9. Suffering the Suffering Children: Christianity and the Rights and Wrongs of Adoption

TIMOTHY P. JACKSON

Suffer the little children to come unto me, and forbid them not: for of such is the kingdom of God.

MARK 10:14 KJV

Through much of recorded history . . . adoption by nonrelatives has been utilized more to meet the needs of adults than to help children.

ADAM PERTMAN¹

We are fighting abortion with adoption.

MOTHER TERESA²

Introduction

Christians have compelling reasons to pay close attention to adoption practices. These reasons may occasion both pride and embarrassment. On the one hand, Christian charity has traditionally called on the faithful to care for the needy and vulnerable, especially children, and this virtue has made the church a supporter and facilitator of many admirable adopt-


². Quoted in “Mother Teresa: A Film by Ann and Jeanette Petrie” (Petrie Productions, distributed by Dorason Corporation, 1986).
tions. Christianity itself grew out of God’s “adoption” of the Gentiles, the gracious extension of a covenant to those not originally God’s people. According to some accounts, Jesus himself was “adopted” either by Joseph or by God. Therefore, a positive attitude toward adoption is tied to the very identity of Christian belief and believers.

On the other hand, various Christian ideals have served to condemn certain adoptions as unnatural or vicious, thus making life miserable for all those involved in the adoptive relation. For example, conceptions of a divine separation of the races have led some Christians to reject interracial adoption as against God’s will, even as conceptions of a divine endorsement of heterosexual monogamy have led other Christians to oppose single-parent and gay or lesbian adoption.

The issue is not simply whether Christian churches or individuals endorse or reject particular adoption practices; rather, it is how these practices are approached that makes a crucial difference. Even where adoption is championed, the method may be cruel or counter-productive. Shaming unwilling or vulnerable young mothers into surrendering their offspring, for instance, is itself a shameful practice, whether supposedly motivated by Christian agape or not. Facilitating a willing transfer of parental oversight for the sake of a better life for a child is, in contrast, to aid a Christ-like self-sacrifice.

This chapter aims to clarify Christianity’s historical judgments of, and contributions to, adoption theory and practice — admittedly, a mixed picture. It has five sections. Section I examines how the Bible defines adoption, noting how a fundamental complexity here bears on Christian attitudes toward the practice. Section II looks at the rights that ground the moral and legal permissibility of adoption and how they relate to the Christian notion of sanctity. Section III investigates the ethics of single-parent and gay adoption as particularly pressing issues. Section IV looks briefly at the right of adoptees to know their biological identities and that of their birth parents. Finally, in Section V, I return to explicitly biblical themes and ask how views on christology affect basic perceptions of adoption.

My enduring assumption is unremarkable but worth stating: no mother or father should be intimidated, shamed, or coerced into surrendering her or his child for adoption, unless the parent is demonstrably negligent or abusive, but voluntary adoption is sometimes the most loving act for the child and by the birth parent. My specific theses are more substantive and controversial: (a) adoption is not merely the bestowal of a new (legally created) identity but also the acknowledgement of a pre-
existing (divinely created) humanity; (b) the primary adoption right is that of orphaned, unwanted, destitute, or abused children to be adopted; (c) it is the sanctity of these children’s lives, rather than their dignity, that gives them the positive right to be cared for by conscientious adults; and (d) attention to the sanctity rights of adoptive children should move us to permit both single adults and same-sex couples to adopt.

Traditional conceptions of Joseph and Mary, Jesus and God, can both aid and hinder a proper appreciation of the morality of adoption, so Christian theologians ought to make it abundantly clear why adoption is (or should be) an act of love rather than a shameful secret. As with artificial contraception and assisted reproductive technology, this will require reevaluating the ancient Alexandrian principle that having sex without getting children and getting children without oneself having had sex are inherently illicit. The principle should be amended, I argue, but not merely set aside.

I. Biblical Definitions and a Key Complexity

There is no endorsement, or even explicit mention, of adoption as an ongoing practice in Old Testament law. There are, in effect, three references to acts of adoption — of Moses (Exod. 2:10), Genubath (1 Kings 11:20), and Esther (Esther 2:7, 15) — but, as is often noted, these all take place outside of Palestine and thus in contexts foreign to Jewish rule and custom. To- rah tradition as such simply does not admit that someone who is not one’s biological child can be rendered one’s son or daughter by legal act (see the essay in this volume by Michael Broyde). It was Saint Paul who first introduced the notion of adoption into Judeo-Christian theology.

The New Testament Greek word translated by the NRSV as “adoption” is *huiothesia*, from *huios* (meaning “son”) and *tithemi* (meaning “to put or place”). The term appears five times in Paul’s epistles (Rom. 8:15; 8:23; 9:4; Gal. 4:5; and Eph. 1:5), but not once in the Gospels. Construed literally, *huiothesia* is gendered and connotes a placing or taking in of someone as a male heir. The *International Standard Bible Encyclopedia* (ISBE) defines

3. A negative right is a claim not to be interfered with, not to have something taken from one, while a positive right is a claim to be actively assisted, to have something provided for one independently of personal effort or merit.

4. My colleague Hendrik Boers has pointed out to me that, although these adoption locations were outside of Jewish rule, the stories are not simply records of the incidents and do partly reflect Jewish custom.
the word, generally, as “the legal process by which a man might bring into his family, and endow with the status and privileges of a son, one who was not by nature his son or of his kindred.” One can readily see why Paul — that liminal figure at the dividing line between the historical Jesus and the Holy Spirit, Judaism and Christianity, Rome and barbarism — would have been attracted to adoption metaphors. In many ways, he knew himself to have been an outsider graciously allowed in: a man who never met the historical Jesus called nevertheless to be an apostle, a persecutor of the early Christian church converted into its greatest champion, as well as a Pharisaic Jew enabled to be a Roman citizen. It was definitive of Paul’s genius that he saw in his personal experiences a model of God’s way with the wider world and was able to translate this into a powerful message of gifted salvation: “when the fullness of time had come, God sent his Son, born of a woman, born under the law, in order to redeem those who were under the law, so that we might receive adoption as children” (Gal. 4:4-5 NRSV).

The ISBE’s general definition of adoption captures Paul’s central theological usage, but it also hides an important complexity. In the Greco-Roman culture against whose background Paul wrote, the “placing” associated with huiothesia evidently involved either (1) the production of a new (legal) identity for someone who was not a natural son, or (2) the affirmation of a pre-existing (legal) identity of someone who was in fact a natural son. “Adoption” entailed, that is, either the generation of an entirely novel filial status or the recognition and formal celebration of a filial status that was already real, though perhaps denied, occluded, or only partially realized. When a Roman boy came of legal age, for instance, he might be said to be “taken in” or “adopted” by his father as heir. Or when a prodigal son mended his ways and returned to his home and biological family, his father might welcome him and “place” him back into the domestic fold as again a son. The first case is a rite of passage in which a


6. The Latin equivalent is adoptio or arrogatio (adrogatio), depending on whether the son is or is not still under his birth father’s legal authority (patria potestas).

present identity is fulfilled, while the second case is a painful trial in which a proper identity is rediscovered. But both are very different from a transformation in which an altogether alien identity is conferred. Even if a biological son has, in some sense, publicly to grow into himself, this “adoptive” process is one of maturation in which intrinsic attributes are unfolded, rather than a whole-cloth change imported or imposed from without.

