



## Ear to Asia podcast

- Title:** LGBT rights in Japan in the lead up to the Tokyo Olympics
- Description:** Although Japan doesn't prohibit same-sex relations, its laws do little to protect the rights of the LGBT community. With Tokyo maniacally preparing to host the 2020 Summer Olympics and Paralympics, how is Japan set to meet its obligations to the International Olympic Committee to ensure a Games free of discrimination against LGBT athletes and event visitors? Japan queer studies experts Prof Akiko Shimizu and Dr Claire Maree join host Ali Moore to discuss. An Asia Institute podcast. Produced by profactual.com. Music by audionautix.com.
- Listen:** <https://player.whooshkaa.com/episode?id=512998>
- Voiceover:** The Ear to Asia podcast is made available on the Jakarta Post platform under agreement between the Jakarta Post and the University of Melbourne.
- Ali Moore:** Hello, I'm Ali Moore. This is Ear to Asia.
- Akiko Shimizu:** We have been witnessing in Japan some extreme conservatives started to very clearly argue against what they call "extreme LGBT rights". And I'm worried that after 2020 Olympic and Paralympics there could be some backlash and we will have to be prepared to fight it.
- Claire Maree:** Marriage equality is not the be all and end all of the intricate, complex issues around sexual orientation and gender identification in Japan. There's a lot of positives. There's been a lot of changes. There are a lot more people who feel more comfortable being able to express themselves but that doesn't mean that it's necessarily the best that we can do.
- Ali Moore:** In this episode, a look at the rights of the LGBT community in Japan, in the lead up to the 2020 Olympics Ear to Asia is the podcast from Asia Institute, the Asia research specialists at the University of Melbourne.
- Ali Moore:** Over recent decades, there's been increasing recognition of LGBT rights in many countries. The result of both growing awareness and greater activism, which have led to countries passing laws supporting marriage equality and banning discrimination. Much of the change has been in the world's wealthy democracies.
- Ali Moore:** But in some, like Japan, there's still a long way to go. So, with Tokyo, preparing to host the 2020 summer Olympics and Paralympics, how is Japan set to meet its contractual obligations to the international Olympic



committee, to ensure a Games free of discrimination against LGBT athletes and event visitors?

Ali Moore: What does it mean when a city claims to promote and[inaudible 00:01:06] uphold diversity? And in a country long ruled by socially conservative forces, Will official efforts be more than just window dressing for the brief time, the eyes of the world are on Japan for the Olympics?

Ali Moore: Joining us to discuss the state of LGBT rights and activism in Japan in this pre Olympic moment, are Japan queer studies experts, Professor Akiko Shimizu from Tokyo University and Dr. Claire Maree of Asia Institute. Welcome Akiko, and welcome back Claire.

Claire Maree: Thank you very much, it's wonderful to be here.

Akiko Shimizu: Thank you very much.

Ali Moore: Against the backdrop of this increasing global awareness of LGBT rights, where does Japan fit? Tell us about the attitudes towards the LGBT community in Japan, officially and unofficially, Claire. And even perhaps start with why we're saying LGBT, not LGBTQI.

Claire Maree: Yes, of course. LGBT is perhaps the term that is being used the most for about five years now. There's a long history of activism and work around raising awareness to do with, for example, same-sex partnership rights and other rights. For example, transgender access to medical services, and also the right to live as your gender.

Claire Maree: However, in the lead up to the Olympics, the term LGBT itself, has had a bit of a boom, we like to say, perhaps in Japanese media studies. In that it features very prominently in media representations, other issues to do with sexual orientation and gender identity. So that term LGBT has become a term that is used in that context in Japan.

Ali Moore: And Akiko, can you give us a picture of the landscape when it comes to protections for LGBT people and for the rights of LGBT people?

Akiko Shimizu: It's important to remember that in Japan we never actually had a law banning any sort of homosexuality or homosexual behaviours. Also, there have always been a certain amount of cultural "acceptance", especially in a very restricted field of performance or certain kind of art field where transgender woman, so to speak, were not only just accepted but sometimes highly praised. Having said that, we also never really had a clear legal protection of the LGBTQ rights. We never really had a law banning discrimination based on sexual orientation or gender identities.



