

Eugenics and the politics of procreation in Japan

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Abstract:

This article aims to clarify the relation between the system of social value and the scientific theory in the history of Japanese eugenics.

In these days, we used to see the eugenics as the discriminative theory for the disabled people. But when we see its face as the justification of the system of the social value, we can notice that the recognition implicit of the society is needed.

In order to examine the relation between the science theory and the society, we must foresee the possibility of its modification by the people's desire in the context of the society, such as the acceptance of the eugenics in Japan.

Keywords : eugenics, feminism, disabled people, social desire, science theory

*homini igitur nihil homine utilius*¹⁾.

Japan has been known for a long time as the state which legalized the eugenic administration with the Eugenic Protection Law, whose first article began with this phrase: "this law intends to the prevention of the birth of disfavored descendent". But why did Japan legalize the administration of the elimination of the disabled people? Why did people accept this law without any doubt?

Here, in order to examine the change of the view on the eugenics, we will trace the history of Japanese feminism before the Second World War, as an example of social acceptance of it, and its changing point after the controversies with the group of the disabled people. In the second part, we will examine the relation between the personal desire and the scientific theories, referring to the feminists' point of view on eugenics.

1) Propositio XVIII, VI. De Servitute Humana seu de Affectuum Viribus, in *ETHICA*, Spinoza

1 Acceptation of eugenics in the administration of government and in the feminists

1. Feminists' acceptance of the eugenics in the 1900s

Before examining the discussion between the feminists, it would be better to take a glance at the history of eugenic administration in Japan.

Eugenics, which had been invented by Galton, was introduced in Japan as soon as its prevalence in Europe and in the United States, and some intellectuals treated it as the best way to improve the physical states of Japanese. But before the birth of eugenics, by the shock of encounter with the United States, philosophers and politicians had insisted on the physical improvement of Japanese people by the way of recommendation of the marriage between the people of "good quality". For example, some journalists insisted on the improvement of the Japanese by marriage with the European people; and Yukichi Fukuzawa, philosopher in Meiji era, who is known for his thought on the equality of people and the importance of education, insisted on the heredity of intelligence and recommended the marriage of selected people in order to improve the quality of the Japanese people²⁾. So when eugenics had been introduced as a science in order to ameliorate the human race, it profited well in the tendency of Japanese society.

At the level of governmental administration, the Ministry of Health was created in 1938 at the demand of the Minister of Army in favor of the augmentation of soldiers in good condition. And at the same time, the government created the Department of Prevention which executed the eugenic administration, but it had not gone well because of a disaccord to the eugenic administration.

At the level of the society, after introducing of the eugenics, some people who had carried out the social improvement, insisted the amelioration of the physical condition of the Japanese by eugenic marriage. The feminists at that time had not been an exception. They applied well the eugenics as the base of their point of view in order to insist the importance of maternity, because eugenics, for their eyes, seemed to guarantee the women's citizenship at the title to being mother.

The most famous controversy about the maternity, was between Akiko YOSANO and Raicho Hiratsuka in 1918 – 1919. They debated on whether if demanding aid from the Nation for mothers having a child meant the dependence on the Nation or not.

This controversy was started by the side of Yosano, the famous poet of romanticism and against the war. She insisted that in order to make possible the equality between men and

2) 鈴木善次 (1983) 『日本の優生学』、三共出版

women, the economical independence was the necessary condition: so demanding aid from the Nation for a woman with a child or children, would not create the equality between the two sexes, because it would make an obstacle for women's economic independence. But Raicho Hiratsuka, the main person who had constructed the base of Japanese feminism and translator of *The Renaissance of Motherhood* by Ellen Key, opposed Yosano, insisting that "becoming a mother of a child, is becoming a member of a society, of a Nation, and the human race". Her point of view was based on the recognition of women's difficulty on economic independence; it is difficult to acquire the economical independence for a woman who brings up her child; but a child does not belong to his/her parents but to the society and the Nation in which a sound child is desirable; so it should be necessary and natural to demand aid for a maternity to the government in order to bring up a sound child, and being a mother makes a condition to being a citizen at the title of bringing up a child who belongs to the society³⁾.

As long as seeing this controversy only from the point of maternity, it sounds like a discussion about the social service for maternity and the relation between women and the Nation. But when we examine what is the maternity they discussed, we can notice easily that the feminism at that time takes advantage of the eugenics as a theory for improving the condition of women. Both side of Yosano and Hiratsuka, they had a common premise that the women in a difficult situation should avoid having a child. And for Hiratsuka, the discrimination of woman was not acceptable, but "the discrimination which is based on the difference from heredity, environment and education", is admissible. We must notice that when they had discussed the maternity, they premised the maternity for the educated women of the middle class, and for the women in difficulty, they had thought that it would better to not have a child⁴⁾.

