

# Japanese Dramas and the Streaming Success Story that Wasn't

## How Industry Practices and IP Shape Japan's Access to Global Streaming

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### Abstract

I examine the relative absence of Japanese dramas in the global streaming landscape. Contrasting this to their 1990s and 2000s boom in East Asia, I argue that structural rather than cultural factors play a central role in this development. At present, a split exists between the domestic market for Japanese dramas and the transnational one, where only a few, largely off-mainstream dramas find traction. Through a discussion of streaming's prehistory and present in Japan, I contend that the split stems, in part, from three issues: television networks' continued dominance, industry practices that favor advertising-based revenue models, and the adoption and impact of international intellectual property regimes on Japan's media industry in general. I argue that these issues and the split that they inform stand to have significant consequences for Japanese dramas, as well as other media genres, in the emergent era of streaming. Although Japan's media industry has largely been able to navigate the incursion of US-based streamers into its domestic market and maintain control there, it has become increasingly reliant on mostly US-based platforms to distribute its content abroad.

**Keywords:** streaming, intellectual property (IP), industry studies, Japanese dramas, Japanese media

In this article, I examine the relative absence of Japanese dramas on the global scene in the present era of international streaming—an absence that I will posit stems from structural rather than cultural factors. Japan’s media industries are, in a sense, split. On one hand, a domestic television-dominated industry continues to serve up dramas for Japan-specific audiences while, on the other, a transnational streaming-oriented one—a system increasingly dominated by US-based platforms like Netflix—distributes more off-mainstream fare whose audience both within and outside Japan lean, more often than not, toward the niche. In interrogating this split, my analysis will focus primarily on the media industry that produces Japanese dramas and the network structures that facilitate their distribution, rather than the dramas themselves. Ultimately, a content-based study of the handful of Japanese dramas that do find their way to streaming outside of Japan would be an underwhelming and rather myopic exercise. Moreover, it would leave unaddressed the structural factors that inform the dearth of Japanese dramas on streaming outside of Japan. The motivating question of this article, therefore, will be why this lack exists to begin with. Responding to this question, my tentative answer will focus on three principal areas: the enduring influence of the television industry in Japan, the advertising-based revenue strategies that inform its practices, and the ascendant role of transnational intellectual property (IP) regimes in the age of streaming.

Recent research highlights television’s continued impact on media networks that operate in and around Japan while it also elucidates the struggles, which Japan’s media industry faces against that backdrop. In a discussion of the *Hanayori dango* (Boys over flowers) franchise—a franchise that has been adapted across several East Asian media markets—Thomas Lamarre highlights how television’s logic, although perhaps no longer the central force it once was, has been integrated within networks of distribution and consumption in East Asia.<sup>1</sup> More broadly, Shinji Oyama provides an overview of the continued power that Japanese television networks and advertising giants like

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1. Thomas Lamarre, “Regional TV: Affective Media Geographies,” *Asiascape: Digital Asia* 2, no. 1–2 (2015): 94–6, 104–13.

Dentsu wield in Japan where they maintain a mutually sustaining relationship with the networks.<sup>2</sup> Similarly, Marc Steinberg brings together the disparate threads of research on streaming in Japan and highlights the still untapped potentials of Japanese streaming platforms, such as ABEMA (previously AbemaTV). These platforms, according to Steinberg, provide glimpses of how streaming services might branch out to integrate more familiar video-on-demand (VOD) services with those that mimic older linear broadcast.<sup>3</sup> More generally, Steinberg's work on digital platforms highlights how IP practices and regimes have informed and continued to inform the ways in which platforms manage content and, moreover, in which they have ushered in an era of what Anne Helmond identifies as "platformization." Describing the manner in which content and other cultural transactions come to conform to the logic of digital platforms, platformization represents a process key to understanding VOD services, which can themselves be classified as platforms.<sup>4</sup>

Alongside this more recent work, earlier research from the 2000s, led by Iwabuchi Kōichi's groundbreaking work on the transnationalization of media in Japan, offers important back-history to understanding the present-day intersection of streaming and Japanese dramas.<sup>5</sup> Although this earlier body of research is necessarily shaped by a prestreaming perspective, it provides a vital foundation for situating how Japanese dramas circulate or fail to circulate within global contexts, particularly East Asian ones. As I will argue throughout, the 1990s and 2000s spread of Japanese dramas, which Iwabuchi and

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2. Shinji Oyama, "Japanese Creative Industries in Globalization," in *Routledge Handbook of New Media in Asia*, ed. L. Hjorth and O. Khoo (London: Routledge, 2015), 325–27.

3. Marc Steinberg, "AbemaTV: Where Broadcasting and Streaming Collide," in *From Networks to Netflix: A Guide to Changing Channels*, 2nd ed., ed. Derek Johnson (New York: Routledge, 2022), 347–56.

4. Marc Steinberg, *The Platform Economy: How Japan Transformed the Consumer Internet* (Minneapolis: University of Minnesota Press, 2019), 43–45, 49; Anne Helmond, "The Platformization of the Web: Making Web Data Platform Ready," *Social Media + Society* 1, no. 2 (2015): 1–11.

5. Iwabuchi Kōichi, *Toransunashonaruru Japan: Ajia o tsunagu poppyurā bunka* (Recentring globalization: Popular culture and Japanese nationalism) (Tokyo: Iwanami shoten, 2001).

other scholars of the era studied, foreshadowed both the possibilities and difficulties Japanese dramas would encounter with the transnational spread of VOD platforms. Notably, in her analysis of the Japanese drama boom of the 1990s and 2000s, Gabriella Lukács argues that the piracy that fueled its spread throughout East Asia threw into relief the decentralizing forces that accompanied the centralizing ones of transnational media corporations with the rise of media globalization.<sup>6</sup>

I turn first to a brief examination of Japanese dramas' 1990s and 2000s success throughout East Asia and highlight how the underwhelming fate of Japanese dramas at present was not preordained. Taking up the idea that cultural barriers hampered Japanese dramas success abroad, I contend that the success of Japanese dramas abroad during these years in fact casts doubt on the capacity of the cultural hypothesis to fully explain the difficulties Japanese dramas face. In its place, I consider the impact of the Japanese media industry and state's move in the 2000s to seek stricter IP enforcement—part of a push to establish Japan, as the state bureaucracy then put it as an “IP-oriented nation” (*chiteki zaisan rikkoku*).<sup>7</sup> I propose that such moves and the structural barriers, which they reinforced, more significantly hampered Japanese dramas' circulation abroad with the rise of streaming. I then turn to an examination of the present state of streaming and dramas in Japan to highlight how IP practices and advertising-based revenue models continue to inform a split landscape between domestic and nondomestic media networks. Here, the television networks continue to dominate domestic media in Japan, even as streaming has gained greater currency and begun to serve as a credible platform for dramas there. Indeed, at the same time that US-based streamers, such as Netflix and Amazon Prime, have made inroads

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6. Gabriella Lukács, *Scripted Affects, Branded Selves: Television, Subjectivity, and Capitalism in 1990s Japan* (Durham, NC: Duke University Press, 2010), 178–79.

7. Chiteki zaisan senryaku honbu (Intellectual Property Strategy Headquarters), *Chiteki zaisan sōzō, hogo oyobi katsuyō ni kansuru suishin keikaku* (Plan regarding the advancement of intellectual property creation, protection, and use), July 8, 2003, <https://www.kantei.go.jp/jp/singi/titeki2/kettei/030708f.pdf>.

among Japanese viewers over the past decade, the Japanese media industry has developed credible alternatives that more specifically match the dynamics of Japan's domestic media market, such as so-called *minogashi* (catch-up) streaming services. Although this situation has allowed Japanese media companies to maintain control of drama production and circulation within Japan, it has rendered them largely dependent outside of Japan—with a few exceptions regionally in Asia—on non-Japanese, generally US-based streaming platforms. Drawing on Dal Yong Jin's concept of platform imperialism,<sup>8</sup> I highlight in conclusion how this situation extends older forms of cultural imperialism, with a new twist: on its surface, content available to streaming viewers around the world has become increasingly diverse in terms of national origin, but beneath that surface, transnational platforms act as gatekeepers, controlling the procurement and distribution of that content.

