PATTERNS OF SHARED PARENTHOOD AMONG THE BRAZILIAN POOR

(First appeared in Social Text, vol.21(1): 111-127, 2002 -- edição especial, *Transnational adoption*, org. by Toby Alice Volkman & Cindi Katz).

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By the end of the 1980s, just as in numerous other donor countries, it was to a great extent the increasing presence of foreign adoptive parents which lead Brazilian policy makers to turn their attentions to the plight of the country's children and refine policies concerning in-country adoption. At the time, Brazil was in fourth place among the world's largest furnishers of internationally adopted children (behind Korea, India and Colombia). To the growing consternation of government authorities, by the early nineties, more and more Brazilian children were being legally adopted by people in France, Italy, and – to a lesser extent – the United States (Kane 1993) [1]. Rumor had it that even greater numbers of children were being smuggled illegally over the borders. However, despite lingering tendencies in the poorer and more remote parts of the country, by 1994, the tide of international adoption had turned, reducing the outgoing flow of children to a slow trickle[2].

A series of factors contributed to the decline of intercountry adoption in Brazil. Local-scale influences included nationalistic zeal against what was seen by many as a predatory threat from abroad, the enforcement of increasingly stringent legislation (including widely-publicized jail sentences handed out to public officials involved in irregularities), and the growing popularity of national adoption. On the global level, one should not ignore the importance of international legislation aimed explicitly at curtailing the South-North flow of children[3], as well as the sudden availability for adoption of an immense number of Chinese and Russian children (see Fonseca, forthcoming).

Although, today, Brazil is no longer counted among the world's major furnishers of internationally adopted children, a close look at local child-raising practices and national policies on adoption still raises many issues relevant to the field. For example, fifteen years of intensive intercountry adoptions left its mark on national legislation. A clause in the country's 1990 Children's Code stating that poverty alone should, under no circumstances, justify the loss of parental authority has been attributed by certain analysts (Abreu 2002) to the reaction against the plundering of Brazilian children by "rich" foreigners[4]. Another even more consequential legacy of Brazil's experience with intercountry adoption concerns the high value placed by contemporary policy-makers on in-country adoption, and in particular, plenary adoption[5], seen by many as the ideal solution for children in dire need. In this sense, it would seem that, although the wave of intercountry adoption has receded, it has left in its wake, embedded in contemporary legal regulations, certain globalized principles based on the modern, nuclear family which may or may not be relevant to many of the country's citizens.

The possible difference explored here between national adoption legislation, in tune with cosmopolitan sensitivities, and local-level practices is highly relevant to general debates in the field of intercountry adoption. In many respects, the ethnographic material presented here portrays a reality similar to that described in other Third World countries which continue sending children abroad[6]. Furthermore, the gap, in Brazil, between national legislation and local-level sensitivities may be taken as symptomatic of the even wider gap between values embedded in international conventions on intercountry adoption and those of poverty-stricken sending families in Third World countries.

Elsewhere, I have considered in greater detail the attitude of foreign adoptants (Fonseca 2001) as well as the evolution of Brazilian adoption laws (2002). In this article, on the basis of my ethnographic fieldwork among the urban poor of Porto Alegre, Brazil[7], I dwell on examples which illustrate local child-raising dynamics. Pointing out how extremely poor women resort to a wide range of strategies - from charitable patrons and state-run boarding schools to mutual-help networks involving a form of shared parenthood - my purpose is to contribute to the rethinking of national as well as intercountry adoption from the bottom up.

A helping hand

I was drawn to the subject of lower-income families not exactly by design, but by force of circumstances. It was in the early 1980s. I had recently settled in Porto Alegre with my ("native") husband and two toddlers, and was preparing my first classes of anthropology to be given at the federal university when the doorbell rang. On my front porch, I encountered a gaggle of youngsters, ranging from ages four to ten, who appeared to be in a skirmish about who was to hold a slightly dented toy, plastic truck. A sprightly pre-teen, the evident leader of the pack, after attempting to shush her juniors, turned to me in a business-like fashion: "Good afternoon, neighbor. Could you give us a hand (dar uma mão)? Would you have any table scraps, empty bottles or old newspapers for us to take home?"

