

Developmentalism and the rhetoric of ‘best interests of the child’: Challenging heteronormative constructions of families and parenting in foster care

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Abstract:

The foster care system in Australia has recently recognised the importance of encouraging lesbians and gay men to become foster carers. Whilst this is an important step towards overcoming social stereotypes that position lesbians and gay men as ‘unfit parents’, I propose that foster care public policy in Australia is shaped by a number of key assumptions that effectively exclude lesbian and gay foster parents. In particular, I focus in this paper on how the logic of developmentalism (where children are assumed to follow a (hetero)normative ‘developmental pathway’) and the rhetoric of ‘best interests of the child’ (within which a particular moral framework is employed to judge who can, and who cannot ‘protect children’) work to recentre a normative understanding of families and parenting that encourages lesbians and gay parents to adopt a heterosexual model of parenting.

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Introduction

The foster care system in Australia is currently facing a 'crisis' due to a shortage of registered foster carers. As a result, many agencies throughout Australia are now actively recruiting lesbians and gay men as foster carers to make up this short fall. Whilst this may be seen as a positive step towards a recognition of the fact that some same-sex attracted individuals have the necessary skills to care for children, it would appear that the use of lesbian and gay foster carers is largely understood as something the system has had to 'resort' to, and that "in an ideal world... every child [would] go to a mother and father and two kids" (Cox, 1999). Such statements, which are used in support of same-sex foster carers, demonstrate the underlying assumptions that inform the foster care system in Australia. The outcome is that we as lesbian and gay foster carers are faced with a range of practices on a daily basis that are shaped by this context of heterosexism.

One particular site where practices of heterosexism are evident is in the rhetoric surrounding 'best interests of the child'. In this paper I thus question exactly whose best interests this rhetoric serves, and how it may be seen to reinforce particular assumptions about what constitutes 'a family' within foster care public policy. I propose that the notion of 'best interests of the child' is informed by a range of developmentalist assumptions which serve to recentre the white middle-class heterosexual nuclear family, the result being that lesbian and gay foster parents are implicitly (and indeed at times explicitly) rendered as 'deviant parents'. In this

paper I use the term developmentalism, following Valerie Walkerdine (1993) and Erica Burman (1995), to refer to a particular logic that surround dominant accounts of childhood, wherein children (and the families they live in) are presumed to follow a relatively proscribed pathway to reach maturity. The implication of this particular assumption in the context of lesbian and gay parents is that constructions of 'childhood innocence' engender a framework within which particular adults are seen to be the 'natural protectors' of children, and that by default, certain other people are positioned outside of this category. Such constructions thus serve to reinforce the power dynamics that exist in relation to parenting and families under heteropatriarchy, and which therefore privilege heterosexual models of parenting (Riggs, 2004a; 2005a).

In contrast to this, I argue for an understanding of lesbian and gay foster parenting that goes beyond simplistic accounts which seek to either 'prove' the normality of lesbian and gay foster parents (i.e., that we are 'just like' heterosexual foster parents), or to justify our 'difference' through recourse to notions of biological causation (an explanation that itself is often deployed within developmentalist logic in order to position lesbians and gay men as deviant. For more on this see Riggs, 2004b). To counter this, and following on from the long history of lesbian feminist research on parenting and families (e.g., Pollack and Vaughn, 1987), I outline the notion of 'radical difference' – an understanding of lesbian and gay parenting that prioritises the political, and which thus recognises the radical challenge that lesbian and gay parents present to heteropatriarchy.

In focusing on the category 'lesbian and gay parents', I acknowledge that this may be seen to presume a generic or exclusionary form of lesbian or gay subjectivity, or to suggest that the experiences of lesbian and gay parents are commensurable. I therefore use the category 'lesbian and gay parents' as foster care agencies in Australia primarily target lesbians and gay men (if heterosexual carers are in short supply). This fact obviously draws attention to the exclusion that is experienced by bisexual and transgender individuals who wish to provide foster care.

As a step towards addressing the problems that arise from using specific categories (such as 'lesbian and gay parents'), I write in the first person as a white, middle-class gay foster parent, and as such, I do not seek to speak for anyone outside of this group (nor indeed necessarily for everyone within this group). As a result, in regards to talking about practices of heterosexism in the foster care system in Australia, I would suggest that whilst the context of heterosexism is an important issue in need of further examination by *all* foster parents (cf., Raymond, 1992), it is important to recognise the position from which we write, and thus the limits of how widely our suggestions may be applied. It is therefore necessary to recognise the multiple influences that shape the experiences we have of oppression, and how these experiences differ as a result of our location within a range of class-ed, race-d and gender-ed subject positions (to name but a few). The logic of developmentalism and the rhetoric of 'best interests of the child' thus engender many differing

outcomes according to whom they are applied, and which particular privileges we as foster parents may or may not hold (Riggs and Riggs, 2004).

