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**TENSE RELATIONS:
THE TRADITION OF *HŌSHI* AND EMERGENCE OF
BORANTIA IN JAPAN**

A thesis submitted in partial fulfilment of the
requirements for the award of the degree

Master of Social Change and Development (Honours)

from

THE UNIVERSITY OF WOLLONGONG

by

**Nichole Georgeou, (BCA, Dip.Ed)
Centre for Asia Pacific Social Transformation Studies (CAPSTRANS)
2006**

THESIS CERTIFICATION

I, Nichole Georgeou, declare that this thesis, submitted in partial fulfillment of the requirements for the award of Master of Social Change and Development (Hons), in the Centre for Asia Pacific Social Transformation Studies (CAPSTRANS), University of Wollongong, is wholly mine unless otherwise referenced or acknowledged. The document has not been submitted for qualifications at any other academic institution.

Nichole Georgeou
3 February 2006

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Figure 1: Non-profit regimes according to the Social Origins Theory

LIST OF FOREIGN WORDS

| | |
|--|--|
| <i>Aikoku Fujin Kai</i> | The Patriotic Women's Association |
| <i>Amakudari</i> | Descent from heaven (Term describes the way many bureaucrats become politicians after retirement, or take high ranking positions in <i>kōeki hōjin</i> .) |
| <i>Amaterasu-O-mikami</i> | Sun Goddess, ancestress of all Japanese people |
| <i>Beibeiren (Betonamu ni heima o! shimin rengō)</i> | League of Peace for Vietnam |
| <i>Borantia</i> | Taken from the English "volunteer". First appearing in the early 1970s, it became a household word and symbol of civil society after the Great Hanshin-Awaji Earthquake that hit Kobe in January 1995. |
| <i>Borantia ishki</i> | Volunteer consciousness |
| <i>Borantia seishin</i> | Volunteer spirit |
| <i>Bushidō</i> | The Way of the Warrior |
| <i>Chōnai kai</i> | Community organizations for mutual help |
| <i>Chūō Jizzen Kyōkai</i> | Central Charity Association |
| <i>Chuo Shakai Fukushi Kyogikai</i> | The Central Social Welfare Association |
| <i>Dai kōgi</i> | Great authority (Early Edo term) |
| <i>Dai san sekutaa</i> | Term refers to a hybrid sector of quasi public, quasi business organizations, and does not depict a distinct institutional sphere (As distinct from the English word "third sector") |
| <i>Daimyo</i> | Semi-independent feudal lords |
| <i>Enryo</i> | Hesitation or emotional restraint |
| <i>Fujin Minsbu Kurabu</i> | The Women's Democratic Club |
| <i>Fujin Yū Kensha Dōmei</i> | The League of Women's Voter's |
| <i>Fukoku Kyobei</i> | Meiji slogan: "Enrich the Country and Strengthen the Military" |
| <i>Gaijin</i> | Foreigner |
| <i>Gakkō hōjin</i> | Literally: School Legal Person/s (Is a special law within the Article 34 and 35 framework for the incorporation of schools) |
| <i>Gakkō Kyōikuhō</i> | School Education Law |
| <i>Giri</i> | Obligation |
| <i>Gōrudo Plan</i> | Gold Plan |
| <i>Gyōsei itaku soshiki</i> | Administrative consignment organization (the term refers to the act of state administration consigning specific functions to private organizations) |
| <i>Hahaoya Taikai</i> | Mother's Convention |
| <i>Hakujin</i> | White person |
| <i>Henna gaijin</i> | Strange foreigner |
| <i>Hiningoya</i> | Shelter, workhouse and job placement centre for able bodied poor. Established in Kanazawa |