- Akiko Shimizu: So where we find ourselves now is, we are not specifically legally discriminated against, apart from the quite important part of the same-sex relationships, and that the protection of the partnership. Also, part of the gender identification there, how much you could actually choose to live by your own gender. But we do not legally prosecuted, just because being gay, or being lesbian or transgender. At the same time, we are not protected when we are actually getting discriminated at work place, or even in educational system.
- Ali Moore: So it's not so much about what's illegal, it's more about what's not even recognised in the legislation.
- Akiko Shimizu: Yes.
- Ali Moore: Claire, can you explain that a little bit?
- Claire Maree: It is a very contradictory conceptualization of Japan, as very welcoming and tolerant. Now tolerant is a word that has flip sides to it, because tolerance seems to suggest that you are welcoming of difference. But tolerant can also mean that you're just gritting your teeth, and grinning and bearing any difference as well.
- Claire Maree: So on the one hand, there is this warm welcoming. As long as you're not overtly different. As long as you don't step out and begin to be politically active and perhaps demanding specific rights. Then there's nothing really within the legislation that inhibits you. However, there are a lot of pockets within the legislation that don't give equal rights to, for example, partners. There's also a lot of gender issues. It's also very difficult, for example, women to live as individual, independent working people as well.
- Claire Maree: So there's lots of intersections of different axes of things that cut across an individual's life, that although there may be nothing that is saying you cannot do, this actually prevents them from perhaps acting in an independent way that they might want to.
- Ali Moore: So, you end up with a situation whereas, Akiko, you said that there is no official ban on homosexuality. In fact, there's no definition of marriage as between a man and a woman, strictly speaking. One person becomes the wife, one person becomes the husband. But at the same time there's no national legislation protecting LGBT people from discrimination, and there's no legal recognition of marriage equality. It does seem rather contradictory.
- Claire Maree: It opens up a lot of pockets for people to actually be expressive and creative. But it also opens a lot of pockets, where it's very difficult for people to talk about their issues on a day-to-day basis. Because the thing that you come up



against is, it's not as if you can't have sex with someone. It's not as if you're going to be persecuted for that. And I think that really shifts the discussion in a very strange way, because of then it becomes very difficult to highlight the difficulties.

Claire Maree: So homosexual acts - sodomy - is not, for example, illegal. But that doesn't mean that people have equal access to rights and responsibilities. So when we try and explain it, we have to talk about a lot of quite complex things to actually have people understand a little bit about what it is to live in that situation, I suppose.

Ali Moore: Akiko that situation that Claire has just outlined, to what extent is that inextricably linked with how Japan defines family and the family registration system?

Akiko Shimizu: What is important in Japan, when we talk about family, is the succession of the family or lineage. So in an extreme case, this is really not about a moral, or what one should do or shouldn't do about one's own desire, or about one's own erotic or sexual or emotional partner. What counts is whether one leaves a son behind or not. Well, sometimes it's a daughter as well. But someone who would inherit, and if someone who would carry on the lineage.

Akiko Shimizu: So that's the whole point about family register. The family register is something that puts a family before individual, and actually a nation before a family.

Ali Moore: So a same-sex marriage simply cannot be part of that, because they cannot produce a child.

Akiko Shimizu: Exactly, exactly. The same-sex marriage is not recognised, because it is seen as disturbing that family lineage. Whereas as long as a man is having sex with his wife and having a kid, especially a son, whether this man has emotional or sexual relationship with other men, no matter how many there are, outside the family, it really doesn't matter. It doesn't count at all.

Akiko Shimizu: So that's the thing that complicates the issue in Japanese situation, because, especially if you are a man, you are in a way free to do lots of things. But at the same time you are very, very strictly required to perform a very certain task as a man, or the child of the family.

Ali Moore: So you're free to do things, but not to have them legally recognised.

Akiko Shimizu: No, no, no.



Ali Moore: And in fact Claire, you've written about this family registration system is, you write, "It delineates the contours of citizenship, access to rights, privileges and obligations set by the state in all areas of social life." Is it going too far to say that this system is essential to Japanese national identity, at least as far as the government sees it?

Claire Maree: I think from my point of view, that's fairly crucial to say that it's- [crosstalk]

Ali Moore: As a non-Japanese person.

