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The State of LGBTQIA+ in Japan

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ANT-204: UNDERSTANDING MODERN JAPANESE SOCIETY
THROUGH FILM

1 - Introduction

In America, the LGBTQIA+ Movement (simplified to LGBT+) is a famous organization that comprises of misrepresented sexual orientations and gender identities. The movement has been successful in America for establishing support groups that mitigate LGBT+ isolation, pressuring lawmakers into providing LGBT+ with legal protections, and the decrease of LGBT+ discrimination in the United States. The movement was essential in establishing protections for the future generations which definitely benefit from their sacrifices to this day. However, the acceptance of LGBT+ is disproportionally accepted across the world. Some nations outright consider homosexuality a capital crime, while other nations keep LGBT+ in a segregated state. Unfortunately for Japan, they fall into this classification of a nation. Therefore, it is worth studying the state of LGBT+ protection in Japan for sake of determining the welfare of LGBT+ individuals in Japan. This paper aims to investigate the paradigms of Japanese LGBT+ movements, their fights for equality, and establish a clear standing of Japanese treatment of LGBT+.

2 – Terminology

In theory regarding sexual and gender identity there are many terms that are commonly used to describe archetypes of members in the LGBT+ community. Given that LGBT+ is an umbrella term that catches all members of society that share similar anecdotes of discrimination from society based on their identity. Since LGBT+ can describe collectively many groups of people, it risks the misrepresentation of minority groups (such as transgender) in favor for the overrepresentation of majority groups (such as homosexual). Therefore, it is important to think of LGBT+ not as a homogenous entity, but a heterogenous mixture of oppressed groups banded together to achieve legal protection. In this section the definition of terms pertaining to LGBT+ theory is analyzed.

First the acronym of LGBT is important to understand. Contrary to popular belief, it is not an amalgamation of Arabic letters representing incoherent identities, but rather a unity of oppressed groups who strive for sexual and gender representation in society. The main groups of the community are emphasized in the acronym: Lesbian (L), Gay (G), Bisexual (B), and Transgender (T). In other acronyms the term is expanded to include: Queer or questioning (Q), Intersex (I), and Asexual (A). Although these more niche communities for simplicity purposes are shortened to LGBT with a “+” to recognize the brevity of misrepresented groups.

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In Japan, the use of the term LGBT is being phased out by the increasingly popular acronym SOGI, which stands for “Sexual Orientation and Gender Identity”¹. The adoption of this acronym is due to the need to create a new term that represents the Japanese LGBT+ community holistically. SOGI accomplishes this by showcasing the two important paradigms of LGBT+ issues of “Sexual Orientation” and “Gender Identity” in its title. Due to the nature of LBGT+ not originating in Japan and is being adopted by Japanese LBGT+, the remainder of the paper will refer to the Japanese community of people concerned about equality of their sexual orientation and/or gender identity as SOGI and the international community of those people as LGBT+.

Furthermore, Japanese society has interesting concepts of Gender Identity. Compared to many Western cultures, Japan doesn’t have a strict and prominent ingrained gender binary. This assertion comes from an observation of the linguistic expression in which pronouns are much more variable. While English-speaking cultures have pronouns that are based solely on sex assigned at birth, Japan has some 81 pronouns that vary not only on gender, but level of politeness and hierarchical standing². Thus, the complexity of gender in Japan is a topic worth covering to fully gauge the issues of Gender Identity.

In Japan, those who express Transgender or X-gender symptoms can be diagnosed GD or “Gender Dysphoria”^{1,3}. Transgenders are individuals who intend on changing their appearance to present themselves as the opposite gender of what they were assigned at birth³. X-gender is Japan’s version of a non-binary concept and includes people who intend on removing themselves from the gender binary and do not consider themselves necessarily male or female³. These individuals are told to have a dysphoria of gender because they see their gender differently from cisgendered members of society. Cisgender people are comfortable with their predetermined assignments of gender and do not struggle to express their gender identity.

These basic terms are crucial to understand to understand the different groups of people within the SOGI community and understand what their main agenda for equality are.

3 - History and Background

An important facet to understanding the current treatment of SOGI in Japan today it is important to reflect on the historical circumstances leading up to the current fights for equality.

An important factor of the Japanese’s co-development with SOGI individuals that differentiates them from the rest of the world is the low Christian influence for much of its history⁴.