| | |
|--------------------------------------|--|
| <i>Hōjin</i> | in 1670. |
| <i>Hōshi</i> | Incorporated associations |
| | The Japanese word that was historically used to describe private philanthropy, charity and mutual self help. |
| <i>Hōtokusha</i> | Repaying virtue societies |
| <i>Ie</i> | Household |
| <i>Iryō hōjin</i> | Literally: Medical Legal Person/s (Is a special law within the Article 34 and 35 framework for the incorporation of organisations established for medical purposes) |
| | Medical Law |
| <i>Iryōhō</i> | Relief Regulations (Part of Meiji Government welfare strategy) |
| <i>Jikēiyū Kissoku</i> | Self responsibility |
| <i>Jiko sekinin</i> | Liberty Party – Japan’s first political association. |
| <i>Jiyutō</i> | Literally: information disclosure |
| <i>Joho kokai</i> | Residents’ Movement |
| <i>Jūmin undō</i> | Firms specializing in real estate loans |
| <i>Jusen</i> | Progressive Party (forerunner of Minseitō) |
| <i>Kaishinto</i> | Religion - The Way of the Gods |
| <i>Kami no michi</i> | First example of organized social welfare and relief established 1829 by Nawa Saburoemon |
| <i>Kan on Ko</i> | Supervision system |
| | A Welfare Society with Vitality |
| <i>Kanshi seido</i> | Contemporary Japanese word for “public”. In early Japan used to mean righteous, devoid of selfish motives or impartiality. |
| <i>Katsuryoku aru Fukushi Shakai</i> | Government documents |
| <i>Kō</i> | Literally: Legal Public Interest Persons/Groups (Charitable organizations or public benefit organizations defined by Article 34 of the Civil Code as “associations or foundations relating to worship, religion, charity, science, art or otherwise relating to public interest and not having for their object the acquisition of gain.”) |
| <i>Kōbunsho</i> | Authorities; common noun meaning government (term used to refer to the feudal lord during the Edo period -1603-1867) |
| <i>Kōeki hōjin</i> | Literally: person from Caucasia |
| | Government archives |
| <i>Kōkasesu chibō hito</i> | Community Chest |
| <i>Kōyōsha</i> | New Town Office |
| <i>Kyōdō Bokin</i> | Sixth Year of Meiji Society |
| <i>Machi Kaisho</i> | Literally: self annihilation for the sake of One’s Country (used in slogans calling for selfless loyalty to the state) |
| <i>Meirokusha</i> | People’s rights |
| <i>Messhi bokō</i> | Philanthropic organizations run by the Jesuit missionaries during the sixteenth century in Japan |

| | |
|---|---|
| <i>Mukoku no kyūmin</i> | Poor who have no-one to turn to |
| <i>Mura</i> | Village |
| <i>Nihongata fukushi shakai</i> | Japanese-model welfare society |
| <i>Nin-i dantai</i> | Unincorporated Non-Profit Organization |
| <i>Ninjō</i> | Human feeling |
| <i>On</i> | Indebtedness |
| <i>Onshi zaidan</i> | Endowments |
| <i>Onshi-zaidan Saiseikai</i> | Imperial Relief Association |
| <i>Osukai</i> | Lord's Relief |
| <i>Ōyake</i> | Mansion of the Lord |
| <i>Rissbida</i> | Literally: The Society to Establish One's Ambitions |
| <i>Ryōsai kenbo</i> | Good wife and wise mother |
| <i>Saiseikai</i> | Society to assist livelihood |
| <i>Samurai</i> | Military class |
| <i>Sangyō kumiai</i> | State regulated agricultural cooperatives |
| <i>Sanka-gata Fukushi Shakai</i> | Participation Orientated Welfare Society |
| <i>Seiyukai</i> | A Japanese political party founded in 1900. It was derived from the Jiyūtō. After WWII it reappeared as the Progressive Party and was later absorbed into the Liberal Democratic Party. |
| <i>Shadan hōjin</i> | Incorporated Associations |
| <i>Shakai fukushi gyōsei roku gensoku</i> | The basic structure of Japan's social service administration |
| <i>Shakai fukushi hōjin</i> | Literally: Social Welfare Legal Person/s (Is a special law within the Article 34 and 35 framework for the incorporation of social welfare organisations) |
| <i>Shakai Fukushi Jigyōhō</i> | Social Welfare Industry Law |
| <i>Shakai hōjin</i> | Public Benefit Organisation |
| <i>Shi</i> | Self or private |
| <i>Shigaku Shinko Zaidan Hō</i> | Private School Encouragement Foundation Law |
| <i>Shijuku</i> | Private tutorial schools |
| <i>Shiken kenkyū hōjin</i> | Special tax status for NPOs |
| <i>Shimin dantai</i> | Civic group/s |
| <i>Shimin undō</i> | Citizens' Movement |
| <i>Shin Nihon Fujin Dōmei</i> | New Women's League |
| <i>Shinmin</i> | Imperial subject |
| <i>Shinritsu Gakkō Shinko Josei Hō</i> | Private School Encouragement Assistance Law |
| <i>Shinru kenri</i> | The right to know |
| <i>Shogun</i> | The ruler |
| <i>Shūkyō hōjin</i> | Literally: Religious Legal Person/s (Is a special law within the Article 34 and 35 framework for the incorporation of religious organisations) |
| <i>Shūkyō Hōjinhō</i> | Religious Legal Persons Law |
| <i>Shumu kanchō</i> | Competent supervising ministry |
| <i>Tanin</i> | Persons unconnected with oneself; outsiders |
| <i>Teiseito</i> | Political party organized by the government (1880s) |
| <i>Tennōsei</i> | Emperor System |