This young Afro-Brazilian girl, whom I came to know as Luciana, was my first entrance into the squatter settlement where she lived about a half mile away. As she and a varying group of youngsters added me to their list of "customers", coming to frequent my house on a near-daily basis, I also moved into their homes. I had not yet acquired the demeanor of the usual upper-class patroa (boss), and between my American-style casual dress and halting Portuguese, it seemed people didn't quite know how to place me. Luciana did her best to teach me how to make black beans more appetizing and many of her neighbors appeared to take great glee in aping my heavy accent. It took me some time to learn that I had penetrated into what was supposed to be one of the city's poorest and most violent favelas wherein most public employees — teachers and health workers — refused to set foot.

Luciana, as it turned out, was a sort of baby-sitter for her little brothers as well as an occasional neighbor child. To "keep the kids out of mischief" (para não fazer arte), she would come home from school[8], gather them up, and take them on her daily rounds. Everyone, she informed me, pitched in to keep the family going. Her mother often worked as a street-sweeper where she earned as much as a minimum salary (around US$60/month), although she had stopped for a few months after the birth of her last baby. Her step-father worked on

construction sites where he was paid on a daily basis, laid off with no pay each time it rained. His highly irregular income would cease with the completion of a building or, simply, when the patrão, temporarily out of funds, would suspend activities. Luciana also had a brother, more or less her age, who, for half a minimum salary, peddled the town's major daily, but it was her contribution — of food, clothes, and recyclable junk, sold at a nearby depot — that was the mainstay of her family's subsistence.

The "helping hand" Luciana and her neighbors received from their well-off "clients" who, like myself, lived in middle-class residential districts close to the squatter settlement, was but one of their extra-local resources. Another important bit of support came from the state in the form of institutional facilities (FEBEM[9]) where children could be left off, provided their parents proved sufficient need. I soon discovered that a good number of the vila residents had "studied" at this "boarding school" (internato). Luciana's step-father, for example, claimed to have learned beekeeper during one of his stints at the orphanage. At the time I met her, one of Luciana's older brothers was living at the state orphanage ("Mother says it's the only way to keep him out of mischief"), coming home almost every weekend to visit. Luciana explained that she too had stayed for a while at the orphanage, and could chime in with personal experience when her neighbors spoke of the place's advantages: regular food (including yogurt - apparently a luxury item), separate beds for each child, and guaranteed schooling.

In fact, Luciana's mother, after separating from her second spouse, had left all her four children at the institution. Luciana was brought home within a year, to help take care of her mother's new baby. Some time later, two of her brothers simply walked off the institution's premises, finding the way back to their mother's house. The younger of the two stayed with his family, but the older brother (who "never got along with our step-dad") opted to return to the orphanage... considered, by this time, a sort or annex to the family abode. The destiny of the fourth "boarded-out" child, however, had not been foreseen by anyone in the family. The youngest at the time of institutionalization — a fairly light-skinned healthy infant — did not come home. Having gone over six months with no family visits, he was declared to be “in an irregular situation", and given to an adoptive family. Although neither Luciana nor any of her family had a

clue as to the child's whereabouts, they continued to include him in the family count, up-dating his age and musing about how things would be when (and not if) they once again got together.

I was genuinely non-plussed by this last bit of information. Although I had long since learned to take journalistic hyperbole about Brazil's "thirty million abandoned children" with a grain of salt[10], I found it easier to believe that children living at the state institution, and especially those given in adoption, were genuinely orphaned or abandoned. (Brazil's major childcare institutions are not normally called "orphanages", but the young residents who live there are referred to, in public parlance, as "abandoned children".) The experience with Luciane's family and others like hers provided me with a different angle on the situation.

Little by little, as I canvassed the next sixty families, or nearly half those living in this vila, it became clear that, especially among the more poverty-stricken, the state orphanage played a prominent role in family organization. Parents — in particular, women who had recently separated from their spouses — would thus share childraising responsibilities with the public services, aiming in the case of older children, to "give them an education " or "keep them in line", and in the case of younger ones, to ensure sheer survival. Such a use of state facilities is hardly uncommon in the history of poverty-stricken populations. During the 19th century, for example, institutional administrators throughout the Western world, accused the "undeserving poor" of using the orphanage to shirk their parental duties, and thus attempted through different measures to narrow clientele to what they considered their legitimate concern: "genuine" orphans. Nonetheless, the overflow of poverty's victims — those people who normally had little or no access to the minimum of society's benefits (jobs, schools, healthcare...) — continued, until very recent times to periodically seek relief in these large institutions, orphanage and work houses (Donzelot 1977; Blum 1998). In other words, state institutions for youngsters have traditionally catered to both the poor and the orphaned. Just how today's concerned observers – from journalists to policy-makers — manage to conflate the two categories under the heading of "abandoned" children is more than a question of semantics.

