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Good Parents: The Homonormative Appropriation of Children of Color

Cassandra Hall¹

“If being married doesn’t protect straight black families from having their children taken away, it’s unlikely that it will protect queer black families.”

- Priya Kandaswamy²

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I. INTRODUCTION

Following Kandaswamy’s critique of homonormative marriage initiatives, I consider how the entangled histories of marriage, parenthood, and white supremacy in the United States are articulated through the expansion of marriage rights to same-sex couples. Through critical discourse analysis, I trace the histories of same-sex marriage law with attention to how the homonormative subject is brought into relief through

¹ Master’s candidate in Women, Gender, and Sexuality Studies, Oregon State University. An earlier version of this work was presented at LatCrit XXI Conference, New Voices in Interdisciplinary Critical Scholarship section, Orlando, FL, October 2017. I am grateful to Dr. Ronald L. Mize for his thoughtful feedback and guidance in crafting this project.

² Priya Kandaswamy et al., *Is Gay Marriage Racist?*, in *THAT’S REVOLTING: QUEER STRATEGIES FOR RESISTING ASSIMILATION* 113-20, 115 (Mattilda Sycamore ed., 2004).

this discourse. In particular, I look to the ways in which white affluence is centered in efforts to legalize same-sex marriage. I read these texts against articles that focus on racial disparities in foster care and adoption. I chart the emergence of the “good” homonormative subject against the continual pathologization of subjects and families of color. Given that white lesbian and gay couples are more likely to foster or adopt children of color than their white cisgender/heterosexual counterparts, what might these parallel narratives reveal about homonormativity and its complicity in the precarity of families of color? How might we interrogate political and/or legal approaches that operate through the expansion of normativity? To conclude, I reflect upon the transformative potential of interdisciplinary critical scholarship and the collaborations and solidarities that emerge from this approach.

II. “GAY ADOPTION OF BLACK CHILDREN RAISES CONCERNS³” A CASE STUDY

Like so many stories about queer subjects in dominant media, this one begins with Madonna. In 2006, Madonna, and her then-husband Guy Ritchie, adopted David, a one-year-old baby from Malawi.⁴ Initially, David was said to be orphaned.⁵ It was subsequently revealed that David’s father was alive and had placed the child in an orphanage after his wife’s death.⁶ Nonetheless, he remained invested in David’s welfare, and was intent upon caring for the baby himself at a later date.⁷ As such, the adoption was contested. The conditions of David’s adoption fueled social debate on the ethics of transracial and transnational adoption.⁸ In October 2006, National Public Radio entered into the fray with their story, “Gay Adoption of Black Children Raises Concerns.”⁹

While the story opens with the conditions of David’s adoption, it shifts its focus to white gay (and implicitly, lesbian) couples who adopt black children. David’s adoption - notably, situated within a heterosexual marriage - incited discussion of white parents’ adoption of children of

³ See Nancy Mullane, *Gay Adoption of Black Children Raises Concerns*, NAT’L PUB. RADIO (Oct. 31, 2006, 9:00 AM), <https://www.npr.org/templates/story/story.php?storyId=6411137>.

⁴ Mabvuto Banda, *Father of Malawian Boy Backs Madonna Adoption Bid*, REUTERS (May 12, 2008, 11:59 AM), <https://www.reuters.com/article/us-malawi-madonna-adoption-idUSL128248920080512>.

⁵ *Id.*

⁶ *Id.*

⁷ *Id.*

⁸ See generally *id.*

⁹ Mullane, *supra* note 3.

color broadly. Here, NPR reporter, Nancy Mullane, does not consider the problematics of placing children of color in white homes. While the host, Tony Cox, mentions a 1994 federal law now forbidding racial discrimination in adoptions (MEPA)¹⁰ that fueled transracial adoption, its inclusion is cursory. Its tenets are not defined, and its implementation and implications are not explored.¹¹ Nor did she interrogate the coded rhetoric of transracial adoption, which almost without exception translates to the placement of children of color in the care of white parents.¹² There are no efforts to contextualize her discussion of transracial adoption within racialized histories of child apprehension, the continual pathologization of families of color, or the appropriation of children of color to further imperial “civilizing” projects.¹³

