Crime Under the Rising Sun:
An Inquiry into the Japanese Crime Rate

Roxanne Reese
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Matt Stichter, Ph. D.
Philosophy Department
College of Liberal Arts
TO THE UNIVERSITY HONORS COLLEGE:

As thesis advisor for ___________ Roxanne Reese ___________.

I have read this paper and find it satisfactory.

Matt Stichter /s/
Thesis Advisor

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Date
Précis

Something held in common between the United States and Japan is that the people of both fear that the crime rate of their respective countries is out of control and have prioritized crime on the nation’s political agenda. And a difference between the two is that the United States is considered the country with the highest crime rate amongst post-industrialized nations and Japan is considered the country with the lowest—perspective is interesting that way. While the amount of popular concern can be ruled out as the deciding factor in determining a country’s crime rate, there are still countless other influences at play and no clear reason why Japan, of all nations, is so successful at crime control.

As a student of criminal justice and a lover of Japanese culture, my interest was piqued when I first noticed that Japan consistently had the lowest or second lowest rate in each major category of crime. However, I was soon at a loss when I could not find an explanation—or virtually any scholarship whatsoever—for the anomalously low rates. I did eventually uncover a vein of literature dealing with crime, criminology, and criminal justice in Japan from the 1980s and early 90s, but by that point I had already decided that, if a satisfactory answer could not be found, I would simply have to determine one myself.

I will report to you, as each successive scholar reported to me, that the reason I had such difficulty locating research on this topic was because it is inherently difficult to study the absence of something, particularly when one is not entirely certain as to what would cause its presence, as with the commission of crime. Added to this problem was the frustration that several of my predecessors drew a connection between the causative factors of Japan’s low crime rates and its high suicide rates (see Johnson, 2010; Westermann and Burfeind, 1991), which I
argue likely had the effect of dissuading potential researchers from going down what would have appeared to be a dead end.

As a result, my approach to answering the question of why Japan has such a low crime rate makes ample use of what there is an abundance of information on: Japan’s culture. By analyzing Japan’s culture in conjunction with the available literature, I was able to synthesize an argument that the low crime rate is due to strong interpersonal relationships and the lack of diversity within the Japanese population. The former enables Japanese people to shame and pressure members of their groups into behaving in a socially-acceptable manner, and the latter allows individuals to relate well to one another and encourages them to work together toward the common goal of controlling crime. I develop these social controls from a form culturally specific to the Japanese to a generic one that can be remodeled to fit other cultures.

And, in perhaps the most valuable contribution of my work, I was able to utilize cultural and historical information to respond to the scholars who argued that the low crime and suicide rates were related. Japan, as the country with the lowest crime rate, ought to provide an appealing subject for the study of criminal justice and criminological scholars, but few have accepted the challenge and the state of the literature is growing evermore dismal as the most important studies age out of relevance. It is my hope that a response to the suicide issue, like the one I have given, which identifies the oversight made in some of the previous works, will help to breakdown whatever reluctance researchers maintain. Ideally, as scholars realize there are lessons to be learned from Japan, the next few years will witness fewer papers like my own and an increase in the number of scientific studies investigating the Japanese crime rate.
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There was once the case of a man who broke into an apartment. Upon sighting a bureau, he crossed the room and proceeded to ransack it. But then the police arrived and caught the burglar red-handed. This rather unspectacular story could have taken place anywhere, but wait until you hear why the man was so easily apprehended: He took off his shoes when entering the home, so, before he could flee, he had to stop to put them back on (Bayley, 1991). Suddenly the list of places where this could have been is considerably shorter. It was not a lack of common sense that did him in, but rather an excess of propriety—a cultural imperative for the Japanese. In Japan, it is customary to take off one’s footwear before entering a dwelling:¹ even in the process of burgling a residence, the offender could not help but to observe the etiquette of his society. This case may be unusual by American standards, but so too are most things having to do with Japanese crime and criminal justice.

Realistically, it is not terribly surprising that the nature of Japan’s crime is different from that of the United States. It is, after all, a separate country with millennia of history and a distinct culture. However, what is surprising is that Japan has the lowest crime rate of any industrialized nation. In fact, its post-war trend has been a declining crime rate (Johnson, 2010). It seems anomalous to find such impressive crime statistics in Japan, a historically violent and warmongering nation that is internationally infamous for its Yakuza criminal organizations. It was only recently that Japan underwent a century of rapid industrialization, whereby it

¹ Aside from general cleanliness, the source of this custom and its universal adherence is the traditional Japanese flooring made of expensive tatami, three-inch thick straw mats covered with woven rush. They were originally used as mattresses, which is why each one measures three feet by six feet, but the Japanese began covering entire floors with them around the sixteenth century. This, in turn, is why the Japanese sit and work on the floor, and why traditional rooms have little to no furniture, which, like walking on them with shoes, tends to damage tatami (Herrick, 1985).
transitioned from being, in 1868, a technologically stunted country locked in the feudal system, to having the world’s second largest economy by 1967 (Dawson & Dean, 2011). By the advent of the computer age, the breakneck pace of Japan’s modernization put the country industrially and technologically on par with the other advanced nations, but it never witnessed the skyrocketing criminality and delinquency that developed countries like the United States endured in the latter half of the twentieth century.

