

When Sexual Violence Strikes within the Sanctity of Marriage: Japanese Society's Invisible Problem

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Introduction

The first research on victims of domestic violence⁽¹⁾ in Japan was conducted in 1992 and revealed that domestic violence occurs at no particular age, across all social classes and perpetrators come from various occupational backgrounds (“Otto (Koibito) karano Bōryoku” Chōsa Kenkyukai 1999: 27). Domestic violence has come to garner much public attention since the enactment of the “Act of Prevention of Spousal Violence” in 2001, which enforces to provide support systems for victims, such as shelters and consultation. However, among the various types of domestic violence, marital sexual violence has remained largely hidden and still hardly identified as a problem in Japan. Research indicates that sexual violence against wives happens world-wide, with detrimental consequences for spouses and children (Yllö & Torres, 2016). Acknowledging that sexual violence within marriage exists is an important first step in examining the issue.

This research paper examines sexual violence perpetrated against wives in Japan by focusing on available data such as existing statistics, extant publications, interviews with counselors and ethnographic field work⁽²⁾. The purpose of this paper is to identify some of the aspects that serve to prevent marital sexual violence from surfacing in Japan

by paying attention to related legislation and socio-cultural beliefs within Japanese society. How can we approach a topic that is omnipresent but largely invisible? I argue that, in order to advance viable and tangible solutions, we must contextualize domestic violence within two key dynamics. First, sexual violence against wives happens not as a separate violent act but as an exposure of the un-equal gender relationships, perpetuated upon patriarchal system. Second, it denies a wife's subjectivity around her own sexuality, allowing her husband to objectify her body and sexuality as tools in pursuit of his own sexual needs and thereby degrading the wives' dignity and sense of self. Therefore, to combat sexual violence against wives is to challenge the longstanding patriarchal system which is still present in modern day Japan.

1 Statistics on Sexual Violence against Wives in Japan

One way to research marital sexual violence is to use the Japanese government's national surveys. Statistics about sexual violence between spouses in Japan are available starting from the fiscal year 1999, in a survey on domestic violence conducted by the Gender Equality Bureau Cabinet Office (GEBCO). Every three years, the

Cabinet Office conducts a survey targeting a random sample of 5,000 respondents, in which they ask questions regarding physical, psychological, and sexual violence.

According to GEBCO's (2018) national survey on spousal violence, respondents included 1,807 women and 1,569 men over the age of twenty. Of these respondents approximately one in three women experienced isolated violence and one in seven women experienced repeated violence perpetrated by current or former spouses. More specifically, among women respondents, 19.8% reported physical assault, 16.8% reported psychological threats, 9.7% reported sexual coercion⁽³⁾, and 10.0% reported economic abuse⁽⁴⁾. The 9.7% of women reporting sexual coercion increased from last time (7.1%) but seems rather small when compared to the 14% to 15% reported in previous surveys from 2009 and 2012. Comparatively, the "Purple Dial," a help line consultation service implemented in 2011 by the Cabinet Office for domestic violence, reported 1,458 calls were about sexual coercion (about 16%) out of a total of 8,970 calls regarding domestic violence (GEBCO 2011: 21). Given the challenging and stigmatized topic, we must understand these survey data in relation to each other. The GEBCO survey also asked about experiencing coercive sex regardless of marital status. Out of 117 women who had coercive sex, about 20% were coerced by their husbands or ex-husbands (GEBCO 2015: 62). However, nearly 70% of these women never reported it anywhere other than this survey (GEBCO 2015: 66).

Although sexual violence against wives counts as a crime⁽⁵⁾, according to the National Police Agency, among a total of 9,017 criminal cases for spousal violence, only 6 cases included an arrest for "rape" and 5 cases for "forcible indecency" in 2018. Subsequently, the prior four years, 2014 to 2017, reported 8 to 11 cases each year (National Police Agency 2018).