## From Boom to Bust

Data on the sale and distribution of Japanese dramas overseas underscores how they have languished over the past decade, even as anime has successfully harnessed the expansion of over-the-top (OTT) streaming services worldwide. Annual reports on the export of broadcast content from Japan's Ministry of Internal Affairs and Communications (MIC) show that, although overall exports of Japanese-produced media have posted healthy growth from 2013 to the present, exports of dramas in specific have stagnated. Overseas sales of Japanese dramas—inclusive of sales in broadcast rights, disc resale, Internet streaming, merchandizing, and so forth—increased in the early 2010s from 1.71 billion yen (\$12 million USD) in 2012 to 3.11 billion yen (\$22 million USD) in 2014. However, these numbers have oscillated in subsequent years, dipping to 2.67 billion yen (\$19 million USD) in

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8. Dal Yong Jin, *Digital Platforms, Imperialism and Political Culture* (London: Routledge, 2015).

2015 before rising again to 3.5 billion yen (\$25 million USD) in 2017. By 2020—the last year for which MIC data is available—drama sales had again fallen to 2.54 billion yen (\$18 million USD). In contrast, international sales of anime expanded exponentially, going from 5.9 billion yen (\$42 million USD) in 2012 to an eye-popping 49.63 billion yen (\$360 million) in 2020.<sup>9</sup> As Eva Tsai has highlighted, one hidden avenue of Japanese dramas' overseas distribution is through remakes throughout Asia.<sup>10</sup> However, such data underscores the limits of this route to international access, particularly as streaming comes to dominate. Notably, the MIC's 2022 document (for data to 2020) reports that, while overall revenue from concept licensing for all genres has remained relatively steady since 2013, its percentage of overall revenue from broadcast content exports has fallen in comparison to broadcast rights and streaming.<sup>11</sup>

Such figures might appear commonsensical: the popularity of Japanese anime outside of Japan is at present indisputable, while Japanese dramas remain relatively obscure. However, it was not always this way. In the 1990s and early 2000s, Japanese television dramas—especially those of the so-called trendy

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9. MIC Institute for Information and Communications Policy, *Hōsō kontentsu no kaigai tenkai ni kansuru genjō bunseki (2013 nendo)* (Analysis of the present state of the development of broadcast contents overseas [2013 edition]), November 28, 2014, [https://www.soumu.go.jp/main\\_content/000324498.pdf](https://www.soumu.go.jp/main_content/000324498.pdf); MIC Institute for Information and Communications Policy, *Hōsō kontentsu no kaigai tenkai ni kansuru genjō bunseki (2015 nendo)* (Analysis of the present state of the development of broadcast contents overseas [2015 edition]), April 10, 2017, [https://www.soumu.go.jp/main\\_content/000477810.pdf](https://www.soumu.go.jp/main_content/000477810.pdf); MIC Institute for Information and Communications Policy, *Hōsō kontentsu no kaigai tenkai ni kansuru genjō bunseki (2017 nendo)* (Analysis of the present state of the development of broadcast contents overseas [2017 edition]), May 31, 2019, [https://www.soumu.go.jp/main\\_content/000623342.pdf](https://www.soumu.go.jp/main_content/000623342.pdf); MIC Institute for Information and Communications Policy, *Hōsō kontentsu no kaigai tenkai ni kansuru genjō bunseki (2020 nendo)* (Analysis of the present state of the development of broadcast contents overseas [2020 edition]), June 3, 2022, [https://www.soumu.go.jp/main\\_content/000817306.pdf](https://www.soumu.go.jp/main_content/000817306.pdf).
  10. Eva Tsai, "Remade by Inter-Asia: The Transnational Practice and Business of Screen Adaptions Based on Japanese Source Material," in *Routledge Handbook of Japanese Media*, ed. F. Darling-Wolf (New York: Routledge, 2018), 388–402.
  11. MIC Institute for Information and Communications Policy, *Hōsō kontentsu no kaigai tenkai ni kansuru genjō bunseki (2020 nendo)*.

drama subgenre—enjoyed popularity throughout East Asia, particularly among youth audiences. Building on the Pan-Asian popularity of 1980s television dramas like the NHK telenovel *Oshin* (1983–84), youth-oriented star vehicles like *Tokyo Love Story* (Fuji TV, 1991), and *Long Vacation* (Fuji TV, 1996) attracted audiences across the region in the 1990s and early 2000s, riding a wave of media-market liberalization and the introduction of satellite television.<sup>12</sup>

Then as now, anime held a lead over dramas, but the gap was less pronounced. In a 2006 article in Fuji Television's *AURA* magazine, Hara Yumiko, a researcher with the NHK Broadcasting Culture Research Center, noted that the per-hour export of Japanese dramas and variety shows had increased in recent years, citing data from a 2001 survey by the International Communication Flow Project-Japan.<sup>13</sup> Similarly, a 2001 article in *Nikkei Business* suggested that ratings for Japanese dramas, like the 1990s series *Hitotsu no yane no shita* (Under one roof, Fuji TV, 1993, 1997), far outstripped those of US series like *Friends*.<sup>14</sup> By all accounts, Japanese-made television dramas appeared poised to continue strong growth, trending upward with, if not alongside, anime. Yet, as anime's international viewership exploded in the 2010s, seemingly catalyzed if not driven by the spread of streaming, Japanese dramas' viewership and associated cachet all but disappeared. Exceptions to this rule do exist: the 2013 workplace drama *Hanzawa Naoki* and its 2020 sequel were widely viewed across East Asia, leading many to greet it as the new *Oshin*, but these exceptions appear to be precisely that—outliers in an otherwise downward turn for Japanese dramas.<sup>15</sup>

12. Lukács, *Scripted Affects*, 179–81, 198.

13. Hara Yumiko, "Nihon no terebi bangumi no kokusaisei—2001–2 nen ICFP chōsa kara" (The international aspect of Japanese television programs: From the 2001–2 ICFP survey), *AURA*, December 2016, 9.

14. "Nihon daisuki' Ajia wakamono—Fashion, dorama . . . poppu bunka ga shintō" (Asian youth who "love Japan": Fashion, dramas . . . pop culture is spreading), *Nikkei Business*, January 15, 2001, 29.

15. "Oshin' o koeru ka 'Hanzawa Naoki' Taiwan, Honkon de būmu, Ajia zeniki ni" (Has it overcome "Oshin"? "Hanzawa Naoki" booms in Taiwan and Hong Kong and spreads to all areas of Asia), J-CAST nyūsu (J-CAST news), November 1, 2013, <https://www.j-cast.com/2013/11/01187976.html>.

A common explanation for the gap between anime and drama's divergent fates is the varying degree to which culturally specific knowledge is needed to decode the two genres. Already by the 2000s, observers inside Japan had begun to put forward this thesis to explain what was then a smaller yet noticeable disparity between the overseas popularity of Japanese anime and dramas. Anime, according to this argument, has very few cultural markers, depicting situations and characters that were both culturally and racially ambiguous. Dramas, on the other hand, use human actors and depict more real-life scenarios and by necessity carry more baggage in this regard. Hara—the NHK researcher cited above—concluded in her 2006 discussion that content categories other than anime likely struggled to gain traction outside of Asia due to the greater likelihood that they depict culturally situated scenarios and/or require knowledge of Japan to comprehend. Anime on the other hand, according to Hara, has a *mukokusekisei* (nonnational character).<sup>16</sup> Similarly, in his studies of the transnational reorientation of Japan toward the Asian market in the 1990s and 2000s, Iwabuchi Kōichi frequently made much the same argument, contending that anime succeeded where other forms like dramas did not, because the former was culturally “odourless.” Dramas, on the other hand, according to Iwabuchi, had a specific Japanese “odour” or “smell” that “evoke[d] images or ideas of a Japanese lifestyle.”<sup>17</sup>

Yet, the 1990s and early 2000s success of Japanese dramas throughout East Asia—and later of Korean dramas globally—suggest the limits of the cultural specificity argument. As Lamarre suggests, Iwabuchi's cultural odor thesis implicitly rests upon an assumption that there exists a set of cultural practices and norms that could be considered more authentically Japanese, an assumption that echoes the essentialism that Iwabuchi himself rejects.<sup>18</sup>

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16. Hara, “Nihon no terebi bangumi,” 10.

