
“Prison Libraries” in Japan: The Current Situation of Access to Books and Reading in Correctional Institutions

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ABSTRACT

This article discusses the present state of access to books and other reading materials for inmates in Japan's correctional facilities. While no professionally managed libraries are provided at these facilities—which explains why the term *Prison Libraries* in the title of this article is placed in quotation marks—incarcerated persons have the opportunity to obtain personal books, magazines, and newspapers through purchase or gifts. The prison administration also provides a certain number of reading materials at various locations within the institution. These materials, however, are inadequate and do not meet the needs of the offenders. The author discusses the legal framework that specifies the right of prisoners to read and obtain information, as well as the limits imposed on this access. The article contains information obtained by the author from a recent survey of seven correctional facilities. The author includes recommendations made by various advocacy groups, including the Japan Federation of Bar Associations, for improvement of the “prison library” situation and concludes with several of his own proposals to establish professionally operated prison libraries, to develop better collections, and to enhance cooperation between correctional facilities and public libraries.

INTRODUCTION

In 1985, this author visited twenty-six prison libraries in the United States. During 1995 and 2008, he also visited seven prison libraries in the United Kingdom. These visits were most informative and provided helpful data for a comparison with the prison library situation in Japan, which is very different. Japanese prisons do not employ professional librarians and,

although a certain amount of reading materials is made available by the institution, no functional library space is provided and the materials are dispersed throughout the facility, including work areas and living quarters. Consequently there is no effective control of these materials. Cooperation with public libraries is practically nonexistent. In addition, inmates in Japanese correctional facilities generally prefer to procure their reading materials themselves through personal purchase or as gifts from friends and family.

This situation was apparent when I conducted a survey of seven correctional facilities between 2007 and 2009. This article includes a summary of the findings and describes how both self-obtained and institution-provided reading materials are made available and used by inmates. I believe that the main reason inmates do not avail themselves of the institution-provided materials is that the prison administration does not adequately meet the reading interests and needs of the incarcerated population. This is largely due to the fact that Japanese law does not include clear mandates for how prison libraries and library services are to be provided. Legal requirements and regulations from the Correction Bureau mainly refer to “self-supplied” books and barely address the matter of books and reading activities for inmates. The new Prison Law, which is discussed in some detail below, does not even include the term *library*, and Section 8 (Access to Books) is worded very vaguely when addressing the need to “make available books, etc. in the penal institution.”

In view of the prevailing inadequate library provision in the prison facilities, this study employs a broad definition of “prison library,” one that includes access to all reading materials, whether provided by the facility or obtained by the inmates themselves. For this reason the term “Prison Libraries” in the title of this article is placed in quotation marks.

CURRENT STATE “PRISON LIBRARIES” IN JAPANESE CORRECTIONAL FACILITIES

The Correction Bureau, under the authority of the Ministry of Justice, administers the prison and detention facilities—a total of 188 sites (sixty-six government financed and operated prisons, including branches; four PFI (private finance initiative) prisons, established in 2007–8; seven juvenile prisons; and 111 detention centers, including branches.¹ In 2008, the daily average number of inmates was 78,533. The lowest number of inmates in recent time was 44,876 in 1992; the population then increased gradually until 2008, when the number began to decrease.

As the result of the recently amended Prison Law (May 2005 and June 2006), major reforms have been implemented in the administration of the Japanese prison system and the treatment of offenders—both pretrial detainees and convicted felons. These reforms were the first significant

changes in one hundred years. Hereafter, the amended Prison Law will be referred to as the “New Act.”²

The main features of the New Act are as follows:

- Clarification of the rights and responsibilities of offenders and definition of staff authority, as well as any limits on these rights and responsibilities. For example, the New Act defines inmates’ right to read and to obtain personal reading materials as well as the restrictions that may be imposed on this right.
- Enhancement of offender treatment programs that support positive change and rehabilitation and prepare offenders for a successful return to society. The New Act includes mandates for these programs, including education programs, work assignments, and furloughs to pursue activities outside prison.
- Improvement of living conditions in prison. For example, the New Act allows inmates to possess more personal items (including reading materials) and defines the right to medical care.
- Improved transparency of the Prison Administration. The New Act establishes an independent audit committee of civilian experts that is supposed to visit prison facilities and prepare public reports on their operation and management.

