

Rin Odawara, A challenging conversation between feminists and people with disabilities: fight for the reproductive rights and fight against eugenics in post-war Japan

In July 2016, a young man stabbed 19 people with disabilities living in a facility in Sagami-hara of Kanagawa prefecture, Japan. The perpetrator, Satoshi Uematsu, then 26 years old, a former worker at the facility, had maintained in a letter addressed to the Speaker of the House of Representatives that he could wipe out 470 people with disabilities in total. His future goal was to make a world where the person with severe multiple disabilities would be euthanized with the protector's consent, as he said in the letter. He said that people with disabilities could only be unhappy and cause unhappiness for Japan and the world. On other occasions, he said that people with disabilities pose an economic burden to society (so he should remove them). At midnight of July 26, he entered the facility, calling the names of the residents one by one, and if they couldn't respond, he killed them.

Consequently, he killed ten women from 19 to 70 years old and nine men from 41 to 67 years old. All of them had severe intellectual and other disabilities. The incident is the worst mass killing in post-war Japan. But what shocked me considerably was not only the number of the dead and the eugenic thought of the murderer, but some other facts that occurred after the incident. First, the killer's attitude toward people with disabilities seems widespread in a broader community. On the internet, you could see that some agreed with his thought and even praised his action. Second, the victims' names have not been made public to this day due to "the will of the bereaved family". It is supposed that the families would be afraid of being discriminated against for children or siblings with disabilities even after their death. Third, the then Prime Minister Abe has published no official statement about the 19 innocent dead and the other 27 injured people. Finally, we should note that the mass killing was able to happen because the victims, the people with severe disabilities, lived together in a facility specialized for caring, apart from their families. In other words, they were segregated from the "normal" community. These things altogether reveal the hidden eugenics of Japanese society.

After the incident of Fukushima, which reminded us of the history of nuclearization of Japan under the Cold War system and provoked the fear for the health hazard by radiation, in recent years Japan is undergoing reflection on its eugenic thoughts embedded in the institutions since the Asia-Pacific War. Victims of the forced sterilization allowed under the former Eugenic Protection Law went to court for state compensation in 2018. People with disabilities and feminists have been discussing the intersection of heterosexuality, fertility as a role of women, and able-ism. I will present the dialogue of the people with disabilities and the feminists to consider the specificity and difficulty of eugenics in our society.

“We deny love and justice”

Many arguments about the Sagami-hara stabbing refer to a disability rights movement, *Aoi Shiba no Kai*, Association Green Grass (*Gendai Shiso* 2016; Shinya Tateiwa and Shunsuke Sugita 2017). *Aoi Shiba no Kai* was founded in the 1950s for the interaction of people with cerebral palsy. Its turning point came in 1970 when a mother killed her two-year-old daughter with cerebral palsy in Yokohama and the petition for mitigation of penalty to the mother. The members of Aoi Shiba strongly protested the petition and the sympathy to the mother. If the murder of a person with a disability would be punished less than the murder of a “normal” person, it could mean the life of a disabled person is less worthy. That was the first protest by the disability movement against this kind of killing and common sympathy (Koichi Yokozuka 2007).

An executive member, Hiroshi Yokota, wrote the famous platform of Aoi Shiba in the same year.

We identify ourselves as people with Cerebral Palsy (CP).
 We assert ourselves aggressively.
 We deny love and justice.
 We do not choose the way of problem-solving.
 We deny able-bodied civilization Koichi Yokozuka¹.

Yokota and the members criticized the society, which regarded them as “those should not exist,” so in the first clause, they proudly affirmed themselves as people with disabilities.

The mother thought that her daughter would never be cured and could be better off dead instead of living with her CP. Koichi Yokozuka, another critical figure of Aoi Shiba, argued that her (and our) sense of values that equate the worthiness of a human being with the ability to be healthy enough to labour was problematic (Koichi Yokozuka 2007). The Aoi Shiba movement considered that people with disabilities should establish themselves by denying the protection/control imposed on them in the name of love and justice. The struggle turned to be radical in the 1970s, from occupying busses opposed to the refusal of passengers with the wheelchair, sitting in a railroad crossing because the railway company denied to set up slopes in the stations, then claim the right to independent living based on the people with disabilities’ own needs and desires.

Controversy on Eugenic Protection Law

One of the arenas of their struggles was Eugenic Protection Law. The Eugenic Protection Law, enacted in 1948, recognized forced sterilization and abortion to people with intellectual and mental illness and severe disabilities. However, the

¹ Translated by Nagase Osamu. <http://www.arsvi.com/o/a01-e.htm> (accessed on November 28, 2019). The fifth point was added later.

doctors often operated without the patients' consent and forced abortion if a pregnant woman or the spouse had a hereditary mental or physical illness. Besides, abortion for reasons of economic difficulty and rape was approved. Since then, financial reason accounts for 90% of abortions.