Rather, NPR’s coverage here was confined to gay and lesbian potential parents, namely Gregory Stewart and Stillman White - the white, gay adoptive parents to five black children.¹⁴ The piece centers upon their experiences as parents, and on the suspicions that befall white, gay men raising black children. Stewart and White maintain that they are cognizant of their children’s encounters with racism and queer-antagonism.¹⁵ As articulated here, the experiences of marginalization emerge not from pervasive anti-blackness, but from the public’s apprehension toward white, gay parents raising black children. As Stewart tells us, “We are struggling right now with the fact that our kids, because of the kid culture here, the school culture, are still being harassed for having two dads. And the bigger issue in San Francisco is having white dads.”¹⁶ Thus, the fathers are imagined as the objects of racism. Their five black children are peripheral to this racism, experienced through and because of their fathers’ whiteness. Notably, this narrative follows that of MEPA wherein (default-to-white) adoptive potential parents were constructed as objects of discrimination if and when race was considered in children’s placement.¹⁷ As articulated here, racial consciousness discriminates against white potential parents. As such, the codification of post-racial ideology found in MEPA¹⁸ is presented as a means of alleviating discrimination in adoption and foster policies and procedures.

¹⁰ *Id.*; see Multiethnic Placement Act of 1994, Pub. L. 103-382, 108 Stat. 4056 (1994).

¹¹ Mullane, *supra* note 3.

¹² *See id.*

¹³ *Id.*

¹⁴ *Id.*

¹⁵ *Id.*

¹⁶ *Id.*

¹⁷ *See* Multiethnic Placement Act of 1994, Pub. L. 103-382, 108 Stat. 4056 (1994).

¹⁸ Pub. L. No. 104-188, 110 Stat. 1755 (1996) (codified at 42 U.S.C. §§ 671(a) (18), 1996(b)). MEPA (1994) provided some space for racial and/or cultural dynamics to be considered in placement. It maintained that federal funding would be revoked if state

Here, consideration of the potential harms of transracial adoption is deemed discriminatory. As such, the needs of children are peripheral to potential parent's claims of discrimination. This positioning extends to the way in which children - and black voices generally - are featured in NPR's story. Our sole encounter with Stewart and White's children is through background noise. Further, these muted inclusions are always in reference to their fathers, as in the story's final lines. As the audio fades, an uncredited child asks, "Papa?" and the show closes with White's voice saying, "I'm right here."¹⁹ This exclusion may have been informed by a desire to protect their children from public scrutiny, or by the legal mandates that often follow adoption. Nonetheless, its problematics are exacerbated by the erasure of black perspectives throughout the story. NPR cites the National Association of Black Social Workers' (NABSW) 30-year stance that the adoption of black children by white parents constitutes "cultural genocide."²⁰ However, its mention follows a statement that focuses on the adoption of black children by white, gay parents. Acting as a stand-in for actual black people, Mullane states, "Some in the black community say, wait, not so fast with this white gay couples adopting their kids thing."²¹ Following Mullane's introduction, NABSW's condemnation of transracial adoption is rendered as a critique of white, gay parents' adoption of black children. Thus, NPR obscures the statement's relation to white supremacy, and situates it within debates over the right of (white) gay and lesbian subjects to parent (children of color).

The single inclusion of a black perspective focuses on the "gay thing." Mullane visits Top Hat Barber Shop in Oakland and asks six black men their feelings on "gays adopting black children."²² As Mullane tells us, two-thirds of the men were critical of gay adoption.²³ As presented here, the adoption of children of color by white parents is entangled with gay parenthood.²⁴ Notably, Mullane's question does not account for whiteness.

agencies were found to make placement decisions based solely upon race. Following a public critique – that again, centered the perspectives of white parents who filed complaints – a 1996 amendment eliminated the inclusion of the word solely, so that no state agents could (a) deny to any person the opportunity to become an adoptive or a foster parent, on the basis of the race, color, or national origin of the person, or of the child, involved; or (b) delay or deny the placement of a child for adoption or into foster care, on the basis of the race, color, or national origin of the adoptive or foster parent, or the child, involved.