The pressing question asks itself: Is the “adoption” referred to by Paul in Ephesians, Romans, and elsewhere the production of a new identity or the affirmation of an old one? Is the adoptive operation an “artificial” contrivance engineered by God alone, or does it have an “ontological” basis in human nature? Putting the query yet a third way, do even elect human beings come short of being naturally God’s children, such that Christ’s agency changes their very essence, or does the Messiah’s life, death, and resurrection reveal a filial relation with God the Father that is already (part of) humanity’s birthright?

I can only sum up the studied ambivalence of the Christian tradition by answering “both/and.” Many orthodox theologians have held that being made “in the image of God” (Gen. 1:27) is an empirical fact about humanity, and that this created identity constitutes a “resemblance to” or “consanguinity with” God, in some analogical sense. We are by nature God’s “children,” rather than God’s accidents, playthings, or victims, and even the fall into sin has not totally destroyed this “genetic” legacy. Even so, the infinite qualitative difference between creature and Creator remains. Only Christ, the second person of the Trinity, is of one substance with the Father; only Christ, the eternal Son, is begotten not made. Moreover, after the dawn of sin, Christ’s redemptive act on the cross is an indispensable means of restoring right relation with God. The believer’s adoption as son or daughter, his or her being filled with the Holy Spirit so as to address the Deity with “Abba” (Rom. 8:15-17), is not simply a recognition of a pre-existing reality but is also a “new creation” (2 Cor. 5:17). The new creation must have some continuity with the old — how else can I say that it is I who am saved? — but it is not enough to be reminded that we are images of God. We must be not merely edified, but ransomed, as a free man might purchase a slave out of captivity (cf. Rom. 7:14). All are in

8. Some theologians — e.g., Karl Barth, Helmut Thielicke, and Karen Lebacqz — prefer to see the imago, or what is sometimes referred to as the “dignity” of human life, as a relational phenomenon, a matter of God’s grace rather than anything inherent in human beings. As understandable as this is as a safeguard against both pride and despair, however, it threatens the biblical doctrine of the goodness of creation.
bondage to the law and to sin (Rom. 3:9), and no amount of repentant introspection or just external action can liberate us. Still, God does not just annihilate the old order, God redeems it.

Indeed, Christ wins for the faithful even more than Adam lost in the fall. The elect are eventually sealed in permanent and loving communion with God beyond anything experienced by the innocent first parents in the Garden. The adoption made possible by the Redeemer builds on incarnate human nature, so to speak, but it is, most dramatically, an in-breaking of eternity into time. As such, our adoption is itself incomplete, both here and not yet. Through the practice of faith, hope, and love, human beings can have a foretaste of the new creation in history (“the first fruits of the Spirit”), but full adoption (“the redemption of our bodies”) comes only in heaven and must be awaited with patience (Rom. 8:18-25).

In short, the distinction between sonship-created and sonship-recognized is not always clear-cut, in either Roman society or biblical theology. Rather than lamenting this complexity, however, we can and should appreciate its implications for contemporary adoption. Even as the “sacred” adoption of individuals through Christ is partly God’s recreation of them in the image of God’s Son and partly God’s affirmation of them as already made in God’s image, so the “secular” adoption of individuals through the courts should be seen as having two sides or moments. On the one hand, secular adoption as currently practiced is the bestowing of a new legal identity on someone, male or female, who is not one’s biological progeny. It is a matter of invention in the sense that filial rights and responsibilities now obtain by judicial fiat, where formerly there had been none. On the other hand, secular adoption is also the recognition of the shared humanity of the one adopted, his or her needs and potentials. In spite of loose talk about “adopting” a highway or a tree, the adoption that inaugurates a novel civic identity and familial relation is not purely arbitrary. Positive law does not generate human beings, or even legal heirs, ex nihilo. There are reasons why someone is or ought to be adopted, reasons stemming from our discovery of his or her indelible sanctity. Or so I will argue.

9. Even the possible senses in which Jesus was adopted, either by God or by Joseph, have been much debated by Christians. When, for example, God says of Jesus, “You are my Son, the Beloved; with you I am well pleased” (Mark 1:11 NRSV, at Jesus’ baptism) or “This is my Son, the Beloved; listen to him” (Mark 9:7 NRSV, at Jesus’ transfiguration), is this a statement that describes reality, a performative that alters it, or perhaps both? The question becomes particularly complicated when one compares parallel passages, such as Matthew 3:17 and 17:5. I will return to the question of Jesus’ nature in Section V, but here I focus on humanity’s “adoption as sons” (Gal. 4:5 RSV) and how it bears on civil adoption.
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Let me now elaborate on the meaning of sanctity by first contrasting it with dignity and then relating both notions to the idea of rights.

II. Dignity, Sanctity, and Their Correlative Rights

“Dignity,” as I define it, is a contingent achievement: a function of either the meritorious exercise of personal agency or, minimally, the bare possession of such agency. In either case, dignity inheres only in individuals sufficiently mature to be aware of themselves and their intentional plans across time. Dignity requires, that is, a robust sense of self. (The Latin term dignitas means “a being worthy” and originally applied to those few persons or political offices filled with grandeur and authority.10) Entailing an admirable or powerful display of self-governance, dignity, in turn, inspires respect in others. The dignity of persons, their rational autonomy, moved Immanuel Kant, for instance, to insist that they be treated as ends and not as means only.11 Free agents are intrinsically valuable and not merely instruments to the maximization of others’ utility.

Only persons, defined as autonomous subjects, have dignity. Insofar as fetuses and infants are not yet self-conscious agents, they lack dignity in the technical sense and thus are not the subjects of respect. They are pre-persons. Insofar as the profoundly retarded are not and never will be morally self-aware, they too are without dignity. They are nonpersons. And insofar as the permanently comatose and demented are no longer autonomous, they are nondignified post-persons.12

If “dignity” refers to contingent personal achievement, “sanctity,” in contrast, refers to essential human nature. As I understand it, it is a function of universal human needs and potentials that do not presuppose self-awareness, self-control, or any other temporal attainment. (The Latin word sanctitas denotes “inviolability, sacredness” and was originally at home in a religious context.13) The relevant qualities include the need for

12. I do not mean to imply that Kant would conclude that fetuses, infants, the mentally handicapped, the comatose, and/or the demented may properly be treated as mere means to an end, but I do maintain that he gives us little or no basis on which to resist this conclusion.
13. Lewis and Short, Latin Dictionary, s.v. sanctitas.
food, shelter, clothing, and companionship, and/or the potential for growth, awareness, intelligence, emotion, and inspiration. If dignity calls forth respect, sanctity calls forth reverence; if dignity moves others not to thwart one’s noumenal self, then sanctity calls on others to cultivate one’s vulnerable soul. Shared human needs and potentials are not so much intrinsically valuable as the necessary conditions for value itself. On my reading of the Christian tradition, the most basic form of sanctity is the need or ability to give or receive agapic love. To give or receive such love is to know eternal life, to be a child of God.

And who, specifically, is a child of God? Even though fetuses, early infants, the retarded, and the demented are not dignified “persons” (i.e., not rational agents), they are nevertheless sacred human beings. If, to repeat, the measure of sanctity is the need or ability to give or receive agapic love, then the very young, the very old, and the very diminished “count.” They all share our human needs and can profitably receive love, even if they cannot self-consciously give it.