Developmentalism and (hetero)normative parenting

Over the past decade, critical research in the area of developmental psychology has paid particular focus to how discourses of development are used to privilege and normalise particular worldviews. More specifically, the model of child development (and thus by implication the model of parenting) that is assumed within developmental research prioritises the values of the white heterosexual majority. Thus as Erica Burman (1997, p. 134) suggests, "what dominant groups prefer as the desirable way to rear children is portrayed as the natural way for everyone to rear children". The extension of this is that the logic of developmentalism "involves the assumption of regulated natural change" (Morss, 1996, p. 49), the outcome being that theories of development are understood to reflect 'real, naturally occurring change', rather than actively constructing the categories of 'change' and 'development' themselves.

As a result, this universalising of a set of very particular cultural values about what constitutes development works to reify models of white heterosexual parenting, to the detriment (and indeed, through the disavowal) of alternate understandings of parenting (Burman, 1995). The implications of this logic for lesbian and gay foster parents are many, but in this section I focus predominantly on two outcomes,

namely; a) constructions of deviancy within developmentalist logic, and its connections to biologism, and b) the ways in which the assumption of a heterosexual model of parenting reinforces the status quo.

As a subject area, developmental psychology has traditionally presumed that there are a number of key truths that we can 'know' about children, and indeed growth more generally throughout the lifespan. Yet, what much of the research in the area has failed to acknowledge is how these truths presuppose particular understandings of the categories 'child' and 'adult'. Thus as Rex and Wendy Stainton Rogers (1992) suggest, research on child development actively constitutes the object of its gaze – the child – which in turn shapes the observations that are made about children. In particular, children are constituted as 'inherently innocent', an assumption that therefore presumes a particular moral framework for developmental research (cf., Moss, Dillon and Statham, 2000).

Such a framework is thus reliant upon the binary of 'normal/pathological' in order to justify a reading of child development that can be positioned as normative. In particular, 'normal' or 'healthy' child development is assumed to take a specific form, whereby 'the child' develops certain skills and attributes that allow them to inhabit an 'individual identity', and which therefore assists them to 'develop' as 'good moral citizens'. Whilst this may at first seem to be a relatively benign (if culturally specific) understanding of child development, it is based upon the assumption that identification as heterosexual represents the desired outcome, and

that 'good morals' are those of the heterosexual majority (cf., Lynne Smith, 2003). In this way, the logic of developmentalism presumes that 'children' take a relatively homogenous form, regardless of their location within a wide range of social, cultural and historical contexts. As a result, this 'typical' form is most often modelled on children raised in white, middle-class, heterosexual families.

The 'pathway' for development described above thus makes implicit reference to 'abnormal' or 'unhealthy' developmental outcomes. Some of these are more explicitly stated within developmental research, such as the presumption that 'poor parenting' may result in 'aggressive, insecure or difficult children'. These presumptions thus encourage all parents to conform to normalised guidelines for 'good parenting' in order to produce 'good moral citizens'. Yet, at the same time, there are also the implicit suggestion that 'good parents' should raise children that are gendered in particular ways (cf., Hicks, 1997; 2000).

This is evident in much of the research on children raised in lesbian and gay headed households (e.g., Tasker & Golombok, 1997). Such research is often a response to the terms for parenting set within research on heterosexual parenting, and thus tends to reinforce the notion that all parents should produce 'good (heterosexual) moral citizens' (Riggs, 2004b). Some examples of this include the 'proof' that children raised in lesbian and gay headed households are no more likely than children raised in heterosexual households to identify as lesbian or gay themselves; or that children raised in lesbian and gay headed households do not demonstrate

'inappropriately gendered behaviours'. As a result, this research tends to reinforce the implicit assumption that heterosexuality represents normal or healthy development, whilst non-heterosexual identities are abnormal.