During the 1980s, authorities at the state orphanage, complaining that families used them as a free boarding school, were doing everything possible to discourage this sort of

“abuse”. In an apparently progressive spirit, the country's 1990 Children's Code (art. 101) reinforced this policy, proclaiming that institutionalization was to be seen as a last resort, to be used solely as a provisory and exceptional measure, for children en route to a “substitute” (read “adoptive”) family. The state of Rio Grande do Sul was among the first to put the new Children's Code into effect, investing heavily in reform of the institutional network. The creation of small family-type units now permitted a small number of state wards to enjoy a near-middle-class lifestyle with comforts ranging from computers to horseback-riding. However, as the cost of maintaining a child soared to well near US$1000 per month, it became apparent that, more than ever, the government had an interest in keeping the number of interns at a minimum – both by narrowing the definition of those to be admitted and by facilitating the process of those to be discharged. Within this context, adoption – as long as it was by Brazilian nationals — appeared to be a politically-correct solution. The thorn in the side of this policy, however, remains to this day: how to define an “adoptable” child.

Brazil's 1990 Children's Code (art.45) clearly stipulates the need for the parents’ or guardian’s legal consent in order for a child to be adopted. This consent may be waived in the case of parents who are unknown or who have been stripped of their paternal authority for having *abandoned* their child or *neglected* its basic needs. The question is how to define “abandonment” and “neglect”? Already considered vague in the European context (Manaï 1990), the legal definition of abandonment is even more problematic in poverty-ridden areas of Latin America where children "abandoned" to state institutional care are not, in general, the out-of-wedlock offspring of adolescent mothers, but rather third or fourth-born children of women who simply cannot afford the extra burden[11]. Poverty, even at the millenium’s close, remains widespread, leaving nearly one third of the Brazilian population with a per capita income of under US$2 a day[12]. Although legislation in Brazil expressly states that poverty is not a sufficient motive for stripping parents of their rights[13], researchers have observed that even when they classify the parents as "caring", social workers may well equate extreme poverty with "abandonment" or "neglect" and recommend a child's removal from its home (Cardarello 2000).

A good number of mothers, such as Luciane's, may admit they are at times unable to cope, and so would not oppose their child's institutionalization. However, whether or not contemporary child welfare policies furnish the sort of "helping hand" they have in mind is a question we shall consider further on. For the moment, we look into informal social networks to investigate other childcare resources to which a woman might have access, and the perceptions of family and kinship behind them.

Multiple mothers

I met Claudiane, a radiant seven-year-old brunette, in 1994, during fieldwork in another working-class neighborhood of Porto Alegre. I had dropped in on Dona Dica, a stately grandmother, to hear more about her thirty-six grandchildren and eighteen great-grandchildren, of which one was inevitably there in her company. As she put it, "I've always had grandchildren with me. Sometimes two, sometimes three, sometimes, none at all. They come and go." Imitating the researcher, her present eight-year-old companion, a lad nicknamed "Batata" (Potato), thrust a microphone under his grandmother's chin and demanded, "Tell me about your life"? Dica, busy pouring lemonade into narrow plastic cones, scarcely paused before teasing back, "I make popsicles, fight with you (because you're a rascal), sell drinks and raise chickens and ducks."

By this time, two of Dica's grown daughters had arrived on the scene. Living nearby, they had converged that afternoon at the water faucet in their mother's front yard where they were dying their hair in new, experimental shades of red. Learning of my interest in child-sharing practices, their reaction was immediate. Calling boisterously to one of the four children playing underfoot, they coaxed her, "Claudiane — come over here and tell this lady... How many mothers do you have?" Visibly enchanted at being the center of attention, the little girl bubbled: "Three". And, placing a finger aside her chin to better ponder the question, she added: "The mother who nursed me, the mother who raised me and the mother who gave birth to me."

