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### The Divergence of Gay Rights in Taiwan, South Korea, and Japan

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# The Divergence of Gay Rights in Taiwan, South Korea, and Japan

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## **Introduction**

LGBTQ rights have come a long way in the past decade, as marriage equality and civil rights protections have become more universally accepted. Most of this has occurred in Western and European countries, and while there are nonwestern countries that have followed similar political, economic, and social development timelines to the West, they have not seen the same advances in LGBTQ rights on the same scale. Marriage equality is often perceived as an international benchmark of the state of a country's gay rights record, and those that have made the stride of legalizing it have been praised by the international community. The regions in which we see the most countries that have legalized marriage equality are North and South America and Western Europe. This has begun to change with countries across the world experiencing a rise in LGBTQ activism and the increased salience of the movement. As the world continues to democratize, economically develop, and improve human rights, there are certain regions that have had interesting outcomes, East Asia being one. East Asia has experienced some of the fastest economic growth rates in the world over the past several decades. It also has some of the world's most resilient democracies. With this development and democratization, it is expected that East Asia should be following in the footsteps of Western countries and improve their LGBTQ rights records. This has not been the case, however, as developed countries like Japan and South Korea fail to recognize sexual minorities.

However, there is one East Asian country that does stand out in its support of LGBTQ rights: Taiwan. A pioneer in Asia's democratic and human rights scene, Taiwan recently legalized marriage equality in 2019, making it the first to do so in Asia. This divergence of policy compared to its industrialized counterparts, South Korea, and Japan, is something to be studied, as these countries are relatively wealthy democracies and have comparable histories and cultural values. For context, none have had laws banning consensual same-sex activity in their long histories, and Taiwan and South Korea endured harsh dictatorships that lasted until the late 1980s. South Korea and Taiwan have also developed into incredibly resilient democracies, even in the light of sharing a border or narrow straight with another belligerent power that seeks to arrogate them (North Korea and China respectively). Japan, although not following this timeline, is still a flourishing East Asian Democracy. Their Confucian cultural values also bring them closer. The emphasis on a patriarchal familial and societal hierarchy has had immense influence on their cultural development. The focus on family in Confucian culture is important, as its only accepted type of spousal or romantic relationship is a heterosexual one, leaving the LGBT community without a place in society.

This paper will look at this topic through the lens of Modernization Theory, the idea that economic development produces more democratic and secular values in society, which in turn, results in the increase of self-expression values. One might expect that the interconnectedness of the world would cause massive changes in societal values, even across cultural lines. Contemporary research has shown that to be partly true, but the reality is much more nuanced. Ronald Inglehart (2005) says that while economic development does bring pervasive societal changes, cultural heritage plays a major role in the trajectory of a society's development. Although different cultures are moving in a certain way, they are not converging, but are developing within their own societal boundaries. Although much of the industrialized world has seen an increase in self-expressive values that correlates with their economic development, East Asia has remained largely conservative despite their economies

being on par with those of rich Western countries. This is important, as much of the scholarship regarding this focuses on a Western model, rather than considering the underlying variables that will cause a society to develop on its own terms which do not follow conventional timelines. This is important in understanding the development of LGBTQ rights across the world, as many have wrongly expected to see other countries follow in the footsteps of the West. As for East Asia, there has been research that points toward this idea of a separate cultural development of East Asian.<sup>1</sup> As a region, there is a relative consistency of conservative values, but as found in this analysis, the sentiments of individual countries vary widely regarding how they feel about homosexuality.

It is important to emphasize the divergence between these East Asian countries and the rest of the world. For context, the only government type that marriage equality exists under is democracy, which falls in line with Modernization Theory and increased self-expressive values. According to the Economist Intelligence Unit's Democracy Index, out of the top 30 highest performing democracies, only three have not legalized some sort of marriage or civil union for same-sex couples, and they are South Korea, Japan, and Mauritius of Sub-Saharan Africa. Additionally, according to the International Monetary Fund's Gross Domestic Product Per Capita measurements, out of the top 33 countries, 24 have legalized some sort of marriage equality or civil union. The countries that have not legalized these provisions are mostly special administrative regions and/or international economic hubs with small populations, such as Hong Kong, Singapore, and United Arab Emirates. Japan and South Korea are the only major countries that have not progressed in gay rights like those who have also attained this high level of economic development. The striking part is that Taiwan, South Korea, and Japan are all in these top positions, but only Taiwan has seen the societal liberalization Modernization Theory predicts.

This comparative analysis seeks to answer the question of why Taiwan has become a beacon of gay rights and equality in Asia, while Japan and South Korea have lagged. This will be done by analyzing peoples' values and their corresponding sentiments on homosexuality. As East Asian democracies that have made progressions in a plethora of other sectors of human rights and civil liberties, these countries offer a fascinating puzzle of what can influence LGBTQ friendly policy and curate success for their gay rights movements. Each country has recently undergone an increase in gay activism in the last thirty years, but the movements have remained relatively non-salient and without major change in South Korea and Japan. Each country has vastly different levels of gay rights progression and social acceptance. While Taiwan has the most progressive laws, Japan, in more than one survey, has indicated that they are the most socially accepting of the three. This study will use the Wave 7 results of the World Values Survey to uncover similarities and differences in societal values that could correlate with the sentiments toward LGBTQ individuals. The next two sections will then use that quantitative analysis to build on current literature. The last section on institutions of power is a purely qualitative analysis.

