

How was the dance culture regulated in Japan?

The history of “Fu-ei-ho” (act on control and improvement of amusement business)

日本におけるダンス文化規制の歴史
——風営法関連年表——

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“Fu-ei-ho” (Act on Control and Improvement of Amusement Business, etc.) is the law that has regulated the business affecting public morals (Fuzoku Eigyo 風俗営業), also the club culture in Japan. From the word “Fuzoku” (風俗), the sex industry is imagined. But Fu-ei-ho has regulated night clubs also, in other words the dance culture in Japan. By the amendment of 2015, the phrase “dance” was deleted from Fu-ei-ho, and night clubs became possible to open in the late night when a business license of “Specific entertainment restaurant business” (特定遊興飲食店営業) was got. Indeed, the “IR (Integrated Resort) Promotion Act” including the expansion of night entertainment as tourism resources for the 2020 Tokyo Olympic took effect in 2016, and the “IR Implementation Law” took effect in 2018. This paper summarizes the way of regulation on the dance culture in Japan, mainly focusing on Fu-ei-ho.

Key Words: night club, dance, regulation, Fu-ei-ho, IR (Integrated Resort), night time economy

1. Prehistory

Late 19th century (the Meiji Restoration)

Western (ballroom) dance have come into Japan. The style, men and women dance closely, deviated from the moral at the time.

1883

Rokumei-kan (鹿鳴館), the symbol building of Westernization (the foreign policy) was completed. Dancing parties were given there.

1887 April

The masquerade (fancy ball) in the prime minister's official residence (the scandal about Hirobumi Ito, Prime Minister) has caused the immoral impression of western dance.

1920

The first dance hall in Japan was opened in Tsurumi Kagetsu-en (鶴見花月園), the amusement park. Western dance became popular in café and bar.

1924

Dances in the parlor (café and bar) were prohibited by the Metropolitan Police Department (警視

序), for against public morals.

1928

Dance halls have increased rapidly.

Enactment of the regulation for dance halls by the Metropolitan Police Department

1940

Dance halls in Japan were closed by the sumptuary law.

1941~45

The Pacific War (WW II)

2. Changes after Establishment

1945

The Recreation and Amusement Association was established, and dance halls (for the American army) were restarted.

1948

Enactment of Fu-ei-ho (Act on Control and Improvement of Amusement Business, etc.)

Regulated amusement business are

1. Restaurant, Café etc. (Women serve and entertain guests there.)
待合、料理店、カフェーその他客席で客の接待をして客に遊興又は飲食をさせる営業
2. Cabaret, Dance hall etc. (Dancing with women amuses guests)
キャバレー、ダンスホールその他設備を設けて客にダンスをさせる営業
3. Billiard parlor, Mah-jong parlor etc. (Gambling Parlor)
玉突場、まあじゃん屋その他設備を設けて客に射幸心をそそるおそれのある遊技をさせる営業

Dancehall was considered a breeding ground of prostitution.

1951

Juvenile delinquency was on increase (the first wave).

1954

By the revision of Fu-ei-ho, Pachinko parlor was added to the amusement business.

1955

By the revision of Fu-ei-ho, Billiard parlor was excluded from the amusement business.

1959

By the revision of Fu-ei-ho, the amusement business were changed 3 to 7.

1. Cabaret etc. (Dancing, Entertainment and Drinking)
キャバレーその他設備を設けて客にダンスをさせ、かつ、客席で客を接待をして客に飲食をさせる営業
2. Restaurant, Café etc. (Entertainment and Drinking)
待合、料理店、カフェーその他客席で客の接待をして客に遊興又は飲食させる営業

3. Night club etc. (Dancing and Drinking)
ナイトクラブその他設備を設けて客にダンスをさせ、かつ、客に飲食をさせる営業
4. Dance hall etc. (Dancing)
ダンスホールその他設備を設けて客にダンスをさせる営業
5. Bar etc. (Drinking with lower illuminance)
喫茶店、バーその他の設備を設けて客に飲食をさせる営業で、総理府令で定めるところにより計った客席における照度10ルクス以下として営むもの
6. Bar etc. (blind from outside and narrow space)
喫茶店、バーその他の設備を設けて客に飲食をさせる営業で、他から見とおすことが困難であり、かつ、その広さが5㎡以下である客室を設けて営むもの
7. Mah-jong parlor, Pachinko parlor etc. (Gambling)
まあじゃん屋、パチンコ屋その他設備を設けて客に射幸心をそそるおそれのある遊技をさせる営業

A reason of the increase is that late-night amusement business was considered a breeding ground of juvenile delinquency also.