Tokushu hōjin
Tokutei Heiri Katsudō Sokushin Hō
Tokutei hieri hōjin
Tokutei koeki-zōshin hōjin
Tonari gumi
Yasukuni Shrine

Yūshisha
Zaidan hōjin
Zenkoku Shakai Fukushi Kyōgikai

Special Status Corporations
Law to Promote Specified Non-Profit Activities
Specified Non-Profit Organizations
Special tax status for NPOs (under NPO Law)
Neighbours ties
Shinto shrine founded in 1869 in Tokyo to
commemorate and worship those who have
died in war for their country and sacrificed their
lives to help build the fundament for a peaceful
Japan. Literally: “peaceful country” shrine
Charitable Worthies
Incorporated Foundations
The National Social Welfare Association

LIST OF ACRONYMS

| | |
|----------|---|
| APEC | Asia Pacific Economic Cooperation |
| C's | Coalition for Legislation to Support Citizens' Organisations |
| CAP | Cycle Against Poverty |
| CSCAP | Council for Security Cooperation in the Asia Pacific |
| IMF | International Monetary Fund |
| LDP | Liberal Democratic Party |
| NGO | Non-government Organisation |
| NPO | Non-profit Organisation |
| NPO Law | Law to Promote Specified Non-profit Activities |
| SDF | Japan's Self Defence Forces |
| UNCED | United Nations Conference on Environment and Development |
| UNICEF | United Nations Children's Fund |
| VWU | Vietnam Women's Union |
| W no Kai | Women's Group ("W" for women and " <i>kai</i> " meaning group). |
| WTO | World Trade Organisation |
| YMCA | Young Men's Christian Association |

ABSTRACT

In this thesis I examine the transformations of volunteering in Japan from “*hōshi*” (mutual obligation) to “*borantia*” (borrowed from the English “volunteer”). I argue changes in the forms of volunteering overtime point to important shifts in state-citizen and state-civil society relations in Japan. *Hōshi* emerged during a period of Japan’s history when the state had an increasingly authoritarian approach to managing its subjects. It reflects this cultural context as it embodies a strong sense of obligation and is characterised by notions of service and sacrifice, particularly dedicated service to the greater good of the Emperor and state. In contrast the concept of *borantia* is associated with free will and social contribution. *Borantia* has had a tremendous impact on the way Japanese citizens view civil society. Its emergence marked a change in popular consciousness about the role of citizen’s vis-à-vis the state and departure from Japan’s traditional form of volunteering (*hōshi*) which has connotations of obligation to the state and Emperor. First appearing in the 1960s and 1970s, the word “*borantia*” was used to describe residents’ and citizens’ movements. After the Great Hanshin-Awaji Earthquake of January 1995 the notion of *borantia* was propelled into popular public consciousness leading to the enactment of The Law to Promote Specified Non-Profit Activities (NPO Law). This represented a significant landmark in state-citizen/state civil society relations. However, the effectiveness of the Law to enable an autonomous civil society has been impeded by traditionally low corporate and individual giving, as well as a reliance on the state for funding. Tension remains in Japan because the old systems and practices that supported *hōshi* remain along side new systems and practices that led to the emergence and proliferation of *borantia*.

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This thesis is dedicated to the memory of Makoto Kamiya, who believed in the value of volunteering, and watched the evolution of volunteering in Japan with as much interest as me.