As the above statistics make clear, approximately 7% to 15% of wives among general public reported spousal sexual violence and 70% of the women that experienced spousal sexual violence never made a formal police report. Each year, only 8 to 10 cases resulted in an arrest of the perpetrator. However, this number becomes even smaller when lawsuits filed for marital rape were factored. Kaido, a lawyer, found two marital rape cases where criminal rape charges of the Japanese Penal Code were applied in Japan; one in 1987 and the other in 2007 according to a paper published in 2012 (Kaido 2012: 229-230).

Spousal violence against wives is found to be one of the most common reason for divorce (Tejima 2016: 61), yet, the number of divorce cases filed due to sexual violence remains very small. According to Tejima, who examined the judicial precedents regarding divorce cases released after the amendment of Japanese civil law after World War II, "only a few" cases of sexual violence against wives listed "sexual violence" as the reason for divorce (Tejima 2016: 91-92). She speculates that it is because, for the victimized wives, sexual acts are a very private matter and sexual violence is considered "shameful",

which makes them hesitant in reporting (Tejima 2016: 92).

It appears that although there are few arrests made of perpetrators who sexually assault or rape their spouses, and wives tend not to discuss victimization, the general public awareness around spousal sexual violence has been increasing. One national survey reveals that 77% of women and 76% of men answered that forced sex between spouses is always violent conduct (GEBCO 2015). This ratio has been increasing since the survey was first conducted in 1999⁽⁶⁾ and Japanese society's public consciousness of sexual violence seems to have grown over the past years. However, as shown in the small number of the statistics, actual victimization has not yet surfaced enough to be a serious subject of legal and social discourse.

2 Under-reported Sexual Violence against Wives

In general, cases of sexual violence have a tendency to be under-reported. A female prosecutor of the Osaka High Public Prosecutors Office states that only about 4 percent of rape victimization is actually reported to the police and speculates there would be 25 times more rape cases recorded if every victim filed a police report (Yoshida 2015: 5). It is logical to expect the number of reported incidents of marital sexual violence to be extremely small because of the marriage institution shield.

Among all violence which occurs in private spheres, sexual violence from a spouse is the least likely type of violence a victimized wife

would report to police, or discuss with case workers, friends, or relatives. It is no surprise that victims tend not to share this private part of their life, let alone violence or verbal abuse suffered from their husbands related to their sexual relationships. Even if the victims disclose their experience to the people around them, asking for advice or help, some of those interlocutors may not see it as a problem of public concern or they might advise the wife to endure, as it is just part of being married (Kuwajima 2019: 118).

Victims may be more forthcoming about physical violence but not sexual violence. In fact, Ms. Tabata, a counselor of a gender equality center in Obu city, Aichi prefecture, noted that victimized women may not report their sexual experiences to the police because they consider it to be a private matter. But these same women might report physical violence to the police, which would therefore be counted in official figures⁽⁷⁾, for sexual violence often occurs combined with many other forms of violence, such as hitting and kicking. Refusing their husband sex may result in physical violence, and in fact, a 1992 study shows that over 25 percent of women who were physically abused, report the most severe violence experienced from male partners occurred when sex was refused ("Otto (Koibito) karano Bōryoku" Chōsa Kenkyukai 1999: 81). Tejima also says victimized women often seek advice for physical or psychological violence when calling help line services but, in self-help groups, women are more likely to share experiences of sexual violence among the victimized women themselves (Tejima 2016:

92). Thus sexual violence against wives is likely under-reported compared to physical or psychological abuse against wives.

The GEBCO national survey lists the following examples under the question asking about the frequency of sexual coercion: “sexual conduct is coerced despite your rejection; [a spouse] showing pornography videos and so forth which you do not want to see; [a spouse] not cooperating with contraception” (GEBCO 2015)⁽⁸⁾. As the conduct listed is rather limited and is a typical image of sexual coercion, it is possible that the respondents may have answered in accordance to this vague definition and such a vague definition of sexual violence may have therefore excluded many other possible answers. A spouse could be abused with sexual violence in various ways but a respondent might be reluctant to answer affirmatively if her experience deviates from the examples listed in the survey.