The findings of this analysis show that in Taiwan and Japan, there are meaningful correlations between all the variables tested, meaning there is a connection between progressive values, such as believing in women's rights, and acceptance of homosexuality. However, in South Korea, there was either no correlation or it was the opposite of those of

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<sup>1</sup> Bomhoff., Man Gu (2011)

Taiwan and Japan; except for age, which was still much less correlated with the acceptance of homosexuality than Taiwan and Japan. South Korea's results resemble the findings of contemporary scholarship on this subject when looking at East Asia as a whole, but Taiwan and Japan's values follow a more 'Western' style of development. The intersectionality between different activism groups that are normally connected are discussed and indicate that there is an absence of this cooperation South Korea, which could partly explain the lack of a strong progressive movement.<sup>2</sup> Intersectionality is important in this subject, as much of LGBTQ history is shared with other marginalized groups that worked together in adversity. Additionally, the analysis of age showed that the younger and older generations in South Korea had quite similar views on homosexuality. Taiwan's generational gap was the largest, which backs up the argument that youth culture and activism has caused the shift in Taiwanese policy. Japan's results, while shedding light on the fact they have relatively positive sentiments about homosexuals, do not offer an explanation as to why their LGBTQ movement remains salient. Much of the current scholarship points toward the absence of anti-LGBTQ sentiment and laws, which leave many Japanese without the motivation to pursue policy change. The long-standing rule of the socially conservative Liberal Democratic Party is also explored as a reason for Japan's policies. Through these three lenses, the state of LGBTQ rights in these countries are investigated to provide an explanation for the divergence of policy.

### **History and Context**

**Taiwan** is the first country in Asia to officially recognize same-sex unions country-wide as of May 24, 2019. In May of 2017, the Constitutional Court found that restricting marriage rights was unconstitutional and mandated that the legislature legalize same-sex marriage within two years.<sup>3</sup> This event made history and consolidated Taiwan's position as one of the most progressive East Asian countries. However, Taiwan's history with gay rights has been short when compared to its western counterparts. Its first pivotal moment was in 1986 when Chi Chia-Wei, 祁家威, an iconic Taiwanese LGBT rights activist, requested a notarized marriage license with a partner of the same sex. This request was promptly denied, and Chi was subsequently jailed for a crime in which he claimed no participation.<sup>4</sup> In a time when civic advocacy could lead someone to being arrested, this was a huge step in the direction of recognizing marriage equality. Although Chi's public activism continued, Taiwan's greater LGBT movement was mostly underground. Up until recently, LGBTQ organizations and pride events were not commonplace and only began to organize on a larger scale after 2000.<sup>5</sup> Chi's activism has not gone unnoticed though. In September of 2020, he was named as one of Time's 100 Most Influential People, and his article was written by Taiwan's current president, Tsai Ing-Wen 蔡英文.<sup>6</sup> As an advocate of same-sex marriage, it does not come as a surprise to see her support of Chi, but it is an example of how far acceptance of the LGBT community has come since Taiwan's democratization. Taipei pride is also the largest in Asia, with an attendance of over 130,000 people from all over the world.<sup>7</sup>

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<sup>2</sup> Yang 2013, Park-Kim, Lee-Kim, Kwon-Lee 2007

<sup>3</sup> Chen, Song 2019

<sup>4</sup> Ho 2018

<sup>5</sup> Ho 2018

<sup>6</sup> Tsai 2020

<sup>7</sup> Watt 2020

**South Korea** firmly holds the position of being one of the most socially conservative democracies in the world regarding LGBTQ rights. With a substantial Christian population, around 30%, and the salient manner of LGBTQ rights within this community, there has been major backlash to LGBTQ rights progression.<sup>8</sup> Even the current president, Moon Jae-In, 문재인, a former human rights lawyer and supporter of same-sex unions walked back his previous statements while campaigning. One of his remarks included that gay men weaken the military, essentially equating homosexuality as a national security threat.<sup>9</sup> There are military policies prohibiting sexual interaction between members of the same sex, regardless of consent. This is the only Korean law in which sexual acts between the same sex is criminalized, however, it is one that reaches far, as all Korean men are required to serve at some point before their twenty-eighth birthday.<sup>10</sup> There is very low support for increased rights of sexual minorities in South Korea, and South Korean LGBTQ individuals do not enjoy the same level of visibility of those in Taiwan, or even Japan. On a national level, there are no protections or recognition of same-sex unions, except those of foreign diplomats. While on a provincial level there are certain protections for sexual minorities, there are still millions of South Koreans that do not live in these areas, leaving them vulnerable to discrimination.<sup>11</sup>

