

<u>Articles</u>

Balancing Continuity and Change: Japan's Pursuit of a 'Small and Strong' State Within the Neo-Weberian State Framework

Koichiro Agata¹, Hiroko Shimada-Logie², Dimitri Vanoverbeke³

¹ Faculty of Political Science and Economics, Waseda University, ² Graduate School of Government, Kyoto University, ³ Graduate Schools for Law and Politics, University of Tokyo

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This paper discusses the development of Japanese public administration within its historical and socio-political context, focusing on the question, "How well does the neo-Weberian State (NWS) travel outside Europe?" In the late 19th century, Japan established a Weberian public administration based on the German model. Since the late 1940s, it has consistently pursued the goal of "small and strong government", but its strategy for achieving has changed over time. It was first driven by a bureaucracy fragmentally allied with the ruling party and business. From the 1980s, it promoted various NPM-type reforms, and since the 1990s, political control has been centralised, depriving the bureaucracy of its ministerial autonomy. Nevertheless, the anticipated shift in public attitudes has not materialized. While the demand for infallible protection by the administration persists, the vulnerabilities in implementation caused by these reforms have become evident during crises such as the COVID-19 pandemic. These findings show that the NWS has a normative affinity with traditional Japanese values, including expectations that the state realises the public good and ensures security. The Japanese case also implies that the collective memory of past successes driven by hierarchy can simultaneously hinder the NWS by creating unrealistic expectations. Whether the NWS will become a sustainable model for future reforms depends on whether the public confronts the reality of resource constraints.

1. Introduction

Outside of continental Europe, Japan is one of the few countries where Weberian public administration is firmly rooted. At the onset of modernisation in the late 19th century, Japan closely followed the German model of bureaucracy, and its approach was virtually unaffected even after the introduction of the US-style National Public Service Act after the Second World War. Under the long and stable rule of a single party (the Liberal Democratic Party (LDP)), a high-quality bureaucracy has played an active role in policymaking, particularly that related to the economy and trade, in the pursuit of "strong government" to realise the public good.

On the other hand, the bitter experience of fiscal tightening under the Dodge Line, forced in 1949 to combat rampant postwar inflation, made the consistent pursuit of "small government" a core state objective for Japan (Gyoseikanri, 1984), as seen in its introduction of controls on the total number of government officials in the late 1960s, much earlier than in most countries. These two conflicting goals of "small and strong" were made possible by the maximum mobilisation system with the "scrum" of politics and administration (Muramatsu, 1994, 2010; Shimada-Logie, 2023). Muramatsu described how each ministry, closely linked to its 'tribe' of LDP members and private companies under its jurisdiction, could focus on fierce policy competition with each other without experiencing a change of power since the formation of the LDP in 1955. These unique, fragmented alliances were often hailed, not only domestically but also from abroad, as a driving force for achieving high economic growth and a stable society. Although high-ranking officials were often criticized as arrogant, and their "golden parachuting" to related companies after retirement was the object of resentment from the people, their diligence and competence were widely recognised (Shimada-Logie, 2021).

However, as the fiscal structure inevitably deteriorated due to demographic change, further reforms were called for in the 1980s. To this end, the Nakasone administration and its successors promoted New Public Management (NPM) reforms, which led to the privatisation of telecommunications and the national railways. After the bubble economy burst in the 1990s, a series of policy failures by the responsible ministries and scandals involving high-ranking officials came to light. Fragmented alliances also turned into narrow sectionalism in fighting for a share of a shrinking pie. Longstanding confidence in the ability of the bureaucracy to deliver quickly turned into deep distrust. Some prime ministers, such as Ryutaro Hashimoto, tried to initiate fundamental structural reforms to deal with drastic changes in the environment, such as rapid globalisation and increasing resource scarcity, which would have accompanied inevitable pain to the nation. However, because of the political support for a simple idea based on public choice theory, namely, that all the evils of inefficiency were caused by the pursuit of ministerial interests (Shimada-Logie, 2022, 2023), reorganisation reforms using NPM-type measures such as independent administrative agencies (IAA) and privatisation of the postal service were promoted instead. Simultaneously, the centralisation of political control over the bureaucracy was promoted, with the members of the Diet declaring that the correction of dysfunctions caused by excessive ministerial autonomy and inter-ministerial competition could only be carried out by the Prime Minister as the legitimate representative of the people.

Nevertheless, in contrast to the neoliberal LDP leaders and their supporters in the private sector, the change in people's mentality has not been widespread; the public has not called for a smaller public service based on the market and contract principle or for that based on negotiation among equal stakeholders. The values survey in Japan shows that a large majority agreed that the government should take more responsibility (than individuals) to ensure that everyone is provided for (Dentsu Institute & Doshisha Univ., 2021). Examples of this divergence between reform ideology and people's perceptions can be found, for example, in the consequences of the IAA reform, where the control of the ministry in charge was practically strengthened, and the judicial reform, where the transition from ex-ante regulation to ex-post solution did not take place, despite the introduction of the US-style framework.

Since the 2010s, with the occurrence of crises such as the Great East Japan Earthquake and the COVID-19 pandemic, the negative consequences of reforms have become tangible: e.g., the fragility of implementation caused by NPM reforms, the negligence of evidence and data by ministries, and the avoidance of civil service careers by competent young people. As the limits of "small and strong government" become apparent, bureaucracy-led rather than market- or network-led reconstruction has become an expectation again. While this expectation shows affinity with the Neo-Weberian State (NWS) model (Shimada-Logie, 2023), it does not automatically guarantee a successful shift to NWS-oriented reforms. To avoid stimulating aspirations to return to 1980s levels of prosperity, we must forget past successes and confront drastic changes in societal circumstances.

This paper first describes the historical and socio-political context of the development of public administration in Japan, dating from the late 19th Century, and how NPM-driven administrative modernisation has been implemented since the 1980s under the influence of neoliberalism. We will then discuss the practical development of NWS-driven administrative modernisation and its prospects, focusing on the question, "How well does NWS travel outside Europe?" (Bouckaert, 2023, p. 40).

2. The quest for a stable, strong, and small state: the historical and socio-political context

This section provides a context for the Japanese approach to public management to better understand why a focus on the state is more likely than the full realisation of NPM in Japan. Therefore, examining the transition from pre-NPM to NPM, which began in the 1980s, can provide useful insights into the prospects for the transition to a post-NPM era.

