

THE ROLE OF POLICE IN JAPANESE SOCIETY

NOBUYOSHI ARAKI

- David H. Bayley. *Forces of Order: Police Behavior in Japan and the United States*. (Berkeley: University of California Press, 1976). xvi + 201 pp. Notes, bibliography.
- Walter L. Ames. *Police and Community in Japan*. (Berkeley: University of California Press, 1981). xvi + 247 pp. Notes, bibliography, glossary, index. \$30.00.
- L. Parker Craig, Jr. *The Japanese Police System Today: An American Perspective*. (Tokyo: Kodansha International, 1984).
- Setsuo Miyazawa. *Hanzai Sosa o Meguru Dai-issen Keiji no Ishiki to Kodo*. (Tokyo: Seibundo, 1981).

Although it is beyond doubt that participation observation is one of the best methods by which to gather precise information about the role of police in Japanese society, Japanese scholars have rarely undertaken this kind of research. The sole exception has been juvenile delinquency, but even in this area Japanese scholars have failed to explore juvenile crime. Japanese police refused either to be observed or criticized by Japanese scholars, even to the point of opening the interrogation rooms, or *Ryuchijyo*, in police stations.¹ Believing that the low crime rate in Japan reflected their success, police officials concluded that they had little to learn.

During the past decade, however, police resistance has declined, if only ever so slightly. Three American and one Japanese scholar have published books based on participant observation of the Japanese police. Why the change? Did Japanese police adopt a sympathetic attitude toward scholars? This essay probes these questions in the context of this modest body of new scholarship.

In early 1970s, the low crime rate in Japan began to attract the interest of American scholars. Bayley was the first researcher to receive permission from the Japanese Ministry of Justice and the National Police Headquarters (NPH) to conduct participant observations of the Japanese police. He spent three months in 1972 and another three months in 1973 working closely with the police. It

¹ Ryuchijyo functions as both a temporary lock up and as a detention center. The maximum term for the arrested and detained suspect is 23 days per case, and the suspect has no right to bail. For information on criminal justice system in Japan, see Araki (1985).

appears the NPH granted permission for two reasons. First, its leadership was confident that crime was well under control and that any investigation by an outsider would not prove embarrassing. Second, since Bayley could neither speak nor read the Japanese language, NPH officials believed that, by attaching him to an interpreter, they would be able to emphasize the positive aspects of their performance. Bayley obliged. He hypothesized that the police, especially the Koban and foot-patrol systems, explained the low crime rate (1976). Officials concluded that Bayley's proof of his hypothesis provided strong theoretical support for Japanese police activity and instilled pride in low-ranked police officers. The Japanese edition of Bayley's book was published in 1977; its three cotranslators were all high-ranking police personnel.

Ames was a graduate student in anthropology and, unlike Bayley, he was fluent in Japanese. He also had sufficient knowledge of the Japanese culture to build intimate relationships with Japanese people. This talented person stayed in Japan from January 1974 to July 1975, and devoted all of his time to anthropological research on Japanese police. The result was a full-scale and insightful analysis.

Why did the NPH permit Ames to undertake his research? The answer is unclear. Generally, of course, the NPH is open-minded toward American scholars. For instance, Americans typically receive tours of the National Police Academy that are denied to Japanese scholars. Indeed, Japanese usually gain access only by accompanying a visiting American as an interpreter. Ames also benefited not only from applying shortly after Bayley but from the NPH's ignorance of the methods and purposes of anthropology.

In 1981, Ames published his doctoral dissertation. He concluded that "the Japanese have long believed that the primary responsibility for social control lies with the community and that citizens must discipline themselves to maintain order. Japanese society, in effect, polices itself." "Japanese society," he continued, "places emphasis on intertwining bonds of human relations to maintain the social fabric and to prevent crime and disorder" (1981: 228). While Ames's conclusions are persuasive to scholars, Japanese police officials, in contrast to their embrace of Bayley's work, rejected them. As an anthropologist, Ames has gathered significant new information concerning Japanese police, many of whom concluded that he knows too much.

