

BOOK REVIEW

CURRENT PERSPECTIVES ON INTERRACIAL INTIMACIES

Interracial Intimacies: Sex, Marriage, Identity, and Adoption by Randall Kennedy. New York: Random House, 2002. Pp. 676. \$30.00.

Dana King*

Randall Kennedy's book *Interracial Intimacies: Sex, Marriage, Identity, and Adoption* is a history of black-white intimate relations that illustrates the complex and ever-changing nature of American racial politics over the past four hundred years. Referencing legal cases, personal histories, and literature, Kennedy covers a wide range of topics including interracial sexual relations, the legal history of miscegenation, racial passing, and trans-racial adoptions. With the twenty-first century upon us, it is an apt time to reflect on whether we have overcome the racial divides that W. E. B. DuBois described as the problem of the twentieth century. Kennedy's book offers an opportunity to reflect on the past and to examine the ways in which we perpetuate racial divides.

According to Kennedy, the book's purpose is to "persuade readers to eschew state-supported racial separatism in its various manifestations."¹ To that end, he urges an abandonment of state and federal policies, referencing past anti-miscegenation laws and current barriers to trans-racial adoptions, which promote relationships between race-matched partners. Race matching, he argues, is bad for several reasons. First, it presumes that race is a determinative factor in good relationships. Secondly, it denies individuals the right to choose their racial classification. Finally, it perpetuates a negative racialism that hinders integration of blacks and whites into a cohesive national group.

In his discussion of trans-racial adoptions, Kennedy elaborates most fully on his first point, that race is not a determinative factor of good relationships. Looking at current policies surrounding trans-racial adoption, Kennedy rails against both active race matching in adoptions—only placing children with adoptive families of the same race—and moderate race matching—giving preference to adoptive families of the same race as

* J.D. Candidate, Harvard Law School, 2005; B.A., Columbia University, 2000.

I would like to thank Afia Asamoah and Anthony Phillips for their help in editing the article, and my parents for their support.

1. RANDALL KENNEDY, *INTERRACIAL INTIMACIES: SEX, MARRIAGE, IDENTITY, AND ADOPTION* 35 (2003).

the child—as policies that assume that same-race adoptive parents are of greater benefit to a child than parents of a different race. To counter the view that black homes best raise black children, Kennedy maintains that black families are as likely to pass down devastating legacies of self-hatred as to enable a black child to construct a healthy racial identity and to deal with racism.² Likewise, he contends that white adoptive homes, in which a black child might deal with an added burden of prejudice for belonging to an interracial family, are as likely to inculcate courage and principled resistance to discriminatory social attitudes and to equip black children with strong characters, as to demoralize them.

For Kennedy, *ex ante* determinations of difficulties or benefits of an adoption based on the race of the adopting family are wrong and misguided. He resists arguments that cultural competency tests should be required of white parents looking to adopt trans-racially. Vehemently opposing arguments that race-matching policies are necessary to preserve racial cultures, he maintains that,

[F]ears of cultural “extinction” . . . are overblown—a rhetorical bogeyman. What is called ‘extinction’ is actually the transformation of cultures through interaction with others I see little virtue in burdening the living, particularly youngsters who have no choice in the matter, for the sake of preserving—freezing—group identities as they are presently constituted.³

He points to a California statute allowing authorities to, “consider the cultural, ethnic, or racial background of the child and the capacity of the prospective adoptive parent to meet the needs of a child of this background as one of a number of factors used to determine the best interest of the child,”⁴ as an example of inappropriate government intrusion on, “the ideological choices that white parents make . . . in raising *their* children—regardless of whether these children are connected to the parents by biology or adoption.”⁵

Testimonies of black adoptees and white adoptive parents in the book, however, indicate that consideration of race can not and should not be excluded from adoption placement decisions. White parents’ accounts of adopting trans-racially emphasize how their whiteness impacted their ability to understand the centrality of race for non-white people, and left them unprepared to deal with the looming specter of race in their adopted children’s lives. Each of the parents question the extent to which adopting trans-racially negatively impacted their children. While clearly affirming the love underpinning their parent-child relationships and without suggesting that it would have been better that they not have adopted their children at all, the white parents in the book, with the exception of one, nonetheless acknowledge the benefits of race matching: “[M]any adopters and adoptees who have together created loving multiracial families nonetheless believe that, all other things being equal, same-race adoption is

2. *Id.* at 477.

