

Marriage in Japan

Traditional and Current Forms of Japanese Marriage

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1. Preface

Marriage law follows folk practices. As Masayuki Takanashi writes, “Folk practices determine the reality of marriage. Laws cannot change these practices; they can only reflect them” (Masayuki Takanashi, 1969. *Minpo no Hanasi. [Tales of Civil Law]*, p. 168. NHK Shuppan Kyokai). This theory is currently well-established; in fact Japanese family law specifically states that marriage law “must match the sense of ethics and morality that characterizes a nation and should never run counter to social mores” (Kikunosuke Makino, 1929. *Nihon Shinzoku Horon. [Theory on Japanese Family Law]*, pp. 7-8. Gan Sho Do). It is also specified that family law “is based on natural human relations, such as those between a married couple and between parent and child. Such natural human relations are influenced by a country’s climate, manners, and customs, as well as by the human characteristics of its inhabitants. Human relations thus develop uniquely in each country (Kikushiro Nagata, 1960. *Shin Minpo Yogi 4. Shinzokuho. [Family Law, Major Significance of New Civil Law, and Vol. 4]*, p. 10. Teikoku Hanre Hoki Shuppan Sha). Another writer has gone so far as to say that “Family law is powerless relative to traditional folk practices. Legislation aiming at maintaining social mores is much less effective in practice than, for example, traditional talismans believed to expel evil and sickness” (Zennosuke Nakagawa, 1933. *Minpo 3. [Civil Law, Vol. 3]*, pp. 6-7. Iwanami Shoten).

With these views in mind, this paper focuses on traditional family law, particularly on marriage law and related issues, from the perspective of socio-jurisprudence rather than based on a strict legal interpretation. I would then like to consider the types of Japanese laws that regulate marriage law.

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2. Constraints on Marriage

(1) Distance

Japanese men and women today would appear to enjoy more marital options and opportunities than in the past; throughout Japanese history, matrimony was traditionally limited to men and women living in close proximity. Kiyoko Segawa writes, “it was common to marry someone living in the same hamlet (*buraku*) or within one *ri* (four kilometers) in the Itoigawa River basin in Nishikubiki-gun (county) in Niigata Prefecture; this time-honored custom was referred to as ‘*ichi-ri sagari*’ (literally, “one *ri* downward”). The author goes on to say that “men in the village of Nobushinamura in Sarashina-gun in Nagano Prefecture, who made a living spinning hard and bast fiber, married women engaged in the same trade in the villages of Yasaka-mura, Tomo-mura, and Tsuwa-mura. On the other hand, they did not marry women in the nearby village of Hihara-mura because the women there did not know how to spin hard and bast fiber, even though they could make paper and grow silkworms” (Kiyoko Segawa, 1991. Kon’in Oboegaki, Tsūkon Ken 3, Kazoku Kon’in Bunken Senshū 16, [*Distance and Marriage, Notes on Wedlock, Vol. 3, Selected Works on Family and Marriage, Vol. 16*], pp. 29-30. Kuresu Shuppan).

Kiyoko Segawa has conducted meticulous folklore-based research on the premarital residential locations of men and women in the village of Ongatamura, Minamitama-gun, in the Kanto district. The village consisted of 25 hamlets (*juraku*) (divided among four sections, or *oaza* under the old system) that had developed in the valley along the river, extending east and west for three *ri* (12 kilometers) and north and south for one and a half *ri* (6 kilometers). Segawa chose three hamlets (*buraku*) near the mountain and three hamlets at the mouth of the valley (*Notes on Wedlock*, p. 31). The village previously known as Ongata-mura was located in today’s Kami-ongata-machi and Shimo-ongata-machi districts in Hachioji City in metropolitan Tokyo.

Segawa conducted a difficult investigation of the premarital residential locations of couples who subsequently married. Records and data from these past eras are scarce. For this research, Segawa collected data from the *Family Registers of Jinshin*, which was established in 1871. The Registers represent Japan’s first modern family records, and were established based on a Cabinet Ordinance issued on April 4, 1871 (4th year of the Imperial Meiji Era; 1868-1912; this time frame is referred to simply with the prefix “Meiji” hereafter). The data were compiled from family registers available in 1872 (Meiji 5). The Registers contain information on fewer than 200 marriages (182, to be precise), all of which took place 10 to 40 years before

the ordinance was issued – that is, between Bunsei 7 in the Edo Period (1600-1868; the era of the Tokugawa Shogunate) and Meiji 5. For this reason, the Registers provide us with very little information on general marital trends in Japan at that time. Nevertheless, they do shed light on marriage patterns in typical Japanese agricultural villages. With regard to marriages that took place between the end of the Edo period and 1872, the data reveal that 97 percent of marriage partners were born and raised within three and a half *ri* (14 kilometers) of each other. Specifically, in the village of Ongatamura, Minamitama-gun (Kanto district), only three percent of those who married chose partners who lived more than 14 kilometers away. In addition, no marriages took place between partners who lived more than five *ri* (20 kilometers) apart before marriage.

Later, at the end of Meiji Era, during the period from 1899 (Meiji 32) to 1913 (2nd year of the Taisho Era, which extended from 1912-1926), we find that in the same village 85 percent of married partners came from locations within three and a half *ri* (14 kilometers) of each other. Naturally, the remaining 15 percent of partners were separated by greater distances prior to marriage.

A similar study of marriage patterns from 1924 (Taisho 13) to 1933 (8th year of the Showa Era, from 1926-1989) indicates that 80 percent of married couples came from locations within three and a half *ri* (14 kilometers) of each other. Thus the remaining 20 percent came from areas outside this radius (Notes on Wedlock, pp. 33 and 39).

Later statistics are not available, but judging from the study mentioned above we can assume that marriage patterns in Japan followed the same general trend until some time after the end of World War II.

In this way, traditional marriage took place between men and women living in the same neighborhood, a single community (typically a village or hamlet), or from nearby communities. Segawa describes villages in those days as follows:

Villagers were self-sufficient in terms of essential supplies of clothing, food, and housing. Residents relied on families, relatives, and fellow villagers to plant and harvest rice. Thus, spheres of livelihood were limited and small. While throughout the ages villagers could not escape the control of the upper classes, they were to some extent able to form autonomous societies. These villagers were confined to their regions due to a lack of developed transportation. Birds and other animals damaged crops, and villagers were unequipped with scientific knowledge that would help them cope with

natural disasters and unseasonable weather. People could only cooperate -- with families, relatives, and fellow villagers -- or turn to a tutelary or village god (*ujigami*). While the influence of the civilization and culture pouring out of the cities into every corner of the country cannot be ignored, we know that from 80 to 90 years before until the first year of the Meiji era, 80 percent of Japanese people lived in villages. This proportion must have been at least as high 400 to 500 years ago. Villagers continued to live where their ancestors had lived, in typical Japanese farming, fishing, or mountain villages (Notes on Wedlock, pp. 28-29).

Marriage trends today differ from those of earlier eras. Although little data is available to substantiate the claim that that most married couples found each other within geographically limited areas, it is clear that marriage partners in Japan today come from increasingly diverse locations. It may in fact be argued that it is relatively easy to find a spouse in today's Japan.

(2) Courtship Advertisements

Noboru Karashima, a researcher on Indian culture, wrote a paper in collaboration with his wife entitled '1973, Indo no Shimbun ni miru Kyūkon Kōkoku –kunō suru Baramon' ['Courtship Advertisements in Indian Newspapers –Agonizing *Brahmana*'] (Noboru and Takako Karashima, 1973. Kikan Zinrui Gaku. [*Quarterly Anthropology*, Vol. 4, No. 1], Syakaishiso Sha). It is both rare and interesting to see the word "courtship" appear in the title of a research paper.

Apparently such courtship advertisements are very common in India, where marriage is subject to numerous restrictions. Each Sunday edition of the *Hindu*, an English daily newspaper, carries more than 100 such advertisements. The Karashimas collected and analyzed approximately 200 courtship advertisements (excluding duplicates), and drew a number of interesting conclusions.

Intrigued by Karashima's study, I wondered whether anyone had ever placed such an advertisement in Japan, and if so, when. It turns out this

had been the case.¹⁾ I found that the oldest courtship advertisement had appeared in the *Ishikawa Shimbun*, a daily newspaper, on May 10, 1881. The person placing the announcement was the father of a woman of marriageable age. The language used is rather old-fashioned. The advertisement read as follows:

To the editor:

May 10, 1881 (Meiji 14)

I have a daughter 16 years of age. She is adept at woman's work, including sewing. She enjoys a good reputation in the neighborhood. She has been practicing the *shamisen* (a three-stringed Japanese musical instrument) for nearly five years, and plays it well enough at celebrations of happy occasions. Her physical appearance is above average. She has large bright eyes, a nice-looking nose, gentle lips, fair skin, and an exceptionally good voice. However, we have been unable to find a spouse for her and she is still unmarried at 16. My wife and I earnestly wish that she marry as early as possible, as her unmarried status is a worry to us. I would appreciate it greatly if you would publish a courtship advertisement on behalf of our daughter.

Tarozaemon Nakamura, Kanazawa-ku

(1934. *Shimbun Syūse Meiji Hennenshi*. 4. [*Collection of Newspaper Articles of the Meiji Period*, Vol. 4], p. 394. Meiji Hennenshi Hanp Kai)

The portion of the letter depicting the daughter's physical appearance is well-written and resembles the lyrics to a song entitled *My Doll*.

The above is regarded as the first courtship advertisement in Japan (Kendo Ishii, 1969. *Meiji Jibutsu Kigen*, Meiji Bunka Zenshū, Betukan. [*The Origins of Everyday Things in the Meiji Era*, Collection on Meiji Culture, Separate Volume], p. 108. Nippon Hyoron Sha). Another interesting example comes from the *Jiji* of January 10, 1887 (Meiji 20), originally printed in the *Ueno Shimpō Zappo* of January 6, 1887. It reads, "One of our colleagues has recently placed the following courtship advertisement. Our hope is that

1) In addition to the three courtship advertisements listed in the body of my paper, Katsuburo Nakao, a typographic printer living in Daikannonnai, Tsu in Ise, placed a courtship advertisement for himself in *Ise Shimbun* (*Ise Newspaper*) and *Mie Nippo* (*Mie Daily Newspaper*) dated January 27, 1883, which reads, "As I have recently been divorced and feel greatly inconvenienced, I would like to remarry, to a woman between 17 and 25 years old, regardless of her wealth. Awaiting applications from those willing to consider marriage." This advertisement touched the heart of Yamon Higuchi of nearby Otobe Village, who decided to offer his daughter Mikiko, 19 years and seven months old, in marriage to the man who placed the announcement. Nakao had Kyutaro Morita, a colleague, arrange the match. The happy ceremony was held on February 1 (*The Origins of Everyday Things in the Meiji Era*, Collection of Meiji Culture, Separate Volume, p. 108).

he will be able to find an admirable, courageous, and spirited woman as soon as possible.” This sentence is followed by the requirements for the bride-to-be, which reads, “He wishes to marry a woman who satisfies the following requirements:

1. Protestant
2. Ordinarily educated and able to understand English
3. Tall, healthy, active, and attractive
4. Capable of riding, or willing to learn after marriage
5. Family status and wealth not important
6. Unmarried and between 15 and 25 years of age.”