Claire Maree: Well, yes. As a non Japanese person. That it's quite central to the way that the society forms. Because the way that the family is configured, and who is recognised legally to be part of their family, is tied to the registration system. That being said, there are also possibilities of people moving in and out of that system, through things such as adoption. And it's not entirely impossible for someone who was not born of Japanese parents to become a Japanese person, in terms of becoming a national.

Claire Maree: And part of that is tied to the family registry. It's only Japanese nationals that are on, officially, part of that register. That's where it ties into the state in that way. So the rights that are given to defacto couples, they are still not the same leverage that is given to legally married couples. For some people it's just important to actually have that marriage there, regardless of how it actually is between the people themselves.

Ali Moore: So this registration system is inherently conservative, is it not? I mean, as I understand it, you must register in the same name. It doesn't say that the woman must take the man's name. It could be the man takes a woman's name, but there must be a single name as part of the family.

Claire Maree: That's right. Yeah. Everyone on the same register must have the same family name. Some women in their business life retained their name, but they are technically required to change and have the same family. Some men do take on the wife's family name as well. It's a small percentage, but that does happen. That's part of the structure and the idea, that Akiko was talking about before, of the lineage. That's what's very important. So if there is not a son who can carry on the family, then the wife's husband may be called on to fill that role. So that's an important part of it as well.

Claire Maree: But it's really interesting, because within that system itself there are also these very creative pockets. Where you can, for example, if you are Japanese nationals and you have a slight different in age, adopt each other as well. Which I- [crosstalk]

Ali Moore: You can actually adopt a sexual partner?



- Akiko Shimizu: Yes.
- Ali Moore: That is permanent though, isn't it? Even if the relationship does not survive, the adoption will continue to exist.
- Claire Maree: As it stands at the moment, if it dissolves, you can move in and out of this registration system. It's very different to the kind of papers that we have. If you have moved out, you can't reenter it. But that kind of relationship of having been within a parent and a child relationship, does not dissolve so that then you can become married.
- Ali Moore: It's a very unusual way of getting around the structures.
- Claire Maree: Actually, adult adoption is something that happens in other jurisdictions as well, it's not just Japan. It's just that a lot of people don't actually know about it.
- Akiko Shimizu: That's very clever though.
- Claire Maree: It is clever.
- Akiko Shimizu: I always love how clever it is. It's inherently like completely disrupting the system from within.
- Ali Moore: Following the rules, but disrupting the system at the same time.
- Ali Moore: So if this registration system helps to explain some of the official views, how does that sit with the fact that nationally, we don't have legality for so many things that are key. But at the local level, authorities have taken action. I think it's more than 20 municipalities, that have granted legal recognition to same-sex couples. How does that work, that the local can be so different to the national?
- Akiko Shimizu: One thing that I would like to stress first, is that in order for this like so many cities and towns do actually try to recognise the same-sex partnership, there have always been lots of people working really hard to get that happen. Because they think that even if it was a symbolic recognition, some formal recognition might help people living with a same-sex partner.
- Akiko Shimizu: Having said that, the whole point of this local same-sex partnership is that it is really symbolic. It doesn't really have any legal bindings.
- Ali Moore: So municipal laws are completely subservient to national law.



- Akiko Shimizu: Exactly. For example, like a city or a ward could say that, "Well, okay, we recognise you two as a couple." But it is just that, they recognise them as a couple. Sometimes they might say things like, "Well, so you could actually apply for... like a public residency? [crosstalk]"
- Claire Maree: Yeah, public housing.
- Ali Moore: Public housing.
- Akiko Shimizu: Public housings as a couple. Whereas before, sometimes same-sex couples are not allowed to even apply for it. So that's a good thing. But at the same time, it doesn't really recognise them as a married couple. So you really don't have inheritance right. You do not have, for example, partners visa, just because you're married and your city will recognise you as a partner if one of you is not Japanese national.
- Akiko Shimizu: In a way it is easier for the local government to say that they recognise same-sex partnership, because that wouldn't affect the family register. And the family register is the whole point. It is something that the conservatives - moral and religious conservatives, will do anything to protect. Whereas they might feel offended and they might do something against the local recognition of partnership, but at the same time they know very well that it's not about the family register.
- Ali Moore: So in other words, they can almost allow that to happen. It's a releasing of steam, if you like. Then just split that be, because it doesn't really fundamentally change the fabric.
- Akiko Shimizu: In a way, yes. I'm not saying that's the intention of the people involved, and that's a very important distinction. That's not necessarily the intention of the people involved, but that's definitely one of the big effect that I think it's having.
- Ali Moore: Claire, though, if we continue to look at what local governments can do, if we look at the bill passed by the Tokyo Metropolitan Government just last year, which prohibits discrimination on the basis of sexual orientation and gender identity. How does that fit into a national context, where there's no protection?
- Claire Maree: It's really important to configure that also within the discourse around the Olympics and Paralympics as well. Because with the change to the Olympic charter and the inclusion of sexual orientation as a term within the provision of rights... So it's added on top of, for example, race, ethnicity, region, gender and other things. That was because of the situation around the Sochi



