

は「箱庭を用いた臨床心理面接」であり、少年院のスタッフではない部外の臨床心理士による少年への働きかけである。具体的には2週間に1回、時間は50分の継続面接である。少年院という事情から常に法務教官が室外に待機しているが、面接自体は少年と1対1で行っている。

対象となる少年は、主治医と法務教官の協議のもとに選ばれ、非行名は強制わいせつ、強姦、放火、殺人未遂、殺人など極めて重大な事件を単独で起こした少年である。また診断名は人格障害、統合失調症、アスペルガー障害などいずれも医学的治療が簡単ではない少年である。

こうした少年は人間関係の成立自体が困難であったり、集団の中に居られるようになること自体が課題となっているため、矯正教育を行う上で集団生活を前提としている少年院の処遇では、なかなか矯正の成果があがらないことが多い。今回紹介する「箱庭」の役割は、こうした少年に部外からの協力者として1対1で地道に時間をかけて付き合い、箱庭に表現されるもの、また語られるものを通して少年の存在を十分に受けとめていくことで、少年院の処遇に新たな可能性を探ることであると考える。

### 3 「箱庭」を通したかかわりの実際

ある少年（以下Aとする）との「箱庭」を通したかかわりの実際について簡単に事例を紹介したい。

Aが初めて「箱庭」に連れられてきたとき、まるでこの世で生きることへの執着など過去の昔に捨ててしまったような様子で、情の通った人間関係を結ぶことはとても難しいように思われた。初回に作られた箱庭は、生命感の全く感じられない死んだような世界で、処遇は困難を極めることが予想された。その一方で、Aには、箱庭という表現手段がとてもフィットしたようで、面接のたびに真剣な面持ちで黙々と箱庭を作った。面接開始当初は、セラピスト（以下Th.と略記）との間に言葉によるやりとりはほとんどなく、Th.はとにかく、箱庭を通して表現されるものを十分に受けとめ理解することに努めていた。

面接をはじめて3ヵ月目に、箱庭の中に赤ん坊が置かれた。Aの中で何か動き始めたようであった。その頃、生活面では、食事のコントロールがう

まくいかなくなりはじめ、法務教官に対して、「苦しい」と訴えるようになった。少し時間差があったが、Th.に対しても少しずつ自分の弱みについて語るようになっていった。

面接開始後8ヵ月目の箱庭で、赤ん坊がはじめて自分の足で立ち、それを聖母マリアが見守っているという作品が作られた。母性とのつながりなおしを通して、心理的に生まれなおし、育ちなおすということがAのテーマとなってきたように思われた。

この頃、矯正教育からのアプローチでは、実際の母親との関係の見つめなおしや、事件への内省が重点的に指導されていた。自分の内面を見つめることは、自らの影の部分に気づくこと、事件に対する責任の重さに気づくことを促し、Aの中に大きな不安が生まれることになった。死んだような世界である意味で安定していたAにとって、これは画期的なことであった。面接では、不安に向き合おうとして苦しむAにとにかく寄り添っていた。

この時点での不安は心では抱えきれず、極度の拒食という形で症状化された。主治医による体重の管理と栄養のコントロールを支えに、面接は続けられた（拒食が本格的になってから約3ヵ月箱庭は置かなかった）。また法務教官の方々は、固形物を全く受けつけなくなったAに、哺乳瓶を使って栄養補助剤を飲ませるところから、徹底的に関わっていかれた。非常に強烈的な拒食であったが、医師による支えと、法務教官による日常生活の管理がしっかりと行われていたことは、医療少年院という厳重な枠組みの中で臨床心理面接を行うことの強みであったと言えよう。

Aは、この状態を自ら「子ども返りしているみたい」と言い、「母親に甘えたい」、「母親が恋しい」という思いが強く湧いてくるようになったと語った。Aの思いに呼応するように、母親も足繁く面会に通い、スキンシップなども積極的に行った。拒食のピークの中でAは、手応えをもって母親との関係を体験しなおし、「生きることにもがいている自分」がいることに気づいていった。

面接開始から1年目に、久しぶりに置かれた箱庭は、初回当時の生命感のなさからは考えられないほどに「普通」の家庭の風景であった。木々で飾られた庭には、柔和な表情の父母の間に守られるようにして赤ん坊が立ってい

た。その後、拒食は徐々に影をひそめていった。

#### 4 連携の中の臨床心理面接

Aとのかかわりでは、医師に支えられながら、矯正教育の得意とする父性的アプローチと、臨床心理の得意とする母性的アプローチが互いに補い合うことで非常にバランスのよい構造が生まれていたと考えられる。一般に非行少年への臨床心理面接は、全てを受け入れようとする母性的なかかわりと社会のルールの中でしっかりと生活させようとする父性的なかかわりが一人の専門家の中で葛藤を引き起こしてしまう局面が訪れ、非常に困難である場合が多い。少年院の中で実践をしていると、強力な父性を提供する少年院の枠組みの中でこそ発揮される臨床心理面接の力があることをひしひしと感じる。少年院の中に臨床心理の専門家が入り、医師、法務教官と役割を分担しながら互いの専門性を発揮するという連携のあり方が、今後ますます実現されていくことが望まれる。

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## *The Birth of Criminology in Modern Japan*

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### THE BEGINNINGS OF CRIMINOLOGY

After the Meiji Restoration of 1868, when feudalism was abolished, Japanese society underwent drastic changes during the Meiji period, which lasted from 1868 to 1912. The government reformed the legal system based on European models, paying particular attention to the French system. Various laws were enacted, including the Penal Code of 1880 and the Civil Code of 1896–98.<sup>1</sup> Along with these legal reforms dealing with crime, a body of scientific thought appeared, first in the fields of criminal statistics and penology. At about the same time that the government began issuing official statistics on the incidence of criminal activities, legal scholars were being exposed to the statistical analysis of criminal behavior, mainly by Lambert A. J. Quetelet. Concurrently, penologists and physicians were engaged in efforts to reform the penitentiary system and to improve unsanitary prison conditions.

