

# Baby Box and the Concept of Epistemic Injustice in Japan

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## Abstract

A baby box is often portrayed as a last resort to save the lives of unwanted infants. However, this paper aims to add a new contribution to this ethical problem in Japan and clarify it within the context of epistemic injustice: (1) testimonial and (2) hermeneutical. The author hypothesizes that parent/s in despair who will give birth or have already given birth to an unwanted baby originally have tendencies to isolating behavior (learned helplessness, social fear, and avoidant patterns in the face of a problem). Probably at some point in their lives, they were the subject of epistemic injustice (school, the closest community) and due to this reason, they tend to avoid public social welfare institutions and in the worst scenario, commit infanticide. The author argues that parent/s in crisis stay helpless and silent (testimonial smothering) or are silenced (testimonial quieting) facing epistemic injustice in society. In conclusion, the author suggests two possible options (that are not mutually exclusive) to approach this problem: (1) providing more baby boxes with the possibility for unbiased consultation for both sexes and (2) including mandatory education on the concept of responsible parenthood and the value of prenatal life in the junior high school and high school curriculum to enrich students' language, understanding and emotional processing of the problem of pregnancy. Hopefully, the mentioned countermeasures can break the silence of "voiceless" parent/s and decrease the number of infanticides in Japan.

**Keywords:** baby box, baby hatch, child abandonment, baby dumping, Japan, epistemic injustice, testimonial injustice, hermeneutical injustice.

## Introduction

On May 31, 2022, a tragic situation took place in Chitose, when a woman placed the body of her newborn baby in a coin-operated locker (case A). That woman did not know what to do and how to ask for help. She stayed isolated from family and friends and panicked. This led to an enormous tragedy both for her baby and for her. She did not know that there was a newly opened baby box a one-hour train ride from Chitose, in Tobetsu. Another example is a woman who contacted a baby box in January 2024 (data confidential). In this case (B), a woman confessed that she *intentionally* did not want to contact public social welfare centers (hospitals, Ninshin SOS, hotlines,

etc.). She believed her story would not be heard and understood, so she chose the private baby box in Tobetsu. In case C, in February 2023 parents (data confidential) contacted local welfare institutions and consulted their case; however, they were unable to receive any satisfactory solution. They contacted Tobetsu Baby Box and after online consultations decided to bring their baby there. What lessons about injustice (testimonial and hermeneutical) can be drawn from these three cases? Before the analysis, I will briefly outline the scale of the child abandonment and child abuse problem in Japan.

## 2. The Significance of child abandonment and child abuse problem in Japan

The problem of child abandonment in Japan raises serious ethical concerns. Dr. Takeshi Hasuda, who is in charge of Kumamoto Jikei Hospital's baby box, underlines the scale of the problem stressing that "there are about 20 cases of abandonment or murder of babies per year (Hasuda 2022)<sup>1</sup> However, we cannot forget about the cases of child abuse and neglect, which are constantly rising from year to year. According to the recent government data, there were 219,170 child abuse in fiscal 2022, marking an increase for the 32nd consecutive year.<sup>2</sup> Child abuse and child neglect can be prolonged in time and only in the worst scenario is punctuated by a child's death. Many victims are suffering in silence (babies, mothers with severe postpartum depression, and victims being in the vicious circle of domestic violence, DV). The parents are scared and silenced to the level that they are physically and mentally unable to contact public institutions. Many victims gave up helplessly and did not act rationally.

## 3. The Existing solutions and options for unwanted pregnancy and unwanted infant

In the event of an unwanted pregnancy, a mother in Japan has several options, which require making her personal information public. The first is abortion. Currently, there are two types of abortion in Japan: 1) a surgical abortion A) up to 12 weeks gestation (mechanical removing fetus from the uterus up to 12 weeks gestation by the method of curettage or aspiration) and B) from 12 to 21 weeks 6 days gestation (induced abortion); 2) a medical abortion introduced in Japan in 2023 (up to 9 weeks gestation) by using the oral abortion drug (Mifepristone/Misoprostol). The national insurance system does not cover abortion expenses, and the procedure requires the written consent of the woman (depending on the clinic, sometimes the consent of a partner is also required).<sup>3</sup>

The second option is direct consultation at Child Guidance Centers across Japan. They work according to strict guidelines, and workers are obliged to carry out a family assessment to check

whether the family has the conditions to raise a given child. This option is often criticized for being bureaucratic and non-empathetic. This option cannot be anonymous (a person must provide a valid ID or insurance if they want to use the health care system and receive the Childbirth and Child-care Lump-Sum Grant).

The third option is a hotline which provides anonymous consultation via telephone, LINE, and e-mail ("Ninshin SOS"). However, their offer is limited to providing specific addresses and information requiring direct consultation; employees cannot anonymously accept children in the event of an emergency.

The fourth option is a Non-Profit Organization (NPO), which can consult each case, provide psychological care, temporary shelter, and material assistance, and arrange (in some cases) special adoptions. However, NPOs cannot anonymously accept unwanted infants.<sup>4</sup>

The last option is a baby box (anonymously accepting unwanted babies). The only officially recognized baby box is located in Kumamoto Jikei Hospital and operated by Dr. Takeshi Hasuda. Since December 2019, the hospital has provided an additional option called "confidential birth" with established guidelines.<sup>5</sup> In this paper, I would like to introduce the second baby box (not officially recognized by the government), established by a private woman in Tobetsu town, Hokkaido, in May 2022 (here called Tobetsu Baby Box).