17. Koichi Iwabuchi, “Marketing ‘Japan’: Japanese Cultural Presence under a Global Gaze,” *Japanese Studies* 18, no. 2 (1998): 167. Iwabuchi makes much the same point in his 2001 book. Iwabuchi, *Toransumashonaru Japan*, 30–33.

18. Lamarre, “Regional TV,” 110–1.



Notably, Iwabuchi observed that the cultural specificity of dramas and similar forms appeared to have aided their spread in the Asian market during the height of their popularity there during the 1990s and 2000s. Iwabuchi reported, for example, that Taiwanese viewers found *Tokyo Love Story* more relatable than a US show like *Beverly Hills 90210*, since the characters' lives appeared more similar to their own.<sup>19</sup>

Although this would appear to suggest that cultural similarities across East Asia propelled Japanese dramas' popularity in ways that would not be possible in other regions, other studies of the Japanese drama boom at the time suggest a more complicated picture. In a study of the cultural allure of Japanese dramas for young audiences in China at the time, Wu Yongmei argued that, while cultural proximity represented part of the story, a bigger part was the attractiveness of the Japanese consumer lifestyle depicted in dramas like *Tokyo Love Story*, as well as others such as *Long Vacation*.<sup>20</sup> Wu's argument makes sense, since, as Lukács has discussed at length, such dramas—representative of the trendy drama genre that saw its heyday during the 1990s and early 2000s—often functioned largely as vehicles for the visualization of lifestyle trends and the sort of aspirational consumption that the characters portrayed.<sup>21</sup> Wu contends that, far from a nationally nonspecific image of present-day global consumerism, this image of conspicuous consumption, which trendy dramas spread as they circulated through Asia, became closely tied to a specific (if largely fictive) conception of modern

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19. Iwabuchi, *Toransunashonaru Japan*, 225–26

20. Wu Yongmei, "Puchiburu kibun to Nihon no terebi dorama" (The petite bourgeois feeling and Japan's television dramas), in *<I> no bunka to <jō> no bunka: Chūgoku ni okeru Nihon kenkyū* (The culture of <ideas> and the culture of <feelings>: Japanese studies in China), ed. Wang Min (Tokyo: Chūokōron shinsha, 2004), 23–27.

21. Notably, in her discussion of the Japanese trendy drama popularity during this period abroad, Lukács writes, in echoes of Iwabuchi, that she is "skeptical" that consumption of the dramas reflected an interest in Japan per se. However, Lukács's skepticism is not necessarily at odds with Wu's analysis and draws instead a contrast between the consumer lifestyle featured in the dramas and a specific interest in Japan as a nationally bounded cultural entity. Lukács, *Scripted Affects*, 40–45, 197–98.

Japanese lifestyles within the minds of the dramas' Pan-Asian audiences, particularly those in mainland China.<sup>22</sup>

These circumstances—alongside the divergent fate of anime with the transition to streaming internationally—suggest that more fundamental, structural issues have since hampered the ability of Japanese dramas to replicate their earlier success. Indeed, in his analysis of streaming and the Japanese media industry, the media journalist and observer Nishida Munechika highlights the role IP practices have played in the varying fates of Japanese anime and dramas in the age of streaming. Nishida notes that, although anime in Japan may be subdivided into various subgenres based on target audience and business model, the large proportion of anime being exported outside of Japan, on streaming or otherwise, derives from anime that, marketed to older audiences, has long been broadcast on television during the late-late-night hours. Historically, broadcasters have perceived these time slots to be much less lucrative in terms of advertising revenue, since viewers who consumed the content broadcast at these hours recorded the programming for later, ad-free viewing. For this reason, broadcasters and anime producers developed a business model different from that of daytime television. In contrast to the latter in which advertising drives broadcasters' revenue, producers of late-night anime, according to Nishida, pay to have their content broadcast during the time slots, with the rationale having long been that the anime broadcast served as the advertisement itself (i.e., as an advertisement for disc sales and other tie-in products in what is elsewhere known as the media mix). (Note: Nishida does not use this specific term.)<sup>23</sup>

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22. Wu, "Puchiburu," 26. See also Nakano Yoshiko and Wu Yongmei, "Puchiburu no kurashikata: Chūgoku no daigakusei ga mita Nihon no dorama" (The petite bourgeois lifestyle: Japanese dramas as seen by Chinese university students), in *Gurōbaru purizumu: <Asian dorimu> toshite no Nihon no terebi dorama* (Global prism: Japanese television dramas as the <Asian dream>), ed. Iwabuchi Kōichi (Tokyo: Heibonsha, 2003), 185–86, 204–7.

23. Nishida Munechika, *Nettofulikkusu no jidai: Haishin to sumaho ga terebi o kaeru* (The age of Netflix: Streaming and smartphones change television) (Tokyo: Kōdansha gendai shinsho, 2015), 87–88. For a discussion of media mix, cf. Marc Steinberg, *Anime's Media Mix: Franchising Toys and Characters in Japan* (Minneapolis: University of Minnesota Press, 2012).

Nishida contends that this peculiarity of anime production and broadcast positioned it to make a smooth transition to streaming, whereas the more typical practices of the television industry have hampered daytime and evening content like dramas. Notoriously, dramas and other domestically popular television content in Japan, such as variety shows, are governed by a so-called bundled rights model (in Japanese, *kenri no taba*), in which a single broadcast can incorporate a disparate collection of rights holders, from the networks that may hold the broadcast rights for the program to performers and their agencies who might hold the copyrights for songs used and the performers' individual portraiture rights.<sup>24</sup> As Nishida notes, these multiple, bundled rights present a complicated barrier to redistributing Japanese broadcast content over streaming, since it takes only one rights-holder to stymie a deal for redistribution over streaming or other formats. (Nishida likewise notes the stark contrast this model presents vis-à-vis that which Netflix has established for its original content, by which it secures worldwide rights before production.) For content like dramas that use live actors, these difficulties are multiplied tenfold, as rights clearance must be received from the performer (or more typically their agency). Due to its lack of human performers, anime has in comparison little overhead in terms of rights management and clearance.<sup>25</sup>

Nishida argues that anime's roots in late night television furthermore fostered within the industry an early-adopter mindset. As early as the 2000s, for example, anime franchises such as Gundam had begun experimenting with postbroadcast Internet streaming of episodes. According to Nishida, this early embrace of streaming, pursued in spite of the fact that it would potentially divert viewers from the broadcast, stemmed from the fact that anime producers perceived the initial broadcast, as noted above, as

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24. "Hōsō bangumi ni kansuru kenri shori" (The treatment of rights related to broadcast programs), Nihon minkan hōsō renmei (The Japanese Commercial Broadcasters Association), accessed November 21, 2022, <https://j-ba.or.jp/category/minpo/jba101970>.

