

Lesbian, Gay and Bisexual Issues

This represents a revision of the 1996 Gay, Lesbian, and Bisexual Issues Policy.

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Abstract:

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22 NASW believes that same-gender sexual orientation should be afforded the same respect and
23 rights as other-gender sexual orientation. NASW is committed to working toward the
24 elimination of prejudice and discrimination based on sexual orientation, both inside and outside
25 of the profession.

26 In social work education and the professional environment, NASW expects schools of social
27 work to address the issue of discrimination. NASW encourages continuing education programs
28 on practice and policy issues relevant to lesbian, gay, and bisexual people and cultures, as well as
29 education about human sexuality. NASW believes all social work organizations and associations
30 should use inclusive, gender-neutral language and social work licensure exams should include
31 questions specific to lesbian, gay, and bisexual.

32 In coalition with other mental health and human services professions, NASW supports
33 antidiscrimination legislation at the national, state, and local levels. NASW opposes laws that
34 allow discrimination against lesbian, gay, and bisexual people, including in immigration,
35 employment, housing, professional credentialing, licensing, public accommodation, child
36 custody, and the right to marry. NASW encourages the adoption of laws that recognize
37 inheritance, insurance, same-sex marriage, child custody, property, and other relationship rights
38 for lesbian, gay, and bisexual people.

39 **BACKGROUND**

40 In U.S. society, lesbian, gay, bisexual, transgender and intersex people are still considered by
41 some to be immoral, unnatural, and/or dysfunctional. Until 1973, homosexuality was defined as
42 mental illness by the American Psychiatric Association's (APA) Diagnostic and Statistical
43 manual (DSM) (APA, 1952). Lesbian, gay, bisexual, transgender and intersex people do not
44 have civil and statutory protection under the law (Title VII of the Civil Rights Act) (Herek &
45 Berrill, 1992). In fact, the government takes a leading role in the subjugation of lesbians and gay
46 men by denying legal recognition of same sex marriage. There is much violence and social
47 injustice that must be overcome before sexual minority people are able to enjoy the full benefits
48 of our society (Sloan & Gustavsson). It is important that NASW take a strong stance on behalf
49 of LGBTI people and work to end the prejudice, oppression, and discrimination that confront
50 LGBTI people on a daily basis. Although LGBTI persons share many of the same
51 discrimination and concerns, NASW has a separate policy statement on transgender and gender
52 identity issues, therefore, this policy primarily addresses lesbian, gay and bisexual people (LGB).

53 Discrimination against LGB people has a long history in the United States. Following World
54 War II, President Eisenhower banned gay men and lesbians from all federal jobs; many state and
55 local governments and private companies followed suit (Garraty & Foner, 1991). Until 1961,
56 sodomy and homosexuality were illegal in all 50 states. Sodomy laws were used in many states
57 to deny lesbians and gay men custody of their children, employment, and the opportunity to
58 foster or adopt children in state care (National Gay and Lesbian Task Force [NGLTF], 2004).
59 Throughout the 1950's and 60's, police frequently raided gay bars, arresting employees and
60 patrons.

61 By the late 1950's, the gay rights movement was beginning to grow and reject the
62 discrimination faced by LGB people. On June 27, 1969, when New York City police raided a
63 Greenwich Village gay bar, the LGB community was ready to fight back. As police arrested
64 employees and patrons of the Stonewall Inn, a fight ensued and soon there were hundreds of
65 people protesting and rioting. Over the next three days, the crowd of protesters grew to over
66 1000. Although not the beginning of the gay rights movement, the Stonewall riots were an
67 important milestone in the gay rights movement. Over the next decades, changes would spread
68 across the country. In 1973, the American Psychiatric Association removed homosexuality from
69 its list of mental disorders. By 1975, the federal government had lifted the employment ban on
70 lesbians and gay men (in most jobs) (Garraty & Foner, 1991). On June 26, 2003, the Supreme
71 Court ruled sodomy laws unconstitutional (*Lawrence v. Texas*). Later in 2003, the Massachusetts
72 Supreme Court ruled that banning lesbians and gay men from marrying was a violation of the
73 state's constitution, opening the way for same sex couples to legally marry in the state.