The sanctity of human lives has a claim on us that is utterly unearned and entirely inalienable. I call this claim a “sanctity right,” and it stems from human need and/or potential; it has nothing to do with past merit or demerit, present contract or breach of contract, or future status or lack of status. Moreover, the claim is not merely to inviolability, as in the case of dignity, but also to active assistance. Regardless of whether orphaned or unwanted children have been culpably injured by others, for example, it is the duty of those responsible for the common good (both church and state) to see to it that the children find a loving home. Tragic accident or natural calamity may be responsible for the fate of these children, but their “sanctity rights” to nurturance obtain in any case. They have, I maintain, a right to be adopted that precedes the interests and contingent choices of would-be parents.14 Those in authority have a duty

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14. There is precedent for the right I am defending. Section 28 of the South African Constitution, for example, specifies that “Every child has the right — . . . (b) to family or parental care, or to appropriate alternative care when removed from the family environment; . . . [and] (d) to be protected from maltreatment, neglect, abuse or degradation” (quoted in Barbara Bennett Woodhouse, “The Constitutionalization of Children’s Rights: Incorporating Emerging Human Rights into Constitutional Doctrine,” University of Pennsylvania Journal of Constitutional Law 2, no. 1 [December 1999], University of Pennsylvania Law website, http://www.law.upenn.edu/journals/conlaw/issues/vol2/n01/woodhouse/node5_rf.html). The South African document is marred, I believe, by its attempt to ground children’s rights in “dignity” rather than “sanctity,” but the overall thrust of its case is clear and cogent. See also the United Nations’ “Declaration of the Rights of the Child”
of charity to enlist and empower adoptive parents to care for needy children, rather than waiting for such parents to present themselves or for such children to seem appealing.\(^{15}\)

In our late capitalist culture, it is hard not to assume that all things are either dignified persons or fungible property. It is hard, that is, to find the cultural space to recognize the sanctity of human life. If children are products with only use-value for their parents and/or the larger society, rather than human beings with sanctity in and of themselves, then the rights of would-be parents are consumer rights or property rights. If dignity rights are the only kind that are legally enforceable, as some have argued,\(^{16}\) then being without dignity makes young children into mere commodities, at least for purposes of the law. How they are treated — indeed, whether they are suffered to live — is thus a matter of personal choice for others rather than of human decency for themselves. If, in contrast, even pre-linguistic children have a sanctity that is morally and legally significant, then the language of “free choice” and “consumer options” for adoptive (and biological) parents must give way to that of “human rights” and “loving care” for adopted children.\(^{17}\)

I will eventually note the limits of the language of “rights” with respect to adoption, but the foregoing suggests an important clarification of that language. When talk of “rights” is used in adoption contexts, it is usually with reference to the negative rights of would-be parents to adopt, their right not to be legally restricted because of race, creed, gender, age, national origin, income level, marital status, or sexual orientation. This is a reflection of the fact that rights are normally attributed to autonomous adults, self-conscious agents who have “personal dignity.”\(^{18}\) Personal dignity rights are

\(^{15}\) Thomas Aquinas is at best misleading when he writes that “man does not make him worthy whom he adopts; but rather in adopting him he chooses one who is already worthy” (Aquinas, *Summa Theologica*, trans. Fathers of the English Dominican Province, IIIa, q. 23, a. 1 [Westminster, Md.: Christian Classics, 1981], p. 2141). Like all sanctity rights, the right to be adopted does not depend on achieved worthiness but on intrinsic nature.


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important, but they are not the only or even the most important variety of moral claim in adoption contexts. In fact, the impersonal interests of needy children are increasingly being placed center-stage in adoption debates. The positive sanctity rights of children to be adopted matter decisively.

Once the difference between dignity rights and sanctity rights is recognized, we can appreciate the possible conflict between personal claims by parents or society, on the one hand, and impersonal claims for adoptees, on the other. Does a woman who does not wish to carry a pregnancy to term have the right to kill the fetus or only to be free of the burden of its (late) gestation and (later) child care?19 How do we balance her dignity with the sanctity of the life she is carrying, a life which may eventually be put up for adoption? Does an intermittently dysfunctional pair of birth parents have the right to retrieve their children from foster care over and over again, thus submitting the children to repeated traumas of dislocation? How do we weigh the claims of blood against the well-being of the brood? In cases of transracial or transnational adoption, do the adoptive parents have the right to choose the culture and/or religion in which their children will be raised, or should they feel obliged to learn about the race and native creed of their adoptive offspring and teach them about the same? How, in such cases, do we promote what much of the Christian tradition has taught should be a central concern of well-ordered sexuality: the care and education of children?20 Do heterosexual couples have the exclusive right to adopt, when single parents or gay couples might provide a more caring home for the children? How do we substantiate or gainsay the traditional judgment that gay and lesbian relations are intrinsically disordered, “abominations” or “degrading passions” that are “unnatural” and “contrary to right reason”?21

We can only begin to adjudicate the “rights” and “wrongs” of adoption by placing primacy on the sanctity rights of needy children. What suffering children need most is a secure and loving environment, and the

19. Early on in pregnancy, the only way to escape the burden of gestation is an abortion that kills the embryo or fetus, but after about the twenty-third week, a C-section can often lead to “live birth” and thus to the possibility of adoption. Moreover, technology is pushing the survival date for “premies” further and further back. Although it strikes me as a Gnostic nightmare, we may eventually see MEG (mechanical external gestation) remove pregnancy from the female body altogether.

20. See, for example, Thomas Aquinas, *Summa Theologica*, “Supplement to Part 3,” q. 49.

21. See, for example, Lev. 18:22; Rom. 1:26-27; and Aquinas, *Summa Theologica*, Ila Ilae, q. 154, aa. 11 and 12.
best interests of these children dictate that they be placed in whatever situation best promises such ongoing support. Keeping biologically related families intact remains an important goal, but it does not trump all other factors. Rather than social service offices always struggling to return foster care infants to their birth parents, which often means shuttling the infants back and forth between volatile homes and multiple caretakers, the governing ideal is rightly stability and permanence. The rights of the biological parents may be forfeited if they are repeatedly drug dependent, abusive, neglectful, or otherwise unwilling or unable to care consistently for their children. Conversely, some single, gay, disabled, and older parents are equally capable of attending to the needs and potentials of adoptive children as some married, heterosexual, healthy, and younger couples. In other words, agape can and does govern many “nontraditional” relations and households, even as it governs many traditional ones.

Once we acknowledge that “natural” family bonds can be severed from within, and that this severance licenses the state to intervene, then we must affirm a “political” right to be adopted or else we are simply whistling in the dark. If there is no right to be adopted, then it may actually be hurtful to hold up stability and permanence as child-care desiderata, since these will seem cruel illusions to many in distress. To insist on a needy child’s right to be adopted is not, need I say, to imply that each individual in society has a personal duty to adopt. Quite specific circumstances may occasionally translate into a perfect duty to adopt, at least for a Christian, as when one’s sibling and his or her spouse both die, leaving one’s niece or nephew orphaned. But these cases are rare. I am maintaining, rather, that society as a whole has an imperfect duty to provide adequate adoption possibilities for its members. In addition to the direct claim that sanctity has on us, the motive for this duty of beneficence may be found, in part, in a collective sense of gratitude for the unearned care that we ourselves have received — starting, if we are lucky, with our parents but including essential social services to which we have not antecedently contributed. The primary motive for Christians, however, is not intra-human indebtedness or reciprocity; it stems from the fact that we are loved first by God and are called on, in turn, to incarnate a holy will toward our neighbors (1 John 4:10-21). In spite of human powerlessness


23. A perfect duty specifies precise details of obligatory action and often applies to a particular person, whereas an imperfect duty leaves more room to maneuver and often applies to a group.
and sin (Rom. 5:6-8), human needs and potentials are attended to by the
God who is agapic love, and finite agents are commanded to do likewise.

