

Locating Family in the Gender Equality Politics

- A Focus on Economic Situation after Divorce in Japan -

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Synopsis

The family system is one of the subsystems of the Japanese society in which gender equality has hardly been achieved. This paper discusses the current state of gender equality focusing on women’s economic disadvantage in post-divorce life and on public discourses that legitimates the gender-unequal family system.

1 Gender gap in post-divorce life

Population of divorced or never-married people has increased in Japan. How has this change influenced economic gender gap?

Data: National Family Research of Japan (NFRJ) 1999–2009 [1].

Method: ANOVA and regression analysis.

Focus: Equivalent income (annual household income adjusted for the size of the household).

Result 1: The economic gender gap appears among those who experienced divorce or widowhood.

Result 2: Divorced women tend to be in a disadvantageous situation due to three factors: (1) lower education levels, (2) smaller probability of continuing regular employment, and (3) higher probability of taking custody of young children.

These results show that the family system, in particular the legal system of marriage and divorce, is responsible for economic gender inequality. Along with the growing population of divorced people, there may be increasing probability at which a woman experience disadvantageous situation.

2 CEDAW and gender-mainstreaming in Japan

Japan ratified the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in 1985 and has subsequently introduced law/policy reforms aiming at gender equality. How these reforms have incorporated equalization of family?

Data: Governmental documents [2] [3].

Method: Literature survey.

Result 1: The documents include no systematic examination about the impact that reforms of the family system will have on gender equality.

Result 2: The government, as well as the public, locates the matters of working condition and social security in the center of gender equality policy.

Result 3: The second and subsequent revisions of *Basic Plan for Gender Equality* (2005, 2010, 2015) give some favorable account of traditional social order based on biological sex differences, as a compromise with criticism from the right wing [3].

Japanese gender equality policy has not had systematic description on how family creates inequality and what reform is needed for equality. It is rather inclined to consider traditional social function of family as compatible with gender equality.

3 Falling into the chasm between tradition and modernity

Discourses about Japanese family are divided into two schools. One advocates the traditional stem family based on so-called “ie” system, while the other advocates the modern family based on a triad of an equal couple and their child. What these discourses imply to reforms of the system of marriage and divorce?

Method: Discourse analysis

Data: Legal/political discourses about family in Japan.

Result 1: Traditional thought about family has strong political influence on policy-making.

Result 2: Authors advocating modern family always argue for the equality between couple, but rarely substantiate it to realize distributive justice in the family.

Result 3: Argument about law reforms for equitable divorce is limited to a small group of legal scholars.

Even today, the traditional thought about the “ie” family system is supported by the public opinion. Family policies of the government are under the influence of the “ie” ideology. It may be part of the reason why reforms of the family system have not been oriented to equal distribution among the members.

On the other hand, the modern thought advocates equality among family members. However, this does not necessarily imply that public policy should enforce equality on family. The modern family ideology assumes mutual altruism between the husband and the wife and one-way altruism from them to their children, as if their altruistic relationship has already achieved equality among them. Although there has been a long history of argument by family law scholars for enforcement of equal distribution through divorce, the hegemonic discourse on family is reluctant to adopt this argument.

4 Conclusion

Statistical findings exhibit that gender inequality grows in family life and becomes visible after divorce. The findings show the family system’s fault for unequal distribution. However, gender equality discourses have not addressed reform of the family system. That may be because family is regarded as an autonomous and private group that should be free from public control, in both of the traditional and modern perspectives. The family system has thus been ignored in the politics of gender equality.

Acknowledgement

The data for this secondary analysis, National Family Research of Japan 1998 (NFRJ98), 2003 (NFRJ03), and 2008 (NFRJ08) by the NFRJ Committee, Japan Society of Family Sociology, was provided by the Social Science Japan Data Archive, Center for Social Research and Data Archives, Institute of Social Science, The University of Tokyo.

