

Japan

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There is in Japan today a growing sense of crisis that something is fundamentally wrong with society. Some causes for the current intense public soul-searching are a decade-long recession, the inability of the government to deal with critical issues in the face of a rapidly graying society, and successive instances of corruption among government bureaucrats. Many Japanese feel that the model of development that served Japan so well during the country's "catch up and overtake the West" period after the Meiji Restoration of 1868 and throughout the reconstruction process after the end of World War II does not work in the present setting.

Under the earlier model of governance, a handful of elite government bureaucrats acted as the sole arbiter of the public good while society as a whole advanced in lock step. This system has become clearly ineffective and stifling because of society's diversification and pluralism in the face of the formidable forces of globalization. The emergence in recent years of an impressive number of civil society organizations in Japan has been, to some degree, a consequence of the public's disillusionment with the government bureaucracy. These nonprofit organizations (NPOs) and nongovernmental organizations (NGOs) are working to address the increasingly complex social needs not fully attended to by the government, such as care for the elderly, support for foreign workers, and environmental protection. The Great Hanshin-Awaji Earthquake of January 1995 was a galvanizing event for the development of civil society in Japan: The fact that 1.2 million volunteers rushed to the scene of the disaster to aid the victims was ample evidence that citizens could and were willing to take the public interest into their own hands (Yamamoto 1999).

With civil society organizations and the citizenry demanding a larger public space for themselves, the traditional state-centric system of governance has come under fundamental reexamination. The Prime Minister's Commission on Japan's Goals in the 21st Century—which

submitted its report, *The Frontier Within: Individual Empowerment and Better Governance in the New Millennium*, in January 2000—recommended that the country undergo a change that can be characterized as moving “from governing to governance.” The report argues for “establishing governance built up through joint endeavors, governance based on rules and the principle of responsibility and grounded in two-way consensus formation, rather than governance premised on one-way rule” (Prime Minister’s Commission on Japan’s Goals in the 21st Century 2000, 25). This changing nature of governance evident in Japan in recent years requires that the role of politicians change, and this chapter addresses the challenges that politicians in Japan face in representing the people in the implementation of policy decisions.

Indeed, the traditional pattern of policymaking in which government bureaucrats have played a predominant role has come under fire in recent years. The emergence of politicians as more active players in the legislative process, thus beginning to tip the power balance between themselves and bureaucrats in their favor, should be understood in this context. These politicians have begun taking legislative initiatives in areas where social needs clearly require addressing but where the government bureaucracy has constrained efforts to address them. They also have started proposing legislation that is designed to bring about structural reforms in many areas. Young members of the Diet, often labeled as the “new generation of policy tribes,” have begun taking an active part in the legislative process. Yet, these politicians are not sufficiently equipped with the necessary support structure for conducting legislative activities. Alternate sources of policy ideas from outside the government bureaucracy are very much needed in Japan, and this chapter will examine ways to strengthen them. It is important to keep in mind, however, that the role of politicians in the governance of society is not well established as yet, and it is just as important to find ways to generate more intense public policy debate on the basis of multiple policy options and more active interaction among diverse actors in society centered around politicians. There is no guarantee, moreover, that politicians, once given greater power over the government bureaucrats in decision making in legislative affairs, will necessarily serve the broad public interest better. In short, Japan faces a major challenge of constructing a new system of governance, and guidance is needed particularly to strengthen the role of politicians in bringing about a more effective and responsive system of governance.

SIGNIFICANT CHANGES IN THE LEGISLATIVE PROCESS

An Increase in the Number of Bills Sponsored by Diet Members

Until very recently, close to 90 percent of legislation passed by the Diet was drafted by government bureaucrats and sponsored by the cabinet; sponsorship of bills by Diet members made up only 10 percent. This is not to say that Diet members have always been so legislatively reticent. Former Prime Minister Tanaka Kakuei was well known for his aggressive sponsorship of bills: thirty-six pieces of legislation between 1950 and 1962, including some key bills related to land development and living conditions (Nishikawa 2000, 142–143). But over the years, the number of bills sponsored by Diet members declined to such an extent that Doi Takako, when she was Speaker of the House of Representatives, established a private advisory commission to look into the matter. The report, “Ways to Reinvigorate Legislative Initiatives of Members of the Diet,” was released in June 1996 (Doi and Kujiraoka 1996).

