

LAD

CASE STUDY

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A NECESSARY EVIL?

*Negotiating the Future of Yakuza Control
and Organized Crime Legislation in Japan*

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LAD

ABOUT

The Leadership Academy for Development (LAD) at Stanford University's Center on Democracy, Development and the Rule of Law trains government officials and business leaders from developing countries to help the private sector be a constructive force for economic growth and development. It teaches carefully selected participants how to be effective reform leaders, promoting sound public policies in complex and contentious settings.

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*****Disclaimer*****

This case study is based on our research into the nature of interaction between the Japanese state and the *yakuza* in Japan. The case study has two components. First is this overview document, which provides a factual background to the legislation reform. Second, there are a series of profiles outlining the interests of key stakeholders involved in the case. This overview document is based on primary and secondary research on the context leading up to legislative reform on organized crime in Japan. The character summaries are based on real protagonists involved in the case, however their characteristics, names, and affiliations have been modified from real-life counterparts.

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Table of Contents

The Situation	4
Option Set	4
Historical Context	5
Contemporary Context	8
Political Context	10
Previous Efforts to Reign in the <i>Yakuza</i>	10
Legislative Process in Japan	12
Your Role	13
Works Cited	15

The Situation

The *yakuza* is an organized and transnational criminal syndicate system based in Japan with a monopoly over the nation's criminal underworld. Honor-bound to a code similar to that of the Japanese samurai, the *yakuza* have deep historical roots and widespread influence in Japanese society. Their existence is widely known, highly visible, and largely accepted by ordinary Japanese citizens and law enforcement agencies, who take little issue with them as long as they do not threaten public affairs or safety. Since the *yakuza* regulate—and essentially maintain—the criminal underworld through a tightly controlled membership network, and because the public is rarely ever impacted by their activities (i.e., they do not fear random violence or attacks), the *yakuza*'s continued existence is commonly justified by a “necessary evil” argument. Without them, the criminal underworld in Japan would be highly unregulated, unpredictable, and susceptible to undesirable foreign infiltration or domination. Despite the presence of the *yakuza*, or perhaps because of them, Japan enjoys a “low-crime” status relative to other countries (Leonardsen 2004).

The year is 1991 and the Japanese government is considering major legislative reform to weaken the *yakuza*. Even though the *yakuza* mostly operate quietly, in recent times, inter-gang fights between factions of the *yakuza* have increasingly become public and violent. During the Okinawa inter-gang wars that started last year in 1990, a proxy war between two major gang syndicates, the *Yamaguchi-gumi* and the *Inagawa-kai*, led to the death of an innocent bystander: a high school student mistaken for a *yakuza* member who was painting a fence outside a gang office when he was killed. This student's death dramatically shifted public opinion and now there is pressure on the government to adopt anti-organized crime legislation. Shortly after this senseless violence and death, Prime Minister Kaifu directed the National Police Agency (NPA) to draft several possible measures for national anti-organized crime measures. One of these measures will be submitted to the Japanese legislative process.

This case study contains the following: (1) a detailed option set available to you in order to vote on the future of legislative reform in Japan; (2) the historical origins of the *yakuza*, along with the contemporary context of its modern-day operations; (3) the political context within which the *yakuza* have exercised influence; (4) a history of previous efforts to reign in the *yakuza*; (5) and your responsibilities in this case. Upon reading both the case study and your role profile, you will be asked to deliberate amongst other stakeholders on the following options and then cast a vote for one of them, after which the Minister of Justice (a member of

the ruling Liberal Democratic Party who is also in Prime Minister Kaifu's cabinet) will consider your vote as the neutral facilitator and final decision-maker.

Option Set

The following four options are what Prime Minister Kaifu has asked his Minister of Justice to consider. Important background information is provided in the subsequent sections.

(1) Ban all *yakuza* activity, associations, and affiliation through criminal code: This approach criminalizes any and all activity related to the *yakuza*. This process will be all-encompassing, leaving no room for ambiguity, and will penalize citizens, businesses, and *yakuza* members and affiliates who have any association, conduct business with, or otherwise interact with any *yakuza* member at any level. Racketeering laws will be passed that allow the police to pursue an arrest strategy that will hold the *oyabun* (oh-ya-boon, who are the absolute leaders of each syndicate) and executive level members of all *yakuza* syndicates financially and legally responsible for the crimes committed by any member within the organization.

