

# CHAPTER I

## INTRODUCTION

### 1.1 RESEARCH BACKGROUND

Japan was formerly seen as a nation with a tragic past during the World War II period. As its atrocities against other nations at the time, Japan was known as one of the most feared nations. However, after the United States had a significant impact on Japan, everything changed, and Japan began to work to restore its reputation by taking actions that would benefit other nations. Japan's involvement in international activities, one of them is actually related to human rights. Human rights in Japan, however, are still considered not good in terms of its protection because there have been many human rights violations there. According to Human Rights Watch (Roth, 2021), one of the violations discussed in this writing is mass killing. Mass killing that reflects the atrocities of Japan in the past is one of the things that cannot help Japan in clearing the country's name and maintaining its image in the international realm since Japan is part of the UN body of human rights from 1956 (Affairs, 2023). One of the highlights of human rights violations that happened in the country was related to the disability community.

The incident itself which refers to the violation was alternatively referred to as the "Sagamihara Stabbings" or the "Sagamihara Massacre". In 2016, a man who had been employed at a facility in Japan that provided care for individuals with disabilities bursted in, killed 19 residents, and injured another 27 residents (Perry, 2016). It was determined that this article, the alleged "Sagamihara Stabbings case," was the worst crime committed by a single person following World War II as it reflected to Japanese people's cruelty in the past. Human rights abuse is considered as one of the international issues and here are several other cases of human rights abuse similar to the Sagamihara stabbings that this article chosen, including when ten people were killed on September 5, 2022. At the time, two people carried out a string of mass stabbing attacks on an Indigenous Canadian community and a nearby town. The suspects' series of knife attacks resulted in 15 additional people being injured, making it one of the deadliest mass murders in the country's history. In Thailand on October 6, 2022, a former police officer went on a shooting and stabbing rampage that left 24 children and 13 adults dead. However, the

Sagamihara stabbings carried out by the Japanese people themselves are the case study's main emphasis as it's considered to be human rights violation against people with disabilities and attract the international criticism towards the country.

The Japanese government has done various ways to overcome these problems. However, it is stated in several reports like that published by Human Rights Watch that Japan does not have any human rights institution (Roth, 2021). Moreover, the Sagamihara stabbing itself has been considered as human rights violation since it was mentioned in the world report 2017 which recorded 2016 report on human right violations in Japan (Roth, Japan: Events of 2016, 2017). They try to prevent the same thing from happening again by providing strict sanctions for those who pose a potential threat to their lives. Even so, some people do human rights abuse anyway and it can even threaten someone's life. Therefore, the efforts made by the Japanese government to handle cases of human rights violations have not been shown to be optimal, so this has had an impact on Japan's image in international realm in upholding human rights.

The driving factors for human rights violators are likely to be revealed because every human activity must have certain factors that encourage the person to do something they do. It is undeniable that the treatment of human rights violations reflects the atrocities committed by Japan in the past, especially during wars between other countries. There have been many innocent victims who died at the hands of Japan and of course this has been resolved since the second World War where Japan admitted defeat to the world and wanted to clear their name by establishing several foreign policies which policies could help relations between Japan and other countries and participated in many international activities such as resolving human rights (Affairs, 2023).

Even so, Japan still cannot help in defending the human rights of their own people, especially people with disabilities. When the incident of Sagamihara stabbing happened, if viewed from the global human rights index in 2016, Japan was ranked 144th with a high index than several other big countries like The UK and South Korea (Economy, 2016). According to the index itself, the connection between the state and its citizens is taken into account by the human rights and rule of law indicator to the extent that basic human rights are safeguarded and liberties are upheld. Although years later, Japan's human rights index has getting lower even

surpass South Korea, Japan hasn't reached to the best position among other big countries like The United Kingdom as mentioned previously and other countries like Australia, Canada, and Spain. Even the index has similarities with Israel (Economy, Japan: Human rights and rule of law index, 2022). Human rights and the rule of law are less safeguarded in a country when the indicator's value is greater. The human rights violations in Japan have also been recorded by several non-governmental organizations such as Amnesty International (International, 2023). However, in this discussion, the author wants to highlight a case of human rights violations, namely Sagamihara stabbing that occurred in 2016. The author will discuss what evoked the Japanese government to handle this incident and how this incident refers to human rights practices towards people with disabilities in that country.

