

# CRIMINALITY IN JAPAN OBSERVED FROM THE POINTS OF AGE AND SEX

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## I. *The Scrutiny of Statistical Data*

Recently the international academic world has paid an increasing attention to the comparative criminology. As a contribution to this trend, the criminality in Japan will be considered, with classifying the offences prescribed in the Penal Code of Japan, from the points of age and sex and indicating their features.

In order to treat this problem, the criminal statistics must naturally be used as data, but they show very different aspects according to the kind of materials one may take up in relation to the criminality. Usually, the numbers of detections, arrests, convictions and custodies are four main numerical values. Of these values, the number of detections shows most exactly the actual condition of criminality, and the other three numbers become more and more distant from this actual condition in the order above mentioned. Seeing from the other side, however, it can be said that these four numbers show the various aspects of criminality with increasing minuteness in that order. Needless to say, there are much more dark numbers in the criminal statistics than in many other social statistics.

In this article, I will take up the number of arrests for the following reason: although the number of detections shows what is the closest to the actual condition of criminality, it does not show the age and sex of offenders. In order to clarify them, it is most suitable to grasp the number of persons arrested. Though we can also know them even by the number of convictions or custodies which belong to the stages later than that of arrests, the former is distant from the actual criminality, as compared with the latter, hence it is not proper to use the number of convictions or custodies so as to clarify the criminality. It appears that many studies both at home and abroad often depend upon such a number, but this method does not tell the truth on criminality. At least so far as the actual conditions in Japan are concerned, public prosecutors charge only a part of offenders arrested. Accordingly, convictions by the court are restricted only to the very small part of all offenders. As for custodies, they are limited to the still smaller number of them. For this reason, it would be the best way to explain the real condition of criminality to take up the number of arrests as the data.

However, there is the only one question to be answered which is as follows:

since all the persons arrested cannot be said to be true offenders with no exception, isn't it right to discuss the criminality on the basis of the number of arrests? Although that is quite a natural question from the viewpoint of seeing things legally, this method of discussion is never wrong in the way of thinking of empirical science. Certainly the number of arrests contains such cases which cannot be convicted by the court, but this number is relatively small. Especially in Japan, as public action is instituted carefully, there are not so many cases where convictions cannot be given against public prosecutors' will. For example, the number of defendants to whom the final judgements were rendered by the ordinary procedure in the first court all over Japan in 1955 is 96,416 males and 3,024 females. Of those persons, the number of those convicted are 92,224 males (being equivalent to about 96% of the total of male defendants) and 2,885 females (being equivalent to about 95% of the total of female defendants). Those percentages show the rate of the convicted to the prosecuted. On the contrary, the number of arrests includes those not prosecuted, and I do not dare to assert that about 95% of the arrested are the true offenders simply because they have once been considered guilty by public prosecutors, but the fact that the greater part of those who have been considered guilty by the investigating agent are the true offenders, is clear in the light of the judicial practice. Consequently, if the number of those whom the investigating agent has considered guilty and arrested includes a few persons who are not the true offenders, their number is so small as to be negligible in dealing with the large number of criminal statistics.

From the judicial point of view, it is inaccurate to treat those persons considered guilty in the stage of arrest as offenders, but the treatment may be said rather proper from the viewpoint of criminology as an empirical science. For this reason, the statistics of arrests by the police authorities may be said the best data suitable to be used for this purpose.

According to the statistics of the year 1955, the number prosecuted and committed to the judgement of court is as follows: while the number of the arrested in this year is 518,488 males and 39,869 females, the number of those who have been prosecuted and become defendants in the same year is, as mentioned above, 96,416 males and 3,024 females. So the rate of those prosecuted to those arrested is only a little less than 19% for males and a little less than 8% for females respectively. It goes without saying that these percentages do not show how much of the arrested in a year have been prosecuted. As there is a time lag between the arrest and the judgement, all of those arrested in 1955 are not judged finally in the same year, a good number of them being carried over to the next year. There must be also a good number of those who were arrested before 1955 and were carried over to this year for the final judgement. Putting these together, it can be said that the true relations in general between the prosecuted and the arrested may be conjectured by investigating, as mentioned above, the rate of the prosecuted to the arrested in the same year. I should like to have the readers understood the aforesaid numerical values in this meaning.

Though the number of those arrested includes a few persons who are not the true offenders, this fault is very small, and, on the other hand, the number of the prosecuted is only a very limited small part of the arrested, so it can be said that to depend upon the number of arrests is far better than to depend upon that of convictions for the explanation of criminality as a statistical phenomenon. As the number of those taken into prison is only a part of those convicted, it assumes the still more different aspect from the actual criminality. How many times larger is the number of male offenders than that of female offenders? If this rate is computed on the basis of these three kinds of numbers in the said year 1955, the results are as follows: (1) as regards arrests, the number of males is about 13 times larger than that of females (the actual number being mentioned above), (2) as regards convictions, about 32 times (the actual number being mentioned above), and (3) as regards custodies—the number of the persons who are newly taken into prison as convicted persons—, about 64 times (the actual number being 47,972 males and 754 females). These three rates are almost stable every year. The sex-rate enlarges increasingly from the stage of arrest through that of conviction to that of custody, although there are some little variations in each of these rates yearly. Of these three rates, the one which shows best the actual criminality is the first one, that is, males having the criminality ratio (the number of criminals per 100,000 persons in general population) which is approximately 13 times as large as females. This number of about 13 times is very stable and the approximate rate is seen every year. If compared with this, the rates in convictions and custodies cannot help fluctuating each year. In short, it will be understood that to discuss the subject matter on the basis of the number of arrests is most proper, as shown above in taking the sex-rate of criminality as an example.

