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The State of Freedom in America Today: A Comparative Human Rights Perspective

Overview – America’s Evolving Concept of Freedom

“Freedom” in America has long been a core ideal – from the Bill of Rights enshrining civil liberties to the image of the U.S. as a “land of opportunity” for immigrants. In 2025, Americans still enjoy robust constitutional rights: a vibrant political system, strong rule of law, and broad freedoms of expression and religion ¹. Freedom House, which annually rates political rights and civil liberties worldwide, continues to classify the United States as a “Free” country. In 2024 the U.S. scored **83 out of 100** on Freedom House’s index (down from the upper 80s a decade ago), reflecting solid protections but also areas of concern ². By comparison, Canada scored **97/100** and Germany **95/100**, ranking among the freest nations, while the UK scored **92/100** ³ ⁴. In contrast, authoritarian powers like **Russia (12/100)** and **China (9/100)** are rated “Not Free,” with pervasive repression of rights ⁵ ⁶. These scores highlight that America’s freedoms, though extensive, have **declined in recent years** and now lag behind several peer democracies. Freedom House observers note that U.S. democratic institutions have suffered “erosion, as reflected in rising political polarization and extremism, partisan pressure on the electoral process, mistreatment in the criminal justice and immigration systems, and growing disparities in wealth... and political influence” ¹. In other words, while Americans retain fundamental liberties, the **quality of those freedoms** and equal access to them have been challenged by events of the past decade.

Historically, the U.S. has expanded freedoms in important ways – abolishing slavery and Jim Crow laws, extending voting rights, and more recently recognizing same-sex marriage and other LGBTQ+ rights. However, the **trend is not uniformly forward**. A 2021 report by Freedom House warned: “Our democracy is in trouble... a decade-long decline in U.S. democracy” driven by problems like racial injustice, special-interest influence, and extreme partisan polarization ⁷ ⁸. From a liberal, human-centered perspective, “freedom” means not only formal liberties on paper, but the lived experience of equal rights, personal autonomy, and safety for all people. Below, we examine how free America really is today in key areas – civil liberties, immigrant and non-citizen rights, freedom of speech and media, and LGBTQ+ protections – and compare the U.S. situation both across its states and with other countries such as Canada, Mexico, the UK, Germany, China, and Russia. All claims are backed by current data and reports to avoid vague generalities and to **ground the analysis in facts**.

Civil Liberties and Personal Rights in the U.S.

Constitutional Protections and Rule of Law: The United States’ constitutional framework provides strong civil liberties safeguards. The First Amendment protects speech, religion, and assembly; the Fourth through Eighth Amendments secure due process, fair trials, and protection from cruel punishment. These foundations contribute to a legal tradition that, in principle, shields individuals from arbitrary government interference ¹. Courts remain independent, and the rule of law is firmly established. For example, when some U.S. states recently gerrymandered electoral districts or passed voting restrictions, the judiciary intervened: in 2023 the U.S. Supreme Court struck down a racially biased Alabama redistricting plan and

affirmed that state courts can remedy voting-rights violations ⁹ ¹⁰ . Such decisions uphold the idea that **no one is above the law** and that core civil rights (like voting) must be preserved.

Yet in practice, **Americans' enjoyment of civil liberties is very unequal**, and certain rights have been rolled back. Freedom House observes that **unequal treatment of people of color** remains a "great and pressing challenge" in the U.S. ¹¹ . Black and Indigenous Americans, among others, face disproportionate policing and incarceration. The U.S. has the **highest incarceration rate** of any major democracy – as Human Rights Watch notes, the rate actually **increased** in 2023, "despite the U.S. already having one of the highest rates in the world, with Black people vastly overrepresented in prisons and jails" ¹² ¹³ . Over **1.8 million people** are behind bars in America (roughly 500+ per 100,000 residents), far above incarceration rates in Canada (around 104 per 100,000) or Germany (around 69 per 100,000). This mass incarceration, largely a legacy of tough-on-crime policies, raises questions about **freedom from unwarranted detention**. Racial disparities are stark: Black Americans comprise about 38% of the U.S. prison population but only 13% of the overall population ¹⁴ , reflecting systemic biases in policing, sentencing, and access to legal resources. By contrast, other Western countries also have racism problems but generally incarcerate far fewer people. For example, **every single U.S. state** imprisons people at a higher per-capita rate than virtually any European country ¹⁵ . High U.S. incarceration not only deprives many of liberty, it also indicates shortcomings in areas like fair trials, rehabilitation, and social support that could prevent crime.

Policing and Due Process: A related civil liberty issue is **police violence and accountability**. U.S. police officers kill about 1,000 people each year (often with impunity), a rate vastly higher than in peer nations. The 2020 murder of George Floyd by a Minneapolis officer spurred mass protests for racial justice. While those demonstrations were an exercise of freedom of assembly, many were met with aggressive police tactics. Governmental responses to protests vary widely by state and city – some enacted reforms to ban chokeholds and increase oversight, whereas others passed laws increasing penalties on protesters. This state-by-state divergence means the **freedom to assemble peacefully** can feel more secure in, say, Massachusetts than in a state like Florida or Texas that has criminalized certain protest activities. By comparison, **Canada and Germany generally allow protests with police facilitation** (though Canada did invoke emergency powers against disruptive anti-vaccine mandate truck blockades in 2022). The UK recently limited some protest rights (banning "excessively noisy" protests that cause disruption) – a restriction that civil liberty advocates criticized as infringing on free assembly. And of course in **Russia or China, protests are often outright banned or crushed** – a dramatically different context from the U.S. In Russia, for example, peaceful protesters (even solo picketers) are routinely detained, and authorities in 2022 outlawed any protest or even social media post against the Ukraine war under harsh "false information" laws. In China, no large protest criticizing the government is tolerated; organizers risk prison. In this regard, **Americans' freedom to dissent openly** remains far greater than in authoritarian states – a cornerstone of comparative U.S. freedom.

