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Article Review

The Article

Powell, Richard, Time to Go Naked? Rules and Revelations Surrounding LGBT People in Japan (November 21, 2019). Australian Journal of Asian Law, 2019, Vol 20 No 1, Article 2: 7-26, Available at SSRN: <https://ssrn.com/abstract=3491042>

Introduction

LGBT for short, lesbian, gay, bisexual, and transgender, a term coined in the late 1980 used to represent this diverse community. This umbrella term shows the diversity of sexuality and gender identity, and it has since grown from the initial four to describe those who are non-heterosexual and non-cisgender. Around the world, the topic about the LGBT community is tolerated in different forms, both in positive and negative ways, as well as seeing different forms and types of discrimination, violence, and inequalities. Over the years, as more countries become more tolerant with the LGBT community, by passing laws and legislation that acknowledge the community's rights as well as their freedom to be who they truly are in their country. However, not every inequality and abuse is solved with these laws or the country being more progressive.

In the context of Japan, the country has always been seen and portrayed by other countries as a nation that is tolerant about serious issues . From what is known, Japan has not been against same-sex sexuality or the LGBT community in general; however, this does not

mean that inequalities, law discrimination and other issues that surround the community are non-existent. As stated by Ioana Fotache, in regards to these issues facing the LGBT community, “discrimination exists at a systemic and institutional level, as Japan does not have an anti-discrimination law, same-sex partnerships are only recognised to a limited extent in certain cities, and workplace discrimination, bullying, and suicide rates continue to be a problem for the queer population” (Fotache, 28). Some cities in Japan do have bans that may protect LGBT members from discrimination and/or inequalities, but at a national level it is a completely different thing and attempts have been made to change.

About the author

In the article, “Time to Go Naked? Rules and Revelations Surrounding LGBT People in Japan,” it goes on to tackle the issues about Japan and the LGBT conflicts it has had and currently has. In this academic piece, the information is all provided by the author of the article, Richard Powell. Dr. Powell has held a position as a professor at Nihon University in Tokyo, Japan, in which he teaches classes in business English and language and human rights and coordinating the Economics Faculty’s International Course. As for his research topics, they include topics from forensic linguistics, legal English, comparative legal culture, and cross-cultural pragmatics as well. In addition to having a focus on topics surrounding Japan and East Asia, Dr. Powell has written books and book chapters about East Africa, South Asia and Southeast Asia. As for his education, Dr. Powell began with BA in history at Cambridge, an MSc in politics at SOAS, and an MA in linguistics at Macquarie and lastly a PhD on legal education at the University of Melbourne Richard.

Summary

In his article, he begins with an explanation of how Japan is a country that tolerates the topic of LGBT life but mentions that Japan can be ignorant with the issue. He goes on to explain that since the country is not informed with the topic, there is a delay with LGBT rights, making many of their citizens conformed to never coming out of the closet. He continues with the explanation of the sexual mores in the country, from an early stance, and goes on to explain how Japan has changed over time postwar, and the approaches it has attempted to do with the LGBT topic. After this brief history with Japan and sexuality issues, Dr. Powell continues with the explanation of the many injustices that the LGBT minorities face while living in Japan. He goes on to explain issues from bullying and discrimination as well as issues dealing with gender reassignment. Towards the end of his article, Dr. Powell goes into what Japan has done in terms of legal and policy issues surrounding the LGBT community, as well as the shift that the nation has done to educate itself on the topic in hand.

The issue

As mentioned before, Japan has a pretty high tolerance towards the acceptance of the LGBT community, especially with the help of TV media having more LGBT character; however it does not mean that heterosexual people will make non-heterosexual citizens feel comfortable or welcomed. As Dr. Powell goes on to state:

Although the increased popularity of glamorous non-straight TV performers may be raising acceptance of gay and especially trans alternatives to mainstream sexuality, it is unlikely to convince viewers that LGBT citizens mingle with them every day in their supermarkets, factories and offices. (Powell, 10)

Dr. Powell continues to address the many issues that the LGBT minorities in Japan are facing, from hate speech all the way to the problem with gender reassignment surgery. Dr. Powell

explains that the country has made the attempt to pass laws that protect everyone, including the LGBT community, however, it seems that it does nothing to protect them. Dr. Powell gives the example of the Hate Speech Law of 2016, a law that regulates hate speech in Japan towards people of other countries or of different descendants. Not included in this law are penalties nor protection of other minorities like the LGBT community. As Dr. Powell states about how the LGBT community feels about hate speech, “at least half of LGBT respondents in every age group reported experiencing hateful language” (Powell, 11). Why provide help if the help will not be provided for everyone in Japan.