As regards the subject matter taken up here, some of the studies made hitherto often do not explain the sources which their numerical values come from. So, if those studies show the results different from the present report, it may have been caused by the different sources of number.

## II. *General Considerations*

According to the statistics of arrests published by police in 1955, the age groups are divided into ten classes—under 14 years, from 14 to under 16 years, from 16 to under 18 years, from 18 to under 20 years, from 20 to under 25 years, from 25 to under 30 years, from 30 to under 40 years, from 40 to under 50 years, 50 to under 60 years, and 60 years or more. They will be shown for shortness' sake respectively as follows: ~14, ~16, ~18, ~20, ~25, ~30, ~40, ~50, ~60, and 60~. Although it is regrettable that the class-intervals between age groups are not equal, the fact that such a division is formally adopted on the official statistics is due to the age of criminal responsibility and the application of the Juvenile Law on one hand and to the necessity of the detailed analysis of age

groups of 20 years or thereabout on the other hand. As these age groups have high criminality ratio, the detailed analysis is intended, in dividing into smaller age groups. Nevertheless, as there are no data which show the number for each age, we have no means of knowing exactly the age in which the highest criminality ratio appears. We must be satisfied with showing the criminality ratio as regards age groups.

To refer to the Japanese legislation a little, here may be effective in understanding the reasons for such a division being made. In the Penal Code of Japan, a person under 14 years of age has no criminal responsibility (Art. 41). Therefore, to the act by a person under 14 years of age, the word "offence" should not be applied in its strict sense, but it should naturally be an offence, if it were committed by persons of older ages. So, such acts are here included in the word "offence", for convenience to show them in tables and graphs. Now, when a person has become 14 years of age, he has the complete criminal responsibility in the Penal Code, but his responsibility is restricted by the provisions of the Juvenile Law: as regards a person under 16 years of age, any public prosecution is prohibited (proviso of Art. 20), so a person who was under 16 years of age when he had committed an offence cannot be prosecuted, even when he has become older, excepting cases where there are some exceptional circumstances; in case a person who is under 18 years of age at the time of commission is to be punished with death penalty, he shall not be sentenced to death, and in case he is to be punished with imprisonment for life, the penalty must be mitigated (Art. 51). The Juvenile Law is applied generally to a person under 20 years of age, so the application of the criminal punishment is much restricted for juveniles, and even in cases where he is subjected to the criminal punishment, the penalty to him is mitigated (Art. 52-60).

The distribution of all the offences among the above-mentioned age groups is shown in Table I. Both the numbers and criminality ratio of offenders are shown in it. The recent number of offences distributed among different age and sex in Japan can be seen in the column (A) in this Table. At the same time, by mentioning the criminality ratio—the number of offenders per 100,000 population in each age group—, I try to point out which age group has the remarkable inclination to criminality.

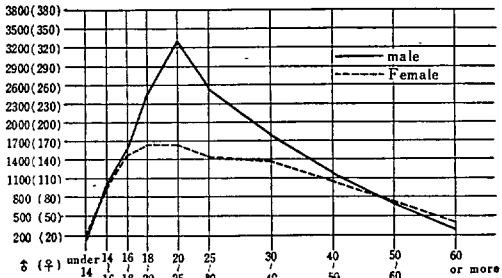
Table I Age and Sex of Offenders  
(Number of Arrests, 1955)

Age Group	(A) Number of Offenders		(B) Population		(A+B×100,000) Rate of Offenders to 100,000 Population	
	Male	Female	Male	Female	Male	Female
~14	21,855	2,942	14,271,800	13,742,000	153.1	21.4
~16	19,947	1,822	1,911,800	1,848,400	1,043.4	98.6
~18	25,291	2,430	1,613,700	1,612,100	1,567.3	150.7
~20	43,553	2,913	1,768,300	1,763,300	2,463.0	165.2
20~25	136,716	6,917	4,159,400	4,168,300	3,286.9	165.9
25~30	95,852	5,465	3,764,700	3,829,200	2,546.1	142.7
30~40	91,469	8,500	5,137,400	6,147,600	1,780.5	138.3
40~50	51,632	5,121	4,452,300	4,836,300	1,159.7	105.9
50~60	23,310	2,353	3,529,600	3,508,900	660.4	67.1
60~	8,358	1,411	3,237,400	3,971,600	258.2	35.5
Total	518,483	39,874	43,846,400*	45,427,700	1,182.5	87.8

\* excluded the persons with age unknown.

To make the readers acquainted with the fact at a glance, here is shown the criminality ratio in a graph in Chart I, in which the comparison between males and females is made easy, by multiplying the figures for females ten times. According to these Tables and Chart, the following things can be said:

Chart I The Distribution of Offenders per 100,000 Population



(1) As regards both males and females, the age group of 20 ~ 25 has the highest criminality and age groups under or above the age of this group show respectively the trend to increase or that to decrease.

