

Sexual Violence and Gender Inequality in Japan

By [Prof. Machiko Osawa](#)

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Abstract

Raising awareness about the extent of sexual violence in Japan and the damage inflicted on individuals is essential to change the status quo.

This article draws on quantitative and qualitative data to reveal the reality of sexual violence and victimization, which has been poorly understood and largely ignored in Japanese society. The quantitative data is drawn from a landmark 2022 survey of sexual victims conducted by NHK that collected over 38,000 responses. Raising awareness about the harm caused by sexual violence is necessary, but not enough. It is a scourge that is symptomatic of Japan's patriarchal social system where attitudes, norms, values, and practices render many people marginal and vulnerable to abuse. This includes the social norms of "masculinity" and "femininity," the education system, the labor market structure, and a tax and social security system based on a division of labor that reinforces a strict division of gender roles.

Due to the harmful consequences of widespread sexual violence on people and the economy, it is incumbent on the government to offer more support for relevant services, especially civil society organizations that have been playing a key role in helping victims. In this pivotal transition from ignoring to addressing sexual violence, it is also essential to engage the police and judicial officials in ways that enhance sensitivity towards victims, and to take actions that increase accountability.

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Johnny & Associates, a Japanese talent agency, stands condemned for turning a blind eye to the sexual assaults committed against hundreds of aspiring boy prodigies by its founder,

Johnny Kitagawa, who died in 2019, age 87. Although the company belatedly acknowledged the assaults, apologized to its numerous victims, and promised financial compensation, the revelations have indelibly tarnished its reputation and rendered it subject to a torrent of criticism for doing too little, too late. For a company that is in the PR and marketing business, nothing has exposed its core incompetence more than this sad saga of grudgingly, incrementally responding to the appalling crisis, thereby heightening the damage and reinforcing growing perceptions of its professional irresponsibility and heedlessness about the damage inflicted. The firm's tardy name change announced in October 2023 to "Smile Up" invited more criticism for seeming to make light of the traumatic experiences of many men who find little to smile about due to the protracted trauma they suffer.

Overall, Japan lags G7 norms on issues related to sex and gender, but the government, lawmakers, business, and the general public are pressing for more robust action against sexual violence and abuse. Brand damage by association is driving a 'Who's Who' of blue-chip firms to sever ties with a company that did nothing about its founder's known predatory behavior over several decades. This complicity is a legacy that is isolating Johnny & Associates, a company that was once able to leverage its power to intimidate critics and victims, and yet now finds itself in an unforgiving spotlight (McNeill 2023).

Although it may be convenient to pin the blame on Johnny & Associates alone, the media shares responsibility for the collective averted eyes approach to this heinous behavior. Despite several chances to bring this to the attention of Japanese society, the Japanese media remained largely silent about this systematic violation of human rights. This silence added to the pain of Johnny's victims. When *Shukan Bunshun*, a weekly magazine, broke ranks by publishing a series of articles in 1999 and 2000 about Kitagawa's rampant sexual abuse, Johnny & Associates sued for defamation (Asahi 2023). The Tokyo district court ruled that the allegations of sexual harassment were not factual. Subsequently, the Tokyo High Court recognized the sexual harassment, and this ruling was affirmed by the Supreme Court in 2004. Yet it is the initial ruling that attracted attention while the reversals on appeal attracted very scant newspaper coverage, and no TV stations reported about the cases. Although this sordid scandal then became public domain, no Japanese media company investigated the credible reports of sexual abuse. It took the BBC documentary *Predator: The Secret Scandal of J-Pop*, which aired in March 2023, to goad the domestic media to investigate a scandal that was hidden in plain sight and acknowledge having remained silent too long. This media coverage has improved the context for all victims of sexual abuse and played a role in the government revising the rape law in 2023.

Nonetheless, the "rape myth" persists in Japan, meaning that there is a widespread assumption that the victims of rape and sexual assault are at fault. This institutionalized skepticism helps explain why only 5% of victims make a report, of which then police record only about half, denying them judicial recourse (Ito 2019; Johnson 2022). This patriarchal complacency about rape and sexual assault means that when someone is raped or violated sexually in some other way, that individual suffers both shame and self-doubt. As a result, a vicious cycle of silence, shame, unawareness, and inertia continues to allow this hidden plague to flourish.

