

Crime Prevention in Japan: The Significance, Scope, and Limits of Environmental Criminology

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1. Introduction

A considerable number of studies have been conducted on crime prevention in Japan over the past decade using theories developed in the US and the UK and pertaining mainly to environmental criminology. However, these theories that originated in other countries were foreign to the Japanese society whose culture and customs are different from those of the Western countries. In this paper, we would like to scrutinise the applicability of these foreign theories in Japan in the light of the fact that crime phenomena reflect the characteristics of a local community. Recent years have seen Japan's local governments evincing growing interest in this field in concert with the increase in crime⁽¹⁾. Locally based action plans directed at crime prevention and community safety have been developed and implemented since 1994⁽²⁾.

With these trends in view, the current paper seeks to examine crime prevention from the Japanese perspective⁽³⁾. We focus on an initiative directed by Hiroshima prefecture and the Hiroshima Police Agency. This initiative particularly targeted the Asaminami ward in Hiroshima city from 2003 to 2005, and it was instrumental in bringing about nearly a 38% drop in the crime rate in Hiroshima prefecture as a whole⁽⁴⁾. Before considering the Hiroshima initiative, let us survey the historical background of and the theoretical perspectives on

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(1) The national government is also concerned about the deteriorating crime scenario. In 2004, the criminal code was modified to extend the statutory period of imprisonment. According to the new stipulations, a prisoner can be incarcerated for up to 30 years in the case of accumulative offences.

crime prevention.

2. Historical Background of Crime Prevention in Japan

Since a detailed history of crime prevention in Japan is beyond the scope of this paper, we will only provide a brief outline.

Traditionally, associations where neighbours come together to assist each other in a variety of activities, such as planting rice, building houses, and other aspects of daily life, have been an integral part of the social fabric in Japan⁽⁹⁾. Power structures often used these associations in their social capacity for crime prevention. Most Japanese citizens can easily recall the legacy of the ‘*gonin-gumi*’ of the Edo era (1600-1867). It literally refers to the ‘five-people groups’ that were created by the Tokugawa Shogunate. These groups followed a system of internal checks and balances through members who were expected to be vigilant and stop each other from indulging in potentially disturbing activities. There was a provision to punish all the members if a group failed to fulfil its duty, following the principle of collective responsibility. It is said that the ‘*gonin-gumis*’ were very effective in preventing crimes at that time.

The Meiji era (1868-1912) witnessed the inception of neighbourhood associations called ‘*tonari-gumi*’. The neighbourhood ‘*tonari-gumis*’ were

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- (2) International bodies as well as national and local governments have been paying greater attention to crime and community safety. They have directed more resources towards understanding and addressing the risk factors related to crime, victimization, and the feelings of fear and insecurity. For instance, the United Nations’ *Guideline for the prevention of Crime, 2002*, urged governments and civil societies to use knowledge and evidence about the factors that reduce crime to develop local solutions and strategies that foster knowledge and encourage effective action (L. Léonard., G. Rosario, C. Scott, and J. Bressan, *Building Safer Communities: Lessons Learned From Canada’s National Strategy*, Canadian Journal of Criminology and Criminal Justice, April 2005, pp. 233, 236.)
 - (3) We will explore the significance, scope, and limits of environmental criminology in particular. However, even if it is useful and significant, we cannot ignore the limitations of this kind of approach in preventing crime. It is very difficult to prevent persistent offenders from committing certain kinds of crime, such as violence or sexual crimes. We therefore require the plausible diagnoses offered by mainstream criminology to understand and cope with such criminal behaviour.
 - (4) See, <http://www.police.pref.hiroshima.jp/020/toukei/toukei17.pdf>
 - (5) L. Crag Parker, Jr., *The Japanese Police System Today: An American Perspective*, Kodansha, 1987, p. 37.

involved in a variety of social and civic activities. For instance, the head of the group collected a sum of money to celebrate births or weddings, and he likewise organised assistance for the families of deceased persons. Participation in such neighbourhood groups entailed a variety of obligations and rituals, and individuals who were able to engage in these forms of social intercourse with skill and confidence enjoyed a sense of accomplishment and self-esteem. The network of social and neighbourly obligations involves the complex notion of ‘*giri*’, literally ‘duty’, which is considered to be a basic principle of social interaction in Japan, though most scholars agree that its influence has waned in recent years. The ‘*tonari-gumi*’ existed up to the time of the Occupation when they were forced to disband by the Allied Forces. They have since re-formed, though their influence is much weaker⁽⁶⁾.