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For example, in countries that are influenced by Abrahamic religions, much of the anti-LGBT rhetoric originates from religious texts—which hold the word of God—describing homosexuality a sin. However, in Japan such a mass rhetoric of similar magnitude did not exist. Before the Meiji restoration, in fact with the absence of an institution actively propagating anti-homosexual rhetoric, people would participate in homosexual relations if it interested them, not viewing them as ethically or morally wrong⁴. Fortunately, this development avoided a problem common in the western world where connections between sexuality and gender are ingrained in society, thus Japan doesn't necessarily consider gender identity and sexual orientation to be mutually exclusive⁴. Therefore, such a way of thinking can help disassociate from preconceived biases of homosexuality as being “unmanly” or “disgusting.”

Despite Japan's early peaceful coexistence with homosexual people eventually would deteriorate during the transformative period of industrialization. During industrialization, there was many outside influences from prominent Western nations on Japanese culture. In this exchange of culture, Japan began to associate themselves with the European view on relationships, beginning to believe heterosexuality is the norm, and other sexualities are anomalous⁴. This was followed by a temporary ban on sodomy in 1872 when adopting a new penal code. The temporary ban only lasted until 1880 with the penal code nullifying the ban⁴.

After this ban, Japanese history went down a national focus to reach the extent of power being exercised by Western Imperial powers that required the cohesion of all people in society. Thus, for most of Japan's modern formative history excluded SOGI from important discussions as endeavors such as industrialization and imperialism captured the Japanese media's attention. Even after the fall of Imperial Japan we still see minimal amounts of discourse on any SOGI discussions. This large period without SOGI debates implies the Japanese establishment's intent to establish an apathetic stance to the issue by not punishing nor support them. This has been the attitude being conveyed by the Japanese government for decades.

4 - Paradigms of SOGI

As mentioned, the apathetic attitude toward SOGI individuals is a unique treatment. That treatment excludes SOGI from living their life in the way that represents their identity. This is the uniting factor in which SOGI devote their activism to. The name SOGI is a reference to the main paradigms in which they advocate for. The paradigms, Sexual Orientation and Gender

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Identity, have unique positions on Japanese politics, however the paradigms intersect in ideology which is the reason SOGI was created. This section analyzes the paradigms that motivate SOGI.

- 4a – Sexuality

In international politics, there are 70 countries in which homosexuality is condemned as a crime or sin¹. Japanese history proves that there has never existed a long period in which an explicit persecution of homosexuals existed. However there has never been a legal document guaranteeing their safety from discrimination, resulting in the development of hardships in SOGI. The scope of SOGI hardship has been given scope by J-ALL (Japan Alliance for LGBT Legislation) which claims that from a legal standpoint there exists approximately 264 different hardships¹. While Japan doesn't fit the 70 countries that condemn homosexuality, they are not part of the majority that supports homosexuality. Through neglect, the government creates a stressful place for SOGI, which is reflected in the statistics of depression and suicide where SOGI are three times as likely compared to heteronormative individuals¹. These lives are stress are what motivate SOGI to fight for equality.

The main issue advocated by the sexual orientation paradigm of SOGI is the right for homosexual partners to secure the right to marry. If Japan doesn't penalize homosexuals, one would think that they would be apathetic about the idea of same-sex marriage. However, the clever wording of Japanese code excludes same-sex couples out of the applicable population. For instance, in Japan's Civil Code's Chapter 4 describes members of marriage as "husband" and "wife," instead of partners¹. Furthermore, in Article 24 of Japan's constitution declares that marriage should be based on the consent of "both sexes" instead of both partners. This use of gendered language to define relationships subtly excludes the possibility of same-sex marriage.

The importance of marriage in terms of SOGI relationships is the right to claim your partner in sickness and health. Without a legal note of relationship, the parents of the child have more rights than you to determine what's best. For homophobic parents, they might do things in their child's name against their will and their—unmarried—partner wouldn't be able to do anything. This is why the fight for marriage is crucial to the SOGI cause. Despite the drawbacks of Japan legal code, SOGI has found a lucrative way to gain legal rights over their partner. The Japanese adoption system allows anyone over the age of 20 to be adopted by anyone if the parent is older¹. Therefore, SOGI couples can essentially have familial status by considering one

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the child of the other¹. Provided it is a loophole, its critiqued by the Japanese public for being morally against the adoption system. However—given the circumstances—it is the only way SOGI can secure legal protection over their relationship.

However, for those understandably uneasy about making their partner their child, there exists “Partner Certificates” which are issued out by local governments. They are certificates for SOGI couples who want to recognize their “partnership”¹. The drawback is that these have no legal authority. Marriage is a responsibility of the national government, and these municipal documents have no authority to protect SOGI couples¹. So therefore, people think they are useless, but respect is due to the municipalities—especially Shibuya and Setagaya for creating it and—bringing attention to an issue overlooked by the national government.

