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

Chiaki Shirai

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 adoption[1]. 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 "*toriage baba*" (traditional birth attendant, lay midwife). It should be noted that there was no linear evolution process from "*toriage 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.

Table1: 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), *shoshi* = recognition by biological father; illegitimate child, *shiseishi* = 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 = *ikkasouritsu.*	
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 gestation[2]. 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.

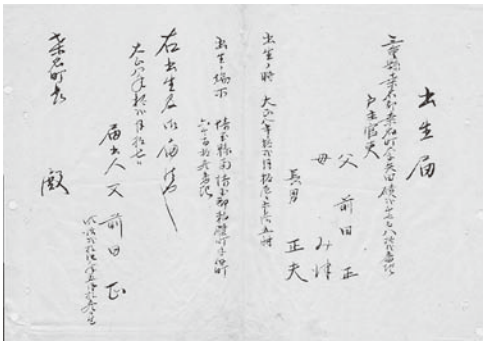


Figure1: the Birth Registration Form in the Taisho Period
http://park3.wakwak.com/~kyotosakkon/index.html

(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

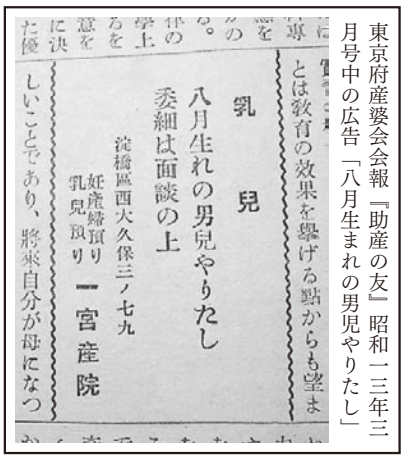
〝赤ちゃん貰いたし〟朗らかな新流行　哺育所へ押すな押すな（読売新聞昭和一五年八月一〇日朝刊）

赤ちゃんを下さい―そういう不幸な赤ちゃんたちの集まる巷の産院に、乳児院に近ごろ目立って多くなった、生活のためと心ならずも赤ちゃんを手放す親も多くなっている半面、片輪でもなんでも人の子でありさえすれば貰いたい、育てたいという―生めよ殖やせよ、地にみてよ―興臣の人的資源拡張時代が招く〝子のない夫婦〟の切ない親心の想いである―。事変前の帝都には〝私生子〟という宿命の十字架を背負うて生まる不幸な赤ちゃんが年々六千もいた。それが事変後の十二年には五四三一人、十三年には四四七人と他の幸福な赤ちゃんへの比率も三・八四から三・四七二減ったのだが、最近はまた生活に負けて親心の闇に迷うものも多くなり「赤ちゃんを預かって下さい…」と九段の東京府産婆会乳幼児哺育部に駆け込む人が日に十五人を下らない。この哺育部はまだ世間の記憶に新しい板橋岩の坂貰い子殺しが子を持つ親を震撼させた昭和五年、貰い子殺しの悲劇を未然に防ぐため東京府学務長を会長に設立、○○ない事情で生みの親の膝下を離れた赤ちゃんたちに産婆の見習生が温かい愛護の手をさしのべるかたわら新しい育ての親への仲介所となってきた。ところが近ごろは赤ちゃんを貰いたいという希望者が激増、赤ちゃん一人に希望者十人という繁盛ぶり、定員十九名の赤ちゃんはあとからあとからはけてゆき哺育部のベッドはいつでもガラ空きだ。産婆会では風見法相の令姉にあたる副会長の風見すずさんがいちいち面会、その希望者の人物検査など適格性を見定めたうえ赤ちゃんがこうした事情に落ち込まざるを得なかった運命を滾々（こんこん）述べ一切の過去を断ち切るため生みの親の住所姓名も告げずにわたす。事変前までは貰う方も赤ちゃんの血統、身分などなかなか注文が多かったが今ではガラリと一変「片輪でも何でも結構で…」と拝まんばかり「あとで困っても知りませんよ」という風見さんの言葉も上の空、赤ちゃんを抱えると飛ぶように帰ってゆく、赤ちゃんにはじめて着せる晴れ着やオッパイまでさげてきて五円、十円と寄付してゆく○直そうな商人、大きくなった坊やを連れてきて「も一人どうぞ」という微笑ましい軍需インフレの職工さん夫妻もあるという。階級は商人、職工、課長級、先生とまちまちだ。それに以前は相続手続きの面倒くさい関係から男は少なく女の子全盛だったが今は男の子が断然引っ張りだしことある。男一匹、国家にご奉公という戦時下らしい気持ちのあらわれでもあろうか。