However, the U.S. has also compromised civil liberties in the name of security. After 9/11, laws like the Patriot Act expanded government surveillance powers, often at the expense of privacy rights. Mass collection of Americans' phone and internet data by the NSA (exposed by Edward Snowden in 2013) revealed that millions had their communications swept up without individual warrants, a violation of privacy and due process principles. While some surveillance programs were reined in after public outcry, **concerns about government overreach persist**. By contrast, the European Union has enacted strict privacy protections (e.g. GDPR) and generally prohibits the kind of bulk data collection that U.S. agencies engaged in. In China, electronic surveillance is pervasive and largely unchecked by law – from ubiquitous facial recognition cameras to monitoring of online chats – which **far eclipses** any surveillance in democracies. The

U.S. sits somewhere in between: it has legal checks, but civil libertarians argue those checks are too weak in the face of new technologies and security agencies' secrecy.

Another civil liberties disparity is the **treatment of suspects and detainees**. The U.S. is unique among Western nations in continuing to use the **death penalty** (at the state level and federally in rare cases). As of 2025, 27 U.S. states still allow capital punishment, and while execution numbers have declined, the fact that Americans can be executed by the state stands in contrast to Canada, Mexico, the UK, Germany, and all other EU countries, which abolished the death penalty decades ago. Russia has a moratorium (no executions since 1999) despite its authoritarianism, and China – which conducts executions in secret – is the only country that likely kills more prisoners annually than the U.S. All European democracies view the death penalty as a violation of the fundamental right to life and dignity; the U.S. remains an outlier on this front of civil liberty.

The **rights of the accused** and due process are also put to the test in the U.S. **War on Terror detentions**. Notably, the U.S. still holds **30 men at Guantánamo Bay** who have been detained for years without trial or conviction ¹⁵ ¹⁶. Nineteen of them have *never been charged* with any crime, yet remain imprisoned in a legal limbo ¹⁷. This situation – condemned by human rights organizations – exemplifies how the U.S. has, in specific cases, violated its own ideals of “habeas corpus” and fair trial. No other comparably free country is currently holding detainees indefinitely in an offshore military base outside the normal court system. By comparison, when the UK faced terrorism suspects, it eventually released or prosecuted them (though the UK did use problematic indefinite house arrest (“control orders”) in the 2000s, those were subject to legal challenges). The **continued existence of Guantánamo** is a stain on America’s human rights record, often cited by critics (including U.S. allies) as contrary to the rule of law and an issue where **America is less free and just** than it purports to be.

State Differences: Crucially, civil liberties in the U.S. can vary depending on the state or locality. The federal system means many policies – from criminal justice to education – are set at the state level. For example, **freedom from discrimination** can depend on where you live: some states (like California or New York) have strong laws against discrimination in housing, employment, etc., covering sexual orientation, gender identity, and more, while other states do not protect those categories. Likewise, the right to **vote** is administered by states, and some have enacted voter ID laws, cut early voting hours, or purged voter rolls in ways that disproportionately affect minorities. In 2023 alone, *14 states* passed laws making it more difficult to vote (such as stricter ID requirements or limits on mail-in ballots) ¹⁰. These measures, often justified as preventing fraud (a problem studies show is extremely rare), are viewed by many civil rights advocates as suppressing turnout among marginalized groups – thus impinging on the **freedom to participate in democracy**. Meanwhile, other states have moved to expand voting access (for instance, New Mexico and Minnesota in 2023 restored voting rights to people with felony convictions upon their release from prison) ¹⁸. Such divergences illustrate that an American’s actual freedom can hinge on their zip code. In **Canada or Germany**, voting rules are standardized nationwide and managed by nonpartisan bodies, making the process more uniformly accessible. Mexico and the UK likewise have national electoral commissions ensuring baseline standards. The U.S. stands out for leaving voting procedures to highly politicized state legislatures, an arrangement that has lately produced **partisan battles over who can vote and how** – a clear stress test for American democracy.

Despite these challenges, the U.S. still has a strong civil society and legal mechanisms that push back against liberty infringements. For instance, public interest groups and the media expose abuses, courts strike down unconstitutional laws, and voters in some states have passed ballot initiatives to secure rights

(e.g. several states voted to protect abortion access or expand Medicaid healthcare in recent years even as others did the opposite). This dynamic, messy though it is, shows that **freedom in America is contested but not defeated** – it adapts and is actively debated, unlike in authoritarian contexts where citizens have little recourse at all.

Freedom of Speech and Media

Perhaps the most celebrated aspect of American freedom is the **First Amendment guarantee of free speech and a free press**. In law and principle, the United States maintains some of the **strongest protections for expression** in the world. Americans can criticize the government, practice (or not practice) any religion, and generally speak their minds without fear of legal punishment. Hate speech, while socially condemned, is largely legal in the U.S. – a stark difference from countries like Germany or the UK, which outlaw certain extreme speech (e.g. Nazi propaganda or incitement of racial hatred). This broad latitude for speech has made the U.S. a haven for robust debate. American media spans the spectrum from critical investigative journalism to partisan talk shows, reflecting pluralistic views.

