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Japanese public opinion on reporting the real names of juvenile criminals: An examination from the perspective of justification preferences

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Highlights

- Japanese ban on reporting the names of juvenile offenders was lifted in 2022
- More than 90% of Japanese citizens support the ban
- Preference for rehabilitation predicted disapproval about reporting real names
- Preferences for deterrence and incapacitation predicted approval unlike retribution
- Support for reporting real names may be due to penal populism in Japan

Japanese public opinion on reporting the real names of juvenile criminals: An examination from the perspective of justification preferences

Abstract

Purpose: This study examined Japanese citizens' attitudes toward disclosing juvenile offenders' real names in terms of justification preferences, which are strongly related to attitudes toward punishment and justice.

Methods: A total of 1,207 citizens participated in an online survey. A multiple regression analysis was conducted with attitudes toward revealing real names as the dependent variable and preferences for justification, beliefs about juvenile offenders, perceptions of delinquency, and demographic variables as the independent variables.

Results: The preference for rehabilitation predicted disapproval, while general deterrence and incapacitation predicted support for reporting real names. This suggests that the fear of hindering rehabilitation leads people to reject reporting real names, while the idea that it is important for deterring crime leads people to support it. Symbolic discrimination against juvenile offenders was also suggested as a reason for supporting the reporting of real names in conjunction with beliefs about juvenile offenders.

Conclusions: The results can be seen as an expression of the penal populism that has emerged in Japan in recent years. The paper also discusses a hybrid measure of preference for justification used in the present study.

Keywords: Japan's juvenile law; reporting real names; general deterrence; retribution; incapacitation; rehabilitation

Introduction

Juvenile law reform in Japan

Japan's juvenile law is undergoing an historically important transition. The current juvenile law was promulgated in 1948, modeled after the American juvenile justice system. In Japan, juveniles are defined as those under 20 years of age. Traditionally, Japan has been tolerant of juvenile offenders who have broken the law, emphasizing rehabilitation and protection rather than punishment (for a review, see Dawkins & Gibson, 2018). In recent years, however, the law has been revised to include harsher punishments.

In 2000, the age at which a sentence could be imposed was lowered from 16 to 14 years, and *gyakuso* (transfer to the prosecutor's office) was rendered mandatory for intentional killings by juveniles aged 16 and older. In 2007, the minimum age for committing a juvenile to a juvenile detention center was lowered from 14 years and above to about 12 years and above. In 2014, the maximum sentence for juvenile offenders under the age of 18 that could be imposed in lieu of life imprisonment was extended from 15 to 20 years, and indeterminate imprisonment (which could be terminated depending on the juvenile's rehabilitation status) was increased from 5–10 years to 10–15 years. Even as the age of juvenile offenders declined and penalties became more severe, the prohibition against disclosing information to the public was strictly maintained. Information on juvenile offenders has been rigidly controlled, and their anonymity has been strictly protected to allow them to reintegrate into society after rehabilitation without being affected by their criminal record. However, with the amendment of the Juvenile Law in April 2022, the ban on reporting some juvenile offenders by their real names was lifted. As a result of this amendment, information on the name, address, age, and appearance of juvenile offenders, which had been prohibited until now, can be revealed at the time of prosecution only if the offender is 18 years of age or older (and has been charged), even though the offender is still classified as a juvenile until the age of 20.

Rise in penal populism

The social background underlying the successive changes in juvenile criminal law in Japan with harsher punishments is based on changes in penal populism in several Western countries including Great Britain and the United States. This holds that the common sense of ordinary citizens should take precedence over the expertise of criminal justice agencies (Ellis & Kyo, 2017; Fenwick, 2013; Hamai & Ellis, 2008; Miyazawa, 2008). In Japan, after the Juvenile Law was revised with stricter penalties in the 2000s, a series of heinous crimes by juveniles occurred and were reported in the media, such as the 1997 child

murder in Kobe, the kidnapping and murder of a boy in Nagasaki in 2003, and the 2004 murder of a schoolgirl in Sasebo. During this period, juvenile crime in Japan was statistically on the decline (Training and Research Institute, Ministry of Justice, 2021). However, incidents that are intensely covered by the media are more likely to be recalled from the memory system (i.e., availability heuristic; Tversky & Kahneman, 1973), leading to biased risk assessment, as exemplified by perceptions such as “crime is worsening” or “it is increasing” (Callanan, 2012; Kemshall, 1997). These heuristic-based perceptions lead to moral panic (Altheide, 2009; Critcher, 2008), provoke anger toward offenders and orientation to harsh sentences as the response (Kühne et al., 2015; Shaw & Woodworth, 2013), and in turn serve as a supportive basis for legal decisions in the criminal justice system (e.g., Cuccolo & Perlin, 2013; Kuklinski & Quirk, 2000). As penal populism has been incorporated into the judicial system in Japan (Hamai & Ellis, 2006), it is possible that the social background of this amendment, which led to the lifting of the ban on reporting real names, is related to the biased perception that juvenile crimes are worsening and increasing. Japanese juvenile cases that attract media attention may also draw support for policies that involve excessively harsh punishments and disproportionately high case costs. Our study examines public support for real-name reporting as allowed by the recent revision of the law. In this study, we demonstrate the risk that juvenile policy in Japan can be influenced by penal populism, that is, the perspectives and subjective perceptions of the public.

