



Figure 1: Aerial photo of a typical Mortlock Island.

Source: Chuuk Public Utility Corp.

# Adopting Micronesian children across international borders

Gonzaga Puas<sup>1</sup>

<sup>1</sup> President, Micronesian Institute for Research (MIRAD) Palikir, Pohnpei, FSM 96941, Zagmirad.org,  
E-mail: zag\_lewis@yahoo.com

DOI: 10.23791/583539

**Abstract:** This paper discusses adoption, commonly referred to as *moumou*, in the Mortlock Islands, Chuuk, Federated States of Micronesia (FSM). *Moumou* remains a common practice by the Mortlock Islands community in the 21st century even within the setting of the Compact of Free Association with the US, which allows Mortlockese to set up permanent homes in the US. This paper introduces *moumou* and ponders if and how it can potentially co-exist with US family laws. Further, it considers how Mortlockese can continue to practice *moumou* outside the FSM.

**Keywords:** Micronesia, Mortlock Islands, adoption, US diaspora

[Submitted as Research Note: 11 August 2022, acceptance of the revised manuscript: 15 September 2022]

## Introduction

*Moumou* is traditional Mortlockese adoption and has been an integral part of Mortlockese (and, by extension, Chuukese) Islander identity and continuity.<sup>1</sup> In this small Micronesian community, it strengthens social relationships within extended family networks and the clanship system and fosters the forging of new alliances to expand family networks beyond national borders. The practice of *moumou* has been evolving and adapting to new circumstances brought, amongst others, by globalisation and international migration laws (cf. Puas 2021).

Although studies of local forms of adoption have been undertaken in different parts of the FSM, there remains a dearth of scholarly publications about *moumou*. This study explores how the adoption of Mortlockese children across borders and how it is challenged, hampered, and potentially denied by national legal frameworks. In this light, this paper is largely empirically driven and considers data collected by myself,

an indigenous scholar of Mortlockese descent, and my ongoing efforts to convey an understanding of *moumou* children across international borders from

a Mortlockese-Micronesian perspective.

To scrutinise possible differences between Mortlockese and Western attitudes towards adoption as illustrated

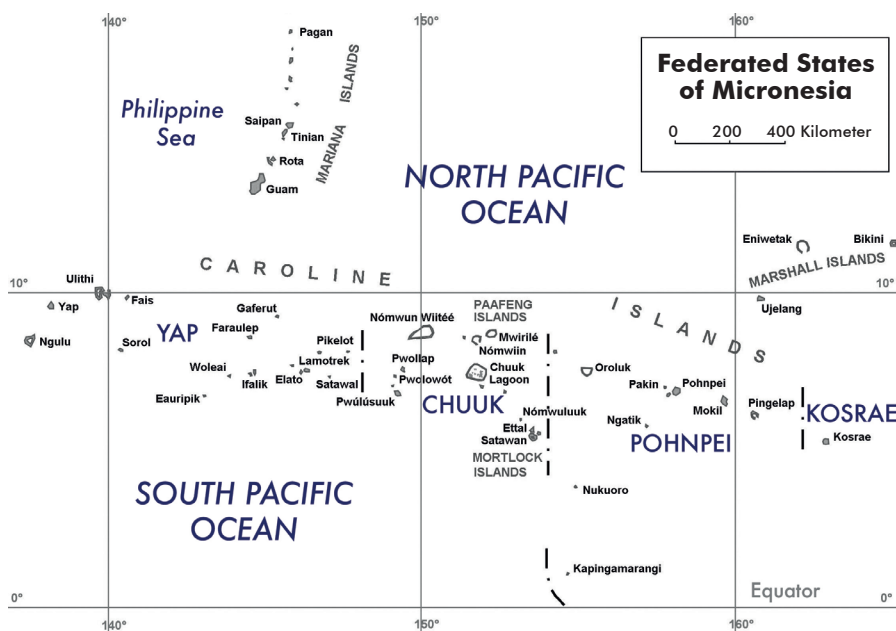


Figure 2: Map of Micronesia.

Source: Hofmann 2016: 38.

by the Compact, I start by explaining the concepts of family and *moumou* and its significance for Mortlockese cultural continuity. Building on that, I argue that *moumou* has many benefits to the islands' community and its diaspora as it connects its members by interlinking extended families not least by the exchange of goods and political support. As such, *moumou* has the propensity of maintaining Mortlockese islanders' solidarity for the purpose of continuity in a globalised world.