**Literature Review**

**Historiography of Comparative Criminology**

What one might think of as the study of crime, scholars actually treat as being two distinct fields: criminal justice and criminology. The former encompasses the formal practices of the justice system, which are law enforcement, legal process, and corrections; and tries to solve the extant crime problem by correcting the system. The latter, on the other hand, is concerned with the reasons behind the commission of crime, either by individuals, which produces micro-level theories, or by groups, which produces macro-level theories (Miller, Schreck, & Tewksbury, 2011). In both cases, criminologists are typically interested in explaining circumstances where more crimes are committed than in most places or by most people. The two fields work hand in glove, since proper solutions devised by criminal justice science are informed by criminological theory.

The classical school of criminology, characterized by the work of Cesare Beccaria (1738–1794) and Jeremy Bentham (1748–1832), held that crime was a result of free will and rational choice. This was contrasted by its successor, positivism, which looked for patterns in empirical data and argued that crime was a result of determinism. Both of these two schools

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2 In February 2011, it was officially announced that China superseded Japan as the world’s second largest economy during the year 2010. However, due to China vast population, Japan still maintains a significantly higher gross domestic product *per capita* (Dawson & Dean, 2011).
believed that crime was generated at the individual level, and it was not until the Chicago school of the 1920s, 30s, and 40s, that criminologists considered macro-level causes of crime (Miller et al., 2011). Thus, until that time, there was no reason to invoke the comparative and cross-cultural methods utilized in the other social sciences. Even then, most criminologists did not turn their eye outward until the 1970s (Neuman & Berger, 1988), when the necessity arose from a need to explain the escalating crime rates in industrialized nations (Westermann & Burfeind, 1991).

Stunted by a long tradition of domestic study and the United States’s position as the world leader in criminology, American scholars developed an ethnocentric bent for making generalizations about crime based on their findings from within the United States (Clinard & Abbot, 1973). However, the recognition that crime cannot be taken out of the context of its commission presented the new difficulty of obtaining cultural information and crime data from foreign countries (Leavitt, 1990). Johnson (2010) describes the current state of comparative criminology by saying, “…criminologists focus on two main questions about crime: why individual people differ in the rate at which they commit crime, and why crime rates vary across societies. Unfortunately…. I need to report that criminologists know a lot about the answer to the first question but not much at all about the second” (p. 20).

Principal Studies

Although there are some comparative studies of Japanese criminal justice (see Bayley, 1991; Westermann & Burfeind, 1991), which deal with the justice system and its effect on the types and amounts of crime that are seen in Japan, very few scholars have broached the criminological question of why Japan’s crime rate is so low relative to other countries’. Of

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3 Johnson (2010) notes that, due to a lack of transparency in the Japanese police, the state of this scholarship is actually diminishing; all the best research is now two or three decades old. Bayley (1991) articulates the paradox that, “although the propriety of the behavior of the American police is probably worse than the Japanese, American police are more open; the Japanese police who have much less to hide, are more close” (p.78).
course, this is not entirely surprising when one considers the inherent difficulty of studying crime that did not happen. The corollary to this—the ease of studying crime where there is an abundance of data—explains why so many criminologists devote their attention to the United States.

**Nations not obsessed with crime.** One work that is both criminological research involving Japan and an investigation of low crime rates is Freda Adler’s (1983) cross-cultural study, which concludes that *synnomie*, a word she coined to describe the condition of having extensive social support structures, produces social order and causes crime rates to be unusually low. The study initially involved a quantitative comparison of 10 countries with low crime rates across forty-seven socioeconomic and demographic variables. However, it did not produce significant results, so Adler (1983) switched to a “country-by-country analysis of social control mechanisms” using qualitative data (p. 5). While the individual analyses seem to capture the culture of their respective nations, I cannot help but find her methods to be problematic.

Adler’s (1983) work is based on Émile Durkheim’s *anomie* theory, which states that the social disorganization resulting from industrialization is criminogenic, that is, tending to produce crime and criminality; it is what criminologists now refer to as strain theory (Miller et al., 2011). Steven F. Messner and Richard Rosenfeld’s (2007) study is also based on anomie, but instead of an opposite approach, they built off of an early interpretation by Robert K. Merton’s (1938). Their institutional anomie theory argues that anomie, the criminogenic state of social disorganization, results from an imbalance between a society’s major institutions—the economy, the family, education, and polity—in favor of the economy. Adler, on the other hand, limits the

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4 Adler (1983) derived the word “synnomie” from the Greek *syn-*-, meaning “congruence,” and *nomos*, meaning “law” or “value.”

5 Émile Durkheim, father of sociology, originally borrowed the term “anomie” from his countryman, French philosopher Jean-Marie Guyau. The term itself is derived from the Greek *a-*-, meaning “without,” and *nomos*, meaning “law” or “value”; however, it is not synonymous with “anarchy.”
scope of her qualitative study “to the criminal justice system and to those other social control organs which are deemed most closely related to criminality” (p. 12). This limitation is not inconsequential.

Adler (1983) did not account for the institutional imbalance, so whereas Messner and Rosenfeld (2007) restrict their study to post-industrial nations, hers simply takes the two countries with the lowest crime rate from each region, excluding southern Africa, for which she states data is unavailable. This selection process yielded 10 countries so diverse that they represented every type and level of national characteristic imaginable—their low crime rates were the only clear characteristic they did have in common. Many of the characteristics she set aside are the very factors others have proven influence crime rate—such as the level of industrialization, which was both the basis of Durkheim’s original anomie theory and the impetus for researchers to start performing cross-cultural criminological studies.