Many of their functions were later adopted by newly formed neighbourhood groups. Western authorities suspected these groups—with leaders using coercive and autocratic tactics in dealing with group members—as being a part of the pre-war authoritarian apparatus. Their suspicion was fuelled by the leaders’ reputation as extremely loyal servants of the Emperor and the government, as well as the fact that it was not uncommon for both the members and leaders of these groups to report secretly on citizens who did not obey government policies⁽⁷⁾.

Post-war Japan saw the emergence of local crime-prevention groups (*bohan kyokai*) with a narrow framework, and the *tonari-gumis* were entirely replaced by *cho-nai-kai* with the exception of rural areas. The *cho-nai-kais* continue to function, but their strength has dwindled in the cities because unmarried residents of apartments and condominiums are reluctant to join them⁽⁸⁾. Furthermore, local communities are being seriously eroded, anonymity increasingly characterizes modern life, pleasure-seeking trends are increasing, and traditional crime deterrence in society is waning. To complicate matters further, the *bohan-kyokais* exist as semi-official arms of the police and are expected to facilitate the general task of maintaining order. Ties with the police remain close to some extent, and the public tends to dissociate themselves from this quasi-official set-up. Japan’s crime rate has shown a marked increase post

(6) Id., pp. 38–39.

(7) Id., p. 37.

(8) Ibid.

1975, and restricting crime has become one of the most important concerns in the national agenda since 2002 when the crime rate reached its peak in post-war Japan. Community safety associations were established across Japan as a part of a new wave of counteractive measures. These associations focus on the participation of community members and cooperation among different sectors for effective crime prevention.

3. Theoretical Perspectives on Crime Prevention

The idea of crime prevention cannot be a new one. Preventing crime must historically have been a major concern of governments and peoples. However, it seems that theories of crime prevention were not organised until the latter half of the 20th century. In 1971, C. Ray Jeffery introduced the idea of ‘Crime Prevention through Environmental Design’ (CPTED). In 1976, P. Brantingham and F. Faust designed a conceptual model of crime prevention in parallel with illness prevention in the area of medical science. Post 1981, with the publication of the book ‘Environmental Criminology’ edited by P. Brantingham and his wife P. L. Brantingham, we appear to have become keenly aware of the significance of crime prevention in the spheres of criminal law, criminal justice, and criminology. Many theories regarding crime prevention are in currency at present. For instance, M. Tony and D. Farrington propose four models with regard to crime-prevention strategy⁽⁹⁾. These are the law enforcement model, the development model, the community model and the situation model, respectively. However, we would like to categorise all such models into two simple classes, namely, the ‘*ante-delictum*’ model that is connected with proactive measures and the ‘*post-delictum*’ model that pertains to reactive measures.

In the domain of criminal law, discussions related to crime prevention appear to have been preoccupied with the deterrent effect of penalties or systems of punishment⁽¹⁰⁾. According to modern theories of criminal law, however, people cannot be apprehended by a punitive authority until an offence is committed. In the context of continental and Japanese criminal law in particular, ‘the

(9) See, 守山正「犯罪予防論の現代的意義—環境犯罪学の展開—」犯罪と非行 第135号 8-13頁(2003)

(10) Cf., Ferri, E., *Principi di Diritto Criminale*, Unione Tipografico-Editrice Torinese, 1928, p. 5ff.

commission of the offence' is the minimum requirement in principle. This notion was imported into Japanese law from German law where it is termed '*Anfang der Ausführung*'⁽¹¹⁾, though it originated in French criminal-law theory as '*commencement d'exécution*'⁽¹²⁾. Modern criminal law deals with '*post-delictum*' acts as a basic rule. This system guarantees people's freedom as well as other fundamental human rights without the fear of punishment. In addition to the deterrent effect including individual deterrence, the criminal justice system lays down incarceration and surveillance as preventives to deter offenders from offending. We will thus call the prevention of crime through a system of punishment the '*post-delictum*' model. This is chiefly directed at convicted offenders.

On the other hand, the '*ante-delictum*' model, primarily addresses potential offenders. This model can be divided into two aspects, namely, social crime prevention and situational crime prevention.

Social crime prevention refers to a variety of preventive activities based on the socialization of children and the youth or close relationships among family members or neighbours. The primary objective of this approach is to reform the personality of potential offenders, thereby pre-empting future crimes; secondly, it seeks to enhance the awareness of possible victimization in potential victims, thus enabling them to guard themselves from potential offenders. Community policing may also be viewed as a form of social crime prevention.

