"Give me back my life”- Eugenics in Japan and the Search for Justice

“I have a secret to tell you. When I was a child, my parents made me have a surgery that wouldn’t let me have children. I knew I couldn’t have children, but I married you. I am really sorry. ” I told her everything about Shūyō Gakuen and the operation. I thought she would scold me, but she just said, “Make sure you always eat well”. She died the next morning, at 5:55.’

Kita Saburō was forcibly sterilised at the age of 14 under Japan’s now-abolished Eugenic Protection Law. The excerpt above is taken from an interview he gave recounting how he revealed this to his wife on her deathbed, and finally explained why they had struggled to conceive throughout their marriage. He was sterilised more than 60 years ago, in the name of ‘(preventing) the birth of eugenically inferior offspring’(1).

However, he spoke on the issue just last year, as Japan’s disturbing history of post-war eugenics and the scars it has left behind re-entered the news cycle.

Eugenics in Japan

Throughout history, eugenics in practice has aimed to supposedly improve populations by breeding out traits deemed undesirable, and preventing overpopulation. In response to a growing population amidst severe post-war food shortages and fears that breeding amongst the countries ‘unfit’ (primarily those with disabilities) would result in ‘eugenically inferior’ children, Japan’s Eugenics Protection Law was introduced in 1948. This law allowed for abortion under certain circumstances (such as poor health and economic hardship), as well as voluntary and most disturbingly, involuntary sterilisations of people with mental or physical disabilities, or simply ‘feeble-mindedness’ or behavioural problems.

This resulted in the sterilisation of around 21,000 people, at least 16,500 of whom were sterilised against their will (2), using methods such as ‘anesthesia, physical restraint, and deception, in case the patient opposed the operation’ (1). Even more controversially, victims of forced sterilisation were in many instances subjected to this surgery by their own family members.

During the sterilisation process, survivors typically experienced extraordinary mental and physical pain from radiation treatment or operations to remove reproductive organs. In the aftermath, the psychological and emotional trauma of this has reverberated throughout many survivors’ lifetimes, therefore sparking protests and demands for justice even in recent years.

Reparations

While similar laws in many other countries were repealed in the 1970s, sterilisations were at their peak in Japan, and the Eugenics Protection Law was not revised until 1996. Nevertheless, although this law has since been condemned, whether justice for survivors has truly been achieved is debatable.

On the one hand, Japan’s government took a more active response to the lasting and scarring impact on victims last year. Following several lawsuits in 2018 from survivors seeking around

¥30 million each, the government announced that all survivors would receive ¥3.2 million (£22,000) compensation for the pain inflicted upon them. Furthermore, Prime Minister Shinzo Abe sincerely apologised for the “great suffering” caused.

“As the government that carried out this law, after deep reflection, I would like to apologise from the bottom of my heart”, he said, promising "we will do all we can to achieve a society where no one is discriminated against, whether they have illnesses or handicaps, and live together while respecting each other's personality and individuality."

Yet on the other hand, given the extremely long-term, life-altering consequences of the Eugenics Protection Law, monetary compensation and official apologies may never be enough for many survivors to feel that justice has been achieved. The ¥3.2 million compensation for each individual is far below the ¥30 million demanded by survivors in 2018, and for many, no amount of money can buy back the opportunity to have a family on their own terms or repair decades of trauma. As Kita Saburō said, “An apology is not enough. What I want to say is: give me back my life.” (3)

Attitudes towards disability within Japanese society

While measures to reconcile the gross injustice that survivors have already suffered have been met with understandable contention, there is still great progress to be made in improving societal attitudes towards those with disabilities.

Around the same time that the Japanese government issued its apology for the suffering inflicted under the Eugenics Protection Law, and compensation for survivors, the mass stabbing of 19 disabled people at a care home in Sagamihara made headlines around the world. The killer told reporters that there was "no point in living" for those with mental disabilities and that he "had to do it for the sake of society", provoking a wider inquiry into how disabled people are treated and regarded in modern Japanese society. (4)

Despite the appallingly disablist nature of the murders, the families of most of those killed have not revealed the identities of the victims, reportedly because some do not want to reveal they had a disabled relative. Yet given hostile attitudes towards some care homes, this is perhaps unsurprising. For example, during neighbourhood protests against the opening of a care home for people with disabilities in a fairly wealthy residential area of Yokohama, locals argued the construction of a disabled care home in the area would drive down the value of their properties, and the home’s residents could pose a local safety threat. (5)

As reported by the Japan Times and Mainichi Shimbun, ‘protesters submitted to the local government a petition with around 700 signatures, demanding construction be halted (…) Authorities told the protestors to remove the banners surrounding the construction site, since the messages they contained were discriminatory in nature. The protesters refused. (Following this), people moved into the care home, and neighbours (continued) to protest.’

However, as noted by the Japan Times, the safety concerns behind these protests are at odds with a 2018 government study cited by the Mainichi Shimbun, showing that ‘0.08 percent of people with mental or developmental disabilities committed crimes, while the portion of nondisabled persons committing crimes was 0.2 percent.’

The disablist aspects of this case, despite government attempts to make amends for the sterilisation of many disabled people, seemingly highlight that ‘though overt discrimination has fallen, attitudes toward the disabled lag those overseas, sometimes in harmful ways (3).

On top of this, the COVID-19 pandemic has presented new challenges for those with disabilities and has exacerbated existing problems. (For example, fears of infection have meant that more low-vision and blind people are struggling to find assistance from sighted attendants, and mask-wearing limits the ability of hearing-impaired people to lip-read. More broadly, those with mobility impairments may be heavily reliant on assistance from carers and personal attendants exposing themselves and others to a higher risk of infection.)

Therefore, now more than ever, the key to a more complete sense of justice perhaps lies in not only legal but also social reform. Although the killer behind the Sagamihara massacre was sentenced to death, and the Eugenics Protection Law has been changed, the social stigmas found in both live on.

Molly Lambert, 20th December 2020

1. The Testimony of a Victim of Forced Sterilization in Japan: Kita Saburō | The Asia-Pacific Journal: Japan Focus (apjjf.org)
2. The struggle continues for victims of eugenic law | The Japan Times
3. Victims of Japan's forced sterilizations demand justice after decades of silence | Reuters
4. Satoshi Uematsu: Japanese man who killed 19 disabled people sentenced to death - BBC News
5. Trial of Sagamihara massacre suspect spurs debate on what society may think about people with disabilities | The Japan Times