Volcira, the older of the two sisters was quick to fill me in on the details. She hadn't minded helping out when Claudiane's mother, wanting to spend a weekend at the beach, had asked if she could leave off her two-week-old daughter for a few days. Volcira, feeling the house a bit empty after the recent departure of her teenage daughter, was married at the time, and, what's more, her bus-driving husband had a regular income. Having just borne a child of her own, Volcira's younger sister had plenty of milk and so offered to pitch in as wet-nurse. Time passed and the little girl just "stayed on": "She's my daughter. She sleeps and eats in my house, and she calls me 'mother'". Since Claudiane's three mothers were neighbors, a triangular sort of arrangement ensued which had lasted, when I met them, for seven years.

The point to be gleaned from this ethnographic example is that a mother in difficulty need not necessarily institutionalize her child. Rather, in many cases, she can count on a social network in which, between relatives, godparents, employers, and neighbors, she is bound to find an additional mother for her child. Grandmothers are the first to be involved. I have in my notes innumerable stories of young couples who were living with the wife's or husband's parents. In such situations, the grandmother would very likely be the primary caretaker of the couple's first children, and it would not be unusual for a youngster to stay on living with her even after its parents had separated or moved on to an independent abode. One grandmother thus explained the kinship terminology used by her different grandchildren:

> I call my oldest grandchild my "son-grandson" (filho-neto) because, after my daughter separated from her husband, I took her kids in to raise. He and his sister call me "Mother" and refer to my daughter as "Mother Eloi". I raised the other grandson since he was born. My daughter, who was living with me, had to work and I'm the one who took care of him. When she and her husband moved out, he just stayed on. I'm his mother. He calls my daughter [his mother] "Aunt Elsi".

Aside from grandparents, there are always a number of people who may be ready to share childraising responsibilities. It is no accident that many children are baptized two or even three times. Besides the ceremony in the Catholic church (often put off for years because of expense and bureaucracy), people may baptize their children at home in a domestic ceremony

presided over by an experienced friend or relative (Fonseca and Brites 1989), and/or at the Afro-Brazilian cults. Each ceremony creates new ties between the child's compadres (co-fathers) and comadres (co-mothers) officializing their shared rights and responsibilities in the child's future. Because of previous generations' high adult (as well as infant) mortality, many people I met had been bereft in early childhood of one or both parents, and so the network of willing tutors had proved a life-saving safety net.

For the outside observer, the banality with which people treat child circulation is striking. I have seen, for example, two young women getting to know each other, complete their list of identifying questions ("On which street do you live?" "Are you not the daughter of so-and-so?" "How many children do you have?"), with a final inquiry: "And are you raising all your children?" A good number of youngsters claim to have decided, they themselves, just where they wanted to live. It is not unusual to hear even a six- or seven-year-old explaining: "Auntie asked me to visit, I liked it, so I just told my mom I was going to stay on." People will include in their own life histories a list of various households in which they lived as a child – with a predictable variety of commentaries. Some foster parents are remembered as wicked slave drivers, some as fairy godmothers, but most are described in quite matter-of-fact terms. Like Claudiane, many, many people will speak of two, three and four "mothers" with no particular embarrassment or confusion. Against such a background, one wonders if it makes sense to single out the nuclear family as an analytical isolate.

Just as elsewhere in the Western world (Schneider 1984), biological filiation is considered a fundamental part of individual identity. People make no confusion as to who, among their diverse mothers, is the progenitor. And, although, for a variety of reasons, fathers may not be so prominent in a person's biography, one's male genitor still has considerable importance for the definition of personal identity, belonging, and integration into social networks. Nonetheless, the mother-father dyad is not necessarily the fundamental reference in a child's life. On the contrary, household arrangements and the day-to-day decisions involved in raising a child reveal the nuclear family as a fragile unit, frequently overshadowed by the dynamics of the extended kin network, activated for and perpetuated through child circulation.

The historical depth and widespread presence of child circulation in Brazil has been investigated of late by a number of researchers (Fonseca 1993; Meznar 1994; Kuznesof 1998; Goldstein 1998). The discovery, in my own university, of at least half a dozen colleagues raised by "mothers" to whom they had been unofficially confided in infancy, convinces me that until a generation or so ago, the practice was by no means confined to Brazil's lower classes[14]. Faced with evidence of a widespread "foster culture", one begins to wonder how legislators managed to draft an adoption bill that is so explicitly oriented by nuclear family values – both in the definition of who signs the adoption release (the biological mother and/or father), how many mothers and fathers a child should have (one set), and who is qualified to be adoptive parents (a heterosexual couple or single woman). The next ethnographic example, which takes us back to my first field site, is designed to demonstrate that the very distinction, embedded in contemporary law, between fosterage and adoption is based on a conceptually rigid definition of family that may be difficult for the various relatives of children such as Luciane, Batata, and Claudiane to grasp.