Because of these circumstances, the significant increase in the past few years in the number of legislative proposals sponsored by Diet members has been regarded as a positive development. In the ordinary session of the Diet from January 19, 1999, to August 13, 1999, sixty bills were sponsored by Diet members (as compared with 124 bills sponsored by the cabinet), an increase of ten from the previous year. Of the sixty bills sponsored by Diet members in the ordinary session, eighteen became law, as compared to 110 of the 124 bills sponsored by the cabinet; still, this was a significant increase in the number of bills sponsored by Diet members that passed the Diet. Moreover, some of the bills sponsored by politicians that have become law include some significant legislation that would not have materialized under the traditional bureaucracy-led legislative process. These bills include:

The NPO Law. The Law to Promote Specified Nonprofit Activities, or the NPO Law, enacted in 1998, substantially simplified the incorporation process for NPOs and NGOs. By this legislation, incorporation no longer required the approval of “competent authorities,” which are the government agencies with jurisdiction over the area of the activities of the organization, thus decreasing the influence of the central government over the activities of NPOs and NGOs.

This episode of the passage of the NPO Law was dramatic in that politicians from different parties worked closely with NGO leaders during the legislative process instead of relying on the government bureaucrats (see Yamamoto 1999). This cooperation was further enhanced through the joint efforts of two groups newly established after enactment of the NPO Law. The Parliamentary League to Support NPOs, formed with the bipartisan participation of more than 220 members of the Diet, and the Coordinating Committee on the Reform of the Tax and Legal Framework of NPOs/NGOs, established by civil society leaders, were instrumental in the passage in March 2001 of the Law Amending in Part the Special Tax Measures Law, which made it possible for NPOs incorporated under the NPO Law to receive tax-deductible donations (see “New Tax Bill Gives Partial Victory to NPOs” 2001).

The Financial Revitalization Bill. Passage of the Bill Concerning Emergency Measures for the Revitalization of the Functions of the Financial System, or the Financial Revitalization Bill, in 1998 was an extraordinary departure from the traditional legislative process. First of all, the major players in the process were younger members of the Diet who worked together across party lines. Typically in office for fewer than three years, they came to be known as the “new generation of policy tribes.” In the drafting and markup of the legislation, they also worked independently of government bureaucrats. Second, the bill drafted by these younger politicians replaced an original bill drafted by the Ministry of Finance. Third, during the negotiations between the ruling coalition and the opposition over the markup of the bill, younger politicians, particularly those who were members of the LDP, were again at center stage. They rejected the idea of their senior colleagues who had tried to establish the Financial Revitalization Commission within the framework of the Ministry of Finance. In the end, then-Prime Minister Obuchi Keizo shelved the cabinet-sponsored bill and accepted the opposition’s legislation as the basis for markup.

The Dioxin Control Law. Enacted in 1999, the law, which called on the government to set standards for dioxin levels in the air, water, soil, and waste emitted from factories, was significant for its bipartisan sponsorship. In the traditional legislative process for such a cabinet-sponsored bill, any effort to set environmental standards having an impact on industry and agriculture would normally originate with the Environment Agency and would be expected to

face vigorous opposition from ministries in charge of the affected sectors. According to Yamashita Eiichi, a member of the New Komeito Party who played a leading role in the legislative process, the enactment of the very first law in Japan to control emissions of dioxin and dangerous chemicals would not have been possible if left to the government bureaucracy (Nishikawa 2000, 135).

A Change in Legal Environment and the Involvement of Politicians in the Policy Process

The growing participation of politicians in the legislative process has been accompanied by legislation that has accelerated the erosion of bureaucratic dominance in the policymaking process. These bills include:

The Freedom of Information Law. It has long been assumed that a fundamental source of the Japanese bureaucracy's power was its monopoly on access to information. The passage of the Law Concerning Access to Information Held by Administrative Organs, or the Freedom the International Law, was finally enacted in May 1999 after years of debate, and it is likely to have a considerable impact on the governance of Japanese society.

Public pressure for greater transparency in government had been mounting as a result of a series of events. Most glaring was the disclosure of Ministry of Health and Welfare officials' having concealed documents related to the medical use of HIV-contaminated blood, which led to tragic consequences. There also have been a growing number of revelations of government officials' lavish wining and dining with public funds or government officials being lavishly entertained by interest groups.

The enactment of the Freedom of Information Law is likely to have a profound impact on the predominant role government bureaucrats had played in the policymaking process over the years by allowing politicians, civil society organizations, and citizens more opportunities to have access to information held by the government bureaucracy.