## The Setting

The Mortlock Islands are located in the South of the State of Chuuk in the Federated States of Micronesia (FSM). All are low-lying islands far away from the hub of economic activities within this Pacific Island region. The total population of the Mortlocks is around 10,500.<sup>2</sup> The Mortlocks region is divided into three subregions (Upper, Mid, and Lower) with eleven municipalities, each of which has its own constitution.

The FSM entered into a Compact of Free Association (commonly referred to as the 'Compact') which allows FSM and US citizens to migrate between the two countries freely without visas. Consequently, many FSM citizens began to set up their permanent homes in the US and over time formed a new diaspora. Yet, *moumou* in its culturally specific manner is as such not acceptable within the framework of the Compact of Free Association treaty. At the same time the FSM, having become a sovereign nation-state, was responsible for signing treaties in its own name. As a result, the FSM is expected to abide by international conventions or treaties it signed. Relevant to *moumou*, the FSM must abide by the "Hague Convention on the Protection of Children and Cooperation" (1993) or the "UN Convention on the Rights of the Child" and several of its "Optional Protocols." These conventions latter often pose a threat to *moumou* as they all too often and too quickly oppose the culturally specific adoption of children across national borders as 'child trafficking.'

Since the Compact, the extended families and clans (*ainang* in local vernacular, see further down) have established a global network beyond the Mortlock Islands, by virtue of the new diaspora in the US (and other places). Today, Mortlockese are scattered throughout the FSM, Guam, Hawai'i, American Samoa,

the Northern Mariana Islands, and continental US but also Japan and Australia. With the diaspora, tension arises between the concept of *moumou* and the Western concept of adoption. For example, to follow the legal requirement to protect the child, guardians must provide legal documents to relevant authorities for the purpose of establishing that children who accompany adults are not victims of human trafficking when traveling to the US from the FSM. This legal situation poses the interesting question whether (or not), and in which disguise *moumou* remains (or can remain) a part of Micronesian culture in the diaspora.

In this context, my ongoing research explores legal conditions the Mortlockese diasporic community must observe to ensure that the practice of *moumou* can potentially be recognized in US jurisdictions and aims to contribute to the literature on adoption in Oceania more broadly (e.g., Brady 1976; Silk 1980).

## The Concept of *moumou*

To understand the socio-cultural significance of *moumou*, certain aspects of the Mortlockese concept of 'family' need to be addressed. First, Mortlockese people relate to each other through their clanship (*ainang*) system. Second, and this is crucial for understanding the culturally specific concept of *moumou*, there is no distinction between biological and social parents due to the specific allocation of duties, responsibilities, and obligations which members of the extended family share. For example, terms such as 'cousins', 'uncles' and 'aunts' do not exist. All cousins are either *pwwi* or *mongeai* depending on the gender of the subject person. In this classificatory kinship system aunts and uncles are called and ranked as *inai* and *semei*, just like his or her birth parents.

What is more, there is no common definition of 'a child' in the Mortlockese society, as each community perceives differently what a child is. In the social practice of *moumou* the phrase "nai moumou" refers to the cultural relationship between the *moumou* child and the adopting family. The adopting parents consider the adopted child as their own 'blood child', whether it is biologically related to them or not. Moreover, *moumou* is not restricted to only small children since adults can be adopted as well (which I describe below).

Mortlockese live in a closely-knit

island community whereby everyone knows each other by first names. Within this expanded network, adoption is not a secret matter, but a display of family affinity, which is respected by the whole island community. If a child is adopted, the child must be weaned gradually from the biological family. While the child is weaning, it is expected that the couple or relative of the child to be adopted should give material needs as well as psychological support to the biological parents. The weaning of an adopted child needs to be determined by the biological parents to ensure the child is psychologically ready, with all the social support in place before the child can be given to the adopting parents. This is to facilitate a smooth transition in the transfer of the child before *moumou* takes effect. Once the child is judged as ready, the child is taken to his or her new home. However, this is not to say that the child is permanently severing ties with the biological family. The adopting family is free to visit the biological family when possible and maintaining relationships between the two families remains important to the child. This assists in developing the child's future security and self-esteem in growing up in the extended family system and in a close-knit island community where it is not possible to avoid each other. Such practice is considered as looking after 'the best interests of the child.'