The New Act and Directives Related to Books and Other Reading Materials

The New Act (Part II, Chapter II, Section 8, Access to Books) mandates access to books and other reading materials. Internal prison system policies and procedures have been developed to implement and regulate the provisions of the New Act, including how to manage and control all types of reading materials. This section describes in some detail how prisons manage books and other reading materials obtained by the inmates themselves from the outside (purchase, gifts), as well as the “library” collections established and maintained by the correctional facilities.

The New Act, Section 8, Article 69, defines the right to obtain personal reading materials. Article 70 states that limits on this right may be imposed in any of the following circumstances—if materials may

- disrupt institution safety and security;
- be detrimental to the “correctional treatment” of a convicted inmate;
- destroy criminal evidence (against an un-sentenced inmate).

Directions are also given on how costs will be charged to the inmates if any personal materials in foreign languages need to be translated in order to verify content (note that no costs may be imposed for translation of Braille texts for the visually impaired).

Internal prison system policies and procedures regulate in great detail the management and control of books and other reading materials. They

define the rights and limitations of staff to inspect these materials in order to determine any prohibited content. Such content includes materials that

- describe prison riots and disturbances in detail,
- describe methods of escape,
- threaten safety and security of the institution,
- support organized crime or sexual offenses,
- are detrimental to offender rehabilitation, and
- are likely to destroy criminal evidence.

Procedures are given for the inspection of reading materials, for disposal of prohibited or outdated materials, for redaction or deletion of prohibited pictures/passages, for notification to inmates of actions taken, and for reporting such incidents. Other procedures outline the process for purchasing personal books, magazines, and newspapers (how often, how many, payments, etc.) and how those items must be delivered to the inmate. Regulations related to personal property deal with the amount of reading materials an inmate may have in his/her possession and where these items must be stored. There is no limit on the amount of reading materials an inmate may possess, as long as they fit within an assigned storage locker or box (for a sentenced inmate: sixty liters for all personal belongings; for an unsentenced inmate: eighty liters for all personal belongings).

The New Act, Section 8, Article 72, states that the warden “shall make available books and other reading materials” to assist “intellectual, educational, and recreational activities . . . and other leisure time activities.” This is the only provision for a prison library in the New Act.

Policies and procedures regulate management of the institution-provided reading materials and in doing so distinguish between “general collection” and “special collection” materials. Fewer restrictions exist on access to the “general” materials than to the “special” materials. The general materials are usually freely available in work areas and living units; the special materials are made available in a controlled environment under staff supervision (at some sites referred to as “library work areas”). The purposes of the reading materials are listed as follows:

- Promoting literacy and education
- Providing legal information
- Providing career and vocational information
- Supporting recreation

The policies and procedures govern circulation functions (access hours, loan periods, loan limits) and the handling of newspapers. The rules specify that the warden shall have final authority over these functions but, at the same time, shall endeavor to provide as liberal access as possible under the given conditions of each facility. Access methods suggested include the following:

- Open shelf access where the inmates can browse and select materials in person
- Satellite collections in work areas and living units
- Bringing book carts to living units
- Delivering materials selected from the catalogs in work areas and living units

The opportunity to check out books shall be available at least two days a month, but more hours are encouraged. The minimum number of items allowed is two. Loan periods suggested are within approximately one month. Wardens are advised to consider inmate interests and preferences, as well as population size and type (sentenced inmates, inmates on death row) when deciding on newspaper subscriptions. Regulations even prescribe where to make the newspapers available (housing units, factory areas, etc.).

Results of 2007–9 Survey of Seven Correctional Facilities

The author visited seven correctional facilities between August 2007 and December 2009: Ichihara Keimusho (Ichihara Prison), Shizuoka Keimusho (Shizuoka Prison), Mine Shakai Fukki Sokushin Senta (Mine Rehabilitation Program Center), Kawagoe Shonen Keimusho (Kawagoe Juvenile Prison), Himeji Shonen Keimusho (Himeji Juvenile Prison), Tokyo Kochisho (Tokyo Detention House), and Hiroshima Kochisho (Hiroshima Detention House). These facilities range in size from approximately 400 to 3,000 inmates. Some of the facilities house both male and female offenders in separate living units. The two juvenile facilities hold inmates below the age of twenty-six. The detention centers hold both detainees in preconviction status and some convicted inmates. One facility is operated jointly by private and public agencies.