3 Failure to Specifically State Sexual Violence Against Spouses in the Law

Sexual violence against wives are supposedly the focus of two main laws related to this issue. First, sexual violence against wives should be rendered impermissible by the Act of Prevention of Spousal Violence, 2001⁽⁹⁾. However, the Act does not specify any violence related to sex or sexuality among spouses but only defines physical attack and psychological harm against spouses.

The term “spousal violence” as used in

this Act means bodily harm caused by one spouse (illegal physical attacks that threaten the other spouse’s life or person; the same applies hereinafter) or words and deeds by one spouse that cause the same level of psychological or physical harm to the other spouse. (Article 1)⁽¹⁰⁾

In this verse, sexual violence seems to be included in physical and psychological harm, but not addressing the abuse of nonconsensual sex or degrading one’s sexual subjectivity. For that reason, this law might not capture the actual needs of the wives who are sexually victimized.

The second legislation which concerns sexual violence against wives should be the Penal Code. Rape against wives is included as the subject of the Article 177, rape crime statutes of the Penal Code (Kaido 2012: 229). In June 2017, the Japanese Government amended the rape crime statutes of the Penal Code for the first time since its enactment in 1907, imposing heavier penalties⁽¹¹⁾ and broadening the definitions of rape (and other types of punishable acts). This revised Penal Code, however, does not specify marital rape. Tsunoda, a renowned feminist lawyer, boldly criticizes the Japanese laws, including the Penal Code, stating that they were created for men, by men, and have been enforced for the exclusive benefit of males (Tsunoda 2017: 5).

Considering that only a small percentage of rape crimes are prosecuted (Yoshida 2015: 5), it would be extremely difficult to prove a rape case among a married couple. Kaido argues that although criminal law is currently applicable to marital coercive sex in theory,

the actual process to proceed as a criminal matter is still quite difficult, due to gender bias built into the law (Kaido 2012: 240, 252).

Unfortunately, neither the Spousal Violence Prevention Act nor the sex crime statutes of the Penal Code specifically articulate the possibility of sexual violence against spouses. This could partially explain the silence and lacunae around sexual violence and rape in marriage in Japanese society.

4 Controlling wives' sexuality and coercive sex

During my fieldwork at protection facilities for victims of domestic violence, I encountered women who were forced to have intercourse with their partners or had no choice but to engage in degrading sexual acts. Some victims suffered additional duress by enduring a series of pregnancies and abortions, due to their husbands' refusal to use condoms. From case workers and in hearings held by shelter staff workers, I learned that some husbands forced their wives to engage in prostitution. Experiences of sexual violence were often happening in conjunction with physical violence as well as verbal and psychological abuse prior to a woman coming to a shelter. It should be noted that even experienced case workers specializing in women's rights find sexual violence hard to detect without careful attention.

For example, Ms. Arai, a women's case worker with seven years' experience (at the time) in Tokai region, shared the following story⁽¹²⁾. Ms. Arai helped a client file a restraining order against her husband due to

domestic violence. The client and her husband were in their late 30s and childless. The client reported that she did not want to go out with her husband on Sundays, and if she refused, he would hit her. In retrospect, Ms. Arai wondered why the client was refusing to go out on Sundays, but did not pursue the question and instead proceeded with the paperwork.

Subsequently, a district court approved Ms. Arai's client's restraining order, but then the client's husband presented counterevidence. Surprisingly, a statement from a woman that the husband was having an extramarital affair with was presented as counterevidence - stating that the wife's naked body showed no signs of being hit. In the end, it was determined there was no risk of harm and the restraining order was revoked. This scenario alarmed Ms. Arai - exactly why did this other woman see her client's naked body? After further discussion and digging deeper, she discovered her client was coerced by her husband to have group sex every Sunday. Hence, her rejecting going out on Sundays with her husband. Ms. Arai now regrets not listening to her client more attentively and worries if the "other woman" was also forced or threatened by the client's husband. Ms. Arai believes that had she previously discovered what exactly was happening she could have better protected her client suffering further sexual violence.