(2) While the increase of offences in earlier ages is very rapid and remarkable, the decrease in and after the prime of life is slow and not so remarkable.

(3) By the comparison between males and females, it is found that the criminality ratio of males increases rapidly and becomes very high, and thereafter it decreases pretty rapidly, but on the other hand, it is also found that the criminality curve of females rises slowly and then falls slowly, showing the trend of committing offences in a comparatively earlier period. In short, it can be said from the viewpoint of criminology that while there exists a crisis, for the male's life, only once in a very noticeable form, the crisis of female's life continues for a long time with the similar degree of danger, although this degree is not so remarkable.

Then, the consideration will be made on the nature of offences. As to the main offences, Table II shows their numbers of each of the sexes and the rates of males to females, and Table III shows the so-called criminality ratio. I shall make some explanations, pointing out the noticeable facts, on the basis of the column of the rate of males to one female in the extreme right of Table II and Table III.

### III. Considerations on the Sex Rate of Each Offence

(1) Speaking of the criminality in general, as it has been pointed out above, the number of male offenders is 13 times (accurately 13.01 times) as high as that of female offenders (the criminality ratio is also 13 : 1). Therefore, if the sex rate of a certain offence is larger than 13 : 1 (see the column in the extreme right of Table II), it can be said that the degree to which females participate in the offence concerned is comparatively lower and if the sex rate is smaller than 13 : 1, it means that the degree of female participation in the offence concerned is comparatively higher. Seen from this point of view, the number of arrests of

Table II The Distribution of Offenders per 100,000 Population (Number of Arrests, 1955)

Age group	~14		14~16		16~18		19~20		20~25		25~30		30~40		40~50		50~60		60~		Total		Rate of males to females
	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	
Homicide	2	1	13	1	61	5	234	12	884	61	636	78	454	99	221	41	152	21	107	9	2,764	328	8.4
Infanticide	0	0	0	0	0	4	2	10	2	53	7	32	7	41	9	1	1	2	1	2	24	153	0.2
Indoor robbery	0	0	0	0	11	0	16	0	44	2	35	0	22	0	9	0	0	0	0	0	138	3	46.0
Indoor robbery by rape	0	0	2	0	3	0	9	0	22	0	7	0	7	0	2	0	0	0	0	1	53	0	∞
Indoor robbery by bodily injury	1	1	6	0	51	0	118	1	254	2	117	2	67	2	27	0	8	2	0	0	649	10	64.9
Indoor robbery by rape	8	0	24	0	128	1	266	2	633	3	312	2	195	3	52	1	20	1	3	0	1,641	13	126.2
Indoor robbery by bodily injury	0	0	0	0	4	0	14	0	34	0	8	0	6	0	5	0	0	0	0	0	71	0	∞
Outdoor robbery	0	0	6	0	17	0	36	0	50	0	21	0	12	0	3	0	0	0	0	0	145	0	∞
Outdoor robbery by rape	1	0	16	0	184	0	330	2	816	2	260	3	134	0	31	0	7	0	1	0	1,780	7	254.3
Outdoor robbery by bodily injury	23	0	73	0	235	1	412	0	853	2	342	1	133	0	38	2	13	0	3	0	2,125	6	354.2
Outdoor robbery by rape	128	18	41	4	56	7	64	10	212	30	148	31	180	47	99	20	68	17	54	11	1,050	195	5.4
Arson	43	0	230	0	815	0	1,033	0	1,319	0	505	0	380	0	173	0	54	0	27	0	4,579	0	∞
Rape	84	0	369	2	1,197	4	2,118	10	7,537	67	4,941	41	4,000	109	1,982	73	826	29	244	11	23,298	346	67.3
Bodily injury	232	7	674	16	2,670	11	6,668	51	26,644	203	17,789	200	13,633	370	6,507	236	2,575	98	807	35	78,199	1,227	63.7
Intimidation	10	1	28	1	133	4	301	7	1,141	6	890	4	802	12	473	17	231	8	69	1	4,078	61	66.9
Extortion	101	3	368	2	1,418	5	2,103	7	5,148	30	3,585	10	2,316	24	964	17	332	13	80	8	16,415	119	137.9
Larceny	12,193	2,139	10,588	1,328	9,818	1,814	12,617	1,989	29,279	3,749	16,691	2,221	13,914	2,760	6,759	1,273	2,666	498	1,019	219	115,544	17,990	6.4
Indoor larceny	6,637	346	5,952	193	5,336	139	7,497	123	22,579	446	16,774	538	18,063	1,168	10,452	762	4,535	309	1,615	166	99,440	4,190	23.7
Outdoor larceny	665	188	313	91	247	52	311	50	973	131	670	97	690	165	377	63	132	32	71	18	4,449	887	5.0
Pocket-picking	59	9	122	5	212	9	466	18	1,672	119	1,019	161	2,693	472	1,931	374	1,012	143	305	55	10,091	1,365	7.4
Stolen property	1	0	13	2	34	6	64	4	282	28	322	18	570	46	523	36	283	15	85	8	2,177	163	13.4
Fraud accompanied by counterfeiting	193	40	260	64	251	178	1,978	297	9,038	841	8,510	572	10,678	822	7,319	525	3,662	176	1,029	72	42,918	3,587	12.0
Other frauds	0	0	0	0	0	0	3	0	39	2	156	1	377	23	467	31	321	11	113	5	1,476	73	20.2
Official corruption	162	13	260	18	613	43	1,208	76	3,932	187	3,509	170	4,711	333	2,113	323	2,113	127	656	48	20,885	1,339	15.6
Embezzlement	15	6	15	10	82	6	177	11	1,260	62	1,473	84	1,973	171	1,537	190	900	163	471	101	7,903	804	9.8
Gambling	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	23	44	0.5
Abortion	75	0	113	2	136	6	126	21	239	102	219	60	238	39	137	20	49	1	33	2	1,365	253	5.4
Indecent act	0	0	0	0	1	1	10	4	105	22	158	22	288	46	215	30	73	17	36	3	886	145	6.1
Obscene thing	1,222	170	460	83	2,078	134	5,372	208	21,725	763	16,146	1,111	14,919	1,741	7,596	1,056	3,274	666	1,525	634	74,317	6,566	11.3
Other Penal Code offences	21,855	2,942	19,947	1,822	25,791	2,430	43,553	2,913	136,716	917	95,852	546,911	469,850	51,632	5,121	23,310	2,353	8,358	4,411	518	483,991	874	13.0
Total	21,855	2,942	19,947	1,822	25,791	2,430	43,553	2,913	136,716	917	95,852	546,911	469,850	51,632	5,121	23,310	2,353	8,358	4,411	518	483,991	874	13.0