As mentioned earlier, the offenders obtain reading materials in two ways: (1) by personal purchase or gift; and (2) by loan of materials provided by the institution. The opportunity to purchase books and magazines is provided between three and eight times a month (books more frequently than magazines). There is a limit on how many materials may be ordered at a time, usually between three and six items. Inmates may also have personal subscriptions to newspapers. One facility has an arrangement for a bookseller to set up shop in the institution once a month. The total numbers of books and magazines acquired by personal purchase or as gifts range from about 3,000 to almost 23,000 a month per site.

None of the seven facilities have a functioning library or professional library staff. The reading materials provided by the institution are decentralized and located in many different areas, including work areas (factories), living units, and so-called “library work areas.” The materials are stored on shelves, book carts, or improvised storage units. Access is open and unsupervised at most sites for the general materials that are

normally available at the work areas or living units. The inmates can select reading materials on work breaks or during leisure hours. Where inmates' movement is limited, book carts are brought to the living units twice a week. Special materials (generally reference works and items related to the education programs) are usually located in the library work areas, and use of these materials is controlled by staff. The inmates may check out from three to seven items at a time, and loan periods are one to two weeks for "general collection" materials and up to three months for "special collection" materials. One site provides self-service checkout of the barcoded materials.

The collections range in size from about 5,000 to almost 26,000. They are about evenly divided between fiction and nonfiction, except for one site (Hiroshima Detention House), which has 90 percent fiction. Comic books, dictionaries, legal publications, current fiction, and materials related to vocational certification are especially popular. Some of the facilities with foreign nationals have foreign language materials with English being the predominant language. The total number of books borrowed each month varies greatly from site to site: for example, from a low of 700 (site with about 450 inmates) to 3,000 (site with 500 inmates). A large site with 1,400 inmates has about 6,000 books in circulation at a time. The prison budgets for "library" materials range from a low of 180,000 yen (US\$2,070) to a high of 900,000 yen (US\$10,345). These figures do not include the cost of newspaper subscriptions. The institutions subscribe to one or two newspapers in multiple copies (up to 68 copies/site), which are made available at the living units and—when weather permits—on poster boards in the prison yard. Prison staff (nonlibrarians) and inmates are assigned to operate and supervise the "library" operation; they range in numbers from one to four staff members and from one to thirteen inmate workers. A certain basic level of cooperation exists between public libraries and six of the correctional facilities surveyed. Local public libraries have donated "recycled" books to the prisons at various times; one public library provides deposit collections, and one public library schedules a bookmobile stop at the prison.

PROBLEMS AND CHALLENGES FOR JAPANESE "PRISON LIBRARIES"

There are many challenges to be addressed and issues to be resolved in regard to the provision of adequate library services in Japanese prisons. These services are in their infancy when compared with library services to incarcerated persons in the United States and the United Kingdom, for example. In the following sections, the issue of inadequate provision is discussed in more detail and proposals are made for the improvement of the services and the methods by which the prison administration provides access to reading materials.

Library Premises

As mentioned earlier, the predominant methods for providing access to books and other reading materials are to install some shelves with an accidental collection of books in various areas of the facility for self-service, to have inmate workers bring book carts to the living units, or to deliver to the inmates the materials that they have selected from basic “catalogs” in work areas and living units. The last method is used at the Fuchu Prison in Tokyo, the largest facility in the country with over 3,000 inmates (Tachiya, 2008). Of the seven facilities surveyed, only the Ichihara Prison approaches the operation used in the United States and United Kingdom. The author assumes that prison administrators may be reluctant to adopt a library model that requires frequent movement of inmates within the institution, requiring security staff to escort and supervise.

The fact that the New Act requires prisons to make books available does not necessarily mean that the prisons have to provide a proper library space. The decentralized model with multiple storage areas may require less staff, but it is both ineffective (does not meet inmate needs) and inefficient (increases loss and damage of materials).

