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DECIDING THE PUBLIC GOOD

CHAPTER ONE

Rethinking the Public Interest in Japan:
Civil Society in the Making

Yoshida Shin'ichi

WHAT is the “public interest,” or, for our purposes, the interests of the public? Who decides the ideas, policies, and activities that are formulated “for the common good,” and how? What rules or criteria are used to determine priorities among various, often conflicting, interests of the people? These basic questions one might expect to be grappled with in any democratic society are just beginning to be asked in Japan today. For the first time in its modern history, this country now faces the challenge of reconsidering its whole approach to the public interest, along with many other long-held assumptions.

The following are the minimum three conditions a society requires to remain intact and viable: First, there must be recognition of interests that are public, transcending private and individual interests, and the members of the society must have a common desire to maintain and promote such interests. Second, a set of rules—and procedures and values—that the members accept as credible is necessary to determine and/or modify what they believe to be the constituents of the public interest in the context of their society. Third, someone, or some group, has to carry on the activities of protecting and advancing the public interest.

In modern Japan, the government has assumed the initiative in fulfilling all three conditions almost single-handedly. The central government bureaucracy, in particular, has maintained a virtual monopoly on decision-making authority and jurisdiction over the public interest. The resulting structure I call the “public-equals-official” society. Today, 130

years since the emergence of the modern Japanese state, however, the governing apparatus then established is beginning to show signs of institutional fatigue and operational dysfunction. In fact, the public-equals-official society is badly shaken and visibly crumbling. At the same time, an awareness is rapidly growing that autonomous citizens as individuals and in groups must be actively involved, alongside the government, in order to maintain social stability and promote as truly "public" those aspects of social life carried out for the common good in this country.

For now, let us define civil society as a spontaneous, concerned group of citizens who interact independently of government, while collaborating with it at certain times and opposing it at others. Japan today is experiencing the emergence of civil society in this sense, supported by the advent of a new public consciousness. This development has given fresh urgency to the question of who should determine, and how, what is in the interests of the public. In addition, a completely new kind of problem has appeared. It concerns priorities, how to assess and rank multiple and diverse public interests, including those designated by the government under established prerogatives, as well as those that have recently been gaining broad recognition in society. In short, Japanese society is being pressed not only to come up with a new concept of the public interest but also to reappraise what is "public" in the first place.

Attempts to define and manage the public interest in traditional ways become increasingly ineffective, prolonging political turmoil and aggravating economic recession. The prospects for achieving a national consensus on an alternative concept of the public interest and on new procedures and methods of decision making are, at least in the near future, extremely dim. It is going to be a long, uphill struggle to get anywhere near a consensus. Are Japanese really capable of making the mental shift that would be required if the government, which has held a monopoly on the public interest for so long, were to be relegated to relative status? Are they equipped to transform a society ruled by a bureaucracy and replace it with a new model built on their own initiative, according to their own logic? These questions are crucial, because nothing short of a revolution in the popular consciousness will be needed to accomplish the formidable task of reforming Japanese society.

This chapter presents an overview of the changing attitudes among Japanese toward the role of the government and examines the emerging tendencies toward civil society, focusing on how the concept of the

public interest is shifting and what "public" really stands for.¹ The first section discusses the old patterns of thinking and approaches still being practiced by members of officialdom, taking as an example a recent public works project involving river administration. This case study is useful in analyzing the reactions and attitudes of residents in the area concerned, which may be considered underlying factors in the perpetuation of the official monopoly on the public interest.

The second section is devoted to a historical discussion of how, conceptually, "public" became equated with "official" in the process of Japan's modernization. This equation has found its way into the popular vocabulary and has permeated the popular subconscious, which is one of the basic reasons why it is so difficult in Japanese society to make even a dent in the bulwark of entrenched bureaucratic authority.

The third section employs some examples of political and economic misjudgment to illustrate how the conjunction of "public" and "official" in Japan's social structure has created serious symptoms of dysfunction. Through this discussion I hope to demonstrate the need for Japanese to reexamine and refurbish the decision-making system that determines the public interest.

The fourth and final section focuses on the background factors that have made redefinition of public interest unavoidable. It also reviews how the changing roles of officialdom and shifts in popular consciousness have contributed to the rise of civil society and the reconsideration of the public. I will conclude with a few thoughts on how these trends might develop in the future.

THE RIVERSIDE PARK PROJECT: A CASE STUDY

UNWELCOME PUBLIC FACILITIES

The following case demonstrates the method that was traditionally used to determine what constituted the public interest and how it should be realized.²

The Fukushima prefectural government offices are located on the edge of the Abukuma River in the center of the city of Fukushima. In the Watari district across the river is a riverside park one kilometer in length and eight hectares in area. Originally a dry riverbed, the land once lay idle, covered with swamp grass inside a ten-meter-high embankment. Part of it was a "no public access" area. In 1996, the Ministry of Construction spent ¥130 million to convert the land into a "public" park,

ostensibly for the benefit of local children. The slope from the top of the embankment down to the river's edge was made more gradual. Trees and grassy areas were planted, pebbles were spread along the banks, and a small inlet was created.

Behind this project was a new policy on river administration adopted in 1996 by the Construction Ministry. Its stated purpose was "to improve and manage rivers and their surroundings as safe, environmentally sound areas suitable for play and recreation, as well as for experience with outdoor life and nature study."

Residents in the Watari district, however, were not happy about the riverside park. According to city office sources, an informal decision on the project was first made on the basis of an unconfirmed report from the Fukushima Construction Office of the ministry to the effect that there was a need felt among local citizens for easy access to the river. Once the decision was made, albeit informal, the Construction Ministry went ahead with planning and budgetary appropriations.

It was not until after the construction expenses were earmarked in the national supplementary budget that a formal briefing was given to the local community. Residents were literally caught off guard by the news. They were worried about the safety of the area. A child had drowned in the river several years before. The teachers and parents of the children at the Watari Elementary School located right outside the embankment were particularly concerned about the dangers an easily accessible dry riverbed might pose to young children. As one teacher put it, "For years, we've been telling the children not to go close to the river, but now the government says we should 'make friends' with it. We just don't know what to tell them. . . ."

Despite these voices of concern from among the local citizens, the Construction Ministry carried on with the project; once the old wheels of the public-equals-official society were set in motion, no ordinary force could stop them. The members of the Watari community lodged no formal protest to the project.

Since the park was completed, the Watari Elementary School has occasionally taken students there for nature study as part of its science curriculum, but the school authorities strictly prohibit children from entering the area before and after school without an adult accompanying them. It is sheer nonsense that children are virtually barred from the "public" space ostensibly created for them to play freely.

Meanwhile, a large signboard was put up on the embankment, with

“Wanpaku hiroba” (literally, “open space for active, adventuresome kids”) written on it in big letters. Suggesting all the various kinds of play that could be enjoyed in the park, the signboard invited children to “Have fun and play to your heart’s content!” The fact that the children were not allowed the chance is an object lesson in the strange nature of the society they live in.

This ironical public works project demonstrated that the bureaucracy has the authority to determine what is in the public interest, and that official discretion takes precedence over the needs and desires of local residents in maintaining and promoting such interests. It also casts the public-equals-official formula in Japanese society into clear relief.

WHO DECIDES THE PUBLIC GOOD?

The Fukushima park is not an isolated case, but one of many similar projects being undertaken throughout the country. The Ministry of Construction plans to carry out such projects in altogether 1,000 locations. To be fair, I should add here that of the more than 100 projects already completed or under way, many did reflect the real needs of local residents. The Abukuma River fiasco may have been one of the relatively few cases where “both the government officials concerned and local people failed to make adequate efforts to communicate with each other” (an official in the river environment division of the Construction Ministry).

The greatest irony of the Abukuma and other similar cases is that these riverside park projects are the result of the ministry’s change in policy objectives, a shift in what the bureaucrats consider to be *more* in the public interest. In other words, they were ostensibly devised to put an end to the one-sided official initiatives in river administration of the past.

