

A ray of hope for equal rights

Written by Taipei Times Editorial
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Taiwan cemented its reputation as a democratic, progressive nation yesterday afternoon, as the Democratic Progressive Party used its legislative majority to pass the Executive Yuan's awkwardly titled Enforcement Act of Judicial Yuan Interpretation No. 748 (司法院釋字第748號施行法) to legalize same-sex marriage.

The bill was the only one of the three up for review yesterday that would allow same-sex couples to register marriages, as opposed to “unions,” and provide limited adoption rights.

While the bill was not all that LGBT and other rights advocates had hoped for, or sought, after the Council of Grand Justices on May 24, 2017, ruled that the Civil Code's prohibition of same-sex marriage was unconstitutional, it was a compromise that they were willing to accept, a major step toward true equality and a huge leap forward for Taiwan and Asia.

Even faster than international wire agencies and news outlets in spreading the word that Taiwan had made history — albeit some prematurely before the bill actually passed its third reading — was the reaction on social media by people in Taiwan and Taiwanese abroad celebrating the bill's passage.

“Proud to be Taiwanese” and “proud of Taiwan” were the most common reactions, along with a flood of rainbow emojis and clapping hands after four of the most contentious articles in the Cabinet's bill passed their second reading by 1pm, meaning that similar articles in the two competing bills would not be put to a vote.

Even governments that do not diplomatically recognize Taiwan took to Twitter and other media to congratulate the nation, as the British Foreign and Commonwealth Office did with a video clip featuring Portico Media founder Jay Lin (林俊傑) that said gay rights are human rights.

While Lin, along with tens of thousands of others, braved yesterday's rain to line the streets near the Legislative Yuan in Taipei to show their support for same-sex marriage and equal rights — as so many have done in the rain or blazing heat in recent years — those celebrating the hard work that led to yesterday's result should take time out to thank one man: Chi Chia-wei (齊錫堯).

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It was Chi's petition to the council to decide if the clause in the Civil Code stipulating that marriage had to be between a man and a woman contravened the Constitution's guarantee of equality and freedom of marriage, plus one from the Taipei City Government, that led to the council's historic ruling almost two years ago.

For many Taiwanese, Chi has been the face of gay rights since he held a news conference in March 1986 to announce that he was gay and was launching a campaign to fight the spread of HIV and AIDS. That was also the year he first petitioned for same-sex marriage to be recognized, a move that resulted in the Martial Law-era government jailing him on trumped-up charges.

As Chi's decades-long fight shows, yesterday's vote was just one more battle in the long-running war for full civil and human rights.

As expected, Chinese Nationalist Party (KMT) lawmakers and others opposed to the act were quick to vow that they would seek to overturn it if the KMT wins next year's presidential election and regains the legislative majority.

Even if it does not, there are sure to be more appeals to the grand justices and more referendums seeking to turn back the clock.

However, in a world where even longtime democracies in the West appear to be marching headlong toward a more intolerant and regressive future, yesterday's result was a ray of hope for Taiwanese and for the rest of Asia.

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