## 4. A private baby box in Tobetsu town as an example of a grassroots movement to protect infants from baby dumping in Japan

In May 2022, a woman living in Tobetsu town in Hokkaido opened a private, anonymous baby box. This idea was added to other services within her Citizens' group. In the period between May 2022 and May 2024, she received about 2084 messages related to baby box and child abandonment, about 43 children (per each year) received temporary custody, and her baby box accepted 6 babies (including a baby with a disability) in the period between May 2022 and January 2025.<sup>6</sup> Five newborns and one baby (not a newborn, data about the age are not made public.). All of the babies were received directly, from hand to hand. Five babies

were inducted in a confidential manner (The Tobetsu Baby Box operator knows the names of parent/s and their contact) and only one case was accepted anonymously (directly, from hand to hand, without data about the parents). All services provided by Tobetsu Baby Box are free of charge (transportation, food, shelter, clothes, daily necessities for children, psychological consultations, various therapies, and becoming a surrogate for matters of health and insurance).

The service has no particular conditions (except prior reservation) and accepts babies regardless of age, health condition, nationality, etc. It must be stressed again that in Tobetsu Baby Box, babies must be transferred directly from the parent's/ parents' hands to the operator's hands to avoid a police investigation. So far, all babies (except one case, not public) received by Tobetsu Baby Box can access and receive information about their origins, in the future (The operator has the contact and address of their biological parent/s).

However, Tobetsu Baby Box has no close access to health services (hospital, gynecological and obstetrical care, midwife service, neonatal intensive care, etc.) and for this reason, was requested about 23 times by the Hokkaido Government Office to stop its operation.<sup>7</sup> The argument is serious, namely, that in the case of an emergency, both mother's and infant's life and health could be endangered.<sup>8</sup>

What are the main differences between the Tobetsu Baby Box and the other options provided by the public support system in Japan? The differences are summarized in the table below:

Baby Box Tobetsu	Public Support System
Private operation, therefore, more flexible	Government-supported, therefore, strictly regulated
No particular conditions (except advanced reservation before visiting)	Many formal conditions
Anonymous or confidential (disclosing personal info. to the operator of Tobetsu Baby Box)	To receive support parent/s finally must disclose personal data
High level of trust	Low level of trust
Altruistic motivation	Government ordered
Nonjudgmental, empathetic attitude,	Formal and bureaucratic atmosphere
People with no family registry, or insurance also can use	Must have ID/insurance to use

Clearly, the biggest advantage of the Tobetsu Baby Box is that the operator is a private person who, in difficult cases that cannot be resolved within other legal frameworks, uses the law of 'normal adoption' and 'Legal Guardianship for Minors' as a last resort.<sup>9</sup> After a baby is born, legally she will be the baby's grandmother. She can legally register the baby in the operator's family register and apply for a resident card record and the insurance for the baby.<sup>10</sup> Staff at public institutions cannot act similarly, so babies are sent to various public facilities and must wait for adoptions and decisions of the family court for an unknown period. However, public consultation institutions are also invaluable, in the later stages of the unwanted babies problem, and they also regulate the formalities of registration. The cooperation between public consultation institutions and the Tobetsu Baby Box should be strengthened, by maintaining a *win-win strategy*.

Three possible scenarios are

- 1) a *lose-lose scenario* when child abandonment and child abuse problems will not be addressed by public institutions (lose), and Tobetsu Baby Box will be forced to close its operation (lose).
- 2) a *lose-win scenario*, when Tobetsu Baby Box will be forced to close its operation (lose) and institutional support will have a very minimal positive change (win).
- 3) a *win-win scenario* when Tobetsu Baby Box and public institutions will work together and complement each other's deficiencies. Tobetsu Baby Box in this scenario is considered a "mediator" between parent/s in distress and the public support system.<sup>11</sup>

In this part, I want to stress that the originality of this study lies in the unique research method, called ethnographic immersion. In other words, the author used the method of long-term participant observation of the Tobetsu Baby Box settings (as the author lives in the same town). The author gained information from direct observations, semi-structured interviews, talks with Baby Box guests, document analysis, talks with people in charge of this issue in the local Child Welfare Center, and laypeople from various communities in the town. However, the most important are 1) the voice of the operator and 2) first-hand data disclosing the reasons for choosing the Tobetsu Baby Box. The author will analyze the opinion of the

Tobetsu Baby Box operator and then two voices – reflections – of the Tobetsu Baby Box users.

## 5. Why do we need Baby Boxes in Japan – the voice of the operator of the Tobetsu Baby Box

This section presents the most important comments and statements made by the operator of the Tobetsu Baby Box in a semi-structured interview, to explain more vividly why such a service is invaluable in Japanese society.

The first and most important question given to the operator was: “What was the main reason for starting Baby Boxes?” She explained: “Japan is a welfare state. However, in reality, sad and painful incidents such as infant murders, forced suicides, and child murders by parents due to child abuse occur. I opened the baby box because I want to help unconditionally the most vulnerable babies and children.”