74 Internationally, other countries were also beginning to fight against discrimination of LGB
75 people. In 1994, the United Nations ruled that discrimination based on sexual orientation
76 violates the International Covenant on Civil and Political Rights (1994). In 1996, post-apartheid
77 South Africa became the first country to include non-discrimination based on sexual orientation
78 in its constitution (Human Rights Watch [HRW], 2004). From 1981-2003, the European Court
79 of Human Rights overturned sodomy, recognized gay and lesbian partnerships, condemned
80 discriminatory age-of-consent laws (i.e., differing age of consent to engage in sex for
81 heterosexual versus LGB youth), and gave transgender people the right to legally change their
82 identity and to marry (HRW). In 1998, Denmark legalized same-sex partnerships; within two
83 years, Norway, Sweden, Iceland, and France followed. In 2001, the Netherlands legalized same-

84 sex marriages, followed in 2003 by Belgium and the Canadian provinces of Ontario and British
85 Columbia. In 2004, Quebec, the Yukon, Manitoba, Nova Scotia, and Saskatchewan legalized
86 same sex marriage.

87 **ISSUE STATEMENT**

88 Despite the successes of the gay rights movement, there continues to be discrimination
89 against LGB people. Thirty-five states do not protect LGB people from discrimination in
90 employment, education, credit, housing, and other public accommodation. Six states do not
91 allow lesbians or gay men to adopt (Florida & Mississippi), or foster children (North Dakota,
92 Utah, Arkansas and Oklahoma) (NGLTF, 2004b). Thirteen states passed state constitutional
93 amendments that prohibit same sex marriage (although the courts in Louisiana struck down their
94 amendment). Alabama, Arizona, Mississippi, South Carolina, and Texas prohibit any discussion
95 of homosexuality in school or “mandate that any references to homosexuality be exclusively
96 negative” (NGLTF, 2004a, p. 1).

97 The federal government has also failed to support non-discrimination against LGB people.
98 The 1994 Employment Non-Discrimination Act (ENDA), which would protect LGB people from
99 workplace discrimination, has failed to pass Congress. In 1996, the federal government passed
100 the Defense of Marriage Act (DOMA) allowing states to not recognize gay marriages sanctioned
101 in other states or countries. Currently, President Bush proposed a constitutional amendment to
102 define marriage as between one man and one woman.

103 The impact of discrimination, homophobia, heterosexism, and biphobia have a serious impact
104 on LGB people. Homophobia and heterosexism inhibit effective and appropriate service
105 delivery for sexual minority people. Hate crimes based on sexual orientation account for 16% of
106 all hate crimes reported to law enforcement (FBI, 2004). Research suggests that harassment and

107 hatred of LGB people is related to higher rates of depression, suicide, high school drop out, and
108 teen homelessness (HRW, 2001). Gay men earn 20% less than heterosexual men, and due to the
109 inequity in women's salaries compared to men, lesbian couples earn less than heterosexual
110 couples (Baggett, 1998).

111 Discrimination within the LGB community must be also acknowledged. LGB people
112 represent all of the diversity of our society—people of color, people who are disabled, people
113 who are elderly, people who are immigrants and refugees, and people of all religious and
114 political beliefs. LGB people facing multiple forms of oppression also face discrimination from
115 LGB people. In addition, bisexual identity is often dismissed by lesbians and gay men as a
116 means to avoid the full brunt of homophobia, and not a true sexual orientation. Bisexuals are
117 frequently told that bisexuality is just a phase, and they will either eventually identify as
118 heterosexual or homosexual. The complexities of multiple forms of oppression can not be
119 ignored.

120 Homophobic or heterosexist views also reduce the effectiveness of support, services and
121 treatment social workers offer to gay and lesbian clients. Homophobia and/or heterosexism may
122 cause social workers to minimize or exaggerate the importance of sexual orientation in the gay,
123 lesbian, or bisexual individual's life; perpetuate self hatred experienced by some gay and lesbian
124 clients (Brown, 1996; McHenry & Johnson, 1993; Peterson, 1996). Taken to the extreme,
125 homophobia in social workers and other practitioners can lead to the use of conversion or
126 reparative therapies, which are explicitly condemned by the NASW, the American Psychological
127 Association (APA), the American Counseling Association (ACA), and the American Psychiatric
128 Association (American Academy of Pediatrics et al., n.d.; American Psychiatric Association,
129 1998; NASW, 2000b).