However, **free expression in America faces headwinds** in practice, and the **media environment has deteriorated** by some measures. Reporters Without Borders' World Press Freedom Index shows the U.S. slipping in rank. In 2023, the U.S. was ranked **45th out of 180 countries** – falling three places from the previous year ¹⁹. By comparison, Canada was ranked 15th (the highest in the Western Hemisphere), Germany 21st, the UK 26th, and Mexico a grim 128th ¹⁹. The U.S. press freedom rating is only “problematic” rather than “good,” according to RSF, due to several factors: journalists in the U.S. have faced physical danger (two were murdered in 2022 ²⁰), harassment, and legal threats; the **polarized political climate** has seen former President Trump call the media “enemies of the people,” eroding public trust; and the rise of online disinformation has created new challenges. During the nationwide Black Lives Matter protests in 2020, dozens of reporters were **arrested or hit by crowd-control weapons** while covering demonstrations, suggesting that police do not always respect press freedoms on the ground. The U.S. has also used **legal tools against the press** in some cases – for example, the ongoing **Espionage Act prosecution of Julian Assange (founder of WikiLeaks)** for publishing classified documents has alarmed global press freedom advocates, who warn it could set a precedent to criminalize important investigative journalism. Such developments temper the idealized image of U.S. press freedom.

That said, American media remains *largely independent*. There is no state censorship board dictating content, unlike in China or Russia where media is state-controlled or heavily muzzled. Americans can access a wide array of information (except what private tech companies or algorithms might filter, which raises separate issues of corporate power over speech). **Censorship in the U.S. is rare** in law – but there are subtler attempts at suppression. Notably, some U.S. state legislatures have passed laws **banning certain books or school curricula**, often regarding race or LGBTQ+ topics. In 2023, multiple states (such as Florida, under the “Don’t Say Gay” law and similar measures) prohibited “*inappropriate discussions of sexual orientation or gender identity in schools*,” and others banned teaching “critical race theory” or the full scope of America’s racial history ²¹. PEN America and other watchdogs have documented hundreds of book titles (often about racial justice or LGBT themes) being removed from school libraries due to political pressure. This trend amounts to a **form of local censorship**, limiting students’ and teachers’ freedom to read and speak about certain issues. While proponents of these laws argue they protect children from “indoctrination,” civil libertarians see them as an assault on intellectual freedom and open discourse ²². This again shows how the U.S. can be **free in one state and less free in another** – a teen in California

might freely access Toni Morrison's *Beloved* or a book about two dads, whereas a teen in Texas might find those books have been pulled from the shelf.

Comparatively, **Canada and Western Europe generally encourage a free press and open education**, though with different boundaries. For example, Germany and the UK criminalize extreme hate speech and Holocaust denial – restrictions the U.S. does not impose due to its stricter view that even abhorrent speech is protected. On the other hand, some argue European media is in practice *freer* to do its job safely: Europe has stronger laws against SLAPP lawsuits (which powerful figures use to silence journalists), and journalists there face less deadly violence. In **Mexico**, media freedom is severely undermined by violence – journalists who expose corruption or cartel crime are frequently threatened or killed, making Mexico one of the deadliest countries for reporters (hence its 128th ranking) ²³. The **United States does far better than Mexico on protecting reporters' lives**, but worse than Canada, where journalism is generally safe. Meanwhile, **Russia and China exemplify the suppression of speech**: Russia in 2022 outlawed independent war reporting (journalists face 15-year prison terms for contradicting the Kremlin's narrative on Ukraine) and forced virtually all independent media to shut down or go into exile. It fell to **164th out of 180** in RSF's index, as the Kremlin propagates only its approved messages and labels any dissent as "extremist" ²⁴ ²⁵. China's censorship is even more comprehensive – the Great Firewall blocks many foreign news sites, topics like Tiananmen Square or Xinjiang's camps are taboo, and the government imprisons journalists and netizens who stray from the Communist Party line. As of 2023, China was the **world's worst jailer of journalists**, with at least **44 reporters imprisoned** for their work ²⁶ (many of them ethnic Uyghurs reporting on minority issues). In the U.S., by contrast, it is effectively unheard of for a journalist to be **imprisoned** for pure reporting (though whistleblowers have been, and contempt of court can land journalists in jail if they refuse to reveal sources).

Freedom of speech for ordinary citizens in America also involves the flourishing – and chaos – of social media. Americans can debate and criticize online with little fear of government reprisal (aside from illegal speech like true threats or incitement to imminent violence, which are narrowly defined). This openness has a double edge: it has allowed social movements (from #MeToo to racial justice protests) to gain momentum, exemplifying free expression's positive power, but it also permits hate speech, misinformation, and extremist organizing to spread. Other democracies attempt more moderation – for instance, Germany's NetzDG law holds platforms accountable for removing hate speech promptly, and the EU's new Digital Services Act aims to impose content regulation duties on tech companies. The U.S. has not gone that route, largely due to First Amendment constraints and political division over content moderation. Thus, America's information sphere is extraordinarily free – yet also vulnerable to **abuse of that freedom**, which can threaten democracy (as seen when election falsehoods circulated freely, contributing to the January 6, 2021 Capitol attack). In short, **freedom of speech in America is expansive but tested** by the modern information ecosystem. The challenge is maintaining an open forum for ideas while protecting truth and minority groups from the harms that unfettered propaganda or harassment can bring.

Rights of Immigrants and Non-Citizens

America's self-image as a "nation of immigrants" is both a source of pride and an area of deep contention in policy. The U.S. indeed has tens of millions of foreign-born residents (about 14% of the population) and historically has offered refuge and opportunity to people from around the world. **Civil liberties for immigrants**, however, are not as robust as for citizens. Non-citizens – especially those without legal status – face significant legal vulnerabilities and fewer rights in practice. In recent years, the **rights of immigrants**,

refugees, and asylum seekers in the U.S. have been restricted in ways that human rights observers call alarming.

