

## **Constituted by the Law: Adoptive Identity in Disclosure Debates**

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The recent changes in Ontario adoption disclosure law provide a unique opportunity to parse the construction of the adoptee in media reports, legislative committee debates and official government statements. The legislation will allow both adoptees and birth parents to receive identifying information about the other party, and no disclosure vetoes are available – unlike other Canadian jurisdictions, and a relatively rare simultaneous step in common law jurisdictions that once had sealed records. While disclosure debates are often presented by proponents of change as a binary opposition between searching adoptees with a “natural” desire to know and angry or “repressed” non-searchers, a constitutional challenge by Ontario adoptees demanding their privacy rights introduced a third element into the mix, at least in media reports. The two-dimensional polarized-opposite caricatures do a disservice to the many people who feel differently than the stereotypes would suggest. This ongoing case study indicates that it may be possible for adoptees positioned outside this binary opposition to have their voices heard and to interject a more middle-ground position into the dialogue. The relatively unusual legal configuration of events in Ontario could precipitate a long-term shift in the public understanding, and in social (and therefore legal) views of adoptive identity.

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