

Protesting and accountability

To: Ethics Advisory Board

From: Confused protestor

Subject: Sanctioned for expressing my moral point of view

I participated in what was planned and advertised as a peaceful protest; however, people were gravely injured and property was damaged during the protest. My employer saw my photo and actions at the rally in a social media post, and I was fired from my position as an RN for “unprofessional behavior.” My state’s board of nursing also was made aware of my participation and has notified me that I’m being investigated for “moral turpitude.” I thought that the code of ethics allowed nurses to express their own moral point of view, which I was doing when I participated in this protest. What should I do now?



From: ANA Center for Ethics and Human Rights

Protests and demonstrations are common in response to perceived social, political, and civic injustices. At many points throughout history, nurses have participated in demonstrations in various capacities. They might provide nursing care or serve as observers or active demonstrators. Advocacy toward social justice is a critical operation of nurses, especially when it comes to health and health equity, human rights, and health diplomacy. The *Code of Ethics for Nurses with Interpretive Statements* (the *Code*) (nursingworld.org/coe-view-only) states that all nurses need to commit to advancing health, welfare, and safety so that communities develop to their fullest potential and live with dignity. The *Code* also maintains that the nursing profession must respond when human rights violations occur, especially against vulnerable groups.

In addition to this general support for nurses’ role in advancing health, welfare, and safety, the *Code* states that morality refers to personal values, character, or conduct of individuals or groups within communities and societies.

Provision 5.3 articulates that nurses have both personal and professional identities, and authentic expression of one’s moral point of view is a duty to self. However, the *Code* also specifies that while expressing moral claims, nurses must engage in discernment. This compels nurses to carefully assess their intentions, reflectively weigh all possible options and rationales, and then formulate clear moral justifications for their actions. Committing acts that potentially bring harm to people or violate a nurse’s obligation toward human rights and dignity might not fall within the confines of moral expression, especially if this expression becomes an act of moral turpitude.

Cornell Law School describes moral turpitude as “wicked, deviant behavior constituting an immoral, unethical, or unjust departure from ordinary social standards such that it would shock a community.” Specifically, conduct that involves, “an act of baseness, vileness, or depravity in the private and social duties which a man owes to his fellow men, or to society in general, contrary to the accepted and customary rule of right and duty between man and man.”

Provision 5.3 of the *Code* also asserts that nurses must be aware of the potential undue influence of their professional roles, and that when encountering a conflict with their own personal beliefs, must render compassionate, respectful, and competent care. Provision 4.3 confirms that nurses are always accountable for their judgments, decisions, and actions. This means that while nurses may express their own moral point of view, doing so will not necessarily be protected from formal or informal consequences.

You might consider all these provisions of the *Code* in your response to any decisions by the state board of nursing and to the actions taken by your employer.

— Response by Danisha Jenkins, PhD, RN, CCRN, NEA-BC, a member of the ANA Ethics and Human Rights Advisory Board.

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