As Ted D. Westermann and James W. Burfeind (1991) point out, “Scholars have long contended that crime is a consequence of the social disorganization that accompanies rapid industrialization and urbanization” (p. 3), a classic example of this being the spiral of disorder Detroit was flung into as it industrialized and became the “Motor City.” Likewise, the undeveloped and developing countries from Adler’s (1983) study might still experience the same increase in crime that countries like the United States did, either in spite of their extensive social controls or by outstripping them. In which case, the more salient question is how countries like Japan managed to maintain their “synnomie” through the process of industrialization. It also raises the question of the social controls found in countries that do have high crime rates; since

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6 These countries have accumulated a register of name, with others including developed countries, the First World, and the Global North, but all refer to roughly the same group of the world’s most advanced and well-off nations.
her study only looks at countries with low crime rate, she cannot say whether “Synnomie” is found elsewhere as well.

Moreover, I find the results of Adler’s (1983) study unsatisfying. She provides nothing less than a full inventory of Japanese social controls, and then concludes that social controls are the cause of low crime. Without more specificity, her study has no significant contribution to make—other than to show that anomie theory works in reverse—since it would require nothing short of a policy of cultural metamorphosis to produce similar effects in crime-ridden countries. Synnomie might well be the cause of low crime rates, but it is simply a name for the social support structuring of a nation by a set of influences that is different for each country. That Japan is a society built on Confucian philosophy may have resulted in its synnomie, but surely that is not the case for the low-crime countries of Switzerland, Algeria, or Peru. Adler generalized to find a commonality between the countries and, in so doing, lost many of the factors that were actually contributing to the low crime rate in each. It is those factors from Japan that might or might not be feasible to establish in other nations—not a broad and amorphous concept like “synnomie,” which policymakers throughout history have tried and failed to achieve for centuries before Adler had ever given a name to it.

**Forces of order.** Adler (1983) was content to identify social controls as the crime-preventing factor; in his seminal criminal justice study of Japan’s National Police Agency, David H. Bayley (1991) achieves a higher degree of specificity by proposing propriety as a cause of the social order. However, like numerous others, he doubts that Americans can achieve the level of propriety found in the Japanese culture:

Japanese orderliness in large matters, such as crime, seems to be related to orderliness in small things. If this is true, then the lack of regimentation that Americans value in
personal life may affect the amount of criminal disorder in public life. Would Americans, one wonders, be willing to obtain a greater measure of safety if they were required to tie their bathrobes in a prescribed way?” (Bayley, 1991, p. 177)

Frankly, I think that depends on who is asked—in some neighborhoods of St. Louis or Baltimore, one might be surprised. But as provoking as his question may be, his statement reveals an important assumption: That the goal is Japanese orderliness. Were that to be the case, countries would again be forced to resort to the cultural metamorphosis alternative with which Adler left them. I will return to this problem later, but supposing that more order can be obtained without progressing to the level Japanese order, what does propriety entail?

Propriety—particularly propriety in Japan—is a broad concept, which is likely why it seems so unfeasible for it to be applied in a different country. As a result, it remains insufficient for criminological purposes and must be refined. “I kick a ball” and “I kick my sister,” one is clearly wrong to do. One might simply say that it is wrong to kick my sister, but not the ball, because she is a person. However, what one actually means is that it is wrong to kick her because she is a sentient being and feels pain when kicked. There is a lot that goes into being a person that has nothing to do why one should not be harmed. Likewise, there is a lot that goes into propriety that does not constitute an anti-criminogenic factor. While the police capturing a burglar because he took his shoes off makes for a humorous anecdote, things like tying one’s bathrobe in a particular way depending on gender, or the national propensity for using crosswalks rather than jaywalking, may be illustrative, but they are elements of Japanese propriety that could hardly be argued as major contributing factors to the low crime rate.

If the essential elements can be identified, they might illuminate the reasons for the disparity between the crime rate of Japan and those of the other industrialized nations. The crime
taking place in one island nation, on the other side of the globe, may seem far removed from our own concerns, but a concrete determination of what allows Japan to enjoy such low criminal offending could have significant implications for the United States—as the industrialized nation with the highest criminal offending—as well as every other country. In the remainder of this paper, I will investigate why Japan’s crime rate is so low by exploring aspects of aspects of Japanese society that create informal social controls on the behavior of its members. Once I have established these factors within the context of Japan and addressed any significant counterarguments, I will conclude by discussing whether the implications of these factors can or ought to be applied in other countries.

Methodology

Criminology seeks to understand the reasons why crimes are committed—this thesis is a criminological inquiry into the Japanese crime rate, not an experiment in criminal justice. As such, its undertaking should be expected to be in the form of an exploration; it will be philosophical before scientific; and while it may be quantitative in parts, it will most certainly be qualitative in others. These things should not be seen as faults, but rather as strengths that will permit a holistic and complete analysis of the informal controls that play a significant role in making Japan’s crime rate what it is.

A method of understanding the causes of crime that is widely practiced is to study why there is an excess amount of crime in a particular community. My purpose demands that I take the opposite approach and explain a deficit of crime in Japan. As I have noted, there is not a great body of knowledge on this subject for me to work within, especially in recent years and related to Japan in particular. So instead of relying on those who have studied my topic before, I
am proposing, explaining, and evaluating my own hypotheses within the framework of criminology.