Public opinion on the reporting of real names

The Japanese public’s opinion of this historic change is still unclear, as no official government surveys have been conducted since the amendment was passed in May 2021 and enacted in April 2022. However, a few unofficial surveys conducted by private organizations suggest that the majority of the public supports the use of the real names of juvenile offenders. In a survey of 100 participants between the ages of 20 and 60, 79% favored the use of real names, 6% opposed it, and 15% were undecided (Kakekomu, 2021). In a survey of 1,000 Japanese people (aged 17–19) conducted by Nippon.com (2021), 18.8% opposed the use of juvenile offenders’ real names, while 43.3% favored it and the rest responded with “I don’t know.” Although these surveys are not definitive because of the small sample size, age bias, and lack of detailed information in the survey methodology, it can be concluded that the majority of the Japanese public supports the reporting of real names. However, these surveys did not attempt to clarify the factors underlying support for or opposition to the reporting of real names.

The actual crime rate in Japan is unlikely to help explain the public’s advocacy for

harsher/punitive measures such as real-name reporting. Compared with Europe and the United States, the overall crime rate in Japan is low (Hamai & Ellis, 2006; Johnson, 2007), and juvenile crime continues to decline. The number of criminal offenses committed by juveniles has remained minimal every year since 2012, reaching 37,193 in 2019 (16.2% less than the previous year), a decrease of approximately 90% from the highest level of 317,438 offenses in 1983 (White Paper on Crime, 2020: Figure 3-1-1). Moreover, not only has the number of juvenile offenses declined but so has the trend of people in the younger age groups being involved in crime. The ratio of felony arrests per 100,000 youth in the 14–15 age group, which used to be the highest, was 242.5 in 2019, lower than 359.6 for the 16–17 age group and 264.5 for the 18–19 age group (White Paper on Crime, 2020: Figure 3-1-1-2). These numbers have been reported for the first time since 1966. Thus, the situation in Japan is quite contrary to the trend in favor of reporting of real names of juvenile offenders. However, as discussed earlier, it is undeniable that citizens' perspectives and perceptions of juvenile crime (i.e., worsening, increasing) can be reinforced and related to support for reporting real names under punitive populism. As Japan is a country with a single ethnicity and no strong religious affiliation, demographic variables may not be the best predictors of citizens' attitudes toward reporting the real names of juvenile offenders even though they still need to be reported to complete the analysis.

Predictors of punitive ideology

Some beliefs about juveniles have been identified as predictors of supportive or disapproving attitudes regarding criminal policy toward juvenile offenders. For example, in a public opinion survey conducted in Missouri regarding mixed sentences, the belief that juveniles will receive the sanctions they deserve as adults predicted support for blended sentencing, which gives juvenile courts the authority to impose adult criminal penalties on certain categories of serious juvenile offenders (Garland et al., 2012). The same study showed that the belief that juveniles today are more disrespectful than juveniles in the past also promoted support for blended sentencing. A survey of Florida citizens found that support for transferring juvenile offenders to adult court was associated with the belief that adult court would be more just and that juvenile offenders would more likely become productive adults (Applegate et al., 2009). A Japanese study showed that the difficulty of comprehending a child's intentions and actions led to the support of heavier sentences for juvenile offenders (Mukai & Fujino, 2021). Several beliefs related to adolescent development also influence attitudes toward criminal policy (Trzcinski & Allen, 2012). Those who believe criminal behavior is the result of freely

chosen volitional action are more likely to support punishment and reduce support for offender rehabilitation than those who believe it is the result of external circumstances or constraints (Maruna & King, 2009; Kraus & Keltner, 2013), suggesting that beliefs related to adolescent development and environmental influences would be associated with attitudes toward juvenile offenders. Therefore, it would be useful to study attitudes toward real-name reporting in Japan by using people's beliefs as a starting point.

Theoretical framework

Among the various beliefs, examining the public's relationship to attitudes toward punishment and justice in general is an important psychological approach to determining the attitude toward reporting real names, as the public's justification preferences are strongly related to these attitudes (Payne et al., 2004).

It has been shown that the primary justification for citizens' attitudes toward the death penalty is general deterrence, which seeks to prevent the occurrence of crime, and retribution, which seeks to offset crime through the death penalty (Ellsworth & Gross, 1994; Griffin, 2021; Jiang et al., 2010; Radelet & Borg, 2000; Tyler & Weber, 1982). Although not as dominant as these two, incapacitation, which aims to deter defendants from reoffending through social isolation, is also a justification for capital punishment and thus promotes support for the death penalty (Beschle, 2001; Robins, 2015), while rehabilitation, which aims to rehabilitate defendants, promotes attitudes against the death penalty (Cao et al., 2020; Sandys & McGarrell, 1995; Warr & Stafford, 1984). In Japan, the death penalty tends to be supported when general deterrence and retribution are emphasized (Johnson, 2020); those who value the theoretical underpinnings of rehabilitation (i.e., whether offenders feel remorse) tend not to support the death penalty (Sato, 2018, pp. 246–247).