INTRODUCTION

Over the last decade the word *borantia* (taken from the English word “volunteer”) has entered mainstream Japanese language. First appearing in the early 1970s, *borantia* became a household word and symbol of civil society after the Great Hanshin-Awaji Earthquake that hit Kobe in January 1995 (Nakano 1998, 44). Prior to the earthquake, volunteers and volunteer activity were treated with suspicion by the public and the bureaucracy (Stevens 1997). After the earthquake, however, a number of significant trends and events occurred that impacted both on civil society and on voluntary citizens’ groups in Japan. These included: increased coverage of Non Profit Organisation (NPO) and Non Government Organisation (NGO) activities by the media; the proposal by the Japanese government in 1997 for an International Year of the Volunteer, held in 2001; a change in legislation affecting the incorporation of voluntary citizens’ groups; a boom in incorporated voluntary citizens’ groups; and the dropping of the usage of the word *bōshi* to describe voluntary activity in Japan. These changes indicate a shift in popular consciousness about the role of citizens vis-à-vis the state and a departure from Japan’s traditional form of volunteering (*bōshi*). The recent shift in popular consciousness about the roles of citizens is relevant to studies of civil society in Japan because it suggests that changing notions of volunteering point to important shifts in state-citizen and state-civil society relations.

The media was responsible for thrusting *borantia* into the public spotlight. Significantly, prior to the earthquake volunteering rarely featured in the media (Nakano 1998, 40-47). However, after the disaster, constant media attention to the positive contribution of volunteers, in contrast to the government’s bureaucratic sluggishness in the wake of the earthquake, led to the raised profile of civil society groups as well as the popular use of *borantia* to describe voluntary activity. In addition, media attention was responsible for linking *borantia* and civil society in the public’s mind and stimulating debates throughout Japan among the public, scholars and politicians about the potential of civil society to bring about the public good. This in turn created a groundswell of citizen and political pressure that led to a change in legislation affecting the incorporation of voluntary citizens’ groups. On March 25, 1998 the Law to Promote Specific Non-profit Activities (NPO Law) was passed, and on December 1, 1998 it was enacted in Japan. The law was designed to promote both the establishment and autonomy of voluntary citizens’ groups by making the

incorporation process easier, less time-consuming and independent of central government authorities.

The change in legislation led to a boom in incorporated NPOs and volunteer activity. In the first year after the law was passed 3, 500 voluntary citizens became incorporated and by the end of March 2004, 16,000 had become incorporated under the new law (JCIE 2004). Since the law was enacted, the rate of incorporation under the new law has escalated. For example, approximately 500 organisations a month were incorporated between 2003 and 2004 (JCIE 2004). Correspondingly *borantia* has entered mainstream Japanese language while *bōshi*, the Japanese word used to describe the indigenous notion of volunteering, has been dropped. The adoption of new terminology suggests that notions of volunteering in Japan today, particularly after the earthquake in 1995, are so far removed from the indigenous one that a new word was required. *Borantia* is associated with individual choice, initiative and free will (Nakano 2000 p93), in contrast to notions of duty and sacrifice associated with *bōshi*. While *bōshi* has negative connotations, *borantia* is represented as a modern, Western (generally American) spirit (*borantia seishin*) or consciousness (*borantia ishikei*) that must be introduced into Japanese society. These different views reflect contrasting understandings of public and private as well as “rights” and “duties”. In Meiji Japan, “public” (*ōyake*), was synonymous with the political and official, personified in the Emperor, and “private” (*watakushi*) embodied corporations and citizens and was associated with selfishness and direct opposition to the “public interest” (Nakano 1998). Within this cultural context *bōshi* gained its connotations of duty and sacrifice to the Emperor and state. After Japan’s loss in World War Two many Japanese people were disillusioned with the state and embraced democratic reforms based on the premise that the “public sphere” was the place for discussion and debate on political matters by citizens, while “private” sphere was a sheltered region defined by one’s family and friends. The push for democratic reform had begun prior to the Allied Occupation. The democratic reforms also embodied notions of citizen’s rights and gave citizens inalienable rights including the right to association. In this way associational activity became a right and not a duty as it had been in Meiji Japan¹.

¹ It should also be noted that the government’s action in promoting NPOs was not simply a response to civil society pressure, but rather a way of incorporating citizens into state-directed processes; and as a way of dealing with the impending crisis due to the aging of Japanese society. These issues are further discussed in Chapter Three: *Borantia*.

