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Yakuza Past, Present and Future: The Changing Face of Japan's Organized Crime Syndicates

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Abstract

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Keywords

organized crime, Japan, cultural perception

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Taking the form of a book review essay, this paper aims to re-introduce the reader to Japan's crime syndicates with the goal of replacing stereotypes and myths with factual information. Utilizing two seminal works written by authorities of the field, the paper chronicles the history of the *Yakuza's* origins and evolution, outlines their organizational structures, describes the groups' past and current operations, and provides a brief overview of the crime syndicates' likely future.

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David E. Kaplan and Alec Dubro, *Yakuza - Japan's Criminal Underworld*, University of Berkeley Press: Berkeley, 2003; 400 pp.: 0520215621; \$27.95

Peter B. E. Hill, *The Japanese Mafia: Yakuza, Law, and the State*, Oxford University Press USA: New York, 2003; 323 pp.: 0199291616; \$35.00

Introduction

The term *yakuza* is well established globally, generally eliminating the need to translate the Japanese word for "gambler" or "good-for-nothing" (Shinnosuke, 1992, p. 353). However, its etymology remains unknown to most: The numbers *ya* (8), *ku* (9), and *za* (0), when added together, constitute the worst possible score in the Japanese card game *hanafuda* (Hill, 2004; Kaplan & Dubro, 2003). Initially used among gambling gangsters to express that something was useless, the meaning of *ya-ku-za* changed over time to describe the gangsters themselves, branding them as useless elements in Japanese society (Hill, 2004; Kaplan & Dubro, 2003). Unsurprisingly, *yakuza* do not utilize the term but instead refer to themselves as *ninkyō-dantai* (chivalrous groups) or *gokudo* (those who go all the way) (Adelstein, 2009; Hill, 2003). In stark contrast, Japanese authorities' official term for *yakuza* is *bōryokudan*, which translates to 'violent group.'

Regardless of naming conventions, members of Japan's organized crime syndicates are, according to the average multimedia consumer, easily identifiable by their missing

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fingertips and full-body tattoos, and continue to retain an air of "Robin Hoods coming to the aid of the common people" (Gragert, 1997, p. 148). While in the past there may have been a modicum of truth to the latter, inevitable changes to the groups' socio-economic environment required the yakuza to continue adapting to their surroundings in order to survive. Once confining themselves to 'traditional' yakuza crimes such as illegal gambling, extortion, prostitution, and labor racketeering, the Japanese mob have increasingly involved themselves in drug trades, money laundering schemes, and corporate fraud, as well as human trafficking and once looked-down upon crimes such as the defrauding and burglarizing of the common people (Shikita, 2006).

Given that superficial knowledge, stereotyping and the media provide ample ammunition to build a case either way, one may be tempted to take a black and white approach when trying to decide whether the yakuza are veritable Robin Hoods deeply steeped in history and ritual, or lowlifes who should be erased off the face of the earth. However, between these opposites lies a vast gray zone comprising the little known history of the yakuza. To truly understand this elusive group and its environment of deviance and crime, it is necessary to look beyond the normative imagery and examine the yakuza in the context of the history and culture of Japanese society. This presents a variety of challenges to those largely unfamiliar with Japanese culture, which remains more deeply entrenched in its historical roots than is immediately apparent. Yakuza-specific stereotypes, socio-cultural perceptions of deviance, media-driven sensationalism, and oftentimes-insurmountable language barriers make it difficult to find and evaluate relevant research resources. However, the growing interest by a Western audience for reliable

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information on the Japanese criminal justice system and organized crime in Japan have brought forth an increasing number of responsibly written works that, while similar in topic, offer differing levels of engagement with the material presented. The two volumes discussed here, especially when read in the order presented, enable the reader to gain a solid understanding of the history and nature of the yakuza, and facilitate the understanding of why, in both traditional and modern Japan, entire groups of criminal elements were, until little more than a decade ago, not only allowed to openly exist but able to thrive largely unchallenged by Japan's law enforcement and judicial system.