The negotiation of terms

Three years had passed since my first contact with Luciana and her family. Having grown to know a good number of people in the neighborhood, I began to appreciate the mutual-help networks which crisscrossed the social fabric of the vila's daily existence. Nelci seemed to be an important figure, often mentioned by her neighbors, but I'd had trouble meeting her because, holding down a salaried custodial job as well as cleaning different clients' houses, she was rarely at home. That July afternoon, thanks to a World Cup football game, I — as well as many people in the vila — had a day off from work and so, for once, I found this petite, bespectacled black woman at home.

Her two-room wooden shack measuring around fifteen square yards, with a corner kitchen equipped with everything but running water, was indeed one of the nicest in the neighborhood. Nonetheless, contrary to many of the vila's other well-off residents —

preoccupied in marking social boundaries —, Nelci, when she was home, kept her door wide open. A neighbor's two teenage boys, evicted from home by their stepfather, had found a few days refuge here. Another neighbor's little sister, ordered to stay home and baby-sit her three nieces and nephews, had grown frightened with nighttime sounds and fled to Nelci's for help. During the two hours I spent in my hostess's front room, I witnessed a parade of visitors. Aside from two friends in their forties who'd been invited over "for a bit of white wine"[15], she received a teenage mother, come to boil water for her newborn child; a scrawny lad (about ten) looking to borrow someone's soccer ball; the local *mãe-de-santo*[16] and an (unidentified) woman with her two-year-old, both of whom stayed but a moment. Around six, Nelci rose and, responding to the smell of roasted meat which wafted in through the window, yelled to her backdoor neighbor: "Where's dinner? I'm starving!"

My point with this description is not only to show how much different households are connected to one another through daily routines, but to reiterate the setting in which, just as Mauss(1950) pointed out, children fit into an exchange system in which all sorts of goods and services circulate. With her narrative energies centered on the long and painful story of how she recently lost a month-old child, Nelci herself is fairly succinct on the subject of child circulation. She announces simply that her eldest is being raised by his paternal aunt, the second — who should be home tomorrow for a weekend visit — is “studying” at the orphanage, and her three younger children — a twelve-year-old boy and two daughters (aged seven and nine) — all live with her. Her two guests, however, go into great detail about dealings with the rival moms of their offspring.

The first of the two, Edi — an imposing mulato woman who flaunts her extra kilos with raucous exuberance — abruptly changes her mood to indignation as she recalls the absence of her youngest daughter:

> When I separated from my husband, nine years ago, I was really hard up. I sent one daughter to my mother's, another I placed at the orphanage and the little one — I left with my comadre. I called that woman "grandmother" and she called me "daughter" because she really loved me. The two boys stayed with me because it's easier to raise them, but

you can't have girls running around loose in the vila. In the beginning, I placed the girls in proper homes because I had to work. But when things got better, I wanted to bring them home. By then, "grandmother" was attached to my little girl and asked to keep her, so we made an agreement, nothing written, but we understood each other. The idea was that my daughter would stay there until grandmother died, and then she'd come back to me. The trouble is that my comadre passed away and I didn't even find out about it. Her daughter didn't notify me because she knew I'd want my little girl back. Now, she's gone to the courts, saying the girl is hers!

The third woman sitting at Nelci's front-room table, a wan and wiry maiden lady who lives with her married sister, clucks her tongue in sympathy at her friend's plight:

If I were you, I'd settle things out of court, like I did. Zequinha, you know, is my little boy. I took him in when he was no more than a month old. His mother was only sixteen when he was born, and she had no husband. What else was she going to do? Now she's living over on the next street, with her husband and two kids. She's getting along fine these days and I heard rumors she was wanting Zequinha back, so you know what I did? I hid this big knife in my skirt, and I went over to her house. She was in the front yard and I called her to talk, 'Come over here, dearie'. When she got close, I grabbed her by the neck, showed her the knife, and said, 'What's this story I hear that you're wanting Zequinha back?' And, guess what! She said, 'Don't be silly. I gave him to you and he's yours, forever'.