Another example of a woman I encountered during fieldwork also illustrates how men use women as sexual objects. In this case, a husband resorted to physical and economic force to exert control over his wife's

body and sexuality to an extreme extent⁽¹³⁾.

Saki, a Chinese woman, came to the shelter because of her husband's domestic violence. She moved to Japan with her parents and relatives and is currently a naturalized citizen of Japan. It was her Japanese husband's second marriage and her first marriage. After being abused by her husband, Saki brought their four-month-old baby with her to the shelter. Her record depicts the insane⁽¹⁴⁾ behavior of her husband. She was forced to wear a "T-shaped belt," a chastity belt which was sewn into her blue jeans, and she had difficulty urinating because of it. He gave her only 300 to 500 yen a day for food and other necessities. Saki became engaged in prostitution while pregnant to make extra money. When her husband found out she was working at a bar he hit her. Then she developed bulimia, and in despair, Saki tried to commit suicide by jumping from the top of a building, but she failed. Now, her husband is demanding a threesome with his wife and ex-wife. Although Saki wants a divorce, she reports loving feelings for him remain.

In this example, the wife was deprived of the freedom over her own body and the husband monopolized sexual satisfaction by transforming his wife's body into a sexual tool. He pursued sexual control by forcing physical violence and economic power over her⁽¹⁵⁾, causing detrimental effect on her mind and body. Her suicide attempt was prompted by being physically beaten and having him control her body.

These men were both demanding the same thing of their wives, namely sex with a

third person or with other woman. Being told by husbands to have sex with other women is a demeaning and humiliating thing to wives. The husbands in these cases show their wives no respect nor treat them as equal partners, but merely as tools to satisfy male sexual demands.

Numazaki, a cultural anthropologist, argues that when a man who exerts violence against a woman, <she> becomes an extension of his tool only to satisfy <his> needs (Numazaki 2019: 164). The egoistic attitudes of men are comparable to what is described as the "patriarchal masculinity" of "demanding nurturance, services, and comfort on their terms when at home" (Messerschmidt 1997: 106) that is found among violent men in Western societies.

5 Sexual Violence against Wives Tolerated in Japanese Socio-cultural Context

The "patriarchal masculinity" found in the perpetrators' attitudes toward wives are produced and fortified within Japanese society that has traditionally condoned sexual violence against wives, or women generally. One example that makes this clear is the term surrounding spousal sex: *yoru no otsutome*, literally meaning night duty, implies a wife's duty to respond to her husband's sexual demands. Although not literally gendered, in practical usage it always describes a woman's duty to acquiesce to her husband's sexual demands.

Though such a euphemistic term might be less common in the contemporary moment,

the idea it describes remains popular today. Ms. Tabata, a counselor, shared a story of a woman in her 30s whose husband coerced her to have sex with him and who exerted violence if she refused. When this woman talked to her sister about it, she was told that it was her duty to accept his requests. Besides the feeling of shame that discourages women from revealing what happens inside their houses, some women do not perceive coercive sex by their husbands as rape⁽¹⁶⁾. This “sense of duty to their partner” is believed by “many women and men” in the context of marriage, according to Singleton’s report on the U.S.A (Singleton 2016: 94).

Although Japan has undergone changes toward modernization of marriage and family patterns with the influence of Western notions of equality (Carroll 2006), still some husbands and wives take as natural the traditional gender norms of men being superior and women being subordinate. In fact, Japanese women are far from being equal with Japanese men, by one measure ranking the 121st among 153 countries in gender gap, which was the lowest ever (World Economic Forum 2019: 9).