A notable example is the treatment of asylum seekers at the southern border. During the COVID-19 pandemic, the U.S. invoked **Title 42**, an emergency rule that **suspended normal asylum processing** on public health grounds. Between 2020 and 2023, U.S. authorities **carried out 2.8 million rapid expulsions** under Title 42, **without allowing people to even request asylum** in most cases ²⁷ ²⁸. This summary expulsion policy (widely condemned by refugee rights groups as a violation of international law) only expired in May 2023 – and was immediately replaced by a **new restrictive asylum rule**. The new policy requires most asylum seekers to use a smartphone app (“CBP One”) to schedule an appointment at an official border port, and **bars those who cross in between ports from asylum for 5 years** ²⁹ ³⁰. Human Rights Watch reports that this **“labyrinthine” process** has left many desperate people stranded in dangerous Mexican border towns, where cartels and even some officials prey on them – kidnapping, extorting, or assaulting migrants who are stuck waiting months for an appointment ³⁰ ³¹. Moreover, the CBP One app itself is difficult to access and reportedly fails to recognize darker-skinned faces reliably, introducing potential racial bias in who even gets an appointment ³⁰. From a human-centered perspective, these hurdles mean that the U.S. is **failing to uphold the right to seek asylum**. By comparison, **Canada’s asylum system**, while not perfect, generally provides timely hearings and even work permits while people wait – and Canada never categorically closed its doors to asylum seekers during COVID (though it did have a Safe Third Country agreement with the U.S., recently tightened, that turns back asylum seekers who travel through the U.S.). **Germany**, after the 2015 refugee influx, invested in processing and integrating over a million asylum applicants, providing them legal protections under EU and German law. In glaring contrast, the U.S. approach in 2018–2023 often involved **deterrence through harshness**: tent camps in Mexico, family separations (in 2018 the Trump administration infamously took thousands of children from migrant parents as a “zero tolerance” deterrent, an episode widely condemned as cruel), and prolonged detention.

Indeed, **immigration detention** is a major rights concern. On any given day in 2023, about **30,000 non-citizens** were detained by U.S. Immigration and Customs Enforcement (ICE) – and about **90% of these detainees are held in for-profit private prisons** under contract ³² ³³. Detainees include asylum seekers, long-time undocumented residents, and even some legal residents with past convictions. They are civil detainees (not serving criminal sentences), yet many languish in jail-like conditions for months or years fighting their cases. President Biden had **pledged to end for-profit immigration detention**, but as of mid-2023 that promise remains unfulfilled, with private contractors still housing the vast majority of detainees ³². Conditions in detention centers have been criticized – inadequate medical care, use of solitary confinement, allegations of abuse. The **human cost** was exemplified tragically in Mexico in March 2023: in a migrant detention center just across the U.S. border (Ciudad Juárez), a fire broke out and **40 migrants died** trapped in a locked cell while guards reportedly *failed to release them* ³⁴. This incident, though in Mexico’s system, underscores the dangers of mass detention. Mexico’s immigration lockups are “overcrowded, unsanitary, and dangerous” ³⁵ ³⁶, much like some U.S. detention centers have been described. Both countries, under U.S. pressure to control migration, have leaned on detention as a deterrent, at the expense of migrants’ lives and dignity. By contrast, **Canada detains far fewer immigrants**, and following public criticism, Canada in 2023 moved to stop holding immigration detainees in provincial jails (where they had often been mixed with criminal inmates). **European countries** also detain some asylum seekers (especially if their claims are being processed or if awaiting deportation), but generally for shorter periods and under better oversight. The **U.S. practice of long-term, privately-run immigration detention is considered one of the more draconian among Western nations**, drawing frequent rebukes from human rights organizations.

For the roughly **11 million undocumented immigrants** living in the U.S. (many for decades), freedom is a mixed reality. On one hand, many have built lives and contribute to the economy; on the other, they live under threat of deportation which can be triggered by something as simple as a traffic stop. They typically have no access to federal public benefits and often fear reporting crimes or labor abuses due to their status. This creates a **shadow population with limited rights** – effectively not free to fully participate in society. Other democracies with large immigrant populations have tackled this differently: for example, **Germany and Spain have offered regularization programs** at times to grant legal status to undocumented workers; **Canada** has more liberal pathways for skilled workers and is experimenting with regularizing long-term residents without status. The U.S. Congress, however, has not passed comprehensive immigration reform in decades, leaving millions in limbo. A notable exception has been the DACA program (Deferred Action for Childhood Arrivals) which gave temporary protection to about 600,000 young immigrants brought as children (the “Dreamers”), but even that is an executive program under legal threat and not a permanent status. **Freedom for these individuals is fragile** – they may be integrated Americans in all but paperwork, yet a court ruling or policy change could upend their lives.

When comparing to **neighbors**: In **Canada**, immigration is largely seen as positive nation-building; the country admits hundreds of thousands of permanent residents each year via a merit-based system and also resettles refugees (Canada even led the world in refugee resettlements in some recent years). Immigrants in Canada, once permanent residents, enjoy healthcare and a path to citizenship (usually in 3 years). Canada certainly has had issues (such as the treatment of migrant farm workers and a history of turning away some asylum seekers), but overall the climate is more welcoming. **Mexico**, on the other hand, has become both a source and transit country for migrants. Migrants from Central America travel through Mexico hoping to reach the U.S., and many Mexicans worry about crime and resource strain. Under pressure from the U.S., Mexico deployed **over 30,000 soldiers to enforce immigration laws** internally ³⁷ ³⁸, and 2022 saw a record **444,000 migrant apprehensions in Mexico** – the highest ever ³⁸. Migrants in Mexico face terrible dangers: **“Criminals and government officials often prey upon people migrating through Mexico”**, and crimes against them are rarely punished ³⁷. Since 2019, Mexico also agreed to accept U.S. expulsions of non-Mexican migrants (through programs like “Remain in Mexico”), meaning many asylum seekers have been stuck in lawless border zones where they suffer **kidnapping, robbery, and assault** ³⁹. The **right to freedom from fear and violence** is routinely violated for these people.