¹⁹ Mullane, *supra* note 3.

²⁰ *Id.*; see National Association of Black Social Workers, 1972 *Position Statement on Transracial Adoption (Archived)*, http://c.y.mcdn.com/sites/nabsw.org/resource/resmgr/position_statements_papers/nabsw_trans-racial_adoption_.pdf (2017)

²¹ Mullane, *supra* note 3.

²² *Id.*

²³ *Id.*

²⁴ *See id.*

It follows that the story's only direct black voice would focus on sexuality. Michael, one of the men at the barber shop, says, "I'm 1,000 percent against it, whether it's black gay couples or white gay couples raising our children. It doesn't matter. I'm against it. For one thing, it's immoral. It's going against God's plan, for another thing. But another thing, the outcome is going to be disastrous."²⁵

In her framing, Mullane exploits hegemonic narratives that place racialized subjects in opposition to the neoliberal progressive trajectories through which gay and lesbian subjects may be incorporated within a normative body politic. In the structuring of her question, Mullane does not allow for discussion of whiteness and transracial adoption outside of their potential entanglements with gay parenthood. This enables NPR to tell a story of transracial adoption that does not problematize whiteness or interrogate the ways in which children of color are incorporated within homonormative political projects. Following this case study, I trace transracial adoption and its entanglements with homonormativity. What do these conditions reveal about race in the neoliberal moment? In particular, I consider how neoliberal hegemony is sustained through transracial adoption and homonormativity.

III. CONTEXTUALIZING TRANSRACIAL ADOPTION

I situate my discussion of the political economies of adoption within adoption's racial histories. In particular, I consider how the 1994 Multi-Ethnic Placement Act and the 1996 Welfare Reform Act shaped the current moment and its political economies. I look to the ways in which these laws have been used to justify what journalist Harsha Walia calls the "colonial violence of child apprehension."²⁶

Journalist, Stacia L. Brown,²⁷ explores the reasons for disparate adoption costs between black children and white children. As Brown tells us, "White and biracial babies 'cost' upwards of \$30,000, while the cost to adopt black babies is around \$17,000."²⁸ Brown examines the various justifications offered for this difference—"supply-and-demand," the length of time that parents wait for a child, prenatal expenses that are covered by public health coverage, and the like. Further, both states and federal

²⁵ *Id.*

²⁶ Erin Durban-Albrecht, *An Interview with Harsha Walia*, THE FEMINIST WIRE (Mar. 13, 2014) <https://thefeministwire.com/2014/03/interview-harsha-walia/>

²⁷ See Stacia L. Brown, "The Problem with Saying 'Black Babies Cost Less to Adopt,'" THE ATLANTIC (Jul. 1, 2013) <https://www.theatlantic.com/sexes/archive/2013/07/the-problem-with-saying-black-babies-cost-less-to-adopt/277452/>

²⁸ *Id.*

governments offer subsidies for “hard to place” children.²⁹ In practice, “hard to place” often means children of color.³⁰

Prior to the Multi-Ethnic Placement Act, race conscious subsidies were used to incentivize the adoption of children of color most often by families of color. Here, I briefly summarize the tenets of the Multi-Ethnic Placement Act and consider its implications and potential entanglements with homonormativity. Historically, adoption placements occurred along racial lines. As dictated by the Multi-Ethnic Placement Act, agencies could no longer consider race or ethnicity when placing children. While the Multi-Ethnic Placement Act professes to be “color-blind,” in practice, it almost always translates to the placement of children of color in white homes. Further, the vast majority of discrimination complaints filed through the Multi-Ethnic Placement Act are filed by white potential parents³¹.

Though articulated through a rhetoric of child protection, the Multi-Ethnic Placement Act, in conjunction with the Child Welfare Act of 1999³² constitute a more punitive shift in child services and adoption policy. In particular, these acts reflect a focus on placement in permanent housing rather than family reunification. Here, I briefly consider the implications of these policies alongside Clinton-era welfare reforms.