The reported experiences of sexual violence by wives include enduring degrading sexual remarks, being treated like sex objects, and lacking the perspective to see wives as equal; all of this results from unequal gender relationships. The unequal gender structure is constructed through everyday practices at home, school, work, and so forth, while these practices themselves are already structured in gender-unequal ways. This cycle of structuring gender order is argued

by Ehara, drawing on Bourdieu’s notion of habitus (Ehara 2001). Unequal gender norms and beliefs along with double standards of sexuality continue as a breeding ground for sexual violence against women. Tsunoda, a lawyer specializing in marital issues, argues that the institution of marriage in Japanese society serves as a platform on which gender order takes a crystalized form: a husband takes care of his wife and the wife is obedient to her husband (Tsunoda 2001: 51).

How Japanese society’s tolerance for, and trivialization of, sexual violence against women in general is shown in another Japanese term. Even today, the Japanese mass media use the term “assault of a female” (*fujobōkō*), when rape occurred, instead of specifying that the women were sexually violated. The reason is “to keep dignity of the newspaper” by not using the word “*gōkan* (rape)”, which might sound disturbing to the general public (Kaino 2002: 132). Until around 2016, the term “mischief” (*itazura*) had been used in the mass media to imply sexual abuse against minors⁽¹⁷⁾. Victim blaming is often observed instead of accusations against the perpetrators and this discourse tends to alleviate the magnitude of the sexual violence, and thus allows it to fester and perpetuate.

Additionally, such societal attitudes condoning sexual violence is visible in legal judgements. Kaino, known as a pioneer jurist of domestic violence in Japan, criticizes the ideological background in Japan which indulges male sexuality and violence while regarding female sexuality as passive, subjugated, and chaste (Kaino 2002: 135). Some Japanese men and women seem to share

a belief that sex should involve aggressive male behavior, which women also desire⁽¹⁸⁾. This may coincide with what Herman once termed “rape culture” (Herman 1984). What is “normal” is constructed by dominant male perspectives which condone coercive sex or sex with violence serving only to meet their own needs. Thus, marital rape tends to fall within the range of normative conjugal sex.

Conclusion: For Future Studies on Sexual Violence against Wives

Although marital sexual violence has not been fully identified nor treated as problematic culturally, legally, or socially in Japan, victimized wives’ experiences show far more than what the law or statistics questions presume. Research data shows that marital sexual violence is happening in conjunction with other types of violent, abusive, and controlling conduct by husbands within socially normal but unequal relationships, which are, in turn, fueled by the persistent patriarchal systems prevalent in Japanese society.

Though only a few cases are documented here, this paper shows the complexity of wives’ experiences and the difficulty of grasping sexual violence. For these reasons, the topic of sexual violence against wives tends to be significantly under-reported. The cases captured in the national survey and actual cases reported to the police or within the judicial system are very small. Furthermore, even in the sectors that support victims through consultation and protection services, and even for case workers actively

trying to help survivors, sexual victimization of wives stays hidden.

Therefore, it seems that the failure to problematize sexual violence against wives derives from various socio-cultural and individual factors that minimize, condone, and thus keep marital sexual violence invisible. Moving forward, one remedy to trivializing sexual violence is to dismantle patriarchal discourse and find new terms to express sexuality and sexual relationships as determined by women themselves. Tackling with the issue of sexual violence against wives is to challenge a long-lasting patriarchal system in Japan.

In conclusion, sexual violence against wives can be combatted with a better understanding derived through defining it with specificity, yet with a wider perspective as well. Importantly, sexual violence is not only limited to individual sexual conduct, but can also include various acts, attitudes, and remarks surrounding sex which take place in unequal relationships. It is also important to understand marital sexual violence both as an exposure of and as a fuel to perpetuate unequal relationships. As Kelly suggests with the concept of “continuity” (Kelly 1989), sexual violence against wives is not an independent act which can be separated from their daily life: it happens within an extension of unequal, asymmetrical power relations.

Further research is needed before effective solutions are possible. Recommendations for future studies include multi-disciplinary research on sexual violence against wives in the fields of law and policy, psychology, medicine, and socio-cultural studies. In-

depth interviews with victims should also be implemented as a way to grasp the actual, complex experiences of victimized wives and help them vocalize their needs, while simultaneously, revealing the magnitude of this “invisible” problem.

