

**We will not vote for any Tokyo Metropolitan Assembly Candidate
or Parliamentary Candidate if such Candidate opposes
“Optional Separate Surnames for Married Couples”**

Japanese Women's Association for
Peace and against Military Expansion
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It is expected that the “optional separate surnames for married couples” system (the “Optional Separate Surnames System”) will be submitted to the Diet as an important bill this spring, but some Diet members are strongly opposing to it. We believe that the introduction of the Optional Separate Surnames System is absolutely necessary, as described below. Therefore, we will not vote for any candidate for the Tokyo Metropolitan Assembly election scheduled for June this year or any candidate for the House of Councillors election scheduled for July this year if such candidate opposes the Optional Separate Surnames System.

1. Rebuttals to Diet Members Opposing the Optional Separate Surnames System
[Japan is the only country in the world which requires married couples to have the same surname.]

Article 24, Paragraph 1 of the Constitution of Japan provides that "marriage shall be based only on the mutual consent of both sexes and it shall be maintained ... with the equal rights of husband and wife as a basis." In reality, however, most women change their surnames to those of their husbands' upon marriage because Article 750 of the Civil Code provides that a married couple shall have the same surname. The same surname system is unusual worldwide because, according to a survey by the Ministry of Justice, married couples can have separate surnames in all countries except Japa. Japan is the only country requiring married couples to have the same surname. The United Nations Committee on the Elimination of Discrimination against Women has pointed out that "In Japan women are often forced to take their husband's surnames, which negatively affects women's identity and employment." The Committee has so far issued recommendations four times that the Japanese Government amend the Civil Code which requires married couples to have the same surname.

[Family bonds and children's happiness do not come from the same surname.]

The Diet members who are opposing the Optional Separate Surnames System

assert that if married couples have different surnames, family ties will be lost and their children will feel unhappy. Japan is the only country that has the same surname system. Therefore, if the arguments of the opposing Diet members are applied to foreign countries, family ties are lost and children are unhappy in all the foreign countries. In other countries, however, the separate surnames system is operated without any problem, and there are no known cases of the problems that the opposing Diet members claim have arisen. Even in Japan, it is not uncommon for parents and children to have different surnames for various reasons such as divorce, remarriage, international marriage and *de facto* marriage, but we have never heard of any case of children becoming unhappy because their surnames are different from their parents'. Insofar as both parents and children recognize their relationships, we cannot understand why people must feel sorry for those children only because they have different surnames from their parents'. A sense of family unity comes from human relationships, not from having the same surname.

[Under the same surname system, those who wish to keep different surnames cannot get married and have no inheritance rights.]

Under the Civil Code currently in force, people who wish to keep different surnames from their partners' following their marriage cannot get married even if they want to. Such people are not entitled to the rights legally granted to married couples, such as inheritance rights, even if in fact they live together as a married couple. If the Optional Separate Surnames System were introduced, such people would be able to get married and enjoy legal protection, and it would be easier for them to have children (since Japanese people tend not to have children until they get married).

[The same surname is not an ancient Japanese system.]

The opposing Diet members also assert that the same surname system is a well-established one in Japanese society. However, the same surname system came into effect in 1898 and, during the Edo period (1603 – 1868), ordinary people did not generally use surnames, and those classes of people using surnames use different surnames from their spouses'. It is a mistake to call the same surname system "a well-established one," since it has only lasted over 100 years in Japan's more than 2000 years of history.

As described above, all of the reasons for opposing the Optional Separate Surnames System are far-fetched objections, and not acceptable to us.

2. Problems with the Proposed Expansion of the Scope of Use of Maiden Names as Common Names

[Under the same surname system, women are suffering disadvantages and inconveniences. Expanding the scope of use of maiden names as common names is just a small modification of the same surname system.]

