The “Correctional-Education Theory”
of Persons Concerned with Prisons
— A Study Focusing on the Discussion of the Magazine “KANGOKU ZASSHI” —

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Abstract
The purpose of this study is to consider the discussion about the foundation of correctional-education in the magazine “KANGOKU ZASSHI” (1889.11-99.6). Correctional-education is considered one of the original forms of children’s welfare in Japan and connects to the practice of the present “Child Independence Support Facilities”. The necessity of such care and welfare support to juvenile delinquents and youth-offenders began with the discussion in the Meiji era about correctional-education. The direction of the discussion was toward separating children from the inferior environment in the prisons, and to care and provide educational and welfare support. However, as the legislation for correctional-education was promoted primarily by those concerned with prisons, the focus weighted heavily on security rather than the original intention of child protection and welfare.

Key Words
Correctional-Education (Kanka-Kyōiku), Kangoku Zasshi, Juvenile Delinquents and Youth-Offenders, Improvement in Prison Administration (Kangoku Kairyo), Ogawa Shigejiro

I. Introduction
The social concern with damages to children, and criminal acts by them has been growing for the last several years. The national discussion about the latter appeared in Japan from Meiji era when the modernization started. Then, under national crisis where there was a rapid increase of the number of criminals, support for juvenile delinquents and youth-offenders attracted attention as effective means to prevent increasing crime rates. During this process, Kanka-Kyōiku (hereinafter called the correctional-education) was institutionalized. The correctional-education separated juvenile delinquents and youth-offenders from the inferior environment in the prisons, and to provide care, educational and welfare support for them in the “Kanka-in” (the Reformatory School, hereinafter called, Kanka-in).

It is well known that the correctional-education is considered one of the original forms of children’s welfare in Japan. However, the principle of securing social welfare aid for children with problematic behavior with recovery and independence has been rocked at its foundation presently by the amendment to the Juvenile Law and others. Despite its weighty discussion, it cannot be denied that we lack historical awareness on the process, thought, and development behind the creation of the correctional education to this day. For these reasons, historical research about the correctional-education, that are acceded to the practice of the present Child Welfare, offers an important perspective:

In the discipline of social welfare, however, the earlier studies that analyzed the discussion of persons who legislated the correctional-education in 1900 (Meiji 33) are few. Yoshida’s study (1958) and a string of Naganuma’s studies (1997, 98, 2000) are the examples of such few studies.

The purpose of this study is to consider the discus-
sion about national change in direction concerning support to the juvenile delinquents and youth-offenders in the magazine *Kangoku Zasshi* (the Prison Magazine). As mentioned above, another purpose of this paper is not only to evaluate the developing and the legislation of the correctional-education as the personal achievements of Ogawa Shigejiro and others, but to analyze a wide range of discussions of contemporary people.

*Kangoku Zasshi* was issued in June 1899 by *Keisatsu-kangoku Gakkai* (the Police-Prison Academic Society): Hereinafter called, *Kangoku Gakkai*) from November 1889. In the main discourse, we standardize the name as *Kangoku Zasshi*, because the name of the magazine was changed several times as described later.

I offer here some reasons why this magazine was set as the object of analysis. In the first place, this magazine was a typical academic journal that was concerned in prison administration and criminal policy at the time, as well as, *Dainihon Kangoku Kyokai Zasshi* to merge later. The present study makes it clear that the correctional-education was promoted by persons concerned with prisoners who engaged in prison administration and criminal policy at the time.

In the second place, there has been no study that tried to consider the discussion about the correctional-education in the magazine. This fact deserves attention.

II. *Kangoku Zasshi*

A. The published process of *Kangoku Zasshi*

Let us begin with the explanation about the publishing process of *Kangoku Zasshi* and historical backdrop at the time. I will take up the context of the merger with *Dainihon Kangoku Kyokai Zasshi* and the closing down of *Kangoku Zasshi*, in the next paragraph.