The Administrative Procedure Law. The law designed to minimize administrative discretion and realize rule-based administration was introduced by the government in 1992 under pressure from the United States in the U.S.-Japan Strategic Impediments Initiative, and enacted in 1994. However, the law was not effectively enforced due to several "loopholes" and escape

clauses. In 1999, in an attempt to shore up the Administrative Procedure Law, the government introduced the “Public Comment Procedure for Formulating, Amending, or Repealing a Regulation” as a part of the Three-Year Program for the Promotion of Deregulation. The procedure provides opportunities for the public to send comments and requests directly to the government.

The Diet Revitalization Law. The predominance of bureaucrats in the legislative process in the past was not limited to the role they played in the drafting of bills—the bureaucrats’ presence was felt in the Diet debate as well. Bureaucrats attended Diet committee meetings and were often called upon to respond for their ministers to questions by opposition party members. The Diet Revitalization Law, enacted in 1999, allows only ministers or deputy ministers to respond to questions in committee meetings in principle. Weekly debates between the prime minister and the leaders of the opposition parties were also instituted in January 2000, modeled after “Question Time” in the U.K. House of Commons.

Implementation of this law already has had a major impact on the Diet, particularly in the appointment of cabinet ministers and parliamentary vice-ministers. The prime minister cannot now follow the traditional seniority rule as a basis for cabinet or sub-cabinet appointments, and so tends to appoint those Diet members who are well versed in policy issues. Though this new trend will not be effective if the tenure of the cabinet and sub-cabinet members is limited to one or two years, as has been the case, it will further encourage politicians to spend time studying the policy issues and developing an expertise in particular policy issues.

ALTERNATIVE SOURCES OF POLICY ADVICE: ASSESSMENT OF CURRENT STATUS

Along with the more active, substantive involvement of politicians in legislative activities in recent years, there has emerged a distinct trend for more politicians to seek independent sources of policy advice outside the government bureaucracy. The role of government bureaucrats in the policymaking process has declined because of their inability to cope with pluralistic social needs, as evidenced by some clear cases of policy failures, and because of the enactment of specific legislation to curb their influence.

The cozy relationship between the governing LDP and the government bureaucracy, which lasted for thirty-eight years, came to an end with the start of coalition politics in 1993. During the era of high economic growth, which coincided with the LDP's dominance in politics, alternate sources of policy ideas were not sufficiently developed. The new political environment in Japan clearly calls out for a critical assessment of possible sources of policy ideas that can help politicians formulate policy initiatives or equip themselves with a better understanding of diverse policy options. Moreover, there is a growing awareness that there should be greater involvement of diverse actors in the policy debate and the legislative process in response to the growing diversification of interests within society and the increasing complexities of Japan's external relationships.

Resources Available to the Legislative Branch

There are resources attached to the Diet designed to assist the legislative activities of members of the Diet. The Research and Legislative Reference Bureau of the National Diet Library has 167 staff members in ten research departments. They oversee the general information related to legislation, especially as regards the laws and practices in other countries.

The House of Representatives (Lower House) and the House of Councillors (Upper House) both have research staff attached to their committees. Thus, the Lower House has eighteen standing committee research offices and three special committee research offices, while the Upper House has fifteen standing committee research offices and three special committee research offices. Ten researchers are assigned to each office, which is headed by a professional advisor. However, these researchers are not entirely free from bureaucratic influence as, currently, nine of the twenty-one professional advisors heading the research offices of the Lower House are seconded from government agencies. This is a significant reduction from 1997 when thirteen of the eighteen professional advisors were seconded from the bureaucracy ("Shuin, jimukyoku jinji" 2000).

In 1998, the Lower House established the Research Bureau as part of broader legislative reform. The bureau was charged with, among other functions, oversight of the efforts of the respective research offices, which had been independently linked to their specific committees.

The Research Bureau coordinated the work of the research offices, making it possible for them to address policy issues that transcended the traditional jurisdictions of their committees. The Research Bureau was, in addition, authorized to undertake preliminary investigations of the administrative performance of ministries and agencies. In 1998–1999, ten preliminary investigations relating to public works and commercial activities of financial institutions were conducted. While the effectiveness of such preliminary investigations is yet to be seen, it is clear that the legislative hand has been strengthened.

The Lower House has a Legislative Bureau of seventy-five staff, and the Upper House a Legislative Bureau of seventy-three. The main function of these bureaus is to provide research support to Diet members sponsoring, or preparing to sponsor, legislation by verifying its constitutionality or checking for duplication or contravention of existing laws. The growing importance of the Legislative Bureaus is evident in their assistance to Diet members in drafting bills that they intend to sponsor. It is a comparable role to that performed by the Cabinet Legislative Bureau in connection with cabinet-sponsored bills. The Legislative Bureaus of the Diet, however, lack the professional expertise to deal with diverse issues, which may be due to the fact that they are divided into sections corresponding to the ministries. Legislative deliberations are contained within these sections, the senior posts of which are held by staff seconded from the ministries. The drawback of such a system is both the continued reliance on the bureaucracy and the limited opportunity to develop independent sources of ideas.

