

日本は分権国家か

上子 秋生

Is Japan a Decentralised Country?

Akio KAMIKO

藤井 では、これより上子秋生先生ご退職に伴います最終講義を始めたいと思います。本日進行役を務めさせていただきます藤井と申します。よろしくお願いいたします。

まず、上子先生の講義に先立ちまして、学部長でいらっしゃいます佐藤先生よりご挨拶いただきたいと思います。佐藤先生、よろしくお願いいたします。

佐藤 佐藤です。実は、私も上子先生と同じ時期に退職いたしますので、私がお送りするというのも何か奇妙な話でございますが、と一緒に立命館にさよならいたしましょうということで、簡単にご紹介させていただきたいと思います。

上子先生は、東京大学法学部をご卒業ののち、旧自治省に入省されまして、そこでずっとキャリアを積んでこられました。お役人さんというのは、本省、東京の本省と、地方、その他出先機関を行ったり来たりしながらプロモーションしていくという人生を歩まれますけど、その最終段階で京都大学に来られたところで、我々のご縁ができました。

我々のところから、見上先生がいらしたんじゃないかと思いますが、上子先生に、ご退官ののち、立命館に移っていただいて、そのキャリアを生かして、中央地方の行政の話とか、それから CRPS の講義をお持ちであるということからも、みなさんご存じだとは思いますが、非常に英語に堪能な先生でありますので、その英語の講義を持ってくださいとか、あるいは、中央地方の政治行政のこれからのグローバル化展開の中でのありようはどのようなものかという講義をお願いできないでしょうかとお願いして、立命館に来ていただきました。ずっと政策科学部でございます。

で、政策科学部が英語だけで修了できる CRPS というコースを持ってからは、その主力メンバーとして CRPS の講義をたくさんお持ちいただきました。また、多くの英語基準の学生諸君のお世話をずっとお願いしてまいりました。どうもご苦労様でした。

先生が退かれた後、これからも若い人が続いておりますので、このCRPSの授業は展開していくことになると思いますけれど、一旦ここで区切りを付けられるとは言え、上子先生、これ以降もよろしくお願いいたします。

簡単なご紹介としてはそれだけとさせていただきます。それでは上子先生の講義をお聞きください。

上子 This is my regular class and as I'm retiring at the end of this semester, today is my last opportunity to deliver a lecture as a regular professor. Probably, I may be called in to teach as well, as a special lecturer or something like that in future. But as a regular professor, this is my last one. And since I've been talking about local government in Japan in this series of lectures, today, I intend to wrap up this series of lectures by telling you what I think of decentralisation. You may remember that, in previous lectures, I've already told you some of the topics I am going to tell you today, but please don't remind me of that fact. Today, we've got a much larger audience, so I have to use all the facts and episodes I know of, as well as wrapping up this series.

Also I'd like to wrap up my days at Ritsumeikan at the end of this lecture.

Today, I've got a very appropriate audience, because all my regular listeners in this course are government officials from Indonesia. And as you know, Indonesia is a country which is known for its very high degree of decentralisation. I came to this university almost 12 years ago, and including two years at APU, Ritsumeikan Asia Pacific University, I happily spent my later stage of life here at Ritsumeikan. As Professor Sato kindly introduced earlier, I spent my earlier life in government service, particularly in the Ministry of Home Affairs, which later became part of the Ministry of Internal Affairs and Communication. So I had been working for 30 years in the field related to local government in the government service. And then I transferred to this academia.

Local autonomy is one of the topics, which was very much emphasized after World War Two, as you all know probably. New Chapter Eight was inserted into the Constitution of Japan, which was introduced in 1947. But most people working in the field of local government have been saying that, although Japan has tried very hard to decentralise its government system, Japan is still a very centralised country. I remember someone told me that decentralisation has always been on political agenda, which means that Japan has never decentralised itself. Since 1947, immediately after World War Two, we had very big reform towards decentralisation. But after that, probably after 1955 the system mostly stabilized. But then, there have been several waves of efforts for decentralisation. Most notable of them was the reform initiated by the introduction of what we call Omnibus Decentralisation Authorisation Act, which was passed by the Diet in 1999. So, the title of my lecture today is"

Is Japan a Decentralised Country?" And to answer this question, is not easy or probably I won't be able to answer the question at all. But I'd like to think of five points which are related to this question.

