

Title	The problems of the crime of public servants
Sub Title	
Author	山中, 一郎(Yamanaka, Ichiro)
Publisher	三田哲學會
Publication year	1959
Jtitle	哲學 No.36 (1959. 7) ,p.A4- A4
JaLC DOI	
Abstract	
Notes	Abstract
Genre	
URL	<a href="https://koara.lib.keio.ac.jp/xoonips/modules/xoonips/detail.php?koara_id=AN00150430-00000036-0129">https://koara.lib.keio.ac.jp/xoonips/modules/xoonips/detail.php?koara_id=AN00150430-00000036-0129</a>

慶應義塾大学学術情報リポジトリ(KOARA)に掲載されているコンテンツの著作権は、それぞれの著作者、学会または出版社/発行者に帰属し、その権利は著作権法によって保護されています。引用にあたっては、著作権法を遵守してご利用ください。

The copyrights of content available on the KeiO Associated Repository of Academic resources (KOARA) belong to the respective authors, academic societies, or publishers/issuers, and these rights are protected by the Japanese Copyright Act. When quoting the content, please follow the Japanese copyright act.

# **The Problems of the Crime of Public Servants**

*Ichiro Yamanaka*

This essay consists of four parts which is shown as follows: (a) the crime as a social phenomenon: (b) the definition of the crime of public servants: (c) the sociological significance of the study of this crime: and (d) the characteristics of the crime. In each part, the analysis of the crime conditions and situations in our society is attempted.

The crime of public servants is to be defined as a sociological concept rather than that of penal code. For it must be regarded the following points: (a) their particular criminal behavior is that of the organization man: and (b) their behaviors are based on their role and status in the political bureaucracy. Therefore in this essay, it must be dealt from the sociological standpoint.

Their criminal behavior is classified in two types, the crime of upper class public servants and the crime of lower class public servants. The former is based on the social law and the bribery in penal code, and the latter, the bribery, cheat, false pretence, embezzlement, forgery and uttering, and threat. Therefore in the crime of upper class public servants, their behavior pattern correspond to the concept of the white collar crime since they are placed at the same social stratification, upper upper or upper middle class. In the crime of the lower class public servants, their behavior pattern correspond to the ordinary crime which arises from his poor living or character. The difference between the crime of these two is distinguished by the social and economic background.

The characteristics of the crime of public servants lies in the inter-relations between the ordinary people and public servants which are distinctly contrasted with usual crime resulted from one-sided behavior.

The fundamental problems of the study of the crime of public servants exist in these points.