

Article

Environmental Violence in Minamata: Responsibility, Resistance, and Religiosity in the Case of Ogata Masato and Hongan no Kai

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Abstract: The small town of Minamata is infamous for the industrial disease named after the city. This disease resulted from having ingested methyl mercury, a substance released for more than three decades by a factory owned by the Chisso Corporation. Upon entering the human body, mercury affects the nervous system, resulting in paralysis, and often leading to a slow death. Examining how such violence was inflicted on human beings and on the environment involves a complex array of economic, environmental, and sociocultural issues, all revolving around the notions of justice and responsibility. This article analyzes the local residents' responses to the irreparable damage done to them, focusing in particular on the thoughts and actions put forward by Ogata Masato and a group called *Hongan no kai*, who chose to carve bodhisattva statues. Investigating the victims' religiosity, the author argues that the praxis put forward by the Minamata people resonates with the perspective articulated by Italian philosopher Giorgio Agamben. After having witnessed how justice had been exhausted and their case had been lost in the Japanese legal system, the victims showed their resilience in coming up with original responses, which also offer valuable insight into current discussions centered on environmental ethics.

Keywords: environmental violence; nonviolent response; Minamata disease; mercury poisoning; Chisso corporation; moral responsibility; ethics; Giorgio Agamben; Jizō bodhisattva statues; justice

1. Introduction

Located on the west coast of Kyushu, Minamata is known internationally for an industrial disease named after that city. Minamata disease, a severe neurological disorder, was caused by the ingestion of methyl mercury released for more than three decades, beginning in 1937, from a factory owned by Chisso Corporation.¹ Mercury flowed into the Shiranui Sea, where it accumulated in and subsequently damaged or destroyed the natural environment, including the local fish and shellfish, as well as human bodies. If mercury enters the human body through the food chain and accumulates to a certain degree, it affects the nervous system, paralyzing the tongue, fingers, and legs, until one eventually loses control over one's whole body, leading to death. Children are especially vulnerable to the effects of mercury. In the short period between 1955 and 1959, more than two hundred prenatally exposed infants in Minamata, out of 8584 households,² were born with the disease.³ Nonetheless, it was not until 1968 that the Minister of Welfare confirmed that the disease was caused by methyl mercury released from the Chisso factory.

¹ The corporation has changed its name a few times. The most recent was 2012 when it restructured under a new name as JNC (Japan New Chisso). Chisso Corporation was its name in 1965.

² (The Social Scientific Study Group on Minamata Disease 2001, p. 11). Hereafter, "Report on Minamata Disease 2001."

³ (Harada and Tajiri 2009, p. 6).

This tragic situation poses a challenge for ethicists grappling with the violence of irreparable injury—in this case, the damage caused by irresponsible chemical disposal. How might ethicists approach situations where victims are dying in extreme agony, their bodies out of control, or where infants have experienced prenatal exposure to poison? How to respond when those suffering from the disease have no other means to make a living beyond fishing in the contaminated waters? And what is the right course of action when the victims are themselves accused of destroying Minamata's economy by attributing their disease to the manufacturing practices of the Chisso factory, the city's main employer? The company that used methyl mercury to produce the raw material for plastic—a product of industrialization and modernization—also contributed to the economic prosperity of Minamata. Given these economic, environmental, and sociocultural complexities, what responses are available when traditional ethical, spiritual, and legal responses based on the notion of “justice” are implicated in, and even complicit with, the very structures that have given rise to the suffering?

In addressing these questions, focusing on the issue of responsibility—its assumability, ethics, and justice—we will begin by drawing on Italian philosopher Giorgio Agamben's analysis of responsibility in cases of irreparable damage. Although Agamben's thoughts evolved in response to the horrors of Auschwitz, and each tragedy is unique, we may extrapolate from Agamben's ethical writings on Auschwitz in developing an approach to the Minamata disaster and beyond. Agamben's work will guide us in formulating an ethical response to catastrophic events, such as industrial diseases like Minamata and the radiation pollution that followed the nuclear power plant meltdown in Fukushima in March 2011.⁴

In drawing upon Agamben's work, I am not suggesting that we need to use an “so-called” Western philosophical framework to understand the resilience and resistance of those who suffer from Minamata disease. On the contrary, I am trying to show people in Minamata not only reached the similar conclusion independently from Agamben and Levi on responsibility, but also they further demonstrate their praxis based upon their lived experiences. In their praxis, they have sought for a new mode of collective life, drawing upon their religiosity, which offers a way to retrieve or reformulate a sense of justice and responsibility. People in Minamata witnessed that justice was exhausted and the meaning of responsibility had been lost in the Japanese legal system, and they needed to envision and develop a new mode of collective life where responsibility is understood differently. While religion indicates an organized system that dictates and controls doctrine and ritual, religiosity revolves around people's faith, hopes, and prayers, free from institutionalized hierarchical power.⁵

To illustrate their new collective life, I focus on the Minamata patient and fisherman Ogata Masato and his group, Hongan no kai, which Ogata founded with sixteen others in 1994. Instead of seeing each person as an atomistic individual who becomes vulnerable with an unassumable burden of responsibility, Ogata and Hongan no kai demonstrate the interconnectedness of all existence. Ogata was influenced by his father and other fishermen, who believe that humans and non-humans alike have a *tamashii*, or spirit.⁶ I argue that the religiosity of Minamata traditional culture generated an ontological shift—a shift that points to the type of new ethical element proposed by Agamben, redrawing the definition of justice and responsibility. Ogata's paradigmatic shift led to a reconsideration of individual responsibility.