Table III Rate of Offenders of Each Age Group Seen from the Point of Charges  
(Number of Offenders to 100,000 Population of Age Group Concerned) (Number of Arrests, 1955)

Offence	~14		14~16		16~18		18~20		20~25		25~30		30~40		40~50		50~60		60~		
	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	
Homicide	0.01	0.007	0.68	0.05	3.78	0.31	14.52	0.68	21.25	1.46	16.89	2.04	8.84	1.61	4.96	0.85	4.31	0.60	3.31	0.23	0.05
Infanticide	0	0	0	0	0	0.25	0.12	0.57	0.05	1.27	0.19	0.84	0.14	0.67	0.09	0.19	0.02	0.06	0.03	0.03	0.03
Accidental homicide	0	0	0	0	0	0	0.09	0	1.06	0.05	0.93	0	0.43	0	0.20	0	0	0	0	0	0.03
Robbery	0	0	0	0	0	0	0.56	0	0.53	0	0.19	0	0.14	0	0.04	0	0	0	0	0	0
Indoor robbery	0.007	0.007	0.31	0	3.16	0	7.32	0.06	6.11	0.05	3.11	0.05	1.30	0.03	0.61	0	0.23	0.06	0	0	0
Indoor robbery	0.06	0	1.26	0	7.93	0.06	16.56	0.11	15.22	0.07	8.29	0.05	3.80	0.05	1.17	0.02	0.56	0.03	0.09	0	0
Accidental homicide	0	0	0	0	0	0	0.87	0	0.82	0	0.21	0	0.12	0	0.11	0	0	0	0	0	0
Accidental homicide	0	0	0	0	0	0	2.23	0	1.20	0	0.56	0	0.23	0	0.07	0	0	0	0	0	0
Outdoor robbery	0.007	0	0.84	0	11.40	0	20.47	0.11	19.62	0.05	6.91	0.08	2.61	0	0.70	0	0.20	0	0.03	0	0
Outdoor robbery	0.16	0	3.82	0	14.56	0.06	25.56	0	20.51	0.05	9.08	0.03	2.59	0	0.85	0.04	0.37	0	0.09	0	0
Arson	0.90	0.13	2.14	0.22	3.47	0.43	3.62	0.57	5.10	0.72	3.93	0.81	3.50	0.76	2.22	0.41	1.93	0.48	1.67	0.28	0
Rape	0.30	0	12.03	0	50.51	0	58.42	0	31.71	0	13.41	0	7.40	0	3.89	0	1.53	0	0.83	0	0
Violence	0.59	0	19.30	0.11	74.18	0.25	119.77	0.57	181.19	1.61	131.23	1.07	77.88	1.77	44.52	1.51	23.40	0.83	7.54	0.28	0
Bodily injury	1.62	0.05	35.26	0.87	165.46	0.68	377.08	2.89	640.52	4.87	472.48	5.22	265.43	6.02	146.15	4.88	72.95	2.79	24.93	0.88	0
Intimidation	0.07	0.007	1.46	0.05	8.24	0.25	17.02	0.40	27.43	0.14	23.64	0.10	15.61	0.20	10.62	0.35	6.54	0.23	2.13	0.03	0
Extortion	0.71	0.02	19.25	0.11	87.87	0.31	118.92	0.40	123.76	0.72	95.22	0.26	45.09	0.39	21.65	0.35	9.41	0.37	2.47	0.20	0
Indoor larceny	85.35	15.57	553.86	71.84	608.42	112.52	713.49	112.80	703.87	89.94	443.31	58.01	270.91	44.91	151.81	26.33	75.53	14.19	31.48	5.51	0
Outdoor larceny	46.50	2.52	311.35	10.44	330.67	8.62	423.96	6.98	542.80	10.70	445.52	14.05	351.69	19.00	234.75	15.76	128.48	8.81	49.89	4.18	0
Pocket-picking	4.66	1.37	16.37	4.92	15.31	3.23	17.59	2.84	23.39	3.14	17.80	2.53	13.43	2.68	8.47	1.30	3.74	0.91	2.19	0.45	0
Stolen property	0.41	0.07	6.38	0.27	13.14	0.56	26.35	1.02	40.19	2.85	43.00	4.20	52.43	7.68	43.37	7.78	28.67	4.08	9.42	1.38	0
Fraud accompanied by counterfeiting	0.007	0	0.68	0.11	2.11	0.37	3.62	0.23	6.78	0.67	8.55	0.47	11.10	0.75	11.75	0.74	8.02	0.43	2.63	0.20	0
Other frauds	1.35	0.29	13.60	3.46	15.55	11.04	111.86	16.84	217.27	20.18	226.03	14.94	207.90	13.37	164.38	10.86	103.74	5.02	31.79	1.81	0
Official corruption	0	0	0	0	0	0	0.17	0	0.94	0.05	4.14	0.03	7.34	0.37	10.49	0.64	9.09	0.31	3.49	0.13	0
Embezzlement	1.13	0.09	13.60	0.97	37.99	2.67	68.31	4.31	84.53	4.49	93.20	4.44	91.72	5.27	83.57	6.89	59.86	3.62	20.26	1.21	0
Gambling	0.11	0.04	0.78	0.54	5.08	0.37	10.01	0.62	30.29	1.49	39.12	2.19	38.41	2.78	34.52	3.93	25.50	4.65	14.55	2.54	0
Abortion	0	0	0	0	0	0	0	0	0	0.10	0.05	0.16	0.14	0.26	0.18	0.25	0.08	0.11	0.09	0.05	0
Indecent act	0.53	0	5.91	0.11	8.43	0.37	7.13	1.19	5.75	2.45	5.82	1.57	4.63	0.63	3.08	0.41	1.39	0.03	1.02	0.05	0
Obscene thing	0	0	0	0	0	0	0.57	0.23	2.52	0.53	4.20	0.57	5.61	0.75	4.83	0.62	2.07	0.48	1.11	0.08	0
Other Penal Code offences	8.55	1.24	24.06	4.49	128.77	8.31	303.79	11.80	522.27	18.30	428.84	29.02	290.47	28.33	170.61	21.84	92.75	18.98	47.11	15.96	0