The man making the marriage proposal introduces himself as follows:

1. Have some debts and no assets. Have a definite plan to resolve these debts.
2. Treated as a *Sonin* 5th rank with the Emperor’s approval; earns an upper-class income.
3. Capable of independent living even after resignation from my present position. Will allow my wife to divorce me in the event that I am unable to make a living after resignation.
4. Well-grounded in Japanese, Chinese, and English, and capable of translating English into Japanese.
5. Robust, active, but with no taste for drinking or smoking.
6. Honors the equality of the sexes and rejects the traditional Oriental treatment of women.
7. Married once but divorced, with only child committed to foster parents.

Twenty-nine years and three months of age.

(*Collection of Newspaper Articles in the Meiji Period*, Vol. 6, p. 392)

Based on the above, it appears that the suitor was a Christian.

In another advertisement the search for a marriage partner is limited to Christians; the text reads as follows:

To the editor:

March 24, 1887 (Meiji 20)

I hate to trouble you, but I would like to request your assistance. I have a daughter aged 16 years and two months. Even though she was educated at home, she received a sufficient general education and can speak English. As she has reached the marriageable age and my wife and I feel that it is time for her to marry, we would appreciate your publishing this advertisement, perhaps in the column of miscellaneous items. My daughter owns an estate of 800 *tsubo*, for which she receives land rent of five *sen* per *tsubo*. She also owns a government bond worth 1,200 yen. However, we live in

a rented house. The marriage partner we seek will be between 20 and 27 years old, with a monthly salary of 50 yen or more (whether as a government official or otherwise). It does not matter if he has no assets and he need not be handsome. He should be approximately 160 cm, or five feet four inches (five *shaku* and three *sun*) or taller. He must be a Christian and a non-smoker, but he may drink.

(1887. *Tokyo Nichi Nichi Shimbun* [*Tokyo Daily Newspaper*], *Collection of Newspaper Articles in the Meiji Period*, Vol. 6, p. 440)

In this context, we can conclude that the reform of the Japanese marital system was probably initiated by Christians. This took the form of contract marriages, in which a written contract was exchanged. The first contract marriage was made between Tetsunosuke Tomita, then a consul stationed in the United States (later the president of the Bank of Japan) and Onui Sugita.²⁾ Information on this contract marriage comes from the *Shimbun Zasshi* (*News Magazine*), No. 344, issued in December 1874 (Meiji 7). The second contract marriage was concluded between Arinori Mori, who later became the Minister of Education, and Otsune Hirose, on February 6, 1875 (Meiji 8) shortly after the first.³⁾ A buffet-style wedding reception was held following this second contract marriage, with Yukichi Fukuzawa and Toshimichi Okubo, then mayor of Tokyo City, as guarantor and witness, respectively, according to the *Yomiuri Shimbun* issue dated February 9, 1875. These cases are exceptional, as drawing up a contract before marriage is practically unheard-of even today. Both Tetsunosuke Tomita and Arinori Mori had spent time in the West. Accordingly, we know that Christians and others deeply influenced by Western cultures initiated the restructuring of

2) The 'Marriage Contract' reads as follows: "(1) to agree to a contract of marriage and to start a new life united with one's spouse is divine providence. Those doing so shall enjoy happiness in submission to the divine will; (2) in this one flesh, the wife shall regard the husband as heaven, and the husband shall regard the wife as earth; and (3) the couple shall love, respect, and support each other. Based on the foregoing, Tetsunosuke Tomita and Onui Sugita agree to this contract of marriage today and hereby sign their names and take marital vows. On xxx (day), xxx (month) in 1874 (Meiji 7) ('*Shimbun Zasshi* (*News Magazine*), No. 344, December 1874 edition,' *The Origins of Everyday Things in the Meiji Era*, Collection on Meiji Culture, Separate Volume, pp. 106-107).

3) [Article 1] Henceforth, Arinori Mori shall regard Otsune Hirose as his wife, and Otsune Hirose shall regard Arinori Mori as her husband. [Article 2] As long as both are alive and have not severed this agreement, the couple shall love each other devotedly and remain faithful to each other. [Article 3] In regard to the couple's communal property and personal belongings or articles to be shared by both, the lending, borrowing, sale, and purchase thereof shall be subject to mutual consent. The couple hereby agrees as set forth above, and in the event one party violates this contract, the other may file a formal complaint with the government to bring the violating party to justice. February 6, 1875 (from the *Yomiuri Shimbun* dated February 9, 1875 (Meiji 9), *The Origins of Everyday Things in the Meiji Era*, Collection on Meiji Culture, Separate Volume, pp. 107-108).

the Japanese marital system. Courtship advertisements may be seen as one aspect of these efforts. However, the two examples noted above notwithstanding, such advertisements were quite rare.

As noted previously, somewhere near 100 courtship advertisements appear in every Sunday paper in India. An example may read “Seeking *Vadama* woman (one sect of a caste) under 25 years of age as a spouse. Prepared to consider accepting a woman from the *Vadama* sect. Looking forward to your reply. Please indicate your astrological sign” (Karashima, ‘Courtship Advertisements in Indian Newspapers,’ p. 35). Today in Japan it would be impossible to find this sort of advertisement. In India, however, courtship advertisements appear to be an acceptable last resort for men seeking spouses. In general, those placing the ads are from the upper class, earn high incomes, and generally consist of educated intellectuals. Such well-established men face great difficulty in finding spouses in India (‘Courtship Advertisements in Indian Newspapers,’ pp. 40-41). In Karashima’s study, *Brahmanas* account for nearly 70 percent of the advertisers (132 out of approximately 200 advertisers) (‘Courtship Advertisements in Indian Newspapers,’ p. 38).

A strict caste system is in place in India. The *Brahmanas* are the highest class, followed by the *Kshatriyas*, the traditional caste or royalty, followed by the *Vaisya* and the Sudras. Even today, it is difficult in practice to marry someone from outside one’s own caste (this despite the fact that the caste system was officially repudiated in the Indian Constitution in 1950).

(3) Endogamy and Exogamy

Under the Marriage Law, the Indian example mentioned above is referred to as would be considered endogamy, in which marriage is restricted to members of the same caste. Endogamy practices vary worldwide, but the Indian example of endogamy is typical in that it is based on status or class.⁴⁾

In Japan, for example, marrying someone from a different class was prohibited in the Nara Period (710-794). “Everyone in the lower class (*senmin* class) is required to marry within the same subcategory – *Ryoko*, *Kanko*, *Ka-*

4) “Endogamy is a system in which choice of spouse is limited to specific groups. The most notable example is endogamy based on status or class. For example, aristocrats were prohibited from marrying commoners in early Roman times. Teutones did not allow marriages between freemen and serfs. Endogamy is often practiced within the same tribe, ethnic group, or nationals, as well as within the same class. Prohibiting interfaith marriages can be regarded as religious endogamy” (Zennosuke Nakagawa, 1942. *Nihon Shinzokuho* – Showa 17 nen. [*Japanese Family Law of 1942 (Showa 17)*], pp. 172-173 Nippon Hyoron Sha).

jin, *Kodohi*, and *Shidohi*” (“Yoro Decree, Ko Decree, Provision on Requirement of Marriage within the Same Class,” 1974. Shintei Zōho Kokusitaikei. [Newly Revised and Enlarged Edition of the Collection of National History, Explanatory Notes on Decrees, No. 2], p. 333. Yosikawa Kobunkan) (The lower class was subdivided into the five subclasses mentioned above.) According to the Yoro Decree, society consisted of three classes: nobility, commoners (referred to as *ryomin*, “good people”), and the lower class (the *senmin*, or “humble people”). The lower class was comprised of five subclasses, as noted above.) Subsequently marriage was constrained by class.

In the Edo period (1600-1868), there were a number of so-called “unliberated hamlets.” People from these “unliberated hamlets” were discriminated against as outcasts. There were two major components to this discrimination: one, residents were not allowed to eat food cooked on the same fire as food for those from outside the hamlets; and two, a system of endogamy was applied, under which residents were not allowed to marry people from outside the hamlets. These constraints were eliminated through Cabinet Ordinance No. 448 on August 28, 1871 (Meiji 4), which read, “(pejorative) appellations such as *eta* and *hinin* (referring to the outcasts of society) are abolished, and their status and occupation shall henceforth be equal to those of commoners.” Thus residents were “liberated” from their restrictive legal status. Moreover, Cabinet Ordinance No. 437 on August 23, 1871, stated that “everyone, from commoner to nobleman, shall be permitted to marry a partner from a different class.” Thus discrimination legally came to an end (Shigejyuro Sotooka ed., 1967. Meiji Zenki Kazokuho Shiryo, 1, 1. [Data and Documents on Family Law in the Early Meiji Period, Vol. 1, No. 1], Waseda Daigaku, pp. 114-115). However, discriminatory treatment was not eliminated completely from society following this legislation. It was not until popular movements arose in favor of the elimination of social discrimination (such as the *Suiheisha* movement) that the Japanese came to view their society as relatively free of such discrimination.

Meanwhile, the Japanese Imperial family continued to employ endogamous practices. Members made it a rule only to marry among the nobility; commoners were excluded as potential marriage partners. This tradition was broken when the Emperor selected the now-Empress Michiko as his bride, a surprise to the Japanese people. Princess Masako would have qualified as a “commoner.” It may be said that with this gesture, endogamy was eliminated in Japan.

In contrast, the practice of exogamy has been seen elsewhere, such as

China and Korea.⁵⁾ Exogamy prohibits people from marrying within certain groups.

According to Masayuki Takanashi, most groups subject to exogamy are “kin groups or groups considered as such.” This researcher goes on to say that “in the Chinese example, these groups were defined strictly by family name. If a couple having the same family name succeeded in getting married, the marriage could be deemed null and void, and the couple could even be subject to punishment” (Masayuki Takanashi, 1976. *Horitsu Zatugaku no Tanosimi*. [*Joy of Legal Trivia*], p. 336 Jiyu Kokumin Sha). Exogamy was repudiated under the present Marriage Law of the People’s Republic of China (adopted on September 10, 1980). Nevertheless, the former Marriage Law stipulated that “the prohibition of marriage shall conform to custom” (former Marriage Law of the People’s Republic of China, Article 5, No. 1). In this manner, exogamy is said to have been a rigid rule for nearly all of China’s history (Katsumi Otsuka, 1958. *Chugoku Kazoku Horon*. [*Theory of Chinese Family Law*], p. 73 Ocha no mizu Shobo).

Under the Civil Law of Korea, “a man and a woman having the same family name and the same ancestors are not allowed to marry” (former Civil Law of Korea, Article 809, First Clause). Thus, a couple with the same family name and from the same region cannot marry. Any such marriage that does take place within the same kin group may be canceled by “the parties concerned, their lineal ascendants, or their collateral relatives by blood within the eighth remove” (Article 817 of the former Civil Law of Korea). Once canceled, the marriage shall be deemed null and void going forward (Article 824 of the former Civil Law of Korea). In short, people are not permitted to marry within such groups. (On the other hand, this restriction is not stipulated in the present Marriage Law of Democratic People’s Republic of Korea.)

This type of exogamy can hardly be said to exist in Japan. Exogamy would appear particularly absurd in light of the Japanese legal provision allowing marriage between cousins (Article 734 of the Civil Law).