The popular and bureaucratic use of the borrowed word *borantia*, rather than the indigenous word *hōshi*, signifies a shift in consciousness in Japan over the past 20 years towards an awareness of the possibilities of an active civil society in governance. This change has been accompanied by the removal of the negative connotations previously associated with volunteering. In this thesis, my interest is in whether the emerging use of the language of *borantia* and the subsequent boom in volunteering also reflects a change in state-citizen relations in Japan. *Hōshi* has long been regarded as the epitome of state-citizen relations. By exploring the cultural and historical context of *hōshi* and the emergence of *borantia* in the post World War Two period I examine the extent to which traditional understandings of state-citizen relations have changed. Through an analysis of the NPO Law and its impact on the state-citizen relations, I examine whether contemporary usage of *borantia* has marked a shift in traditional thinking about the role of civil society in Japan.

Literature review

Japan's explosion of "organised volunteer activity" in the form of NPOs and NGOs has occurred within the context of what Lester Salamon (1994, 109) refers to as an "associational revolution" that began in the 1980s. Salamon's research reveals that an NPO and NGO explosion is occurring at a national level in developed and developing countries, as well as in Eastern Europe and the former Soviet Union. It is also being manifested transnationally with a growing trend towards the establishment of umbrella organisations and networks that span national borders (Salamon 1994; Salamon and Anheier 1996a). Asia Pacific countries have followed the global trend of notable expansion in the size and number of NPOs and NGOs, as well as an increase in the number of citizens who have initiated the formation of numerous networks and umbrella organisations across the region (Yamamoto c1995b).

The scope and nature of activities of non-profit organisations in the Asia Pacific has also changed. Traditional organisations that provide charitable contributions and services to the poor have transformed into organisations that directly involve themselves in the development process or in addressing issues such as the environment or human rights (Yamamoto 1995b, 15). This change can be attributed to the emergence of Asia Pacific Networks and cooperative relations among NGOs as well as to the influence of global and regional NGO movements (Yamamoto 1995b, 14-19). NGOs of more advanced economies in North America, Japan, Korea and Australia have been involved in this

process. The trend reflects growing interdependent relationships among the nations in the Asia Pacific. The region has also experienced an emergence of Asia Pacific networks and cooperation among policy research institutions and the creation of the Council for Security Cooperation in Asia Pacific (CSCAP) in 1994 (Yamamoto 1995a).

Salamon (1994) argues that changing conceptions of civil society, coupled with growing disillusionment in the capacity of the nation state, ultimately lie at the core of the NPO and NGO explosion. He claims that together with revolutions in the fields of technological and educational advancement, four crises have acted as catalysts for this growing doubt in the state's ability to represent its citizens: the crisis of the welfare state, the failure of socialism, the development crisis, and the global environmental crisis. These events have occurred against the backdrop of the globalisation of capitalism and the emergence of transnational corporations and network organisations such as the North American Free Trade Agreement, Asia Pacific Economic Cooperation (APEC), International Monetary Fund (IMF), World Bank, and the World Trade Organisation (WTO). As the world system reconfigures and globalising processes strengthen, governments are experiencing a breakdown in national representation by parliamentary democracies and national economies. The question of representation has in turn triggered interest in the capacities of NPOs and NGOs to adequately represent citizens' needs in both domestic and international arenas. Many scholars suggest that NPOs and NGOs have been formed in response to the need to stimulate civil society in order to meet pluralistic social needs (Salamon 1994; Salamon and Anheier 1996b; Silk 1999; Yamamoto 1995b). Yamamoto, for example, points out that NPOs in the Asia Pacific report an increasing awareness about the need to develop a civil society in their countries. He states that, "as the government's power in these countries becomes more decentralised, broader citizen participation in addressing a growing number of domestic and external policy issues has become essential" (Yamamoto 1995b, 12). In addition, economic development has led to the emergence of a growing middle class which has time and money and is educated about issues that impact on both the local and global community (Silk 1999; Yamamoto 1995b).