1964

Juvenile delinquency was on increase (the second wave).

By the revision of Fu-ei-ho, the regulations on the late-night amusement business was strengthened, because of increase in juvenile delinquency.

1974

Spaces to enjoy dancing for young generations is getting to move to the Go-go bar and the Disco. And the style has changed to dance freely by yourself.

1979

The film "Saturday Night Fever" was released in Japan. As a result, the Disco became very popular.

1982 June

A junior high school girl who were caught by a disco in Tokyo Shinjuku was killed.

1983

Juvenile delinquency was on increase (the third wave).

1984

By the large-scale revision of Fu-ei-ho, purpose of the law, the maintenance of public order and the prevention of juvenile delinquency was specified. And, it was distinguished between the amusement business from sex industries.

Late 1980's

Disco became to regulate oneself (ID and clothing checks), meanwhile, night clubs came into fashion among young people.

1997

The parliamentary association for the promotion of dance sports was formed.

1998

By the revision of Fu-ei-ho, ballroom dance classes with certified teachers were excluded.

2008 March

A graduate student was assaulted resulting in death by the night club in Osaka.

2008 ~ 10

University students have been arrested for possession of cannabis one after another. Night clubs were mentioned as a route for obtaining cannabis.

2009 August

Noriko Sakai, the celebrity who also has played DJ was arrested for Stimulant Drug Control Law violation.

2010 January

Some trouble at night club in Osaka triggered the incident that a university student was assaulted resulting in death.

3. The Revision Movement and After Revision

2010 December

The night club in Osaka Minami (America Mura) was arrested for the first time under violation of Fu-ei-ho (unauthorized operation). Arrest of night clubs increased nationwide.

2012 April

The night club "Noon" in Osaka Kita was arrested under violation of Fu-ei-ho (unauthorized operation).

2012 May

The Let's Dance campaign for collecting signatures for demanding to omit the word "Dance" from Fu-ei-ho started.

2012 September

A male customer in the nightclub "Studio Flower" in Roppongi was killed.

2013 April

Club and Club Culture Conference (クラブとクラブカルチャーを守る会) was established. The first president was DJ Zebra.

2013 May

Signatures of the Let's Dance campaign collected 155,879, and was submitted to the Diet.

The parliamentary association for the promotion of dance culture was formed.

2013 August

West Club Association (WCA 西日本クラブ協会) was established.

2013 September

It was decided that 2020 Olympic and Paralympic Games would to be held in Tokyo.

2013 October

The case of Noon in Osaka has come to trial.

2014 March

Night-Club Entertainment Association (NCE ナイトクラブエンターテインメント協会) was established.

2014 April

NOON in Osaka was found not guilty.

2014 May

The parliamentary association for the promotion of the dance culture published the revision bill of Fu-ei-ho. But the bill met with opposition, so has been watered down.

2014 September

Ultra Japan (Electronic Dance Music event) started in Tokyo Odaiba (sponsored by Ministry of Foreign Affairs of Japan and Japan Tourism Agency).

2014 October

A cabinet decision was made with regard to the revision bill of Fu-ei-ho.

2015 June

The revision bill of Fu-ei-ho was passed. The bill omitted the word "Dance" from Fu-ei-ho, so night clubs could open midnight. However, night clubs have regulated in Fu-ei-ho, and must obtain a permission as "Specific entertainment restaurant business".

2016 April

DJ Zebra was appointed the night (goodwill) ambassador of Shibuya ward.

2016 June

Enforcement of the amendment Fu-ei-ho.

2016 December

Enactment of "Act on Promotion of Development of Specified Complex Tourist Facilities Areas" (Integrated Resort: IR Promotion Act)

IR is incorporated casino gambling facilities, convention and conference facilities, recreation and amusement facilities (including night clubs), exhibition facilities, accommodation facilities and other facilities. In order to realize a highly attractive extended-stay tourism, this Act sets out necessary matters, and thereby aims to contribute to the promotion of tourism and regional economy, and aims to contribute to the improvement of fiscal.