5) “Exogamy is a system in which choice of spouse within certain groups is prohibited. A clan is an exogamous group, and a clan member has to look for a spouse in other clans. Prohibition against marrying someone with the same family name, a practice seen in China since ancient times, is the normal expression of exogamy. In Korea, society still holds a strong and deep-rooted aversion to marrying someone with the same family name and ancestors from the same region. In the Indian caste system, endogamy and exogamy intertwine; on the one hand, the principle of exogamous mating was practiced through the prohibition against marrying someone with the same family name, but at the same time, Brahmanas were strictly forbidden to marry outside of their own caste” (*Japanese Family Law of 1942*, p. 173).

On the other hand, marriage in India is based on combined concepts of endogamy and exogamy.⁶⁾ As noted earlier, people from each caste, such as the *Brahmanas*, *Kshatriyas*, *Vaisyas*, and *Sudras*, are permitted to marry within their own caste, and no one may marry outside of his or her caste. The *Manu Law* of ancient India stipulated that those who violated the law of endogamy, particularly people from the upper three castes who married *Sudras*, were to be severely discriminated against. (These stipulations are found in Articles 15 to 19 of Chapter 3 of the *Manu Law*, translated by Shigeeko Tanabe, 1953. *Manu Hōten*. [*Manu Law*], Iwanami Bunko, pp. 76-77.)

Further, Articles 148 to 157 of Chapter 9 of the *Manu Law* (pp. 283-284) specify matters relating to the unfavorable treatment of children born to couples who had violated the law of endogamy. It would therefore seem logical that people within the same caste ought to be permitted to marry without restriction -- a *Brahmana* should be free to marry any other *Brahmana*, for example. We have found, however, that this is not necessarily the case.

The caste system was formed in ancient India. Over time, the castes became divided into liberal and conservative sects, and subdivided into further sects. These sects have become further subdivided; nearly 2,000 subsects are said to exist today. For example, the *Brahmanas* are divided into three sects and each of which is divided further into seven or eight subsects ('Courtship Advertisements in Indian Newspapers,' p. 49, Table 2).

Another factor complicating marriage in India is the diversity of spoken languages. Indian society differs in this respect from Japanese society, in which a single language is used virtually without exception throughout the country. By contrast, more than 200 different languages are said to be spoken in the different regions of India ('Courtship Advertisements in Indian Newspapers,' p. 49, Table 2). Marriage between a man and a woman speaking different languages may sound romantic, just as international marriages

6) "The origins of endogamy and exogamy have been hotly debated since ancient times. There is no accepted notion even today. That said, it is an indisputable fact that endogamy is practiced only in societies that are geographically isolated, featuring close economic partnerships or politically exclusive privileges. Thus endogamy can be spontaneous or factitious. The origins of exogamy are even more ambiguous than those of endogamy. Edward Alexander Westermarck explains the origins of exogamy through psychology, arguing that those living in close proximity will not be sexually attracted to each other. On the other hand, Freud asserts that exogamy derives from a primal system of incestuous lust. The origins of exogamy cannot be explained by taboos in totemism, partly because the reason such taboos came into being remains undetermined, and partly because so-called pure totemism exists outside of the exogamous norm, as Frazer described in detail" (*Japanese Family Law of 1942*, pp. 173-174).

are often considered romantic. In practice, however, such couples suffer nay from inconvenience and difficulty in communication on a daily basis.

Given the complexities created by subsect and language constraints, Indian men and women seek to marry those within the same subsect. The Karashimas found that 71 out of 132 *Brahmanas*, or approximately 54 percent, sought spouses belonging to the same subsect ('Courtship Advertisements in Indian Newspapers,' p. 50). Further, those placing ads were looking for partners that not only belonged to the correct sect and subsect, but that also spoke the same language. These restrictions greatly add to the difficulty of finding a suitable partner.

As a point of note, among *Brahmana* placing such ads, only four percent would accept any other *Brahmana* as a partner. Another ten percent each would accept any partner belonging to the same sect or subsect. ('Courtship Advertisements in Indian Newspapers,' p. 50). Consequently, marriage can be said to depend on the issue of sect and subsect membership.

Further constraining marriage in India is the *gotra* system, under which families are classified based on ancestral group. There are some 20 different *gotras* ('Courtship Advertisements in Indian Newspapers,' p. 52). Men and women belonging to the same *gotra* are prohibited from marrying. This form of exogamy is referred to as *sapinda* in India. Generally speaking, people descending from the same *gotra* within five paternal generations and three maternal generations are subject to *sapinda*. ('Courtship Advertisements in Indian Newspapers,' p. 53). The Indian word *sagotora* means "those with the same family name," and *sapinda* refers to those *sagotora* specifically designated as relatives (1932. Hozumi Nobushige Ibunshū. [Collection of *Nobushige Hozumi's Posthumous Works*], p. 576. Iwanami Shoten).

(4) Astrology

In India, marriage is also restricted by astrological considerations. A couple cannot marry if their signs are deemed incompatible ('Courtship Advertisements in Indian Newspapers,' pp. 53-54).

In Japan, women born in the year of the *hinoeuma* face difficulties in finding husbands. As both *hinoe* and *uma* are considered to be dominant, superstition holds that women born in this particular year are so strong-willed that there is a chance they may murder their husbands. (According to the *Kojien*, the superstition spread through the dramatization of the story of a woman named Ohichi, a greengrocer sentenced to death.) For this reason, much fewer babies are born in this year than at other times, presumably due

to abortion. Under the traditional Japanese calendar, based on the ten-year celestial cycle and the Chinese zodiac (*jyukkan jyunishi*), the year of the hinoeuma comes every 60 years. Concern about giving birth in the hinoeuma year was so strong that annual population trends show a dip in accordance with this 60-year cycle.⁷⁾

In India, there is a similar superstition that women born under a certain sign will murder their mothers-in-law. Even though there are many who do not hold this superstition, it remains difficult for such women to find husbands. The only circumstances under which these women can marry is when the mother of the potential spouse is already dead, thus eliminating the possibility of a pre-ordained murder. As you can imagine, this requirement complicates the task of finding a husband.

Some unfortunate women born under a certain sign are believed to be destined to do harm to their husbands. Such women are nevertheless able to find husbands; after all, men may also be born under a sign presumed to predispose them to harm their wives. If such a couple marries, the possibility of spousal abuse is seen as counterbalanced and thus neutralized ('Courtship Advertisements in Indian Newspapers,' pp. 53-54). Individuals born under such a sign may place a marriage advertisement that reads "Seeking a partner born under a sign indicating a tendency to harm one's spouse." As these examples suggest, the task of finding a suitable marriage partner is by no means easy. Thus, a variety of methods are often applied to locate the elusive potential spouse.

We should note that many of those advertising for spouses are graduates of universities and graduate schools. The suitor mentioned above earns a

7) The year of *hinoeuma* falls on 1906 (Meiji 39) and 1966 (Showa 41). Statistics show a sharp decrease in number of births in these years (Population Survey Report for 1999, Vol. 1, pp. 74-75, published by the Ministry of Health, Labor and Welfare). See the table below.

Year (Imperial Era)	Number of Births	Year (Imperial Era)	Number of Births
1902(Meiji 35)	1,510,835	1962(Showa 37)	1,618,616
1903(Meiji 36)	1,489,816	1963(Showa 38)	1,659,521
1904(Meiji 37)	1,440,371	1964(Showa 39)	1,716,761
1905(Meiji 38)	1,452,770	1965(Showa 40)	1,823,697
1906(Meiji 39)	1,394,295	1966(Showa 41)	1,360,974
1907(Meiji 40)	1,614,472	1967(Showa 42)	1,935,647
1908(Meiji 41)	1,662,815	1968(Showa 43)	1,871,839
1909(Meiji 42)	1,693,850	1969(Showa 44)	1,889,815
1910(Meiji 43)	1,712,857	1970(Showa 45)	1,934,239

monthly salary of 600 rupees ('1973, Courtship Advertisements in Indian Newspapers,' p. 41). Despite his high income and high educational background, he nevertheless faces difficulty in marriage due to the constraints of caste, sapinda, and astrology.

When a traditional, dedicated search for a marriage partner has failed, people will turn to the last resort: courtship advertisements. More than a hundred such advertisements may be found in any Sunday newspaper in India. Unmarried subscribers to the newspapers will open to the appropriate section and scan the announcements as if they were reading conventional classifieds. In contrast to this unfortunate situation in India, it is clear that those determined to marry in Japan can usually find partners with relative ease.

3. Styles of Marriage

(1) Marriageable Age and the Significance of Appearance

Next we will examine the concept of coming of age in previous eras and the significance of appearance in this context. Marriageable age is often a controversial issue. Until recently in India, the marriageable age for females was on average seven or eight years old. Although surprising to outsiders, in the past most females seem to have been married by the age of 12 or 13, generally before they were physically mature ('Courtship Advertisements in Indian Newspapers,' p. 45). However, as the above courtship advertisements suggest, the acceptable age for marriage in India recently appears to have risen to 18 to 22 for females and 25 to 30 for males ('Courtship Advertisements in Indian Newspapers,' p. 44).

Turning to marriageable age in ancient Japan, a decree in the Nara Period read, "Girls shall be deemed marriageable at the age of 13" ('Yoro Decree, Ko Decree,' *Newly Revised and Enlarged Edition of Collection of National History*, Explanatory Notes on Decrees, No. 2, p. 300). During the Heian and Kamakura Periods, the coming-of-age ceremony for girls referred to as *moginorei* was held between the ages of 12 and 14, according to the *Kojien*. One of the lines of *Ryōjin Hisho* reads, "Women between 14 and 16 years of age are at their best; those of 23 or 24 years of age, especially those who have reached the age of 34 or 35, are fallen autumn leaves" ('Ryōjin Hisho', 1993. Shin Nihon Koten Bungaku Taikei. [New Collection of Japanese Classical Literature], No. 56, p. 111. Iwanami Shoten). Thus women as young as 24 and 25 were viewed in terms of aging autumn leaves. One old proverb actually states that "A woman of 20 is a bit old" (Kichihei Nakano, 1974. Rigen Dai Jiten. [Unabridged Dictionary of Proverbs], p. 1078. Kokusho Kankō Kai). The draft of the former Civil Law of the Meiji Era

stipulates that “girls under 14 years of age are not permitted to marry” (Article 40, Compendium of Civil Affairs). The Civil Law of 1898 (Meiji 31) sets the marriageable age for girls at 15 (Article 765). According to the current Civil Law, “girls under 16 years of age are not permitted to marry” (Article 731). Before these restrictions, it was common to marry early, from 14 to 16 years of age.