Like Ogata, Hongan no kai also collectively sought to create a new space by placing stone-carved Jizō bodhisattva statues on the reclaimed land on Shiranui Bay. While the stone statues carry multiple meanings for each carver, the sequence of actions—from carving to placing the statues—was, I believe,

⁴ Following the earthquake and tsunami on 11 March 2011, in Tohoku, four nuclear reactors lost the electric power needed to cool the nuclear vessels, which led to the meltdown of three of the four reactors. As a result, a massive amount of radiation was released into the air; the health effects are still under investigation.

⁵ I employ philosopher Uchiyama Takashi's usage of these terms: *shūkyō* refers to religion, while *shinkō* refers to religiosity.

⁶ *Tamashii* is often translated as “spirits,” though Karen Colligan-Taylor, in translating Ogata's *Tokoyo no fune o kogite (Rowing the Eternal Sea)*, translates *tamashii* as the soul.

Hongan no kai's attempt to take back the Minamata incident from the government. Ogata sees their actions as a manifestation of apology, transforming the reclaimed land into a place of atonement. This alternative space for self-reflection instigates communication with each other, with visitors, and with the environment. By providing new meaning to this space, Hongan no kai was able to transform it into a place where an ontological shift takes place, and a new mode of living comes into being, where justice and responsibility are differently conceptualized. However, first, let us turn to Agamben's thoughts on the ethics of law and their implications for the notion of responsibility, drawing upon the unfathomable tragedy at Auschwitz.

2. Agamben on Ethics and Law

In his book *Remnants of Auschwitz*, Agamben urges readers not to conflate the categories of ethics and law. His warning against dependency on law as a moral authority derives from concern for the irrevocable harm done to victims at Auschwitz. Agamben cites Italian jurist Sebastiano Satta, who claims that "judgment is itself punishment" and "the only truly innocent person 'is not the one who is acquitted, but rather the one who goes through life without judgment.'"⁷ According to Agamben, the *quaestio facti*, or question of fact, needs to be separated from, and must not be reduced to, the *quaestio juris*, the question of the law. He therefore clarifies what he takes to be the proper domain of the law: "Law," he writes, "is not directed toward the establishment of justice. Nor is it directed toward the verification of truth. Law is solely directed toward judgment, independent of truth and justice."⁸ Agamben further claims, "The ultimate aim of law is the production of a *res judicata*, in which the sentence becomes the substitute for the true and the just, being held as true despite its falsity and injustice."⁹

Agamben's separation of law from justice is provocative. However, if damage done by violence is truly irrevocable and irremediable, such as is the case when a person's mind or body is damaged, restorative justice always falls short. In this way, corporeal and emotional damages are fundamentally different from, say, damage done to a fence by a reckless driver. Under the law, you might acquire a new, sturdier fence, which may be satisfactory, unless you have an emotional attachment to the fence—for example, if building the fence was your late father's last project around the house. However, when the damage is utterly irrevocable and the damaged thing irreplaceable, so-called justice only amounts to the best possible, but always inadequate, response—incarceration of the perpetrator, monetary compensation, and the like. It is precisely for this reason that Agamben seeks to maintain a separation of justice from the law. "[T]he ultimate end of the juridical regulation," claims Agamben, "is to produce judgment; but judgment aims neither to punish nor to extol, neither to establish justice nor to prove the truth. Judgment is in itself the end."¹⁰

Having divorced law from justice, Agamben is not claiming that the law is irrelevant to the imputation of guilt and assumption of responsibility. In fact, he believes that we should treat guilt and responsibility not on the terrain of ethics, but that of law: "To assume guilt and responsibility—which can, at times, be necessary—is to leave the territory of ethics and enter that of law."¹¹ Agamben illustrates his point by reference to the 1961 trial of Adolf Eichmann in Jerusalem, where Eichmann admitted his guilt before God, yet sought to refuse legal prosecution. "It must be recalled," writes Agamben, "that the assumption of moral responsibility has value only if one is ready to assume the relevant legal consequences."¹²

⁷ (Agamben 2002, p. 19), citing (Satta 1994).

⁸ (Agamben 2002, p. 18).

⁹ Ibid.

¹⁰ (Ibid., p. 19).

¹¹ (Ibid., p. 24).

¹² (Ibid., p. 23).

So what is the relation, for Agamben, between moral responsibility and ethics? Ethics, by his account, is about neither guilt nor responsibility, which are the purview of the law. Agamben thus departs from traditional understandings of ethics as the “doctrine of the happy life,” which includes systems for implementing restorative and distributive justice.¹³ However, in the case of Auschwitz and other instances of irrevocable damage, where such justice is impossible, ethical thought reaches its limit, and thus compels the admission of our incapacity to assert restorative justice or assume responsibility.¹⁴ Ethics only articulates “zones of non-responsibility”¹⁵ by confronting us with the enormity of responsibility, which exceeds our ability to assume it. In other words, ethics develops out of a realization of our incapability to assume responsibility. “At the most,” continues Agamben, “we can be faithful to it, that is, assert its unassumability.”¹⁶

At this moral impasse where ethics is divorced from responsibility and justice, Agamben turns to Primo Levi’s writings in an attempt to find a “new ethical element” that might contribute to ethics after Auschwitz. This new ethical element is to be cultivated and situated in what Levi calls the “gray zone”—not a zone of non-responsibility, which would simply betray our helplessness, but a “zone of irresponsibility”¹⁷ in which the boundaries between victims and victimizers collapse and the distinctions between good and evil are rendered meaningless, with judgment thereby being impossible (*impotentia judicandi*),¹⁸ yet that is where a new ethical element finds itself.¹⁹