The first one is what the ultimate stage of decentralisation is. Decentralisation means transfer of power and authority to local governments. But the concept of local government itself means or presupposes the existence of the central government. If local governments become totally free of the central government, they are no longer local governments, they are independent countries. So, I think there's no ultimate form of decentralised country. Essentially, decentralised form of government must be a kind of arrangement looking for the best mixture or sharing of the powers and authorities between the central government and local governments. This is the first point I raise. There's no ultimate form of decentralised country. It must be some kind of compromise between the central government and local governments.

The second point I'd like to raise is how to measure the degree of decentralisation. Well, it's very difficult to see if a country is a decentralised one or not. What I'm going to tell you is a bit different from this issue. But Japan used to have a system of agency delegation. And under this scheme, local governments' chief executive officers, like governors of prefectures and mayors of municipalities, became the subordinates of the central government ministers in charge. It had been argued if it's correct, if it's right to have this kind of system or not. At that time the ministry said majority of the functions prefectures and municipalities had were these kinds of affairs called agency delegated affairs. They said three quarters of prefectural business were these, were delegated ones. More than half of the affairs of municipalities were also delegated ones. And I wonder how they counted that more than three quarters of the business were delegated. I remember I asked a bit senior official in the ministry who was in charge, 'how did you count?' His answer was someone counted the number of items in the acts, and how many items are delegated by acts to local governments under the scheme. And how many items are given to local governments as items not delegated to them but their own. And they got the conclusion that more than three quarters or more than half. So, maybe this kind of calculation is possible. How many items are dealt with by local government, and how many items are dealt with by the central government. But still, it's not very conclusive, I think, because some business has got a lot of volume, some are very small. Just by counting the number of items, you cannot come to the conclusion that this is a decentralised country or not. One fairly easy way to see if a country is decentralised or not, is how much the central government pays to the private sector, and how much the local governments in aggregate pay to the private sector. And if you compare those figures, you can see if the role of local governments are big or small in a country. You can compare the

figures. I'm not sure whether this surprises you or not, but seeing from this viewpoint, Japan is a very decentralised country. In fiscal year 2018, local governments pay more than two and a half times more than the central government to private sector, which means that measured by the bulk of payment they make, local governments in Japan is a very big existence. There's a figure made by the Ministry of Finance which compares developed countries in this respect. And, well, those countries where local governments make a high percentage of payments compared with the central government are United States of America, Germany and Canada. You can see that all of these countries are federal countries. So naturally, in those countries local governments, including states pay a lot. But Japan's figure is not much smaller than those countries. And it's bigger than those of France and United Kingdom. As I'm going to tell you later, United Kingdom has got a different system. But Japan has bigger figure of local government share than France, which has a system with larger similarity with Japan, meaning that Japan is a fairly decentralised country.

Then, the third point I'd like to mention is there are, very roughly speaking, two kinds of local governance system in the world. One is what I may call Continental type, which includes Germany and France. And there's another one which originated in United Kingdom, and many former Commonwealth countries have this kind of system. Again, if I'm allowed to speak very roughly, in countries with Continental type of system, local governments wear two hats, so to speak. In other words, they've got two kinds of characteristics. One is that of the self-autonomous entities. And the other is that of the subordinate administrative entities of the central government. So local governments act both as the local branch offices of the central government, and also autonomous entities. In UK type, local governments are fairly independent, but they do only a small portion of the government work. So usually, it is said that the local governments in the continental countries have got big amount of work, but they are also under close supervision of the central government. They've got a lot of work. They have big organization, and their capacities are large. On the other hand, local governments, in UK especially, has got a fairly limited field of action, like garbage collection or local road maintenance. In this field, they're left alone mostly from the central government, but their operation is small. In the case of Japan, the system definitely follows Continental system. Because at the time just after Meiji Restoration in 1868, Japan shopped around, decided to follow German system, and introduced something very similar into Japan. I learned about the difference between continental and UK system when I gave a lecture to a group of Diet members from Australia. Australia having been a British colony definitely has a UK type system. Because I studied abroad, I was usually asked or picked up in the ministry to give a lecture to those English speaking people. So I went there, and usually it was very easy. I speak for about an hour introducing Japan. And there were some questions,