Nowadays, most adult women have jobs and entered society, and it is common for both spouses to work. In addition, as women get married later in life, the disadvantages and inconveniences of women changing their surnames upon marriage in the middle of their careers are becoming apparent. As a result, many women continue to use their common names after marriage, but they are not permitted to do so in various official procedures and other situations, which causes inconvenience to women. Companies are also under a heavy burden in having to accommodate the surname changes of women employed by them. The Diet members opposing the Optional Separate Surnames System are also aware of these inconveniences and are trying to solve this problem by expanding the scope in which women can use their maiden names as common names. This solution, however, merely allows women to use their maiden names as common names as a matter of convenience, and it basically remains the same surname system. In effect, women are forced to change their surnames to their husbands' at the time of marriage.

[There remain problems that may not be solved by expanding the scope of use of maiden names as common names.]

It is widely recognized that there are problems that cannot be solved by expanding the scope of use of common names. In particular, it is pointed out that the use by women of their maiden names as common names causes various problems abroad because there is no such system overseas. For example, it may be difficult to obtain visas from foreign countries using common names. Some opposing Diet members argue that the Japanese Government can explain the situation to the government of each country requiring entry visas and obtain its approval. However, this would result in publicizing to the world the Japan's same surname system, which has been recommended to be abolished by the United Nations Committee on the Elimination of Discrimination against Women. We wonder whether these opposing Diet members feel embarrassed to announce to the world that Japan is a country that discriminates against women.

3. Patriarchy and Women's Basic Human Rights

[The real reason some Diet members strongly oppose the Optional Separate

Surnames System is to maintain patriarchy.]

Under the Optional Separate Surnames System, married couples can choose to have the same surname. Those who wish to continue to use their common names can do so as well. Nevertheless, why do some Diet members insist on forcing married couples to have the same surname by making up unreasonable reasons? The only possible answer to this question is the maintenance of patriarchy. Patriarchy is a product of classic male chauvinism, under which wife and children are placed under control of husband by forcing the wife's surname to be changed from her parents' to her husband's upon marriage and by giving their children the same surname as the husband's. The Japan Federation of Bar Associations has also pointed out that "the patriarchal view of family and marriage, as well as the fixed sense of gender roles between men and women, are still operating as silent pressure." (Resolution of June 4, 2024).

[The Diet members who oppose the Optional Separate Surnames System are hiding the fact that the real reason for their opposition is the maintenance of patriarchy and are blaming children for their opposition.]

Even though the equal rights of husband and wife are set forth in Article 24, Paragraph 1 of the Constitution of Japan, and the patriarchal system no longer exists, the Diet members who still adhere to the patriarchal system do not want to recognize social change. Those Diet members have never openly admitted that the real reason for opposing the Optional Separate Surnames System is to maintain the patriarchal system, and instead they are using children as an excuse to make unreasonable arguments. They know that if they disclose the real reason, they will face a huge repulsion from general public.

[The introduction of the Optional Separate Surnames System is a fundamental human right issue for women.]

The opposing Diet members seem to consider that the Optional Separate Surnames System is an issue of convenience that will be solved by expanding the scope of use of maiden names as common names. However, this is not just an issue of convenience, but is an issue of women's basic human rights. The Supreme Court ruled that a given name "is a basis for the respect of the person as an individual and a symbol of his or her personality and constitute part of his or her personal rights" (the Supreme Court judgment of February 16, 1988). Many women who have to change their surnames upon marriage feel that they will lose their identity. We would like to ask the opposing Diet members whether they would be willing to

change their surnames in the middle of their career if they are required to do so since there would be no inconvenience for them provided that they use their common names.

[The Government and the Diet should fulfill their responsibility for having neglected for nearly 30 years the Civil Code amendment bill prepared by the Legislative Council for the purpose of introducing the Optional Separate Surnames System.]

We feel obliged to say that the Government and the Diet are heavily responsible for having been shelving for nearly 30 years the “Outline of the Bill to Partially Amend the Civil Code” submitted by the Legislative Council in 1996 for the purpose of introducing the Optional Separate Surnames System. From the perspective of eliminating discrimination against women, now is the time to make up for the lost 30 years by introducing the Optional Separate Surnames System. For the reasons stated above, we will not vote for any candidate for the Tokyo Metropolitan Assembly election scheduled for June this year or any candidate for the House of Councillors election scheduled for July this year if such candidate opposes the Optional Separate Surnames System.

Note: A misleading description in the original text of the above statement was corrected on April 6, 2025.