
The death penalty: A black and white case

There are those who argue that true equality among races will not come solely from courtroom edicts or legislative decisions, but more from gradual changes in personal philosophies and attitudes that have been ingrained for centuries. Proponents of such a view may well point to the court system itself to illustrate their point.

In 1972, a U.S. Supreme Court Decision (*Furman v. Georgia*) was handed down to eliminate discrimination in the imposition of the death penalty. At least partially in response to that decision, Florida reinstated the death penalty in 1976. Now, in a study presented at the recent meeting of the American Psychological Association, psychologist Linda A. Foley of the University of North Florida has examined the 1972 decision's effect in Florida courts.

Foley has investigated every Murder I indictment in about one-third of the state's counties between 1972 and 1978. After studying the records of 421 blacks and 386 whites, Foley says that "the data reported in this paper strongly indicate that Florida's new statute ... allows the death penalty to be applied in a discriminatory manner."

The overt racial discrimination present in death penalty sentencing present before 1972 is far less prevalent, Foley says.

But at the same time it "has been replaced by a much more subtle form [of discrimination] ... based on the race of the *victim*." Statistics over the period studied show that all offenders accused of murdering whites are more than five times more likely (16.5 percent vs. 2.8 percent) to receive the death penalty than those charged with murdering blacks. Moreover, black offenders were given the death penalty 23.4 percent of the time for murdering a white person and only 2.6 percent of the time for murdering a black person.

Foley also reports that white defendants were about twice as likely as blacks to have their cases not proessed or dropped or, to a lesser extent, be acquitted or found incompetent to stand trial. She adds that mitigating circumstances such as the offender's occupation and employment status, number of prior convictions, the victim's occupation or the circumstances of the crime do not sufficiently explain the apparent race discrimination in the imposition of the death penalty.

"A male offender who is black is at a particular disadvantage," she says, "since he is more likely to be adjudicated guilty, more likely to be convicted of Murder I and more likely to receive the death penalty if the victim were white." □

Gay motherhood: Rewards and problems

Other than homosexuals themselves, some of those who have benefited most from the out-of-the-closet movement are psychological and sociological researchers. Taking advantage of the rather sudden emergence of gays as a potential study population, these researchers are churning out results with increasing rapidity. Recent surveys have reported that gays appear to be stable, happy and well-adjusted (SN: 7/15/78, p. 37) and that the children of gay and transsexual couples also seem to be well-adjusted.

But aside from being somewhat preliminary, many such studies concentrate on male homosexuals and "regard lesbianism as a 'female version' of male homosexuality," say Ellen Lewin and Terrie A. Lyons of the Medical Anthropology Program at the University of California at San Francisco. Moreover, lesbian *mothers* have been largely overlooked in previously published studies, they say. "The unconscious assumption that lesbians and other women are really not very similar is perhaps at the root of the general failure of most researchers to take note of the existence of the lesbian mother and to study her life situation in any depth," they say.

Lewin and Lyons were among several behavioral scientists to report on studies of lesbian mothers and their children during the recent annual meeting of the

American Psychological Association in New York. Over a two-year period, the researchers studied 43 lesbian and 37 heterosexual, formerly married mothers in the San Francisco Bay area. The mothers, matched for socioeconomic level, race (nearly all were white), education (most had at least some college) and other factors, underwent in-depth interviews, each lasting three to six hours.

"Probably the most dramatic findings," report Lyons and Lewin, "are those which point to a wide range of overall similarities between lesbian and heterosexual mothers' adaptations to single parenthood and family headship." Both lesbian and heterosexual mothers tend to rely on relatives for emotional and financial support, especially in emergencies. "The ongoing solidarity of these [family] ties is particularly noteworthy for the lesbian mothers, as homosexuality has often been assumed to produce serious breaches in kinship relations," say the researchers. Only 16 percent of the lesbians said no one in their families was aware of their homosexuality, while about half said "most or all" of their relatives were aware.

One of the few areas in which lesbian mothers differ from heterosexuals is in cases of cohabitation. Heterosexual mothers say they feel no need for secrecy if they are living with a man. But among

lesbians, "the presence of a lover in the home sometimes involves a greater feeling of vulnerability to the hostility of outsiders, raising the possibility of difficult relationships with neighbors, children's playmates and their parents," Lewin and Lyons say. Such situations, in which the mother may be forced to exclude the lover from family outings, can create additional stress for the lesbian mother, they report.

Overall, though, the researchers say that "sexual orientation may not only have limited effects on the lives of single mothers, but ... it may in general be of little consequence in determining the range of social support available to people and the structure of the networks on which their social relations are contained."

But how are children of lesbian mothers affected, if at all, by their mother's homosexuality? Beverly Hoeffer of the UCSF School of Nursing studied the oldest or only children of 20 heterosexual and 20 lesbian unmarried mothers around San Francisco. The children ranged from six through nine years of age and had been without fathers since prior to their fifth birthdays. Hoeffer measured the children's sex-role traits with the Sex-Role Concept Scale (consisting of self-ratings on various "male-valued" and "female-valued" traits) and their sex-role behavior with a modified version of the Toy Preference Test.

Among boys of lesbian and heterosexual mothers, "different patterns occurred for the two groups of boys on sex-role traits," she says. "Forty percent of boys of lesbian mothers as compared to no boys of heterosexual single mothers scored as sex-type feminine," which basically means they were more gentle and concerned about other peoples' feelings than were other boys. And "40 percent of the boys of heterosexual single mothers and 20 percent of boys of lesbian mothers scored as sex-type masculine."

Girls, as well as boys, of lesbian and heterosexual mothers did not differ in sex-role behavior as measured by the Toy Preference Test. But while 50 percent of the daughters of lesbians scored as sex-type masculine — meaning, in this case, more outgoing with stronger leadership qualities — on the trait profiles, no daughters of heterosexuals scored in this category. Still, the overall data suggest that "mothers were more effective sex-role models for their daughters than for their sons," says Hoeffer.

The boys' sex-role trait profiles "suggest that a lack of a consistent male figure rather than the mother's sexual orientation affects boys' acquisition of sex-role trait," she says, "although lesbian mothers were more willing than heterosexual single mothers to encourage cross-gender sex-role traits and behavior. Boys more than girls may be susceptible to difficulties because of greater discrepancies between their real and ideal-self sex-role trait profiles and between their view of themselves and same-gender peers." □