In 1992 the Japan Federation of Bar Associations presented a new *Recommendation for the Treatment of Inmates and Detainees* as an alternative to the existing law (*Kaisetsu Nichibenren keiji shoguhuan*, 1994). This document states that “it is necessary to establish a library with sufficient books and other reading materials, including legal publications, to meet the needs of the inmates. In addition, prisons must improve library areas and encourage their use by the inmates.” Further, the Society for Prison Reform, a group of criminal law experts, in 1996 published the *Proposal for Treatment of Inmates and Detainees*, revised in 2002 (Keiji Rippo Kenkyukai, 2002), which also recommends the establishment of prison libraries, better access to legal resources, and facilitation in the use of library materials. The author strongly supports these recommendations and proposes the adoption of a centralized library model with better circulation control, under the supervision of professional librarians.

Collection Development and Maintenance

Since April 2005, the Correction Bureau of the Ministry of Justice has been administering a questionnaire to all offenders released from prison. This questionnaire is part of the new effort for transparency and improvement of prison conditions. In 2007–8 it was administered to 31,609 individuals with a response rate of 88 percent (Homusho Kyoseikyoku, 2008). The twenty-four questions ask about the inmate’s satisfaction with prison conditions related to staff, food, clothing, accommodations, work, education programs, health services, etc. One question asks about satisfaction with the reading materials provided by the institution (library books). Fifty-five percent deemed the collections

“inadequate,” 33 percent “average,” and 12 percent “good.” The rate of inadequacy has barely changed since 2005. A 2007/8 survey of inmates at the Mine Rehabilitation Program Center showed that 82 percent of the population found the “library” materials to be inadequate (*Keiji Shisetsu ni okeru Gyomu no Itaku no Arikata ni Kansuru Kenkyukai*, 2008).

On March 31, 2009, the total number of library-provided materials in the Japanese prisons was 1,453,000: General Works (36,000); Philosophy (54,000); History (59,000); Social Science (93,000); Natural Sciences (42,000); Technology (37,000); Business (20,000); Art (123,000); Language (70,000); Literature (919,000).³ These relatively high quantities do not, however, guarantee the quality and relevance of the collections.

Three factors contribute to the inadequacy of the collections:

- Limited access (even prisons with large collections do not make all materials available to all inmates, and decentralized locations limit the number of materials available)
- Limited subject coverage or irrelevant content (e.g., too few magazine titles, insufficient legal materials)
- Many outdated and unattractive items (no regular weeding of materials, many items in bad condition)

The satisfaction questionnaire for released offenders contains one question about “good things in prison.” In 2007–8, 26.5 percent responded “reading.” Another question asks about any benefits from serving a prison sentence, and 14.8 percent responded “developed reading and study habits.” The responses indicate that more inmates would probably pursue these positive activities if a library could provide more quality materials.

In 2007–8 even the large Tokyo Detention House with approximately 3,000 inmates allocated only 900,000 yen (US\$10,200) for library materials. In 2009–10 the total book budget for all the correctional facilities was approximately 41,000,000 yen (US\$464,000).⁴ It would appear impossible to meet the reading needs of a diverse inmate population with this budget.

Need for Professional Library Staff

Currently, no qualified professional librarians are employed by the prison system. Education staff manage the institution-provided reading materials and the process for inmates to obtain their own reading materials. Inmate workers assist with these functions. This was the situation at six of the seven institutions examined by the author. The Mine Rehabilitation Program Center employed three persons from private business to handle the book operation.

Under the present situation, with no librarians working in prisons, a minimum requirement should at least be the training of prison staff in basic library operation and processes. Such training, however, is still not

provided. (More than half a century ago, from 1952 to 1954, such workshops were actually offered.) The aforementioned *Proposal for the Treatment of Inmates and Detainees* calls for "the warden of a penal institution to employ a qualified librarian to ensure that the inmates have the opportunity to conduct research, obtain information, and consult books at any time." This is indeed an urgent need.