Acknowledging that each event is unique and different, I nonetheless would like to extrapolate Levi’s (and Agamben’s) line of thought in applying it to the Minamata case. That is, our modern industrial society normalizes the violence we inflict upon ourselves, or rather too often on underprivileged others, and such normalization comes from systematizing and institutionalizing this harm. This is where we see the boundaries between victims and victimizers being blurred and collapsed. For example, Chisso factory workers, who are also victims of Minamata disease, do not admit that the very factory that they owe their livelihood to caused their disease. Consumers continue to purchase plastic commodities, though the process of producing the raw material for plastics requires methyl mercury, which caused Minamata disease, and their continuous consumption pattern sustains Chisso and in turn, perpetuates its pattern of irresponsible behavior. Industrial diseases thus cause the boundaries between victims and victimizers to collapse, making everyone—consumers and citizens—complicit.

While we must acknowledge different degrees of responsibility for Chisso factory workers and for CEOs located in the Tokyo headquarters, when pursuing the question of who is responsible, we again arrive at a “zone of irresponsibility.” As we may still remember after the Fukushima accident, the CEOs in both Minamata and Fukushima had not been in charge when the plant was built nor had he personally approved the regulations; he simply inherited the system. Attending to the Minamata patients (or evacuees from the affected areas of Fukushima) is usually delegated to lower-ranking workers who deal directly with people’s anger and despair.²⁰ If Agamben is right, a new ethical element emerges in this type of hopeless situation. Instead of abandoning the notion of legal responsibility altogether, we must impute responsibility while reevaluating the system—a system where the meaning of responsibility is becoming hollow. Thus, I propose to examine the thoughts and actions of Ogata Masato and Hongan no kai, as they demonstrate this new ethical element in their praxis—thoughts and actions—which offers a way forward through the moral impasse of responsibility.

¹³ (Ibid., p. 24).

¹⁴ (Ibid., p. 21).

¹⁵ Ibid.

¹⁶ Ibid.

¹⁷ Ibid.

¹⁸ (Levi 1989, p. 60).

¹⁹ Ibid.

²⁰ The only exception is Chisso’s president Shimada Ken’ichi, who set up a face-to-face meeting with Kawamoto Teruo and other patients in the Tokyo headquarters on 22 March 1973.

3. Ogata Masato: The Illusion of Responsibility and Reality of *Tamashii* That Transcends Time

Ogata Masato was born in 1953 in a small peninsula called Meshima, in the south of Minamata city; he was the youngest son among eighteen siblings.²¹ Ogata's family business was "fixed-shore-net fishing," which eventually "shifted to trawl netting for sardines, and then moved into purse seining, employing a lot of men," reflecting Japan's industrialization and modernization, which influenced fishing methods in even small villages like his.²² Ogata was very close to his father, Ogata Fukumatsu, who was respected in the community as one of the seven or eight "bosses" (*amimoto*) in the village net fishery. In his autobiography, *Tokoyo no fune o kogite*—published in an English edition as *Rowing the Eternal Sea: The Story of a Minamata Fisherman*—Ogata recounts a village hierarchy in which farmers looked down upon those who make their living from the sea since they generally do not own land. Fukumatsu saved enough money to purchase a rice paddy and woodland, to provide for his children and grandchildren when the sea didn't yield a good catch. This piece of land was not the only thing Ogata inherited from his father; his father's worldview also deeply influenced Ogata.

Fukumatsu and the fisherfolk²³ in the Meshima area use language that indicates intimate relationships between humans and their surroundings. Fukumatsu, for example, would refer to catching fish as "competing spirits" between humans and fish. When he encountered a school of gray mullet in the sea and yet failed to catch one, Fukumatsu would say, "we lost to the [spirits of the] fish."²⁴ When a pool of water was found in the bottom of their boat, fishermen would say, "the boat's collecting scum."²⁵ When the fishing net was torn, his father and the other fishermen would say, "the net has been injured." However, as the traditional cotton fishing net was replaced by a synthetic one, it no longer accumulated scum. Such changes made it easier to maintain the nets, yet harder to feel the boats and nets as extensions of the human body. Maintaining an altar to *funadama*, the boat spirit, however, continued long after the boats were equipped with engines.

When Ogata Masato was six, Fukumatsu fell ill, and his whole body shook violently. Following Fukumatsu, Ogata's siblings, nephews, and nieces began to suffer from this mysterious illness, which was later identified as Minamata disease. Fishing also began to bring less profit, which became problematic, as their community had shifted from self-sufficient to cash-dependent. At the age of sixteen, Ogata felt suffocated when he saw that the health of family members and the community as a whole continued to deteriorate. He left his hometown for Kumamoto, the nearest urban center, looking for a brighter future. Lacking skills to support himself, he was taken in by a right-wing yakuza group. Two years later, he was arrested when he joined a demonstration supported by another right-wing group. At the correction center, a counselor informed him that the right-wing groups were defending the Chisso Corporation and sometimes used violence against anti-Chisso activists and Minamata patients. Ogata decided to leave the yakuza; after being released from the correction center, he severed all ties.²⁶

Upon returning to his hometown, Ogata became more involved with the Minamata lawsuit. It had been initiated by a group of college students—three male and one female—who had moved to Minamata to support the patients' movement. Ogata was intrigued by these students from the city and was eager to get to know them. His encounters with the young students brought a radical change in his mindset. "Through these conversations, something within me gradually began to awaken. While these students had come to our village with no personal ambition, just to offer their support, I, who

²¹ (Ogata 2001a, p. 25). When counting two additional children that his mother had before she married Ogata's father, Ogata is the youngest of twenty siblings.