Olympics, and as the global environment, which was really highlighting the need to think of LGBTQIA in that context more globally.

Claire Maree: So as the host city for the upcoming 2020 Olympics and Paralympics, the city is fairly much bound to honour that. Within that, making the city a welcoming city, a tolerant city, aware of difference, aware of diversity. One of the ways of doing that is also to instigate something that has the flavour of being an anti-discrimination clause within the municipality of Tokyo. Which is a huge city populated by millions of people, wide range of people with different interests.

Claire Maree: But for the actual Tokyo local government to push that through and to say, "We are a municipality that appreciates, recognises and celebrates difference." Within the kind of local political context, this is happening when a very vocal anti-LGBT voice and a very vocal anti-Korean, South Korean voice. A very ableist voice within the parliament is also very vocal, and advocating for a greater attention to be put on rights claims from LGBT people, which she has configured as overstepping the mark.

Claire Maree: So the very localised context, of the political context of the conservative right, making claims that it's all going too far. And the pushback from the, "We are welcoming of diversity, We are the diverse city," which is the slogan. And the rebranding of that for the Olympic and Paralympics, I think it's really important to understand that context.

Ali Moore: So what happens if someone takes that legislation, and uses it as an opportunity to challenge the status quo? If there is, for example, a same-sex couple that wants to access to the rights of property, that sort of thing. I mean, could they not use that legislation to challenge. It is there.

Claire Maree: That legislation itself-

Ali Moore: Is anti-discrimination.

Claire Maree: Yes, but it is also based at the local level. So it's not the federal level.

Ali Moore: So again, it goes back to symbolic only.

Akiko Shimizu: Sometimes it might work, but if you actually carry it in the court, and if you go to the Supreme court, that will be at a national level. So at the end of the day, the national government should be doing something about it. Only then, the anti-discrimination registration, for example, in Tokyo might actually really work. I'm not saying that's not effective at all, but at the same time, there is always this like a big wall that could stop the process at any time.





Claire Maree: One way of perhaps conceptualising that, is the cases that have been brought by women so that there is no need to change their surname when they enter into legal marriage, have consistently been rejected by the Supreme Court. As recently as a year and a half ago. So it's very difficult, that kind of "Let's campaign, and change the legislation," doesn't work in the same way as it might work in Australia.

Claire Maree: That being said, there is at the moment across Japan, a concerted effort to lobby for marriage equality. There are court cases that are happening in the moment, with couples bringing cases to their local courts for marriage equality. That's kind of a very clever campaign that's been orchestrated across the whole of the archipelago. And different couples in different municipalities have said yes, they will participate in that to raise awareness, to test it out-

Ali Moore: So, even if they lose it's more about putting the issue on the agenda.

Akiko Shimizu: Yes, yes.

Claire Maree: Also, seeing what room is there to move? It's still unsure what room there is to move. Some scholars think that yes, this can be done. Others are a lot more critical, and perhaps conservative, in how much they think it's going to make a change. But there is still energy there, and there are a lot of people campaigning around that space as well.

Akiko Shimizu: Actually they are, I mean some of them are actually winning some sorts of rights, at least at the local court level. For example, this is not a very encouraging or happy story, but some people with former same-sex partners, they had their domestic violence case actually recognised as a domestic violence. Even though the partnership itself, is not recognised as marriage. So the court actually recognised it in a negative way, rather than positive way.

Ali Moore: But it's better than not recognising.