2. A Turning point in 1970s – the controversies with the people with disability and feminists

After the defeat in the Second World War, some members of the Socialist Party, including the feminists before the Second World War, demanded the establishment of a law to legalize abortion. The experience of defeat made them recognize the need of an improvement of physical strength. On the other hand, facing the lack of the security for women and the food shortage because of the augmentation of population after the war, the society had needed the legalization of the abortion.

The Eugenic Protection Law was established in 1948 with these various interests. This law had the two important characteristics, that is, the conditions of legal abortion and the possibility of the

3) 香内信子編 (1984) 『資料：母性保護論争』、ドメス出版

4) We must also notice that feminists at this time were opposed to birth control because it would reduce the births of sound children by educated women.

legal sterilization without consent. The people in the legal conditions of abortion by this law were:

- a woman or her partner with a hereditary disease, physical or mental, Hansen's disease, etc,
- a relative in the fourth degree of a woman or her partner with the hereditary diseases, physical or mental diseases, Hansen's disease, etc,
- a woman not able to remain pregnant because of a threat to her life, or in the reason of economic difficulty (the economic condition was legalized in 1949).

And the people in the legal conditions of sterilization were:

- a patient with a heredity disease or his/her partner,
- a patient with the Hansen's disease or his/her partner,
- a patient with a mental heredity disease or with a disability (1952~).

From the 1960s, the Government had made a political issue of the number of the abortions, and proposed the Revision of The Eugenic Protection Law. The points of revision were the elimination of the economic reason from the possible conditions of abortion, and the insertion of the unborn child provision in this law.

At first moment, feminists were opposed to only the first point, insisting its elimination from the law would make difficult condition for women, but they did not recognize whether the second point might violate the right for life of the people with disability by the reason of stigmatizing their life as one which was not of good quality to live.

At the same period, there were two remarkable affairs which become an obstacle for the right of disabled people: the case of a mother who killed her disabled child (1970) and a signature-obtaining campaign for her commutation, and the Campaign of the Hyogo Prefecture "Don't have an unfortunate child" (1966 – 1974).

Aoi-shiba-no-kai, The Society of the People with Cerebral Palsy, protested for two events, asking this question: "is it natural that a disabled child is killed by his/her parents?" They made many protest against the society where "normal" members treat the people with disability as a burden to society, and the feminists was not exception of their accusation.

They demanded also to the feminists a response for the question: "if feminists say "it is the woman who decides whether or not to have a child or not having a child", does it comprise the abortion after a positive amniocentesis test?"

This accusation made feminists to reflect on the freedom of one's body, because they had not imagined that the self-determination for abortion made a difficulty to the right for life of someone when they protested for the elimination of the economic condition to legal abortion. By the way, admitting the abortion by the will of a woman may include the abortion by the reason of the state of the fetus. But when a woman chooses a selective abortion, does she willingly chooses this act

by her own will? It is society that makes it difficult to live for disabled children and women; it is the society that demands the all responsibilities and misfortune on disabled children and women; so disabled people and woman are the victim of this society, and at this point, we can cooperate, feminists thought⁵⁾.

Discovering the possibility that insisting on the right for one's body might infringe someone's right for life, the feminists had become to think the right for one's body might have a limit, and they changed the slogan like this: "Not having a child is egoistic, and having a child is also egoistic". This slogan signifies the possibility to open a way for the ethics of care.

We can not forget what happened after these movements. Facing the protestations by the disabled people and the feminists, the government abandoned this project of law. And along with spreading the negative evaluation about the eugenics, people have tended to think this law was out-of-date. Finally, in 1996, The Eugenic Protection Law has been amended and became to the Maternity Health Protection Law which eliminated the all words concerning "eugenics" and the eugenic practices.

2 Eugenics, individual desire, and the scientific theories

1. Eugenics as an ideology and the social classes

When we talk about the history of eugenics, we usually make it begin at the invention of the word of the eugenics by Galton, and treated it as a process which has made oppression of the minority group, especially of the group of the disabled people. But the eugenics has another face, that is, an ideology which had given a reason to justifying the superiority of the higher class in the society⁶⁾.

Before analyzing this nature of eugenics, it would be better to see what people situated as the poverty and saw the people in difficulty.