Much research into lesbian and gay parenting (similar to most of the research on heterosexual parenting – i.e., most of the research on parenting full stop) tends also to implicitly accept biological explanations for child development and identify formation. Thus identification as lesbian or gay is 'explained away' through recourse to 'unavoidable' factors such as the household you were raised in, or the ways in which you were parented. Whilst such explanations don't draw on genetic arguments to explain lesbian and gay identifications *per se*, they do presume that 'being' lesbian or gay represents an 'immutable essence', and hence should be accepted. Though this may appear to be a useful way for justifying the inevitability of lesbian and gay experiences, and thus proving lesbians and gay men's eligibility as parents, it may instead only serve to reinforce the normative assumptions of biology inherent to developmentalist logic (Raymond, 1992).

To elaborate: developmental research assumes that there is a natural bond between (heterosexual) parents and their children, and that this bond occurs as a result of children being produced through heterosexual intercourse (and within the context of heterosexual marriage). This implies that children who are raised by non-heterosexual parents, or who are conceived in ways other than heterosexual intercourse (or at least by heterosexual parents) are somehow less able to 'naturally

bond' to their parents (Burman, 1994). This issue is further compounded in the case of foster parenting, whereby children are most often not biologically related to their foster parents. If we are to map across the logic of bonding just described, heterosexual foster parents are therefore by default positioned as more able to engender 'positive bonding' than lesbian or gay foster parents, simply as a result of their ('biological') sexuality (cf., Riggs, 2004b).

Such constructions of biology also work to reinforce the belief that lesbians and gay men should not parent. Thus as Diane Raymond (1992, p. 118) suggests, "if it is true... that [as some lesbian and gay advocates suggest] we may never know the source of sexual orientation, then it would make sense – within a homophobic framework – to 'play it safe' and refuse to let gays (sic) and lesbians parent or to deny custody to them". Raymond here demonstrates one of the ways in which biological explanations may be used against lesbians and gay men 'in the best interests of the child'. As I will elaborate further on in the paper, this notion of 'inherent difference' may thus easily be used to prove that lesbians and gay men should not be considered as foster parents within the 'best interests of the child' rhetoric.

The second point that I wish to explore in this section is how the normative model of child development outlined above works to justify the status quo, and thus legitimises constructions of lesbian and gay parents as somehow deviant. As I suggested above, parenting is assumed within much developmental research to

refer to heterosexual parenting. We may take this one step further, as does Burman (1994), to suggest that parenting within developmental research implicitly refers to (hetero)mothering. As a result, anyone who fulfils a parenting role but does not conform to the normative position of the heterosexual mother is somehow positioned as less of a parent, or indeed, as unable to parent.¹

In regards to lesbian and gay foster parents, then, the implication is that whilst lesbians may be 'women', they are 'improper women' as a result of their rejection of male partners, and by extension, their rejection of patriarchy (Clarke, 2002; Raymond, 1992). Gay men fare even less well, in that we are positioned automatically outside this understanding of 'a parent' as we are 'men', and thus the desire by some of us to parent is represented at best as demonstrating the 'effeminate nature' of gay men, and at worst reinforcing the long-standing assumption of a relationship between homosexuality and paedophilia (Riggs, 2004b). Lesbian and gay foster parents are therefore positioned as deviant merely as a result of their desire to parent – that we refuse to accept our *a priori* positioning as 'unfit parents' renders us as inherently deviant.

The effect of this logic is that the heteronormative status quo is again rendered invisible (Burman, 1997). Heterosexual parenting is taken to be the norm from which any other form of parenting is measured, and furthermore, heterosexual parenting is positioned as the only valid form of parenting – the presumption being that lesbians and gay men who wish to parent are either 'pretending', or have more

insidious plans for gaining access to children. This serves to demonstrate what Eric Rofes (1998) has termed the 'innocence/perversion' binary – that discourses of childhood and normative parenting are reinforced through the construction of the category 'deviant'. As a result, and as lesbian feminists have long suggested, the oppressive nature of families under heteropatriarchy is masked through a focus on what heterosexual families are not – i.e., deviant.

This implicit focus on the 'deviant other' thus effectively ignores the heterosexual family as a site of abuse and oppression, and the fact that it has historically been involved in the maintenance of state-based sanctions for heteropatriarchal dominance (Rofes, 1998). This is not to hold up lesbian and gay headed families (for example) as free from oppression, or as outside heteropatriarchy. Indeed, the need to 'prove' our normality as lesbian and gay parents has often resulted in an inability to voice the problems that we face within our own families (Malone & Cleary, 2002). Instead, the point that I am making is that developmental psychology's focus on the 'naturalness' of (heterosexual) child development and heterosexual parenting works to deny how these terms are constructed through the disavowal of non-normative forms of parenting and understandings of the child/adult relationship.