Modern Japanese river administration had for years centered on flood control and other measures for river improvement. This policy was largely successful as far as flood prevention is concerned, but the scenery surrounding the nation’s major watercourses, particularly in urban areas, was transformed completely, from natural to artificial, from organic to inorganic. In these areas, concrete river channels and fences now prevent people from getting anywhere close to the water. As consciousness of the environment heightened in the 1970s, popular sentiment objecting to such unfriendly rivers arose in several urban

centers. In response to the outcry, some municipal governments did change their policy objectives, according attention to public access as well as flood control and to interaction between the river and citizens' lives, including safety from flooding.

As more and more local governments favored this new approach to river administration, the Construction Ministry belatedly decided to join the crowd. In 1995, the River Council, an advisory body to the construction minister, submitted a preliminary report recommending the reestablishment of a more congenial relationship between rivers and surrounding communities. The report admitted the lack of sufficient consideration in past riparian construction works for the many forms of natural life to be found in and along the river as well as for the beauty of the landscape. It also pointed out that river administration had, over the years, deprived local communities of a close relationship with their rivers. To rectify the situation, the council called for "communion between people and their rivers," and "improved communication with the local communities concerned" by the ministry (Council on Rivers 1995).

This preliminary report provided the basis for the final, more general report submitted in 1996, entitled "A Basic Orientation for Future River Improvement." It led to the revision of the River Act in the following year. Riverside park projects, in Fukushima and elsewhere, were most symbolic of the policy change.

Undoubtedly, this policy shift reflected the government's growing awareness that it could no longer respond adequately to social needs if public administration alone remained responsible for decision making on and the maintenance of the public interest. However, it is one thing for the central government to expound a new philosophy, but it is quite another for that philosophy to be translated into action on the local level. The way the Fukushima park project was planned and implemented, as we have seen, showed no departure from the old pattern. The established public-equals-official society effectively resisted the infusion of the new thinking into the project.

It was the bureaucracy, after all, that decided on the policy change. To analyze the motives behind the new bureaucratic thinking, let me quote a citizens'-movement activist who has long been involved in campaigns to restore the close relationship of people and rivers of the past and who continues to battle the Construction Ministry on the riverside park issue:

Nobody likes to see a river cemented with concrete on three sides. Such public works only repulse citizens. No amount of embankment works will prevent floods, after all, without the cooperation of local residents. We have been demanding, since the seventies, "software" improvements [that is, links between people and the river]. The bureaucrats have only begun advocating this policy now, having realized at long last that their exclusive control of rivers is deadlocked. For the Construction Ministry, the policy change was perhaps the only option left to keep public works projects alive. But if you look at the riverside park projects as they are being implemented in many parts of the country, they are basically hardware-oriented [that is, based on the mere construction of park facilities]. All the bureaucrats did was to tailor their public works projects to what they see as the needs of the times only for the purpose of continuing such projects.

On the surface, it looks as though the central government officials changed their policy, taking their cue from the attempts of some municipalities to respond to local citizens' needs. In reality, however, bureaucratic motivation lay elsewhere. Warnings about environmental destruction and calls for greater attention to the needs of local people are nothing new. They have been voiced since the 1970s. But officials in Tokyo had rarely bothered to listen to popular demands and complaints.

Around the time of the revision of policies in the mid-1990s, the drastic reduction of public works projects was a major issue on the agenda for fiscal retrenchment. Ultimately, the way the officials carry out their new policy is not new at all. As the Fukushima case demonstrates, the primary concern of the ministry is not so much local people's real needs as the execution of their construction plans and disposal of their budgets according to the predetermined schedule. The new "menu" for the public interest, therefore, was the brainchild of bureaucrats eager to preserve their vested interests and maintain their self-centered prestige.

PUBLIC ACCEPTANCE OF THE PUBLIC INTEREST

A review of what the Construction Ministry has tried to do with the "software" for the Fukushima project will reveal two distinct aspects of the public-equals-official formula at work in Japanese society. One is people's traditional obedience, submerged in the depths of the popular

consciousness, to the public interest formulated for and imposed on them by officialdom. The other is the old-fashioned bureaucratic approach of indoctrinating the populace and mobilizing them to serve the public interest, as officials themselves define it.

As mentioned earlier, the people of the Watari district, including the teachers and the PTA members at the local primary school, were at first bewildered at the news about the riverside park project. The school itself, however, did not take action to press for any modification of the official plan, on the grounds that "we are in no position to say yes or no to the national government's river works projects, and besides, we had not been party to any discussion on the issue prior to the decision."

After the facilities were completed, the school decided to send a teacher, on a rotation basis, to the park once a morning and again in the afternoon on Sundays and national holidays to check whether any of its students were there without adult supervision or engaged in any dangerous activity. These patrols, though an extra burden on the staff, were deemed necessary to protect the interests of the school as a custodian of the children. Considered responsible for the lives of its students, the school has had to take this measure of self-defense, which boils down to discouraging the children from making use of the park facilities.

Members of the community, too, were initially unhappy about the plan decided upon over their heads, but ended up giving their *ex post facto* approval. An officer of the PTA interviewed said, "We all knew that the proposed park would entail a danger to our children, but who would dare to oppose the authorities? Almost no one said anything during the official briefing session. One senior member of our community played the role of the devil's advocate, so to speak, expressing our apprehensions." The older man's opinions had no real effect on the government plan, although they did help allay the residents' pent-up frustration. It is because of the people's deeply ingrained submissiveness and excessive deference to authority that officials can do as they please, imposing plans on the local community at their own discretion.

The stated objective of the park project, nevertheless, focused on the "software," that is, promoting human interaction with the river. Given the community's passive acceptance of the new facilities, one would expect its members to be reluctant to cooperate in their maintenance and management. Should that happen, the project would not accomplish the purposes it was implemented for. Strangely enough, however, people of the Watari district were converted soon after the completion of the

riverside park from passive followers to active supporters, at least in form.

In the summer of 1996 when the project's "hardware" was finished, the Construction Ministry, working through the Fukushima city government and other channels, brought together representatives of the district's neighborhood associations and officials of the Fukushima Municipal Board of Education to urge their cooperation in administering the park facilities jointly with the ministry.

In November that year, the Watari Riverside Society was inaugurated for the management and programming of the park. Included in its membership were ministry officials from the Fukushima Construction Office, senior members of the municipal government staff, and the heads of neighborhood associations in the Watari district.

The Watari Riverside Society was quick to publish a PR bulletin aimed at local citizens in line with the objectives of the organization: "Our goal is to make the Riverside Park pleasant and accessible to citizens. To that end, we will see to it that close communication and connections be established between the government offices concerned, on the one hand, and members of the community, neighborhood associations, and local volunteer groups, on the other." Although with some time lag, the society began listing individuals who might serve as volunteer instructors for children in outdoor recreational activities. In 1997, periodic general cleaning of the park and mowing of weeds began to be organized by local residents.

In outward form, the Watari Riverside Society is a citizen-centered organization, or at least a "joint venture" of officials and private citizens. But all of its expenses are financed by subsidies from the Construction Ministry, a grant-giving foundation under the ministry's jurisdiction, and the Fukushima city government. The society's promotional materials, articles of incorporation and by-laws, and applications for financial assistance from the foundation were all prepared by ministry officials, and the society's secretariat is located in the River Section of the municipal office. An official in the section says, "Since the project was undertaken on such short notice, we [the city office] feel obliged to help out for a certain period of time."

Thus, what appears to be a local citizens' group is actually a government-sponsored nonprofit organization created on a model provided for in the ministry's project implementation plan. A neighborhood association leader says, "The ministry got everything ready, down to the

last pencil, and then dropped the actual work in our laps. But the completed park itself looks all right, and we feel it would be a shame to leave it overrun with weeds."

Influential member of the community and head of the Watari Riverside Society Takano Izaemon says, "The local residents are now obliged to share some burden in the park's upkeep by cutting weeds, for example. So we should ask the city office for financial help, so that the people here will gradually feel closer to the park. I think that's best for the community. To restore the friendly river of the past is time-consuming, and we have to change our attitudes, too."

As observed already, for a project engineered by officials based on their own idea of the public interest, local residents find themselves mobilized before they know it, as if of their own volition, to represent and support the "public" cause. In this way, a government decision assumes the appearance of the public good that no one can dispute. The Fukushima project exemplifies what I have called the public-equals-official formula in Japanese society.