25. Nishida, *Nettofulikkusu no jidai*, 88–89.

an advertisement for other revenue-creating components of a given show's media franchise. Moreover, the anime producers had greater freedom in deciding to offer streaming, since the unique set up of the late-late-night broadcasts allowed them to main greater control over the programs' associated rights.<sup>26</sup>

The relative success of Korean dramas provides an additional point of contrast, as they have similarly seen more sustained growth in terms of international audience from the 2000s onward. In their study of the globalization of the Hallyu wave, Dal Yong Jin, Kyong Yoon, and Wonjung Min report that interviewees from Latin American countries expressed less interest in dramas than in other aspects of the Korean boom, such as music, and thus they infer that cultural contextual issues create a higher barrier to international acceptance for dramas. Here, they conjecture that the often more "old-fashioned" feel of the drama clashes with the image of "hypermodernity" that fans associate with the Korean wave.<sup>27</sup> Despite these challenges, Korean dramas appear to be doing much better than their Japanese peers on a transnational scale: a 2015 MIC white paper reports that Korea exported a total of \$309 million worth of broadcast content in 2013, 92.3 percent of which (\$208.6 million) came from the sale of broadcast rights. Dramas furthermore represented the overwhelming share of broadcast rights sales, at 88.3 percent. In contrast, Japan saw \$104.1 million worth of broadcast exports in the same year, \$64 million or 45.1 percent of which was for broadcast rights. Of this sum, dramas' share of the pie was a mere 18.1 percent.<sup>28</sup>

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26. Nishida, 83–85.

27. Dal Yong Jin et al., *Transnational Hallyu: The Globalization of Korean Digital and Popular Culture* (New York: Rowman & Littlefield, 2021), 99–100.

28. MIC Institute for Information and Communications Policy, [*Sankō*] *Hōsō kontentsu no kaigai tenkai ni kansuru kokusai hikaku (2013 nen)* ([Reference] International comparison of the overseas development of broadcast contents [2013 edition]), March 2015, <https://www.soumu.go.jp/iicp/chousakenkyu/data/research/survey/telecom/2014/broadcasting-contents-ex2013-ref.pdf>.

Much of these drama exports appear to have been to other Asian markets, as the bulk of Korean content exports according to the MIC report went to Japan and other Asian countries. Yet, recent reports indicate that Korean dramas have begun expanding their appeal to non-Asian markets, suggesting that the perceived cultural barriers are not in fact insurmountable and that other media exports such as the more familiar K-pop provide a bootstrapping effect.<sup>29</sup> Indeed, Jin et al. conclude much the same, hinting at the role that digital media play. They furthermore note that the Korean wave's success has partly been a consequence of the Korean industry's embrace of digital media, from social media platforms like Facebook and YouTube to streaming ones like Netflix, where media convergence allows disparate content forms to propel each other's transnational circulation.<sup>30</sup> It is moreover worth noting that this embrace of digital platforms by the Korean entertainment industry has often been attributed to a more lax attitude toward copyright infringement, which allowed for a more flexible approach to the sharing of Korean popular culture on the services.<sup>31</sup> This contrasts the situation in Japan's entertainment industry where influential talent agencies often take a much more conservative approach toward controlling the circulation of their celebrities' images on the Internet, typically through the use of portraiture rights. In a telling example, the idol agency Johnny & Associates—an agency notorious for its aggressive use of portraiture rights—only allowed its male idol group Arashi to create public accounts on Twitter, Instagram, Weibo, and other social media sites in 2019, the year of the group's twentieth anniversary.<sup>32</sup>

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29. For example, Sara Layne and Cynthia Littleton, "K Dramas Can't Be Denied: Global Streaming Spurs Demand for Asian Content Platforms," *Variety*, August 18, 2022, <https://variety.com/2022/streaming/news/korean-dramas-kocowa-viki-asiancrush-kcon-1235344275/>.

30. Jin et al., *Transnational Hallyu*, 7–8, 149–50.

31. Shin Dong Kim and Jimmyn Parc, "The Digital Transformation of the Korean Music Industry and the Global Emergence of K-Pop," *Sustainability* 12, no. 18 (2020), <https://doi.org/10.3390/su12187790>.

32. "Arashi no netto kaikin, Janizu no ijōsei ga ukibori ni . . . SMAP kaisanji no akumu soshi ka" (With the raising of the net embargo for Arashi, the abnormality of Johnny & Associates is thrown into relief . . . A preemption of the nightmare of SMAP's break up?), *Business Journal*, November 5, 2019, [https://biz-journal.jp/2019/11/post\\_126531.html](https://biz-journal.jp/2019/11/post_126531.html).

Japanese dramas' failure to see sustained growth on par with Korean dramas following their early 2000s peak arguably confirms Nishida's thesis that IP restrictions have presented one of the greatest hurdles for Japanese dramas in the era of international streaming. Ironically, like the story of Japanese dramas themselves, the Japanese industry's comparatively stringent approach to copyright enforcement appears to be a relatively recent development. As Kelly Hu documents, the boom in Japanese dramas across East Asia in the 1990s and the early 2000s was fueled in large part by the circulation of pirated video CD (VCD) copies of popular dramas.<sup>33</sup> During the 1990s, satellite broadcast had provided the first beachhead for Japanese dramas and other broadcast content abroad, particularly in Taiwan where they gained popularity following the 1993 relaxation of broadcast restrictions on Japanese-language media that had been in place throughout the postwar era.<sup>34</sup> However, fans of Japanese dramas in Taiwan and other East Asian countries had to wait years for many of the programs to broadcast locally, leading them to turn to pirated VCDs originating largely in Taiwan and Hong Kong. The VCD format boomed in East Asia during the 1990s and 2000s, particularly among young people who could play them on either dedicated players or their own computers. The VCD piracy networks furthermore laid the groundwork for Internet-based peer-to-peer (P2P) piracy later in the 2000s with the spread of reliable broadband; they also functioned as a major conduit for the more generalized "Japan boom" of the 1990s and 2000s, characterized by an interest in Japanese music, fashion, and lifestyle throughout East Asia.<sup>35</sup>

Curiously, Japanese media companies assumed at the time what might be described as a relatively hands-off attitude toward piracy. While Hong Kong sought to crack down on VCD piracy in the late 1990s, this effort

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33. Kelly Hu, "Chinese Re-makings of Pirated VCDs of Japanese TV Dramas," in *Feeling Asian Modernities: Transnational Consumption of Japanese TV Dramas*, ed. Koichi Iwabuchi (Hong Kong: Hong Kong University Press, 2004), 215–16.

34. Iwabuchi, "Marketing 'Japan,'" 173–76; Hu, "Chinese Re-makings," 212.

35. Wu, "Puchiburu," 33–40.

was initiated by Hong Kong authorities and apparently not at the request of Japanese media companies. Reportedly, the former had to approach the latter first in order to pursue the crackdown.<sup>36</sup> During these years, the Japanese entertainment industry took what Hu characterizes as a “passive” approach to the rampant piracy and showed little interest in preventing it.<sup>37</sup> Hu argues, however, that rather than an openness to piracy, this laissez-faire attitude appeared driven more by a lack of interest in the East Asian market and the belief that leveraging drama sales there would not prove profitable.<sup>38</sup>

This hands-off posture shifted, however, in the early to mid-2000s as Japanese media companies began to awaken to the lucrative possibilities of Japanese dramas’ popularity with youth audiences in East Asia, and with this new awareness, those same media companies, as well as the Japanese government, began to push for a clampdown on copyright infringements across East Asia.<sup>39</sup> In addition to a growing awareness of piracy, the expanding reach of the Internet and spread of broadband loomed large in such moves. With the rollout of digital broadcasting in the 2000s, for example, television networks pushed for the inclusion of anticopying technologies in the new standards, likewise out of concerns that digital recordings of broadcast were making their way abroad via the Internet.<sup>40</sup> Similarly, in a 2003 report on its nascent intellectual property strategy, the prime minister’s office of Japan declared its intent to establish Japan as an “IP-oriented nation” (*chiteki zai-san rikkoku*). Under this policy, it proposed to pursue greater piracy enforcement domestically and advocate for measures targeting foreign markets. In

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36. Darrell William Davis and Emilie Yueh-yu Yeh, “VCD as Programmatic Technology: Japanese Television Drama in Hong Kong,” in *Feeling Asian Modernities: Transnational Consumption of Japanese TV Dramas*, ed. Koichi Iwabuchi (Hong Kong: Hong Kong University Press, 2004), 233–34.

