

The Social Role of Traditional Midwives in Japan : Through the Lens of Mediating Adoption

メタデータ	言語: eng 出版者: 公開日: 2017-04-21 キーワード (Ja): キーワード (En): 作成者: Shirai, Chiaki メールアドレス: 所属:
URL	https://doi.org/10.14945/00010047

The Social Role of Traditional Midwives in Japan: Through the Lens of Mediating Adoption

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Introduction

This study will describe the practices of traditional midwives and their relationships with communities by illustrating how they handled pregnant women who would not have been able to raise their babies. Midwives in the Taisho period and the beginning of the Showa period sometimes put these babies up for adoption¹. This was called “*Wara no Ue kara no Yoshi*,” which literally means an adoption from the puerperal straw bed; these were illegal adoptions done through falsified birth certificates.

During these periods midwives played crucial roles within the communities, in private and informal capacities, and they supported the pregnant women as community members because the legal issues concerning children born “out of wedlock” were very harsh. Illegitimate children, or bastards, were excluded from family registrations, and the government provided no support to pregnant women in such circumstances.

The Act on Public Health Nurses, Midwives, and Nurses defines a “*Josanshi*” (midwife) as a woman who practices midwifery. After World War II, midwives were required to have nursing certificates. However, midwives are allowed to open their own practices, while nurses and public health nurses are not.

Before the introduction of the Act on Public Health, a traditional midwife was called a “*torriage baba*” (traditional birth attendant, lay midwife). It should be noted that there was no linear evolution process from “*torriage baba*,” to “*Sanba*” (certified midwife since the late 19C), “*Josanpu*” (nurse midwife after World War II), and then “*Josanshi*.” Throughout the process of the unification of national education, the qualification granted by the state has limited the roles of midwives to medical fields.

This paper will describe the practices of midwives in mediating adoption and how the social division of labor and medicalization of reproduction after World War II limited the roles of midwives.

Table 1 shows the institutions and laws related to adoption.

Table 1: Systems Concerning Pregnancy and Adoption: the Showa period and Today

	Showa 10s-20s (1935-1954)	Present Time
Abortion	Crimes of Abortion according to Penal Code (sick note needed from doctor); (difficult from 1940 because of National Eugenic Act ⁽¹⁾)	Crimes of Abortion according to Penal Code (economic reasons, amended Eugenic Protection Act, 1949); (under 28 weeks until 1976, under 24 weeks until 1991, under 22 weeks from 1992)
Birth registration	A register of birth to public office (birth certificates needed in accordance with amended Family Registration Law, 1948)	Same as on the left
Bastard in law	Bastard until 1942 ⁽²⁾ , <i>shoshi</i> = recognition by biological father; illegitimate child, <i>shiseishi</i> = no recognition by biological father; under condition of assent of mother’s householder, a child gets into mother’s family registration; under condition of dissent of mother’s	Only a recognized bastard has half succession of legitimate child (same succession from 2013, but only a recognized bastard) ⁽³⁾

¹ Meiji period 1868-1912, Taisho period 1912-1926, Showa period 1926-1989.

	householder, a child is not permitted to get into any family registration. A child creates his/her own solo family registration = <i>ikkasouritsu</i> .	
Adoption system	Regular adoption notification by householder or householder's assent is needed; adopting boys not allowed under existing condition of eldest son; permission by family court is needed from 1947 (except with respect to lineal descent)	Regular adoption same as on the left Special adoption system from 1987; welfare-based adoption of children under six years by married couples; decision by family court
Mediators of adoption	No administrative or private agency Child Consultation Center by local authority obligated from 1947 (Child Welfare Act)	Child Consultation Center Private agency (notification is needed from 1988)

In Japan, terminating a pregnancy constitutes one of the “Crimes of Abortion” proscribed in the Penal Code. However, in the Maternal Protection Law, induced abortion is permitted for “a person for whom the continuation of pregnancy or delivery may significantly damage the person’s physical health due to bodily or economic reasons; and a person who was raped in a violent or threatening manner or at a time when the person could neither resist nor refuse and becomes pregnant.” According to the latest government notice, such abortions can be performed up to 22 weeks of gestation². In 2013, there were approximately 190,000 abortions (there are approximately 1 million births in Japan per annum).

