

Legalization of LGBT Marriage: Case Study from Vietnam

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Abstract

LGBT marriage is a legal union between two individuals of the same sex, including lesbian, gay, bisexual, and transgender people. This type of marriage recognizes the equal rights of all people to marry regardless of their sexual orientation or gender identity. In Vietnam, the legal status of LGBT marriage has been the subject of considerable discussion and debate. Although the country has made significant strides in improving the rights of LGBT people, there is still a lack of official legal recognition for same-sex marriage. To date, same-sex marriage has not been explicitly legalized nor fully protected under Vietnamese law. This means that although same-sex marriages are not criminalized, and people have their free will to live together and hold ceremonies, yet these marriages do not hold the same legal status and rights as compared to heterosexual marriages. Vietnam has a strong cultural background and conservative beliefs; these play a crucial role in society in respect to the views within it when it comes to LGBT individuals. Society is becoming more tolerant; however, the LGBT community members are still judged with a high rate of discrimination. Although acceptance still significantly varies between regions and different age groups, public opinion is indeed softening, especially among the young. Due to the legal recognition, LGBT marriages provided them with equal legal rights and responsibilities concerning property, inheritance, adoption, and healthcare, just like heterosexual couples. On the other hand, this also can be regarded as another critical step to social inclusion and the fight against discrimination. This research will discuss the current situation of same-sex marriage in contemporary Vietnam with the aim of completing the picture of the LGBT community. The research study will also interview 22 LGBT individuals and a survey of close to 200 participants.

Keywords: LGBT, marriage, Vietnam

1. Introduction:

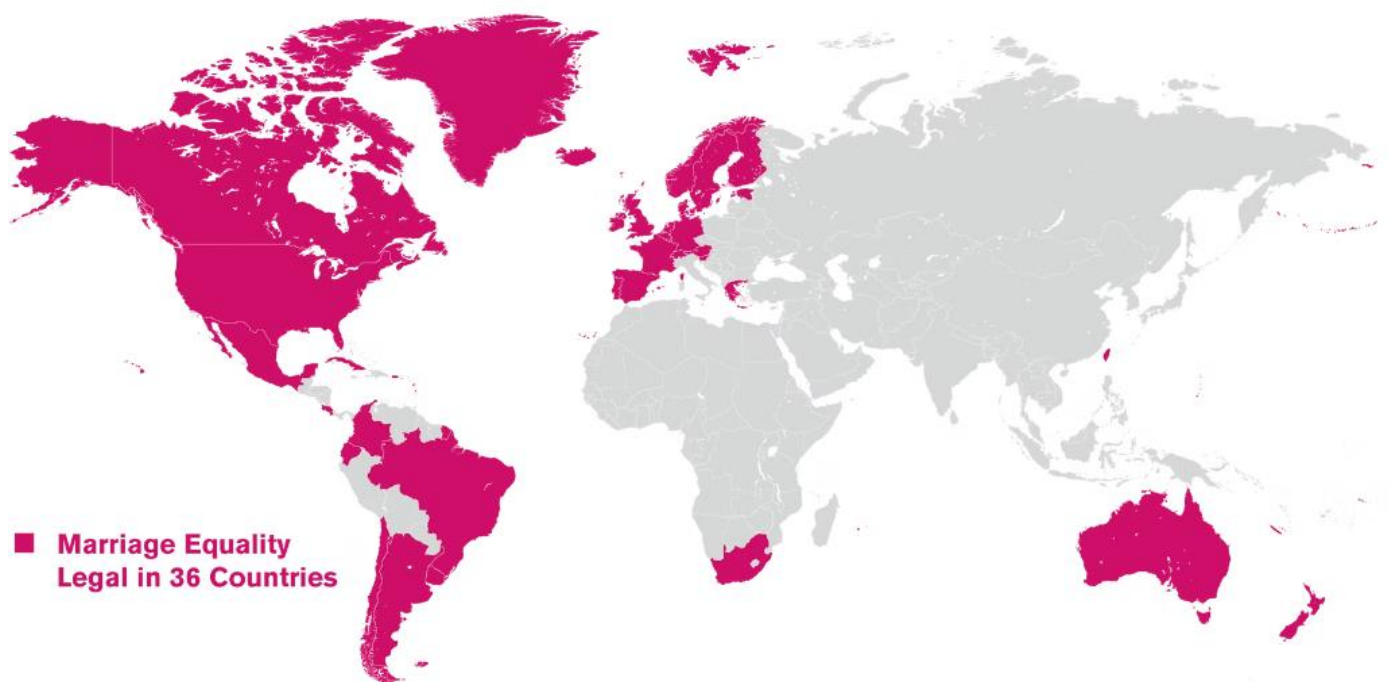
The acronym LGBT is an abbreviation of Lesbian, Gay, Bisexual, and Transgender. It is a term that is used to define an identity expressing a group whose sexual orientation or gender identity differs from what is considered typical heterosexuality and cisgender. A lesbian refers to a female who is interested in another female. On the other hand, a homosexual individual is typically a male who is

attracted to his gender. A bisexual is someone who is attracted to more than one gender, mainly preferring certain genders, while a transgender person has a gender identification different from the sex assignment at birth. Same-sex marriage has been legalized by 36 nations up to 2024; this accounts for approximately 20% of the world population. Western European countries such as