37. Hu, “Chinese Re-makings,” 216–17.

38. Hu, 215, 217.

39. Hu, 218; Yamada Shōji, “Bunka kakusan to chizai hogo no sōkoku” (Conflicts between the cultural diffusion and the intellectual properties protection), *IPSJ SIG Technical Reports*, March 19, 2005, 3.

40. David Humphrey, “The Black Box and Japanese Discourses of the Digital,” *International Journal of Communication* 14 (2020): 2486–87.

justifying the move, the report cited estimates that Japanese content piracy in mainland China led to yearly losses of around 2 trillion yen (\$15.3 billion USD), suggesting that the smoother flow of data made possible by the Internet played no small part.<sup>41</sup>

While it is unwise to draw a direct cause-effect relationship—and certainly beyond the scope of this article to effectively do so—it is nonetheless striking that this clampdown coincides with the general time frame (i.e., the latter half of the 2000s) when Japanese drama's popularity outside Japan appears to have peaked and eventually declined. Given this coincidence of the two time lines, it is possible to surmise that the awakening to international piracy and the turn in the early 2000s to greater IP enforcement lay the stage in some respect for Japanese dramas' transnational decline. Indeed, as I will demonstrate in the following section, Japanese television networks leveraged their control of the rights to popular domestic content like dramas as part of a strategy to slow-walk the transition to streaming in Japan. Although this ostensibly benefited the networks in the short term, allowing them to maintain their dominance of the domestic media landscape, it has had questionable results in the long term. Notably, the efficacy of the turn to IP enforcement has been questionable at best. As a 2022 document from Japan's Agency for Cultural Affairs declared with no little consternation, piracy of Japanese cultural contents in Asia—China in particular—continued and perhaps even expanded during the 2010s.<sup>42</sup> More pressingly, perhaps, the move to double down on IP restrictions appears to have played one part in dampening the networks' ability to circumvent US-based streamers' dominance globally, making them largely dependent on the platforms for distribution outside of Japan.

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41. Chiteki zaisan senryaku honbu, *Chiteki zaisan sōzō*.

42. Agency for Cultural Affairs, Government of Japan, *Intānetto jō no chosakuken shingai (kaizokuban) taisaku handobukku—Chūgokuhēn* (Handbook of strategies for addressing copyright infringement on the internet [piracy edition]: China edition), March 2022, 1–6, [https://www.bunka.go.jp/seisaku/chosakuken/kaizoku/assets/pdf/kaizokuban\\_handbook\\_chn.pdf](https://www.bunka.go.jp/seisaku/chosakuken/kaizoku/assets/pdf/kaizokuban_handbook_chn.pdf).



## Streaming's Uneven Adoption and Japanese Dramas' Present

At present, the OTT streaming market remains comparatively small in Japan. A 2022 report from the Tokyo-based marketing and research firm GEM Partners estimated the total value of the VOD market in Japan in 2021 to have reached 461.4 billion yen (\$3.3 billion USD), fueled in part by the turn to streaming during the COVID-19 pandemic.<sup>43</sup> However, use of (and even awareness of) streaming in comparison to other media and platform types appears to remain relatively low. A survey by the Softbank-owned news site ITmedia revealed that, although 25.6 percent of respondents reported in 2021 to having used a streaming service in the past three months (up from 7.7 percent in 2015), an overwhelming majority continued to favor real-time television broadcast, with 69.9 percent of respondents reporting that they often viewed linear broadcasts and only 30.7 percent and 25.6 percent reporting that they regularly use free and paid streaming services, respectively. Video-sharing services, such as YouTube, enjoyed more robust numbers, with 45.9 percent of respondents reporting using them frequently. Furthermore, when broken down by age and gender, video-sharing sites topped or pulled mostly even with linear broadcast among teen and twenty-something male and female demographics, as well as thirty-something males.<sup>44</sup>

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43. GEM Standard, “<Dōga haishin (VOD) shijō kibo> 2021 nen VOD shijō zentai wa zen’nenhi 19.0% zō no 4,614 oku en, SVOD shijō shea de ‘Netflix’ 3 nen renzoku No. 1, ‘Dizunī purasu’ yakushin” (<The scope of the video streaming (VOD) market> The total 2021 VOD market increased 19.0% over the past year to 461.4 billion yen, “Netflix” remained No. 1 in terms of SVOD market share for 3rd year in a row, “Disney Plus” jumped ahead), press release, February 18, 2022, [https://gem-standard.com/statics/download/Press\\_Release\\_VOD\\_Market\\_in\\_Japan\\_2021\\_Ja.pdf](https://gem-standard.com/statics/download/Press_Release_VOD_Market_in_Japan_2021_Ja.pdf).

44. Inpuresu sōgō kenkyūjo, “Yūryō no dōga haishin sābisu riyōritsu wa 25.6%, koronaka de dōga shichō sutairu ga gekihen ‘Dōga haishin bijinesu chōsa hōkokusho 2021’” (Fee-based video streaming service usage 25.6%, viewing styles changed radically with spread of coronavirus “2021 video streaming business survey report”), press release, May 20, 2021, <https://research.impress.co.jp/topics/list/video/625>.

Within the OTT market, streaming options are primarily split between foreign-based operations and a variety of homegrown services. Most analyses position the US-based Netflix and Amazon Prime Video as market leaders, followed by fully or partially Japanese-run services such as the Japan-based U-Next—a service that offers subscribers access to video alongside manga, magazines, and other text media—as well as Hulu, which in Japan is owned and run by a holdings company led by the television network Nippon TV (NTV). The marketing research firm GEM Partners reports, for example, that Netflix and Amazon Prime commanded the largest share of the Japanese subscription video-on-demand (SVOD) market in 2021 (23.1 percent and 12 percent, respectively), with Disney+ rising quickly through the ranks, going from 3.9 percent market share in 2020 to 6 percent in 2021. U-Next and Hulu Japan, on the other hand, had market shares of 11.5 percent and 8 percent, respectively.<sup>45</sup> Other estimates similarly place Netflix and Amazon at the top but differ on the specifics. In a marked contrast, the ITmedia survey ranked Amazon as the hands-down leader in terms of reported use (69.2 percent), followed by Netflix in a distant second (21.4 percent). Hulu Japan and U-Next followed at 10.3 percent and 6.3 percent, respectively.<sup>46</sup>

As these discrepancies suggest, such numbers are not completely reliable. It is difficult to obtain and compare actual usage statistics, as streaming companies do not generally make the data publicly available. Reports like that of GEM Partners base their SVOD market-share ranking on total subscription fees collected by each service, which necessarily favors more expensive services like Netflix. Polls, like ITmedia, base their rankings on reported usage and thus generally place Amazon first, a reversal that can generally be explained by the lower cost of Prime Video, which is generally included within the broader Amazon Prime service.<sup>47</sup> Similarly, other factors can

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45. GEM Standard, “<Dōga haishin (VOD) shijō kibo>.”

46. Inpuresu sōgō kenkyūjo, “Yūryō no dōga haishin.”

47. GEM Standard, “<Dōga haishin (VOD) shijō kibo>.” Steinberg makes a similar point on streaming data in Japan. Steinberg, “AbemaTV,” 349.

skew results. The NTT Docomo-run dTV forerunner dVideo, for example, gained attention in the early 2010s when it appeared to experience an exponential increase in subscribers over a period of a few short years. However, it later came to light that Docomo had been pushing customers to bundle the service with smartphone contracts, leading to inflated subscription numbers that did not reflect actual usage.<sup>48</sup>

These discrepancies in data aside, it is notable that, with the exception of U-Next, the majority of domestically based streaming services are associated with or primarily owned by a television network. Mirroring NTV's majority stake in Hulu Japan, the other major Tokyo-based television networks maintain a range of SVOD, transactional video-on-demand (TVOD), and/or free streaming services. These include Tokyo Broadcasting System's (TBS) Paravi and TV Asahi's TELEASA, both of which are SVOD services, as well as Fuji TV's FOD (Fuji TV on Demand), which offers both a free advertising-based video-on-demand (AVOD) and "premium" fee-based SVOD services. In addition to its homegrown TELEASA, TV Asahi also holds a stake alongside the media and Internet advertising company CyberAgent in ABEMA, which offers both AVOD and fee-based premium SVOD services.<sup>49</sup> The Tokyo-based and regional networks furthermore collaborate on the popular TVer service, a so-called *minogashi haishin* (catch-up streaming) AVOD service that allows users to stream recent episodes of broadcast programs.