Legislative Assistants to Members of the Diet

Under the Diet Law of 1963, provision was made for each member of the Diet to have two legislative assistants. In 1991, upon the recommendation of a council under the Speaker of the House of Representatives, Diet members were provided with another assistant.

A person qualifies to become a legislative assistant either by examination or by authorization of the Diet Secretariat after having served as Diet staff for many years. From 1993 to 1999, of the 1,802 persons to become licensed legislative assistants, only 261 were hired on the basis of examination. The remaining 1,541 assistants, who were authorized by the

Secretariat, had been staff of Diet members for more than ten years but otherwise lacked any particular qualification to assist Diet members in legislative affairs.

Legislative assistants sometimes serve as critical points of contact: They receive suggestions and policy proposals from outside resources such as research institutions and NGOs, they take the proposals to the party research councils, and they deal with bureaucrats in the drafting of legislative proposals. The paucity of persons qualified to carry out such tasks is obviously a constraining factor in legislative competence. This may change as younger Diet members require the services of more professional staff, whose services have previously been relied on for more immediate concerns such as election campaigns.

Research Departments of Political Parties

Each major political party has a research department or a research council. These departments fulfill the important function of determining a party's policy position on issues raised in the Diet.

As the LDP has been the dominant party since 1955, obviously the Policy Affairs Research Council (PARC) of the LDP continues to play a critical role in Japan's policymaking process. It has seventeen divisions corresponding to each government agency, forty research committees to deal with broad policy issues, and fifty-nine special committees. PARC coordinates the party's policy positions and works closely with government bureaucrats and interest groups. Its influence is such that before any cabinet-sponsored bill is submitted to the Diet, the government bureaucrats must seek the agreement of the relevant PARC committees. In this sense, PARC is not a place where politicians go to seek alternative policy advice. Nor are its thirty staff members policy research experts but party operatives whose job is to organize the numerous meetings that take place under the auspices of PARC.

The situation is not much different for the research departments of the opposition parties. As of April 2000, the Democratic Party of Japan's Policy Research Committee had eighteen staff members, the New Komeito's Policy Board had thirteen, the Communist Party's Policy Committee had twenty-nine, and the Liberal Party's Policy Board had four.

Given the lack of internal competence for generating policy ideas and initiatives, political leaders have voiced the need for their parties to develop think tanks of their own. The LDP has

its think tank, the LDP Institute for Policy Research, established in 1982, but its main function has been reduced to staffing PARC. In fact, the current chairman of PARC is also a director of the LDP think tank, and the think tank's board is made up of party officials. Moreover, its ten senior research staff are seconded from major corporations, and normally they return to their corporations after two years at the think tank. Their function is largely limited to assembling policy-related data, although they will occasionally work with outside experts to generate policy ideas.

The Democratic Party of Japan has two closely related policy advisory organizations: The Shinmin ga Tsukuru Seisaku Chosa-kai (Citizen Policy Research Council) and the Shinku Netto Senta 21 (Think Net Center 21). The Citizen Policy Research Council was established in 1997 to initiate legislation reflecting the citizens' public interests. This council aims to set policy agendas for resolving social issues such as achieving a more barrier-free public transportation system and a problem-free long-term care insurance system. The Think Net Center 21 was established in January 2000. Rather than focusing only on the study of mid-term and long-term policy agendas, the center is also seeking to develop networks with other think tanks and specialists.

In 1999, the Liberal Party launched a novel experiment with its establishment of the Center for Liberal Politics, which may be regarded as a virtual think tank in that it did not have an office but operated mostly through the Internet. The center had some 180 "research staff," recruited from party members who have run for office. They were assigned to eight policy discussion groups, and each group, including the party's Diet members, debated policy issues on Web forums and via e-mail. Proposals were submitted to the party's policy board for adoption as party policy. This virtual think tank also functioned as a means to attract and train candidates for office.

A think tank, in a stricter sense, of a political party seems to be elusive. In the case of the LDP, the leadership tends to rely on the bureaucracy for policy ideas, and, in fact, as suggested above, many legislative proposals are written by government bureaucrats in consultation with the party leaders. Although some leaders have sought to commit more funds to development of the party's think tank, there never has been any consistent effort in this regard as the party leadership is rotated regularly. Other factors that may contribute to this state of affairs are a lack of job

mobility for policy analysts, the principle of “revolving doors” (where bureaucrats become policy analysts and analysts become bureaucrats), and a traditional reliance on the bureaucracy for legislative process.