In this answer, the Baby Box operator wanted to stress that the most important point of her service is “unconditional help,” which can be perceived as the personification of the Christian “Good Samaritan” concept.

The next question was: “What is the need for Baby Boxes in Japan?” The reply was: “Tobetsu Baby Box is a means of conveying the message: ‘We will definitely help you.’<sup>12</sup> I think it’s important not to refuse help. We cannot refuse, no matter whether it is anonymous or not, no matter what the background or circumstances, no matter how high the risk.”

Here again the Baby Box operator’s „no matter what” attitude exemplifies an unconditional willingness and readiness to help unknown people in trouble, demonstrating an altruistic attitude toward them. This type of behavior is called “pure altruism” in evolutionary psychology when individuals are involved in helping others without expectation of reciprocity or material gain. However, some studies in social neuroscience show that altruistic behavior is not “purely” selfless, because it brings a “feeling good” effect to the altruist. Namely, altruistic behavior activates specific areas in the human brain (nucleus accumbens), which is a part of the reward system path and contributes to the release of dopamine (a “feel good” hormone and neurotransmitter).<sup>13</sup>

The author’s next inquiry was particularly

essential for her 12-year research on baby box systems: “What is the role of the Baby Box?” The response surprised the author: “Celebrating the birth and existence of a child. Protecting the <<lives>> and <<hearts>> of children and parents. A place where parents’ values, circumstances, and thoughts are not denied.”

This response vividly shows respect for the parents’ situation, without denying their feelings and traumas and without judging whether it is right or wrong. The answer also brings a surprising word “celebration”. “Celebration” is associated with happy events, such as weddings and the birth of a new life. However, in the case of unplanned and unwanted pregnancies, nobody celebrates the birth of new life but rather laments over the birth of a new burden and trouble. Therefore, the perspective adopted by the Tobetsu Baby Box operator and her attitude toward “unwanted life celebration” is particularly outstanding. She is the only one to find a glimpse of joy and blessing in the extremely hopeless and sadly tragic situation of a mother and her unwanted infant. This need to “celebrate” life irresistibly reminds the author of the need to build a “culture of life”, which John Paul II called for in his encyclical “*Evangelium Vitae*” and contrasted it with the “culture of death”.<sup>14</sup>

The next question to the Baby Box operator was: „How does the baby box specifically help society and the Tobetsu/Sapporo area?” The lady answered:

An important function of government is to protect residents. Tobetsu Baby Box is useful in making visible “facts” that the government does not see and cannot comprehend (cannot grasp).<sup>15</sup> The essential role of Baby Box is <<connecting>> so that the government can actually provide practical support for infants, mothers/parents. Children have no guilt or responsibility. I am truly grateful that the government and citizens are working to help children.

Here, it is important to acknowledge that there are “blind spots” in the public support system provided by governmental institutions. Although public institutions have good intentions and work very hard, it is impossible for them to reach the weakest people in desperate need (with learned helplessness and avoidant behavior strategies). They intentionally avoid and hide from society. Such people often feel shame, do not trust



institutions, and do not want to cause a burden to others.<sup>16</sup>

In the second part of the question about the usefulness of Baby Box for Tobetsu and Sapporo, she answers:

On the contrary, Baby Box has increased administrative work to public institutions and at the same time has received a lot of generous and flexible help. Tobetsu Baby Box does not want to take away the work of child guidance centers. Baby Box is targeting only that part, which the government cannot do due to its position. For example, the government must take a stance of <<responding equally according to the manual>>. Regarding Baby Box, I believe there is no point in implementing Baby Boxes unless they convey the message:<<You are very important. We want to help you. You are a special person. Thank you so much for trusting us. Congratulations on giving birth!>>

This part stresses the very high altruistic standards of Baby Box, its flexibility, and points out the importance of showing a “more human face” of social help. Therefore, this unique selfless attitude should be noticed and positively evaluated by Japanese society.

The next question was: “What is the most important challenge for Baby Box going forward?” The lady answered: “I hope they will be established throughout the country. It is essential to have a consistent level of quality and a clear concept of Baby Boxes.”

In this statement, she underlines that we do not have to institutionalize Baby Boxes; however, when we establish new Baby Boxes, we have to keep the same spirit of altruism and unconditional acceptance of the most vulnerable group – unwanted infants and their parents.

The author’s next question was „Why is it necessary to increase the number of baby hatches across the country (Japan)?” She replied:

Consultation services are available nationwide. However, incidents still occur. There’s a need for Baby Boxes (places that offer unconditional love) where people who cannot seek public consultation can feel safe according to their own values. If it is simply <<a box to put babies in,>> it would be rational to install them at hospitals, fire stations, or child consultation centers.<sup>17</sup> If the concept of

a baby box is created just only to add safety (“just putting a baby in a safe place or box”), that could be an option. However, in my personal opinion, that feels sad. I want to warmly welcome the parents and children who come. For those who are suffering and are at their limit, I believe what they need the most at this moment is <<kindness rather than correctness.>> I believe babies and children are beings to be <<celebrated>> and loved.”

The phrase that struck the author most profoundly, as used by the Baby Box operator, was “*ataakaku omoenashi shitai desu*” (“I want to offer warm hospitality/ welcome them with warmth”). The word “*omoenashi*” is typically reserved for guests, particularly those who are long-awaited or considered special. It is exceptionally unusual to employ this word about mothers relinquishing their unwanted infants.