**Approach**

To begin, I spent a considerable period of time amassing a wide-range of hypotheses based on an ever-growing knowledge of both Japan and criminology, frequently incorporating relevant concepts from philosophy and ethics, political science, and other disciplines as well. In so doing, I studied sources on Japan and its culture, and on the classic and supporting literature of a variety of criminological theories. The majority of works in the two areas did not overlap, since, as I stated above, criminologists have historically been concerned with the commission of crime, not the lack thereof. I anticipated this and, for the most part, it is not an issue. However, at times, it did require that I consider criminological theories in reverse (i.e., use theories which show that more a causes more b to argue that less a explains there being less b). The one thing I do believe Adler (1983) demonstrated through synnomie is that this strategy can work.7

Following my research, I used my integrated cultural and criminological knowledge to identify the most influential anti-criminogenic factors, for which I then constructed arguments. It was essential that the final selection of my factors from amongst my many hypotheses did not take place until after I had become substantially informed on my subject; this was to prevent ignorance from directing the course of my research and my project. Later, I increased the focus of my thesis by restricting it to the informal social controls addressed by Alder (1983) and Bayley (1991), making it an attempt to provide the higher level of refinement I thought their work lacked. Also in order to safeguard the validity of my project, I had to be somewhat skeptical of cultural assessments. Any statement which makes a claim about the Japanese as a

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7 An important consideration is that this method may make my thesis more vulnerable to criticism depending on the success of future research that applies criminological theories in the direction opposite of their formulation.
people makes generalizations by its very nature. Thus, it was particularly important to corroborate cultural information to avoid utilizing fallacious generalizations.

Finally, I had to be careful to avoid making ethnocentric conclusions on behalf of the Japanese. American criminologists have struggled to stop “[assuming] a priori that their own local arrangements must be superior in general, or at the very least better fitted to their own society” (Nelken, 2010, p. 11)—assuming the opposite would be no better. A crime prevention method that works in Japan may not be applicable to other countries, and even if it is, it may not be appropriate. So when discussing the implications and applications of my findings, I must also determine how they can or should be adapted for policies in nations other than Japan.

**Argument**

The issue I took with Adler’s (1983) conclusion that synnomie produces a low crime rate and Bayley’s (1991) suggestion that it involved propriety was that both are merely concepts, too broad and abstract to have real implications for criminology. Although, I will say in Bayley’s defense, that as a criminal justice scholar studying Japan’s police, he really was not under the burden of determining the cause (that, in spite of this fact, his is still one of the most important studies, should demonstrate the need for scholarship in this area). One might be tempted to think that the Japanese would know how they control crime—that, instead of studying them, criminologists should consult them—but that simply is not the case. Despite their many wonderful virtues, the Japanese are frequently guilty of, for lack of a better word, overkill. At the turn of the twenty-first century, Japan experienced an unusual upsurge in crime. In response, its leaders instituted a plan of action featuring 150 individual points. The plan was extremely

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8 Japanese media and politicians alike were highly vocal in attributing the rise in crime to foreigners and juveniles, two groups for which the criminal statistics remained markedly stable. It later appeared that the apparent rise in crime was at least partially due to policing reforms that altered the way crimes were reported (Johnson, 2010). This means that their response actually had the effect of curbing a “rise in crime” when the so-called rise was purely statistical.
successful. Unfortunately, no one knows why. The apt analogy of one Japanese police officer was that Japan’s “system for assessing crime control effectiveness is like a hospital patient who takes 100 medicines simultaneously. If the patient gets better, it is impossible to tell which of the drugs cured him, and if the patient gets worse, we are unable to say why” (qtd. in Johnson, 2010, pp. 21-22). Nonetheless, in the sections that follow, I will attempt to provide a narrower notion of the cause, which begins with understanding the effect that is being produced.

Crime prevention requires an action or, at the very least, an impediment to thwart the commission of crime; crime deterrence involves persuading a rational actor away from the commission of crime—virtually every country that is not in a state of anarchy engages in some form of these. Although both prevention and deterrence are involved, the true wonder of Japanese crime control is the people’s general disinclination to criminality: Some crime is stopped from happening, but mostly it simply seems never to be conceived in the first place. I believe that this is part of what Bayley (1991) was trying to identify when he pointed to propriety, and it is that mentality that I need to get to the root of.

Social Control - Confucian Philosophy & Ethics

Between the sixth and seventh centuries, Japan borrowed heavily from China, in large part, to fuel the Taika Reform, an attempt to unify the tribal nation under a centralized government. Confucianism came along with the Chinese writing system, political bureaucracy, and numerous other arts and institutions (Westermann & Burfeind, 1991). Although it fell out of popularity, Confucianism never fully left Japan, and it was eventually reimported in the form of Neo-Confucianism, a school of Confucian revivalism founded by Chinese scholars during the Sung dynasty (960-1279; Earhart, 1982). It then became a central part of Japan’s history when Ieyasu Tokugawa, himself a Buddhist, reunified the again-divided country under it, having
“recognized that Confucianism provided a philosophy which would help him establish peace and order…” (Westermann & Burfeind, 1991; emphasis added). That act initiated the Edo period (1603–1867), a grand period of cultural flourishing that scholars now refer to as the Japanese Renaissance.