very polite questions to show that it was interesting. And then some words of thanks, a gift maybe, and that's all. But it was different on that occasion. Just as usual, I told them that Japanese local government can impose and collect local taxes, and the tax rates are almost the same all over Japan. Then, I had many questions. I did not expect so many questions. Initially, I could not understand what they were asking about. I still remember their first question was, 'if the tax rate is the same, why do you have local elections?' I was not sure what they were asking about. And since I was talking in English, I was not very much confident about my own English language fluency. Then I made several questions. And finally, what I understood was that in Australian local governments, since they've got a lot of freedom, most of the things were left to local councillors. And local councillors decide upon what to do. And when they decide upon what to do, the amount of funds needed for that is consequently determined. Then they've got only one kind of local tax, which is usually called Rate, something like Japan's fixed assets tax. They know how much asset they've got in their jurisdiction. And if they know how much money they need, that determines the tax rate. Local election determines local Councillors, local Councillors determine what work to do. And those works determines tax rates. And as most countries, they got two large political parties, one is Conservative and the other one is Labour. And Conservative Party represents wealthier people who don't want much work, but prefer less tax rate. On the other hand, Labour Party represents poorer people. They want more welfare works or other works, but they don't mind higher tax rate because they don't have much assets on which tax is imposed. I felt this is a very good system to show people about benefit and burden, the relationship between benefit and burden. But I also thought this is never applicable to Japan, because Japanese local governments do so much of delegated works. And those delegated works are not totally accompanied by payment from the central government. So, this is the third point, and Japan's system is of Continental model.

And the fourth point is whether decentralised system is something which should be deemed good regardless of the situation in the country. I'm talking about this, because I was a fairly regular visitor to Cambodia. My first visit to Cambodia was in 2007. Of course, it was more than 10 years since the end of the internal war, but still when I first arrived at Phnom Penh Airport, I remember I felt very tense. And there, because I was sent there as an expert, although I'm not sure what kind of expert I was, I worked for a program of JICA, Japan International Cooperation Agency, related to decentralisation in the country. And I came to know one Secretary of State at the Ministry of Interior of Cambodia. He used to be the Director General of Local Administration Bureau. He was promoted, and he still is Secretary of State in Cambodia. I've known him for more than, I think, 12 years or more. Also, this is not pretty much related to my topic today, he's so kind that when I took

students to Cambodia, four times, students from this university, he always, though he's very busy, squeezed time out of his schedule, and met the students, and even gave some presents to the students. And this Secretary of State repeatedly asked me when he was under pressure from donors. You know donors. Many of them actually are NGOs. And they told this Secretary of State that Cambodia should implement more decentralisation policies, do decentralisation policies immediately, they said. To me, it seems that these people believe in decentralisation, decentralisation is always good. It seems to me that they feel that way. But my answer to this Secretary of State was always rather negative. You'd better wait, I advised. Because JICA took me in rural areas of Cambodia, I knew that while local officials are probably kind and good natured, but with respect, I didn't think there are there were enough competent local government officials. And if you delegate power and authority to those people, decentralisation will only lead to chaos. That's what I said. So I feel that decentralised local government system is a kind of luxury, only countries with sufficient human resources can afford it. Even in Japan, we had same kind of worry after World War Two. As I just touched upon, Japan had a very big decentralisation reform after World War Two. And one consequence of the reform was that it was prohibited for the central government officials to work in local governments. Actually, I worked in local government many times, but we sort of made a loophole and bypassed that regulation. But actually, generally speaking, it was prohibited. But before the reform, all the key figures in prefecture governments were central government bureaucrats. Even governors were central government officials, and most of the directors and director generals were central government officials. And then as the consequence of the reform, they all returned to the central government. And local governments were left without any people with high standard of education. I hear, although I never made sure, just after the reform, local governments were left without any graduates of universities, because most graduate had chosen central government as their job. This is why Japanese Government, the central government started one of its organizations called Local Autonomy College. They established this college in the Ministry of Home Affairs. This is a very unique system, because the central government taught local government officials with the central government's money. So human resource is an element to determine what degree of decentralisation is possible in a country.