Understandably these are unnormal expectations for SOGI couples to secure their rights. If heterosexual couples enjoy the full protection of the law for merely existing, SOGI couples shouldn’t have to be the only group that goes to extremes to secure legal protection. This is the reason for an increase in legal battles in recent decades. On Valentines Day in 2019, 13 SOGI couples filed lawsuits against district courts over the current legal system of Japan for their marriage rights¹. Furthermore, there have been 450 SOGI individuals who sent claims for human rights relief for their prohibition to marry their partner¹. Therefore, we can be confident that SOGI is refusing to be silent.

Though systematic homophobia is not prominent in Japan, SOGI still confronts homophobia when possible. Famously, in the Fuchu Youth Hostel Case, a group known as OCCUR (Association of Moving Gays and Lesbians) applied to use the facility which was public under Tokyo Metropolitan jurisdiction and denied their application based on their homosexuality¹. This act of unprofessionalism was performed by a representative of the government, which did not receive a well reception from the government. The courts deemed the workers of Fuchu Hostel guilty and awarded damages to the victims¹.

In the decision of the courts, the honorable judges shared their deliberation on the matter and the homophobic action in general¹:

"Being indifferent or having sufficient knowledge about homosexuals cannot be an excuse for personnel who exercise public authority."

This quote establishes the legal expectation that toward a public servant to have the responsibility to set aside their ignorance and treat people—let alone SOGI person—with respect.

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However, if this was an attitude present in more minds of politicians and people in general, then the possibility for a shift in Japanese culture where SOGI has an equal representation in the Japanese establishment seems much more likely.

- 4b - Gender

As defined, Gender Dysphoria (GD) is a term in Japan that describes anyone with a discrepancy with their gender identity such as transgender or non-binary. Officially the term GD is defined as a "distress associated with a discrepancy between the gender experienced or expressed by the person and the assigned gender"³. The definition describes two types of people, but to the Japanese they think of the two as one in the same. In fact, many Japanese think of X-gender as a sub-concept of Transgender³—which couldn't be far from the truth. The main difference is that while transgender people wish to transition their appearance from their gender assigned at birth to the opposite sex, X-gender people wish to be perceived as not necessarily male or female, or neither sex entirely^{1,3}. Thus, it is important to stress that these two groups recognized by one by the public are two separate entities with two different outlooks on gender identity.

In SOGI and LGBT+ alike, gender identity is an issue largely overlooked compared to same-sex marriage. However, that doesn't discourage GD individuals from fighting just as hard to secure protections. However, GD has unnecessary restrictions placed on them that prohibit them from expressing themselves in an efficient way.

The recording of birth is hard to change efficiently in Japan. Gender must be recorded up to 14 days' time in a national family registry known as koseki (戸籍)¹. The basis for determination is based on physical attributes, but in indiscernible cases, families may opt for surgery and hormonal treatment, or mark their gender as unknown¹. So, there are many intersex people in Japan who at birth are forced to undergo surgery to make themselves appear more like one gender¹. Additionally, Japan make sit hard for them to change their gender. The culmination of these factors makes living life with GD difficult. Many GD individuals claim that not being able to be recognized as their gender excludes them from society^{1,3}. Without the ability to live in accordance with their gender, GD individuals may face depression.

The Japanese government passed the "GID Act" which legally protected the process of changing gender on a koseki registry but imposed grueling requirements on its applicants¹.

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The list of prerequisites (Figure 1) makes inhumane demands of divorce and castration to achieve a gender change on their legal documents¹. The act does not account for X-gender who don't want to change their physical appearance. Also, the legacy requirement of divorce is an unusual punishment that also ensures a homosexual relationship with a transgender person won't happen. Lastly, castration is a cruel and unusual punishment disguised as a requirement for the victimless wishes of GD people. Despite these requirements, the GID act had an outstanding 8,676 individuals legally change their koseki registry¹.

GD individuals are also commended for their activism and legal battles with the government. In the "S" Company Case, a transgender person was fired from their company for crossdressing, but the courts ruled in favor of the transgender person saying it was wrong to discriminate them¹. Additionally, an appeal trial is underway for the right of a transgender person to utilize the bathroom of their gender¹. Thus, workplace equality is an important paradigm for GD individuals.

1) Must be diagnosed with GID
2) Be over 20 years old
3) Be unmarried upon request (changed to "Have no minor children")
4) Be deprived of reproductive organs or reproductive ability
5) Have external genital organs like other members of the sex they wish to be
Figure 1: The requirements to change gender legally in Japan as of the GID act ¹ .