The next inquiry to the operator was: “Are you planning to cooperate with overseas Baby Boxes? Is it important?” She answered:

Yes. I will cooperate in any way I can. This is very important for future generations as well. I refer to overseas baby posts. It broadens my perspective and gives me courage. By learning from precedents, positive aspects, and challenges, I believe we can implement solutions and evolve into a better form. Tobetsu Baby Box is a unique practical example. It’s located in a suburban area with heavy snowfall; it is a private residential-style facility; despite being the northernmost, it serves the entire country; it is not limited to just infants; there is no paid staff; it operates on a reservation system. All cases involve direct handovers of babies from hand to hand (I believe the key point is to gain trust, making people feel that even when meeting face-to-face, this person will not betray them).

Here it is essential to notice, that Tobetsu Baby Box is building not only on the experience of the Kumamoto Baby Box at Jikei Hospital but also on the traditions and ideas found in countries such as Germany, Poland, Italy, and the US, where baby boxes<sup>18</sup> are utilized as the last-resort solution to an illegal baby abandonment problem. There are many people of goodwill abroad who spread the concept of care for unwanted babies and will certainly support Tobetsu Baby Box, if they learn about it. The difficult barrier is the Japanese

language and the lack of information and scientific papers on this topic in English.

Additionally, the author was interested in the “educational disparities” of Tobetsu Baby Box users. The operator of a Baby Box confirmed educational disparities and explained:

In cases where people used or contacted us intending to use Tobetsu Baby Box, and in cases I supported them, I felt the <<educational disparities>>. Some people had only completed junior high school education, while others, though not <<intellectually disabled>>, had very weak comprehension and foresight. For example, there was a case of an expectant pregnant woman who had not had prenatal check-ups and was in financial trouble close to her due date. She went far from home without bringing money, and her labor started there. She contacted me anonymously after labor began, but she could not foresee that if the baby was born at that location, nothing could be done. On the other hand, this woman was very honest and loving. The baby was safely transported to the hospital in time, and born there. The woman found the baby so cute that she decided to raise it on her own; she understood that she would receive administrative support, and we (the Baby Box operator and the mother) were able to move forward together.

Tobetsu Baby Box operator stressed that she “believes that with comprehensive and generous support, we can find solutions for the people needing support due to so-called <<educational disparities>>.”

The founder of Tobetsu Baby Box underlined the opposite situation: “On the other hand, there were also some people who thought, <<I don’t want absolutely anyone to know about my family life, because I have a socially trusted profession>>. In that sense, <<educational disparities>> are also involved and relevant.”

Here is the key answer to why some women act completely irrationally under the influence of impulse, which potentially leads and actually has led to a tragedy for a baby. Of course, one reason is that the mothers are in postpartum shock, but a contributing factor is a lack of elementary knowledge (about the birth) or a lack of prudence and an inability to foresee the consequences of their actions.

However, what the author wants to stress the most is the solution proposed by the Baby Box founder. She suggested that “even if we deal with poorly informed and distressed parents, it is not hopeless as far as we are <<generous>> supporters (teatsui sapōto)”. These words are again, very exceptional and unusual when applied to mothers of unwanted infants.

Additionally, the Tobetsu Baby Box operator mentioned the tragic Italian accident, which took place in January 2025.<sup>19</sup> She stressed that it could be closely related to “educational disparities”. She explained:

A tragic incident involving a baby box occurred in Italy. From this incident, we can infer the following about people who use baby boxes: They may not understand how to close the door properly. They may not understand the importance of making sure the door is tightly closed. You may not realize that leaving the door open in the winter can expose your infant to cold temperatures and put them at risk of death from hypothermia.<sup>20</sup>

Teaching students (starting from junior high school age) through careful analysis of tragic cases of baby relinquishment and what to do and what not to do in the event of anonymous use of Baby Box would help to reduce poorly informed expecting parents.

The author was interested in whether there were any gender disparities in Baby Box use. The operator of Baby Box answered that

A pregnant woman under emergency conditions is a “female”. In cases of rape or cases where the sexual partner is unknown, only women contact me. It is important to provide special consideration and confidentiality and to support them in a way that suits their needs. In some cases, the woman’s partner, who is not the baby’s father, contacted us to help the woman and her baby.

She explained that married couples also contacted her service in Tobetsu: “Among infants and child-rearing generations, there are many cases involving married couples.” She also mentioned the cases of when “mothers with postpartum depression or a history of psychiatric treatment reach their limit, go beyond it, and send her an SOS when they feel they have no other options.”

Importantly, the operator of the Tobetsu Baby Box explained that “there have been multiple cases

where fathers, feeling cornered, have trusted me and consulted the Baby Box.” But she emphasizes: “When people reach their limit there is no gender disparity.”

Tobetsu Baby Box’s founder recognizes existing patterns in handled cases: “There are certain patterns. Half of the cases I have handled involved men. In all cases involving infants, men were also part of the situation. Cases of single births and a newborn within 5 days of birth were all contacted by women only.”<sup>21</sup> She accurately notes that “Legally speaking, for single mothers, if they are the sole parent with custody, it is easier to consent to <<special adoption>> compared to married couples. Child consultation centers also find it easier to protect in such cases.”

