

## Japan's Imperial Succession Debate and Women's Rights

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By J. Sean Curtin

Just when Japan's Imperial House was on the verge of an historic reform that would have marked an enormous step towards making it a more gender equal institution, the legislation permitting an Empress to reign was suddenly shelved. The immediate cause of the abrupt turnaround was the surprise announcement that 39-year-old Princess Kiko, the Emperor's daughter-in-law, was pregnant. The announcement led Prime Minister Koizumi Junichiro to promptly abandon his reform plans, handing victory to ultra-conservatives who bitterly opposed the proposals.



Princess Kiko

Whether Japan changes its male-only imperial succession law now appears to depend on the sex of Princess Kiko's unborn child. Under current

legislation, if the baby is a boy, he would become third in line to the throne after Crown Prince Naruhito and his father, Prince Fumihito. The birth of a boy would also create the possibility that the Crown Prince might one day relinquish his imperial status.

The episode reveals the formidable power of Japan's diehard male-chauvinists and exposes the deep-seated anti-female bias at the heart of the Japanese establishment. Recent events illustrate why gender advances in Japan are always painfully slow, usually half-hearted and sometimes fail to materialize at all. Two polls conducted since the news of the pregnancy indicate that public support for allowing a female Emperor to reign is dropping.

Critics of the imperial system claim recent events demonstrate why constitutional monarchy in Japan should be completely abolished. They argue the institution is so anachronistic that it is beyond reforming and attempts to make it more gender-balanced are pointless.

Unlike its European counterparts, Japan's brand of constitutional monarchy does not allow a woman to sit upon the Chrysanthemum Throne,

a glaring anomaly which contradicts the government's stated goal of creating a gender equal society. Article 1 of the Constitution in part states: "The Emperor shall be the symbol of the State and the unity of the people." Despite the monarch being such a potent national symbol, the 1947 Imperial House Law stipulates that "only male heirs from the male line in the imperial family can accede to the throne," and no woman has reigned in over 200 years.

However, since no male child has been born into the imperial family for 40 years, a debate has raged about whether Crown Prince Naruhito's daughter, four-year-old Princess Aiko, should one day become Empress, a move that would appear to make Japan's royal house gender equal. If a woman is ever to become a viable sovereign, however, the current Imperial House Law would require a complete overhaul. Simply inserting a clause permitting a female emperor would be insufficient.



Princess Aiko would be next in line for the throne if the reform were passed

Professor Ben-Ami Shillony, author of the acclaimed *Enigma of the Emperor*, (<http://www.japansociety.org.uk/reviews/05enigma.html>) believes that if the present succession law was not radically overhauled, a female sovereign would find herself in an absurd situation. He notes, "If Princess Aiko ascends the throne, she would never be able to marry, because if she did current law dictates she would lose her imperial status."

Under current rules when a daughter of the Emperor marries an ordinary citizen, she must relinquish her imperial status and become a commoner. When former Princess Sayako married a commoner in November 2005, she became Mrs. Kuroda Sayako.

#### **Advisory council recommends reform**

A 10-member advisory council was set up in late 2004 to advise Prime Minister Koizumi on revising the Imperial House Law and the right of succession. It was headed by Yoshikawa Hiroyuki, a former University of Tokyo president. Other panel members included Ogata Sadako, a distinguished former UN high commissioner for refugees, and Okuda Hiroshi, chairman of the influential Japan Business Federation and former chairman of Toyota.

Last November, it produced a report recommending that female emperors and their descendants be allowed to ascend the throne, and the emperor's eldest child, regardless of sex,

should be given "priority as the imperial heir."

An *Asahi Shimbun* survey conducted shortly after the report's release found that 78 percent of respondents supported the idea of a female emperor.

Until recently, opinion polls indicated somewhere between 75 to 85 percent of the public supported the idea of allowing Princess Aiko to succeed her father, with just 6 to 8 percent opposed.

Proponents argued that the reforms would demonstrate a powerful symbolic commitment to building a gender-balanced society. Others, more cautious, wondered whether the revisions were premature. In a July 28, 2005 editorial the *Yomiuri Shimbun* (newspaper) cautioned: "Should a boy be born into the Imperial family in the future, there is a possibility of public feelings changing subtly. There are also many uncertain factors when viewing the issue from a long-term perspective."

Conservatives fiercely denounced the document, saying Koizumi's proposals would destroy over a thousand years of tradition and risk contaminating the imperial house with foreign blood. A small minority even suggested reintroducing the practice of concubines to breed a male heir, an idea that must have been deeply offensive to many Japanese, and above all to Crown Princess Masako, who is the target of traditionalist anger for not producing a boy.

At the other end of the spectrum, anti-monarchists said the entire debate highlighted the anachronistic nature of the institution and argued that revising the Imperial House Law would just increase the number of royals, further burdening the Japanese taxpayer who already funds the country's costly imperial family (see David McNeill's *What Role Japan's Imperial Family* ([http://japanfocus.org/\\_David\\_McNeill-What\\_Role\\_Japan\\_s\\_Imperial\\_Family\\_](http://japanfocus.org/_David_McNeill-What_Role_Japan_s_Imperial_Family_))).

### **Ultra-conservatives mount fierce campaign**

In January, a confident Koizumi told the new session of parliament he would submit a bill to open the way for female monarchs and arrange the required referendum to revise the constitution. However, his opponents were already on the warpath. The previous day, 700 representatives of the country's 80,000 Shinto shrines condemned the premier's proposals, arguing that the ideas were based solely on the "modern concept of gender equality," giving little consideration to the thousand-year tradition of the imperial paternal bloodline.