Confucianism taught the values of humaneness, ritual decorum, rightness, wisdom, and sincerity, all with the goal of producing societal order and harmony (Shirane, 2002). The philosophy and ethic became ingrained in the Japanese people; Reischauer (1981) describes how it still manifests in modern times:

“Behind the wholehearted Japanese acceptance of modern science, modern concepts of progress and growth, universalistic principles of ethics, and democratic ideals and values, strong Confucian traits still lurk beneath the surface, such as the belief in the moral basis of government, the emphasis on interpersonal relations and loyalties, and the faith in education and hard work. Almost no one considers himself a Confucianist today, but in a sense almost all Japanese are.” (Reischauer, 1981, p. 214)

He is not alone in suggesting an implicit Confucian attitude—in fact, any degree of studying the Japanese culture would make it difficult to argue otherwise—so it is no wonder that their society is so law-abiding, when their shared beliefs have been creating order out of chaos for centuries.

It is not a wonder, but it is also not a sufficient explanation. If Confucianism, by its nature, is anti-criminogenic, there should be a pattern of low, or at least lower, crime across Asia, since Japan is far from the only country to have internalized its teachings. But no such pattern exists. While the philosophy has historically contributed to organizing societies, that general tendency is not producing the low crime rate. Moreover, it would be of little use to criminologist
if it were the cause, seeing as how it would roughly equate to saying that low crime is caused by good morals.

**Group Mentality.** It is not just good morals at play, but to find out what else is, it is important to ask in what way Confucianism has impacted the Japanese the most. One of the fundamental teachings of Confucianism is the “five cardinal relationships in the ethics of a family-centered society, those between lord and subject, father and son, husband and wife, elder brother and younger brother, and friend and friend” (Shirane, 2002, p. 352). In Japan, the supreme virtue of filial piety derives from this teaching, and the five relationships created...

...a system which reinforced the status of hierarchy and the idea of the individual’s responsibility to the corporate group. The rules of *giri*, which spell out the duties and responsibilities inherent in the various kinds of *kobun–oyabun* (subordinate–superior) relationships, became a central part of the moral way of life. (Westermann & Burfeind, 1991, p. 15)

Today, the profound importance of this is seen in Japanese groups, called *dantai*, which are modeled after the family and based on the obligations of the five relationships. In all cases, the individual is subordinate to the group, whether it is a family, school, company, or community. Take one’s work group, for example:

Ask an American what he does for a living, and he’ll usually describe his profession: I’m a banker, an engineer, an auto worker. Ask a Japanese, and he’ll name his employer—I work for Toyota, I work for Sony—because he fiercely identifies with that organization. (Powell, 2009, para. 9)

The consequence for a Japanese individual is that one’s groups are extremely influential and have the power that Bayley (1991) refers to as “emotional blackmail.”
Whereas most people in the West primarily feel guilt for wrong actions, the Japanese are subject to a “shame culture” (Reischauer, 1981). When people are viewed as subordinates of their groups, an action by one necessarily reflects on all, and an action that reflects poorly becomes unacceptable. Instead of dishonoring oneself, one dishonors one’s group, which then has the power to sanction the offender. In Japanese society, this is ordinarily done with what John Braithwaite (1989) calls reintegrative shaming, which is shaming that punishes offenders in such a way as to increase future conformity with the group. However, there is always the threat of disintegrative shaming. “Even before schooling, Japanese children learn that fitting in brings warmth and love” (Bayley, 1991, p. 179), so the fear of being ostracized for dishonoring the group is a potent social control. The extensive network of personal and group relationships that the Japanese have in every sphere of their lives, and by which they identify themselves, augments ordinary social controls—being an embarrassment to one’s family would be unbearable. I argue that most Japanese do not have to be prevented or deterred from crime, because criminality, which is in conflict with the ingrained Confucian values, would be a surefire way to bring shame to oneself and dishonor to one’s group. Thus, it is so far out of the realm of possibility that it is not considered in the first place.

**Counterargument - Boryokudan.** At first, the argument that the pervasive group mentality controls individual behavior does not seem to account for the profuse criminality of *boryokudan* (“violence groups”), informally known world-wide as the Yakuza crime syndicates. However, notice that it remains true that the Japanese do everything in groups; it turns out that that includes rebelling against the social order (Westermann & Burfeind, 1991). There are estimated to be over 80,000 members of *boryokudan* (Research and Training Institute of the Ministry of Justice, 2009), making them a substantial group. It is also very telling that, although
called *boryokudan* by the police, the name by which they refer to themselves is *ninkyo dantai*, meaning “chivalrous organizations.” The *boryokudan* adhere to a system of values as codified and extensive as the rest of the Japanese. So when individuals join, the *boryokudan* simply becomes their new social group\(^9\) with a counter-culture ethic that encourages, rather than discourages, certain criminality.

This still does not account for how the members come to be. If the group mentality of the obedient majority is strong enough be anti-criminogenic, the group members ought never to join the deviant counter-culture to begin with. This is logical conclusion, and is not contradicted by the majority of *boryokudan* members. The Japanese society has had a longstanding tradition of discriminating against the *burakumin*, a group of people descended from the outcast class of the feudal era, and *sangokujin*, ethnic Koreans (Hill, 2003). Though these two groups only represent a sliver of the overall population, they form between eighty and ninety percent of *boryokudan* membership (Ministry of Justice, 2009). *Burakumin* and *sangokujin* are thought so poorly of by the majority of society that individual group members cannot reflect negatively on their social groups in any meaningful way, and so constitute a distinct exception to the anti-criminogenic force of the Japanese group mentality.