As the opposition, other parties have greater need for party think tanks as well as greater opportunity to submit alternative legislative proposals. Nevertheless, the lack of strong commitment by party leaders, the instability of party leadership, and the preoccupation with political maneuvering have worked against the establishment of internal apparatuses for policy analysis and proposals.

Think Tanks and NGOs

Whenever alternative sources of policy advice are discussed in Japan, the active role that think tanks play in the United States is cited. Indeed, think tanks in the United States play a central role, providing policy ideas to politicians as well as provoking public debate through the media and public education.

In Japan, the contribution of think tanks to the policy process has been limited by the dominant role of civil servants in the formulation of public policy. While studies show a large number of policy research institutes in Japan, they are substantially different from their counterparts in the United States and Europe. For one thing, many Japanese think tanks are for-profit.

According to a 2000 survey by the National Institute of Research Advancement (NIRA), Japan has 332 think tanks, or more than twice the number in 1988 when NIRA conducted its first survey of Japanese think tanks. Of these, 46.5 percent are for-profit institutes. The same survey found that almost 80 percent of research projects was contract research, while 17.3 percent was in-house and 3.1 percent conducted based on grants. The survey also indicated that think tanks are overconcentrated in Tokyo, with 54.2 percent of institutes centered in Tokyo and 78.9 percent of researchers belonging to these institutes (National Institute of Research Advancement 2001).

Another characteristic of Japanese think tanks is that they are closely associated with government agencies or major corporations and are often regarded as their subsidiaries. Because

of this, the research activity is heavily client-oriented and therefore not designed to stimulate policy debate or assist politicians in formulating their positions. Even not-for-profit think tanks in Japan often come under government influence because they fall under the jurisdiction of agencies (“competent authorities”) that require them to report their annual budget and planned activities. The climate for think tanks is, furthermore, bleaker for the fact that scholars and researchers, reflecting Japan’s ivory tower–oriented intellectual tradition, tend not to be policy-oriented.

Because most think tanks are involved in client-oriented research, they have little interaction with politicians. Nor do they appear to have much desire to contribute to the public interest or to compete with other institutes in the intellectual marketplace. This contrasts sharply with the trend in the United States, where think tanks aggressively “market” their research products. According to researchers at NIRA, more than 40 percent of think tanks worldwide made “all” their research output available to the public, while only one institute in Japan did so; more than 75 percent of think tanks worldwide published “all or mostly all” their research, while less than 50 percent in Japan did so (Nagata and Nakamura 1999).

One way think tanks in Japan do contribute to the public policy debate is through the constant visibility of their leaders in the media, at Diet hearings, on government commissions, and at public occasions. These leaders, who tend to have held senior positions in government agencies, have developed reputations as respectable thinkers in society. Among these leaders are Gyoten Toyoo, president of the Institute of International Finance; Fukukawa Shinji, president of Dentsu Research Institute; Kosai Yasushi, chairman of the Japan Economic Research Center; Owada Hisashi, president of the Japan Institute of International Affairs; and Ohba Tomomitsu, chairman of the Japan Center for International Finance.

Despite the limited contribution of think tanks to the need for alternative policy ideas, some innovative efforts have been made in recent years. Koso Nippon (Japan Initiative) was founded in 1997 by Kato Hideki after his resignation from the Ministry of Finance. Dependent on corporate and foundation support, Koso Nippon is an independent, not-for-profit, “think-and-advocate” tank whose goal is to make policy recommendations and to bring about their implementation. The organization maintains close contacts with members of the Diet, and it has

made a large impact on Diet procedures, particularly in helping to eliminate the stipulation of “competent authorities.”

The Tokyo Foundation was established in 1997 under the leadership of Takenaka Heizo, who has since been appointed minister of economic and fiscal policy by Prime Minister Koizumi Jun'ichiro. The foundation aspires to be a full-fledged, independent think tank, its policy research projects focusing on security alliances in the post-cold war era, the tax system and corporate behavior, and the administrative reform of the central government.