Yakuza – Japan's Criminal Underworld

David E. Kaplan and Alec Dubro's *Yakuza – Japan's Criminal Underworld* offers a comprehensive history of Japan's crime syndicates, constructed from the hundreds of interviews conducted by the authors over the course of nearly twenty years. First issued in 1986, the updated and vastly expanded second edition, published in 2003, adds to this already seminal work a number of all-important reasons for the fundamental changes the yakuza have undergone since the burst of Japan's Bubble Economy in the 1990s. *Yakuza – Japan's Criminal Underworld* is organized into four parts, each building seamlessly upon the next. Part I introduces the reader to the early history of the yakuza by describing the group's emergence from two distinct antecedents, the traditional *bakuto* (gamblers) and *tekiya* (peddlers). In addition, it describes the first attempts of modernization during the Meiji Restoration and outlines the beginnings of the group's involvement with Japan's political extreme right. Part II details the yakuza's rise to power under

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yakuza boss Kodama Yoshio, a former spy for the American Intelligence during the time of the American Occupation after the end of World War II. Part III familiarizes the reader with the 'modern yakuza' by explaining in depth the structure of the numerous syndicates and their *modi operandi*; introducing a new breed of mobsters, the *keizai* (economy) yakuza; and briefly describing the first-ever law aimed at restricting yakuza criminal activities. The book's third part concludes with a description of the burst of the Japanese Bubble Economy and the resulting impact on the yakuza's various illegal business practices. Part IV describes the crime syndicates' move to international shores, detailing the yakuza's motives for partaking in criminal business ventures previously frowned upon or outright forbidden by the organizations' own codes of conduct.

Yakuza - Japan's Criminal Underworld is well deserved of its designation as "a standard reference on Japanese organized crime" (Kaplan & Dubro, 2003, p. xiii). Written by two journalists, Kaplan and Dubro's work captures the essence of Japan's criminal underworld without ever resulting to the sensationalism found in similar works of journalism. At the same time, the authors do not shy away from addressing sensitive topics that are, to this day, considered largely taboo in Japanese society. Thus, racial segregation, ultra-nationalism, and human trafficking are unobtrusively woven into the storytelling fabric for the purpose of painting the most comprehensive picture possible of the evolution of the yakuza rather than merely serving the reader with salacious tidbits to increase book sales. This balanced approach holds true throughout. The authors' presentation of the results of two decades of investigative journalism is kept neutral and factual, with personal interest and

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investment in the topic being revealed only when retelling a particularly interesting story.

Primarily written as a chronological narrative of the history of Japan's crime syndicates, Kaplan and Dubro's work simultaneously chronicles the changing face of the yakuza as individuals. From its birth as an organization in Japan's pre-Tokugawa period, to radical changes before and after WWII, to the modern-day pre-and post Bubble Economy syndicates, the yakuza have had to continuously adapt to be able to continue operating on both organizational and individual levels. As Japan emerged from deep tradition and oriented itself towards modernity, so did the yakuza. Parts II and III of the book take the reader on a rollercoaster ride of change, shedding light on the ups and downs of the yakuza's expansion from controlling traditional vice to partaking in legal and illegal enterprises so numerous they appear to cover nearly every aspect of Japan's economy. Compelling storytelling and first-hand accounts guide the reader through the major stages of development with yakuza appearing as black marketers, strikebreakers, eviction enforcers, and auction blockers for real estate transactions, loan sharks, debt collectors, corporate racketeers, real estate magnates, drug dealers, and human traffickers. Emphasis is placed on the American Occupation of Japan after the end of WWII, and Japan's Bubble Economy in the late 1980s, two seminal events that - each in their own way - helped set the stage for the yakuza's move abroad in the late 1990s. The narrative of the two parts is rounded out with the authors' detailing of the yakuza's continuous efforts to strengthen ties with Japan's political class as the cooperation of a democratic state "with nonstate [*sic*] violence specialists in order to violently suppress dissent" was -

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and remains - one of the most important ways to ensure the yakuza's long-term survival (Siniawer, 2012, p. 624).