In the Christian culture, especially under the influence of protestant culture, the people in middle saw the poverty as the sign of a lack of the faith in God and of the virtue, so people in middle class or higher class looked with piety at people in difficulty. The people in middle class didn't think the people in difficulty as beings which were equal to them and didn't try to think that the poverty was brought by the change of the economical structure brought by in the reform of

5) "The cause of the affair in Yokohama, lies in the system of society which demands to women the all responsibility and the all sacrifice to family, and which demands to women and to disability persons the risk to all unhappiness, for the sake of Nation's high growth rate." (米津知子「女性と障害者」、齋藤有紀子編(2002)『母体保護法とわたしたち』、明石書店、p. 228)

6) Gayon explains that people in the middle class in the 1900s accepted eugenics because of fronting with the social anxiety to another social class (Jean Gayon, "Le mot eugénisme est-il encore d'actualité?", in GAYON, J., JACOB, D. (2006) *L'éternel retour de l'eugénisme*: PUF, p. 131

industry, as we see in the history of modernization in England.

When Japan started into diplomatic relation with the United States and European countries, the government of Meiji decided to abandon the hierarchy of the classes in the Edo Period, which had been consisted in samurai, craft worker, farmer and marchland. Fukuzawa is known as the person who insisted on the equality of the people in these four categories at that time. But the intellectuals before the end of the Second World War, including the feminists, could not be free from the point of view that the poverty was the source of the crimes and a burden for the society. Reception and introduction of the thought about the improvement of society in Christian culture, I think, renewed the stigmata about the people in difficulty, connecting the old framework of the class.

We shall return to the discourse of the feminists in the 1910s. The point of view of Yosano and Hiratsuka had in common an opinion about the women in difficulty that the poor women had often illegitimate children which would bring the evils or the burden to the society. What they had disputed the protection of maternity is only for the women in the middle class ⁷⁾.

The controversies indicate that the very feminists, who thought the problem of discrimination between man and woman, could not be freed from the class consciousness. And the eugenics doesn't give only the base to the protection of maternity, but also a basis for insisting on the control of the procreation of the women in difficulty.

2 . Eugenics and the limit of self-determination

In the 1970s, as we see, the movements of the disabled people changed the view on the eugenics. The controversies between the disabled people and the feminists put some light on the problem about the self-determination in the procreation.

Autonomy is one of the important principles in bioethics, and the self-determination is the important element of it. But using this notion for legitimating the choice of individuals without examining its nature, we open a door to other ethical problems.

Improving the society is itself done in the purpose of the realization of the social welfare for all its members. But now, "the quality of life to live" depends on the economical situation. Living a long life without sickness is promised for the wealthy people, a good evaluation toward his/her contribution to the society, the success in developing the society and so on. These qualities are used to identify on the nature of the middle or higher class, and the eugenics describes a desirable image of a person after the model of the middle class.

The liberal eugenics is faithful to the last point. In principle, the liberal eugenics consists in the

7) Yosano and some feminist of socialism like Kikue Yamakawa, added in the object of protection the girls in the spinning factories.

genetic enhancement and the genetic elimination based on the self-determination. A distinctive feature of this type of eugenics is not on its constraint but lies in the willingness of individuals in the name of the autonomy or of the self-determination, as we see in the discourse of Kitcher: “Identically, citizens are not coerced but make up their own minds, evaluating objective scientific information in light of their own values and goals”⁸⁾. In other word, if people interiorized the principle of liberal eugenics, people won’t hesitate to reduce the number of people in difficulty, including the poor people, with genetic enhancement, and the theory of eugenics will loose its role – this will be the ideal future of liberal eugenics.

As long as hearing what the liberal eugenics realizes, it sounds very delightful. But when we examine the another face of the eugenic practice and administration, it is clear that the ideal image of future in liberal eugenics constructed on the system of values used now, which might be the only one variation limited by one society, and that it may also reflect the handicap-phobia in it. We must keep in mind that when we take some nature as one due to be eliminated, it may aid to construct a society which demands a minority people to sacrifice oneself for the society.

3 When the scientific theories fortify the human desire

The history of eugenics makes us to consider the relation between the personal desire and the technology, too.

We are used to understand “the truth” in natural science as a neutral one – from the system of values, the religion, our conviction, and so on. Especially about the independence from the religion, in Christian culture, the scientists had acquired it after the long battle against the church since the 16th century. But the scientific theories don’t have neutral nature, because the very scientists live in the society and cannot escape from the system of values in this world.

By examining the relation between the science and the society, we may notice some dimensions: at first, that of the relation between the scientist and the society, including the responsibility or accountability of scientists toward the society; second, that of the social influence on the purpose of the scientific studies, that is, the scientific paradigm in relation to the society, as Kuhn clarified in his book *The structure of scientific revolutions*; and last, that of the understanding of the society on the scientific theories. The eugenics, either Galton’s eugenics or the liberal eugenics, has to do with the above mentioned third dimension.