This thesis was written with the aim of analyzing whether the Sagamihara Stabbings case is included in human rights violations and how the international world views the Sagamihara stabbing and its impact on Japan's image in human rights practices for people with disabilities. However, from the many efforts they have made, they still cannot maintain and implement human rights properly so that there are many human rights violations that occur and how this can attract many forms of criticism towards Japan in its human rights practices, especially in its practices towards people with disabilities in that country.

## **1.2 RESEARCH QUESTION**

For the research question, it will be:

1. How the Japanese government responded to the Sagamihara Stabbing incident and the international criticism towards human rights practices on people with disabilities in the country?

## **1.3 THEORITICAL FRAMEWORK**

### **1.3.1. Constructivism**

This case study will discuss about international critiques towards Japan on its human rights practice with disability community and how it affects the image of Japan. In order to analyze more regarding to the case study, the writer decides to choose one international relations theory that can help the progress of explanation of the case study. It has been discussed a little regarding

how Japan positions itself as one of the major countries in the world and how Japan itself participates in activities and is part of several international organizations such as the UN. It has also been explained that one of the activities where Japan contributes is regarding human rights, and from here it is explained how important human rights are for the UN and countries that uphold human rights in their countries, including Japan (Affairs, 2023). However, due to an unexpected incident, namely the Sagami-hara stabbing, several large countries, especially the United States and the UN itself, criticized the issue and human rights practices by the Japanese government. From here, if it is related to the theories of scholars in international relations. There is one theory that explains how principles that shaped one state can be so influencing its position in international realm as the norms like human rights are one of the main cores of a state.

The importance of social connections and communication in the international system is emphasized by social constructivism in international relations. It emphasizes how norms, identities, and ideas shape international relations and provides counterarguments to social events, supporting Emanuel Adler's claim that social interactions and communication are essential to the functioning of the international system (Adler, 2013). Hence, the constructivist theory of culture and identity contends that individuals' interactions with others comprehension of social, cultural, and political contexts influence who they are (Saif Husam Mohammed, 2020). The study of social construction in international relations, according to Alexander Wendt, focuses on how interaction develops and sustains the friendly or adverse social structures that affect actors' identities and interests (Wendt, 2012). This theory used for this article become a proof that constructivism offers a paradigm for comprehending how socially created norms and values pertaining to human rights within the international system impact international criticisms of a nation's human rights policies. It draws attention to how ideas, conventions, and relationships influence how the world reacts to abuses of human rights and how international pressure and stigmatization can influence state behavior.

### **1.3.2. Human Rights**

As one of the main focuses of this study examines human rights practices in a country, the highlighted one is Japan, it is necessary to know first what human rights are. The concept of human rights, according to Rainer Arnold, is the protection of an individual's nobility,

independence, and opportunity that is an essential component of public, provincial, and international systems. Each of these systems have its own level of security, which is, of course, founded on what are known as human rights. Additionally, he noted that human rights are crucial for ensuring personal safety in addition to being early defensible elements of maintaining world peace. When human rights are violated, there is neither peace within state borders nor outside of them (Arnold, 2013). Regardless of their political, economic, or cultural structures, all nations have an obligation to uphold, defend, and implement everyone's human rights without exception. For governments, ensuring human rights at the national level are not the only duty they have as members of the international community; they also have a shared obligation to safeguard and advance human rights internationally (Balson, 2023).

Human rights are a special kind of moral rights that cannot be taken away from a human being. As related to their humanity, people feel the same way about everyone, regardless of race, nationality, or membership in any particular social group. Human rights must be adequately implemented in order to eliminate discrimination and to ensure that the advantages, equality, and ideals that all people are born with are upheld by the government and society as a whole (Faissal Malik, 2021). People are acknowledging that human rights are universal, that they apply to all people everywhere, and that they are fundamental, referring to essential or fundamental human needs. A wide spectrum of globally recognized rights, such as civil, cultural, economic, political, and social rights, have been established by the UN. Additionally, it has put in place systems to support and defend these rights and help nations fulfill their obligations (Nations, 2023).