(2) Implement administrative law targeting violent activity in general: This is a softer option that essentially shows that the government is doing something. It involves enacting a more indirect control law through the administrative code that would allow the government and police to play a greater role in controlling outright violent activity through civil (rather than criminal) sanctions, fines up to 1 million yen (about USD 9,000), cease-and-desist injunctions, and other minor punishments. However, it does not ban *yakuza* presence and will not seriously affect day-to-day economic operations of the *yakuza*. This method officially addresses the impact and risk of violence to ordinary citizens due to *yakuza* activity, but does not outlaw the syndicates altogether. It also preserves *yakuza* members' constitutional right to association.

(3) Establish local prefectural ordinances: Rather than enacting national legislation, this approach encourages *yakuza* legislation to be taken up by governments at the prefectural (equivalent of a US state) level. Prefectures could then adopt harsh or soft ordinances depending on their own determinations. The national government would not have to take a stand on addressing *yakuza* issues.

(4) Do nothing: This would essentially preserve the status quo. This option is based on the recognition that the *yakuza* will resolve their problems organically.

Historical Context

Organized crime in Japan has operated for more than 400 years. The direct predecessors of the modern *yakuza* are the *tekiya* (teh-kee-ya) and *bakuto* (ba-koo-toh) groups that existed during the Tokugawa period (1603-1868). The *tekiya* were street peddlers, and the *bakuto* were traditional gamblers. These two groups came together to form the *yakuza*.

In the years leading up to World War I (1890-1914), mass industrialization and modernization in Japan allowed the *yakuza* to grow commensurately with the prospering national economy. Gangs found lucrative revenue sources in organizing and brokering casual laborers for construction projects and industrial ports (Kaplan and Dubro 2003: 20). As a response to increased police control over gambling activities and a growing intolerance for public conflict and territorial disputes, many groups' bosses adapted by forming legitimate businesses as a cover for illegal activities. Over time, the *yakuza* would come to control a significant portion of the legitimate part of the Japanese economy.

After the Second World War, black market trading became absolutely essential as major cities were destroyed and many people faced extreme poverty. Starvation and unemployment, coupled with a newly disarmed and discredited police force due to the American military occupation, presented a mass-market opportunity for the *yakuza*. Black market activity provided a way for ordinary Japanese people to gain resources in addition to their rationed supplies, and garnered significant social capital and positive reputation for the *yakuza*. In addition to dealing in necessities such as food and cooking oil, some syndicates within the *yakuza* also began selling drugs in this period, and subsequently, drug use in Japanese society spiked dramatically in the postwar years.¹

The growing threat of foreign gangs in the period following the Second World War posed a significant danger to Japanese society. A large number of Korean, Taiwanese, and Chinese forced laborers had been brought to Japan before and during the war as forced labor, enduring years of abuse and mistreatment by the Japanese. After the War, many of these laborers sought violent revenge for Japanese wrongdoing, and many were veterans with access to military equipment. The threat of these foreign groups presented a concrete opportunity for the *yakuza* of the time to portray themselves as heroic defenders of the common Japanese

¹ Drug dealing was facilitated by a few key factors: first, a large supply of amphetamines was available due to the government's use of the drug to boost worker and soldier morale during the war. Second, the technical knowledge to produce these drugs was available and enabled mass production. Third, the widespread use of the drug during the war years lent some legitimacy to its use in the postwar period. Finally, the hunger and fatigue suppression effects of the drugs helped people survive during a period of severe shortage of food and supplies (Hill 2003: 41).

people. Appealing to the Japanese fear of the foreign alternative to the *yakuza* is a common pro-*yakuza* argument to advocate for their sustained and tolerated existence in modern day society.