This also leads to the question of the quality of leaders in local government. Well, I think the best kinds of systems are those in which if people try to pursue their own interests, the result will be the best, even as aggregate. Am I understood? I did not prepare this part actually. What I'm trying to say is, a system if all in the system try to get maximum benefit from the system, then everyone becomes, well, richer or get into a better state. There's some words in economics expressing this more easily. But a system must be that kind of thing, or

the best systems are like that, I think. But I certainly know that 25 years ago, I was a director of budget and finance in this area, Osaka prefecture. I remember, I always encouraged other officials to try to get central government subsidies, and don't think, never consider if it is appropriate for Osaka to get it or not. Because to get subsidy means money comes to Osaka, and that is good for Osaka. But of course, that's not the right attitude. So the system may not be a very good one. I also remember that when I was a deputy director in the ministry, part of my job included the affair of the resort creation. Your country has got many resorts, like Bali. I took my family there once. But the government thought there are too few resorts in Japan. And since Japanese people are called workaholic, do you know this word? Workaholic, not alcoholic. Workaholic, they are addicted to work. So in 1980s, in the middle of bubble economy, one Act was made, under which, where local governments are encouraged to help the creation of resorts. Almost all prefectures raised their hands, they applied for it. And more than 40 prefectures had approved plans for it. At that time, I thought that there's a limit to the number, there must be a limit. But all prefectures had Diet men, elected from them. And those Diet men, politicians always wanted their area chosen, so the government could not limit the number. So the number far exceeded the expected number. More than 40 were designated as, potential resorts, but none of them actually succeeded. There were lots of stories, like the one in, if I may say this, Miyazaki, where they made a very big hotel, which was later purchased by Sheraton. And there, actually the project had one owner of a golf course and he became the president. He was a very well respected man. But the program went wrong, he lost everything he had. Just like this, local government leaders should consider the national interest as well. Otherwise, local government system cannot survive for long. Later, I had an opportunity to have lunch with a Vice Mayor of a city who used to be the Director General in charge of that system of resort creation scheme at National Land Agency. I asked him, 'how many resorts did you expect to designate as potential ones?' He said five or six. Lawmakers or bureaucrats thought it was five or six, but actually 40 were appointed and none of them succeeded. There's another story. This is a very old one which I heard from a former Permanent Secretary of the ministry who is 20 years older than I. He had worked in Oita Prefecture, where APU is located. And a long time ago, they were trying to determine the route of a highway connecting the northern part of Kyushu to the southern part of Kyushu. So, it was a very long highway, and there were two planned routes. One just goes over a mountain belonging to Oita Prefecture. The other will go by Oita Prefecture. And Oita Prefecture government officials wanted to start a campaign to have the route which goes over, touch upon the soil of Oita Prefecture. Then there was a conference in front of the governor, and the governor simply asked, which one is shorter, which route is shorter? And the officials honestly replied

that the route, which does not go over Oita is shorter. Then the government said, 'then we should never have a campaign, because it's more to the benefit of the country to have a shorter route. In the end, that would save a lot of fuel.' I think this is the right attitude. So, this kind of attitude of leaders is also very important. That reminds me of the case of Furusato Nozei, a system under which people can choose any local government to which he or she pays part of his local tax obligation. Do you know that? Yeah. This is a system under which any taxpayer can choose the city to which the taxpayer pays tax. After it was started, many local governments started to entice the tax payment to one's own city by giving out return present too. Sometimes it's a well-known gift, like fish, crab, the products of the place. But the problem is, if you pay an amount to some local government to be given some return, you don't have to pay that amount to your own city of residence. And the residence, the city will lose some money, but the other city you've paid the tax to, gets a bit more, but they have to give a return. So in the aggregate, local governments lose as much as they pay for the return. I don't think this kind of system is very good one. But still, this was made by the ruling party a few years ago.