As I will elaborate in the next section, the developmentalist logic outlined here has implications for the constructions of family that appear in public policy documents on foster care. In particular, the assumption that only certain types of families count as 'real families' is clearly evident in the laws that surround and define foster care in

Australia. As I will demonstrate, this results in a set of heterosexist practices that effectively exclude lesbians and gay men from adequate representation as foster parents, and indeed leave lesbians and gay men open to being refused foster children through the assumption that our families are inherently 'not really families' (cf., Hicks, 1997).

Families, the law, public policy and morality

The normative constructions of 'children' and 'parenting' that I discussed in the previous section were all framed by a set of assumptions about what constitutes 'a family', or more specifically, what constitutes a 'good, moral, healthy family'. In the previous section I also briefly alluded to the connections between the state and the family. In this section I thus bring together these two points (morality; state and the family) in order to examine how families are constructed in the laws that are used to govern foster care, with a specific focus on the laws for South Australia (see also Riggs, 2005a, for an examination of heterosexism within laws surrounding foster care). The Children's Protection Act 1993 (*CPA*) and the Family and Community Services Act 1972 (*FACSA*) are the two main documents used within the foster care system in South Australia and, broadly speaking, are very similar to those used throughout all of Australia.

Both acts define families in very specific ways. For example, the CPA refers to families as:

the child's immediate family (including all guardians) and the child's extended family (that is to say, all other persons to whom the child is related by blood or marriage). Part I, Section 6.

Here the term 'family' is reserved for a child's guardians (which lesbians and gay men are not eligible to become through adoption according to state law), and for a child's relations 'by blood or marriage'. Obviously these definitions thus exclude lesbian and gay foster parents from the category 'family' in relation to the foster children they care for. As a result, the term 'family' as defined by the CPA refers predominantly to the heterosexual, biological relations of a child. I draw this inference as lesbians and gay men in Australia have no access to state sanctioned marriage, nor do we have access to adoption, thus we have no ability to create foster families based on 'blood or marriage' as defined under the law.²

The FACSA similarly (though perhaps less directly) defines family as referring to biological or 'birth' relations. The FACSA suggests that potential foster carers should aim to:

Provide opportunities for the child to maintain or recover his or her identity as a member of his or her own family and will allow the child reasonable access to his or her own family. Part 4, Division 2, Subdivision 3, 42.

Here the term 'family' is reserved for the child's 'birth' family, thus effectively excluding all foster carers from the category family – we are positioned as 'temporary' or 'fill-in families'. The terms used in the FACSAs to define 'parent' work to further marginalise lesbian and gay foster families, in the suggestion that:

'Parent' includes a person who has... adopted a child in accordance with the law of this State, or the law of another State or Territory of the Commonwealth... [and that a] 'step-parent' in relation to a child means a person (not being a parent of the child) who is married to a parent of the child. Part 1.

Again, as lesbians and gay men are ineligible for adoption within Australia, and do not have access to state sanctioned marriage, we are thus not defined as parents under the FACSAs. The implication of this is that whilst heterosexual foster carers may have some claim to the category of 'family' through their ability to locate themselves within the definition of 'parent' provided by the FACSAs, lesbian and gay parents do not.

Taking these definitions of family and parenting as a starting point, we may now look at how the heterosexual family is thus sanctioned by the state. The objectives of the FACSAs are clearly stated as:

Promot[ing] the welfare of the community generally and of individuals, families and groups within the community; and promot[ing] the dignity of the individual and the welfare of the family as the bases of the welfare of the community. Division 2, 10.

Here the family is taken *a priori* to represent the “bas[is] of the welfare of the community”. In light of the definitions of family examined above, the basis of the welfare of the community is thus taken to be the heterosexual nuclear family – all other forms of family are thus supplemental, and therefore not intrinsic to the ‘welfare of the community’. Within the CPA this notion of “promot[ing] the welfare of the community” is taken to the extreme in relation to supporting the rights of (heterosexual, biological) families, in the suggestion that whilst:

the safety of the child is to be the paramount consideration... serious consideration must, however, be given to the desirability of keeping the child within his or her family. Part I, 4.

As a result, the state sanctions the heterosexual family to the extent that ‘child safety’ must be weighed up with the desire to “keep the child within his or her family”. This accords immense privilege to the heterosexual nuclear family, and thus

positions non-heterosexual families (however defined) as entitled to little or no protection from the state.