The holding of the International Prison Conference from 1872 illustrated that the reform of the prison administration system was a tide worldwide in those days. It was current in those days that the degree of a country's modernization could be guessed by the quality of its prison administration system. In Japan, where the entire country hoped for unequal treaty revision with the Western countries, the success and failure in *Kangoku-kairyo* (the improvement in prison administration) was the serious question leading to national fate, and it natural for it to be given national concern. In this kind of environment, *Kangoku Zasshi* was issued as *Keisatsu-kangoku Gakkai Zasshi* (the name of first issue) at November 1889 by *Kangoku Gakkai*: This magazine henceforth changed the title to *Keisatsu-kangokugaku Zasshi* (1892; vol.3 no.8), *Kangokugaku Zasshi* (1892: vol.3 no.11) and *Kangoku Zasshi* (1893; vol.4 no.5).

So, what academic organization issued the magazine *Kangoku Gakkai* Unfortunately, I was unable to confirm the historical material which showed the inside facts except in the first issue in June 1889. However, we can say with certainty that it was related to the visit by Curt.von.Seebach from Germany which occurred around the same time that *Kangoku Zasshi* was first published. Under the policy to achieve the modernization of the police system and the prison administration system, and to convert the system type from French, von Seebach was invited as the *Kokuritu Kangokukan Rensyujo Kyokan* (the National Prison-officer Training Institute Instructor). Then, von Seebach had contributed greatly to prison field in Japan as a pillar of the German genealogical prison discipline till his death from a disease (October 1891).\(^2\) Judging from the above situation, *Kangoku Zasshi* can be positioned as the media of the German genealogical prison discipline centered on von Seebach and Ogawa Shigejiro at the time.

B. The merger with *Dainihon Kangoku Kyokai Zasshi*

This paragraph describes the association, *Dainihon Kangoku Kyokai* (hereinafter called, *Kangoku Kyokai*) which published the journal *Dainihon Kangoku Kyokai Zasshi* previous to *Kangoku Zasshi*. The association was established by Sano Hisashi (a retired interior ministry official), Ukawa Morisaburo (a interior ministry official) and others who made the association regulations in March 1888. In July 1890, Prime Minister Yamagata Aritomo assumed the chairperson at the time. The journal *Dainihon Kangoku Kyokai Zasshi* was first published in May 1888, and merged with *Kangoku Zasshi* in June 1899: The magazine have been
published as *Gekkan Keisei* (Monthly Criminal Policy) at present.

Ukawa who was a leading figure of the establishment laid out the aims of the association in the first issue *The Charter* including the promotion of the prison operation, the correctional-education work, the rehabilitation work for released prisoners, poor relief and educational development (Ukawa 1888).

Later, two magazines were called *Aka-zasshi* (Dainihon Kangoku Kyokai Zasshi) and *Ao-zasshi* (Kangoku Zasshi) respectively by the color of the front cover, and they competed keenly. It is likely that a large share of readership of both magazines was persons concerned with prisons.³

I have described the origin of two magazines which represented the field up to here. Compared with *Kangoku Gakkai*, Kangoku kyokai had definitude about the established process and aims of the association. The latter had international profile, and the format of the academic journal, too, seemed good.⁴ However, *Kangoku Gakkai* spread out as time advanced. "In the Meiji thirty two [1899], the collision between Kangoku Kyokai and Kangoku Gakkai had crested, and it divided prison governors in half" (Sasaki 1999:125). As a result, *Kangoku Zasshi* was swallowed through the agency of Ishizawa Kingo and others, and *Kangoku Zasshi* was folded in June 1899.⁵

I have described the merger of two magazines up to here. However, I confine *Dainihon Kangoku Kyokai Zasshi* as materials for collateral use in this paper, and I will study it in detail in the future.

III. The education to child prisoners, the systems and case at home and abroad.

*Kangoku Zasshi* was published 114 times (not including missing issues) through the above-mentioned period. The contents of the magazine were miscellaneous centering on the key word "Prison" including a concept of the legal system; many introductions of systems and cases in the foreign countries; academic papers; details of practical level to control prison work, prisonfare and prisoner’s clothes and so on. In them, about 100 articles concerning the correctional-education, the juvenile delinquents and youth-offenders were confirmed in the magazines. Those can be classified into three groups by main descriptive contents: The first is the education for childhood prisoners, the second is reports of systems and cases at home and abroad, and the third is the necessity, meaning, and concrete content of the correctional-education. The following section explains the point of an argument about the first and second groups mentioned above. I will take up the third in the next section.