Sweden, the Netherlands, Spain, France, and Germany have legalized same sex marriage (Hrc, 2024). Apparently, in Eastern Europe, in countries like Poland and Hungary, answers from citizens indicate support and legal recognition for LGBT marriages are much lower. Moving on to the Americas: North America, Canada, the United States, and Mexico have legalized same-sex marriage. In South America, countries like Argentina and Brazil also recognized same-sex marriage. The same research done in Asia-Pacific

shows Australia and Taiwan legalizing same-sex marriage. Japan has significant public support but has not yet legalized it as of today. Finally, in Africa and the Middle East, same-sex marriage is not recognized in any Muslim-majority countries, and many African nations have laws against it. In Vietnam, it is estimated that the number of LGBT people (lesbian, gay, bisexual, transgender) in Vietnam accounts for about 9 - 11% of the total population (iSEE and VESS, 2022).

Figure 1. Marriage equality in the world 2024



Source: HRC

2. Main content:

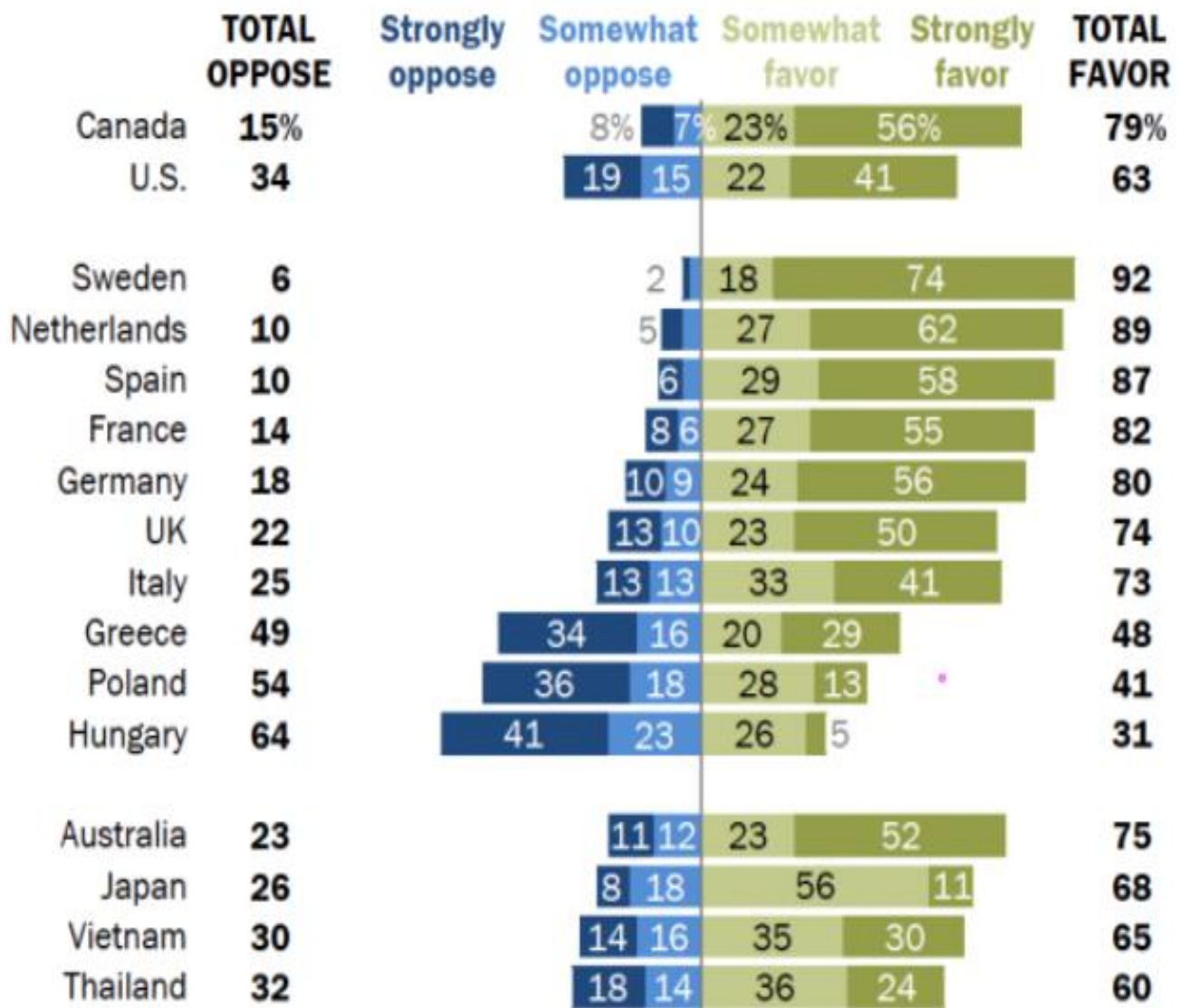
2.1. Legal framework in Vietnam:

Vietnam is an Asian country that has diverse cultural traditions concerning celebration events, among them marriage. Probably the most common characteristics that identify a traditional celebration of marriage in Vietnam include the specific rituals and ceremonial activities occurring from the couple, parents, and relatives. While 65% of Vietnamese people believe same-sex marriage is fine according to a Pew report Center, 2023; however, it is not lawfully recognized in Vietnam. However, in recent years, things have been getting

better when it comes to the rights of LGBTs in Vietnam. In 2014, the ban on same-sex marriage was lifted off by the government through an amendment of the Marriage and Family Law. Even though the amendment did not grant same-sex couples' full recognition legally and the rights pertaining thereto, same-sex weddings are not considered illegal and punishable. In Vietnamese society, there would be support and acceptability about same sex marriage to different levels and degrees because Vietnamese traditional weddings are often involving families, relative and communities.

Figure 2. Views toward same-sex marriage in some countries

% who say they ___ allowing gays and lesbians to marry legally



Source: pewresearch

2.2. Social acceptance:

In a recent survey of over 200 persons, 48.7% said they knew the issues concerning the LGBT community and had an LGBT friend. This number shows an improved awareness concerning the struggle and experience of the LGBTs, as personal relationships with LGBT people at one time or another help build empathy and understanding. Knowing anyone who is LGBT can make all the difference in a person's understanding and attitudes toward that community. Personal experiences create the urge or motivation to know about the situation at hand, like discrimination and equal rights. Research indicates that having friends who

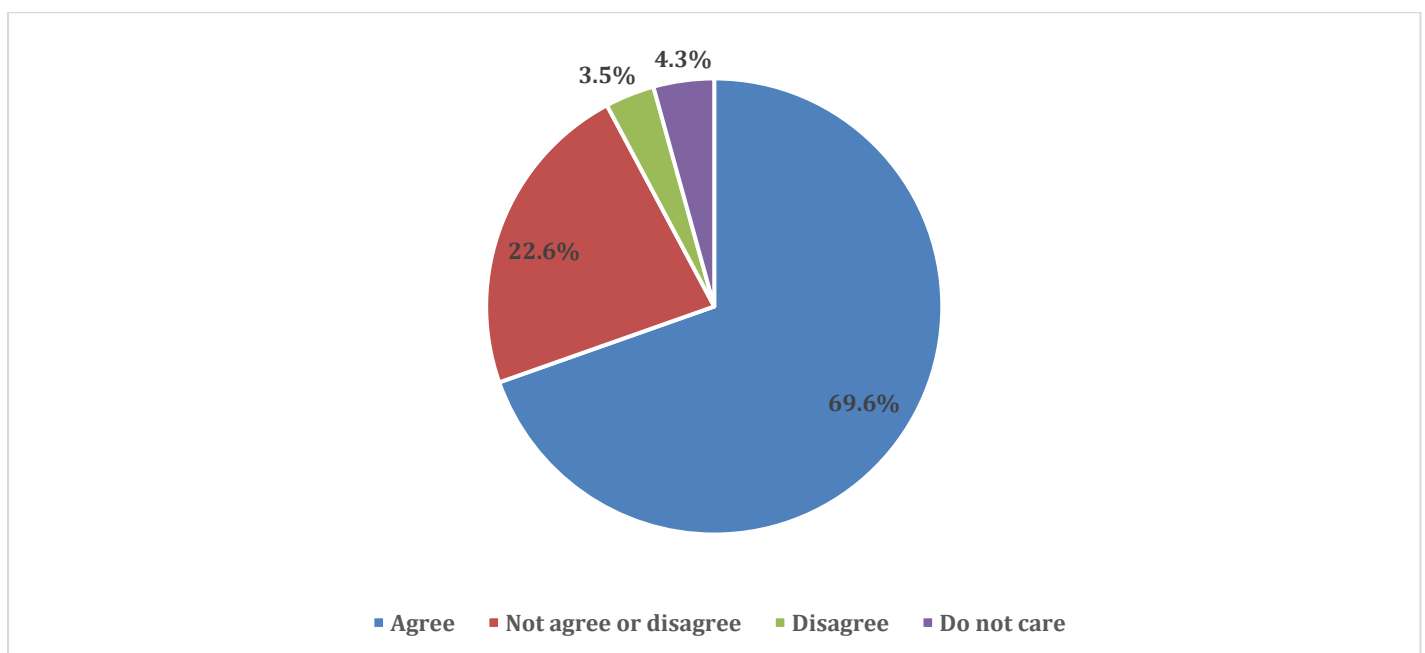
are LGBT increases one's chances of accepting LGBT rights. The fact that the majority of the respondents were willing for more than half of the participants to understand the issues that face LGBT is a better indication of acceptance within the society. As more people become familiar with the experiences and challenges faced by LGBT people, the potential for greater inclusion in schools, workplaces, and communities increases. This statistic may also reflect the impact of LGBT in the media and education. In recent years, there has been an increase in representation of LGBT individuals in popular culture, which has helped raise awareness and dispel stereotypes. Education systems that include discussions about gender and

sexual diversity also contribute to improved public understanding.

