Children's Legal Rights Journal

Volume 34
Issue 3 *2014*

Article 12

1-1-2014

Around the World: A Comparison of Approaches to Gun Homicides in the United States and Japan

Shay Raoofi

Around the World:
A Comparison of Approaches to Gun Homicides in the United States and Japan

By Shay Raoofi

The United States has experienced youth gun violence throughout the country: from Newtown, Connecticut to Blacksburg, Virginia, all the way to Aurora, Colorado. Death tolls have ranged from zero to beyond thirty-three in some cases. In 2008, the United States grieved 11,101 total firearm homicides while Japan faced only 11. The discrepancy in these numbers not only raises concern, but also many questions. This reality leads us to wonder what the United States is doing wrong and what Japan is doing right.

In the United States, the rates of death for children and teens resulting from gun violence significantly overwhelm the total amount of deaths among all citizens of Japan. According to the Children's Defense Fund, in 2008, there were 2947 children and teens killed by gunfire in the United States. This number would have increased to 20,596 had it accounted for non-fatal gun injuries of the same demographic. Nevertheless, the annual firearm homicide rate in 2008 for all ages in Japan must increase by 267.9 times to match the annual firearm homicide rate in 2008 for children and teens in the United States. The 2008 statistics further provide that the gun homicide rate in the United States for teens and young adults between the ages of 15 and 24 was 42.7 times higher than the combined rate for other nations.

Each nation tackles the issue of gun homicides using varying methodologies. When compared, the most basic ways the United States and Japan have differed in their approaches is in how each nation has addressed gun ownership and accessibility. These are the two underlying causes of youth gun violence. The United States, for one, has pursued a variety of indirect tactics to curb youth gun violence by highlighting social, psychological, and economic factors, whereas Japan has directly fixated on limiting accessibility to guns altogether. The United States utilizes a public health approach, which does not take concern with the individual person, but rather focuses on different conditions and problems that affect health. Under this method, the objective is to maximize the benefit to the largest number of individuals as possible. The United States' public health approach to violence is premised on the idea that by preventing health problems, better care and safety will be extended to the entire population as a result.

In particular, the public health approach entails ten scientifically credible violence prevention strategies that communities should pursue to reduce the amount of violence in communities. These include: (i) increasing safe, stable, and nurturing relationships between children and their parents and/or caretakers; (ii) reducing the availability and misuse of alcohol; (iii) lessening the access to lethal means, such as guns, knives, and pesticides (often used to commit suicide); (iv) improving life skills and enhancing opportunities for children and youth; (v) promoting gender equality and empowering women; (vi) changing cultural norms that support violence; (vii) refining criminal justice systems; (viii) improving social welfare systems; (ix) relieving social distance between conflicting groups; and (x) reducing economic inequality and concentrated poverty.

In contrast to the United States' tactic, Japan addresses the issue of gun violence by imposing the tightest regulation on the accessibility of guns in the industrialized world. The only permissible ownership of guns in Japan is for the purpose of sporting and hunting. As such, Japanese citizens can only legally buy and use shotguns and air rifles. Moreover, Japan has a rigorous process for legally buying and using guns, including requirements to: (i) attend an all-day class and pass a written exam that is only offered once each month; (ii) take and pass an additional shooting range class; (iii) pass a mental health and drug test at the hospital and file such records with the appropriate police authority; (iv) pass a thorough background check for any criminal record or association with criminal or extremist groups; (v) provide competent police authority with documentation on the specific location of the gun in your home, as well the ammunition, which must be stored and locked separately; (vi) allow competent police authority to inspect the gun once per year; and (vii) re-take the initial class and written exam every three years.

The history behind these different approaches to addressing gun violence can be traced back to each country's principal intention in drafting their laws. In the United States, gun laws began with the Second Amendment to the Constitution, affirming the "right of the people to keep and bear arms" and eligibility derived from there. In essence, relevant laws in the United States are designed to enshrine access to guns. In Japan, however, the first law to address gun possession was enacted in 1958 providing that, "no person shall possess a firearm or firearms or a sword or swords" and identified limited exceptions thereafter. Thus, Japan starts with the forbiddance of guns, rather than the right to bear arms.

