

# Human Rights & Human Welfare

---

Volume 8  
Issue 2 January 2008: Special Forum

Article 3

---


1-2008

## Discrimination and Inclusivity: Why APSA Should Not Meet in New Orleans

Martha Ackelsberg  
*Smith College*

Mary Lyndon Shanley  
*Vassar College*

Follow this and additional works at: <https://digitalcommons.du.edu/hrhw>

 Part of the [Lesbian, Gay, Bisexual, and Transgender Studies Commons](#), [Political Science Commons](#), [Sexuality and the Law Commons](#), and the [State and Local Government Law Commons](#)

---

### Recommended Citation

Ackelsberg, Martha and Shanley, Mary Lyndon (2008) "Discrimination and Inclusivity: Why APSA Should Not Meet in New Orleans," *Human Rights & Human Welfare*: Vol. 8: Iss. 2, Article 3.

Available at: <https://digitalcommons.du.edu/hrhw/vol8/iss2/3>



All Rights Reserved.

This Roundtable is brought to you for free and open access by the Josef Korbel School of International Studies at Digital Commons @ DU. It has been accepted for inclusion in Human Rights & Human Welfare by an authorized editor of Digital Commons @ DU. For more information, please contact [jennifer.cox@du.edu](mailto:jennifer.cox@du.edu), [dig-commons@du.edu](mailto:dig-commons@du.edu).

---

## Discrimination and Inclusivity: Why APSA Should Not Meet in New Orleans

### Abstract

The American Political Science Association (APSA) should move the site of its 2012 Annual Meeting from New Orleans for two reasons: first, because the legal recognition and protection of same-sex unions is an issue of human rights and equal citizenship, and second to fulfill its own long-stated commitment not to go to localities with policies that discriminate on the basis of sexual orientation. As a professional organization, it has a responsibility to ensure that every member of the association enjoys the full benefits of membership and an inclusive environment at meetings

### Keywords

American Political Science Association (APSA), New Orleans, LGBT

### Copyright Statement / License for Reuse



All Rights Reserved.

### Publication Statement

Copyright is held by the Josef Korbel School of International Studies, University of Denver. User is responsible for all copyright compliance.

## **Discrimination and Inclusivity: Why APSA Should Not Meet in New Orleans**

by Martha Ackelsberg and Mary Lyndon Shanley

The American Political Science Association (APSA) should move the site of its 2012 Annual Meeting from New Orleans for two reasons: first, because the legal recognition and protection of same-sex unions is an issue of human rights and equal citizenship, and second to fulfill its own long-stated commitment not to go to localities with policies that discriminate on the basis of sexual orientation. As a professional organization, it has a responsibility to ensure that every member of the association enjoys the full benefits of membership and an inclusive environment at meetings

We raise the issue of human rights because these comments are appearing in a forum sponsored by *Human Rights & Human Welfare*, and it seems important, in this context, to state our view on that aspect of the discussion. We do not argue that same-sex marriage is a human right; marriage is a political status, a specific creation of the state. Its meanings vary widely around the globe. What *is* a human right is the ability to form intimate relationships of emotional support and interdependency, and to have those relationships receive the protection of civil society. The possibility of sustained intimacy is fundamental to human wellbeing. Where relationships that provide the possibility of such intimacy are called “marriage” and are recognized and protected by the state, then the availability of such relationships to all, regardless of the sexual orientation of the partners, is a matter of human and civil rights.

Given these views, we find Louisiana’s constitutional amendment declaring that “Marriage in the state of Louisiana shall consist only of the union of one man and one woman” wrong on both moral and political grounds. Further, in stipulating, additionally, that “a legal status identical or substantially similar to that of marriage for unmarried individuals shall not be valid or recognized,” Louisiana refuses to recognize the actions of other states and jurisdictions where popular majorities or courts have extended benefits to same-sex couples. This provision constitutes a slap in the face to federalism as well as to queer citizens.

But, it seems to us, the more relevant issue in this case is the APSA’s own commitment to inclusivity, expressed in a variety of policies enjoining it from meeting in localities that discriminate against its members. In earlier decades, that commitment led to the Association’s not holding any meetings in Chicago until Illinois ratified the Equal Rights Amendment. More recently, the Council extended that protection to gays and lesbians, and decided not to meet in cities with anti-sodomy laws in effect. Current policy commits the Association not to meet in localities that discriminate on the basis of sexual orientation. At issue now, then, is what constitutes “discrimination” by a locality? We suggest that locating the line between discrimination and inclusivity entails answers to two questions: Do the policies of a particular state or locality deny the equal rights and dignity of APSA members? Do they limit or constrain the ability of LGBT members to attend the Association’s meetings with equal freedom?

The issues in New Orleans are not simply symbolic. It might be argued that a denial of the right to marry in a locality where the conference is happening is not of major significance: people do not normally expect to take time off in the midst of APSA meetings in order to get married. But

the Louisiana amendment denies to same-sex couples any of the “incidents of marriage.” This goes beyond the right to marry. As [Dan Pinello notes](#), any persons in same-sex relationships who were hospitalized and needed a partner to act on their behalf would have to have a legally-executed health care proxy, even if they were from a state in which they were married or partners in a civil union. Is illness requiring a partner to make medical decisions on one’s behalf likely? No. Is it possible that such a situation could arise? Yes. And if it were to arise, hospitals would be uncertain of their responsibilities and liabilities, delay and confusion would ensue, legal costs could be incurred by the person who was ill. In short, Louisiana does significantly limit the rights of LGBT people who are living or visiting there; and such limits constitute discrimination. Furthermore, meeting in a place with such limits would undermine what should be the APSA’s goal of creating an atmosphere in the organization and all its meetings that is genuinely inclusive.

It is not enough that APSA not itself discriminate on the basis of sexual orientation; it has to make sure that every member feel equally welcome and included. No policy of APSA discriminated against women at the time that APSA refused to meet in Chicago. Women were not more in danger on the streets of Chicago than in other US cities. But the rejection by the Illinois legislature of the principle that “equality of rights under the law shall not be denied or abridged on the basis of sex” struck the membership and Council as creating an environment that flew in the face of APSA’s commitment to its female members to provide them not just with formal rights within the organization, but with an inclusive and welcoming atmosphere. Despite our strong desire and our individual commitment to support the citizens of New Orleans in their effort to rebuild in the wake of Hurricane Katrina, we believe that APSA’s commitment to non-discrimination and to the equal dignity of all its members precludes holding the Annual Meeting in that city.

---

*Martha Ackelsberg is William R. Kenan, Jr. Professor of Government and of the Study of Women and Gender at Smith College. She is the author of Free Women of Spain: Anarchism and the Struggle for the Emancipation of Women and has published numerous articles and book chapters on democratic theory, citizenship, Spanish anarchism, women’s activism, and reconstructing families. She is currently at work on Resisting Citizenship: Feminist Essays on Politics, Community, and Democracy.*

*Mary Lyndon (Molly) Shanley is Professor of Political Science on the Margaret Stiles Halleck Chair at Vassar College. She is author of Feminism, Marriage and the Law in Victorian England (Princeton, 1989), Making Babies, Making Families: What Matters Most in an Age of Reproductive Technologies, Surrogacy, Adoption, and Same-Sex and Unwed Parents (Beacon, 2001), and Just Marriage, ed. Deborah Chasman and Joshua Cohen (Oxford University Press, 2004). Her current work is on feminist perspectives on social justice issues in family formation.*