

Breaking the barriers on Gay Marriage – Analyzing the cases of Canada and China

Introduction

Gay marriage, which has been treated as a social taboo for long, has gradually seen increase in acceptance and legal authorization. Consisting of the marriage of two people of the same sex, gay marriage has seen increase in support in the last decade worldwide (Brewer, 2014). However, this support seems to be highly dependent of nation and even from different areas within the same nation having certain states being highly supportive while others hold a much more conservative point of view. In this sense, the present essay will discuss briefly the general aspects of gay marriage and its practice in Canada and China highlighting the marked distinctions between these two continental nations.

Gay marriage, among other gay rights, have been directly associated with more democratic nations which are known for presenting an open speech policy and bring the population to a sense of safety and protection (Felter, 2019). The first nation worldwide to legalize gay marriage was the Netherlands, a nation highly recognized for its openness and democratic behaviors toward the population (Chamie, 2011). Worldwide, in 2017, over 70 nations (Figure 1) had laws that were protective against employment discrimination based on gender and sexual orientation which is as important as the right of marriage itself. In this case, there are nations were although the gay person is entitled to marriage, he/she can also be fired based on sexual orientation discrimination with no law protecting them from such (Felter, 2019).

Democratic nations tend to have more open policy in general and many times present an open and embracing statement favoring protection of all individuals within its own constitution. For example, Canadian constitution states in Subsection 15(1): *“Every individual is equal before and under the law and has the right to equal protection and equal benefit of the law without discrimination and, in particular, without discrimination based on race, national or ethnic origin, color, religion, sex, age or mental or physical disability”*

Overall, most nations follow the same trend and are actively in favor of protecting the basic human rights and fully exercise a democratic point of view. Additionally, in 2010, the United Nations Secretary-General Ban Ki-Moon asked nations to ban the law that criminalize homosexuality (Chamie, 2011) having most countries adapt the measure but not necessarily back it up with other complementary legislation. Herein, a close debate on the major distinctions seen