in that moment. Sure, I had seen pictures of children worse off than they were, but right then abandonment and poverty became real to me. I am lucky in comparison to those kids, and I knew that they were still lucky in comparison to millions more children who don't have marbles, or milk, or a roof over their heads. In 2005, there were somewhere around 690,000 orphaned children aged 0-17 in Argentina (UNICEF). Some, like the children I met, skate by on the bare necessities provided to them in orphanages. Many more live on the street.

When I first met these poor kids, these pobrecitos, I was bombarded with the sort of questions I was expecting. They wanted to know my name, age, nationality, if I had children. Right after those, though, came a question I wasn't ready for.

“Tenés una mamá?”

Do you have a mother? I’ve never been asked a question with an easier answer, nor one more difficult to actually answer. I do, but saying so to him so nonchalantly seemed insensitive to his predicament. Lying to him didn’t seem right though, and I didn’t think the idea that I don’t have a mother either would make him feel any better.

“Yes, yes I have a mother.”

I was right. In fact, he was so excited about the news that he immediately began to draw a picture for her (with crayons and paper I had provided) as if she were his mother too. A few minutes later he handed me a drawing of a tree addressed to “mamá”.

For those of us who have one, the word “mother” is attached to a face, a voice, and maybe even a few favorite meals. The picture in my hand made me realize that for children who never met or don’t remember their own, the word is attached to a concept rather than a specific person. They seem to think that if a woman is a mother she must have experience in the field and a certain applicable skill set, therefore she could just as easily be their mother as anyone else’s. I then realized why they had asked me if I had children. Once they established that I wasn’t a mother, their next best link was to mine.

Even though my lack of offspring had made me fail their qualifying interview, within a couple of weeks’ time they were calling me “mamá” anyway. This made it even harder to leave them, as I wondered about their fates. Almost 50% of Argentinean children are poor (Lebanca). 22% of them aged 6-14 are involved in child labor, even though the practice is technically illegal. The disadvantages of not having parents don’t cease just because one comes of age. High school is not mandatory in Argentina, and in 2003 more than 19% of the population 15-24 didn’t go to school or have a job

(“Argentina’s Social Situation”). According to a survey conducted under the minister of Social Development in Buenos Aires, 35% of the jobless, uneducated youth interviewed speculated that they would be dead or excluded from society within five years (Lara). That outlook on life is a burden that the vast majority my peers and I have never had to bear. While most of us have parents, or at least someone, who would bail us out at the brink of certain death (hopefully sooner), they often have no one.

It’s hard to know exactly what the situation is currently, or how it will ever be improved. For some reason, concrete and updated statistics aren’t even readily available to policymakers (UNICEF). My experiences led me to contemplate ways to alleviate the present and future suffering of both my Arco Iris kids and others like them. I learned about a girl named Amanda who had volunteered there in 2006 and had similar sentiments. She started a program that raised money to support them, and then paid for things such as backpacks, clothes, books, food, and caretaker salaries with donations she received. As far as I can tell from her website, the program lasted from about May 2007 to June 2008. By the time I arrived in September of 2008, the donated clothes were raggedy, and food was again in short supply. While I was there, one of the caretakers left because the owner couldn’t pay her salary. I never found out for sure, but I wondered if it was because they had become so dependent on the now depleted donations.

I admire Amanda’s efforts and believe they are to be commended, but I couldn’t help but notice that the children were back in a situation which was probably similar to the one she found them in. I wanted to do something more permanent. Having a mother, I had learned, was always on their minds. I knew that a good set of parents could be the lasting solution I was looking for. I had a blog filled with pictures and stories sure to touch the heart of anyone. I personally would have adopted one (or all) of them had I

been old enough and had sufficient resources to support them. I knew it would be difficult, but I envisioned finding homes for all of them.

Whether or not I would have been successful, my vision was over before it even started. Argentina has strict adoption laws. It takes years to get custody of a child even domestically, and international adoption is completely illegal. The laws just don't seem congruous with the country's ever-growing population of orphans. Some opponents of international adoptions say bans should be in place to keep children grounded to their cultural roots (United States 54). While I admit this is important, the opportunity to get off of the street and into a caring household seems well worth the distancing from culture that would come with life in a new home abroad.

Probably a more accurate reason for the laws is the very real fear of human trafficking. Across the world and including in Latin American countries like Argentina, children are bought and sold into labor and prostitution, often under the guise of adoption. For fear of more of the country's children ending up like that, they ban international adoption altogether. Supporters of the 2nd Amendment have a slogan – “If you outlaw guns, only outlaws will have guns.” It seems to me that a similar logic could apply in this situation – if you make international adoption illegal, you will more than likely prevent kids from going to the homes of good, law-abiding citizens overseas ready to become parents. However, the people despicable enough to traffic human beings aren't going to be worried about the laws, and will continue their awful practice anyway.

One could argue that legalizing international adoption in Argentina would make it even easier for traffickers to use that as a guise, but there has to be some way of regulating it. In a hearing concerning Romania's ban on international adoption, Thomas Atwood, President and CEO of the National Council for Adoption, argued that the ban

was not in the best interests of Romania's children. He suggests that "transitioning to the Hague Convention and initiating other targeted reforms, prosecutions, and enforcement efforts ... could address the problems [of inter-country adoption.]" (United States 48).

The Hague Adoption Convention is an international agreement outlining adoption guidelines, signed by the United States in 1994. Atwood's statements about it and other solutions for Romania could just as easily be applied to Argentina. Perhaps it is the quickest "solution" to child trafficking to just outlaw adoption entirely, but I think these children are worthy of an investigation into whether they're being sent off to a brothel, or truly to one of those wonderful mothers they've heard so much about.

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