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From Fukushima: To Despair Properly, To Find the Next Step

Norma Field

We are ogres of the North

"Those of you from Fukushima, please stand. Hello, everyone! I came here from Fukushima. I came today with many busloads of companions from Fukushima Prefecture and from the places where we've evacuated."[1]

Meiji Park (Tokyo), September 19, 2011. Many participants from Fukushima dressed in matching yellow T-shirts bearing such words as "Let's protect our children from radiation" and "We don't need nuclear power."

(Source)

These unassuming words begin the speech that electrified the 60,000-some gathered under an intense autumn sun for an anti-nuke rally in Meiji Park on September 19, 2011. Six months had passed since the triple disaster. The rally was dramatic evidence for a world that had forgotten the first postwar decades that Japanese people could, and indeed do, protest. Mutō's speech spread over the internet, over the archipelago and into the world. Six months later, she would be heading The Complainants for Criminal Prosecution of the Fukushima Nuclear Disaster, whose activities represent the most sustained, and to date, only successful effort to seek criminal prosecution of individuals responsible for the Fukushima nuclear disaster.

What are the features of that speech that have given it a distinctive place in the annals of postwar Japanese movements? What does it tell us about the kind of leader Mutō has become and the movement she represents?

First of all, it is beautiful. Whether in Japanese or English translation, its lyrical precision invites reproduction in the form of poetry. Take the lines invoking the choices pressed upon people in the early aftermath of the disaster:

> To flee, or not to flee.
> To eat, or not to eat.
>
> To hang out the wash, or not.
> To make children wear masks, or not.
>
> To plough our fields, or not.
> To protest to someone, or remain silent.

How deftly they capture the relentless tension of those days, both for those who lived it and for those learning about it. Care of selection makes the activities convincingly representative, as social roles with particular textures of exposure threat. The beauty makes their rehearsal bearable, and the ability to hold these painful experiences in mind creates an

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opening to action, invoked in some of the most memorable lines of the speech that respond to the warning, "'Do not take us for fools/Do not rob us of life'":

> We are ogres of the North
> quietly burning
> the fuel of our anger.

"Division," or *bundan*, continues to be a recurrent word designating one of the thorniest problems afflicting Fukushima. It might be said that TEPCO and the state expend what ingenuity they have in exercising the principle of "divide and conquer." This speech acknowledges the pain of division, explicitly and implicitly: people have responded in opposing ways to the series of choices, so-called, enumerated above. Because of the pervasive, invasive anxiety produced by the prospect of exposure, neighbors are readily threatened by neighbors' decisions about mundane and definitive life choices. Mutō draws them together as "ogres of the North" (Tohoku), reminding them of their centuries-old union as dominated peoples capable of mounting resistance against centralized power.

Which brings us back to the modest opening, the insistence that the speaker is one of a large group of suffering, determined people, some of whom have left, others staying behind. As Tomomi Yamaguchi explicates in a thorough discussion of the formation of the Complainants group, Mutō, through her predilection for women's nonviolent direct action in her antinuclear activism extending back to Chernobyl (1986), is a believer in shared organizational leadership, the principle of the "level field."[2] Katsuya Hirano's interview reveals how the elements manifested in the September 2011 speech translate into the kind of leadership she has developed in a movement involving men and women in the arena of the law, a nonviolent stage, to be sure, but one of abstraction, impersonality, and temporal delay.

Legal struggles

At present, there are approximately 30 Fukushima-nuclear-disaster-related cases making their way through the courts. They take the form of "group litigation" (*shūdan soshō*, not to be confused with American-style "class action suits"),[3] involving more than ten thousand plaintiffs.[4] Among environmental lawsuits, the Okinawa Kadena Air Base Noise Pollution suit (3rd round, 2011), with 22,000 plaintiffs, is said to be the largest, but the Fukushima lawsuits already exceed the 8,000 involved over the years in the Minamata mercury poisoning case, the largest of the "Big Four" pollution cases.[5]