This involvement of Japan's television networks in many of the available VOD services—as well as the slower adoption of streaming overall—reflect the continued influence they exercise on Japan's media landscape. Building on Oyama's discussion of developments during the 2000s, Steinberg suggests that the terrestrial broadcasters maintained their dominance by effectively sidelining then-emergent rivals—in particular the Internet start-up Livedoor—which sought to leverage the growth of the Internet and circumvent the barriers to the media market maintained by the legacy companies.

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48. Nishida, *Nettofulikkusu no jidai*, 50.

49. Steinberg, "AbemaTV," 350–51.

In the 2000s, Livedoor, run by Horie Takafumi, launched a hostile takeover of Fuji. The bid ultimately failed, and following a subsequent securities fraud investigation, Horie was jailed. Oyama concludes that the incident served as a warning shot to other Internet and media start-ups who would seek to upend television networks' dominance.<sup>50</sup> Steinberg argues that this likewise allowed the networks to stymie streaming during the early 2000s, as they had little incentive to embrace it, and insurgent companies had been forewarned not to challenge the networks' stranglehold on the media market.<sup>51</sup>

In addition to Oyama's and Steinberg's insights, one can add the control over production and rights that networks leveraged in their move to slow-walk the adoption of streaming. Nishida highlights how, although the Japanese press greeted the mid-2010s arrival of US streamers like Hulu and Netflix as an unstoppable and disruptive force equivalent to the arrival of Commodore Perry's *kurofune* (black ships) in the mid-nineteenth century, reality forced the foreign companies to take a much more cautious approach and build partnerships with the domestic networks rather than overtly antagonize them. Nishida argues that the struggles of Hulu's Japanese subsidiary, prior to NTV's 2014 purchase of it, foregrounded the need for such an approach. When the service first arrived in Japan in 2012, subscriptions saw a healthy increase, as its US-dominated content library drew fans of foreign movies and dramas. However, subscriptions soon stagnated, underscoring the limited appeal of such content to broader audiences in Japan. NTV's acquisition of Hulu Japan reversed this trend, since NTV brought offerings from its own broadcast-based library as well as the capacity to produce original Japanese programming for the service. For NTV, the deal gave it access to a preexisting platform and thus allowed it to avoid having to create their own from scratch.<sup>52</sup>

Perhaps the greatest sign of the networks' continued dominance is the success of the minogashi service TVer. In founding the service in 2015,

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50. Oyama, "Japanese creative industries," 328–30.

51. Steinberg, "AbemaTV," 348.

52. Nishida, *Nettofulikkusu no jidai*, 55–61.

Japan's major networks and advertising agencies sought most immediately to counteract the spread of its programming on video-sharing sites like YouTube; however, more long term, they aimed to supplement traditional over-the-air linear broadcast and the advertising-based model that supported it, rather than simply replace it.<sup>53</sup> In contrast to the familiar streaming-centric approach of services like Hulu and Netflix, the minogashi service—a term taken from the verb *minogasu*, meaning “to overlook” or “to miss”—offers streaming as a complement to traditional broadcast. In this sense, it resembles earlier network-based streamers outside of Japan, such as HBO Go, which provided existent subscribers a means to view content in a time-lapsed, on-demand manner. However, besides the most obvious difference that it is an ad-based service free to any user accessing it from a Japan-based IP address, TVer differs in how it is presented to viewers. TVer, as it is imagined by the networks that support it, provides viewers, who might have *missed* one or more broadcasts of a show (ergo the term *minogashi*), a way to catch up on past episodes and thus resynchronize themselves in a sense with the regular broadcast. Nishida proposes that it was in fact the minogashi model that finally broke down television networks' resistance to streaming and allowed for its more widespread adoption in Japan from the mid-2010s onward. Indeed, as viewership for broadcast flagged in the 2010s, data suggested that shows that offered postbroadcast minogashi streaming options saw more sustained ratings from week to week. Networks thus came to see minogashi options like TVer as a means to prop up and continue their existent advertising-based business model.<sup>54</sup>

TVer is not the only service to provide minogashi streaming—many of the other network-based streamers provide similar streaming, either in an

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53. Nishida, 70–71; Honda Masakazu, “Bangumi netto haishin ‘TVer’ wa dōshō imu: Kōkoku dairi ten no aseri ga unda bijinesu moderu” (Program streaming service “TVer” shares the same bed but a different dream: The business model born from advertising companies' panic), *Tōyō keizai Online*, July 18, 2015, <https://toyokeizai.net/articles/-/77520>.

54. Nishida, *Nettofulikkusu no jidai*, 91–94.

AVOD or SVOD capacity—but it is perhaps the most popular, presumably due to its ability to serve as a one-stop location for content from across the various networks. According to the ITmedia survey, TVer ranked fifth among free online video sources but first among VOD services in this category. (The first 4 spots were occupied by YouTube’s video-sharing service followed by Twitter, the Japan-based social media platform LINE, and Instagram.) TVer and its AVOD peers furthermore enjoy favor among drama viewers, which is perhaps not surprising considering the serial nature of many dramas and the intent of the platforms as catch-up services: 45.8 percent of respondents reported using nonsharing-based VOD services to watch Japanese dramas, followed by 35.9 percent of respondents for variety shows and 31.1 percent for anime. A comparable 39.4 percent of respondents reported using SVOD services to watch Japanese dramas. However, this trailed behind the popularity of other content, with 55.3 percent of respondents reported using SVOD to watch foreign films, 52.7 percent Japanese films; 44 percent anime, 26.1 percent non-Korean foreign dramas, and 14.2 percent Korean dramas. Free video-sharing services, like YouTube, appeared to be more likely used for shorter and even nonvideo content, with 48.8 percent reporting using it to listen to music, followed by content such as hobby, cooking, and “Let’s Play” (*gēmu jikkkyō*) gameplay videos.<sup>55</sup>

The result of this network-centric streaming ecosystem is a drama production and distribution landscape that sustains rather than replaces the television networks. Naturally, television survives here in a large sense in air quotes, since this television does not strictly mirror the terrestrial broadcast of yesteryear. Instead, it is television as a concept and business model that persists in the abstract while distribution now takes place in a much more decentered fashion and over a more asynchronous timeframe, with viewers watching drama content just as likely on a smartphone as on the regular broadcast. However, it means that many dramas—particularly those that

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55. Inpuresu sōgō kenkyūjo, “Yūryō no dōga haishin.”

attract a broad viewership—are still produced in a manner that is complimentary to the structural imperatives of television and television networks, continuing until recently to enter circulation first with linear broadcast.

It is likely for this reason that few direct-to-streaming dramas have gained traction in the manner seen outside of Japan. This latter point is of course difficult to gauge for the same reasons it is difficult to determine the penetration and adoption of streaming itself. It is nonetheless striking that the Japan-based SVOD services—even the nonnetwork affiliated U-Next—tend to promote broadcast-based dramas prominently on their streaming pages, to which they subordinate their original content, which appears in less prominent places.<sup>56</sup> This appears to reflect that broadcast-based dramas continue to dominate more generally. Kadokawa's quarterly the Television Drama Academy Awards, for example, consistently bequeaths its best drama award to dramas originating from traditional broadcast—a somewhat circular point perhaps, given that the award is structured around broadcast dramas exclusively, but telling nonetheless insofar that the organizers apparently feel no pressure to open the award to streaming-first dramas or even create a category for streaming dramas.<sup>57</sup>

Yet, while the continued dominance of broadcast-based content props up a continuation of the preexisting TV and advertising-centric system, it hampers these media industries' ability to distribute content abroad via streaming. Indeed, the failure of many Japanese dramas to gain access to audiences outside of Japan via streaming appears to largely stem from the self-imposed insularity of a domestic-facing media industry. It is hard to avoid the conclusion that this insularity is due in no small part to that industry's approach to IP, since the export of mainstream dramas to non-Japanese streaming presumably faces numerous hurdles due to the rights-bundling issues described above.