The postwar *yakuza* readily adapted to rapidly fluctuating economic circumstances, pivoting their business activities and internal organizations accordingly to survive and prosper. During the 1964 Tokyo Olympics, a newly decentralized police system pursued a mass arrest strategy of major *yakuza* members, but most syndicates remained unaffected due to the *jonokin* system, which enabled gang bosses to earn substantial funds by funneling payments through a network of subordinates, thereby insulating them from direct involvement in criminal activity. Furthermore, the *yakuza* also avoided arrests through their direct influence within certain local police commissions. The 1973 oil shock and subsequent economic recession led the *yakuza* to diversify into various new resource streams such as international gambling, corporate blackmail, and white-collar corruption. The *yakuza* also expanded into nearby Asian and Pacific Rim countries by dealing drugs, firearms, and prostitutes. In the 1980s, the “bubble economy” that generated substantial domestic growth and wealth in Japan led the *yakuza* to participate in more white-collar crimes such as real estate and stock market speculation.² Corporations flush with cash were especially vulnerable to corporate blackmail and extortion during this time (Hill 2003).

As of the early 1990s, the *yakuza* is divided between several syndicates. These syndicates usually follow certain rules of engagement, but sometimes tensions spill out into the streets. The three largest *yakuza* syndicates are the Yamaguchi-gumi, the Inagawa-kai, and the Sumiyoshi-kai. Larger syndicates consolidate power by forging alliances and absorbing smaller syndicates. These power plays are often the source of inter-syndicate conflict. The current ongoing *yakuza* conflict is the Okinawa War (1990-present). This proxy battle between the two of the largest *yakuza* groups, the Yamaguchi-gumi and the Inagawa-kai, is occurring due to conflicting alliances amongst smaller syndicates on the Okinawa island of Japan.

Contemporary Context

The *yakuza* system is built upon a complex set of values, along with a form of a moral code. Members often reference the samurai and noble warriors of historic Japan as the roots of their lineage, and charge themselves with the honorable task of being the “last upholders of the nation’s traditional values” (Kaplan and Dubro 2003: xviii). The *bushido* (boo-shee-doh), or

² One notable tactic is *jiage*, where small landholders on adjoining plots were forced to sell their properties to make way for expansive profitable development sites (Hill 2003: 52).

the Samurai code, which entails enduring pain, hunger, and imprisonment to demonstrate strength and manhood, was adopted by the early *yakuza* and remains an influence in contemporary *yakuza* internal culture. For example, finger cutting is a typical form of apology from a junior *yakuza* member to the syndicate's leaders. Once severed by oneself, fragments of fingers are freshly delivered to their superiors to demonstrate a sincere remorse and request for forgiveness. Similar to the samurai tradition, the *yakuza* consider a violent death to be a high honor. The *yakuza* rank-and-file do not see the organization as a criminal entity, but instead see themselves as honorable and heroic warriors with the purpose to protect Japan from harm. Traditional values and a strictly enforced honor code are essential to maintain this reputation (Kaplan and Dubro 2003; Tendo 2007: 48).

Members of the *yakuza* do not avoid the public eye; instead, gangmembers display their affiliations through permanent alterations to their bodies. Members are heavily inked with deeply symbolic full-body tattoos. Some also have missing fingers after participating in gang rituals. Disconnected and/or homeless youth, the unemployed, and public education drop-outs are common prospective members of *yakuza* syndicates. To the larger public, the *yakuza* emphasize their significant role in offering structure, support, and productive work to these seemingly socially-rejected people who would otherwise have minimal prospects in a hierarchical Japanese society.

The *yakuza* maintain a strict value system, with bans on basic theft and expectations of obligation and compassion.³ They *yakuza* also learn to value humanity and justice, along with a fundamental respect for society. Members of the *yakuza* volunteer their time and money to natural disaster relief and clean-up efforts, distributing food and supplies to victims especially when local authorities' official support has been lacking.