First, although neoliberalism became the dominant ideology of government in Japan in the 1980s, it did not lead to the comprehensive implementation of radical public management reforms in line with all the principles of NPM. Because the NWS concept involves the reintegration of the state, the state never really disappeared in the Japanese context. After a brief overview of the origins and key features of public management in modern Japan, we will examine key moments in the organisation of public management in Japan, with a particular focus on the public management of justice. The emphasis on the judiciary stems from its role as a primary arena where professionalisation was crucial and the Weberian legal-rational approach was not only developed but also significantly challenged, particularly in the 1980s. This period highlights the shortcomings of the highly professionalised and rational system, culminating in the wrongful conviction and decades-long incarceration on death row of four innocent people in a system that was considered infallible.

Another target of the reforms initiated in the 1990s was the state bureaucracy, which, in the era of globalisation and rapid change, had been condemned as being too autonomous and exercising too much power in policymaking, contrary to democratic principles. The following sections explain how the state bureaucracy has developed in Japan, elucidating how important its role has been and how difficult it is to change.

2.1. The beginning of modernisation

Japan's modern era began in 1868 following a rebellion by four of the more than 270 domains against the central feudal ruler. As Silberman (1970) has argued, the public administration of the nascent regime was faced with the dual challenges of preventing further subjugation by the imperial world powers and achieving long-term industrial and military development to match those powers and, thus, prevent colonisation. The administration was professionalised on legal-rational Weberian principles by 1899 with the promulgation of the Civil Service Status and Civil Service Ordinances, which 'almost completely insulated career civil servants from outside interference' (Silberman, 1970, p. 349) and created a cadre of autonomous 'legal-rational' civil servants. Silberman claims that these civil servants were legitimised by a 'rationality that transcended politics' (1970, p. 361). By the turn of the century, these civil servants exhibited a high degree of uniformity in training and experience, becoming a significant force and further solidifying Japan's image as a strong and small state (C. Johnson, 1982), especially when Japan's scarce resources were mobilised for the benefit of the state after the First World War (Muramatsu, 1997, p. 25).

This Weberian model of state-led development, spearheaded by a compact and powerful bureaucracy, remained essentially unchanged after the Second World War. It was advantageous for the Occupation and then for the LDP, which has dominated Japanese politics since its founding in 1955, to rely on a skilled and experienced civil service to advance their policy agendas, which ranged from pre-war modernisation to post-war democratisation and economic development. In sum, the Weberian legal-rational 'strong and small state', centred on a formidable civil service, continued uninterrupted. It was not until the 1960s that this model was (unsuccessfully) challenged.

2.2. The socio-political crisis of the 1960s: A missed opportunity?

The 1960s marked a pivotal moment in postwar Japan, characterised by rapid economic growth and Japan's "miraculous" rise to become the world's second-largest economic power. This achievement, attributed to the skilful management of a powerful bureaucracy in collaboration with the 'iron triangle' of the LDP and big business leaders (C. Johnson, 1982), set the stage for administrative reforms to match this economic expansion. Mirroring the goals of the US Hoover Commission to streamline and improve government efficiency after the Second World War and the Korean War, Japan established its First Provisional Commission on Administrative Reform (First PCAR) in 1962. This commission aimed to 'rationalise and modernise Japan's administrative system so that it could keep pace with rapid economic growth' (Kumon, 1984, p. 145).

The administrative reform movement extended to various sectors, including the judiciary, to deal with the increase in legal problems resulting from economic growth, technological advances, and urban complexity (e.g., a sharp rise in road accidents, pollution, and consumer problems). In May 1962, for example, the Extraordinary Council for the Study of the Judicial System was established, consisting of representatives from the Supreme Court, the Ministry of Justice, the Bar Association, and academia, with the aim of making the administration of justice more efficient (Vanoverbeke, 2015). The Council's deliberations on judicial administrative reform spanned two years, culminating in a comprehensive report submitted to the Prime Minister on 28 August 1964. Reaching a consensus among the stakeholders was difficult, especially between lawyers, who advocated the unification of the legal profession, and judges and prosecutors, who held different views. The recommendations of this comprehensive report on the reform of the judicial system in Japan were ultimately rejected by the Japan Federation of Bar Associations. The government did not pursue the implementation of the proposed reforms.

The First PCAR played a crucial role in initiating reforms in public administration. These reforms included restructuring cabinet ministries, redefining the functional relationship between central and local governments, and overhauling the civil service (Jun & Muto, 1998, p. 198). A key recommendation of the Commission was the introduction of a staff reduction measure, which led to the enactment of the Limitation on the Total Number of Personnel of Administrative Organs Act in 1969. This law has effectively controlled the number of government employees, resulting in a consistent downsizing that began almost two decades before the global NPM movement.

Yet, the Commission was unable to implement a socalled 'Americanisation' of public administration because of the strong support for traditional or indigenous elements in Japan's management and administrative systems (Kumon, 1984, p. 145). In addition, the general public mood in the 1960s and 1970s was against drastic reforms and favoured the Japanese administrative approach amidst the benefits of high economic growth during the 'Golden Sixties'. This public mood consisted of a supportive cultural discourse that attributed the economic 'miracle' and low crime rates to cultural differences and a 'unique' social organisation. This mood was reflected in various highly acclaimed publications such as those by sociologist Chie Nakane, notably "The Discovery of the Japanese Social Structure" (1964) and the 1967 bestseller "Human Relations in a Vertically Structured Society: A Theory of a Homogeneous Society", which popularised the notion of 'groupism' (shudan-shugi) as central to Japanese society. This cultural narrative, reinforced by a wave of similar publications and translations into English, reduced public support for drastic reforms along the lines of the American model, thereby preserving the strong and small-state Japanese model of public management.