EXPOSURE OF INHERENT CONTRADICTIONS

In launching its "friendly river" program, the Construction Ministry was compelled to attach importance to the "software"—the cooperation of the local community—because of the problem of safety and liability for accidents.

As noted already, the Construction Ministry had previously pursued policies in its river administration that gave priority exclusively to flood control. This resulted in infrastructure and rules that severed the close ties that once existed between community life and local water-courses. Government responsibility for river management increased, and with it the state's financial liability for drownings and other fatal accidents. Under such circumstances, it was anticipated that the switch to the new policy of making rivers more accessible and "friendly" would entail even greater responsibility for the government to bear with regard to accidents.

The Construction Ministry held a series of study meetings, inviting outside specialists, to examine these eventualities. A number of preventative measures were suggested, but one of the main points stressed in the final report was the "need to cultivate a sense of self-responsibility" on the part of local people. Part of the study report reads as follows:

Rivers are essentially natural public domain available for free use by the general public. People should use such facilities at their own risk. In Western countries, citizens are accustomed to defending their own lives when they are of their own volition in a dangerous place. But in Japan . . . many accidents have taken place because of lack of imagination on the part of users about the possible risks they are taking. Hence it is crucial that we make an earnest effort to cultivate people's ability to understand potential dangers and perceptivity in responding to their own situation, thereby elevating awareness of responsibility for their own actions. (Research Committee on River Control 1996, 21)

The initial negative reactions of Fukushima citizens to the riverside park project focused on the issue of safety. They had been led to believe that the government is responsible for safety as the sole protector and executor of the public interest through its river conservation and flood-control measures. When suddenly told that the Abukuma River was once again to be part of their daily lives, it was only natural that they should be bewildered and apprehensive. A father of a primary school student expressed the honest feelings of many adults in the district: "I'm all for kids getting to know nature better, but the Abukuma is no gurgling brook. We don't need a park on the riverside there. It's as if we are being made the subjects of an experiment [that is, the government is using Watari residents to test whether citizens can develop enough responsibility for their own actions to prevent accidents]. That's kind of hard to accept."

The Construction Ministry's appeal for a greater sense of self-responsibility itself is ample evidence of how drastically the official monopoly on the public interest has destroyed the close symbiotic relationship between people and their rivers that once existed. The people's "lack of imagination" is at least in part the price the government has to pay for its own policy. Unintentional though it was, the Construction Ministry's revision of what it considers to be in the public interest has brought to the fore some of the contradictions inherent in the public-equals-official society of Japan. Those contradictions and flaws have manifested themselves at the lowest echelons of the bureaucratic hierarchy where most of the projects are implemented. Especially since the mid-1990s, they have spread nationwide, growing more

serious in degree and larger in scale. I will discuss these new developments and their backgrounds in section three of this chapter.

THE PUBLIC-OFFICIAL EQUATION IN HISTORICAL PERSPECTIVE

KŌ AS GOVERNMENT

The standard Japanese translation of the word "public" is "*kō*," as in *kōeki* (public interest). This Chinese character, as it has been used in Japan during the modern period, has a dual meaning: It denotes "government" and "ruling authority" as well as "public." In fact, the former connotation is stronger than the latter. Even today, most Japanese, when they hear the word *kō*, will assume it means "government" before they think of "public." The concept of public in its Western sense is still not very familiar in Japan.

Behind the double meaning of the word *kō* and its weight toward the meaning of "government" is a long historical process in which the peculiarly Japanese social fabric has evolved, characterized by the public-official equation. Originally, *kō* did not have the connotation of public at all. Used in juxtaposition with *shi* (self or private), it meant, literally, "righteousness devoid of selfish motives" or "impartiality." Some Sino-logists say that the term had a connotation of public in ancient China, but when the ideograph was imported to Japan in the sixth century, it was used to represent the indigenous word *ōyake*, which means "man-sion of the lord." Hence, the *kō-shi* pair came to take on the nuance of a ruler-subject relationship. One of the articles of Prince Shōtoku's (574–622) Seventeen-Article Constitution reads: "To turn away from that which is private [*shi*], and to set our faces toward that which is public [*kō*]*—*this is the path of a minister."

During the Edo period (1603–1867), the appellation *daikōgi* (Great Authority) was used in reference to the Tokugawa shogun at the apex of the hierarchy, while domanial daimyo (feudal lords) were called *kōgi* (authorities). Throughout the modern period, at least until 1945, the phrase *messhi hōkō* (literally, self-annihilation for the sake of one's country) was frequently and widely used in the context of hierarchical social relations. These usages of the word *kō* clearly indicate that the meaning of *kō* as "ruling authority" is deeply embedded in the Japanese psyche as well as vocabulary (see Mito 1976 and Katō 1992). Depending on the historical era and social context, "the term generally meant the

monarch, government, or some other superior authority” (Maruyama 1986). In its Edo-period usage, *kōgi* was a common noun meaning government (Watanabe 1997).

The Meiji Restoration of 1868 put the emperor at the apex of both the spiritual hierarchy and the power structure. The term *kō* then came to mean the imperial government and/or the state itself. Under the system where the monarch represented the ultimate, absolute *kō*, the imperial subjects were required to “courageously sacrifice themselves for the state in a national crisis” (Imperial Rescript on Education). The phrase *messhi hōkō* was often used in slogans calling for “selfless loyalty to the state.” In this way, a nationwide network was created mobilizing popular energy for service to the *kō* as the state, both spiritually and materially. This system of national mobilization was instrumental in propelling the country’s modernization drive, but it also paved the way for the rise of ultranationalism in the 1930s, and subsequently for Japan’s catastrophic plunge into World War II.

Even more important for our purposes here is that the concept *kō* became identified with a very specific entity—the government bureaucracy. This was because the “emperor’s officials” took upon their shoulders the task of nation building and administering the affairs of the state. Government documents have come to be known as *kōbunsho*, and archives as *kōbunsho-kan*. Even the vehicles officials use are called *kōyōsha*. As these usages indicate, the word *kō* became synonymous with the government and its officials in the course of modern Japanese history.

Under Japan’s centralized system of government, the ministry officials at the top of the bureaucratic hierarchy not only made decisions on matters of the national interest but dictated the public interest for prefectural and municipal administrations, in descending order. It was thus no wonder that the whole structure of decision making on matters of the public interest was one and the same with the bureaucratic hierarchy.

KŌ AS PUBLIC

Early Meiji intellectuals who introduced Western ideas and philosophies had a hard time trying to find a Japanese equivalent to the word “public.” Public is a horizontal or lateral concept, as opposed to the vertical or hierarchical concept of *kō*, in that it is premised on the presence of values divorced from the state and common to all members of

a society or people (Maruyama 1986). Such a concept or word denoting it had not existed in pre-Meiji Japan.

The same was true for the word "society," which implies a horizontal, spontaneous association of individuals. The whole notion was foreign to Japan at the time. A wide variety of words or phrases were tried before "*shakai*" took root as the standard rendering of "society" (see Katō 1992 and Maruyama 1986). The absence of Japanese equivalents for "public" and "society" is symbolic. The modern state may be one thought to be founded upon a civil society independent of the state itself and where the concept of "public" is indispensable, but Japan started out its modernization process without either of these.

The modernizing efforts by Meiji Japan involved not only the task of putting together the façade of a modern state, including the establishment of a centralized government. A national society had to be created at all cost, transplanting modern economic systems and reorganizing the decentralized domains and small local communities. The Meiji government tried to instill new social values in the population through the national education system, while organizing many civic groups under its auspices (government-sponsored nonprofit organizations) in an attempt to mold a "society," at least in outward form. In other words, the Meiji state artificially created what looked like a modern civil society with a semblance of a "public."

Whatever the reality, the word *kō* did take on the additional connotation of public at that point. But both *shakai* (society) or *kō* as public, set out as hastily patched together, half-baked concepts, continued to suffer thereafter from a heavy dependence on and influence from the state and government. *Kō* as public has never been free from the imprint of *kō* as government.