Akiko Shimizu: Yeah, better than not recognise it at all, exactly. And also there was a case a little bit while ago, where there was a visa was recognised as de facto, in the same way as the defacto marriage partners visa might be recognised. So it might be turned around in the Supreme court, but we have actually one court decision that says that, well even if you are not a legally married couple, if you are together for quite a long time, you might be able to get a partner's visa, similar to something like a spouse visa, for the same-sex partner as well. Which could be turned down, like I said, but at the same time it's a huge step forward. So they are actually gaining something in a court.



Ali Moore: You're listening to Ear to Asia, from Asia Institute at the University of Melbourne. I'm Ali Moore and I'm joined by Professor Akiko Shimizu of Tokyo University, and Dr. Claire Maree of Asia Institute. We're talking about the evolving state of play around LGBT rights and activism in Japan, as the country gears up for the summer Olympic and Paralympic games, which will be held in Tokyo in 2020.

Ali Moore: Claire, you talked about uncertainty around how much room to move there was at the moment.

Claire Maree: Yes.

Ali Moore: Let me ask you about the view of Japanese people towards the LGBT community. For want of a better way of looking at it, what do the polls tell you?

Claire Maree: Well, we don't really have many polls. That's probably the first thing that's very telling. Akiko and I have been involved in a lot of work in the field of queer theory, queer studies and networking across universities in Japan, to provide spaces for younger scholars and also for our own research. A lot of that is also tied up to getting an understanding, because we don't really have much data about that.

Claire Maree: So one of the teams within that project has done some survey work, quite robust. And there's an interesting mix in acceptance, it's seemingly to be accepted. But also a feeling as, as long as it's not kind of too close, as long as it's not my daughter, as long as it's not my son and as long as it's contained, there is this feeling of it's okay-ness around same-sex relationships.

Claire Maree: In terms of transgender rights and recognition and acceptance, there is a niche pocket of the Japanese entertainment, particularly on television, also in live theatre, that has always celebrated a kind of personality who we might in Australia refer to as transgender. Whether the performers themselves identify as that or not, is something different.

Claire Maree: So people are used to seeing that in the media, but not in the workplace. There's a division of where it is acceptable, consumable entertainment. And when it impinges on me, my family and my workplace is where things tend to get a little bit messy, I think. Yes.

Ali Moore: While we're on transgender, the official attitude towards transgender people is quite harsh, isn't it? I mean, gender identity disorder.

Claire Maree: Yes.



- Ali Moore: You must be officially diagnosed actually with that.
- Claire Maree: Exactly. Yes, yes. And there's also been campaigning around the right of an individual to their body. Unfortunately, the current laws have not been changed too much, to enable people to register their gender without intrusive surgery if they don't wish it. But there are, you must not be currently married. You must not have children who are under the legal age, they're not adults yet. And you must have had, what is called in Japan, the reassignment surgery. So that you look as if you are the agenda, that you are claiming your identity to be.
- Claire Maree: Of course the lived experience is not whether you look like it, you have always been that. For many transgender people, that is their life. That is how they wish to be appreciated and understood. But there are still very clear, set, legal requirements, and a process of going through a huge medical intervention which is very expensive, it's difficult to access. Not all people want to do it.
- Ali Moore: Akiko, just returning to the issue of views of the Japanese community towards LGBT people. I did read one survey. I understand what Claire says, that there really hasn't been a lot of surveys done. But this particular survey said 72% wanted to see stronger legal protections for LGBT community members. Of course, that's an incredibly broad thing that you tick a box for. What exactly does that mean? And another finding was, 78% expressed approval or likely approval of same-sex marriage.
- Ali Moore: Do you think those numbers, which sit around the three quarters of the population being in favour, do you think that is a fair reflection? Or do you think that there is this real underlying conservatism, and if it's over there it's okay, but not too close to me?
- Akiko Shimizu: Well, the survey that Claire was talking about, it shows very clearly that exactly as far as these things are happening to someone else, Japanese people are quite accepting and tolerant. But they surely do not want their family members, or sometimes even their neighbours, or sometimes even their coworkers to be, for example, gay or lesbians or to be a transgender.
- Akiko Shimizu: Depending on how you actually put the question in a questionnaire, and how you interpret it when you're answering it, maybe yes, 70-something percent of Japanese people are saying that, "It's okay. It's okay, they have the right to be happy together," and stuff like that. But it's, "They have the right to be happy." It's not my son or my sister or my father. It's always they. So that's their difficult thing.