**Homogeneity.** Related to the group mentality and the counterargument provided by the *burakumin*, is the influence of Japanese homogeneity. Frequently cited as the world’s most homogenous country, Japan’s population is 98.5% ethnically Japanese (The World Factbook, 2012). In addition to being racially homogenous, Japan is also quite socioeconomically homogenous, with 85% of the population identifying themselves as middle class (Kristof, 1995). And the population is homogenous in other respects as well: “The value of good behavior, of

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\(^9\) The *ninkyo dantai* ritual punishment for offending a superior is cutting off portions of the fingers required to hold a sword. The punishment was intended to increase the individual’s dependence on the group by inhibiting his ability to protect himself. Dependence increases obedience and conformity to the group will.
fitting into a common society, is drummed into children from the moment they set off to first grade in identical school uniforms”¹⁰ (Kristof, 1995, The Society para. 7). This pervasive sameness is valued, tying back into the group mentality, which encourages conformity in every way. Unlike what is seen in many societies, the Japanese preference is for fitting in above all else; their feelings on the subject are neatly summarized in one of the country’s favorite sayings, “The nail that stands out is hammered down.”

The reason this matters is that an element of social disorganization theory in criminology is that heterogeneity is a criminogenic factor; it has the tendency of creating barriers through such things as language and culture, inevitably reducing the collective efficacy of a group (Miller et al., 2011). Alder (1983) showed that, broadly speaking, social disorganization theory works in reverse, so assuming the same holds true for this principle of the theory, it ought to be the case that homogeneity is an anti-criminogenic factor with the tendency of reducing barriers to collective efficacy. The numerous consistencies between the lives of Japanese individuals creates the sense of a shared experience and allows people to easily relate to one another, which in turn creates a willingness to come together as a community to solve shared problems like crime. High collective efficacy is most likely the reason for the extensive citizen involvement in Japan’s crime prevention strategies.

**Ethical Discussion**

**Suicide**

Any societal force so potent that it can reliably bend members to its will is something about which to be concerned, particularly if one is to advocate applying a similar system of

¹⁰ As further evidence of how the Japanese closely identify with and conform to their groups, the uniforms worn by school children are indeed identical, but every the uniform of every school is different. The uniforms cover a wide variety of colors and styles so that community members can easily identify students by their school, thus encouraging the students to behave properly even when outside of school.
controls elsewhere. One must be wary of how the “The social pressure to do things right creates a burden on those who fail to meet these standards” (Kristof, 1995, Conformity para. 4). While Japan has the lowest crime rates, it also has the highest suicide rates in the industrialized world, and many scholars criticize its social groups for their apparent willingness to *bend* their members until they break. Thus, one of the most prominent ethical arguments is the harm that may be done to individuals.

Due to the social controls of the group mentality, modern Japanese society has many factors which might tend to push an individual toward the act of suicide. Johnson (2010) summarizes the major factors identified in the works of other scholars, noting “the high salience of shame in Japanese society (Braithwaite 1989), the subordination of the individual to the group (MacFarlane 2007), the cultural imperative not to cause “trouble” (*meiwaku*) to other people (Benedict 1946), and the heavy emphases on perseverance and endurance through difficult times (Zielenziger 2006)” (p. 19). He then explains that

…when Japanese people face adversity, they often “suffer in silence,” and they are culturally encouraged to do so. When they cannot or will not do that any longer, they tend to “strike in” at themselves (through suicide and other forms of self-reproach) much more often than they “strike out” at other people in acts of protest or violence. In the words of the eminent sociologist Robert Merton, “retreat” is deemed a more acceptable response than “rebellion” (Merton 1968). (Johnson, 2010, p. 19)

Because Japanese society is structured this way, Johnson argues that the low crime rate and the high suicide rate are a package deal, and should be dealt with as such. One of the major points of cross-national comparison in criminal justice statistics is homicide rates—the seriousness of forcible death makes it a primary social concern and it is generally immune to underreporting
problems, increasing the likelihood that countries have accurate crime data (Westermann & Burfeind, 1991); Johnson instead argues for use of a voluntary death measure that combines homicide and suicide rates. Borrowing from Dag Leonardsen (2002), Johnson expresses the belief that it would alter the way Japan’s crime control is studied by presenting the “interconnected totality” of Japanese methods and by putting the country’s crime rate on the level of other industrialized nations. He then concludes his discussion with the poignant question, “What does it say about a society when its members choose, in very large numbers, to die by their own hand?” (Johnson, 2010, p. 20).

Johnson’s (2010) view was perhaps more extensive, but still fairly typical of how criminal justice scholars approach Japan’s suicide rate. Their concerns that the Japanese system may not be as ideal as it appears are captured by Karel van Wolferen (1989),

The question of whether the West should not be moving towards a society similar to that of Japan today inevitably arises in the minds of visitors who learn that Japan has next to no violent crime,…But the ‘Learn from Japan’ approach has glossed over some crucial differences between Japan and the West. The adoption of parts of the System is not likely to work without most of the rest of the Japanese package, and the costs of that package cannot be paid by the West. An evolution of Western practices in Japanese directions would entail the reproduction of conditions inconceivable as long as social and intellectual freedom are valued. (van Wolferen, 1989, p. 16)

These authors caution against the Japanese way because they fear other societies cannot tolerate the crushing force of conformity that it entails. And if, as they suggest, the system would cause

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11 Two books that specifically address the topic of suicide in Japan, but which are not referenced here, are Mamoru Iga’s The Thorn in the Chrysanthemum: Suicide and Economic Success in Modern Japan (1986) and Maurice Pinguet’s Voluntary Death in Japan (1984).
emotional harm and high suicides rates, advocating that it be applied elsewhere is ethically problematic.