The foundation also makes an effort to disseminate results of its research through policy and research seminars. It holds regular “Intellectual Cabinet Policy Meetings,” inviting leading policy experts to discuss key issues. It has sponsored international conferences and symposia, including the major meeting of the “Shadow G8 Summit” in April 2000, the Japan-Australia New APEC Initiative Workshop in 1999, and “Sustainability 21” in 1997. In 1999, it launched “Policy-Net” as a venue for politicians, government bureaucrats, policymakers, and policy researchers in universities and think tanks to exchange their views. In July 2000, it held a “Policy Summer Camp,” bringing together representatives of policy study departments of universities.

Keidanren (Japan Federation of Economic Organizations), a powerful national organization with membership consisting of large corporations and industrial associations, established the 21st Century Public Policy Institute in 1997 with economist Tanaka Naoki as president. The primary focus of the institute is the private sector: that is, the initiatives and programs the private sector could implement to revitalize the Japanese economy. Aside from Tanaka, most of the institute's research staff is seconded from Keidanren or major corporations. Recent projects include normalizing the financial system, reform of the pensions and savings system, and a rethinking of the civil justice system.

The Japan Center for International Exchange (JCIE), a nonprofit, nongovernmental organization dedicated to strengthening Japan's role in international affairs, launched its Global ThinkNet Project in 1996 with funding from the Nippon Foundation. The concept of the project is to create a network-oriented think tank with resources that can be tapped within the country and around the world. The project consists of human resources development, joint policy research, conferences and workshops, publication of research, electronic information exchange,

and interaction between policy research specialists and parliamentarians both in Japan and abroad.

NGOs, academics, and leading citizens have set in motion additional initiatives for alternative sources of policy advice in Japan. These groups usually operate with specific goals in mind, seeking to convince politicians of the need for certain policy. *Shimin Rippo Kiko* (Citizens' Initiative) was formed in 1997 as a collaboration of *Gyokaku Kokumin Kaigi* (Citizens' Forum for Renewal) and *Shimin Undo Senta* (National Center of Citizens' Movement). The 21st Century Policy Forum was launched in 1996 by Shindo Eiichi, a professor of social science at Tsukuba University, and a group of intellectual leaders for the purpose of making policy proposals on economic, legal, and foreign policy issues.

Private Advisory Councils for Political Leaders

Advisory councils are consultative organs to government agencies, the legal base for which is Article 8 of the National Administrative Organization Act. Advisory councils are categorized into two types by function. One type conducts inquiries into important issues and policy questions and submits policy recommendations. Another type adjudicates contradictory views of public policy and evaluates and authorizes professional standards and qualifications (Abe, Shindo, and Kawato 1994, 40–41).

While experts from the private sector, including business, trade unions, and professional groups, have been included in the councils, it is assumed that their role is not to provide alternative policy advice but to legitimize policies to be adopted or to reflect the views of interest groups in the policymaking process. That these advisory councils are mostly staffed by government bureaucrats reinforces this perception. The councils are often portrayed as “helpless or willing tools of their parent agencies[;] they have been tarred as ‘robots,’ ‘cheerleaders,’ ‘backers,’ ‘tunnel organizations,’ and ‘ornaments’” (Schwartz 1998, 54). At best, these councils are regarded as an effort by the bureaucracy to “counteract the diminished authority of the civil service after World War II and generate public trust in the impartiality and openness of the bureaucracy” (Abe, Shindo, and Kawato 1994). Presently, there are 212 such advisory councils with 5,300 members. In 1999, the Administrative Reform Promotion Headquarters moved to

reduce the number of councils to 93 and their members to 1,800 as part of its 2001 plan to streamline administrative organization.

While these councils have a tarnished image as advisory mechanisms, political leaders have found “private advisory councils,” which are nonstatutory bodies without legal authorization, to be much more useful. These private councils invite the policy views of intellectual leaders and experts from the nongovernmental sector and are sometimes helpful in engineering public support for policies not favored by government bureaucrats.

Ohira Masayoshi, when he became prime minister in 1978, established nine policy study groups, involving some two hundred intellectual leaders, business leaders, and elite bureaucrats. These study groups drafted such proposals as “A Plan for Pacific Rim Solidarity” and “A Design for Rural Cities,” which have been discussed in official circles over the years. One unintended impact of Ohira’s study groups was that, when Nakasone Yasuhiro succeeded Ohira as prime minister, he inherited many of Ohira’s scholars. Nakasone deepened his ties with them through the Second Provisional Commission on Administrative Reform, and relied on their help in preparing for the LDP’s 1982 presidential primary. Many of the researchers who had gathered around Ohira thus gravitated to Nakasone (Schwartz 1998, 106).