A. The education to child prisoners and the criticism against *Kangoku-soku* at the time (the prison regulation).

Articles on the education to child prisoners were published in the magazine at regular intervals.⁶ As one of the directions for the improvement in prison administration, the idea existed that improving the prison education might actually prevent former criminals from second convictions. For the persons concerned with prisons, it was a serious matter that must be dealt with the fact that most of the criminals and the prisoners was ignorant.⁷

Especially from a standpoint of regenerable prospect, a whole concept such as the method and content of the education to juvenile delinquents and child prisoners was of major concern. So the discussion to criticize against imperfections of old education treatments heightened.⁸ In addition, a finding that school and family education for juveniles prevented their infamy and crime was reported.⁹ These connected with the discussion about the necessity of preventive measures against the poor, uneducated, homeless, and juvenile delinquents who had a “fear” to commit a crime. I will study this point in a future study.¹⁰

B. Reports of systems and case at home and abroad.

This paragraph describes about the reports on trends of systems and cases of facility activities at home and abroad. Except for *Tokyo Kankain Kyomu no Jikkyo* (Nameless 1893a), *Tokyo Kankain Kyomu Ippan*
(Nameless 1893b) and others, articles in this group had been very concise and not specific till the last half of Meiji 20s: I assume that the cause is as follows.

In comparison with Dainihon Kangoku Kyokai Zasshi, persons concerned with Kangoku Gakkai had little interestin this regard, and it might have been caused by the fact that the private reformatory existed hardly in Japan at the time. On the other hand, such as Kangka-in (Tohoku Henjin: 1892) and Kankain-nado no Sankan (Nameless 1894), it is interesting that the indications to criticize the indifference appeared. In the Meiji 30s, the introductions of the specific management and practice at overseas facilities such as Doitu Renpo Hamburg-Horn Yoiku-in (Rauhes Haus) Kenbun-ki 1.2 (The experience report of Hamburg-Horn foundling hospital [Rauhes Haus]. Nameless 1899a, 1899b), too, began to appear on the magazine.

What has to be noticed is that Tomeoka Kosuke, Ogawa Shigejiro and others, who had made contact with actual correctional-education in the western countries, did practice activities energetically and wrote actively on, for example, introducing overseas cases.

From the experience as a prison chaplain at Hokkaido Sorach educating many prisoners, Tomeoka visited the United States from 1894 to 96 to study advanced prison operation and correctional-education theories and practices. Based on his visits to Concorde and Elmira Prisons among others, he submitted articles aggressively on topics such as the trend of the improvement in prison administration in the United States to Kangoku Zasshi. From his study and experience in the field, he confirmed his belief that “Any bad criminal can be rehabilitated” (Tomeoka 1897a:12); he devoted himself to correctional-education practice.

After returning home from his studies in the European countries (1895-7) and participating in the Fifth International Prison Conference there, Ogawa reasoned both the correctional-education in the United Kingdom and the situation in European countries where the state assumes the promotion and management of correctional-education as successful examples. Two of his studyexperiences abroad were reflected in the concept of correctional-education, which I will treat in details in the following section.

IV. The Discussion about necessity, meaning and concrete content of the correctional-education.

This section analyzes the discussion about necessity, meaning and concrete content of the correctional-education on Kangoku Zasshi. In Meiji 20s, there were Nakasu-sei’s Kangoku-Kairyo Saku (Policies of the improvement in prison administration, 1892) and Hirata Kahei’s Hanzai Bousei Ron (The Criminal Prevention Theory, 1893). For example, Nakasu-sei wrote, “The cooperation between the rehabilitation work, Kangka-in and Prison is indispensable”, and he regarded the correctional-education as a measure of the improvement in prison administration comparatively earlier (1892:12). Except for above-mentioned article, we could not find articles which correspond to this classification during the same period, which seems extremely inactive.

However, the articles of this classification had since increased remarkably in the magazine, particularly when Tomeoka Kosuke returned from North America in 1896 which led to a morale-boosting for Kangka-in establishment. From now, I will make a study in details on the active arguments about the correctional-education of Tomeoka and Ogawa, and statements of Yamamoto Tokuhisa who has hardly been examined thus far.

A. Tomeoka Kosuke

Tomeoka Kousuke’s experience in North America was already described. This paragraph studies in details about Kangka-in Seturitu no Kyumu (The Pressing Need of the Reform School Establishment, 1897b) and Kangka-in to Syutugokumin-hogokai no Betu (The Difference in the Reform School and The Rehabilitation Work, 1897c). Those were papers after his return home.

