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**Illustrating Theories of Heterosexism and Homophobia: A Case Study of the Nebraska Department of Social Services Interim Policy Banning Foster Parenting by Lesbians and Gay Men**

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ILLUSTRATING THEORIES OF HETEROSEXISM  
AND HOMOPHOBIA: A CASE STUDY OF THE  
NEBRASKA DEPARTMENT OF SOCIAL  
SERVICES INTERIM POLICY BANNING FOSTER  
PARENTING BY LESBIANS AND GAY MEN

A Thesis

Presented to the

Department of Sociology and Anthropology

and the

Faculty of the Graduate College

University of Nebraska

In Partial Fulfillment

of the Requirements for the Degree

Master of Arts

University of Nebraska at Omaha

by

Laura F. LaMarr

August, 1997

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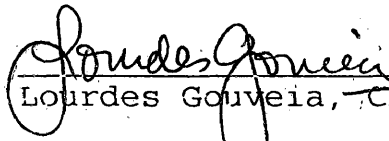
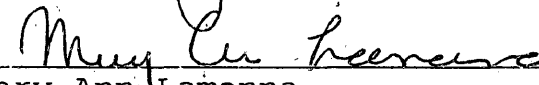
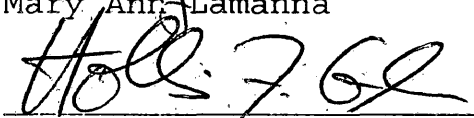


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THESIS ACCEPTANCE

Acceptance for the faculty of the Graduate College,  
University of Nebraska, in partial fulfillment of the  
requirements for the degree, Master of Arts, University  
of Nebraska at Omaha.

Committee

 Lourdes Gouveia, Chair	Sociology
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## ABSTRACT

This thesis applies Marxist, feminist, and Marxist-feminist sociological theory to the empirical case of the 1995 Nebraska Department of Social Services Interim Policy prohibiting lesbians and gay men from becoming foster parents in Nebraska. The intent of this thesis is to show how the above theories can provide explanations for the policy and answer the central question of why gay men and lesbians have been the target of this discriminatory policy.

The methodology was based on interviews with key persons involved in the policy-making process as well as in constructing the discourse surrounding the entire process. In addition to the interviews, information for this thesis is based on archival data, such as memos, newspaper articles and letters, and meeting transcripts.

Theoretical explanations of homophobia and heterosexism are applied in order to provide a more thorough understanding of the emergence of the policy. The questions of "why Nebraska?" and "why now (then)?" are also explored.

Findings were that theoretical themes did emerge from the data. The following themes were found and analyzed: gay men and lesbians are seen as non-reproductive of workers and ideology; lesbians and gay men deviate from the dominant ideology (value system), and are therefore seen as dangerous to that ideology; the perception that gay men and lesbians are pedophiles; and the norm of compulsory heterosexuality. The

predicted theme of the feminist construct of "devaluing the feminine" did not appear in the data analyzed.

Moral panic literature was used to tie the macro-level to the micro-level, in order to explain how and why the policy emerged in Nebraska at the time it did.

## ACKNOWLEDGEMENTS

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## I. INTRODUCTION

THE DEPARTMENT of Social Services is looking for a home for a young man 18 yrs old, who will need a home where his special needs can be met.. (Omaha World-Herald, 1995d.)

With ads such as the above, as well as television commercials recruiting foster parents being relatively common occurrences, why is it that the Nebraska Department of Social Services (NDSS) instituted a policy that eliminated an entire group of people from being able to answer those ads? If foster parents are so sorely needed that the Nebraska Department of Social Services must run ads in the "personals" section of the classified ads, how can they justify reducing the pool of available homes?

On January 26, 1995, the Omaha World Herald reported that Nebraska Department of Social Services Director, Mary Dean Harvey, had issued an interim rule, which still stands nearly two years later, that prevented any single person living with another unrelated adult from becoming a foster parent. The rule specifically prohibits foster parenting by persons who admit to being homosexual. The uproar that followed came not only from the gay community, but also from foster parents around the state, as well as from within the department itself. Social Workers were put into a double bind; if they obeyed Harvey's edict, the Social Workers found themselves at

odds with their code of ethics, and vice versa (National Association of Social Workers, 1987). The National Association of Social Workers Code of Ethics states:

The social worker should act to prevent and eliminate discrimination against any person or group on the basis of race, color, sex, sexual orientation, age, religion, national origin, marital status, political belief, mental or physical handicap, or any preference or personal characteristic, condition or status. (National Association of Social Workers, 1987:147).

Obviously, one could not both follow Harvey's orders and comply with the code of ethics, since the code of ethics prohibits discrimination on the basis of sexual orientation, not to mention marital status.

A question then emerges as to why this policy developed. Was the policy a result of incontrovertible research findings (their own or others') suggesting certain inadequacies among gay foster parents which may have negative effects on the foster children in their care? Although data on gay/lesbian foster parenting is scant, as I will show in this thesis, research on gay/lesbian parenting in general reveals no significant differences between them and the heterosexual population's parenting abilities.

A few press reports and analysts hinted at political interests that would be helped by the adoption of a policy which adheres to an increasingly popular stand against expanding and towards curtailing gay/lesbian rights as parents

and/or spouses. I believe that political pundits are correct in pointing to ideological and political motivations behind this policy change.

However, there is a larger sociological question or set of questions that require answers: Why have these ideological forces gained such prominence in recent years? As ideological forces, which social order or aspects of the social order do they seem to justify? What are the main agents behind this justifying ideology? Whose interests do they represent or oppose?

I believe that part of the answer can be found in the vast literature dedicated to the analysis of capitalism, patriarchy and the manner in which they are combined. Capitalism requires the reproduction of both workers (childbirth) and of the dominant ideology (child-raising); gay/lesbian couples usually are not seen as reproductive of either. Patriarchy, on the other hand, requires the control of women, by men, using tools such as the devaluation of feminine traits and the imposition of compulsory heterosexuality on women, and consequently on men as well. Marxist-feminist theory addresses the ways in which the social structures of capitalism and patriarchy interact to produce not only sexism, but heterosexism and homophobia.

The central purpose of this thesis is to explore the societal factors that have created a political/cultural

climate, both nation-wide and in Nebraska specifically, conducive to the discrimination against marginal groups such as gays and lesbians. Why, when there is such a need for foster parents, does homophobia seemingly override this need?

A subsequent look at the historical development of the Nebraska Department of Social Services policy banning gays and lesbians from becoming foster parents reveals the contradictions that exist between empirical research and anti-gay/lesbian policy formation. Interviews and archival data will help fill some of the gap regarding gay and lesbian foster parents, while providing us with insight into how patriarchal and capitalist ideological forces emerge in specific historical contexts. In other words, these new sources of data reveal some of the mechanisms whereby capitalist and patriarchal ideologies are reproduced and reconstructed at the local level.

Using a macro-micro level approach to the analysis of the issue of foster parenting by lesbians and gay men is extremely useful to answering the questions that this thesis asks. However, making those links is also difficult, largely because I am analyzing micro-level data using macro-level theory. According to Ritzer (1981), social reality can be viewed at a macroscopic and/or a microscopic level of analysis. Ritzer breaks each level into two parts, so that we are left with a model that contains: the macro-objective, such as society,

law, bureaucracy; the macro-subjective, such as culture, norms, values; the micro-objective, such as action, interaction, behavior; and the micro-subjective, such as the social construction of reality. The objective end of the continuum contains actors, actions, structures, law, the state, etc. The subjective end deals with the social construction of reality, norms, values, etc. Ritzer also includes a midpoint, or "mixed types," that include family, religion, politics, etc. While the model is presented by Ritzer in a linear fashion, he states that there is no real division between the categories (or along the continuum) with all four types interacting constantly.

This thesis uses data and theory that cover the continuum from objective to subjective. The data collected are relatively subjective with individual actors in the debate over, and construction of, the NDSS policy using discourse that describes social values, norms, and the ways in which they have constructed their stands on the issue. Mixed types also play a part since political and familial discourse are also important to understanding these constructions. On the objective level, the theories used (Marxist, feminist, and Marxist-feminist theories) are macro-theories which look at the overarching societal structures of capitalism and patriarchy.

This thesis is intended to do exactly what Ritzer discusses, which is to make the macro-micro links that are necessary to gaining a more complete understanding of the mechanisms driving the particular issue of the Nebraska Department of Social Services interim policy banning gay men and lesbians from becoming foster parents, as well as almost any social issue. A multilevel analysis is necessary if we are to begin to understand the etiology and manifestations of homophobia and heterosexism, on individual, local, and societal levels, as well as at specific historical junctures.

I begin with a brief explanation of the methods used. I then present a review of the literature concerning parenting by gay men and lesbians, as necessary to understand the contradictions and ideological underpinnings surrounding the anti-gay-and-lesbian policy formations in this specific case. Next, I provide a theoretical discussion of homophobia and heterosexism. Finally, I integrate the above sections drawing together the various components of the thesis in the results and conclusions sections.

## II. METHODS

This thesis uses a combination of (1) archival data and (2) interviews. The archival data is in the form of newspaper stories, memos, letters, position papers, and transcripts from meetings.

## (1) Interviews

The sampling technique for interviewing was purposive sampling (Berg 1989; Babbie 1992). Judgmental sampling is another term, used and explained by Babbie (1992), for the sampling method I used. Based on my "own knowledge of the population, its elements, and the nature of the research aims," I chose the key persons involved in the discourse surrounding the Nebraska Department of Social Services interim policy banning lesbian and gay foster parenting (Babbie 1992: 230). In other words, I decided who the interviewees would be by reading the archival data concerning the NDSS policy, and picking the key persons involved, subject to their availability and/or willingness to be interviewed.

