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LGBT rights in Japan

# Homophobia that has exposed more than 300 people to sexual violence for decades

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**In July 2019, Johnny Kitagawa, one of Japan's leading entertainment promoters, music producers and founder of top talent agency Johnny & Associates, died. A huge farewell party was held after his death. Then-Prime Minister Shinzo Abe sent a telegram of condolence, praising the "achievements" of the deceased. Later, in March of this year, the BBC reported on years of sexual violence against boys by the late Johnny Kitagawa in a story titled "Predator: The Secret Scandal of J-Pop".**

The broadcast of the program attracted a great deal of attention in Japan. After the BBC report, several people from Johnny & Associates began to speak out about the sexual violence they had suffered. Major Japanese media also began to cover the story, publishing a video and written apology from Keiko Fujishima Julie, president of Johnny & Associates. Later, the president of the company resigned. This was an unprecedented case of sexual violence, with a single perpetrator sexually assaulting an more than 300 people for decades. Many of the victims were underage males. Yet for more than half a century, Japanese society remained silent about this unprecedented case of sexual violence.

## History and major obstacles to punishment

Rumors and court testimony about Johnny Kitagawa committing obscene acts against the male talent in his office have been around since the 1960s. However, they were only reported by some Japanese publishers. In 1964, Johnny & Associates was taken to court for the indecent assault of a student by Johnny Kitagawa. At that time, the sexual abuse by Johnny Kitagawa was reported in some weekly magazines and became public, but it coincided with the taboo against homosexuality at that time. Accusations of sexual violence by Johnny Kitagawa did not stop after the late 1980s. Victims continued to publish books of accusations. Although they were reported in weekly newspapers, they never became criminal cases. And the damage caused by sexual violence continued to grow while victims' allegations remained unaddressed. For decades, there was a deliberate silence about this grave sexual violence. There was a widespread feeling in Japanese society that sexuality did not matter much. Furthermore, the fact that it was same-sex violence and that the victims were male was an obstacle to clarifying the reality of the situation.

Until recently, there were major obstacles to punishing sexual crimes against men. In Japan, until 2017, "rape" only included sexual intercourse with women. The 2017 law changed "rape" to "forcible sexual intercourse," and also criminalized sexual violence against men. Although there were criminal laws against indecent assault and battery, it was not punished as severely as rape. The perpetrators exploited the loopholes in the law and continued to commit the crimes deliberately. This incident is an unprecedented sex crime in recent years. Strangely, however, the police and prosecutors have not acted at all. There have been cases in other countries where investigations were conducted after the perpetrator's death, but they do not even explore such possibilities. In this case, the special situation of the country stands out. Japanese society is extremely lenient when it comes to child abuse. One reason for this is the underdevelopment of social movements to prosecute child abuse. What is even more extraordinary is that none of the media outlets involved in this child abuse, their affiliates, their financiers, or the male talents who tacitly condoned the abuse have yet to face any social sanctions.

## Problems in prosecuting sexual violence

Nevertheless, there is no doubt that the situation is moving in a "better" direction than before. At present, most of the Japanese media are trying to report and follow the case properly. However, there are limits to the coverage. The problem of sexual violence is too much an individual one. If we look at this problem as an individual versus individual battle, it will be difficult to see the industry or broader societal problems that lie behind it. The stereotyping of both victims and perpetrators has distanced the issue itself from the public eye. We need to look at the fundamental structure of Japanese society, not just the individual versus individual problem. In committing sexual violence, the perpetrator makes a decision about whether or not to carry it out. In this case, the situation lasted for decades, and the sexual violence continued unabated until the perpetrator's death in 2019. During this time, society and those around the perpetrator effectively gave him permission to commit sexual violence.

This case is also about sexuality and homophobia. Furthermore, because the problem has been going on for almost 60 years, it is necessary to look at the issue from an even broader perspective. Sexual harassment and sexual violence perpetrated by men used to be considered minor in Japanese society. Not long ago, it was very difficult to obtain human rights remedies in rape cases in Japan. In such a society, there was also a general and unfounded notion that only women were victims and that men should not be victimized. And the victims themselves were forced by society as a whole to agree with such a tendency. And the men who were victimized were further blamed by society for being "unmanly. In the context of this trend, it has even been said that only young women are victimized, and that they are victimized because they expose their skin. In reality, sexual violence occurs regardless of gender, age, or skin exposure. Victims are further tormented by these unfounded discourses because of the gender stereotypes and homophobia that dominate Japanese society. Sexual violence, whether same-sex or opposite-sex, should be criminalized.

## Homophobia that prevented them from pursuing the issue

This case challenged everyone's position on the issue of gender and sexuality. The "responsibility of the media" is often mentioned in this context. But the media can only do so much when it comes to sexual violence and crime. The police and the courts are there to judge these crimes. Holding them accountable for their actions is what the media should be doing. However, the homophobia that pervades Japanese society has slowed the media's pursuit of this issue. The media itself has also insulted homosexuals, either to curry public favor or for commercial reasons. And they have reproduced gender and sexuality orders such as hetero-centrism, cis-centrism, and homophobia.

The victims of homophobia continue to suffer. Homophobia is deeply rooted in Japanese society. First of all, homophobic racists view the homosexual group as "strange people" who only think about their sexuality. All same-sex sexual acts are considered "perverted", and even the victims are treated as "perverts". The perception of violence is absent. Society's view of same-sex sexual acts as a "special hobby" that has been singled out and separated from the rest of the world has covered up the problem and left it unaddressed. And the sense of disregard for same-sex violence suffered by men has continued to permeate society as a whole. While this case has been neglected for a long time, the homophobia of Japanese society has kept the victims in a corner. The case should not end with a superficial search for individual responsibility. Even today, victims of sexual violence are being questioned in minute detail by the press. Curiosity is mixed with unconscious gender bias and prejudice against homosexuality. This attitude in the reporting, and the perception that prevails in Japanese society in general, has as a result fueled prejudice and discrimination against homosexuality. There is nothing wrong with the victims. Is there anyone who dares to be a victim?

On October 17, Johnny & Associates changed its name to "Smile-Up." However, the truth about the unprecedented case of sexual violence has yet to be fully investigated. This incident was a crime before any discussion of homosexuality or heterosexuality. This incident also highlights the deep-seated social structures in Japan that cannot

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be changed, as well as the problem of how gender and sexuality are perceived by the Japanese media.

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