Also, there was an important Supreme Court case that ruled in the protection of a transgender person's right to claim their child. In this case a trans man applied to claim the child that his wife birthed from artificial insemination but was denied¹. In court, they ruled that was inappropriate because if a child were born to a cisgender couple it would be legitimate¹. This ruling from a federal entity implies that the government is increasing attention into GD related issues.

- 4c – Paradigms Intersect

The fights of the paradigms of SOGI intersect with common ideology for reform. For example, SOGI wants to preserve the private nature of sexuality in society where people have agency over when they come out¹. Also, as will be discussed in the next section, both group advocate for the establishment of a support system. Since support is crucial especially in a country where LGBTQIA+ individuals are more likely to be suicidal, it is a priority of SOGI.

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The most crucial battle that SOGI fights that can truly bring swift and pressured change is by considering their plight as a human rights issue. However, they have a good stance. Consider the GID act; Castration and Forced Divorce are unusual punishments that are regarded human rights violations in the international community¹. Furthermore, the right to marry is also regarded as a natural right. Combining these factors with the fact that basic human rights were established by the United Nations with the sole requirement being existence¹, yields a strong argument to put Japan on the international spotlight. If Japan were to be accused or charged with a Human Rights Violation from an influential national player, it could spark a fervor in Japanese politics to push forth legislation to defend their national pride.

5 - Support Systems

SOGI regards establishing a support system as an important goal. Support is an important aspect to help an oppressed group help guide themselves through a society that ignores their needs. Through finding people with a similar identity, a bond is formed that can grow into a network of relationships that becomes an active community. A few of these communities exist and actively advocate for the wellbeing of SOGI. However, support doesn't necessarily have to come from SOGI, other structures in Japan, can establish measures that create an inclusive environment for SOGI individuals.

- 5a – SOGI sources of support

Currently there is a plethora of isolated SOGI individuals¹. Especially when considering that, unlike oppressed ethnic/racial groups that can help cope trauma through generations, SOGI individuals cannot easily confide in an elder to cope¹. Therefore, it is important for SOGI individuals to have a community to help guide them emotionally.

Shinjuku Nichome (新宿二丁目) is a neighborhood in central Tokyo's Shinjuku Ward that caters to SOGI individuals. It acts as the main center for gay culture and gay nightlife in Tokyo⁴. The community has evolved over the years. During US occupation, Nichome was a small community adjacent to the Red-Light district⁴. After the 1950's prostitution became illegal, which put places out of business, and the community had resources to expand themselves into the whole chome⁴. Today, almost 300 nightclubs exist and cater to SOGI⁴. Hence the high concentration of SOGI influence, individuals can meet people like them—creating support circles.

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Furthermore, the businesses of Nichome are categorized in terms of sexual preferences⁴. Given there is a specific demographic businesses cater to, those outside the demographic are denied entry or pay an expensive fee⁴. These businesses allow SOGI to explore their repressed sexual identities.

Relating to yourself and realizing community tremendously helps a SOGI person, which Tokyo Rainbow Pride also provides. Tokyo Rainbow Pride was founded in 2011 to ensure the annual continuation of a pride parade. Before this group, Tokyo Pride was responsible for the first pride event in 1994⁴. However, the group lost members due to their ideology and unpopularity from younger groups⁴. Due to this decrease, Tokyo Rainbow Pride was a revival to SOGI in Japan. The parade displays the diverse cultures of SOGI and listens carefully to suggestions—unlike their predecessors⁴.

The event helps to bring attention to SOGI through coverage of parades displaying SOGI representation⁴. When they cover Rainbow Pride, national citizens are informed on SOGI. Furthermore, Rainbow Pride provides a community for SOGI to confide in each other.

Given that both major support systems for SOGI exist in Tokyo, implies work needs to be done to expand support to include all SOGI who may feel isolated.

- 5b – Industry sources of support

In the workplace, many major companies have been recognized for their achievements in encouraging the value of SOGI relationships. Sony and Panasonic recognize the union between SOGI couples by providing traditional activities such as gift giving, and even provide family benefits to them⁴. By recognizing the marriage companies empathically offers support and makes SOGI individuals feel comfortable.

Media also has a unique relationship with SOGI. Many SOGI events, like the Pride Parade, are covered by the media and spread awareness that turns into government pressure¹. Therefore, if SOGI continues to perform social activism, the media will cover it, and will continuously put pressure on the government to produce legislation.

6 - Proposed Legislation

Given that SOGI support systems in Japan are bringing their issues to the attention of society, proposed legislation is being drafted to face them. There is currently a wish to reform the GID act based on it being against human rights⁴. If the act was revised, GD individuals would

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change their gender without enforcing strict rules and be a victory for individuals who feel comfortable and retain the privacy of their gender identity.