Need for Collaboration with Public Libraries

No accurate data is available on how many public libraries have established working relationships with correctional institutions in the areas of interlibrary loan or other outreach services. In preparation for this article, the Correction Bureau was asked for this information, but was unable to provide it. It is interesting, however, to note that the Committee on Library Services to People with Disabilities of the Japan Library Association reported that in 1998 twenty-three public libraries provide loan services to correctional institutions. This data was obtained from a national survey in that year on public library services for people with disabilities (Nihon Toshokan Kyokai Shogaisha Sabisu Inkai, 1999). Donations of "recycled" books from public libraries are quite common, whereas regular loan services and professional consultation are rarely available.

One can observe that prison administrators are generally not receptive to the idea of receiving loan services from libraries on the outside. One assumes that this reluctance is based on security concerns, the fear of having to pay restitution of lost and damaged books, and the associated management tasks. This attitude persists in spite of the encouragement given in the New Act, Article 90, to such cooperation with the outside community. This article states that the warden shall, in the furtherance of inmate rehabilitation, seek cooperation with inmate families, community volunteers, and other public and private organizations. Article 6 of the New Act states that the warden shall seek input from other government agencies and from persons with relevant knowledge and experience. These directives should provide a solid foundation for future collaboration between correctional institutions and public libraries. Additionally, the *Proposal for Treatment of Inmates and Detainees* recommends that inmates be allowed to borrow books from outside libraries and that prisons should participate in regional library networks.

Collaboration and network participation require willing partners on both sides, and public libraries have not been particularly interested in outreach to incarcerated persons. And although the Japan Library Association is supportive of library services to people with disabilities, it has yet to advocate for services to one population group with special needs; that is to say, incarcerated individuals. Incidentally, at four new prisons, established as joint public-private ventures (PFI prisons), as part of an effort

to relieve overcrowding, private publishing companies manage library operation and education related activities. However, there are concerns about a private business providing adequate library services, since there is always the danger that profit will be the first priority.

Limits on the Right of Prisoners to Access Books and Other Reading Materials

The New Act states that the prison administration may impose a variety of disciplinary sanctions for infraction of prison rules and disobedience of staff (Articles 150–52). Two of these sanctions suspend access for inmates to books and other reading materials. The first sanction involves full or partial denial of access to reading materials (except for legal materials deemed necessary for the protection of the rights of criminal defendants) for a period not to exceed thirty days. The second sanction involves disciplinary confinement in segregation cells, normally for a period of up to thirty days. For persons over twenty years, the period may be extended to sixty days for especially serious infractions. Segregation confinement prohibits access to all reading materials, except for legal materials deemed necessary for the protection of the rights of criminal defendants.

In 2008, the total number of inmates denied access to reading materials under both sanctions was 60,147. The total number of inmates who received all other types of sanctions was 11,303. This means that the suspension of access to reading materials is, unfortunately, the most frequently used type of punishment (*Kyosei tokei tokeihyo*, 2008). There are serious doubts about the benefits of depriving people of the opportunity to read. Reading has many rehabilitative benefits, both in regard to behavior and mental health, and should be permitted in principle.

While the New Act was under development, the Japan Federation of Bar Associations also objected to these sanctions, describing them as too severe, counterproductive, and even inhumane. The federation was of the opinion that reading enriches human beings and deepens their capacity for reflection, and it suggested giving inmates access to at least certain motivational, religious, and spiritual works (*Nihon Bengoshi Rengokai*, 2005). The *Recommendation for the Treatment of Inmates and Detainees* also criticizes sanctions that deprive inmates of reading materials.

Censorship

The New Act, Article 70, defines the types of reading materials that inmates may not possess or have access to. As mentioned, they are materials that may: disrupt institution safety and security; be detrimental to the “correctional treatment” of a sentenced inmate; or destroy criminal evidence against an unsentenced inmate.

The New Act gives no further guidance and leaves it up to prison administrators to interpret these directives. They are vague and easily prone to subjective interpretations. This means that a potential for arbitrary decisions exists. The need for clearer and more precise criteria for “inclusion”

and “exclusion” is illustrated by complaints from inmates and the 2008 request by a regional prison audit committee for clarification on the exact censorship criteria being applied. The inmates complained about the limited choice of books and that too many books are being banned (Homusho, 2008).