OFFICIALLY DESIGNATED PARKS

One evidence of that imprint is in the deep-rooted national mentality that the government should control everything in the public domain and, conversely, that that which the government controls is the public domain. To explain this mentality, let me briefly review the history of parks in this country and official and popular attitudes toward them.³

During the latter half of the 19th century, the Meiji government made a desperate effort to transplant or create those institutions and facilities that Japan did not have but that it considered indispensable for

the country's Westernization. One such facility was the kind of public garden found in European cities. In a flurry to adopt things Western, the government decided on a system in 1873 whereby many open spaces and shrine or temple compounds were officially designated as parks. These were the places where ordinary folk had thronged for cherry-blossom viewing, picnics, or festivals. The designation system helped to increase the number of parks, at least on paper. The Meiji regime also built Western-style parks in big cities, such as Hibiya Park in the heart of Tokyo. All the while, use of recreation spots that the authorities deemed unsuitable or undesirable was abolished under government pressure.

These newly created or newly designated facilities were first called *yūen* (pleasure grounds or amusement parks), but eventually *kōen* (literally, public/official gardens) became the official term. The dissemination of this term greatly facilitated the popular acceptance of *kō* as being synonymous with "public." In reality, however, the *kō* in *kōen* did not signify "public" but "official." It is more fitting, therefore, to call these facilities *kan'en* (official gardens) than *kōen*.

Symbolic is the story of the opening day of Hibiya Park, the country's first European-style park, completed in June 1903. The police prohibited eating and drinking inside the park and refused to allow street performers to enter. So, outside the park, hundreds of open-air stalls were lined up where visitors who had come to see the new park enjoyed eating and drinking. Hibiya Park was not a public garden but literally an official garden.

The net result of the government initiative in building parks is the distorted belief that only those facilities designated as *kōen* by the government are real parks. This notion is very much alive today, and the number of *kōen* keeps increasing, not so much in response to the needs of citizens as the result of the execution of central or local government plans and the expansion of budgets. The underlying pattern of thinking behind these park projects is that government approval or authorization alone puts social overhead capital in line with the public interest. The riverside park project discussed in the preceding section typically demonstrates this logic.

The nature of Japanese parks as "official gardens" has given rise to the notion that the government is responsible for the management and care of the parks. This notion, firmly anchored in the people's mind-set, has undermined the popular understanding of *kō* as public. Shirahata

Yōzaburō, professor at the International Research Center for Japanese Studies, is one scholar who has consistently criticized the official park policy in this country, noting, for example, that the general cleanup of the parks is conducted by “volunteers” recruited and organized by the government! Based on his extensive analysis of the history of Japanese parks, Shirahata concludes that official initiative and control have produced the following twofold mentality: (1) that only those facilities created through bureaucratic channels and approved and authorized officially qualify as *kō*; and (2) that *kō* is free of cost, because citizen participation in or personal financial burdens for the maintenance of the facilities are not required. This mentality assumes the a priori existence of the government and total dependence on its support. The “heteronomous” society thus created was the price the Japanese public have had to pay for leaving the public-equals-official model in place for so long.

All this would be quite understandable if we were just talking about prewar Japan where the state controlled the whole society. The democratization of Japan since 1945, however, has made it possible for the popular will (what the public wants) to be reflected in governmental processes through various institutional and legal apparatuses. Why is it, then, that officialdom has been able to hold a virtual monopoly on the interpretation and implementation of the public interest even through the postwar period? The answer to this question lies, as we have seen in the riverside park issue and the history of parks in Japan, in the decline of the people’s sense of independence and the insufficient autonomy of society itself.

For about 15 years after the end of World War II, until the nationwide uproar over the revised U.S.-Japan Security Treaty issue in 1960, “what the public interest should be” was often the focal point of political debate and confrontation, especially as it related to the economic system and foreign policy. Even then, the Japanese people’s psychology of dependency on the government authorities had not really changed since before the war. Another element of continuity from the prewar to the postwar period was the Japanese preoccupation with the national goal of catching up with the West, that is, modernizing Japan after the model of the advanced West. The bureaucracy survived Japan’s defeat at the hands of the Allied Powers, and as a team of specialists in the pursuit of the national goal, it tackled the task of economic reconstruction. The political parties, on the other hand, barred from sound growth

before the war under the emperor system, remained incapable of defining the public interest and mustering popular support for their policies without the help and guidance of the bureaucracy. They simply lacked the necessary intellectual resources and organizational strength.

Under these circumstances, the central government bureaucrats were able to consolidate their position as the guardians of the public interest in postwar Japan. Whereas "a wealthy nation, a strong military" had been the prewar slogan of the public interest, "economic growth" became the key phrase after 1945. By virtue of their technical acumen, ministry officials have virtually run the government, using politicians for their own purposes, and continued to mobilize the necessary social resources to implement their policies under the centralized system of public administration. In this way, the subordination of society to the state, a prominent feature of modern Japan, has not only remained intact, but has been taken for granted by the government and bureaucracy, as well as the politicians and people.

THE ESTABLISHED ORDER ON TRIAL SYSTEM CRUMBLING, CREDIBILITY ERODING

The whole system aimed at serving the public interest—the decision-making process, order of priorities, and credibility of the decisions made—began to collapse in the middle of the 1990s. Recent political and economic confusion in Japan is closely related to the collapse of this system.

Japanese politics has been in turmoil since the one-party rule of the Liberal Democratic Party (LDP) ended in 1993 and its replacement by a succession of coalition cabinets. The coalition between the Liberal Democrats and the Social Democrats is now a thing of the past. Meanwhile, out-of-power groups continue to realign themselves in a constant meeting and parting of the ways. Politics is an arena of open competition for various public interests, but the system of public interests the parties competed to pursue has disintegrated, and they are unable to find any alternative.

As the chaotic situation continues in the political arena, voter support for parties has drastically diminished, with about one-half of the entire electorate having no party of preference. The nonpartisan group has doubled over the past ten years. The turnout of voters in national elections has steadily declined since 1992, each time marking a new

record low. In the House of Councillors election of 1995, the turnout was below 45 percent, and even in the House of Representatives election of the following year it did not reach 60 percent. Both explicitly and implicitly, popular support for the old systems for defining and maintaining the public interest is fast eroding.

The current turmoil, however, has gradually made clear exactly what the issue is. The viability of the established order of the public interest is now being subjected to fundamental scrutiny.

WHAT IS THE PUBLIC INTEREST?

A number of controversial issues came into the limelight in 1996 that shook the systems serving the public interest at their very foundations. Their dysfunctions were obvious for all to see. A leading case that particularly aroused public indignation was the proposed use of taxpayers' money to help settle the irrecoverable debts of seven housing loan companies.

The seven companies, which had heavily invested in real estate during the period of the overheated economy in the late 1980s, were burdened with massive credit accounts that became uncollectable after the bubble burst and land prices plunged. Because these loan companies were partly financed by agricultural cooperatives, the government attempted to infuse them with ¥680 billion from national coffers under pressure from the ruling parties, which wanted by all means to maintain their bastions of support among the rural voters who customarily deposit their savings in the agricultural cooperatives. This move aroused vehement protest from the media and general public. The widespread reaction was, Why should taxpayers' money be used to help out private businesses which have gotten into trouble through their own misjudgment and inept management?

The government's rationale for the infusion was its behest to maintain a stable financial system, which it claimed was in the public interest. But the administration could not even offer a coherent explanation for what it had based the proposed figure on; ¥680 billion was the amount decided upon through a political compromise between the financial institutions concerned (banks, agricultural cooperatives, and others) and the finance and agriculture ministries. Nor did the government disclose the total figure of irrecoverable credits the housing loan companies held, lest such information trigger financial panic.

The critics, meanwhile, argued that the proposed measure was simply intended to salvage certain banking institutions such as the agricultural cooperatives, and that the real "public interest" in this case lay in making clear exactly who was responsible and making them account for their own failures and wrongdoings. In the end, the bill for a special appropriation of ¥680 billion was forced through the Diet by the majority.

