A Child Torn

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A CHILD TORN

3rd Place

Lisa Graveling

Thousands of children are born each day. Whether they are an answer to prayer or a mistake in the minds of their mothers, there are other women who don't even have the option of having children. Among other possibilities, either they are infertile or they have had a hysterectomy. Fortunately, those who desperately seek to have children have the option to adopt.

However, in the last year, the practice of adoption has encountered troubled times. And nothing has tarnished it more than the unfolded nightmare of baby Jessica. Jessica's "biological" mother, Mrs. Schmidt, gave up her child for an adoption and then later decided that she wanted Jessica back. Before Mr. and Mrs. Dan Schmidt got married, Mrs. Schmidt wanted the child of Jessica by taking her away from the DeBoers, the only family she had known for the first two and a half years of her life. Even though Mr. Schmidt had two other children, whom he had made no effort to help raise, the courts still granted him custody. Evidently, the courts didn't have Jessica's best interests in mind when they took her away from everything she had grown to know and care about. It is quite obvious that this loss can only have had detrimental effects on this child. Moreover, when the "biological" mother chooses to give up her child for an adoption, she then also gives up the right to take her child back.

It cannot be denied that the stigmatization of adoption is long-grounded and growing darker than ever, argues Harvard Law Professor Elizabeth Bartholet in "Family Bonds: Adoption and the Politics of Parenting" (Shapiro). Even fairy tales let children know that adoption is viewed as inferior parenting. Hansel and Gretel, Rapunzel, Snow White and Cinderella are all abandoned by their birth parents and threatened with being thrown into ovens, locked in towers, killed by poisoned apples or forced into domestic slavery by the evil stepfamilies that claim them (Shapiro). That message is clear: Familial love is secure only when measured by blood and birth. However, experts say that although growing up adopted can be difficult, nothing can match the devastation of losing both parents as a toddler (Cowley).

Certainly, Dan Schmidt had been found to be the "biological" father of Jessica. And it is true that he never signed any papers legalizing his daughter's adoption. Thus, Jessica still belonged to Mr. Schmidt. However, two and a half year old Jessica shouldn't have been taken away from the Schmidt family, because Mrs. Schmidt should not have had the right to make the decision to give the child away.

In previous times, couples who could not have children, a child, a nurturing home, an adoption has become practical. However, the courts have decided that these "biological" children that's not wanted. The courts didn't have to decide whether they would support the "biological" parents or the courts treated the child as an "adoptee," unless the court is at the child's home when parents want their child back, everything the child that's not wanted.

It was not ethical for the DeBoers, the only family she had known for the first two and a half years of her life. What's more, the courts had to know of any other family in that area that was as she was being cared for by her only parents. "On a note," says Professor Elizabeth Bartholet in "Family Bonds: Adoption and the Politics of Parenting" (Sachs).

If Mrs. Schmidt wants the child back, then she should be the one to raise the child. However, Jessica was "the one target everyone feels sorry for, the voice and is at the mercy of those who claim to be her parents. It is the question of whether her "biological" parents who that "biological" parents raise her or the courts decide who that "biological" parents raise her, who has the power to raise her. What's more, the courts had to know of any other family in that area that was as she was being cared for by her only parents. "On a note," says Professor Elizabeth Bartholet in "Family Bonds: Adoption and the Politics of Parenting" (Sachs).

Experts say that no one, not even a toddler. For a two year old child, the only family she is so close to is the one that holds her. Jessica wasn't allowed to give up her child, as she was being cared for by her only parents. "On a note," says, but too young to make a decision, like psychologist Jeree Paul, to the one target everyone feels sorry for, the voice and is at the mercy of those who claim to be her parents. It is the question of whether her "biological" parents who that "biological" parents raise her or the courts decide who that "biological" parents raise her, who has the power to raise her. What's more, the courts had to know of any other family in that area that was as she was being cared for by her only parents. "On a note," says Professor Elizabeth Bartholet in "Family Bonds: Adoption and the Politics of Parenting" (Sachs).

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Jessica shouldn't have been taken away from the only family she had known just because Mrs. Schmidt lied and failed to give the true identity of the father. Jessica should not have had to pay the consequences for her mother's deceit and irrational decision to give the child up without consulting the true father.

In previous times, adoption was a miracle and a second chance for many people who could not have children. "For infertile couples, there is the joy of parenthood. For a child, a nurturing household of love" (Shapiro). However, after the case of Jessica, adoption has become a constant concern and worry. Those who have adopted wonder if the "biological" parents will come back and take their children away from them. If all "biological" parents start taking the adoptive parents to court, saying they want their child back, then what's the use of having adoption? Why not just place the child that's not wanted in a child care center and wait until the "biological" parents decide whether they want their child back? One might say that's unfair to the child, but what the courts did to Jessica was also unfair and unjustifiable as well. The courts treated the child like mere property. The courts decided Dan Schmidt had rights to his child. What about Jessica, didn't she have any rights?

It was not ethical for the courts to decide that Jessica should be taken away from the only family she had known just because the Schmidts are her "biological" parents. What's more important to children, nature or nurture? Jessica had no knowledge of any other parents besides the DeBoers, her adoptive parents. As long as she was being cared for and loved, it should not have mattered if her "biological" parents would raise her or not. As far as Jessica was concerned, the DeBoers were her only parents. "Once a child is nurtured and cared for, you've got a family" (Sachs).

If Mrs. Schmidt wanted to keep her baby, then she never should have given her up. In my opinion, it's her problem. That was her choice. When she later decided she wanted the child back, she had to pay the consequences. The adoptive parents and the child should not have had to pay the consequences.

Jessica was "the one party to the case who had most at stake and the smallest voice and is at the mercy of judges whose rulings at times have seemed little better than suggesting that she be sawed in half" (Gregory). Jessica was treated more like property than a human being. We let our government make irrational decisions for children to suffer and be condemned. I wonder if they could take their little two year old kid and walk into a black forest and just leave the child and walk away... and not feel the pain...?" (Gregory) That's basically what the courts did to this child.

Experts say that nothing can match the devastation of losing both parents as a toddler. For a two year old, says Psychiatrist L. David Zinn, the world is organized around the sound of familiar voices, the smell of her house, the way her mother holds her. Jessica was old enough to have bonded profoundly to the DeBoers, Zinn says, but too young to understand why they would vanish. As San Francisco psychologist Jere Pawl put it, "A small child torn from the tapestry of relationships into which she is so complexly woven loses not only that familiar world but herself" (Cowley).

The one target everyone can hate with equal passion is the legal system that
placed a child and two families on the rack for two and a half years. The courts only made everything worse by prolonging the battle. The longer that Jessica was with the DeBoers, the worse it was for Jessica and the two families. If the courts are going to start allowing "biological" parents to take back their children, then they sure had better end adoption. It's not fair to the child to be ripped in half by two families. But ending adoption would also be unfair to those children who have the chance to be adopted by a loving family. In fact, when the "biological" mother gives up her child, she should realize that she's also giving up all rights to her child, including the right to take the child back.

Indeed, it was a real disgrace for the courts to take Jessica away from the only "real" parents she has known. It is unjustifiable when the courts treat a child like property rather than a human being. Why did the "biological" father, Dan Schmidt, get legal rights of his child when he has two other children that he had nothing to do with? Doesn't Jessica, who should have been the most important person in this case, have any rights? Evidently not, but at least the courts could have shortened the length of time that Jessica was with the DeBoers and made it a little easier on everyone instead of prolonging the battle for two and a half years.

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