The *yakuza* do not hide their locations. Gang emblems are often prominently featured outside of official headquarters. The largest syndicates often publish print media featuring articles, legal counsel, and even poetry written by members, and news such as leadership changes and syndicate gossip are published in weekly magazines sold in Japanese convenience stores.⁴ Neighborhoods are often well aware of *yakuza* members living in their vicinities, as

³ In 1984, Mr. Kakuji Inagawa of the Inagawa family (Japan's most respected *oyabun* at that time) said: "The *yakuza* are trying to pursue the road of chivalry and patriotism. That's our biggest difference with the American Mafia, it's our sense of *giri* and *ninjo*. The *yakuza* try to take care of all society if possible, even if it takes 1 million yen to help a single person" (Kaplan and Dubro 2003: 17).

⁴ In recent years, during Halloween, the *yakuza* are known to set up elaborate Trick-or-Treat events for children who visit their headquarters (Adelstein 2017).

members often maintain flashy lifestyles (the Mercedes-Benz is often the car of choice). (Stark 1981; Tendo 2007).

Overall revenue for the *yakuza* has grown substantially in the last several decades. A 1989 police report estimated the total annual income of all *yakuza* groups was 1.3 trillion yen (\$9.4 billion USD), representing a growth of 30% between 1979-1989 (Hill 2003: 89).⁵ In its current form, the *yakuza*'s portfolio of illegal and legal operations is very diverse. White collar crime, drug dealing, sex trade, labor-brokering, entertainment, and financial corruption schemes are among the most common types of revenue sources for the contemporary *yakuza* (Leonardsen 2004; Tendo 2007: 54).⁶ In recent decades, debt collection, land- and loan-sharking, and bankruptcy management are among the more sophisticated *yakuza* illegal activities. The *yakuza* also set up legitimate businesses such as English language schools, insurance companies, private hospitals, and hotels, although many of these serve as fronts or money laundering facilities for illegal activity (Hill 2003). The *yakuza*'s international revenue sources include American real estate, tourism, and hotel development, as well as control of bars, restaurants, and nightclubs in cities on the Pacific Rim such as Los Angeles and San Francisco. The *yakuza* will also contract with the government to set up fake social and right-wing movements, or break up strikes on behalf of governmental entities.⁷

The drug trade is a complicated business activity for the *yakuza*. Some syndicates call amphetamines the "awakening drugs" and source sizable incomes from this activity (Kaplan and Dubro 2003: xviii). Other gangs like the *Yamaguchi-gumi* (the largest *yakuza* syndicate) explicitly forbid involvement in drug dealing for fear of its potential to disrupt gang morale and honor through addiction and violence.

Japan currently does not have any racketeering laws. Additionally, police and prosecutors are limited in how they can get witnesses as plea bargaining is not allowed and witness protection programs do not exist.

⁵ In 2016, it was estimated that the largest syndicate, the *Yamaguchi-gumi*, had revenues of USD 8 billion.

⁶ Prostitution is officially illegal in Japan. The *yakuza*'s monopolistic activity over prostitution in Japan takes two forms: first, the *yakuza* run "dateclubs," where clients will meet prostitutes at love hotels. Second, the *yakuza* also recruit foreign prostitutes who have overstayed their work visas and are consequently unable to seek legal protections (Hill 2003: 115).

⁷ Gambling is technically illegal under Japan's Public Morals Law. However, the *pachinko* (pah-cheen-koh)—Japan's present day quasi-gambling industry—is not explicitly excluded from the Law. Rather than winning cash, players win prizes that they exchange for cash at a third-party booth. This is legal so long as the *pachinko* parlor and the third-party exchange booth do not share the same owner. This legal grey area is heavily exploited by the *yakuza*'s enterprising ways. Complicated networks amongst the owners and close relationships with the *yakuza* ensure that *yakuza* members rarely ever get in trouble (Hill 2003: 109)

Political Context

Myriad political pressures face legislators ahead of the anti-organized crime legal reform debate that you will be engaging in at the stakeholder meeting. The Liberal Democratic Party (LDP) has been ruling almost continuously since 1955, although public resentment is rising. In 1988, it came out that senior members of the LDP received discounts on shares of Recruit Cosmos, a major real estate company, shortly before the company's listing on the Tokyo Stock Exchange. This forced many high-ranking Japanese government officials to resign, including Prime Minister Noboru Takeshita (1987-1989). Sosuke Uno replaced Takeshita as prime minister, but he was also ousted after two months due to a sex scandal. In the wake of these scandals, Toshiki Kaifu has assumed the prime ministership and is struggling to repair the LDP's ruined reputation. As part of this general thrust, PM Kaifu is allowing the National Police Agency to propose new anti-organized crime measures.⁸ Since there is a scheduled nationwide election in July 1993, legislative reform on organized crime will be a key component of the LDP's reelection efforts.

