

[Lecture]

## LGBTI Human Rights in Europe, the United Kingdom, and Japan

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Konnichiwa. Domo arigato gozaimasu. It is a great honour to be here with such a large student attendance. I think we can think of today's lecture as a continuation of Tokyo Rainbow Pride, which I attended this past weekend. So in thinking about how to organise the lecture, I think one place I should start with is the idea of difference, which leads to discrimination, which then leads to legal reform.

The first part we need to start with is the difference. In the handout, I refer to sexual orientation, gender identity, and sex characteristics. Sexual orientation usually means whether you are heterosexual (women attracted to men, men attracted to women); bisexual (attracted to both sexes); gay (men attracted to men); or lesbian (women attracted to women). Another possibility is asexual, not attracted to anyone. I would

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divide gender identity into non-trans, which means your body and your mind agree. So you have a male body, and in your mind, you think of yourself as male. Female body, female mind. The other possibility is trans, and that means you were born into a male body, but in your mind you are female. Or the other way around. Female body, male mind. Sex characteristics are something new: it divides people into non-intersex and intersex. A trans person is born clearly on one side of the line or the other, male or female, but an intersex person is born into a body that is on the line. Their body has some male characteristics, some female characteristics. An example is the South African athlete Caster Semenya. She competes as a woman, but many people say that she has male characteristics. Her testosterone level is very high, so her career has been controversial.

To summarise, the minority defined by sexual orientation is the lesbian, gay, and bisexual (LGB) minority. The minority defined by gender identity is the trans (T) minority. The minority defined by sex characteristics is the intersex (I) minority. If you take these minorities together, that is how you get “LGBTI.”

What is different about these differences (sexual orientation, gender identity, sex characteristics) is that they are invisible. If you think about differences in human societies, the first one that is obvious everywhere is between women and men. That is a visible difference that every society is aware of. Then there may be differences in racial or ethnic origin. In Japan, there is a small minority of Korean origin, as well as European people who look different, African people who look different, et cetera. These are obvious visible differences. Religion can be a visible difference when people dress differently, or it can be invisible. Disability is sometimes visible. But sexual orientation, gender identity, and sex characteristics are all invisible. So you could say that LGBTI people have always existed in society. What is changing is that they are becoming visible and speaking up. And they are saying: “I am different. The way society is organised is not right for me and causes discrimination.”

Now, I have a video with a song. The song is “I Am What I Am” from

the 1983 New York Broadway musical “La Cage aux Folles”, French for “the cage of crazy women.”<sup>1</sup> This video illustrates the idea of coming out of the closet. It is often said that most LGBTI persons are living in a closet, like a closet for clothes. Their true selves are hidden. And when they start to talk about their difference with their friends, their families, their employers, their professors, then they are “coming out” or being open.

Within the LGBTI community, you have persons who are born male, who identify as female, and are therefore trans women. But you also have gay men who enjoy dressing up as women just for fun, which is what you see in the video. Trans women and men who like to dress up as women are more visible in society than most LGBTI people. They were therefore the first to suffer violence, discrimination, and harassment, especially by the police.

Inspired by African-Americans and women, the LGBTI minorities in the United States were already campaigning for equal rights when a historical event in June 1969 gave a major boost to their movement. There was a big change in the demands of LGBTI minorities in the United States starting in June 1969. A gay bar called the Stonewall Inn in Greenwich Village, Manhattan, New York City, was frequently raided by the police. One night the customers, including the “drag queens” (men who like to dress up as women like in the video), had had enough and decided to fight back. They fought with the police for three nights in a row. This historical event is called the Stonewall Riots.

It led a year later in 1970 to the first LGBTI Pride Parade in New York. One participant said: “We have to come out into the open and stop being ashamed, or else people will go on treating us as freaks.”<sup>2</sup> The word “pride” is used because society tells you that your difference is bad, something that you should be ashamed of. Historically, it has been a sin in religious terms, a mental illness in medical terms, and a crime in legal

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1 See <https://www.youtube.com/watch?v=T4VMudwIVEU>.

2 See <https://www.nytimes.com/2015/06/26/arts/weekend-entertainments-from-the-archives-of-the-new-york-times.html>.

terms. So when you march in a pride parade, you are saying, as in the song: “I am what I am. This is what I am, and there is nothing wrong with me. I am not committing any sin, I am not mentally ill, and I am not committing any crime.”

