

## Sterilized woman demands apology over policy to prevent 'inferior' babies

More than half a century after undergoing surgery for no apparent reason, a woman from Miyagi Prefecture is demanding redress over the past government policy of preventing "inferior" children from entering Japan's population.

The woman, 69, submitted a request for human rights relief to the Japan Federation of Bar Associations on June 23. She said the operation that made her sterile was performed without her consent under the

### **Eugenic Protection**

Law, and that she has suffered from irreparable damage throughout her life.

"The operation constituted a violation of the right to pursue happiness and is unconstitutional," the woman told a news conference in Tokyo. "I cannot allow the state to sweep the problem under the rug. I want the government to apologize."

Enacted in 1948 to "prevent births of inferior children from the perspective of **eugenics** (the science of improving the genetic quality of the human population by controlling breeding)," the legislation authorized doctors to sterilize people with mental disabilities or genetic defects without their consent.

The policy was dropped when the law was revised in 1996 and renamed the Mother's Body **Protection** Law. Statistics show that physicians sterilized people with "unfavorable characteristics" as deemed by authorities, regardless of their will, in 16,500 cases under the legislation.

A few people have publicly said they were coerced into becoming unable to reproduce. But



A 69-year-old woman from Miyagi Prefecture submits a request for human rights relief to the Japan Federation of Bar Associations on June 23. She says she was forced to undergo sterilization surgery when she was 16. (Masaru Komiyaji)

the Miyagi woman is the first to submit a request for human rights relief, her supporters said.

According to a document submitted by the woman and other materials, she was 16 years old and working as a live-in housekeeper in 1963, when she was taken by her employer to a hospital in the prefecture.

Although the employer did not explain why she needed to enter the hospital, she underwent the operation.

After returning home, she overheard her parents talking about the operation. It was then that she realized her uterine tubes had been tied, and that she would never give birth.

The woman believes she became the target of the sterilization procedure because people thought she was mentally disabled, although she was not, she said.

After the operation, she was unable to work because of continuous acute pain and chronic fatigue. She later got married, but the union ended in divorce because she could not have children, she said.

In 1997, a group calling for a state apology over **eugenics**-related surgeries was formed. It has since been demanding the government conduct a detailed study on the impact of the country's **eugenic** policy.

The U.N. Commission on Human Rights in 1998 recommended the Japanese government pay compensation to those who were sterilized without their consent. Tokyo rejected the recommendation.

The Miyagi woman said she decided to submit the request for human rights relief because she hopes to receive an apology and compensation while she is still alive.

The Asahi Shimbun asked the health ministry's division in charge of maternal and child health about the issue, but the ministry declined to comment on "an individual case."

Yasutaka Ichinokawa, a sociology professor at the University of Tokyo's graduate school, said it is time for the government to reflect on its past **eugenic** policy.

"The **Eugenic Protection** Law stipulated differences between people who deserve to be born and those who do not," Ichinokawa said.

Koji Niisato, the Miyagi woman's lawyer, said he hopes the government will address the **eugenics** policy like it eventually did for its decades-long policy of forcing leprosy patients to live in isolation in sanitariums across Japan.

"The government has made an apology to leprosy patients, but it still makes no efforts to confront the forced sterilization issue," Niisato said. "I hope victims will become able to raise their voices, and people will become more interested in the problem after the submission of the (Miyagi woman's) request."