Because Japan had been established as a modern state by political and administrative reforms, particularly by the promulgation of the Meiji Constitution of 1889, jurists became aware of the importance of measures for defending the social order. During the last decade of the nineteenth century this included exposure to the theories of contemporary Italian and German criminologists.

The enactment of the New Penal Code of 1907 emphasized criminal policy, namely the prevention of crime, which strongly encouraged studies on crime and offenders. In the same year, some jurists founded the

1 On the history of the legal system for the insane in Japan, see Yoji Nakatani, "Relationship of Mental Health Legislation to the Perception of Insanity at the Turn of the Twentieth Century in Japan," in Yasuo Otsuka and Shizu Sakai, eds., *Medicine and the Law: Proceedings of the 19th International Symposium on the Comparative History of Medicine – East and West* (Tokyo, 1994), 227–50.

Association of Penal Science. An important change that occurred during this period was the involvement of psychologists and medical doctors, who were more interested in an empirical approach to criminal behavior and the characteristics of offenders.<sup>2</sup>

#### GROWTH OF INTEREST IN CRIME

Beginning around 1910 and continuing throughout the decade, both scholars and the general public evinced a growing interest in the problem of crime. This was evidenced by the appearance of a wide range of publications dealing with crime and related matters (scientific journals, textbooks, popular magazines, and novels), and during this period specialists began forming societies and professional organizations. One such organization was the Japanese Association of Criminology, founded in 1913. The prospectus of the Association states: "The prevention and suppression of crime, indispensable for the social order, is the main objective of legislation. In order to meet these needs, we must establish the causal relationship that exists between the characteristics of offenders and the influence of the social environment. These findings will enable us to take appropriate social and legal measures."<sup>3</sup> The association was composed of specialists from various fields: psychology, psychiatry, legal medicine, law, and sociology. The emphasis, however, was placed on the psychological and psychiatric approach. The secretary of the association was Seiichi Terada, a pioneer in the psychology of crime who translated Cesare Lombroso's famous work *L'uomo delinquente* into Japanese.<sup>4</sup>

Although many publications appeared during this period, I will concentrate on two journals, the *Journal of Abnormal Psychology* and the *Archives of Criminology*, because they both included many articles written by criminologists and clearly represented the concerns people had about the problem of crime and offenders.

The *Journal of Abnormal Psychology* was started as the bulletin of the Japanese Association of Psychiatry, founded in 1917. The name of the association might suggest that it was a medical society, but in fact it was a group composed mostly of nonprofessionals. Kokyo Nakamura, the founder of the association and editor-in-chief of the *Journal*, was a novelist with a unique

2 On the early involvement of German doctors in criminology, especially prison psychiatrists, see Richard F. Wetzell's chapter in this volume.

3 "Prospectus for the Inauguration of the Japanese Association of Criminology," *Annals of the Japanese Association of Criminology* 1 (1914): 1 (in Japanese).

4 Cesare Lombroso, *L'Uomo Delinquente*, 5th ed. (Turin, 1897), translated into Japanese by Seiichi Terada (Tokyo, 1914).

career.<sup>5</sup> In his youth he had suffered from persistent neurasthenia and had visited many physicians. In addition to the incurability of his own condition, his brother's psychosis and eventual suicide further aggravated his distress. These painful experiences engendered in him the belief that "materialistic medicine" was incapable of curing illness unless coupled with "medicine of the mind." Referring to the notion of the inseparability of mind and body, he searched for a sort of holistic approach to medicine, which he attempted to augment through his self-taught experience of hypnosis and psychotherapy. As expressly stated in the preface to the first issue, the purpose of the journal was to study the broad range of abnormal psychological phenomena, which were not always pathological in the narrowest sense.<sup>6</sup> The members of the association and contributors to the *Journal* included, aside from psychologists and medical doctors, many literary scholars, religious thinkers, journalists, and businessmen. A total of 103 issues were published before the *Journal* was discontinued in 1926.

The various themes and styles of articles in the *Journal* reflect the diversity of motives and interests of the contributors. There are reviews of contemporary Western scientific trends: Freudian psychoanalysis, Bergsonian psychology, and the theory of sexual perversion by Richard von Krafft-Ebing. Considerable attention was paid to hypnosis and related psychological phenomena such as automatism, somnambulism, and multiple personalities. A surprisingly large number of articles dealt with supernatural phenomena such as telekinesis, mind reading, spiritualism, mystic experiences, possession, prophetic dreams, ghosts, and life after death. There are even reports of "experiments" conducted with people purported to possess supernatural powers.<sup>7</sup> In a public session organized by the association, a well-known performer supposedly copied letters and images on dry plates using only the power of his mind, which produced a heated debate on the credibility of his act. Also, readers of the *Journal* were encouraged to submit reports of their own mysterious experiences, which were then commented on by specialists.<sup>8</sup>

Crime and suicide were preferred subjects of the *Journal*, being referred to as typical examples of behavior caused by abnormal psychology. In addition to research reported by specialists, there were many documents concerning

5 He described his own career in "Prospectus for the Foundation of the Japanese Association of Psychiatry," *Journal of Abnormal Psychology* 1 (1917): 79-80 (in Japanese).

6 "Preface to the First Issue," *Journal of Abnormal Psychology* 1 (1917): 1-2 (in Japanese).

