

# Nationality not the only issue at exclusive golf clubs in Japan

Despite being a naturalized Japanese, a man born to ethnic Korean parents was refused membership to an exclusive golf club in Gifu Prefecture on grounds its quota for non-Japanese was full.

When the fortysomething man, who obtained Japanese citizenship in 2018, sought an explanation, a representative of the Aigi Country Club cited his country of origin.

“Our club has a quota for foreign nationals and former foreign nationals who have become naturalized Japanese and restricts new memberships,” she said in a phone call on Feb. 20. “We currently have no vacancies in that quota.”

When he applied for membership, the man, who lives in Kuwana, Mie Prefecture, and runs a cleaning services company, submitted a copy of an extract of his family register which stated he had South Korean citizenship when he was naturalized.

“If only you could accept (our decision),” a director of the club told him three days later in a phone call the man recorded.

In March, the man sent a written notice to the club through his lawyer, demanding an apology and payment of 3 million yen (\$23,500) in compensation, contending its denial of membership constituted “groundless discrimination.”

He also requested the Mie Bar Association to address the infringement of his human rights.

The man had agonized for ages before deciding to take Japanese citizenship.

“Shouldn’t I be switching nationalities, not least for my wife and children, as long as I will go on living in Japan?” he asked himself.

## WAY THINGS ARE DONE

The Aigi Country Club, based in Kani, Gifu Prefecture, opened in July 1964, making it the fourth of its kind in the prefecture. It has hosted competitions organized by the Japan Golf Association and was the venue of women’s golf events during the National Sports Festival held in Gifu Prefecture in 2012.

Masakatsu Ito, the club’s managing director, told The Asahi Shimbun that the club, with around 1,500 members, has a combined quota of somewhere below 20 for foreign nationals and former foreign nationals who have obtained Japanese citizenship. He said new members are admitted only when vacancies occur in that category.

“We set those rules as a private golf club,” Ito said. “It is said that the atmosphere slightly changes when there are foreigners around. The decision may have been made in that train of thought. It is not easy to

offer a clear answer because the rules were introduced a long time ago.”

When asked why those who have obtained Japanese citizenship are included in the quota for non-Japanese, he said: “That’s how we’ve been doing things. It is our conventional practice, and I hope it will be understood as such.”

Club officials acknowledged that those rules are not written explicitly in the club’s regulations but have been handed down as internal rules.

## **HARDLY AN ISOLATED CASE**

The Korean Chamber of Commerce & Industry in Japan conducted a survey of 1,794 members-only golf clubs around Japan in 1994 to ascertain nationality clauses in membership requirements.

Of the 821 respondents, 170 golf courses said they had certain restrictions, such as limiting eligibility to Japanese nationals.

KCCI officials said no detailed figures are available on the current situation as a similar survey has not been carried out at least since 2010.

An online search for information on golf club memberships shows that many clubs deny memberships to non-Japanese nationals.

“A good number of golf courses still have nationality clauses, and some even restrict membership for naturalized citizens as well,” a sales official of a Tokyo dealer of memberships told The Asahi Shimbun. “They still retain that exclusive mood.”

“Private clubs handle the matter of membership with their respective criteria,” a JGA official said of the membership restrictions for non-Japanese nationals. “The JGA has never taken a position on the nationality clauses of those clubs or other related matters.”

## **COURT DECISIONS DIVIDED**

In March 1995, the Tokyo District Court ruled on a case concerning a Tokyo golf club operating company that denied membership to an ethnic Korean man on grounds of his nationality. The court found that doing so contravened the spirit of Article 14 of the Constitution, which says all people are equal under the law.

“Golf clubs are deemed to be groups of a certain social nature, partly because golf is a leisure activity broadly practiced in Japan and partly because golf club memberships are circulating in the market,” the decision said in part. “It is difficult to say they have total discretion over how they screen their memberships.”

In a separate lawsuit, the Tokyo District Court in May 2001 rejected the claims of an ethnic Korean plaintiff, saying, “It cannot be said that equality rights are violated beyond socially acceptable limits when a golf club, as a private corporation, restricts its membership requirements on grounds of nationality.”

That decision was upheld by the Tokyo High Court in 2002.

But those “socially acceptable limits” are changing, say some industry insiders.

A law was enacted to deal with hate speech, or instigation of discrimination, against specific ethnic or other groups, and there is a growing awareness about human rights of sexual minorities.

“Golf courses are under pressure to deal with human rights issues, which are not limited to matters of nationality,” the manager of a golf club in the Tokai region said.

He said his club, which has been operating for more than four decades, stopped nationality-based screening of its memberships several years ago.

He cited the example of the Kasumigaseki Country Club in Kawagoe, Saitama Prefecture, which was the venue of golf competitions during the Tokyo Olympics last year.

The International Olympic Committee called on the golf club to rectify its rules that denied full memberships to women, which the IOC said went against the Olympic Charter. The rules were eventually changed.

“Changes in the environment surrounding golf clubs, which were symbolized by that case, will likely go on over the years to come,” the manager said.

“In the United States and elsewhere, golf courses that discriminate against people on the basis of race and gender are finding themselves left out of opportunities to host competitions,” noted Ryusuke Kin, a lawyer with the Tokyo Bar Association.

Kin wrote about the golf club membership issue in “Ethnic Koreans in Japan as seen in lawsuits,” a book compiled and edited by the Lawyers Association of Zainichi Koreans.

“It is problematic that many golf clubs in Japan still have rules that deny memberships to non-Japanese nationals across the board,” he said. “What is more, drawing a line among compatriots on grounds of whether they were non-Japanese in the past amounts to an obvious violation of human rights. The golf world needs to rectify that problem.”