Ultimately, the *moumou* child is cared for by the extended family but resides with the *moumou* parents. The *moumou* child knows the relatives (i.e., biological as well as adopted parents and relatives) and is free to wander between relatives' households. Yet, everyone knows who has primary care of the child. In the long run, however, *moumou* is about cutting the ties between the child and the biological parents to a certain extent as will be shown below.

Anthropologist Mac Marshall, who has conducted extensive research on Mortlockese communal life, indicates that there are three major reasons why *moumou* is so important in the Mortlockese society. Firstly, it reinforces family connections within the clanship system. Secondly, it fulfills the cultural expectation that every married couple should have at least one child. Thirdly, it enlarges the external network of the family system, which is a crucial aspect of sustaining life in a world of small islands (Marshall 2004).

In short, *moumou* has many benefits to the islands' community and its diaspora. It puts adoption at the heart of extended Mortlockese families in the Mortlocks and beyond and allows members of the extended family to assist when, for example, specific monetary needs arise, in the US and the FSM. *Moumou* is therefore about reproducing the Mortlockese value system for the purpose of continuity. This practice has benefits and challenges within the diaspora.

### The benefits of *moumou*

*Apeshakila aterenges* ("to strengthen matrilineal family ties") refers to the reinforcement of family connection in the clanship system both domestically and in the diaspora. *Ririn famili* ("lashing families") is the creation of new family connections with a different clan for the purpose of expanding its power base and influence on other islands. The Mortlock Islands are a matrilineal society; the child inherits rights bestowed upon him or her by birth as a member of the mother's clan. Yet, parents and relatives of the biological father also recognize the child adopted to another clan outside the father's family. In so doing, it solidifies the connection between the clans of the biological parents (both of the mother's and the father's clan) especially if the child is the first born – locally referred to as *mwaniichi* (male first-born with special standing in the extended family) or *finichi* (first-born female) (Goodenough 1978: 30-33). Put differently, *moumou* improves the influence and standing of both families within the community.

*Pupulu monson epe eoor naur* ("all married people will/shall have children") refers to the social expectation that every married couple should have at least one child, including those less fortunate who cannot produce children of their own. In the eyes of the community, the childless couple can finally start a real family on a firm footing. *Moumou* thus provides a social security benefit for the couple especially when they enter old age, and the adopted child is expected to look after them as the primary provider. *Tumun lon tong* ("caring lovingly") is the emotional connection based on love for the child and is often the reason for the adoption of a child by sisters and brothers or grandparents of the biological parents. *Echimwir* is the practice of adopting a

female child to continue the matrilineal line when there are no other descendants. This means that adoption can confer rights of inheritance and continuity of the dying clan. *Shapan shaa* ("substituting/compensating blood") is a concept relating to restorative justice. It is a traditional term referring to the replacement of a child caused by someone else's conduct especially from unrelated families. For example, if a member of a family murdered a member of another family, the assassin's family would perform customary apology. The family of the victim would accept the apology and ask to adopt the culprit to replace the victim.<sup>3</sup> The court can also accept the outcome of both families' settlement. *Naulap* refers to when a child is adopted by a new partner of one of his adopted parents due to the death of one of the biological parents. *Ponnen pwipwi* is the concept of 'promised brother' and normally operates between best friends who are not from the same family or clan but where both families consider the other child as part of their own family. In circumstances where one child dies, the surviving promised brother's relationship to the other family continues.

Moreover, a new form of adoption known as *moumou towau* exemplifies how Mortlockese are adapting to globalisation. According to this new form, an academic named Paul (D'Arcy) from New Zealand of European ancestry, was adopted into a sub *ainang* of Sor on the island of Lukunor. There was no opposition to this adoption, but overwhelming support. All traditional requirements had been fulfilled, and Paul was briefed about them. The sub *ainang* awaited his arrival on Lukunor in person so that his adoption could be formally performed and ritualised. Paul (or Pol in local pronunciation) is now considered a member of the subclan and the whole *ainang* of Sor, not just on the specific island, but within the Sor diaspora. As a historian, Paul can access sacred knowledge pertaining to the family history as well as access to land to farm and harvest. Paul understands his obligation and duties as an adopted member of the subclan. However, it remained unclear whether the adoption is valid under the law. Many argued that it is valid because it complies with traditions as recognized by the national constitution. That is, the constitution recognizes customs and traditions of each island or group of

islands based on the doctrine of cultural diversity of the FSM.