Through the neoliberal rhetoric of personal responsibility, Clinton pushed for a repeal of the existing Aid to Families with Dependent Children (AFDC). In its place, he offered Temporary Assistance for Needy Families (TANF). In their 20-year retrospective of Clinton’s welfare reform policies, Kathryn Edin and H. Luke Shaefer write, “TANF was no simple safety net; it was also meant to be a springboard to self-sufficiency through employment, which it encouraged recipients to find work by

²⁹ *Id.*

³⁰ See Amanda Perez, *Transracial Adoption and the Federal Subsidy*, 17 YALE L. AND POL’Y REV. 201, 202 (1998).

³¹ In her interview with Rachel Dolezal, a “white woman who identifies as black,” journalist Ijeoma Oluo considers the limits of a “transracial” politics that only moves one way. Throughout their interview, Dolezal asserts that her “insistence on black identity . . . [will] help free visibly black people from racial oppression by helping to destroy the social construct of race.” Oluo refuses these logics and maintains that Dolezal’s racial fluidity is a function of white privilege. As Oluo writes, I am more than a little skeptical that Dolezal’s identity as the revolutionary strike against the myth of race is anything more than impractical white saviorism—at least when it comes to the ways in which race oppresses black people. Even if there were thousands of Rachel Dolezals in the country, would their claims of blackness do anything to open up the definition of whiteness to those with darker skin, coarser hair, or racialized features? Similarly, transracial adoption allows for the movement of children of color into white homes. It seldom allows for the movement of white children into the families of color. Following Oluo’s analysis, these movements are sanctioned only when they operate in service of white supremacy.

³² *Id.*

imposing work requirements and limiting how long they could receive benefits.³³

Further, TANF mandated that federal funds would be allocated to individual states via block-grants. Thus, states are granted tremendous leeway in how TANF funds are spent. A 2015 study conducted by the Center on Budget and Policy Priorities found that \$3 of every \$4 allocated to TANF is spent elsewhere. Notably, these funds, intended for the working poor, are often re-allocated to fund state child welfare programs. Given the ongoing pathologization of families of color, parents of color are more likely to encounter Child Protective Services than their white counterparts. Complaints and sanctions are often in response to a perceived inability to provide financially for one's child³⁴. Thus, parents are seldom given supports that would enable them to keep their children in their home. In a New York Times op-ed, Emma S. Ketteringham, managing director of the family defense practice at the Bronx Defenders, recounts the experiences of a client referred to as Eline³⁵. As Ketteringham tells us, most of the cases of child removal that she encounters are credited to neglect, rather than abuse. Neglect is a catchall term. Given its fuzzy borders and ambiguity, state interventions attributed to neglect often follow a perceived inability to provide financially. Ketteringham writes

Eline did not need parenting classes; she already loved and cared for her children. She needed a home that wasn't infested with rats . . . And it should have given her the financial assistance that went to the foster parents. The trauma of this approach cannot be underestimated: studies show that foster care, even for short periods of time, can carry risks to children and diminish outcomes.³⁶

Further, charges of neglect and the potential removal of children from their families of origin are directly related to the imposition of welfare-to-work policies. Clinton-era welfare reforms were justified through the evocation of the figural welfare queen. Informed by the neoliberal rhetoric of personal responsibility, welfare became contingent upon recipients' productivity and waged labor. Despite increased regulation and

³³ Edin, Kathryn & H. Luke Shaefer, *20 Years Since Welfare Reform*, THE ATLANTIC (22 August 2016) <https://www.theatlantic.com/business/archive/2016/08/20-years-welfare-reform/496730/>

³⁴ *Implicit Bias in Child Welfare, Education, and Mental Health Systems*, NATIONAL CENTER FOR YOUTH LAW (Michael Harris & Hannah Benton, eds.,2015).

³⁵ Emma S. Ketteringham, *Live in a Poor Neighborhood? Better Be a Perfect Parent*, N.Y. TIMES (Aug. 22, 2017) <https://www.nytimes.com/2017/08/22/opinion/poor-neighborhoods-black-parents-child-services.html>.