Additionally, recent US FBI investigations reveal that Japanese crime syndicates are operating in areas with large Japanese communities and tourists, such as Hawaii and California (Kaplan and Dubro 2003). The Japanese government is receiving international pressure to pass comprehensive organized criminal reform that would bring it in line with other industrialized nations. Kaifu announced a partnership with the US on the American War on Drugs in September 1989.⁹

During the year of the stakeholder meeting, the Yamaguchi-gumi and the *Inagawa-kai* (two of the three largest *yakuza* syndicates) are in the midst of a bitter inter-gang war, dubbed the Okinawa War. Although the fight was officially due to a split in the *Kokuryu-kai* (co-ku-ryoo-kai) syndicate, the conflict was actually a proxy war between two of the most powerful *yakuza* groups in Japan. In one of the more notorious shootouts, six gang members died and nine others were injured. Also among the dead was an innocent bystander, a high school student who had been mistaken as a *yakuza* member. The immense and rapid backlash against the death of an innocent victim due to the *yakuza*'s internal affairs, in addition to the media's sensationalized coverage of this incident, fundamentally shifted public opinion against the *yakuza* and toward the need for comprehensive reform.

⁸ Although the Recruit Cosmos scandal is not officially tied to the *yakuza*, close links between the *yakuza*, corruption schemes, and Japanese politicians in the past have made organized crime control an even more sensitive and pressing topic on Kaifu's agenda.

⁹ The Japanese government passed a new Drugs Law of 1991 as a result of these promises.

Previous Efforts to Reign in the *Yakuza*

The *yakuza*'s relationship with law enforcement has been extraordinarily complex and dynamic. There is a clear disconnect between the government's official anti-*yakuza* stance and tolerance to the point of cooperation behind the scenes. Especially during the early Shōwa years (late 1920s), *yakuza* gangsters and the police enjoyed close ties. Decentralization of the police systems of postwar Japan, which was meant to address pervasive police corruption and overexertion of influence, further facilitated opportunities for *yakuza* involvement in the legitimate political and legal spheres of society.¹⁰ Furthermore, in the decentralization years, it was common public knowledge that city-level Public Safety Commissions that were supposed to enforce anti-crime regulations were often comprised of *yakuza* members.

In addition to the *yakuza*'s direct involvement in law enforcement, the police often practiced lenience when punishing the *yakuza* for misconduct. For a recent instance, when stallholders in the Ozu gang territory refused to pay protection bribes and their booths were destroyed, the police, judges, and prosecutors were all hesitant to pursue charges against the Ozu gang. *Yakuza* members who were actually sentenced were often deemed too ill to serve their sentences, or their sentences would be suspended in two-thirds of cases due to insufficient evidence against them (Hill 2003: 47). Instances of clear cooperation between the *yakuza* and the police also exist. For instance, during the rise of violence from foreign gangs in Japan's postwar years, the Yamaguchi-gumi gang was called upon to assist the police in ensuring public safety and curtailing violence (Hill 2003: 59).¹¹

Police and law enforcement have tried several mass *yakuza* control programs in recent decades. A notable spike in public gang feuds leading up to the 1964 Tokyo Olympics put pressure on authorities to implement a comprehensive *yakuza* control strategy. This led to the "Summit Strategy" of mass arrests of *yakuza* members, particularly targeting high-ranking members, across Japan in the 1960s (Hill 2003: 47). Law enforcement reported that this mass arrest strategy, in combination with seizing *yakuza* income and firearms, was largely successful. However, despite the number of large syndicates temporarily disbanding, most subgroups of these larger organizations remained intact, and shortly after the policy was

¹⁰ For example, in Nagahama, a prominent *yakuza* boss was simultaneously a member of the city council and the head of the city's police commission (Hill 2003: 53).