2017 April

The parliamentary association for the promotion of night time economy was formed.

2017 December

The Committee for preparing Tokyo Night Mayor was formed.

2018 January

The night club "Aoyama Hachi" in Shibuya Ward was arrested under violation of Fu-ei-ho

(unauthorized operation) by Tokyo Metropolitan Police (for the location is not in the business license area). (Fig.1)

2018 July

The IR implementation bill was passed.

There are concerns that amusement business (including the dance culture) is under the control of zoning.

4. Conclusion

The dance culture (club culture) in Japan that regulated by Fu-ei-ho has been regarded as the cause the moral panics (sex, drugs and violence). Recently, tolerance has been lost and various complaints are increasing, the zoning regulation has been strengthened. And the dance culture (club culture) in Japan is expected as tourism resources of night entertainment in IR.

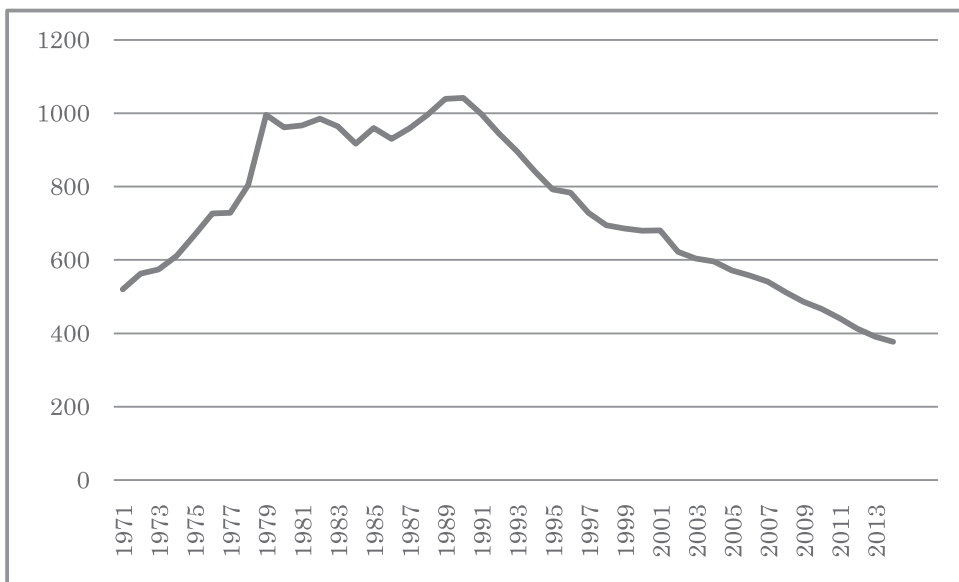


Fig. 1. Night club etc. (No.3 business) in Fu-ei-ho



Fig. 2. “Specific entertainment restaurant business” license area in Shibuya Ward and the night club “Aoyama Hachi”

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「風俗営業等の規制及び業務の適正化等に関する法律」(昭和23年法律第122号、以下「風営法」)は、「善良の風俗と清浄な風俗環境を保持し、及び少年の健全な育成に障害を及ぼす行為を防止するため」という目的のもとに営業を規制するものであり、それは日本におけるダンス文化を規制してきた。「風俗」という言葉から性産業が想起されることも多いが、規制対象となる営業はDJがかける音楽でダンスを楽しむナイトクラブにまで及ぶのである。その風営法も2015年の改正で「ダンス」という文言が削除され、クラブは「特定遊興飲食店営業」という営業許可を取得すれば、深夜営業が可能になった。おりしも、2020年東京オリンピック・パラリンピック競技大会に向けた観光資源としてナイト・エンターテインメント拡充も含む「特定複合観光施設区域の整備の推進に関する法律」(平成28年法律第115号、以下「IR推進法」)が2016年12月に施行、「IR実施法」が2018年に施行された。本稿は、日本におけるダンス文化に対する規制がどのように変遷してきたのか風営法を中心にまとめたものである。