Interviews were conducted at locales picked by the interviewees; some preferred face-to-face interviews, while others chose to do telephone interviews. The interviewees were, with the exception of a gay man from Citizens for Equal Protection, all women. The gender composition of my sample was serendipitous, but helpful, since it lends a uniformity to the sample and removes gender as a possible difference between respondents. The instrument used consisted of ten open-ended questions (Appendix A). On the other hand it may also introduce a gender-bias to my sample, representing views of only women.



Key persons, as determined from archival sources such as newspaper reports, newspaper ads, and NDSS documents, on both sides of the issue of foster parenting by gays and lesbians in Nebraska were interviewed. Interviewees included public figures, such as: State Senator Kate Witek (the senator who introduced LB255, banning foster parent by single persons living with another unrelated adult), a representative of P-FLAG (Parents and Friends of Lesbians and Gays, an organization which advocates for and supports gay men and lesbians on various issues), a representative of Citizens For Equal Protection (CFEP, an Omaha-based group which works for legal and civil rights of lesbians, gay men, bisexuals, and transgendered persons), Kathryn Kendell (the lawyer from the National Center for Lesbian Rights, a group, based in San Francisco, that advocates for lesbian legal and civil rights, who advised the local gay rights groups), a Nebraska Department of Social Services social worker who is involved in foster care and in a group of social workers who chose to fight the policy, a representative of The Nebraska Family Council (an offshoot of the Nebraska Christian Coalition, a conservative groups which opposes gay and lesbian rights), and a representative of the American Civil Liberties Union (ACLU).

Mary Dean Harvey, the Director of the Nebraska Department of Social Services who wrote and instituted the interim

policy, refused a formal interview, but gave me a statement over the telephone (see page 62).

Several attempts to reach Governor Ben Nelson were unsuccessful, as staff constantly redirected my calls or repeatedly told me that the governor has nothing to do with NDSS policy and to contact NDSS for information. An interview was never granted, even when I explained that Governor Nelson might want the chance to present his own version of the policy process, given that several of the interviewees indicated his involvement.

Carol Stitt, a member of the Nebraska Foster Care Review Board, left a message on my answering machine indicating the official policy of the review board, but later attempts to reach her were unsuccessful.

Many of the individuals contacted within social services claimed ignorance of the issue and referred me to other social workers, among them the social worker who I finally interviewed for this project. Incidentally, this person turned out to have been involved heavily in the issue, had knowledge of the entire process and access to all meetings, and was extremely helpful.

Most of the interviews were tape recorded and transcribed; two interviewees did not allow taping and requested anonymity: the social worker and the representative of Citizens for Equal Protection. All of the interviews lasted

approximately thirty minutes, and were between nine and eleven pages when transcribed. Kate Witek's interview was conducted by telephone, and recorded, as was the interview with Kathryn Kendell. The interview with the PFLAG representative was conducted at an office at which she was working that day. The ACLU representative was interviewed at the ACLU office in Lincoln. The interview with the representative of the Nebraska Family Council was conducted at the office of the Nebraska Family Council in Lincoln. The interview with the representative of Citizens for Equal Protection was conducted by telephone, but was not tape-recorded at the request of the interviewee. The NDSS social worker was interviewed in the Lincoln office of the Nebraska Department of Social Services, and was not tape-recorded, at the respondent's request.

(2) Archival Data

The archival data consisted of several local newspaper articles concerning the Nebraska Department of Social Services interim policy banning foster parenting by lesbians and gay men. A classified advertisement stressing the need for foster parents in Nebraska was also used. I was able to obtain several NDSS documents from my interviewees. All of these documents would be available to anyone under the Freedom of Information Act.

### (3) Data Analysis

For analytical purposes, interviews were divided into two affiliational groups: those supporting foster parenting by gays and lesbians and those in opposition to the same. The interviews were analyzed for themes and patterns that could be tied to sociological theory explaining homophobia and heterosexism. In other words, for the purpose of analysis of the data, concepts were the unit of analysis (Berg, 1989).

Once the interviews were transcribed, I made several photocopies of each interview. I then began to code the interviews for themes. I color-coded, using colored highlighter markers (one color per theme), each of the themes. I began with my predicted themes, and then coded other, unpredicted themes that strongly emerged from the data. I was then able to analyze the interview data.

I handled the archival material in exactly the same way, and interspersed both types of data in my analysis. The analysis of the archival data resulted in section IV of the thesis: "Reconstructing the Policy Process: NDSS Prohibits Lesbians and Gay Men From Becoming Foster Parents in Nebraska."

Therefore, I began with second order constructs, themes imposed by the researcher on the data; these were the theoretical themes that the thesis predicted would be found. I then, looked for first order constructs, themes which were

actually stated within the data, by the interviewees. First order constructs are the (usually) non-theoretical explanations given by the interviewees themselves.

Among the research questions and themes explored were:

1) To what extent are the ideas that gays and lesbians are non-reproductive (of workers and/or dominant ideology) and that marriage is solely for procreation, present in the rationale used by proponents of the policy?

2) To what extent do the archival sources and interviews reveal recurrent themes such as the idea of "family values," or how gay/lesbian families do not typically espouse the same value system? These values undergird both capitalism and patriarchy, whether or not we are aware of their presence.

3) To what extent would references be made to the perception of gay men and lesbians as pedophiliacs? Ideological reasons for this perception tie into the above conceptions of reproduction and non-reproduction of workers and ideology/values. I thought that an exploration of both the empirical evidence and the theory would be helpful in understanding the reasons for this common misperception.

4) To what extent does the data indicate that there is a perception that gay men and lesbians do not model appropriate gender roles for children? Since both gay men and lesbians can be considered to be feminine, some homophobic or heterosexist remarks may be explained using feminist theory

which speaks of the devaluation of the feminine as a basis of homophobia and heterosexism.

5) To what extent does compulsory heterosexuality, a feminist theoretical concept explaining the control of women's sexuality and reproduction, appear as a theme in the data? The invisibility and devaluation of lesbians is explained, using this idea, as perpetrated by men in order to maintain control over women. The usefulness of this idea to my thesis is that it can be used to explain homophobia directed at lesbians, and can be extrapolated to gay men as well.

### III. REVIEW OF THE LITERATURE: PARENTING BY LESBIANS AND GAY MEN

A review of the literature concerning the ability of lesbians and gay men to parent children effectively can provide a "reality check" for my research. Ascertaining whether children of gay or lesbian parents are endangered because of their parents' sexuality, is relevant to assessing the risk perceived by those in favor of the Nebraska ban on foster parenting by lesbians and gay men. The literature can answer questions such as: Are children of lesbians and gay men qualitatively different from children of heterosexual parents? Are these children receiving parenting that is somehow inferior to heterosexual parenting? Answering these questions

with a literature review shows that the claims of proponents of the NDSS policy are unfounded.

In reviewing the literature on lesbian and gay parenting, some gaps definitely appear; sociological research in this area is scant at best. Research on foster parenting by gay men and lesbians is even more difficult to find. The major areas in which the literature can be found are psychology and law, both of which are relevant to this research.

Psychology provides evidence that lesbians and gay men are not unfit to parent, thus not a real threat to children. The overwhelming majority of psychological studies find that gay and lesbian families are not very different from what society considers a "normal" family.

Estimations of the number of parents in the United States who are lesbians or gay men range from 2 to 14 million with the majority of these acquiring parenthood through heterosexual relationships, while a lesser number have adopted children or given birth through artificial insemination (Harris, 1993; Hartinger, 1992). Our society generally considers homosexuality and parenthood as mutually exclusive statuses; however, families with children are headed by gay men and lesbians, showing that the two statuses can and do co-exist.

The overwhelming majority of articles in the literature about gay and lesbian parenting portray these families in

positive way. Studies find that the children of gay men and lesbians are as happy and well-adjusted as the children of heterosexual parents (Bozzett, 1987). Charlotte Patterson (1992), for example, conducted a thorough review of psychological literature comparing the children of gay and lesbian parents to the children of heterosexual parents. Patterson notes that these studies concluded that the children of both groups were similar, with the children of lesbians and gay men being as well-adjusted as the children of heterosexuals.

Despite such evidence, the tendency of the legal and policy-making community has been to deny to gay men and lesbians the right to parent. In 1970, only one percent of lesbians won custody disputes; in 1986, the number had risen to 15 percent. The law is clearly a long way from the point at which lesbians and gay men are assured their right to parent and can enter a custody dispute on equal footing with heterosexual parents (Raymond, 1992).

The courts have been forced to deal with the issues of gay and lesbian parents, primarily in the form of custody disputes with mixed outcomes (Hitchens and Price, 1978-9; Robson, 1994; Falk, 1989; Sheppard, 1985). Adoption by gay or lesbian couples also tests the legal system, with a variation of outcomes dependent on locale (Meyers, 1993; Leonard, 1994; Rivera, 1987). Co-parent (the natural parent's partner)



adoptions present yet another area for legal wrangling, with almost no success realized by gay or lesbian co-parents (Moskowitz, 1995; Zuckerman, 1986). Co-parent adoption includes not only the co-parent trying to legally adopt children from a previous marriage, but also the legal adoption of a child that a couple might have through artificial insemination.

Legal issues that recur in the literature often hinge on whether the court involved uses a "per se" approach, in which the fact of the parent's homosexuality is enough to deny her or him custody, or if the court chooses a "nexus" approach, deciding the case in terms of "the best interest" of the child (Meyers, 1993). Many of the denials of custody based on either approach are justified by the courts assertions that the child will be harassed, or the child will become homosexual due to the home environment, or the child will become immoral, or the parents are criminals due to sodomy statutes, and the belief that homosexuals are pedophiles (Meyers, 1994). All of which empirically-based literature disputes!