Preparation of the first Japanese edition of Ames's book began in 1981. The following year the Japanese police asked Ames to delete some of the text dealing with recruitment. Of course, Ames refused. The publisher, however, could not resist the high level police pressure, and it abandoned the work. Only in December

1983, after an exhaustive effort to secure a new translator and publisher, did the Japanese edition appear.²

Parker's experience was different from that of Ames. During an eight month (1980–1981) stay in Japan, Parker visited many police stations, police boxes, and *Chuzaisho*. Since he could not speak or read the Japanese language, Parker relied on an interpreter to conduct interviews. The police officials granted Parker permission to do research because they viewed him as harmless. Even for Japanese scholars, who lack access to many of the places visited by Parker, almost nothing new is contained in his book. Yet he did a better job than the NPH expected. He concluded that "Japan's success in crime control is due primarily to the type of society it is rather than its police force" (1984: 209).

Setsuo Miyazawa was the first Japanese scholar to use the participant observation technique to do research on the criminal investigation process. He shrewdly decided to concentrate on the Hokkaido Police Department. Not only the organizational but also the geographical autonomy of Hokkaido island worked in his favor. Based on extensive work at the police station in Sapporo in 1974, Miyazawa sketched the broad outlines of the crime investigators' performance, using their behavior as a dependent variable to evaluate police conduct as a whole. Police investigators, Miyazawa concluded, had to reach two incompatible goals. They had to meet an official clearance rate for crimes while adhering to careful procedures. Conflict arose, he found, between police executives, whose responsibility it was to keep investigators from taking illegal action, and selfish investigators anxious to climb the career ladder by compiling records of successful investigations. Miyazawa invoked his findings to make several conclusions. First, the demands by the Japanese public for high clearance rates meant that the police were often forced to break their own rules, thereby violating the rights of citizens. In essence, the police were being asked to do the impossible. Second, administration control within the police was imbalanced. If, Miyazawa argued, change did not take place, the infrequent but serious infringement of human rights would persist. He continued stating the present system encourages unwanted conduct by placing too much pressure on investigators. Japanese police officials must find a better way to increase procedural restrictions while conducting efficient investigations.³ Miyazawa's findings, in sum, were meant to better police conduct.

Because of the low crime rate, the Japanese police have an excellent chance of overcoming these shortcomings. However the scope of the problem is troubling. For example, shoddy police work explains why in 1983 and 1984 the convictions of three pris-

² Their names should be noted. The translator is Mr. Takanori Goto, a private attorney, and the publisher is Keiso Shobo.

³ Cf. Miyazawa (1985, p. 390).

oners on death row were overturned. In 1985 and 1986 two convictions carrying life imprisonment were also repealed on related grounds. The police must understand that their incompetence has produced serious miscarriages of justice.

Even more important, police officials should appreciate that they can enhance their performance by working more closely with Japanese scholars. As Ames has argued, Japanese society polices itself and the conduct of the police mirrors society. As Miyazawa's work so persuasively reveals, an alliance of scholars and police officials will build on the strengths of Japanese society and, in so doing, enhance police operations.

NOBUYOSHI ARAKI is a professor at Rikkyo (St. Paul's) University, Department of Law, and a standing director at the Japanese Association of Sociological Criminology. He received a Ph.D. from the University of Tokyo (1975). His published works include: 1985-86 "Jail no Genjyou to Tenbou" (American Jail: Now and Future), 56-57 *Keisatsu Kenkyu* 12 times serially (1985-86); "Parole System and its Administration in Wisconsin," 27 *Rikkyo Hogaku* 243 (1986); "Bouhan Pamphlet nimiru America no Chian" (Public Peace in the U.S. Shown in Crime Prevention Pamphlets), 70 *Hanzai to Hikou* 78 (1986); 1987 "Hou-Kaisyaku no Kiso niarumono" (The Bases of Jurisprudence), 10 *Article* 8 (1987).

REFERENCES

- AMES, Walter L. (1981) *Police and Community in Japan*. Berkeley: University of California Press.
- ARAKI, Nobuyoshi (1985) "The Flow of Criminal Cases in the Japanese Criminal Justice System," 31 *Crime and Delinquency* 601.
- BAYLEY, David H. (1976) *Forces of Order: Police Behavior in Japan and the United States*, Berkeley: University of California Press.
- MIYAZAWA, Setsuo (1985)
- CRAIG, Jr., Parker L. (1984) *The Japanese Police System Today: An American Perspective*. Tokyo: Kodansha International.