The Tobetsu Baby Box operator, as an eyewitness to the crisis of women in distress, emphasized that “true emergencies arise in the case of complete isolation” (no partner, nobody to assist during childbirth). In such a situation, no one is present to observe or respond to potential tragedy. A secondary level of emergency involves women who suffer from postpartum depression or other psychiatric disorders and who live with a partner”. Initially, the partner is the first person to notice the potential danger. These cases are difficult to prove as “unable to raise” and are often not recognized as valid concerns by public institutions.<sup>22</sup>

The author asked about the most important societal fears and concerns related to the baby box. The lady answered: “Japan has many dedicated doctors, pregnancy services, and child support practitioners with noble intentions. However, Japan’s challenge lies in the fear of administrative repercussions for actions not officially sanctioned, which could lead to “professional ruin” (for example, suspension of insurance reimbursements for hospitals or revocation of medical licenses for doctors).”

Lastly, the author sought to understand what an individual can do to protect vulnerable infants. She answered, giving an extensive explanation: “The Baby Box is a place that protects the <<life and heart>> of both children and parents. Japanese administration also wishes to protect children and deeply understands that children bear no guilt or responsibility. The goal is the same. By taking various approaches, the most vulnerable children can be saved. Parents and families can also be saved. The most important thing for each individual is to

<<take action>> in whatever way they can.” Based on this reply, the author believes that every reader can support and contribute to solving this problem using their skills and available resources.

In the next section, we will finally give the voices of Tobetsu Baby Box users and see the problem of child abandonment from their perspectives.

## 6. The Voices of Tobetsu Baby Box Users

Between May 2022 and March 2024, more than 2000 inquiries and consultations were performed by the Tobetsu Baby Box operator via LINE, short message, phone, or email.<sup>23</sup> The author wants to present and analyze the content of two responses written to the question: “Why did you decide to use/consult the Tobetsu Baby Box?” (Informed consent was obtained to disclose anonymously the content and use it in this paper).

### Person A (a father’s voice)

“This is because I felt that even if I consulted a public institution, the response would be bureaucratic and they would not care about my situation or my feelings. I received advice from the Tobetsu Baby Box operator and consulted a Child Guidance Center. No matter what kind of decision, they continue to say: << I will consult with the person in charge.>> I was also passed around. It is normal for (the Child Guidance Center) to send no message for 2 weeks, but when I finally contacted them from my side, they said: <<We are currently checking the situation.>> My wife is physically and mentally exhausted and tends to be depressed, though she still keeps going. The Child Guidance Center visited us at home and said that the house was not dirty and that our second daughter, who has Down syndrome, was not skinny. According to the view of the Child Guidance Center, they judged that we (my wife and I) could raise the baby and refused our application.

After that, the Child Guidance Center wouldn’t do anything, so I told them that I was thinking about using a baby box. Then another person in charge of the Child Guidance Center contacted me and we had another discussion, but there has been no progress so far.

To be honest, I don’t have much hope for the Child Guidance Centers anymore.”<sup>24</sup>

**Person B (An unmarried pregnant woman who had not been diagnosed at the hospital, had little money, and had no place to live)**

“The reason I asked the Tobetsu Baby Box operator is that it is hard to rely on public institutions, so I looked at the website and I thought that Baby Box would be able to take my circumstances into consideration and help!”<sup>25</sup>

Additionally, it is worth noticing that the Tobetsu Baby Box operator always repeats “I promise to help you.”<sup>26</sup> The abovementioned voices of the Tobetsu Baby Box users are clear: we can hear their helplessness, hopelessness, irritation, lack of trust in institutional help, and desperation. The person A expressed that they were at their limit (to care for a baby).<sup>27</sup>

The abovementioned responses from the Tobetsu Baby Box users brought me to the concept of epistemic injustice coined by Miranda Fricker in her book “Epistemic Injustice: Power and the Ethics of Knowing.”<sup>28</sup> In the next section, I will briefly explain the types and examples of epistemic injustice and then clarify them in the context of the Tobetsu Baby Box users.

## 7. Definition of epistemic injustice in M. Fricker’s theory

Miranda Fricker, moral philosopher presently teaching at New York University, introduced the concept of epistemic injustice. A person can be a giver or receiver of knowledge, and on this basis, she underlines in her book the following thought:

To be wronged in one’s capacity as a knower is to be wronged in a capacity essential to human value. When one is undermined or otherwise wronged in a capacity essential to human value, one suffers an intrinsic injustice. [...] We are long familiar with the idea, played out by the history of philosophy in many variations, that our rationality is what lends humanity its distinctive value. No wonder, then, that being insulted, undermined, or otherwise wronged in one’s capacity as a giver of knowledge is something that can cut deep.<sup>29</sup>

Miranda Fricker distinguishes the following types of epistemic injustice:

- 1) **Testimonial injustice** (“speaker receives an unfair deficit of credibility from a hearer

owing to prejudice on the hearer’s part”)<sup>30</sup> In other words, the speaker’s words are not taken seriously and the speaker’s testimony, his/her experience, and feelings are not credible due to the stereotypes embedded in the listener (racial, social, sexual or other stereotypes). A typical example is that people tend to give less credibility to black women in science based on racial prejudice.