³⁶ *Id.*

contingencies, the amount of aid provided to families remains inadequate. As such, parents who depend on welfare must work, but seldom receive subsidies and/or aid sufficient to provide their children with adequate childcare while they are away. If these parents remain with their children and fail to work, they may lose their welfare benefits and ability to provide financially for their children. Given the ways in which neglect is deployed against poor and/or working-class parents, the inability to work may lead to arrest and the suspension of parental rights. However, leaving children while one works may similarly lead to arrest or the removal of children³⁷. As such, neoliberal policies including welfare-to-work reforms place poor parents in an impossible position. These conditions allow for a figural bad parent to emerge. This always already neglectful parent is posited against an imagined good parent, increasing conceived of as white, gay, and affluent.

IV. HOMONORMATIVITY AND THE PATHOLOGIZATION OF FAMILIES OF COLOR

In my reading of NPR's *Gay Adoption of Black Children Raises Concerns*, I allude to the ways in which homonormative political formations obscure the workings of neoliberal hegemony. As I consider how emerging homonormative formations are used to further marginalize families of color, I find it necessary to define homonormativity. How does homonormativity operate? To what is it oriented? Here, I define homonormativity through a critical analysis of the New York Times' coverage of same-sex marriage legislation.

My use of homonormativity follows Lisa Duggan's work in *The Twilight of Equality: Neoliberalism, Cultural Politics, and the Attack on Democracy*³⁸. As Duggan tells us, "The new sexual neoliberal politics . . . might be termed the new homonormativity - it is a politics that does not contest dominant heteronormative assumptions and institutions, but sustains and upholds them, while promising the possibility of . . . a

³⁷ See Michelle Goldberg, *Has Child Protective Services Gone Too Far*, THE NATION (Sept. 30, 2015) <https://www.thenation.com/article/has-child-protective-services-gone-too-far/>. In July 2015, Laura Browder of Houston, TX was arrested for child abandonment after bringing her children – then aged 6 and 2 – to a food court while she interviewed for a job. The children were 30 feet away from their parent, and never out of Browder's line of sight. In 2014, Debra Harrell of South Carolina was arrested for allowing her 9-year-old child to play at a park alone while she worked a shift at McDonald's.

³⁸ LISA DUGGAN, *THE TWILIGHT OF EQUALITY?: NEOLIBERALISM, CULTURAL POLITICS, AND THE ATTACK ON DEMOCRACY* (2012).

privatized, depoliticized gay culture anchored in domesticity and consumption.”³⁹

Though imagined as a single-issue political formation, homonormativity operates within and in the service of a broad neoliberal project. Specifically, homonormativity advocates for the inclusion of gay and lesbian subjects within conservatizing institutions, namely marriage, military, and market. While my focus here is on homonormativity, this phenomenon is not exclusive to homonormative formations. Rather, it is endemic to those bodies, arrangements, and ways of being that may be incorporated within the category of legibility through the neoliberal rhetorics of multiculturalism, and the co-optation of diversity and inclusion initiatives.

Homonormativity is oriented toward models of inclusion wherein gay and lesbian subjects are incorporated within hegemonic institutions through the “intensification of normalization.”⁴⁰ In the expansion of normativity and the broadening of the normative body politic, neoliberal institutions are replicated and reified. Thus, neoliberal hegemony is necessarily invested in the project of inclusion.

Further, homonormative politics is contingent upon the assumption that the homonormative subject does not differ from the heteronormative subject. As Duggan tells us, the assertion of sameness is evident in the mission statements of neoliberal gay organizations. In *Equality, Inc.*, Duggan critiques the Internet Gay Forum’s rhetoric of inclusion. In their mission statement, the group maintains that they “deny conservative claims that gays and lesbians pose any threat to social morality or the political order. We equally oppose progressive claims that gays should support radical social change or restructuring of society⁴¹.” Though articulated as a refusal to engage with those political projects that imperil “the political order,” the Internet Gay Forum’s mission statement is not apolitical. Rather, it reflects a desire to operate in conjunction with existing socio-political structures, thereby sustaining neoliberal hegemony.

In my initial conception of this project, I aimed to map the narrative of same-sex marriage legislation with and against the New York Times’ discussion of racial disparities in foster care and adoption. I traced the emergence of the “good” homonormative subject against the ongoing pathologization of racialized subjects and families of color. As per Duggan, homonormativity is a highly visible political formation.⁴² This

³⁹ *Id.* at 179.