130 **POLICY STATEMENT**

131 It is the position of the NASW that same-gender sexual orientation should be afforded the same
132 respect and rights as other-gender orientation. Discrimination and prejudice directed against any
133 group is damaging to the social, emotional, and economic well-being of the affected group and
134 of society as a whole. NASW is committed to advancing policies and practices that will improve
135 the status and well-being of all lesbian, gay, and bisexual people. NASW reaffirms its support of
136 the Transgender and Gender Identity Issues policy statement, recognizing the intersection of
137 oppression among lesbian, gay, bisexual, transgender, and intersex people.

138 Non-Discrimination

- 139 ▪ NASW supports all social agencies, universities, professional associations, and funding
140 organizations in their efforts to broaden statements of nondiscrimination to include sexual
141 orientation.
- 142 ○ NASW supports the adoption of local, state, federal and international policies/legislation that
143 ban all forms of discrimination based on sexual orientation. LGB people must be granted all
144 rights, privileges and responsibilities that are granted to heterosexual people, including but
145 not limited to inheritance rights, insurance, marriage, child custody, employment, credit, and
146 immigration.
- 147 ○ NASW supports the adoption of local, state, federal and international policies/legislation that
148 protect the rights and well-being of the children of lesbian, gay, and bisexual people.
- 149 ▪ NASW supports efforts to end discrimination and harassment of lesbian, gay, and bisexual
150 youth in public schools. NASW also supports the rights of LGB youth and allies to organize
151 and operate in schools.
- 152 ○ NASW is committed to working toward the elimination of prejudice, social injustice,

153 violence and discrimination of LGB people in all aspects of society.

154 Social Work Profession and Education

155 ■ NASW encourages curriculum policies in schools of social work that eliminate discrimination
156 against lesbian, gay, and bisexual people. Schools of social work are expected to articulate the
157 NASW position in curriculum policy and standards; to require content on lesbian, gay, and
158 bisexual people throughout the curriculum, in field instruction, and in continuing education
159 programs; and to provide training for classroom instructors, field supervisors, and field
160 advisors regarding lesbian, gay, and bisexual issues.

161 ■ NASW encourages social workers to increase their awareness of oppression, heterosexism,
162 homophobia and the intersection of multiple forms of oppression.

163 ■ NASW encourages all social work organizations and associations to use inclusive, gender-
164 neutral language, non-homophobic, non-heterosexist language in all materials.

165 ■ NASW encourages licensing bodies to include questions specific to lesbian, gay, and bisexual
166 sex issues.

167 ■ NASW strives for full representation and establishment of means to affirm the presence of
168 lesbian, gay, and bisexual people at all levels of leadership and employment in social work
169 and in NASW and its chapters.

170 Education and Public Awareness

171 ■ NASW encourages the development of programs to increase public awareness of the violence
172 and social injustice experienced by lesbian, gay, and bisexual people. Public awareness and
173 education in schools should include information on the contributions made to society by
174 lesbian, gay, and bisexual people.

175 ■ NASW encourages the development of programs, training, and information that promote

176 proactive efforts to end the violence perpetrated against lesbian, gay, and bisexual people.

- 177 ■ NASW applauds organizations that fund, develop, and provide programming that portrays the
178 lesbian, gay, and bisexual communities compassionately and accurately.

179 Health and Mental Health Services

180 ○ NASW supports the right of the individual to self-disclose, or not to disclose, sexual

181 orientation and encourages the development of supportive practice environments for lesbian,
182 gay, and bisexual clients and colleagues .

- 183 ■ NASW reaffirms its stance against reparative therapies and treatments designed to change
184 sexual orientation or to refer practitioners or programs that claim to do so (NASW, 2000).

185 ■ NASW strongly advocates for the availability of culturally appropriate comprehensive health
186 and mental health services for LGB people across the life span, including HIV prevention and
187 treatment; substance abuse treatment; psychological stress and dysfunction prevention and
188 treatment; and suicide prevention.

189 ■ NASW recognizes the increasing number of lesbian, gay, and bisexual people who are making
190 reproductive choices, and encourages the establishment of legal, medical, and psychological
191 supports for these families.

192 Political Action

193 It is important for NASW and its chapters to develop and participate in coalition with other

194 human rights, social action and professional associations to lobby for the rights of lesbian, gay,

195 and bisexual people; to defeat efforts to limit the rights of lesbian, gay, and bisexual people; to

196 advocate for increased funding for programs designed to eliminate hate crimes and antigay

197 violence; to advocate for increased funding for programs designed to provide education, health

198 and mental health services; and to advocate for increased funding for research that increases our

199 understanding of issues affecting lesbian, gay, and bisexual people.

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