\* In the present Table, as regards both indoor and outdoor robberies, cases when a robber caused the death of a person without an intent to kill are included also in "robbery accompanied by homicide" for convenience's sake.

males against every arrest of a female are visualized in the order of their sizes in the next place.

I must say the following thing first. In the year 1955, there are four offences which no female has committed at all:—indoor robbery accompanied by rape, outdoor robbery accompanied by homicide, outdoor robbery accompanied by rape, and simple rape—; however, it is provided for in the Penal Code that rape can be committed only by males, so outdoor robbery accompanied by homicide is the only one offence of these four which is worthy of a special consideration. Consequently, their orders are: (1) outdoor robbery accompanied by homicide  $\infty$ , (2) simple outdoor robbery 354.2, (3) outdoor robbery accompanied by bodily injury 254.3, (4) extortion 137.9, (5) simple indoor robbery 126.2, (6) violence 67.3, (7) intimidation 66.9, (8) indoor robbery accompanied by bodily injury 64.9, (9) bodily injury 63.7, (10) indoor robbery accompanied by homicide 46.0, (11) outdoor larceny 23.7, (12) official corruption 20.2, (13) embezzlement 15.6, (14) fraud accompanied by counterfeiting 13.4, (15) other frauds 12.0, (16) other Penal Code offences 11.3, (17) gambling 9.8, (18) homicide 8.4, (19) offence concerning stolen property 7.4, (20) indoor larceny 6.4, (21) sale of obscene things, etc. 6.1, (22) indecent act 5.4, (23) arson 5.4, (24) pocket-picking 5.0, and (25) abortion 0.5. (26) infanticide 0.2,

Of these, the rates of males to one female in the offences mentioned in (1) to (14) are larger than 13.01 which is the numerical value of the sex rate for the criminality in general, while the sex rates mentioned in (15) to (26) are smaller than the rate 13.01. Generally speaking, the offences which have the higher rates indicate that they are committed many times especially by males, and the offences which have the lower rates indicate that they are relatively liable to be committed by females, and several offences which are between these two kinds of offences and approach to this 13.01 are ones which have not a profound meaning in particular from the viewpoint of sex difference.

(2) Almost all the offences should be said to be committed by males rather than by females, but there are only two exceptions. They are infanticide and abortion of which females show the higher criminality ratio than males. Furthermore, it is seen according to the number in Table II that only these two offences are committed by more females than males. These two offences are in their character different from rape which can be committed only by males. The subject of rape is, according to the provisions of the Japanese Penal Code, is confined to males only, so females cannot commit this offence. However, to the contrary, infanticide and abortion are not provided in the Penal Code as the special offences which can be committed only by females. There are in fact only a few males who commit these offences, notwithstanding that they can also be committed by males in law.