Up to 99.9% of the induced abortions in Japan are performed for “financial reasons.” The precise breakdown of these economic reasons is unknown, but it is reasonable to assume that many of the women opted for induced abortion because they lacked the wherewithal to carry to term, deliver, or care for the child.

I interviewed 113 midwives (including “*sanba*,” “*josanpu*,” and “*josanshi*”), most of whom had opened their practices from 1993 to 2012. I also talked to 43 of these midwives about whether they had provided mediation for adoptions.

(1) “*Wara no Ue kara no Yoshi*”

Wara no Ue kara no Yoshi, an adoption from the puerperal straw bed, means an illegal adoption done through a falsified birth certificate. In such cases, foster parents would adopt newborn infants and register them as their own biological babies. There is considerable evidence that midwives mediated in *Wara no Ue kara no Yoshi* adoptions. I would like to investigate the evidence closely and consider the social background and relationships between the midwives who handled such mediations and the local communities.

Case 1: The midwife put the name of the baby’s biological mother in the birth registration form. However, the foster parents put their names in as biological parents in the registration form and reported this. (Occurred in a rural area, midwife born in the Taisho period, certificate of midwives obtained in Showa 20s, practiced since Showa 30s, interview conducted in 2010.)

Case 2: If the biological parents and foster parents were relatives, the midwives would inform them. However, if the biological parents requested anonymity, the midwives would not reveal the names. The midwives put the names of the biological parents in the birth registration form. (Occurred in an urban area, midwife born in the Taisho period, certificate of midwife obtained in Showa 20s, practiced since Showa 20s, interview conducted in 2012.)

² This is counted from the day of the last menstrual period.

Case 3: There was one case where a foster parent, who was not pregnant but decided to adopt a baby, got a maternal handbook under her name. (Occurred in an urban area, midwife born in the Taisho period, certificate of midwife obtained in Showa 10s, practiced since Showa 20s, interview conducted in 2012.)

Case 4: When foster parents accepted a baby whose birth registration form had not been submitted, people said that they “have a baby with a family register.” (Occurred in a local city, midwife born in the Taisho period, certificate of midwife obtained in Showa 10s, practiced since Showa 20s, interview conducted in 2013.)

Case 5: Midwives said that *Wara no Ue kara no Yoshi* helped both those who gave their babies up for adoption and those who adopted the babies, because the babies had been born out of wedlock. Midwives thought it better that the family registration show the baby as a biological child than that the baby had been adopted. (Cases occurred in Showa 40s, in rural areas, midwife born in Taisho 10s, certificate of midwife obtained in Showa 10s, practiced since Showa 20s, interview conducted in 2013.)

Case 6: There were many concubines in tourist areas of Japan, and many children in these areas were born outside of wedlock. Only men from the upper classes acknowledged their illegitimate children. However, in most cases the biological fathers of these children did not acknowledge them, and the names of the foster parents were then included as the “biological parents” in the birth registration forms. (Occurred in rural tourist areas, midwife born in Taisho 10s, certificate of midwife obtained in Showa 10s, practiced since Showa 10s, interview conducted in 2012.)

To “have a baby with a family register,” as in the Case 4, means to put the baby in the family register of the foster parents. By the time of the reformation of the Civil Code in 1942, children outside of wedlock had been divided into two categories. Children who had been acknowledged by their biological father were called “*shoshi*,” and their names were put in their biological fathers’ family register. Children who had not been acknowledged by biological fathers were called “*shiseishi*,” and their names were put in their biological mothers’ family register. If their biological mother’s householder didn’t consent to having children in the family register, the children would not be able to get into any family registration. These children had to create their own solo family registrations (*ikkasouritsu*).

Within the various social backgrounds, midwives tried to take the best measures for the biological mothers, the foster parents, and the children (in spite of the fact that they were violating the laws). People at that time also expected the midwives to mediate adoptions. Today, nobody would ask a midwife to mediate an adoption; the midwives would simply contact the relevant organizations, such as Child Consultation Centers, according to the social division of labor.

It should also be noted that the concept of “welfare for children” (for example, children’s rights to know their biological parents) in today’s sense was not considered in the past. There were several reasons for this. First, there would have been people who knew about the births of these children and thought that there was no need to keep official records. In addition, people considered that illegal adoption was better than other possible outcomes, such as neglect of the children, human trafficking, and even murder. Finally, people did not assume “children’s right to know” because adoption was at the time very popular.