7 Kakutaro Nakagiri, "Experiment of Telekinesis," *Journal of Abnormal Psychology* 2 (1918): 43-54 (in Japanese).

8 The journal specified four items as subjects for the readers' column: spiritual phenomena, bizarre behavior of the lunatic, life of the criminal, and biography of eccentric persons. This amalgam of categories shows how "abnormal psychology" was conceived at that time.

actual criminal cases: Each issue included a "Diary of Abnormal Psychology," a column written in diary style that cited recent newspaper articles. Although the criteria for inclusion in this column remain unclear, the main topics seem to be major crimes such as mass murder, atrocious crimes committed by perverted and insane persons, unsolved criminal cases, and suicides committed by unhappy couples.

The *Archives of Criminology* were started in 1926 as the bulletin of a local academic circle, the Association of Criminology in Kanazawa. The editor-in-chief and chairman of the association was Tanemoto Furuhata, a professor of legal medicine at the Kanazawa Medical College. Contributions to the early issues were limited to persons residing in the Kanazawa area: researchers at the medical college, magistrates and prosecutors of the district court, high-ranking officers of the prefectural police, and lawyers. But the *Archives* soon became a nationwide journal and continued to publish until 1943.

The motivation of the circle is evident in the opening remarks made at the first meeting and also in the preface of the *Archives*: "The unfavorable influence of the World War, together with the spread of materialism, has resulted in a rapid increase in the crime rate and in increasingly more sophisticated methods used by offenders, both of which urgently require the extensive cooperation of legal medicine, criminal justice, and other related professions."<sup>9</sup> The *Archives*, therefore, were expected to provide improved knowledge and a means for dealing with the increasing menace of crime. Accordingly, the majority of the articles were devoted to research reports related to investigational methods: examination of blood types, fingerprints, and handwriting; autopsy of the victim's body; the mechanics of poisoning; and the psychology of suspects. Compared to the *Journal of Abnormal Psychology*, the *Archives* appear to be significantly more academic. Nevertheless, the *Archives* also contained less-than-scientific articles, including essays and letters in which judges, prosecutors, police officials, prison administrators, instructors of reformatories, and others freely stated their opinions about the causes of crime and offered suggestions for preventing crime and for reforming offenders.

Thus, an interesting feature that the *Journal of Abnormal Psychology* and the *Archives of Criminology* share is the coexistence of two completely different types of discourse: one a scientific report and the other a popular, nonacademic statement. This implies that the early development of criminology in Japan was enriched by the popularization of knowledge on crime.

9 Yoshio Shigemi, "Prospectus for the Inauguration of the Association of Criminology in Kanazawa," *Archives of Criminology* 1 (1928): 1-3 (in Japanese).

## RECEPTION AND APPLICATION OF WESTERN TRENDS

With regard to the reception of contemporary Western trends, it is important to note that Cesare Lombroso's criminal anthropology became well known in Japan at a time when his doctrine was losing influence. After the International Congress of Anthropology in 1889 in Paris, Lombroso encountered severe criticism particularly from advocates of sociological theories on crime. Although some of Lombroso's works were introduced to Japan as early as the 1870s, his main ideas remained unfamiliar to scholars until the 1910s. Consequently, Lombroso was always referred to as one of the founders of positivistic criminology, representing the Italian school with Raffaele Garofalo and Enrico Ferri. Most Japanese scholars simplified Lombroso's theories into a "born-criminal doctrine," to the extremes of which they kept a certain distance. Among the public, Lombroso became famous as an erudite critic rather than a criminologist when his book *L'uomo di genio* was translated into Japanese by a decadent poet in 1916.<sup>10</sup>

There was another reason for Lombroso's limited impact in Japan. At the time when Japanese psychiatrists became aware of studies on offenders, they were strongly influenced by German medicine, in which Lombroso's concepts were unanimously rejected.<sup>11</sup> As a result, most Japanese textbooks described the concept of the "born criminal" as one of the prototypes upon which German authors elaborated their concepts of "abnormal character" or "psychopathy."

As far as the causes of crime were concerned, Japanese criminologists paid considerable attention to the biological theories of the German criminologists Gustav Aschaffenburg, Johannes Lange, and Karl Birnbaum. However, they were also concerned with environmental factors, most likely because they were facing a rapid increase in the crime rate after World War I. This tendency seems to parallel the renewal of interest in social causes in the United States while crime saw a tremendous increase during the war.<sup>12</sup>

An attempt to integrate environmental and biological approaches was made by Shufu Yoshimasu. As a psychiatrist and penal reformer, he conducted a large-scale survey of prisoners during the late 1920s. Referring to German studies, especially to Edmund Mezger's dynamic explanation of crime and Franz Exner's research on recidivism, Yoshimasu worked out a "dynamic scheme of criminal behavior." According to this scheme, a

10 Cesare Lombroso, *L'uomo di genio* (Turin, 1894), translated into Japanese by Jun Tsuji (Tokyo, 1894).

11 See Richard Wetzell's chapter in this volume.

12 See Nicole Rafter's chapter in this volume.



person's future risk of offending against the law could be assessed in accordance with both environmental and biological attributes of the individual, including psychopathy, early onset of the criminal career, history of recidivism, broken family, lax school attendance, occupational instability, and hereditary disposition.<sup>13</sup>

Criminal investigation, forensic medicine, and penal policy were enriched with new knowledge about offenders. In these fields, Germany's "modern school" of criminal law and the contemporary trends of penal policy in the United States were influential. The leader in this area was Ryo Masaki, a legal scholar who, along with Tanemoto Furuhashi, was editor-in-chief of the *Archives of Criminology*. He expressed doubts about the efficacy of general deterrence by harsh punishment, and enthusiastically promoted reforms of the penitentiary system. Rejecting the idea of retribution, he took the educationalist approach intended to afford more opportunity for resocialization, focusing on the particularity of offenders. He even stated that "crime is a sort of illness that can be cured only by scientific methods of improving the offender's personality." From this standpoint, an offender with diminished responsibility would deserve a longer term of imprisonment that would provide more opportunity for treatment.<sup>14</sup>

The efforts to realize more socialized and scientific treatment of prisoners resulted in a series of reforms of the penal system. The enactment of the Juvenile Law of 1922 introduced probationary supervision, which was followed by the establishment of the Parole Examination System in 1931 and the decree introducing the Progressive Stage System for Prisoners in 1933.