On the issue of foster parenting, only a few states, including Massachusetts, New Hampshire, and Florida have enacted any statutes or policies that address foster parenting by gays and lesbians (Benkov, 1994). Foster parents lack the legitimacy that biology grants to natural parents in our society. Therefore, even in states which have ruled on the

side of gay and lesbian parental custody, gay and lesbian foster parents may find that the legal system does not support their right to foster parent (Ricketts, 1992).

Nebraska is the most recent state to have enacted a policy prohibiting gay men and lesbians, specifically, and unmarried co-habiting adults, generally, from foster parenting (Omaha World-Herald, 1995a).

#### IV. RECONSTRUCTING THE POLICY PROCESS: NDSS PROHIBITS LESBIANS AND GAY MEN FROM BECOMING FOSTER PARENTS IN NEBRASKA

The following is a brief background designed to allow the reader an understanding of the events preceding and involved in the institution of the policy discussed in this paper.

Based on Nebraska Department of Social Services (NDSS) memos which I obtained from the National Center on Lesbian Rights (NCLR), an organization, based in San Francisco, which advocates for lesbian legal rights, we can construct a rough chronological history of the Nebraska policy regarding gay and lesbian foster parents.

Early in 1990, a potential foster parent revealed his/her homosexuality during the home study process, causing concern within the department. On April 19, 1990, persons from NDSS had a teleconference with individuals, from different areas of Nebraska and from California, who were familiar with this

issue (including Roberta Achtenberg, who was the director of the NCLR at that time) in order to research how the issue had surfaced and been handled in other places. At the same time an NDSS worker began conducting a review of literature pertinent to the fitness of gays and lesbians as parents.

On June 29, 1990, after the bibliographical research was concluded, a recommendation was made by the NDSS researchers that NDSS should "not disqualify quality persons who identify themselves as homosexual as potential care providers" (NDSS Memo, June 29, 1990; p.4). Then, on October 17, 1991 a committee met to discuss unmarried, cohabiting foster parents and decided that each case should be evaluated on its own merits (NDSS Memo, 1991). The policy (or lack of policy) remained unaltered for three years, albeit internal discussion continued throughout this period (NDSS Memos).

In the spring of 1994, a man identified only as "Martin S., a radio station person in Omaha," using the Freedom of Information Act, asked for all of the information that NDSS had on homosexuals, day care and adoptions. An anti-gay letter writing campaign (to Governor Nelson, the NDSS, and NDSS Director Mary Dean Harvey) was prompted by the radio station (KGBI, run by Grace College of the Bible) and conducted by station listeners. On May 19, State Senator Kate Witek's office requested the same information. In August, the local chapter (Lincoln) Parents and Friends of Lesbians and Gays (P-

FLAG), an organization that supports and advocates for lesbians and gay men, learned of the requests by the radio station, KGBI, and Witek and asked that P-FLAG receive the information as well (NCLR documents).

Foster parenting by lesbians and gay men became a gubernatorial campaign issue when the Republican candidate, Gene Spence, attacked the incumbent, Ben Nelson, for allowing gay and lesbian persons to be foster parents (Omaha World-Herald, 1994). Nelson denied the accusations at that time.

State Senator Kate Witek introduced a legislative bill, LB255, in January of 1995. The bill stated that unmarried, cohabiting adults could not be foster parents (by definition this rules out same-sex couples). On January 27, 1995, Gary Oligmueller, Deputy Director for Programs in NDSS, testified on behalf of the bill, adding that NDSS had just (the day before) instituted a policy that would disallow gay and lesbian foster parents (Oligmueller, 1995). Oligmueller referenced state law that requires "a suitable family home" as the basis for the policy. Eileen Durgin-Clinchard, Ph.D., the regional director of P-FLAG, testified against the bill, citing the academic research that had been done on the parenting ability of same-sex couples (Durgin-Clinchard, 1995). Since LB255 was introduced prior to the new NDSS policy, and would no longer be needed, Witek withdrew the bill (Omaha World-Herald, 1995b).

Precipitating factors in the development of this policy included the involvement of a fundamentalist Christian radio station, KGBI-FM, and the letter writing campaign instigated by the radio station (Lincoln Journal-Star, 1995). Other states (Massachusetts, New Hampshire, Florida and others) had dealt with the issue, with mixed results. The disclosure of sexual orientation by a potential foster parent brought the issue to the forefront within NDSS itself.

The aforementioned events prompted the NDSS to consider a policy addressing the issue of having same-sex couples as foster parents. The fact that NDSS did not have a policy in place left them in an awkward position when they were faced with the issue (NDSS Memo, 1990). The power of religious groups to organize, mobilize, and gain attention was evidenced in the letter writing campaign, however limited it may have been (44 letters, representing 65 individuals, from 22 towns/cities) also put the issue in the spotlight (NCLR document). Of course, the fact that the lack of a policy banning same-sex couples from foster parenting became a campaign issue, placing it in public discourse, also compelled NDSS to deal with the issue and make policy. Prior to these events NDSS had dealt with foster parenting by gay men and lesbians quietly, on a case-by-case basis ( NDSS Memo, 1991).

The specific policy was seen as necessary because NDSS had handled the issue indecisively at first. Handling gay and

lesbian foster parents on a case-by-case basis, as NDSS handles all prospective foster parents, left room for questioning of the policy. Perhaps a stronger statement that disallowed discrimination based on sexual orientation would have circumvented the problem. Then again, it still could have been challenged and superseded by a legislative ban such as Witek's LB255. Even with the NDSS policy banning gay and lesbian foster parenting, there is a clash between policies at different levels. As I mentioned earlier, social workers who are governed by the NDSS policy are in a double-bind since the policy mandates that they discriminate on the basis of sexual orientation, while their Code Of Ethics, as well as the NDSS "Mission Statement," prohibits such discrimination.

At present there are no Nebraska state laws in place concerning foster parenting by gay men and lesbians; nor have any programs been implemented. Conversations with key persons involved in the issue, reveal that the policy is being enforced only spottily.

Whether or not there are any benefits being derived from instituting this policy, depends upon which side of the debate one finds oneself. Those in favor of the policy argue that it prevents children from being placed in unsuitable family settings. However, the policy has cost some people dearly. A young man, who was gay, hung himself when he found out about the policy because he (mistakenly, since there is a

"grandfather clause") thought that he would be removed from his foster home because his foster parents were gay men (Omaha World-Herald, 1995c). Also, a "witch hunt" of sorts was conducted within the NDSS; a memo was issued on January 26, 1995 that requested from NDSS workers:

"The names of all wards of the state in your District who DSS staff are aware of as homosexual and where/with whom they are placed... The names of all foster homes in your District who DSS staff are aware of who are homosexual.. The names of those wards who are placed in the foster homes in which the adult or adults are known to the Department staff as being homosexual" (Hanus, 1995).

An action such as this has the effect of driving people back into their closets. Many gay and lesbian people who would make good (and needed) foster parents will be afraid to apply if they know that their sexuality will be an issue.

With the resignation of the Director of Social Services (and author of the policy) shortly after this interim policy was enacted, gay and lesbian foster parents in Nebraska were hoping that the new Director of Social Services would rescind the policy. However, that did not happen; instead, the interim policy has remains an interim policy. The public hearing required to officially institute the policy has not occurred, nor has anyone presented any legal challenge to the policy.

## V. HETEROSEXISM AND HOMOPHOBIA: CONSTRUCTING A THEORETICAL ANALYSIS

The purpose of this chapter is to employ Marxist, feminist, and their synthesis, Marxist-feminist, theories to look at how homophobia and heterosexism are constructed in our society. Both homophobia, the irrational fear and hatred of homosexuals, and heterosexism, the idea that heterosexuality is normal and superior to homosexuality, are finding their expression in many current issues, including the Nebraska Department of Social Services ban on foster parenting by gay men and lesbians. Some of these issues are ideological, some are legal, and some are so insidious as to only be obvious to those affected by the prejudice and discrimination that homophobia and heterosexism create. These manifestations of homophobia and heterosexism are not so much the products of individuals and their hatred, as many people believe, but are instead products of much larger structural forces that operate on a societal level in order to perpetuate this particular type of oppression.

My thesis uses the specific case of the NDSS policy to illustrate ways in which homophobia and heterosexism are constructed by capitalism and patriarchy. In order to understand the social forces behind the NDSS policy, one must first understand the social construction of homophobia and heterosexism. This chapter provides the theoretical background



necessary to comprehend the social forces at work in this issue.

Following Marxist-feminist theory, I would argue that the social control of sexuality is necessary in order to maintain the reproduction of the capitalist mode of production and the masculinist ideology and system of patriarchy. Capitalism requires reproduction of its labor force through heterosexual relationships, while patriarchy requires that men dominate and control women in order to maintain the current system that keeps women dependent on, and sexually available to, men. Theoretical explanations of sexism can be extrapolated to heterosexism and homophobia, which is exactly the intent of this chapter.

(1) A Marxist Analysis

...we can only draw one conclusion: that men, consciously or unconsciously, derive their ethical ideas in the last resort from the practical relations on which their class position is based--from the economic relations in which they carry on production and exchange (Engels, 1978a: 726).

In "Capital, Volume One," Marx discusses the idea that capital needs to keep reproducing workers (people) in order to replenish and increase labor-power (1978a). Marx says that this reproduction leads to the growth of capitalism, saying that the working class multiplies itself, which increases the pool of labor, and in turn "reproduces the capital-relation

itself" (Marx, 1978a: 421). He goes on to tell us that the increase of the proletariat is synonymous with the accumulation of capital.

Capitalism must have a ready pool of labor since it thrives on that surplus labor. There is a need to reproduce people in order to replace those who can no longer work, and in order to increase the numbers of workers in the surplus-labor force (Marx, 1978a). Marx calls this pool of surplus labor an "Industrial Reserve Army," and goes on to discuss how the laboring population renders itself "superfluous...A law of population peculiar to the capitalist mode of production (Marx, 1978a: 422).

