

Center for Japanese Studies Seminar Series

Co-sponsored by the William. S. Richardson School of Law Pacific-Asian Legal Studies Program

Multiculturalism in Asia: Parental Kidnapping and the Hague Convention, a Focus on Japan



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International marriages have been on the rise in Japan for the last 30 years, but sadly more than a third of them end up in divorce. Children born from these unions are not uncommonly faced with many hardships when the marriage fails.

There are too many cases of parental child abduction and the governments of both the US and Japan have been struggling with ways to help the left-behind parents, and preserve the rights of the children.

The problem is not only the legal mechanisms that have been put into place to address the issues, but cultural and traditional components of the family unit must also be understood and appreciated before a satisfactory resolution can ever be achieved.

For example, Japan does not recognize the concept of joint custody. It is both cultural and traditional in Japan that a clean cut be made at the time of the divorce, and the child or children are cared for by only one parent thereafter. A famous example of this is the story of former Prime Minister Junichiro Koizumi. At the time of his divorce he had two sons, with a third one still in the mother's womb. The divorce settlement granted him the rights to the first two sons, and the third son was granted to the mother. When the third son became older and wanted to see his father and make contact with him, Koizumi refused.

This presentation will present the issues related to parental kidnapping, the Hague Convention, and offer some creative ideas to help address the human and legal problems related thereto.



PALS

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Center for Japanese Studies
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