**Japan** is known for its open society and acceptance toward the LGBTQ community; however, its laws do not reflect public sentiment. Japan is the longest standing democracy out of these three countries, making it a prime candidate for legalizing marriage equality if we look through the lens of Modernization Theory. According to the World Values Survey and Pew Research Center data, Japan is one of the most socially liberal societies in Asia, especially regarding those who are LGBTQ. Japan also has a rich recorded history of same-sex interactions in art and literature. During the Edo period (1603 – 1868), many samurai and even common men were known to have sexual interactions with male prostitutes, and it was considered socially acceptable.<sup>12</sup> Beyond that, Christianity does not have the prevalence as it does in other Western countries or South Korea. There have also been no laws against homosexuality except for a brief stint following the end of the Edo period. There have also not been laws that restrict same-sex unions. Although there is documented evidence of prior acceptance of homosexuality in Japan, the overall sentiment is like that of South Korea: one of apathy. There has only been one openly LGBTQ politician on the national level, and LGBTQ rights is not a salient topic of discussion. There are also far fewer groups that exist for the sole purpose of combatting gay rights.<sup>13</sup> This lack of organized opposition has created an environment in which the LGBTQ community can exist without overtly being discriminated against, but also one in which they do not actively fight for the progression in their civil rights.<sup>14</sup> Japan's government has not completely ignored the existence of the LGBTQ community though. Within the last six years, dozens of municipalities have legalized same sex partnerships, starting with the Shibuya ward of Tokyo in 2015.<sup>15</sup> Since, many have followed, and these municipalities comprise around 38% of the Japanese

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<sup>8</sup> Rich 2016

<sup>9</sup> Yi, Jung, Phillips 2018

<sup>10</sup> Yang 2013

<sup>11</sup> SOGILAW 2016 Report

<sup>12</sup> Arai 2014

<sup>13</sup> Tamagawa 2016

<sup>14</sup> Tamagawa 2016

<sup>15</sup> Williams 2015

population. These events happened to the surprise of the international and Japanese LGBTQ community and have been steps in a more progressive direction. Recently, there has been a court ruling in favor of marriage equality, which will be discussed later in this paper, as it may put Japan on the same trajectory as Taiwan by legalizing marriage equality through court cases.

### **Methodology and Hypotheses**

This study seeks to find which differing societal values correlate with sentiments on homosexuality between South Korea, Taiwan, and Japan. As seen by the brief overview of gay rights in each country, there are obvious differences that leave LGBTQ South Koreans and Japanese with less rights than those in Taiwan. By using the Wave 7 of the World Values Survey (WVS), this study will analyze variables that measure one's belief in core democratic and self-expressive values, such as questions about women's rights, the comparison of gay and straight parents, and age.

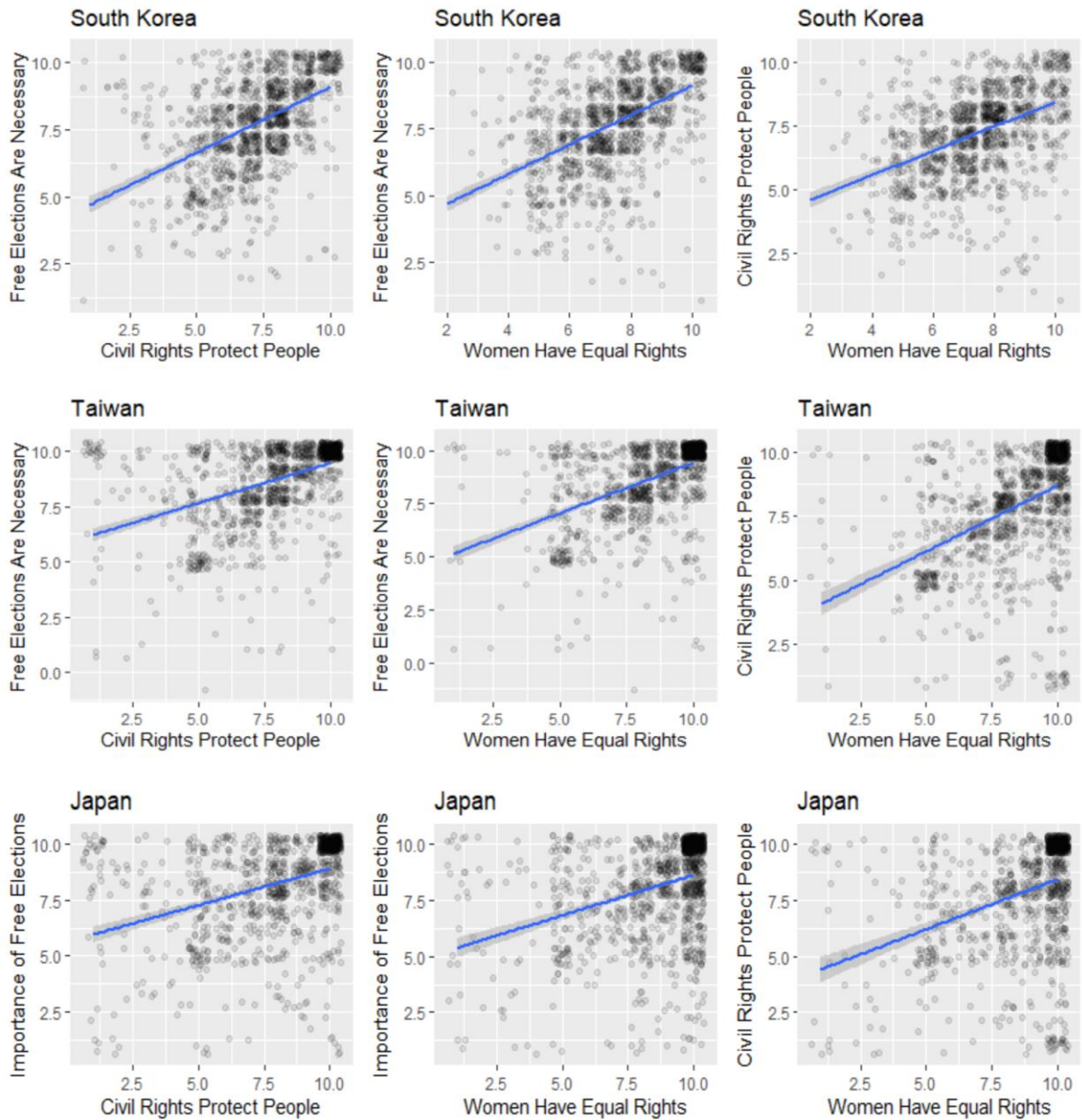
The most important WVS question in this study is the ranking of how justifiable homosexuality is, which is ranked on a 1–10 scale from never justifiable to always justifiable. This will be tested with the other questions to find if there are correlations. The other questions will be about the respondents' answers on certain democratic aspects that are essential for democracy. These are also answered on a 1 – 10 scale from 'not essential' to 'essential'. These questions are 'People choose their leaders in free elections', 'Civil rights protect peoples' liberty from state oppression', and 'Women have the same rights as men'. The assumption is that each of these variables are essential for democracy and self-expression. Linking it to Modernization Theory, there should be a positive correlation between believing more in these values and being more accepting homosexuality. This study will also compare the results from two questions on the belief that homosexual parents are just as good as straight parents and whether a woman making more than her husband would be an issue. These questions were answered on a scale from 'Strongly Disagree', 'Disagree', 'No Opinion', 'Agree', to 'Strongly Agree'. As the question is worded confusingly on the survey, I will address the meaning of the responses. Those who agreed with the question about homosexual parents more, are more progressive. On the contrary, those who disagreed with the question about women's income are more progressive.