### The challenges of *moumou*

*Moumou* is not only beneficial to the adopting family but can also cause problems such as rivalries between competing childless couples who want to adopt the same child. Social gossip sometimes arises and creates friction in the community, or eventually even leads to physical violence and social rupture in the extended family system. Relatives can get involved as well in order to protect their own family's reputation. Jealousy may also arise between the *moumou* child and the biological children of the adopting family. This can be seen in the distribution of properties where biological children may deny the adopted child their share of the inheritance. They would claim that the *moumou* child has no blood connection and therefore is not entitled to properties, even if the *moumou* child is customarily regarded as blood child to the adopting family. In one example, a man from Lukunor married a woman from a distant island. The wife already had a young child. The husband raised the child as his own. When the husband was on his deathbed, he explained how he wanted his property to be distributed and gave his adopted child a parcel of land. When the husband died the adopted child was told that he was not entitled to the land since he was only a *moumou* child. Fights broke out and finally the issue was settled by legal means in which the adopted child was successful. Other adopted children expressed their resentment for being adopted out in the *moumou* network. They often feel hurt as they think their biological parents do not want them.<sup>4</sup>

One of the most challenging dimensions of *moumou* arises when the adoption of children involves border crossing and as such encounters conflicting laws of different national jurisdictions as well as international conventions. The Compact, for example, has allowed many Micronesians to settle in the US as legal migrants. Like other immigrants before them, they brought with them their culture and ideologies about child welfare. Inherent in their ideological transplantation is the traditional practice of *moumou*, which remains an integral part of their Mortlockese identity. Traditional *moumou* however clashes with the US legal system. Here, I will turn to



the challenges of retaining Mortlockese *moumou* in a foreign environment such as the US, paying attention to a selected number of potential legal hurdles.

### **Moumou and the Compact of Free Association**

The outline of *moumou* and related cultural concepts provided above indicates that it does not necessarily equate to the contemporary notion of the adoption of children in international law or across national jurisdictions. As noted earlier, historically, *moumou* is a practice that has been established between extended families within the clan-ship system. It is a practice that strengthened family connections as well as social relations in the island community and has familiar social footprints in relation to familial expectations, duties, and obligations with regard to care and other support. Hence, adoption is confined to known cultural processes to ensure the security or the best interest of the child within the inter-island clan-ship system. Although a child may be adopted inter-island, the child remains in the hands of all relatives within the clan's diaspora.

While *moumou* remains a common practice by Mortlockese in the 21<sup>st</sup> century, it was challenged when the FSM became a nation state in 1986 and the Compact was installed. The Compact allows islanders to set up permanent homes in the US; yet, as they migrate to the US, they are subject to the laws of the new state they live in. Family law in the US, for example, is a subject of the states' jurisdiction as is adoption. Consequently, it needs to be explored how the practice of *moumou* can co-exist with US family laws: is it ultimately possible for the Mortlockese to continue to practice *moumou* in the diaspora?

The closest equivalency of *moumou* in the Mortlock Islands in the US is the Western concept of adoption. Adoption in the Western sense is referred to as bringing a child into a specific legal relationship as one's own to give the child – be it of disadvantaged circumstances or an orphan – a new opportunity to experience family life. Adoption is then about protecting the child's welfare through legal instruments by non-biological parents (see Legal Information Institute 2022). This legal frame is problematic when applying to Mortlockese cultural practices of adoption. For example, traditionally, *moumou* is a

practice that does not need legal recognition and enforcement.

Although the FSM has a constitution, it leaves family law to the member-states and municipal jurisdictions.<sup>5</sup> However, the national constitution acknowledges customary practices wherein court decisions shall be consistent with Micronesian cultures and traditions based on the social configuration of the FSM.<sup>6</sup> The Court system ensures that Micronesian customs and traditions are not compromised when decisions are made in accordance with the traditions of each state and municipality. *Moumou* is a traditional practice and as such is protected by the law.