The question to address is whether strict levels of gun access are directly correlated with gun homicide rates. While the distinct laws and vast variances in the gun homicide rates between the United States and Japan may seemingly provide a clear-cut answer, there are many cultural differences that must be taken into consideration. For instance, the Japanese police maintain a close and extensive relationship with the members of their community through police outposts called "koban." In contrast, as a product of cultural norms, American police often distance themselves from the community. In fact, typical behavior of Japanese police, such as regular visits to residents' homes to obtain a periodic update on their household, would be considered an intrusion for many Americans. Another cultural difference is that the Japanese are more tolerant of their country's broad search and seizure polices, a subject that is continually at issue and powerfully resisted in the United States.

As a consequence, children and teens in the United States are more often exposed to fatal episodes of gun violence than the children and teens in Japan. Marian Wright Edelman, the founder and president of the Children's Defense Fund, calculated that between 1979 and 2009, 119,079 children and teens fell victim to fatal episodes of gun violence in the United States. This figure represents more children and youth deaths than deaths resulting from the deadliest wars: World War I (53,402); the war in Vietnam (47,434); the Korean War (33,739); and the war in Iraq (3517). Edelman is confident that the high rates of death are attributable to the moral code of the United States and asserts that, "[t]his slaughter of innocents happens because we protect guns, before children and

other human beings[,]" as the Second Amendment to the United States Constitution clearly provides.

Despite there being a variety of differing reasons for each countries' approach to gun violence, Japan continues to focus on the enactment of direct, strict laws on accessing guns, whereas the United States emphasizes adjustments to cultural norms and surrounding environments. Moreover, in the past decade, the United States has relaxed legislation on gun control, providing state and national laws that allow a "right to carry" weapons in public places and notorious "stand your ground" defenses that justify individuals' possession of firearms.

Ultimately, the strict access to guns cannot reasonably be said to be the sole cause of the immense difference in gun homicide rates. Rather, given the unique cultures of each country, the variance is attributable to a variety of factors. As such, the time has come for a legislative change in the United States; the statistics are enough to prove the lack of effect of our current regulation on gun control.

Sources:

Alex Butchart & Chris Mikton et al., *A Public Health Approach to Developing Armed Violence Indicators*, WORLD HEALTH ORG. 1, http://www.genevadeclaration.org/fileadmin/docs/Indicators/Public_Health_Approach_to_Armed_Violence_Indicators.pdf.

Elizabeth Ruebenfien, *U.S. Police Walk Different Beat in Japan*, ASIAN WALL ST. J. 1 (Jan. 13-14, 1989), http://www.eisenhowerfoundation.org/docs/WallStJ.AsianUSPoliceWalkDiffJan89.pdf.

Fareed Zakaria, *The Solution to Gun Violence is Clear*, WASH. POST (Dec. 19, 2012), http://www.washingtonpost.com/opinions/fareed-zakaria-the-solution-to-gun-violence-is-clear/2012/12/19/110a6f82-4a15-11e2-b6f0-e851e741d196_story.html.

GUNPOLICY, http://www.gunpolicy.org/ (last visited Feb. 27, 2014).

Max Fisher, *A Land Without Guns: How Japan Has Virtually Eliminated Shooting Deaths*, ATLANTIC (July 23, 2012, 1:45 PM), http://www.theatlantic.com/international/archive/2012/07/a-land-without-guns-how-japan-has-virtually-eliminated-shooting-deaths/260189/.

Protect Children Not Guns 2012, CHILD. DEF. FUND 1 (2012), http://www.childrensdefense.org/child-research-data-publications/data/protect-children-not-guns-2012.pdf.

Ray B. Williams, *Gun Control and the Culture of Violence*, PSYCHOL. TODAY (Dec. 17, 2012), http://www.psychologytoday.com/blog/wired-success/201212/gun-control-and-the-culture-violence.