Thus, scientific criminology clearly had not just a theoretical, but a practical impact, emphasizing the prevention of crime. This impact may be attributed to the fact that the early development of criminology occurred at a time when social problems were becoming serious due to rapid modernization of society.

#### DIFFERENT ASPECTS OF THE CONCERN ABOUT CRIME

Referring to the writings appearing during the thirty-year period from 1910 to the late 1930s, I will discuss various aspects of concern about crime from a larger viewpoint.

13 Shufu Yoshimasu, "Psychiatric Study on the Social Prognosis of Offenders," *Psychiatria et Neurologia Japonica* 40 (1936): 728-31 (in Japanese).

14 Ryo Masaki, "Objective of Imprisonment and the Scientization of Penal Policy," *Archives of Criminology* 5 (1931): 1-9 (in Japanese).

*Rise in the Crime Rate*

Many people expressed a fear of increasing crime. Although in most cases this was a vague impression, the criminal statistics partially confirmed their fears.<sup>15</sup> The number of people convicted of crimes shows a gradual increase beginning in the mid-1920s: 137,804 in 1920; 163,192 in 1930; and 188,203 in 1936, the highest number in the prewar period. This trend paralleled the increase in the number of reported thefts: 13,121 in 1920; 16,508 in 1930; and 20,574 in 1936. The number of offenders convicted per 100,000 people was also on the rise: 245.8 in 1920; 252.1 in 1930; and 265.7 in 1934. Moreover, the number of penal code offenses brought to the Public Prosecutor's Office showed an even more dramatic rise: 227,255 in 1910; 298,525 in 1920; and 427,092 in 1930. A sharp rise occurred in 1929, and the trend peaked in 1934 at 545,360.<sup>16</sup> This rapid increase was partially due to the fact that the police became more inclined to arrest persons committing petty crimes and public order offenses, against which charges were easily dropped.

The cause of this trend seems complicated, but experts of criminal statistics have provided some explanations.<sup>17</sup> The relatively low crime rate at the beginning of the twentieth century may be due to the general improvement in the standard of living. However, beginning in 1910, inflation and the soaring price of rice led to an increase in the number of property crimes. Even though this increase leveled out between 1918 to 1923 as a result of the prosperity following World War I, the trend reaccelerated in 1924 due to economic recession, which was aggravated by the great Kanto earthquake that struck Tokyo and Yokohama in September 1923. The steady increase in the crime rate during this period can be attributed mainly to poverty in the farming districts and to the increase of unemployment in the cities.

Concern about the menace of crime, however, was influenced more by the particular aspects of the trend rather than by the aggregate figures. This can be understood by looking at some of the important traits, which I discuss in the following sections.

*Juvenile Crime and Urbanization*

Although no precise statistics are available for juvenile crime during this period, it is interesting to note that some administrators of prisons and

15 Annual Report of Criminal Statistics, Ministry of Justice.

16 On the details of the criminal trends in Japan, see Minoru Shikita and Shinichi Tsuchiya, *Crime and Criminal Policy in Japan: An Analysis and Evaluation of the Showa Era, 1926-1988* (New York, 1992).

17 Ibid.

reformatories perceived a worsening of the situation in the 1920s. In the *Archives of Criminology*, the director of a provincial prison reported that the number of youths incarcerated in his prison increased by 40 percent from 1923 to 1927.<sup>18</sup> According to another report by the director of a reformatory, a rapid increase was seen in the 1920s in the number of minors referred to the family court in the Kyoto, Osaka, and Kobe regions.<sup>19</sup> Because these worrisome trends were more noticeable in the cities than in the countryside, specialists often related this change to the bad influences of urban culture on the younger generation.

Beginning in the first decade of the twentieth century, when Japan was transformed into an industrial state, a population migration took place on a large scale from farming districts to industrial centers, producing a sharp rise in the urban population. In 1913, 72 percent of the population lived in townships with a population of less than 10,000. By 1930, this had fallen to 59 percent. However, 14 percent of the population lived in cities of 50,000 or more in 1913, and this number had swelled to 25 percent by 1930. Driven by "city fever," a large number of young people flocked to the industrial centers, where they were forced to work in shops or factories under very poor conditions. The situation was not greatly improved by the passage of the Factory Act of 1916, which limited the working day for women and children to eleven hours and prescribed a minimum working age of twelve.<sup>20</sup>

Specialists in juvenile crime worried that not only the discontent produced by the low standard of living but also the temptations of the urban environment would induce young workers to commit immoral acts. In fact, there emerged many venues for recreation, such as restaurants, cafes, dance halls, theaters, movie houses, department stores, and brothels. Among these forms of entertainment, moviegoining was considered to be the most harmful. Introduced from the United States in 1896, movies rapidly became a popular form of amusement, particularly after 1929 when the first "talking pictures" were released. The audience was mostly young workers. According to a survey on recreation among city residents, which was conducted by the Ministry of Education in 1921, movies were the most popular form of entertainment for about one out of every three respondents. The movies were considered harmful not only because movie theaters offered places for delinquents to gather but because the stories in the films were sometimes

18 Yumatsu Usui, "On the Causes of Juvenile Crime," *Archives of Criminology* 3 (1930): 13–19 (in Japanese).

19 Junzo Ogawa, "Juvenile Criminals in the Kyoto, Osaka, and Kobe Region," *Archives of Criminology* 4 (1931): 382–3 (in Japanese).