Specifically, 91.3% of the respondents showed strong support for the LGBT community in Vietnam, which indicated a significant change in the attitudes of society in terms of same-sex relationships. The traditional approach to marriage is breaking down. The young generation in Vietnam is more open toward diversity in gender identity and sexual orientation. This change was motivated by increased access to international media, along with the solidarization with the LGBT community and human rights rhetoric. Same-sex marriage is allowed in many countries around the world, and that could have impacted the Vietnamese point of view. As more LGBT rights come into the foreground on an international scale, countries like Vietnam begin to open their doors to more internal debate on the necessity of having legal recognition for such unions. High acceptance rates are often linked to effective education and advocacy efforts. LGBT organizations in Vietnam have worked consistently to raise awareness of LGBT rights. LGBT education campaigns, especially in urban areas, have contributed to the normalization of same-sex relationships and marriage. This activity can play a key role in maintaining and promoting this acceptance.

Research showed that as many as 91.3% of the people in Vietnam accepted the LGBT community and another 69.6% supported same-sex marriage. Such a difference between 91.3% of the respondents who accepted the LGBT community and 69.6% who supported same-sex marriage is a very common social phenomenon. It shows that while many people may well accept the presence of the LGBT community in society and their right to exist freely, they may not completely support the expansion of certain legal rights, such as that of marriage. It may be due to culture or religion deeply entrenched attitude toward marriage, which was often seen as a union between man and woman. Confucian ideals, Buddhism, and traditional family structures all combine to make for a strong influence in Vietnamese society that trickles into attitudes on marriage. While the whole of the LGBT community may favor same-sex marriage, such an act raises a lot of uncomfortable questions about the continuation of the family lineage, procreation, and social obligations. Perhaps, this may account for why, notwithstanding the increased tolerance towards LGBT people, some respondents from across the interviews who view themselves as favorable to the LGBT community remain somewhat undecided over the legality of same-sex marriage.

Figure 3. Supporter for the legalization of same-sex marriage in Vietnam



Source: Authors' survey

The widespread acceptance found within the LGBT community suggests that, above all else, there is a current movement that remains defiant in the face of changing times, due to the growing reception found within the youth regarding both gender identification and sexual orientation. Youthful city-dwelling people are much more likely to have been widely exposed to global media, social networks, and movements in advocacy of the rights of LGBT people. With 69.6% of the respondents supporting same-sex marriage, there is much push from within for legal reform in Vietnam. While same-sex marriage is currently not legalized in the country, this level of public acceptance can perhaps urge the authorities to have a second look at the existing laws and strive towards legal equality. The difference that exists within the support for both the LGBT community and same-sex marriage manifests the continuous need for education and campaigning. Popular attitudes of both the LGBT community and marriage equality are shaped by media portrayals. Increased representation of LGBT individuals and same-sex relationships within Vietnamese media, films, and internet platforms may serve to normalize the concept of same-sex marriage.

According to a Pew Research poll done in 2022, 61% of all respondents in the United States agree that same-sex marriage benefits society. Our survey produced the following results: 57.4% agreed with the idea of same-sex marriage, while only 5.2% objected, and 37.4% said it has no negative effects on society. These findings provide valuable knowledge of change in social attitudes and highlight some of the major issues in the larger debate over marriage equality. Same-sex marriage benefits society; it promotes the level of equality. Many activists argue that allowing same-sex couples to marry strengthens the social fabric by encouraging stable, committed partnerships. It helps LGBT people develop a sense of belonging, research shows, lessens stigma, and is associated

with greater mental health where same-sex marriage has been legalized. Such factors bring society closer together and make it more inclusive, which is all that equal rights are meant to be. Research conducted in 2022 by the Vietnam Center for Economic and Strategic Studies-VESS-and the iSEE Institute indicates that legalizing same-sex marriage can raise Vietnam's Gross Domestic Product by 1.65% to 4.36% every year due to increased labor productivity by creating an inclusive and tolerant working environment. Recognizing and protecting same-sex marriage would address difficulties in cohabitation, including difficulties in property relations and legal procedures: representing each other in medical emergencies, childbirth, adoption, etc.