As an outgrowth of work with the Complainants, Mutō Ruiko helped organize a national group, Hidanren (Gempatsu Jiko Higaisha Dantai Renrakukai, or the Liaison Council of Victims of the Nuclear Disaster). Established in May of 2015, it continues to seek affiliates for mutual support, including pooling the knowledge gathered along the arduous path of legally challenging the state and the nuclear industry. Although many of the names of membership organizations, including "observers," take the form of "xx [place, often an evacuation location] Nuclear Power Plaintiffs," others give a more vivid sense of plaintiff identity: The Association for the Trial Seeking to Protect Children from Radiation Exposure; The Association to Protect Evacuee Life; Plaintiffs in the If Only Nuclear Power Had Not Existed Trial; "Give Us Back Our Livelihood, Give Us Back Our Land": Fukushima Nuclear Power Plaintiffs; Denouncing Nuclear Power Damage: Fukushima Petitioners of Iitate Village. The last-named group is engaged in an ADR (Alternative Dispute Resolution) procedure outside the courtroom. Individuals and groups, including prefectural governments, have had recourse to ADR in the hopes of swift settlement, Many have been disappointed, however, by TEPCO's refusal to accept the sums suggested by a national dispute resolution center and ended up going to court.[6]

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Two major categories of claims have emerged from these struggles: compensation for loss, psychological as well as material, and support for continued evacuation. It goes without saying that the government and TEPCO wish to minimize such forms of expenditure, and that that wish is inextricable from the desire to minimize, preferably to deny altogether, the impact of the nuclear disaster, thus safeguarding the role of nuclear power in the Japanese energy mix as well as overseas sales. The migration of the "safety myth" from nuclear power itself to radiation exposure can be traced in the breathtakingly cynical redefinition of safety as measured in air dose rate from the government's original decontamination goal of 1 mSv per year to up to 20 mSv per year. The threshold of 20 mSv per year, averaged over five years, is the ICRP (International Commission for Radiological Protection) standard for industry workers, not the general public.[7] Combining the announcement of compensation cutoffs (for mental anguish and damage to business) with lifting evacuation orders from "preparing-to-lift-evacuation-order zones" and "residency-restricted zones"(most recently, on July 12 of 2016) effectively reinforces the new safety campaign,[8] which, moreover, must have completed its work in time for the 2020 Tokyo Olympics. It was in September of 2013 that Prime Minister Abe, bidding for the Olympics in London, declared Fukushima to be "under control." Now Mr. Abe is even suggesting reopening parts of the "difficult-to-return zones."[9] In the meanwhile, compensation payments, like the initial designation of concentric zones of risk/safety, with their inevitable semblance of arbitrariness, have yielded the by-product of suspicion and resentment, in other words, division.[10]

An especially urgent target of struggle is the cut-off of housing aid, announced for March 2017, to so-called "voluntary" evacuees. Because they left without government orders, they have been eligible only for housing assistance under a general disaster relief law. Their very status as "voluntary" evacuees is the result, of course, of the excruciatingly parsimonious designation of zones warranting departure. The anxiety understandably provoked by general awareness of the sensitivity of children to radioactivity—even or especially among those who have thought themselves unable to leave—has made this a distinctly fraught issue. "Don't you love Fukushima? Why do you want to hurt it?" is the sort of question leveled at parents who have stayed away.[11] The imminent cut-off of housing aid for evacuee families, most of whom have had to maintain two households, means that "parents must now choose between submitting their children to poverty or to radiation exposure."[12]

The mission of the Fukushima Complainants

The organization Mutō Ruiko heads, The Complainants for Criminal Prosecution of the Fukushima Nuclear Disaster, shares the concerns of the civil suits referred to above. What distinguishes it, then? Citizens can file a criminal complaint with the police or prosecutors when they believe that a crime has been committed but has not been pursued by the police or prosecutors. To do so is to insist that responsible parties be identified by public authorities and not just by private citizens who feel they have sustained injuries. In the case of Fukushima, it is a refusal to accept the nuclear disaster, let alone its aftermath, as an act of nature. Unlike the civil suits, compensation is not the object. In the words of the Complainants:

> We are people who have had to leave behind our hometowns.
> We are people who continue to live, exposed to radiation, in our transformed hometowns.
> We are people who suffer, feeling the suffering of our neighbors as our own.