In an American study on juvenile justice, general deterrence and retribution preferences predicted harsher sentences for juveniles (Bolin et al., 2021). Another study showed that participants motivated by general deterrence, retribution, and incapacitation were more likely to support a life sentence without the possibility of parole (LWOP) for juvenile offenders than those motivated by rehabilitation (Greene & Evelo, 2013). Thus, although the justification preference approach effectively clarifies citizens' attitudes toward the penal system, few studies in Japan have considered this approach to investigate attitudes toward juvenile offenders. Based on the theoretical framework of justification preference, it is necessary to examine the ban on reporting real names through citizens' attitudes. Therefore, in this study, we aimed to clarify Japanese citizens' attitudes toward disclosing juvenile offenders' real names by assessing preferences for general deterrence, retribution,

incapacitation, and rehabilitation. Although this is not the only classification of justification preferences, it was adopted here because it is the most commonly advocated in the justice system (e.g., Cotton, 2000; McFatter, 1978) and referred to in empirical studies (e.g., Roberts & Gebotys, 1989; Templeton & Hartnagel, 2012). We sought to identify which justification preferences predict support for or opposition to the publication of adolescents' real names.

The present study

This study aimed to clarify how justification preferences for general deterrence, retribution, incapacitation, and rehabilitation are related to advocacy or rejection of the publication of juvenile offenders' real names. In relation to the attitude toward reporting real names, we can distinguish between rehabilitation and the other three justifications, as in the case of the death penalty. We hypothesized that rehabilitation predicts disapproval for reporting real names because reporting the real names of juveniles poses an obstacle to their reintegration into society. Japan has maintained a low crime rate through informal social controls that deter citizens from committing crimes; this is, indeed, a prominent feature of the country (Komiya, 1999). As social stigma is viewed as an effective deterrent to crime with little social cost (Rasmussen, 1996), the preference for general deterrence would lead society to support the reporting of real names in the hope that it will act as an effective intimidation force. Although naming juvenile offenders is not a physical punishment such as imprisonment, the violation of dignity is seen as a counterbalance to guilt (i.e., retribution). Recidivism can be curbed if juvenile offenders whose personal information is disclosed are made to distance themselves from others by voluntarily retreating to their homes and isolating themselves (i.e., incapacitation). The effects of sanctioning and encouraging voluntary disengagement of juvenile offenders by providing their real names are consistent with cultural psychology findings that shame is pervasive (Kirchner et al., 2018; Lebra, 1983) and that shame regulates individuals' social behavior (Leonardsen, 2006). Thus, these three preferences for justification would predict support for real-name reporting. Based on the above, we formulated the following hypothesis.

Hypothesis 1: Preferences for general deterrence will predict support for reporting the real names of juvenile offenders.

Hypothesis 2: Preferences for retribution will predict support for real-name reporting.

Hypothesis 3: Preferences for incapacitation will predict support for real-name

reporting.

Hypothesis 4: Preference for rehabilitation will predict disapproval of real-name reporting.

To test these hypotheses, we conducted an online survey investigating the extent to which the Japanese public favors each of the four rationales and how much they support or disapprove of the publication of juvenile offenders' real names. We conducted a multiple regression analysis with justification preference as the main independent variable and beliefs related to adolescent development, perceptions about juvenile crimes tapping into penal populism, and demographic variables as additional independent variables to assess the differential contribution of various predictors to citizens' attitudes toward real-name reporting and to identify any strong predictors.

Method

This study was conducted with the approval of the ethics committee of the university to which the researchers belong. All data are available in the Open Science Framework.

Participants

The participants were recruited from a panel of Japanese people aged 18 years or older who were registered with an Internet research company, and the survey was conducted online. The company has a nationwide panel of more than 3.5 million people. The participants received reward points (the equivalent of about 20 cents) that they could redeem for Amazon gift cards. The participants were required to provide informed consent at the time of participation, and all of them received compensation for their participation. The general demographics of the Japanese population, including sex, age, occupation, income, and region, were represented. Only those who gave consent were included in the study.

Using G*Power 3.1.9.7 (The G*Power Team, Heinrich Heine Universität), the number of participants required for multiple regression analysis with 13 independent variables was calculated to be 240 ($f^2 = .15$, $\alpha = .01$, $\beta = .95$). However, as previous studies (Bolin et al., 2021; Nippon.com, 2021) had a sample size of approximately 1,000, for this study, we collected data from 1,207 participants. The data of 348 participants were removed from the sample, including data of those who did not provide informed consent (87) and those who failed to correctly answer the question to check their attention (261). As a result, the sample size for the analysis was 859 (438 men, 421 women; $M_{\text{age}} = 44.9$, $SD = 15.1$).

Procedure

The participants who provided informed consent were asked to answer the following questions in this order: preference for justification, attitudes toward providing the real names of juvenile offenders, beliefs about juvenile offenders, perceptions of juvenile delinquency, and additional measures. Participants were first asked about their “justification preferences” to avoid affecting the dependent variable, and afterward were questioned about attitudes toward providing real names of juvenile offenders and other attitudes that were more likely to affect the dependent variable.