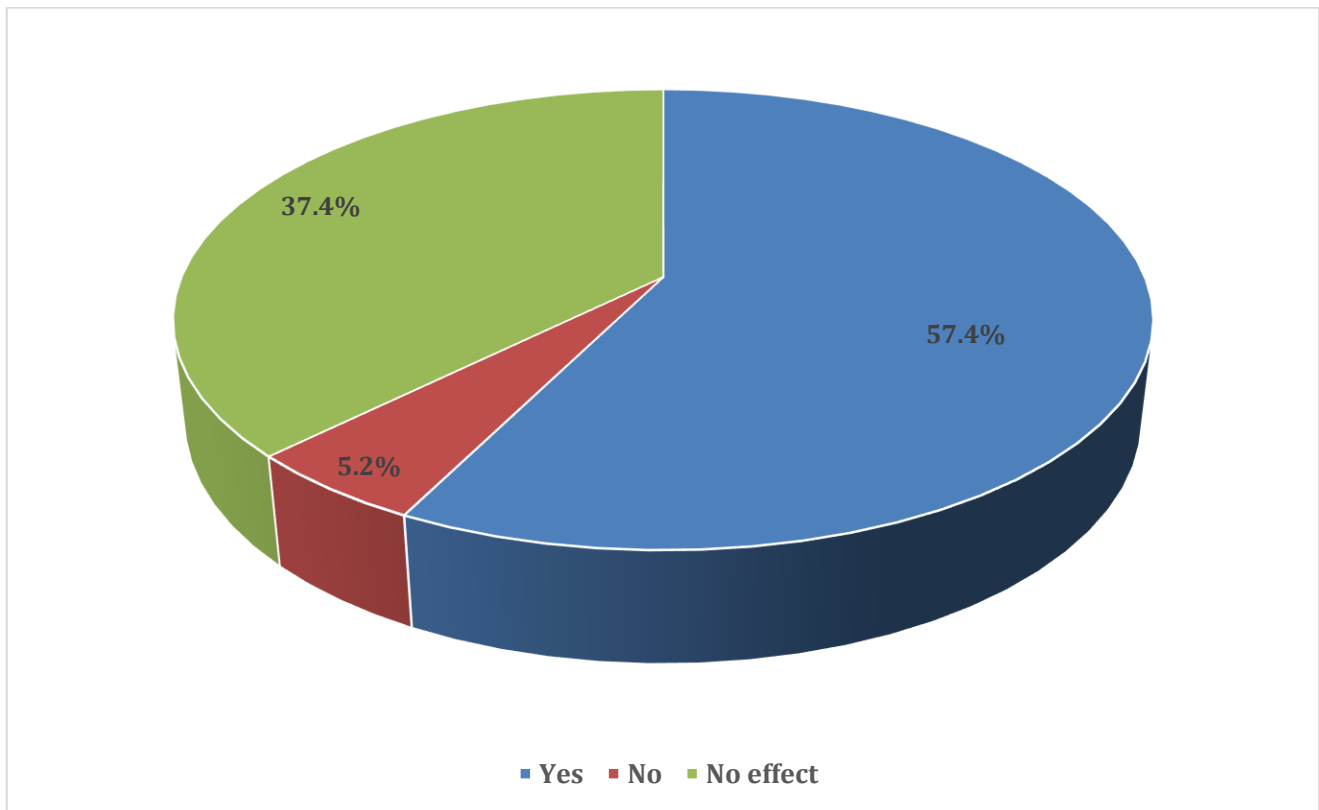
By recognizing that 37.4% of the respondents feel same-sex marriage has "no harmful effect" upon society, it shows that a sizeable proportion may well fail to see any direct benefits yet do not consider it a threat to traditional values or social stability. This neutrality often reflects passive tolerance, in which people neither actively favor nor actively oppose same-sex marriage but believe it should be allowed because it has no adverse influence on their own lives or communities. This neutral place is a great starting point for further education and lobbying to produce active support of the right to marry.

The very small percentage- 5.2%-who see same-sex marriage as harmful to society is reassuring, showing that fervent opposition to LGBT rights now constitutes a minority view in many parts of the world. That would suggest that much of the cultural debate has moved away from whether same-sex marriage should be legal at all and toward how it can be implemented, whether or not society

benefits from the practice. The reason for this toning down may be greater visibility for LGBTs, public awareness campaigns, and perhaps even

precedent-setting from other countries where allowing marriage equality has not brought about negative societal effects