We should note that legal abortion for some limited reasons is not the right that the women of Japan obtained through their struggle, but was given them by the authorities to control the population in the food shortage right after the war. Because of the lack of acknowledgement of women's rights to reproduction, the penal code still criminalizes abortion for reasons other than the conditions in the Eugenic Protection Law and its following law.

In 1972, a proposal to revise the law was introduced to the Diet. It mentioned removing economic reasons and approving selective abortion if the fetus's disability is found by prenatal diagnosis. It was the moment in which the disability movement and the women's movement came across.

On the one hand, the Women's Liberation Movement, one of the protest movements that emerged around 1970, opposed the bill regarding removing economic reasons as a substantial prohibition against abortion. The feminists had to fight to protect the right to abortion and decriminalizing it at the same time.

On the other hand, for the disability rights movement, the law was to deprive them of the right to life as an "inferior offspring" in the first place. Then they considered that the introduction of the fetus article could have meant their own murder before birth (Yukako Ohashi 2016).

While both movements were opposing the amendment, the latter also criticized the former. Some people with disabilities, especially male activists, thought that the freedom of abortion could allow women not to choose to give birth to a child with a disability. They insisted that the reproductive right could lead to denying the existence of disabled people (Yoshio Hasegawa 1996). It was a highly gendered notion about reproduction in the disability rights movement. One of the symbolic mottos of the movement is "Mother, don't kill," which shows that their criticism over reproductive rights was not directed at fathers who urge mothers to undertake child-rearing and at the society which has maintained the gender roles (Noriko Seyama 2002).

Two movements tried to have discussions and dialogues with each other, and the effort continues until today. For example, a feminist activist with minor impairment in her leg – so she belongs to both communities in a sense – Tomoko Yonezu talked in a gathering against the amendment in 1973:

I think that the people with disabilities and the women are forced to be opposed each other, as one to be killed and as another to kill. And I know well the anger of people supposed to be killed against the suspected executioner of the killing. Because I hate healthy women walking briskly...however...I guess we can connect only by pointing our anger at the authority which urges us [to be confronted each other]... (Tomoko Yonezu and Yukako Ohashi 1998).

The amendment to remove the economic reasons was proposed again in 1982. The individuals and groups of the feminist movement and disability movement acted together against it. A feminist writer, Yukako Ohashi, remembered that the feminists attempted to keep the dialogue with the disability movement because they thought it would be impossible to abolish the Eugenic Protection Law and to de-

criminalize abortion for achieving reproductive freedom unless the two activities went together (Tomoko Yonezu and Yukako Ohashi 2017).

Despite being eager to oppose the ban of abortion, expressing the experience of abortion by their own words, the Japanese feminist movement has not asked for safer and more accessible medical treatment of abortion like other developed countries (Kumi Tsukahara 2014). As for the lack of demands for medical innovation in abortion, it is interesting that Ohashi refers to the influence of criticism against the selective abortion argued in the dialogue with the disability movement (Kumi Tsukahara 2014, p. 162). Trying to develop the concept of reproductive rights through the conversation with people with disabilities is one of the characteristics of the Japanese feminist movement.

In 1996 Eugenic Protection Law was reformed into the Maternal Protection Law with the deletion of the eugenic articles. However, there had been no official investigation into the number of forced abortions and sterilization and no apology or relief for violation of human rights until the victims raised their voices and sued the government for compensation in 2018. In the following year, the government made a special compensation law for the victims.

The feminists and the female activists of the disability movement realized that the Eugenic Protection Law was an intersection of the discrimination against women and that against disabled people. Today, pregnant women concerned with the issue are sensitive to prenatal diagnosis as a possible selection of life. The activists of the disability movement understand how society utilizes non-handicapped women's bodies to exclude people with disabilities. At the same time, the women acknowledge that their 'self-determination' is possibly mobilized to maintain the present able-ist society. Therefore, they keep struggling to cut their unique and challenging path to criticism of eugenics, able-ism and concept of self-determination, and the right to choose (Kumi Tsukahara 2014, pp. 156-157).

“Inner Murderer”

The problem is that the experiences and thoughts accumulated through the dialogues and cooperation between two movements have been closed within them. The knowledge could not go beyond two minority groups, the women and the disabled, into a broader community. It was embarrassing to see some eugenic discourses return in the shape of fear for the future in 2011, after the nuclear incident in Japan. The disability rights activists naturally protested the discrimination in the discourses. The feminist activists regarded the situation as a problem of women's reproductive rights intervention, seeing women only in maternity. Both of them tried to deny being forced to confront each other as they had done. But their voices, their criticism on eugenics and the able-ism in the society are still ignored.