Attitude toward reporting real names

Participants’ attitude toward reporting real names was the dependent variable in the current study. After a brief explanation of the amendment to the juvenile criminal code, the participants were asked to answer the question, “What do you think about lifting the ban on reporting the real names of juvenile offenders?” They responded on a six-point scale, ranging from 1 (strongly disagree) to 6 (strongly agree), with a higher score representing greater support.

Preference for justification

Justification preference was measured by entering a numerical value for the percentage of preference for each justification, where the overall goal for punishment was 100%. In the past, the normative theory of criminal punishment was based on a hybrid structure consisting of four justifications (Hoskins, 2020; Robinson, 1987). According to this structure, people’s evaluation of justifications is a trade-off relationship in which focusing on any one of them leads to a de-emphasis of another; the most desirable blend of conflicting justifications has been discussed from the perspectives of policy and the general public’s preferences (Hoskins, 2020; Robinson, 1987). A method that measures justifications separately on a Likert scale would homogenize the scores, making it impossible to discern which justifications are actually highly valued (Watanabe et al., 2022). Therefore, the methodology of this study was based on this hybrid theory, and preference for justification was measured as the relative strength of each preference with a total punishment target of 100%. The items of the questionnaire were as follows:

How much do you value the following ideas? Please enter the percentage of importance you place on each so that the total is 100%.

General deterrence: Deterrence attempts to prevent the future committal of crimes

through the threat of future punishments that outweigh an individual's motivation to commit future criminal acts.

Retribution: Retribution relies on the idea that for justice to be served, an offender deserves to be punished in a manner that is proportionate to the severity and moral heinousness of the committed crime.

Incapacitation: Incapacitation aims to remove offenders from society to protect the public from future unlawful behavior.

Rehabilitation: Rehabilitation seeks ways to actively reform and address the underlying reasons for an offender's criminal behavior so that an individual will not reoffend.

For the description of the justifications, we used the items in Berryessa (2018, p. 245) for clarity and brevity. Notably, this measure included a “precedent,” which was theoretically unrelated to the four justifications. This was a dummy and a technical device to reduce multicollinearity among the justifications.¹ Therefore, it was not analyzed in this study.

Beliefs about juvenile offenders

In addition to justifications, we assessed the participants' beliefs about juvenile offenders (i.e., adolescent development and environmental influences) as predictors of attitudes toward reporting real names. As in Trzcinski and Allen (2012), we asked them about the age at which people become fully responsible for their actions. Next, we randomly presented three items from Trzcinski and Allen (2012)² and asked the

¹ Without the dummy, increasing the ratio of justification A will directly decrease the ratios of the other three (i.e., B, C, and D). The independence of the observed values cannot be satisfied (multicollinearity). When the dummy is included, the total value of the four justifications is mathematically “100 - dummy.” As the dummy serves as a buffer, the increase or decrease in A is not directly reflected in the ratios of B, C, and D. This eliminates the violation of independence of the observed values to some extent.

² In this study, we did not use the item “Adolescents under the age of 18 and who commit violent offenses are strong candidates for rehabilitation (candidates for rehabilitation)” because it overlapped with the justification preference for rehabilitation. Additionally, we replaced the five-point scale used by Trzcinski and Allen (2012) with a six-point scale (“1 = strongly disagree” to “6 = strongly agree”) to be consistent with our other scales.

participants to rate these on a six-point scale, ranging from 1 = strongly disagree to 6 = strongly agree. The three items from Trzcinski and Allen are as follows: “An adolescent’s ability to control their impulses and understand the consequences of their actions should be taken into consideration when deciding the punishment for an adolescent (control impulses),” “Adolescents abused as children should receive the same sentence for committing a violent offense as an adult (childhood abuse),” and “Peer pressure should be taken into consideration when deciding the punishment for an adolescent (peer pressure).”

Perception about juvenile crimes

Based on the finding that the revision of the Japanese Juvenile Code had the social background of punitive populism (Hamai & Ellis, 2006), we added two items to explore the possibility that attitudes toward providing the real names of juvenile offenders also included biased perceptions of juvenile crime: “Recently, juvenile crime has become more violent (worsening)” and “Recently, juvenile crime has increased.” As the correlation between the two was high ($r = .82$), we averaged them to obtain a single index.

Demographic variables

The participants’ demographic data, including sex, age, marital status, parental status, residence, and occupation, were linked to their IDs and provided to researchers. Participants provided this information at the time of registration and updated it if it had changed.

Statistical analysis

The percentages that each participant in the hybrid measure assigned to each justification preference were averaged to obtain the total percentage of preferences for general deterrence, retribution, incapacitation, and rehabilitation. The demographic variables used in the analysis were coded as 1 and 2, except for age (see Table 2 for details). First, correlations between these variables were examined. Next, a multiple regression analysis was conducted to clarify the relationships among the four justification ratios, the four beliefs about juvenile offenders, perceptions of juvenile delinquency, and demographic variables such as sex, age, marital status, and parental status, for a total of 13 independent variables, and attitudes toward reporting real names as the dependent variable. The independent variables were standardized to a mean of 0 and a standard deviation of 1 by z-score normalization because the units of these variables differed according to ratio and coding. To meet the assumptions of the regression analysis, we also

verified normality—that is, whether the residuals followed a normal probability plot—and homogeneity of variance—that is, whether the residuals were scattered and the observed values were independent of the correlation coefficient. All analyses were performed using the statistical software HAD (Shimizu, 2016).