At the conclusion of this two-part whirlwind tour de force and after having made their way through the book's fourth part on the internationalization of the yakuza, the reader will have gained substantial factual knowledge. For some, this achievement may come hard earned, as Kaplan and Dubro's work is by no means an easy read. The book has a tendency to jump back and forth, a necessity that enables the authors to cover specific events in history in detail and further connect them to related events. In addition, the book may at times present a struggle to those unfamiliar with Japanese names and terminology, making it challenging to tell apart key players and topics. However, Kaplan and Dubro likely anticipated the reader's need for explanation and added an extensive glossary to their work. Despite requiring more than average engagement with the material, readers wishing to only ever read a single book on the yakuza will find *Yakuza - Japan's Criminal Underworld* a fulfilling and exhaustive read. For those merely starting out on their quest of gathering all there is to know about Japan's crime syndicates in past, present, and future, Kaplan and Dubro's book serves well as an entry ticket into a foreign world made familiar by abundant stereotypes.

While both casual and serious readers will find the book to be an enjoyable read, the latter will soon come to the realization that despite the incredible amount of detail that has gone into the work, *Yakuza - Japan's Criminal Underworld* never fully ventures into the scholarly realm. One may conclude that this is done intentionally, for the work is built on solid investigative journalism and thus primarily aimed at a non-scholarly audience. Nonetheless, scholarship lies just beyond the

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surface, as evidenced by datasets and the impressive ten-page bibliography that lists a multitude of experts of the field. However, these invaluable resources are sparsely utilized throughout, almost to the point of serving as mere side notes prone to be overlooked by all but those actively seeking them. Once again, it might be argued that this is the intended purpose of these sources: Inserted only where needed to carefully support a claim made by the interviewee but never used to overshadow the authors' primary research. Regardless of intention, serious researchers will find themselves left with questions. The answers to those questions go beyond the descriptive explanations provided by the authors and must thus be sought elsewhere.

The Japanese Mafia: Yakuza, Law, and the State

Peter B. E. Hills's *The Japanese Mafia: Yakuza, Law, and the State* stands out among the English language literature on the yakuza. In a research field dominated by peer-reviewed book chapters and journal articles, Oxford University sociologist Hill's full-length book, scholarly in both tone and depth of approach, offers insight into an area much less explored than, for example, the history of the yakuza or their place in and influence on Japanese economy: The relationship of Japan's organized crime syndicates with the law and the state.

Hill's work is divided into seven chapters, preceded by a glossary containing numerous expressions that will be met with familiarity by the reader of David E. Kaplan and Alec Dubro's *Yakuza – Japan's Criminal Underworld*. Chapter 1 lays the groundwork for answering one of Hill's theoretical questions posited at the beginning of the book: to what extent can and/or should the yakuza be considered a mafia, that is, an organization similar in structure and makeup to the traditional crime

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syndicates of Italy and Russia? This first chapter provides a set of general definitions of mafias, introduces them as both providers and consumers of protection, gives an overview of the etiology of mafias, and outlines their scale and structure. The chapter closes with a discussion on whether or not the primary role of mafias is one of extortion or protection.

Chapter 2 focuses on the evolution of the yakuza as an organization from its historical beginnings to pre-and post WWII changes, to the Gang-War period of the 1950s, to the 1960s 'summit strategy' and the resulting reorganization and expansion of the crime syndicates, to the oligopolization of new markets, to generational and demographic changes affecting not only the yakuza but Japan as a whole. This second chapter concludes with an overview of the yakuza's relationship with the police, emphasizing the immediate post-WWII years, as well as the 1950s and 1960s.

Chapter 3 details the structure of modern-day yakuza crime syndicates by introducing the reader to the traditional *oyabun-kobun* (father-son), *kyōdaibun* (brother-brother) and related hierarchies. In addition, it describes the groups' internal control mechanisms (examples include punishment as negative reinforcement, ceremonies as positive reinforcement), and outlines yakuza recruitment procedures, education and training of new recruits, and the role tattoos play in yakuza society. Chapter 3 concludes with a brief overview of the yakuza's financial flow, asking and answering, "Where does this money come from? From *yakuza shinogi*" (Hill, 2006, p. 91).