⁴⁰ Judith Butler, *Is Kinship Always Already Heterosexual?*, 13 DIFFERENCES: A J. OF FEMINIST CULTURAL STUD., 1, 14-44 (Spring 2002).

⁴¹ DUGGAN, *supra* note 39, at 48-50.

⁴² *Id.*

visibility was evident in the number of New York Times articles focusing on same-sex marriage legislation.⁴³ The New York Times cultivated an archive focusing on “news about same-sex marriage, civil unions, and domestic partnerships.” The archive comprised almost exclusively of articles published in the New York Times features hundreds of news articles and editorials. In my survey of this archive, a clear progressive arc emerged, culminating in the 2015 Supreme Court ruling that the Constitution guarantees a right to same-sex marriage. In my reading of this archive, I explore how the 2016 Supreme Court ruling upholding same-sex adoption continues this progressive trajectory. US racialized marriage histories are entangled with the right to parent. Informed by the content of this archive, I ask, what do the parallel narratives of homonormativity and racialized parenthood revealed in these readings indicated about parenthood and personhood/citizenship?

Alternately, the New York Times seldom grappled with racial disparities in foster care and adoption. In my review of archived articles published between 2003 and the present, fewer than two dozen pieces considered racial disparities in foster care, adoption, and/or encounters with Child Protective Services. Admittedly, my survey of archived articles does not reflect the New York Times as published. Nonetheless, I find the comparative lack of coverage to be telling. Further, discussions of racial disparities within these systems were confined to black children. While other racialized groups were mentioned, their inclusion was cursory. As such, my analysis centers upon the experiences of black families and children.

My use of homonormativity is further informed by Judith Butler’s critique of homonormative politics. In *Is Kinship Always Already Heterosexual*, Butler offers three conceptual categories: legitimate, illegitimate, and unthinkable.⁴⁴ Legitimate subjects and arraignments abide state logics and are legible within hegemonic institutions. In politics, the illegitimate - that which is not yet, but may become legitimate - are rendered legitimate. Alternately, the unthinkable exist beyond the realm of the il/legitimate and can never be made legitimate. The incorporation of unthinkable subjects within state logics would necessitate the unraveling of neoliberal ideologies and institutions.

Following Butler, I value the unthinkable for their transformative potential. Nonetheless, I find it necessary to trouble Butler’s conception of these categories. As written, they are mutually exclusive and rigid. In my analysis, I consider how il/legitimate subjects may be positioned as unthinkable, regardless of their legibility to the state. I focus on the

⁴³ *Id.*

⁴⁴ Butler, *supra* note 41, at 17-19.

precarity that follows this misrecognition. I maintain that subjects who trouble a normative body politic, regardless of their codified relation to the state, are positioned as unthinkable. In particular, I consider how racialized “legitimate” subjects reveal the limits of state-sanctioned politics. Through critical discourse analysis, I come to understand the racialized subject as an “almost, but not quite” citizen. Notably, this conception of citizenship is not written into the law. Rather, it reflects the law as implemented, informed and distorted by socio-cultural factors.

Feminist scholar Patti Duncan considers how “diversity and inclusion” operate within the neoliberal university.⁴⁵ Duncan’s analysis follows her experiences as a woman of color in women and gender studies, particularly the conditions that led to her resignation from a tenure-track faculty position.⁴⁶ Duncan argues that the neoliberal university operates as a nation-state, wherein citizenship is limited to particular subjects.⁴⁷ As Duncan tells us, citizenship as constructed here could not extend to a woman of color.⁴⁸ As such, Duncan’s position within her program and the academe broadly were tenuous. Following Duncan’s conception of citizenship as a political and social category constituted through subjects’ relation to dominant hegemony, I argue that citizenship is at best, precarious, and at worst, unattainable for racialized subjects. This contestable citizenship was explored formally and informally at LatCrit XXI, most often in relation to Donald Trump’s tweets about Puerto Ricans following the devastation of Hurricane Maria. In Trump’s tweets – and the federal government’s response to the crisis – Puerto Ricans were positioned as almost, but not quite citizens.⁴⁹ Thus, federal aid and intervention was presented as charitable. The devastation of Hurricane Maria and the Trumpian discourse surrounding the aftermath were a shadow that carried into much of LatCrit XXI. This specter was felt in the absence of those who were unable to attend due to the hurricane, and in conversations between those who were able to attend.