- Claire Maree: Yeah. I think a lot of the what becomes reported in the English media, is also surveys that have come out of a non-robust method of sampling.
- Ali Moore: Yes, yes.
- Claire Maree: So it's really quite difficult, because that's actually being circulated a lot through the media in Japan, the Japanese language media as well. Which is what the team that was working on projects that we've been doing, was trying to raise awareness about- [crosstalk]
- Ali Moore: Saying, this may not be accurate. This is not necessarily accurate.
- Claire Maree: We have to say that we don't really know. And until we can do really accurate sampling, then these figures we have to treat them with caution.
- Ali Moore: What about the LGBT community itself, in Japan? To what extent is it united in its own demands for change?
- Akiko Shimizu: In a way, the idea of LGBT community actually I think entered in Japanese society somewhere around late 1980s to mid 1990s. Before that, we always had some communities and some activists. But lots of the time, a gay man are working their thing, and the lesbians most of the time are working with feminists, if they are working. And transgender people back then, they weren't identifying themselves as transgender. Some of them were just working in a, what Claire called "niche" area, and other people were working with gay guys.
- Akiko Shimizu: So from the beginning, it's not like we had the same agenda. And- [cross talk]
- Ali Moore: So, many walks of life, many different people, as you would- [crosstalk]
- Akiko Shimizu: Yes, exactly. In the mid '90s, there was an effort trying to unite those different agendas, and make LGBT community, and make some political demands and stuff like that. Some actually have worked, some didn't. But the big thing is, that around the turn of the century, we had this law regarding the change of gender identity in the family register system. That's something that Claire was talking about. You shouldn't have a child. You're not supposed to be married.
- Akiko Shimizu: And that was, in a way, a great news for some of the transgender people back then. Because they could legally be recognised as men or women, as they wish. But at the same time, it was very, very clear back then that some of the restrictions were there to avoid having same-sex marriage.



- Akiko Shimizu: For example, if you were born as a guy and if you're already married to a woman, and if you dislike that you want to change your gender because you actually feel like a woman. If that is allowed [inaudible 00:29:10], that means that the family register would have a wife and a wife. That was never acceptable- [crosstalk]
- Ali Moore: So you have to divorce, before you-[crosstalk 00:29:17]
- Akiko Shimizu: ... to the Japanese government. So you have to divorce. That's when, actually I think the community was quite divided between the transgender line. Not just transgender, and gay and lesbian people. But among the transgender people, that some of them are saying that this is not something that benefit us. Some are saying that we should take what we could. I think both had to some extent, points back then.
- Akiko Shimizu: But that's always the case, I think, in Japan. We had always very divisive issues, especially when it comes to family register system, again. Because even now, with the same-sex marriage thing, some of the gay guys very happy to have the marriage recognised. Whereas some of the lesbian who have been working with feminists for a long time, they recognise marriage system itself as oppressive to women, especially in this country.
- Akiko Shimizu: So they do not feel particularly feel comfortable just being allowed in, because the whole family system is actually oppressive to women. So there are always these kind of a division between men and women. [crosstalk]
- Ali Moore: There's no clear political agenda then?
- Akiko Shimizu: No, I think in the 1990s, mid- where there was a lot of cultural work that was done around, for example, we had the first Tokyo lesbian and gay Pride Parade. It wasn't called Pride then, and it was lesbian and gay. There was a way of formulating it so that also women will on the agenda, lesbian identified women. Also there was a lot of work within the women's communities around the rights of bisexual women, and raising awareness and visibility.
- Akiko Shimizu: Also around that time there was a lot of work around transgender issues, gradually building up to the 2000s. There are things that continue today in that cultural space, such as film festivals, marches have graduated to different parts of the country. There was a lot of working across perhaps, differences. But a large section of what we might call traditionally the lesbian community, also have affiliations with feminism. And a large part of what we might call the gay community, has affiliation with a very masculinist patriarchal structure.



Akiko Shimizu: It's like anywhere. The gender where you associate your issues, is very different depending on how you are one, categorised, and also how you identify. There was work across divisions and differences in the 1990s, there were many things that emerged from that. But it's not like there's one monolithic community.

Akiko Shimizu: The other thing is, that political activism is also, in a certain way, considered to be a little bit, if I want to use an Australian term, daggy. Not cool, not hip, not with it. If you're trying to be a cool, hip person living in a cosmopolitan city, you often don't want to be associated with placards and calling for rights.