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56. Based on review of SVOD service pages in fall 2022 by the author.

57. "Jushōreki—Saiyūshū sakuhin shō" (Award history: Outstanding work award), *Za terebijon dorama akademii shō* (The Television Drama Academy Awards), accessed November 23, 2022, <https://thetv.jp/feature/drama-academy/archives/department/best-drama/>.

Supporting this conclusion, the dramas that do make it abroad appear to either have been produced specifically for streaming or otherwise smaller productions with likely fewer barriers posed by bundled-rights permissions. To cite one example, the eight-episode *Miss Sherlock*, which won the Asian Academy Creative Awards 2018 award for Best Drama Series, was coproduced by Hulu Japan and HBO Asia, clearing its path to be available on HBO's various national and regional subsidiaries worldwide.<sup>58</sup> Netflix has similarly produced original Japanese dramas that it then makes available outside of Japan as well, such as its 2016 *Hibana: Spark*, based on the Matayoshi Naoki novel of the same name, the 2019 and 2021 seasons of *Zenra kantoku* (The naked director), and, more recently, the 2022 *Shinbunkisha* (The journalist) based on a book by the journalist Mochizuki Isoko. The company has also revived older network-based series with newer streaming-oriented content, as it did with its 2016 and 2019 *Shinya shokudō: TOKYO STORIES* (Midnight diner: Tokyo stories) spin-off of the manga-based *Shinya shokudō* series that aired on Japanese television for three seasons in 2009, 2011, and 2014.<sup>59</sup>

Although many of these dramas enjoy strong followings both domestically and abroad, it is nonetheless striking that they are different in genre and overall production style from the more broadly viewed dramas that first circulate during regular broadcast slots in Japan. Winners of the Television Drama Academy Awards continue to hail from the well-tread genres of family, medical, crime, and school dramas, while these broadcast-first dramas tend to cast familiar stars or at least frequently include high-profile idols and

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58. "2018 Final Winners," Asian Academy Creative Awards, accessed November 23, 2022, <https://www.asianacademycreativeawards.com/award-ceremony/2018-final-winners/>; "Takeuchi Yūko x Kanjiya Shihori 'Misu Shārokku' ga 'AAA's' de saiyūshū sakuin shō ni!" (Takeuchi Yūko and Kanjiya Shihori's "Miss Sherlock" takes Best Drama Series award at AAAs), *WEB za terebijon* (WEB the television), December 10, 2018, <https://thetv.jp/news/detail/172198/>.

59. Yamazaki Nobuko, "Futatabi Netflix de haishin! Kobayashi Kaoru wa 'Shinya shokudō' no hirogari o dō mite kita no ka?" (Streaming on Netflix a second time! How does Kobayashi Kaoru view the spread of "Midnight Diner?"), *Movie Walker Press*, November 2, 2019, <https://moviewalker.jp/news/article/210783/>.



other celebrities. This contrasts niche-focused and often off-beat dramas, which cast either less familiar performers or, as in the case of *Shinya shokudō*'s Kobayashi Kaoru, performers more readily known for their acting bona fides rather than the sort of media celebrities cast in mainstream dramas to attract viewers. (Notably, this latter type of star often tends to hail from idol agencies like Johnny & Associates, which, as noted above, tend to be overly protective rather than permissive in their approach to talent portraiture rights.) *Shinya shokudō* in fact offers an illuminating point of contrast, straddling as it does the worlds of broadcast and streaming. It is furthermore notable that the drama's broadcast origins lay in the same late-night programming slots that many anime offerings occupy. This is not altogether surprising, however, as such off-mainstream fare has traditionally filled late-night schedules in Japan alongside anime. It might also explain in part the greater ease with which such content has apparently moved to streaming given that, like late-night anime, it might also face lower IP hurdles, but this latter point is unclear. Endō Hitoshi, who has been involved in *Shinya shokudō*'s production over several of its iterations, has noted that the show's producers faced resistance from its original broadcaster, Mainichi Broadcasting System (MBS), when they sought to adapt the program for Netflix.<sup>60</sup>

As streaming is still relatively new, much of this might change in coming years, but it is an open question whether Japanese media companies will be able to maintain their control over even domestic media content. Recent developments suggest that the networks have begun to accept the need to cooperate with streaming partners outside of Japan, but the options available to them appear largely dominated by US platforms. Exceptions to this rule do exist. Since 2016, for example, Fuji TV has licensed its dramas and other broadcast content in Taiwan to the streamer KKTV, a Taiwanese subsidiary of

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60. "Netflix to terebi 'seisaku gawa ga keiken shita' kettei teki na sa: 'Shinya shokudō' o tōshi eizō sakuhin no kongo o kangaete mita" (The decisive difference between Netflix and television that "the production side experienced": I considered the future of moving image works through the lens of "Midnight Diner"), *Tōyō keizai Online*, December 18, 2021, <https://toyokeizai.net/articles/-/476838>.

the Japanese telecom KDDI since 2010.<sup>61</sup> KKTV has since become a venue for Japanese dramas in the country and most recently offered a simultaneous streaming of the 2022 installment of NHK's long-running *Taiga* historical drama series, *Kamakura dono no 13 nin* (The 13 lords of Kamakura).<sup>62</sup>

Despite such regional examples, US platforms appear to be emerging as the dominant pathway for Japanese dramas to reach broader, non-Japanese audiences. Exemplary here are agreements, which TBS has recently entered into with US-based streamers. In 2021, the television network granted Netflix worldwide streaming rights for the most recent remake of the *Japan Sinks* franchise—a ten-part miniseries entitled *Nihon chinbotsu: Kibō no hito* (Japan sinks: People of hope)—allowing Netflix to carry episodes a mere three hours after their original broadcast.<sup>63</sup> In a similar move, TBS and Disney+ announced an agreement in 2021 to make star-vehicle dramas like the ER drama *Tokyo MER* (2021) available on Disney+. As part of the agreement, these dramas are now available in countries where Disney+'s STAR content hub, in which the content is included, is available.<sup>64</sup> This move by

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61. Fuji Television Network, “Fuji terebi sakuin ga Taiwan haishin shijo ni mo jōriku! KK-BOX Gurūpu to Taiwan de no dōga kontensu de senryaku teikei” (Fuji TV programs arrive on the Taiwan streaming market, too! A strategic alliance with KKBOX Group for video contents in Taiwan), press release, July 6, 2016, <https://www.fujitv.co.jp/company/news/160706.html>; KDDI, “Maruchidebaisu muke ongaku kontensu haishin gaisha KKBOX Inc. no kabushiki shutoku nitsuite” (Regarding the stock acquisition of KKBOX Inc., a company offering multidevice oriented music contents streaming), press release, December 15, 2010, [https://www.kddi.com/corporate/news\\_release/2010/1215/](https://www.kddi.com/corporate/news_release/2010/1215/).

62. Chen Sumi, “Taiwan de moriagaru Taiga Dorama būmu!—‘Kamakura dono no 13 nin’ no Nittai dōji haishin ga shichō no arikata o kaeta” (Taiga drama boom swells in Taiwan! Simultaneous streaming of “The 13 lords of Kamakura” in Japan and Taiwan changed the shape of the market), *Nippon*, February 2, 2023, <https://www.nippon.com/ja/japan-topics/g02252/>.