2.3. The Nakasone-era and the partial shift to NPM in the 1980s and 1990s

While economic prosperity had been a source of stability in the 1960s and 1970s, the 1980s brought political stability, with the LDP backed by a competent bureaucracy, which added to the still crucial factor of economic prosperity. People in the US praised the shift, as seen in the bestselling books "Japan as Number One: Lessons for America" (Vogel, 1979) and "MITI and the Japanese Miracle: The Growth of Industrial Policy, 1925-1975" (C. Johnson, 1982). These publications emphasised competent civil servants as the most important factor in Japan's success. However, Japan was facing a crisis that necessitated administrative reform, specifically the 'fiscal failure of the central government in the midst of the newly achieved prosperity of society, which made administrative reform an urgent matter' (Kumon, 1984, p. 147). In fiscal 1975, for example, tax revenues fell by 13 percent from the previous year, resulting in a revenue deficit of 3.6 trillion yen, and the government was forced to issue deficit-covering bonds worth 2.3 trillion yen (Kumon, 1984, p. 147). Fiscal challenges pushed the issue of administrative reform further up the political agenda.

Yasuhiro Nakasone, the cabinet minister in charge of the Administrative Management Agency in 1981 and prime minister from 1982 to 1987, was committed to transforming society towards self-direction or self-determination, as opposed to the more paternalistic, traditional, and state-centered approach that Japan had traditionally taken. He became the political entrepreneur of administrative reform, pursuing an ambitious neoliberal reform agenda. The neoliberal discourse gained momentum worldwide and was aligned with the new paradigm for public management, NPM. This ideology contrasted with the more passive and paternalistic stance of the developmental state and departed from the dominant cultural model in post-war Japan. Nakasone ambitiously declared in the 1980s that he wanted to carry out the third major reform in Japan after the Meiji Restoration and the post-war reforms. A key technique in his entrepreneurial policymaking was to appoint prominent academics, popular opinion leaders, and famous businessmen who supported his views to the Second Provisional Commission for Administrative Reform (Second PCAR) (1981-1983), moving away from advisory councils composed of bureaucrats who set the agenda and drafted the conclusions. By handpicking the members of this commission, Nakasone could increase the power of non-bureaucratic members in the policy-making process and gain control. Breaking from the past, Nakasone set up committees to implement reforms under his personal supervision rather than that of the ministry. Without detailing the committee's proposals, there was considerable disappointment that the proposals were rather inadequate and lukewarm in terms of reducing expenditure and staff or reorganising the administrative machinery.

2.4. Economic crisis in the 1990s and reforms: NPM plus control of bureaucracy

At the beginning of the 1990s, Japan experienced a significant change in its socio-economic landscape due to the bursting of the bubble economy. The country plunged into a deep economic and social crisis, leading scholars to call the period the "lost decade" (Saxonhouse & Stern, 2003). During this period, the economy faced challenges such as a strong yen, rising unemployment, and an unprecedented wave of corporate bankruptcies. Simultaneously, Japan faced political fragmentation combined with ministerial silos, which further exacerbated the crisis. Thus, the first reform was the electoral reform of the House of Representatives, which included introducing the single-member constituency system (in force since 1996) to strengthen the power of party leaders. Later, it became a demand for civil service reform to increase centralised political control.

The poor economic conditions of the 1990s fuelled a widespread clamour for change. Economic liberalisation measures introduced during this period opened up Japan's previously protected economy to new players. In particular, Japan entered into many trade agreements, including forty-five with the US, between 1980 and 1996 alone. Domestically, the need for legal reform became increasingly apparent amidst economic hardship and growing political pluralism. Dissatisfaction with the prevailing informal decision-making processes and the opaque influence of the iron triangle prevented elected politicians from exercising effective leadership.

In response to these challenges, Japan embarked on a transition to a more neoliberal approach aimed at streamlining the efficiency of its public administration. This shift was driven by a critique of Japan's informal decision-making within the iron triangle, which was increasingly perceived by the electorate as a democratic deficit. As a result, demand grew for a more democratic decision-making process, previously led by state officials and characterised by formal procedures. In 1997, as the economic crisis deepened, Ryutaro Hashimoto took office as the new prime minister. Having served as minister for administrative reform in the Nakasone cabinet in the 1980s, Hashimoto faced one of the worst economic crises in decades. He quickly proposed comprehensive reforms in six key areas and showed strong determination to implement them promptly. In the media, the terms "reform" or "kaikaku" became emblematic of the changes taking place, symbolising a new Japan in which individuals could actively participate in shaping the future.

To spearhead these reforms, Hashimoto established the Administrative Reform Commission (ARC) in November 1996 and personally oversaw its work - a highly unusual move that underlined his commitment to wresting control from the bureaucracy. The commission's final report, submitted in December 1997, followed Hashimoto's speech on administrative reform and outlined initiatives in the areas of public administration, tax structure, social security, economic structure, financial systems, and education. He succeeded in getting the reorganisation of central ministries and the centralization of power under the prime minister, which took effect in 2001, enacted to strengthen political leadership over the bureaucracy. However, Hashimoto's ambitious reform package was abandoned when he resigned following an unexpected defeat in the 1998 election for the House of Councillors (the upper house of parliament). In 2001, Hashimoto attempted to return as prime minister to complete his reforms. However, Junichiro Koizumi was elected without the support of the LDP's internal factions but with broad public support. He declared that he would "smash the LDP" and concentrated on a few reforms he wanted, including the privatisation of the postal service.

In parallel with the call for fundamental reform in six areas, there was a loud call by the Japan Federation of Bar Associations, business organizations and prominent politicians for reform of the administration of justice. Business leaders from the Japan Business Federation (Keidanren) published a report in 1997 calling for legal reform to match the government's deregulation efforts. In response, the LDP released its own report in June 1998, calling for more and better lawyers and judges, the establishment of law schools, the introduction of trial by jury, and an increased budget for the judiciary. This LDP report, entitled 'Guidelines for the Judicial System in the Twenty-First Century', put judicial reform on the macro-political agenda (Vanoverbeke & Maesschalck, 2009).

In 1999, the government established the Judicial System Reform Council (JSRC) and placed it under the direct control of the Cabinet rather than the Ministry of Justice. Headed by Koji Sato, a reform-minded constitutional scholar from Kyoto University appointed by the prime minister, the JSRC was comprised of retired prosecutors and judges, free from hierarchical constraints. Representatives from business, labour, and consumer groups were also included to ensure a diversity of perspectives. The JSRC's transparent approach, with its 63 meetings published verbatim, marked a significant departure from the closed environment of previous bureaucrat-led reform councils. The JSRC's efforts and the strong political will of Prime Minister Koizumi led to unprecedented reforms. These reforms included the introduction of US-style law schools, an increase in the number of people admitted to the bar, measures to improve access to justice, and the introduction of jury trials in serious criminal cases, as outlined in the final report to the Prime Minister on 12 June 2001.