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> And we are people who seek to put an end to the repetition of the tragic history of this country in which sacrifices are imposed on human beings in the name of the economy, corporations, and the state.
>
> What caused this accident?
> Why were actions taken that have augmented the damage?
> We must elucidate the truth and halt the damage caused by the continuing disaster.
> Those who should be held responsible should take responsibility and make amends for their errors.
> We must make use of the resources provided by a democratic society.
> In the act of filing our complaint,
> from the depths of our anger and sorrow,

As Mutō observes to Hirano, recognition of oneself as a victim demands effort, especially when social conditioning suggests that life and livelihood are more secure if one is numb to exploitation. Without establishing the truth about responsibility, both the prevention of future repetition and mitigation of ongoing harm are hamstrung; without acknowledging victimization, the harm itself remains obscure. These elements are interdependent in the logic of this complaint.

This simple yet profound logic was fleshed out into legal documents bearing the names of 1324 Complainants, ages 7 to 87, all residing in Fukushima at the time of the explosions, and of 33 accused parties, filed in the Fukushima District Public Prosecutors Office. The 33 included officials of TEPCO, heads of relevant government agencies, and medical experts.[14] Of these, only 3 remain as defendants in the forthcoming criminal trial. In the Hirano interview, Mutō especially regrets the difficulty of pursuing the responsibility of medical authorities: they have played a leading role in "augmenting the damage" by minimizing health risk, with consequential policy decisions. Filing in Fukushima rather than Tokyo reflected the hope that local government officials might be mindful of their own vulnerable humanity, shared with other residents of the prefecture. In the event, the complaint was moved to Tokyo, lumped with two others, and summarily dismissed on September 9, 2013, the day after Prime Minister Abe secured the 2020 Olympics.

The Complainants then had recourse to a relatively novel institution, the committee for inquest of prosecution (*kensatsu shinsakai*), consisting of 11 randomly selected citizens with an attorney serving in an advisory capacity. (Readers may envisage something comparable to the US grand jury, but without prosecutorial involvement.) The requisite majority of 8 found three of the accused "appropriate for indictment," whereupon the case was sent back to the Tokyo District Public Prosecutors, who once again elected not to indict. The last resort of the Complainants was a new committee for inquest of prosecution. In July of 2015, this committee, too, decided in favor of the indictment of three TEPCO executives. This, then, triggered a mandatory indictment, with five attorneys—an unprecedented number—appointed by the Tokyo District Court to serve as a prosecution team.

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"We are victims who fight back!" Launch of the Support Group for the Fukushima Nuclear Power Plant Criminal Proceedings ***Mutō Ruiko is second from left. (Tokyo, January 30, 2016). Photo by Sato Naoko.***

When will the trial actually begin? That is unclear; the prosecution has filed its materials, but the pretrial conference procedure may be protracted. Still, given the demonstrated unwillingness of the public prosecutors to indict under a political regime committed to nuclear restarts, it is a near-miracle that a criminal trial is slated to take place. With the Minamata mercury poisoning case, it was 1976, a quarter of a century after the first signs of disease when the Kumamoto Public Prosecutors indicted the former head of Chisso Corporation and the factory supervisor. It is also the case that preceding civil lawsuits yielded a Kumamoto District Court decision in 1973 that may prove especially relevant to the Fukushima case: in response to Chisso Corporation's argument that because the appearance of Minamata Disease in Kumamoto was unprecedented, it could not have anticipated the health impact of its procedures, the court held that a chemical factory had a special "duty of care" with respect to the impact of effluents on the lives and health of surrounding residents.[15]

