

MY EXPERIENCE ON STUDY TRIP 2008

FROM THAILAND TO JAPAN

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The Asian Law Student's Association of Thailand took a trip to a Japanese University this year. I have gained a lot of experience from this trip. I believed that this Study Trip 2008 had provided me with ideas of legal problems. The term "STUDYTRIP" refers to the fact that this trip is a study based trip. The Asian Law Student's Association of Japan provided the idea about legal knowledge in Japan, such as the knowledge of legal system about marriage in Japan. I provided my knowledge by presenting about right of women and the right of the third gender. This is about the general knowledge of sexual minorities and the comparative study for sexual minorities in Thailand and Japan.



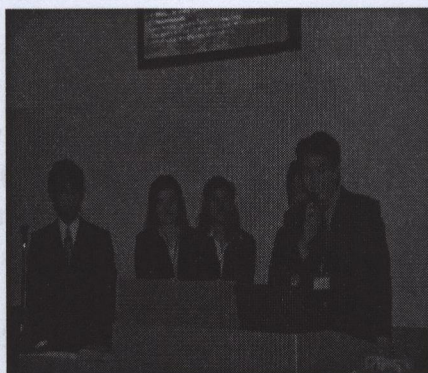
activity from our point of view, and icebreaking just helped everybody. It gave a good feeling to one another. During my next table discussions, we learned about same sex marriages throughout the world such as comparative studies with

During the activities there, such as the table discussion, we had some icebreaking activities first. This made me feel so great because the Table discussion is quite a serious



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Netherlands' Civil Code and the Japanese Civil Code, or Thai Civil and Commercial Code. We also learned about the law on same sex marriages in Japan and Thailand and discovered what kinds of rights are being violated. It helps the critical thinking about why there are such violations. I represented the gay marriages throughout the world and presented the Thai Supreme Court Case about marriage. My table members just liked it because they need to know Thai Family Legal System relating to gay rights and gay marriage. The table coordinator gave me a lot of knowledge in Japanese Family legal system and I gained the knowledge on the violation of rights concerning marriages in Japan. We realized that we must deepen the understanding of sexual minorities, and came up with a way for that. My table invited a Japanese lawyer who was an expert in sexual minority cases as well as about the homosexual and the third gender. On August 26, we learned about Japanese Family legal system in Japan from that lawyer. He has knowledge on gay rights in Japanese Society and he even joined the conference of gay rights in Thailand. I felt so great after I heard his lecture. It gave me all kinds of knowledge about minorities' rights of third gender or gay marriage. I think this is legal knowledge about rights and freedom, and this table was a preparation for the creating an actual policy and we talked about why gay people are violated in their rights when it comes to marriage. However, there are many obstacles when it comes to adopting gay marriage to our society. This refers to Thai and Japanese legal system in family law. Homosexuals are not only forbidden to get married with one of the same sex, but are also not permitted to claim a "de facto" status (de facto means in actual, meaning accepted as truth in court). Therefore, they cannot hold joint property, nor are they entitled to inheritance or insurance. Marriage, in general is a system that guarantees a life with the one you love. However, this right to marriage is the right which most significantly symbolizes the pursuit of happiness. Yet it is deprived from, simply because of the fact that they are homosexual.



Because of this system, many homosexuals reluctantly apply the adoption system in order to form a family relationship with their loved ones. However, this brings about many problems concerning human rights.

Even more alarming, is the fact that these infringements of rights are restrictions inflicted upon by the public authority. Public authority is regulating and restraining the right to pursue happiness. This country operates under a Constitution which declares equality under the law, therefore these systems must be revised quickly, and homosexuals must be given equal rights not only in an ideological sense, but also in a substantial sense as well.



Neglecting the gay rights violations of today by allowing it to continue will undoubtedly bring about the deterioration of the significance and value of human rights itself. Considering the above, at this table, we have undoubtedly considered (1) deepen knowledge about gay rights violations in Japan and Thailand, and (2) propose a practical and specific

legal protection policy of same sex marriages, with the students of Thailand, where a greater number of sexual minorities are acknowledged.

The Japanese Asian Law Student's Association of the Study trip 2008 also provided sight seeing activities. We went to **"The National Diet of Japan" (Japanese Parliament)**, Firstly I went to **Japanese Parliament** by the subway. It took 30 minutes to get to this place, observing the dominating, beautiful avenue of ginkgo trees that runs from Ginza through Sakuradamon. The National Diet of Japan is the impressive building on the hill in the Nagatacho district of Chiyoda City in Tokyo. In front of it lies the Diet Front Garden, an urban oasis, and behind it are the Members' Office Buildings and other Diet-related facilities. The entire Diet complex has an air of dignity that is in keeping with Diet's position as the political center of the Japanese and I think **Japanese Parliament** is the symbol of democracy system in Japan and the center of legislative power and I think I like the pattern of decoration in **Japanese Parliament** Which seem as modern mixed antique such as Chamber of the House of Councillors, Emperor's Room, Central Staircase and the Reception Room of the President of the House of Councillors etc.

The Japanese Constitution was promulgated on November 3, 1946, and came into force on May 3, 1947. The first session of the Diet based on this new Constitution was covered in the same year on May 20, and the structure of organization is composed of two houses; the first one is the House of Representatives and the house of Councillors. The bicameral system means

that, although each house independently deliberates and decides on their positions on individual bills, the will of the Diet is set up when both Houses agree. Today, the House of Representatives has 480 members of whom 180 are elected under the proportional representation system and 300 are elected from single-seat constituencies. The term of office of members of the House of Representatives is 4 years. In contract, the House of Councillors has 242 members, of whom 96 are elected by proportional representation system and 146 from 47 prefectures based on Japanese Constitution. The period of Members of the house of Councillors is 6 years, of which half of the members must be elected every 3 years

In conclusion I hope that my experiences to the Study Trip 2008 created an impression to our law students. Additionally, I think we must apply the knowledge from Japan to Thailand, applying to the advantage point to the system in Thai democracy.