I would now like to tell you about my own coming-out experience. I came out in 1979, during my first year in the Faculty of Law at McGill University in Montréal, Québec, Canada. That was ten years after Stonewall. In 1994, I went to Stonewall 25 in New York, and next year I plan to go to Stonewall 50 and World Pride in New York, which will be held on 30 June 2019. Here is a video about the celebration.<sup>3</sup>

How have the human rights of LGBTI people changed during my lifetime? I was born over sixty years ago, in 1957, in St. Louis, Missouri, USA, to Canadian parents who were living there. When I was born, sexual activity between men was illegal in all fifty US states, in Canada, the United Kingdom, Ireland, Australia, New Zealand, South Africa, and almost every other part of the former British Empire. This kind of criminal law did not exist in France, which repealed the law in 1791 as part of the French Revolution. For this reason, former French colonies are much less likely to have criminal laws against same-sex sexual activity than former British colonies.

The first part of the former British Empire to change the law was the State of Illinois in 1960. The second was England and Wales in 1967, and the third was Canada in 1969. The person responsible for this reform was Pierre Trudeau, who was the Minister of Justice and then the Prime Minister. He famously said: “There is no place for the state in the bedrooms of the nation.”<sup>4</sup> He later became the father of Justin Trudeau, who is Canada’s Prime Minister today.

Around 1969, when I was 12 years old, I started to realise that I was attracted to boys. This was a very difficult thing to accept, because a challenging aspect of these differences (sexual orientation, gender

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3 See <https://youtu.be/nIcLzI25sTA>.

4 See <https://www.cbc.ca/archives/entry/omnibus-bill-theres-no-place-for-the-state-in-the-bedrooms-of-the-nation> (21 Dec. 1967).

identity, sex characteristics) is that you are alone. There is no one in your family to support you or talk to you. If you are a Korean living in Japan, you probably have Korean parents, Korean brothers and sisters, Korean aunts and uncles. If you are from a religious minority, such as Christians, your whole family is probably Christian. Realising that you are gay is like being in a Buddhist family and suddenly noticing that you feel Muslim, or something else that is completely different from your family.

So this period was very difficult, from the age of twelve or so to twenty-two, after my first year of law. I was in a closet and I thought I had two options. One was to join a religious order and become some kind of monk, and then I would have a good excuse for not having a wife. And my second option was, I thought: "When I graduate, I will see a psychiatrist and she or he will cure me."

During this period, I was constantly in love with my best male friend, but I could not say anything. It is very painful when you feel love for someone and cannot talk about it. Things changed when I was a first-year law student. I had a roommate, we shared an apartment, and he told me that he had had two gay friends before. That encouraged me. So one night after dinner, I said: "Ted, I have something to tell you. Like your two other friends, I am gay."

There were ups and downs in the beginning. At one point I remember crying and saying, "I do not want to be different. I just want to be like everyone else." But eventually, I started going to gay bars in Montréal and then things were much better. It felt like having a bicycle with square wheels, and switching to one with round wheels. "Oh, this is much easier!"

After my first year, I was a gay law student in Montréal, but still closeted. I had gay friends and told a few very close heterosexual friends that I was gay. But I did not tell most of my friends in the Faculty of Law. It was a secret. I did not want them to know, and I did not want my professors to know. Today, in most faculties and schools of law in the US and Canada, you have an LGBT student association. Many students

are openly LGBT. In fact, students are now open in high school. So things have changed a lot since I graduated in 1982, moved to New York, and worked for the Milbank law firm, where I was in the closet again.

One issue for LGBT people all over the world is rejection by their families. They are often very afraid to come out to their parents. I did not even think about it until I was living in New York and financially independent. I had a good salary and my own apartment, so, if my parents rejected me, I could survive.

In September 1983, my mother was visiting, and I came out to her. I said: "I am gay." Her reaction was silence. She did not know how to talk about it. But she did not treat me any differently. Then on 1 January 1984, I wrote letters to my father, brother, and sister. In the same year, there was a documentary film called "The Times of Harvey Milk", which won the Best Documentary Academy Award. Harvey Milk was the first openly gay member of the city council of San Francisco until he was murdered by a political opponent in November 1978. His message was: "Come out, come out, come out! That is how you will change the world. If you remain in the closet, nothing will change." He inspired me to come out to my boss, a partner of the law firm I worked for, in 1985.