Making Violence Against Women Visible

Raising awareness about the extent of sexual violence and the damage inflicted on individuals is essential to change the status quo. My new book (Osawa 2023) discusses the myth of rape in Japan and uses quantitative and qualitative data to reveal the reality of

sexual violence and victimization, which has been poorly understood and largely ignored in Japanese society. The quantitative data is drawn from a landmark survey of sexual victims conducted by NHK between March and April 2022 that collected over 38,000 responses. The qualitative data draws on information collected at a One Stop Sexual Violence Center operated in the Red Cross hospital in Nagoya by Nagomi, a local NPO, where victims can report the crime, get examined by forensic nurses, treated by physicians and psychologists, and connected with available social services.

Raising awareness about the harm caused by sexual violence is necessary, but not enough. It is a scourge that is symptomatic of Japan's patriarchal social system where attitudes, norms, values and practices render many people marginal and vulnerable to abuse. This includes the social norm of "masculinity" and "femininity," the education system, the labor market structure, and a tax and social security system based on a division of labor that reinforces a strict division of gender roles. This patriarchal system explains why Japan is ranked 125th in the World Economic Forum's gender equality ranking in 2023. Here, I summarize the main arguments in my book about recent signs of change regarding policies and laws concerning sexual violence in Japan.

Pandemic Impact

The COVID-19 pandemic engulfed Japan in early 2020 and a national emergency was declared in April of that year. Japan did not impose draconian lockdown regulations, but did urge people to stay home, telework as much as possible and refrain from going out. This policy thrust households into the unusual situation of prolonged contact, often in cramped apartments, isolated from relatives, friends, and colleagues. This isolation was a hothouse for domestic violence (DV) and sexual abuse. In addition, many teenage girls sought an escape from this "family hell" through social media, putting them at risk of encounters with online predators.

The National Women's Shelter Network (NWSN) was called on to ramp up consultation services during the successive waves of the outbreak, a separate hotline from the government sponsored national DV Consultation hotline established after the 2011 Great East Japan Earthquake. This new DV Consultation Plus hotline handled a surge in pandemic consultations as the government promoted awareness in its frequent public health press conferences. The phone consultations also generated data that the government could use in revising relevant legislation. The number of consultations regarding DV increased fourfold in 2020 compared to 2002, when consultation centers were first established, and more than doubled compared to 2011; in 2020 there were 180,000 consultations compared to 82,000 in 2011 (Gender Equality Bureau 2023). The global scourge of increased DV and sexual abuse during the pandemic prompted UN Secretary General Antonio Guterres to call on governments in 2020 to address such problems. In 2021, Japan's Gender Equality Bureau reported that one in fourteen women in Japan had been raped or sexually assaulted, but less than one half of victims reported the crime (Gender Equality Bureau 2021). According to the National Police Agency, there has been a sharp rise in serious sex offenses in Japan with reports of forced intercourse jumping 19.3% from 1,388 in 2021 to 1,656 in 2022 (Kyodo 2023). The number of sexual assault cases also rose by 10%. Police attributed the surge of reports to "growing awareness about what constitutes a sex crime and the development of a dedicated system to accept reports and consultations."

The starting point for the establishment of local shelters and support networks in Japan was the Fourth Women's Conference in Beijing in 1995. Civil society activists and journalists

returned to Japan and used various channels to raise awareness and to pressure policymakers into action. This effort gave birth to the National Women's Shelter Network (NWSN). Through its lobbying activities, the movement had a major impact on the enactment of the Child Abuse Prevention Law in 2000 and the Domestic Violence Prevention Law in 2001 and subsequent amendments (Kamata 2018).

After the Great East Japan Earthquake in 2011, a domestic violence counseling service (Yorosoi Hotline) was established by the Ministry of Labour and Welfare to provide counseling to women suffering from domestic violence. At the same time, the Prime Minister's office established Purple Dial that was operated by NWSN to provide similar services. This experience was the basis for providing counselling services during the COVID-19 pandemic. The government's newly established DV Consultation Plus operated by NWSN received many requests for assistance and the data collected helped draw attention to the massive scale of women suffering from spousal and sexual violence. Based on this data, the media and civil society lobbied for legal changes regarding sexual violence.

Sexual Violence and the Penal Code

Until 2017, Japan's Penal Code regarding sexual violence had not been amended since enactment in 1907. The direct impetus for the revision dates back to 2014, when the Minister of Justice Midori Matsushima remarked that it was odd that the crime of rape was treated as less serious than the crime of robbery; the sentence for rape was typically three years, shorter than the norm for robbery convictions.