Nakasone was known for his frequent use of advisory councils, both official and private, to move his policy agenda through the Diet. A report of the Study Group on Economic Structural Adjustment for International Harmony, better known as the Maekawa Report after its chairman, was perhaps one of the best known reports of the private advisory councils. The private consultative bodies of recent years have already crossed the bounds of what the government calls private conferences or study groups and changed form to become semi-public bodies shouldering part of the official policymaking process (Schwartz 1998, 107).

The Prime Minister’s Commission on Japan’s Goals in the 21st Century, which operated under Obuchi, is an interesting model that merits analysis. Obuchi organized the group as a private commission in 1999, appointing sixteen private citizens from diverse fields of expertise as its members. Its mandate was to produce a report on desirable goals for the next generation of Japanese, thus encouraging broad national discussion. After ten months of deliberations,

including consultations with experts in diverse fields, the commission submitted its final report to Obuchi in early 2000.

A singular characteristic of this commission was that, unlike most government commissions, there were no former government officials among its members and the drafting of the report was done by the members without relying on government bureaucrats. The secretariat itself was unusual in that the staff director was seconded by JCIE, a nonprofit and nongovernmental organization. Perhaps because the commission was addressing the long-term direction of Japan and was not concerned with short-term recommendations that could affect government agencies, there was little intervention from the bureaucracy.

Even so, the report caused considerable debate. Recommendations calling for a paradigm shift “from governing to governance,” especially as regards “the methods and systems whereby citizens interact with society” and to “redefin[ing] and rebuild[ing] the relationship between private and public space in civil society,” met with criticism from the more conservative wing of the intellectual and political communities (Prime Minister’s Commission on Japan’s Goals in the 21st Century 2000, 17–18). Among other controversial policy ideas were improving English-language teaching to enhance Japan’s global literacy, establishing a clear-cut immigration policy, and emphasizing individualism over the group-oriented approach.

Soon after the report was completed, Obuchi suffered a stroke from which he never recovered, but politicians from different political parties have since reviewed the report’s analyses and recommendations with a view to sponsoring legislation. One specific move emanating from the Democratic Party of Japan is to organize a task force to make English the second official language of Japan.

PROSPECTS AND CHALLENGES FOR ALTERNATIVE SOURCES OF POLICY IDEAS IN JAPAN

The debate over governance in Japan has centered on moving away from the ineffective bureaucracy-led system. In this regard, there are opportunities for legislators to take a more proactive role in the legislative process as representatives of their constituency. As the Prime Minister’s Commission on Japan’s Goals in the 21st Century points out, “the legislature and

parties will have a key role to play in dealing with policy issues in the period ahead, inasmuch as policy will increasingly concern issues such as social security, which involves choices among values” (2000, 73).

The infrastructure to support the policymaking initiatives of elected politicians is still very fragile, however. In particular, there are few alternative sources of policy ideas for legislators to rely on outside the government bureaucracy. The situation is serious because to create a new system of governance to replace the traditional state-centric system is a daunting task—even as bureaucrats grow demoralized and even cynical in the face of public criticism and legislation that undercuts their monopoly on power. As discussed above, there is a multiplicity of challenges in creating independent institutions for the provision of alternative policy advice, building a funding base that circumvents control by the government agencies, and recruiting competent policy experts to meet the short-term requirements. There is as well the need to develop a stable supply of human resources by providing training and assuring a secure career path, to develop a market for policy advice among politicians, and to orient politicians in different ways of policymaking. While the tasks seem monumental, there are already stirrings of change that can be encouraged and enhanced. Even on a micro level, Diet members are finding that to be better versed in policy issues will be beneficial to their political careers.

Strengthening Policy Staff Working for Diet Members

While strong policy staff of individual Diet members is important, staff is limited, and it is not possible for staff to have expertise on the many policy issues each politician has to deal with. Nor would it be necessary for each politician to develop a policy position where voting in the Diet is bound by parties. Nevertheless, strong policy staff can play a vital role in enabling politicians to participate more fully in the policy debate and in exploring diverse policy options.

For this reason, the quality of legislative assistants needs to be improved. Authorization by the Diet Secretariat on the lone basis of a lengthy tenure working for a Diet member should cease. Qualification should be paramount if quality is to be ensured. In addition, the Diet Secretariat should consider sponsoring programs such as regular briefing seminars or training seminars for the legislative staff.

Despite current constraints, an increasing number of Diet members, particularly those who are regarded as the new generation of policy tribes, are making innovative use of the legislative staff. These staff sometimes function as critical points of contact, bringing together resources from such diverse actors as NGOs and NPOs, academia, and the media to help Diet members take a more proactive legislative position.