Situational crime prevention is a mode within environmental criminology that has been introduced primarily in the UK. This approach views crime as the outcome of instant decisions and choices and concentrates on these proximate causes rather than concerning itself with more fundamental sociological or psychological explanations. Therefore, 'opportunity' emerges as a key factor in this concept. Offending levels can be reduced by taking practical steps to minimise the opportunity for criminal behaviour. In America, Cohen and Felson set out an elaborated version of the opportunity theory in 1979 which they called the '*routine activities theory*'⁽¹³⁾. People satisfy their basic needs

(11) See, Meyer, D., *Abgrenzung der Vorbereitung vom Versuch einer Straftat*, Jus., 1977. S. p. 19 ff.

(12) See, Merle, R. et. al., Vitu, A., *Traité de droit criminel*, éditions cujas, 1978, p. 600 ff. This concept is apparently different from the concept of 'overt act' in common law.

through routine activities such as work, shopping, and leisure. Such activities determine the locational coordinates of people and their occupation at any particular point in time. According to Cohen and Felson, crimes against people as well as property require the convergence of three factors, namely, a motivated offender, an appropriate target, and the absence of a custodian or guardian. The latter two factors are particularly dependent on the patterns of routine activities⁽¹⁴⁾.

What then are the differences between social crime prevention and situational crime prevention?

First, social crime prevention essentially focuses on individuals themselves, while situational crime prevention lays emphasis on the situations that lead to offences. This difference appears to derive from the fundamental difference in the understanding of crime *per se*. In a nutshell, is a crime ‘committed’ by humans, or do crimes ‘occur’? The former belief might be the reflection of an optimistic view of the possibility of reducing crime by reforming people. But to say that crimes ‘occur’ independent of human agency might betray a sceptical attitude about reforming potential offenders; such a standpoint can instead project potential offenders as enemies of civic society and therefore foster a complete indifference towards their reformation. It may be asserted that the paradigm of situational crime prevention is rooted in at least two situational matrices. On the one hand is the fact that every country records a particular yearly incidence of crimes as if they were natural phenomena—a view allied to the fundamental existence of humans as a part of nature. On the other hand is the failure in many countries of the rehabilitative model based on optimistic theories seeking to reform pre-existing correction systems. Historically speaking, the inception of modern environmental criminology and the situational crime-prevention approach appears to be coeval with the collapse of the rehabilitative model as well as the dominance of the justice model in the field of criminal policy. In fact, during the 1970s till the early 1980s, both academics and politicians in the UK voiced a growing dissatisfaction with the frustrating search for ‘the cause’ of crime within the individual, because

(13) Cf., R. V. Clarke and M. Felson (ed), *Routine Activity and Rational Choice*, Transaction, 1993.

(14) S. Jones, *Criminology*, Butterworths, 2001, p. 123.

recorded crime figures had started to increase sharply and the mugging panic was also scaling alarming heights at that time⁽¹⁵⁾. Mainstream criminology deals with individualistic causes of crime and the criminal's environmental background. However, it has disregarded the immediate environment of the crime event *per se* that actually occurred on the spot. Over time, notwithstanding the importance of identifying the causes of crimes, the concerned circles deemed that this process was too slow and it involved waiting for a long time to witness effective outcomes, whereas an attempt at minimising the opportunities of crime was considered to be a more viable and effective alternative. The traditional binary involving 'nature or/and nurture' was found insufficient in reducing the incidence of offences. This led to more interest being evinced in the criminal event itself rather than the criminality of the offender⁽¹⁶⁾. The idea of situational crime prevention, in a sense, can hinder the authority from violating human rights, provided it concentrates only on the crime event.

We should, however, be ever alert to the risk that this approach entails. Given a shift towards what David Garland calls a 'culture of control'⁽¹⁷⁾, we would witness not only a movement away from rehabilitation and social reforms but also a renewed focus on individual responsibility and social control. Furthermore, it often results in an emphasis not only on situational approaches to prevention but also on punitive or deterrent reactions against offenders, thereby tending to downplay the focus on social prevention⁽¹⁸⁾. However, we need to assert at this stage that we found the principle of retributive justice to be redundant in the face of the rising crime rates and prison populations in most developed countries. The present need for

(15) Ibid.

(16) See, Sessar, K., *Zu einer Kriminologie ohne Täter- Oder auch: Die kriminologische Tat*, Mschr Krim 80. Jahrg., Feb., 1997, S. 1 ff. Eifer and Brandt argue that on a theoretical basis, the results prove that concepts with situational orientations cannot deal with a 'criminology without an offender' (Eifer, S. und Brandt, D., *Videouberwachung in Deutschland. Theorie und Praxis situateionesbezogener Krminalprävention*, Mschr Krim 88. Jahrg., Juni, 2005, S. 157 ff.)