Akiko Shimizu: How you then move in that space, can be a little different. You can be a little bit strategic around that as well. You can be cool and hip, and have political agenda and do it in certain ways. So there are layers of different things, and there are nonpolitical impulses as well. Consumerism, all kinds of things.

Akiko Shimizu: In regards to women's communities, lesbian communities, lesbian and bisexual women's communities, the push of the registry in the way that it configures the family, to survive as a woman without being legally married opens up a whole new area of challenges. Also, class comes into that, region comes into that, so it's not a one situation, everybody facing the same difficulties.

Akiko Shimizu: But there are women who have great difficulties, of being able to live their life as an independent woman. Because of the way that not being part of a family means that they can't access certain services. They can't get full-time employment, continuing. Women are often expected to go into the family, and take on the part-time job roles.

Akiko Shimizu: So women actually having careers, being able to explore that, depending on where they are and region, if they're not living in central large cities, is also difficult. Understanding about that is not something that everyone who identifies as LGBT, or whatever it could be, shares.

Ali Moore: What about the role of the corporate community? About how big business views the queer community in Japan? Do they see it as an opportunity? Are they supportive? Are they active in social issues like this?

Akiko Shimizu: Some of the companies would like to be seen as supportive. Basically, that means that some of the big companies, especially global companies, they like to put on corporate booth in queer festival in Tokyo. But beyond that, I'm not completely sure. There are people working within big companies or small companies, trying to raise awareness, trying to increase their rights in the company.



Akiko Shimizu: But I do not really know many companies, who are actually spending a lot of money to the community itself. So like helping out youth, or helping out LGBTQ+ people with, for example, disabilities, people who might not have enough income to support themselves when they're kicked out or whatever. In that sense, I don't think companies are that much supportive off the community.

Akiko Shimizu: But at the same time, like I said, global companies and that also includes Japanese-based global companies, they would like to be seen as supportive of LGBTQI+ issues, especially outside Japan. So they would try to keep up that front. That actually opens up a small room for negotiation for the activists or the people in the community to try and get some money or get some support out of the company itself.

Akiko Shimizu: But at the same time, we are suspecting that after 2020, after the Tokyo Olympics and Paralympics games, the situation might change a little. So, some company might start thinking that LGBT issues are a done deal, and they might want to move on to something more cool, something more recent, new, trendy issues.

Ali Moore: I want to finish off with a look at, I guess, the longer term impact of the Olympics on the challenges facing the LGBT community. But just before I do that, Claire, your view on the corporate perspective.

Claire Maree: LGBT as a term, really entered strongly five years ago through things like raising awareness in the corporate space, tapping into what we're branded as markets. The rainbow market was being sold as this unexplored avenue, that corporates can perhaps look to in a declining economic situation. So there were this idea of markets opening up, and being able then to perhaps provide services, different kinds of goods for people who may be LGBT.

Claire Maree: Now the thing is, in that alphabet mix, there are a lot of different people. So what that actually means is quite strange. But at the same time it's pushed forward this idea that there is an LGBT group, or there's someone who identifies as LGBT, the whole spectrum, which is quite interesting in itself. So it enables people to brand and to sell, in a quite ambiguous way, to a niche market. A lot of people are quite happy, that they now perhaps have greater access to rainbow goods and services.

Claire Maree: So insurance companies opening up and saying, "Yes, we will recognise that you may have a partner." Different social responsibility groups within large corporations, doing training for their employees. I mean they were all, on the scale of good or bad, very good things. How far they will go in terms of legacy, the legacy of the Olympics and Paralympics is a big part of the Olympic story.