Galton took advantage of Dawinism in his idea of the improvement of the human race and the reevaluation of Mendelism helped its popularization. As long as they are the scientific hypothesis,

8) KITCHER, P. (1997) *The lives to come*: A Touchstone Book, p. 196

Darwinism and Mendelism might only have a little influence on the society; but once these hypothesis are introduced as a theory which is seemed to reach at “a truth”, non-specialist people takes it as “a definitive and objective truth”; its meaning changes at the demand of the society, and “the truth” is applied to create a discipline; and furthermore, “the truth” causes another individual/social demand or desire which the scientists could not foresee. We know well what happened after the success of in-vitro fertilization.

Personal desire is at first produced by the needs of life, that is, “*conservatio sui*”, as Spinoza and other philosophers in the 17th century say. The personal desire was justified in the philosophical writings in relation to the definition of human as an existence to die: in order to live until one’s death, everyone must conserve his/her life; so the personal desire was situated as the fundamental human nature.

But the desire as one fundamental nature changes its meaning in the context of the modern social life: we have it because we feel that something is lacked in our life. And in modern consumers’ society, it is the information, especially the commercial advertisements that stimulates more human desire.

The Application of IQ test gives an example near to this system. This test, which compares the mental age and the intellectual age of a person, was invented in France as a meaning to looking for children who have some difficulty to study and to take special care in their education. But when it was introduced in the United States, some researchers insisted on the intellectual heredity using false data of IQ test, and people started to use it as the useful tool to discriminate the people by their race and origins ⁹⁾. And now, although the Genetic Society of America made a referendum which recognized the limits of the IQ test ¹⁰⁾, this test passes as the almost perfect criteria to differentiating the children in process of development and furthermore, gives one component of advertisements in sperm/eggs business.

In the modern society, to have a desire to something signifies to have a desire to be recognized by the others and the society to belong; and the information which say a group of researchers discovers a material or success to develop some medical practices, produces other possibilities for applying it as the meaning to realizing the personal demand, which changes easily to the social demand. But the scientists and the technicians have nothing to do it about the change of the use.

On the other hand, the modern society recognizes the self-determination as a fundamental principle as one of the conditions to be a democratic society, and the personal desire is also admitted as long as it is harmless to other’s freedom and rights. One of the problems about the

9) JACQUARD, A. (1981) *Eloge de la différence: La génétique et les hommes*: Editions du Seuil, pp. 166 – 171

10) *Ibid.*, pp. 185 – 186

personal desire lies in the difficulty to differentiate the desire which can interfere with someone's rights. But the controversies between the disabled people and the feminists in the 1970s point out that it is necessary to examining if our desire must be realized under any condition.

The protestations of the disabled people in the 1970s teach us that the voice of the very person concerned must be listened to. In the case of the controversies in Japan, the right or the freedom for one's body is not absolute – we know well that there is no place to deny that we have the rights on our own body and that the legal abortion is necessary as one possible alternative for women facing an unexpected pregnancy. However, we have to know also that some kind of abortions, like the selective abortion, may interfere with one's right for life.

Conclusion

The controversies which we have examined here, may have a history limited to a country of Asia. But in order to look out promptly the shadow of the eugenics and to show which problems they create, especially as a foundation to justifying discriminations, the Japanese experience may be useful and has worth to be examined.

I would like to add here one negative consequence that the eugenics may bring. In the history of the eugenics, as we have seen, the discrimination of poor people was justified because they seemed useless existence; the eugenics made possible to justifying the elimination of people in difficulty in the name of the science, and, furthermore, made a the difference between the successful people and others. Now, in Japan, we can see the problems of the overwork in the young full-time workers and that of the poverty of the young part-time workers. What would we say in future about the young people in difficulty if we take natural the liberal eugenics ?

If we admit in the administration the eugenic direction or the point of view of the liberal eugenics, they may be very useful for one part of the society in order to justifying the deprivation of the right for life of the people in difficulties, but we can look out the problem there and think about the necessity to guarding the human rights, if we are conscious on the pain of the members of this society.

Spinoza says that there is no existence which is unnecessary in the world where all existence is an appearance of God ¹¹⁾ ; in modern times, we can understand his words that everyone has the dignity; we can also say that the fact of existence testifies the entitlement to being a person.

Considering the problem which the interests of people concerned are in conflict with the femi-

11) Axiomata I, XI, XIV and XV in Pars Prima of *Ethica*
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nist's history in Japan gives some ideas. To create a society in which various values can co-exist, I think, we must continue to examine the credibility of the discourses with scientific appearances, and to listen the voice of the people concerned.