20 Yoshiteru Iwamoto, "Hometown, Emigration, and Foreign Land," in Naohiro Asao et al., eds., *Synoptic History of Japan*, 18 vols. (Tokyo, 1994), 97–132 (in Japanese).

easily mimicked. After the release of a French movie entitled *Gigolo*, there was a rash of juvenile crimes imitating the story, and the Tokyo Prefectural Police consequently created a regulation prohibiting children under fifteen from viewing such movies.<sup>21</sup>

### *Riots and the Left-Wing Movement*

Concern about the rising crime rate was also linked to the fear of political unrest, especially after the war, when social discord was intensified by a series of events: strikes in factories, rioting in cities, the appearance of left-wing organizations, and terrorism by fanatics of both the left and right wing.

Serious inflation in 1918 and the growth of the urban proletariat contributed to the spread of strikes in the factories. The Federation of Labor, which was founded in 1919 and had thirty thousand members, continued to grow over the next few years. The development of the labor movement as well as the Russian and German revolutions encouraged the formation of left-wing parties. With the support of the Comintern, the Communist Party was established in Japan in 1921 and immediately declared an illegal organization.

Another important event was the "rice riots" of 1918, which started in a rural town as a housewives' protest meeting against the rising cost of rice and rapidly spread to the big cities where mobs attacked and sometimes burned the buildings of rice dealers and moneylenders.

In what context were these political upheavals perceived by criminologists? The *Archives of Criminology* contained many articles discussing this matter. Psychologists repeatedly expressed concern about the epidemic of strikes and riots. The mentality of the working class, they argued, was characterized by a lack of scientific knowledge and understanding, superstition, a tendency toward imitation, and excitability. As a result, these people were highly prone to reckless action, presenting a typical example of "mass psychology."<sup>22</sup> From the viewpoint of the defense of the social order, public prosecutors regarded the riots as intentional, suggesting that they were more ideologically inspired and organized than their precedents, which seemed simply induced by mass psychology.<sup>23</sup> The police officials in charge of

21 Taketoshi Yamamoto, "Essay on Mass Media," in Naohiro Asao et al., eds., *Synoptic History of Japan*, 289-303 (in Japanese).

22 Mizuyo Shimozawa, "Psychology of Strikes," *Journal of Abnormal Psychology* 5 (1920): 389-96 (in Japanese).

23 Tokisaburo Sugimoto, "Memoirs on the Arson in Hibiya," *Archives of Criminology* 4 (1931): 375-8 (in Japanese).

regulating left-wing parties were particularly concerned about the profiles of arrested rioters and members of the Communist Party. These persons, it was said, usually had familial, educational, and medical problems, and this fact would be a clue for reforming them and for preventing "the collapse of the embankment," that is, preventing the unlimited expansion of communism.<sup>24</sup>

The view of Hideo Egami, an instructor of psychology at a high school, was more pedagogical. He analyzed the ongoing "deterioration of thought" among youth and found that psychological problems played an important role in this process. He then attributed receptivity to "dangerous thought," or "the seductive appeal of Marxism" among students to the psychological peculiarity of youth: curiosity for novelty, compassion, eagerness to learn, a tendency toward imitation, and ambitiousness. For Egami, it was therefore crucial that teachers and parents be able to detect such tendencies and intervene as soon as possible to correct the "errors" of potential left-wingers.<sup>25</sup>

Thus, involvement in communist activity became a psychological problem and, accordingly, a subject for criminologists. This kind of behavior was usually interpreted as resulting from a "fault" or "illusion" on the part of vulnerable individuals. In the *Archives of Criminology*, a prison physician proposed to "bring these individuals to their senses" by persuasion (much as parents should do with their children).<sup>26</sup> This paternalistic attitude was clearly stated in the opinion of a chief justice of the court of appeals: "Despite the decline of the Communist Party due to strict police regulation, there remain students, teachers, and even scholars who are devoted to Marxism. It is a pity that they are exploited as a tool of the Comintern and are dishonored by being arrested." It was essential, he stressed, that those "stray sheep" be awakened from their dream by making them recognize the Comintern's plot to conquer the world.<sup>27</sup>

These opinions of specialists can be related to a particular tendency of Marxism, which thrived in Japan in the 1920s. The Marxist movement was supported mainly by youth in their twenties. The majority were unmarried, well-educated men from middle-class families. Thus Marxism attracted those people who felt compassion for the poor as well as strong indignation

24 Kiichiro Sakata, "Recent Trends of Socialist Movement," *Archives of Criminology* 2 (1927): 131-9 (in Japanese).

25 Hideo Egami, "Psychology of Youth and Their Thought," *Archives of Criminology* 4 (1931): 328-37 (in Japanese).

26 Keiji Kuroda, "Essay of a Criminologist," *Archives of Criminology* 5 (1931): 154-63 (in Japanese).

27 Hosui Tateishi, "Love of Family, Marxism, and Patriotism," *Archives of Criminology* 8 (1934): 285-9 (in Japanese).

about the corruption of the privileged class. Accordingly, the movements tended to be idealistic and dogmatic.