In baptism, the whole congregation promises to help raise the child,
so there is a theological model of the kind of communal responsibility I
have in mind. Moreover, adoption services need not always be handled
governmentally, through the state. Churches and other nonprofit organi-
zations and communities can take on the responsibilities involved, with
the state applauding and licensing, but not directly running, a host of
faith-based or social-justice-based initiatives. Such initiatives have the
virtue of keeping family creation close to the parties most immediately in-
volved, in accordance with the principle of subsidiarity. Some worry
that “independent” adoptions that work outside of governmental agen-
cies are readily corrupted by financial incentives, and the so-called “gray
market” in adoptable children does at times approximate baby selling. So
even a proponent of subsidiarity, such as myself, must affirm the state’s
proper (if limited) place in regulating adoption procedures.

To flesh out and back up these claims, let me examine in more detail
two forms of adoption called by some “abominable” and by others “liber-
ating”: single and homosexual adoption. These forms of adoption clearly
challenge traditional conceptions of sex, marriage, and the family. But
how should we understand them, morally, when focus is on the sanctity
of the children involved, rather than the dignity of the would-be adoptive
parents or the utility of the general society?

III. Abomination, Liberation, and
Two Controversial Forms of Adoption

Nontraditional adoption crosses time-honored boundaries (for example,
of race and ethnicity) and/or calls into question the meaning of gender
in marriage (as in, for example, gay and lesbian unions). Sometimes the
undermining of social divisions or the blurring of familial boundaries is
deaupoung and harmful. Most of us would agree, for instance, that
the Bible rightly calls incest, child-sacrifice, and bestiality “abomina-
tions” (Lev. 18:6-30). The devastating effects of these practices are well-
documented. At other times, however, past distinctions between groups
or types of people are themselves destructive and in need of subversion.

24. I wish to thank Brent Waters, Mary Stewart Van Leeuwen, Stephen Presser, and
John Witte for helping me to clarify the points made in this paragraph.
25. For more on this principle, see the essay by Lisa Cahill in this volume.
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Few of us would now applaud the idea that it is an “abomination” for the Egyptians to eat with the Hebrews (Gen. 43:32) or an incitement to “prostitution” for ethnic groups to intermarry (Exod. 34:16).26

Is nontraditional adoption necessarily abominable, or might it actually be liberating for all concerned? The basic meaning of the word “abominable” is indicated by its etymology, which The Oxford English Dictionary notes is either absit + omen or ab + homine.27 The former possibility, which I will call “the theological reading,” is the older of the two and construes the abominable as what is without good omen or God’s blessing, what offends the Fates or incurs God’s wrath. The latter, “anthropological” reading entered the English language through John Wycliffe’s 1382 translation of the Bible — he and his associates followed the French Medievals in spelling “abominable” with an “h” — and sees the abominable as what departs from or destroys the essentially human.28

As with “abomination,” two general readings of “liberation” are possible. The Latin root of the word “liberate” (liber) means “free”;29 but there are at least two possible elaborations of this freedom, elaborations as old as Augustine: mere freedom of choice (liberum arbitrium) or the more holistic notion of good disposition, candor, and personal integrity (libertas). Bare freedom of choice (liberty of indifference) refers exclusively to the will and says nothing about the ends to which free choice is put, while libertas is a more normative notion in which the whole person (rather than just the will) flourishes. Liberation in the sense associated with libertas entails more than having an external encumbrance removed. We do speak of “liberating” a town, say, when we mean delivering it from foreign occupation; but the most robust sense of “liberation” involves internal empowerment, a revolution in the soul rather than in its circumstances, an immense heightening of crucial capacities.

If love is from God and God himself is love (1 John 4:7-8), and if the fundamental human need and capacity is to come into loving relation with God and other human beings (Matt. 22:36-40), then we have a basic definition of both “abomination” and “liberation.” The abominable is

26. Old prejudices die hard, of course; Anwar Sadat was assassinated, in part, precisely for being civil to Menachem Begin.
28. This paragraph and the ones that immediately follow borrow extensively from my Love Disconsoled: Meditations on Christian Charity (Cambridge: Cambridge University Press, 1999), ch. 4.
what fundamentally thwarts or destroys the potential to love or be loved, while the liberating is what fundamentally expands or generates this potential. To be capable of loving care is to be capable of knowing and pleasing God and of furthering human beings as themselves of intrinsic worth, while to be in need of loving care is to need valuing by God and others. To care for human beings as such is to value their status as (real or potential) valuers, and to need care from other human beings is to require their valuation in order to acquire moral ends of one’s own. Personal care is, in other words, self-conscious and other-regarding. Yet, more important, developing personhood, becoming ourselves, requires that others extend to us gratuitous attention before we are self-conscious agents. Because of their need and potential to give and receive love — what I have called their “sanctity” — the pre-personal lives of children have profound worth. Not until full personhood is actualized do our lives self-consciously matter to us: only then do we value ourselves as valuers. But the need and potential for agapic love, even in fetuses, is at the root of the possibility of an abominable thwarting or a liberating expansion of humanity.

Loving care is the great gift given in adoption, a favor that is usually returned once the adoptee is capable of personal response. The chief aim of adoption is to foster human beings who are themselves caring and cared for, in a context where attentive care is otherwise missing. However stunted institutionalized children may be, and however different they may be from their prospective adoptive parents, the need and capacity for loving care is a universal human trait, as ubiquitous as language competence among undamaged individuals. If it is not cultivated by other caring human beings, it atrophies and is never actualized. In denying the importance of and opportunity for loving care, we not only deprive others of care here and now but also render them (and us) unable to care or to be cared for in the future. The loss is ultimately of the potential for dignity, as well as of the reality of sanctity.

Just as abominations contract humanity’s capacity to care or be cared for, thus making for bondage to bondage, so liberations expand that capacity, thus making for “freedom to be free” (in Arturo Paoli’s phrase, echoing Galations 5:1). To be liberated is not first of all to change our circumstances but to be changed ourselves. Unlike abominations, however, liberations undermine our prevailing social categories in highly beneficial ways — ways which allow for new and exponentially better forms of being and acting. Liberations make for a broader expanse of hu-

manity both individually and collectively as well as, for believers, a deeper communion with divinity. Blood ties between parents and children are among the most powerful human connections, but adoption transcends these to a large degree — even if adoptees and birth parents remain in contact — by placing custodial responsibility for raising children in the hands of persons not those children’s biological parents. This empowerment augments the moral identity of the adoptive parents, making them more giving, but it most centrally augments the moral development of the adoptees, making them more stable, secure, and fulfilled. Adoption allows us to integrate as many loving individuals as completely into the moral community as possible. Thus “liberation leads to liberation.”