When I came out at Milbank, I was the first LGBT lawyer to be open in the firm. I could have been dismissed. There was no legal protection at the time in US federal law, in New York State law, or in New York City law. Fortunately, my boss was very sympathetic. I asked him if I could do pro bono work (free legal work) on LGB human rights issues and he said "yes." He was very supportive.

Now, today, in every big international company, in every big international law firm, there is an LGBTI staff network, and lots of openly LGBTI lawyers, meetings, events, et cetera. Things have changed a lot. The reason I am talking about my own life is to illustrate the changes people go through and how societies and their laws can change. In 1985, this changed my legal career, because I did pro bono human rights work and found it more interesting than doing bankruptcy law for Chase Manhattan Bank, our biggest client.

So in 1987, I left the law firm, moved to Oxford in England, and started doing a Ph.D. on the topic of sexual orientation and human rights. After I got my Ph.D., I turned it into a book, published in 1995 by Oxford University Press, called “Sexual Orientation and Human Rights”. Professor Yoshiaki Sato of Seikei University kindly reviewed it in a Japanese law review.<sup>5</sup> In 1991, I started teaching at King’s College London. The change I have seen in my career is that, when I started, it was hard to get a job. People did not feel comfortable with research on LGB human rights. They thought it was too controversial. Today, my university loves my research, puts it on the website, and celebrates it.<sup>6</sup>

After difference and discrimination, I would like to turn to the third part: legal reform. LGBTI people are like everyone else. They just want to have a normal life, to live openly and have all the same opportunities as everyone else. I am going to talk about certain major law reforms and when they happened, explain the different protection under the European Convention on Human Rights (EConHR), European Union law, and United Kingdom law (which goes beyond what European Union law requires). We can then compare UK law with Japanese law.

The first category to consider is an LGBTI demonstration or pride parade, like the Tokyo Rainbow Pride on Sunday, 6 May 2018. This parade is very important, because it shows that Japan is a democratic society. LGBTI pride parades are not allowed in Beijing, Shanghai, Singapore, Moscow, or Istanbul. I attended the gay pride in Moscow in 2006, which was banned by the City of Moscow and resulted in some violence. Here is a report.<sup>7</sup>

The ban was challenged in the European Court of Human Rights (ECtHR). In 2010, the Court ruled that there is a right to have a pride parade and to have it protected by the police.<sup>8</sup> In a democratic society,

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5 See Yoshiaki Sato, Gakkai Tenbo, 112 Kokka Gakkai Zasshi [Journal of the Association of Political and Social Sciences] 830 (1999).

6 See <https://www.kcl.ac.uk/news/spotlight-article?id=4e42e08a-b106-4ef0-8661-0d5473450f0a>.

7 See [https://www.youtube.com/watch?v=1dY\\_9liqrI0](https://www.youtube.com/watch?v=1dY_9liqrI0).

LGBTI people have the rights to freedom of expression, assembly and association, which they can use to draw attention to discrimination and to propose changes to the law. In a democratic society, what comes before law reform is the right to talk about law reform, to propose law reform.

Turning to the criminal law, in the UK, only sexual activity between men was prohibited, but there are over forty countries around the world where sexual activity between women is also illegal, including Cameroon and Sri Lanka. In the United States in 1960, it was illegal between women in all fifty states.

In the United Kingdom, the criminal law was amended in 1967 in England and Wales, and in 1980 in Scotland, but not in Northern Ireland. In 1981, the ECtHR held that laws criminalizing private, consensual, adult sexual activity violate the right to respect for private life.<sup>9</sup> The law in Northern Ireland was changed in 1982. And the last criminal law of this kind in Europe was repealed in Northern Cyprus in 2014. Reforms of this kind allow an LGB person to say: “I am not a criminal.” But the majority of people in society may still disapprove of them. They are not yet an equal citizen.

After criminal law reform, the next demand in most countries is to amend the anti-discrimination law (if one exists for sex, race and religion) and add sexual orientation, gender identity, and sex characteristics. They have all three in Australia, but they added “intersex status” instead of “sex characteristics”. In Canada, they have sexual orientation and gender identity. In federal law in the US, they have none of them.

Protection against employment discrimination under the EConHR began in 1999 with the case of *Smith & Grady v. United Kingdom*, which was about LGB persons being dismissed from the armed forces.<sup>10</sup> The principle of *Smith & Grady* means that no public authority and no

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8 *Alekseyev v. Russia* (ECtHR, 21 Oct. 2010), <http://hudoc.echr.coe.int/eng?i=001-101257>.