In the case of Japan, scholars who have examined the NPO sector have focused their work on a range of issues, including frameworks governing legal incorporation of NPOs and the link between a growing non-profit sector in Japan and civil society. Tadashi Yamamoto and Takayoshi Amenomori's research is linked to the Johns Hopkins Comparative Non-Profit Sector Project (here after referred to as "The Research Project") led by Salamon and

Anheier.² Yamamoto and Amenomori contributed data on Japan's non-profit sector experience to The Research Project which developed social origins theory for cross-national analysis of the size and scope of the non-profit sector. According to this view, NPOs are the institutional life of civil society, they are seen as avenues for citizen participation in the governance process and their presence is considered to be evidence of an active civil society (Salamon and Anheier 1996a). Social origins theory proposes that there is financial interdependence between the state, business and civil society (Salamon and Anheier 1996b). It argues that social and economic trends have broadened the demand for the kinds of services that non-profit organisations provide. These trends include: the growing labour force participation of women, which increases the need for day care services; increased life expectancy, which has expanded the need for nursing homes and various forms of "community care" for the elderly; new medical technology, which has stimulated new demands for medical care; and changing skill requirements in the job market, which has put increased pressure on educational institutions. Connected to changing social demands, the pressures that impact on government and business also impact on NPOs. These pressures, which include growing doubts about the capacity of the state, have resulted in changing conceptions about the relationship between the state and the non-profit sector.

Social origins theory adopts Barrington Moore Jr. and Esping Anderson's notion of "distinct routes" of social development and applies it to non-profit sector development (Salamon and Anheier 1998, 226). The model identifies four distinct "routes" of non-profit development or four types of non-profit regimes that reflect a "particular constellation of social forces and are characterised by both a particular state role and position for the non-profit sector" (Salamon and Anheier 1998, 228). These "regime" types are intended to outline broad tendencies reflecting two key dimensions: the extent of government social welfare spending and the scale of the non-profit sector (see Figure 1).

Figure 1: Non-profit regimes according to the social origins theory

² The Research Project began in May 1990 and is a collaborative project involving scholars from 12 countries (U.S.A.; U.K.; France; Germany; Italy; Japan; Hungary; Brazil; Ghana; Egypt; India; and Thailand). Directed by Lester Salamon and Helmut Anheier, it was initiated in response to the overall lack of understanding of the non-profit sector at a time when it has become central to debates over the future of social welfare and development throughout the world (Salamon and Anheier 1992).

(Source: Salamon and Anheier 1998, 228)

Amenomori and Yamamoto (1998), both contributors to The Research Project, have applied social origins theory to their work on the Japanese non-profit sector. However, they found the “fit” between the Japanese experience and theory to be problematic because it does not take into account the broader historical transitions of the non-profit sector and has a Western definition of the non-profit sector that does not take into account the indigenous notion of volunteering (Yamamoto and Amenomori 1998). The Research Project developed a “structural / operational definition” of NPOs that places emphasis on the structure of the organisation (Salamon and Anheier 1992, 1997). According to this definition, a non-profit organisation consists of six common characteristics: formally constituted; non-governmental in basic structure; non-profit-distributing; self governing; non-political and voluntary to some meaningful extent. Yamamoto and Amenomori (1998, 2) argue that the structural / operational definition is problematic in defining Japan’s non-profit sector with respect to all of the definition criteria. First, the requirement of being formally constituted does not apply to the numerous groups and organisations that have their roots in traditional community organisations. These groups, whose membership is often limited to certain age groups, sex or locality, are not formally organised as such, however they do have a formal peak association at the prefectural and national levels.

Yamamoto and Amenomori (1998) found the criterion, “private” to be problematic in the case of special public corporations such as, The Japan Foundation, the National Institute for Research Advancement and the Institute for Developing Economies which were set up under special legislation that stipulated how the group was to be organised, including its mission and criteria for evaluating grant requests. These organisations are referred to as *tokushu hōjin* (special status corporations) and would be considered as public organisations according to the structural / operational definition, however, they are treated as part of the non-profit sector. Furthermore Yamamoto et al. (1998) argue that legislation incorporating NPOs in Japan means that many NPOs do not meet the “self-governing” criterion because legal requirements do not enable *kōeki hōjin* (legal public interest persons/groups) and *shakai fukushi hōjin* (social welfare corporations) to make decisions independently of the bureaucracy. Amenomori (1997, 189) argues that NPOs are so deeply embedded in Japan’s

institutional setup that they are treated as part of the government and are not considered as separate or different organisation types, distinct from private business and public sectors. The embeddedness of Japanese NPOs in other social institutions is reflected in the term *dai san sekutaa* (literally: third sector). The term refers to a hybrid sector of quasi-public, quasi business organisations, and does not depict a distinct institutional sphere, as distinct from the meaning of the English third sector.