The three women collapse in laughter. Evidently no one is troubled by the fact that the two friends are pleading their cases from opposite sides of the argument: the first claiming, with everyone's agreement, that mãe é uma só (mother, there's but one), the second insisting with her audience's equally enthusiastic approval that mãe é quem criou (mother is whoever brings [the child] up). Their lively banter brings out the different principles which must be taken into account in the study of child placements, and which provide the guidelines for the constant renegotiation of a child's status.

In many cases, child circulation, accompanied by a back and forth flow of goods and services, appears to create no undue tensions. A grown son might simply visit his own mother more regularly if she is raising his child; a maiden aunt might feel obliged to help out her struggling niece if the latter has made her the gift of a child. Blood ties and generational differences help clarify the terms of the child transfer — establishing a clear hierarchy of a child's different mothers. However, in a context where many adults do not possess a birth certificate or an identity card and where formal contracts are practically unheard-of, the unwritten terms of a particular placement may well give rise to conflicts.

Edi, for example, recognizes that she was in dire need at the time of her daughter's placement. Just as many other mothers refer to such a moment, Edi presents the placement as being in her daughter's advantage. The girl would be safe, go to school, and have regular meals, receiving the minimum benefits that her mother could not, at the time, hope to provide. It was understood that Edi's comadre had taken on the burden of raising the child in order to help out. In such situations, however, a change in circumstances may abruptly invert the idea of who is helping whom. Children are, after all, highly cherished for the affection and company they provide. People – whether couples with a fertility problem, young brides who have not yet become pregnant, women who have recently suffered the loss of a child, or grandmothers whose own children have all moved out — very often look for a baby or child to raise "as their own". Thus, a birth mother has every reason to see her child's placement as a "gift", just as much as a burden in the foster family.

Edi appears to consider that she did her comadre a favor by allowing her daughter to stay on even when there was no longer a pressing need. Just how much contact she then maintained with her daughter is unclear. In other cases I registered, women, having confided their child to what they considered a reliable family, might disappear for a couple of years. If the foster family lived any distance away, the cost of a visit would be considered prohibitive. Also, some women explained their exit from their infant's life by evoking a need to respect the "new" mother's autonomy: "I saw that having two mothers around just wasn't going to work, so I moved out". Edi states repeatedly that she didn't "abandon" her child — that she remained in

touch throughout the years —, yet one can only wonder that she didn't learn about her comadre's death until some time after it occurred. It is quite possible that, just as I observed in other cases, she did not see physical proximity as a priority issue in the mother-child bond.

The daughter of Edi's comadre did not evidently see things in this light. No doubt, from her point of view, her family had for years treated the child “as their own” and, in so doing, had collectively acquired parental prerogatives. Moreover, it is quite possible that, having partaken in the child’s upbringing, she considered herself a mother to the girl, just as much as her own mother had been. Although the placement had started out, by consensus, as temporary, it had in time acquired the aspect of a permanent transfer. Edi, like other birth mothers in this situation, might have marked her presence, even at a distance, by contributing toward her child's support. In such cases, it is not so easy for the child's foster family to claim priority rights. However, considering that most mothers have given their children up because of extreme hardship, it is difficult to imagine how they are to assure their child's caretaker regular financial support. Thus, in a process reminiscent of Pacific island societies (Jeudy-Ballini 1992), as food and shelter build the parent-child bond, the principle mãe é uma só may gradually cede to the notion that mãe é quem criou.

Here, we note the fundamental ambiguity between the partial and temporary transferal of parental responsibilities involved in fosterage and the total and permanent arrangement involved in adoption. The same sort of ambiguity, we might add, fueled Nelci’s second guest’s worries that Zequinha’s (her little ward) mother would want him back.

These disputes do not concern a child’s genealogical status which generally, goes unquestioned. They are, rather, about parental status. Who shall have the right to custody and, even more, to the child’s primary loyalties throughout life? Child circulation produces a sort of double (or multiple) affiliation as the youngster, despite the usual filial affection for his (or her) “real” mother (as the “mother who raised me” is often called), sees himself as authorized at any time to rekindle contacts with his consanguineous relatives. This possibility explains why I would often find adult siblings in the same neighborhood, living side by side, despite the fact that they had been raised in different households.