However, contrary to the JSRC's expectations, the number of lawsuits did not increase after the reform (Haruyama & Hayatsu, 2023). Moreover, more than 20 years after their establishment, many US-style law schools are closing, and 15 years after the introduction of jury trials, there are doubts about whether criminal trials in Japan have really changed (D. T. Johnson & Vanoverbeke, 2020). The government's attempt, backed by big business, to replace exante regulation with individual ex-post solutions was not widely supported by the public. However, the trend towards neo-liberal reforms and the centralisation of power continued amid a prolonged recession and scandals involving both LDP members and administrative failures such as pension records. This development fuelled a growing demand for reform but also reshaped the hierarchy, establishing a level playing field between LDP politicians and bureaucrats as the preferred solution to the crisis of the lost decade.

Shinzo Abe, who succeeded Koizumi in 2007, had a more conservative vision of the country and sought to restore a strong state by reforming the civil service to centralise control over the bureaucracy. Koizumi's popular slogan (smashing the LDP) was changed to "smashing the bureaucracy" (Shimada-Logie, 2024). The main opposition party at the time, the Democratic Party of Japan (DPJ), also blamed the bureaucracy for all policy failures and competed to see which party could control the bureaucracy more tightly and deprive it of its autonomy. The DPJ came to power in 2009 and tried but failed to remove bureaucracy from policymaking. The LDP regained power under Abe at the end of 2012, and the National Public Service Act was revised in 2014 to introduce centralised personnel control over executive officials. This reform can be described as another prescription based on public choice theory, but its direction was opposite to that of NPM, i.e., fragmentation and ex-post control. In other words, although the Japanese government has consistently pursued a strong and small state, recent efforts have focused on two self-contradictory areas: strengthening the hierarchy under the prime minister and NPM-driven market-based modernisation.

3. Development and problems of NPM-driven administrative modernisation

This section briefly analyses and evaluates concrete external and internal reorganisation processes driven by NPM in Japan in order to discuss the extent to which the idea of NPM has been realised and to suggest some remaining problems that post-NPM approaches, especially NWS-driven measures, could solve.

3.1. Post-war administrative modernisation in Japan

The procedures since the 1960s are especially important in understanding the administrative modernisation in Japan after the war (Ito & Kawai, 2019; Kazama, 2024; Ministry for International Affairs and Communications, 2012). As discussed in Section 2, three distinct epochs have been repeated almost periodically: first, an intensive discussion triggered by the First PCAR in the 1960s; second, a successful discussion and general implementation of privatisation measures led by the Second PCAR in the 1980s; and third, a continued discussion and implementation centred on the Temporary Administrative Reform Promotion Council (ARC) from the 1990s to the 2000s. In the first epoch, discussions focused on sixteen key issues, many of which should be characterised by some pre-NPM orientation.

However, most of the committee's proposals were not implemented. In the second epoch, the relevant committee issued five different reports, which included the modernisation of the administrative system, the privatisation of three major infrastructure sectors, and a more efficient constellation of government agencies. These aspects can be considered in the context of an NPM-driven approach, which only emerged in the 1980s. Many of the reported reform approaches were implemented not only in this period but also in the next. In this sense, the reports should be interpreted as having laid the important groundwork for the subsequent clear implementation of administrative reforms. In the third epoch, the ARC was reestablished three times to continue discussing the direction of administrative modernisation and to promote the actual implementation of concrete measures. Under the scheme of the Council, many actual modernizations have been further implemented. However, some problems of reform measures driven by the idea of NPM began to emerge, provoking discussion of the need for a post-NPM approach, which may aggravate the difficulties caused by the NPM-driven approaches.

The administrative modernisation triggered by the idea of NPM can be divided into external reorganisation and internal reorganisation (Kuhlmann & Wollman, 2019). Regarding the first category, the division of roles between government and the market/civil sector has been changed by incorporating the idea of neoliberalism, which provides an important philosophical background for NPM and emphasises the functioning of the market mechanism. This category includes some concrete measures of corporatisation, asset privatisation, functional privatisation and deregulation. The first involves the transfer of certain government functions to legally independent market or civil society organisations. The second is the full or partial sale of public property or infrastructure assets to private or civil society actors. The third is the outsourcing and contracting out of government tasks in the policy implementation phase. The last is any change in the scope and intensity of government regulation of the activities of market and civil society actors.

The category of internal reorganisation driven by NPM should start from the framework of relations between gov-

ernment and the market/civil sectors organised by external reorganisation and then consist of agencification, one-stop shops, performance management, and performance-related pay. Among these measures, the first and third have been most widely applied in Japan: agencification means that a certain range of ministerial tasks that need not be carried out by any ministry or should not be carried out by nongovernmental actors are extracted and delegated to an autonomous agency under the supervision of the ministry concerned. This ministry gives a clear mandate to the agency, which should then carry out the assigned tasks autonomously (separation between decision-making by the principal and implementation by the agent). Performance management suggests that government activities should be monitored and evaluated on the basis of the results achieved in the activity processes: this is another important background for NPM, which aims to introduce market sector management methods into government activities.

3.2. External reorganisation

In terms of external reorganisation, some cases of corporatisation have taken place in telecommunications, railways, and the cigarette monopoly. Public corporations in telecommunications and railways were transferred to private companies, whose shares were first fully taken over by the government in 1985.

In the communications sector, the Nippon Telegraph and Telecommunications Corporation (NTT) was the largest privatised company created by law. On this basis, a new and precise system of government regulation was established to control the infrastructure and services in which new private companies could and should enter the market. As the entry of new players was encouraged, the intensity of entry control was deregulated. In 1989, the internal organisation of the privatised NTT was reformed by sectoral division into holding companies, national communications, international communications, mobile communications, and systems consulting companies. In addition, the national communications sector was divided territorially into two separate companies, NTT West and NTT East.