In the former, Tomeoka wrote, “A lot of reasons that people commit a second conviction exist, but one of the most common causes is that there is no Reform School which educates bad boys” (1897b:7). He thought that a consolidated correctional-education had significantly contributed to the crime reduction in the United Kingdom, and he wrote, “The people who want
crime reduction in this country must exert themselves not only for the improvement in prison administration but also the correctional-education” (1897b:7-8).

As for the latter, in regards to the purpose of Kanka-in, he wrote:

The Sphere of Kanka-in is to improve bad boys who are the buds aggravating society, and social engineers called it the Preventive-work... the improvement in prison administration is pressing but if the correctional-education which is Preventive-work isn’t accompanied, it cannot get the good results (1897c:7).

This shows that the improvement in prison administration can accomplish only by the cooperation between the rehabilitation work, Kanka-in and Prison.

Going back to the time while he was studying abroad in the U.S, there was a paper which compared elementary school education in the U.S., the United Kingdom and France, and discussed the popularization of elementary school education in the United Kingdom and the reasons for the decrease in underage crimes. In this paper, he wrote, “The meaning of the education in the United Kingdom merely is intellectual training, moral education and soul education in addition to the intellectual training”, and he comprehended that the reason for decrease in criminals was, “In the United Kingdom, the school child learns both the meaning of the moral and the awe to the god” (1895:48). This comprehension seemed to have had a potent influence on the methodology of the correctional-education by Tomeoka. For example, his book written after his return from abroad, Kanka-Jigyo no Haitatsu (The Development of the Correctional-education Work). This book got published in the same time with above-mentioned two papers, and to know his correctional-education theory in those days, it isn’t possible to ignore. In this book, he wrote about “reisei no kyoyo [soul education]” which was one of the reform measures against bad boys as follows:

The 4th, do not neglect the soul education with the gym. The awe is born in the heart of the person because there is a religion in a nature of person. Do not neglect the religious issue which belongs to the soul education, for the success of the correctional-education work. That is, the animate religion must be told to bad boys. If in short, make Kanka-in methodical; orderly; try to implant honor in the mind; and to adopt a family house system, not a large dormitory system, is the best plan (1897d:169-170).

The assertion that the educational effect to target children can expect by the combination of Christian principled soul education and “Kazoku-seido (family house system = small dormitory system)” was reflected in the after practice in Katei-gakko (the Family School of Tomeoka), too.

B. Yamamoto Tokuhisa

Next, we will take up Yamamoto Tokuhisa’s papers. Yamamoto’s paper, Miseinen Hanzaisha oyobi sono Kyuchisaku (the Youth-offenders and the Remedy to Them, 1898), was well solid in the quality and quantity in the articles about the correctional-education on Kangoku Zasshi. 12

Yamamoto graduated from the Doshisha Ordinary School (May 1892) and the Divinity (June 1895). He had worked for prisons in Hokkaido as a prison chaplain; however, the studies which have paid attention to the practice and academics of him about the correctional-education have been very few, to the present. According to his record, when Tomeoka Kosuke and Miyoshi Taizo formulated the plan to establish the Reform School, he was engaged in the plan of search. After the above-mentioned plan suffered a setback, Yamamoto busied himself for the establishment of the Tokyo Yoikuin Kanka-bu (the Tokyo City foundling hospital correctional-education part: the establishment in July 1900) which was planned from October 1897.13 He wrote above the paper in the process of preparing for establishment of the Tokyo Yoikuin Kanka-bu and practicing correctional-education in the facilities: Ogawa Shigejiro said about his paper, “I hope strongly that all readers peruse it without assuming his paper is ordinary” (Ogawa 1898: 21).