These constructions of the heterosexual family as a site of state-based privilege have long been critiqued by lesbian feminists (e.g., Bernstein and Reimann, 2001; Calhoun, 2003; Pollack and Vaughn, 1987; Winter, 2002). In particular, the suggestion has been that the category 'family' is deployed to warrant a particular form of moral accountability whereby all families are judged against the moral values of the heterosexual majority. As I discussed in the last section, this is often achieved through the binary of normal/deviant, and I would suggest that these assumptions similarly underpin the laws in regards to foster care. The implication of this is that whilst lesbians and gay men may currently be able to foster children (in some states, and with some foster care agencies), this is by no means sanctioned explicitly in either the CPA or the FACSAs. Whilst the FACSAs in particular suggests that it maintains a 'non-discriminatory stance' in relation to family and community services, the previous examination of the Act itself shows that it privileges a heteronormative model of families, parenting and thus citizenship. As I will now demonstrate through an examination of the rhetoric surrounding 'best interests of the child' within the Acts, this lack of sanction for lesbian and gay foster parents leaves us open to having our rights as foster parents either denied, or at the very least defined on the terms set under heteropatriarchy.

Best interests of the child rhetoric - Constructions of innocence

The rhetoric of best interests of the child is deployed within both the CPA and the FACSA in ways that reinforce the privileged status of adults over children. This draws on the developmentalist logic that I have already described, and in particular, it uses the notion of 'innocence' to position children as in need of protection from those people who are 'not innocent' (i.e., 'deviant'). In relation to the Acts, the normative construction of the category 'family' as referring to the heterosexual nuclear family also works to reinforce the notion that children need to be protected from harm by remaining with their (biological, heterosexual) family – something that is sanctioned by the state. Taken together, the logic of developmentalism and the privileging of the heterosexual nuclear family thus results in an understanding of children that reifies the existing moral order under heteropatriarchy (Burman, 1995). Moreover, the constructions of right and wrong that are implicit in 'best interests of the child' rhetoric (i.e., in relation to who should 'protect children') represent a set of particular moral assumptions that underpin these categories (Morss, 1996; Moss, Dillon and Statham, 2000), most of which are enforced through the pathologisation of non-heterosexual identities/families/parenting styles.

Some examples of innocence and protection in the Acts include the suggestion that:

The Co-ordinator [of a family care meeting] is not required to invite the child to the meeting if *the Co-ordinator is of the*

opinion that it would not be in the best interests of the child for the child to attend (emphasis added). Part 5, Division 1, 30.

The Minister must keep the guardians of the child informed about where the child is placed and how the child is being cared for, unless *the Minister is of the opinion* that it would not be in the best interests of the child to do so (emphasis added). Part 7, 51.

These two extracts from the CPA demonstrate that a child's 'best interest' is to be determined by the adults involved in their advocacy. There is no mention here of what the child considers to be in their own best interest, nor is it recognised that advocates such as 'the Co-ordinator' or 'the Minister' (for example) may judge 'best interests' according to the heteronormative criteria of the state (cf., Walkerdine, 1993). Thus if we are to recall the constructions of families and parenting outlined in the previous section, we can see that such advocates are implicitly working to further the position of the heterosexual norm in relation to children and parenting, rather than examining what is in the 'best interests of the child' *per se*. Likewise, the logic of developmentalism allows adults to determine (according to the heteronorm) what is best for children, rather than necessarily relying upon what children consider to be best for them (cf., Scourfield & Welsh, 2003). Thus as Jenny Kitzinger (1990, p. 161) suggests, the notion of 'childhood innocence' has become an "ideology used to deny children access to knowledge and power".

This approach to determining the best interests of the child, and the heteronormativity that it engenders, thus encourages lesbian and gay foster parents to locate themselves within these normative understandings of adult/child relations. This effectively enacts a normalising gaze over lesbian and gay foster parents, whereby we are expected to demonstrate our ability to imitate heterosexual models of parenting, and thus to demonstrate our desire to act in the best interests of the child as defined by the state (Ricketts, 1991; Riggs, 2004a; 2005a; Walkerdine, 1993). As a result, lesbian and gay foster parents concede to the state when we accept the terms set for parenting under heteropatriarchy. Whilst this may enable us as lesbian and gay foster carers to be accepted and approved as carers, it means that we are often left open to accusations of not acting in the best interests of the child, simply by implication of our sexual orientation (Clarke, 2001).