²² (Ibid., p. 26).

²³ Some women were taught by their fathers to fish. A famous fisherwoman in Minamata, Sugimoto Eiko, was a daughter of Amimoto. She was trained to fish in her childhood during the 1940s and 50s.

²⁴ (Ibid., p. 35). Although Karen Colligan-Taylor translated *tamashii kurabe* as "competing souls," I prefer the translation "comparing spirits."

²⁵ (Ibid., p. 35).

²⁶ (Ibid., pp. 69–70).

had sworn revenge against Chisso, hadn't yet taken a single significant step. I started to ask myself exactly what role I should play in this struggle."²⁷ It was 1973 when Minamata was drawing public attention because "the third outbreak of Minamata disease was making national news" and "the courts handed down a decision in the first Minamata disease lawsuit" in the plaintiff's favor.²⁸

Ogata became one of the main players in Minamata activism, together with Kawamoto Teruo, the leader of the patients' lawsuit. However, Ogata began to feel overwhelmed by doubts about himself, haunted by the following questions: "If I wasn't in the movement for money, was I in it to avenge my father's death? What would happen after I had realized that revenge? Was it just an illusion to entertain the thought that I was putting the interest of others above my own? How could I pretend to be altruistic when I was making my own family suffer? Did the end justify the means?"²⁹ Troubled by these questions, he felt increasingly frustrated. For example, despite a long period of negotiations with the local and central governments and Chisso, Ogata was unable to build relationships with the people in charge, who rotated from one position to another every few years. Coming from a world where people are interrelated with both organic and inorganic beings to sustain life, Ogata found such impersonal interactions meaningless and in fact unbearable.

By Ogata's reckoning, these legal battles revealed that the individual patient's suffering was depersonalized. Precisely because the law aims at objectivity and impartiality, it is inevitably impersonal. Ogata failed to build any meaningful relationships with Chisso's staff; instead, he was confronted by Chisso's representatives in court, which led him to question the merit of the lawsuit. He deplored its focus on monetary compensation rather than on establishing and fostering human relations. The last blow to Ogata's inner struggle was the fact that the patients' movement had become more and more bureaucratic and faceless, like Chisso and the jurisdiction. He expressed his disappointment in his comment that the movement "had shifted from the streets to the court."³⁰

Unable to bear the weight of these issues and what he took to be the deterioration of the movement, Ogata removed himself entirely from the lawsuit. He describes his discomfort with the legal procedures: "It seemed that no one wanted to address the more important issues. However, the problem was that not even I could clearly identify those issues."³¹ The Chisso Corporation was certainly culpable, having released methyl mercury for nearly three decades, while the prefectural and central governments protected Chisso in the interest of corporate profits and economic stability.

Ogata suspected, however, that the so-called responsibility assigned to Chisso and the government entities under the law failed to address not only individual human responsibility for environmental degradation, but also the issue of human dignity, of all those involved, victims and victimizers alike. Minamata disease, Ogata believed, raises spiritual issues and questions the relation of human beings with each other as well as with their surroundings—neither of which can be addressed in court.³² Ogata consequently reaches a conclusion, resonant with Agamben's claim on responsibility: "The idea of assuming responsibility is an illusion. Our legal proceedings are premised on this illusion. We make the assumption that if we pay reparations, we have assumed responsibility."³³ The statement is powerful and provocative, challenging the foundation of the modern judiciary.

By imagining what he would have done were he to have been in the position of a worker or executive at Chisso when the factory was thriving, Ogata had a glimpse of the gray zone where the distinction between the victims and the victimizers collapses. Instead of fleeing to Kumamoto, he might have acquired a job at the Chisso factory. Even if he had become a whistleblower at Chisso,

²⁷ (Ibid., pp. 77).

²⁸ (Ibid., pp. 74–75). Only 112 "certified" patients were to receive the settlement of ¥16,000,000–¥18,000,000. Twenty thousand additional Minamata patients had to file another lawsuit.

²⁹ (Ibid., p. 92).

³⁰ (Ibid., p. 88).

³¹ (Ibid., p. 92).

³² (Ogata 2001a, pp. 42–43). Translation by the author.

³³ (Ogata 2001b, p. 145).

it would have meant being fired and therefore deprived of job prospects in Minamata, where the economy was heavily dependent upon Chisso.³⁴ Further, as a betrayer, he would have been shunned, and most likely he, including his family, would have been socially ostracized.³⁵ Imagining such circumstances, Ogata failed to find in himself the moral courage to face the social repercussions of whistleblowing.³⁶

It was at this point that he recognized that he himself was one of *them*: “I was also Chisso (*Chisso wa watashi de atta*),” he says.

For the past forty years I owned a car to drive, a TV set, a refrigerator, and a plastic-based fishing boat. In other words, I am surrounded by so many things made at chemical factories like Chisso. For example, most of the vinyl chloride used for the faucets at home was made at Chisso, or a more recent example of a Chisso product is the liquid crystal used for computer and TV screens. We live surrounded by Chisso products. If we talk only about the Minamata incident, the Chisso Corporation is responsible for it, but in this present time, we all have already become “another Chisso.”³⁷

That is, by consuming their products, even a victim of methyl mercury supports Chisso, the very entity that destroyed their health, the lives of loved ones, their livelihood, and the community. Ogata remarks on his own complicity: “From the perspective of the movement, Chisso is the Other, the enemy, the assailant. For me, however, this viewpoint evolved until I recognized ‘The Chisso within.’”³⁸

Recognizing that he was a victim harboring the victimizer within, Ogata found himself in a zone where the ethical resources for sorting out one’s moral culpability are quickly exhausted. I believe that this is what Agamben identifies as a “zone of irresponsibility.”³⁹ Agamben once again returns to the cruelty of Auschwitz, which not only obscured the demarcation between victims and victimizers, but also the distinction between life and death, humans and non-humans. In his work, Agamben poignantly highlights a reality where even victims are pressed to be victimizers, responsibility cannot be assumable, and the judicial purview is exhausted.