Results

Descriptive statistics and correlations for the analyzed data are presented in Table 1 ($N = 859$).

[Table 1 about here]

Attitudes toward reporting real names of juvenile offenders

The participants responded to the question “What do you think about lifting the ban on reporting the real names of juvenile offenders?” on a six-point scale (1 = strongly disagree, 2 = disagree, 3 = somewhat disagree, 4 = somewhat agree, 5 = agree, and 6 = strongly agree). Their attitudes toward reporting real names were mostly in favor ($M = 5.03$, $SD = 1.03$; Figure 1). There were two rapid numerical changes between “somewhat disagree” ($N = 37$, 4.3%) and “somewhat agree” ($N = 202$, 23.5%) and between “agree” ($N = 241$, 28.1%) and “strongly agree” ($N = 361$, 42.0%).

[Figure 1 about here]

Preference for justification

The preference for justification, measured as the relative strength of the overall punishment goal of 100%, was highest for retribution ($M = 26.98$, $SD = 12.63$), followed by general deterrence ($M = 25.41$, $SD = 12.16$) and incapacitation ($M = 18.59$, $SD = 12.58$). Preference for rehabilitation was the lowest ($M = 13.37$, $SD = 11.33$), only half of the score for retribution. In terms of support for reporting juvenile offenders’ real names, justification was divided into two categories: general deterrence, retribution, and incapacitation, which were positively correlated with support for reporting real names ($r_s = .08-.22$, $p_s < .02$), and rehabilitation, which was negatively correlated ($r = -.35$, $p < .001$).

Beliefs about juvenile offenders and perception about juvenile crimes

In terms of beliefs about juvenile offenders, the mean age at which the participants believed that juveniles could take responsibility (age of responsibility) was 16.67 years ($SD = 2.96$), which is below the standard age (18 years) for reporting real names; this

item was negatively correlated with support for reporting real names ($r = -.33, p < .01$). The scores of control impulses ($M = 3.48, SD = 1.24$) and peer pressure ($M = 3.58, SD = 1.17$) were almost at the theoretical midpoint, and the former had a negative correlation with support ($r = -.16, p < .01$). The items of juvenile childhood abuse ($M = 4.10, SD = 1.28$) and perception about juvenile crimes ($M = 4.35, SD = 1.33$) were positively correlated with support for reporting real names ($r_s = .25-.38, p_s < .01$).

Demographic variables

The demographic characteristics of all participants are presented in Table 2. The participants ranged in age from 18 to 88 years ($M = 43.9, SD = 14.9$). The sex composition of the sample was almost equal (men = 607, women = 600). The sample comprised more people who were married (668) than those who were unmarried (539) and more people who did not have children living with them (648) than those who did (559). Most of the respondents lived in the Kanto region, mainly in Tokyo (458), and the Kinki region, which includes large cities such as Osaka and Kyoto (239), with the remainder scattered among the other six regions (510). In terms of occupation, more than 70% of the respondents were office workers (501), part-time workers (179), and full-time housemakers (168), which is fairly representative of the general Japanese population.

[Table 2 about here]

Multiple regression analysis

To identify the factors that predict participants' attitudes toward the reporting of real names, we conducted a multiple regression analysis with attitude toward reporting of real names as the dependent variable and the ratio of the four justifications, beliefs about juvenile offenders (the age at which people can be considered responsible for their actions, control impulses, childhood abuse, and peer pressure), perception about juvenile crimes, sex, age, marital status, and parental status as independent variables. The results are illustrated in Table 3 (See Supplementary Material for analysis results using the ordered logit model).

[Table 3 about here]

As for justification, consistent with our hypothesis, a higher preference for rehabilitation was associated with stronger disapproval for reporting real names ($\beta = -.13, p = .00$), while a preference for general deterrence and incapacitation significantly

predicted support for reporting real names ($\beta = .08, p = .05$, $\beta = .10, p = .02$, respectively). However, contrary to our hypothesis, preference for retribution did not predict support for the reporting of real names ($\beta = .02, p = .61$). Notably, some variables related to differences between adults and juveniles affected attitudes toward reporting real names more than justification preferences. Regarding beliefs about juvenile offenders and crime perception—the lower the assumed age of responsibility, the stronger the support for reporting real names ($\beta = -.20, p = .00$). Moreover, the weaker the need to consider control impulses, the stronger the support for reporting real names ($\beta = -.10, p = .00$). The stronger the belief that juveniles abused as children should be punished the same as adults, the more strongly participants supported reporting real names ($\beta = .19, p = .00$). The stronger the perception that juvenile crimes were worsening or increasing, the stronger the support for reporting real names ($\beta = .12, p = .00$). Further, women were significantly more likely to disapprove of reporting real names compared to men ($\beta = -.08, p = .02$), and older participants were more likely to disapprove ($\beta = -.11, p = .00$). None of the other independent variables were significant. The model explained a significant portion of the variance in participants' responses ($R^2 = .287$, $R_{adj}^2 = .276$, $F(13, 845) = 26.14, p = .00$).