First, in the introductory pages, Yamamoto showed
the statistics that youth-offenders and recidivists in Japan were increasing rapidly. In section 1 “The criminal cause”, he argued that criminal cause were in criminal’s “nature—the inheritance, the body, the spirit, the age and the gender” and “circumstances—the family, the urbanization, the social situation, the economic situation, the education and religion”. He argued about the relationship of the youth-offenders, and their inheritance, body, spirit (the intellect, the feelings, the will and the moral concept), age and gender (Chapter 2) and considered about surrounding circumstances causing crimes (Section 3). In accord with them, in 4th section “Kyuchi Sakura (the Remedy)”, about the youth-offenders he wrote, “First, change their circumstances. Next, the gym and culture, in other words, education in the broader senses are the only remedy to the youth-offenders.” More specifically, he described as follows (Yamamoto 1898:14):

They [the youth-offenders] need to be given noble hope. The noble pleasure must be given to them. The labor makes their mind and body vigorous and the reading will transform the desire. Even if we must impose disciplinary actions, it goes without saying that they are valid only when educationally used. Anyway, it is impossible to relieve them to the end, even if we try physiologically and psychologically to correct their criminality and compensate for their lack.

Then, he adverted to the system modeled after the legal system in the United Kingdom. The system housed the juvenile delinquents and homeless children from 8 years old to 14 years old into Kanka-in (it was called the Industrial School at the time) for education, and the youth-offenders from 14 years old to 18 years old into Chochi-in (it was called the Reformatory School at the time). On the procedure to house a target child in facilities, he wrote (1898:15-6):

A homeless child younger than 14 years old is sent to facilities from the police station without a trial regardless of the possibility of sin. The juvenile delinquent from 14 years old to 18 years old must be tried, and only when guilty, should be rendered indefinite detention until 20 years old... In case of a suspect who is younger than 14 years old and not homeless, give greater caution to his family and exercise close supervision over him.

When the child does not have parents or when parent’s oversight capability was scarce, it was decided for him to be housed in Kanka-in.

The opinion that a homeless child younger than 14 years old should be housed in facilities at once was common to the policy which was shown in Ogawa’s answer, about the juvenile delinquent he said “Everyone must be housed at the facilities”, in the House of Representatives ad hoc committee at the occasion of Kanka law (the Correctional-education Law) establishment (Kyosei Kyokai 1984:210). We should notice that it is possible to grasp the conception of “the Administrative Power Principle” in Yamamoto’s assertion: It is the Japanese characteristic checking-in process on the Correctional-education Law (1900) to make the juvenile delinquent enter Kanka-in by the discretion of the public administration (the administrative power), and without making judiciary (the court) intervene.

In the United Kingdom, the facility at the time was a bicameral system of the Industrial School and the Reformatory School. On this point, he wrote about the System in Japan as follows, “It is desirable to set up separate facilities but however, depending on the situation, distinguishing the user in one facility is sufficient.” About the cost, he wrote, “Each prefecture establishes facilities by the funds of the treasury or through local taxation. If government had approved the private facilities which were established by charitable persons, those receive protection, fosterage and direction as the facilities of the approval appointment can be treated as well in the state facilities” (1898:15). As indicated above, he expressed the conception about the one-chamber system (the integration of the Reformatory School and Industrial School) and Daiyo Kanka-in (the substitute reform school) which were realized when the Correctional-education Law later gained approval.

Later, when the spread of the Kyuchiki Kikan (the remedial facilities, it means Kanka-in), which he envi-
sion became a reality due to enactment of the Kanka law (the Correctional-education Law), Yamamoto released a paper, Kanka-in Kyoiku ni Tuite (About the Correctional-education). I will focus only on the outline of this paper here. In the paper, Yamamoto studied in detail about the form and staffs of Kanka-in, and he also studied each meaning and specific method of “gym, moral education, intellectual training, mind training, work” as the components of the practice in the facilities.

As mentioned above, Yamamoto’s paper had the characteristic for developing the realistic and specific assertions to try to make the system of the preceding United Kingdom correctional-education work fit in with the situation in Japan. His paper was common to Ogawa’s assertions (I will mention it later), in the part of the devotion to the public principle, the administrative power principle, and the United Kingdom’s correctional-education work. Yamamoto’s correctional-education theory which had anticipated the system of Kanka law (the Correctional-education Law) which was enacted later will be able to evaluate as having leaded the way with this field at the time.\(^1\)

C. Ogawa Shigejiro

1. Experience of study aboard in the European countries

Ogawa Shigejiro, who was the editor in chief of Kangoku Zasshi, returned Japan from studying in the European countries at January 1897. Later, when establishing Kanka law (the Correctional-education Law) in 1900, he was charged with an important role in deliberations of the Imperial Diet as the bill drafter and interior ministry explanation member of the committee. Therefore, it is important for us to deliberate what knowledge he had acquired by study aboard in the European countries and what correctional-education vision he had conceived there.