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Notes

- (1) The term “domestic violence” refers to various forms of violence and abusive acts perpetrated in intimate relationships. Intimate partner violence is not limited solely to heterosexual couples, and sexual violence is also perpetrated by wives against husbands. However, this paper focuses exclusively on heterosexual couples and victimization of wives within legal marriage because these identifications were required at the shelters where the author conducted fieldwork (2006–2009) in greater Tokyo area, Japan. In general, it would be much harder for husbands to report victimization to the police or to counseling services because of tremendous shame stemmed from stereotyped gender images. Additional research focusing on sexual violence against intimate partners, regardless of sexuality and/or legality of their marital status might possibly complicate and challenge the dynamics discussed in this paper.
- (2) Conducted from 2006 to 2009 mainly in Kanagawa and Tokyo, participant observation took place at several shelters and local municipal offices. The author also conducted interviews with case workers, social workers, activists, and government officials.
- (3) Up until 2012, the proportion of sexual coercion was between 14 and 15 percent, which is equivalent to rape in marriage (14%) in the U. S. reported by Russell (1990: 57).
- (4) One out of five men have experienced isolated violence; physical violence (14.5%), psychological threats (10.0%), sexual coercion (1.5%), economic abuse (2.9%).
- (5) The revised sex crime statutes of the Penal Code states the followings. Because no official English translation of the Penal Code is available, the author made corrections to the translation obtained by the cabinet office, in accordance to the amendment made in 2017 as below. Retrieved December 16, 2019, from <http://www.cas.go.jp/jp/seisaku/hourei/data/PC.pdf> .
Article 176 (Forcible Indecency) : A person who, through assault or intimidation, forcibly commits an indecent act upon a person of not less than thirteen years of age shall be punished by imprisonment with labor for not less than 6 months but not more than 10 years. The same shall apply to a person who commits an indecent act upon a person under thirteen years of age.
Article 177 (Forcibly Committed Sexual Intercourse and Other Sexual Acts) : A person who, through assault or intimidation, forcibly commits sexual intercourse, anal penetration, or oral sex with a person of not less than thirteen years of age commits the crime of forcibly committed sexual acts and shall be punished by imprisonment with labor for a definite term of not less than 5 years. The same shall apply to a person who commits sexual intercourse and other sexual acts with a person under thirteen years of age.
Article 178 (Quasi-Forcible Indecency; Quasi-Forcibly Committed Sexual Acts) : (1) A person who commits an indecent act upon a person by taking advantage of loss of consciousness or inability to resist, or by causing a loss of consciousness or inability to resist, shall be punished in the same manner as prescribed in