To start with, the Mortlockese observe both traditional and legal forms of adoption despite the former not being recognised in the US, whereas the traditional practice prevails when people do not intend to stay in the US permanently. For example, Mortlockese who have relatives in the US would travel to adopt a child as arranged through the extended family network and, once in the US, social arrangements are made. To adhere to US laws, a biological parent would accompany the adopting parents back to the FSM, or else they must legally formalize the adoption for the relationship to be recognized by US authorities. This, the Mortlockese acknowledge, just as well as they understand the costs and benefits involved in the legal process.

The benefits, for example, are related to social security support, health, education, and insurance. These benefits can be obtained if the child is legally adopted. Nevertheless, the tension between the law and traditions is a challenge, and Mortlockese have become creative to continue the practice of *moumou* without offending the law. Supporting benefits by the American welfare system, for example, are collected by the biological parents, but handed over to the adopting parents (be they living in the US, too, or someplace else) if the adoption has not been legally formalized in the US.

However, there are also some cases of Micronesian children transported to the US under the pretense of adoption, but eventually serving as a source of income. For example, a Micronesian couple in the US contacted their relatives in Micronesia stating that they would like to adopt one of their children. The child was then transported

to the US by the relative and given to the couple for adoption. It emerged later that the reasons for such an adoption was to increase the income of the adopting couple since the child becomes entitled to economic benefits under US laws. The issue becomes very complex in connection to the best interest of the child. For instance, the child remains an FSM citizen. He was transported to the US for his relatives' interests who are also FSM citizens but residing in the US. It is obvious that the best interest of the child was not considered since the primary purpose of his *moumou* was for economic interests of the adopting parents. Moreover, it became very difficult for other relatives of the adopted child to monitor his wellbeing due to the geographic distances involved. A further complication also arises in the case when the child wants to return to his biological parents but does not have the support of close relatives to provide the means to transport him back to the islands. The tyranny of distance plays a big role in undermining the best interest of the child.

The increasing movement of citizens between the FSM and US also means that inter-marriage and trafficking of children can become subject to intense scrutiny. Already there have been some cases of human trafficking, and some involved children. While earlier in the Compact, it was easy for children to accompany relatives to the US, US authorities tightened up the loopholes when it emerged that children can be abused while in the US. It now requires strict documentation of children being transported from the FSM to the US. That means the FSM authorities must provide evidence of children being transported with close relatives to ensure their safety and welfare are properly monitored. For example, there are cases where children were transported to the US without proper documentation and were forced to return to the FSM by US authorities.

Hence, by virtue of signing the Convention, the FSM citizens are required to adhere to US standards in family law when living in the US. At the same time, American influence on the Micronesian legal system led the FSM government to enact laws that ensure the protection of children especially when they are transported to US jurisdictions under the Compact.

## Moumou and the Mortlockese diaspora – where to from here?

The Compact between the US and the Federated States of Micronesia has allowed Mortlockese islanders to travel far beyond their shores and to settle on US territories. Yet, traveling is not new to Micronesians as it has been part of their history as oceanic people for centuries. Traveling therefore is a historically grown cornerstone of Mortlockese identity and allows them to ‘transport’ cultural practices such as moumou across vast geographical spaces and to adapt to new circumstances over time, including US legal frameworks. To further serve the Chuukese diaspora in the US, while complying with the Compact and adhering to its own laws, the FSM will probably have to negotiate a bilateral treaty to protect the best interests of the child before transporting them to the US. As of now, *moumou* is a challenge to many authorities as it is transforming itself to suit new circumstances of the Micronesian communities in the US. For example, the family laws in the US are transparent but moumou in many instances continues to operate outside the law. The people of the Mortlocks are employing strategies to continue moumou without breaking US laws – or they make use of US laws for their own benefit.

To sum up, while *moumou* is a customary strategy used to perpetuate and reinforce the survivability of the extended family network, in the aftermath of independency and the Compact, the legal system now installed in the FSM is forcing *moumou* to become a legally formalized part of it instead of remaining a customary practice in its own right. Many claim that the legal system has the potential to destroy moumou as part of Micronesian culture as it might pursue the idea that the best interests of the extended family system is not as important as the best interests of the child. This becomes a crucial aspect of the Mortlockese diaspora as moumou so far is understood to safeguard Micronesian continuity and thus deserves to be explored further.