People have got together in social movements that started in the 1970s, principally based on each specific issue. Still, it is strongly related to identities such as gender, race, ethnicity, sexuality, disability, etc. We shall recall a clause of the platform of Aoi Shiba, which claims strong identification of themselves as people with CP. Identity politics is efficient to bring out the needs of people whose voices oth-

erwise are not heard. However, it works to close the arguments in minority groups in question at the same time. Instead, more precisely, sometimes it helps the more extensive society not to face the questions by labelling those minority groups as “others”. The mass killing in Sagamihara also seems to follow the same path. Uematsu had worked in the facility where he committed the murders, but he learnt nothing from the experience of interaction with the residents. Ironically, he had been forcibly hospitalized as a legal measure before the killing because of the possibility of harming himself or others.

The final report published by the special team for preventing the recurrence of the incident composed of experts and put under the government, claims the importance of wiping out the discrimination in society against people with disabilities and sharing the values that every life is equally precious. But three-fifths of the report is about making the forced hospitalization of people with mental illness and control after that stricter². Society does not have to face inner eugenics – which the disability movement accuses, and the women ask themselves – as far as it regards the perpetrator as an unusual case. As I mentioned before, the government failed to “show the attitude to aim at the construction of an Inclusive Society based on diversity of ways of living regardless of having disabilities or not”, despite the recommendation of the special team.³ At least since 1968, when various kinds of social movements arose, the issue of eugenics has been neglected for nearly a half-century. Then Uematsu killed the people whom he knew well because of their worthlessness for society in the name of their happiness. Is it possible to avoid the recurrence if we take our eyes off our “inner eugenics”? Unless you don’t know the present, the future should always be unclear. And we don’t know even the names of the victims yet.

Bibliography

Gendai Shisō (Contemporary thoughts) 44(17), Special issue: Sagamihara stabbings, October 2016.

Hasegawa, Yoshio. 1996. “Shōgai wo kotei suru koto wa inochi wo kōtei suru koto” (Yes to disabilities means yes to life), in *Inpakushon* (Impaction) 97: 18-20.

Ōhashi, Yukako. 2016. “Datai hō to yūsei hogo hō – chūzetsu wo megutte ‘josei’ to ‘shōgaisha’ ga deau koto” (Feticide and Eugenic Protection Law: an encoun-

² Sagamihara shi no shōgaisha shien shisetsu ni okeru jiken no kenshō oyobi saiatsu bōshisaku kentō chīmu (Special team for inspection of the Sagamihara incident and examination of prevention of the recurrence), *Hōkoku sho ~ saiatsu bōshi saku no teigen* (Report and proposal of preventive measures), December 2016, 3, <https://tinyurl.com/uey6483k> (accessed on September 14, 2021)

³ *Ibidem*.

ter of women and people with disabilities around abortion), in *Onna mo otoko mo. Jiritsu, byodo* (Both women and men. Independence, equality), 128: 22-28.

Seyama, Noriko. 2002. “Koe wo umidasu koto – josei shōgaisha undō no kiseki” (Creating the voice: the path of women with disabilities movement), in Jun Ishikawa and Tomoaki Kuramoto, eds. *Shōgai gaku no shuchō* (A manifesto of disability studies), pp.145-173. Tokyo: Akashi shoten.

Tateiwa, Shin-ya and Shunsuke Sugita. 2017. *Sagamihara Shōgaisha sasshō jiken* (Sagamihara murder of the people with disabilities). Tokyo: Seidosha.

Tsukahara, Kumi. 2014. *Chūzetsu gijutsu to ripurodakutivu raitsu – feminisuto rinri no shiten kara* (Abortion methods and reproductive rights: from the viewpoint of feminist ethics). Tokyo: Keisō shobō.

Yokozuka, Kōichi. 2007. “Haha no satsui ni koso – Jūshōgaiji satsugai jiken no hanketsu wo owatte” (The mother’s intention to kill: after the judgement of murder of a child with a severe disability), in Id., *Haha yo, korosuna* (Mother, don’t kill), pp.38-41. Tokyo: Seikatsu shoin.

Yonezu, Tomoko and Yukako Ōhashi. 1998. “Omosa kurabe ya atomawashi kara wa nanimo umarenai. Yūsei hogo hō mondai wo meguru josei kaihō to shōgaisha kaihō” (Nothing comes from competing pain and postponing: women’s liberation and liberation of people with disabilities in the context of Eugenic Protection Law), in *Gendai Shiso* 26(2): 234-242.

Yonezu, Tomoko and Yukako Ōhashi. 2017. “Onna-watashi no karada kara – SOSHIREN to shōgaisha undō ga tsunaide kita mono” (From the body of woman/ myself: what SHOSHIREN and the disability movement have connected), in *Gendai Shiso* 45(8): 150-165.