- 2) **Hermeneutical injustice** (“when someone’s experiences are not *well understood* — by themselves or by others — because these experiences do not fit any concepts known to them (or known to others), due to the historic exclusion of some groups of people from activities, such as scholarship and journalism, that shape the language people use to make sense of their experiences”).<sup>31</sup> In other words, people who belong to “stigmatized groups” might be denied the conceptual resources that they need to understand their traumas, feelings and experiences. It can also be said that stigmatized groups experience something “bad and traumatic” and they have no concept or appropriate language to express it to themselves and others. Fricker gives the example of “sexual harassment” and “postpartum depression”. Marginalized groups, who experienced these phenomena, lacked those concepts, and therefore could not properly transfer their experience. This put “marginalized groups” in the permanently lower and weaker position and people, who undermine their experiences in the “position of power”, according to the Fricker’s theory.

## 8. Clarification and discussion on epistemic injustice in the context of parent/s with unwanted babies

The author argues that we can apply the concepts of epistemic injustice in the context of the experiences lived by the baby box users. Here is how it can be interpreted.

- 1) *Testimonial injustice*: parent/s in distress and depression, who delivered an unwanted baby often are viewed as less credible. Even if they experience domestic violence (physical, psychological, sexual, or mixed), their experiences and testimonies are not taken seriously enough (with comments like: “You are



young, you can do it; just try, do your best; time heals wounds; this baby is so cute, you will be a fantastic mother; are you sure it was a rape” etc.). The other studies on refugee women also prove that “refugee women who testify to persecution and fear linked to sexual violence are, among asylum-seekers, least likely to be heard and believed.”<sup>32</sup> This experience leads to the situation when the stigmatized group of parent/s in distress do not trust anyone and stop to reach out for help. As a result, they completely isolate themselves and finally commit crimes (suicide, extended suicide, infanticide, baby dumping in an unsafe place), because they think that nobody will believe their traumatic stories.

In the case of person A, a father, who continuously repeated, that he and his partner were not able to take care of the baby (while having one more baby with Down syndrome), the Child Guidance Center did not believe his testimony. The workers, who visited their house found it clean and the children very also “not skinny”, and based on this superficial interpretation they judged that the family could raise the baby. To state it clearly, the Child Guidance Center denied the experience and feelings of those parents. They did not believe their words and considered them exaggerated. Person A faced testimonial injustice and turned to the Tobetsu Baby Box, where his testimony was carefully heard, understood, and accepted. This is the crucial reason why baby box facilities should be maintained. Baby box facilities give credibility and trust to those who are weak, stigmatized, and epistemically marginalized by groups being in the “position of power”. We can also call it testimonial silencing (“an audience fails to identify a speaker as a knower”)<sup>33</sup> or a situation, that the Child Guidance Center “knows better” than the couple in distress.

2) **Hermeneutical injustice:** parent/s in distress can have a lack of conceptual resources to transfer their experiences to others and just say like person B “it is difficult to consult” with the Child Guidance Center. This “difficulty” is related to the **lack of concepts and fluency** in transferring their experience. Person B does not know how to prove that she is unable to care for a baby. She feels she cannot, but does not know how to persuade the workers. She also does not want to be

judged, criticized, and shamed. She assumes that the public support system is not for her. The Tobetsu Baby Box operator’s words “I promise to help you” are the only last resort to convince her.

Hermeneutical injustice occurs when parent/s who are homeless, poor, and in severe distress and mental turmoil cannot convey their chaotic and traumatic experiences to others coherently and persuasively. They do not have such skills and conceptual tools. They are afraid to be re-traumatized and harmed by a bureaucratic system of public support and stay in a “freeze” response. This also can be called *testimonial smothering* (“The truncating of one’s own testimony in order to ensure that the testimony contains only content for which one’s audience demonstrates testimonial competence”).<sup>34</sup> It means that a person does not want to speak about his/her experience, knowing that s/he will not receive enough credibility (or will receive inappropriately low credibility). For example, a raped girl/ woman in an unwanted pregnancy stays silent and does not seek help, because she expects she will receive inappropriately low credibility.

It is worth noticing that in the worst scenario, a person who is denied his/her experience (of pain, trauma, violence, mental limits) and does not have a language to convey and precisely articulate his/her narration and stay silenced can act irrationally and aggressively (cannot adequately foresee the consequences of her acts). This is the situation when baby dumping, infanticide, and suicide occur.

It also must be stressed, that the isolation and loneliness of parent/s facing a problem of unwanted pregnancy/baby does not stem solely from the prejudice and unjust behavior of public institutions toward them. Isolating behavior in the face of a serious problem of such people has probably been learned. One hypothesis is that at the earliest stage of life, various problems faced by such people were ignored and marginalized by caregivers and teachers. Additionally, their isolating behavior could be reinforced by a well-known sayings in Japanese education: “Do your things by yourself” (*jibun no koto jibunde suru*), and “Do not be a burden to others, “do not cause troubles to others”, “do not bother others” (“*hokano hito ni meiwaku wo kakenaide*”).<sup>35</sup> To state it again, these unconsciously programmed norms, together with low

self-esteem, avoidant personality traits, learned helplessness, educational and gender disparities and many other environmental factors could greatly contribute to their isolating behavior.