The 2017 revision included male victims and prohibits sexual and obscene acts against children under the age of 18. However, the law still stated that for a person to be convicted of a sexual or indecent act, it must be proven that such an act was committed by "assault or threat." Perpetrators could not be prosecuted without evidence of vigorous resistance despite it being well known that victims often freeze and become unable to move, let alone resist.

Following the 2017 revision of the rape law, there was public outrage over four court verdicts in rape cases in 2019 that highlighted to what extent the judicial process was biased in the favor of rapists and in need of further amendment (Ito 2019). Perhaps the most notorious case involved a father charged with having sexual intercourse with his then 12-year-old daughter but acquitted on the grounds that he was in a small house and other family members could not have been unaware, so, the judge ruled there must not have been any resistance.

Flower Demonstrations

After the four dubious acquittals in 2019, a series of so-called flower demonstrations were held. Supporters gathered with flowers at Tokyo Station on April 11, 2019 to protest the verdicts and show sympathy and solidarity with the victims. The inadequacy of the law was on full display, making the women and the violence against them at least temporarily more visible. The demonstrations became an opportunity for victims of sexual violence to stand in public and share their experiences of victimization. Initially, the flower demonstrations were held only in Tokyo and Osaka, but by March 2020, every prefecture in Japan had set up support groups. This created an opportunity for Japanese society to learn about and discuss the reality of sexual violence. Another group, now operating as Spring, was established to support women, and it vigorously publicized the consequences of endemic sexual violence.

There were other ways that this plague became more visible. In 2017, before the flower demonstrations began, Shiori Ito published her book “Black Box,” in which she wrote about her rape and frustrations in seeking justice, drawing much media and public attention. Subsequently, a high-profile sexual harassment case at the Ministry of Finance involving a reporter became public knowledge, and sexual violence by a prominent photojournalist came to light, which inspired the publication of the novel “Raw Skin: A Scene of Sexual Harassment” (Inoue 2022). In addition, there were several high-profile accusations of sexual violence against film directors. The film industry responded with statements against sexual violence and harassment. Then there was Rina Gono, a Self Defense Force member who sued the SDF for turning a blind eye to a culture of sexual abuse. She bravely came forward and her actions led to an unprecedented investigation into the charges and the dismissal of several of her colleagues who had participated in the harassment and abuse. The public discourse around sexual violence is therefore evolving in Japan, with victims increasingly likely to speak out.

In 2023, there was a spate of legal reforms regarding rape and DV that had been the longstanding agenda of civic activists in Japan (Kaino 2017). In addition, external forces helped break the policy gridlock. Japan hosted the G7 Annual Summit in 2023, attracting the media limelight that included unfavorable coverage of Japan’s low international ranking on gender equality, gay rights, DV and sexual violence. This shaming of Japan generated pressure for change. In the case of gay rights, this was only cosmetic because many members of the ruling LDP oppose gay rights. The Diet only banned “unfair discrimination” targeting them, implying that some discrimination might be fair. But on rape, under pressure from civil society advocates and the mass media, the government revised the 2017 law in 2023 to change the name of the crime to “nonconsensual intercourse” and no longer require evidence of physical force.

In addition, the scope of unlawful “sexual intercourse” has been expanded in several ways. Consent is no longer assumed to be intrinsic to marriage. The age of consent for sexual intercourse has been raised from 13 to 16; the act of groping a person under 16 years of age for the purpose of indecency and voyeuristic photography is also punishable. In addition, the statute of limitations for the crime of indecency has been extended by five years, from 7 to 12 years, as has the penalty for non-consensual sexual intercourse, from 10 to 15 years, and to 15 to 20 years for the crime of indecent assault. The legal landscape has thus shifted due to heightened awareness of, and public anger about, a crime that was off the radar for far too long. Survey data helped stoke this outrage.

NHK Survey 2022

NHK conducted a web-based survey of victims of sexual violence from March to April 2022. Over 38,000 responses were received from victims of sexual violence and their family members. When asked why they responded, some explained: “I want someone to know about this suffering,” and “I want people to know that sexual abuse exists in greater numbers than are being brought to light.” To put this survey in context, NHK typically elicits about 4,000 responses to its surveys, so this massive response is indicative of just how extensive sexual assault is and the degree of public interest in the issue.