(17) See, D. Garland, *The Culture of Control: Crime and Social Order in Contemporary Society*, University of Chicago Press, 2001.

(18) R. Hastings, *Perspectives on Crime Prevention: Issues and Challenges*, Canadian Journal of Criminology and Criminal Justice, April 2005, p. 213.

preventive rather than punitive tactics appears to be amply clear, though there is still enormous pressure to go back to the old-fashioned logic of deterrence and punishment in Japan as well⁽¹⁹⁾.

The second difference between social and situational crime prevention can be understood in terms of the relative distance from the police or the criminal justice system. Social crime prevention is undertaken by citizens living in their respective communities, whereas situational crime prevention is normally the prerogative of law enforcement agencies or the local or national government. Some critics often argue against the penetration of private life by civic authorities exercising social control. The abuse of closed-circuit television cameras (CCTV), for instance, can be viewed as a violation of human rights that results in a ‘net-widening’ effect vis-à-vis social control. Based on the general modus operandi of social crime prevention, however, it has been regarded as being independent of a criminal justice system. In France, for instance, few people would agree that intensive social crime prevention would expose their society to the ‘net-widening’ effect⁽²⁰⁾.

The correlation between ‘*ante-delictum*’ prevention and ‘*les mesures de sûreté*’ might be worth noting at this juncture. In the continental legal tradition, the judiciary has the authority to not only inflict penalty but also impose ‘*les mesures de sûreté*’ on convicted offenders as well as potential re-offenders. ‘*Les mesures de sûreté*’ literally means ‘security measures’. In Germany, this concept is known as ‘*Sicherungsmaßregeln*’. Scholars in common law countries may easily recall the ‘preventive detention’ system introduced by the Prevention of Crime Act 1908 in the UK. Preventive detention was applicable in the case of habitual criminals (with the same definition as ‘persistent offenders’ in the Criminal Justice Act 1948) and made provisions for an extension in the period of incarceration by five to ten years after the expiration of the prison term⁽²¹⁾.

‘*Ante-delictum*’ preventive measures and ‘*les mesures de sûreté*’ share something in common in respect that both of them address the risk of

(19) See, A. M. Schunck, American Crime Prevention: Trends and New Frontiers, Canadian Journal of Criminology and Criminal Justice, April 2005, p. 459.

(20) See, B.W. Jones, Crime and Citizenship-Preventing Youth Crime in France Through Social Integration, Chris Weston Evans European Award, 1993

(21) Pradel, J., *Droit pénal compare*, Dalloz, 2002, p.144.

offending. But we must be careful to not confuse these two categories when it comes to the principle of separation of power. ‘*Ante-delictum*’ prevention is regarded as belonging to the domain of political administration, whereas ‘*les mesures de sûreté*’ is the prerogative of the judiciary. We can view environmental criminology as being akin to ‘administrative criminology’⁽²²⁾.

4. ‘Let’s Reduce Crime, Asaminami!’: Crime Reduction Project in Hiroshima

In 2002, the number of criminal offences reported in Japan reached its highest since the end of the Second World War. It is true that crime in Japan had been increasing at an alarming rate since 1975; it should however be noted that the crime rate in Japan—even in 2002—was still well below that in other western countries⁽²³⁾. However, in the wake of the unprecedented crime rates in the country, reducing crime so as to restore the reputation of Japan as a safe country has become an extremely important feature of the national agenda. Although the Life Safety Division (*Seikatsu-Anzen-Ka*) has been a part of police agencies at both the national and prefectural levels since 1994, it is not a specific agency responsible for crime prevention at either the national or the local level. Thus, in most prefectures, the police agency cooperates with the local government in crime prevention projects. A number of local governments

(22) The duality inherent in environmental criminology might be pointed out in this regard. Environmental criminology tends to be thought of as a synonym of ‘administrative criminology’ that renders the concept somewhat vapid—especially insofar as its application in academics is concerned—because of its practical character. Some critics even argue that it is merely a collection of simplistic and prosaic ideas to reduce crime, and that it has no plausible and pedantic philosophy to support itself. However, we have to recall here that modern environmental criminology originated out of the flaws in traditional criminology. In addition, we should also remember that the theories of crime prevention, including those broached in environmental criminology, are still in the developing stage. We believe that there are several issues that need to be discussed theoretically.