A hardline group of male lawmakers gathered in Tokyo, where their leader, former trade minister Hiranuma Takeo, expressed the fears of many conservatives: "If Princess Aiko becomes the reigning empress and gets involved with a blue-eyed foreigner while studying abroad and marries him, their child may be the Emperor."

A marginally more moderate group of 173 lawmakers, 135 from Koizumi's own party, signed a document urging caution over the revisions. The barrage of chauvinist passion even encouraged two senior Cabinet members, Foreign Minister Aso Taro and Finance Minister Tanigaki Sadakazu, to criticize their leader's plans.

In the mass circulation *Yomiuri Shimbun* influential former Prime Minister Nakasone Yasuhiro argued for the preservation of: "the principle of the male-line tradition that has been adhered to for well over 1,000 years," claiming that "intellectuals in foreign countries pay respect and give weight to this particular fact as one of the world's truly unique imperial systems."



The Imperial Palace

Demanding a postponement, Nakasone wrote: "As the crown prince is 45 years old now and his younger brother, Prince Akishino, is 40, the nation seems to have about 40 to 50 years to go before the succession to the Imperial throne after the Crown Prince's. Given such a background, there is no reason at all for the government and

the Diet to hastily discuss the issue of Imperial succession."

In the February edition of *Bungei Shunju* Prince Tomohito, a cousin of the Emperor, expressed his deep concern that the reforms would make the imperial house no different from an ordinary family. He advocated reinstating imperial branch families to produce a male heir.

### **Pregnancy forces Koizumi and media retreat**

Despite the onslaught, Koizumi stood firm, repeating his determination to pass the legislation. However, the February 7 announcement that 39-year-old Princess Kiko was six weeks pregnant effectively derailed the plans. Even though the baby's gender is unknown, jubilant conservatives said it demonstrated that reform was unnecessary because members of the imperial family could still produce offspring.

The day after the pregnancy announcement, a downbeat Koizumi indicated that the revisions would be shelved, telling parliament: "We should take our time to carefully discuss the matter." Some viewed this as a humiliating climb down by Koizumi, while others saw the pregnancy as offering the Prime Minister a fortuitous face-saving way to escape from a serious political ambush set by some of his most bitter rivals.

Alarming, the liberal press, which had strongly supported the measures, also beat a hasty retreat.

In an editorial the day before the surprise announcement the *Asahi Shimbun* declared: "We support the report because of its reasonable conclusions." However, two days later it observed: "To make imperial succession stable into the future, why not keep advancing debate and wait for the safe arrival of the child before submitting the bill to the Diet?" The English language Japan Times lamented that "the readiness of many people to see the new plan shelved or postponed suggests that the idea of equality has only shallow roots here: A woman is still second-best, a last resort."

The traditionalists' victory had an immediate impact on public opinion with an *Asahi Shimbun* survey released on February 21 showing support for the Empress succession law down to 66 percent from 86 percent in January 2005. The poll also indicated that the traditionalist camp potentially holds the upper hand in the debate as 60 percent supported delaying the legislation.

A February 27 Kyodo News poll reported similar findings, recording a drop in support for a female monarch. Now 64% say they are in favor, a decrease of 7.8 points from the December 2005 survey.

### **Scan shows three-month old fetus fine**

On February 24 Ichiro Kanazawa, the Medical Supervisor of the Imperial Household Agency (IHA), held a press conference, telling reporters: "Their Imperial Highnesses do not feel that they

want to know the sex of the child until birth." He confirmed the princess had undergone an ultrasound test on February 22 that checked the baby's heartbeat, which was fine. Some speculated that the IHA might soon know the gender of the child, regardless of the parents' wishes.

Kanazawa stated that Princess Kiko was three months pregnant, experiencing morning sickness and expected to give birth in late September. He told the press that she might suffer anxiety over the publicity surrounding the pregnancy, and called on the media to be considerate and give her "peace, physically and mentally."

### **Male child could cause resignation or abdication**

If the baby is a boy, the current succession law remains unchanged and the Crown Prince has no male offspring, then the child would probably one day be emperor. Although for now it is pure speculation, such a situation might one day lead the Crown Prince to relinquish his status as heir apparent or even abdicate if he becomes emperor.

There are several scenarios under which this could arise. Assuming that Emperor Akihito lives a few years longer than his father Emperor Hirohito, then Prince Naruhito would not ascend the throne until he was in his mid to late sixties. He might feel that since his brother's son would eventually inherit the Chrysanthemum Throne, a

direct father-son line of succession would be preferable. This could be accomplished by either relinquishing his status as heir or abdicating after a few years of rule. Another scenario envisages the prince resigning his imperial status to take the pressure off Princess Masako who has been the target of vicious criticism from ultra-conservatives for what they see as her failure to produce a son.



**Crown Prince Naruhito and family**

Professor Ben-Ami Shillony comments, "No emperor has abdicated since Emperor Kokaku's abdication in 1817, almost 200 years ago, and as far as I recall no Crown Prince has abdicated for hundreds of years."

He adds, "The Imperial House Law (both that of 1889 and that of 1947) has no provision for abdication, but it does not outlaw it either. That is why it was not clear after the war whether Emperor Hirohito could abdicate, as some people close to him had advised. Therefore, if Naruhito ever decided to abdicate it would pose a serious legal problem."

Still, the die is not yet cast, if Princess Kiko's baby is a girl, then the whole debate will be back to square one. However, the ultra-conservatives have demonstrated that they are a formidable force and even with public support and a powerful prime minister, the fight for a gender-balanced national symbol will be an uphill struggle.

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