Chapter 4 subsequently describes and analyzes yakuza *shinogi*, that is, "all types of economic activity from which gang members derive money" (Hill, 2006, p. 92). In this chapter the reader will find a detailed breakdown of the primary sources of

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yakuza income, complete with tables, pie charts, numbers and figures.

Chapter 5 leaves behind the triad of fundamental information about the yakuza and turns to matters of comparative law. The entirety of this chapter is devoted to the introduction and subsequent analysis of the 1991 *Bōtaihō*, short for *Bōryokudanin ni yoru Futō na Kōi no Bōshi nado ni Kansuru Hōritsu* (Law Regarding the Prevention of Unjust Acts by *Bōryokudan* Members) (Hill, 2003). Here, the author details the reasons for the law's existence and provides the background necessary for understanding the *Bōtaihō*'s impact on the changing face of the yakuza, as far as law, state, and economy are concerned.

The sixth chapter, building on information provided in chapter five, explores how the combined effects of the *Bōtaihō* and the burst of the Japanese 'Bubble Economy' affected and changed the yakuza's sources of income, led to the organizations being officially designated as *bōryokudan* or 'violent groups,' and irreversibly altered the yakuza's interactions with police, politicians, and the environment they were thus far operating in.

The final chapter of Hill's work ties together the previous chapters by summarizing and analyzing major issues addressed throughout the volume, and attempts, according to the author, "to make sense of the dynamic relationship between *yakuza*, law, and the state" (Hill, 2003, p. 5).

Are the yakuza the Japanese mafia? In much the same way that the word 'yakuza' no longer requires translation to be understood and categorized by the broad public, the influence of sensationalist media, the movie industry, and stereotyping have, over time, fused yakuza and 'mafia' into equivalents in connotation. Hill's scholarly journey of trying to make sense of

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the yakuza begins with the question of whether, and if so to what extent, Japanese crime syndicates might be considered mafias. Despite its highly theoretical nature, the author's comparative analysis of mafias at the outset of the book imbues the reader with a solid background of the origins, purpose, and spread of traditional mafias, as well as the following working definition for the term: "[...] mafia is defined as a set of firms that provide extra-state protection to consumers in primarily, but not exclusively, the illegal market sector" (Hill, 2003, p. 10). Hill's in-depth discussion of the interplay of protection and extortion schemes in mafias expands upon Kaplan's and Dubro's narrative of how, beginning in the mid-1700s, "the aggressive yet compassionate outlaw, useless to mainstream society but willing to stand up for the common man" (Kaplan & Dubro, 2003, p.17) began to organize into families and started providing fee-based protection services to prostitutes, robbers, drug-dealers and others who, unable to seek state protection or legal recourse because of their involvement in illegal activities, had become vulnerable to the ruthless predators among their own (Hill, 2003). The resulting rounded view in turn aids in understanding why the majority of yakuza do not generally involve themselves in "theft, burglary, armed robbery, or other street crimes" (Adelstein & Noorbakhsh, 2010, p. 66) commonly committed by traditional Mafiosi, and are overall perceived as "gentler than their Italian cousins" (Adelstein & Noorbakhsh, 2010, p. 66).

While the types of crimes committed are one important distinction between traditional mafias and the yakuza, the number of organizations and membership present an equally important difference. According to the 1991 testimony of Assistant Attorney General for the Criminal Division of the United States Department of Justice, Robert Mueller III, during a

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senate committee hearing on Asian organized crime, the yakuza at the time comprised approximately 3,200 organizations with a total of about 87,000 individual members (Permanent Subcommittee on Investigations of the Committee on Governmental Affairs, 1991). In comparison, the Italian police in 1987 reported 105 Sicilian mafia groups varying in size from 2 to 120 members while American organizations were said to be "less numerous in numbers but tend to have a larger membership (75-400)" (Hill, 2003, p. 17).