Thus, while the U.S. rightly sees itself as a free country, when one looks at an immigrant or refugee’s experience, **freedom is not equally guaranteed**. A liberal perspective would argue that true freedom includes the ability to live free from want and fear, regardless of birthplace. On that measure, America’s treatment of immigrants – especially under recent hardline policies – falls short of the ideals. It is more punitive compared to Canada or Germany, and though not as openly brutal as what migrants suffer in authoritarian regimes, the U.S. could arguably lead more by example. The Biden administration did reverse some of the most draconian measures of the Trump era (for instance, ending the notorious child separation practice and raising the refugee admissions cap), but in other ways it continued a deterrence approach (e.g. the new asylum ban rule). Human Rights Watch in 2023 criticized the U.S. for “pushing [asylum seekers] to take more dangerous routes” and using policies that flagrantly violate international law on the right to seek refuge ⁴⁰.

One bright spot: **immigrant advocacy within the U.S. is strong**, and many states and cities have passed “sanctuary” laws limiting cooperation with federal deportations, or provided **undocumented immigrants with rights like drivers’ licenses, education access, and even local voting in some jurisdictions**. This again shows the patchwork – an undocumented person’s de facto freedom differs if they live in, say,

California (which offers state-funded health coverage to low-income undocumented residents and disallows police from asking about immigration status) versus living in Arizona or Florida (where state governments have cracked down, requiring police and even hospitals to report immigration status in some cases). The **battle over immigrant rights** is very much alive in America's federal system.

Protections for LGBTQ+ Individuals (Especially Gay and Trans People)

In the realm of LGBTQ+ rights, America presents a **complex picture of dramatic progress interwoven with intense backlash**. Over the past two decades, the United States moved from prohibiting same-sex intimacy (laws struck down in 2003) and barring openly gay troops (Don't Ask Don't Tell, repealed in 2010), to recognizing **same-sex marriage nationwide in 2015** (via the Supreme Court's *Obergefell* decision). Public opinion on LGBTQ rights became markedly more positive – by 2022, over 70% of Americans supported same-sex marriage, a huge increase from about 27% in 1996 (Pew Research data). The freedom to love whom one chooses and to express one's identity gained robust legal foundation in many areas: after *Obergefell*, same-sex couples can marry in any state; a 2020 Supreme Court ruling (*Bostock v. Clayton County*) held that employment discrimination against LGBTQ people is illegal under federal sex-discrimination law ⁴¹; and numerous states and cities expanded protections in housing, public accommodation, and more. In late 2022, even amid polarization, Congress passed the **Respect for Marriage Act** with bipartisan support, ensuring that same-sex (and interracial) marriages will be recognized nationwide even if the Supreme Court were to overturn *Obergefell*. By these measures, many LGBTQ Americans today enjoy a level of freedom and acceptance that older generations could only dream of.

At the **same time, 2023 saw a record-breaking wave of laws targeting LGBTQ+ rights**, especially focused on transgender youth. According to Human Rights Watch, state lawmakers introduced **hundreds of bills – more than in any prior year – aiming to restrict the rights of LGBTQ people, and dozens were enacted into law** ⁴¹ ⁴². The **majority of these new laws explicitly target transgender individuals**, who have become the flashpoint of America's culture wars. As of September 2023, **22 U.S. states had banned best-practice gender-affirming medical care for transgender minors**, such as puberty blockers or hormone therapy – treatments supported by major medical associations for youth diagnosed with gender dysphoria ⁴³. In 5 of those states, providing such care is now criminalized as a felony ⁴³. Likewise, **23 states** enacted bans on transgender student athletes participating in sports consistent with their gender identity ⁴³. And **11 states** (such as Florida with its "Don't Say Gay" law) have laws censoring school discussions of sexual orientation or gender identity in certain grades ⁴⁴. The American Civil Liberties Union tracked at least **508 anti-LGBTQ bills introduced in 2023, with 84 signed into law** – a "record-breaking number of legislative efforts targeting the LGBTQ community" ⁴⁵ ⁴⁶. This sudden surge of restrictions is a clear **backsliding in freedom for LGBTQ+ Americans** in those states. Transgender youth in Texas or Tennessee, for instance, have effectively lost the freedom to access medically recommended care, and their doctors face punishment for providing it. By contrast, states like California, Illinois, and New York have moved in the opposite direction – passing "sanctuary" laws to protect trans youth and their families who travel from states with bans, and strengthening nondiscrimination rules. The result is a **patchwork of LGBTQ+ freedoms across the U.S.**: a trans teen in one state might get puberty blockers covered by Medicaid and face supportive school policies, whereas a trans teen in a neighboring state might be barred by law from any treatment and even from using the bathroom that aligns with their gender.