The Minamata precedent, legally, politically, and socially, is, however, mostly sobering for Fukushima. Even a welcome, newly awakened sense of empathy among victims of environmental disaster has its distracting, potentially harmful aspects: as Mutō makes emphatically clear in her conversation with Hirano, mercury poisoning and radioactive contamination must not be conflated. Whatever the good will underlying proposals to show support by adopting Fukushima produce in Minamata area school lunches, not only is there no guarantee that only uncontaminated items will be shipped, but such gestures feed into the safety myth by accepting the rhetoric of "eat and support" (*tabete ouen*) and "reputational damage." More generally, there are worries that the divisions and protracted pain of Minamata are being repeated in Fukushima.[16] The trial will certainly result in the disclosure of valuable information *for the public record*. Given that the tsunami has buttressed TEPCO's insistence that what happened was an unforeseeable natural disaster, internal evidence indicating willful dismissal of recommendations for taking protective measures for the sake of economizing will be key.[17]

Underscoring, by unfortunate contrast, the Complainants' unusual victory in securing criminal prosecution is the recent (June 23, 2016), swift decision by a committee for inquest of prosecution on a separate complaint launched by the Fukushima Complainants to the Fukushima prefectural police in 2013, arguing that the continued release of extraordinary volumes of contaminated water into the Pacific constituted a pollution crime. The police refused to charge TEPCO executives, and the judicial inquest committee concurred. For the time being, it seems unlikely that unfettered contamination of the ocean by a range of radionuclides, presumably a matter of international concern, will be examined in the courtroom.

To find the next step: despair and truth

> (1) Not a day goes by when I am not tormented by shame and guilt that "my continuing to teach here is the cause for children to be exposed to radiation."
>
> (2) The words of well-meaning outsiders—"It's dangerous," "Why don't you try to escape?" bring

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> only more pain to those who have stayed behind. Someone even said to me, "You're the one who's murdering the kids."
>
> (3) I can no longer meet with the friends and acquaintances I've made.... Some of them I've lost. Because I evacuated, a psychological gulf, a division, has set in between me and friends and acquaintances who didn't or couldn't.[18]

Especially in the process of soliciting the first round of Complainants—anyone, regardless of age or nationality, residing in Fukushima in March 2011—Mutō and her partners took pains to support self-examination. One record of that "conscious effort to become aware of [one's] victimhood" is a selection of fifty statements by Complainants from that first round, collected and published in 2013 The presentation is a novel one, by age of writer at the time of the triple disaster, ranging from 7 to 87. Beginning with its evident respect for losses suffered by children, this arrangement of expressions of grief, anger, and anxiety becomes a richly concrete composite of life stages gone badly awry thanks to the nuclear disaster itself and its handling in the continuing aftermath.

Fukushima Radiation: Will You Still Say No Crime Was Committed? Statements by 50 Complainants for the Criminal Prosecution of the Fukushima Nuclear Disaster (ebook, 2015)

If courageous effort is required to name oneself a victim willing to accuse others of a crime, then additional effort becomes necessary in order to reveal the grounds for that decision in a publication. Of the fifty statements in this booklet, the writers of 26 are presented anonymously, through initials, place of residence or evacuation, occupation, or no identifying information whatsoever except for gender. Interestingly, 33 of the writers are female, 17, male. Of the former, 24 are anonymous in contrast to 2 of the latter. Was there a striking preponderance of female Complainants, or did they tend to write more vividly, tying the harm they had suffered to their life experiences? And having permitted publication, why were they proportionately more inclined to seek anonymity?

"To flee, or not to flee" was the first example Mutō gave in her 2011 speech of pressing decisions forced on Fukushima residents. The

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heavy consequences of choices made are exemplified in the excerpts from three statements quoted above. Examples (1) and (2) show the risk incurred in choosing to stay and, especially, continuing to work with children. The first is by Yamauchi Naoko, a special needs teacher; the second, by Sasaki Michinori, a Buddhist priest and head of a kindergarten associated with his temple, himself the father of young children. (Mutō recounts Sasaki's asking Dr. Yamashita Shun'ichi, the prefectural medical adviser summoned from Nagasaki—he of laugh-and-ye-shall-not-be-touched-by-radiation fame—whether he would bring his own grandchildren to play in the sandboxes of Nihonmatsu; Sasaki and especially his wife Ruri play key roles in Kamanaka Hitomi's documentary, *Little Voices from Fukushima*.[19]) Example (3) comes from a statement by an anonymous woman who has evacuated to Hiroshima with her child, leaving her husband to work in Fukushima. Their appearance together in these pages is precious because even though they have given opposite answers to that first, critical question, they have not turned against each other: all three are Complainants, willing to attest to the harm inflicted on them and in the case of the first two, *continuing anxiety* about staying on.

