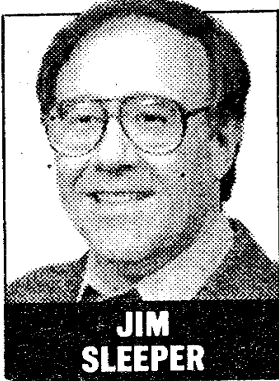


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The condom issue & parents' rights



**JIM
SLEEPER**

In the Age of AIDS, schools must provide condoms and sex education. But I've never understood why former Chancellor Joseph Fernandez sac-

rificed his job — and possibly David Dinkins' — to give sex-ed advocates everything they wanted. Last week, an appellate court ruled, in effect, that Fernandez was wrong and that parents have the right to opt out of condom distribution for their kids. That balances public and private interests.

It does so, first, in a pragmatic sense. City schools with condom programs *and* parental opt-out report that few parents — about 70 in Philadelphia, for instance — bother to sign forms to deny their kids condoms.

Parents who are that committed to keeping control of their kids should be honored, not condemned. They remind us that truly diverse cities include conservative immigrant and religious communities that, even without much birth control or abortion,

have less extramarital sex and pregnancy than other communities. If meeting a health emergency is really your overriding concern, you ought to be pleased.

But perhaps you're tempted to scoff at such parents as hypocrites or prudes who don't know what their kids are up to. If so, recall that whole generations, of many ethnicities, have grown up strictly. Even political *liberals* — Jews and Catholics who were ardent unionists and public servants — were often socially conservative. Ironically, without the Catholic Church, many people with AIDS would get no care.

I don't agree with Catholic doctrines on sex, and I doubt we can return to a time when, say, Bronx Jews restrained their kids' libidos while fighting sweatshop owners. But why not respect the traditional enclaves that do remain or that have immigrated recently? How, in the name of diversity and of the epidemic these communities curb, can you do otherwise?

The court's ruling is balanced in an ideological sense, too. Some activists insist that the AIDS emergency leaves us no choice but to ride roughshod over conservative parents' rights. Their argument would have

more force if they also favored riding roughshod over the rights of patrons of sex clubs — like one in Flushing that had a fatal fire Sunday — by closing the clubs in the name of the same AIDS emergency.

Instead, people and pols who would force condom distribution on every family — and who hissed at Board of Education hearings when speakers invoked “family values” — don't dare condemn anonymous sex. Do they really want to end the health emergency, or just shatter traditional norms?

This gets complicated, because traditional taboos do stigmatize single mothers and gays. But true diversity means working this gray area between traditional family values and the rights of nontraditional households. It's wrong to use a health emergency as a Trojan horse, if you will, to assault traditionalists where they live and breathe.

That's how some activists used it, and that appalled Board of Ed member Ninfa Segarra. In 1991, Fernandez had persuaded her, a newcomer, to vote against parental opt-out. But after seeing activists' tactics, parents' anguish and the K-to-6 sex curriculum, Segarra “felt we had reached the outer limits of what made sense and had gone be-

yond it.” (The plaintive chorus of a song then popular with city kids was, “We don't have to take our clothes off, oh, no, to have a good time. . . .”) Segarra came out for more emphasis on abstinence and parental opt-out, alongside condoms and sex education.

Such views would be called liberal elsewhere, but New York liberals showed their bad faith by smearing Segarra. Fernandez called her a “political prostitute,” so she voted not to renew his contract. The attacks continue and seem sexist: A recent New York Times editorial accused Segarra yet again of having put politics before kids; yet the same editorial praised, as “calm” and wise, new Corporation Counsel Paul Crotty, who represented the parent-winners of last week's ruling in favor of opting out.

History may not be kind to the “Gang of Four” Segarra joined. But it may be even harsher on those who needlessly turned a health crisis into a witch hunt — as if they meant to visit the horrors of their own past stigmatization upon those they felt had stigmatized them. Perhaps history already has answered them, in Rudy Giuliani's election and in court: Fernandez & Co. did reach the outer limits and go beyond them.