In this place, it must be emphasized that by using the theory of epistemic injustice, the author of this paper does not want to contribute to perpetuating new negative stereotypes about Baby Box users in Japan. The author wants to acknowledge their existence, dignity, problems, and moral right to be heard and seen with special attention and tenderness (as the Tobetsu Baby Box operator stressed, “kindness over correctness”). Denying their feelings and traumas and diminishing their credibility (based on the carer’s unconscious stereotypes of a good mother, and good parents) can be considered a cruel injustice. In the author’s opinion acting in this manner is unjust.

By analyzing authentic emotions and true stories of baby box users, the author wanted to show how the altruistic attitude, true dedication to others, and unshakable core values (unconditional love, selfless help, kindness, empathy) of the caring person can create trust and a positive attitude of parent/s of unwanted babies. It works on the principle of mirror reflection.

On the other hand, the servile and cold style of communication in public institutions (based on stereotypes) may contribute to a lack of trust and reluctance of parents/s in distress.

In the last paragraph, let me sum up the structure of the argument based on epistemic injustice.

## 9. The structure of the argument

Based on the abovementioned interpretation of epistemic justice, we can make an argument:

Premise 1: Parent/s in distress having an unwanted baby are often stigmatized and viewed as less credible (testimonial injustice).

Premise 2 Parent/s in distress having an unwanted baby are often silenced (testimonial quieting)

Premise 3 Parent/s in distress having an unwanted baby are self-silencing (testimonial smothering)

Premise 4 Parent/s in distress having an unwanted baby often have no conceptual tools and adequate language to articulate their trauma (hermeneutical injustice)

Premise 5 Baby boxes give appropriate

credibility, the opportunity to listen to them and to express their voice, in an easy and nonjudgmental manner.

Conclusion: Baby boxes, by removing injustices 1,2,3, and 4, can contribute to giving more credibility to the traumatic stories of parent/s in distress and by this empower them and save their babies.

## 10. Future research prospects

The research on ELSI of baby boxes in Japan still has many dimensions. The next research project goal will be to prepare sample dialogues on how to talk and how not to talk to potential Baby Box users. This type of “manual” and its analysis could be a useful guide for social care providers, who can unconsciously hurt or treat unjustly vulnerable groups of parent/s with unwanted babies.

Additionally, it will be interesting to check the image of Baby Box in Japanese society (what it is associated with) and compare it with other countries (Germany, Poland, South Korea)<sup>36</sup> to broaden the perspective on this topic. The author works closely with Japanese Catholics and is interested in examining the role of the Catholic Church, Christian churches generally, as well as Buddhist and Shintoist statements on the necessity of building baby boxes based on their religious traditions.

The author prepared confidential baby box guidelines for places with access to medical care and for private operators.<sup>37</sup> These guidelines need to be published for further public discussion.

Lastly, the author suggests two possible options (that are not mutually exclusive) to approach the problem of baby dumping: (I) providing more baby boxes with the opportunity for unbiased consultation for both sexes (mothers and fathers) and (II) including mandatory education (to remove educational disparities) on the concept of responsible parenthood and the value of prenatal life in the junior high school and high school curriculum to enrich students’ language, argumentation, understanding, and emotional processing of the problem of pregnancy. Online or video lectures by people related to the baby box system would also be invaluable.

Public opinion in Japan needs more knowledge, more active discussion, and more first-hand data on the real problems associated with unwanted pregnancies and Baby Boxes. Therefore, the

author will eagerly continue this research. Emotions and stories, unlike dry facts and numbers, resonate deeper with public opinion.

## 11. Conclusions

To sum up, this paper analyzed the idea of Baby Boxes from the perspective of epistemic injustice coined by M. Fricker, using the ethnographic immersion method (by contextualizing an ethical dilemma within its natural environment) and numerous semi-structured interviews with the Tobetsu Baby Box operator and stories of Baby-Box users. Based on the collected data, the author stressed the thesis about the invaluable significance and necessity of Baby Boxes in Japanese society. The first reason for this statement is that Baby Boxes can serve in Japanese society as a “mediator” between stigmatized, vulnerable groups of parents in despair and public support institutions, by applying a win-win strategy.

The second reason for this conclusion is the fact that the existence of the Baby Box system can not only help to remove the mentioned types of injustice (testimonial, testimonial silencing, testimonial smothering, hermeneutical injustice) but also actively contribute to the empowerment of parent/s in distress, who are currently “voiceless” in Japanese society.