Little Voices from Fukushima **by Kamanaka Hitomi (2015)**

Five years after the beginning of the catastrophe, and one year after Hirano's interview of Mutō, the tension between those who left and those who stayed behind has only grown. For those who stay on, and especially for those with children, any suggestion of health risks is ever more unwelcome. (There is yet another group, those who give up and return, who may become the most ardent believers in Fukushima safety.[20]) "Reconstruction" seems undeniably real, embodied in the dump trucks hurtling along with their loads of soil carved out of mountainsides to replace what had been removed in decontamination[21] and construction materials for the convenience stores and community centers to anchor the replacement habitats. Should we pause over the young women who direct traffic along the dusty routes, without the protection of even the most casual of masks? No doubt this is a precious form of employment in the region. Why should such forward-looking efforts be hampered by the possibility of ill health for who knows how many years hence? What if the road now traversed mainly by dump trucks were to become part of the Olympic torch route?[22]

Fukushima health anxiety intertwines two potent strands of dread: (1) fear of illness and (2) fear of discrimination, tracing its way back to the hibakusha of Hiroshima and Nagasaki. Together, they sustain a regime of mutual surveillance and self-censorship as pervasive and penetrating as anything the state could wish for. Of course, we should note the role of radioactivity's inaccessibility to our senses and the delayed appearance of health effects in shaping the ways in which anxiety is expressed—or not expressed. Kawai Hiroyuki, a lead attorney for the Fukushima Complainants, points to the peculiar lacuna—"like the missing center piece of a jigsaw puzzle"—at the heart of all Alternative Dispute Resolution (ADR) cases and the lawsuits involving more than 10,000 plaintiffs: they all concern compensation for property or mental anguish, but the reason why

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the plaintiffs seek compensation for their property and mental anguish, that is, fear of illness, goes unaddressed, stymied by the insistence on the part of medical experts that "it is difficult to think" (*kangae nikui*) that there is a causal relationship between manifest evidence of illness, especially childhood thyroid cancer, with the nuclear accident.

Nuclear Japan **by Kawai Hiroyuki (2014) Kawai standing to the left of collaborating attorney Kaito Yūichi**

Kawai made this observation at a remarkable event, the press conference announcing the launch of the 311 Thyroid Cancer Family Association on March 12, 2016.[23] Three advisers of the group—a former local politician and a physician, along with Kawai—made this an exceptionally informative public event.[24] But it was above all the format of the occasion that made it unforgettable. Billed as a "coming out" (*kamingu auto*), appropriately enough, since patients and their families had not appeared in public, the press conference had journalists gathered in a room in Tokyo, and two fathers appearing via Skype from Fukushima—but with only their torsos showing and their voices altered. To facilitate Q&A, one was dressed mostly in white, hence, referred to as "the person in white," and the other became "the person in black." The fathers recounted with careful, almost painful, restraint their and their children's experiences through diagnosis and surgery, what they were told and not told. They wanted to know, if the nuclear disaster wasn't the cause, what was responsible for their children's disease?

Press conference announcing launch of the 311 Fukushima Thyroid Cancer Family Association. March 12, 2016. Tokyo and Fukushima. (Source)

This was meant to be, and in context, indeed was, a hopeful beginning: the beginning of the end to an isolation compounding the devastation of one's child's serious illness following a catastrophe. And we must imagine the courageous determination required of these fathers to speak to the press.