Figure 4. Legalizing same-sex marriage brings positive changes to society



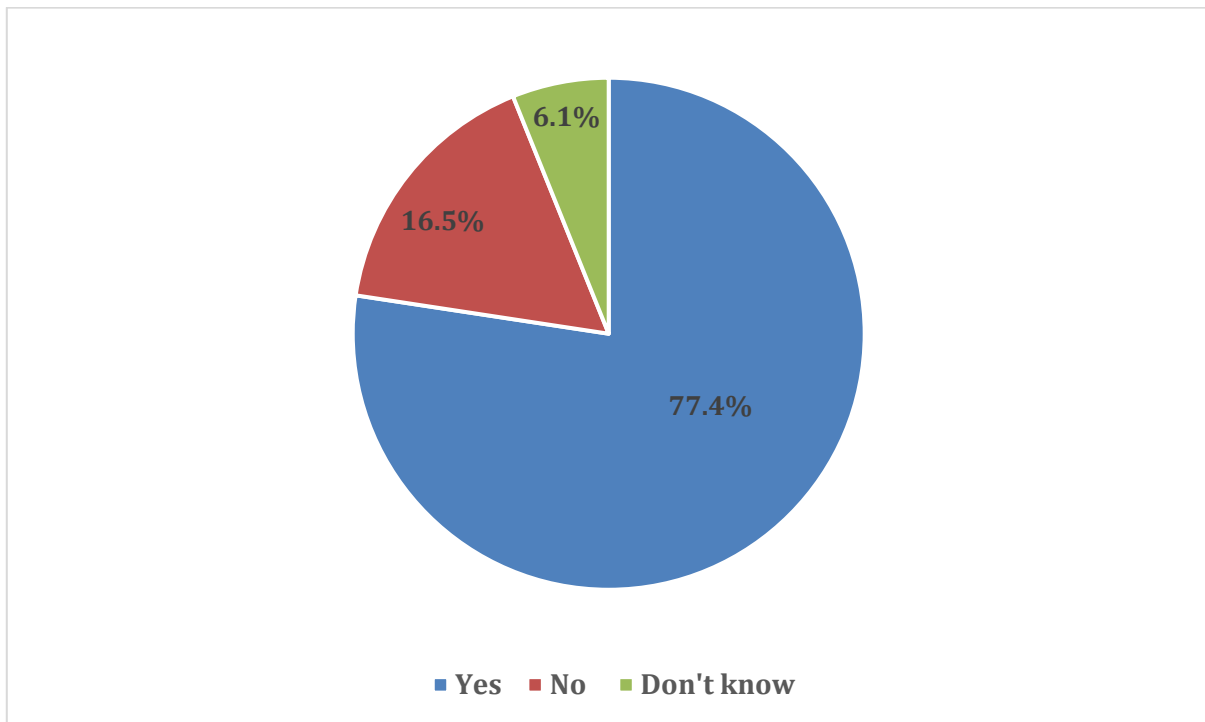
Source: Authors' survey

Beyond the issue of public acceptance, there are some real-world consequences of legalizing same-sex marriage with regard to the economy and social services. Researchers note that legalization will favorably impact the economy through the wedding industries' expansion and increasing tax revenue. It can also reduce the financial burden on welfare as it opens marital benefits like health insurance, inheritance rights, and spouse's pension entitlement to LGBT couples. These economic gains support the idea that the process of same-sex marriage has broader benefits than mere symbolic equality. The findings emphasize the need for additional education and activism to narrow the remaining gaps in public perception. Although just 5.2% of respondents felt same-sex marriage is negative, this percentage demonstrates the importance of working with that group's prejudices and misconceptions on the path to widespread acceptance. These findings are particularly notable in Vietnam, where same-sex marriage has yet to be officially recognized. The majority of people agree

that same-sex marriage benefits society, and there is little opposition; so, the environment is ideal for future legislative progress. Policymakers might try to use such findings to push for the legalization of same-sex marriage.

Thus, it means that 77.4% of the respondents believe that members of the LGBT community have more difficulties in living their daily lives, which is a very high level in perceiving the inequality or problems this group goes through. These stem from discrimination, societal prejudices, and systemic barriers that influence various aspects of life such as employment, healthcare, education, and social interactions. The fact that 20 out of 22 LGBT individuals reported experiencing discrimination shows deep-seated prejudice against the LGBT community. It clearly indicates a disturbing reality wherein discrimination is not a stray incident but happens to be a recurrent fact of life for most LGBT people.

Figure 5. Do you think LGBT often face more challenges in daily life than other people?



Source: Authors' survey

Some of the discriminations reported by the interviewees can be listed as follows:

Love and relationship discrimination: The LGBT community has become more visible, yet they are still being highly condemned when they declare their love publicly. This society is conventional most of the time and sees relationships other than that of a heterosexual as abnormal, which then puts a member of the LGBT community under question and scrutiny by the public eye. This in return leads to a lack of acceptance as most people in this community feel that their relationships are not up to standard as those living a heterosexual life.

Social stigmatization and abandonment: Sometimes when LGBT individuals come out and express their real sexual orientation or gender identity, they become victims of homophobic attitudes. This hostility can often lead to isolation and impede good relationships with other people. People with prejudices often refuse to engage with LGBT individuals, making it hard for them to integrate fully into society. Such isolation affects their mental health, creating a constant fear of being judged or rejected.

Barriers to employment: In many cases, members of the LGBT community face discrimination in the

workplace. Homophobic biases may lead employers to deny them job opportunities, promotions, or even basic workplace respect. Conservative attitudes, especially among older generations, make it difficult for LGBT people to advance in their careers or feel secure in their jobs. Even if their skills match or exceed those of their peers, they may be judged on the basis of their sexual orientation or gender identity rather than their qualifications.

Family rejection: Family prejudice can be a significant source of pain for LGBT individuals. Many struggles with the fear of being disowned or criticized by their own relatives. Some families view being LGBT as a flaw or a condition that can be "fixed," causing emotional trauma and further alienation from the people who should be their primary support system. This can have lasting psychological effects, including self-doubt and low self-worth.

Mental health and internal struggles: The constant pressure of hiding their true selves, the fear of being exposed, and the social criticism LGBT individuals endure take a serious toll on mental health. Many experiences anxiety, depression, or even suicidal thoughts due to the emotional strain of constantly feeling different or unwelcome.