The concept of human rights comprises a set of guidelines that govern how governments and non-state actors handle individuals and groups based on moral principles and what society considers to be essential components of a decent living. These norms are incorporated into general public and international legal frameworks that provide procedures and mechanisms for holding obligation conveyors accountable and reviewing allegations of violations of human rights (P., 2016).

#### **1.4 LITERATURE REVIEW**

An article discussed more about a brief background of how Japan treated people with disabilities and how it affects the future of participation people with disabilities, such as in the

Tokyo Paralympic. The article stated that the second problem, increasing awareness, is harder to quantify and requires more work. The Eugenic Protection Law, which was in place from 1948 to 1996 and sterilized over 16,000 people—including men, women, girls, and boys with disabilities—without their consent, demonstrates Japan's pervasive ableism. A more recent instance is the Sagamihara Stabbings in 2016, where a former worker at the same facility killed 19 people with intellectual impairments at a care home because he felt their lives were not worth living (Osamu, 2022). From what he stated that it's something that needs to be secured as it will affect to the future of people with disabilities and their rights to be included in societal activities. The accommodation for people with disabilities is the subject of another reviewed issue.

According to this article, employment of people with disabilities in Japan has primarily been promoted through the employment quota system, which is based on the Act on Employment Promotion etc. of Persons with Disabilities, also known as AEPPD. The United Nations enacted the Convention on the Rights of Persons with Disabilities (CPRD) in 2006, and other nations have subsequently joined the agreement. Its fundamental tenet is the prohibition of discrimination based on disability. In order to ratify the Convention, preparations for domestic legislation were initiated in Japan as well, however, the introduction of the discrimination prohibition strategy in Japan most likely would have taken much longer if the goal had not been to ratify the Convention on the Rights of Persons with Disabilities (Hasegawa, 2015). Hence, both articles were mainly discussed about how the government involved in addressing the human rights for disabilities and slightly refereed to the Japanese government's act to promote their rights. Both also did not mention about how those will affect the country's image on their human right practices. Yet, the highlight of this article is to discuss about the human right abuse addressed to people with disabilities which is from the Sagamihara Stabbing and the international criticism towards Japan's effort in implementing the disabilities right practices.

## **1.5 HYPOTHESIS**

In short, Japan upholds their reputation because they are one of the countries with the biggest superpower in the world and are also a very good country in the perspectives of other big countries. It is undeniable that human rights violations can still occur in this country dan

Therefore, these are the following hypotheses which were created with the aim of providing a deeper explanation regarding the issues and critiques which have been analyzed.

1. The government actions towards the Sagamihara stabbing incident were astute, yet still not robust

The result of Stabbings in Sagamihara where 26 people were hurt and 19 people died as a consequence of a knife attack that was carried out on July 26, 2016, by a former employee of a care facility in Sagamihara. The government took several actions afterwards but they did not fully protect the community's right prior and after the incident. It must be noted that in this hypothesis will seek what human rights violations have to do with this case and the concept of human rights used in this case study.

2. The incident led to international criticism on Japan's human right practices on people with disabilities

Of course, this case in Japan attracted the attention of major countries, especially the United States of America and international organizations such as the United Nations and non-governmental organization like Human Rights Watch. This study is aiming to look for various forms of criticism directed at Japan in their human rights practices, especially rights for people with disabilities. Hence, the hypothesis will seek more regarding to the issue and the criticism.

## **1.6. RESEARCH OBJECTIVE**

The purpose of this study is to examine whether the Sagamihara Stabbings case falls within the category of human rights abuses, how the Japanese government responded towards the incident, and the international criticism regarding Japan's reputation for its human rights policies pertaining to people with disabilities.

## **1.7. RESEARCH LIMITATION**

This research has a time limit from 2016 to 2022. The Sagamihara stabbing incident occurred in 2016 and the response of the Japanese government toward the incident took place the same year. The criticism discussed also coincided with that year and followed later in the following year regarding criticism from the United States government and several international organizations related to human rights practices in Japan.

## **1.8. RESEARCH METHOD**

This article is qualitative method because the writer raised one of the case studies that will serve as the light for this thesis. The writer proves that the human rights violation occurred in Japan, and will specifically discuss the Sagamihara stabbings case, how this affected Japan socially and the image of Japan itself on their human right practices by the international criticisms. For this reason, the author uses various methods to collect data, such as through journal articles, book publications, news and other things that support the development of this case study.