Not only does capitalism require the replacement of the labor force, but it requires what Marx calls the "Trinity of capitalistic production: over-production, over-population, over-consumption--three very delicate monsters, indeed" (Marx, 1978a: 424). Thus the capitalist has more labor to exploit, at lower wages, since wages are regulated by the size of the labor force. An over-population of workers leads to a decrease in wages, while under-population (or even population at the natural replacement rate), drives wages higher (Marx, 1978a).

Marx also addresses the way that ideology is formed in response to material conditions. As many are fond of saying, Marx "stands Hegel on his head" by asserting that the material world precedes the ideological world, rather than vice versa

as Hegel and the other German idealists had posited (Marx, 1978b). In "The German Ideology," Marx states, "The nature of individuals thus depends on the material conditions determining their production" (Marx, 1978c: 150). He goes on to say, "Life is not determined by consciousness, but consciousness by life" (Marx, 1978c: 155). So it is Marx's contention that our ideas and ideologies are formed in response to the material conditions of our lives. In our society, the material conditions are those of capitalism and the resultant society. Engels also discusses the relationship between ethical ideas and material relations in his essay, "On Morality," in which he writes about the ways in which the dominant class imposes its morals on the oppressed, saying that morality is developed in response to class interests, with the ruling class having the power to decide which morals are enforced (Engels, 1978b).

Thus, a Marxist would say that the ideological beliefs in our society do not come out of the recesses of our minds, or from some prescient spirit, but rather from the material conditions created by our economic system. The material conditions of capitalism include the aforementioned need for a pool of surplus-labor, so it would follow that a capitalist society would create an ideology that would reward and idealize reproduction of the labor force, while punishing and devaluing those that are not reproducing workers.

Since gay and lesbian relationships are usually non-reproductive, their existence is not in the best interest of capitalism. As Marx points out, capitalism needs to reproduce workers at a rate higher than the natural rate of replacement, creating a conflict between the needs of the system and the non-reproductive nature of gay and lesbian relationships. The stigmatization of these, and other non-reproductive, persons is based on the need of society to provide a disincentive to being a non-reproductive person. In fact, this idea would also help to explain why social pressure is applied to those who choose not to marry ("Old Maid" status) and to those couples that choose to remain childless--and of course, the anti-abortion movement. Capitalism requires that its citizens reproduce, and must reward those that do, while punishing those that do not.

So one could argue that an ideological stance, in which gay and lesbian relationships are not acceptable, is formed in response to the economic repercussions of these relationships. Therefore, homophobia and heterosexism are a way for capitalism to apply negative sanctions to those relationships that do not reproduce the labor force. Prejudice and discrimination, against lesbians and gay men, could then be said to have grounding, not in some higher moral or religious ideal, but in the very real, material conditions of our society.

From a Marxist perspective then, not only does physical reproduction of workers occur within the heterosexual relationship, but also the reproduction of ideology is carried out within the context of the parent-child relation as well. Parents teach their children nationalism and capitalistic values. Individualistic ideology, religion supporting the dominant ideology, and other forms of ideological reproduction, all occur within the context of the heterosexual, parent-child relationship. So, not only do heterosexual couples produce new workers, but they also help to reproduce the ideological superstructure necessary to the maintenance of capitalism.

Using Marxist theory to try to understand the etiology of homophobia and heterosexism, is not without its problems. Marx and Engels have been accused of being guilty of heterosexism, themselves. In fact, when Engels mentions Greek homosexuality, he calls it, "the perversion of boy-love," revealing that he thought that homosexuality was wrong (Engels, 1978: 739). Marx also is heterosexist when, in "The Economic and Philosophic Manuscripts of 1844," he says, "the relation of man to woman is the most natural relation of human being to human being" (Marx, 1978b: 83). Lenin talks of an "emancipation of love," but the only type of love he addresses is that of heterosexuals, and he speaks in favor of at least some moral restraints on sexual activity (Zetkin, 1984). The fact that he

ignores homosexuality can be interpreted as heterosexist in its exclusion of lesbians and gay men, whether by accident or on purpose. The exclusion may also stem from the socio-historical context in which Lenin was embedded. Also, socialist societies such as Cuba have been known to persecute gay men and lesbians, so homophobia and heterosexism are obviously not restricted to capitalistic countries. The "family code" of Cuba is very much a heterosexist code, defining the heterosexual family as "the center for relations of common existence between men and women" and as the "elementary cell of society" (Flax, 1984: 340).

An argument could be made that Cuban homophobia and heterosexism could be attributed to pre-revolution moral standards, which would have roots in capitalism, but perhaps another force is at work in the case of socialist and communist persons and countries. Patriarchy, which walks hand-in-hand with capitalism, could be at the root of heterosexism in places that are non-capitalistic.

## (2) A Feminist Analysis

A rather different approach can be taken by using feminist theorists. Instead of viewing the economic system of capitalism as the main source of societal oppression, feminist theory finds patriarchy to be the systemic oppressor. "Patriarchy is," according to Miller, "a system of sexual

hierarchical relations, supported by law, culture, and societal norms, wherein masculine dominance is maintained." Patriarchal necessity, which can be defined as, "the need among the collectivity of men to separate the sexes and devalue and control women" (Miller, 1992: 22). The patriarchal system is perpetuated in order to control the labor reproductive ability of women and reproductive ability of women, as well as to maintain a society that promotes the idea that there are fundamental differences between the sexes. A patriarchal social system results in women being kept dependent while the ideological framework that legitimates these ideas is reproduced and made a part of our consciousness (Miller, 1992).

Patriarchal necessity accomplishes the above by demanding compulsory heterosexuality, using the threat of rape, marriage, the sexual division of labor, lower pay for women leading to the differentiation of economic power, and the "punishment and control of manlessness" (Miller, 1992: 23). Some feminist scholars feel that it is this punishment of manlessness that lays at the heart of patriarchal necessity. Marriage is the institution created by our society to ensure that women do not become independent. Miller (1992) claims that our society eschews, and finds ways to punish choices such as divorce, lesbianism, and living alone or with friends or relatives. The control of this manless condition is

accomplished by stigma, humiliation, and economic disincentives. The threat of rape is a more violent control of manlessness, since women are made to fear being alone lest they run into some deviant male who will rape (Miller, 1992).

Compulsory heterosexuality is one of the means that Miller claims is used to control women. Adrienne Rich (1984) uses heterosexism to explain sexism, showing that perhaps the two forms of oppression are so closely related that we cannot discern which precedes the other. Rich asserts that heterosexuality is forced upon women in order to assure men the right to free access to women. Heterosexuality has to be "imposed, managed, organized, propagandized, and maintained by force" (Rich, 1984: 417), in order that men have economic, physical, and emotional dominance over women. This enforced heterosexuality, according to Rich, accomplishes the "rendering invisible of the lesbian possibility," by categorizing lesbianism as a disease, treating it as deviant, and just ignoring its existence (1984: 416).

Rich insists that all women are to some degree lesbian. She uses the concept of a "lesbian continuum," with women who have sex with other women at one end and those that have close emotional ties (friendship) to other women at the other. Her claim is that men have taken great pains to try to deny the existence of lesbianism by destroying historical evidence, such as letters between women.



Janice Raymond agrees with Rich that our society is heterosexist, but she asserts that the problem lays in the fact that we are a "hetero-relational society where all of women's personal, political, professional, and economic relations are defined by the ideology that woman is for man" (1984: 335). Her point is that women can be lesbians, but still understand and live in a world that is defined by and constructed around male ideologies. So for Raymond, the relationships of male dominance created by heterosexism and sexism are more salient than the potential that women have to be lesbian, or the perceived need to view lesbianism as the most important of the oppressions.

The concept of "sex-class" is posited by Shulamith Firestone (1984), who uses Marxian method, but eschews Marx's assertion that economics relations form the basis of societal oppression. For Firestone, patriarchy has a material basis in the reproductive nature of women's biology. Firestone claims that men and women are not biologically equal, nor are they equally privileged. She says that the division of labor between the sexes is rooted in biological differences in reproductive capacity. The public/private split had its genesis due to women needing to mother.

However, Firestone believes that regardless of biological imperatives, human nature is flexible, saying:

The 'Natural' is not necessarily a 'human' value. Humanity has begun to outgrow nature: we can no longer justify the maintenance of a discriminatory sex class system on the grounds of its origins in Nature (1984: 140).

She asserts that women need to take control of reproduction, reclaim ownership of their bodies, and seize control of the social institutions in which child birth and child-rearing occur. In her conception of reform, or more accurately-- revolution, pansexuality would be the norm, with sex differences between humans becoming culturally irrelevant.

Charlotte Perkins Gilman (1966), writes of the "sexuo-economic" relation, saying that women have become inferior to men because they have become dependent on men for their existence. Gilman maintains that there have been physical, mental, and emotional changes in women that have both been created by, and have created a need for, their dependent status. By allowing men to take over the public sphere and the economic reins, Gilman believes that women have been relegated to the private sphere and to a life of relying on their sexual attractiveness for economic security. According to Gilman, we take great pains to feminize and masculinize our children; even though they are born with the same needs, we dress and treat them differently, right from the beginning, all the while letting them know that to be female is to be weak, dependent, and less valuable than their male counterparts.

The resulting weak female develops traits of dependency that come to be labelled as feminine. Feminine traits are devalued in our society, because they belong to non-productive individuals who are seen as being less than fully human (Gilman, 1966). Although Gilman does not discuss homosexuality specifically, her theory can be applied to homophobia and heterosexism, through a discussion of the devaluation of the feminine. For lesbians no extrapolation is necessary since they fall under the feminine umbrella just by virtue of their sex. However, for gay men, one would have to stretch Gilman's theory a bit, since gay men are not female. Gay men are perceived by our society as being feminine and it is here that an extrapolation is possible.