In addition, Yamamoto and Amenomori (1998) found the “not-for-profit” criterion did not fit in the Japanese case. This is because the law remains unsettled on the treatment of business income and the fact that many NPOs are engaged in business activities to fund their charitable non-profit purpose. This is also the case where trade associations are concerned because they primarily serve their members’ interests even though they might not generate or distribute profits, and they are indirectly related to for-profit activities. Amenomori (1997, 189) also argues that the “not-for-profit” criterion is problematic because in the Japanese context, “volunteering” and “mobilization” through group pressure are considered one and the same. Yamamoto and Komatsu (1995), point out that although this has begun to change especially since the 1995 earthquake, the indigenous interpretation of volunteering in terms of obligations rather than as an action of free will, remains because the majority of NPOs have paid staff.

Yamamoto and Amenomori (1998) are also critical of the regime framework used to classify Japan as having a statist regime. They point out that although the model explains recent NPO development in Japan, it does not give an accurate projection of future development:

...the key issue of the future of the non-profit sector in Japan is whether the prevailing relatively rigid system of state control will survive or be replaced by a more flexible and open system conducive to the formation of non-profit organisations (Yamamoto and Amenomori 1998, 17).

Despite their concerns with some elements of social origins theory Yamamoto and Amenomori do not offer any alternative theoretical approach. Atoda and Amenomori et al. (1998) argue that there has not been a comprehensive investigation of the overall scale and composition of the non-profit sector in Japan as previous studies have been limited to particular components of the sector or analysis that only deals with a particular subset of non-profit organisations. In their view social origins theory provides the broadest

framework for analysis of Japan's non-profit sector when there is a dearth of studies that measure its major contours. They argue that the application of social origins theory is the first step in this process but they do not offer alternative frameworks which address their underlying concerns about it. Yamamoto (1995b; 1996; 1999; 1998) also builds on the underlying premises of social origins theory. He focuses on the growth of the non-profit sector in Japan, concentrating on the relationship between NGOs and the democratic right of association. Tsujinka refers to Yamamoto's approach as "social pluralist" because his work is centred on the idea that the increasing pluralisation of civil society has led to increased citizen activities and movements by non-profit organisations. Yamamoto argues that the non-profit boom in Japan is connected to a growing awareness and corresponding emergence of civil society. Central to Yamamoto's approach to scholarship on civil society has been the issue of citizenship which is central to the idea of civil society. "Citizenship is generally discussed in the context of legal and institutional structures which determine who has the legal right to participate in the political system of voting and elected governments" (Mackie 2003, 4). It also implies the duties which are linked with these rights, for example, liability for tax and performance of military service – less tangible ways for participation in governance (Mackie 2003, 4). Discussions on civil society in Japan are problematic prior to the Allied Occupation because the Meiji constitution of 1890 positioned Japanese people as "subjects" (not citizens) whose duties and rights were granted by the Emperor (Schwartz 2003b, 4). Underpinning Yamamoto's work is the idea that citizenship is a defining aspect of democratic governance, where citizens have the right to participate in policy development. He argues that the granting of citizenship to Japanese people has caused them to go through a process of redefining state-citizen relations in terms of rights and responsibilities in deciding the public interest. In his view, the treatment of the non-profit sector, and the role of citizen's groups in defining policy are a barometer of the degree of democracy in governance.

Another group of authors have explored the incorporation of NPOs and NGOs, including the recent NPO Law. Pekkanen (2000; 2003), Matsubara (2002) and Silk (1999) focus on how laws governing the incorporation of NPOs and NGOs have shaped the non-profit sector in Japan. All concur that strict incorporation regulations have meant that the state has had authority over the formation and activities of NPOs and NGOs in Japan, and that this has limited the scope of civil society. Matsubara and Pekkanen have viewed the passing and enactment of the NPO Law as having immense potential to provide Japan's growing diversity of NPOs and NGOs with autonomy from bureaucracy and the

possibility of new ways to relate to their government. However, they warn that Japan's bureaucrats still maintain authority over the financial autonomy of NPOs and NGOs.