What this case demonstrated beyond doubt is the changing attitude of the Japanese people toward the public interest. An official policy in pursuit of the so-called public interest met with stiff opposition, the government could not present any convincing argument for the proposed measure, and its accountability was squarely and repeatedly questioned. The official monopoly on the public interest was indeed being challenged on an unprecedented scale.

This nightmarish experience with the housing loan company issue made the Japanese government exceedingly hesitant to deal squarely and effectively with the massive uncollectable credits weighing down banks and other financial institutions. The financial instability that arose as a major issue in 1997 onward was the result. Toward the end of that year, the government decided on the infusion of ¥30 trillion from public funds into the financial sector. The amount was incomparably larger than the ¥680 billion appropriated for the housing loan companies. But more important was whether this new measure was really in the public interest. Even within the ruling party criticism mounted over the accountability of the Ministry of Finance and inadequate public disclosure of corporate data and information.

The Great Hanshin-Awaji Earthquake that hit the Kobe-Osaka area in January 1995, with a final death toll of more than 6,400 people, prompted many to question what the government is for, whose interests it supposedly serves, and what, ultimately, the public interest is. These questions came to the fore in 1996 after more than a year of reconstruction and relief work.

Two-hundred-fifty thousand houses were completely destroyed or partially damaged and at least 320,000 people were obliged to evacuate their homes in the wake of the disaster. Many lost both their residence and their place of work. Apart from the emergency relief following the quake, financial aid provided to the victims came from exclusively private sources. A maximum of ¥500,000 was sent to each household.

Official assistance was limited to low-interest-rate loans and the provision of public housing units. No direct relief funds were made available from the Treasury. Victims have had a hard time trying to restore their lives to normal. Nearly three years after the disaster, as of October 1998, 9,563 families still lived in temporary shelters hastily built in the aftermath of the quake. The shortage of public funding and the delay in the availability of housing units in the Kobe-Osaka area are the main reasons for this unfortunate situation.

The Japanese government has firmly held to the principle that "victims of natural disasters should deal with the damage on their own resources" (Prime Minister Hashimoto Ryūtarō), and consistently refuses to provide any financial aid from public coffers. "No compensation by the government for private assets lost" is in line with the classical concept of the public interest maintained by officialdom.

A citizens' group launched a campaign in 1996 for new legislation on behalf of the earthquake victims. The group argues, Why does a government that rescues financial institutions with taxpayers' money refuse to help citizens whose lives have been completely devastated? It calls for public assistance of up to ¥5 million per household, and has collected about 25 million signatures from around the country in support of the proposed legislation.

The group's campaign bore fruit when several sympathetic members of the Diet submitted a bill for the use of public funds to aid victims of natural disasters. It was the first nationwide movement to present an alternative to the government's version of the public interest from the citizens' viewpoint.

In a separate move, the National Prefectural Governors' Association called on the central government to create a special relief fund to compensate for damage caused by natural disasters. Their reasoning is that a large-scale calamity like the Great Hanshin-Awaji Earthquake requires public aid for reconstruction and rehabilitation. Here, too, we find the public interest of the local governments diverging from that of the central administration.

The bill was enacted in May 1998 as the Law for Livelihood Rehabilitation of Natural Disaster Victims, which stipulated the provision of up to ¥1 million for those families whose houses have been completely destroyed in a natural disaster. The relief provisions of the law were made applicable to the victims of the earthquake retroactively. This legislation meant that a new type of public interest was written into law on

the basis of actual needs, and it also brought to light the fictitious nature of the official concept of the public interest.

ORDER OF PRIORITIES

Insofar as there are many kinds of public interest, the question arises as to how to determine the order of priorities. A series of epoch-making phenomena occurred in the 1990s that amounted to an open revolt by local communities against the central government's idea of what constituted the national and public interest. Their means of resistance was referendums at the prefectural and municipal levels. This turn of events unambiguously shows that the established hierarchy with the state at the top and towns and villages at the bottom is crumbling, and with it the system of officially determined public interest.

The rape of a 12-year-old Okinawan schoolgirl by three Marines in September 1995 triggered a new anti-U.S. base campaign, demanding reduction and scaling down of the U.S. military presence on the islands. Ōta Masahide, governor of Okinawa Prefecture, subsequently refused to sign a new lease on some of the private land appropriated for U.S. bases. The case was brought all the way to the Supreme Court. Through the lawsuit against the state, the governor was asking the government in Tokyo to ease the excessive burden on Okinawa, where 75 percent of U.S. military installations on Japanese soil are concentrated under the bilateral security treaty.

In April 1996, the two countries agreed at a bilateral summit on a package for consolidating and reducing American military facilities in Okinawa, including the return of Futenma Air Station. Ōta did not change his basic position even then, but the government had no recourse but to impose the national interest on Okinawa and make the expired lease on land legal through the Supreme Court ruling in favor of the state.

Soon thereafter, in September, Okinawa Prefecture held a referendum on the issue. Approximately 90 percent of those who voted were in favor of the consolidation and reduction of the U.S. bases there. The governor conducted a series of negotiations with Tokyo on behalf of the "public interest" of the Okinawan people made explicit through the referendum. "What is Japan's national interest," asks Ōta, "if so much of the burden must be forced on Okinawa? Shouldn't real national interest reflect a wide spectrum of public opinion?" Clearly, his view of the public interest is remote from that of the bureaucrats in Tokyo.

One month before the voting in Okinawa, the Maki township in Niigata Prefecture held a referendum on the issue of locating a nuclear power plant there. It was the first referendum in Japan. The town had already been chosen as one of the sites in the government's Basic Plan for the Development of Power Resources. Nearly 90 percent of the eligible voters in the town cast their ballots, and the great majority was against the construction of a power plant. Mayor Sasaguchi Takaaki immediately declared that he would not sell the town-owned land for building facilities for nuclear-power generation. Here again, the public interest of the local townspeople challenged the national policy drawn up in Tokyo.

Japan-U.S. mutual security arrangements are "public goods" based on national consensus, to cite Prime Minister Hashimoto Ryūtarō. It is probably safe to say that development of power resources, too, is a major component in the national interest, particularly for a resource-poor country like Japan. Up until 1996, the government had somehow managed to get local areas to accept, albeit reluctantly at times, its "national policy" programs, taking full advantage of bureaucratic prerogatives and the submissiveness of the people to authority. When there was organized opposition to the government plan, various economic benefits such as subsidies were offered to compensate for the losses that might be incurred and to mollify the concerns and dissatisfaction of local residents.

In Okinawa Prefecture and Maki township, neither of these approaches worked. Both of the traditional, experientially proven systems of public interests and economic benefits had vanished from people's purview. Instead, they pitted their own "public interest" against the national interest.

Noteworthy here is the fact that the government resorted to all kinds of means prior to the voting, including door-to-door visits of its representatives, to persuade the townspeople of Maki to support its policy. The results of the referendum proved that when the local public interest was openly pitted against the national interest, the government did not know how to sway public opinion for the sake of the latter. Kajiyama Seiroku, then chief cabinet secretary, deplored the refusal of the people of Maki, saying, "Sometimes I wonder if we could not build a nuclear power plant in Tokyo."

These facts amply show a major gap in the traditional Japanese style of governance. As was revealed in the handling of the housing loan issue described earlier, the government was not equipped to offer a

plausible rationale for its policy decision. Under the official monopoly on the public interest, it has seldom occurred to the bureaucrats that they have to explain their decisions, much less persuade the local people concerned. Nor have they ever acquired an effective technique of persuasion. Moreover, they lack the wisdom and know-how necessary to compare different sets of public interests in an open setting and decide on an order of priorities through the presentation of convincing background and arguments.

Confusion in the system of public interests gave rise to a new style of political bargaining. In March 1998, Governor of Aomori Prefecture Kimura Morio suddenly announced his intention to refuse the entry into the Mutsu Ogawara port of a vessel carrying high-level radioactive waste. He reasoned that he could not give a convincing explanation to the people of his prefecture. It was a show of a prefectural governor's resistance to the central government's policy. The governor backed down rather quickly in this case, so it was generally taken as a case of political grandstanding. The incident nevertheless proved that the local public interest can legally assert itself against the central government authorities.