- Claire Maree: But I think what we see again and again, is that often it fizzles out. Without trying to be overtly negative, having been involved for quite a few decades, booms come and they bust, and then it's the next boom. It's a very strong reoccurring theme within the Japanese media space, corporations. The new thing will be the thing that sells.
- Ali Moore: At the same time though, we talked earlier about the nondiscrimination clause under the Olympic contract, about the anti-discrimination law that the Tokyo government introduced last year. When you look at those sorts of changes, when you look at "the boom" as you call it, at the moment, do you think that in the long term the Olympics will be positive or negative for advancing the rights? I mean at the very least, does it lift the focus?
- Claire Maree: I think it does lift focus, and raising visibility is often seen as a very positive thing. However, visibility, if we're talking about it through a queer theory framework, visibility is also a very, very tricky thing. Being seen and having rights acknowledged, is completely not the same thing.
- Claire Maree: I suppose the thing that Akiko was saying earlier, is that these are not binding. They have no legal binding. It's the same with the anti-discriminatory clause from the Tokyo Municipal Government, as well. I don't want to sound too boring, but if we go back and look at the gender equality framework as well, there are these things that are introduced but they are nonbinding.
- Claire Maree: There comes a time where everyone says we have to initiate more clauses, more steps so that these are binding. So that if the corporations do not follow what is set out in these guidelines, there are some repercussions. That, if we look at the way that gender equality has gone, has not panned out perhaps, the way that people might expect it to. It's- [crosstalk]
- Ali Moore: So does that mean that in the Olympic context, there is, in your view, a real risk. That this could set the fight for rights backwards. Because the national government can point to these local municipal changes, claim credit, and avoid the really big questions of what needs to change at the national level?
- Claire Maree: I think because it's fundamental change, that has to happen. It's something along the lines of in 2010, when a lot of the laws in Australia were altered. So that, all of a sudden, regardless of your sexual orientation or who you are in a partnership with, your rights were recognised over a sweeping legislative kind of milieu. Of course there were still things that needed to be done.
- Claire Maree: But unless the same kind of thing happens, then the actual real change is one, very difficult to see, and two, is maybe going to be difficult to argue for.





- Ali Moore: Akiko, do you think the Olympics' positive or negative for advancing the rights?
- Akiko Shimizu: I do not think it is outright negative, and I hope it is not. But at the same time, I can't be too optimistic about it. Because we have, like Claire said, we have seen lots of nonbinding laws put up, and then just almost like forgotten.
- Akiko Shimizu: One thing that I'm worried about is that, where's the women's rights or gender equality. When we had that movement before in the mid to late '90s in Japan, it really wasn't as effective as lots of feminist movements people were expecting. But what it did was, it actually brought a huge backlash against women's movement and women's rights in general.
- Akiko Shimizu: We have been witnessing already, some extreme conservatives started to very clearly argue against what they call "extreme LGBT rights". That's the term that they call it. That actually is, in a way along the line with the current national government. They are not actually saying it out loud, but that's the line that the current national government has been taking.
- Akiko Shimizu: I'm worried that after 2020 Olympics and Paralympics, when the national government does not have the strong reason to put up the front, there could be some backlash. We will have to, I think, be prepared to sort of fight it.
- Claire Maree: Yeah, I think the backlash discourse is happening globally as well. We've talked a lot about marriage equality, but marriage equality is not the be-all and end-all of all of the intricate complex issues around sexual orientation and gender identification, as well. I think that in that framework there's a lot of work to be done. There are a lot of positives. There's been a lot of changes. There are a lot more people, who feel more comfortable being able to express themselves in their everyday life in Japan. But that doesn't mean that it's necessarily the best that we can do.
- Ali Moore: It will be absolutely fascinating to reconvene, and to talk to you both again once that Olympic roadshow has left town. [crosstalk] And to see just exactly what the lasting legacy is. An enormous thank you to both of you. To Akiko for joining Ear to Asia, and for Claire for coming back. Thank you very much.
- Claire Maree: Thank you very much for having us. It's been wonderful.
- Akiko Shimizu: Thank you very much.



Ali Moore: Our guests have been Japan Queer Studies experts, Professor Akiko Shimizu from Tokyo University and Dr. Claire Maree of Asia Institute. Ear to Asia is brought to you by Asia Institute of the University of Melbourne, Australia. You can find more information about this and all our other episodes, at the Asia Institute website. Be sure to keep up with every episode of Ear to Asia, by following us on the Apple podcast app, Stitcher, Spotify, or SoundCloud.

Ali Moore: If you like the show, please rate and review it on Apple podcasts. Every positive review helps new listeners find the show. And of course, let your friends know about us on social media.

Ali Moore: This episode was recorded on the 16th of October, 2019. Producers were Eric van Bommel and Kelvin Param of profactual.com. Ear to Asia is licenced under Creative Commons, copyright 2019, the University of Melbourne. I'm Ali Moore, thanks for your company.