### *Terrorism*

The rise in terrorism also gave rise to fear among criminologists. Assaults on party politicians by right-wing fanatics occurred repeatedly. First, Takashi Hara, the first commoner ever to become prime minister, was assassinated in 1921. Then, Prime Minister Osachi Hamaguchi was shot and wounded in 1930, which was followed by the assassination of Prime Minister Tsuyoshi Inukai by young army officers in 1932. After the assault on Hamaguchi, a psychiatrist commented in the *Archives of Criminology* that a scientific method of criminology should be applied to terrorists, because many of them were either insane, degenerate, mentally retarded, or adolescents with high levels of suggestibility.<sup>28</sup>

The most shocking incident, though, was the assault on the Emperor Showa, then prince, in 1923. The perpetrator, Daisuke Nanba, a twenty-four-year-old anarchist, fired into the car that was carrying the prince to Parliament, but the prince was not harmed. During the trial he did not hesitate to profess his homicidal intent and accordingly was hanged a year later. The documents from the investigation and the trial reveal an interesting profile of the assassin.<sup>29</sup> He was born to a reputable family in one of the outlying prefectures, and his father was a member of the House of Representatives. Although all his brothers were bright, his performance in school was mediocre, and he even failed the entrance examination for a prestigious high school. He then left his hometown to attend high school in Tokyo, where he was exposed to radical thinking. He began to have compassion for the poor in the slum neighborhoods in Tokyo and to feel indignation over the authorities' harsh oppression of the socialists. His hatred then turned to the privileged class to which, he thought, his father also belonged. According to his testimony during the trial, he did not have any resentment toward the prince himself, but he reasoned that the imperial family helped the ruling class to oppress the people and that terrorism was the last resort to awaken the proletariat, who were still operating under an illusion about the imperial system.

It is interesting to read the memoirs written by jurists who had close contact with Daisuke Nanba. Rikisaburo Imamura, the lawyer who defended

28 Junji Kaneko, "Essay on the Assault of the Prime Minister," *Archives of Criminology* 4 (1931): 55-6 (in Japanese).

29 A psychiatric report on Daisuke Nanba argued that he was completely sane.

Nanba, analyzed his life history in order to clarify the cause of the “unprecedented disgraceful affair.” Imamura compared Nanba’s profile to that of other left-wing terrorists. The common characteristics he found were “despair due to poor health, and strong self-respect.” Imamura’s explanation of Nanba’s behavior is as follows: He suffered from renal disease and was convinced that he had only a few years to live. The desire to end his life as a hero drove him to commit this reckless act. Books and pamphlets on socialism and anarchism also helped Nanba give voice to his immature thoughts. He further cites an episode that showed the extent of Nanba’s belief: Despite Imamura’s efforts to make his client repent for his foolish act, Nanba shouted “banzai (long life) for the Japanese proletariat!” in front of the judge at the time of sentencing. Imamura later confessed that he took great pains to understand Nanba’s thinking but was only disappointed by his tenaciousness.<sup>30</sup>

Hideo Yokota, the presiding judge for Nanba’s trial, also stated that it was hard for him to understand Nanba’s act. For Yokota, the core of the problem was that Nanba was a “dropout.” Born to a good family, he ended up “falling into communism” due to the influence of several unfortunate circumstances: his mother’s premature death, his father’s harshness, and the destructive effects of the urban environment. Yokota suspected that the confluence of these factors brought about Nanba’s “moral corruption,” and he strongly emphasized the role family and education should play in preventing the indulgences that would allow youth to slip into communism.<sup>31</sup>

### *Mass Media and Crime*

Another important trend that contributed to the development of criminology was the popularization of knowledge about crime. As mentioned above, both the *Journal of Abnormal Psychology* and the *Archives of Criminology* carried many nonacademic contributions, including essays on sensational criminal incidents, excerpts of newspaper articles, experiences of police officers, and reviews of foreign and domestic detective novels. According to an essay in the *Archives of Criminology* of 1931, interest in crime was growing rapidly among the general public, as evidenced by the large number of books and popular magazines featuring stories about crime.<sup>32</sup>

30 Rikisaburo Imamura, “Memoirs,” in *Documents of Modern History*, 3 vols. (Tokyo, 1988), 53–64 (in Japanese).

31 Hideo Yokota, “On the Affaire of Toranomon,” in *Documents of Modern History*, 163–82 (in Japanese).

32 Keiji Kuroda, “Essay of a Criminologist,” *Archives of Criminology* 5 (1931): 154–63 (in Japanese). He complained that even though knowledge about crime became popular, criminology as a discipline was rather underdeveloped.

This interest in crime was probably fed by the mass media, which saw unprecedented growth in the 1910s and 1920s. Two major newspapers had begun publication at the beginning of the century and soon had achieved a large circulation. One had a circulation of 160,000 in 1910, 440,000 in 1921, and 1,050,000 in 1932. This rapid increase in subscribers was due mainly to an increase in the number of people who were educated enough to read newspapers, particularly members of the growing urban middle class. By 1923 the illiteracy rate in Tokyo had dropped to 8 percent. Added to the already established daily newspapers was a steady stream of new weekly and monthly magazines. In the 1930s each of the two major monthly magazines aimed at housewives had a circulation of one million or more.<sup>33</sup>

#### POLITICS AND CRIMINOLOGISTS

Finally, it is important to examine the links between criminology and the resurgence of nationalism that occurred in the 1930s, when Japan invaded Manchuria in 1931 and withdrew from the League of Nations in 1933. I will concentrate on two conservative movements: racism and eugenics. These movements developed parallel to the development of criminology, and some leading criminologists were involved with one or both.