Within the logics of (homo)normative reproductive temporalities, it follows that homonormative political formations would orient themselves toward the expansion of family rights, namely gay and lesbian subjects’ right to adopt. I maintain that parenthood – or, in liberal rhetoric, the right to parent – is the domain of the citizen. As noted above, racialized subjects, regardless of their formal legitimacy, possess a tenuous citizenship.

⁴⁵ Patti Duncan, *Hot Commodities, Cheap Labor: Women of Color in the Academy*, 35 *FRONTIERS: A J. OF WOMEN STUD.*, 1, 39-63 (2014).

⁴⁶ *See generally id.*

⁴⁷ *Id.* at 52.

⁴⁸ *See id.* at 55.

⁴⁹ *Id.*

In *Hot Commodities, Cheap Labor*, Duncan maintains that “good” pedagogy and theory are racialized.⁵⁰ That is, these pedagogies and theories are situated within the dominant discourse of white supremacy. In as much as the home operates as a site of learning, parenting models and home pedagogies are similarly racialized. Through the analytic of citizenship, I consider how the homonormative subject comes to embody “good” home pedagogies.

Notably, the whiteness of homonormativity is not (necessarily) identitarian. Fundamentally, the homonormative subject is non-heterosexual citizen who otherwise embodies a neoliberal ideal. As such, most homonormative subjects are white. More importantly, homonormativity is necessarily oriented toward whiteness. Here, I evoke Sara Ahmed’s conception of whiteness as a “straightening device.”⁵¹ In *Queer Phenomenology*, Ahmed considers how compulsory heterosexuality (and later, whiteness) operate as straightening devices.⁵² As Ahmed tells us,

“Spaces and bodies become straight as an effect of repetition. That is, the repetition of actions which tends toward some objects, shapes the ‘surface’ of space . . . The repetition of actions . . . shapes the contours of the body. We get stuck in certain alignments as an effect of this work.”⁵³

Following her experiences within a mixed-race family, Ahmed considers how normative orientations, namely heterosexuality and whiteness, orient bodies toward normative ways of being, thereby “straightening” them.⁵⁴ Through the image of the family table, Ahmed considers how whiteness and its objects operate as straightening devices, and how objects associated with her father’s racialized lineage were otherized within the dictates of the heterosexual home. Following Ahmed’s discussion of orientation, I consider how homonormative subjects are straightened through an orientation toward whiteness.

Now, I place Ahmed’s discussion of whiteness in conversation with Duncan’s analysis of “good” pedagogies and theories. In both (homo)normative and queer discourse, gay and lesbian bodies are constructed as necessarily non-reproductive. As noted previously,

⁵⁰ See Duncan, *supra* note 46 at 55.

⁵¹ SARA AHMED, *QUEER PHENOMENOLOGY: ORIENTATIONS, OBJECTS, OTHERS*, 38-40 (2006).

⁵² *Id.*

⁵³ *Id.* at 92.

⁵⁴ See *id.* at 92.

homonormative subjects are move toward and with whiteness. As such, homonormative subjects are repositories for “good” home pedagogies and parenting models. Thus, gay and lesbian subjects are imagined as childless formations through which children of color may be “saved” from their pathologized families of origin. Often, there is minimal or no attempt to place these children with other family members - implicitly, other people of color. Following the NABSW’s assertion that the adoption of black children by white parents constitutes “cultural genocide,”⁵⁵ how might we understand the placement of children of color within homonormative families to be an effort to construct “good” racialized subjects?

