



## Same-Sex Couples and U.S. Marriage Legislation

Currently, U.S. federal law defines marriage exclusively as a legal union between a man and a woman and prohibits marriage between same-sex couples, as do 44 state laws. Recent scientific research suggests that this may lead to substantial social, psychological and physical harm for lesbian, gay and bisexual individuals, as well as for their families.

### *The Underlying Science: Sexual stigma, a particular type of Societal Prejudice*

- ❖ *Stigma* occurs when group labeling is based on a socially undesirable or negatively-stereotyped characteristic. The labeled group is then placed in a distinct category, separating them from the majority.<sup>1</sup>
- ❖ *Sexual stigma* occurs when non-heterosexual behavior or public expression of a non-heterosexual identity is denounced and devalued.<sup>2</sup>
- ❖ Laws that deny same-sex couples equal status negatively differentiate them, perpetuating the lingering societal stigma associated with same-sex attraction.

### **Selected research findings**

- Recent data suggest that denying same-sex couples marriage equality devalues and delegitimizes sexual minorities,<sup>3</sup> which may motivate them to conceal their sexual orientation.<sup>4</sup>
- Research shows that sexual minorities who conceal their sexual orientation have significantly higher rates of cancer and other infectious diseases than those who do not.<sup>5</sup>
- Having contact with sexual minorities reduces prejudice among heterosexuals.<sup>6</sup> Since anti-marriage legislation renders sexual minorities more likely to conceal their orientation, the potential for open interaction between heterosexual and gay and lesbian individuals is decreased, as is the prospect for reduced prejudice towards same-sex couples.<sup>7</sup>
- Unmarried cohabiting heterosexual couples tend to show higher levels of depression and relationship instability than married couples.<sup>8</sup> Lesbian, Gay, and Bisexual individuals in U.S. states that have passed laws condemning same-sex marriage experience higher levels of psychological distress than those in other states.<sup>9</sup>
- Contrary to arguments against same-sex marriage, studies indicate that children raised by same-sex couples show no difference in psychosocial adjustment, romantic behavior, or school outcomes, compared to children of opposite-sex couples.<sup>10</sup>
- Children of same-sex couples benefit from the positive outcomes from their parents' being married,<sup>11</sup> such as a more durable and stable relationship and better psychological health.<sup>12</sup>

## Policy Implications

The research cited above indicates that current laws prohibiting same-sex marriage may have serious detrimental effects on the health and well-being of same-sex couples and their family members. The scientific evidence suggests that these laws perpetuate the societal stigma that sexual minorities have been exposed to for centuries. Policy makers should take this psychological research into account when dealing with marriage legislation at state and federal levels.

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## About SPSSI

The Society for the Psychological Study of Social Issues (SPSSI) is an international group of approximately 3000 psychologists, allied scientists, students, and others who share a common interest in research on the psychological aspects of important social issues. In various ways, the Society seeks to bring theory and practice into focus on human problems of the group, the community, and nations, as well as the increasingly important problems that have no national boundaries.

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<sup>1</sup> Link, B. G. & Phelan, J. C. (2001). Conceptualizing Stigma. *Annual Review of Sociology*, 27, 363-385.

<sup>2</sup> Herek, G.M. (2004). Beyond "homophobia": Thinking about sexual stigma and prejudice in the twenty-first century. *Sexuality Research and Social Policy*, 1(2), 6-24.

<sup>3</sup> Link & Phelan (2001)

<sup>4</sup> Herek, G. M. (2006). Legal recognition of same-sex relationships in the United States: A social science perspective. *American Psychologist*, 61(6), 607-621.

<sup>5</sup> Cole, S. W., Kemeny, M. E., Taylor, S.E., and Visscher, B.R. Elevated physical health risk among gay men who conceal their homosexual identity. *Health Psychology*, 15(4), 243-251.

<sup>6</sup> Pettigrew, T.F., & Tropp, L. R. (2006). A meta-analytic test of intergroup contact theory. *Journal of Personality and Social Psychology*, 90(5), 751-783

<sup>7</sup> Herek, G. M. (2006). Legal recognition of same-sex relationships in the United States: A social science perspective. *American Psychologist*, 61(6), 607-621.

<sup>8</sup> Brown, S. L. (2000). The effect of union type on psychological well-being: Depression among cohabitators versus marrieds. *Journal of Health and Social Behavior*, 41(3), 241-255.

<sup>9</sup> Rostosky, S. S., Riggle, E. D. B., Horne, S. G., & Miller, A. D. (2009). Marriage Amendments and Psychological Distress in Lesbian, Gay and Bisexual (LGB) Adults. *Journal of Counseling Psychology*, 56, 56-66.

<sup>10</sup> Wainright, J.L., Russell, S.T., & Patterson, C.J. (2004). Psychosocial Adjustment, School Outcomes, and Romantic Relationships of Adolescents With Same-Sex Parents. *Child Development*, 75(6), 1886-1898.

<sup>11</sup> Brown, S. L. (2000). The effect of union type on psychological well-being: Depression among cohabitators versus marrieds. *Journal of Health and Social Behavior*, 41(3), 241-255.

<sup>12</sup> Patterson, C. J. (2000). Families of the lesbian baby boom: Maternal mental health and child adjustment. *Journal of Gay and Lesbian Psychotherapy*, 4(3-4), 91-107.