One example of this is again provided in the literature on lesbian and gay parenting (e.g., Tasker and Golombok, 1997, p. 100-101). Within this literature, considerable attention is paid to the issue of harassment (in school, etc.), and the question is asked as to whether children raised in lesbian and gay headed households are automatically at risk of harassment due to their parents' sexuality. Research such as that conducted by Tasker and Golombok states the finding that "children from lesbian mothers were no more likely than their counterparts from heterosexual single-parent families to experience peer stigma during adolescence... [nor] were

[they] more likely to report victimization... [or] recollect being teased specifically about their mother”.

Such support for the case against assuming that children from lesbian and gay households experience harassment thus accepts lesbian and gay families themselves as the appropriate site for examining harassment. This does very little to challenge the oppression that lesbians and gay men face on a daily basis, and thus fails to explore how the harassment of lesbians and gay men (and thus, potentially, their children) is the rule rather than the exception. By focusing on disproving the ‘myth’ of harassment (in order to ‘prove’ lesbians and gay men’s eligibility as parents), such research therefore does not examine the political implications of heterosexism, nor does it pay significant attention to the way in which the fear of harassment shapes the experiences of lesbian and gay parents, and which thus serves to reinforce the privilege accorded to heterosexual parents (Riggs, 2004b).

Similarly, and as I suggested earlier in this paper when citing Raymond (1992, see also Clarke, 2001), this ‘potential for harassment’ may be used against lesbians and gay foster parents in order to suggest that it would be in the best interests of the child to avoid subjecting them to further harassment. Thus the focus on whether harassment occurs or not fails to challenge the heteronormativity of best interests of the child rhetoric, and instead encourages lesbian and gay parents to prove that they can protect foster children from harassment, thus implicitly acknowledging the ‘potential’ that we create for a child in our care being harassed. As I suggest in the

final section of this paper, the 'psychologisation' of foster care often results in the depoliticisation of lesbian and gay foster parenting (cf., Riggs, 2004b). The outcome of this is that the potentially 'radical differences' that lesbian and gay parenting may engender are routinely dismissed in order to satisfy the expectations of heteronormativity that inhere to the foster care system.

Lesbian and gay foster parents: Radical relationality

The question that we need to ask as lesbian and gay foster parents, then, is what does the 'best interests of the child' rhetoric teach our children, and how does it encourage us to relate to them in particular ways? I would respond to this by suggesting that in adopting 'best interests of the child' as our guiding framework we are implicitly teaching our foster children to accept normative frameworks, and thus to take on board the rules set for living under heteropatriarchy (cf., Burman, 1994). Whilst it is perhaps important to assist children to understand 'how our world works' (thus enabling them to know the rules and their limitations), it is often difficult to contrast this with a more critical approach to parenting. Even something as simple as the terms we use to describe our experiences may unintentionally reinforce both the logic of developmentalism (in that we as adults [who know everything] should be teaching children [who know nothing]), and the framework of morality that informs parenting and families in a heteronormative society. As a result, I would suggest that one response to the question posed above is that we need to continually examine how we relate to our children, and how our

relationship with them may hold the potential for creating alternate understandings of families (Riggs, 2005a).

A second important response to this question is to look at how the rhetoric of 'best interests of the child' encourages both lesbian and gay parents and our children to accept the gaze of scientific knowledge upon our families (Riggs, 2004c; 2005b; in press). Thus as Celia Kitzinger and Rachel Perkins (1993) suggest, the psychologisation of issues facing lesbians and gay men works to locate these issues 'inside' of us, rather than critiquing the heteronormative status quo (see also Burman, 1994). In relation to lesbian and gay foster parenting, such an approach to understanding our families thus effectively prioritises normative accounts of child development and parenting, which have traditionally been (and indeed still are) used against lesbians and gay men. Intimately related to this psychologisation of lesbian and gay headed families are the effects of depoliticisation: scientific accounts of experience most often encourage an apolitical approach to research, whereby experiences of social oppression are written off as an aspect of the psyche. As a result, the political motivations that often inform the choice to parent as lesbians and gay men are ignored (Clarke, 2002). Thus as Nancy Pollcoff (1987, p. 50) suggests in writing as an adoptive lesbian parent:

It is rare to hear a lesbian say she wants a child because she wants to put her politics into practice, and childbearing is one way to do that. I am not sure I have ever heard a lesbian say she wanted a child because

she wanted to make a public statement that there was another model for childrearing, and that it was better than the traditional model.

Following on from the previous analyses of constructions of the family and best interests of the child, we may understand Pollcoff to be demonstrating how lesbian parents are encouraged to accept a heteronormative model of parenting, within which politics are taboo. Yet, a continued focus on the political may allow lesbian and gay foster parents to explore the moral assumptions that inform foster care policy, and how this structures experiences of parenting and families.