When it comes to the topic of LGBT discrimination as well as seeing how Japan as a country can be ignorant when it comes to LGBT related issues, Dr. Powell is not the only one that brings these issues to light in their articles. When it relates to giving examples of Japan’s ignorance about LGBT issues, or the LGBT community in general, author Claire Maree provides some information in her article, “‘LGBT issues’ and the 2020 Games”, about how Japan will act blind to anything related to the LGBT community. Maree goes on to explain that the “LGBT boom” was rebranded in Japan as a new concept or something new to the country, when in reality, this issue goes back in Japan’s history. As Maree states in her article, “such issues stretches back to at least the women’s organizations and gay subcultures of the 1970s, and work at the community level on raising awareness of issues to do with partnership rights in Japan has been ongoing since at least the 1990s” (Maree, 3). This can be seen as Japan ignoring the issue but when the issue comes to light, Japan will deal with it and cover themselves with by saying that it is a new concept for them and the nation.

In relations to the hate and discrimination that the LGBT community faces in Japan, author Patrick Carland-Echavarria provides an example in their article, “We Do Not Live to Be

Productive: LGBT Activism and the Politics of Productivity in Contemporary Japan”, of the backlash that the LGBT movement and activism has faced in Japan. Just like Dr. Powell states in his work, many LGBT members have experienced some form of hate speech or discrimination in their lives from other Japanese citizens, while Echavarría gives a similar example but the hate and discrimination comes from different people. As Echavarría goes on to explain, as the LGBT boom started to grow and hit mainstream areas in Japan, they quickly became a target of hate and discrimination by right-wing conservative politicians. Echavarría states some of the hateful things these right-wing people would say to LGBT people like they are the reason for destroying traditional Japanese families and communities as well as stating, “LGBT people were cast as a ‘freak new species,’ that would ‘lead to the further deterioration of the country’s morality and economy’” (Echavarría, 6).

Solutions

Towards the end of Dr. Powell’s article, he explains the solutions that Japan has tried to provide their LGBT citizens. Just like his examples for the injustices that he provides, Dr. Powell provides several examples of solutions all the way from a national level, local level, schools and businesses, etc. With all these examples, Dr. Powell explains that the support for the LGBT minorities comes first, then the fight and then comes in the laws and changes that help protect LGBT individuals. As a final touch, Dr. Powell states, “LGBT-related injustice does not seem to be worsening in Japan, and there are even signs of improvements” (Powell, 20). Dr. Powell does provide other possible solutions that Japan can take in order to see a Japan more tolerant to this situation. He begins by explaining how Japan could start by re-educating themselves on the topic, then have some awareness for the issue and shift their attitude towards it. It is too early to say that Japan will consider this possible opportunity.

Conclusion and My Opinion

My overall opinion about Dr. Powell's article and this work is pretty straightforward, I personally felt that he provided enough information for someone who does not know about the topic to understand it. I thought that it was very helpful that Dr. Powell provided historical context about the issue in Japan then continuing with the issue and possible solutions. In conclusion, in Japan, there is and will still be a long, but hopefully short, journey towards achieving full LGBT rights and protection as well as combating against discrimination, as explained in Dr. Powell's article, "Time to Go Naked? Rules and Revelations Surrounding LGBT People in Japan". The lives of many LGBT Japanese citizens are impacted by discrimination, stigma, and several barriers, but there is hope because LGBT representation has hit mainstream Japanese media which can spark more support, activism and fight for rights. The path for acceptance may be long but there is hope for Japan

Bibliography

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