Although he himself decided to forfeit any compensation from Chisso by withdrawing from the lawsuit, Ogata never condemned those who accepted payment. Instead, he emphasized that his decision should not pressure those who were financially in need. Nevertheless, some have criticized Ogata, saying that his actions undermined the citizens’ movement and accusing him of seeking publicity. While I see how Ogata’s actions could be considered an undermining factor in the movement, I also find his decision a sincere attempt to seek an alternative to justice under the law. In *Rowing the Eternal Sea*, Ogata clarifies that his actions were not an easy way out for the state and the company; on the contrary, his actions served as a reminder that he “did not forgive the authorities” and was not playing this game by their rules.⁴⁰ Withdrawing was his political statement, conveying: “There are still people who, as long as they live, will never say, ‘It is over.’ These people cannot be judged by the standards of the Establishment. The system is at a loss as to how to deal with them.”⁴¹ He thus refused to play on their turf.

³⁴ According to the Report on Minamata Disease 2001, citing *Minamata Kōjō Shinbun* (Chisso Minamata plant news), “the sum of the municipal property tax of the Minamata plant and the municipal tax of its employees exceeded 50% of the income of municipal rates in around 1955, and that Chisso must be the first consideration for Minamata and Chisso is just a money-maker for Minamata City.” Report on Minamata Disease 2001, pp. 11–12.

³⁵ “In 1960, employees of Chisso and the subcontract companies accounted for 4757 (c. 24%) of the industrial population 15 years of age or over (19,819)”. Report on Minamata Disease 2001, p. 11.

³⁶ (Ogata 2001b, p. 44).

³⁷ (Ibid., p. 49).

³⁸ (Ogata 2001a, p. 146).

³⁹ (Agamben 2002, p. 21).

⁴⁰ (Ibid., p. 155).

⁴¹ (Ibid., pp. 155–56).

Ogata's refusal to acknowledge the authority of the state and the corporation reminds me of Bartleby in Herman Melville's 1853 story, "Bartleby, The Scrivener: A Story of Wall Street." The story is narrated by an elderly lawyer who decides to hire a third scrivener. At first, Bartleby produces a large volume of work. Yet, one day, when he is asked to proofread a document, he refuses, saying, "I would prefer not to." From then on, Bartleby produces less and less and soon does nothing. He begins to live in the office. The lawyer makes a few attempts to talk him out of his "irrational" behavior but to no avail. Bartleby continues to stay in the office without producing any work until he is removed and put in jail, where he starves to death as he "preferred not to" eat. The narrator then finds that Bartleby had once worked in the Dead Letter Office, and attributes his behavior to his previous job.

While many have interpreted this enigmatic story in their own way, the philosopher Slavoj Žižek reads Bartleby's actions as a form of alternative resistance, which resonates with Ogata's withdrawal from the lawsuit:

In his refusal of the Master's order, Bartleby does not negate the predicate; rather, he affirms a non-predicate: he does not say that he *doesn't want to do it*; he says that *he prefers (wants) not to do it*. This is how we pass from the politics of "resistance" or "protestation," which parasitizes upon what it negates, to a politics which opens up a new space outside the hegemonic position and its negation.⁴²

If Bartleby's reply to do it," then he is simply refusing the order, and his refusal, ironically, would recognize the authority. By responding, "I would prefer not to," however, Bartleby reconstitutes his independence from the system. His response both affirms his competence and establishes his own authority against that of the office.

In light of this interpretation, Ogata's withdrawal, too, expresses his subversiveness, rather than giving in to the authority—polite yet firm. Like Bartleby's response of "preferring not to," Ogata's withdrawal dislocates the subject from the hierarchical system, thereby creating a new space for the subject. Nullifying authority and disrupting the hierarchy require a new relationship among the constituents, such as between the lawyer and Bartleby. Similarly, refusing to fight within the state's system and thus reclaiming the issue on one's own terms is, I believe, what Ogata attempted to achieve by his withdrawal from the lawsuit and citizen's movement. As Ogata states, "You must place your trust in our side or the other. I place my trust in the individual [as opposed to the system]... This is also a form of resistance."⁴³ Thus, Ogata's action helps us to envision a new form of collective life, which implies re-establishing subjectivity and thereby building a new relationship with oneself, others, and all the surrounding beings.

In order to articulate this new relationship, Ogata recycles the rather old-fashioned phrase *moyai naoshi*. The word *moyai*, explains Ogata, "comes from the verb *moyau*, which means 'to tie two boats together,' or 'to moor a boat to a piling.'"⁴⁴ Ogata suggests a broader use of the term: "*Moyai* began as a fishing term, but it has been applied to other aspects of our daily lives. For example, someone might say, 'I'm going to the temple today, so why don't we *moyau*, go together?' It implies that a small group of people will go somewhere and also return together."⁴⁵ Thus, Ogata's *moyai naoshi* implies more than human relations and social bonds, since it also envisions everyone travelling together and returning together. Interestingly, in April 1992, the city government adopted this term for the reconciliation of Minamata citizens. According to the sociologist Nakano Yoshihiro, "The municipal government of Minamata declared *Moyai Naoshi* [Repairing social bonds] in April 1992 as a policy to end the longstanding social division between the victims and the rest of the local citizens."⁴⁶ We could

⁴² (Žižek 2006, pp. 382–83).