References

- [1] Tanaka S. (2013) “Gender gap in equivalent household income after divorce”. Tanaka S. (ed.) *A quantitative picture of contemporary Japanese families: tradition and modernity in the 21st century*. Tohoku University Press. 321–350. ISBN: 978-4-86163-226-6
- [2] Council for Gender Equality (1996) “Vision of gender equality”. <http://www.gender.go.jp/english_contents/about_danjo/lbp/basic/toshin-e/>
- [3] Tanaka S. (2016) “「男女共同参画基本計画」(第1次～第4次) に出現する「性差」” <<http://tsigeto.info/16h>>

Locating Family in the Gender Equality Politics

A focus on economic situation after divorce in Japan

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<http://sigeto.info/17/>

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Annual Household Income

NFRJ98: on page 5/25

問15 去年1年間のお宅の収入(生計をともにしている家族全員の収入の合計)は、税金外では次のどのどれに近いでしょうか。[Income during the previous year of your household, including tax (choose the nearest)]

- 1 収入はなかった
- 2 100万円未満
- 3 100~199万円
- 4 200~399万円
- 5 400~599万円
- 6 600~799万円
- 7 800~999万円
- 8 1000~1199万円
- 9 1200万円以上
- 10 わからない

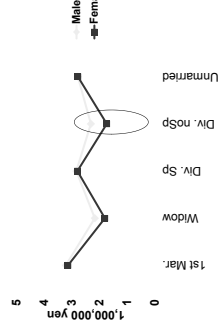
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Equivalent Income (EI)

$$EI = \frac{\text{Annual household income}}{\sqrt{N \text{ of household member}}}$$

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Marital history and EI: NFRJ08



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Ideology & social sciences

Ideology = system of beliefs on

- Fact : How the society is
- Value: How the society should be
- Norm: What should we do

2

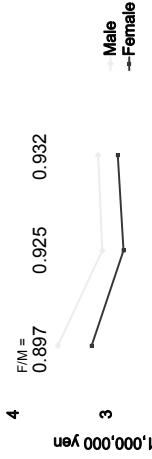
NFRJ03: on page 5/18

問8 去年1年間のお宅(生計をともにしている家族)の収入は、税金外では次のどのどれに近いでしょうか。他の家族の方の収入も含めてお答えください。(〇は1つだけ) [Income during the previous year of your household, including tax (choose the nearest)]

- 1 収入はなかった
- 2 100万円未満
- 3 100~199万円
- 4 200~399万円
- 5 400~499万円
- 6 500~599万円
- 7 600~699万円
- 8 700~799万円
- 9 800~899万円
- 10 900~999万円
- 11 1000~1099万円
- 12 1100~1199万円
- 13 1200~1299万円
- 14 1300~1399万円
- 15 1400~1499万円
- 16 1500~1599万円
- 17 1600万円以上

6

Gender Gap in EI



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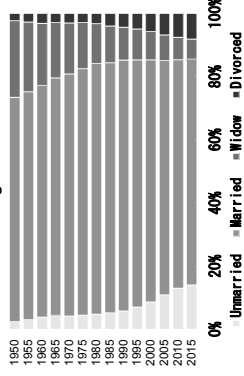
Summary



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Trend in marital status in Japan

Population Census 1950-2015,
Women aged 30-74



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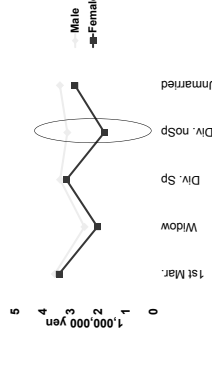
NFRJ08: on page 23/24

問18 去年1年間のお宅(生計をともにしている家族)の収入は、税金外では次のどのどれに近いでしょうか。他の家族の方の収入も含めてお答えください。(〇は1つだけ) [Income during the previous year of your household, including tax (choose the nearest)]

- 1 収入はなかった
- 2 100万円未満
- 3 100~129万円
- 4 130~199万円
- 5 200~299万円
- 6 300~399万円
- 7 400~499万円
- 8 500~599万円
- 9 600~699万円
- 10 700~799万円
- 11 800~899万円
- 12 900~999万円
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- 17 1400~1499万円
- 18 1500~1599万円
- 19 1600万円以上

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Marital history and EI: NFRJ98



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Marital History and Gender Gap

- Unmarried / Married
..... No gap
- Divorced / Widowed
..... Great gap

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National Family Research of Japan (NFRJ)

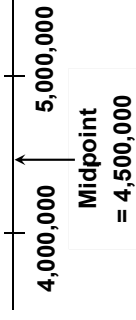


- ★ Detailed information on kinship and life events
- ★ National representative samples: 1998, 2003, 2008 (NFRJ98, NFRJ03, NFRJ08)
- ★ Huge number: 473, 494, 463 divorced

<http://nfrj.org>

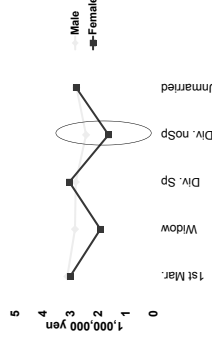
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Income of the previous year