みんな真面目な方ばかり　風見さんの話　産婆会副会長風見すずさんの話―貰い子といえば昔はずいぶんいかがわしいのもありましたが近ごろはみんなシンから〝子供がほしい！〟という真面目な方ばかりですよ。裸のからだ一つを貰ってゆくのです。そうした方だったらきっと赤ちゃんのためには生みの親にもまさる立派な親御さんになってくれるに違いない。私たちはそう祈りながらこの仕事に喜びを感じています。私たちの仕事を戸籍法違反だとか、家族制度の醇風美俗を壊すおそれがあるなどという人もあります。併し問題は人間一人を明るくするか暗くするかの人道上の問題ではないでしょうか。ただこういう機関があると心ない親から悪用される懸念は十分警戒しています。だから斡旋も産婆の人物紹介がある場合に限ることにしています。

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).



東京府産婆会会報『助産の友』昭和一三年三月号中の広告「八月生まれの男児やりたし」

乳児

八月生れの男児やりたし

委細は面談の上

淀橋區西大久保三ノ七九

妊産婦預り
乳児預り　一宮産院

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

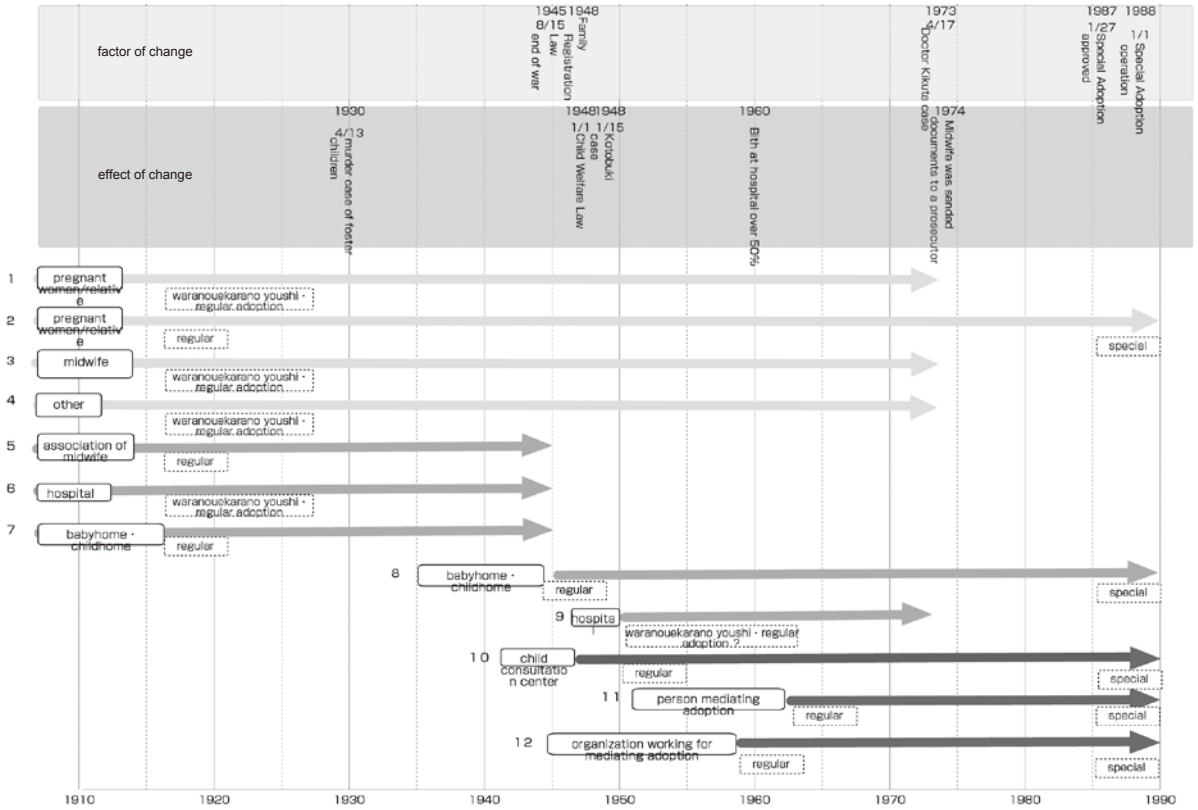


Figure 6: Agency-Mediated Adoption

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.

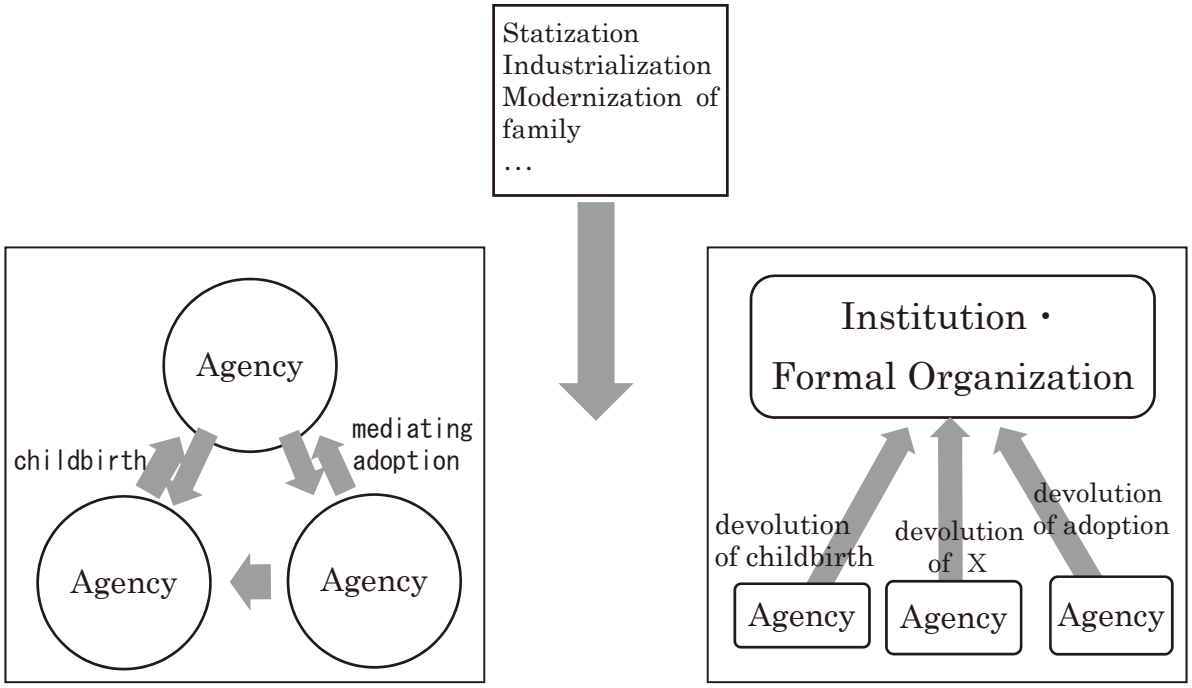


Figure7: Formalization and Institionalization associated with Modernization

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