3. *Id.* at 513.

4. *Id.* at 444.

5. *Id.* at 446.

preferable to interracial adoption."⁶ Kennedy simply and forcefully counters, "They are wrong."⁷

I agree with Kennedy that race-matching policies are not in the best interest of children. As he notes, the disproportionate number of black children waiting to be adopted and the relatively small numbers of available black adoptive parents mean that creating barriers to trans-racial adoptions effectively leaves scores of black children without the hope of ever having a family of their own. However, I feel he goes too far in urging that adoption processes should not include discussions with adopting parents regarding the implications of race, along with other factors, on the adoptive relationship. Being race-conscious in adoption processes does not have to be a barrier to trans-racial adoptions. Rather, it can be a way of ensuring the success of trans-racial adoptions. Cultural competency tests seem absurd given the diversity within the black community, the lack of a definitive black culture, and more importantly, that black children in white homes will still have a culture no less valuable than if they were reared in black homes. Still, race does matter. Minority children are best served when their parents are aware of how deeply it matters and work to minimize its negative impacts. Being black does not mean that one is equipped to do this; not being able to discuss or consider the importance of race when adopting a black child perhaps does.

Kennedy weaves his second and third points, that race-matching policies deny individuals the ability to self-determine their identities and that race-conscious public policies create a negative racialism, throughout the book. Critiquing the external race determinations inherent to race-matching, as well as 'race patriots' who strive for mono-racial communities, scorn integration, and view passing as a form of betrayal, Kennedy states,

I myself am skeptical of, if not hostile toward, claims of racial kinship, the valorization of racial roots, and politics organized around concepts of racial identity. I am a liberal individualist who yearns for a society in which race has become obsolete as a significant social marker A well-ordered multiracial society ought to allow its members free entry into and exit from racial categories.⁸

Desiring an American society in which race is no longer a negative marker, a barrier to social mobility, or a fixed concept is a worthy goal. However, in an effort to achieve full racial inclusion and equity, we must be cautious not to downplay the current importance of race as a "significant social marker" independent of race-conscious state policies, and from which most people cannot opt out.

Kennedy's proposals do not convince me that the means to achieving his goal of full racial inclusion is through propagating race-blind policies rather than race-conscious policies that highlight racial lines in order to erase them. Kennedy's antipathy for race matching policies make him willing to sacrifice race-conscious programs and policies that have effectively promoted racial inclusion,

6. *Id.* at 400–01.

7. *Id.* at 401.

8. *Id.* at 332–33.

[Affirmative-action programs] have performed a great service But they do draw racial lines, a toxic activity If dismantling affirmative action must be part of the price of effectively doing away with race matching, it is no more than I, for one, am willing to pay.⁹

Achieving a fully inclusive society mandates recognition of race in order to understand where and how we are falling short of full inclusion and to chart our progress toward that goal. Unless public policies explicitly deal with race, those that are not encumbered or harmed by racial prejudice and the effects of historical exclusion have little incentive to act in ways that increase social mobility and access to resources or opportunities for minorities.

Randall Kennedy's book *Interracial Intimacies* gives a detailed history of black-white interracial relationships, an issue at the heart of American cultural life. I found the book to be an interesting read, though I would have appreciated a discussion of perspectives on interracial relationships in other minority communities. Brief allusions to non-Black minority experiences in "interracial" relationships appear in the text and in footnotes but are not given the attention that they deserve. Similarly, a discussion of what interracial means in an era when the Census recognizes multi-racial as a racial identity would have been fascinating. Nevertheless, Randall Kennedy's newest book challenged me to investigate and evaluate my own unexamined opinions on race, and in that sense, fully met its goal of making readers, "rethink their casual and unreflective reliance on racial distinctions."¹⁰

9. *Id.* at 428.

10. *Id.* at 36.