8

Marital history and EI: NFRJ03



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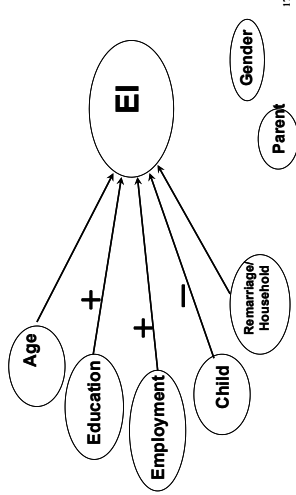
Regression (divorced)

Independent variables :

- Age
- Education
- Spouse
- One-person household
- Co-residing parent
- Co-residing child under 13
- Continuous regular employment

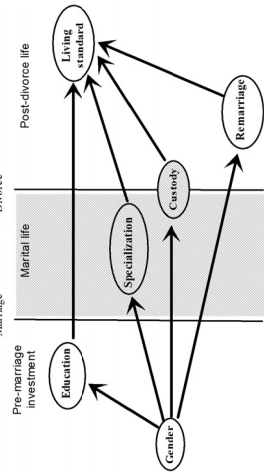
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Result



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Factors of post-divorce gap



2nd Basic plan for gender equality (2005)

2 – 2.it is not desired to deny traditional culture using the term “gender free”

http://www.gender.go.jp/about/danjo/basic_plans/2nd/pdf/ell.pdf [translation is mine]

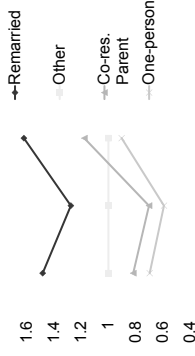
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Anti-liberal reforms in Japanese divorce system

Traditional: Unilateral no-ground
 ↓
Modern: Bilateral no-ground + Unilateral ground-based

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Effect of remarriage (female)



NFRJ98 NFRJ03 NFRJ08

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Gender equality and family

- Fact : Gender gap after divorce caused by marital life
- Value: Gender equality
- Norm: What reform in family law?

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4th Basic plan for gender equality (2015)

2 – II – 6.gender equality based on understandings of biological differences between sexes

[translation is mine]

Prejudice on sex differences is mentioned only for fixed gender roles, as a legacy of the high economic growth in 1960s

http://www.gender.go.jp/about/danjo/basic_plans/4th/pdf/print.pdf

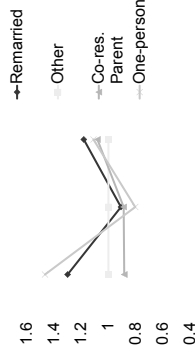
Consensual divorce

Currently:
 90% by mutual consent (no legal intervention)
 9% mediated by court
 1% judgement by court

→ anti-liberal, equity-oriented debates

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Effect of remarriage (male)



NFRJ98 NFRJ03 NFRJ08

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Gender-equal policy

- 1985: Ratification of CEDAW
- 1996: Vision of gender equality
- 1999: Basic Law for Gender-Equal Society
- 2000: Basic plan for gender equality (Revision in every 5 years)

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Minimum presence of family issues

No chapter for family issues in these governmental documents
 Problems of one-parent family, impoverished divorced women, and forced surname changes are mentioned, but not systematically

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Typical arguments

本沢 巴代子 (1998) 離婚条件の研究 一社社 (Mozzawa Miyoko 1998)

- Earning capacity due to specialization
 - Burden to bring up legitimate child
 - Disease caused/worsened by marital life
- Slow implementation

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Findings

- ✓ Female EI is 10% lower than male
- ✓ Mainly caused by widowed/divorced
- ✓ 4 factors of gender gap after divorce

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Vision of gender equality (1996)

- 1 – (1)without being restricted by “gender”, a social and cultural constraint.....
- 1 – (2) – C.Greater and deeper awareness of gender-sensitive perspective

http://www.gender.go.jp/english_contents/about_danjo/basic/english-e/part1.htm#F1

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Debate on family in 20th century

Traditional: Stem family (ie) system as a company

vs.

Modern: Nuclear family as a unit of altruism

中川 善之助 (1928) 家族的扶養義務の本質 (1) 法学新報 38(6) (Nakagawa Zennosuke 1928)

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Conclusion

Family law reform is necessary for gender equality.
 However, no systematic examination of the family system to achieve distributive justice in family.
 Both traditional / modern ideology suppress discourses for equality.

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