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- 6 Data based on interviews with the Tobetsu baby box operator and the home page: <https://www4.hp-ez.com/hp/kodomo-sos/page4>; last access: January 6, 2025.
- 7 The Government of Hokkaido: <https://www.pref.hokkaido.lg.jp/hf/kms/nin-sin-sos/180273.html>; last access: September 30, 2024.
- 8 The Baby Box operator’s occupation is a veterinarian and psychological counselor. She knows how to handle natural birth, but she has no midwife or medical doctor’s license. A medical emergency could occur if there are potential birth complications (for example, an urgent need for a Cæsarian section, etc.)
- 9 「普通養子縁組」と「未成年者法定後見」の法律を使用します。The system of normal adoption (普通養子縁組の制度): <https://www.moj.go.jp/MINJI/kazoku/youshi.html>
- 10 This happened in spring 2023.
- 11 This part of the analysis was presented by the author during the Japanese Association for Ethics and Philosophy in Medicine at Sophia University in Tokyo in 2023.
- 12 「絶対に助ける！」
- 13 Filkowski, M.M., Cochran, R.N., Haas, B.W. 2016: „Altruistic behavior: mapping responses in the brain,” *Neurosci Neuroecon.* 5:65-75. doi: 10.2147/NAN.S87718. Epub 2016 Nov 4. PMID: 28580317; PMCID: PMC5456281.
- 14 John Paul II, *Evangelium Vitae*, 28, 1995: “We are facing an enormous and dramatic clash between good and evil, death and life, the “culture of death” and the “culture of life”. We find ourselves not only “faced with” but necessarily “in the midst of” this conflict: we are all involved and we all share in it, with the inescapable responsibility of choosing to be unconditionally pro-life.”
- 15 The problem of “invisible people”(見えない人・表に出てこない人)
- 16 「社会に迷惑をかけたくない問題」The social problem of “not causing troubles to society.”
- 17 Like in Poland, the US, Germany, Italy, and other countries.
- 18 In Poland known as “window of life” and mainly supported by the Catholic Church, and in the US known as “Safe Haven Baby Boxes” founded by Monica Kelsey.
- 19 B. L. Nadeau, Dead infant found in Italian baby box after alarm fails to notify priest, <https://edition.cnn.com/2025/01/02/europe/italy-puglia-baby-box-intl/index.html>; last access January 6<sup>th</sup>, 2025.
- 20 According to the Italian police, the cause of the accident in Italy was probably because a person who left the baby did not close the door to the small baby box room that houses the crib, which would have triggered the alarm to the priest. As a result, the alarm did not ring and the heating system was not activated, and the infant was found dead (the results of the autopsy are not public). Ibidem.
- 21 「私がお預かりしたケースの半分は男性が関わっています。乳児ケースは全て男性も関わっています。1人で産んだケース及び生後5日以内新生児は全て女性のみからのコンタクトです。」
- 22 The author wants to stress that she interviewed several people in charge of Tobetsu Child Welfare Center, but they represented the same position as the Prefecture Government of Hokkaido. You can access the Hokkaido Prefecture Government’s statement on Tobetsu Baby Box here: <https://www.pref.hokkaido.lg.jp/hf/kms/nin-sin-sos/180273.html>
- 23 Kodomo SOS (Tobetsu Baby Box) home page: <https://www4.hp-ez.com/hp/kodomo-sos/page8>
- 24 「公的機関に相談してもお役所的な対応で相談者側の状況や気持ちはお構いなしだと思ったからです。実際に、BabyBoxにアドバイスしていただき、児童相談所に相談しましたが、何を決めるにも「責任者に相談します」ばかりで、たらい回しにもされました。2週間なにも連絡なしはあたりまえで、その都度こちらから連絡し、状況を確認している状況です。妻は体力的にも、精神的にも疲弊し、鬱の傾向ありで引っかかった事を伝えて



も、家に訪問してきて、家の中が汚くない、ダウン症の次女が痩せ細ってない、という理由から児童相談所としては育てられる、という判断で一度断られています。その後、児童相談所が何もしてくれないから、赤ちゃんポストを考えてると伝えたところ、児童相談所の別の担当者が連絡してきて、改めて話し合っていますが、こちらも現在のところ進展なしです。正直なところ、もう児童相談所にはほとんど期待してないです。」

- 25 「当別町のベビーボックスを頼った理由はどうしても公的機関には頼りづらく、ホームページを見て赤ちゃんポストなら事情を考慮して力になっていただけたと思ったからです!」
- 26 「絶対に助けると約束します!」
- 27 「もう限界状態でした。」
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- 29 Ibidem, p.44.
- 30 Op. cit., 9-29.
- 31 Op. cit., p.1.
- 32 Baillot, H., Cowan, S., and Munro, V.E. (2009): “Seen but not heard? Parallels and dissonances in the treatment of rape narratives across the asylum and criminal justice contexts,” *Journal of Law and Society* 36(2): 195-219.

- 33 Dotson, K. (2011): “Tracking Epistemic Violence, Tracking Practices of Silencing,” *Hypatia*, 26(2), 236–257. <http://www.jstor.org/stable/23016544>, p. 242.
- 34 Op. cit., p.249.
- 35 The Tobetsu Baby Box operator stressed that “it is OK to cause trouble to her, because she does not perceive an unwanted baby’s life as a trouble”.
- 36 The author already contributed to this topic, writing about a Polish model:  
Olejarz, S. M. (2017): “Ethical Concerns Relating to Child Abandonment and Baby Hatches: The Case of Poland,” *Journal of Philosophy and Ethics in Health Care and Medicine*, No. 11;and comparing it to a Japanese model:  
Olejarz, S. M. (2018): “An Analysis of the Socio-Cultural Context of Child Abandonment and Baby Hatches in Japan and Poland,” *Journal of Philosophy and Ethics in Health Care and Medicine*, No. 12.
- 37 The guidelines were presented during the conference of the 36<sup>th</sup> Japanese Association for Bioethics at Ritsumeikan University in December 2024.