Well, let me add the last point. And this is, whether local governments should solely depend on local taxes for their policy implementation. Let me explain a bit more. Some people say that it's better for local governments not to depend for payments from the central government. This is true I think. When I worked in the ministry, there was some trouble between the central government and a municipality or a prefecture. I told my senior that, well, the central government has got no power to stop that local government to do something in that case. But he said, well, there are many ways to stop that, even if we don't have the direct authority to do that. Meaning that as long as the central government has got the discretion on some financial matters, then the central government can always discourage local governments to do something. So to reduce the possibility of that kind of thing, many people say it's better for local governments not to depend on federal government disbursement but depend as much as possible on their own tax resources. This is one argument, and actually many people in the Ministry of Home Affairs believed in it. I still remember when I was very young, I was in charge of tax affairs in a prefecture, and collecting automobile tax was very difficult. And I wanted it to be collected together with other taxes by the national government. But a deputy director at the ministry scolded at me. He told me, don't you understand that raising money through local tax is essential for decentralisation. I also remember that when I attended a seminar in Hanoi, Vietnam. A Vietnamese government official just told the conference that Vietnam started local tax system. And one of the participants from a donor just said, it's good that local governments depend on local taxes. But I did not agree. Of course, probably in countries using UK style

local government system, it is not bad. But in a country like Japan, where local governments do a lot of delegated works, they can't, they can never solely depend on local taxes. In fiscal year 2016, per capita local tax revenue, the aggregate of prefectures and municipalities in Tokyo area was a bit more than 500,000 yen. But in Okinawa, the poorest prefecture, it is just a bit more than 200,000 yen. So, Tokyo raises two and a half times more than in Okinawa on per capita basis, which means Tokyo can raise much more money through local taxes. But usually, it is the poorer region which needs more money for infrastructure construction or welfare and so on. Of course, it depends on the national framework of governance system. But at least, I think it's not always true to say that local governments should rely on local financial resources as much as possible.

So let me conclude this part of my lecture. Having said these, from the first point I mentioned, I believe that decentralised government system must be a compromise, as I told you, depending on the situation, and there's no ultimately ideal type of decentralised system. So, consequently, the fact that Japan system does not confer a very large degree of freedom to local governments does not mean directly that Japan's system is less than these decently decentralised systems. And from the second point I mentioned, I'm sure Japan's system is a relatively decentralised system, at least in terms of volume of payment made by local governments. And from the third point I mentioned, Japan definitely belongs to the continental model of local administration system. Therefore, local governments wear two hats, one as that of autonomous local entity, and the other as that of local implementation offices of the central government. So, as long as Japan keeps the framework of this local government system, it's very difficult for Japan to further decentralise itself much more. And from the fourth point, now Japan's local governments are blessed with good human resources. So decentralised system is not something beyond its reach, and high degree of decentralisation is possible. The problems now are that it's difficult to have enough number of officials because of the difficulty to finance their salary, and because of the lack of those who want to become local government officials. In rural area, local governments do not have enough applicants for their jobs actually. And for the fifth point, Japan has large scale financial equalization system called Local Allocation Tax system. In this sense, Japan's system definitely tends to let all local governments have, even though roughly, the same level of financial strength. Ministry of Finance is actually criticizing this system, saying that this system is spoiling local governments, leading them to less effort to develop their areas. However, this system also contributed to making the living standard in rural areas higher while Japan was making rapid economic growth. All in all, I think Japan's present system is relatively well functioning, with reasonably good degree of decentralisation. The biggest advantage is that since local governments implement majority of the central government's

policies, those policies are being implemented by local people who belong to the same community who make some subtle amendments in order to adapt them to local conditions. I can feel this, comparing my impressions of when I made a visit to a central government office as a client, and a similar experience as a client in a city hall. I feel City Hall officials are definitely more sympathetic, kinder, more helpful, and ready to make flexible interpretation of rules within a certain allowances. I can show you one example. My father in law is 93 years old. Actually I took him to spa, hot spring last night, and I drove him back this morning. But the problem is, he's still alive, and fortunately, his mind is still in good order. But if his mind goes out of order, just like the case of my own father, there are a lot of things that he can't do. Even if he needs a certificate from the city hall, he can't report there himself, then he has to give someone a letter of mandate. But you have to initial on it. As long as he can initial on it, it's okay. But there will be a time when he can no longer initial on it. Actually, I asked a city government official, 'what should I do if he can't do that?' And he said, as long as there's something legible on the paper, they took it as the initial of the person. Do you understand? That's an example of the very sympathetic interpretation. So well, this is what I think about decentralisation and Japan's system at the moment.

