

The Roads Not Taken in the Forest of Family Trees

Author : Ayelet Blecher-Prigat

Date : May 25, 2021

Sandra Patton-Imani, [Queering Family Trees: Race, Reproductive Justice, and Lesbian Motherhood](#) (2020).

In *Queering Family Trees*, Sandra Patton-Imani explores parenthood at the intersection of race, class, and sexual orientation during the period from the 1990s until the Supreme Court's landmark decision in [Obergefell v. Hodges](#).¹ This short period of time witnessed dramatic shifts regarding same-sex relationship recognition and adoption at the local, state, and federal levels, culminating in the legalization of same-sex marriage. In Patton-Imani's exploration, same-sex marriage is only one fragment of the larger story of family policy, which involves welfare, immigration, and adoption policies.

Patton-Imani's historical exploration is unique in that it is built on over one hundred ethnographic interviews with African American, Latina, Native American, Asian American, and white lesbian mothers living in different states, in a range of socioeconomic circumstances, all of whom were in the process of building their families during this time period. Through these women's narratives, we learn of the varied ways through which they formed their families, faced their daily challenges, and struggled to protect their family relationships and to gain benefits and rights that heteronormative families routinely enjoy.

Thus, for example, the book presents different stories of family-making through adoption that include relative adoption, transracial adoption, and transnational adoption. Kelly and Sam, a white middle-class couple, share the discomfort they felt at a Santa Clara County Child Welfare recruitment booth at San Jose Pride, where social workers identified certain children as "low risk," meaning that because their birth parents—most often single mothers—were unlikely to be able to regain custody, the children were "free" for adoption. This "neo liberal consumer logic" and terminology drove Kelly and Sam to forgo adoption through the foster care system and to resume their fertility treatments (which they could afford given their economic status). (Pp. 131-32.)

Mischa and Kimberly, another white middle-class couple, share the difficulties of bonding with foster children they hoped to adopt but who returned to their biological parents, went to live with relatives, or moved to a different foster family in another jurisdiction. The couple eventually adopted transnationally (from Haiti and Cambodia) and they acknowledge with sensitivity that extreme poverty was the primary reason their children's birth parents were unable to care for them. (Pp. 99-101.)

Betty and Edna, a working-class Hispanic couple, tell a very different story of family-making through adoption. This couple adopted two children born extramaritally to Betty's niece. After the niece relinquished the first child for adoption, Betty and Edna struggled financially to complete the formal adoption process, with the result that only Betty legally adopted the child. When Betty's niece gave birth to another child a few years later, the child was placed in a foster home with a white, heterosexual, middle-class married couple before Betty and Edna arrived at the hospital. It took two months of wrangling with welfare authorities for the couple to obtain custody of the child. Again, only Betty legally adopted the child due to financial constraints. (Pp. 186-88.)

These stories provide compelling accounts of power inequalities as well as significant gaps in the protections available for certain families as a result of socioeconomic status, race and ethnicity, and

gender, and especially the intersection of these factors. Yet, Patton-Imani emphasizes that none of these personal stories should be considered “representative.” Rather, she offers the stories as allegories, that is, as normative lenses through which larger sociopolitical narratives can be critically scrutinized.

Patton-Imani’s study makes powerful use of metaphor. A notable example is when she likens her interviewees’ families to grafted trees to illustrate the mothers’ inescapable engagement with prevailing templates for legitimate and normative families. The grafting process joins two or more plants into one and provides a strong metaphor for the interplay among biology, genetics, and nurture. Once the shoot of one tree is grafted onto the rootstock of another, it is nurtured by the rootstock, and the resulting fruit reflects the contributions of both original plants. As Patton-Imani emphasizes, however, the power of the grafted tree metaphor is that it not only illustrates the combination of plant genetics and nurturing to produce fruit, it also draws attention to the *power* that is involved in grafting. In the words of Patton-Imani: “Whose hand splices the branches and ties them together? Whose social vision shapes the planting and care of the orchard? Who waters and cares for fragile young shoots?” (P. 77.) “[S]tories about grafted trees make power relations visible, allowing us to see whose stories are excised from legitimate history, and how that sleight-of-hand is accomplished.” (P. 248.) Sometimes the exercise of power is easy to detect, such as when the state’s welfare system removes children from their birth parents and places them in foster care or adoption. In other instances, less palpable societal forces influence family-making in unseen ways that may lead, for example, to a scarcity of sperm donors of color – a scarcity noted by some of the interviewed mothers who were interested in such sperm.

The mothers’ narratives, as woven together and analyzed by Patton-Imani, reveal that at each crossroads in the brief and spotty history since the 1990’s, the road taken provided openings for more privileged LGBTQ families (whether through whiteness or economic status). Poor lesbian mothers of color were left behind, just as they had been left behind in the past: it is not only the most recent marriage-centered turn of the road in *Obergefell* that disadvantaged poor and non-white LGBTQ families.

Patton-Imani’s historical narrative-based exploration forces us to think about the roads not taken, the intersecting side roads of welfare, immigration, adoption, and marginalized families, from the 1990’s through *Obergefell*, whether at the local, state, or federal level. These alternative roads might have been more diverse, more inclusive, and addressed structural and economic barriers rather than offering more “choice,” which disadvantaged families often lack the financial means to exercise.

In identifying the roads not taken, Patton-Imani does not offer any specific legal path for change or concrete policy suggestions; she leaves that to us, legal scholars and activists. She does mark the desired end of the road, which is to secure the rights and interests of those most disadvantaged. She also suggests that building coalitions among the marginalized is the approach to take. Here, too, she uses trees as a metaphor, this time invoking redwoods, which enjoy majestic size and longevity despite their relatively shallow roots. It is the roots’ lateral expansion and interconnection that creates a common root system that supports them all and sustains them even during a storm.

1. 576 U.S. 644 (2015).

Cite as: Ayelet Blecher-Prigat, *The Roads Not Taken in the Forest of Family Trees*, JOTWELL (May 25, 2021) (reviewing Sandra Patton-Imani, *Queering Family Trees: Race, Reproductive Justice, and Lesbian Motherhood* (2020)), <https://family.jotwell.com/the-roads-not-taken-in-the-forest-of-family-trees/>.