Local social dynamics and public policy

The observation of these various disputes, which seem to be an intrinsic part of traditional child circulation, raises key questions for public policy. In the first place, we might ask if the government, wishing to mediate childcare practices should not concentrate efforts on fosterage – apparently quite coherent with local values – rather than adoption. A look at recent policies convinces us that, on the contrary, legal fosterage has become less and less a viable option for poverty-stricken families seeking government aid. In Porto Alegre, during the 1980s, there existed a variety of child placement programs — some better, some worse. Besides the large, state-run orphanage, government funds helped support a series of philanthropic "schools" which boarded young people from economically deprived families. There was also a state-funded program of foster families in which certain women — often those who were already running one of the many informal crèches to be found in lower-income districts – received a monthly stipend of half a minimum salary (US$30) per child to look after youngsters whose families were not coping at the moment.

State-coordinated fosterage, long considered a poor stepsister to adoption, is, today, practically non-existent. A recent study on child placement in the state of Rio Grande do Sul, found that, in 1994, there were 350 children in institutional care, "awaiting placement in a “substitute family" Cardarello 1996: 89). Just what sort of substitute family authorities had in mind is indicated by a comparison of fosterage and adoption rates. At least by 1996, three children were being given in adoption for each child placed in state-funded foster care (180 adoptees as opposed to 52 children in foster homes) (Ferreira 2000: 131 and). Today, while adoptions remain at some 200 per year, institutional care is once again on the rise, and foster homes, reduced to seven in number, have been all but phased out. Today, while adoptions remain at some 200 per year, institutional care is once again on the rise, and foster homes, reduced to four in number, have been all but phased out. Policy-makers explain that foster families (generally from the lower-income brackets) are simply not up to present standards. The

fact that the last group of substitute mothers created budgetary problems by banding together and demanding minimum workers' benefits no doubt also weighs somehow on the issue. The net result is that policy-makers no longer consider fosterage an acceptable option for public investments.

It would seem then that, more and more, poverty-stricken mothers are faced with an even/or situation. Either such a woman keeps her child, hoping for different sorts of « helping hands » to allay the ravages of financial misery, or she gives it up in legal, plenary adoption which decrees a total and permanent rupture of ties. The choice is, of course, difficult, but as legislators and social workers point out, mothers do technically consent to these terms. Even when they do not sign the adoption release, they do not generally contest the judicial process which strips them of parental authority. May we not then construe this behavior as total indifference, or even implicit acceptance of the adoption proceeds which are to follow?

My experience leads me to believe that most parents who have been divested of their parental authority do not grasp the finality of this legal measure. The same could be said of the release a woman signs to allow for her child's adoption. Researchers have demonstrated that even in North America, where the concept of plenary adoption was first generated, birth mothers may complain they did not understand the terms of the adoption process (Modell 1994; Carp 1998). Brazilian mothers — descendants of families in which, since at least the last century and probably before, child placement has been an integral part of socialization routines — have far more reason to misconstrue the law. In a process completely outside state control, children would be placed by their mother or parents in a substitute household, sometimes for long periods of time. The substitute parents might try to stipulate restrictive conditions — they might, for example, claim that birth parents should have no further contacts or rights over the relinquished child. But time would usually prove such preventive measures ineffectual, and it was expected (often, with reason) that sooner or later the child would renew contact with his consanguineal network. How then are such parents to construe the idea of a permanent, irreversible break?

These stories are not designed to show birth mothers as helpless victims, much less to sanctify the biological tie. There are, no doubt, any number of circumstances which might justify the temporary or even permanent placement of children in a substitute family. Ethnographic studies in Brazil and elsewhere suggest, however, that there are many different ways of administering a child's transferal from one family to another. Legal plenary adoption, notwithstanding the widely-accepted belief that it "imitates nature", is but one, and I might add, quite arbitrary, formula.

In this article, I have implicitly asked if the basic premises of plenary adoption are intelligible to precisely those people who are most concerned: the poverty-stricken families from which adoptable children are drawn. Is it conceivable that a judicial sentence can permanently sever the social ties involved in blood relationships? Or that adoptive parents will substitute entirely their child's biological parents? For that matter, is the distinction between fosterage and adoption — presented as obvious in most legal and many academic debates — so clear to the actors involved?

