AMERICAN ACADEMY OF NURSING

Support for Marriage Equality

Marriage is an institution of central importance in the U.S., bringing with it a large number of social, economic and legal rights and benefits. Denying the right to marry is a powerful, far-reaching and particularly harmful form of discrimination. In 1967, striking down state laws barring interracial marriage, the U.S. Supreme Court declared that “The freedom to marry has long been recognized as one of the vital personal rights essential to the orderly pursuit of happiness...” (Loving v. Virginia, 1967).

Today, the campaign for marriage equality focuses on the rights of same-sex couples to marry. While hard-fought efforts have established marriage equality in the laws of several states, opponents of these rights have engineered defeats in many others. Moreover, current federal law—the Defense of Marriage Act—explicitly restricts federal rights associated with marriage and allows states to refuse to honor same-sex marriages performed in other jurisdictions (P.L.104-199, 110 Stat. 2419, 1996).

Marriage equality is a civil rights and human rights issue. Denial of equality has had significant adverse implications by restricting hospital visitation rights, adoption, legal, financial, and health care benefits for partners and their children, tax options, and survivorship rights. Marriage equality also has major implications for health. Many researchers have emphasized clear links between the marriage rights and health, including the adverse health impact of stigma and discrimination, as well as lack of access to health care and other benefits, on couples and their children, (Rostosky, Riggle, Horne, & Miller, 2009; Gay & Lesbian Medical Association, 2008; Herdt & Kertzner, 2006; Pawelski, et al., 2006). Denial of equality keeps Lesbian, Gay, Bisexual, Transgender and Queer people branded as second-class citizens, encouraging continued discrimination, disparities and even violence against LGBTQ people.

Several health professional associations have adopted public positions in support of marriage equality. These include the American Medical Association (2009), the American Psychiatric Association (2005), the American Psychological Association (2011) and the National Association of Social Workers (2004). President Obama recently lent his important voice to support for marriage equality, as have the National Association for the Advancement of Colored People, the National Council of La Raza and the League of United Latin-American Citizens. Public opinion on this issue, particularly among younger people, has shifted rapidly toward support of marriage equality.

The Code of Ethics for Nurses (2001) compels us to “practice with compassion and respect for the inherent dignity, worth and uniqueness of every individual.” Moreover, the Academy has a
strong record of opposing health inequities and advancing a culturally competent workforce. Marriage equality will contribute to achieving access to high-quality, comprehensive, culturally sensitive, dignified and respectful health care for all persons.

Accordingly, the American Academy of Nursing declares its support for marriage equality. The Academy:

- opposes all laws, including constitutional amendments, that prohibit same-sex marriage or otherwise restrict marriage equality;
- supports efforts to overturn or repeal the federal Defense of Marriage Act;
- will collaborate with other nursing organizations to take similar stands;
- brings nursing’s important perspective to the ongoing discussion and debate on this important human rights and civil rights issue.

Approved by Board of Directors 7.11.12

REFERENCES


Loving v. Virginia, 388 U.S. 1 (1967)


References Revised 7.26.12