Modern Japan's structure of governance is premised on the public-equals-official mentality, in that local obedience to national policy is taken for granted. But the cases of Okinawa, Niigata, and Aomori cited here show that local governments have various "weapons" at their disposal with which to resist or act in defiance of the central authorities. We can perhaps say that the local public interest is the gunpowder for these weapons.

CAN OFFICIALS REPRESENT THE PUBLIC INTEREST?

A series of scandals broke out in 1995 involving high-ranking Ministry of Finance officials. The former chief of the Tokyo Custom-House and the former deputy chief of the Budget Bureau were found to have colluded with dubious money brokers. They resigned under the pressure of public outcry.

Then in 1996, startling facts began coming to public attention at the Ministry of Health and Welfare. It was found that officials of the government had deliberately neglected that highest priority in the realm of the public interest—the safety of people's lives. Through misjudgment and neglect on the part of the ministry, about 2,000 people were infected by HIV-contaminated blood plasma products that ministry officials had continued to insist were safe.

The crucial data and documents, the existence of which the ministry had consistently denied for seven years in the course of civil trials (AIDS patients and HIV carriers vs. the pharmaceutical companies that imported and sold blood plasma products and the state that approved those products and their sale), turned up under the direction of a non-LDP minister of health and welfare. These records provided undeniable evidence that the ministry officials in charge had been aware of possible infection at a fairly early stage and had chosen not to take any action to remove the imported blood plasma products from the market, thereby allowing the spread of fatal infection for a number of years.

This revelation was quickly followed by a formal apology from the minister of health and welfare to the HIV carriers and AIDS patients concerned, and settlement of the civil suits that had been brought. The medical scientists and pharmaceutical company executives who had been sued for murder were arrested on charges of involuntary manslaughter. A top-ranking bureaucrat, who was a section chief in the mid-1980s, was also arrested on the same charge. This was the first arrest in modern Japanese history of a bureaucrat personally accused of administrative negligence.

In December that year (1996), the Health Ministry's top official—administrative vice-minister—was arrested on charges of graft in a separate case of corruption. He had received a substantial amount in bribes from the owner of several welfare facilities for the elderly.

Successive revelations of cases of corruption, negligence, and incompetence among elite bureaucrats since the mid-1990s raised the basic question of their competence to act in the public interest, and whether citizens should continue to entrust decisions on the public interest and their execution to officialdom, as had always been done in the past. The “public” consciousness, if any, that bureaucrats possess also came under scrutiny.

Debate was quickly to emerge over the pros and cons of legislation for a code of ethics for public servants. The government was at first reluctant to enact a new law, saying that an internal code was sufficient. Hashimoto expressed his view that “rather than regulating their conduct by law, I would prefer to trust the sense of shame, conscientiousness, and spirit of service to the people of the overwhelming majority of officials.” The National Public Service Law already stipulates, “[Government officials] may not act in any way as to harm the reputation of their offices or to be a dishonor to officialdom as a whole.” The

government argued that this provision was sufficient to punish disgraceful conduct by officials.

Police investigation beginning in 1997 into bribery scandals in financial institutions, however, led to the arrest of Finance Ministry officials in January 1998. The repeated corruption of the most powerful and prestigious of all government agencies rendered meaningless the claim that officials should be the sole arbiter of the public interest. Hashimoto was forced to change his stance in favor of the legislation of an ethical code of conduct. He was quoted as saying, "I cannot but feel betrayed." One of the major issues during the ordinary Diet session in 1998 was a bill forbidding officials to be entertained by any business concern falling within their jurisdiction and requiring them to report any case of entertainment exceeding ¥5,000.

Why did the prime minister vacillate in his stance on the code of ethics? Obviously he himself had fallen prey to the peculiar sense of responsibility characteristic of the public-equals-official society. The above-mentioned provisions of the National Public Service Law are intended not to protect the interests of the people but to safeguard the reputation and honor of officialdom itself. Officials are subject to punishment when they commit acts damaging to the credibility and prestige of the bureaucracy. But according to the logic of this code, it is officialdom itself that is seen as the victim of malfeasance, where in fact, it is the people, the taxpayers, who are betrayed. There is no mechanism for punishing officials either for their failure to respond to the needs of the people or for undermining the popular trust. In other words, bureaucrats are considered responsible primarily to their own organization, not to the people or the public.

Through the post-World War II reforms, Japan's officials became "public servants," a change in status from the prewar "officials of the emperor." But there was no mechanism built in to check and guarantee their spirit of service to the people. Even under the democratic system of the civil service, the public-equals-official society survived to preserve the bureaucratic sanctuary.

DISCOVERY OF NEW HORIZONS OF THE PUBLIC

RELATIVIZATION OF GOVERNMENT

The fissures in the public-equals-official edifice that were brought to light one by one in 1996 did not appear all of a sudden, of course. Among

the factors behind them were the quantitative increase in wealth during the extended period of economic growth, and the accompanying diversification of social values and expansion of social activities of all kinds. Since the early 1980s, moreover, with the fiscal deadlock and rising calls for deregulation, the role of the government began to be limited and reduced. People gradually came to recognize that there is a certain realm of the public that the government does not control, or cannot directly control. In broad perspective, we can say that the structure of modern Japan, in which the government builds the society and manages it, had started to collapse—both in actuality and on the level of the popular consciousness—as the result of the maturation of society and the “relativization” of government authority (see Sakamoto 1997).

The epochal event in the relativization of government was the establishment in the 1980s of the Ad-hoc Commission on Administrative Reform, an advisory organ to the prime minister, which embarked upon administrative reform under the slogan of “government-private burden sharing.” The commission was led by members of the business community seriously concerned about the threat of fiscal bankruptcy with the advent of the low-growth period and the rapidly aging population. One major purpose of the reform was to streamline the administration. A consensus had been forming among business leaders that the government, although it had contributed to sustaining rapid economic growth, was becoming increasingly inefficient and wasteful and therefore had to be streamlined for the sake of the expanding and globalizing national economy.

The focus in the Ad-hoc Commission was on the reorganization and reduction of the many government regulations that placed restraint on private activities. Deregulation became firmly established as a political task by the end of the 1980s, and even after that, deregulation continued to be among the basic demands of the business world vis-à-vis the government. Until the early 1980s, regulations had been a fundamental part of the government’s “public benefit” activities, or in collaboration between government and business. The deregulation approach demonstrated that the government, the old patron of the nation’s business and industry, was now seen as a major impediment to the growth of the economy.

Officialdom, centering on the Ministry of Finance, did ostensibly follow the Ad-hoc Commission line of “fiscal reconstruction without tax increase.” But the government was incapable of casting off its

long-indulged habit of lavishing money on public works projects and welfare programs. It finally introduced a consumption tax in 1989. Thus, although the times were calling on the government to revise its policies vis-à-vis the public interest, the bureaucracy still sought to avoid the issue by making minimal adjustments. By combining the gradual reduction of vested interests with the gradual increase of financial burden, the government adopted a policy line that it considered would assure a soft landing for the rapidly aging society.

However, the people's instinctive opposition to the increased burden, and their indignation at the continuing revelations of political corruption, as well as the government's failure to effectively manage the economy as reflected in the economic bubble, triggered political turmoil, as outlined earlier, and the onset of a series of unstable coalition governments. Then, as the people grew distrustful of officialdom because of its handling of the housing loan company problem and the spread of HIV infection through contaminated blood products, the political parties and politicians that had depended on the bureaucracy for so long began the unprecedented move of distancing themselves from it.

The fact that the Hashimoto administration made reorganization of government agencies a major campaign pledge in the 1996 general election and that heated debate has continued within the ruling parties on the subdivision of the Ministry of Finance, the very kingpin of the bureaucracy (a debate which shook the coalition government in 1997 and 1998), reflects an irreversible trend in which politicians are gradually weaning themselves from dependency on the bureaucracy, although in some cases the reorganization and consolidation of government agencies is tainted by vote-seeking tactics. Hashimoto forcibly replaced the vice-minister of finance at the apex of the government bureaucracy in connection with the financial scandals of 1998. It was an "epoch-making incident," commented Katō Kōichi, then secretary-general of the LDP, "testifying to the shifting balance of power between politicians and bureaucrats."