Discussion

Study findings

The present study confirms that the public's support for reporting the real names of juvenile offenders is quite strong. When divided into “for” and “against,” the approval rate in this study was 93.6%, which is higher than that reported by Kakekomu (79.0%; 2021) and Nippon.com (43.3.%; 2021). Even the death penalty, which is strongly supported by the Japanese public, had an approval rate of 80.8% (Cabinet Office & Government of Japan, 2019: Figure 2); therefore, the high approval rate for reporting real names in this study is quite surprising. The percentage of participants who responded “agree” (28.1%) and those who responded “strongly agree” (42.0%) varied significantly. This indicates that support for the proposal was quite high. In Japan, where the population density is relatively high, and there are many reporters and journalists, it is relatively easy to identify juvenile offenders, although pretending they are “unknown” has become a social norm (Mizutani et al., 2004). Thus, since the privacy of juvenile offenders substantially depends on the self-control and moral values of the people around them (who know but do not make it public), the resistance of Japanese people to the lifting of the ban on reporting juvenile offenders' real names is considered weak.

The relationship between justification preferences and attitudes toward reporting real names

To clarify the factors that predict citizens' attitudes toward reporting the real names of juvenile offenders, this study focused on preferences for justification as an effective predictor of attitudes toward punishment and justice (Payne et al., 2004). Following a previous study (Bolin et al., 2021), we conducted a multiple regression analysis by adding beliefs about juvenile offenders, perceptions of delinquency, and demographic variables as additional independent variables. As a result, only Hypothesis 2 was not supported, as retribution was not related to attitudes toward reporting by name; the other three hypotheses were supported. As hypothesized, preference for rehabilitation predicted rejection of publication of real names, suggesting that fear of impeding the rehabilitation of juvenile offenders promoted the belief that their real names should not be published. Moreover, as hypothesized, preference for general deterrence predicted support for reporting real names, suggesting that anticipation of the deterrent effect of "stigma" (Rasmussen, 1996) may promote the idea that offenders' real names should be reported.

The preference for incapacitation also predicted support, as hypothesized; although the reporting of real names does not involve physical punishment, as in incarceration, it leads to the expectation of voluntary isolation of the juvenile offender. In Japan, there is an idiom, "*hari no mushiro*" (a carpet of needles); people who commit a social offense are likely to feel uncomfortable, as though they were sitting on a carpet of needles, due to the condemnation and hostility they receive from the people around them. The participants' preference for incapacitation, in which society should not be exposed to risk factors, may be an indication of their expectation that juvenile offenders whose names were reported would avoid society and thereby social condemnation. This expectation may be based on the characteristics of Japanese society embracing a culture of shame (Kirchner et al., 2018; Lebra, 1983), where individual social behavior is strongly regulated by shame (Leonardsen, 2006).

The preference for retribution, however, did not predict a positive attitude toward naming offenders. In general, a preference for retribution was supported (Carlsmith, 2006) and strongly predicted support for the death penalty and LWOP (Ellsworth & Gross, 1994; Greene & Evelo, 2013; Griffin, 2021; Jiang et al., 2010; Radelet & Borg, 2000; Tyler & Weber, 1982). However, people did not favor naming offenders even when they had a strong preference for retribution. This suggests that, unlike the death penalty, giving real names is not seen as a counterbalance to guilt. The findings of the present study were similar in several respects to those of research on severely punitive juvenile justice policies in the United States. For example, general deterrence and incapacitation predict

support, while rehabilitation predicts disapproval of LWOP sentences for juvenile offenders (Greene & Evelo, 2013). For blended sentencing, the belief that juveniles should receive the sanctions they deserve as adults predicts support (Garland et al., 2012). These previous studies were also consistent with Japanese attitudes toward real-name reporting. This suggests that universal beliefs, independent of culture and system, are involved in attitudes toward juvenile justice.

Theoretical and practical implications

Is the strong support for naming offenders found in this study an effect of penal populism? Previous research has suggested the influence of penal populism as a social background for juvenile justice reforms in Japan (Ellis & Kyo, 2017; Fenwick, 2013; Hamai & Ellis, 2008; Miyazawa, 2008). In the present study, the relationship between preferences for rehabilitation, general deterrence, and incapacitation and attitudes toward real-name reporting suggests that fear of hindering rehabilitation leads people to refrain from real-name reporting, whereas the belief that it is useful to deter crime promotes support for real-name reporting. Additionally, perceptions of juvenile crime, such as crime aggravation, predicted support for reporting the correct names. Therefore, support for naming offenders could be viewed as a manifestation of penal populism. This study suggests the importance of awareness that future juvenile policy in Japan can be influenced by penal populism.

Another theoretical implication of this study is that the results may indicate symbolic discrimination against juvenile offenders. Symbolic discrimination is a concept that has been proposed in the context of racial discrimination (e.g., Henry & Sears, 2002) and discrimination against individuals who are believed to gain an unfair advantage or avoid responsibility by resisting their discrimination. As shown in this study, the younger the age at which responsibility is assumed and the less control impulses and childhood abuse are considered, the greater the support for reporting real names. This suggests a reaction against juvenile laws that prioritize rehabilitation over severe punishment for juveniles. Hence, many Japanese people are dissatisfied with the legal distinction between juveniles and adults, that is, “There is no need to treat juveniles unjustly and gently just because they are juveniles. They should be treated the same as adults.” This attitude, which is similar to symbolic discrimination, may also be stronger than the participants’ individual justification orientation and may be driving support for reporting real names.