Internalized shame, stemming from societal messages that portray LGBT identities as inferior or deviant, can lead to deep psychological conflict.

Social integration issues: Even in public, gays struggle to interact and collaborate with others who have biased attitudes. Prejudiced attitudes make interactions awkward and challenging, frequently leading to increased isolation. For example, simply being yourself at school, work, or in everyday life can result in discrimination, bullying, or harassment. In extreme instances, they can even be meted out with violence for just being openly expressive of their identity.

Violence and bullying: Physical violence and bullying at school are common features for many LGBTs, especially the younger ones. This makes coming out or living openly dangerous because they may become targets of violence just because of who they are. Conservative views can quickly make a jump from mere prejudice to aggression, raising an unsafe environment to navigate by LGBTs.

Limited job and educational opportunities: One of the biggest challenges facing the LGBT community is seeking equal opportunities in education and employment. Homophobic or transphobic prejudices exclude them either from work or from educational programs. Sometimes, they are even compelled to conceal their identity and make themselves "acceptable" for potential employers, suppressing the growth of a person and making him compromise at each step. While much work has been done in many aspects, each of these challenges is one more indication of how immense the amount of work is that is in serious need of completion for LGBT people to be able to live free, without fear of discrimination. The experience of discrimination has serious repercussions on the mental and emotional well-being of LGBT individuals. All the time, the exposure to rejection, hostility, or prejudice might contribute extensively to increased stress, anxiety, and depression. Many LGBT individuals might feel a need to hide their identity, resulting in social isolation or reduced self-esteem. This environment of discrimination

also creates barriers to accessing quality healthcare, further perpetuating health disparities.

It is when discrimination has become the common experience of LGBT people that it cements the cycle of social inequality. The setup has been created through a combination of legal protections that are very inadequate, social support systems, and a general culture of intolerance. Whereas much has obviously been accomplished, this report makes it clear how much work remains to be done in order to ensure that LGBT people are able to live openly and without fear of discrimination. Most LGBT people would repeat that coming out, being oneself without the restraint of feeling judged or needing to hide one's identity, is a task in itself. Simultaneously, it is a coming out process hindered by so many obstacles—a fact reflected from the confessions of many LGBT interviewees. One respondent said that “When I came out to my group of friends in primary school, a group of male friends, half of them immediately started teasing me and decided to stop hanging out with me. In secondary school, I experienced a similar situation. I became close with some people and we would talk happily, but as soon as I briefly mentioned my sexual orientation, one of my male friends, although still talking to me, pulled his chair away and started avoiding me”. The impact of coming out often depends on the circle of friends. If there are homophobic individuals in that group, it will likely affect relationships. Some individuals think that if one does not accept them for who they are, then the person does not love them well enough. As much as friendships can be maintained, there are instances of lost relationships if there is prejudice against a person's true gender or sexual orientation after that fact has been made public. In most of their cases, it means that the feeling of comfortability or "strangeness" about it will distance those people, stop hanging out, or even discriminate against them. At the same time, some think that losing friends means less trouble in the long run. Some have reported no significant impact on their relationships, especially in being surrounded by open-minded and supportive people. In most cases, coming out does affect the relationships. Whether

it is friends or family, the reactions will vary depending on their level of understanding or their biases toward the LGBT community. For example, acceptance from family members, like parents or grandparents, can be so hard to show, it may also affect the dynamics of the family. Family members sometimes even disown them or try to "change" their LGBT child, which would add to emotional harm.

This often proves to be quite the opposite; coming out allows supportive friends to continue embracing them openly. At times, coming out publicly alters how people view you because it challenges them to adjust to this new information. Not everyone reacts positively toward this, which can pose personal relationship challenges when people are not open enough to accept one's true identity. Coming out can sometimes badly affect personal relations. The family, if very conservative, might turn hostile and alienate their children or even disown them. Friends and colleagues may distance themselves, and one may unfortunately lose one's close friends. Romantic relationships are also stretched to the point of rejection or even hostility if the person comes out to a crush who does not feel the same. Coming out is, in fact, a personal decision and one that takes a lot of guts to face the uncertainty of others' reactions. It can affect one's personal relationships-families and friendships alike, for sure-and does call for much emotional strength in coping with its after-effects.

2.3. Change in perception:

According to the survey respondents and interviewees, legal and public support for the LGBT community in Vietnam has seen significant improvement, especially with the removal of the law prohibiting same-sex marriage. In 2013, a study of Vietnamese public opinion found that only 37% of respondents expressed support for same-sex marriage. This number turned drastically ten years later, in 2023, to 50% according to the UNDP PAPI survey, and to 65% in another study conducted by the PEW Center. This is a jump for a country bearing such profound traditions and culture. Still, no severe punishments have been laid

concerning discrimination against the LGBT tribe, which is indispensable given the lingering prejudice, just like in the fight against racial discrimination. The issue is still sensitive and widespread, even on social media.