And I'd like to go to some other matters. And the first, what I would like to say, not only to you, but all of you present here, is that I'm grateful for this university and this college to have given me the opportunity to observe governance in Japan as a third party, and make research on it. I was in it, I mean in the government service, and I've been an observer. Frankly, there are many things I regret I did not do while I was in government service. But I'm glad I was given this opportunity to notice that there are so many points which I could have done. Also, I appreciate the fact that this phase of my life gave me opportunities to work for the development of other countries. I worked in the context of JICA projects for Cambodia, Bangladesh, Iran, and for Afghani officials, but not in Afghanistan, but in Singapore. So far I haven't had the opportunity to work in your country. My history, the fact that I visited Iran prevented me from acquiring United States ESTA authorisation to go into that country. I wanted to take my family to Hawaii. All my family members got ESTA instantly. In my case, computer said, wait. And USA government let me wait for 12 days, and then said, no, we can't give approval to you entering our country. But it said, well, you can apply for a visa at the embassy or the consulate general. Very fortunately, US Consulate General in Osaka was 15 minutes' walk from my home. It was in August, I wore a tie and jacket like this. I walked sweating freely, and I got in, and I explained, I went to Iran as a keynote speaker in a seminar organized by JICA. And the consulate in charge said, fair enough. He would issue a visa. Just before leaving, I asked, 'how long would the visa be valid?' The consulate in charge told me probably 10 years. And since I had paid \$160 to apply

for the visa, I replied, 'good. Otherwise I have to pay \$160 every time I go to your country.' So I'm one of the very few Japanese who have a tourist visa to USA. Also after I transferred to this university, doing research became a new responsibility of mine. I tried, although I was not sure if it was enough, I tried hard enough, but research activities gave me opportunities to visit countries like Thailand, the Philippines, Indonesia this time, India, Denmark and Norway. I'm also glad that these experiences widened my scope. And with regard to the other part of my duties in university, that is education, I supervised many graduate students from Indonesia, Indonesia comes first in this respect, China, Thailand and Myanmar. Those supervisions are one of the best parts of my memory. Actually one of the Cambodian graduate students is now a vice minister in the foreign office. But he always, whenever I met him, he always drove a brand new Lexus. I'm sure he's from a good family. Many of the members of my undergraduate seminar, classes found jobs in public sector, not because I taught them well, but because they tried hard. But I still take it as a sort of achievement of my own, and I'm glad for it. I especially remember one undergraduate student whom I took to Cambodia. He lost his passport on the day he arrived in Phnom Penh. He used to play American football. He's tall, well-built but he made actually a lot of troubles. Although I told them, told all the students not to do that, he went to the red light district in Phnom Penh. Actually the passport was recovered, because there's one very quick witted employee of the hotel, and he remembered that he saw something on the service carriage, and we traced it and we could retrieve it. But after we returned, when I met him, he told me that he felt he should study abroad. And actually he went to Shanghai for a year. Then I almost forgot about him. But more than one year after that, I was stopped by a tall gentleman wearing a tie and jacket, because he was in the activity of job seeking, job hunting. And he looked totally different, much more mature. Well, he used to be a boy, but now he was a man. And that was one of the happiest memory of mine during the time I was in this university. Anyway, I spent these 12 years very happily, and I'm very grateful for that fact. And so I'd like to finish my last lecture. Thank you for listening.

藤井 上子先生、どうもありがとうございました。それでは、本日の講義と、またこれまでの先生のご貢献に感謝の気持ちとしまして花束贈呈をさせていただきたいと思います。本日予定されているところは以上でございますが、上子先生最後に何かございますでしょうか？

上子 日本語で同じことを言わせていただきますが、最後に言った部分です。12年間いろいろな機会を与えていただきました大学、学部に大変感謝しております。本当に楽しい12年を過ごさせていただきました。ありがとうございました。

藤井 では、以上をもちまして上子先生の最終講義を終わらせていただきます。本日はお集まりいただきましてどうもありがとうございました。

(本稿は 2020 年 1 月 20 日に行われた政策科学研究科最終講義に加筆訂正したものである)