

WOMEN RESISTING VIOLENCE:

Domestic Violence – its causes, consequences and
legislation in Japan

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Violence Against Women

- ▶ 1. Physical and mental violence within the family
- ▶ 2. Institutional Violence - sexual harassment, prostitution, violence against women in the mass media
- ▶ 3. State Violence - violence against women organized by the government, example comfort women
- ▶ 4. Cyber Violence - online threats, harassment and stalking

What is Domestic Violence (DV)?

- ▶ Domestic Violence (DV) is the willful intimidation, physical assault, battery, sexual assault and/or other abusive behavior as part of a systematic pattern of power and control perpetrated by one intimate partner against another.

Source: National Coalition Against Domestic Violence (NCADV) 2015, Domestic Violence National Statistics

Forms of Domestic Violence

- ▶ Psychological
- ▶ Physical
- ▶ Emotional
- ▶ Sexual
- ▶ Economical

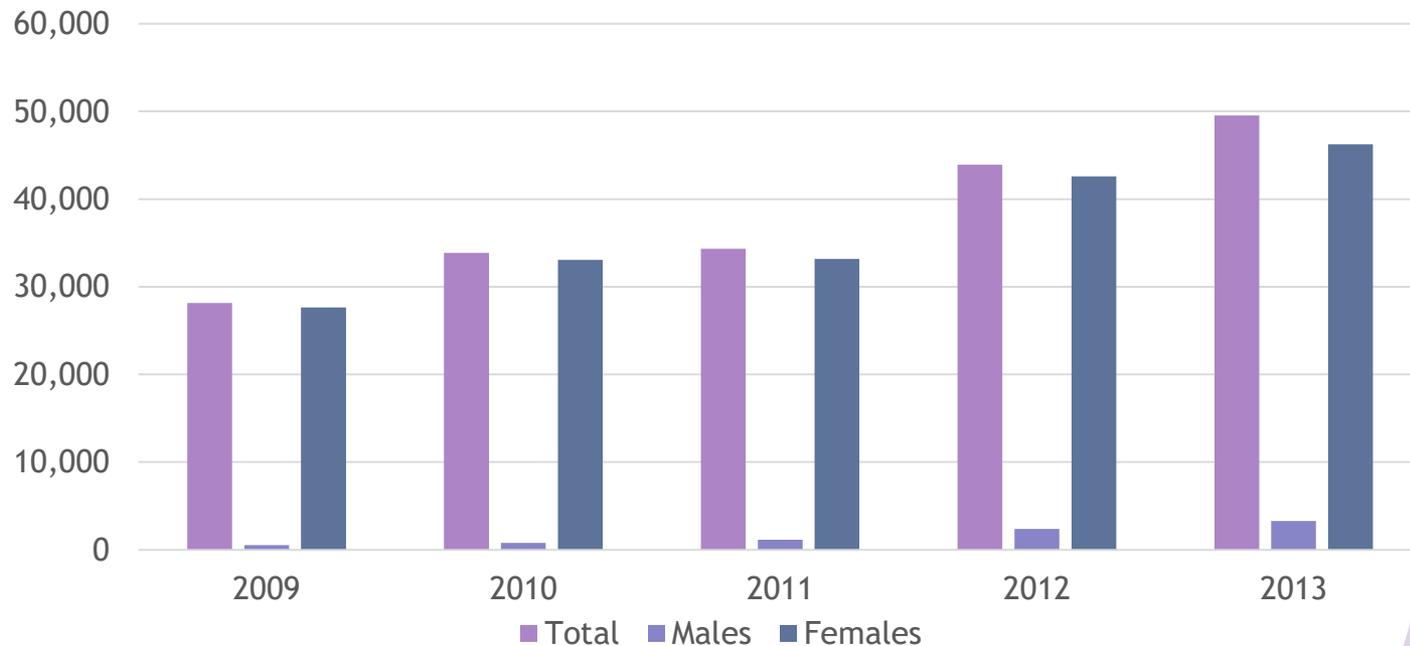
Domestic Violence in Japanese Culture

- ▶ 1. A delicate matter hidden by Japanese culture of shame
- ▶ 2. Traditional ideas of masculinity and femininity
- ▶ 3. An issue between the husband and wife behind the *shoji* screen
- ▶ 4. Fear of retaliation