The Japan Federation of Bar Associations has requested that the language of Article 70 be changed from the vague “may” or “have the potential” to disrupt safety and security, etc., to a more fact-based expression like “present an obvious or proven risk” to safety and security, etc. (Nihon Bengoshi Rengokai, 2005, p. 2). Furthermore, the association is of the opinion that any restrictions on inmates’ access to commercially published materials are unnecessary. The association also believes that the elimination of censorship would reduce the workload for prison staff who have to inspect a large number of publications (Nihon Bengoshi Rengokai, 2005, p. 16). The association’s *Recommendation for the Treatment of Inmates and Detainees* states that inmates shall not be denied access to books, magazines, newspapers, and other commercially published documents and drawings. Similarly, the *Proposal for Treatment of Inmates and Detainees* by the Society for Prison Reform supports the elimination of censorship, arguing that officials in charge should open the books in the presence of the inmate who requested them, and that the books should not be censored because of content.

CONCLUSION

Since the New Act went into effect in 2006 and opened up the opportunity for inmates to have more personal belongings, the number of books and reading materials obtained by prison inmates through personal purchase or gifts has increased significantly and has almost doubled at some sites. While it is gratifying to see this heightened interest in reading, there are still some reasons for concern. Inmates may be inclined to spend too much of their own money, which could otherwise be saved for their release date or for victim compensation. Secondly, being permitted to have large personal collections of books creates a gap (as well as motivation for theft and conflict) between the “haves” and “have-nots,” placing indigent inmates at a severe disadvantage. Thirdly, large collections of personal books may actually hinder the development of proper prison libraries. If the inmates consider that their reading and information needs are being met through self-obtained materials, they are less likely to make demands for a real library on-site, and the prison administration is more likely to believe that a library is not needed.

All incarcerated persons, regardless of economic status, have the right to read and to access information—a right that can only be exercised through access to a prison library. There is a provision in the New Act for the government to review the effectiveness of its provisions after five years:

that is to say, in 2011. The following recommendations to the Act might be considered at that time:

- That a *prison library* be mandated for each facility in Section 8 and that it be designated the primary source for reading and informational materials. This change would eliminate the phrase in Article 72 “to make available books and reading materials” and replace it with “to establish a library.” This revision would also bring the New Act into compliance with the United Nations’ Standard Minimum Rules for the Treatment of Prisoners, which in paragraph 40 states: “Every institution shall have a library for the use of all categories of prisoners, adequately stocked with both recreational and instructional books, and prisoners shall be encouraged to make full use of it.” The right to access books means nothing if no books are available in the first place.
- Move all language pertaining to the prison library to the beginning of Section 8, in order to emphasize its importance over self-obtained reading materials.
- Mitigate the restrictions on the content of reading materials, and—in the future—repeal censorship in principle.

In 2008, the National Diet (Japanese Parliament) declared the year 2010 a “National Year of Reading.” This resolution was adopted to raise public awareness of the importance of reading in our digital age. It is most appropriate that this effort should also find resonance in the prison environment. Various structured reading activities are already available, including reading and book discussion groups. These activities are part of the broader rehabilitation program. Volunteers, who may have backgrounds in education, law, and religious organizations, lead these groups. At one prison, inmates wrote book reports, which were then read and commented on by designated volunteers. At another facility, a “collective” birthday party is held once a month for inmates, where books are read aloud and poems recited.⁵ The publication of inmate newspapers and magazines is also a popular literary activity. It is hoped that in the future, 2010 will prove to have been a turning point for prison libraries in Japan and that they will finally become worthy of the name “library” that can serve for inmates’ reformation and rehabilitation and smooth reentry into society. This development would be a significant accomplishment of the National Year of Reading, as well as of the revision of the New Act.

NOTES

1. See articles (in English) discussing the Japanese prison system (Correction Bureau, 2008).
2. The full text of the New Act (in English) can be found at Japanese Law Translation (2005).
3. Information provided by the Correction Bureau of the Ministry of Justice, in response to inquiries. Records indicate the total collections to be 490,607 items in 1976, 1,007,911 items in 1993. See Nakane (1977, 1994).

4. Information provided by the Correction Bureau of the Ministry of Justice. Records indicate the total amount was 10,978,000 yen (US\$124,250) in 1977–78 and 31,981,000 yen (US\$362,000) in 1993–94. See Nakane (1977, 1994).
5. Information provided by the Correction Bureau of the Ministry of Justice.

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