(23) According to the White Paper on Crime (1989), there are several reasons for the relatively lower crime rate in Japan. It points out the following factors in this regard: (1) the law-abiding nature of the Japanese citizens, (2) economic development after World War II, (3) the low unemployment rate, (4) popularization of education, (5) informal social control in the communities, (6) geographical condition as an island country, (7) cooperative attitude of ordinary people towards the police and the criminal justice system, and (8) the effectiveness of the police and the criminal justice system.

including those administrating over cities, wards, towns, and villages have begun to enact Life Safety Ordinances to regulate nuisances, such as leaving pet excrement in public places, smoking in streets and so forth. According to the theory of incivility known as the Broken Windows Theory, propounded by the American criminologists James Q Wilson and George Kelling in 1982, any signs of disorder such as broken windows, graffiti or litter would weaken the informal process of social control within a community. Disorder would reduce the extent to which the community could exercise control over its own affairs, and crime might increase as a consequence of this⁽²⁴⁾.

Following its brilliant success in New York, local governments in Japan—including Hiroshima Prefecture—also started to adopt this theory and the strategy that it proffers. But the Hiroshima project that has aligned itself with the motto ‘Let’s Reduce Crime—A Movement Involving All the Inhabitants of Hiroshima Prefecture for Crime Prevention’, has seen large-scale participation since 2002 from not only the local governments and prefecture police agency but also ordinary people such as the elderly, members of NPOs, children, and even dog owners who volunteer to take walks with their uniformed pets (*Wan-Wan Patrols*)⁽²⁵⁾. They participate in a variety of activities to reduce crime and improve community safety where their partnership and cooperation are of vital importance. The Hiroshima Police Agency plays a pivotal role in this respect. They work towards establishing effective public relations and issue pamphlets and posters calling the public’s attention to burglary, thefts, fraud, and other crimes. They also educate the public on different kinds of crime. Today, we can even stay informed about suspicious elements wandering about schools through the Internet and cable TV. In addition, as is also the case in many Western countries, technological and mechanical devices such as TV monitors, emergency alarms, and cameras are being increasingly utilized to prevent crime. Blue street lights that are expected to have a remission effect have been installed at a few places following the success of this device in Glasgow. CCTVs have also been installed in the city centre in Hiroshima. Hiroshima prefecture even has a ‘gated community’ that enables residents to monitor their children going to school from home PCs through a number of cameras fitted

(24) S. Jones, op. cit., p. 125.

(25) See, 荻野太司「犯罪予防論の現代的展開 (一) —ニュージーランドにおける取組みを中心に—」*広島法学*第30巻第1号70-78頁(2006)

across town. To complete the set-up, all local governments have provided mobile emergency buzzers to primary school children.

There are eight wards in Hiroshima City which is the capital of Hiroshima prefecture. Asaminami ward is one of them and it was designated as the model ward for reinforcing crime prevention. Asaminami was one of the worst wards in Hiroshima City in 2002 in terms of crime rate. To promote extensive participation in crime-prevention activities by the local people living or working in Asaminami, an experimental scheme was designed to be launched in 2003. The foundational concept in this initiative was the establishment of the Community Safety Association aiming to enhance community capacity and support community mobilisation. This association is divided into the following three sectional meetings dedicated to specific themes: sectional meetings on building safety towns, enhancing the awareness of crime prevention, and giving the youth a sound upbringing. The parties involved with crime prevention attend the relevant sectional meetings that are held once a month according to their respective affiliations. The participants are expected to report the status of the endeavours undertaken by them and discuss various problems to find solutions for them. The members are from varied backgrounds, and they include university students, house wives, retired persons, as well as specialists in crime prevention. In spite of the voluntary nature of their work, these members attend meetings and contribute ideas assiduously and express their satisfaction at being able to contribute towards crime prevention⁽²⁶⁾. We deem that this type of prevention schemes can improve and strengthen the social bond in a community. This belief is supported by the common assumption in many prevention policies that crime, victimization, and insecurity are local problems, and local communities are therefore best placed to identify these problems and design and implement solutions. Some residents of Asaminami exemplify this principle by fitting blue lights on the roofs and displaying awareness slogans on the sides of their cars. There are also instances of drivers

(26) One member said, 'Before taking part in this meeting, I was not aware of the importance of crime prevention. I've come to know everyone takes it seriously and is regularly involved in voluntary activities. They are great.' Another participant said, 'We have come to get closer to each other. I have got some nice friends here. I really appreciate this attempt.' Other members also shared similar feelings.

of taxis flashing the line ‘Let’s reduce crime’ watching for potential offenders while waiting for passengers at the parking lots of convenience stores.

Thanks to such large scale projects including the programme entitled ‘Let’s Reduce Crime, Asaminami!’, the crime rate in Hiroshima prefecture fell by 37.7% (from 59,330 to 36,938) between 2002 and 2005 which helped the prefecture come first in Japan vis-à-vis decreasing crime rates. In addition, Hiroshima also averted the displacement of crime which is often identified as a typical problem in environmental criminology. The entire prefecture has witnessed a reduction in every kind of crime except frauds. Because of the emergence of a new type of identity fraud called the ‘*Ore-Ore*’ fraud, the number of cases of fraud soared by approximately 116.8% between 2002 and 2005⁽²⁷⁾.