Male maturity used to be viewed as attained between 15 and 17, but the precise age varied over time. A decree in the Nara period read that “men generally marry at the age of 15.” (“Yoro Decree, Ko Decree,” *Newly Revised and Enlarged Edition of Collection of National History*, Explanatory Notes on Decrees, No. 2, p. 300). In the Heian Period, Hikaru Genji (discussed below) celebrated reaching adulthood at 12 years of age. In the Edo Period, childhood was considered to continue until 15 or 17 years of age. Thus, a boy was not treated as full-fledged adult before the age of 15. According to *Collection of National Customs*, a well-known collection of Edo-era customs, compiled between 1877 and 1886 (second decade of the Meiji Era), “childhood ends at 15 years of age” (Childhood Age, Chapter 9, Article 1). The collection of Edo-era customs also notes that “men reaching the age of 20 can do without guardians” in Atago-gun (county) and Katsuno-gun in Yamashiro-no-kuni (province). The collection also cites examples from Soekami-gun in Yamato-no-kuni and Otori-gun in Izumi-no-kuni, where “childhood continues until 15 years of age” as well as those from Nishinari-gun in Settsu-no-kuni, where “childhood continues until 14 years of age and 11 months.” The collection also cites examples from Shita-gun and Mashito-gun in Suruga-no-kuni, which reads, “After boys celebrate the attainment of adulthood at 15 years of age and change to their coming-of-age names, they are assigned to reasonable village services. Nevertheless, they are still placed under guardianship and shall not manage household wealth before reaching the age of 20.” The collection also cites examples from the warrior class in Sennan-gun in Izumi-no-kuni and Shunan-gun in Kawachi-no-kuni stating that childhood continues until 17 years of age. As described above, the collection lists many examples from various regions in Japan (1970. Zenkoku Minji Kanrei Ruishu. [*Collection of National Customs*], Complete Works on the Meiji Culture, Vol. 13, pp. 272-275. Nippon Hyoron Sha). Furthermore, the draft of the former Civil Law of 1890 (Meiji 23) sets the marriageable age for men at 17 years (Article 30, Compendium of Civil Affairs), as did Article 765 of the former Civil Law of 1898 (Meiji 31). Under the current Civil Law (Article 731), men may legally be married at 18. Until recently, therefore, the marriageable age for men has histori-

cally been between 15 and 17 years of age.”⁸⁾

Moreover, it was easy to judge at a glance whether a person was marriageable or not in early Japan – a task that is impossible today. Both men and women of marriageable age displayed their readiness to marry through changes in physical appearance.

First, boys under 15 years of age had bangs and what was recognized as a childlike hairstyle; such boys were not treated as full-fledged adults. Boys attained manhood at 15, at which time their bangs were cut and the front part of their heads were shaved to form the *sakayaki* or *sakaiki* style (“Shaved in circular form, this hairstyle reduced the volume of hair standing on end when samurai warriors wore *kabuto* helmets. Even long after feudal times, this hairstyle remained.” Taro Tsukamoto ed., 1973. *Fūzoku Jiten*. [*Dictionary of Manners*], p. 39. Tōkyodo Shuppan) Many examples are seen in *Questions and Answers on Manners in Different Regions of Japan* in the Edo Period:

“Boys between 15 and 17 years of age have their bangs cut, and the front part of their heads shaved, and their names are changed” (Mineyama-ryo in Tango-no-kuni).

“In the coming-of-age ceremony (*genpuku*), boys have their bangs cut and the front part of their heads shaved. It is not a momentous event” (Yoshida-ryo in Mikawa-no-kuni).

“In a mountain village near Mino in Kamo-gun in Nishi-mikawa, *genpuku* is held when a boy reaches the age of exactly 15 years and 11 months and 15 days. In the ceremony, the parents of a boy who has reached this age ask a close friend or an elder relative to act as *eboshi-oya* (literally, “crowning parent;” an *eboshi* is a crown). An *eboshi-oya* is somewhat like a godparent and performs *genpuku*. The *eboshi-oya* cuts the boy’s bangs and shaves the front part of the head, and then officially changes the boy’s childhood

8) Average ages of those entering their first marriages are available from 1908 (Meiji 41). In 1908 these average ages were 26.8 years old for men and 22.9 years old for women. These figures remained unchanged for a time but increased in 1942 (Showa 17) due to the war (29.8 years old for men and 25.3 years old for women). In 1947 (Showa 22), after the war, average ages fell to 26.1 years old for men and 22.9 years old for women and remained unchanged for several years. However, figures again began to increase from 1952 (Showa 27) and reached 28.0 years old for men and 25.3 years old for women in 1982 (Showa 57). The trend toward marrying later has continued and in 1999 (Heisei 11) the average ages of those marrying for the first time reached 28.7 years old for men and 26.8 years old for women. The great majority of people in Japan marry after they turn 20, and only few marry in their teens (Population Survey Report, Vol. 1, the Ministry of Health, Labor and Welfare, pp. 420-421).

name to what the *eboshi-oya* deems a suitable adult name” (Yoshida-ryo in Mikawa-no-kuni).

“Commoners regard simply cutting the bangs and shaving part of the head as *genpuku*. They will ask a close relative or friend to act as *eboshi-oya*, in whose home the boy will have bangs cut and front part of the head shaved; at this time the childhood name will be superseded by the adult name” (Fukuyama-ryo in Bingo-no-kuni).

In the village of Honjyo-mura, Fukatsu-gun in Bingo-no-kuni, “*Genpuku* entails the assumption of formal coming-of-age clothes (including a kimono with the family crest). People of lower status, however, do not have a crown (*eboshi*) made; they simply celebrate *genpuku* by cutting the bangs” (1969. Nihon Shomin Seikatu Shiryo Shusei. [*Sourcebook on the Life of Commoners in Japan*], Vol. 9, pp. 615, 672, 726, and 738. Sanitsu Shobo).

Even in the late Edo or the early Meiji Period, it was said that “Boys under 15 years of age are called children. Boys attain manhood at the age of 15, and thereafter they are not allowed to behave like children. Their bangs are cut at the age of 17 in the *genpuku* ceremony, and thereafter the young men will, among other responsibilities, perform public service” (Ishida-gun, Iki-no-kuni, in Nishikaido).

(*Collection of National Customs, Complete Works on the Meiji Culture*, Vol. 13, p. 275).

As shown in these examples, bangs were cut and a portion of the head was shaved when a boy reached the age of *genpuku*. Thus anyone could see whether or not a given boy had attained adulthood. This custom could thus be viewed as one means of indicating a readiness to marry among men.

The other means for a young man to indicate his readiness to marry involved the switch from the childhood name to the adult name, or *genpuku* name. For example, in the *Gikeiki*, a biography of Yoshitsune Minamoto, we learn that the hero was called Ushiwakamaru (Shanao) in childhood, and was then given the name Yoshitsune when he came of age. He had run away from Kurama Mountain, together with Kichiji Kaneuri, seeking assistance from the Fujiwara clan in Oshu, part of the Tohoku district. In the story of *Gikeiki*, Ushiwakamaru encounters a long-nosed goblin named Tengu, who instructs the boy in the swordsmanship of *Rikuto Sanryaku*, the secret military tactics of ancient China.

Ushiwakamaru fled, his hair loose, eventually arriving at Kagaminoyado. Here he sought to change his hairstyle and name and don the crown

that would signal his passage to maturity. In the *genpuku* ceremony, boys wore special crowns for the first time and would wear these crowns thereafter. According to the *Kojien*, beginning in the 16th century commoners began to crown young men in the *genpuku* ceremony instead of shaving the front part of the head. Hence, *genpuku* also came to be known as the first crowning (*uikouburi* or *uikagaburi*). It was customary among the Genji clan, those having the family name of Minamoto, to wear crowns angled to the left, while it was customary with the Heike clan, those having the family name of Taira, to wear crowns angled to the right.

Ushiwakamaru, all alone, had no parents to assign him a coming-of-age name. He wondered what name he should give himself. Although most married couples have one or two children today, it was common in those days to have larger families; Ushiwakamaru was the eighth son. He first considered taking the name Hachiro, which means “eighth son.” However, his uncle Chinzei-hachiro Minamoto Tametomo was an extremely powerful warlord in Kyushu—legend had it that he had sunk an enemy ship with a single arrow. His uncle’s reputation was so formidable that Ushiwakamaru eschewed the name Hachiro in favor of the adult name Minamoto Kuro Yoshitsune (Kuro means ninth son). This is one example from literature of the selection of an adult name.

Other examples of the naming ceremony are given in the Edo-era *Questions and Answers on Manners in Different Regions of Japan*, some of which were noted earlier: “trusted like a parent, a godparent gives a boy a coming-of-age name, and then accepts a cup of sake” (Hosan-ryo in Tango-no-kuni) (*Sourcebook on the Life of Commoners in Japan*, Vol. 9, pp. 615, 672, and 725). *The Collection of National Customs* gives more examples:

“When a boy reaches the age of 15, the *genpuku* ceremony is performed, in which the childhood name is changed to the family name” (Shita-gun in Suruga-no-kuni).

“An heir inherits the family name when he reaches the age of 17 or 18” (Kahoku-gun in Kaga-no-kuni) (*Collection of National Customs*, Complete Works on the Meiji Culture, Vol. 13, pp. 272-273).

Folk practices involving name-changing ceremonies remained until recently. “In Minami-kawachi in Osaka, those born in the same year used to change names in the same way. For example, those born in a given year might adopt the common practice of adding a prefix to the childhood name: if your childhood name was Taro, you were to add another name before Taro; you would thus become “So-and-so Taro.” According to a similar

folk practice on Mishima Island in Yamaguchi Prefecture, when reaching the age of 15 in the *genpuku* ceremony, boys inherited their family names and sometimes took the name of ancestors generations before; the structure would be, for example, Number-*daime* Name-*zaemon* (“*daime*” designates the ordinal for the given generation: 2nd, 3rd, or more). This renaming was referred to as “*honnin ni naru*,” that is, “becoming oneself” (Kunio Yanagita ed., 1951. *Minzokugaku Jiten*. [*Dictionary of Folklore*], p. 311. Tōkyodo Shuppan).

As stated above, boys of the time were supposed to change their childhood names after *genpuku*; it was extremely rare not to do so (Masayuki Takanashi, *Naming Tales*, p. 74). People of that time in Japan attached great significance to names. Name and substance were thought to agree, as in the saying, “*Na wa Jitsu no Hin*” (*Shoyoyu* by Soshi, from the *Kojien*), which can be translated as “honor follows virtue.” Virtue is viewed as essential, and honor is seen as an accessory to this essence; honor is thus assigned to a person of virtue. The custom of changing one’s name upon attaining adulthood was based on the philosophy that when one’s essence has changed, the transformation is to be reflected and recognized in an appropriate change in name.⁹⁾

When a boy becomes a man, he is allowed to take a wife. According to the *Genji Monogatari*, *the Tale of Genji*, a long novel depicting court life (written by Murasaki Shikibu in the middle of the Heian era and translated into English by Arthur Waler), Hikaru Genji, the book’s central figure, celebrated his *genpuku* at 12 years of age. On this date, he was taken to the residence of a high-ranking courtier. While at the residence, Hikaru slept with Aoinoue, another central figure in the tale. Later, Aoinoue became Hikaru’s lawful wife. At 16 years of age, Hikaru Genji lay with Aoinoue and they performed a symbolic act as husband and wife (1955. *Genji Monogatari*. Shin Nihon Koten Bungaku Taikei [*The Tale of Genji*, New Collection of Japanese Classical literature], No. 19, pp. 24-36. Iwanami Shoten). Boys became qualified for marriage through the *genpuku* ceremony and would often marry at the same time (*Naming Tales*, p. 77 ff.).

Many related definitions of childhood can be found in examples from *the Collection of National Customs*:

9) “The name is the substance itself and the root of the substance. ‘Names and natures often agree’ (*Yuishiki-ron*, or *Theory of Yuishiki*). ‘Honor follows virtue’ (*Shoyoyu* by Soshi). These are a few of the historical expressions representing the relationship between name and substance.” (*Naming Tales*, p. 217)

“Childhood is assumed to designate the period before marriage, and it is customary for children to remain under guardianship” (Sano-gun in Totoumi-no-kuni).