The shares in NTT held by the holding company have been gradually sold to private investors. In addition, a universal service fund was established among the four different companies to ensure the provision of basic minimum communications services throughout Japan. In this sense, the three most important measures for external restructuring can be found in the case of telecommunications, namely incorporation, asset privatisation and deregulation. The privatisation of telecommunications led to the fruitful development of ICT industries and services worldwide (Agata, 1996, 2003, 2014). Recently, there has been discussion of liquidating all of the shares held by the government, whereas the current law requires the government to hold at least one-third of the shares. This discussion may show that the privatisation process so far could be so successful that a full privatisation of NTT should finally be carried out.

Two other privatisations should be explained as other aspects of NPM: railways and postal services. In 1987, Japan National Railway, a public corporation, was privatised and divided into six territorially separate companies, six Japan Railways (JR) for passenger transport and one Japan Cargo (JC) for freight transport. The shares of four JR companies were fully liquidated by 2016, while the shares of the remaining three are held by the government. This fact may indicate that the rail services of the four fully privatised JR companies are rentable, while the other three are stuck with their poor management: in particular, three territorial companies have been forced to close many lines as infrastructure failures due to population decline in their areas of operation. A universal service fund, as in the case of NTT, has not been established for the JR areas; no mutual subsidy between the JR companies is possible. Therefore, each JR company must independently improve its management (BAJ, 2016; MLIT, 2019). The NPM principle applied in the railway sector has made a clear distinction between rentable and non-rentable companies.

Three public postal services corporations, namely The Post, The Post Bank, and The Postal Insurance, were privatised in 2005 through the creation of Japan Post Holdings (JPH). The government owns approximately 70% of the shares of JPH, which in turn owns almost all of the shares of the three subsidiaries. The banking and insurance services, as financial aspects, enjoy their competitiveness with other private competitors, while the postal service is forced to take user-unfriendly measures due to its deficit management: a significant increase in postage since 1994, before privatisation, and a notable delay in mail delivery due to a decline in demand and a shortage of staff. Thus, the discrepancy in the management of the three postal services is also clearly visible (PPC, 2024). Summing up the privatisation measures with the above example, the principle of NPM can work well in certain areas, such as communications, railways in well-developed areas, and financial services. However, the geographical or demographic peculiarities of other areas prevent NPM from succeeding.

Outsourcing and contracting can be characterised in Japan as public-private partnerships (PPPs). This section discusses two categories of PPP, namely Private Finance Initiative (PFI) at the national and local levels and Designated Manager System (DMS) at the local level, because they represent typical cases of PPP in Japan. PFI suggests that the construction, maintenance, and management of public infrastructure and utilities should be realised through the financial, managerial, and technological capabilities of the private sector. PFI was introduced in Japan in 1999. In 2022, a total of 932 projects have been implemented - approximately 10% at the national level and the rest at the local level. Of these projects, approximately onethird are educational and cultural facilities, one-quarter are urban facilities (roads, sewers, ports, etc.), and about fifteen percent are medical and health facilities (CAO, 2022). PFI has advantages in terms of cost reduction and improvement of service quality because the whole process, from design, construction, and maintenance to management, can be completely outsourced to a single operator after a tendering process, whereas the material, human, time, and financial costs of tendering can be considerable.

The Cabinet Office conducted a questionnaire survey on 117 PFI projects completed in 2018 at the national and local level (CAO, 2019) and provided a positive assessment in terms of cost reduction overall and on the government side, funding balance between government and private/civic sector, and improvement of service quality. Conversely, the increase in the number of users and the contribution to local activation were not rated as highly. Fifty-eight projects will be implemented beginning in 2021 (CAO, 2022).

Since 2003, the DMS has been applied at the local government level by delegating, for three to five years, the respective tasks of policy implementation in the field of infrastructure management and end-user services to private or civil actors (MIC, 2023). The selection of the actor to be delegated would be made through a comprehensive project evaluation, in which several bidders would have to propose to a selection committee their own detailed facility management plans, staffing, time, and cost plans to be implemented during the relevant period, while the committee would evaluate the proposals comprehensively to select the best one. In 2021, roughly 77,000 facilities in the fortyseven prefectures and 1724 municipalities were managed by the DMS. Of these, 35% are urban facilities, 20% each are educational, cultural, sports, and recreational facilities, and 17% are social facilities. Some benefits can be derived from private management methods, while continuity in the management of facilities can be circumvented when the previously appointed manager is removed and a new one is selected.

3.3. Internal reorganisation

In terms of internal reorganisation, agencification has been institutionalised in two different areas, namely specific ministerial missions under ministries at the national level and research and higher education activities in universities. The first type is referred to as Independent Administrative Agencies (IAAs) (Agata, 2005; Agata et al., 2022), and the latter as National University Agencies (NUAs). The type of agency can be interpreted at least in structural and functional terms.

In terms of structure, IAAs were introduced in 2003 through the above-mentioned delegation mechanism from a ministry as principal to an agency to establish initially fifty-seven corporations. The number of IAAs has decreased from 104 at its peak in 2005 to 80 in the last eight years under the twelve ministries. Since 2005, the officials of most of the IAAs have taken positions as non-civil servants. The ministries should transfer financial resources for management in whole or in part, depending on the mission fulfilment of the agency concerned. In the case of the NUA, the existing national universities directly managed by the Ministry of Education, Culture, Sports, Science and Technology (MEXT) were reorganised into each independent agency. This independence has meant that the entire official (academic and managerial) staff of the universities, some 130,000 people, have each moved into a non-civil service position - marking a major reduction in the number of civil servants. In addition, all agencies can only be partially

funded by MEXT; their financial independence also had to be strengthened.

In functional terms, a performance management system has been introduced in both types of agencies. In the case of IAAs, the Ministry sets a short- or medium-term performance target (for a prescribed term of one to seven years, based on the missions concerned), while the agency concerned should prepare a short- or medium-term implementation plan according to the performance target. The performance of each IAA must be evaluated by the Ministry in the cycle of the prescribed term against the established performance targets and implementation plans. The results of each evaluation by the Ministry should be fed back to the agency concerned to improve its performance in the subsequent term. This system can increase the transparency and efficiency of activities in all IAAs (MOF, 2021). For the NUA, a special evaluation committee has been established as a peer review organization among academics to set each medium-term goal and medium-term plan for six years in consultation with each university agency and to evaluate its academic and managerial performance against the criterion of the stated goal and plan every sixth year. Each evaluation report will be publicised to allow each higher education institution to improve and ensure the quality of its research and instruction (NIADQE, 2023).