If we devalue the feminine and glorify the masculine as Gilman asserts that our society does, then it would follow that men who go against their gender norms, whether they really do or society just imagines that they do, would be perceived by a masculinist society as betraying the "important" traits of masculinity, while becoming more feminine. Since femininity is devalued, those that are perceived to embrace feminine values are then also devalued. Therefore, gay men experience some of the same sexism that women experience. This is not to say that this sexism is experienced in exactly the same way as it is for women, but it does seem reasonable to argue from this, that gay men are

discriminated against because of their perceived affinity with the feminine.

The sexuo-economic relation itself only occurs within heterosexual couples, since it is based on an unequal relationship between the sexes. Gay and lesbian couples only have these conditions if they choose to mimic heterosexual marriage, and play gender roles, which happens much less often than popularly believed. So, many of the beliefs and actions of homophobia and heterosexism are based not on actual behavior, but on perceptions of personal qualities which are in turn based on sexism constructed within a patriarchal society. In the case of gay men, patriarchy works to the disadvantage of males, because of this perception. Women are so devalued within patriarchy, that men even shun and abuse their own kind if it is believed that these men are like women.

Economics certainly do play a role in both sexism and heterosexism as they are created and played out through patriarchy. According to Riane Eisler (1987), one only needs to look as far as the family Bible to get a clear view of how patriarchal economics have kept women in an oppressed position. Her argument can also be extended to the oppression of lesbians and gay men, and may provide one of the more logical, empirically grounded explanations thus far.

Eisler talks of commonplace events in the "Old Testament" that show that women were no more than property, first belonging to their fathers and then to their husbands. At that time, women were valuable only as virgins; if a woman was "dishonored" the man with whom she had sexual relations became responsible for her and was given unlimited power over her. The property rights over the woman were transferred from the father to the husband. If a woman was no longer a virgin, she was stoned. Eisler's reasoning for why virginity was so important is that any woman who behaved independently would be a threat to the social order of a patriarchal society. In the case of sex, the non-virgin would have behaved as an economically independent entity, giving away what was her father's to give. If this behavior was condoned, the system was in danger of falling apart, creating a need for strong sanctions (Eisler, 1987).

A more important extension of Eisler's discussion, at least for the purposes of this paper, is an extension of these ideas to the taboos placed on homosexuality. If we allow that the relations between the sexes were based on an economic arrangement that favored male dominance and control, then explaining the taboo on lesbianism becomes relatively simple. Lesbians would be completely independent of men, and if just being a non-virgin would threaten the social order, imagine what a fully independent (of men) woman could do! A lesbian

would not only be a non-asset to her father, but she would be unavailable to a man who needed a wife, and would be a bad example to other women.

Extending these ideas to gay men is a little trickier, but still works. Since in a patrilineal, patriarchal society wealth and property are devolved through the male members of a lineage, then a non-reproductive male would be stigmatized. If a father was counting on his son to inherit his wealth, and the son did not marry and have children, there would be an end to the lineage. In effect, a gay male could represent the end to thousands of years of a lineage.

Feminist theory addresses many of the issues that undergird heterosexism and homophobia. Patriarchy is a powerful force in the creation of the oppression of lesbians and gay men. Some of the theorists ideas work better than others, especially since many of the radical feminist theorists believe that heterosexism is at the root of the oppression of women. We could get into a "chicken-egg" discussion here, or we could just accept that these oppressions are so closely related that the differences between them are blurred. Heterosexism and sexism are not divergent concepts, but instead have a symbiotic relationship, in that each reinforces the other.

Especially troubling to me are the theorists, such as Rich and Firestone, who instead of looking to rid society of

all oppressions, prefer to rank oppressions, deciding that those that apply to them are far more salient than any other group's problems. Rich explicitly says that gay men and lesbians are not oppressed in the same ways, and therefore feminists only need to concern ourselves with homophobia directed at lesbians, while we forget that homophobic maltreatment of gay men may be rooted in precisely the same patriarchal system that spewed sexism. Replacing a patriarchal society with a matriarchal system still maintains a hierarchical, masculinist, system of oppression. The theories are extremely useful for looking at oppression based on gender relations; however, the theorists themselves do not want to recognize that men can be oppressed in any way.

Charlotte Perkins Gilman, provides a very insightful and useful framework with which to understand sexism. Her theory, and that of Eisler, border on being included in the next area of theory that this paper will address, Marxist-feminist theory. Both of these women use patriarchal relations as the fundamental generator of oppression while recognizing that the economic system is very salient in the creation of the system. Their inclusion in this part of the paper, instead of the next, was a judgment call on the part of this author.

### (3) Feminist-Marxist Theory

Friedrich Engels may very well have been the first Marxist-feminist, since in his "The Origin of the Family, Private Property, and the State," he discusses how women are oppressed by patriarchal values within a capitalist economic system (1978). According to Engels, women possessed power and high status during prehistoric times. Motherhood was important and revered and it was not until men began accumulating wealth that women became subordinate to men, finding themselves economically and socially disadvantaged in a patrilineal system. Engels says that the creation of patriarchy happened during prehistory, therefore patriarchy actually precedes capitalism (1978).

For Engels, the main institution that accomplishes the subjugation of women is the patriarchal family, with its emphasis on monogamy--at least for women. The family structure that is considered traditional in our culture is actually an institution that was created to enable men to exercise property rights over women, while being able to find sexual fulfillment outside of that family. The family also, "contains within itself in miniature all the antagonisms that later develop on a wide scale within society and its state" (Engels, 1978: 737). The first division of labor in modern society is that between the sexes, with its basis in child-bearing and child-rearing. The family and monogamy are therefore



instruments of oppression, not of protection. Engels goes as far as to say that marriage is only convenient to men, calling it "the crassest prostitution" (Engels, 1978: 742).

Unfortunately, Engels only tells us what happened, with no real explanation of why patriarchy developed. Granted, he does explain that the development of private property and the accumulation of wealth are at the core of unequal relations, but as Heidi Hartmann has observed, he and other Marxists fail to explain why men are not subordinate to women, instead of women being the subordinate sex (Hartmann, 1984). Marxists tie the oppression of women to the economic system, which is an important step, but they fall short of fully understanding gender inequality. The development of capitalism alone does not account for the reasons that women are the subordinate sex; Engels himself admits that patriarchy developed prehistorically, before capitalism (Engels, 1978).

The monogamous, heterosexual marriage relationship is necessary not only to patriarchy, as Adrienne Rich and other feminists assert, but also to capitalism, as Engels points out. The nuclear family structure is an efficient way to not only reproduce the work force, but also to reproduce the ideology necessary to perpetuate both capitalist and patriarchal social relations. Both the relations of class and sex are taught in the family, as well as in other social institutions (Hartmann, 1984).

Sexuality is important, not only for the production of workers and ideology as even a purely Marxist analysis would allow, but also for the satisfaction of male needs. Hartmann points out that when our society sees children as unnecessary, and women should (if they were oppressed only because of the need to control their reproduction) be allowed to express their sexuality freely, there still exists a system in which that freed sexuality is directed toward the sexual satisfaction of men. Evidence of this is apparent in the way capitalism uses advertising to generate sex appeal. Women are told that they need to attract men, and a huge market is created to help them do just that. Even as economically independent, public actors in our society women are sexually controlled by men. A purely Marxist analysis would fall apart when women become independent workers, but when we link capitalism and patriarchy together, we can see how each acts to the interest of the other (Hartmann, 1984).

Heterosexual marriage is important, not only to patriarchy, but also to capitalism. An ideology has been created that claims that heterosexuality, within the context of marriage, is the only moral way to express one's sexuality. Anything that is in opposition to this ideology is demonized and punished. Homophobia has its genesis, and fruition, in the moral ideology that is shared by capitalism and patriarchy. Obviously, gay men and lesbians express their sexuality in

non-heterosexual ways, outside of the context of the 'family' as defined by our heterosexist social relations.

Marxist-feminist theory, by taking into account both oppressive systems under which our society operates, provides a much more complete explanation of why homophobia and heterosexism exist and are needed by capitalism and patriarchy. In order for society to function within its present structure, we cannot allow alternatives to an institution--monogamous, heterosexual marriage--that is seen as vital to the physical reproduction of humans and to the reproduction of ideology necessary to perpetuate the social relations on which society is based.

#### (4) Conclusion

All of the theories discussed are of at least some value in determining why homophobia and heterosexism exist. The social control of sexuality is necessary for the maintenance of our social structure. Ideologies that reinforce sexual relations are necessary in order to reproduce social relations which support capitalism and patriarchy. However, most of the theories cannot account for homophobia and heterosexism on their own.

Marxism, while it provides a tremendous amount of insight into the root causes of homophobia and heterosexism, cannot explain these phenomena on its own. Granted, the economic base

of society is possibly the most salient factor in understanding social relations, but other, powerful, forces are also at work. Since, patriarchal relations precede capitalistic relations, Marxian economics can only be used to understand some of the structural determinants of the oppression of lesbians and gay men.

The radical feminist standpoint that heterosexism is the cause of sexism leaves us without any real explanation of why this is oppressive only to women, and not to gay men. Heterosexism, by definition, has to discriminate against gay men! Besides, the argument that heterosexism comes before sexism is not necessarily well-founded, since no one has provided any evidence of one preceding the other, yet Rich and others insist that compulsory heterosexuality causes inequality between the sexes. It could be argued that sexism precedes heterosexism, but that becomes a moot point. Apparently, if we are having difficulty separating, ranking, and finding causal explanations for, these two oppressions, ties between them must be strong. Perhaps viewing sexism and heterosexism as separate, distinct concepts is fruitless, and integrating the concepts, in order to understand oppression in general, would be a more productive venture.