About Ogawa’s footprints during study aboard, his letters which had been written to persons concerned with Kangoku-Zasshi, Dainihon Kangoku-Kyokai Zasshi and Ueda Kyoyu-kai Geppo, appeared on each magazine. However, I will not take up this in detail, because contrary to his enthusiasm before going to Europe, the description about the correctional-education appears hardly in those letters.\(^1\) Besides his letters, there are only a few items which can confirm the fact that he visited a reform school among others.\(^1\)

At the fifth International Prison Conference which Ogawa participated as a government delegate, the agenda was divided among four sections of criminal law, the prison, the crime prevention and the treatment of child. The 4th item for the treatment of child was the section which was organized for the first time. During the session, Ogawa participated in the section on “prison” and the accompanying assistant participated in the section for “crime prevention” (Ogawa 1897a:22-7). Later, Ogawa produced a detailed report on the actual condition of the prison operation in Japan, which had trailed widely behind the European countries. Thus, as a reality, it is easy to imagine that he had invested time and effort in the research areas such as the prison construction and the management during study abroad.

2. The administrative power principle and the United Kingdom’s correctional-education work

It was “Miyoshi Taizo Shi Sortu no Kanka-gakko ni tuite Syukan wo Shirusu (Describing impression to the Reform School which is established by Miyoshi)” that Ogawa first referred to the correctional-education in this magazine after returning to Japan (Ogawa 1897b, 1897c). In this paper, he wrote, “Including the authorities and the government, commoners hardly have concerns with the correctional-education work which is one of the social problems when it should be urgently studied the most”, and he praised the establishment plan of the reform school by Miyoshi and Tomeoka under such conditions.

Also, he wrote, “the correctional-education work, through remedial discipline for the juvenile delinquents and youth-offenders, has the purpose to nurture good citizens who are useful for the society in the future, should belong to the responsibility in the State and municipality with the nature”, and he stated an opinion that the correctional-education work should be established under administrative responsibility in the same way with the general school education (Ogawa 1897b:2). Moreover, he wrote, “At present, in the
correctional-education work in the world, the United Kingdom is well-equipped and accurate, and has the best result”, and his position demanding a model after the UK correctional-education was apparent since then (Ogawa 1897c:6).

Next, Ogawa’s discourse (“The relation between the prison operation and the general public administration operation”) in the governors’ conference at June 9th in 1897 will be examined. Ogawa reasoned the importance of the preventive-measures (the poor-relief, the improvement of the slums, the correction of the manners and customs, the popularization of the education, the limitation on the drinking, the placement agency, the control of the festival, and so on) against the crime by “[except the prison operation:] the general public administration operation or social work.” Specifically, he insisted, “What has the most effect and requires the utmost attention are the correctional-education against juvenile delinquents and the rehabilitation work for released prisoners [both should be implemented as the general public administration operation]” (Ogawa 1897d:16-9).

A sequence of his remarks as above makes it clear that Ogawa already recognized that the correctional-education work should belong to the category of “a public administration operation” at this point. That is, even if his assertion was not as definite as Yamamoto’s, it is inferred from the fact that Ogawa was assertive in front of the provincial governors.

As we have seen, the motifs such as “the administrative power principle”, “the United Kingdom’s correctional-education work as the model” were important in Ogawa’s correctional-education theory, and can be found from his remarks immediately after his return to Japan. They were born by joint primary knowledge about jail sand from the European countries.17

3. The correctional-education as the education practice

As a fundamental problem, why is the correctional-education necessary to the juvenile delinquents and youth-offenders? At the Imperial Educational Society in October 1897, Ogawa made a discourse that was entitled Kyoiku to Hanzai no Kankei (the Relation between the Education and the Crime). In the discourse, he said, “The essence of the penalty cannot measure up to the meaning of education, and the penalty and the education cannot help but to make the purpose a complete difference”. He discriminated clearly the purpose and the target (Ogawa 1897c:6). Then, he asserted that juvenile delinquents and youthful-offenders who are irresponsible should be placed under the administration of the general education like other general children.