9 *Dudgeon v. United Kingdom* (ECtHR, 22 Oct. 1981), <http://hudoc.echr.coe.int/eng?i=001-57473>.

10 (ECtHR, 27 Sept. 1999), <http://hudoc.echr.coe.int/eng?i=001-58408>.

public-sector employer can discriminate based on sexual orientation. This protection was written into European Union law in the year 2000 through Directive 2000/78, which applies to employment and higher education (including universities). The deadline to implement this directive was 2003, which is when the United Kingdom introduced protection. It is now found in the Equality Act 2010, which prohibits discrimination based on sexual orientation or “gender reassignment” in employment, education, housing, access to goods and services (including restaurants, hotels and government services). Under EU law, only employees and university students are protected.

The next stage in many countries is a law for same-sex couples. A judgment of the ECtHR, *Oliari & Others v. Italy*, now requires such a law.<sup>11</sup> The Court ruled that Italy must have “a specific legal framework” for same-sex couples, but it does not have to be called marriage. Italy complied with the judgment in 2016 by introducing civil unions for same-sex couples.

The difference between the EConHR and EU law is that the EConHR applies to all national legislation in any area, whereas EU law only applies to national legislation in specific areas within the scope of the EU treaties. EU law does not generally apply to parades, to criminal law, or to family law. This means that the European Union allows each country to decide whether or not to have a law for same-sex couples. The ECtHR says that there must be one, but under EU law, it is still optional.

What EU law does say under Directive 2000/78 is that, if a law is voluntarily introduced that puts same-sex couples in a comparable position to spouses, then employment benefits must be the same, including survivor’s pensions. So if an employee dies, and he or she has a registered same-sex partner who survives, that person must receive the same pension as a surviving spouse. It is interesting that the case that established this principle involved a Japanese man, Mr. Tadao Maruko. He was living in Germany with his German partner, who died. The

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11 (ECtHR, 21 July 2015), <http://hudoc.echr.coe.int/eng?i=001-156265>.

pension plan said that they would pay a survivor's pension only to the wife of the deceased man, not to his male registered partner. Mr. Maruko won this case in the Court of Justice of the European Union and got his pension.<sup>12</sup>

As we saw, the ECtHR said in 2015 that there must be a law for same-sex couples. The very first such law was passed in 1989 in Denmark. It was called "registered partnership". The United Kingdom adopted a similar law in 2004, creating a "separate but equal" institution called civil partnership instead of marriage. So the next question is "what about marriage?"

With regard to marriage, the position of the ECtHR is that marriage is "not yet" required. Why? Because the court usually relies on the majority practice among the 47 Council of Europe countries. It asks: "Is there a European consensus on the issue before the ECtHR?" At the moment, only sixteen out of forty-seven countries have marriage for same-sex couples. The most recent one is Austria. In December 2017, the Constitutional Court decided that same-sex couples must be allowed to marry.<sup>13</sup> That decision will take effect in January 2019. It was the first time in Europe that same-sex marriage has been introduced by a court rather than a legislature.

The first law on same-sex marriage was passed in the Netherlands in December 2000. The first marriages took place on 1 April 2001. In 2018, there are 26 countries with same-sex marriage, sixteen in Europe plus seven in the Americas plus South Africa, Australia and New Zealand. But that is twenty-six out of one hundred ninety-three member states of the United Nations or 13.5%. The next country, number twenty-seven, might be Taiwan because of the Constitutional Court's decision in 2017.<sup>14</sup>

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12 *Tadao Maruko*, Case C-267/06 (CJEU, 1 April 2008), <http://curia.europa.eu/juris/liste.jsf?language=en&num=C-267/06>.

13 *Verfassungsgerichtshof*, judgment G 258/2017, 4 December 2017, [https://www.vfgh.gv.at/medien/Ehe\\_fuer\\_gleichgeschlechtliche\\_Paare.en.php](https://www.vfgh.gv.at/medien/Ehe_fuer_gleichgeschlechtliche_Paare.en.php) (press release in English).

14 *Interpretation No. 748* (24 May 2017), <http://www.judicial.gov.tw/constitution>

Same-sex marriage was introduced in England and Wales in 2013, and in Scotland in 2014. Once again, Northern Ireland lags behind.