Do single-parent and gay or lesbian adoptions undermine prevailing ideas of sex, marriage, and family in negative or positive ways? Are they “unnatural” in the sense of abominably destructive of the goodness of nature, “unnatural” in the sense of liberatingly broadening of that goodness, or perhaps neither? There are different kinds of single parents — never married, divorced, and widowed — and the households of each will tend to vary. But concerns over single parenting typically focus on three issues: (1) the economic stability of the household, (2) the psychological development of the children, and (3) the moral impact on the wider society. These worries are perhaps inevitable for a culture historically founded on heterosexual marriage. Looking at the relevant sociological data, however, I am increasingly convinced that a committed single person can give the type and amount of care that liberates all parties to an adoption to be better human beings. Even if one maintains that single parenting is not ideal (see below), it ought not to be stigmatized as such, independently of context, motive, concrete actions taken, and social consequences achieved. One’s personal dignity does not depend on having a spouse, nor does one’s ability to give love to a child. The possibility of good single parenting is implicitly recognized by the state when it does not automatically remove even minor children from the home of a widow or widower.

Similar things might be said about gays, lesbians, the elderly, and the physically impaired. The dignity of such individuals, so often denied a priori, is a function of their willingness and ability to embody love and jus-


32. As Dowd herself notes, “Removing the stigma against single-parent families should not, must not, keep us from recognizing the problems they confront. At the same time, recognition of the value of single-parent families is also crucial” (Dowd, Single-Parent Families, p. xviii).
tice, in parental contexts and elsewhere, even as any indignity stems from
the opposite. Some gay, old, and handicapped folks behave abominably,
but so do some who are straight, young, and able-bodied. There is no es-
caping the need to look at specifics rather than "types."

That said, as important as it is to recognize the dignity rights of a
range of adults, adoption debates are best served, I believe, by looking
carefully at the sanctity rights of needy children. Rather than focusing on
the rights of marginalized would-be parents, we should accent the rights
of suffering children to be adopted by the marginalized. This is dictated
by the charitable principle of attending first to the most vulnerable — an
idea as old as Jesus’ identification with “the least of these” (Matt. 25:45)
and as new as liberation theology's “preferential option for the poor.”
What is abominable — that is, what is against God’s will, or stifling of hu-
manity — is to deny a suffering child a loving home that he or she might
otherwise have. Many singles and homosexuals could provide such a
home to the hundreds of “unadoptables” trapped in foster care or ware-
housed in large institutions. It is not being raised in a nontraditional fam-
ily that causes needless human suffering, but rather being uncared for, in
utero or out. A child without a consistent adult caregiver often becomes
all but incapable of love and trust, and thus the spiral of abuse and ne-
glect perpetuates itself into the next generation.

Consider the legal implications of shifting focus from the right to
adopt to the right to be adopted. There is no explicit constitutional right
to adopt, so challenges to a state’s ban on gay adoption, for example, must
rely on general appeals to “due process and equal protection” (for both
gay males and lesbians), as enunciated in the Fourteenth Amendment.33
The problem, however, is that cases that do not involve explicitly pro-
tected classes or fundamental rights shift the burden of proof to plain-
tiffs — for instance, homosexual persons who wish to adopt. All the state
need do is show a “rational basis” for precluding nontraditional adoption,
such as the state’s authority to regulate family law in accordance with lo-
cal standards. A more plausible case can be made for the constitutional
right to be adopted by available and willing parents. Amendment XIV, Sec-
tion 1, of the United States Constitution reads,

All persons born or naturalized in the United States, and subject to
the jurisdiction thereof, are citizens of the United States and of the

33. See, for example, Laurie Cunningham, “Florida's Gay-Adoption Ban Goes to 11th
state wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

To be denied adoptive parents that one might otherwise have — for example, a single person or a gay or lesbian couple — is closer to being deprived of “life, liberty, or property” in basic ways, as well as to being denied “the equal protection of the laws.” An adult’s life, liberty, and property are not fundamentally at risk if he or she does not adopt a child, but a needy child’s life, liberty, and property may be so at risk if he or she is not adopted. The Fourteenth Amendment safeguards citizens from the unwarranted deprivation of life, liberty, and property, and this is traditionally interpreted as a negative right not to be interfered with. I have contended, however, that human sanctity entails some positive rights to be assisted. In this regard, the right to be adopted is analogous to the right to basic health care or to social security.

Children always do better with reliable, ongoing parental oversight. In addition, singles and homosexual couples often will embrace “special needs” children — the older, the impaired, the biracial, the ethnically alien — either because the would-be parents identify with these neglected souls or because these children are the only candidates that the system will consider handing over to a nontraditional household. All persons who are willing and able to provide a caring home should be allowed to adopt any available children; we must not imply that ostracized people can adopt marginalized children only because “ideal” couples do not want them. But, given present institutional realities, to deny a special needs child the possibility of a single father or mother or of homosexual parents may be to deny that child/citizen his or her only real chance at being loved.

Some worry that endorsing single-parent adoption will encourage women to get pregnant out of wedlock, and perhaps encourage men to impregnate them. If an unmarried adult, male or female, can properly raise a child, male or female, why should society continue to hold out a marital union of husband and wife as the most proper context for procreation? Won’t countenancing single adoptive parents mean more “illegitimate” children, since the stigma of single parenthood will have been removed, including from the very young? This is a reasonable concern about unintended social consequences. It is important to distinguish, however, between adopting a child who already exists without supportive
parents and purposely conceiving a child out of wedlock. For a father or mother intentionally to conceive a child out of wedlock does a disservice to the child. In spite of the increasing emotional, economic, and political independence of women from men, denying a child the benefit of two parents committed to each other increases the likelihood of juvenile and long-term difficulties for that child. The debate rages on concerning the extent to which family form, such as single parenthood, causes problems of poverty and other disadvantages for children and the extent to which it merely correlates with them. Quoting V. Groze, Kathy S. Stolley writes that “it appears that ‘marital status has little, if any, effect on adoption outcome as it relates to disrupted or intact adoptions.’ Thus, a recommendation may be supported to actively recruit single adults as adoptive parents.” But Wade Horn avers,

The empirical literature is quite clear . . . that children do, indeed, do best when they grow up in an intact, two-parent, married household. Even after controlling for differences in income, children who live with their married parents are two times less likely to fail at school, two to three times less likely to suffer an emotional or behavioral problem requiring psychiatric treatment, perhaps as much as 20 times less likely to suffer child abuse, and as adolescents they are less likely to get into trouble with the law, use illicit drugs, smoke cigarettes, abuse alcohol, or engage in early and promiscuous sexual activity. One is hard pressed to find a single indicator of child well-being which is not adversely impacted by divorce or being born out-of-wedlock.

34. See Dowd, Single-Parent Families, esp. pp. 26-27. In sometimes suggesting that a family’s form has little or nothing to do with how well its members fare, Dowd oversstates her case, I believe. But in accenting the centrality of poverty, gender stereotyping, racial discrimination, and other variables not directly equatable with family structure, she nonetheless provides a helpful corrective to a narrow traditionalism that would vilify all single parents.


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One may grant the goodness of single-parent adoptions as (partial) remedies for the plight of homeless children — we must not make the perfect the enemy of the good — and one may also acknowledge the right of single birth parents to keep their offspring if they can provide for them. (Emphasis is typically on single birth mothers, thus the dignity and rights of single birth fathers are frequently overlooked.) Yet one may still affirm, as I do, that stable marriage is the ideal setting for raising children. The ideal abides not simply because two parents can be more efficient than one but also because two can more fully model, in their interpersonal relations, the give and take of love.