The most striking difference between traditional mafias and the yakuza however is the latter's widespread visibility. Yakuza are involved in more than 25,000 legitimate businesses in Japan alone and have in the past been elected to serve in public office positions at various levels, with one yakuza boss having served as a member of the Diet in the Japanese Government's House of Representatives (Gragert, 1997; Siniawer, 2012). Many of the larger yakuza groups and their bosses have attained a twisted version of celebrity status, with their business dealings, lifestyles, and biographical information being detailed in 'fan magazines,' which are "readily available at newsstands, convenience stores, bookstores, public libraries and even some government offices" (Adelstein, 2009). Hill writes that the visibility of the yakuza has become so widespread that Kaplan and Dubro suggest that the paradox of "a number of large, clearly identifiable criminal gangs operating openly within a society widely regarded as one of the industrialised [*sic*] world's most crime-free societies" can only be resolved when "seeing these syndicates themselves as an integral part of the crime-control process in Japan and enjoying a quasi-symbiotic relationship with the legitimate law-enforcement authorities" (Hill, 2003, p.1). This, however, is a conclusion Hill is not ready

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to accept without asking if, firstly, Kaplan and Dubro's proposed social control function of the yakuza is confined to Japan's society or whether it might be possible to "identify similar patterns in the dealings between organised crime groups and their host communities in other jurisdictions" and, secondly, if Kaplan and Dubro's explanation presents "an accurate description of the interplay between yakuza, law, and the state" (Hill, 2003, p.1).

To build the foundation for answering the first question, Hill constructs a highly theoretical discourse of how mafia groups can be expected to arise "when the market demand of extra-legal protection is met by supply" (Hill, 2003, p. 13). Using Italy's Sicily, the former Soviet Union, and the United States during prohibition as examples, the author compares and contrasts suppliers and consumers of protection in an environment where, in the absence of legal recourse, seeking and providing of protection involves the careful weighing of cost and benefit. Hill concludes that the provision of protection is one of the primary characterizations of organized crime syndicates. It extends beyond traditional mafias to include, for example, the Hong Kong Triads, Chinese crime syndicates described by Kaplan and Hill as "not the strict, hierarchical kind of crime families one sees in the yakuza or the Italian mafia" (Hill, 2003; Kaplan & Dubro, 2003, p. 257).

While the above reveals Kaplan and Dubro's belief that yakuza are much like traditional mafias, Hill spends a large portion of his book on finding, defining, and refining his own answer. Building on the initial chapter's discussion on demand and supply for protection, the author explores in depth how Japan's Bubble Economy and the near-simultaneous occurrences of the Burst Bubble and the institution of the *Bōtaihō* (organized

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crime countermeasures) influenced and changed traditional *shinogi* (sources of income) and the yakuza's *modi operandi*. The resulting changes were indeed vast. Some were irreversible, while others were so pervasive as to keep contributing to the changing face of the yakuza to this day. Previously, the yakuza's relationship with law enforcement had been congenial to the point of allowing police officers to visit yakuza offices to receive updates on the groups' dealings. The police reciprocated by issuing warnings about upcoming raids that provided sufficient time to not only clean out incriminating evidence, but also plant a few illegal items that allowed the police to claim success. After the institution of the *Bōtaihō*, yakuza bosses decreed that all members of their organizations were to cut ties with the police (Kaplan & Dubro, 2003). Before the *Bōtaihō*, yakuza groups and membership remained stable for long periods of time. After the introduction of the law, many of the smaller groups disbanded, consolidated, or reorganized; the number of *kōsei-in* (yakuza full-member) sharply declined and incidents of inter-gang conflict increased (Hill, 2003). Where previously the yakuza had been hierarchical family-like organizations where the young were educated and protected by their elders according to strict rules of conduct, the combination of the Burst Bubble and the organized crime countermeasures law saw lower level members forced to pay membership fees, face expulsion, and "shift into harder-to-track associate and freelance roles" (Kaplan & Dubro, 2003, p. 211).

Ultimately, Hill answers the question of whether or not Japanese crime syndicates are mafias by concluding that "yakuza are not *sui generis*; they exhibit behavior (not least in the ambiguous relationship with the authorities), which is similar to that of groups comprising, *inter alia*, the Sicilian Mafia, the

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Hong Kong Triads, the Russian *vory-v-zakone*, and traditional Italian-American organised crime" (Hill, 2003, p. 2).