Therefore, a Marxist-feminist analysis is needed to more completely understand how and why heterosexism and homophobia are manifested in our society. Drawing from both the feminist

argument that men need to dominate women in order to maintain sexual control and satisfy their own needs, and from the Marxist argument that economic prowess and male control and domination of the means of production are at the root of these oppressions, we can see that both patriarchy and capitalism are responsible for heterosexism and homophobia. The two systems are inextricably tangled together, making it impossible to fully explain any type of inequality without incorporating both theoretical paradigms. The important question is not whether one theory is more important than the other, but rather how we can utilize all theoretical tools available to us, in order to better understand our world and how to effect change within that world.

The intent of this thesis is to show how the theories discussed above can provide explanations for the Nebraska Department of Social Services interim policy banning gay men and lesbians from becoming foster parents. Since the literature concerning lesbian and gay parents demonstrates no differences between their parenting ability and that of heterosexuals, why then have lesbians and gay men been targeted by the NDSS policy?

Using archival and interview data to provide specific themes supporting the above theoretical assertions, the next section of this thesis will show how, indeed, capitalism and patriarchy are perpetuating the homophobic, heterosexist

assumptions that undergird the NDSS policy. In other words, homophobia and heterosexism are the results of structural forces which create beliefs out of which arise policies such as the one explored in this thesis.

## VI. RESULTS AND ANALYSIS

In this section, I will take each of the themes and show how the empirical data supported the theoretical suppositions with which I began.

### (1) Marriage and Procreation

The first question asked referred to the extent to which the proponents of the policy would use the ideas that marriage is for procreation and that gay men and lesbians are non-reproductive of workers and/or dominant ideology. While no one interviewed explicitly stated her views in just those words, I found that some of the interviewees focused on definitions of "family" as the basis for the NDSS policy.

For example, a P-FLAG (Parents and Friends of Lesbians and Gays) representative stated:

The whole thing is wrapping around the definition of family...how do you identify family--whether there is a definition of the family. Do you have a definition of the family?

The director of the National Center for Lesbian Rights (NCLR) tied the issue of foster parenting into the same-sex marriage

controversy. When asked what may have precipitated the foster parenting issue in Nebraska, Kathryn Kendell stated:

There may have been a couple of things. One may have been the discussion of the lesbian and gay marriage [issue] and ...talking about lesbian and gay families, creating families, and what not.

(2) The Heterosexual Family

The idea of an ideology of the family was brought up by the ACLU representative when she said, "Mary Dean Harvey ideologically believes that gays and lesbians are bad and should not be foster parents." She went on to say that people really believe in an "ideology of the family."

While opponents of the policy focused more on definitions of family as being inclusive, proponents saw the marital contract as the defining factor of what constitutes a family. Much of the discussion by the representative of the Nebraska Family Council and by Nebraska State Senator Kate Witek centered on the idea that foster children need a stable family, with marriage being an essential prerequisite for that stability:

... the problem with a lot of the situations you encounter is that since they're not...permanent situations, you still have problems with the liabilities...because you don't know how long the person is going to be there. You don't know if that is going to be the only person...

When I shared with Senator Witek my own experiences of abuse at the hands of heterosexual foster parents, she asked,

"Were they all married or in live-in situations?" This question is indicative of a belief that marriage somehow lends legitimacy to a familial relationship. The legal relationship supersedes the emotional ties that a less structural definition might allow. Other statements throughout her interview indicated a belief that abuse occurred more often in foster homes in which the foster parents were not legally married or related in another legal way.

In the letter instituting the interim policy, "Administrative Memorandum-Human Services, #1-95" from Mary Dean Harvey, then Director of NDSS, the following statement is found: "...this state's direction and intent is for the placement of children in the most family-like [emphasis added] setting when out of home care is necessary."

An Omaha World-Herald article quotes Artha Freebury, licensing director of the National Center for Organization Improvement at the University of Southern Maine, an organization that serves advises state welfare agencies on policy issues as saying that the rationale for policies, such as the NDSS interim policy is that, "it's better for children to be placed in a 'normal' home--one with a married mother and father." [emphases added] (Flanery, 1995).

An interview with a Nebraska Department of Social Services social worker yielded some of the same language. She indicated that she felt that the rationale for the policy was



the "family-like" statement within the original memo, and that the "definition of 'family' is being dictated by the state.

While the above discussion may not strongly support my assertion that an ideology asserting that heterosexual marriage for the purpose of reproduction is superior to other family forms, I believe that the assumptions made by interviewees that a marital relationship automatically leads to less child abuse, indicates that just such an ideology is operating in the case of the Nebraska Department of Social Services policy disallowing foster parenting by unmarried and same sex couples.

Implicit in the current popularity of the "family values" discourse is the idea that the only family is the heterosexual, nuclear family. I expected that the phrase, "family values" would be used by interviewees; however, it was not! Rather, the data demonstrated a conflation of the issue of foster parenting by lesbians and gay men, with other issues that generally fall under "family values" discourse. In the interview with the representative of the Nebraska Family Council (pseudonym--Grace), school prayer, abortion and pornography were brought up as similar issues. While she defined gay rights issues, or in her words, "the legitimacy of the homosexual lifestyle," as "the defining issue of the day," she also spoke at length about "moral decline."

Grace: I think it's the defining issue of the day. I think it's also closely tied to the abortion movement.

Laura: You do?

Grace: Uh-huh. This is how. Pornography as well. I think it's a real issue in America that we've given up the value of people... (she talks about ties between gay men and heavy women)... We're forgetting and saying, "now wait a minute. Jesus loves that abortionist, and he loves that mom who is having the abortion, and he loves that homosexual who is trying to get this foster care kid..."

And later in the interview:

It must be very frustrating for the liberal, humanist agenda... the church is not leading the way and taking on the tremendous cultural challenges. We are a nation in pain. We are a nation with this huge, open wound reaching all borders, ya know... we can't go in as Christians and say "restore us to Christianity, we need prayer in the schools" and not acknowledge what we've done wrong in race relations and what we've done wrong to women... but at the same time we need to stand up for what is right... if we're going to fight, and I will continue to do that, because I don't believe that homosexuals should have care of our precious resources.

Grace also claimed that absolutes of right and wrong exist. Considering herself outside of mainstream culture, she stated that believing "that there is a right and there is a wrong," goes against our culture; she referred to the Bible as the source of morality. Another statement made by Grace evoked the Christian Right belief that no "culture or civilization has ever survived that has embraced homosexuality as a norm." Our culture is, according to Grace, on a "descent into havoc."

State Senator Witek did not evoke the same scenario, but did describe the issue as a "moral issue" during the interview. She, however, only used the term descriptively, not as a rationale for her involvement in the issue of gay and lesbian foster parenting.

All of interviews with the opponents of the policy, referred to either social, political or religious conservatism. The representative of Citizens for Equal Protection, a gay rights group in Omaha, called the policy "culturally myopic" and "without intellectual integrity," saying that it was based on a far right political agenda which was, "philosophically consistent with the Governor [Nelson]."

The P-FLAG representative said that the policy is based on "false issues... and a lack of understanding." She also had seen the letters from the letter writing campaign initiated by the Omaha-based Christian radio station, KGBI, and told of how the letters conflated the issues that fall into the commonly used term "family values." A list given to me by the P-FLAG representative compiled some of the information and showed that issues such as school prayer and home-schooling were repeatedly mentioned in letters denouncing foster parenting by gay men and lesbians.

An interesting insight into diversity of values was provided by the representative of the ACLU, speaking about an incident that occurred in her personal life in which a group

of people had made some homophobic remarks in front of their children, she said:

I said, "and you call yourself a model parent?  
And you're teaching him to call gay men 'queers?'"  
He replied, "Man, I don't mean anything by it!"  
It's just so ingrained.

Her "family values" included not teaching children to be homophobic.

While the term "family values" did not appear in the data collected for this thesis, underlying ideology of the family values discourse was indeed present in the data. This discourse was evident in the conflation of issues that could be subsumed under the term "family values."

### (3) Homophobic Perceptions: Gay Men and Lesbians as Pedophiles

The third theme for which the data were analyzed was the perception of gay men and lesbians as pedophiles. The data that I gathered yielded no direct references to pedophilia as a reason to disallow gays and lesbians the right to foster parent. Veiled references were plenty, for example the woman from the Nebraska Family Council referred to "Greek Man-Boy love." However, not one interviewee, nor any of the newspaper articles directly stated the belief that gay men and/or lesbians are more likely to sexually abuse children. I found this interesting since other states where the issue has surfaced have had pedophilia become a central argument. For

example, in Oregon an amendment to the state constitution that would have condemned homosexuality, pedophilia, sadism, and masochism was defeated, but not before a long debate in which the Oregon Citizen's Alliance sometimes purported links between child sexual abuse and homosexuality, basing much of their argument on the protection of children (Meehan, 1992). Oregon provides just one example of why I thought the pedophile argument would be more explicit in Nebraska than I actually found.

While no explicit argument linking pedophilia with homosexuality appeared in the data, I believe there is implicit use of the stereotype in some of the interviews. Woven throughout the interviews was a theme of "we're thinking of the best interest of the children," a theme I will address on its own later in this thesis. Proponents of the policy often mentioned that they were protecting the children from abuse, which given the context can be interpreted as sexual abuse.

When asked why gay and lesbian couples would not be as good of foster parents as a married couple, Senator Witek responded:

There are enough problems within the foster care system for the children who are in the system, it's very difficult for them without endangering them... without putting them in a potentially dangerous situation that children may not, with most kids I couldn't imagine they could handle. So, as a caring adult, I wanted to address that problem.