Furthermore, the national government has drafted legislation to deliberate respective parties' ideology on addressing SOGI issues. So far, legislation is divided among parties. The Liberal Democratic Party of Japan (LDP), who have been the majority party of Japan for much of postwar history, are drafting legislation pertaining to the education of SOGI to the public to gauge deeper understanding⁴. While SOGI education is a commendable action to mitigate isolation of SOGI individuals, this is an underwhelming approach coming from the majority party. The bill seems to be postponing the issue at hand, especially when considering what minority parties are drafting in competition. The Democratic Party of Japan (DPJ) submitted on January 4th, 2016, a bill that aims on preventing discrimination of SOGI. The bill proposes on top of the education of SOGI: the elimination of discrimination in the workplace, from local government, and the encouragement to disclose companies not in compliance⁴. Obviously, this bill is preferred by SOGI over the LDP because it is the first real draft of legislation that has ever intended to protect SOGI individuals in Japanese society. Such a bill will finally include SOGI into the society of Japan, creating a society built on the principles of acceptance.

7 – Conclusion

When critiquing the state of LGBT+ issues in the world it is important to be receptive to the people living there rather than the official stance of the government potentially antagonizing them. When compared to theocratic authoritarian states that murder LGBT+ individuals, Japan is in a preferable position. However, when compared to the LGBT+ friendly nations, Japan is in a less-preferable position. Thus, Japan lies in a state of LGBT+ acceptance that doesn't penalize but surely doesn't include them either. This treatment should be viewed from a human rights perspective. Japan is accused of violating human rights of their SOGI citizens due to their (a) inability to marry, (b) unusual punishments like castration to establish their gender identity, and (c) the lack of enjoying the full extent of rights exercised by non-SOGI citizens. Thus, it is important to realize that though people aren't being executed for their SOGI, they are forced to undergo embarrassing prerequisites or loopholes to achieve the same rights of their peers. These embarrassing tasks further makes SOGI look unfavorable in public eye and makes it necessary for equal rights to mitigate this discrimination in expectations.

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However, when we compare the support system of Japan to other countries, they maintain a stable support system largely unaffected by the government. For example, Tokyo Pride annually brings recognition to the SOGI community and receives media attention. Furthermore, the propagation of places like Nichome facilitates the connection of isolated SOGI people which helps establish community. Finally, media and business support build grassroots cases for including SOGI in popular media. So, while oppressed, SOGI individuals have resources to help mitigate feelings of depression and suicide caused by a restrictive government. Although, through the lack of education on SOGI there appears to be no large body of SOGI pride in areas outside of Tokyo, which can contribute to the further isolation of a rural SOGI than an urban SOGI, which means that SOGI Pride organizations should continue to make efforts to include the misrepresented populations of SOGI.

Finally, it is commendable to see that Japanese LGBT+ advocating for equality acknowledges both sides of the coin to the SOGI coin which is sexual orientation and gender identity. The two concepts which are entirely different group themselves together because they are similar in that they face discrimination in society due to their personal actions of expression. In societies where this distinction isn't emphasized, the definitions and issues of each paradigm are molded together, and essentially misrepresenting some issues. Therefore, by separating the concepts, SOGI has a clear outlook on the important issues of their cause and unifies theory.

Thus, in the culmination of the facts presented it is clear to see that the Japanese establishment makes it difficult for SOGI to express themselves through oppressive requirements to receive legal protection or lack of legislation protecting them. This fact alone makes the state of LGBT+ equality dire in Japan, thus making it appropriate to consider a human rights problem that deserves the pressure of the international community to force legislation. However, the Japanese SOGI community should be commended for its persevering attitude in reforming the political opinion on SOGI through brave lawsuits and raising awareness across the country.

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Works Cited

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- Howe, Stephen. "Personal pronouns in English and Japanese: A preliminary comparison." Fukuoka University Review of Literature and Humanities 41, no. 4 (2010): 1473-504.

1 - Hiroko Takeda and Mark Willimas. Routledge Handbook of Contemporary Japan. N.Y. Routledge. 2021.

2 - Howe, Stephen. "Personal pronouns in English and Japanese: A preliminary comparison." Fukuoka University Review of Literature and Humanities 41, no. 4 (2010): 1473-504.

3 - 山田苑幹. "X ジェンダーを生きる 男女のいずれかというわけではない性自認をもつ人々の語りから." 質的心理学研究 18, no. 1 (2019): 144-160.

4 - Batin, Chanelle Z., R. M. B. Gaborno, J. C. Nicdao, and M. P. F. Valentin. "Japan: Road to Empowering the LGBT+ Community." (2017).