“As childhood is assumed to end only at marriage, men can manage their properties only after marriage” (Gunma-gun in Kozuke-no-kuni).

(*Collection of National Customs, Complete Works on the Meiji Culture, Vol. 13, pp. 272-275*).

These views and practices continued even in the early Showa Period (which extended from 1926 to 1989). “In regions in which the coming-of-age ceremony is referred to as *fundoshi-iwai* or a similar designation, men generally wear special loin coverings (*fundoshi wo shimeru*) from the coming-of-age day onward. This signifies that the boy has become a man physiologically as well and symbolizes qualification for marriage... In Okinawa, for example, boys at the age of 13 were made to visit brothels on the night of *genpuku*. In the village of Kugajima-mura in Nagasaki Prefecture, from the day boys became members of so-called Young Men’s Teams they were allowed to visit girls’ boarding houses. This practice was referred to as ‘touching skin’ (*hada-awase*). “After the coming-of-age ceremony, men were also allowed to participate in the festivals of various deities and other religious rites. Furthermore, they began to collaborate in work and share profits with other villagers; at this stage the young men were considered to have come of age. Most importantly, these young men were now eligible for marriage” (*Dictionary of Folklore, p. 321*).

On the other hand, how did a woman of the time indicate her marital status? It was far more important for a woman to display her marital status than for men to do so, due to the dire consequences that could result from an unmarried man’s infatuation with a married woman. Thus a woman’s marital status was made to be easily recognizable, to prevent such situations.

First, mature women dyed their teeth black. Until around 1954 (second decade of the Showa Era) I frequently saw old women whose teeth had been dyed black. This practice was known as *ohaguro* (literally, “teeth dyed black”). In the late Edo Period, married women – or, at one time, women who had given birth to a baby – dyed their teeth black (*Dictionary of Folklore, pp. 114, 115, and 313*). Originally, however, blackened teeth were the mark of mature women eligible for marriage. A popular saying of the time recommended “dyed teeth at 12 or 13 years old.” Examples are found in *Questions and Answers on Manners in Different Regions of Japan*:

“Girls celebrate having their teeth dyed black for the first time at 13 years

old” (Shirakawa-ryo in Mutsu-no-kuni).

“A girl has her teeth dyed black for the first time at 13 years of age, a procedure performed by a guardian entrusted to do so by the girl’s parents” (Mineyama-ryo in Tango-no-kuni).

“A celebration of ‘dyeing teeth’ is held for girls at the age of 13, but their teeth are not dyed. Only members of the middle class or higher dye their teeth” (Mito-ryo in Hitachi-no-kuni).

(*Sourcebook on the Life of Commoners in Japan*, Vol. 9, pp. 488, 538, and 672)

There is also mention of the dyeing of girls’ teeth at 17 years of age:

“For example, in the village of Tokuyama-mura in Gifu Prefecture, parents would buy the daughter a kimono on the day her teeth were to be dyed black. She was then taken to relatives’ houses accompanied by older cousins or siblings. On Yakushima Island, elderly village women would make the brushes that would dye the teeth for girls who had reached 16 years of age. On the day of the Buddhist service held in the temple; specifically, on October 17 of the following year, the 17-year-old girls would gather and dye each others’ teeth, followed by attendance at the Buddhist service and a reading at the temple. Both of the teeth-dyeing procedures were seen as coming-of-age ceremonies, and after these practices the young women could be courted for marriage. (*Dictionary of Folklore*, p. 114).

Thus, dyed teeth served both as a mark of coming of age and as a sign of readiness for marriage.

As a second sign of marital status, married women shaved their eyebrows. While this became the mark of married women in the late Edo Period (Taro Nakayama ed., 1928. *Nihon Fūzoku Jiten*. [*Book of Japanese Folk Practices*], p. 614. Yusankaku), originally this was not the case. Earlier, this practice simply signaled maturity. Women would then pencil in false eyebrows, as they considered it unattractive to remain otherwise. Some women of today continue this practice. Pictures from the Nara Era (710 to 794) show women with beautifully drawn half-moon eyebrows. All women of the day removed their eyebrows and drew in replacements, symbolizing a readiness to marry. Other examples may be found in *Questions and Answers on Manners in Different Regions of Japan*: “Dyeing teeth represents only half of the *genpuku* ceremony. *Genpuku* is complete when the eyebrows are removed after the teeth are dyed” (Nagaoka-ryo in Echigo-no-kuni and Monthly Decree of Hokuetsu). (*Sourcebook on the Life of Com-*

moners in Japan, Vol. 9, pp. 555 and 591). Similar practices are found even in the Meiji Era (1868-1912) : “Women shave their eyebrows and dye their teeth, in what is referred to as *genpuku*. On the other hand, ‘half *genpuku*’ means that a woman either removes her eyebrows without dyeing the teeth or dyes the teeth without shaving the eyebrows” (1896. *Fūzoku Gahō: Nihon Konrei Shiki. [Illustrated Magazine on Manners: Japanese Wedding Ceremony]*, Vol. 2, p. 32. Tōyōdo). Shaving the eyebrows was thus the mark of a mature woman ready to marry.

Third, to reinforce the distinction between girls and adult females as well as that between married and unmarried women, different hairstyles were worn. A girl would wear a longer hairstyle, similar to that favored by young boys in modern Japan, while an adult woman would tie her hair in a topknot. The most famous such hairstyle was the *shimada-mage* (*Dictionary of Folklore*, p. 21). This is said to have been a fashionable hairstyle in Shimada-jyuku in Tokaido, and people of the time referred to the *shimada-mage* as the “courtship topknot” (1936. *Daijiten*, Vol. 11, p. 520. Heibon Sha).

The *shimada-mage* was a hairstyle for an unmarried adult female. It should be noted that a woman’s hairstyle changed from the *shimada-mage* to the *maru-mage*, a more conservative style, after marriage. Wearing the *maru-mage* showed that a woman was married and thus unavailable.¹⁰⁾

Fourth, styles of clothes changed after marriage. While an unmarried adult female wore a long-sleeved kimono (*furisode*), a married woman wore kimono with sleeves of normal length (*tomesode*) (*Daijiten*, p. 3517). Examples of this practice are cited in *Questions and Answers on Manners in Different Regions of Japan*:

“Making a *tomesode* by tailoring longer sleeves is the mark of the married state. An adult male in the warrior class shaves the front part of his head and begins to wear the *tomesode* at the time of marriage. An adult female in the warrior class wears *tomesode* after marriage. On the other hand, among the peasant, craftsman, and merchant classes, situated below the

10) “Married woman’s *Maru-mage* (hair tied with cord) is called *masaraka* on Takamijima Island in Kagawa Prefecture. *Masaraka* is called *karayama* in many areas, but is referred to as *hokake* in Iki and *karawa* in one location in the Tohoku district.” “*Inbonnjiri* or *nage-shimada* is the hairstyle of married women in Izu-Oshima. *Karako-shimada*, the hairstyle of married women in Tohoku, was not popular among commoners but was admired and practiced among the higher classes until 1868 (the first year of Meiji).” These quotes indicate that the hairstyles of married women were different from those of unmarried women. (*Dictionary of Folklore*, p. 121)

warrior class, such formalities are simplified; women of these classes often wear the *tomesode* after giving birth” (Nagaoka-ryo in Echigo-no-kuni).

“One year after marriage, most women tailor their long sleeves (*furisode*) to make *tomesode*; they also shave their eyebrows. If they become pregnant soon after marriage, they hurry to perform these tasks” (Nagaoka-ryo in Echigo-no-kuni).

(*Sourcebook on the Life of Commoners in Japan*, Vol. 9, pp. 555 and 726).

The examples shown above describe the custom of making *tomesode* one year after marriage or after childbirth. In any case, at the time of *genpuku*, unmarried women wore *furisode* to show that they were marriageable. After marriage, they wore *tomesode*.

With such noticeable changes in appearances – to teeth, eyebrows, hairstyle, and kimono – a woman’s marital status was unmistakable. Thus, unmarried women sent clear signals of availability through these outward cues.

(In the Shinto coming-of-age ceremony, or *seijin-shiki*, red and white face powder accompanies the dyeing of teeth and drawn eyebrows. Originally, however, this makeup was meant to convey possession by supernatural spirits. People of ancient Japan often treated such makeup as a mask. See *Dictionary of Folklore*, p. 182).

(2) Marital Agreement

Next let us consider the question of marital agreements and engagement. In short, was there freedom of choice in these matters? In the Edo Period (1603 to 1868), paternal approval played a dominant role in family matters. Some examples are listed in the *Collection of National Customs*:

“Parental consent is required for agreement on a contract of marriage. If a couple is without parents, the approval of the oldest family member is necessary” (Omino-gun in Bizen-no-kuni).

“The approval of the parents of both the man and the woman is required to conclude a contract of marriage. Approval of uncles and aunts is not required. Elders and officials in the town have no say in the matter” (Mitsuma-gun in Chikugo-no-kuni).

(*Collection of National Customs*, Complete Works on the Meiji Culture, Vol. 13, pp. 179-202).

Paternal rights were unusually strong in the Tohoku district. As the *Col-*

lection of National Customs notes, in Miyagi Prefecture, “In the event that the parents of both the man and the woman consent to a given marriage, it is generally considered that the man and the woman are obliged to follow their parents, like it or not” (Tota-gun in Rikuzen-no-kuni) (*Collection of National Customs*, Complete Works on the Meiji Culture, Vol. 13, p. 199). Even if a couple was not in love, marriage was required if the parents had arranged it. While today people marry only after becoming acquainted with each other, this was not the case in earlier times.

There are three reasons why such marriages worked well. First, as noted earlier, most people married partners living within 3.5 ri (about 14 km) from where they lived (See 2-(1) Distance). Therefore, a man generally knew a given woman by sight. He knew her family members and even their family history. Indeed, this tendency remained even into the Meiji era, when people were moving to new places more often than before; the distance between future couples’ homes was still limited, as described above.

Second, marriageable age at that time was young (See 3-(1) Marriageable Age and the Significance of Appearance). Young girls were obedient and sufficiently adaptable to marriages arranged by their parents.

Third, marriage was viewed differently in those days. People today hope to love, marry, and spend their lives with the ideal partner. Back then, however, the purpose of marriage was seen as the establishment of a household and the birth of boys who would then be responsible for the rites of ancestor worship (Fustel de Coulanges, 1961. Kodai Toshi. [*Ancient Cities*], translated by Teinosuke Tanabe, p. 89. Hakusui Sha; Nobushige Hozumi, 1917. Sosen Saishi to Nihon Horitsu. [*Ancestor Worship and the Laws of Japan*], p. 133. Yūhikaku; many others have also written on this topic).

Examples from history are numerous: a Spartan king divorced the wife he loved most because she could not give birth to a legitimate son, a situation that posed a danger to the kingdom (*Lycurgus 14; Ancient Cities*, p. 90). Love was no impediment to divorce. The purpose of marriage was to give birth to an heir. Of course, this view has changed significantly over the centuries.