⁴³ (Ogata 2001a, pp. 155–56).

⁴⁴ (Ibid., p. 172).

⁴⁵ (Ogata 2001a, p. 173).

⁴⁶ (Nakano 2011, p. 131).

interpret the government's attempt as a case of cultural appropriation, but it also demonstrated that the government is now compelled to adopt the language of Ogata and his community.

For the Minamata victims, however, where can they return together, when not only the language but also the place was appropriated by the authorities? Both the city and prefecture smoothed out a corner of Shiranui Bay where methyl mercury had been discharged—the place that the Minamata patients refer to as *bakushinchi* or Ground Zero, where the tragedy began. All the chemicals, together with dead fish and shells, were landfilled in this corner of the bay. This reclaimed land became the site of Eco Park, which was completed in 2007. On over 100 acres, Eco Park has athletic fields, a golf course, bamboo groves, rose gardens, and a scenic breakwater looking over the Shiranui Sea.⁴⁷ On the tip of this reclaimed land, the Minamata Disease Municipal Museum has been erected to inform the public about the Minamata disease and its history. A beautiful park with flowers and trees covering the dead is not what Ogata and others envisioned to mark the history of the Minamata disease. A place for them to return is where real *moyai naoshi* could take place, not a park or an educational center. Against this appropriation, Ogata and Hongan no kai were once again resilient.

4. Reclaiming the “Space” with Jizo Statues

Hongan no kai was created in 1994 by Ogata and sixteen other Minamata patients and their supporters in the hope that their suffering and struggle would be remembered and their message handed down to future generations. The word *Hongan* in the group's name is often associated with Amida's Vow, although members of Hongan no kai unanimously claim that the group has no association with the Pure Land sect that focuses on worship of Amida Buddha and is prevalent in the area. As Ogata explains: “Most villagers identify with the Nishi-Honganji sect of Buddhism. However, they are indifferent to this religion except during funerals. To them, it is ‘funeral Buddhism.’ The priests, for their part, wouldn't think of lending a hand to help a sick parishioner. Their indifference persisted through forty years of Minamata disease.”⁴⁸

The villagers' attitude toward institutional Buddhism is perhaps disinterested, as Ogata further explains: “The villagers were not disturbed,” by the Buddhist clerics' indifference toward the patients' agony. They did not expect much from Buddhist institutions, yet continued to financially support Buddhist temples merely out of habit. Their religiosity is, as mentioned above, more complex. Ogata continues, “Beyond the pale of Buddhism were local gods like Ebisu and the gods of the hills. These were the gods important to the villagers' daily lives.”⁴⁹

Ogata describes the group's aim as “to deepen the idea of ‘*inochi no negai*’ or ‘vow for life.’”⁵⁰ The scholar of religion Hagihara Shūko, who examines ethical responses from Minamata patients, explains that the Hongan no kai group “does not have a consensus on the definitions of such common terms as ‘spirit,’ ‘life,’ or ‘prayer,’ but on the contrary, each member continues to ask him- or herself incessantly what these words mean.”⁵¹ The group stands apart from any kind of religious institution that systematizes its doctrines and organizes its adherents. Hongan no kai's actions are what the philosopher Uchiyama Takashi would describe as *shinkō* (religiosity), distinguished from *shūkyō* (religion) as represented in “funeral Buddhism”—the central, if not the only, source of income for some Buddhist temples. Uchiyama claims that it is often not institutions such as Buddhist temples and Shinto shrines that hold a community together, but shared hopes (*negai*) and prayers (*inori*). In this regard, Hongan no kai also exhibits a new kind of community that does not solely depend upon kinship or occupational guild (*animoto-amiko* relations observed in fishing villages like Minamata), but relies on hopes for a new mode of living and prayers for the lives that have been lost.

⁴⁷ The official site by Minamata city, <http://minamata-kouen.com/>.

⁴⁸ (Ogata 2001a, p. 171).

⁴⁹ (Ibid., p. 171).

⁵⁰ (Ogata 2008, p. 7).

⁵¹ (Hagihara 2011, p. 209).

One of the group's early activities was to carve statues of the bodhisattva Jizō and place them in Eco Park. Hamamoto Tsuginori, a founding member of Hongan no kai and a Minamata patient himself, explains that the Jizō statues convey to visitors the suffering caused by the Minamata disease.⁵² Among the more than fifty stone statues, the bodhisattva Jizō outnumbers all other subjects, which include Ebisu, Daruma (Bodhidharma), the Virgin Mary, a cat,⁵³ and even Totoro (a popular character from the animated film *My Neighbor Totoro*).⁵⁴ While avoiding strict conformity to dogmatic religious teachings and traditional structures, members of this group still find it meaningful to carve Jizō statues. This is perhaps because Jizō occupies a special place in the collective consciousness of people in Japan.

In *The Face of Jizō*, American scholar Hank Glassman examines the multifaceted images of Jizō and describes Jizō's emotional appeal in Japan.⁵⁵ Originating in India and introduced to Japan through China, Jizō (Sanskrit: Kṣitigarbha; pinyin: Dizang) is believed to accompany the deceased as they cross into the next world. As Glassman explains, "Initial interest in Jizō in Japan begins from his role as an intercessor for the dead undergoing judgment and punishment in the infernal regions."⁵⁶ Jizō eventually played the role of a folkloric deity, corresponding to the Dōsojin or to Sai no Kami, deities who provide safe passage in the liminal space between villages. Today, Jizō is widely known as the mediator between the realms of the living and the dead; he is also the guardian of deceased children and aborted fetuses. This attribution to Jizō of mediating powers in the transition between this world and the next may have appealed to members of Hongan no kai in their desire to console the spirits of the dead.