#### *Racism*

Japan had made astonishing political and economic progress in the late nineteenth and early twentieth centuries, which was highlighted by the victory over Russia in 1905. These successes encouraged Japanese leaders to compete with European powers. As a result of the subsequent rise in Japan's international status and its acquisition of colonies in East Asia, the Japanese people became more aware of the physical and cultural diversity among different peoples.

This concern can be seen in the works of Tanemoto Furuhashi. In the *Archives of Criminology*, he reported numerous studies on blood types and fingerprints.<sup>34</sup> At that time, these two topics attracted the attention of specialists

33 Yamamoto, "Essay on Mass Media."

34 Tanemoto Furuhashi's main works on blood types and fingerprints in the *Archives of Criminology* include "Identification of Individuals," 1 (1928): 18-30; "Heredity of Fingerprints and its Application for Anthropology" 2 (1929): 20-28; "Trends of Study on Fingerprints" 2 (1929): 110-15; "Paternity Test through Blood" 2 (1929): 140-46; and "Particularity of the Japanese Nation through Distribution of Blood Types" 2 (1929): 311-29. In these articles he cited methods of criminal identification developed by European scientists such as Alphonse Bertillon and Francis Galton. But he insisted that identification through fingerprints originated in Japan, where a thumbprint had been customarily used in place of a signature.



not only as tools of criminal investigation but also as means for identifying the specific characteristics of race. In his reports Furu-hata detailed large-scale surveys and concluded that he had identified the racial uniqueness of Yamato-minzoku (the archaic term for “the Japanese nation”) based on the distribution of blood types and fingerprints. He argued that, rising from multiple origins, Yamato-minzoku was a sort of big family (the culmination of a longstanding process of fusion and integration). What is most interesting about Furu-hata’s argument is the contrast between the very sophisticated scientific analysis used to prove his hypothesis and the old-fashioned rhetoric he employed to state his findings. Using many clichés suggestive of ultranationalism, he asserted that Yamato-minzoku, ruled by the emperor (a descendant of God), was characterized by an incomparable racial uniqueness and was therefore superior to other racially mixed nations.

Takeji Furukawa, a pedagogue, carried out another blood-type study with a similar hypothesis and conclusion. He compared the distribution of blood types among two different peoples, the Formosans, found on Taiwan, and the Ainu, a people spread throughout Northeast Asia, including Northern Japan, particularly on the island of Hokkaido. Furukawa’s motivation for the study may have derived from a political incident. After the occupation of Taiwan following Japan’s victory over China in 1895, the inhabitants continued to tenaciously resist their occupiers. Insurgencies in 1930 and 1931 killed hundreds of Japanese settlers. The purpose of Furukawa’s study was to “penetrate to the essence of the racial traits of the Taiwanese, who recently revolted and behaved so cruelly.” Based on the finding that 41.2 percent of a Taiwanese sample had type O blood, he assumed that their rebelliousness was genetically determined. This reasoning was supported by the fact that among the Ainu, whose temperament was characterized as subordinate, only 23.8 percent had type O blood. Furukawa contrasted the passiveness of the Ainu with the intransigence of the Taiwanese, who refused to be “moralized.” In conclusion, Furukawa suggested that the Taiwanese should intermarry more with the Japanese in order to reduce the number of individuals with type O blood.<sup>35</sup> His proposal was consistent with the policy of integration adopted by the Japanese governors.

The Taiwanese mentality was analyzed from yet another perspective. Hideo Egami, a psychologist and one of the main contributors to the *Archives of Criminology* in 1929 conducted research sponsored by the Ministry of Education. He carried out fieldwork for the purpose of determining the

35 Takeji Furukawa, “Racial Traits of the Taiwanese and the Ainu Through Blood Types,” *Archives of Criminology* 4 (1931): 130–34 (in Japanese).

characteristics of the Taiwanese: their moral and religious sensibility, native intelligence, and customs. He then compared the data with those obtained from Japanese counterparts. The results were satisfactory, for the Taiwanese subjects showed the desired effects of the integration policy, which supported the possibility that the Taiwanese would one day become a part of the Japanese nation. Understanding the psychology of "savages" was meaningful for him because of a perceived urgency to "make them enjoy, as soon as possible, the benefits of Koka (becoming subordinate to the Japanese emperor)." <sup>36</sup>

The core of Japan's ethnic policy was to assimilate the inhabitants of colonies and occupied areas in order to establish the "Greater East Asia Co-Prosperity Sphere," a policy that contrasted sharply with the exclusionist policy adopted by the Nazis. <sup>37</sup>

### *Eugenics*

At the beginning of the twentieth century, the enactment of sterilization laws in the United States aroused the curiosity of several Japanese scholars. Hisomu Nagai, a professor of physiology at the Imperial University of Tokyo, was concerned about the future of the Japanese nation and began to spread the principles of eugenics, proposing sterilization as an effective means of reducing the element in the population having "malignant heredity." However, health professionals as a whole did not subscribe to these ideas, nor were they even interested in this problem because at that time they were too busy dealing with chronic diseases, tuberculosis, and malnutrition.

From the late 1920s to the early 1930s, eugenics was widely discussed as a means of solving the problem of overpopulation. In 1930 Hisomu Nagai organized the first meeting of the Japanese Society of National Hygiene, which brought together about eight hundred attendees. It should be noted that Tanemoto Furuhashi was a member of the board of directors. The stated purpose of the society was to study heredity and its relation to the Japanese people's physical constitution. Meanwhile, the enactment of the Sterilisierungsgesetz (sterilization law) in Germany aroused debate about eugenics in Japan. Opponents criticized the excesses of Germany's

36 Hideo Egami, "Moral Sensibility of the Japanese and the Taiwanese," *Archives of Criminology* 3 (1930): 261-83 (in Japanese). The works of Furukawa and Egami were examples of anthropological studies to which Japan's territorial expansion to East and South Asia gave an impetus.