(2) Mediating Adoption

The interviews with the midwives show that not all of them have mediated the *Wara no Ue kara no Yoshi*. I found that there were those who preferred to mediate legal adoptions, and that organizations such as hospitals and associations of midwives have mediated adoptions.

Case 7: The midwife was asked to mediate *Wara no Ue kara no Yoshi* but refused because it was illegal and said she would mediate a legal adoption. (Occurred in a village where there was a forest industry, midwife born in Taisho 10s, certificate of midwife obtained in Showa 10s, practiced since Showa 10s, interview conducted in 2011.)

Case 8: The midwife put the name of the biological parents in the birth registration form and thought that the foster parents had submitted the application for adoption and that the baby and the foster parents had become a family. However, she didn't know what happened because the midwives could not trace the facts. (Occurred in a village where there was a forest industry, midwife born in Taisho 10s, certificate of midwife obtained in Showa 20s, practiced since Showa 20s, interview conducted in 2011.)

The midwives in Case 1 explained that even though they had put the names of the biological mothers in the registration forms, the biological/foster mothers had not submitted the forms. The midwives in Cases 1 and 8 also told me that at that time people could submit birth registration forms without the certificates of medical doctors or medical institutions (Table 1) and that people could make the registration forms whether the midwives wrote the names of the biological mothers or not.

Figure1 shows the birth registration form in the Taisho period. There was a description of the birthplace, but no description of witnesses or midwives. After World War II the Civil Code required that there be official birth certificates from medical institutions to register children. However, because many women delivered their babies in their own houses at that time, it was possible to register children without the official birth certificates.

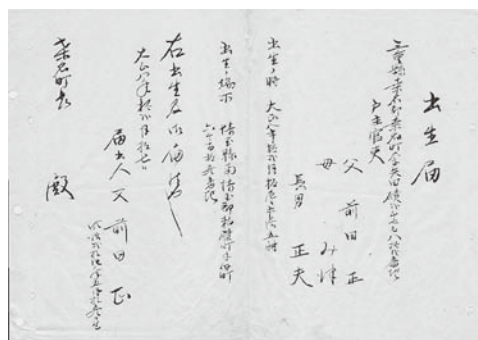


Figure1: the Birth Registration Form in the Taisho Period
<http://park3.wakwak.com/~kyotosakkon/index.html>

(3) Mediation by Organizations

Since about 1930 to 1945 (around Showa 5 to Showa 20), *Tokyofu Sanba kai* (Tokyo Association for Midwives) has mediated adoptions. This was evident from newspaper articles (Figure 2). As the advertisement



Figure 2: the Newspaper about Adoption by the Association for Midwives

shows, *Newsletters of the Association for Midwives* often called for foster parents. This advertisement shows that a clinic of midwives “wanted to give a baby boy born in last August” [*hachigatsu umare no danji yaritashi*] (Figure 3).