This is combined with a literature review expanding upon how these variables manifest themselves in political outcomes. This study uses the data to narrow the discussion topics to delve deeper into how these outcomes came about and what their impacts are. First, rise of recent social movements is discussed in tandem with the findings from the WVS, along with the evaluation of how intersectional these movements are. The last part consists of evaluating the various institutions of power that have influenced policy outcomes, such as religion and political parties.

### **Analysis of WVS Wave 7**

To begin, to ensure that the belief in each country aligns with democratic values, the questions about essential components of a democracy were tested with each other to make sure they were within the same group of thought. That is, those who believe in women's

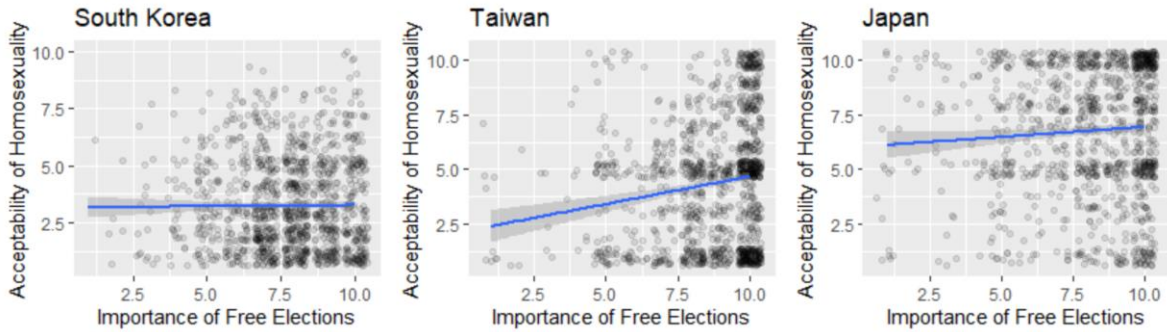
rights believe that civil rights protect individuals from state oppression and those who believe in free elections believe in civil rights, and so on.



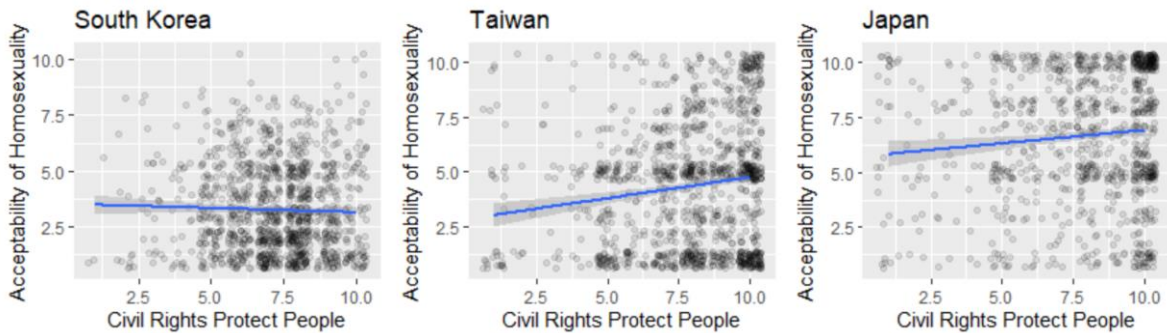
Each relationship between these variables in these countries were significant, which supports the notion that these countries have strong democratic values that include the rights of individuals and those who are vulnerable. The following graphs depict the correlation of these thoughts with the acceptability of homosexuality. The assumption is that the more one believes these principles are necessary, the more accepting they will be of homosexuality.