In modern Japan, men and women are expected to respect each other, and the most important element of marriage is seen as love. Thus it does not matter whether or not the couple wishes to have a baby. Nor does the couple function to take care of the parents, and no organized matchmaking on the part of the latter has normally led to the union. As long as society continues to support the notion that people ought to marry freely, it is only natural that

couples be permitted to divorce when they are no longer in love.

Japanese views of marriage have varied throughout the ages; not all of the more ancient views are clear. The *Kojiki (Records of Ancient Matters)*, Japan's oldest book of history (first published in 712), makes reference to Susanoono Mikoto's killing of Yamatano Orochi (an eight-headed dragon). In the story, Susanoono Mikoto sees chopsticks flowing down a stream in Izumo-no-kuni and ventures upstream, concluding that he will find people living there. He comes across an old couple, Ashinazuchi and Tenazuchi, who are crying with their daughter Kushinada-hime between them. He asks them why they are crying, and they respond that Yamatano Orochi has eaten their daughters one by one and that the daughter they hold is the last one left. Susanoono Mikoto falls in love with the charming girl at first sight, and asks the old couple for permission to marry her. The old couple politely asks who he is, trying to determine whether he would be a good match for their daughter. Susanoono Mikoto replies that he is a brother of Amaterasu Omikami, the Sun Goddess of Japan, and that he had been exiled from the heavenly kingdom of Takamagahara following various battles and the transgression of killing guard dogs. The old couple humbly replied, "In that case, we are happy to offer our daughter to you" (1958. Kojiki, Shukuji, [Kojiki, *Congratulatory Address in the Records of Ancient Matters*], Collection of Japanese Classical Literature, No. 1, pp. 85-87. Iwanami Shoten). This story suggests that arranged marriages were common in ancient times.

Many similar stories of arranged marriages may be found in classical Japanese literature. Ninigino Mikoto, for example, is said to have descended upon Japan to become the Emperor. He personally asked Konohanano Sakuyahime, the daughter of Oyamanotsumino Mikoto, to marry him. She replied that it was something that her father had to determine, and that she was unable to reply to his proposal herself (*Congratulatory Address in the Records of Ancient Matters*, Collection of Japanese Classical Literature, No. 1, pp. 131-133).

That said, contrary to the dominance of paternal rights, some evidence indicates that the will of the individual may have been reflected in a few ways. For example, the first poem of Volume One of the *Manyo shu, Anthology of Ten Thousand Leaves* (a collection of 20 volumes compiled in the Nara Period) is said to have been composed by Emperor Yuryaku (1957. *Manyo shu*, 1. [*Manyo shu Vol. 1*], Collection of Japanese Classical Literature, No. 4, p. 9. Iwanami Shoten). In the poem, Emperor Yuryaku says, "I want to speak to you, the young lady cropping vegetables over there! Where is your home? What is your name? I am a respectable and powerful man. I

govern Japan. So you can tell me where your home is and what your name is.”

This poem has recently been interpreted as a courtship poem. It has been said that asking a woman her name implied a marriage proposal (Masayuki Takanashi, 1976. *Nihon Kon'inho Shiron*. [*Essay on the History of Japanese Marriage Law*], pp. 1-4. Yuhikaku.; Kaoru Nakata, 1970. Hoseishi Ronshu. [*Collection of Essays on the History of Legal Structures*], Vol. 1, pp. 1-5. Iwanami Shoten.; Ryosuke Ishii, 1960. *Nihon Hoseishi Gaisetsu* [*Overview of History of the Japanese Legal Structure*], p. 52. Sobun Sha).

Many similar examples are seen in the *Manyo shu*, including a poem that may be translated, “Who on earth are you? You are only a passer-by. How can I let you know my name to marry you?” (*Manyo shu Vol. 3*, Collection of Japanese Classical Literature, No. 6, p. 307). In ancient Japan, only an individual's parents and relatives could call him or her by name. Names were kept secret from outsiders (See below in 3-(3), Marriage Proposals and Respectful Concealment of Names).

This example suggests that the maiden's wishes were respected to a significant extent (*Essay on the History of Japanese Marriage Law*, pp. 1ff.).

(3) Marriage Proposals and Respectful Concealment of Names

Many lyrics of the *Manyo shu* deal with names (*Essay on the History of Japanese Marriage Law*, p. 1ff.). Back then, revealing one's name to an outsider conveyed a willingness to obey. Similarly, calling an outsider by name was equivalent to subjecting the outsider to one's control (*Naming Tales*, p. 195ff.). This way of thinking is still seen today. For example, parents are certain to be displeased if a child refers to them by their first names. Similarly, older persons may refer to younger individuals by name, while the latter may not refer to their elders in the same way. This is cited as the reason subordinates or younger people in Japan present their business cards first to superiors or to their elders (*Naming Tales*, pp. 200-202).

In the same manner, many visit the Imperial Palace on New Year's Day to celebrate and to render homage to the Imperial Family. Visitors either leave their business cards or enter their names in a registry. What does this imply? Offering a list of names is a gesture of allegiance to the Imperial Family, in the same way that an individual's presentation of his or her name implies a vow of allegiance (*Collection of Essays on the History of Legal Structures*, Vol. 2, p. 935ff.; *Naming Tales*, pp. 195-200).

This gesture of allegiance is mentioned in war tales such as the *Tale of*

the Heike. When the Taira clan took up arms in the story, reinforcements rushed to the scene of conflict from various parts of the country; the first thing these reinforcements did was to present a list of names and a *chakuto*, a notice of assistance. A passage in one such document reads, “I, Morikuni, am honored to file this *chakuto* with Lord Komatsu” (1959. Heike Monogatari. [*Tale of the Heike*] Vol. 1, Collection of Japanese Classical Literature, Vol. 32, p. 177. Iwanami Shoten). To present a *chakuto* meant that one had become a vassal of the recipient.

Likewise, revealing one’s name to someone signified unreserved trust. In courtship, a suitor would ask for the name of the object of his desire; whether or not the she would reveal her name was an important indicator of the suitor’s prospects. When a man and a woman disclosed their names to each other, it meant that they were prepared to marry (*Naming Tales*, pp. 191-193). This interpretation is based in part on the traditional custom of refraining from calling others by name. This practice is referred to as the “respectful concealment” of one’s name (Nobushige Hozumi, 1926. Jitumei Keihigaku Kenkyu. [*Study of the Custom of Respectful Concealment of Names*], pp. 199-219. Tōkō Shoin).

In fact, due to this custom, the given names of certain Japanese emperors, including Emperor Jinmu, are not known – only the official name of Kamyamoto Iwarehiko is made public (*Nihon Shoki*, or *Chronicles of Japan*). Exceptions are found in the names Wakatarashi-hiko and Tarashinaka-hiko, which are said to be the given names of Emperor Seimu and Emperor Chuai, respectively (*Study of the Custom of Respectful Concealment of Names*, p. 81).¹¹⁾ We do not know the given names of any other emperor, through Emperor Meiji (1868 to 1911) (*Study of the Custom of Respectful Concealment of Names*, pp. 142 and 156). In the *Kojiki* (*Records of Ancient Matters*), honorific prefixes such as *owa* or *wa* were added to emperors’ names, but no given names are indicated for emperors, as no one addressed the emperors by these names.

Instead of given names, *nanori* (*natsuge*) or *azana* were used. While *nanori* were used in addition to given names after childhood by sons of court nobles and samurai families in Japan, *azana* were used originally in China

11) After reviewing in detail documentation on the *gyomei*, or “sacred names” of 60 rulers from Emperor Jinmu to Empress Suiko in ancient Japan, Nobushige Hozumi concludes that the “sacred names of emperors were mostly honorific titles, among which 17 appear to be based on the names of places, with no indication of real name; 22 seem to be given names with honorific titles attached; one remains unknown, while the meanings of three names are not clear” (*Study of the Custom of Respectful Concealment of Names*, pp. 43-91).

by adult men in addition to given names after childhood. Given names were used only when dominance and subordination were involved, as with a vassal or wife (*Naming Tales*, p. 205).

This is why today we avoid calling others directly by name. When writing letters we add the suffix *sama*, which means “in the direction of,” to the addressee’s family name, instead of writing the addressee’s given name (1974. Iwanami Kogo Jiten. [*Iwanami’s Dictionary of Archaic Words*], p. 572. Iwanami Shoten). When addressing people of high status, we add suffixes such as *heika*, *kakka*, *geika*, or *kohika*, which mean “under the staircase of,” “under the roof of,” “beside the priest,” and “beside the scholar (or soldier),” respectively. In addition, when writing letters the suffixes *kika* and *jishi* are used. These signify “at the desk of” and “to the secretary serving,” respectively. It was considered impolite to address correspondence directly to the intended recipient (*Naming Tales*, pp. 158-165). Under these circumstances, it is unsurprising that emperors’ given names remain unknown, and that the above-cited *wakizuke* (terms of respect in correspondence) such as *kika* and *jishi* came into wide use.

When a man proposed marriage by asking a woman her name, as in the *Man’yōshū* described above, the disclosure of her name was considered acceptance of the marriage proposal. This practice suggests that to a certain degree it was up to the individual to choose his or her spouse in ancient Japan.

(4) Marriage Procedures

We will now examine the ways in which the procedures, forms, and styles of marriage have changed over the centuries. As noted earlier, marriages in Japan traditionally took place between parties living within 3.5 *ri* (about 14 km) from each other (See 2-(1) Distance). This pattern appears closely linked to marriage customs peculiar to Japan.

In Aomori Prefecture, past examples may be found of brides entering into marriage with existing children, in cases involving neither remarriage nor marriage with children by previous marriage. Until 50 or 60 years ago, marriages of this type took place frequently elsewhere in Japan, including Izu and Okinawa (Toshio Matsuoka, 1969. *Kon’in to Shussan*. [*Customs of Marriage, Childbirth*], Yoshikawa Kōbun Kan. 1965. *Sanik no Girei to Shuzoku*. [*Child-rearing, and Rites of Passage*], Yoshikawa Kōbun Kan.; Taro Wakamori, 1970. *Tsugaru no Minzoku*. [*Folk Customs of Tsugaru*], 1965. *Shima no Minzoku*. [*Folk Customs of Shima*], Yoshikawa Kōbun Kan.; Shinji Miyagi, 1954. *Kodai no Okinawa*. [*Ancient Okinawa*], Shinsei

Tosho.; Masaru Sakurada, ed. 1932. *Wakashū Yoriai Konrei no Gi*. [The Wedding Ceremony in the Community Meetings of Young Men], *Folklore*, No. 4-9, Minzoku Gakkai. in addition to many other writings). These children were in fact fathered by the husband-to-be (Yasuo Hashiura, 1942. *Minkan Densho to Kazokuho*. [*Folklore and Family Law*], p. 58. Nippon Hyoron Sha). In other words, it seems that many unmarried couples lived together for a long period before marriage. Regardless of the reason, it was common for brides to be accompanied by children when marrying.

The parents of the husband, neighbors, and the bride all participated in the wedding ceremony, and exchanged ceremonial nuptial cups. What was the husband doing? He was either absent or was in charge of heating bottles of sake in the kitchen (*Folklore and Family Law*, p. 57; Toshio Matsuoka, 1973. *Ketsukon Seiritsu no Girei*, [*Ritual Procedures in Marriage*], Lectures on the Family Vol. 3, p. 264. Kōbundo).¹²⁾

Today, a Japanese wedding brings together a bridegroom in formal Japanese kimono (haori, or half-coat) and *hakama* (formal divided skirt worn by male) and a bride in *furisode* (long-sleeved kimono) or a western-style wedding dress. With guests in attendance, the couple participates in a solemn ceremony in which the Noh chant of Takasago is sung; they then proceed to the wedding hall. This style of wedding ceremony, in which the wedding is held neither at groom's house nor the bride's house but instead at a wedding hall, has become popular only relatively recently.