For politicians and political parties, the new "public interest" and new public symbols are necessary not only to win in elections under the party-centered single-seat constituency system recently adopted for the House of Representatives, but also to survive the fierce realignment struggle among the parties. In a society with such a strong tradition equating the public with the official, distance from officialdom will be seen as new and fresh. Exemplary of that trend, leading politicians of

conservative background have begun advocating "civil rights" and "civil interests," which are new symbols of the public interest vis-à-vis the "official." The public-equals-official governing system, or what is called the union of politics and the bureaucracy, is being reappraised from the political side as well.

SELF-DISCOVERY OF "PUBLIC"

The onset of an age of increasing burdens came all too soon after Japanese had begun to enjoy the fruits of hard-won affluence. Dramatic changes in popular attitudes as a result have been another unmistakable factor in the relativization of government.

The attitudes of taxpayers who in the 1980s strongly resisted the introduction of the consumption tax on principle changed in quality during the 1990s to concern for and resistance to the way the tax collected from them was being used. That shift can be seen in the ramifications of the public information disclosure movement and its growing importance in society.

Institutionalization of information disclosure in Japan began in the early 1980s on the local government level. Systems for information disclosure were instituted in one local government after another on the momentum of the then-fashionable "age of regionalism" and "citizens-first priorities." As of 1998, such systems had been instituted in all 47 of Japan's prefectural governments as well as in nearly 18 percent of local governments lower down on the municipal level.

The information disclosure system is the embodiment of popular sovereignty, and as such holds special meaning in the rhetoric of the public-equals-official society. As formally stated in the information disclosure ordinances of some local governments, the system is a framework for disclosure (literally, opening to the public) of public documents (*kōbunsho*), and, as noted earlier, traditionally "public documents" meant "government documents," that is, the records kept and information compiled by government officials. Here the concepts of *kō* as government and as public curiously overlap. Whether or not the government will really disclose the information it holds and the system will properly function depends, in the final analysis, on whether the concept of *kō* as public can replace that of *kō* as government.

This system can be said to be in the process of changing people's attitudes. The establishment of information disclosure systems on the local level set in motion in the mid-1990s movements by taxpayers

to expose cases of account-book juggling in local governments. The revelations that emerged at this time dealt a heavy blow to the public-equals-official society. It was found that local government officials had made a common practice of siphoning off public funds through manipulation of accounts billed under such categories as official trips and extra hires, using the funds to entertain visiting officials from the ministries in Tokyo as a means of soliciting generous subsidies from the central government. Revelations of such government corruption and scandals made through applications for disclosure of public documents by citizens' groups and local residents' ombudsmen had been found in 25 different prefectures by 1996, and ¥7.8 billion in public funds discovered to have been siphoned off by local officials in 14 prefectures was to be refunded from individual salaries (Asahi Shimbun 1997, 388).

In Akita Prefecture, where it was found that false public documents had been handed over for fear of the discovery of illegal disbursements, the subsequent public outcry was so intense that the governor was forced to resign. In Miyagi Prefecture, under strong pressure from citizens' groups, prefectural authorities were forced to reveal the names of central government officials who had been "entertained" by local officials, information until then not subject to public disclosure. It was in Miyagi that the incumbent governor, who had switched to a stance of strong support for public disclosure in the gubernatorial elections in the fall of 1997, defeated by a large margin the challenger for his post backed by the two largest conservative parties (the LDP and the New Frontier Party) as well as big business organizations. It was while they witnessed this series of revelations of the true quality of government under the public-equals-official society that local citizens began to realize that "public" meant they themselves and awareness of *kō* as public began to take root.

The waves of change that had shaken local governments began to be felt in the offices of the central government ministries as well. Although the central ministries flatly rejected public information disclosure systems a few years ago on the grounds that they would further complicate administration, they have finally come under the terms of the Freedom of Information Law proposed to the Diet during 1998. The institution of systems by which the government will be accountable to the people for all its actions and the adoption of legal systems for monitoring of public administration by citizens and enhancing popular participation in government has been possible because the government recognizes

that they are indispensable if it is to maintain even a minimum of credibility with the people. We have entered the stage in the crack-up of the public-equals-official society in which people will not be convinced of the public interest until they can see what officials are really doing.

PRIVATE PUBLIC VS. PUBLIC PUBLIC

The rise of "public" consciousness goes hand in hand with the growth of citizens' activism, as shown in the case of the disclosure issue. Detailed data on nonprofit organizations (NPOs) and nongovernmental organizations (NGOs) in Japan are not yet available, but according to a September 1996 survey by the Economic Planning Agency, there exist about 85,000 groups involved in a wide range of activities from welfare and education to human rights, peace, and international cooperation.

The number of NGOs established for the purpose of engaging in international cooperation, for example, has increased rapidly since the 1980s, according to data from the Japanese NGO Center for International Cooperation: 7 at the end of the 1960s; 33 at the close of the 1970s; 132 at the end of the 1980s; and 190 so far in the 1990s. Whether organized or not, a large number of volunteers participated in relief activities after the Great Hanshin-Awaji Earthquake of 1995 (1.3 million people) and when thousands of tons of crude oil leaked from a wrecked Russian tanker drifted ashore on the Sea of Japan coast in 1997 (270,000 volunteer workers).

Japan now finds itself, along with many other countries, in the midst of the global trend toward rapid expansion of the nongovernmental sector that Lester M. Salamon calls the "associational revolution" (1994). Japan, too, has an increasing number of "ordinary people who decide to take matters into their own hands and organize to improve their conditions or seek basic rights" (112). It is the activities of these people that are beginning to bring to the surface the problematic nature of the system of serving the public interest that has been distorted by the public-equals-official schema. At long last, these activists are breaking the spell of government that has bound people throughout Japan's modern period.

One important thing we have to consider here is what the growth of the nongovernmental sector really means for the relativization of government in Japan. It means that relativization must go far beyond the call for a "small government" aimed at ensuring freer, less-regulated

economic activities or the demand for only qualitative improvements in public administration, such as disclosure of information. In other words, it is no longer sufficient for the government to make itself more efficient and more democratic.

The growth of the nongovernmental sector is itself proof that the kind of public realm that the government is either unwilling or unable to handle is rapidly expanding. In both consciousness and reality, the public realm is growing ever wider, but the government can no longer be responsible for everything. This is another crucial factor accelerating the relativization of government. The simple truth is that our world has reached a point where the public-equals-official schema is no longer viable.

International cooperation for development assistance and global environmental issues are well-known examples of the areas in the public realm that government alone cannot take care of. But there are an increasing number of domestic problems that defy official control of public concerns. The problems of waste disposal and recycling are good examples.

In Japan's urban areas, trash collection and disposal have been handled by local governments, free of charge to citizens in most cases. More recently, however, as resource conservation has become a major issue and garbage disposal capacity has nearly reached its limits in urban centers, a new awareness and new approaches have emerged. A number of cities have begun to separate the collection of glassware, plastics, metals, and so on for purposes of recycling. They also urge citizens to keep their trash to a minimum, and in some areas the municipal authorities charge for waste collection in hopes of reducing the amounts of trash people produce.

In urban life, at least, waste disposal is one public realm that affects everyone. Providing such a service free of charge was in a way typical of a society like Japan's, where public has been equated with official. But now, partly because the necessity for resource conservation has gained societal acceptance as a new kind of common good, people are obliged to take part in such "public" activities as separating their garbage by type of material and working to reduce the amount of trash they produce. Corporations, too, are now actively involved in recycling efforts and trying to lessen their waste output. In many cities, citizens have launched campaigns to promote recycling.

In any case, we find today many private citizens and private

enterprises taking on some "public" endeavors. The equation is shifting from the old public-official pattern to "public equals citizens plus companies," which in turn means "private."

As I pointed out in the second section of this chapter, *kō* (official-cum-public) has traditionally been paired with *shi* (private) in Japan. Another dichotomy that has prevailed in this country is *kan* (government officials) and *min* (people). Where *kō* was equated with *kan*, *min* and *shi* were identified as one and the same. The dominant notion in modern Japan has been that people are essentially private, divorced from either the public or the official.