¹¹ The Yamaguchi-gumi boss Taoka Kazuo at the time recalls, "I accepted this proposal [to help protect the police] for the safety of the people and the maintenance of public peace, everybody had to unite to eradicate *sangokujin* violence" (Hill 2003: 59).

implemented, they were able to re-establish themselves (Hill 2003).¹² Furthermore, the threat of criminal prosecution actually served to bolster the appeal of gang life to current and prospective *yakuza* members, which rendered the mass arrest targeting strategy “counterproductive” (Milhaupt, 91).

There are, however, several obstacles to directly controlling and / or expelling the *yakuza*. Banning the *yakuza* outright would violate their constitutional right to association guaranteed to all Japanese people. Since *yakuza* leaders also mostly delegate responsibilities, it is also difficult to hold *yakuza* leaders accountable for the crimes of their subordinate members in a court of law as they are highly removed and insulated from the criminal activities of their lower ranking underlings. Furthermore, with the rise of intricate front company networks and cybercrimes, it is almost impossible to distinguish a legitimate business from an illegitimate one. Though there are some options in select regions of Japan such as Fukuoka (the prefecture with the highest *yakuza* prevalence in the country) where *yakuza* members can peacefully leave their organizations and attempt to re-integrate in society, the high visibility of their tattoos and missing fingers are subject to criticism and prejudice by employers and the general public. Fukuoka prefecture and other areas with large *yakuza* presence are starting to establish local measures to control and respond to the *yakuza*'s prominence and its impact on their communities, which could potentially allow for greater agility, flexibility, and creativity than measures at the national level.

Legislative Process in Japan

In order to effectively shape the future of anti-organized crime legislation, it is crucial to understand the key stakeholders and processes involved in creating Japanese laws. Lawmaking in Japan is not determined through the public deliberations of politicians. Instead, it is shaped by government ministries and their bureaucrats, who usually craft the legislation. The process is as follows. First, a Commission of Inquiry composed of a panel of experts compiles research on the topic, then the draft legislation incorporating these new findings is reviewed by the Cabinet Legislation Bureau for consistency and approval. Ministry officials and ruling party leaders further discuss the draft law, and once approved, the Administrative Vice Ministers must discuss and submit a final draft to the Cabinet and Diet (Japan's bicameral legislature) for approval. Therefore, proposed bills are heavily vetted—and pretty much

¹² Although the police would point to the collapse of Kanto-kai (a federation of syndicates in Western Japan) as an example of this success, later research reveals that its downfall was caused by internal disagreements and dissent within the organization rather than any external policing changes (Hill 2003: 48).

determined—before some minor debate on the Diet floor. Proposed bills are almost always approved by the Diet.

The entire legislative process is very slow and resource-intensive. Because elected politicians tend not to have staff or extensive support from their political parties, bureaucrats tend to hold both expertise of and control over the legislative process in Japan. Bureaucrats are largely responsible for the content of proposed legislation through the various stages of drafting and amendment, often representing ministerial interests and agendas in addition to the ruling party's preferences. Elected politicians only have a say at the end of the process and tend to vote according to party lines. Therefore the key opportunity to influence the law is through lobbying at the ministerial level, with deputy directors and ministry officials who draft the initial version of the proposed legislation.

For the purposes of this case study, there are seven key actors who have convened to deliberate upon and decide on the future of *yakuza* control and organized crime legislation in Japan. The purpose of this meeting is to decide on the form of recommended legislation for the Ministry of Justice to push to the Diet. The names, characteristics, and affiliations of the characters provided in this case have been altered for teaching purposes, but are based on the perspectives of real people in these roles.

