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Association to Preserve Family Bond (APFB)

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About us: We are a non-government organization. Family unity is breaking down quickly these days. Our organization`s purpose is to try to preserve the family as the basic unit in society and promote the family bond so that the communities and the nation prosper.

Objecting to the introduction of the dual-surname system in Japan

Concluding observations of the CEDAW to the government of Japan repeatedly pointed out the need to change Japanese law, which does not recognize married couples who have different surnames as lawful husband and wife. Due to a couple of reasons stated below, we insist that having one family name between husband and wife is necessary for family unity.

The family is the smallest unit in a community and the nation, and thus keeping the family unity intact is very important for the prosperity of the community and the nation. By having two surnames between husband and wife will certainly break down family unity. One reason is that one cannot tell whether the couple is officially married or simply cohabitating.

Research after research points out that children brought up by the two biological parents who are married fare the best compared to any other family forms, such as cohabited couples, step-father/mother, single parent, etc. Even if they are brought up by the two biological parents, if they are not married, those children do not fare as well as married parents because cohabiting unions are much less stable than married unions, cohabiting parents are less likely to devote their financial resources to childrearing, and people merely living together are less committed to each other, etc. (1)

One may argue that having two surnames is different from cohabitation since they are actually married. However, considering some of the reasons why women keep their own surname after marriage, the family commitment and unity under one surname must be a lot stronger than that of two surnames. The following are some reasons why women want to keep their maiden names: (a) They see no reason to change their name; (b) Objection to the one-sidedness of this tradition; (c) Being the last member of their family with that surname; (d) To avoid the hassle of paperwork related to their change of name; (e) Wishing to retain their identity; (f) Preferring their last name to their spouse's last name; and (g) To avoid professional ramification. (2)

Since Japanese law allows married couples to use the wife's surname after marriage, the above (b), (c) and (e) can be easily solved by the discussion between the couples. Traditionally, if a woman is the only child of her parents, her family could easily adopt her husband into their family to succeed the family line, albeit a small number. This practice has been in place for centuries to keep the family line and family unity intact. Further, having two surnames creates

a new issue regarding the naming of their children. Are they supposed to take the father's name or mother's name? If they cannot agree whose name to take, who will eventually decide? Can such a problem be conducive to family unity?

In order to solve the above (g), the government of Japan started the system to indicate one's former surnames in brackets in paperwork such as my-number card, driver's license, passport, etc. Thus, there is a way to keep using one's maiden names as common names.

Interestingly enough, public opinion collected by the Ministry of Law in 2022 indicates that the 70% of married couples support the current system of one family name and the use of common name rather than two family names while close to 60% of cohabiting couples support two family names. This is clear indication that supporters of two family names are more alike to cohabiting couples than married couples, and thus the system is not good for the well-being of children.

In US history, Lucy Stone is considered to be the first woman to have kept her surname upon marriage in 1855. In the 1920s, the Lucy Stone League was formed by prominent feminists to help married women preserve the identity of their own surnames. (3) Obviously those feminists considered that changing names at marriage is against gender equality; however, as stated above, Japanese law is gender neutral since the law accepts women keeping their surnames at marriage. Currently, about 95% of women change their names at marriage, not because they are forced to do so, but simply they value the family unity and wish to change their names to the husband's name.

"Journal of Economic Perspectives" concludes that even though many of the name keepers tend to be college graduates, "the current share of college-educated women who keep their surnames at marriage appears to be a shade under 20%." It also states: Perhaps some women who kept their surnames in the 1980s, during the period of rapid increase in keeping their surname, did so because of peer pressure... Perhaps surname-keeping seems less salient as a way of publicly supporting equality for women than it did in the late 1970s and 1980s. Perhaps a general drift to more conservative social values has made surname-keeping less attractive.

Further, "assuming the husband's surname remains common practice today in the United Kingdom, Australia, New Zealand, Pakistan, Gibraltar, Falkland Islands, India, Philippines, and the US." "According to a Pew Research Center survey published in September 2023, nearly 4 out of every 5 women in heterosexual marriages in the US changed their last names to those of their husbands." "In Germany, since 1977, a woman may adopt her husband's

surname or a man may adopt his wife`s surname. If a man and woman both decide to keep and use their birth names after the wedding, they shall declare one of those names the family name.” (2)

As mentioned above, having two surnames after marriage is not an international trend at all. We do not see why Japan should use two surnames while the current law and practice work fine for the nation. Also, the system of Japan does not go against the idea of gender equality, since both the woman and man have equal right to keep their former name. Finally, the system of having two surnames can be very confusing for the children and may harm the wellbeing of children and the family unity. There is no need to launch the experiment of two family names, which may be detrimental to the wellbeing of children and family unity.

(1) Why Marriage Matters, Second Edition, Institute for American Values, page 13

(2) https://en.wikipedia.org/wiki/Maiden_and_married_names

(3) Journal of Economic Perspectives, Volume 18, Number2, Spring 2004