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Op-Ed

WHO LOST IN FOSTER-CARE CASE?

Ellen Goodman, Globe Staff

Donald Babets and David Jean lead the kind of life-style that would be considered super-straight if they were not gay. Babets, 36, works for the Boston Fair Housing Commission. Jean, 32, is a nutritionist and business manager of a home for unwed mothers. Babets is a Sunday-school teacher, and Jean a music director for his church.

Together these men share a mortgage and a vegetable garden, a relationship of nine years' duration, and one new experience. They have been publicly, very publicly, ruled unfit to take care of children. More than a year ago, these two men applied to become foster parents. They answered the state questionnaires and the personal questions of social workers. They went through home visits and through a six-week training program and then they waited. Finally, with the permission of the mother, they were given care of two young and battered brothers, one of them aged 3 1/2, the other 22 months.

But two weeks later, in the glare of publicity, those boys were taken away. Two weeks after that, on May 24, a new state policy emerged that virtually ensures no more children will be placed with gay people in Massachusetts. The policy may become a model for other states that are now reviewing their own rules.

It was, to put it mildly, not the finest hour for the Massachusetts Department of Social Services. It placed the children after a lengthy investigation and took them away after a single newspaper story. Nor was it the finest hour for the gay community, which expressed more concern for its own best interests than those of the children.

The rest of this wildly emotional controversy over two would-be foster parents was charged with attitudes toward homosexuality that ranged from discomfort to phobia.

At the phobic end of the continuum, there were more than a few people who suggested that every homosexual is a potential child abuser. A juvenile-court judge said that he would resist placing young boys with gay men because of the risk of sexual abuse. Would he have similar qualms about placing young girls with the largest category of sex abusers, heterosexual men? A state senator said children should be placed with "those persons whose sexual orientation presents no threat to the well-being of the child."

Even at the milder pole of opinions, there were genuine concerns about "proper role models for children," "sexual identity," the "right" environment. But once the debate focused on words like "normal" and "family," once the state was asked if it gave official approval to gay foster parents, Babets and Jean never had a chance.

I have never understood the need of gay couples to define their relationships as "family." I am uncomfortable with those gay women who deliberately go out to "get" children of their own through artificial insemination. There is no right to be a parent, and as the Massachusetts secretary of human services said in announcing the state's new policy, there is surely no "right" to be a foster parent.

But this tale isn't about gay rights, it's about children's needs. In the best of all possible worlds, each child would have its own caring mother and father. In the best of all possible worlds, no child

would have to adjust to a parent who was this "different." But then, in the best of all possible worlds, no child would be abused or neglected or ever, ever in need of foster care.

In Massachusetts there are 6500 foster children. They are, as Secretary of Human Services Philip Johnston said, "our most traumatized, damaged and troubled children." To care for these children, a foster parent is paid between \$7 and \$10 a day for a maximum of 18 months. It is no wonder that the state has a foster-home shortage of about 25 percent.

In the public mind, perhaps, the state can choose between Babets and Jean, or Ozzie and Harriet. But in real life, the choices are often meager and not every foster parent has altruistic motives. How many of the critics of these two gay men have volunteered to be foster parents themselves?

Frankly, this was an issue that deserved a good leaving alone. Until the current flap, there was no set policy for or against gay parents in any state. Homosexuality was an issue, not the issue. Gay men and women were also judged on caring and character. These two men passed the test. There are some who regard homosexuality as a sin that absolutely disqualifies people from child care. But what I see are two abused children who found two understanding, loving caretakers. The children lost those caretakers because their names were Don and David.