- **Aki (Minister of Justice)** – The MOJ has been tasked with organizing the initial drafting of a comprehensive anti-organized crime bill in Japan. As the main advocate for the legislation in the government, the MOJ will oversee the process of moving this bill through various ministries and party officials prior to the Diet vote for approval. The MOJ has convened diverse stakeholders whose input they have deemed valuable for the purposes of this legislation drafting process, and will conclude the meeting with a vote on the option set. However, the MOJ alone is the **final decision maker** on the nature of legislation going forward (choosing one of the options in this case).
- **Basho (Fukuoka Prefectural Governor)** – The Governor has extensive experience with, and knowledge of the repertoire of *yakuza* control mechanisms that his administration in the Fukuoka prefectural government has enacted and explored. Fukuoka prefecture is home to the Kudo-kai, which is the largest *yakuza* group in the region, and is known to be an especially violent and militant syndicate. As a result of the Fukuoka prefectural government instituting many *yakuza* reforms and local laws,

the prefecture has extensive experience in co-existing with and regulating the *yakuza* at the local level.

- **Chieko (Fukuoka Prefectural Judge)** – The local judge in Fukuoka has firsthand knowledge of the weaknesses in the legal mechanisms to prosecute the *yakuza*, and specifically how the laws make it difficult to detect and prosecute *yakuza* crime. The Judge studied organized criminal control in the United States, and is an expert on the American RICO (Racketeer Influenced and Corrupt Organizations Act of 1970) laws. The Judge is also a proponent of the tactics and approach used by the US to counter organized crime, and will advocate in line with US interests at the meeting.
- **Daisuke (Yakuza Rehabilitation NGO)** – As an experienced community organizer in the Fukuoka prefecture, this civil society representative is keenly aware of the public perception of the *yakuza*, society's fears and discontent with *yakuza* interference in daily life, and why people join the *yakuza* in the first place. On behalf of the NGO, this organizer is a proponent of the root-cause analysis approach and will advocate for the government to provide comprehensive rehabilitation programs for syndicate members.
- **Emiko (Chief Counsel of the Yamaguchi-Gumi)** – As the head of the legal counsel team for Japan's largest criminal organization, the *Yamaguchi-gumi*, the Chief Counsel is very familiar with the legal mechanisms controlling the *yakuza* and the inner workings of *yakuza* organizations themselves. The Counsel believes that the *yakuza* poses a very low risk to the public in terms of the threat of danger, but must work diplomatically with policymakers and law enforcement representatives to incorporate *yakuza* views into new control laws, based on extensive knowledge from a legal perspective.
- **Fumio (Oyabun/gang boss of the Inagawa-kai)** – The Boss has been the leader of the syndicate for 30 years and will be resigning this leadership role to the next-in-line in the near future. The Boss has been asked to speak on behalf of criminal syndicates nationwide to ensure the *yakuza* perspective will be incorporated into considerations for new anti-organized crime legislation.

- **Genki (Police Chief, Tokyo Metropolitan Police)** – Has served as the Chief of the Tokyo Metropolitan Police Force for the last 10 years and been a police officer prior to that for 15 years. The Chief personally knows many of the innocent victims of *yakuza* crime and the law enforcement communities (namely, the National Police Agency) who have served tirelessly to contain and control their negative impact on Japanese society. The Chief believes that the NPA and the government should continue to tighten restraints and enact stringent legislation to control and eventually eliminate the *yakuza*.

Your Role

You will take on the role of one of the above characters in the roundtable meeting to discuss and decide on the future and form of *yakuza* control and organized crime legislation in Japan. In the process, you will forge alliances and coalitions to advocate for your position and a favorable outcome. As mentioned previously, the Minister of Justice will organize and conduct a vote at the end of the discussion and use the result to form their final decision. The discussion will focus on questions such as the following:

- What are the main goals of organized crime control laws?
- At what level (national, prefectural, local) should legislative reform take place?
- In which code of law (administrative, criminal, etc) should the reform take place?
- How should the state approach the rehabilitation/integration of ex-*yakuza* members?
- To what extent should the state be involved in law enforcement in the underworld? To what extent should this regulatory function be left up to the *yakuza*?

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Indonesia's Corruption Eradication Commission

Study Questions

1. What is the nature of corruption in Indonesia? Who is involved? Why have previous anti-corruption Initiatives failed?
2. Do you expect the KPK to be successful where other anti-corruption initiatives in Indonesia and elsewhere have failed? If so, why? If not, why not?
3. What are the pros and cons of ordering Megawati to suspend Puteh?