When the senator was asked whether research had been done to ascertain whether gay men and lesbians were more likely to abuse children, she answered that they had not done research, saying, "Not that I know of, because we weren't doing anything comparative. We weren't including or even thinking about the comparatives."

Interestingly, much of Senator Witek's interview after this point focused on state liability in abuse situations. Also of interest to me was when I asked her if she would re-introduce similar legislation, given her concern for children's well-being and protection from abusive situations she answered, "Not anytime soon." When asked if the policy was being enforced, she told me that she had not checked back on it, so she did not know whether it was in place or not.

The representative of the Nebraska Family Council actually said very little that would tie homosexuality and pedophilia together. She did allude to a belief that gay men were gay because they were sexually abused when they were children; this, she claimed, explained similarities between overweight women and gay men. However, she really did not ever extend that argument to include the idea that gay men would be more likely than heterosexual men to engage in pedophilia.

The opponents of the ban on gay and lesbian foster parents in Nebraska all mentioned that there was an erroneous belief, among proponents of the policy, that gay men and

lesbians were pedophiles. Two interviewees mentioned the misconception that gay men and lesbian "recruit" children into the "homosexual lifestyle." The representative of P-FLAG (Parents and Friends of Lesbians and Gays), when asked what types of things made foster parenting by gay men and lesbians an issue, responded:

Homophobia makes it an issue. Heterosexism makes it an issue...There are too many people that, through ignorance associate pedophilia with what gay and lesbian people do--that's how you get more gay and lesbian people, by recruiting kids (said in a sarcastic tone). They don't realize that [this is untrue] through ignorance and ignorance breeds fear...there are parents who are fearful for the welfare of their children and if they don't have any other information, they will buy into that.

Perhaps even more important in understanding how equating pedophilia with being gay or lesbian may have effected this specific policy is that during the interview with the social worker from NDSS, someone very involved in and knowledgeable about the issue, the reasons given for the policy being instituted were, " a lack of understanding...stereotypes.. fear that the child would become gay or lesbian...and the fear that gays and lesbians are also pedophiles.

#### (4) Reproducing Patriarchal Gender Relations

The fourth theme that I had expected to find in the data was the idea that a same sex household would not supply appropriate gender role models. Only one person (and none of

the newspaper articles) mentioned this idea. The person who brought it up was the attorney from the National Center for Lesbian Rights, saying:

There are approximately 35 social science studies done on kids raised by lesbian or gay parents, and every single one of them determines that children raised by lesbian or gay parents are every bit as healthy, every bit as socially well-adjusted, every bit as psychologically well-rounded, and appropriately gender identified as kids raised in heterosexual households.

Other than the above statement, no other explicit statements were made in reference to gender role socialization. As mentioned before, many people identified a household with a married mother and father as the best possible situation for a child to live in. Implicit in these statements is the idea that a male and a female must be present in order for the child to learn gendered behavior. If this was not the idea behind the need for the presence of a mother and father, then the gender of these people would not matter and same sex couples could indeed parent as effectively.

#### (5) Compulsory Heterosexuality

The last predicted theme in the data was the idea of compulsory heterosexuality, a concept discussed at length in the theory chapter of this thesis. Every time a respondent asserted that the best scenario for raising a child included



a married, male-female couple, compulsory heterosexuality and heterosexism were found in the data. Along with the already mentioned incidences of this mandate, were other instances mostly in the interview with Senator Witek. Senator Witek's bill (LB255) hinged on the issue of marital status and made no mention of sexuality. LB255 stated that unmarried persons with unrelated adults living in the household could not become foster parents. Since same sex marriage is not yet legal in Nebraska, or any other state, the statute would automatically rule out gay and lesbian couples.

Senator Witek purposely left out language that she felt would bring on a court battle over constitutionality. When asked about the omission of language explicitly denying gays and lesbians the right to foster parent, Senator Witek responded:

...just from the standpoint of constitutionality I don't know how you could possibly include language like that. I don't think it would hold up in a court room situation, and they would tend to throw out the entire concept, the entire statute. And so, I would never put something at risk...by including something like that in it.

She goes on to say:

It was unfortunate that the Department of Social Services took that...I wish it would have been done at least incrementally. I wish we could have done a change to the policy and then gone ahead... and done home studies and things of that nature to to see what was working before they took that step.

In a letter to the editor of the Omaha World-Herald ("The Public Pulse, February 9, 1995), a reader, Nancy Ediger, states what may be the quintessential case for compulsory heterosexuality when she writes:

How will they [foster children] ever break the abuse and neglect cycle if they never know the consistent love and discipline of a father and mother? What reason would girls have to defer childbearing and commit to marriage if they never saw a healthy husband-wife relationship?

An Omaha World-Herald editorial titled "Foster Child Proposal Sends Right Message" (1995e) supports a move by the Washington state legislature to "limit foster child placements to married couples." The editorial states that:

Foster children should get the chance to experience a normal family life, one grounded in a marriage between a mother and a father.

The editorial later continues:

Placing children with unmarried foster parents would send the wrong message. It would undermine the premise that, ideally, a family is the product of, and reflection of two people committed to each other in marriage...the stability of the union between unmarried partners is automatically suspect.

The editorial goes on to state that "one of the reasons for living together is that it is easier to split when the going gets tough." Apparently the editorial writer is either unaware of, or he chooses to ignore, the fact that the right to marry is denied to same-sex couples--one of the main target groups of the Washington legislation (House Bill 1171, 1995). Senator

Witek's office supplied a draft copy of the Washington state statute; it explicitly denies homosexual, bisexual, transsexual, and transvestite persons the opportunity to foster parent. Examples of the language used in the Washington legislation include a declaration of "emergency," a statement that it is in the best interest of children to live "in a household with a mother and a father." It also says that:

...it is not in the best interest of a minor child to be placed in a household with a homosexual, bisexual, transsexual, or transvestite, or with a person who engages in such a conduct, act, practice, or relationship...there is a compelling state interest in ensuring minor children are placed, where possible in sound female with male married households.

These statements are from the bill that the Omaha World-Herald (1995e) editorial, mentioned above, so vociferously endorses. All of these examples tout the importance of a heterosexual, married couple and are prime examples of heterosexism; the policy provides evidence of the existence of the product of heterosexism--homophobia.

#### (6) Unexpected First Order Themes

Two themes emerged from the data that I had not predicted when starting this project, (a) the often occurring theme of the "best interest of the child," and (b) the politics of homophobia.

(a) In The Best Interest of the Child

Variations of the phrase, "In the best interest of the child" were the most often occurring statement throughout all of the interviews, regardless of position on the gay and lesbian foster parenting issue. All of the interviewees felt that their actions and opinions were formulated by determining what was in the best interest of children.

According to the interview with an NDSS social worker, and also cited in a memo from PFLAG, issued after the interim policy was put into place, a committee met in 1991 to determine how NDSS should approach the issue of lesbian and gay foster parenting. After several interstate meetings, and much research, the following conclusion was reached:

In summary, policy and practice currently support the use of unmarried people as foster and adoptive parents. Case law and the psychiatric community, as well as the majority of states that we surveyed, are consistent with this. Therefore, we recommend all adults be considered to provide foster and adoption services regardless of their marital status and that placements be evaluated on a case by case basis based on the needs of the child and the caregiver's situation (PFLAG Memo, 1995).

Consistent with the above statement, Carol Stitt, of the Nebraska State Foster Care Review Board, left the following message on my telephone answering machine when returning a call (July 1996) in which I had asked for the position of the

review board in regard to the NDSS policy prohibiting gay and lesbian foster parents:

...the position of the review board is very clearly what would meet the child's best interest, and we have been supportive of placements based on the child's needs and what the foster parents were able to provide for those children. That is the approach we've taken.

An "ACTION ALERT!" issued by PFLAG asks letter writers to "stress the following points" concerning the policy (only those that emphasize "the best interest of the child" appear here):

Children in need of foster homes are denied placement in settings suitable to their needs; The best interests of children are served by professional caseworkers who evaluate homes on a case-by-case basis; Single parents and gay or lesbian families can and do provide caring, loving, stable homes for children; and Nebraskans of conscience want placements to be evaluated fairly, **on a case-by-case basis, considering the best interest of the children** [emphasis in original].

According to the social worker who interviewed for this project, one third of the social workers in both the Omaha and Lincoln offices of NDSS got together to write protest letters. They did so despite the very real threat of job loss that they could have experienced. Both letters refer to the best interests of the children not being served by the interim policy disallowing single and gay or lesbian foster parents.

The representative of the Nebraska Family Council said, "My greatest concern in the issue of foster care is for the protection of the children." She also goes on to talk about

how she perceives that the gay/lesbian community has turned the issue into a civil rights issue, when her belief is that it has nothing to do with civil rights, but is instead an issue of doing what is best for the children.

Kate Witek also espouses the view that the gay rights proponents are being "very selfish" because she feels that they have shut down public discussion of the foster care issue by taking the focus off of the children and putting it on their own gay rights agenda. Interestingly, Senator Witek brings up the suicide of a gay teenager which occurred within hour of the announcement by Mary Dean Harvey. Witek says:

It [the teenager's suicide] was very sensationalized and the timing was...I feel bad for the situation, I don't know what the personal information was on that whole issue, but the timing was right there when we had the bill and then...I just pulled the bill. It just turned into a difficult situation.

She goes on to blame the suicide for shutting down discussion, when "we still have this situation where children are still at risk."

(b) The Politics of Homophobia

The last theme that I will explore in this thesis is also one that I had not predicted prior to collecting data. Many of the interviewees made claims of "politics as usual." Almost all of the respondents brought up political themes, whether it

was advancing a "homosexual lifestyle agenda" or "a campaign issue" or "Mary Dean Harvey was the governor's puppet."