- Article 176. (2) A person who commits sexual intercourse and other sexual acts with a person by taking advantage of a loss of consciousness or inability to resist, or by causing a loss of consciousness or inability to resist, shall be punished in the same manner as prescribed in the preceding Article.
- (6) In the survey first conducted in 1999, 60 percent of men and women perceived forced sex as violent and 42 percent said showing pornography against a partner's will was violent (GEBCO 2000).
- (7) Interview with Ms. Tabata, a women's counselor and former director of the Gender Equality Center in Obu City, Aichi. December 6, 2017.
- (8) The most popular contraceptive pattern used in Japan is the male condom (40.7%), while Pill use is 1.0% (United Nations Department of Economic and Social Affairs, 2013). Therefore for couples using condoms, male partners must cooperate, to some degree, with contraception.
- (9) The primary purpose of this Act is to protect and provide services for the victims and it does not focus on a punishment against perpetrators, except for when the perpetrators disobey restraining orders from the regional court. The various damages upon the victims such as injuries, threats, stalking, and so forth are dealt with through pre-existing individual criminal laws.(GEBCO, Retrieved December 16, 2019, from http://www.gender.go.jp/policy/no_violence/e-vaw/law/03.html.)
- (10) Retrieved December 16, 2019, from http://www.gender.go.jp/policy/no_violence/e-vaw/law/pdf/sv.pdf
- (11) The headline of a newspaper article reads "Heavier Penalties on Sex Crimes" (Asahi Digital, June 16, 2017, <http://www.asahi.com/articles/ASK6H7RHYK6HUTIL06L.html>). Before the amendment of the Penal Code, rape crime was punished with the minimum 3 years of imprisonment, whereas the minimum 5 years of imprisonment for crime of robbery (Article 236, Penal Code). A female jurist states that the penalties have not become "heavier" but that it has now become optimized (NHK Heart Net, October 22, 2018) . Retrieved January 3, 2020, from <https://www.nhk.or.jp/heart-net/article/128/>).
- (12) Interview with Ms. Arai, a women's counselor in Tokai region. November 5, 2017.
- (13) Based on author's field notes (December 3, 2008). Pseudonym is used and specific situations are altered to preserve her anonymity.
- (14) Illustration of extreme violence cases as this one might mislead the reader to trivialize this entire problem of sexual violence into the extreme acts of perverted, abnormal men, which women in general could not associate with. However, I think it would help to identify the magnitude of this kind of violence at first and then put the sexual violence back on the "continuity" of women's experiences, as Kelly argues (1989). Most women experience sexual violence in their life although many women have not defined it as such (c.f. Kelly 1989).
- (15) We cannot conclude from the case but it is worth probing the sexual violence against wives within the context of racial relationship: whether or not Japanese husband who married to women from other Asian countries had racist attitudes towards women; or if so how sexual violence was experienced by these women.
- (16) Interview with Ms. Tabata. December 6, 2017.
- (17) The article on the 6th meeting of The Press and Human Rights Committee (PRC), a third-party entity of *Asahi Shimbun*, reported gender biased expressions used in the media. It stated that the newspaper should not use the word "*itazura*" as an expression to mean sexual crime, but should specifically describe the action, such as "touched the body", "committed an obscene act" (Asahi Shimbun, February 10, 2002).
- (18) Kaino criticizes the double standard of sexuality, male sexuality believed as aggressive and that of female being passive and obedient, at work within judicial decisions (Kaino 2002: 134-135).