The by-laws of the revised law state that it will be “reviewed five years after its enforcement in light of changes in social conditions and other factors.” As the impact of reporting the real names of juvenile offenders on themselves and society is beyond the

scope of this study, it is not possible to discuss whether real names should be reported. This study, approached from the perspective of justification preferences, suggests the possibility that support for giving real names is derived from penal populism and that symbolic discrimination against juvenile offenders is involved in the formation of this attitude. The argument that “they are still a juvenile, so we should refrain from giving their real name” does not convince the proponents of this motion. Instead, focusing on the differences between juveniles and adults, and clarifying why the difference should be taken into consideration, may help those who advocate the traditional position of protection and rehabilitation of juveniles to argue with the supporters. However, the age at which juveniles are expected to become responsible ($M=16.67$) may be considered unfair because it is below 18, which is the current standard for withholding real names. Additionally, as the preference for retribution did not predict support, the criticism that “reporting real names does not offset crime” will have little impact on the attitudes of proponents. In the next five years after this historic turning point, changes in these preferences and beliefs will need to be carefully monitored as a part of the social context when reviewing this amendment.

Limitations and future research

We have demonstrated the utility of applying a justification preference approach to the new domain of “reporting of real names of juvenile offenders.” However, this study had several limitations. The results showed that 93.6% of the participants favored giving real names, a much higher percentage than the 79% from Kakekomu (2021) and 43.3% from Nippon.com (2021). To accurately understand the reality of public attitudes, it is necessary to clarify the cause of this difference. The earlier surveys included “neither” or “I am not sure” as response options, which may have reduced the number of “agree” responses. However, the small sample size and age bias in these surveys may also have influenced the differences in the results. The sample size of this study was 859, which was almost the same as that of the previous study; however, the sample did not include the teenagers who belong to the same age groups as the juvenile offenders who are the target of the revised law. Teenagers’ opinions may differ from those of older generations. This needs to be re-examined with a sample that is not biased by age. Another limitation may be that the participants in this study were recruited via the Internet; therefore, only those with access to the Internet were included. Since the data were collected through participants’ self-reports, implicit attitudes, which are separate from (easily reportable) explicit attitudes (Wilson et al., 2000), might have been measured. Future studies need to improve participant recruitment and response methods.

Additionally, moral values were not measured in this study. Given that much research has applied Moral Foundations Theory (Graham et al., 2013) to examine how intuitive moral concerns about different types of offenses shape punitive attitudes (e.g., Silver, 2017), this study would also need to be validated using the Japanese Moral Foundations (Matsuo et al., 2019). The factors of the moral foundation include (1) care, which protects the vulnerable; (2) fairness, which abhors injustice; (3) ingroup, which respects society; (4) authority, which respects authority; and (5) purity, which abhors impurity. Although the correspondence with the justification of punishment is not clear, “fairness” against the fact that “the juvenile committed the crime” would influence support for reporting real names. “Ingroups” may also play a role in support, given that the results showed general deterrence and incapacitation for the purpose of social safety strengthened support for reporting real names.

Furthermore, this study only measured perceptions of juvenile crime and not perceptions of crime in general. Comparisons with crime in general would be necessary to determine whether the findings of this study apply only to juvenile offenders. In relation to criminal populism, the interaction between justifications (particularly general deterrence and incapacitation) and perceptions of juvenile crime may need to be examined. In addition, a comparison of real-name reporting with adult offenders using justification preferences as a cut-off point would reveal differences with juvenile offenders. It would also be worthwhile to analyze over time how support for real-name reporting, which was highly favored in the current study, will change in the future.

The formal education of the respondents and the level of daily contact with the media should also be measured. It has been shown that the higher the level of education, the more likely an individual is to provide juveniles with due process protections and the less likely they are to support harsh punishment (Schwartz et al., 1993). Given that moral panic is often fueled by the media (Hamai & Ellis, 2006), the attitude toward reporting the real names of juvenile offenders may differ depending on participants’ level of media exposure. Women and older people showing more disapproval for reporting real names is a direction for future research.

The hybrid measure used in this study (Watanabe et al., 2022) may be highly useful in its application to research related to justification preferences and the study of punishment and justice based on the preference. The logic of this measure is as follows. For example, to determine which subject a child with high scores in all subjects is good at, we can have them take tests in several subjects within a strict time limit and determine the subject with the highest score. The better they are at the subject, the higher the score, even if the subject has to compete with other subjects for time. Similarly, a hybrid measure of relative

strength is more effective for examining the true preferences of conflicting justifications than a Likert scale, which can lead to perfect scores for all justifications. However, this may require some modifications. The computational task of assigning numbers to obtain a total of 100 may have been intuitively more difficult than answering on a Likert scale. It might have been better to replace the slider with a drag-and-move method. To replicate this result with additional samples, these changes would need to be made to the methodology.