And yet. Why could it happen only in this guise? What historical experiences (the atomic bombings, of course, but also Hansen's Disease, tuberculosis, etc.) and social structures have made it apparently necessary for victims to present themselves as if they were the wrongdoers? No one should be forced into disclosing a stigmatizing condition, but how can the condition be addressed and the stigma challenged, if enjoining secrecy is the kindest solution society is prepared to offer?[25]

In 2012, Hiroshima hibakusha Matsumoto Akiko wondered, "Like most children, I did as I was told and didn't let anyone know I was a hibakusha. What if all of us hibakusha hadn't

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tried to keep our identities secret? Would Fukushima have happened?"[26]

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There is a remarkable moment in Hirano's interview of Mutō Ruiko when she embarks on an elaboration of why she doesn't want a movement motivated by fear, even if "radiation is ... terrifying." She goes on to say, "I want to take on despair, too, and despair properly." She deflects Hirano's invitation to describe this as a process leading to hope. Rather, she insists on the importance of *knowing*: "I'm the kind of person who wants to know. I want to know the truth."

What might it mean to embrace despair, despair over "what our country is doing to us"—denying, in effect, that something irreversible had happened, thereby obstructing the possibility of genuine remediation, a remediation that would put life first. As time passes, this denial drives more and more weary people to collude in the denial of their victimization and to continue to place themselves and their children at risk. Mutō observes, but does not criticize such people. In those exhausting but suddenly hopeful days when the trauma was still fresh, when 60,000 people turned out to say good-bye to nuclear power, she had urged, "However cruel our path, let us not avert our gaze, let us support each other."

Born on August 15, she was given the name Ruiko (類子) by parents who associated that day with "humanity."

My warm thanks go to Kats Hirano for letting me participate in this project and to Mark Selden for his inordinate editorial patience. I thank Mutō Ruiko for living as she does. I also want to thank people living in Fukushima or northern Kantō and Osaka (as evacuees) who have shared their stories. Whenever I think about them and others I will never meet, I want to say, "I'm sorry for how I speak and write about you, even as I know that I can't ever fully know what you are experiencing."

Japanese Translation

Katsuya Hirano's Interview with Muto Ruiko

Norma Field, a professor emerita from the University of Chicago, is co-editor, with Heather Bowen-Struyk, of *For Dignity, Justice, and Revolution: An Anthology of Japanese Proletarian Literature* (University of Chicago Press, 2016); editor and co-translator, with Matthew Mizenko, of *Fukushima Radiation: Will You Still Say No Crime Has Been Committed?* (Kinyobi, 2015); author of *Kobayashi Takiji: 21seiki ni dō yomu ka* (Iwanami Shinsho, 2009). With colleagues she maintains the Atomic Age website in English and Japanese. She is a contributing editor of The Asia-Pacific Journal.

Notes

[1] For the full text of the speech, see here; translation by Emma Parker, modified.
[2] "Mutō Ruiko and the Movement of Fukushima Residents to Pursue Criminal Charges against TEPCO Executives and Government Officials, APJ-Japan Focus (July 1, 2012).

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[3] In Japanese civil procedure, there is no provision for class action, which, in the U.S., makes it possible for one party to represent an entire class of similarly injured parties, identified and not identified; in "group litigation," each plaintiff is separately identified and damages, if awarded, are limited to the injuries specific to each plaintiff. My thanks to Lawrence Repeta for clarification.

[4] " 'Genkokudan zenkoku renrakukaigi' kessei 9700nin sanka," *Mainichi shimbun* (February 13, 2016).

[5] "Kakudaisuru Fukushima gempatsu soshō, kuni to Tōden no baishōgaku fueru kanōsei mo," Reuters (August 17, 2015). On the "Big Four" cases, see Frank Upham, *Law and Social Change in Postwar Japan* (Harvard UP, 1987).

[6] For example, TEPCO rejected sums proposed by the center six times over two years and nine months after 20,000 residents of Namie Township filed for compensation for mental anguishTEPCO. "[Shinsai kara 5nen] 'Songai baishō' ADR shinri ga chōkika Tōden wakaian o kyohi 'Shikumi no keigaika' shiteki mo," *Fukushima minpō* (August 2, 2016).