Another NPM-driven internal reorganisation is the personnel evaluation system based on job performance through management by objectives and performance-related pay, which was implemented in Japan in April 2009 through the revision of the National Public Service Act of July 2007 (CAS, 2022). The principles of this personnel evaluation in the latest system can be found in its use for human resource development and improved management, as well as appropriate analysis of the capacity and performance of civil servants (NPA, 2022). The management-byobjectives tool should be applied such that job performance objectives are set by mutual agreement between each official and their superior at the beginning of the observation period, in principle for six months from April to October each year, and then a performance evaluation is carried out, also by mutual agreement, at the end of the period. This method can enrich the capacity of the official concerned and improve their performance evaluation, as the official must be clearly aware of their job objectives and performance evaluation in mutual agreement with their supervisor. In addition, by comparing the objectives set at the beginning of the term of office as evaluation criteria, job performance can be evaluated more appropriately, while the capacity of the official concerned can also be practically grasped.

These evaluations should be scaled according to five or six categories of capacity and performance. This scaled assessment of capacity and performance is designed firstly to ensure that employees with higher capacity are appointed to a correspondingly higher position. Secondly, this system can lead to the payment of base salaries and bonuses that are balanced between performance and the level of remuneration according to the performance evaluation. In this sense, a system of performance-based pay has been introduced institutionally in recent years.

With regard to some of the effects of performance evaluation, the Cabinet Secretariat conducted a survey of the human resources departments of twenty-five different authorities at the national level (CAS, 2021). While all of these organisational units implement the appraisal system by appointing supervisors and coordinators as their supervisors for appraisal at the level of section or department heads and by centralising the relevant information in each human resources department, the systematic application of appraisal results for appropriate appointment and performance-related pay in every authority seems difficult to achieve. Thus, human resources departments have already offered several recommendations for improving the evaluation system, including extending the observation period, simplifying the evaluation procedure, and clarifying guidelines for scaling.

Still, in the background of this evaluation system, the capacity of supervisors as evaluators has been strengthened in many ways, for example, through hundreds of training sessions in the field or on-demand lectures for all evaluators (approximately 50,000 people). In addition, there is a complaints mechanism (NPA, 2023): if an official member is not satisfied with the results of the evaluation, they can lodge a complaint with the Complaints Committee, which should resolve the matter. Some problems must be overcome, namely, those related to highly specialised skills and the excessive costs of investigation and mediation, the discrepancy between the evaluation period and the official rotation, etc. As the circumstances surrounding the system in question are fluid, the substantive impact of the introduction of performance-based appraisal of officials needs to be carefully monitored.

3.4. Evaluation of NPM-driven reform

As far as the appropriateness of privatisation measures is concerned, we must distinguish between two areas in which the measures can be either phenomenally successful or not at all successful due to the peculiarities of demography, geography, and the goods to be supplied, especially in the field of external reorganisation.

This classification can be crucial in determining the extent to which the state should be revived to take over some appropriate functions (Agata, 2023), while the idea of NPM has generally been embedded in Japan (Kazama, 2024). In the field of outsourcing, the measures taken so far are relatively positive and can, therefore, be extended at the national and local levels. In addition, agencification, including performance management methods, can be continued in relevant areas of government activity. Transparency has increased but has been used more for further downsizing than for autonomous management. Official appraisal and performance-related pay have been institutionally introduced, but the intended practical effects remain unclear. Some critical issues related to the further development of the implementation of performance-based personnel evaluation have already been suggested from academic and practical perspectives (Inatsugu & Suzuki, 2024). Some crucial examples include penetrating the relevant system into the personnel, incorporating versatile aspects of abilities in the evaluation, conducting appropriate evaluation, and managing feedback based on it. The modernisation of public administration during this period was driven not only by NPM but also by the traditional method of regulation. The Administrative Procedure Act has been in force since 1994, and the Information Disclosure Act since 2001. These laws are based on traditional Weberian administration, which respects the rule of law and equity among citizens. They are not necessarily directly aligned with the quest for a small and strong state, but they have drastically improved the transparency of policymaking and made policy implementation more user-friendly.

4. Towards the NWS? - Practical developments and their prospects

In the previous sections, we suggested that reforms in Japan since the 1980s have had some characteristics derived from the long-term orientation toward "small and strong government". First, while various NPM-type reforms have been promoted, they have been adopted mainly for the purpose of reducing costs and workforce, rather than systematically following the idea of managerialism. Second, reforms of the electoral system, the central government, the civil service, etc., to centralise power under political leaders to strengthen the hierarchy have been pursued simultaneously. A common element in both is hostility and distrust of the traditional civil service. These sentiments for the punishment of self-righteous officials became the primary driving force for reforms, while managerialism, people's selfdetermination, and trust in political competence remained alien to the society as a whole.

Since the 2010s, however, disasters such as the Great East Japan Earthquake and COVID-19 have focused people's attention on the side effects of these reforms: vulnerability due to staff cuts and arbitrariness due to political centralisation.

4.1. Legacies of NPM

Undoubtedly, NPM has drastically changed the landscape of Japanese public administration, but the evaluation of its effectiveness has been mixed.

Among the privatised organisations, NTT is widely regarded as a success, while JR and JP suffer from various problems. In the case of JR, the discrepancy in profits between six divided companies is so significant that many railway lines in local areas have been removed. As for JP, the business situation of all three of its divisions has deteriorated in recent years to such an extent that prices for postal services have been raised for the first time in thirty years, while delivery has become more time-consuming. The anger of residents at the government's failure to keep Nakasone's promise to maintain services is so substantial that the government may be forced to intervene in these sectors. However, re-nationalisation is unthinkable, given that the scope of nationalisation had been more limited than in other countries. At the local level, however, re-publicization (e.g., railways and libraries) or publicization (e.g., private universities) has taken place to maintain services amid management crises.