The following graphs measure the correlation between believing that electing free leaders is a part of democracy and the acceptance of homosexuality. The presumption is that there will be a positive correlation.





The importance of free elections in choosing leaders has a strong correlation with how people feel about homosexuality in Taiwan, with a p-value = 1.49e-07. In South Korea, there is no connection with a p-value = 0.7581. Japan's result was also significant with a p-value = 0.0286. While Japan and Taiwan follow the assumptions of Modernization Theory, South Korea has no connection between these sentiments.

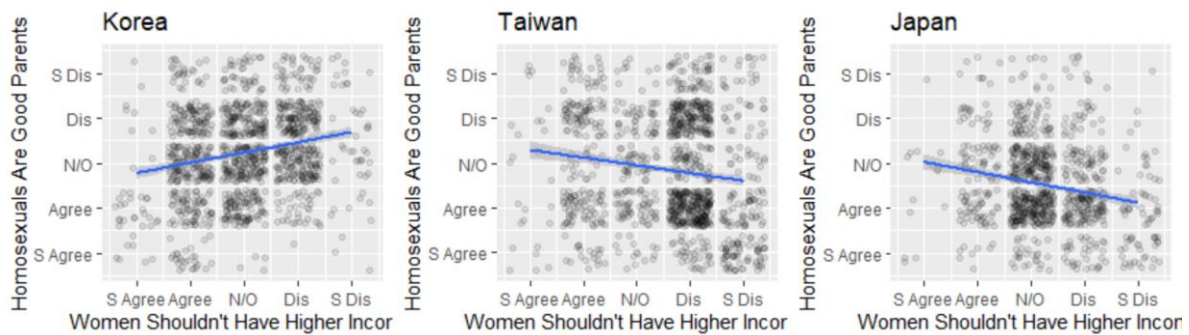


This graph compared the relation between how people feel about homosexuals and how essential they believe civil rights are in a democracy. As shown, there is a distinct difference in thought between the countries. While there is a significant positive correlation between how people feel about this component of democracy and homosexuals in Taiwan (p-value = 4.21e-07), there is no correlation in South Korea, with a p-value = 0.2623. Japan's correlation was less than Taiwan's but still significant with a p-value = .0025.

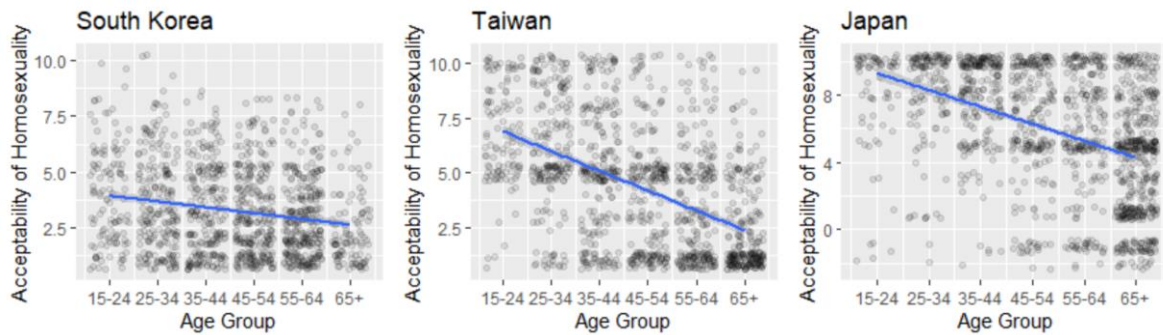


The same thing is seen with the question of how essential is it that women have equal rights to men in a democracy. The fascinating part about this, is the women's rights movement around the world has intertwined itself with the LGBTQ movement extensively,

as shown by the stronger relationship in Taiwan and Japan compared to the other issues (p-value = 6.443e-10 and 1.157e-6 respectively). However, this is not seen in South Korea (p-value = 0.5309). While women's rights are perceived as relatively essential in South Korea for democracy, they are not associated with how people feel about homosexuality. An inference that one can derive from this analysis is that South Koreans, although advanced in their knowledge of what constitutes a proper democracy, the "Gay rights as human rights" dialogue has not found its way into their discussion. It also opens the discussion of intersectionality between women's rights and the gay rights movement. Normally, these areas of study and activism go hand in hand, as queer, feminist, and LGBTQ groups tend to be linked to each other. This is not the case in South Korea it seems, as the connection between acceptance of homosexuality and gender equality have no correlation.