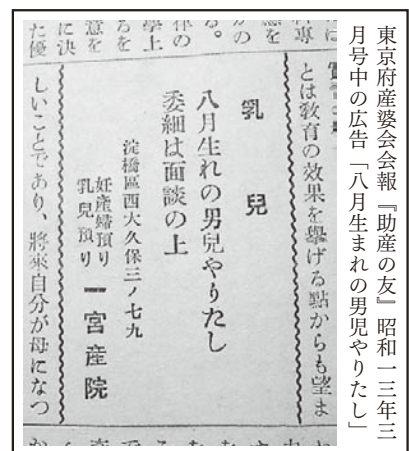


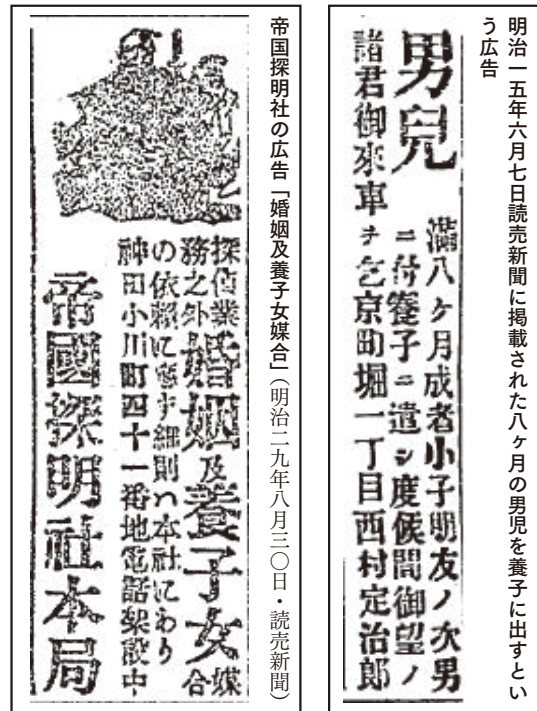
Figure 3: the Advertisement for Adoption in the Newsletter of the Association for Midwives

Such advertisements for adoption were very common at that time. In the Meiji period there were many advertisements for adoption in the classified ads in national newspapers (Figure 4, 5).

The evidence from the interviews with midwives shows that there were records in hospitals all over Japan of those who wanted to adopt children. The hospitals mediated the adoptions, and some hospitals used such records until the Showa 30s (1955-1964).

Based on other evidence, medical doctors and temples mediated adoption, so it was not only midwives but others who were also in central points within communities and mediated adoptions. There were reciprocal associations for adoptions between relatives as well.

According to the information provided by the midwives, mediation of adoptions by midwives disappeared by the Showa 30s (1955-1964). The tightening process of registrations and the medicalization of reproduction were responsible for this. The roles of midwives became limited to medical work inside hospitals. The number of biological mothers and foster parents who asked midwives to mediate illegal adoption disappeared. In place of the midwives, official institutions such as Child Council Centers and other private institutions have been in charge of mediating adoption, as shown in Figure 6.



Figures 4 and 5: the Advertisements for Adoption in National Newspapers in the Meiji Period