Causes of Domestic Violence in Japan

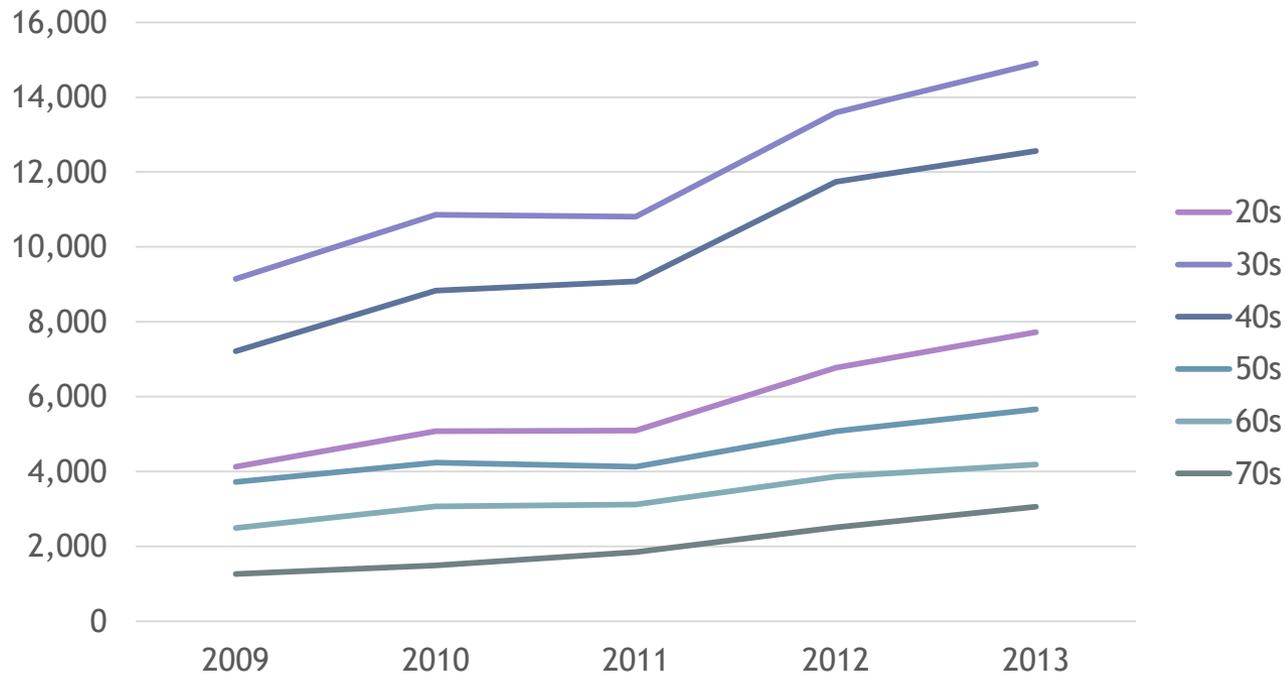
- ▶ Stress - workplace and home
- ▶ Attitude towards spouse
- ▶ Economic reasons
- ▶ Past experience
- ▶ Excessive consumption of alcohol

Data on Domestic Violence in Japan



Source: Number of Domestic Violence in Japan, How much is it in Tokyo? Published by the Tokyo Metropolitan Government.

Age of Batterer (Assailant)



Source: Number of Domestic Violence in Japan, How much is it Tokyo? Published by the Tokyo Metropolitan Government.

Comparison with other Countries

- ▶ United States of America
- ▶ Canada
- ▶ Australia
- ▶ United Kingdom
- ▶ China
- ▶ Russia
- ▶ Zimbabwe
- ▶ Kenya
- ▶ Uganda
- ▶ Arab countries
- ▶ Sri Lanka

Impact of Domestic Violence on Family

1. Children prone to a wide range of behavioral and emotional disturbances
2. Health problems
3. Depression
4. Post traumatic stress disorder (PTSD)
5. Sleep and eating disorders
6. Emotional outburst and suicide

Reasons for staying in an abusive relationship

- ▶ 1. Death threat on victim and family members
- ▶ 2. Belief that the violent behavior will change
- ▶ 3. Financial dependence
- ▶ 4. Threat to take children away
- ▶ 5. Victim wants children to have two parents
- ▶ 6. Religious and cultural beliefs
- ▶ 7. Social stigma - embarrassment
- ▶ 8. Low esteem and victim blames oneself
- ▶ 9. No place to seek protection or shelter
- ▶ 10. Fear of retribution from abusers friends and/or family