I helped draft the questionnaire survey and got permission from NHK to publish the results of this data in my book. The demographics of the respondents show that 91.3% were female, 5.4% were X-gender, and 1.1% were male. The survey broadly defined sexual violence as being: unwillingly undressed (16.4%), being penetrated by genitals or other

body parts (18.6%), being ejaculated on (8.9%), being forced to watch as someone masturbated (10.8%), being directly touched (39.6%), and being verbally harassed with sexually explicit language (40%). Many victims also report multiple experiences of assault and abuse. Most of the incidents were recent but some had taken place decades earlier, indicating how this is a trauma that lingers.

Shockingly, over 54% of victims claim to suffer from PTSD, regardless of the nature of the sexual assault. However, only 3.3% of the victims were diagnosed as such, highlighting the dearth of specialists who can diagnose victims of sexual violence and provide treatment. Even 20 years after their experiences, 48.7% of the victims still exhibit symptoms corresponding to PTSD.

The most troubling finding is the youth of the victims; half were under the age of 15, while over 20% were victimized when they were under 10 years old. Overall, 74.6% of victims were under 20 years old. Sexual abuse of children tends to start with the act of touching the body and escalates gradually. It takes time to intensify because of the gradual domination of the child during the process. This also means that it usually takes some time for the abuse to be discovered. The data does not indicate how the long-term nature of the abuse and the lingering trauma affects victims, but the dark shadow of abuse appears to take a heavy toll.

Equally disturbing, the negative effects of these experiences on children are devastating. During this time, the child very often becomes emotionally unstable, suffers from insomnia, has feelings of hopelessness, suffers from low self-esteem, and feels that he or she has been defiled. In the survey, 36.7% blamed themselves, 29.7% thought they were unclean, 26% wanted to die, and 11.8% said they had tried to commit suicide.

As discussed above, prior to the 2023 revision, the victims' willingness to resist sexual violence was an important requirement to charge the perpetrator with a crime. But the survey data shows that this was a highly unrealistic requirement. Only about 20% of the victims were able to physically resist during their assaults. Many reported that they fell into a "frozen state" and were "unable to understand what was happening to them" (58.3%), "unable to think straight" (32.5%), and were "unable to move" at all (38.8%), indicating that they were incapable of resisting.

The data also indicates that revictimization of individuals who asked for help was extremely common. When victims told others around them about their experiences, 23.5% were told that it was "no big deal" or "a common occurrence" and 14.9% were advised to forget about the incident and pretend that it had never happened. According to the respondents, 27.4% of the people who gave this advice were parents, 20.1% were friends, and 13.5% were work colleagues. Such attitudes and advice protect perpetrators, increase the likelihood of repeat offenses and make victims feel isolated. About a third, or 31.3%, told nobody at all about what happened (other than in this anonymous survey) because of the common tendency to portray sexual victimization as the victim's fault. Indeed, many victims said they felt ashamed. Others felt vulnerable to retribution. One wrote, "Because the perpetrator is a relative, I am afraid of retaliation if I tell. I thought that talking about it would not solve anything. I don't know where to go for help."

Notably, only a few people reached out to professionals of any sort: 2.3% consulted a one-stop support center for sexual violence specialists or support groups, 2.2% a medical institution, 0.9% a lawyer or other legal specialist, and 10% the police, indicating that many

victims suffer in silence. Of those who went to the police, in only 10% of these cases was the perpetrator found guilty, just 1% of the total number.

In Japan, the prevailing myth of rape assuming that the victim is at fault generates a vicious cycle in which the reality of serious harm is ignored, and then when victims speak out, they are subjected to bashing and even deeper psychological harm. Sadly, Japan as a whole has tolerated sexual violence and this abuse to a shocking degree, but there are signs of change. In the case of Johnny & Associates, the 2023 BBC documentary instigated an investigation by the United Nations Development Programme's Business and Human Rights team that called for compensation and an apology to those who were abused as children by Johnny Kitagawa (AP 2023). Many companies have reportedly stopped using the firm's talent in their advertisements in order not to be seen as complicit in the documented human rights violations.