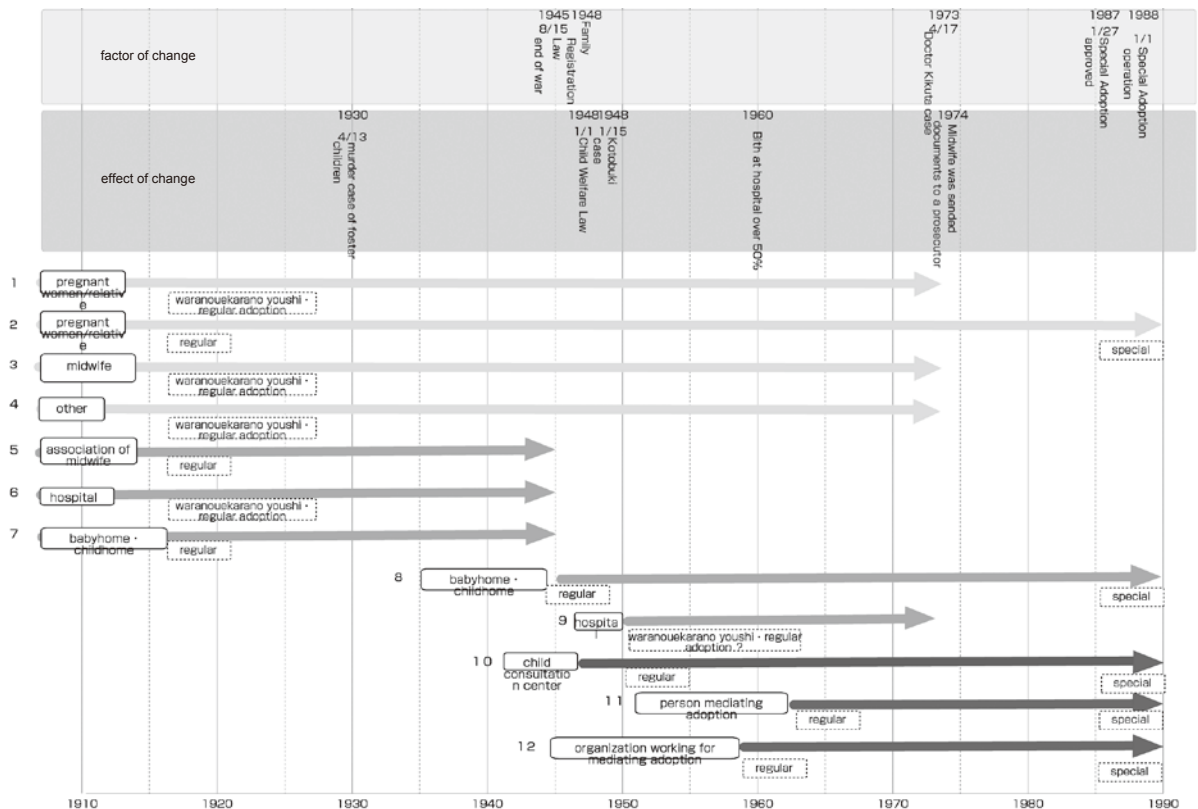


Figure 6: Agency-Mediated Adoption

Summary

As I have shown, midwives were involved in adoption in the Taisho period and the early Showa period. This means that the roles of midwives included being in charge of the informal hubs to mediate secretly between biological parents and foster parents within local communities. However, this study also found that the midwife was one of the agents who mediated adoptions such as those involving the parents of pregnant women or the temples. Such situations gradually disappeared with the institutionalization of government organizations for the welfare of children. This trend was also promoted by the medicalization of reproduction (more women deliver their children in hospitals). As a result, midwives did not enter the houses of pregnant women. The changing social roles of midwives, then, could be related to the structures of macro societies and local communities, as is shown in Figure 7.

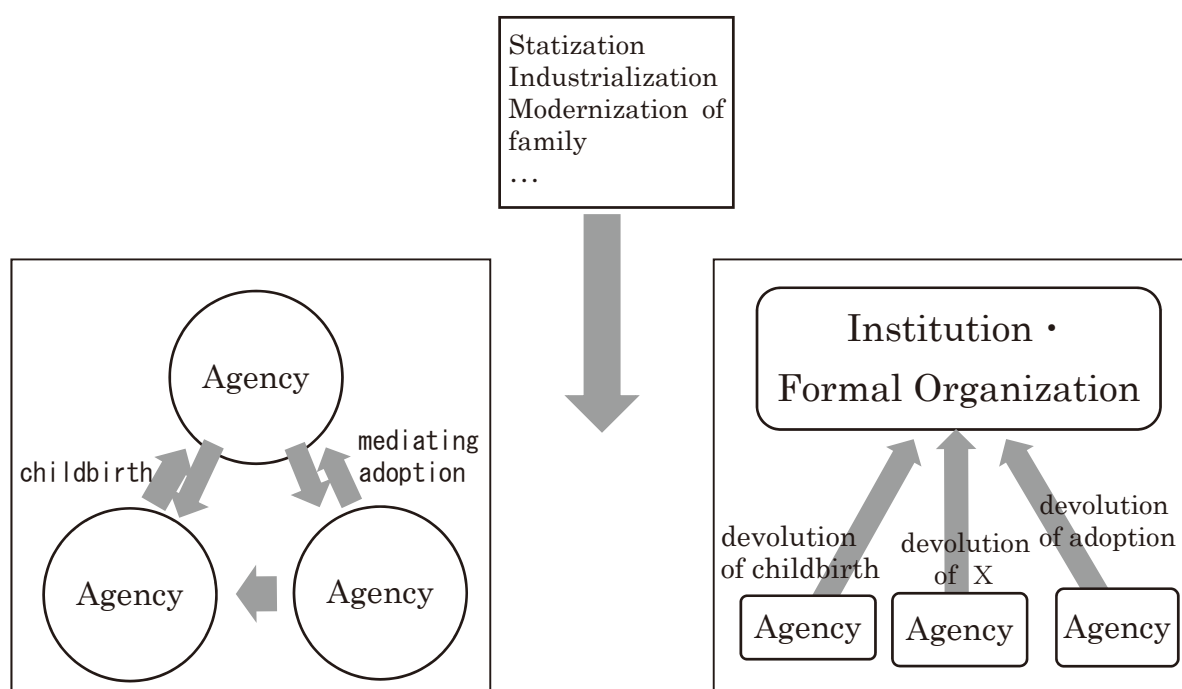


Figure7: Formalization and Institutionalization associated with Modernization

The author wishes to thank Yufu Iguchi (Ritsumeikan Asia Pacific University) for her help in preparing this English paper.

This work was supported by JSPS KAKENHI Grant Number 10J40128, 26380726.

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