References

- Carroll, Tessa. (2006). Changing language, gender and family relations in Japan. In Marcus Rebick and Ayumi Takenaka (Eds.), *The Changing Japanese Family* (pp. 109–126). London and New York: Routledge.
- Ehara, Yumiko. (2001). *Jendā chitsujo* [Gender Order]. Tokyo: Keisō Shobō.
- Gender Equality Bureau Cabinet Office (GEBCO). (2000). *Danjokan ni okeru bōryoku ni kansuru chōsa hōkokusho* [Research Report on Gender Violence]. Retrieved December 21, 2017, from <http://www.gender.go.jp/policy/no_violence/e-vaw/chousa/pdf/h11.pdf>
- (2011). *Haigūsha bōryoku tō higaisha shien kinkyū taisaku jigyō: pāpuru daiyaru – seibōryoku DV sōdan denwa shūkei kekka* [Program of Emergency Support Response for the Victims of Spousal Violence: Purple Dial – Sexual Assault, Domestic Violence Telephone Counseling – Results]. Retrieved January 27, 2020, from <http://www.gender.go.jp/policy/no_violence/violence_research/purple/purple_tabulation.html>
- (2015). *Danjokan ni okeru bōryoku ni kansuru chōsa hōkokusho: gaiyōban* [Research Report on Gender Violence: Summary]. Retrieved December 21, 2017, from <http://www.gender.go.jp/policy/no_violence/e-vaw/chousa/pdf/h26danjokan-gaiyo.pdf>
- (2018). *Danjokan ni okeru bōryoku ni kansuru chōsa hōkokusho* [Research Report on Gender Violence]. Retrieved December 16, 2019, from <http://www.gender.go.jp/policy/no_violence/e-vaw/chousa/pdf/h29danjokan-12.pdf>
- Herman, Dianne F. (1984). The Rape Culture. In Jo Freeman (Ed.), *Women: A Feminist Perspective* (pp. 45–53). Mountain View, CA: Mayfield.
- Kaido, Futaba. (2012). (Fūfukan reipu no keijihō-jō no ichizuke [Marital Rape within Criminal Law]), *Law and Practice* (6) 227–253, Waseda Law School.
- Kaino, Tamie. (2002). *Domesuttiku baiorensu* [Domestic Violence]. Tokyo: Fuma Shobō.
- Kelly, Liz. (1989). The Continuum of Sexual Violence. In Jalna Hanmer and Mary Maynard (Eds.), *Women, Violence and Social Control* (pp. 46–60). London: Macmillan.
- Kuwajima, Kaoru. (2019). “My Husband Is a Good Man When He doesn’t Hit Me”. In Allison Alexy and Emma E. Cook (Eds.), *Intimate Japan: Ethnographies of Closeness and Conflict* (pp. 112–128). Honolulu: University of Hawai’i Press.
- Messerschmidt. (1997). Varieties of “Real Men”. In Laura L. O’Toole and Jessica R. Schiffman (Eds.), *Gender Violence* (pp. 92–109). New York: New York University Press.
- National Police Agency. (2018). “Responses to Stalker Cases and Spousal Violence Cases in 2018” (Heisei 30nen ni okeru sutōkā jian oyobi haigūsha karano bōryoku jian-tō eno taiōjōkyō ni tsuite). Retrieved December 15, 2019, from <<http://www.npa.go.jp/safetylife/seianki/stalker/H30taioujoukyou.pdf>>
- Numazaki, Ichiro. (2019). *Shihai shinai otoko ni naru*. [To Become a Non-Controlling Man]. Tokyo: Puneuma Sha.
- Otto (Koibito) karano Bōryoku” Chōsa Kenkyukai. (1999). *Domesuttiku baiorensu* [Domestic Violence]. Tokyo: Yūhikaku.
- Russell, Diana E.H. (1990). *Rape in Marriage*. Bloomington and Indianapolis: Indiana University Press.
- Singleton, Judith L. (2016). Marital Rape and the Law. In Yllö & Torres (Eds.), *Marital rape: Consent, marriage, and social change in global context* (pp. 87–101). London: Oxford University Press.
- Tejima, Akiko. (2016). *Shinmitsuken ni okeru bōryoku: Higaisha shien to hō* [Violence in Intimate Sphere: Support for the Victims and the Law]. Tokyo: Shinzansha.
- Tsunoda, Yukiko. (2001). *Seisabetsu to bōryoku: zoku sei no hōritsugaku* [Violence and Gender Discrimination: A Sequel to Nomology of Sexuality]. Tokyo: Yuhikaku.
- (2017). *Seibōryoku ni josei wa dō mukiatte*

kitaka [How Have Women Faced Sexual Violence?], *Josei Tenbō* [Women's Perspective] 686, 5–8.

United Nations Department of Economic and Social Affairs. (2013). *World Contraceptive Patterns 2013*. Retrieved December 21, 2017, from <<http://www.un.org/en/development/desa/population/publications/family/contraceptive-wallchart-2013.shtml>>

World Economic Forum. (2019). *The Global Gender Gap Report 2020*. Retrieved December 19, 2019, from <http://www3.weforum.org/docs/WEF_

GGGR_2020.pdf>

Yoshida, Yoko. (2015). Dēta kara miru seibōryoku higai no jittai [Victimization of Sexual Violence Based on Data]. In Yukiko Tsunoda (Ed.), *Seibōryoku higai no jittai to keiji saiban* [Criminal Trials and Victimization of Sexual Violence] (pp. 3–40). Tokyo: Shinzansha.

Yllö, Kersti A. & Torres Gabriela M. (2016). *Marital Rape: Consent, Marriage, and Social Change in Global Context*. London: Oxford University Press.