The typical order of family reform in many countries is as follows. Step one is a law for same-sex couples giving them rights and obligations, but not calling it marriage. And then, once the couples are having ceremonies, and people are seeing them on television, and how happy they are, people get used to the idea of same-sex couples. The next step is to ask: now that we have given all the rights, why not the name “marriage”? That step was taken by the Netherlands in 2000. Since then, 25 more countries have followed in less than 18 years.

The last issue to consider is adopting children, or having children through assisted reproduction. In some countries, people will say OK to a law for same-sex couples, OK to marriage, but: “No, please protect children – they must not have LGB parents.” So what does the ECtHR say? If a country allows unmarried individuals to adopt a child as individuals, LGB individuals must have the same opportunity.<sup>15</sup>

After an individual adoption, the child has one legal parent. Once individual adoption is allowed, the question of second-parent adoption arises: one member of a same-sex couple is the parent of the child and the other partner wants to adopt the child and become its second legal parent. And the ECtHR held in *X & Others v. Austria* that, if unmarried different-sex couples are allowed to do this, then same-sex couples must be allowed to do so too.<sup>16</sup> But in France, in 2012, the law said that only a married different-sex couple could apply to adopt each other’s children, and the ECtHR allowed this. If second-parent or joint adoption is restricted to married couples, and marriage is only for different-sex

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nalcourt/en/p03\_01\_printpage.asp?expno=748.

15 *E.B. v. France* (ECtHR, 22 January 2008), <http://hudoc.echr.coe.int/eng?i=001-84571>.

16 (ECtHR, 19 Feb. 2013), <http://hudoc.echr.coe.int/eng?i=001-116735>. See also *Karner v. Austria* (ECtHR, 24 July 2003), <http://hudoc.echr.coe.int/eng?i=001-61263> (equal treatment of unmarried couples, different-sex or same-sex).

couples, that is permitted.

In England and Wales, the law was changed by the Adoption and Children Act 2002, which came into force in 2005. Any couple can apply to adopt jointly a child that is not related to either partner, or to adopt the child of the other partner. This applies to different-sex and same-sex couples, whether they are married or in a civil partnership or just living together.

There are two issues here. The first is whether LGBT people should be allowed to raise children. The answer is “yes”. There are many scientific studies in the US, the Netherlands, Germany, and Spain, finding that children do just as well with LGB parents. The second issue is whether a child can have two legal mothers or two legal fathers. This is now possible in around twenty out of forty-seven Council of Europe countries. Sometimes when the court has to consider this question, they ask: “What is better for the child, one legal parent or two?” And usually, the answer is obvious, in terms of the child’s rights to claim financial support or to inherit property. It is better to have two legal parents.

Next, I would like to illustrate how quickly things can change. I arrived in Oxford in 1987. The next year, the Local Government Act 1988 was passed. Section 28 of the Act prohibited “promotion of homosexuality” by local governments, and the teaching in state-funded schools of “the acceptability of homosexuality as a pretended family relationship.” In the UK in the 1980s, the LGB person was not a criminal but was considered undesirable. A same-sex relationship was seen as something bad, to be discouraged, not to be talked about. A teacher would fear losing their job if they said anything positive about LGB people.

In 2003, Section 28 was repealed for England and Wales, all discrimination was removed from the criminal law,<sup>17</sup> and protection against discrimination in employment opportunities and at universities was introduced.<sup>18</sup> The Civil Partnership Act was passed in 2004 and

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17 Sexual Offences Act 2003.

came into force in 2005, at the same time as the Adoption and Children Act. Then in July 2013, the Marriage (Same Sex Couples) Act 2013 was passed for England and Wales. It came into force in March 2014. So in my time in the United Kingdom, I have witnessed a twenty-five-year period during which we went from “pretended family relationship”, to marriage, with nearly one hundred percent equal rights.<sup>19</sup>

How does Japanese law compare with United Kingdom law? The following table indicates where Japan has been ahead of the UK, and where the UK has been ahead of Japan.