The issue did play a part in the 1994 Nebraska gubernatorial campaign, as noted in the historical background section of this thesis, with Gene Spence bringing the issue to the political forefront. While the governor's staff repeatedly stated that the governor has nothing to do with NDSS policy, and an interview was never given, so the governor could not defend himself or refute some of the assertions made about his role in the policy.

Mary Dean Harvey also refused an interview, but she did so with the following statement, "I was a political appointee. I did nothing with-out the governor's [Nelson] approval (July 8, 1996). Perhaps this was the most telling statement in all of my data. Politics and power were very involved in the issue. Once Mary Dean Harvey no longer had to fear losing her position (she resigned as Director of NDSS shortly after the policy announcement), she was willing to make the above statement, but also indicated that she wanted nothing more to do with the issue.

The NDSS social worker also stated that the motivation behind the policy was political, but she stated that she did not know if Governor Nelson was involved in the actual policy decision.

The representative of Citizens for Equal Protection, stated that the policy came from "political leadership behind the scenes" and that the policy is "philosophically consistent with the Governor." He also spoke of Nebraska Senator Kate Witek as being "politically savvy" and considered her as an opponent of gay rights.

Both Senator Witek and the representative of the Nebraska Family Council, accused the gay and lesbian community of turning the policy into a political issue. They considered the policy to be a children's rights issue that the gay rights proponents have managed to turn into a civil rights issue.

Not all of the expected themes surfaced in the interview data, at least not as first order constructs, which are the explanations used by the interviewees themselves. Some of the themes were not explicitly stated; in those cases, I used the implications of the interviewees' statements to support or refute my hypotheses. Other themes not predicted prior to data analysis emerged from the data. Two themes in particular, "the best interest of the children" and "politics as usual," emerged from the data, rather strongly, necessitating their inclusion in this thesis.



## VII. CONCLUSION

The main purpose of this thesis is to use an empirical case study to illustrate or gauge the appropriateness of various sociological theories for explaining heterosexism and homophobia. In this concluding chapter, I will address each theoretical theme brought out in previous chapters, and how each of these themes is, or is not, supported by this particular case study. Much of the analysis of the themes has already been done in this thesis; however, further discussion is necessary in order to tie the theory to the data.

### (1) Marriage and Procreation

The first theme concerning the idea that gay men and lesbians are non-reproductive (of workers and/or dominant ideology) was difficult to illustrate using this particular case study and the data collected for analysis. I believe that the reason for this is that this is not a first order construct for most people. While sociologists may explain things in such abstract terms, other people do not necessarily think in such terms.

The findings in the analysis do support this as a second order construct, imposed on the data by the researcher, since the data revealed a consistent theme that heterosexual marriage is a necessity to creating a family. Our society, as

evidenced in many of the interviews, refuses to lend legitimacy to non-reproductive, non-heterosexual families.

The problems we have in defining "family," a theme in the data, are evidence that the ideology of the nuclear, heterosexual family as superior to other family forms is a powerful, salient ideology. Those that do not fit into this norm, express their frustration with the dominant ideology. Although, the interviewees do not express the idea that the heterosexual, reproductive family is necessary for capitalism to survive, the data do support the power of this ideology and in turn the theory discussed in this thesis.

## (2) The Heterosexual Family

The second theoretical theme expected that I would find recurrent themes that gay and lesbian families do not espouse the same value system as most of society. Because lesbians and gay men are viewed as deviating from the dominant value system, they are perceived by others, such as some of the interviewees, as being dangerous to our society. The idea that accepting homosexuality as normal would lead to the destruction of society was found in the data. A value system that is perceived as aberrant is also seen as destructive to a way of life based on patriarchal and capitalistic values. The family is perceived as the most basic institution; as

such, changing its form is seen as tantamount to disaster or as one interviewee put it, "a descent into havoc."

### (3) Homophobic Perceptions: Gay Men and Lesbians as Pedophiles

Another theoretical theme predicted prior to starting data collection and analysis, actually turns out to be part of the prior two themes already discussed. The perception that gay men and lesbians (actually mostly gay men) are pedophiles did turn up in the interviews, implicitly if not explicitly. Theoretical explanations for this perception tie into the perceived non-reproductive nature of homosexuality, since gay men and lesbians are not seen in mother/father roles, and are thus believed to be lacking in the abilities and restraints associated with the roles. The belief that gays and lesbians have a propensity to sexually abuse children, can partly be explained by the idea that gays and lesbians possess an alternative, less valid, and possibly destructive value system. Pedophilia is seen as one expression of this deviant set of values.

### (4) Reproducing Patriarchal Gender Roles

This particular case study did not show evidence for the feminist theoretical construct of the devaluation of the feminine as a basis for homophobia. Appropriate gender roles were alluded to, as discussed in my analysis; however, neither

male or female gender roles were discussed as being superior to the other. I still would maintain that the devaluation of the feminine is indeed an important underlying construct in the creation and maintenance of homophobia; this particular case study just was not sufficient to illustrate and support the theory.

#### (5) Compulsory Heterosexuality

The theoretical construct of compulsory heterosexuality found the strongest support in the data. References were continually made by interviewees to marriage and to the importance of male-female headed families bound by heterosexual marriage. The superiority of heterosexual relations to gay and lesbian relations is so ingrained in our society that very few people even question it. In this particular case study, references were made to the heterosexual, nuclear family as inherently better than other family forms. The interviewees who took this viewpoint did so on a commonsense basis. Interestingly, though not explicitly addressed in this thesis, those that talked of a more inclusive definition of family, had also done more research, relying less on a commonsense approach.

However, even with these supports of the theory, we are still left with the problem of answering the questions of "why here?" and "why then?" While the macro-level theories are

useful for explaining the "big picture," there needs to be a tie to the micro-level at which this analysis was conducted, in order for this thesis project to be useful in analyzing the Nebraska ban of foster parenting by lesbians and gay men.

I believe that the policy came about as part of a "moral panic" (Goode and Ben-Yehuda, 1994). The explanation of why the foster care ban happened here lies in a national trend, with the 1994 gubernatorial campaign acting as a catalyst. In other words, there is a moral panic going on at the national level, explainable by the macro-theory used in this thesis since capitalism and patriarchy are threatened by gay rights issues. Nebraskan politicians took advantage of the climate created by the national moral panic. This also explains the timing of the introduction of the policy.

The Nebraska Department of Social Services interim policy, banning foster parenting by lesbians and gay men, meets all five of the criteria laid out by Erich Goode and Nachman Ben-Yehuda in Moral Panics: The Social Construction of Deviance (1994). These criteria are: concern, hostility, consensus, disproportionality, and volatility.

I believe that anti-gay rights rhetoric has become routinized (constant), but still is volatile because anti-gay sentiment can be used to provoke action (change). So, although capitalism and patriarchy are constant and the policy is a change, Marxist-feminist theory can be used to explain the

reasons behind the policy at a macro-level. The theories explain why the policy is possible. The timing and location of the policy can be explained by looking at the catalysts within the social milieu (gubernatorial campaign, national moral panic) of the policy.

#### VII. LIMITATIONS OF THESIS PROJECT

As a researcher, I realize the limitations of this project. Further research on this particular case could be accomplished by conducting other interviews, perhaps focusing less on key actors and more on Nebraskans in general. An interview with Governor Nelson may have enriched the data, had he been accessible to me at the time I was conducting my interviews. Also, interviews of "uninvolved" Nebraskans may have provided less of a "party line" approach to interviewing and more diversity of viewpoint.

I also saw other themes emerge from the data that I chose not to address in this particular project due to time and funding constraints. For example, an extremely important theme that received only peripheral treatment in this thesis involved the salience of religion in legitimizing heterosexism and homophobia. The religious variable could be explored in a future perusal of the data collected for this thesis project.

Other difficulties encountered included problems with macro-micro analysis, making extension and application of

theory difficult. Also, the theories (especially feminist theories) treat lesbians and gay men differently. Because this issue affected both lesbians and gay men, the different theoretical treatments normally applied to them by feminist theory could not be used for this analysis. Finally, my findings cannot be truly conclusive due to the macro nature of the theories used. It is difficult to "prove" or "disprove" theory; if it were easy, we wouldn't have all the theoretical debates and divisions that we have in sociology.

The empirical case study of the Nebraska Department of Social Services interim policy denying foster parenting rights to gay men and lesbians proved to be an interesting illustration of heterosexism and homophobia at work in our geographical and temporal locale. I believe that this work could be extrapolated to other similar cases and could be useful in understanding issues concerning gay rights that are sure to arise in the near future.

APPENDIX AInstrument

Interview questions will be open-ended, with the exception of demographic information. This instrument is a guideline and will be deviated from if the interviewer feels it is necessary to expand on a question. All interviewees will be asked all of these questions; other questions will always be in addition to the following questions:

- 1) Name, title, organization (for my use--to be changed in actual text)
- 2) What was your involvement with the issue of foster parenting by single and/or gay/lesbian persons in Nebraska?
- 3) Could you please give me your interpretation of the events that lead up to the ban on gay/lesbian foster parenting?
- 4) What do you perceive to be the issues pertinent to banning foster parenting by gay/lesbian persons?
- 5) Why, or why not, do gays and lesbians make good candidates for foster parenting?
- 6) Do you think that the majority of Nebraskans share your views on this subject?
- 7) On what did you base your position on this issue?

Scheduled probe: Was research done?

Scheduled probe: If so, by whom and what was found?

- 8) Why do you think that foster parenting by gays and lesbians became an issue at the particular time that it did?



9) What do you think influenced your stance on the issue and your decision to become involved?

10) Do you think that the issue will resurface?

Scheduled Probes: When? Why? Who will be involved?

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