5. The Mechanism of ‘*Ore-Ore*’ Frauds

What are these ‘*Ore-Ore*’ frauds? ‘*Ore-Ore*’ literally means ‘It’s me’. Young men make telephone calls to elderly people pretending to be a son in need of financial help: ‘It’s me, I need money immediately!’ Instances of these frauds had increased significantly to 6,504 cases in 2003⁽²⁸⁾. Several variations of this fraud have been reported, with perpetrators disguising themselves as police personnel and lawyers to trap their victims. According to the police, elderly people who live alone have been the prime targets of these swindles that can be defined as cases of identity fraud. Identity theft and identity fraud are terms used to refer to all types of crimes in which someone wrongfully obtains and uses another individual’s personal data by using fraudulent or deceptive means typically for monetary gains. The widespread sale and dissemination of personal information is fuelling the increase in the incidence of identity thefts. However, the perpetrators of the ‘*Ore-Ore*’ fraud do not need access to any particularly significant personal information. They just make a spate of telephone calls to elderly people after collecting their contact number from yellow pages. According to the National Police Agency, despite being a widely publicized menace, fraudsters operating on telephones, posing as relatives in urgent need of money, continue to bilk money out of middle-aged and

(27) Cf., <http://www.police.pref.hiroshia.jp/020/toukei/sichouson17.pdf>

(28) Cf., <http://www.npa.go.jp/toukei/keiji16/15-3-6pdf>

elderly Japanese citizens. The agency admitted that these criminals had managed to amass a total of about ¥1.1 billion in April 2003 alone⁽²⁹⁾. April might have been an especially lucrative period for the swindlers because it marks the beginning of the academic and financial years and is generally viewed as a time when it would not be unusual for young people to be in need of money⁽³⁰⁾. In the four-month period from January through April 2004, the swindlers raked in approximately ¥3.2 billion⁽³¹⁾, as opposed to approximately ¥4.3 billion for all of 2003⁽³²⁾.

In concurrence with the emergence of various types of ‘*Ore-Ore*’ frauds, this term tends to have converged with the broader concept of ‘*Nari-Sumashi Sagi*’ (identity fraud)⁽³³⁾. But ‘*Ore-Ore*’ continues to be a unique menace and has now become a serious threat to law and order in Japan. From the viewpoint of environmental criminology, it is quite difficult to regulate the immediate setting of these crimes because using a telephone is of course not illegal and is even protected as a right to ensure freedom of communication. In addition, when a fraudster calls from Tokyo, for instance, how can the prefectural police agency in Hiroshima cope with his activities?

To curb this type of ‘remote crime’, potential victims should be educated about the nature of the crime and the way to deal with it. *Ore-Ore* frauds can be treated as rather rational acts performed by ordinary people under particular situational inducements. It may be possible to pre-empt such crimes by reducing the number of vulnerable targets and it may not even be necessary to analyse sociological or psychological contexts to prevent them⁽³⁴⁾.

(29) The Japan Times, May 28, 2004

(30) The Japan Times, May 28, 2004

(31) They gathered approximately ¥18.5 billion for all of 2004. See, <http://police.pref.hiroshima.jp/020/toukei/sichouson17.pdf>

(32) The Japan Times, May 28, 2004

(33) Both of them are comprised in the broadest idea of ‘*Furikome Sagi*’ (the ‘Pay Up’ fraud) that includes fictitious claims as well.

(34) In fact, the number of cases of ‘*Ore-Ore*’ fraud decreased from 14,459 to 6,854 between 2004 and 2005. See, <http://www.npa.go.jp/toukei/keiji16/15-3-6.pdf>, <http://www.npa.go.jp/toukei/seianki2/20060424.pdf>

6. Analysis

The Crime Reduction Project in Hiroshima was an apparent success as a whole. But statistics reveal that it has not been as effective against sexual crimes and has been quite ineffective against identity frauds so far. We have to consider the merits and demerits of the crime prevention strategy. We can point out at least four problems with environmental criminology in general which can then be checked in the context of the Hiroshima initiative⁽³⁵⁾.