In NPR’s *Gay Adoption of Black Children Raises Concerns*, gay and lesbian potential parents are discussed as a “desirable” market for both public child welfare programs and privatized adoption firms. Jill Jacobs, executive director of Family Builders by Adoptions states,

They don’t have this Ozzie and Harriet notion of what a family should be and how kids should come, and don’t necessarily have a need for newborn babies. And so, you kind of have a blank slate. And they walk in the door and we can say, this is what we need. These are the kids we have. Would you? Could you? And they say yes.

As Duggan tells us, neoliberalism frames the gay subject as a “normative consumer citizen.”⁵⁶ Within these logics, children (of color) are constructed as commodities for the good, gay citizen.

V. CONCLUSION

In tracing the ways in which the expansion of normativity through legal frameworks might exacerbate the precarity of parents and children of color, I offer no simple solution for how to resolve these conditions. This reflects the scope of the issue, but also my scholarly and institutional position. I came to LatCrit XXI as a feminist humanities scholar with focuses in queer and crip theories. My engagements with critical race theory and outsider jurisprudence emerge from these scholarly trajectories. Initially, I engaged with legal frameworks as potential archive in which to interrogate the normalization of queerness and its implications in the neoliberal moment. Informed by the illuminating and generative conversations I encountered at LatCrit XXI, I consider the transformative potential of solidarities and collaborations between LatCrit and similar

⁵⁵ See *supra* discussion text accompanying note 20.

⁵⁶ DUGGAN, *supra* note 39 at 180.

legal formations and interdisciplinary feminist, queer, and/or critical scholars. Situated as I am in an interdisciplinary discipline with a focus on literature, art, and/or media, LatCrit offers tangible, material ways of engaging with issues of social justice. The need for solidarities between social justice-oriented scholars is made all the more urgent in the Trumpian moment. Here, I briefly reflect on the moments from the LatCrit XXI conference in which these solidarities and opportunities for collaboration felt the most salient.

The Art, Activism, and Law roundtable facilitated by Nikki Reisch and Kristin Norderval opened spaces for solidarities and collaborations between those working in and through the law, activists, and artists. In establishing an interactive space, Reisch and Norderval troubled the expert-audience dichotomies that permeate much of academic conference culture. Similarly, I would argue that the socio-political marginalization of artists, community organizers, and independent scholars prevents meaningful collaborations between them and those positioned in the legal academe. In my continual engagement with homonormativity and parenthood, I consider the ways in which engagements with activist frameworks including transformative justice, and art and popular media might shift this project, and my reading of these legal frameworks.

Similarly, the Dystopias, Utopias, and Resistance roundtable focused on the ways in which dystopian and/or utopian fictions related to the material work of legal scholarship. In particular, I was moved by the ways in which those on the roundtable – Saru Matambanadzo, Atiba Ellis, Anthony Farley, Marc-Tizoc González, and Brandt T. Lee – engaged with science fiction, specifically the work of Octavia Butler. If my work as a humanities scholar is moved in generative and meaningful ways through engagement with critical legal frameworks, this roundtable alluded to how LatCrit and the legal academe more broadly might engage with other (interdisciplinary) branches of scholarship. In listening to them reflect upon their affinities for these literary texts, and the ways in which literary content informs their work, I was reminded of a question posed at an earlier forum wherein participants were asked to engage with the metaphor of law as medicine. While participants' responses were varied and reflected the realities of their particular investments in the law, all of those featured expressed some ambivalence about the law as enacted. In feeling for solidarities between my chosen discipline and LatCrit, I return again and again to this moment. In my initial conception of this project, I posited homonormativity against parenting queerly. Whereas homonormativity is confined by the dictates of neoliberal politics, parenting queerly reflects investments in orientations beyond the normative. Stated differently, parenting queerly reflects the enactment of Butler's unthinkable. While the attributes of parenting queerly remain fuzzy, I am drawn to the radical

potential of this ambiguity. I feel a similar ambiguity in the question of law as medicine, and in the potential of solidarities between critical legal theory and other social justice-oriented disciplines. Parenting queerly, for me, emerges from a refusal to engage with homonormativity and its imperatives. Similarly, what transformative engagements might emerge through a refusal to engage with the law as medicine if and when it harms? What transformative forms of accountability, community, and relationality follow from this generative refusal, enabled by these solidarities?