On May 2, 1875 (Meiji 8), a Shinto marriage ceremony was performed at the Kasuga Shrine to unite Heizaburo Yamada, from the village of Sekimura, Mugi-gun in Mino-no-kuni (presently Seki City in Gifu Prefecture), and Ren Watanabe, from Imaizumi-mura, Atsumi-gun in Mino-no-kuni. This is the first recorded case of a Shinto-style wedding. The first such wedding to take place at the Great Shrine in Hibiya, Tokyo was held in 1897 (Meiji 30) (*The Origins of Everyday Things in the Meiji Era*, Collection on Meiji Culture, Separate Volume, p. 109). In other words, the Shinto-style wedding is no more than a century old.

Prior to this point, marriages were quite different. We have already examined the oldest form of marriage, in which the bride often joined her new family accompanied by a number of children. The husband did not partici-

12) "Marrying into the husband's family signifies not a wedding ceremony but rather a union between the parents and relatives of the bride and those of the groom. The wedding ceremony between the bride and the groom has been concluded long before." Marriage is in fact the adoption of the husband by the wife's family (*Folklore and Family Law*, p. 57).

pate in the marriage ceremony. While at first glance this may seem strange, this custom begins to make more sense in light of a number of historical observations.

This oldest form of marriage is referred to as matrilocal marriage. The following examples of matrilocal marriage are found in the *Man'yōshū*. Poem 431 of the text reads: “A husband is said to have built a house for his wife in Mama, where he would visit her; today no trace of her grave remains, hidden perhaps by the dense branches or long roots of the pine trees.” In Poem 488 the narrator says “As I was longing for your visit, an autumn wind blew into my house and rustled the bamboo blinds.” In Poem 525, a wife wishes that “he would come to my house astride his black horse, stepping over the rocks in the Saho River, every night of the year.” In poem 542 we read that “your messenger used to come to my house all of the time, but no longer. You seem to hesitate to see me.” Poem 744 reads, “when darkness sets in, I will open the door and wait for the man who is coming to my house to have our dreams.” Poem 1802 reads, “this is the grave of Unai-otome, visited and courted by a man from Shinoda” [*Man'yōshū Vol. 1 and Vol. 2, Collection of Japanese Classical Literature, Poem 431 (Vol. 1, p. 207), Poem 488 (Vol. 1, p. 245), Poem 525 (Vol. 1, p. 255), Poem 542 (Vol. 1, p. 259), Poem 744 (Vol. 1, p. 309), Poem 1802 (Vol. 2, p. 415)*]. (See Masayuki Takanashi, *Essay on the History of Japanese Marriage Law*, p. 18. Takanashi cites many examples from the *Man'yōshū* illustrating matrilocal marriage)].

In matrilocal marriage, “the couple in question exchange marriage vows. With the approval of the young men’s group to which the groom belongs and the agreement of his family and relatives, he then asks permission of the woman’s parents; if this is granted, he will visit the bride’s house thereafter” (*Folklore and Family Law*, p. 55). In practice, this meant that a man would visit his bride-to-be at her house, probably knocking as a visitor would. She would open the door to welcome him and they would likely sleep together; at this stage they were viewed as husband and wife, even before the official ceremony. This sort of concubinage would last for some time.

This practice is referred to as *yobai*, which has come to designate a man’s visit to a woman’s house at night for a sexual liaison. However, *yobai* originally came from the word *yobafu*, which meant “calling on each other.” In an archaic dialect, marriage itself was referred to as *yobafu*, interpreted by Norinaga Motoori as ‘the process of calling upon a woman and being welcomed’ (*Norinaga Motoori, Kojiki Den*, Vol. 11). This interpretation aside, the word *yobafu* seems to have been derived more from an invitation by a

man or a woman to meet, made with marriage in mind (*Collection of Essays on the History of Legal Structures*, Vol. 1, p.4). Literally, *Yobafu* (refers to the act of calling aloud). A man might call out for his partner in this way by imitating an animal noise (a mouse's squeaking, for example) or with a secret knock on the woman's door.

In due course, a baby was usually born to the couple. Over time, the husband would become independent – when his mother died, for example. The man would then require a female helping hand, and his wife would be enlisted to take over the management of the household.¹³⁾ It was only at this time that a woman would officially marry into the family of her husband. Strictly speaking, this was not a matrimonial ceremony in that the marriage was already deemed to have begun. The actual marriage had taken place at the *yobai* stage; that is, when the husband had paid his first nocturnal visit to the house of his wife's parents. When a man visited a woman under *yobai* arrangements, matrilineal marriage began, in non-domestic circumstances. Such arrangements were possible due to the short distances (no more than 3.5 ri, or about 14 km) between the residences of the husband and wife (See 2-(1) Distance).

Customs related to matrilineal marriage continued in some places until quite recently. The bride did not initially marry into the groom's family. In the morning, the groom went to the bride's home and brought her to his

13) “For the groom's mother, the bride was primarily the wife of her son. The bride would marry into the husband's family if a woman was needed to manage the household, as when the husband's mother died and the family lacked a woman to replace her, or when the husband's father died and the husband took over as head of the family, in which case the husband's mother “retired” as the housewife. Even when the parents were alive and well, they would sometimes retire due to old age; it was also often the case that a female helping hand was required when one or both of the parents fell ill. In such cases, no wedding ceremony was held, as it was not uncommon for a bride to stay at her husband's house occasionally to offer help, and then to gradually – almost unnoticeably -- become a resident member of the household. This is referred to as “de facto marriage.” Even today throughout Japan it is customary for the husband's parents to retire several years after their sons marry, and for them to then hand over all household matters to the son and his wife. Some parents may only be in their forties when this occurs; these relatively young retirees are occasionally referred to as *sankyo* or *kankyo*. In these cases the mother-in-law may feel too young to retire. Yet since ancient times the marriage of the son has entailed the handing over of household duties to the new wife. Hence, marriage has got to take place earlier than the ancient times.

These circumstances determine the age of retirement for the husband's mother. On the other hand, in Tono Area in Iwate Prefecture, a daughter-in-law who has not been given the duties of housewife 10 to 15 years after marriage is regarded as timid and incompetent. She will invariably complain that her mother-in-law has yet to hand over the reins this far into the marriage. This situation is often due to the fact that the new wife has married into the husband's family earlier than her mother-in-law had married into her spouse's family” (*Folklore and Family Law*, pp. 56-57).

home, where a marriage ceremony was held. This sequence of events was referred to as “*asa-mukoiri no yu-yomeiri*,” which literally means “morning visit to the home of the bride, evening marriage into the family of the groom.”¹⁴⁾ (Documents containing similar references have been found in the Mikawa, Nagato, Miyagi, and Ashikaga Areas in Kozuke) (*Dictionary of Folklore*, p. 4; *Unabridged Dictionary of Proverbs*, p. 1057; *Folklore and Family Law*, p. 55; Masayuki Takanashi, 1967. *Ho no Meigen to Kotowasa Shu*. [*Collection of Legal Maxims and Proverbs*], p. 110. Asahi Shobo)

Thus the institution of marriage evolved in ancient times from a long period of *mukoiri-kon* (in which the groom would marry into the bride’s family) to the practice of *yobai*, followed by the custom of *yomeiri-kon* (direct marriage of the bride into the groom’s family).”

The practice of direct *yomeiri-kon* marriage was first seen in cases in which the groom was a man of influence or of noble birth. Such a person could find suitable partners only in distant locations, as the local villages contained only subjects (*Dictionary of Folklore*, p. 333). In such cases, *yobai* was impossible: the groom could not visit the bride at her home frequently due to the long distances involved. Thus the wife would move directly into the husband’s home. This type of marriage would thus begin immediately with *yomeiri-kon*.

14) “In the Arita region in Wakayama Prefecture, when the groom comes to the bride’s house and formal greetings are concluded, he exchanges cups of sake with the bride’s parents. This practice, referred to as *shimokeshi*, is said to be a vestige of the traditional nighttime visit of the groom to the bride’s house. At this time when he leaves, he does not take the bride home with him; instead the bride will go to the groom’s house in a marriage procession at a later time. In the Kure region in Hiroshima Prefecture, *mukoiri*, or the groom’s marriage into the bride’s family, is conducted earlier than *yomeiri*, the bride’s marriage into the groom’s family, although both ceremonies take place on the same day. The groom goes to the bride’s house with the matchmakers, drinks a small amount of sake, and leaves soon after removing the *hakama* (formal divided skirt worn by males), and his *geta* (wooden sandals). He then goes home barefoot, without the *geta* (if the groom stays for too long, he is teased and told that he has grown roots). The bride then folds the groom’s *hakama* and brings it, together with the *geta*, to the groom’s house.

I have been told that the groom comes to the bride’s house the next morning without even washing his face. This is supposedly a holdover from the wedding ceremony traditionally held first at the bride’s house. On Oshima Island in Yamaguchi Prefecture, although *yomeiri* used to take place six months after *mukoiri*, the interval between the two has gradually been shortened. The groom is accompanied by his parents and relatives, and they all stay at a local inn to prepare for their trip to the bride’s house. The groom is made to sit down facing the *tokonoma* (a decorative alcove) in the bride’s house, and he then exchanges sake with the bride’s parents. The bride leaves the room and occupies herself with tasks in the kitchen. In this example, the groom and the bride’s parents identify themselves and become parents and son in *mukoiri*. In regions closer to the sea, these customs seem to have changed more slowly than in interior areas” (*Folklore and Family Law*, pp. 70-71).

Physical distance was responsible for the historical move toward *yomeiri-kon* (*Dictionary of Folklore*, p. 73). As the lineage and social status of the warrior class became increasingly established in medieval times, *yomeiri-kon* became more common. *Yomeiri-kon* was so entrenched by the Edo Era that it has often been misinterpreted as the only form of marriage at the time.

Today, the bride and groom meet – in a hotel chapel, for example – for the wedding ceremony, then move into an apartment immediately after the wedding. This is neither *mukoiri* (marrying into the bride’s family) nor *yomeiri* (marrying into the groom’s family). Instead, this practice is referred to as *dosei-kon* (cohabitational marriage), an arrangement that is now common in Japan. Clearly the concept of marriage has changed significantly over the ages.

(5) Polygamy and Monogamy

L.H. Morgan regards monogamy as “the last one in a series of forms of family” (L.H. Morgan, 1982. *Kodai Shakai*. [*Ancient Society*], Vol. 2, translated into Japanese by Michio Aoyama, p. 154. Iwanami Shoten). Monogamy is now considered the best form of marriage, but this was not the case in ancient times.

The oldest book known to describe Japanese events is the *Gishi Wajinden*, which recounts events that occurred approximately 1,700 years ago. The *Gishi Wajinden* is a part of a Chinese text referred to as the *Gisho Toiden*, which describes the customs, manners, and political affairs of Japanese in the third century. According to the *Gishi Wajinden*, “inhabitants of Japan were known to live to 80, 90, or even 100 years of age. All *taijin* (men of noble birth) kept four to five *fu* (wives), while *geko* kept two to three *fu*” (1951. *Gishi Wajinden*, edited and translated by Kiyoshi Wada and Michihiro Ishihara, Iwanami Paperback Library, p. 46. Iwanami Shoten).