First, as some members of the academia critical of the system have pointed out, the approaches involved in environmental criminology tend to violate human rights because they target not only potential offenders but also ordinary citizens, albeit indirectly. These critics are particularly concerned about the penetration of private life by the police or governmental authority. The modern-day conception of human rights essentially involves freedom from state control. However, we believe that it is imperative for the people living in the 21st century to be guaranteed freedom by the state as well as from the state. The rights to protect us against potential offenders have to be complemented by a system to check the abuse of power. Although the public in Hiroshima strongly support crime prevention initiatives, they appear to be more anxious to prevent potential crimes rather than potential abuses of power. However, some kind of committees, consisting of ombudspersons for instance, should be formed if crime prevention projects translate into excessive intervention by the police in private life.

Secondly, some critics have opined that environmental criminology creates mutual distrust among the public by placing a special emphasis on the fear of crime. This fear has been propagated so intensively that these days we are even vigilant of the person next to us, lest he steal our wallet! Nobody can deny the importance of mutual trust and respect in a community. If community members become too distrustful of each other, it does not augur well for civic life. Fortunately, in Hiroshima, the citizens' privacy appears to be protected from potential breaches and crime prevention activities are actually used to foster stronger bonds of mutual trust. In the case of the Japanese people, we should

(35) Cf., 守山正「環境犯罪学の倫理」西村古稀記念論文集『犯罪の被害とその修復』214頁以下（敬文堂、2002）

perhaps address the issue of indifference to other people rather than active distrust. It is a common saying that the Japanese differentiate between *uchi* (belonging to one's group) and *soto* (outside of one's group). Every member of the *uchi* has a strong sense of belonging whilst he or she is generally indifferent to the *soto*. As Durkeim points out, the existence of crime allows ordinary people to feel a sense of solidarity. The Japanese society may be no exception in this regard.

Thirdly, there is the problem of social exclusion. Environmental criminology tends to ostracize potential offenders. For example, in the UK, the Crime and Disorder Act 1998 legalised the exclusion of persons who were or will potentially be involved in anti-social behaviour from public places. This kind of regulated access might be admissible to ensure strict law and order enforcement. However, if we do not adopt a sympathetic approach towards the stigma as well as the human rights of the offenders, they may become persistent offenders owing to their identity as excluded, useless individuals, thus spawning a class of criminal outcasts. Fortunately, we need not introduce the access control policy in Hiroshima at present. In theory, most prefectures have legislated ordinances to prohibit minors from entering amusement arcades in the evening. In reality, however, this rule is rarely applied or is applied lightly unless there is a case of delinquency.

Finally, there is the problem of displacement. It has been suggested that making the possibility of committing a crime more difficult in one setting only displaces it to another. In this regard, we can refer to the findings of Mayhew et al (1980) which showed that following the imperative to fit steering locks in all new cars in 1971, the theft of older cars increased. The researchers considered that displacement was more likely for professional crime than for chance, opportunistic offences⁽³⁶⁾. Gill (2000) discovered that many robbers would simply avoid premises fitted with security devices. In some cases, the use of monitors and cameras simply provoked robbers to act violently and smash the devices. Robbers were more likely to cover their faces in case the place of a potential crime was under camera surveillance, which only increased fear among the staff and customers. Cameras could lull the staff into a false sense of security and encourage the management to remove safety screens⁽³⁷⁾. However,

(36) S. Jones, op. cit., p. 127.

Clark (1980) pointed out a non-displaced reduction in telephone kiosk vandalism following their redesigning. Pease (1992) also reported a reduction in burglaries in both the Neighbourhood Watch area and the surrounding area in the UK⁽³⁸⁾.

No displacement was reported in Hiroshima either. Rather, the prefecture displayed a tendency towards the 'diffusion of benefits'. What then, in the final analysis, was responsible for Hiroshima's success? Two factors appear to be of importance while dealing with this question.

The first of these factors pertains to the harmony between social and situational crime prevention outfits. Had the prefecture deployed only situational crime prevention strategies, the results might not have been as satisfactory. In the Asaminami ward in particular, community associations cooperated to a great extent to actively rebuild social bonds and foster a lasting sense of security. However, we cannot disregard the impact of situational crime prevention approaches, including the use high-tech devices. Today, we can purchase a dog robot that always stays at home. Upon spotting a burglar, the robot can take his/her photograph and send it to the owner of the house immediately by email. Traditionally though, Japan has favoured social crime prevention. Even today, in rural areas, most people leave their doors unlocked because there is no major crime scare. Recently, local governments and police agencies have started recommending that doors be kept locked. Its effect was magical.