Relief available for Victims

1. Law for the Protection of Spousal Violence and Protection of Victims - Law No. 31 of 2001 amended by Law No. 64 of 2004.
2. Revised law protects children and former wives of abusive men
3. Counselling centers and shelters
4. Help women find jobs and places to live during court order
5. Financial assistance by organizations to assist victims

Legislation on DV in Japan

- ▶ 1. Legislation in Japan - Law for the Prevention of Spousal Violence and Protection of Victims Law No. 31 of 2001, amended by Law No. 64 of 2004.
- ▶ 2. Law protects not only wives and husbands but also common law marriage partners and ex-wives and ex-husbands
- ▶ 3. Law revised in 2004 includes children and former wives of abusive men.
- ▶ 4. Those attacked by spouses will be able to obtain restraining orders against offenders.
- ▶ 5. Empowers courts to issue protection orders to ban an abuser from approaching a victim for six months and expel them from a house for two months.
- ▶ 6. Revised law enable protection orders to be issued for making threats, not just for inflicting actual physical violence and the victim must file petition for protection.

Shortcomings of the present law

1. Spousal abuse not a specific crime in Japan
2. To obtain a restraining order, the burden of proof is on the victim
3. No provisions for the courts to issue emergency injunctions against abusive partner
4. No recourse for women seeking relief for marital rape
5. Does not apply to unmarried couples who live together and those dating, but live apart
(Date violence)
6. Does not cover parents, relatives and friends of DV victims

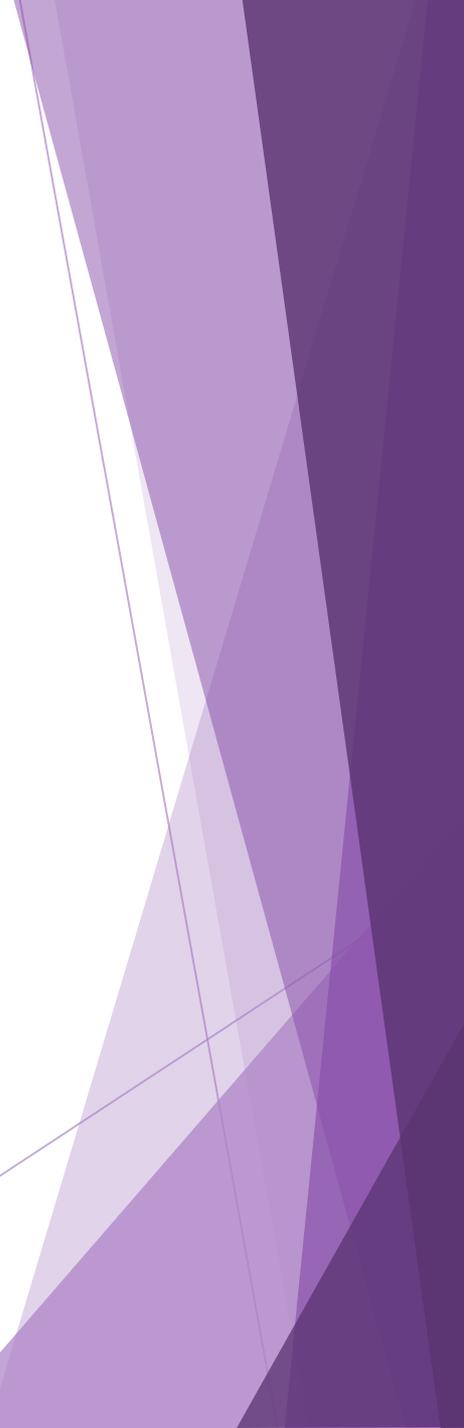
How can we prevent DV?

- ▶ 1. Specific penalties for perpetrators of DV
- ▶ 2. Training programs on non violence
- ▶ 3. Counselling service to the batterer and the victim
- ▶ 4. Train law enforcers, medical and legal professionals to come into contact with those who experienced violence
- 5. Community to form organizations to assist and support victims and their immediate families
- 6. Community workers to be trained to give information on the law and law enforcement
- 7. Present law be revised to include domestic violence as a criminal offence

Conclusion

- ▶ 1. Influence of culture
- ▶ 2. Social problem
- ▶ 3. Difficulty to identify
- ▶ 4. Gender inequality
- ▶ 5. Education or enlightenment

Thank you very much.

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