Legislators and social workers throughout the world have, of late, honed their instruments of perception in order to better separate negligent from “simply” poor parents, and so avoid the abusive use of adoption. Such efforts are certainly laudable. However, I suggest that if this critical reflection is to reap fruits, it must be extended to other tacit assumptions in the field of child welfare, such as the very terms of the adoption contract. By speaking of local-level practices in terms of social dynamics (rather than cultural void), I hope to lend legitimacy to non-hegemonic discourses, include these “other” voices in contemporary debates, and – coherent with traditional anthropological concerns — use the confrontation between different world views to rethink some of our own, rarely challenged truths about family and parenthood in the field of adoption.

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[1] According to existing estimates, approximately 7.500 children were legally adopted by foreigners in the ten years between 1980 and 1989 (Kane 1993), while in the five-year period between 1990 and 1994, more than 8,000 children left under similar conditions (Ministério da Justiça –/DFF/Divisão de Polícia Marítima, Aeroportuária e de Fronteiras/NICI). .

[2] In 1990, the Ministry of Justice delivered 2143 passports to Brazilian children officially adopted by foreign nationals. In the year 2000, this number had sunk to 463.

[3] The 1989 U.N. Convention on the Rights of the Child, the 1993 Hague Convention on the Protection of Children and Co-operation in Respect of Intercountry Adoption, the 1988 Brazilian Constitution, and Brazil's 1990 Children's Code all contain clauses encouraging policy-makers and adoption workers to choose substitute families within the adopted child's original country.

[4] One can only wonder, however, what impact this clause has had on actual practice as researchers point out that, still today, many children withdrawn from their original families come from homes in which parental neglect is barely distinguishable from the effects of dire poverty (Cardarello 2000; Abreu 2002).

[5] Plenary adoption – which decrees total rupture between birth parents and the adoptive family (including the child and its parents) — has been universalized in Brazil through successive legislation. The law 4.655 of 1965, speaking of "adoptive legitimation", created the possibility of additive filiation. The 1979 Children's Code introduced plenary adoption as one of several forms of adoption,

whereas the 1990 Children's Code proclaimed it the country's sole legal form of adoption. For more on this subject, see Fonseca (1993, 2002).

[6] See, for example, the "Report and Conclusions of the Special Commission on the Practical Operation of the Hague Convention of 29 May 1993 on Protection of Children and Co-Operation in Respect of Intercountry Adoption 28 november-1 December 2000.

[7] Porto Alegre, with a metropolitan population of some three million, is the relatively prosperous capital of Brazil's southernmost state, Rio Grande do Sul. Sporting many social indicators (infant mortality, life expectancy, etc.) well above those of the poorer, Northeastern parts of the country, the city nonetheless shares in common with other Brazilian capitals an enormous "informal economy" (absorbing nearly 40% of the work force) and a tremendous gulf in living conditions between the rich and poor.

[8] Public schools in Brazil never provide more than a half-day's schooling. Luciana, at age nine, was still in first grade, attending class ("when it doesn't rain") from 8:30 to 12:00 every morning.

[9] Fundação Estadual do Bem-Estar do Menor. Locals normally refer to the institution by its name – FEBEM. However, in order to facilitate comprehension, I shall to refer to it, in this article, as the "state orphanage".

[10] For a criticism of these numbers see James and Prout (1990)and (Rosemberg) 1993.

[11] A 1985 survey including over 150,000 Brazilian woman who had given up a child before its first birthday found that the great majority had done so because of sheer misery (Campos 1991).

[12] In 1998, approximately 71 million Brazilians were living under the poverty line, with insufficient funds to provide the basic minimum of food, lodging, clothes and school supplies (Barros, Henriques and Mendonça 2000).

[13] Cf. Article 23 of the Children's Code.

[14] See Cadoret 1999 for similar episodes among middle-class families in contemporary Spain.

[15] Substance-abuse, commonly associated with child placement in North America (see Bartholet 1999), is far less relevant in the Brazilian context. There was no evidence of chronic substance-abuse among any of the women I describe in this article.

[16] "Mother-of-saint" refers to the religious leader of one of the innumerous, generally home-based Afro-Brazilian cults which are a banal element of neighborhood life.