This focus on the political thus leads me to suggest that we as lesbian and gay foster parents need to engage with the notion of 'radical difference' (van Reyk, 2004). Such an approach to parenting may entail a switch from being 'child focused' to looking at the 'child's focus' – how do our foster children see the world, and what knowledges and values do they bring into our homes (Rofes, 1998). Similarly, we may seek to question how the term 'child' encourages us to relate to 'foster children' in particular ways, and how we may thus develop alternate ways of talking with and relating to the children we care for. Whilst a discussion of this is beyond the scope of this paper,³ I would suggest that in resisting the terms for parenting set within a framework of developmentalism and 'best interests of the child' rhetoric, we may be better placed to understand how these constructs are positioned as normative, and the oppressive effects that they engender for all families. Thus rather than perpetuating the notion that our families are 'just like' heterosexual families, we

may look at 'radical difference' as a useful tool within the foster care system, particularly for children whose prior experience of family is negative and oppressive (Hicks and McDermott, 1999).

Throughout this paper I have encouraged a focus on how the institution of the heterosexual nuclear family is used to marginalise lesbian and gay headed families, and in particular, how this is played out within foster care public policy. In exploring the notion of 'radical difference', I acknowledge that there is a 'set of rules' that we as foster carers need to play by, and likewise, that there is often little space for us to challenge heteronormative practices. What I propose is that by starting within our own homes, and by encouraging the children we care for (through our relations with them) to critically evaluate the way they are taught to look at the world, we may take a step towards privileging the shapes that our families take. Doing so may not only benefit our own lives and families, but may hopefully contribute to the dismantling of heteropatriarchy, a system that, I would suggest, is oppressive to all families.

Acknowledgements

I would first like to acknowledge the sovereignty of the Kaurna people, the First Nations people upon whose land I live in South Australia. In doing so I recognise the considerable privilege that I experience as a descendant of white colonisers, who continue to benefit from the genocide and dispossession of Indigenous Nations. I

would like to thank Brooke for her help in accessing materials, Jo for her kind words of encouragement, and as always, thanks go to Greg for support and proof reading, and to our foster child Gary, for making this all worthwhile.

Notes

1 Obviously I am not suggesting here that heterosexual women are 'privileged' to be classed as parents – I would suggest that the entire framework of families under heteropatriarchy is oppressive to those who are expected to assume the burden of child bearing and raising, particularly when this is assumed to arise from the 'natural instincts' of heterosexual women to parent (for more on this see Burman, 1994).

2 It is important to acknowledge here that as lesbians and gay men we do have access to creating our own families, for example through surrogacy, shared parenting, children born from a prior heterosexual relationship etc. The point I am making is that whilst this is true, the laws on foster care prohibit foster carers in general from defining ourselves as 'family', and that the inherent heterosexism (i.e., through assumptions of 'blood and marriage') further exclude lesbians and gay men from this category.

3 And indeed, as Michel Foucault (1996, p. 312) suggests, the very idea of proposing a 'programme' for creating new ways of relating is dangerous, for "as soon as a program is presented, it becomes a law and there's a prohibition against inventing".

References

- Bernstein, M. & Reimann, R. (2001). *Queer families, queer politics: Challenging culture and the state*. New York: Columbia University Press.
- Burman, E. (1994). *Deconstructing developmental psychology*. London: Routledge.
- Burman, E. (1995). The natural rights of the child. In I. Lubek, R. van Hezewijk, G. Pheterson & C. Tolman (Eds.) *Trends and issues in theoretical psychology*. New York: Springer Publishing Company.
- Burman, E. (1997). Developmental psychology and its discontents. In D. Fox & I. Prilleltensky (Eds.) *Critical psychology: An introduction*. London: Sage.
- Calhoun, C. (2003). *Feminism, the family, and the politics of the closet: Lesbian and gay displacement*. Oxford: Oxford University Press.
- Clarke, V. (2001) 'What about the children?' Arguments against lesbian and gay parenting. *Women's Studies International Forum*, 24, 555-570.

Cox, K. (2002). Fostering shortage met by gay couples. *The Sun-Herald*, December 1.

Available at <http://www.smh.com.au/2002/11/30/1038386361619.html>

Foucault, M. (1996). *Foucault live: Collected interviews, 1961-1984*. New York: Semiotext(e).

Hicks, S. (1997). Taking the risk? Assessing lesbian and gay carers. In H. Kemshall & J. Pritchard (Eds.) *Good practice in risk assessment and risk management 2: Protection, rights and responsibilities*. London: Jessica Kingsley Publishers.