Enhancing the Think Tank Functions of Political Parties

Some political parties have established think tanks of their own, but their policymaking function is limited. The research councils or research departments of political parties do not have legislative staff with substantive knowledge of policy matters. In fact, in the case of the LDP, policy staff has been unnecessary as much of the substantive staff work for the drafting of bills has been done by bureaucrats working with politicians. Opposition parties have relied heavily on the legislative branch of the Diet for the drafting of bills.

Since the arrival of coalition government, policy consultation at the staff level has become critical, thus establishing the need for expertise within the party. It is important that party leaders commit to building a strong policy team within the party, recruiting credible policy experts to head such efforts. Legislative staff would be well utilized if their efforts were focused collectively on different policy issues. Collaboration is essential, as staff cannot function effectively alone. Financial support for building this policy capacity within political parties might be earmarked from public funds available to each party, or additional funds might be secured from the government budget specifically for this purpose.

Training Policy Specialists and Enhancing Their Interaction with Politicians

Involvement in politics has long been seen as inappropriate for scholars, and public policy has only recently become a bona fide academic discipline in universities. Today policy studies in universities abound. According to the Ministry of Education, universities with a policy research department or a policy study center have jumped from two or three in 1995 to forty in 1999.

A growing number of young scholars have studied abroad at institutions such as the Kennedy School of Government at Harvard University and the School of Advanced International

Studies at Johns Hopkins University, both in the United States. Senior Japanese politicians have begun to seek policy advice from these scholars, and although not many are doing so in a systematic manner, this trend has been established. Providing opportunity for further interaction between politicians and policy experts will benefit all. Continuing interaction will result in closer collaborative networks. In this regard, government funding should be made available for the training of social scientists in the same way that it is for natural scientists.

Strengthening Civil Society Organizations as Sources of Alternative Policy Advice

Awareness of the importance civil society organizations in Japan is greater now, as evidenced by the passage of the NPO Law. What has not been sufficiently understood, however, is the important role played by independent policy research institutes. The lack of independence and the lack of funds of these policy research institutes account for their ineffectiveness in the policymaking process.

One definite step that can be taken to remedy the situation is the passage of legislation to make contributions to NPOs tax deductible; one victory in the movement to realize a more favorable tax environment for nonprofits was passage of the aforementioned Law Amending in Part the Special Tax Measures Law. Although more tax incentives for contributions will not automatically increase funding for independent think tanks, it will provide a base to build upon. Another step is the creation of a mechanism, outside the control of the government ministries, through which public funding would be channeled to policy research institutes.

Models for such mechanisms exist in other countries. In the United States, the National Endowment for the Humanities, the National Endowment for the Arts, and the National Endowment for Democracy rely on government funding, but their boards are independent as are their decisions on making grants to private organizations, including think tanks. In Germany, political party foundations function similarly. Given the fact that private sources of funding for think tanks in Japan are so few, such models should be explored. While there are organizations in Japan that could channel public funds to private institutions, they are either under the control of government agencies or without grant-making capacity.

Interaction between politicians and NGOs and NPOs active in the environment, social security, and development assistance should be encouraged and facilitated. Such cooperative activities are mutually beneficial, as a growing number of politicians and leaders of NGOs and NPOs will attest. In the international sphere, NGO involvement in the policymaking process has been pronounced, with NGOs developing significant expertise in many areas. At the current stage of NGO development in Japan, the support of and collaboration with politicians should be of high priority.

Enhancing Cross-Sectoral Cooperation on Critical Issues

To seek alternative sources of policy ideas should not be seen as an effort to purge bureaucrats from the decision-making process. While excesses in the bureaucratic monopoly of legislative affairs have had undesirable consequences, to disregard the value of the bureaucracy, with its wealth of experience and expertise, is unproductive and unrealistic. Moreover, its technocratic knowledge of formulating policies can be relied upon once ideas are brought into the policy process.

It may also be in error to classify all bureaucrats as one, as young bureaucrats with innovative ideas are not uncommon. They too may be stifled in the institutional framework, but their knowledge can be tapped by politicians. As society faces more complex and diverse social issues, it is imperative that different resources be brought together to address them.

Accordingly, the worldwide trend toward greater cross-sectoral partnerships among politicians, government officials, policy experts from universities and research institutes, business, NGOs and NPOs, and the media should be encouraged and worked toward in Japan. These partnerships have resulted in effective responses to new challenges, and by their diverse coalitions they have introduced a competition of policy ideas. Such dynamism is yet to be seen in Japan, but it is a direction that, as participation in the public policy arena increases, Japan can aspire to.

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