Needless to say, these offences show that females are in so unfavourable a position that they are liable to be brought to bay and are apt to commit these offences. The majority of males who commit an infanticide are those whose



fornication has caused pregnancy. Males who commit an abortion are, in some cases, those who are in the position mentioned above, but in many cases, doctors and bogus doctors. Since the end of the Second World War, in Japan which is troubled with the excess population, the interest of the investigating agent in abortion cases has much lowered, with the consequence that the number of arrests in these cases has gone down unexpectedly, so it is presumed that the number shown here is so small that it cannot bear comparison with the number of abortion really committed. In respect of abortion, many "overlookings" are made, but as regards infanticide, there is not such a state of affairs. Hence, the fact that the number of infanticide shown here seems to be very large as compared with the number of abortion is caused by the overlooking of a large majority of abortions. It is usually found that as the civilization progresses, infanticide decreases and is replaced by abortion. Japan should not be misunderstood as a country of low civilization, by taking up the larger number of infanticide in comparison with that of abortion.

By the way, in Japan infanticide is not prescribed in law as an independent offence from homicide, so in this article, the number of infanticide is summed up separately from homicide solely from the viewpoint of the statistics. Consequently, the distinction between infanticide and homicide is liable to be a little confused. Presumably, some of those which are substantially infanticides may be included in the statistical number of homicide. Roughly speaking, however, the numerical values of these two offences may be compared with each other among age groups. As regards infanticide, females belonging to the so-called generative age groups of 20 years to 40 years show decisively the high criminality ratio. Moreover, in this offence, different from the trend in all the offences, the period of the latter half of twenties shows the higher ratio than that of the former half thereof. This fact may mean the crisis is caused specifically by the young women who are more or less past the marriageable age. The high ratio of abortion appears later than in the case of infanticide, the highest ratio being found in age groups of 30~50 years. So it is presumed that the illegal operations of abortion on pregnant women by midwives or by other women are much included in the number of statistics and these by pregnant women themselves are not so much counted up in the number, hence the highest criminality ratio appears so late as stated above.

(3) There are a few offences which are noticeable because the female participation in them is seems to be relatively larger compared with the sex rate of the total of offences (13 : 1), although the number of male offenders is larger than that of females. That arson is a feminine offence has already been pointed out by criminologists in many countries, and Japan is no exception to this. It is not only because arson is congenital to the disposition of female in that it can be carried out without being noticed by others, but also because it fills up her lack of physical strength in that a match can cause a grave consequence. Especially in Japan, almost all the ordinary buildings are made of wood, so they are suitable for becoming object of arson. That females assume one half of indecent offences

should be said quite natural, because these offences do not need much physical strength and also because they respond to the sensual trend of males. That comparatively many females participate in offences concerning stolen property and gambling may be only because these offences have no relations with physical strength. Of all the larcenies, that only indoor larceny has a strong female colouring may be caused by the same reason. The only one which must be mentioned especially is the sex rate of homicide, but it will be explained later. Embezzlement and frauds belong to a middle group which cannot be said positively to be inclined to either of the sexes, but the fact that fraud accompanied by counterfeiting of documents, of securities, etc. are committed by many males, as compared with other frauds, may be considered as reflecting that males are generally on a high intellectual level.

(4) Almost all the offences in which males are in a dominant position require physical strength or other kinds of power, but the only exception to this is official corruption. The Penal Code of Japan provides two types of this offence: the one is abuse of authority and the other is bribery. As that which has a dominant position numerically is the latter, the figures in this statistics may be considered generally as showing the trend of bribery. In this connection, the acceptance of bribe or the act assimilable thereto is an offence of which a particular social status of the offender is an essential element, so only the persons who have such a particular social status are able to have the possibility of committing it. And in Japan, females are very seldom appointed as public officials or as the similar, with the consequence, that those who have the particular social status necessary to constitute the offence are males in most cases, so it is natural that females have the low rate of participation in the offence. Especially those who accept a bribe are in fact limited to those who are in a high position with certain degree of discretion, but females who have a public office or the similar are not generally in such a high position. This is another reason for the low rate of females' participation. In spite of the existence of such circumstances, it must be said that the rate of participation by females in this offence is comparatively high. This may be caused by the participation by females as a briber who does not need a particular social status.

(5) Offence against life, that is, homicide is in a certain sense the representative of offences. Larceny represents them in quantity and homicide in quality. Homicide is considered gruesome as the crime of crimes, but females show the comparatively high criminality in such a terrible offence. This is an interesting phenomenon, as compared with that females show the especially low rate of participation in such offences as violence and bodily injury. Why is it that females perform more parts in a graver offence like homicide than in minor offences like violence and bodily injury?

As a physical reason for it, it must be mentioned that violences and bodily injuries require as a rule some physical strength, but it does not apply to homicide. Homicide is frequently committed by the method of poisoning. Poisoning has

been considered as a feminine offence since old times and this holds good to present Japan. If the cases of poisoning are investigated, there are found many instances of poisoning in which a popular raticide called "*Nekoirazu*" are used whose chief ingredient is yellow phosphorous, but in most cases the purpose of poisoning is not effected. In the Western countries, arsenic is called a "foolish poison" and in Japan, this "*Nekoirazu*" is just a "foolish poison".