The costs are not just psychological for many individual victims who are often unable to go to school or work, adversely impacting their lifelong human development and earnings. In the NHK survey, 7.5% of respondents said they had missed a significant number of school days and 2.2% quit school altogether. In addition, 24.3% of those affected in the workplace quit their jobs after being unable to go back to work at all (NHK 2023). Another 12.1% said they were no longer able to work full time. These numbers are significant. Based on NHK's data, we estimated that these 11,526 responses of quitting jobs and full-time work involved economic losses amounting to some 2,534 billion yen. That's how much income the victims could have earned if they had not been sexually victimized. Since the number of people who quit work or gave up full-time work is undoubtedly far larger than these 11,526 survey respondents, the overall costs to society are also much greater, especially in light of increasing labor shortages and the urgent need for firms to both recruit and retain more workers.

What Makes Sexual Violence Invisible?

It is an awkward topic that people refrain from bringing up, even to friends and family, almost as if discussing one's traumatic experience becomes a self-inflicted scarlet letter. Coming out as a victim seems to elicit less empathy than it should and risks ostracism. Moreover, Shiori Ito reports that she became a target for vitriolic denunciations on social media following publication of her book about being raped by a prominent journalist linked to Shinzo Abe. Why would women want to report their case to police, knowing that, at the discretion of officers, their case will probably not be recorded and thus never prosecuted? And why engage in judicial proceedings knowing that one will be forced to relive the traumatic ordeal with a very small possibility of conviction, and even in cases where there is a guilty verdict, the sentences will be suspended or very light? Changing the law alone will not prevent sexual crimes unless the public, which has tolerated sexual crimes, also changes its awareness. It is important to reveal the true nature of what makes these victims invisible, even when the crimes they suffer are not.

For male victims, a key factor is the social norm that "men must be strong"—masculinity based on the patriarchal system. According to the NHK survey, 22.4% of the male victims first spoke about their experiences only more than 10 years afterwards and 31.4% of the total sample had not told *anyone* about their experience of sexual violence. Before NHK's anonymous survey, 42.3 % of male victims suffered in silence. Miyazaki (2023) argues that male victims find it particularly difficult to talk to anyone about their emotional trauma due to the social norm that "a real man must be strong" and violation by another male

undermines prevailing conceptions about masculinity. There is also no place for men to go for counseling about sexual violence or to get emotional support (NHK 2022).

Conclusion

Japan's patriarchal education and social security and employment systems, based on a gendered division of labor, are mutually reinforcing and contribute to a culture of invisibility for victims of sexual violence. Changing such norms is an enormous challenge requiring persistence and collective will. Civil society activists and the media have propelled legal reform and greater awareness regarding sexual violence in Japan and, in consequence, the treatment of Japan's vulnerable is improving slowly. However, when measured against the pain and losses endured, there is no room for complacency or further evasion of responsibility to enhance government protections for vulnerable citizens and residents. Whether the Johnny's scandal will prove a turning point in media coverage of sexual violence remains to be seen, but without journalists shining a light into the dark corners of society and generating pressure on lawmakers and policymakers, there is a great risk of settling back into the familiar ruts of lurching from scandal to scandal without sustained focus or impact.

Due to the harmful consequences of widespread sexual violence on people and the economy, it is incumbent on the government to offer more support for relevant services, and to provide budgetary assistance for civil society organizations that have been playing a key role in helping victims. Many of these organizations operate with inadequate financial and human resource but are playing an essential role in cobbling together a threadbare safety net for victims of sexual violence. Expanding their capacity and ramping up social services addressing what is no longer an invisible plague should be prioritized in central government funding. There is also a dire need for nurturing expertise in diagnosing, treating, and counselling victims of sexual violence, as well as facilitating their access to such support. In this pivotal transition from ignoring to addressing sexual violence, it is also essential to engage the police and judicial officials in ways that enhance sensitivity towards victims, and to take actions that increase accountability. This is an overdue awakening and a time for bold countermeasures.

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Machiko Osawa is professor emeritus and researcher at the Research Institute for Women and Careers at Japan Women's University. She is author of several books including *Building a Society Where Women Can Ask for Help: Sexual Violence and Gender Inequality in Japan* (Nishinohon Shuppansha, 2023); *Why There are so Few Women Managers in the Japanese Workplace* (Seikyusya, 2019); *Women and Work in the 21st century* (Sayusya, 2018); and *What's Holding Back Japanese Women* (Tokyo Keizai, 2015).

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Featured image: University students line up for a job fair at the Makuhari Messe convention center
(Source: The Guardian)

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