An extended family of grandparents, aunts, uncles, cousins, and others can, of course, provide a wide range of affection and support for the children of a single parent, as well as for the parent himself or herself. (The same can be said for an extended church of ministers, deacons, elders, lay leaders, and so on.) And I in no way mean to imply that single-parent households, per se, are faulty or undesirable. In spite of a 50 percent divorce rate in the United States, however, the conjugal love of two people still promises dynamics of care and commitment — touching God, one another, and any children — that simply cannot be had in any other way. Indeed, it is for just this reason that I favor legalizing same-sex marriage. For gays and lesbians who wish to adopt, no less than for heterosexuals, stable marriage should be the primary familial context. That context stands the best chance to benefit, maximally, all three elements of the adoption triad: the child, the biological parents or family, and the adoptive parents or family.

In spite of the three issues identified above, single fathers and mothers, biological and adoptive, are ever more socially acceptable these days. But two major objections to homosexual adoptive parents are less easily overcome: (a) the fear that the same-sex couple will intentionally or unintentionally drive an adopted child into a gay or lesbian “lifestyle,” and (b) the fear that one or both members of the couple will molest the child in their care, especially a child who is of the same sex as the couple. On the first score, states like Florida (and Utah and Mississippi) commonly maintain that adoptees need heterosexual role models to develop “normal” sexual identification. A same-sex household frustrates healthy

37. A man contemplating becoming a single adoptive father can take encouragement from Barbara J. Risman’s judgment, shared by an increasing number of experts, that “mothering’ is not an exclusively female skill” (Risman, “Can Men ‘Mother’?: Life As a Single Father,” Family Relations 35 [1986]: 95).
child development, the argument runs, so even if the best interests of the child translate into the right to be adopted, the pool of potential parents should be limited to the heterosexual. On the second score, the ready association of homosexuality with pederasty still persists in our culture. The recent scandal of numerous Catholic priests abusing children in their care, across decades and seemingly with impunity, has bolstered the tendency both to equate gayness with child molestation and to take public steps to stop the predation.

It is tempting to address the first fear, of same-sex couples pushing adopted children into homosexuality, by “biologizing” the issue. Some are comforted by the thought that sexual orientation seems largely a matter of genetic predisposition, as though having little or no choice in a mode of being is sufficient ground to affirm (or at least to tolerate) it. Virtually all gays and lesbians come from traditional heterosexual families, which indeed suggests that their orientations are more a matter of nature than of nurture. Moreover, the sociological evidence does not appear to support the thesis that gay and lesbian parents are more likely to raise gay and lesbian children. But to think that these data settle the moral question is to be guilty of the genetic fallacy. The issue is not whether sexual identity is biologically determined, individually chosen, or socially conditioned — it may well be a function of all three factors — but whether homosexual parents can be just and loving to their children. If they cannot, then the causal reasons why they are same-sex oriented matter very little: they should not

39. Take, for example, the statement by the Ramsey Colloquium on “The Homosexual Movement,” First Things 41 (March 1994): 15-21. Though thoughtful and nuanced in many ways, the statement rather uncritically maintains that “public anxiety about homosexuality is preeminently [and legitimately] a concern about the vulnerabilities of the young,” especially their vulnerability to “seduction and solicitation” (p. 20). We rightly worry about child abuse, but unless we observe that heterosexual seduction and solicitation of children is also anxiety provoking, the impression is left that gays and lesbians are especially prone, as such, to harm children.


be allowed to adopt. If, in contrast, they can be good parents, they should
be permitted (even encouraged) to adopt. To have no freedom of choice
with respect to an action or disposition may well be excruciating, but pa-
thologies are to be checked regardless of whether they involve personal
guilt. Even if alcoholism is understood as a disease, for instance, we still ar-
rest people for DUI and eventually take away their drivers’ licenses. The key
question, to repeat, is not whether a particular sexual orientation is caus-
ally determined, but whether it is socially destructive.

The second fear, of homosexual child molestation, can be guarded
against in the same fashion as heterosexual child molestation: with care-
ful public oversight and strong legal sanctions. If a couple, gay or straight,
has a history of child abuse, they are obviously not fit candidates for
adoptive parenting. And if a couple, gay or straight, is convicted of child
abuse, they should be severely punished with fines and imprisonment, as
well as the loss of parental rights. Just as a loving straight father would be
offended by the suggestion that he is sexually interested in his daughter,
just as a loving straight mother would be offended by the suggestion that
she is sexually interested in her son, so a gay or lesbian parent who loves
his or her child will take umbrage at the innuendo of incest. Incest is in-
deed an abomination with devastating effects on young psyches, but gay
parents are just as capable of honoring the sanctity of their children’s
lives as are straight parents. (If this is not so, one wonders why even
Florida permits homosexuals to be foster parents, even to care for the
same foster child for a period of years.) The virtue and criterion that
ought to govern all relations between adopters and adoptees is a charity
that actively promotes the good of all parties, including the good of un-
troubled psychic individuation for children. Putting the key point cau-
tiously, most studies with which I am familiar find no detrimental impact
on children of parental homosexuality.

A final word is in order about the linkage, for juveniles, between
abomination and liberation. It is precisely the “unfinished” quality of

42. On the destructive psychological and social effects of incest, heterosexual and ho-
mosexual, see Jean Renvoize, Incest: A Family Pattern (New York: Routledge and Kegan Paul,
1982); Robin Fox, The Red Lamp of Incest: An Enquiry into the Origins of Mind and Society (Notre
Dame, Ind.: University of Notre Dame Press, 1983); Diana E. H. Russell and Rebecca M.
Bolen, The Epidemic of Rape and Child Sexual Abuse in the United States (Thousand Oaks, Calif.: Sage, 2000);
and Susan Forward and Craig Buck, Betrayal of Innocence: Incest and Its Devasta-

43. See Julie Schwartz Gottman, “Children of Gay and Lesbian Parents,” Marriage and
children, their innocence and dependency, that makes them so readily both the victims of abomination and the beneficiaries of liberation. If children were not so undeveloped and un-self-aware, they could engineer their own care and not be so subject to adult cruelty or kindness. As it is, they can be radically stunted or enriched by their elders. We do not know why some adults are moved to solicitous wonder by the “mystery” of a child, to use Martin Marty’s term, while others are induced by that same “mystery” to take advantage of that same child. But to dismiss, prey upon, or otherwise despise the young and vulnerable is virtually definitive of inhuman and impious behavior. To check such abomination, liberating adoption policy will put the best interests of the child ahead of adult rights. That done, new rights and old wrongs are brought to light for both children and adults.