37 Under the Nazi regime, Jews and gypsies were often regarded as predisposed to commit crime. (See Richard Wetzell's chapter in this volume.) On this point, the German racist discourse differed from the Japanese counterpart, in which criminal disposition was not emphasized as a racial trait.

legislation and demanded more careful consideration, suggesting that the current knowledge of heredity was not sufficient to justify taking such radical steps.<sup>38</sup> The proponents of sterilization, headed by Nagai, rejected these critics, arguing that it would be reasonable to sacrifice a minority for the sake of the “eternal life of a nation.” They stressed that Japan’s prosperity had been brought about by the superiority inherent in Yamato-minzoku and that it therefore was of the utmost importance to prevent “racial degeneration.”<sup>39</sup> The Japanese Society of National Hygiene actively promoted eugenics research, including a study on the Ainu, who were regarded as an example of an “inferior race.”<sup>40</sup>

Furthermore, the society was engaged in the formulation of a bill for sterilization. The Ministry of Health also began to prepare drafts of legislation, conducting a survey in 1939 of families of mentally ill people on the basis of which the Ministry of Health contended that some forms of mental illness were strongly heritable. In order to popularize such eugenic ideas the Ministry of Health organized an “Exhibition of National Eugenics” that proved to be a great success, drawing over one thousand visitors a day. The exhibits were composed of two distinctly different elements: scientific knowledge and religious concepts. The display appealed to the audience based on the findings of ethnology and then preached to them the value of a eugenics policy that would help Japan, a divine nation, to overcome its present difficulties. This idea was symbolized by an exhibit showing a tree buffeted by a storm yet standing strong, upon which were painted the words “Kodo-Seishin” (Spirit of the Empire).<sup>41</sup>

In 1940 the bill for the National Eugenics Law was passed and enacted by the Diet. The purpose of this law was to foster an increase in the healthy population by improving the people’s physical constitution. It aimed to do so by promoting an increase in the number of individuals with healthy predispositions and a decrease in the number with unhealthy predispositions.

38 Jinichi Kikuchi, a forensic psychiatrist, raised strong objections to the eugenics movement promoted by the Japanese Society of National Hygiene. His criticism addressed not only the eugenicists’ lack of psychiatric knowledge but also the risk of the abuse of eugenic measures by the ruling class. He warned that sterilization would be exclusively applied to “abnormal proletarians.”

39 Proponents often argued that sterilization had already been practiced in many Western countries and that current genetics, especially Ernst Rüdin’s research, had provided sufficient evidence supporting the effectiveness of the measure.

40 In 1933 the Japanese Society of National Hygiene formed a committee under the chairmanship of Hisomu Nagai. Aiming to explain the decrease in population of the Ainu, the committee performed a series of surveys on physical conditions, especially tuberculosis, syphilis, and eye disease. The fact that this project was expected to offer preventive measures against racial degeneration suggests the close relationship of eugenics to racism.

41 Yutaka Fujino, *Japanese Fascism and Eugenic Ideas* (Kyoto, 1998) (in Japanese).

The law further stipulated that sterilization could be performed on patients with specific disorders: hereditary mental illness and deficiency, as well as serious types of hereditary morbid character and malformations.<sup>42</sup> A person with such a patient as a blood relative also could be sterilized. However, only the person affected could apply for an operation; in the case of a minor or an incompetent person, a father or spouse could apply. Even an administrator of a mental hospital or prison could apply for it, if the person's disorder was determined to be extremely serious.<sup>43</sup>

How many people were actually sterilized under this law? According to statistics from the Ministry of Health, the number of sterilizations totaled 538, which included 217 men and 321 women, from 1941 to 1947, when the law was abolished. For the most part, these were persons with severe mental illness or mental deficiency. This figure seems rather small when compared to that of Germany, where over 56,000 people were sterilized in 1934 alone.<sup>44</sup> The reason for this limited practice of sterilization in Japan is not clear. I suspect, however, that two major factors hindered the practice. First, because there were relatively few mental hospitals at that time, it was difficult to systematically deal with patients who met the sterilization criteria.<sup>45</sup> Second, even though some psychiatrists, especially leaders in academic circles, argued for the value of the project, most doctors were reluctant to become involved in the practice.<sup>46</sup>

#### CONCLUSION

Tracing the early history of criminology in Japan, I have argued that the "science of crime" developed through the contributions of specialists in three

42 The inclusion of criminals in the sterilization law was a matter of debate during the Nazi era. (See Richard Wetzell's chapter in this volume.) In Japan, criminal behavior was not included among the criteria of sterilization, unless it was regarded as a sign of a "hereditary morbid character." Furthermore, the number of sterilized persons with hereditary morbid character was low.

43 The German law provided a powerful judicial organization (Erbgesundheitsgerichte), which made decisions about sterilization. The Japanese law stipulated that a local governor, assisted by a board of specialists, was responsible for the decisions.

44 Ernst Klee, *"Euthanasie" im NS-Staat: Die "Vernichtung lebensunwerten Lebens"* (Frankfurt am Main, 1983).

45 According to the statistics of 1941, the total number of psychiatric beds was about 20,000, which was disproportionately small for the patient population. A large number of psychiatric patients were sequestered in their own homes.

46 There were several reasons for psychiatric practitioners' reluctance regarding sterilization. First, most of them showed little interest in the ideology of the eugenics movement, even though they recognized possible benefits of sterilization for patients with hereditary diseases. Second, they contended that interruption of reproduction would conflict with the Japanese values based on the family unit. Finally, they thought of sterilization as an unnatural act that was in conflict with their medical ethics.