Conclusions

This study examined the factors predicting Japanese citizens' attitudes toward disclosing juvenile offenders' real names in terms of preferences for justification. A total of 1,207 participants completed an online survey. The results showed that preferences for rehabilitation predicted opposition to the disclosure of real names, while preferences for general deterrence and incapacitation predicted support. Some beliefs about juvenile offenders and perceptions of delinquency also predicted support. These results suggest that penal populism and symbolic discrimination against juvenile offenders underlie citizen support for real-name reporting.

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Data availability statement

The data that support the findings of this study can be found at the following link.

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Figure caption

Figure 1. Attitudes toward reporting the real names of juvenile offenders

Note: The number of participants who chose each option is illustrated.

Tables

Table 1. Descriptive statistics and zero-order correlations.

	<i>Mean</i>	<i>SD</i>	1	2	3	4	5	6	7	8	9	10	11	12	13
1 Attitude	5.03	1.03													
2 General deterrence	25.41	12.16	.17**												
3 Retribution	26.98	12.63	.08*	-.23**											
4 Incapacitation	18.59	12.58	.22**	-.27**	-.19**										
5 Rehabilitation	13.37	11.33	-.35**	-.32**	-.32**	-.29**									
6 Age of responsibility	16.67	2.96	-.33**	-.14**	-.07*	-.13**	.17**								
7 Control impulses	3.48	1.24	-.16**	-.06	-.04	-.15**	.20**	.08*							
8 Childhood abuse	4.10	1.28	.38**	.14**	.14**	.20**	-.34**	-.21**	.00						
9 Peer pressure	3.58	1.17	-.05	.04	-.02	-.08*	.09**	.06	.41**	.09**					
10 Crime perception	4.35	1.33	.25**	.14**	.10**	.10**	-.21**	-.13**	.18**	.48**	.27**				
11 Sex	1.49	.50	-.08*	-.02	-.03	.04	.05	.06	.10**	-.09**	.03	.08*			
12 Age	44.93	15.14	-.08*	.07*	.03	-.12*	.00	.10**	-.01	.04	.07	.12**	-.32**		
13 Marital status	1.57	.50	-.02	.05	-.01	-.02	-.05	.01	.00	.01	.08*	.04	-.02	.40**	
14 Parental status	1.53	.50	.06	-.03	.02	.05	.02	-.08*	-.01	.02	-.09	-.03	.04	-.42**	-.69**

* $p < .05$ ** $p < .01$

Table 2. Demographic characteristics of the participants.

Sex	N	%	※Coded				Region	N	%	Major cities
Men	607	50.3	1				Hokkaido	60	5.0	Sapporo
Women	600	49.7	2				Tohoku	79	6.5	Sendai
Total	1207	100.0					Kanto	458	37.9	Tokyo, Yokohama
							Chubu	183	15.2	Nagoya
							Kinki	239	19.8	Osaka, Kyoto
							Chugoku	63	5.2	Hiroshima
							Shikoku	33	2.7	Matsuyama
							Kyushu	92	7.6	Fukuoka
							Total	1207	100.0	
Age	Mean	SD	Min	Max	Median					
	43.9	14.9	18	88	43					
Age group	N	%					Occupation	N	%	
15–19	16	1.3					Public servant	39	3.2	
20–29	229	19.0					Executives	16	1.3	
30–39	282	23.4					Office worker (clerical)	187	15.5	
40–49	236	19.6					(Technical)	132	10.9	
50–59	256	21.2					(Other)	182	15.1	
Above 60	188	15.6					Self-employed	49	4.1	
Total	1207	100.0					Freelance	31	2.6	
							Full-time homemaker	168	13.9	
							Part-time	179	14.8	
							Student	72	6.0	
							Other	152	12.6	
							Total	1207	100.0	
Marital status	N	%	※Coded							
No	539	44.7	1							
Yes	668	55.3	2							
Total	1207	100.0								
Parental status	N	%	※Coded							
No	559	46.3	1							
Yes	648	53.7	2							
Total	1207	100.0								

Table 3. Multiple regression analysis with attitude toward reporting the real names as the dependent variable.

Independent variable	β	p	95% CI		VIF
General deterrence	.08*	.05	0.00	0.17	2.10
Retribution	.02	.61	-0.06	0.10	1.89
Incapacitation	.10*	.02	0.02	0.18	2.01
Rehabilitation	-.13**	.00	-0.22	-0.05	2.18
Age of responsibility	-.20**	.00	-0.26	-0.14	1.14
Control impulses	-.10**	.00	-0.16	-0.03	1.31
Childhood abuse	.19**	.00	0.12	0.26	1.49
Peer pressure	-.03	.41	-0.09	0.04	1.30
Crime perception	.12**	.00	0.05	0.19	1.52
Sex	-.08*	.02	-0.14	-0.01	1.21
Age	-.11**	.00	-0.18	-0.04	1.51
Marital status	.02	.58	-0.06	0.10	2.00
Parental status	.01	.73	-0.07	0.10	2.03
R^2	.29	**			
Adjust R^2	.28	**			
F	df	p	AIC	BIC	
26.14	13, 845	.00	2230.94	2302.27	

Note: Coefficients represent standardized coefficients. CI: confidence interval, VIF: variance inflation factor.

* $p < .05$ ** $p < .01$.