These graphs indicate that there is a difference between South Korea and the other countries. If one agrees that women making more money than their husbands will cause issues, that would be more conservative, and therefore, they will not believe homosexuals are equally just as good parents as heterosexual couples. South Korea turns that argument on its head with a trend that Koreans who believe a wide income gap between spouses would cause a problem, the more conservative individuals, believe that homosexuals are just as good parents as heterosexual couples. This is another testament to the disconnect between gender equality and the LGBTQ rights movement considered less progressive regarding gender equality issues, meaning, one expects that those who that we seem to see in other countries, but not in South Korea.



Another fascinating comparison between the two countries is their respective generational divides on how they feel about homosexuality, as shown by the graph above. It

indicates that regarding homosexuality, younger and older Koreans share a greater degree of sentiment than Taiwanese and Japanese people. While all correlations are statistically significant, it still highlights the different routes these societies have taken in their acceptance of homosexuality. While Taiwan and Japan have followed the trend of younger individuals being much more progressive than older generations, South Korea does not present the stark divide we see in other countries. Younger people have been the heart of the LGBTQ rights movement, and this distinction between the countries shows that there is a smaller possibility that younger people in South Korea will sympathize with the gay rights movement. This makes it relatively difficult compared to other countries to mobilize people.

### **Possible Explanations**

#### **Recent Social Movements and Their Direct Impact**

Recently, Taiwan, South Korea, and Japan have all experienced mass social movements in response to what they believed were injustices done by their governments. This study will look at the impacts and legacy of the Sunflower Movement in Taiwan, the Candlelight Movement in South Korea, and the SEALD (Students Emergency Action for Liberal Democracy) Movement in Japan. The movements in Taiwan and South Korea had salient outcomes and are considered successes in respect to demonstrating the resilience of their political institutions and their ability to respond to grievances. Japan's did not lead to lasting change, but does exhibit the qualities of the Taiwanese activism, in that its broad focus on youth culture and democracy reflects its society's desire for reform, rather than just one change.<sup>16</sup> The data from the WVS above also reflect the respective ideas of each society and their acceptance of homosexuality. Japan and Taiwan's movements were based more on political theory and democracy, showing the connection between the ideas they were espousing and their corresponding values. South Korea's protest was less diverse in the issues it addressed, which could be because of the societal-wide disconnect between democratic principles and more contentious social issues.

A very important event in the recent political history of Taiwan is the promulgation of the Sunflower Movement in 2014. This movement consisted of a three-week occupation of the Legislative Yuan, the equivalent to the US House of Representatives, and was a staunch anti-establishment movement against the conservative Kuo Ming Tong (KMT) party.<sup>17</sup> The legacy of this movement still stands today through their creation of the New Power Party, a left leaning party that works in conjunction with the Democratic Progressive Party (DPP) on their policy agenda.<sup>18</sup> Although with only a few seats, their work with the DPP moves their agenda to the left. While originally a protest of a contentious trade agreement with Mainland China, it attracted many younger individuals who would feel empowered to organize in other areas of social activism. As seen through the quantitative analysis of the WVS, younger Taiwanese people are more likely to support LGBTQ rights compared to their older counterparts. This event encouraged a whole generation of people under thirty to continue taking risks in the name of social progression. Taiwan's generational divide concerning homosexuality is much wider, as seen in the above section, which could be part of the explanation as to why we have seen high levels of youth centered activism in

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<sup>16</sup> Joo 2018

<sup>17</sup> Joo 2018

<sup>18</sup> Ho 2018

Taiwan. As a country recently freed from an authoritarian dictatorship, this act of defiance to the government was a step forward in liberalizing social rights in Taiwan across the board. The cooperation between the NPP and the DPP is a component in the landslide victories experienced in 2016 and 2020 for the DPP.<sup>19</sup> The DPP is more supportive of liberal social policy than the KMT, and President Tsai Ing-Wen stated her support of marriage equality in the time leading up to the 2016 election. While the support post-election was lukewarm at best, as it was not brought into the spotlight, some actions of the DPP had a direct impact on the outcome of the 2017 court case. The party appointed seven left leaning judges to the Constitutional Court, all of which voted in favor of legalizing same-sex marriage.<sup>20</sup>

In 2016, the former president of South Korea, Park Geun-Hye, **박근혜**, was exposed for corruption and abuse of power. Millions of people took to the streets to express their grievances against Park, and the result months later was the subsequent impeachment, removal from office, and imprisonment of the former president. Although an impressive feat, its relation to the progression of human rights in South Korea is not as relevant. There was not a focus on group or organized activism, and although it was an exercise in preserving democracy in South Korea, there was not a sense of existential threat to mobilize people for greater change. Once president Park was removed from office, the single-faceted issue of her impeachment was resolved. The feminist movement of South Korea is also less multifaceted and estranged from other movements. Feminist protests and the Candlelight Movement were mainly organized by strangers on internet cafes, rather than conventional social media. This lack of consolidation did not hinder the direct impact of the protests but left less space to build on the movement.<sup>21</sup>

Japan's SEALD movement, while popular and addressed existential issues regarding Japan's democratic institutions, did not result in any major change. This movement, like the Sunflower Movement, was anti-establishment and focused on youth culture and aesthetic. This mirrors the idea that different social movements in Japan are connected and these protests were multifaceted, rather than focusing on one issue.<sup>22</sup> This resembles the discussion about how Japan's ruling party is so deeply embedded that there is more insulation to dissent than South Korean and Taiwanese parties do not have.