Response

One could attempt to gather all the figures on suicide and various crimes in order to make a utilitarian argument that the benefit would still outweigh the harm. However, I hardly think that one need go that far. Johnson (2010) notes that three-quarters of suicides are by males and lists many of the modern cultural considerations that might exasperate the conditions leading to suicide, but I was dismayed to find that Johnson’s argument, like that of many others, was devoid of any mention of Japan’s historical relationship with suicide. In Hagakure, an 18th century work by the samurai Yamamoto Tsunetomo, it states, “Bushidō, or the way of the Samurai, means death. Whenever you confront a choice between two options, simply choose the one that takes you more directly to death” (as qtd. in Ikegami, 1995, p. 285). If not achieved in battle, that frequently meant the ritual act of seppuku,12 suicide by disembowelment, to preserve one’s honor, or junshi, which was seppuku performed following one’s master’s death in respect for the Confucian bond between master and servant (Ikegami, 1995). These were outlawed during the Edo Period, but continued to take place, and there are occasional incidents of actual seppuku or junshi that have occurred right up until the present. There was also shinjū—“double suicides,” including the poetic joshi, “love suicides”—which, because of the plays of Chikamatsu Monzaemon, became so popular during the Edo Period that, in 1722, the government was forced to ban the plays themselves, in addition to the suicides (Pollack, 2002; Tatai, 1983).

12 There is a separate technique, which involves cutting one’s throat, that does not have a specialized term beyond jigai (“suicide”); it was a method utilized by women of the samurai class (Shirane, 2002). However, suicide by women for reasons of honor was fairly uncommon outside of wartimes.
But even if people are no longer disemboweling themselves on a regular basis, that does not entail that suicide for honor, or the notion of it, have died out in Japan. The Kamikaze\textsuperscript{13} pilots of World War II were hailed for their actions; General Nogi continues to be a folk hero for having committed *junshi* following the death of Emperor Meiji in 1912 (Tatai, 1983); and the play *Chūshingura: The Storehouse of Loyal Retainers*, which was written in 1748 and continues to be the single most popular drama in Japan, features the concurrent suicide by *seppuku* of not one, or two, but forty-seven samurai warriors (Shirane, 2002). In the United States and other countries, suicide is viewed as a tragedy, and examples like these—where suicides are celebrated—do not exist. The Japanese have a different attitude toward suicide and are predisposed to the act in a way that other peoples are not (Tatai, 1983).

It is a major oversight to ignore the way that suicide has historically been a valid option for the Japanese in numerous spheres of life, but, as I said, Johnson (2010) is not alone in making it. Westermann and Burfeind (1991) also fail to mention the history of ritual suicide when they suggest that social pressures and shame are the cause of Japan’s unusually high suicide rate—a noteworthy omission given that an important component of their argument is that “the core values of a society are the product of history—that they develop as people interact in time and place” (p. 4). They even say that “While they are subject to change, core values tend to persist over time” (p.18). In addition, that the majority of suicides are committed by males, can be used to support the argument that Japan’s historical backdrop is a contributing factor to the abnormally high willingness to commit suicide.

\textsuperscript{13} *Kami kaze* (“winds of god”) was the name the Japanese gave to the wind storms that prevented the Mongols from invading Japan in the thirteenth century (Lamott, 1944, p. 3). The term was later applied by foreigners and imported back to Japan to describe the heroic suicide pilots who attempted to extend Japan’s record of having never been invaded.
Counterargument. Some scholars attempt to circumvent the historical predisposition argument by highlighting the recent spike in Japanese suicides, but what those arguments fail to mention is that there was a steep decline in suicides during Japan’s economic boom of the 1980s and 90s, and that the current “spike” is really only a recovery to the pre-boom levels. And, more important, the spike is mostly fueled by an increase in the rate of suicide amongst the elderly, the group most at risk for committing suicide in Japan. In 2007, nearly 40% of all suicides in Japan were by people over the age of 60 (Elderly Suicides Surge, 2008). Japan has the longest life expectancy in the world and—not unrelated—is the world’s “grayest country” by the percentage of the population over the age of 65. Older Japanese are committing suicide because societies are not structured to support such large elderly populations and so those individuals are struggling financially, not because of the pressure to conform to society’s expectations. And even if some of those suicides can be attributed to a societal pressure not to be a burden, that pressure would be derived from Japan’s current predicament, since it was not historically a problem. Therefore, it would only present a potential problem in similarly situated societies, of which there are not many.

Johnson (2010) asks his readers to pursue further research into Japanese crime control, but the ethical concern raised by him and so many others, about its connection to the suicide rate, has undoubtedly discouraged criminologists from pursuing such studies. I would categorize an increase in suicides as something to be cautious of rather than the necessary consequence it is portrayed as by Johnson (2010), Westermann and Burfeind (1991), and others.