The Japanese Mafia: Yakuza, Law, and the State's final chapter focuses on the relationship of the yakuza with the law and the state. Over the past fifty years, so Hill writes, the relationship between the *yakuza* and the police "has been dynamic rather than static" (Hill, 2003, p. 248). Hill's statement adequately summarizes the ambiguous relationship of Japan's organized crime with law enforcement: The former are alternately shunned or deemed useful by the latter to form a class-based system of exploitation. This presents a crucial issue that has been addressed by Hill, Kaplan and Dubro and other authorities of the field (Adelstein, 2003; Gragert, 1997; Shikata, 2006; Siniawer, 2012).

The volume concludes with the author's outlook for the twenty-first century yakuza, painting a bleak future where, in the aftermath of the Burst Bubble and the *Bōtaihō*, Japan's organized crime syndicates increasingly encounter legal problems, many of them brought forth by persons whose newly-found defiant attitude leaves them less fearful of the yakuza and encourages them to seek legal recourse. However, despite the continuing downward trend of the economy, Japan remains a rich country with a trove of illegal markets that continue to flourish. These markets, with their ever-expanding opportunities for illegal activity, in conjunction with the influx of criminals from other countries and the yakuza's successful attempts at operating overseas, will ensure the yakuza's continued existence - albeit in a more hostile environment far less lenient for future Japanese organized crime syndicates than was the case for twentieth century yakuza (Hill, 2003).

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Hill's in-depth exploration of the many structural, economic, and law-related changes the yakuza have undergone remains scholarly throughout, at times reaching a level of detail that is likely to push the boundaries of the leisure reader. However, the author's generous use of graphs, tables, and charts aids in visualizing and simplifying the majority of theoretical aspects presented, making the book an overall enjoyable and accessible read. *The Japanese Mafia: Yakuza, Law, and the State* is currently the only English-language full-length book that collects in a single volume a number of aspects of yakuza culture that previously could only be gathered by reading a variety of books, book chapters, and journal articles on the topic. While not every reader may find satisfaction in Hill's ultimate conclusion that in regards to the interplay between yakuza, law, and the state, the "relationship is both ambiguous and dynamic" (Hill, 2003, p. 2), this *prima facie* vague-sounding answer to the author's second central question presents to those knowledgeable of Japanese culture an eloquent summary of the convoluted history of the yakuza and their relations with law and state, a history so deeply entrenched in Japanese culture and society that it is nearly impossible to be fully understood by anyone but those considered *uchi*, that is, persons born into Japanese society.

In sum, Hill's *The Japanese Mafia: Yakuza, Law, and the State* is a unique work that addresses, in detail, content oftentimes marginalized by other authors and thus presents a foundational text for gaining insight into the many ways yakuza have been able to and will continue to use and abuse Japan's society and legal structure for their profit.

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Conclusion

Both Kaplan and Dubro's *Yakuza – Japan's Criminal Underworld* and Hill's *The Japanese Mafia: Yakuza, Law, and the State* are outstanding on their own with the former providing an exhaustive chronological history of the yakuza, and the latter shining light on crucial events that brought with them the major changes to yakuza structure and *modi operandi* described by the former. In combination, the two works build the foundation and provide the background necessary for future investigation into a hitherto much neglected socio-cultural aspect of yakuza life: The yakuza as individual. The authors of *Yakuza* and *The Japanese Mafia* include in their works small but well-crafted sections on the type of person most likely to be recruited into the yakuza crime syndicates and on what grounds. Kaplan and Dubro describe the majority of recruits for Japan's underworld as the "poor and disadvantaged, the dropouts and misfits who find a home in the gangs" (Kaplan & Dubro, 2003, p. 132). To this Hill adds, "it is widely believed that the proportion of minority groups within the yakuza is disproportionately high" (Hill, 2003, p. 80). The makeup of Japanese crime organizations thus presents an important aspect that deserves further research by the determined individual willing to break boundaries and expose sensitive areas of Japan's history and culture which, when placed in context, would likely reveal a country that stands in marked contrast to the Japan that is "often described as a uniquely homogeneous society, as though its relative lack of racial diversity was one of its social and economic strength" (McCargo, 2000, p. 69).

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