But the problem of urban waste disposal defies this kind of dichotomous thinking. Yorimoto Katsumi, who teaches at Waseda University and is himself an activist in a citizens' movement for solution of the waste disposal issue, says that there are two kinds of public: "private public" and "public public." What is at stake for Japan, he writes, is how to establish the realm of private public, and how the two realms (that is, government and the realm of private public) can work together. In other words, the primary question is "what the role sharing should be between *min* (people) and *kan* (officials)" (Yorimoto 1994, 8-10). That a scholar had to coin the term "private public," which is self-contradictory, is eloquent testimony to the deep-rooted grip of the public-equals-official tradition on people's consciousnesses and the urgent necessity for the country to shed that premodern mentality.

Another problem the public-equals-official mentality no longer copes with effectively is that of a rapidly aging society, coupled with the decreasing birthrate. The most pressing issue involves the kind of public services to provide the elderly, and here, too, we see the emergence of "private public."

In its interim report of March 1996, the government Committee for the Promotion of Decentralization stresses the necessity of a new system incorporating private-sector and citizen participation in meeting the increasing demand for public services for the aged. The report states in part: "Local government officials alone can no longer provide effective services. It is necessary to establish a joint network of public-private cooperation in which various public service corporations, nonprofit organizations, volunteer groups, and even private enterprises take part" (Committee for the Promotion of Decentralization 1996, 6-7). In this new scheme, "private" is recognized as an independent entity capable of pursuing the public interest, as a partner equal to "official" rather than

just the latter's auxiliary force. As the committee's report indicates, the government is now groping for a new pattern of citizen participation in order to respond to the needs of the times. Such a pattern must clearly "go beyond the old pattern of local resident participation" (Kawashima 1998, 62). The "official" monopoly on "public" is now becoming a thing of the past.

CONCLUSION: CHALLENGE OF CIVIL SOCIETY

As we have seen in the above discussion, fundamental questions about the meaning of "public" now haunt the old public-equals-official society, challenging Japanese to redefine the very meaning of the word. Behind those questions is the awakening of popular consciousness of bonds among citizens in a spontaneous, self-conscious group: civil society. The discovery of a new concept of public—a new meaning for the common good—is in the process of opening up the prospects for a repositioning of the government as just part of the public sector. The realization of such a prospect would be historic because it would mean a dramatic change in the traditional concept of governance.

The more historic such a revolution in perceptions, however, the greater the obstacles to its realization. Conscious and unconscious resistance will be very strong from the very officialdom that will be required to change its role as the central actor in government. Another problem will be the deep-rooted distrust of the "private" fostered under the aegis of the public-equals-official society.

As suggested by its accommodation to the establishment of systems for disclosure of public information, the bureaucracy is fully aware of the challenges the changing times present it. To quote from a draft position paper on administrative reform prepared unofficially by young officials at the direction of senior officials in the Ministry of International Trade and Industry (1997) in March 1997:

Revelations regarding the policy decision-making process vis-à-vis use of public funds for dealing with the defunct housing loan companies and on the official misjudgments on potentially HIV-contaminated blood plasma products shocked and angered citizens, laying before their eyes the extremely murky, secretive nature of administration. . . . There has never been such a tremendous outcry about the absence of checks and participation

from the citizen side on the policy formulation process assumed by the government and about the failure of the government to make available public information that would make such involvement possible.

Failures or inadequacies on the part of government caused by lack of professionalism or specialized know-how have become more frequent and noticeable, arousing concerns among the people about whether they can really trust it to handle the administration of their country. In some fields, moreover, the private sector has come to possess superior technology, and this has given rise to doubts about the justification for public administration.

The outbreak of recent scandals has heightened distrust of government and strengthened doubts about government capacity for self-reform and self-purification, planting the seeds of doubt in people's minds about the very legitimacy of government. (1-4)

This report reflects the clear and candid awareness regarding a crisis in the legitimacy of government. This awareness, however, has not been linked to constructive action, nor has it led to a new set of behavioral norms for the bureaucrats. As Hashimoto sought to make headway in administrative reform, the central government agencies bustled around mobilizing related organizations and Diet members with close ties to the ministries (*zoku giin*) to defend and maintain the organizational structures and powers they had garnered over the years. They fought to protect the public interest in the old sense, keeping a death grip on the deeply entrenched systems of old-style government control. The new reform plan ended up mainly a reshuffling of the administration, with little changed.

The fact that officials took such actions in the face of a crisis in their very *raison d'être* demonstrates two well-established principles: that, particularly in times of transition, officialdom lacks the capacity to devise new forms of the public interest conforming to the needs of the times, and that the megastructures that are the vessels of the order of established public interests are not invested with the necessary vision and vitality to change that order. What they demonstrated in readily comprehensible form is that the bureaucracy does not have the capacity to engineer change in the public-equals-official society.

If that be so, can the private sector engineer such a change? Herein lies the great challenge for Japanese society today.

In the public-equals-official society, horizontal channels linking people without the mediation of officialdom are few and frail. This is because of the mentality fostered in this society that anything that has not passed through official hands or obtained its stamp of approval cannot be confidently trusted by society. In other words, while the government/public sector has enjoyed unconditional trust, the private sector is always suspect of not being completely trustworthy.

But we need not be too pessimistic. There are definite signs of departure from dependence on officialdom and of the development of a new *modus vivendi* for society. A typical example is the NPO Law, which won Diet approval in March 1998. The concept for the NPO Law, designed to provide incorporated status and tax exemptions to citizens' groups engaged in nonprofit activities, was sparked by the vigorous volunteer activities that sprang up following the Great Hanshin-Awaji Earthquake.

The concept of "public-interest corporation" exists in Japan in the texts of the Civil Code and other laws, but confirmation of an organization's public-interest orientation by the central government authorities is the condition for authorization of its legal status. Even after incorporation, such organizations are under the guidance and supervision of the ministries. There are 26,000 such public-interest corporations today, and many of them, providing postretirement employment for career civil servants, help to buttress the public-equals-official structure. The idea behind the NPO Law was to create public-interest organizations not subject to official control, paving the way for citizen-led activities in a freer context.

However, support for the law was hobbled by concerns of the old public-equals-official school about who (or what agency) will approve organizations as engaging in activities for the public interest, fears that they may be used for tax evasion, and whether any such organizations should be permitted that are not supervised by the government. People's thinking has still not moved away from the suspicion that anything "private" and left to its own devices will sooner or later violate the public interest.

In 1996, the ruling parties finally reached agreement on a revised NPO bill, omitting tax-benefits measures and renaming it the Law for Promotion of Citizens' Activities. However, further opposition arose

from within the LDP declaring that the term "citizen's activities" was too closely associated with activities critical of the government, so another revision was done, entitling the bill Law to Promote Specified Nonprofit Activities. The whole legislative process represented competition between the public-equals-official society and the forces for freedom from the fetters of that society.

The bill was finally passed into law through the patient and wide-ranging support and pressure exerted by numerous citizens' groups for prompt legislation. These activities, coupled with the slow but steady changes in the popular consciousness, have had an impact on the thinking of some LDP leaders about the advent of a new era in which citizens' groups are to play a variety of political roles and functions.⁴ It is symbolic that the NPO Law was passed unanimously.

Who is to decide what is in the public interest? Whose job is it to maintain and promote the public interest? Does it have to be the government? Can it be some other person or organization? Fundamental questions such as these, which were not discussed in the process of legislation, are now on the table for open political debate. These are questions Japanese society can no longer avoid. Today, indeed, the public-equals-official society is at a crucial crossroads.

NOTES

1. Unless otherwise stated, quoted material is from interviews by the author.

2. The material for this case study comes from research done by the Reform and the Citizens Research Team at the Asahi Shimbun in 1997 (of which the author was chief). I am particularly indebted to the findings of Takano Yuzuru, one of the reporters on the team.

3. Inuma and Shirahata (1993), Shirahata (1991), and interviews by the author with Shirahata.

4. Cf. interpellation by Katō Kōichi, secretary-general of the LDP, during the 1998 ordinary Diet session, February 18.

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