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# Human Rights Law: Same-Sex Marriage as a Human Right?: A Comparison between South Africa and Germany

*Andreas Kluck*

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Same Sex Marriage as a Human Right? Human Mankind is facing same-sex relationships for ages. In almost every period of time, gays and lesbians did exist in all classes of society. The only difference throughout history is its social acceptance. Does Human Mankind enhance itself? Or are we today as far developed as our ancestors? Looking at the luminescent democracies of the old world, with their glorious fight for human rights as a universal right during the period of enlightenment, these countries are supposed to be open minded towards all kind of individual and human distinctions. Despite a lot of countries which still penalise homosexuality, these precursing countries are very cautious in granting gays and lesbians the same rights as straight couples. Why is human mankind still so afraid of people which are different then the gros of people? How do the United Nation Treaties deal with this subject? How is Germany dealing with this matter as en example for the old democracies and how is South Africa dealing with it as an example of a new born democracy? This essay is going to compare two different approaches in accordance with human rights granted by the United Nations.

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