Although it is true that Japan now leads the world in terms of the longevity of its population, the cited historical figures are difficult to believe, particularly given current statistics (78.07 years of age for men and 84.93 years of age for women; 2001 *nen Kan’i Seimei Hyō* [*Simple Life Table for 2001*], Ministry of Health, Labor, and Welfare from *Nihon Keizai Shimbun* dated August 1, 2002).

In the citation referring to number of wives, the *ko* in *geko* means “house;” it would appear that a distinction was made at the time between the *kyoko* (literally, those of the “upper house”) and the *geko* (those of the “lower house”). Today the terms *kyoko* and *geko* refer to hearty drinkers and “light-

weight” drinkers, respectively. In those days, however, *kyoko* (jyogo) was used to designate those rich enough to drink in volume while *geko* referred to those who were too poor to drink. The term *geko* was thus used was used to describe men of low birth.

The *Gishi Wajinden* describes the status of a *geko*: “When a *geko* happens to meet a *taijin* or a *kyoko* on the road, he pauses and steps back into the roadside grass. When greeting or speaking to a *kyoko* or *taijin* he must prostrate himself to show respect, kneeling with his hands on the ground. The *kyoko* or *taijin* then answers with a curt grunt” (*Gishi Wajinden*, Iwanami Paperback Library, p. 48). As described in the *Gishi Wajinden*, *geko* kept two to three wives. Thus even poor men were permitted to keep two to three wives. Those above the *geko* also kept two to three wives. These were not mistresses but instead were lawful wives – designated as the first wife, the second wife, and the third wife. Clearly, polygamy was established in Japan in those days to some degree. However, we do not know whether the practice of polygamy was widespread throughout the country.

The family registers for the Nara Period held in the Shosoin Repository clearly show that men kept two to three wives, so the description in the *Gishi Wajinden* may be correct (Taro Nakayama, 1956. *Nihon Kon'in Shi*. [*History of Marriage in Japan*], pp. 598-600. Nichibun Sha). In terms of the legal system, the Article on the Five Degrees of Kinship in the Decree on Ceremony (part of the Yoro Decree) in the Nara Period stipulates that “the five degrees of kinship include the following: Father, Mother, Husband and Child are in the first degree. Grandparents, Birth Mother, Father’s Brothers and Sisters, Siblings, Husband’s Parents, Wife, Mistress, Niece, Grandchild and Daughter-in-Law are in the second degree...” (*Newly Revised and Enlarged Edition of Collection of National History*, Explanatory Notes on Decrees No.3, p. 731). “Mistress” here refers to a second wife, as opposed to a “lawful” wife; from the husband’s point of view both his wife and mistress are in the second degree, which meets the definition of polygamy.

Furthermore, the *Onna Daigaku*, the central book of manners for women in the Edo Period, stipulates (in “Seven Cases in which a Woman Ought to Leave”) that “the wife who has no children of her own is not obliged to leave, if a mistress has given birth to a child” (1971. *Onna Daigaku*, Collection of Japanese Thoughts, No. 34, p. 202. Iwanami Shoten). These words are preceded by the statement that “a woman with no children of her own ought to leave, as the purpose of marriage is to give birth to a boy who is to succeed as the head of the family.” Mistresses were thus clearly tolerated.

In Japan, this form of polygamy remained unchanged for well over a

thousand years, through the Meiji Era, when the government stipulated the “Five Degrees of Kinship Under the New Legal Platform” as follows: “The second degree of kinship includes the Grandparents, Birth Mother, Stepmother, Father’s Siblings, Siblings, Husband’s Parents, Wife, Mistress, Niece, Grandchild, and Daughter-in-Law...” (Keizo Kondo ed., 1876. *Kocho Ritsurei Isan. [Compilation of Vocabulary of Imperial Law]*, Vol. 1). This Meiji-era system of dividing kinship into five degrees of kinship was much the same as the practice under the Yoro Decree in the Nara Period, more than 1,000 years ago; both the mistress and the wife were regarded as a husband’s relatives in the second degree.

It was at this time that the abolishment of the practice of having a mistress grew into a major public issue. On November 21, 1872, Shimpei Eto, the justice minister, and Kotei Fukuoka, the vice minister, submitted a proposal “regarding our request to discourage the taking of mistresses and thereby to establish monogamy.” However, the Cabinet rejected the proposal as an inappropriate for proclamation (*The Origins of Everyday Things in the Meiji Era*, Collection on Meiji Culture, Separate Volume, p. 131). The predominant view was that concubines were necessary, in that a wife’s failure to give birth to a boy would doom a family line to extinction – widely seen as a deplorable situation. In these cases, it was deemed critical to take a mistress capable of giving birth to a boy.¹⁵⁾

No one seemed capable of arguing with this logic; even the progressive and trend-setting *Meiroku Zasshi* magazine (launched in 1874) agreed. In the end, monogamy became legislated through the simply deletion of the word ‘mistress’ from the relevant article in the criminal code (enforced on January 1, 1882).

Around this time, the marital systems of polygamy and monogamy entered a period of transition. Research has suggested that Tibetans practiced a form of patrilineal polyandry, in which two or more men were seen as taking the same woman as a wife (Chie Nakane, 1947. *Mikai no Kao*. Bunmei

15) In some areas, however, commoners were not allowed to take concubines: “children born out of wedlock to commoners cannot become lawful heirs. Due to the law prohibiting commoners from taking concubines, the children of these concubines were recorded in some cases as the second or the third son of the legal wives in the family register (Kozuke-no-kuni in Gunma-gun).”

“Most commoners do not take concubines. Even if some commoners have children out of wedlock, they handle such children with secrecy and never allow such children to inherit the family property. Instead, most commoners with no lawful children will adopt heirs (Echizen-no-kuni in Ashiba Gun)” (*Collection of National Customs*, Complete Works on the Meiji Culture, Vol. 13, p. 264).

no Kao. [*Primitive Face and Civilized Face*], Kadokawa paperback library, p. 87. Kadokawa Shoten).¹⁶⁾ On the other hand, Nairian polyandry is said to have been based on a matrilineal system, in which the woman was viewed as taking two or more husbands (*Japanese Family Law of 1942*, p. 167).

Monogamy was introduced into Japan from the West through Christianity. Although this might suggest that Christianity led to improved status for women, its emphasis on the male image of Christ and on the ideal of the virtuous woman had the opposite result. Some scholars thus argue that Christianity in fact led to lower status for women following the medieval era (see, for example, Bertrand Russell, 1970. Ketsukon Ron. [*Theory of Marriage*], translated by Sadao Ando, Iwanami paperback library p. 63. Iwanami Shoten).

In any case, it is difficult to imagine that the current system of monogamy will remain unchanged forever.

4. Function and Role of the Family in Marriage

As described above, it would be incorrect to maintain that the existing marital system is universal or in any way timeless.

Members of today's Japanese households enjoy increased amounts of leisure time; formerly, on the other hand, numerous critical functions were performed in the home. Farming households not only cultivated rice but also grew vegetables and cotton, weaving at looms and fabricating their own kimonos. These tasks are no longer performed in the average household; for example, people have their kimonos tailor-made or buy them ready-to-wear. Few housewives today make their own kimonos. Similarly, women used to wash their kimonos using the araihari (washing and stretching) method, but these garments are now simply sent to the laundry.

In the case of family-operated enterprises, wives traditionally helped with the business. Today, as more husbands work for large companies, wives (with the exception of working women) have more time to spare, remaining at home while their husbands are at work. And while housewives used to prepare miso (fermented soybean paste) for soup, today they simply buy the miso or even instant miso soup. Instant noodles can be prepared

16) The following report suggests a form of polyandry practiced in Japan: "in the villages near Yonezawa City, it is customary for elder brothers to take wives and for their younger brothers to take their elder brothers' wives as their own when the elder brothers are away from home for long periods... This is relatively unheard of, and it is also unclear when this practice was most common. This is a topic for later review." (*Dictionary of Folklore*, p. 153).

simply by adding boiling water. Canned foods need only to be opened.

Ancestor worship and care of the household altar also used to fall under the category of household duties. These duties included cleaning the altar, hanging symbolic strips of paper, and placing offerings on the altar. These religious functions are no longer performed in homes as faithfully as before.

In the United States, the pioneers of the West armed themselves with pistols and rifles for protection, as sheriffs were easily bribed and could not be trusted. Even women and children learned to use rifles and handguns; the household was thus responsible for its own security.

Children used to be educated at home. Today, however, preschool in Japan begins at age three or four. Elementary school and junior high school students often attend private tutoring sessions after school, and senior high school students are sent to preparatory schools to prepare for university entrance examinations. Students then move on to their respective universities. Education in the household is thus a thing of the past.

Even supporting elderly parents is no longer considered to be the responsibility of adult children. Instead this is considered the responsibility of society as a whole. Apart from the stipulation that a husband and wife must support each other and their dependent children (up to the age of 20) under Articles 752 and 818 of the Civil Law, no strict legislation applies to familial support; the consensus is that adult children are to assist their elderly parents only insofar as they are financial able to do (Article 877 and thereafter) .

Family functions thus used to include production, ancestor worship, security, education, and financial support of the elderly and the dependent children. The modern family has abandoned these roles for three main reasons: first, general societal conditions have changed; second, the current Civil Law fails to support the traditional family system; and third, there is a growing trend toward the establishment of the nuclear family.

What then is the role of the family in today's Japan?¹⁷⁾ If the family has any function at all, it may be said to be recreational in nature – the relief

17) For example, Matsubara cites the following as the purposes of marriage: 1) to foster love between the two individuals; 2) to provide respite from societal obligations; 3) to build and improve the character of each partner; 4) to produce and raise offspring; 5) to preserve the well-established custom of marriage; and 6) to continue the family line (Jiro Matsubara, 1964. *Gendai no Kagaku. [Modern Family]*, Nikkei Shinsho, Paperback Pocket Edition, p. 217. Nihon Keizai Shimbun Sha).

of fatigue and stress when husband, wife, and children return home from work or school.

Even if most of the traditional functions have disappeared from the family, one final and foremost function must remain in place: procreation. Even the strongest society will eventually end without an adequate birthrate. On the other hand, society has seen the emergence of methods of artificial insemination, external fertilization, and surrogate births, and sperm and ova can now be refrigerated for long periods. Given these developments, the concepts of “parent” and “child” have become the subjects of debate and increasing legal scrutiny (Tadamasa Kobayashi, 1979. Taigai Juseizi to Jinko Juseizi. [In *Vitro Baby*], Current Legal Problems, p. 61ff. Hogakushoin; 1983. Shinzokuho. [*Family Law*], Examples of Civil Law, pp. 309-311. Jiyū Kokumin Sha).

As discussed above, members of today’s households enjoy considerable amounts of leisure time. Our task now is to determine how to make the best use of this leisure time and in the process to ensure that married life is as meaningful as possible. In doing so we must consider the ways in which marriage and marital law have evolved from ancient times through the medieval era to the modern day. At the same time we must each ask ourselves, on an individual basis, what we believe ought to be at the heart of a modern marriage.