IAAs or NUAs have always been subject to control by the relevant ministry, despite their official proclamation of greater managerial discretion. They can be seen as a virtual continuation of Weberian bureaucracy, with only the appearance of NPM or the purpose of further reducing the number of civil servants.

The NPM has also shrunk the size of the government, which was already one of the smallest in the world under the strict control of the total number of civil servants from the late 1960s. Under Japanese labour practices, where no clear job descriptions are written, cutting staff without reducing the overall workload was relatively easy. The central government also became more streamlined in 2001, from one office with 22 ministries/agencies to one office with 12 ministries/agencies. However, serious crises, such as disasters, pandemics, or urgent social problems, exposed vulnerabilities, leading to a reversion beginning in the 2010s. Several new ministries/agencies have been established to focus on tackling major wicked problems: the Reconstruction Agency was established in 2011 after the Great East Japan Earthquake; the Digital Agency in 2021 to promote DX; the Immigration Services Agency was added within the Ministry of Justice in 2019; and the Children and Families Agency was added as an external bureau of the Cabinet Office in 2023. While the number of national civil servants continued to decline from 841,000 in 2001 to 297,000 in 2017, the number has since increased slightly to 305,000 in 2023.

In terms of accountability, outcome orientation, customer awareness, etc., several new enactments since the 1990s have left positive legacies. Not only the NPM-driven enactment of the Policy Evaluation Act in 2002 but also the Administrative Procedure Act in 1994 and the Information Disclosure Act in 2001, within the framework of traditional administrative law, have significantly shifted the attitude of civil servants from being internally oriented toward being more citizen-oriented (NPA, 2017). These changes can be seen as 'neo' factors to the traditional Weberian public administration.

4.2. The Revival of expectation of capable bureaucracy

Even after going through numerous NPM-type reforms, a sense of self-responsibility and self-determination, requested by Prime Minister Nakasone and his followers, has not taken root among the Japanese. In responding to the World Values Survey held in September 2019, 77% of respondents agree with the statement that "Government should take more responsibility to ensure that everybody is provided for", which is the 5th highest rate among 77 countries (Dentsu Institute & Doshisha Univ., 2021). In addition, approximately 82% of respondents answered that security is more important than freedom (ibid.). These figures differ substantially from those of respondents in other developed countries. Even after the drastic judicial reforms at the start of the 21st Century, which intended to replace pre-

ventive regulatory actions by the government with ex-post solutions, the number of civil lawsuits remains very low, and the support for US-style reforms, such as those related to law schools and trial by jury, is declining. Thus, although the NPM was followed as a globally appropriate direction, its normative implications, such as a weaker role for the state, were rejected. The expectation of a responsible administration to realise public good has still prevailed, with the principles of market or autonomous individuals never replacing Weberian state values.

Take, for example, the work style reform, one of the core policies of the second Abe administration (2012-2020). With the intention of increasing productivity in an era of declining population and rapid aging, the revision of labour laws forced all companies to maintain limits on overtime and provide more flexible working hours. Rather than leaving it to the market, companies have welcomed the cross-over regulatory measures, which are accompanied by penalties. Recently, the government has even begun to intervene in wage increases and price pass-through (Japan Fair Trade Commission, 2024).

The centralisation of power since the 1990s as a recipe for "strong government" reflects a historical feature: the existence of an overly autonomous bureaucracy. Attempts have been made to deal with the dysfunctions caused by ministerial competition by reforming the civil service to make the bureaucracy completely obedient to the political top. This direction can be evaluated as aiming at the legitimate politico-administrative relationship of the classic Weberian state.

The expectation that stripping the bureaucracy of its autonomy would improve the reflection of the people's voice in policymaking promptly turned to disillusionment. The DPJ government, formed after winning the 2009 general election, vowed to remove bureaucrats from policymaking, but its attempt ended in fiasco, exposing its ineptitude during unprecedented disasters such as the 2011 Great East Japan Earthquake and subsequent Fukushima nuclear incidents. The second Abe government, following the LDP's victory in late 2012, demanded that officials carry out the prime minister's wishes even without explicit orders. Since 2014, promotion to high-ranking positions in each ministry has come to be closely checked in advance by the Prime Minister's Office. This development helped eliminate interministerial competition but led to the deliberate neglect of procedures, data, evidence, and records that might displease the prime minister (Nonaka, 2020; Shimada-Logie, 2020). In addition, abrupt top-down orders from the Prime Minister's Office at the outbreak of COVID-19, without consultation with the relevant ministries (MEXT and Ministry of Health, Labour and Welfare, etc.), to deliver cloth masks to every household or to close schools in the middle of the term were widely unpopular and increased people's distrust in political top-down (Shimada-Logie, 2023). This experience has made people aware that agility and political responsiveness sometimes lead to arbitrariness and inequality, reminding them of the importance of stable policy implementation based on the rule of law and responsible institutions based on the division of tasks and specified knowledge. The revelations of political corruption since the 2020s have also led to calls for the revival of an impartial and professional bureaucracy to provide people with security.

The Values Survey also shows that trust in politics and elections has never been higher than trust in administration and the civil service, except for a brief period in 1998 after the scandals involving the Ministry of Finance (Dentsu Institute & Doshisha Univ., 2020). Support for centralised control was not a call for political intervention but rather a punishment for arrogant bureaucracy (Shimada-Logie, 2021). Moreover, trust in the Self-Defence Forces and the police has increased significantly following major earthquakes and turbulence in the national security environment. These agencies are exempt from the PMO's centralised personnel management and have not been significantly affected by the reform. In 2019, 81% and 79% of respondents reported trusting the SDF and the police, respectively, while 45%, 31%, and 26% reported trusting the administration in general, the elections, and the parties, respectively (Dentsu Institute & Doshisha Univ., 2020). Thus, people view frontline officials as the primary guardians of their well-being.

Contrary to the return of people's high expectations, the civil service has clearly lost its traditional competitiveness for competent young people in the labour market. Moreover, the introduction of US-style law schools as part of the judicial reform has weakened the function of law faculties in training future bureaucrats since the Meiji era, because the brightest students are attracted to the legal profession at an early stage (Shimada-Logie, 2020). As a result, maintaining the traditional closed system, whose core consists of top legal graduates, has become difficult. The government has tried to recruit people from the private sector to compensate but has been unsuccessful because of the huge difference in salaries.