### **Intersectionality and Its Long-Term Effects**

In many successful minority movements, intersectionality has been a major contributor to their outcomes. Women's and the LGBTQ movements have come together over the years to create solidarity, and therefore, a greater, more salient political force. Without this intersectionality, especially in countries like South Korea, whose gay community is sparse compared to that of Western countries and Taiwan, a movement will lack the power to make substantial change. In the context of this study, the connection between women's rights and LGBTQ sentiments is analyzed. This section seeks to partly answer the question of why their movement has seen less results than Taiwan and Japan's in

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<sup>19</sup> Ho 2018

<sup>20</sup> Ho 2018

<sup>21</sup> Joo 2018

<sup>22</sup> Joo 2018

this light, as there is evidence there is a lack of social integration within the LGBTQ community and the LGBTQ community with other groups.<sup>23</sup>

An example of this is that within the Korean feminist movement, even in circles of feminist academics, where a large portion of queer theory is written in other countries, there is homophobia.<sup>24</sup> An important factor in understanding the status of LGBTQ issues in a country is to look at its quantity of scholarly studies regarding queer studies. South Korea does not have an extensive pool of resources regarding this, but the few that are available suggest that there is still a barrier within many sectors of Korean society that prevent an open discussion of these topics. They also say that the focus of these feminist movements is primarily focused on the power dynamic between men and women, preventing non-heteronormative topics from entering the conversation.<sup>25</sup> That could be an explanation as to why there is no connection to the variables regarding women's rights in the analysis above. While there has been a recent increase of LGBTQ awareness in South Korea, there is still an overwhelming consensus of ignorance, meaning that connections to LGBTQ topics and ideas are not yet solidified.

Taiwan's recognition of a wider reaching gender equality movement has been shown not only by its support for marriage equality, but also through its construction of other types of rights. An example of this understanding is the transformation of the Women's Rights Committee to the Gender Equality Committee of the Executive Yuan.<sup>26</sup> Additionally, many activist organizations in Taiwan support LGBTQ and gender equality in the same category.<sup>27</sup> It can also be said that women's rights have been supported more in Taiwan than in South Korea, meaning their agendas are further along in their progression, meaning they can branch their focus into other areas.<sup>28</sup>

Japan's LGBTQ community is also more connected to other issues, which expand its base beyond just the L, G, B, T, or Q. Although not direct activism, many Japanese comic books (Manga) have included homosexual couples. There has also been LGBTQ representation in popular Japanese media since the 1990s, in what is referred to as the first 'gay boom'. One of which happened later in 2015 and 2016.<sup>29</sup> There is evidence that the more people are exposed to LGBTQ individuals, the more accepting they become, increasing their support base to other groups of people. This could explain the phenomenon of Japanese acceptance of LGBTQ individuals but does not explain why there has been no progression of LGBTQ rights on a national level. Among many Japanese people, the consensus is to continue the status quo and not make noise, meaning that although there are more people who are behind LGBTQ individuals, there is not the same motive of expanding rights on the scale that we see in other countries.<sup>30</sup> This desire to keep the status quo is shown through the continuous reelection of the LDP, which has been in power the majority of its existence.

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<sup>23</sup> Yang 2013, Park-Kim, Lee-Kim, Kwon-Lee 2007

<sup>24</sup> Park-Kim, Lee-Kim, Kwon-Lee 2007

<sup>25</sup> Jung 2020

<sup>26</sup> Brysk 2020

<sup>27</sup> Kuon 2019

<sup>28</sup> Joo 2018

<sup>29</sup> Tamagawa 2015, McLelland 2000

<sup>30</sup> Arai 2014

## Institutions of Power

Taiwan, South Korea, and Japan have experienced extensive globalization in the last several decades, but Korea's importation of Christianity is something that has not been seen in other Asian countries. Korea's demographics differ from Taiwan and Japan, as Christianity has taken root in society much deeper. With around 30% of the Korean population being Christian, compared to less than 6% in Taiwan and 1.5% in Japan, anti-LGBTQ sentiment rooted in Christianity is very prevalent.<sup>31</sup> South Korea is the only Asian country with a sizable Protestant population, which has been a main opposition group in the fight against LGBTQ rights.<sup>32</sup> Like in the United States, Korea's LGBTQ community has experienced intense backlash from organized anti-gay Evangelical groups. These Christian groups also tend to be more organized and enjoy greater support than LGBTQ groups, with the help of government tax deductions and even international support from foreign Evangelical churches. Korean Christianity has developed into a strong social and political institution post-democratization, which is why we see their opinions being so revered by politicians.<sup>33</sup> Both Christian and non-Christian Koreans respect Christian leaders, as they have been a major part of modern Korean society.