Hicks, S. (2000). 'Good lesbian, bad lesbian...': Regulating heterosexuality in fostering and adoption assessments. *Child and Family Social Work*, 5, 157-168.

Hicks, S. & McDonald, J. (1999). *Lesbian and gay fostering and adoption: Extraordinary yet ordinary*. London: Jessica Kingsley Publishers.

Kitzinger, C. & Perkins, R. (1993). *Changing our minds: Lesbian feminism and psychology*. New York: New York University Press.

Kitzinger, J. (1990). Who are you kidding? Children, power, and the struggle against sexual abuse. In A. James & A. Prout (Eds.) *Constructing and reconstructing*

childhood: Contemporary issues in the sociological study of childhood. New York:
Falmer.

Lynne Smith, J. (2003). Suitable mothers: Lesbian and single women and the
'unborn' in Australian parliamentary discourse. *Critical Social Policy*, 23, 63-88.

Malone, K. & Cleary, R. (2002). 'De)sexing the family: Theorizing the social science of
lesbian families. *Feminist Theory*, 3, 271-293.

Morss, J. R. (1996). *Growing critical: Alternatives to developmental psychology*.
London: Routledge.

Moss, P. Dillon, J. & Statham J. (2000). 'The 'child in need' and 'the rich child':
Discourses, constructions and practice'. *Critical Social Policy*, 20, 233-254.

Pollack, S. & Vaughn, J. (1987). *Politics of the heart: A lesbian parenting anthology*.
New York: Firebrand Books.

Raymond, D. (1992). 'In the best interests of the child': Thoughts on homophobia
and parenting. In W.J. Blumenfeld (Ed.) *Homophobia: How we all pay the price*.
Boston: Beacon Press.

Ricketts, W. (1991). *Lesbians and gay men as foster parents*. Maine: University of South Maine.

Riggs, D.W. (2004a). On whose terms?: Psychology and the legitimisation of lesbian and gay parents. *GLIP News*, 3, 3-6.

Riggs, D.W. (2004b). The psychologisation of foster care: Implications for lesbian and gay parenting. *PsyPag Quarterly*, 51, 34-42.

Riggs, D.W. (2004c). The politics of scientific knowledge: Constructions of sexuality and ethics in the conversion therapy literature. *Lesbian & Gay Psychology Review*, 5, 6-14.

Riggs, D.W. (2005a). Resisting heterosexism in foster carer training: Valuing queer approaches to adult learning and relationality. *Canadian Journal of Queer Studies in Education*, 1.

Riggs, D.W. (2005b). Who wants to be a 'good parent'? Scientific representations of lesbian and gay parents in the news media. *Media-Culture Journal*, 8.

Riggs, D.W. (in press). 'Proving the case': Psychology, subjectivity and representations of lesbian and gay parents in the media. In L. Castañeda & S.

Campbell (Eds.) *The fractured mirror: Readings on the changing images of sexual difference in news media*. Sage.

Riggs, D.W. & Riggs, L.D. (2004). Talking about heterosexism: Politics, complicity and identification. In D.W. Riggs & G.A. Walker (Eds.) *Out in the antipodes: Australian and New Zealand perspectives on gay and lesbian issues in psychology*. Perth: Brightfire Press.

Rofes, E. (1998). Innocence, perversion, and Heather's Two Mommies. *Journal of Gay, Lesbian, and Bisexual Identity*, 3, 3-26.

Scourfield, J. & Welsh, I. (2003). Risk, reflexivity and social control in child protection: New times or same old story? *Critical Social Policy*, 23, 398-420.

Stainton Rogers, R. & Stainton Rogers, W. (1992). *Stories of childhood: Shifting agendas of child concern*. Toronto: University of Toronto Press.

Tasker, F.L. & Golombok, S. (1997). *Growing up in a lesbian family: Effects on child development*. New York: Guilford Press.

Van Reyk, P. (2004). Baby love: Gay donor father narratives of intimacy. In D.W. Riggs and G.A. Walker (Eds.) *Out in the antipodes: Australian and New Zealand Perspectives on gay and lesbian issues in psychology*. Perth: Brightfire Press.

Walkerdine, V. (1993). Beyond developmentalism? *Theory & Psychology*, 3, 451-469.

Winter, B. (2002). The politics of assimilation: Are we really 'family too'? *Word is out: Online Journal for Gay, Lesbian & Queer Liberation*, 2.