<b>Issue</b>	<b>Japan</b>	<b>United Kingdom</b>
LGBTI pride parades organised	since 1994	since 1972
No discrimination in criminal law	since 1880	since 2003
Anti-discrimination law applies to public and private sectors	not yet	since 2003
Registered partnership for same-sex couples	not yet	since 2004 (in force in 2005)
Second-parent or joint adoption for same-sex couples	not yet	since 2002 (in force in 2005) in England and Wales
Marriage for same-sex couples	not yet	since 2013 (in force in 2014) in England and Wales, 2014 in Scotland, not yet in Northern Ireland

What is the future for Japan? I have no trouble predicting that all of the same legal changes will happen in Japan. What needs to happen first is that more LGBT people must find the courage to come out. I

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18 Employment Equality (Sexual Orientation) Regulations 2003 (replaced by the Equality Act 2010).

19 Discrimination in relation to survivor’s pensions for same-sex partners was removed by *Walker v. Inmospec Ltd*, [2017] UKSC 47, <https://www.supremecourt.uk/cases/uksc-2016-0090.html>.

understand that this is even more difficult in Japan, a society which is very cohesive and homogeneous, and where individual differences are not encouraged. Once there is more awareness, more discussion on television and in the media, and more portrayals of LGBT persons in fictional television programmes and in films, social attitudes will change and the law will catch up with society. Television was a big factor in the United States, where programmes such as “Will and Grace” and “Modern Family” had a big impact.

Going back to the families of LGB persons, I think the reason why there will be LGB equality everywhere in the world eventually is because LGB people are in every family. Not necessarily in your immediate family, but if you think of your extended family, your cousins, your aunts, your uncles, there is probably at least one person. LGB people who come out have the opportunity to influence not only their friends, but also their extended family. Now, parents often react badly, because they do not want their child to be different. They will say: “What will people think? What about grandchildren?” But at the end of the day, parents love their children, and they want their children to be happy, so they should support their LGB children if they choose to live with a same-sex partner. Unfortunately, the only option for most LGB people in the world today is still what I would call “Brokeback Mountain”.<sup>20</sup> It is an excellent film by a director from Taiwan, Ang Lee, about two men who meet and fall in love, but then both marry women. Society pressures them into unhappy marriages. These unhappy marriages are bad not only for the LGB person, but also for their wife or husband.

So here are your options. You can wish a life of unhappiness on your LGB relative or friend, just so that they conform with what society expects. Or you can support a law for same-sex couples so that they can live together happily, and have a life as a couple with rights and obligations. Most societies, including Japan, will eventually conclude that a law for same-sex couples is the better option. As Prime Minister

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20 See <https://www.youtube.com/watch?v=kMA30rThECg>.

Zapatero explained to the Spanish Parliament in 2005:

“We are not the first, but I can assure you that we will not be the last. Behind us will come many other countries, propelled ... by two unstoppable forces: liberty and equality. This is a small change to the legal text ... which will bring an immense change to the lives of thousands of our compatriots. We are not legislating ... for people who are remote or foreign, we are increasing opportunities for happiness for our neighbours, for our work colleagues, for our friends, for our relatives and, at the same time, we are building a more decent country, because a decent society is one that does not humiliate its members. ... [T]his law will not cause any harm, ... its only consequence will be to prevent useless suffering of human beings ... With [its] approval ... our country takes one more step on the road of liberty and tolerance that began with the transition to democracy.”<sup>21</sup>

One last thing: what should be the priority in Japan? I would say anti-discrimination protection, rather than a law for same-sex couples. The reason is this: anti-discrimination is an easier issue because it is mainly about protecting individuals and making them equal citizens with the right to live openly. It is also logical because, if you have a law for same-sex couples and no anti-discrimination protection, you get the situation in the United States right now. There is a constitutional right to marry in all fifty states.<sup>22</sup> But anti-discrimination law is in place in only twenty-two. And there is no federal protection. So you could get married and then go to work on Monday and tell everyone, your boss, colleagues, and they could say: “How interesting! You are fired!” To have equal rights as a same-sex couple, you have to have anti-discrimination protection that allows you to be open about your relationship. Domo arigato gozaimashita.

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21 See Cortes Generales, Diario de Sesiones del Congreso de los Diputados (30 June 2005), No. 103, p. 5228, [http://www.congreso.es/public\\_oficiales/L8/CONG/DS/PL/PL\\_103.PDF](http://www.congreso.es/public_oficiales/L8/CONG/DS/PL/PL_103.PDF).

22 *Obergefell v. Hodges* (US Supreme Court, 26 June 2015), <https://www.law.cornell.edu/supremecourt/text/14-556>.