Application

Having overcome the major ethical concern held by criminologists, the question is now how to apply the lessons of Japan elsewhere. As Van Wolferen’s (1989) warning about the
“Learn from Japan” approach demonstrates, even if the system is ethical and functional for Japan, it may not be either if directly applied in a country like the United States. But what Van Wolferen seems to miss is that the goal should not be duplicating the state of Japanese crime control, merely improving the effectiveness of crime control in other countries—if the world had to live up to Japanese standards, no country would succeed, most days, including Japan.

Bayley (1991) says that Japanese “…orderliness is a seamless web, encompassing etiquette, decorum, civility, politeness, morality, and law” (p. 189). Looking at America, it does not have—and, realistically, could never achieve—the level of order found in Japanese society, but America also does not need it. Johnson (2010) suggests that the Japanese society places an unreasonable burden of conformity on its citizens for the sake of achieving perfect order and “zero crime,” when it should be weighing the value of that end against the costs of the means. Americans, on the other hand, are more than willing to tolerate a measure of crime in order to preserve the sanctity of individuality—“a suitable amount of crime” (Christie, 2004; as cited in Johnson, 2010). While America far exceeds even the suitable amount, what it needs is more order and propriety, not Japanese order and propriety. Certainly Americans can learn from the Japanese without having to adopt the “seamless web” that is so beyond its capacity to create.

So, again, how? How can the anti-criminogenic factors that produce Japan’s low crime rate be adapted for other countries, so as to avoid creating an entirely new ethical issue when trying to apply them? My answer: By stripping away the cultural aspects that were accumulated over the course of implementation in order to uncover the essence of the factor, and then by finding a new cultural vehicle for it in the receiving country.
Confucianism & the Group Mentality

Many people have difficulty separating the concept of a system of shared beliefs from a religion. Westermann & Burfeind (1991) demonstrate this when they say that “While the doctrine of the separation of church and state prevents morality from being part of the curriculum in U.S. schools, this is not the case in Japan” (p. 17), thus implying that Confucianism may be taught in Japanese schools because their constitution does not carry the Establishment Clause. But, of course, Confucianism is not a religion at all—it is a philosophy and system of ethics. Moreover, its teaching of the five relationships, simply put, is the virtue filial piety. So, stripping away the cultural sheath, what one is left with is a universal virtue that could be taught in schools without conflicting with the separation of church and state.

This does not have to mean implementing Japanese-esque pressures to conform. In Japan, “To go contrary to the moral code…is not so much a private matter as it is an offense against society. The consequence is that although the individual may feel some sense of guilt for his actions, the primary emotion is shame” (Westermann & Burfeind, 1991, p.17). Many small communities in the United States, where there exists a more tightly woven network of relationships, already utilize public shaming in criminal sanctions. The step required to extend the social control into a preventative measure is to strengthen the social relationships to the point that individuals regularly care when their behavior is embarrassing to those connected with them, thereby encouraging Bayley’s (1991) desired propriety without committing anyone to specialized bathrobe tying.

Homogeneity

At the other end of the spectrum from Japanese homogeneity and conformity is the United States—the “melting pot,” the epitome of a heterogeneous country. Americans cherish
diversity and individuality. Even if were not clearly impossible to reproduce in the United States, Americans would never submit to the type of homogeneity that is anti-criminogenic in Japan. Luckily, as with propriety, simply being homogeneous is not what is actually making the difference. Homogeneity helps prevent crime because it creates a community of people willing to work together, and that is something that can be reproduced. As per its usual, Japan is an outlier with regard to its degree of homogeneity and exclusivity. In this case, if one extreme cannot be had, the other extreme may well be the best alternative.

Breaking down the remaining prejudices of Americans and creating a truly heterogeneous society could likely produce the same effect as Japan’s homogeneity. Westermann and Burfeind (1991) warn that, “To expect rapid major cultural changes to accommodate changes in the justice system would be unrealistic. Culture—especially nonmaterial culture—develops slowly and resists change” (p.152). However, the United States would not require immediate, universal acceptance of everyone’s differences. Collective efficacy is most potent and important on the community level, thus all that is required is getting individual people within a disorganized community to set aside their differences. One way to facilitate this would be programs designed to build up communities. Giving people a community worth maintaining could provide the necessary motivation for members work together to keep it that way.

**Conclusion**

Japan is a country that is unique not simply in its present-day crime statistics, but in its elaborate and fascinating history. Adler (1983) took a qualitative approach to determining the cause of its low crime rate, but did so in conjunction with making the same determination for nine other countries, each with a history all its own. In looking for a universal factor, which she identified and termed synnomie, Adler had to capitalize on the similarities of the ten countries
while discounting any differences. Synnomie, a system of social controls that produces order, may well be the most important factor in achieving Japan’s low crime rate, but absent knowledge of what that entails, synnomie alone can neither help the Japanese to maintain their low crime rates nor help other countries how to achieve it in the first place. Bayley’s (1991) conclusion had a similar flaw.

In this paper I attempted further refine the existing scholarship on informal social controls of criminality in order to provide a more tangible notion of what makes Japanese crime control so effective. It is true that this paper could be accused of being little more than “informed speculation,” to use the words of Johnson (2010), but, in a way, that is the point. The reason I am left to speculate and synthesize plausible explanations from researching criminology and Japanese culture, is that those in the position to collect data and conduct studies have all but ignored the anomaly that is Japan. I have done my best to counter the belief that there is nothing to learn from Japanese crime control and to eliminate the ethical concern I think has discouraged further research, but scholarship, like culture, can also resist change. Explaining controlled crime may continue not to be a priority for criminologists, but it certainly should be.
References


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