IV. Identity, Dignity, and the Right to Know

Even as needy children, especially when younger, have a sanctity right to be adopted, including by single or homosexual parents, so adopted children, especially when older, have a dignity right to know their biological identities, including who their birth parents and siblings are, if this knowledge is available. Knowing one’s genetic history can be indispensable to wise or timely health decisions, as in choosing between types of cancer treatment or searching for donor organs for transplant. Beyond this bio-medical benefit, however, there is a profound psycho-social good at stake. Knowing personal origins, genetic and cultural, is often crucial for forming a robust sense of self. (Dignity itself I have defined as requir-

45. I follow an ancient exegetical tradition in holding, for instance, that Abraham is “Father of the Faith” not because he is willing to sacrifice Isaac but because he is willing to overturn the ritual burnt offering of the first-born son in favor of a more egalitarian and charitable view of father-child relations. See my Love Disconsoled, ch. 6 (“Is Isaac Our Neighbor?”).
46. As noted, a central motive for adopting individuals, early and late, is reverence for their sanctity, but parents taking in older persons (e.g., troubled teenagers) may also look to the latter’s dignity and what it takes to respect it. Need I say, all human lives possess sanctity, while some (the personal) have both sanctity and dignity.
47. In some instances, information on birth parents and/or siblings is unlikely to be available. For many Chinese adoptees, for example, there simply are no records with actual names. I thank Cindy Meyer for helping me to clarify this and related points.
ing self-awareness and/or self-control over time.) We are historical beings, and to appreciate one’s relation to other people in the present, one must understand one’s own genesis in the past. Here secrecy and shame are abominable, stunting of mature development, while openness and pride are liberating. As Rickie Solinger notes,

In many ways, the idea of adoptees searching for their biological roots and claiming rights to information about themselves was, itself, shaped by liberation movements emerging in the 1960s. In the 1970s, through ALMA [the Adoptees’ Liberty Movement Association] and other organizations, adoptees claimed the right to own the truth about their origins. Among the pioneers of “identity politics,” adoptees fused liberation, the search for self-hood, and special group identity to define and assert a political cause.  

An adopted child may decline to exercise his or her right to know birth parents and any siblings, but having the option to know or not know is itself empowering, a recognition of the adopted child’s dignity as a free agent. A birth mother who relinquished her child to adoption may decline to interact with that child in later life, but to conceive and deliver a child carries with it the obligation to allow that child to know who he or she is, his or her full selfhood in relation to others. The same goes, mutatis mutandis, for a birth father. Due to legal constraints or medical disabilities, birth parents may not always be free to fulfill the duty of disclosure I describe. But nondisclosure should be the exception rather than the rule. This becomes especially clear when one reads what Solinger calls “adoptees’ heart-wrenching expressions of their need to find themselves by finding their lost parents.” This need seldom has anything to do with how kind or unkind adoptive parents have been. The desire to uncover the truth is usually a function of neither dissatisfaction with adoptive families nor morbid curiosity; it appears to be an innate and healthy drive toward self-awareness for many adoptees. Jesus himself, considered by many to be history’s most famous adopted child, seems to have been driven by a passionate desire to know his lineage, even as Matthew and John take particular interest in his genealogy — Matthew biologically and John metaphysically.

49. Solinger, *Beggars and Choosers*, p. 84.
51. Moses finishes a close second, I suppose, or is it a dead heat?
V. Jesus Christ As Adopted Son

Was Jesus Christ adopted, and if so by whom and for what purpose? Nestorians and other Adoptionists separate the human and divine natures of Christ, maintaining that he represents a dual sonship. “Christ as God is indeed the Son of God by generation and nature, but Christ as man is Son of God only by adoption and grace.” Jesus the historical figure, that is, is not coeternal with the Heavenly Father but rather is “adopted” by God at a particular moment in time (at his baptism, transfiguration, or resurrection). On this view, Mary is not Theotokos (Mother of God) but rather the birth mother of a human child. In turn, Jesus’ unity with the divine will is a moral union, not a hypostatic one. For Nestorians, Jesus is not the divine Logos but the Son of God by way of trans-species adoption of the lower by the higher. God takes in Jesus, so to speak, to foster a redemptive providential plan, but Jesus is not an eternal person of the blessed Trinity.

Adoptionists typically hold that their position is required if the true humanity of Jesus is to be preserved and if normal human beings are to have any hope of following Jesus into heavenly salvation, as fellow adoptees of the Father. Broadly Adoptionist views have genuine appeal precisely because they seem to allow a greater connection between actual people and the exemplary life and teaching of Jesus. The Bible nowhere calls Jesus the adopted Son of God, but Jesus himself calls people to become sons and daughters of God. “Love your enemies and pray for those who persecute you, so that you may be children of your Father in heaven,” he declares in Matthew 5:44-45, ending with the injunction, “Be perfect, therefore, as your heavenly Father is perfect” (Matt. 5:48 NRSV). Becoming “children of the Most High” (Luke 6:35 NRSV) is open to all who love their enemies, do good, and lend without expecting return. And this process sounds very much like being adopted by a righteous and powerful Father. In fact, it resonates well with my emphasis on the right of needy children to be adopted by responsible adults.

In addition, to aver that Mary is the Virgin Mother of God and that Jesus of Nazareth is of one substance with the Father (homoousion) may suggest that ordinary sexual reproduction is dirty or shameful and that Jesus Christ is something like a clone of God miraculously placed inside

of Mary’s womb. Such a picture makes it difficult to take seriously imperatives to embody Christ-like love in this life. If Jesus Christ is superhuman and utterly *sui generis*, how can we take to heart his final commandment to love as he loves? An impossible model is arguably no model at all.

For all its power, however, there are a number of moral and theological problems with the Adoptionist scenario. First, it makes adoption by God depend on one’s personal merit or achievement, when, as I have argued, it is the sanctity of human life that inspires the strong to take in the weak. Surely the point of Jesus’ comments on becoming “children of God” is the existential one that we must become who and what we already are: made in God’s image and called to holiness. According to Genesis, we are already God’s sons and daughters, so our “adoption” is, at least in part, a recognition of an ongoing identity. Second, Adoptionism negates the powerful doctrine that the incarnation is God’s kenotic act of self-humbling that *allows us to adopt* God. God takes on human form to show us both the need and the potential of a sacred child — and all children are sacred — and Joseph (and Mary?) rise to the occasion as “adoptive” parents. Joseph is frequently the forgotten man in traditional accounts of the nativity, but the generosity of his not putting away a pregnant Mary and of raising a son not his own is entirely lost on Adoptionists. Third, Adoptionism fails to take sin seriously as a blight on humanity in need of redemption. We cannot overcome sin, and thus love as we ought to love, without divine assistance. The fact that this assistance comes through acceptance of vulnerability, first in the manger and then on the cross, should not surprise us. This is God’s characteristic way with the world. As First John observes, “In this is love, not that we loved God but that he loved us and sent his Son to be the atoning sacrifice for our sins” (1 John 4:10 NRSV). Once more, God’s adoption of us also rescues us from a bondage that we ourselves cannot break.

There are good reasons, then, why the various brands of Adoptionism have been labeled problematic, indeed heretical, by the overwhelming majority of Christian denominations. Most Catholics and many Protestants insist that Mary is the Virgin Mother of God and that Jesus as human is the “natural” (i.e., supernatural) Son of God, not merely God’s adoptive son. Mary’s virginity and Jesus’ sonship are affirmations of the sanctity of human life, not denials of its earthiness, since both doctrines highlight the redemptive presence of God with us in the flesh. If Jesus were merely the biological son of Mary and Joseph, his life, death, and resurrection would make his holiness an impossible ideal for the rest of us; even as, if Jesus were but the adopted Son of God, this would make...
Filiation with God dependent on our own contingent achievement. There are moral justifications, in short, for declaring that Mary is *Theotokos*, and that in Jesus Christ there is but one nature, one person, fully divine and fully human. “Christ, Son of God, by His eternal generation, remains Son of God, even after the Word has assumed and substantially united to Himself the sacred Humanity; Incarnation detracts no more from the eternal sonship than it does from the eternal personality of the Word.”