From a comparative perspective, **peer democracies largely offer stronger nationwide LGBTQ protections and far less political anti-LGBTQ vitriol.** For example, **Canada's federal government explicitly protects LGBTQ rights** in law and policy. Canada added gender identity as a protected category in its Human Rights Act in 2017, banned conversion therapy nationwide in 2022, and in 2022 launched a comprehensive "2SLGBTQI+ Action Plan" to advance equality ⁴⁷. Canadian society, while not devoid of homophobia/transphobia, has not seen anything like the volume of anti-LGBTQ bills that parts of the U.S. have. **Germany** and **the UK** also legalized same-sex marriage (Germany in 2017, UK in 2014 for England/Wales), and they have national laws against anti-LGBTQ discrimination. The UK in recent years has had heated debates around gender recognition reform (with the UK government in 2023 blocking Scotland's Gender Self-ID law and a rise of anti-trans rhetoric in media), but *trans healthcare remains legal and available* under the National Health Service (albeit with long wait times) and no region of the UK has banned discussion of LGBTQ topics in schools. **Mexico**, in a striking development, achieved marriage equality in all 32 states by 2022 (through a combination of Supreme Court rulings and state legislation), and as of 2023 at least 21 Mexican states allow transgender people to change their legal gender on documents via a simple administrative process ⁴⁸ ⁴⁹. Mexico's Supreme Court has set progressive precedents, even ruling that legal gender recognition should be accessible and respect human dignity ⁴⁹. In fact, Mexico's legal landscape on LGBTQ issues in some ways leapfrogged the U.S. – for instance, some Mexican states allow trans minors to update documents with parental consent, an inclusion the U.S. hasn't uniformly approached. Social acceptance in Mexico still lags behind in many regions, and violence against LGBTQ people (especially trans women) remains a serious problem. But legally, Mexico demonstrates how even a heavily Catholic society transitioned toward recognizing LGBTQ rights, largely without the kind of legislative backlash seen in parts of the U.S.

Turning to **authoritarian countries**: the difference is night and day. **Russia** has moved from hostility to outright persecution. In December 2022, President Putin signed an expansion of the so-called "gay propaganda" law, which **bans any positive depiction of LGBTQ lives** in media, advertising, books, or online, effectively erasing queer visibility in public ⁵⁰. By 2023, Russia's campaign escalated further – the **Russian Supreme Court banned the "international LGBT movement" as an "extremist" organization**, equating LGBTQ advocacy with terrorism ⁵¹. Under this ruling, **any form of LGBT rights activism is now essentially criminalized in Russia** ⁵¹ ⁵². Participating in an "extremist" (LGBT) group or even displaying a pride symbol can lead to hefty prison sentences ⁵³. Human Rights Watch called this a "perverse persecution of LGBT people" and noted it seems aimed at scapegoating a minority to shore up conservative support ⁵⁴. **Russia's LGBTQ community has thus been stripped of freedom of expression, freedom of assembly, and even the basic freedom to exist openly** – many have fled the country, and those who remain underground risk arrest and violence. **China**, while not as explicitly vitriolic in law, maintains a stifling environment for LGBTQ expression as well. Homosexuality was decriminalized in China in 1997, but there are **no laws protecting against LGBTQ discrimination or recognizing same-sex relationships**. In recent years, President Xi's government has cracked down on civil society groups, and LGBTQ organizations have been hit hard. In 2023, Beijing's largest LGBTQ support group, the **Beijing LGBT Center, was abruptly shut down by authorities** – it "became the latest organization to close under a crackdown" by the government, on May 15, 2023 ⁵⁵. The government has also banned depictions of "sissy men" on TV and blurred out rainbow pride imagery in broadcasts. **Censorship in China** ensures that positive discussion of LGBTQ topics is often curtailed as "foreign ideology." Activists report that police harassment of LGBTQ events has increased, and online communities are frequently censored or shut down ⁵⁶ ⁵⁷. While China doesn't criminalize being gay as Russia effectively does, the space to live freely and visibly as LGBTQ in China is very limited, and there is **zero prospect of marriage equality or legal gender recognition for trans people** under the current regime. By contrast, in the **United States, LGBTQ people still have**

avenues to fight for their rights – advocacy groups (like the ACLU, HRC, Lambda Legal) are challenging anti-LGBTQ laws in court, often successfully blocking the most egregious ones. And importantly, in blue-leaning states and at the federal level (for now), there are protective policies. President Biden, for instance, signed executive orders to prevent discrimination against LGBTQ federal employees and to support transgender students' rights (though those can be reversed by future administrations). The existence of openly LGBTQ politicians, from local school boards to Congress, also marks a freedom that is unthinkable in China or Russia.

Real-world safety for LGBTQ Americans is a concern as well. Hate crimes targeting LGBTQ people have sadly been on the rise. The FBI's data (while undercounted) shows hundreds of reported violent incidents yearly motivated by anti-LGBT bias, and 2022 saw a mass shooting at an LGBTQ nightclub in Colorado as a horrific reminder of persisting hate. However, the U.S. does at least have **hate crime laws** that recognize anti-LGBTQ violence, and the Matthew Shepard and James Byrd Jr. Hate Crimes Prevention Act (2009) allows federal prosecution of such crimes. Many European countries similarly track and enhance penalties for anti-LGBT hate crimes. By comparison, **in much of the world such protections are absent**. In Russia, violence against LGBTQ people is often not investigated at all (authorities largely shrug at or even condone attacks). In some countries (e.g. Poland or Hungary within the EU), governments have also pursued anti-LGBT policies – like so-called “LGBT-free zones” in parts of Poland or a ban on portraying LGBTQ lives in school materials in Hungary – showing that backlash is not unique to the U.S. What distinguishes the U.S. is its internal polarization: it is unusual among Western democracies to have such a **wide divergence between progressive and regressive regions on LGBTQ issues**. A gay or trans American's experience of freedom in 2025 can range from legally married with full community acceptance in one state, to facing school censorship and denial of healthcare in another. This domestic contrast is perhaps as dramatic as the contrast between the U.S. and other countries.

Conclusion – How “Free” Is America, Really?