Secondly, Hiroshima's success may reflect something about the character of the typical Japanese society which can be regarded as a 'group society'. Membership in a group or one's role in the group is far more important than individuality. Despite the Westernisation that has taken place in Japan since the Meiji Restoration (1868), conformity is still a pivotal social value. Once they set out to achieve a reduction in crime, all associations march forward together without any scepticism⁽³⁹⁾. In addition, Japan also has a 'homogeneous society'. Neither does the country have different social classes like in the UK nor does it have social diversity of the kind found in the US. Collective initiatives at times of social crises thus materialise with relative ease in Japan.

(37) Ibid.

(38) Id., pp.127-128.

To put it briefly, we could regard the Hiroshima Project as a success story of community-based crime prevention.

7. Concluding Remarks

This paper proposed that environmental criminology should be regarded as being an effective strategy in Japan as well as in Western countries in dealing with such occasional crimes induced by specific opportunities as street crimes, thefts, burglaries, and so forth. It can also be useful in tackling the menace of ‘Ore-Ore’ frauds that can be viewed as rational acts performed by ordinary people acting under particular situational inducements. Minimising attractive targets will make coping with such crimes easier. We need not analyse fundamental criminological accounts in such cases.

However, environmental criminology is by no means a panacea for all crimes. It generally does not apply to career criminals or persistently serious offenders. In recent years, crimes of a more serious nature have been reported in Japan. There are some enigmatic cases that cannot be easily explained on the basis of traditional theories in Western criminology. These crimes are committed by individuals who might be unsocial, unsocialized, or who possibly suffer from mental illnesses or psychopathy. Mainstream criminology should continue its endeavours to identify the triggers of such enigmatic crimes⁽⁴⁰⁾.

(39) The Japanese have an old proverb, ‘The nail that sticks up will get hammered down’. Conversely, there is another saying, ‘We don’t fear a red light if we ignore it together.’ In fact, *Horiemon* who ‘stuck up’ was ‘hammered down’ in Japan. Many Japanese people find it important to maintain order in the group to which they belong. We believe that this conformity or obedience towards authorities is one of the most decisive factors behind Japan’s low crime rate. We cannot earnestly subscribe to the opinion that only the Japanese are law-abiding, good-natured, and so forth. Interestingly, in spite of the downtrend in crime rate, the fear of crime among people increases. Many TV programmes project a perception of crime, and the Japanese people are highly susceptible to their influence. It is also possible to view the Japanese people as exemplars of an idiosyncratic attitude—people tend to think as others think. That is to say, ‘You think, therefore I think.’ Some Japanese people are prone to escaping from the very idea of freedom. This reminds us of the remark of J. P. Sartre, ‘*C’est ce que j’exprimerai en disant que l’homme est condamné à être libre. Condamné, parce qu’il ne s’est pas créé lui-même, et par ailleurs cependant libre, parce qu’une fois jeté dans le monde, il est responsable de tout ce qu’il fait.*’ (J. P. Sartre, *L’existentialisme est un humanisme*, Éditions Gallimard, pp. 39-40., 1996)

From what we have observed in this paper, it follows that environmental criminology and mainstream criminology should complement each other. Criminologists should clearly define the areas covered by these two subclasses, thereby promoting a 'division of the labour'.

Indeed, the example from Hiroshima is ample proof of the potential of environmental criminology. In fact, Hiroshima owes its success to the galvanization of social and situational crime prevention approaches. We recognize it as a mode of community-based crime prevention. However, such approaches also come with certain limitations as we discussed in the paper. With a judicious blending of approaches from mainstream criminology into crime prevention policies, Hiroshima would surely become one of the safest cities in Japan.

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- (40) The majority of criminological approaches accounting for the causes of enigmatic crimes have been based on biological or psychological explanations rather than sociological ones. The psychological approach is more popular than the sociological approach in Japan. Moreover, psychological explanations are considered to be 'scientific' to an extent whilst sociological explanations are likely to be regarded as 'ideological'. The method of psychologizing the causes of crime has thus become fashionable. This approach is reflected not just in the discussion of crime but also in the discussion of restorative justice where perpetrators are expected to show genuine remorse. The tendency towards psychologism may relate to the features of Japanese and Chinese society which traditionally makes much of repentance or remorse as a prerequisite for reintegrating wrongdoers into communities. However, some legalists argue that the emphasis on remorse in the official system amounts to an *infringement of the freedom of thought* and could therefore be viewed as being unconstitutional. They believe that modern states cannot assume accession into people's minds *per se*. Some sociologists also draw attention to the constitutive function of psychological explanations. Although biological and psychological approaches are still effective in explaining enigmatic crimes, it must be noted that calling a certain phenomenon a 'syndrome' might imply creating something that actually did not exist. Labelling the perpetrator as a patient may result in an individualistic conception of the causes of crime, leading to a suppression of real social problems.