The Secretary of Hongan no kai, Kanazashi Junpei, mentions that the group refers to their stone statues as Jizō but that it would be more accurate to call them *tamashii ishi* (spirit stones).⁵⁷ They are conventionally called "Jizō" or often resemble Jizō but, apparently, they are used to symbolize the work of a mediator between the Minamata patients and visitors to the park, given Jizō's attributes to reconcile and traverse the two realms. Kanazashi's insight accords with Glassman's conclusion: "In fact, old worn sculptural works in stone—statues or graves—all become 'Jizō.'"⁵⁸ Any carved statues may be referred to as Jizō, regardless of their actual shapes and attributes, demonstrating the religiosity of the people of Minamata.

Yet the members of Hongan no kai are not merely expressing their religiosity. Once the statues are placed in Eco Park for the purpose for communicating with visitors, those *tamashii ishi* become a clear political statement from Hongan no kai: "they would prefer not to" let the authority appropriate and define their suffering and struggle. The municipal authority oversees Eco Park, with its beautiful gardens and museum. This is why the members of Hongan no kai place the *tamashii ishi* at the tip of the park, facing Shiranui Bay—to tell their own stories to visitors through the statues, and to face the lost lives in the sea. The statues carry the carvers' *tamashii* (spirit) and communicate with the visitors to the park.⁵⁹ By placing the Jizō statues in Eco Park, the Hongan no kai members show their resistance to an imposed identity, and instead succeed in defining the Minamata tragedy and their relation to it on their own terms.

Eco Park is meant to offer closure to Minamata, but the more beautiful the place, the more incongruent the park seems. It represents the history of suffering, not only from the disease itself but also from the negligence and discrimination that occurred in the years that followed. By placing their *tamashii ishi* in the park, Hongan no kai is able to draw visitors' attention to narratives that diverge from the official one. Thus, the *tamashii ishi* recount their story and reclaim their history. Kanazashi

⁵² (Hamamoto 1998, p. i).

⁵³ (Kanazashi 1998, p. 26).

⁵⁴ Totoro is an imaginary creature that appears in Hayao Miyazaki's 1988 animated film *Tonari no Totoro* (*My Neighbor Totoro*).

⁵⁵ (Glassman 2012, pp. 6–8).

⁵⁶ (Ibid., p. 15).

⁵⁷ (Kanazashi 1998, p. 26).

⁵⁸ (Glassman 2012, p. 188).

⁵⁹ (Nakano 2011, p. 131).

points out that the statues carved by Minamata patients often appear “gentle and meek,”⁶⁰ so that visitors may be tempted to touch them. Despite the anger and frustration that the patients went through, according to Kanazashi, Minamata patients are still traumatized by being ostracized from their community, and they would like to leave something to be loved—a perspective that one would not find in the official narrative at the museum located in Eco Park. Identifying themselves with those statues, or rather transferring their *tamashii* to them, they hope the carved stones are able to communicate with visitors.

Ogata adds another interpretation to the practice of carving and placing the *tamashii ishi*. For him, the reclaimed land is not merely a place for communicating with visitors but also “a place of atonement [*wabi o ireru basho*]. It is a place to contemplate my own guilt and to offer my own apology.”⁶¹ Apologies need to be made not only for the destruction of lives in Minamata, but for the incapacity to assume responsibility and for our own culpability, as expressed by Ogata when he said, “We all have already become ‘another Chisso,’” as cited above.⁶² “We need to face,” continues Ogata, “this sin [*tsumi*] and live with it, just as we need to face the fact that our demands for the assumption of responsibility are meaningless.”⁶³ An apology from the victims may appear preposterous to some, but relegating all responsibility to the government or the corporation will not bring change. The painful realization of our incapacity to assume responsibility and of our own culpability led Ogata to an apology for the deaths of all beings. Ogata, placing his *tamashii ishi* on the reclaimed land, has turned this space into a place for atonement—recognition of our powerlessness, of our sins, and for the lives lost, thereby communicating not only with the living but also with the dead.

The term *wabi*, translated as “atonement” in the English edition of his autobiography, is a multifaceted term connoting apology, repentance, and penitence. When Ogata uses *wabi*, the word refers to the destruction of the natural resources of Minamata by the industrialized world, which Ogata calls “man’s ‘original sin [*genzai*].”⁶⁴ *Wabi* refers not only to what Minamata patients demand from those who inflicted the suffering, it also describes what all humans should feel toward other beings. “If Minamata Bay and its reclaimed land symbolize the depth of human sin,” continues Ogata, “then this reclaimed land ought also to be a place where humans can acknowledge their sin, atone for it, and pray.”⁶⁵ Thus, *wabi* calls for self-reflection and reconciliation with oneself and others. This is what he meant by *moyai naoshi*—an ontological shift that seeks new ways of relating to each other on our journey.

With this notion of *wabi* as atonement prompts us to recognize and to realize the word’s etymology, the “at-one-ness,” of life. As Ogata acknowledges, carving *tamashii ishi* is a “highly personal act.” Yet, in “at-one-ness” we are all brought together, because the *tamashii ishi* “will also serve as intermediaries through whom we may communicate with the spirits of the deceased. A reunification of the living and dead is our greatest wish, our most fervent prayer.”⁶⁶ The “at-one-ness” that takes place on reclaimed land is ultimately what *tamashii ishi* communicate with the visitors, beyond the beauty of the natural environment.