Taking a broad, liberal human-rights perspective, **America today is a country of significant freedoms but also significant shortfalls**. On paper, the United States maintains one of the most comprehensive sets of civil liberties in the world – its Constitution and laws guarantee core freedoms that hundreds of millions of people in more repressive nations can only dream about. In practice, Americans enjoy open elections, free debate, an uncensored internet, and the right to criticize or change their government. The U.S. remains **“Free” by global standards (83/100 in Freedom House's index)** ², unlike authoritarian states like China or Russia where basic dissent or identity can land one in prison. Immigrants to the U.S. often seek exactly this: the freedom to speak, pray, and pursue opportunity in ways not possible under autocracy.

However, the **ideal of American freedom often clashes with reality**. The analysis above shows that **freedom is not experienced equally by all in the U.S.** – factors like race, gender, sexuality, immigration status, and even state of residence profoundly affect one's rights and liberties. A black transgender woman seeking asylum, for instance, might find the U.S. a very unfree place: she could be locked in a men's immigration detention cell, denied gender-appropriate healthcare, and then sent back to danger under a hardline policy. A wealthy citizen in a safe suburb, by contrast, may feel almost unlimited freedom – free speech, gun rights, low taxes, etc., with little state interference. This disparity is why freedom must be assessed not just in the abstract but **in a human-centered way, asking “Freedom for whom?” and “Freedom to do what?”**. From a liberal viewpoint, freedom is only as meaningful as it is accessible to the most vulnerable in society. On that count, the U.S. has areas to improve: for example, **women's freedom to control their own bodies** suffered a blow when the Supreme Court overturned *Roe v. Wade* in 2022,

allowing roughly 22 states to ban or severely restrict abortion (laws that now affect 22 million women of reproductive age) ⁵⁸ . By 2023, 14 states even imposed criminal penalties on abortion providers ⁵⁹ , something unheard of in Canada or Western Europe where abortion remains legal and regulated. This regression on reproductive rights illustrates how freedoms can be rolled back, and it again depends on state – women in New York or California still have full access, while those in Texas or Alabama do not.

Internationally, **America's freedom record is a mixed bag**. It leads by example in some areas (robust free speech, diverse society, rule of law) but lags in others (social justice, incarceration, violence). Canada and Germany outperform the U.S. on many human freedom metrics – from lower inequality and stronger social safety nets (which some argue enhance *real* freedom by reducing want) to more consistent protections for minority rights. The UK, too, despite its own issues, does not have the level of internal division on basic rights that the U.S. does – for instance, no UK region is rolling back LGBTQ rights or banning books in schools. Meanwhile, the **U.S. far surpasses unfree countries**: there is no equivalence between the challenges in a democracy and the total repression in places like Russia (where opposition leaders are poisoned or imprisoned) or China (with its digital surveillance state and cultural genocide against Uyghurs). In those contexts, Americans' ability to protest, publish, and live openly is clearly a treasured freedom.

One could conclude that **the United States is "free, but...."** – free, but struggling to live up to its ideals for all citizens. The trend of the past decade, as several sources note, is worrying: democratic norms have **declined** amidst polarization ¹ ⁷ . Yet, there are also countercurrents of progress and resilience. For example, even as voting rights came under attack in some states, other states expanded voting access ¹⁸ ; even as some officials tried to subvert the 2020 election, institutions and individuals (from judges to election workers) resisted successfully, preserving the outcome. And when one state curtails freedoms, often another state or the federal government responds – such as Congress enshrining marriage recognition to safeguard it against a potentially hostile Court.

From a **human-centered liberal view**, the measure of freedom is how people, especially marginalized groups, are able to live in dignity, exercise autonomy, and have their rights safeguarded. By that measure, **America has significant room for improvement**. Ensuring freedom in the fullest sense would mean addressing racial inequities (so that, for instance, Black Americans no longer fear disproportionate police violence or unequal justice ¹⁴), treating immigrants and asylum seekers humanely in line with international norms (rather than as pawns to deter others ⁴⁰), and halting the erosion of rights for women and LGBTQ+ people (instead, moving toward nationwide standards that **protect individual liberties** consistently). It would also mean tackling economic and social conditions – as Freedom House pointed out, rising disparities in wealth and opportunity can undermine political freedom and fuel extremism ⁶⁰ ⁶¹ . Freedom is not just freedom *from* government coercion, but also freedom *to* achieve one's potential; in America the latter is often constrained by inequality.

In conclusion, **freedom in America today is a tapestry of high ideals and hard realities**. The country remains one of the freest in terms of formal rights and democratic institutions, especially when contrasted with authoritarian regimes where those rights are absent. However, when scrutinized on the ground, American freedom is **uneven and at times under siege** – whether it's state legislatures passing laws that **limit what teachers can say or doctors can do** ²¹ ⁶² , or the persistence of practices that deprive thousands (from prisoners to undocumented families) of basic liberties. The U.S. can learn from its peers: Canada's approach to pluralism, Germany's reckoning with history to reduce hate, or even Mexico's recent embrace of LGBTQ rights. The **American promise of freedom has expanded over history** – often pushed by social movements – and that arc is still being shaped. As of 2025, the U.S. is in a moment of reflection

and contestation over what freedom means and for whom. The hope from a liberal standpoint is that the nation will recommit to “liberty and justice for all,” not just as a slogan but as reality, ensuring that in the years to come, the **gap between American ideals and the everyday experience of freedom grows ever smaller.**

Sources:

- Freedom House, *Freedom in the World 2024 – United States Country Report* ¹ ² and comparative Freedom House scores ³ ⁴ ⁵ ⁶ .
- Human Rights Watch, *World Report 2024 – United States* (key findings on racism, incarceration, abortion, LGBTQ+ laws, etc.) ¹² ⁶³ ⁵⁹ ⁴¹ .
- American Civil Liberties Union (ACLU) and ABC News reporting on **anti-LGBTQ legislation in 2023** (508 bills, 84 laws) ⁴⁵ ⁶⁴ .
- Reporters Without Borders, *World Press Freedom Index 2023* (U.S. ranking 45th; Canada 15th; Russia 164th, etc.) ¹⁹ ²⁴ .
- Human Rights Watch, *World Report 2024 – Mexico* (migration and asylum abuses in Mexico, 40 dead in Juárez detention fire) ³⁵ ³⁴ .
- Human Rights Watch, *Russia: Supreme Court Bans “LGBT Movement”* (November 2023) ⁵¹ .
- Associated Press, *Beijing LGBT Center shuttered as crackdown grows in China* (May 2023) ⁵⁵ .
- Freedom House, *Freedom in the World 2024 – Canada Report* (LGBT protections and conversion therapy ban in Canada) ⁴⁷ .
- Freedom House press release, *“US Democracy Has Declined Significantly in the Past Decade”* (March 2021) ⁷ ⁸ .
- Human Rights Watch, *World Report 2024 – Democracy in the US* (state laws censoring books/classroom discussions, voting restrictions) ¹⁰ ²² .
- ABC News, *Record number of anti-LGBTQ bills filed in 2023* (quoting ACLU, impact on trans youth healthcare) ⁴⁵ ⁶² .
- Human Rights Watch, *World Report 2024 – Women’s Rights in US* (post-Dobbs abortion bans affecting 22 million women) ⁵⁸ .
- Committee to Protect Journalists (CPJ) data via RFA: China jailing 44 journalists (2023) ²⁶ .
- Human Rights Watch, *World Report 2024 – Immigrants’ Rights (US)* (Title 42 expulsions and new asylum rule using CBP One app) ⁶⁵ ³⁰ .
- Human Rights Watch, *World Report 2024 – US* (90% of 30,000 immigration detainees in private facilities) ⁶⁶ .
- Human Rights Watch, *World Report 2024 – Sexual Orientation and Gender Identity (US)* (22 states banning trans healthcare for youth as of 2023) ⁴³ .
- Freedom House, *Freedom in the World 2024 – Overview of US* (erosion of institutions, polarization, etc.) ¹ .
- Human Rights Watch, *World Report 2024 – Mexico* (deployment of 31,000 troops for immigration enforcement; 444,000 detained in 2022) ³⁷ .
- Human Rights Watch, *World Report 2024 – Mexico* (quote: “Criminals and government officials often prey upon people migrating through Mexico. Crimes against migrants are rarely...punished.”) ³⁷ .
- Freedom House, *Freedom in the World 2024 – Mexico* (Mexico’s status 59/100 “Partly Free”) ⁶⁷ .
- Human Rights Watch Daily Brief, *Russia’s Perverse Persecution of LGBT Folks* (2023) ⁵¹ ⁵² .
- GIJN summary of RSF Index 2023 (murders of journalists in U.S. and Mexico) ²³ .
- Kiara Alfonseca, ABC News (ACLU’s Gillian Branstetter quote on 2023 being devastating for trans people’s “safety, dignity, and freedom”) ⁶⁴ .

1 2 60 61 United States: Freedom in the World 2024 Country Report | Freedom House

<https://freedomhouse.org/country/united-states/freedom-world/2024>

3 4 5 6 67 Countries and Territories | Freedom House

<https://freedomhouse.org/country/scores>

7 8 11 14 NEW REPORT: US Democracy Has Declined Significantly in the Past Decade, Reforms Urgently Needed | Freedom House

<https://freedomhouse.org/article/new-report-us-democracy-has-declined-significantly-past-decade-reforms-urgently-needed>

9 10 12 13 15 16 17 18 21 22 27 28 29 30 31 32 33 40 41 42 43 44 58 59 63 65 66 World Report 2024: United States | Human Rights Watch

<https://www.hrw.org/world-report/2024/country-chapters/united-states>

19 20 23 24 25 2023 World Press Freedom Index: Journalism under Threat from 'Fake Content Industry' – Global Investigative Journalism Network

<https://gijn.org/stories/2023-world-press-freedom-index-journalism-under-threat-from-fake-content-industry/>

26 China is the world's worst jailer of journalists, CPJ says

<https://www.rfa.org/english/news/uyghur/journalists-01192024171213.html>

34 35 36 37 38 39 48 49 World Report 2024: Mexico | Human Rights Watch

<https://www.hrw.org/world-report/2024/country-chapters/mexico>

45 46 62 64 Record number of anti-LGBTQ legislation filed in 2023 - ABC News

<https://abcnews.go.com/US/record-number-anti-lgbtq-legislation-filed-2023/story?id=105556010>

47 Canada: Freedom in the World 2024 Country Report | Freedom House

<https://freedomhouse.org/country/canada/freedom-world/2024>

50 Russia, Homophobia and the Battle for 'Traditional Values'

<https://www.hrw.org/news/2023/05/17/russia-homophobia-and-battle-traditional-values>

51 52 53 54 Russia: Supreme Court Bans “LGBT Movement” as “Extremist” | Human Rights Watch

<https://www.hrw.org/news/2023/11/30/russia-supreme-court-bans-lgbt-movement-extremist>

55 Beijing LGBT Center shuttered as crackdown grows in China | AP News

<https://apnews.com/article/china-beijing-lgbt-center-shutdown-a5643c680e1faf5c8a7a7d9bdd627d6f>

56 57 China suppresses feminist, LGBTQ groups. Outside China, they seek to rebuild : NPR

<https://www.npr.org/2023/10/25/1208391460/china-suppresses-feminist-lgbtq-groups-outside-china-they-seek-to-rebuild>