63. Inoue Masaya, “TBS no ‘Netflix dokusen haishin’ ni sukeru terebikyoku no yūtsu” (The despondency of the television networks is apparent in TBS’s “Netflix exclusive streaming” agreement), *Tōyō keizai Online*, November 27, 2021, <https://toyokeizai.net/articles/-/469960>.

64. “TBS and Disney Conclude Streaming Agreement TOKYO MER Coming to STAR on Oct 27—First Japanese Drama to Stream Worldwide on Disney+,” TBS Program Catalog, September 29, 2021, <https://www.tbscontents.com/news/2001>.

TBS accompanies other shifts that suggest that the networks are gradually coming to accept and adapt to streaming. Japan's main networks recently agreed, for example, to allow dramas, beginning in spring 2022, to stream simultaneously on TVer. This ended previous policy that required TVer to stream episodes only after broadcast.<sup>65</sup> Such moves have likely been spurred by the success of TVer in contrast to an otherwise grim outlook for the networks: reportedly, TVer and similar AVOD services saw an increase in advertising revenue in the first quarter of 2022, even as traditional broadcast continued to lose both viewers and advertising revenue.<sup>66</sup>

Whether these shifts will mark a true sea change for Japanese dramas and their access to audiences outside of Japan remains to be seen. Either way, the agreements with US-based streamers in particular highlight how Japanese companies have become increasingly dependent, now more than ever, on non-Japanese companies and their infrastructure for international distribution. The Disney+ deal offers a good example. Reportedly, TBS entered into the agreement, spurred by the realization that its own Paravi platform had failed to take off domestically and moreover that, having entered the streaming market late, it had little hope of matching the established global infrastructure of US-based platforms.<sup>67</sup>

TBS enters the agreement, however, largely at the mercy of Disney and its multiple agreements and commitments around the globe. While TBS has promoted it as a deal with Disney+ to distribute its dramas worldwide, the dramas are in fact only available in certain countries, due to the limited

65. TVer, "Minpō terebi no chijōha riarutaimu haishin ga TVer ni seizoroi! 2022 nen 4 gatsu 11 nichi (getsu) yoru kara sutāto." (Realtime streaming of commercial television networks' broadcasts comes in full force to TVer! Starting on the evening of April 11, 2022!), press release, April 8, 2022, [https://tver.jp/\\_s/info/TVer\\_release\\_realtme\\_20220408.pdf](https://tver.jp/_s/info/TVer_release_realtme_20220408.pdf).

66. "CM shūnyū—shichōritsu genshō, TVer nado haishin kōkoku shūnyū zōka: Minpō kikyoku dai 1 shihanki kessan" (Television advertising revenue and viewer ratings decrease, advertising revenue increases on TVer and other streaming: First quarter financial reports of key television networks), *Mainabi nyūsu* (Mynavi news), August 5, 2022, <https://news.mynavi.jp/article/20220805-2417354/>.

67. Inoue, "TBS no 'Netflix dokusen haishin.'"

availability of the STAR hub in whose catalog the dramas are included. Disney launched the hub in early 2021 in locales that included certain European countries, Canada, Singapore, and Australia, and expanded it to others, such as Japan, Hong Kong, and South Korea, in late 2021. Intended as an international alternative to Hulu, in whose US operation Disney still holds a majority stake, the hub traded on the familiarity in many countries outside the United States of the STAR brand, which Disney obtained as part of its 2019 acquisition of 21st Century Fox. Disney has held off including the hub on its US Disney+ service, apparently due to its continuing commitments to Hulu in the United States and on which Disney supplies much of the same content from its US subsidiaries, such as FX and ABC, that it does on the STAR hub outside of the United States.<sup>68</sup> In consequence, the TBS dramas included in the Disney+ agreement are currently not available in the United States through the streamer, and it is unclear when if ever they will be.

## The Lasting Impact of Network Histories and the Future of Japanese Dramas

The Japanese government's aim for Japan to become an IP-oriented nation has, in the case of dramas at least, had mixed results, with Japan resembling more an IP fiefdom within a larger network of non-Japanese platforms. As already noted, these initiatives have done little to stanch the availability of pirated content outside of Japan, and, arguably, they have left Japanese media companies more beholden to, rather than independent from, the interests and demands of non-Japanese companies. The fate of Japanese dramas in the age of streaming underscores this, as the hodgepodge map of

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68. Manori Ravindron, "Disney Lifts Lid on Star: Exclusivity and Parental Control Keys to New Tile," *Variety*, February 17, 2021, <https://variety.com/2021/streaming/global/disney-plus-star-launch-1234909210/>.

access offered by agreements like the TBS–Disney one highlights. Namely, even as international, generally US-based streamers offer a possible route for international exposure through channels that nominally protect Japanese IP, they do so in a manner that leverages IP to their own advantage and profit, rather than those of the content’s rights holders.

One discerns in this unbalance the contours of what Dal Yong Jin has identified as “platform imperialism.” As defined by Jin, platform imperialism instantiates “an asymmetrical relationship of interdependence” between the West—the US in particular—and other nations, sustained by the “technological and symbolic domination of US-based platforms.”<sup>69</sup> Although platform imperialism as such extends the earlier logics of cultural imperialism, according to Jin, it also represents somewhat of a departure, given the extent to which “IP, entrepreneurship, and values [are] embedded in platforms.”<sup>70</sup> As Jin has noted, this definition of platform imperialism nonetheless applies well to Netflix, as it underscores the manner in which the SVOD service leverages its data-based approach to assert itself within local markets, where it subsequently influences cultural production.<sup>71</sup> To this, one might add how the company has, in many ways, established the IP-management model that serves as a blueprint for global media distribution via streaming and how this further extends a US-centric approach to IP. In this regard, it is notable that US-backed trade agreements often incorporate and impose IP and other legal frameworks that mirror US ones and are thus favorable to the US technology companies familiar with them. Japan is no stranger to these issues: its government passed revisions to existing copyright laws in 2016 so as to conform to the anticipated requirements of the Transpacific Partnership—requirements that the United States, which ultimately pulled

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69. Jin, *Digital Platforms*, 12.

70. Jin, 12.

71. Dal Yong Jin, “Netflix’s Corporate Sphere in Asia in the Digital Platform Era,” in *The Routledge Handbook of Digital Media and Globalization*, ed. D. Y. Jin (New York: Routledge, 2021), 167–75.

out of the agreement, had pushed for so as to align the pact's IP regime with its own.<sup>72</sup>

The underwhelming fate of Japanese dramas in the era of streaming highlights, however, how the domestic side of such asymmetrical relationships complicates an understanding of them as necessarily one-directional. Instead, it reveals the local contexts that shape platform imperialism's specific manifestations. As the counterexample of anime underscores, it is not sufficient to conclude that the difficulties faced by Japan's media companies in areas like scripted dramas is simply the result of an IP regime imposed from the outside. Rather, it is more accurate to say that such imbalances and difficulties arise from the intersection of externally imposed regimes and local structural particularities, such as extant industry practices and expectations. In the case of Japanese dramas, this intersection has not only played a role in creating a gap between Japan's domestic media industry and the transnational media systems with which it interacts; it has informed the split between the dramas consumed domestically and those most typically exported abroad for distribution via streaming.

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72. Terakura Kenichi, "TPP to chosakukenhō kaisei: Kenri hogo to riyō no tekisei na kinkō o mezashite" (TPP and copyright law revisions: Aiming for a balance between rights protection and appropriate use), *Chōsa to jōhō* (Survey and information) 922 (2016): 1–12; "Trans-Pacific Partnership Agreement," Electronic Frontier Foundation, accessed March 15, 2023, <https://www.eff.org/issues/tpp>; David McCabe and Ana Swanson, "U.S. Using Trade Deals to Shield Tech Giants from Foreign Regulators," *New York Times*, October 7, 2019, <https://www.nytimes.com/2019/10/07/business/tech-shield-trade-deals.html>.