[7] See the ICRP Guidance for Occupational Exposure. Recall the tearful resignation of Tokyo University professor Kosako Toshiso, a government nuclear adviser, when the government announced 20 mSv as a safe level of exposure for school children in April 2011. There is also a "Minami Sōma Demand to Retract the 20 mSv Standard" lawsuit. See the support group website for vivid accounts of dealings between municipal representatives and officials of the Environment Ministry, in which the bureaucrats of the central government explain to the locals that they are presenting "explanations" and not engaging in a "consultative" meeting.

[8] Kakudaisuru Fukushima gempatsu soshō; see also David McNeill and Androniki Christodoulou, "Inside Fukushima's Potemkin Village: Naraha," APJ-Japan Focus (October 19, 2015).

[9] "Kikan konnan kuiki, natsu made ni minaoshian Ichibu kaijo mo Shushō hyōmei," *Asahi shimbun* (March 10, 2016).

[10] "Gempatsu jiko 5nen, baishō meguri jūmin bundan, onaji machi de kotonaru kyūsai," *Nihon keizai shimbun* (March 2, 2016). This is a separate topic for investigation, but it is worth noting how, on the one hand, the state and TEPCO have promoted differential, even discriminatory treatment in paying out compensation, while, on the other, pushed debris incineration throughout the country and more recently proposed "recycling" radioactive soil accumulated through decontamination in road construction projects throughout the country: in other words, reward differentially (on grounds that appear purely arbitrary) but burden equally, in the name of national solidarity or cost-savings (the recycling proposal).

[11] Stated by Morimatsu Akiko, whose husband has stayed in Koriyama while she lives in Osaka with their two children, from the floor of the 50th Anniversary Meeting of the Hokkaido Religious Association for Peace (Hokkaido Shūkyōsha Heiwa Kyōgikai, Sapporo, November 7, 2015). Morimatsu has become co-chair of the Genkokudan Zenkoku Renrakukai (National Liaison Council of Plaintiffs), with 9700 members.

[12] Nakate Seiichi, head, "Plaintiffs for Nuclear Disaster Compensation, Hokkaido" in his presentation at the Hokkaido Religious Association for Peace anniversary meeting.

[13] From the website of the Complainants. This is part of the "statement" at the time of the second-round filing, with 13,262 Complainants from all around Japan. (There were 1324 first-round Complainants, those resident in Fukushima at the time of the triple disaster.)

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Translated by N. Field.

[14] For a partial list in English, see here; full list, Complainants' website.

[15] See Japan Institute of Constitutional Law discussion here. For an informative survey of how the state has been unconcerned with maintaining even the appearance of prioritizing citizen life over corporate protection, see Yoshinaga Fusako and Gavan McCormack, "Minamata: The Irresponsibility of the Japanese State," APJ-Japan Focus (December 10, 2004).

[16] "Minamatabyō, kōshiki kakunin kara 60nen Naze Fukushima de mo, onaji koto ga kurikaesareru no ka," Huffington Post (May 20, 2016).

[17] See source and supplementary materials for Soeda Takafumi, *Gempatsu to ōtsunami: Keikoku o hōmutta hitobito* (Iwanami Shinsho, 2014).

[18] Statements #32, 14, and 10 from *Fukushima Radiation: Will You Still Say No Crime Was Committed? Statements by 50 Complainants for Criminal Prosecution of the Fukushima Nuclear Disaster. Translated by Norma Field and Matthew Mizenko* (2015). This is an electronic version in English of the print booklet from Kinyobi Publishers, *Kore demo tsumi o toenai no desuka! Fukushima Gempatsu Kokusodan 50nin no chinjutsusho* (2013). The English text updates the original with a "sequel" to the afterword by Mutō Ruiko in response to the various decisions of public prosecutors and committees of inquest for prosecution.

[19] Shuttling between Fukushima and Belarus, Kamanaka's documentary provides a rare glimpse of a lived contrast between post-Chernobyl and post-Fukushima policies. Incidentally, Mutō did the Japanese voiceover for Dr. Valentina Smolnikova, pediatrician and founder of "Children of Chernobyl."