As a psychological reason for the comparatively higher rate of females, it can be said that even a weak female is obliged to take an extraordinary step such as homicide under such a pressing situation as to be driven into a corner, "A stag at bay is a dangerous foe" as the saying goes. The above-mentioned aspects in feminine offence tell that such acts as violence and bodily injury are completely wild offence, but homicide is not necessarily so. Females have not a wild character by nature, so they do not commit frequently such offences as violence and bodily injury, but if they are led to a pressing situation and there is no other alternative, they are even ready to commit such a grave act as homicide.

When age considered, the number of homicide committed by male is remarkably large in the early years of their twenties when they are full of youthful vigor, but it is noticeable that the peak of the female criminality curve of the same offence appears a little later than that of the male criminality curve.

(6) As regards offences against body and freedom, firstly, such offences as violence, bodily injury, intimidation, etc. are not only the remarkably masculine offences but also, generally speaking, the offences which are frequent in younger age groups in some degree. Of offences against property also, those which accompany violence or intimidation such as robbery and extortion are seen in large number especially in young people. It may be said that these offences need physical strength, and above all things, it determines the high sex rate of man and the high criminality ratio in early ages of these offence. Needless to say, physical strength relates to psychological condition at the same time. Young men are liable to be driven by youthful ardor. Especially in case where an offence is committed by two or more offenders, a young offender employs unnecessary violence, being instigated by their vanity to boast of his power and bravery to his cooffenders. This is nothing but the appearance of the offender's vanity.

Secondly, the present writer pointed out some time ago three features of criminality in Japan after the Second World War: the features are that offenders have become younger, more brutal and more collective, and these three are tied to each other. After the War, the number of offences committed by young men has remarkably increased, but because they are not so brave and skillful in committing offence as they can behave individually and independently. As they are liable to behave in group, the offence is apt to become brutal. Moreover, as young men lack a spirit of calculation, they often resort to too brutal means which are needless to their purposes, without thinking of a heavy penalty when he is arrested.

(7) Now, offences against property will be considered. Of these offences,

ones which accompany violence and intimidation have already been mentioned to a certain extent, and besides, the following thing is noticeable: when robberies are divided into outdoor and indoor ones, the former is inclined remarkably to the male sex than the latter.

Quite the same thing can be said about larceny. Even in such a antisocial activity, it may be said that as a general trend of human life, outdoor activity is male's rather than female's.

Especially the rate of participation by females in indoor larceny is much higher than in the total of offences. Females increase the number of indoor larceny by committing such forms of offence as "theft by a servant on trial", stealing of the employer's property by an employee regularly employed by him, shop-lifting in a department store, "stealing at a bathhouse", etc. Shop-lifting in a department store is, according to the present writer's research, an offence committed mainly by females in Japan also as in European countries. One more mode of larceny in which females show comparatively high rate of participation is pocket-picking. This offence is committed by taking advantage of a person's unguarded moment, and the victims are usually off their guard against females and children; so, sometimes females and children rather adult males can succeed in this mode of larceny. This is the reason why the rate of participation in this offence by females and young people is comparatively high.

If frauds are divided into two kinds, the rate of participation by females in frauds accompanied by counterfeiting of documents, valuable securities, etc. is low, as compared with simple fraud. The reason for this fact has already been mentioned above, but if it is observed from the point of age, the former kind of fraud is committed much by those belonging to higher age groups than the latter; it shows that this offence is, to that extent, closely connected with being in high credit in society and somewhat at a high intellectual level. Fraud, as a whole also, includes more intellectual elements than such an offence as larceny and is on the premise that a doer is given social credit, so it is committed often as an offence by men at the prime of life and old men rather than young people.

The same thing can be said about embezzlement in some degree. This offence cannot be committed unless the offender is in a position of receiving things in custody from the owner, so it can be committed by no person other than those who are given a social credit to that extent. Consequently, it is committed much in higher age groups than such simple offences as larceny, etc.

As regards offences concerning stolen property also, they are cunning offences and sometimes require funds in some degree, so they are liable to be committed at the prime of life and old age, and then the rate of participation in them by females is also high, because they need no physical strength and are the offences which are committed behind the scenes in secret.

(8) As offences concerning public morals, those as to sex and gambling will be considered. At first, it must be pointed out as regards sex offences that rape and indecent act appear in high rate in earlier age groups than the trend

in all the offences. Of course, it may be said that this is because these young people are difficult to control their instinctive desire newly awakened at puberty and cannot harmonize body and mind, and at the same time, it must not be overlooked that females commit indecent acts, as they allow themselves to dance to the music of an unlawful showman at their back. It is in much older age groups that offences concerning obscene things show a high criminality ratio. It may be because this form of act is in fact a cunning offence for gain, although it belongs to sex offence.

Gambling which is the second form of offences concerning public morals is inclined to old age groups in some degree in the case of males, but in the case of females, it is more inclined to the prime of life and old age. It is thought that this fact relates to females' tendency to become sexless with the advance of age.