The act of carving and placing the stone statues, which constitutes the praxis of Hongan no kai, creates an alternative way of being and space for communication. At the farthest area from the park’s entrance, the *tamashii ishi* appeal to the authorities to honor their memory, apologize to the deceased, and deplore the loss of lives—all in the service of “at-one-ness.” What Ogata and Hongan no kai aim at is the redefinition of humanity, which they believe can be realized by resisting certain functions

⁶⁰ (Kanazashi 1998, p. 26).

⁶¹ (Ogata 2001a, p. 121).

⁶² (Ogata 2001b, p. 49).

⁶³ (Ogata 2001a, p. 146). The term *tsumi* is here translated as “sin” by the translator, but since sin is closely associated with Christianity, the word “crime” is a possible alternative.

⁶⁴ (Ibid., p. 122).

⁶⁵ Ibid.

⁶⁶ Ibid.

of the modern system, which divide people, detach people from their surroundings, and thereby depersonalize individuals. This redefined humanity, however, is not keyed to atomistic individualism. It is clearly oriented toward the fundamental interdependence that extends to others, including the fish in the sea, and even the deceased, whose agency was long denied by the modern system.

5. Conclusions

As discussed above, for Agamben, justice cannot be fully realized in the law. He clarifies the law's limits when confronted by irrevocable violence, arguing that, "once law has produced its *res judicata*, it cannot go any further."⁶⁷ Without denying the necessity for judgments stemming from the law, he calls for a practice beyond the law, and thus implores readers to move beyond or rather *before* law and ethics. Like Primo Levi, who bears witness to the plight of Auschwitz victims, Minamata activist Ogata Masato experienced the limits of law and ethics, bearing witness to the victims of the Minamata disease. His own experience and that of his fellow patients led them to form the group Hongan no kai. It is their purpose—to "hand down their experience of survival" (*ikita akashi o nokosu*)—and their attempt to seek a new way of living as a collectivity that correspond to Agamben's suggestion that a new ethical component is crucial.

Through their thoughts and actions, Ogata and Hongan no kai likewise call for our re-evaluation of legal and ethical systems founded upon the illusion that responsibility can be assumed. They demonstrate the possibility of creating new ethical elements, unrestricted by time and space, beyond the authority of the system. The emergence of a new ethics in our time is, as I have shown, manifested in the praxis promoted by Ogata and the Hongan no kai, which draws upon their religiosity—employing Jizō statues, believing in *tamashii*, aiming at "at-one-ness" with others.

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References

- Agamben, Giorgio. 2002. *Remnants of Auschwitz: The Witness and the Archive*. Translated by Daniel Heller-Roazen. New York: Zone Books.
- Glassman, Hank. 2012. *The Face of Jizō: Image and Cult in Medieval Japanese Buddhism*. Honolulu: University of Hawaii Press.
- Hagihara, Shūko. 2011. Umiotasareru kotoba, tewatasareteiku kotoba: Minamatabyō jiken to 'Hongan no kai' 産み落とされる言葉、手渡されて行く言葉：水俣病事件と「本願の会」 (Words brought forth, words handed down: The Minamata disease incident and "Hongan no kai"). *Shūkyō kenkyū* 373: 203–30.
- Hamamoto, Tsuginori. 1998. Goaisatsu ご挨拶 (Greetings). *Tamashii utsure* 魂うつれ (Hongan no Kai Newsletter) vol. 1.
- Harada, Masazumi, and Masami Tajiri. 2009. An Epidemiological and Clinical Study of Infantile and Congenital Minamata Disease: A Consideration of the Effect of Methyl Mercury on Fetal and Infantile Development. *Department of Social Welfare Studies* 14: 64–66.
- Kanazashi, Junpei. 1998. "Watakushi no Minamata" 私の水俣 (My Minamata). *Tamashii utsure* (Hongan no Kai Newsletter) vol. 1.
- Levi, Primo. 1989. *The Drowned and the Saved*. Translated by Raymond Rosenthal. New York: Random House.
- Nakano, Yoshihiro. 2011. De-Growth, or Questions of Subjectivity in Reconstructing Local Autonomy: The Case of Minamata's Environmental Politics. *Journal of Social Science* 72: 119–43.
- Ogata, Masato. 2001a. *Rowing the Eternal Sea: The Story of a Minamata Fisherman*. Transcribed by Oiwa Keibo. Translated by Karen Colligan-Taylor. Lanham: Rowman & Littlefield.
- Ogata, Masato. 2001b. *Chisso wa watakushi de atta* チッソは私であった (*Chisso within Me*). Fukuoka: Ashi shobo.
- Ogata, Masato. 2008. 'Nochi no yo no inochi' ni mukete: Minamata no gendai, 「後の世の命」に向けて 水俣の現代 (Toward 'Life to come': Minamata at present). *Tamashii utsure* (Hongan no Kai Newsletter) vol. 34.

⁶⁷ (Agamben 2002, p. 18).

Satta, Sebastiano. 1994. *Il mistero del processo*. Milan: Adelphi.

The Social Scientific Study Group on Minamata Disease. 2001. *In the Hope of Avoiding Repetition of the Tragedy of Minamata Disease: What We Have Learned from the Experience: Report of the Social Scientific Study Group on Minamata Disease*. Kumamoto: National Institute for Minamata Disease.

Žižek, Slavoj. 2006. *The Parallax View*. Cambridge: MIT Press.



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