[20] "Fukushima fukkōron Taidan: boshi hinan to kikan o sasaeru," *Mainichi shimbun* (February 4, 2016).

[21] It is commonplace now to observe that the neologism *josen* ("decontamination"), "removal of radioactively contaminated materials" should have been *isen*, "transfer of radioactively contaminated materials." In any case, the materials are stored in "flexible container bags"—glorified garbage bags—and stacked five deep and covered over with tarp for rain protection. While they await an intermediate storage site, they have begun to split and sprout and sport gas-venting pipes.

[22] "Seika rirē 'Kokudō 6gō' de Shushō ni Futaba, Futaba Shōyō Kōsei ga yōbō," *Fukushima minyū* (April 5, 2016).

[23] The press conference (in Japanese) may be watched on youtube. A transcript of Kawai's introductory remarks may be found here. The website of the Family Association is here. In addition to all of his nuclear-related legal activities, Kawai has recently made an acclaimed documentary, *Nuclear Japan*, in part as an effort to educate judges along with the general public. A young woman who has had thyroid cancer surgery speaks on camera, though without disclosing her name, to Ian Thomas Ash; she hopes to encourage other young people to be examined. Toward the end, she reveals that her boyfriend's parents urged them to break up after her illness was discovered. Marriage discrimination is alive and well.

[24] Chiba Chikako's words are transcribed here, and Dr. Ushiyama Motomi's words here. Dr. Ushiyama states that the commonly held view that thyroid cancer develops slowly and is easily treated through surgery is not applicable to children, and she also counters the "screening effect" and "overdiagnosis" interpretations of the cases confirmed through the Fukushima Prefectural Health Survey: of the 116 patients (18 and under at the time of 3.11)

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who have undergone surgery, over 90% had tumors that exceeded the minimal size recommended for surgery or, even if the tumors were small, they had moved on to the lymph nodes or metastasized to the lungs. For a thoroughgoing analysis of the childhood thyroid cancer controversy, see Piers Williamson, "Demystifying the Official Discourse on Childhood Thyroid Cancer in Fukushima,"APJ-Japan Focus (December 5, 2014); for a study taking into account various ills as reported by hospitals post 3.11, see Eiichiro Ochiai, "The Human Consequences of the Fukushima Dai-ichi Nuclear Plant Accidents," APJ-Japan Focus (November 21, 2015); for the long view on impediments thrown up in the study of radiation and health effects, hearkening back to the redoubtable (and beleaguered) Alice Stewart, see Gayle Greene, "Science with a Skew: The Nuclear Industry after Chernobyl and Fukushima," APJ-Japan Focus (December 25, 2011); finally, on a factor that is stunningly under-remarked even though it appears in the 2006 National Academy of Sciences BEIR (Biological Effects of Ionizing Radiation) VII report—the disproportionately greater risk faced by women and girls exposed to radioactivity—see Mary Olson, "Atomic Radiation Is More Harmful to Women," Nuclear Information and Resource Service (2011).

[25] Of course, "kindness" is not the only quality in play. The police have insisted on preserving the anonymity of the names of the 19 victims killed (along with 26 injured) on July 26, 2016, at a home for people with mental disabilities on the grounds of an "elevated need" to preserve family privacy, together with alleged communication of wishes for "consideration" from the families. Quite apart from the fact that any family suffering a traumatic crime might want privacy, the police policy of maintaining anonymity for victims with disabilities surely warrants debate. See the thoughtful editorial in the *Mainichi shimbun*, "Sagamihara jiken Tokumei ga toikakeru mono" (August 6, 2016). The *New York Times* has published a fine article reflecting on these issues: "After Mass Knife Attack in Japan, Disabled Victims Remain in the Shadows" (February 9, 2016).

[26] In Skype call to an undergraduate class at the University of Chicago; reconfirmed in June 2016; with thanks to Arthur Binard for connecting us.

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