Jesus is adopted by Joseph, to repeat, but in insisting on knowing and living out his divine sonship, the Christ himself affirms the right of all adoptees to discover their full identity.

If Jesus was adopted by Joseph, and if Jesus nevertheless insisted on affirming his true identity, his supernatural “sonship,” then we should not forbid suffering children from being adopted by those radically different from themselves or, where possible, from knowing their actual ancestry. On the contrary, adoptive children in “nontraditional families” have an especially privileged role in the *imitatio Christi*.

There is, of course, a more radical form of “adoptionism” that leaves God entirely out of the picture and sees Jesus as the bastard son of Mary and an anonymous human father, perhaps a Roman soldier who impregnated Mary while she was betrothed to Joseph. On this account, Mary is either an adulteress or a rape victim, and the cuckolded Joseph is supremely admirable for either forgiving her sin or overlooking her violation. For Joseph to consent to wed Mary and to raise Jesus as his own child makes him, not Jesus, the second Adam who undoes the poisonous male myth of Eve’s transgression in the Garden. And it is Jesus’ awareness that he is illegitimate that makes him intensely concerned with his own identity and gives him his deep empathy with those who are socially outcast.

This naturalistic view can teach us much about the courage of adoptive fathers and the right of birth mothers not to surrender their children to strangers; it can also help us reject the contempt for illegitimate children that has plagued Hebrew-Christian culture at least since Ishmael. But with this secular story, we have left the fold of Christian faith altogether.

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56. On these subjects, see John Witte’s essay in this volume.
Conclusion: The Image of God and the (Un)Naturalness of Sex

If God is agapic love (1 John 4:16), then to be made in God’s image must be to possess a love-related feature. We tend to think here of the capacity to give love, but divine blessing exists perhaps even more profoundly in the need to receive love. The need for love is itself a sublime part of love. Thus I equate the image of God with the essential need or ability to receive or give agape, a condition that includes fetuses (wanted and unwanted), children (legitimate and illegitimate), the handicapped, the senile, and, need I add, the single and the married, the gay and the straight. In God, goodness and power merge, but we must always remember that that power is made perfect in weakness (2 Cor. 12:9). Indeed, in children we see that we are fundamentally “mirror images” of God, not because children are demonic but because they need so palpably to receive love that they thereby reverse our typical understanding of God as pure might and sovereign independence. The mystery of both Yahweh and youth is its gifted yearning. God started out self-sufficient yet chose to create the world, an imponderable willingness to cease to be all-in-all. God then become incarnate in this world, in part to redeem creatures but also in part to receive their love in return. We, in contrast, start out entirely dependent on others and grow to, at most, a partial autonomy in which we can freely give of ourselves. To adopt a needy child is to participate in this holy dialectic of giving and receiving.

This account of the *imago Dei* might seem to settle things, but the issue of adoption cannot be separated from the backdrop of increasingly divergent religious and secular criteria for proper sexual and familial relations. Adoption practices both shape and are shaped by those criteria. At its best, adoption is motivated by the desire to care for and educate children, but it might seem to be a problematic case of acquiring offspring without having had sex. If the Roman Catholic Church forbids artificial means of conception, why does it permit adoption? Similarly, if traditional postnatal adoption is admirable, why not think of artificial insemination by donor as very early prenatal adoption? Why should parent-child consanguinity be essential to “reproduction” here? In spite of its historical commitments to forms of “natural law,” Christianity ought to be wary of too readily identifying the “natural” with the normative. What is natural, as opposed to artificial, is often hard to specify. And Protestants, at any rate, are generally reluctant to take fallen human proclivities, much less nonhuman nature, as definitive of virtue. Nature is “red in tooth and claw,” as Tennyson observed in “In Memoriam,” and many instinctive human impulses are cruel or destructive. At the heart of Christianity, and
thus of Christian views on adoption, stand two super-natural acts: the incarnation and the passion of Christ. These, not instinct or habit, provide the moral cues for how to live, as any sophisticated version of natural law theory recognizes.

It is not getting children without having had sex or having sex without getting children that is the issue, but rather whether the sex is loving and the children are loved. Christian sex (and adoption) is not finally defined by what is “natural” or “unnatural,” but by what is Christ-like and thus perfecting of nature. Marriage and the fruit of children may have initially been confined to a procreative Adam and Eve in the Garden of Nature, but we now live east of Eden and, even without the fall, Christ represents a donum superadditum who wins for us (gay and straight) forms of community not “naturally” possible. If, by the grace of the incarnate Word, we are to love those who are strangers or enemies to us and to let them teach us virtue, then surely we can permit inspired singles and homosexuals to be parents. Better still, surely we can support them and even see in them part of the meaning of (God’s) parenthood and family.

Jesus Christ was an iconoclast, associating with the poor and marginalized and putting the immediate needs of vulnerable human beings ahead of social conventions and religious traditions. His iconoclasm was liberating in the extreme. If Jesus was single, as the Gospels suggest, then Christians cannot idolize the married state; if children are among the most vulnerable, as surely they are, then Jesus’ own example ought to move us to provide for them; and if Jesus was inspired by a quest to determine his true ancestry, as Peter appreciated (see Matthew 16:13-18), then we cannot deny contemporary adoptees the chance to discover who they are. If Jesus Christ is the supernatural and sinless Son of God whom the Father allows Joseph (and us) to adopt, in sum, then Christians have the best motive imaginable to endorse the rights of suffering children to be given loving homes and genetic histories. The language of “rights” and “duties,” even “sanctity rights” and “duties of charity,” may ultimately cede pride of place to talk of “faith, hope, and love.” (Exclusive reference to “rights” and “duties” may imply an overly adversarial set of relations.) But both God and Joseph express their love across bloodlines and social divisions, and both are faithful to children gotten without benefit of “natural” sex. We as a society can only hope to do the same. Not only does adoption revere the sanctity of a human life; to the extent that we nurture “the least of these,” we also care for Christ himself (cf. Matt. 25:45).

My overarching conclusion is straightforward: supporting the positive right of helpless or abused children to be adopted ought to be a funda-
mental Christian, and national, commitment. This is especially true if one holds, as I do, that elective abortions are immoral and should be illegal after the first trimester. One cannot be pro-parent, advocating the negative rights of would-be adopters not to be interfered with, without first being pro-child, advocating the positive rights of adoptees to be cared for. And one cannot be anti-abortion, recognizing in fetuses the right-to-life, without also being pro-adoption, recognizing in infants the right-to-life-in-a-family. Being pro-adoption does not mean humiliating unwed or indigent birth parents, or denying them the right to care for their children if they are able and responsibly choose to do so, but it does mean putting the best interests of the children first. The interests of the adoptees should also be the primary factor in determining the extent of contact that birth parents might later have with their relinquished children.

My thesis that needy children have the right to be adopted invites the question of how, practically, to offer a remedy to these children. To stop excluding single people and same-sex couples from adopting is one concrete step, but even more important is the cultivation of a sense of corporate accountability for the problem. This is a matter not so much of legal policy as of lived charity.

57. See my *Priority of Love*, ch. 5. Pertman notes that, sadly, there is still often more stigma associated with putting one’s child up for adoption than with having an abortion (*Adoption Nation*, p. 12). Does any other social attitude better crystallize the conflict between the culture of death and the culture of life?

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