However, a person who had committed a crime once actually had “potential for harm to Society”. And, the education at home which produced a criminal could not be trusted. In this connection, for “the maintenance of the public peace” and “thoroughgoing of the reconsideration and the correction of the very person”, it is highly inevitable that the State uses its public power to intervene in issues with the juvenile delinquents and youth-offenders as their public duty. That was the reason why the criminal law regulations to housed even “… an irresponsible child in the Chochi-ba (the correction facility at the time) with a term depending on the crime”, existed (Ogawa 1897c:7). However, Chochi-ba had been operated as same as the prison, thus to foresee an educational effect was impossible; the place was “a school for criminal training.” Since the reality at the Chochi-ba was in such a state, Ogawa acknowledged the necessity for correctional-education and Kanka-in as the new educational practice and facilities instead of the conventional system.

Lastly, I would like to introduce an interesting episode related to the directionality of the correctional-education thereafter. At the time of above-mentioned governors’ conference in June 1897, Terahara Nagateru who was Naimusyo Keiho-kyokacho (Interior Ministry Bureau Chief for Security) distributed Kanka Hogo Gigyo Soshiki Yoko (a prospectus for the organization on correctional-protection operation) as “one personal viewpoint”. The prospectus was the management guideline plan of the correctional-education work and the rehabilitation work and was presented to each provincial governor. In it, he wrote, “At this time, each prefecture must proceed with the plan for correctional-education” (Terahara 1897:3). Terahara’s action was motivated by a charity relief fund of 400,000 yen which
was distributed to each prefecture on the death of Empress Eisho. Terahara and Ogawa who had insisted the necessity of correctional-education at the same conference were assigned as bureau chief and newly created appointment of full-time administrative-official, a leader of the improvement in prison administration, respectively, two months later when the new Interior ministry Bureau for prison was set up.

Ogawa's acknowledgement of correctional-education to be operated under public administration, moreover as an educational operation, has been referred earlier. However, this series of events meant that the promotion of correctional-education was left in the hands of the prison officials. It suggests that correctional-education was to be handled in the category of the prison operation in deed, as well as, in name.

V. Conclusion—The correctional-education theory in the Prison Administration Improvement

In this article, we have treated the discussions on correctional-education, the juvenile delinquents and youth-offenders in "Kangoku Zasshi." Specifically, in section IV, we have reviewed the assertions of Tomeoka, Ogawa and Yamamoto on the necessity, meaning and concrete content of the correctional-education. This section will conclude by describing the meaning of those discussions on correctional-education by persons concerned with prison education like the three men mentioned above.

We should pay attention to the characteristic of the magazine's discussions that the correctional-education had been spoken in relationship to the prison operation and the improvement in prison administration. As it has been pointed out earlier, prison officials and concerned persons who had appeared on Kangoku Zasshi and Dainihon Kangoku Kyokai Zasshi were in the center of the discussions on correctional-education's promotion from Meiji 20s to 30s. What influence does this fact have on correctional-education?

First, it expedited the legislation (the publicization) of the correctional-education work. Why did the prison officials become the leaders of the promotion for correctional education? As it was the worldwide trend of that time, correctional-education and pupil protection (including the private charitable work) were discussed in relation to prison operation at the International Prison Conference and others. That is, due to the worldwide trend for improvement in prison administration, persons concerned with prisons were able to easily attain the knowledge about the practice and systems of the cutting-edge correctional-education.

As the means to accomplish the improvement in prison administration, the necessity of the correctional-education was insisted. As mentioned above, the development of improvement in prison administration was an important matter for the honor of the state, hence a series of discussions on this issue achieved big momentum leading to the legislation on correctional-education. It was not merely accidental that the advocates of the correctional-education such as Terahara and Ogawa became the headship of the prison policy, too. It should be noted that as a result, the reform to send juvenile delinquents and youth-offenders who were traditionally jailed at Chochi-ba in the prisons to facilities for correctional-education became feasible because of the rationale for need of correctional-education and improvement in prison administration.

On the other hand, promotion for correctional education the development of legal systems by persons concerned with prisons was an albatross to the promotion for correctional education. For example, the report which Ogawa had brought from studying abroad in Europe—"The prison operation in our country at present is in a very childish condition"—impacted the persons concerned with prisons (Ogawa 1897a:6).