4.3. Affinity between the preference for "strong government" and the NWS

In the late 20th century, Japan adopted NPM for smaller government and political centralisation for stronger government. However, crises such as the COVID-19 pandemic have highlighted their side effects: the vulnerability of implementation caused by the former, and the deterioration of policy caused by the latter. "Small" and "strong" are only compatible under special conditions, which existed until the mid-1980s. Opinion polls implicitly show that if the Japanese were forced to choose, the majority would prefer strength to smallness. The surveys also show that people would rather entrust the role of protecting their lives to the state with enforcing power than to business or civil society. While the authoritarian attitude of the state is rejected, people support regulation more than deregulation to avoid arbitrariness (Dentsu Institute & Doshisha Univ., 2020).

These attitudes show an affinity with the NWS model. The fact that the bureaucracy used to produce high levels of performance will also contribute to support for the NWS. However, in a modern democracy, any reform that does not visibly produce the expected results will be promptly frustrated. Japan faces severe constraints on resources such as finances and information. The higher people's expectations of the state, the fiercer their criticism of bureaucracy becomes. When people perceive their security to be at risk, they may more enthusiastically desire a charismatic leader who promises to control administration.

One promising sign is the formation of voluntary citizens' groups to demand a rational response to environmental changes and resource limitations (Shimada-Logie, 2023). The independent group Reiwa Rincho (Reiwa is both the name of the current era and an acronym for Reinventing Infrastructure of Wisdom and Action), composed of about 100 business leaders and academics, was formed in the spring of 2022 and appealed to the people, declaring that "in the face of COVID-19, it is high time to choose the way to fulfil our responsibility for the future in accordance with the facts, instead of being dragged by the illusion of surplus from economic growth, which is a kind of populism" (Reiwa Rincho, 2022). They also called for cooperation with nonpartisan Diet members (Reiwa Rincho, 2024). This kind of solidarity across sections of society will be a driving force for the sustainable NWS.

5. Conclusion: The blessing and curse of the "past successes of bureaucracy"

In the late 19th century, Japan established a Weberian public administration based on the German model. As the often-used catchphrase "Japanese spirit with Western learning" suggests, the pragmatism of adopting policies because of their utility rather than ideology has characterised Japanese reforms ever since.

In the process of modernisation, a capable bureaucracy played a crucial role in Japan catching up with developed countries. After the Second World War, while bureaucracy continued to lead economic growth, control over the number of government officials began more than a decade before NPM became the global vogue. A "small and strong government" was consistently pursued, with the unique fragmented alliances between bureaucracy, politics, and business praised as having brought about high economic growth. In contemporary Japan, this collective memory of successes driven by hierarchy is a great asset for the acceptance of the NWS but also a hindrance to the sustainability of the NWS.

In the 1980s, the government began to show its neoliberal orientation, attempting to reinforce the vitality of the private sector and the autonomy of the individual. Various NPM-type reforms were promoted, such as the privatisation of state enterprises and judicial reform, aiming at shifting the traditional reliance on hierarchy to an autonomous market. However, the attitudinal changes in society expected by the government failed to actualise. As with the frustrated six reforms attempted by the Hashimoto government, people tended to oppose reforms that would directly burden them or slow down the economy but welcomed the streamlining of administrative institutions and bureaucracy that would require further efforts on the part of the government alone. In the 1990s, the dysfunction of governance due to futile competition between ministries became salient, but the simultaneous revelation of scandals involving high-ranking officials led to an oversimplification of the problems. Instead of promoting fundamental prescriptions, the government utilised wide support for an emotional argument that people's aspirations could be realised through strict control over the conceited bureaucracy that allegedly pursued ministerial interests. NPM-type measures were used to respond to this criticism, while the centralisation of power under political leadership was promoted under the slogan of "democratic control through elections".

These measures have clearly changed the Japanese administration. Various NPM measures, such as the privatisation of telecommunications, the acceptance of performance-based payment, a customer-oriented attitude, etc., had positive effects on it. However, the core idea of a contract between independent individuals has received little support. While infallible protection by the state is persistently demanded, crises have revealed the vulnerability of its implementation.

The DPJ government that was formed in 2009 appeared politically immature, especially in dealing with unprecedented disasters. The LDP, regaining control of the government at the end of 2012, emphasised majority rule. Various cases of negligent data management and arbitrary implementation in favour of the Prime Minister's close circle came to be reported (Shimada-Logie, 2020), dashing hopes that the will of the people would be reflected in politics through elections. Instead, the expectation of a professional bureaucracy that guarantees equity and inclusion has been revived.

Given Japan's emphasis on utilities, with little regard for ideals or philosophy, reforms have always been hybrid. Thus, any one of hierarchy, market, and network will be flexibly adopted according to its effectiveness. Yet, NPM has been seen as somewhat offensive, as associated with the vulgarity of 'value for money'. As for the NPG, while the idea is regarded as attractive, accepting the state simply acting as a facilitator is implausible in the absence of a culture of negotiation between equal stakeholders.

The NWS shows a normative affinity with the traditional Japanese sense of values, in which the state is expected to realise the public good and provide security. Moreover, punitive sentiments towards bureaucracy have been recently weakened by the altruistic dedication of frontline officials in the face of crises. Given this, the NWS, in which innovative bureaucracy plays a role in ensuring equity and inclusion under the rule of law, will receive the most support.

Nevertheless, the memory of past successes can also be a spellbinding curse for reform. In the face of resource constraints such as a declining population, the highest fiscal deficit globally, loss of information asymmetry, etc., even the most capable government could not replicate the economic growth of the 1980s. Still, values surveys and opinion polls show an unchanged reliance upon the state, showing a perception of the diligence of the bureaucracy as a cure-all for restoring prosperity (Shimada-Logie, 2022). Given that top students nowadays tend to avoid the civil service (ibid.), people's expectations could easily turn into disillusionment.

Excessive expectations divorced from reality will trigger populism. Two conditions are indispensable to countering this development and allowing the NWS to become a sustainable model: during elections, politicians must ask for priorities in the use of resources instead of promising an infallible administration; after elections, people must accept the pain caused by their own choices.

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