It can also be said that the institution of Christianity has a disproportionate level of influence in Korean politics that have allowed it to prevent the progression of gay rights. With the importation of Christianity on a large scale in the 1950s, the religion has experienced massive growth compared to others.<sup>34</sup> The power of Christianity in Korean politics can be seen through major leaders of South Korea like longstanding dictator Syngman Rhee, 이승만, and current president Moon Jae-In. The former mayor of Seoul, Park Won-soon, 박원순, stated outright that Christian groups were very powerful in Korea and were a reason why few politicians speak in favor of gay rights.<sup>35</sup> In this interview, he also expressed support for gay rights, but subsequently had to retract this due to backlash from Christian groups. This foundation for homophobia is a large reason for the lack of LGBTQ rights progression, as many politicians cite this as their reasoning for not supporting or backtracking on LGBT rights. This combined with Evangelical support of the current ruling party is a major component of why LGBTQ rights have been largely ignored and will be for the foreseeable future.

Taiwan's move in the favor of LGBTQ rights has been under DPP rule, and without the risk of alienating a large portion of the population, they were able to make these changes. With only 6% of the population being Christian, mostly Aboriginal peoples in southern Taiwan, the pro-LGBTQ agenda of the DPP can be realized. After the 2016 DPP victory, that change was able to happen due to the lack of anti-LGBTQ institutions. Politicians in South Korea must contend with a much larger anti-LGBTQ voting bloc, rendering them unable to support gay rights if they wish to be re-elected to a major office.

As for Japan, the major party leading the country is conservative, the Liberal Democratic Party (LDP). The LDP is opposed to same-sex unions and has been in power

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<sup>31</sup>U.S. State Department, International Religious Freedom Report

<sup>32</sup> Rich 2016

<sup>33</sup> Yi 2017, Pak 2011

<sup>34</sup> Pak 2011

<sup>35</sup> Yi, Jung, Phillips 2018

since the promulgation of Japan's democracy.<sup>36</sup> The party is not likely to lose power soon, which is a sign that same-sex unions are also not likely to be instated. Shinzo Abe 安倍 晋三, Japan's former longest serving prime minister from 2012 to 2020, was against the legalization of same-sex unions, mirroring his party's sentiments. His wife Akie Abe 安倍 昭恵 has more liberal views of many political issues and has criticized her husband, but that has not shown to be an effective method of change. It is said that her opposition to his policy beliefs enhance his popularity by making him seem softer, and ironically, more accepting of others' opinions, which could be a detriment to the Japanese LGBTQ movement.<sup>37</sup> Overall, Japanese peoples' loyalty toward the LDP is not necessarily based on their views of homosexuality, but other values, which could explain why they have positive perceptions of homosexuality but vote against their interests.

In recent events, however, the Sapporo District Court ruled that prohibiting same-sex marriage is unconstitutional. This landmark ruling is a major step in the progression of gay rights in Japan and present a path to the legalization of marriage equality, like those that we have seen in the United States and Taiwan.<sup>38</sup> Like the US, Japan's conservative government has long opposed same-sex marriage, but in the light of judicial remedy, there are ways to overcome these boundaries. Japan's social acceptance of homosexuality is like that of the US, making it possible that while Japan's road to legalizing same-sex marriage may happen in the coming years. As of now, there has been little backlash to this ruling, which is a sign of the progressiveness of Japan's people, compared to that of South Korea who show up in droves to protest legislation that is even vaguely acknowledging the rights of the LGBTQ community.<sup>39</sup> While Japan's conservative government has stalled the progression of the gay rights movement, the lack of popular backlash to major events such as this court ruling show that a more accepting society, while not actively voting in favor of those who want to progress LGBTQ rights, will not obstruct progression.

### **Conclusion**

This paper focused on multiple issues regarding the societal beliefs of Taiwan, South Korea, and Japan, the relationship of these values with their sentiments about homosexuality, and how those have impacted domestic policy on LGBTQ rights. Additionally, the topic of political institutions and social movements were analyzed to have a broader scope of how these policies came about. Regarding Taiwan, its history of intersectionality combined with the Sunflower Movement and the DPP victory have had a direct impact on its legalization of marriage equality; and these events were able to happen because of the corresponding beliefs of Taiwanese people and the relatively low level of backlash from anti-LGBTQ groups. South Korea's prominent Christian population and its absence of parties willing to support LGBTQ rights has halted gay rights movements. One possible explanation for the lack of support is that there is a low level of social integration and intersectionality between and within marginalized social groups. The WVS analyzation does point toward the disconnect between women's rights and acceptance of homosexuality, which is something that was present in Taiwan and Japan. This is backed up through qualitative analysis that portrays a more fragmented movement in South Korea. Japan's situation was interesting, as they have

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<sup>36</sup> Arai 2014

<sup>37</sup> MacLellan 2016

<sup>38</sup> Denyer, Inuma 2021

<sup>39</sup> BBC News 2019

the highest level of acceptance with no laws that reflect these societal feelings. Japanese society does show that there are more connections to the ideas of democracy, women's rights, and gay rights, compared to South Korea. The analysis of the SEALD movement, although unsuccessful, backed this up, as it was multifaceted and rooted in organized activism. The main contributor to the absence of marriage equality and LGBTQ protections is Japanese peoples' loyalty to the LDP, which has been in power for over 70 years. The lack of salience and the ruling party's precedence of not supporting gay rights puts Japan in a difficult position. Without a shift in party sentiment or Japanese people deciding to vote for another party, there seems to be little hope to legislatively pass pro-LGBTQ laws. However, as we have seen in recent events, judicial remedy could result in the legalization of marriage equality.



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