It is possible, too, to consider that what he gained from his study abroad in Europe was not about correctional-education but more about motivating the improvement of prisons itself. Ogawa paid an interest to the correctional-education and the rehabilitation work for released prisoners, only because he had the self-confidence and assumption that the prison conditions in Japan had already developed comparatively to the ones in western countries.

Just like Ogawa had assumed, the major premise
for the legislation of the correctional-education was discussed as the part of the improvement in prison administration, too. If more improvement and development became necessary to prisons—the center of the prison administration system—it was the consequential course that concerned persons will devote to prisons and not on correctional-education. The setting then was that the discussion on correctional-education in the magazine, *Kangoku Zasshi* wasn’t so lively. After all, the main issue of the improvement in prison administration was the modernization of the prison itself, and the development of legal systems of the correctional-education was insistently secondary. Ogawa had said at one time, "The correctional-education work is a fundamental problem and the prison operation is the derivation"; but even with Ogawa’s assertion, it was difficult to change that flow (Ogawa 1897f:4).

Thirdly, there were voices demanding the need for correctional education at any rate, but no greater discussions on the actual system and detailed content on the assistance in the magazine, *Kangoku Zasshi*, albeit a movement towards legislation for correctional education? This author thinks that the reason is because every concerned persons’ wish for government funding towards prisons were realized after heated debates in the magazine. That major achievement allowed the legislation for correctional education to pass before any further discussions and research matured enough.18

Besides, concerned persons became the developers, and correctional-education and *Kanka law* which were born during the improvement in prison administration had forcibly gained dispositions as “the legislations for social defense.” At least, on this point (1900), the correctional-education could not become a policy which was purely about welfare and education as assumed by Ogawa. The cause was its focus on the decrease in number of criminals more than on the welfare and benefits for juvenile delinquents and youth-offenders receiving correctional-education. For persons concerned with prison reform, it was difficult for them to deviate correctional-education theory from the framework of social defense. As a fact, Ogawa who drafted *Kanka Law* was not able to embody and finesse his correctional-education theory only after returning from his second study abroad. I will examine this point in the future.

Notes


6. The scale and readership of the subscriber of both magazines can be supposed from Ogawa’s report on April 25th in 1897 (Ogawa 1897a:30-1).

7. As for the international publicity, the data of prison administration in Japan to the concerned nations of the International Prison Conference relates to the fact that *Dainihon Kangoku Kyokai* was giving actively.

8. About the process of the merger of both magazines. cf. Sasaki (1999), and Endo (1981).

9. The example of the article which relates to the aforementioned classification. cf. Round (1893a). and Chigokukan (1890).

10. Chigokukan reported the situation of education of prisoners at 1886-88, based on the Interior Ministry statistical report book. He pointed out that prisoners who had the ability to read and write was about 27-30 % there (1890).

11. Choji Seido started in 1872 to educate in the prison to the minors, but Seebach and Toukai Roshi and others did severe criticism from the very beginning.

12. For example, Round insisted on the necessity to make the child thoroughly learn obedience, law respect and honesty in the home education to prevent a crime (1893a, 1893b).


14. As the basis of this pointing-out of author, there is an assertion of Tokyo Yoikuin's side as the following, "The assertions and movements of the people who made an effort for the establishment of Yoikuin Kanka-bu promoted Kanka law establishment" (Tokyo Yoikuin ed. 1953:245).
15. At the meeting of Kangoku Kyokai in March 1895 before leaving, Ogawa told as following ambition about the study abroad, "About the prevention of the rogery in the front of being sent to prison, i.e. the protection of the pupil...I want to spare my brain must to study it" (Ogawa 1895:11-2).
17. Ogawa had insisted that the success or failure of the Improvement in prison administration was in thoroughgoing of "the personal treatment" in the past. Thus, it is possible to evaluate that, the correctional-education theory to separate completely Juvenile delinquents and the Youth-offenders from the adult prisoners of and community cell at the prison, and to provide educational and welfare support to them, have surfaced on the prolongation of Ogawa's studies in the German genealogical prison discipline (Ogawa 1897a).
18. At 2 months before by Kanka law's being deliberated (in December 1899), Kangokuhi Kokko Shiben law that had been for the prefecture to change the expenses of the prison which had been burdened into the defrayment out of the treasury, had been formed.

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