In Vietnam, the acceptance of the LGBT community remains divided. Younger generations and some urban communities are becoming more open and supportive, though many middle-aged and older people are still hesitant to do so, due to conservative values. However, it has brought more confidence to the LGBT community in Vietnam to show themselves, with increasing awareness and support from the public, especially in some regions. Soon, the "I agree" 2022 campaign launched by iSEE Institute and ICS Center gained 200 000 signatures of support after 2 days, including many famous people like: Hana Giang Anh, Hong Anh, MC Diep Chi, Dr. Dang Hoang Giang, actor - model Vo Dien Gia Huy, actress Ngoc Lan, People's Artist Kim Xuan. Insults, humiliation, and even backlash are common for quite a number of LGBTs for being themselves, especially in an area that is rather conservative and ignorant about sexual orientation. Discrimination and prejudice abound everywhere, as have been perpetrated by people's ignorance and a lack of understanding. LGBTs are humans; they work and exist in societies like everyone else but receive marginal treatment or are merely misunderstood. One of them, the LGBT law students, shared that "young people are now more open-minded towards LGBT and taking actions to support the community by organizing Pride Day. Moreover, I, as a Law student, feel super happy because my teachers and friends are very delighted with the existence of another gender. I also see that the Government is gradually having policies that respect and support although there is no Law for the Third Gender yet, but I think there will be in the future. And most of all, I still have enough conditions to develop myself, I feel that I will receive more love". The progress is evident in major cities like Ho Chi Minh City, where society is more open to the LGBT community. Public events, programs, and initiatives are increasingly visible, and younger

generations are leading the charge for a more inclusive society.

However, in more rural or traditional areas, conservative views persist, and LGBT individuals often face harsher judgments. In terms of social acceptance and rights for LGBT people in Vietnam, there is a lot that remains to be done. Protecting LGBT rights under the law is not anywhere close to reality yet, though some cities such as Hanoi and Ho Chi Minh City have opened up some space for expression, they remain few and far in between. With the interaction between young people as drivers of change, it is hoped that Vietnam will continue to evolve and become more embracing of greater acceptance of the LGBT community.

3. Conclusion:

With the great integration in recent years, Vietnam has gained tremendous social changes, including the rights of the LGBT group. The law makes no recognition of same-sex marriage, nor does it criminalize them, thereby reflecting its neutrality on the matter. At any rate, ambiguity has nothing to do with a gradual rise of social acceptance, particularly in the receptive thinking of younger generations. It places Vietnam among the ranks of the most tolerant nations of the world, according to various international surveys. These show that around 65% of its population support same-sex marriage, even higher among our survey respondents, nearing 70%. This points toward broader cultural changes in attitudes toward LGBT people. Although the LGBT community still faces a lot of problems both in daily life and while coming out, many campaigns for LGBT rights have become more visible and gained the interest of public and private sectors. These campaigns were able to raise awareness and make the environment more accommodating. Pride events, media representation, and education finally challenge and rescript societal attitudes and expectations, allowing more and more people to be openly supportive of LGBT individuals. Research has shown that allowing same-sex marriage would have quite a number of valuable social and economic impacts. For the individual, giving equal

rights in marriage would add to the lives of LGBT people since they could be themselves without constraints that lock them up and live under constant persecution or discrimination. This would further reduce stigma and discrimination, thus enhancing mental health and quality of life. Economically speaking, the legalization of LGBT marriages would contribute to national income. It is partly because, if there is a greater demand for weddings, then there would be a greater demand for wedding venues, catering, and also travel accommodation, hence creating economic opportunities. Additionally, a more inclusive society could attract tourism and foreign investment, especially from countries where LGBT rights are more established, further stimulating economic growth. Besides, businesses that embrace diversity and equality often excel better in global markets because they appeal to a broader audience and foster a more innovative and productive workforce. Yet, with the protection still partial and limited, this tide of same-sex marriage is highly indicative that a way towards inclusiveness and equality does exist. The advantages of this movement are likely to go beyond individual rights into larger societal and economic dividends.

4. Methodology:

To investigate the evolving landscape of LGBT rights in Vietnam and the potential impacts of legalizing same-sex marriage, the methodology for this study will include a combination of many approaches.

Literature Review: A comprehensive review of existing literature will be conducted to understand the current state of LGBT rights in Vietnam and globally. This will include academic papers, policy reports, legal texts, and media articles. The literature review will also explore the social, legal, and economic frameworks surrounding LGBT issues in Vietnam, highlighting key developments over recent years.

Survey: A survey is conducted to gather quantitative data on public attitudes toward LGBT rights and same-sex marriage in Vietnam. The

survey will be distributed to a broad demographic, focusing particularly on younger generations, as they are believed to have more progressive views on these issues.

Interviews: To complement the survey data, semi-structured interviews will be conducted with LGBT individuals to figure out their feelings, attitude and challenges.

Data processing and analysis: The data collected from different sources including survey and interviews are analyzed thematically, identifying common themes, challenges, and opportunities for advancing LGBT rights in Vietnam.

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