## Acknowledgments

I wish to acknowledge and thank the guest editors of this special issue, Dr Rebecca Hofmann and Dr Dominik Schieder, for their extensive support with this research note as well as the two reviewers for their constructive criticism and comments.

## Endnotes

<sup>1</sup> For first insights, see, Petersen 2009: 119-121; for an in-depth study, see Rauchholz 2009; for an example of a Mortlockese community, see Marshall 1976.

<sup>2</sup> Florensio Harper, the current senator of the Mortlocks, estimated the population of the Mortlocks as around thirteen thousand, excluding those in the diaspora (personal communication, spring 2022).

<sup>3</sup> Francis X. Hezel deals with this – for a Western reader rather curious mechanism – in his reflections about how to make sense of Micronesia (Hezel 2013: 148pp.).

<sup>4</sup> These examples show that more research on emotions and feelings of people concerned with adoption is needed as they are not necessarily in line with general ideas and imaginaries of moumou as an integral, but more importantly, undisputed part of Mortlockese society (cf. Rauchholz 2009).

<sup>5</sup> The Constitution of the FSM recognizes the family as the basic unit and so it is left to each island community to deal with family matters. However, where there are legal issues concerning custody of children between the parents of different jurisdictions, the law interferes to ensure that the best interest of the child is paramount.

<sup>6</sup> The social configuration and geographical principle refer to different customs in the Federated States of Micronesia. See the FSM Constitution Article XI, section 11.

## References

- Brady, I. (ed.) (1976). *Transactions in kinship: Adoption and fosterage in Oceania*. Honolulu: University of Hawai'i Press.
- Goodenough, W. (1978). *Property, kin and community in Truk*. Archon Books. Original from



Source: G. Puas.

Figure 3: Modern transnational adoption, Paul D'Arcy, from New Zealand as recognized by custom.

University of Michigan, Michigan.

Hezel, F.X. (2013). *Making sense of Micronesia. The logic of Pacific Island culture*. Honolulu: University of Hawai'i Press.

Hofmann, R. (2016). *Situating climate change in Chuuk: navigating "belonging" through environmental and social transformations in Micronesia*. Kretsch Mikroform, Dissertation.

Kiste, R.C. and Marshall, M. (1999). *American anthropology in Micronesia*. Honolulu: University of Hawai'i Press.

Legal Information Institute, 2022, August 10. adoption. <https://www.law.cornell.edu/wex/adoption>

Marshall, M. (1976). Solidarity or sterility? Adoption and fosterage on Namoluk Atoll. In: Brady I. (ed.). *Transactions in Kinship: Adoption and Fosterage in Oceania*, Honolulu: University of Hawai'i Press, 28–50. <https://doi.org/10.2307/lj.ctvp2n5mp.7>

Marshall, M. (2004). *Namoluk beyond the reef. The transformation of a Micronesian community*. Boulder: Westview Press.

Petersen G. (2009). *Traditional Micronesian societies: Adaptation, integration, and political organization*. Honolulu: University of Hawai'i Press.

Puas, G. (2021). *The Federated States of Micronesia's engagement with the outside world: Control, self-preservation and continuity*. Canberra: Australia National University Press.

Rauchholz, M. (2009). *Towards an Understanding of Adoption, Person, and Emotion: The ideal norm and reality of life amongst the Chuukese of Micronesia*, (PhD Diss.), Ruprecht-Karls-Universität, Heidelberg.

Rauchholz, M. (2012). Discourses on Chuukese customary adoption, migration, and the laws of state(s). *Pacific Studies* 35(1/2), 119-143.

Silk, J. (1980). Adoption and kinship in Oceania. *American Anthropologist*, 82(4), 799-820.

**Corresponding Author: Gonzaga Puas [zag\_lewis@yahoo.com] has a diverse academic background including a Bachelor of Arts/ Diploma of Education, Bachelor of Law (LLB), Master of Political Science, and a PhD in Micronesian history. Born and raised in Micronesia, his perspective on Pacific policy and the future direction of the region is seen through the lens of history, supplemented by indigenous knowledge and significant community engagement. His approach to his areas of study aims to balance respecting the rich traditions of his ancestors and other Pacific Islanders whilst using modern and contemporary ideas.**