#### IV. *Offences in Earlier Age and Those in Older Age*

Variations of criminality among age groups have already been treated of at various places in this article. A summarizing consideration will be made here once more. It goes without saying that the number of almost all the offences is few in very earlier age, increases in intermediate age, and then decreases sharply in older age. Some kinds of offences, however, appear at a remarkably high ratio in very earlier age, and the other kinds of them do not so much decrease even in older age. To give a bird's-eye view concerning what offences appear in very earlier age and what offences remain in comparatively large number in older age, Table IV has been made up. If charts like Chart I are drawn concerning each offence, its variation among different age groups can be better shown. This Table is intended to show such a variation concisely. On the assumption that each of the offences committed in the earlier half of twenties (i.e. 20~25 years) is 100, there are shown the percentages of each offence committed by the age group of 14~16 years and that of 60 years and over.

According to this Table, the following can be said:

(1) Regarding the total, the same thing as shown in Table I is also seen in the number in the column at the bottom of this Table. As females show the higher criminality ratio than males both in very earlier and in older ages, it can be seen that the criminality curve of females rises high in earlier age, begins to descend gently in middle age and does not fall remarkably even in old age. Speaking from the other side, these figures tell also that the criminality curve of males rises rapidly and falls rapidly again.

(2) As for each offence, offences which show comparatively high figure already in very earlier age, as compared with that in the former half of twenties, are indoor larceny, pocket-picking, outdoor larceny and arson both in the cases of males and of females, and besides these, indecent act and rape are counted in the case of males. In short, regarding both males and females, simple offences

Table IV Percentage of Offences Committed in the Period of Early Ages (14~16 years) and That in the Period of Old Ages (60 years ~) to 100 Offences Committed in the Period of the Former Half of Twenties.

(Number of Arrests, 1955)

Offence	Percentage in period of early ages		Percentage in period of old ages	
	Male	Female	Male	Female
Homicide	3.20	3.42	15.58	15.75
Infanticide	0	0	60.00	3.94
Indoor robbery accompanied by	homicide	4.72	0	60.00
	rape	18.87	/	5.66
	bodily injury	5.07	0	0
Indoor robbery	8.28	0	0.59	0
Outdoor robbery accompanied by	homicide	0	/	/
	rape	25.83	/	0
	bodily injury	4.28	0	0.15
Outdoor robbery	18.63	0	0.44	0
Arson	41.96	30.56	32.75	38.89
Rape	37.94	/	2.62	/
Violence	10.65	6.83	4.16	17.39
Bodily injury	5.50	17.86	3.89	18.07
Intimidation	5.32	35.71	7.77	21.43
Extortion	15.55	15.28	2.00	27.78
Larceny	Indoor larceny	78.69	79.88	4.47
	Outdoor larceny	57.36	97.57	9.19
	Pocket-picking	69.99	156.69	9.36
Stolen property	15.87	9.47	23.44	48.42
Fraud	Fraud accompanied by counterfeiting	10.03	16.42	38.79
	Other frauds	6.26	17.15	14.63
Official corruption	0	0	371.28	260.00
Embezzlement	14.39	21.60	21.43	26.95
Gambling	2.58	36.24	48.00	170.47
Abortion	/	0	∞ *	50.00
Indecent Act	102.78	4.49	17.74	2.04
Obscene thing	0	0	44.05	15.09
Other Penal Code Offences	4.61	24.54	9.02	87.21
Total	31.74	59.69	7.86	21.49

Note 1) The asterisk(\*) shows that the period of the former half of twenties is 0 and the percentage of offences by those over sixty years old is 0.09 in precision.

2) The oblique line (/) shows the numerical value of both age groups are 0.

3) 0 shows that while the period of the former half of twenties has some numerical value, the number in the age group of over sixty years is 0.

against property such as larceny are many in number in very earlier age, and even males have little physical strength in this age, so they commit the so-called feminine offences such as arson in comparatively large number. Because females often commit arson even at their adult ages, the number of arson in their very earlier ages is not so high, as compared with its number in their later ages.

(3) With respect to each offence, offences which do not decrease remarkably even in old ages, as compared with the former half of twenties are, as regards males, official corruption (being far larger in number than the former half of twenties), gambling, offence concerning obscene things, fraud (especially fraud accompanied by counterfeiting), arson, offence concerning stolen property, embez-

zlement, indecent act, and homicide. Besides these offences, infanticide seems to remain at the high percentage numerically, but it is an offence which males do not so often commit and its numerical value is too small to take into consideration. The said kinds of offence which remain in comparatively large number in old age are, as regards females, official corruption, gambling, offence concerning stolen property, indoor robbery accompanied by homicide, outdoor larceny, arson, fraud accompanied by counterfeiting, extortion, and embezzlement. Taking a general view of these offences, there are many offences common to males and females, aside from their order of the criminality ratio. We cannot help feeling strange to see that, as regards females, robbery accompanied by homicide remains at a comparatively high percentage even in old age. However, its actual number is so small that this may be said to be an exceptional phenomenon in the year 1955. Moreover, as mentioned already in the footnote of Table III, the abbreviated caption of "robbery accompanied by homicide" includes also cases where a robber caused the death of a person without an intent to kill, so the numerical value in this item may have casually become large as such in the year 1955. This is not the general phenomenon.