Other scholars focus on the role of particular organisation types in shaping state-citizen and state-civil society relations, for example, Hirata (2002a) and Kuroda (2003) focus on NGOs and their role in Japan's foreign policy. They argue that as Japan's foreign policy has increasingly been concerned with international relations, NGOs and the state have developed a collaborative relationship. Smith (1986), Sasaki-Uemura (2001) and Maclachlan (2002) focus on citizen movements. Smith argues that the movements represented the awakening of democratic governance in Japan. Sasaki-Uemura (2001) examines the protests and demonstrations in May and June 1960 that surrounded the Japan-US Security Alliance (Anpo). He examines the origins and activities of four groups whose members participated in the Anpo protests. He argues that these groups contributed organisational and philosophical legacies to future protest groups such as the anti-Vietnam, feminist and anti-pollution associations. Maclachlan (2002) analyses the significance and effectiveness of the consumer movement, organised largely by and for housewives during the 1960s and 1970s. Her approach is unique in that it emphasises the role of activism at the local level by presenting the consumers' perspective rather than the bureaucratic.

Nakano (2000), and Stevens (1997) undertook field research in communities in Japan in order to understand Japanese attitudes to volunteering. Stevens' (1997) study was undertaken in a poor neighbourhood in Japan prior to the Great Hanshin-Awaji Earthquake in 1995. Her study demonstrates the way in which volunteers became marginalised by the broader community because they were working with individuals outside of their socio-economic sphere. By presenting case studies of individual volunteers Stevens highlights the Japanese association between volunteering and sacrifice, and the difficulty experienced by volunteers reconciling the identity of volunteer with acceptable social identities. The study also highlighted the difference between secular and Christian practices of volunteering in Japan. Nakano's study (2000), provides a good contrast to Stevens' study of volunteering because it was undertaken after the 1995 earthquake in a climate of enthusiasm for volunteers and volunteering. Her study, undertaken in a middle to lower-middle income residential neighbourhood, examines the identity of volunteers and how volunteering fits in with mainstream expectations of men and women.

Previous research has not considered the ways in which changing notions of volunteering reflect shifting state-citizen or state-civil society relations in Japan. My study addresses this gap by acknowledging the importance of *hōshi*, the indigenous notion of volunteering in Japan. My approach is informed by Salamon and Anheier (1999) who argue that volunteering is a cultural and economic phenomenon which cannot be viewed in isolation from its social and cultural context, and that the nature of state-citizen and state-civil society relationships shapes the role of volunteering. While this approach underpins social origins theory and has been central to recent studies of the non-profit sector in Japan it has not been without its critics. Wagner (2000) for example, questions the usefulness of the strict categorical system of social origins theory for predicting future trends. He argues that the rigidity of the system means that the model immediately assumes a static dichotomy between the government and NPOs. This model does not take into account the evolutionary character and time dimension of the non-profit phenomenon, nor the growing interdependence of both public and private organisations in the broader social and political context. He points out that this flaw undermines the data collected by Salamon and Anheier which proves the economic value of non-profit organisations by identifying economic interdependencies between the state, market and third sector. Wagner's criticism holds true in the case of Japan where the strict definitional criterion means that the richness of organisational types that comprise Japan's non-profit sector are ignored by the structural /operational definition. For example, in Japan private and corporate giving is low and many NPOs operate as quasi-businesses in order to raise funds to run their campaigns.

Wagner (2000) further argues that the idea that there are distinct routes to the modern world, the key principle upon which the social origins mode of analysis is built, assumes a relatively static representation of the relationship between non-profit sector, and the state. He points out that according to the social origins model, a regime change, involving a more flexible and open system of governance would be required for the non-profit sector to experience growth. In the case of Japan, a regime change has not triggered the recent proliferation and growth of indigenous NPOs. In fact, a series of internal and external factors, including the impacts of globalisation and post industrialisation have led to broad social, cultural, economic and political transformations that have eroded state authority. Another key limitation of the social origins theory, is that it bases its hypotheses on empirical data collected over the past ten years (Wagner 2000). This means that the theory is limited in its ability to explain the broader historical transitions of non-profit sector

expansion and decline. Wagner is also critical of the categorical empirical base of social origins theory and argues that it is a good example of how empirical data can only be interpreted in a certain way within the framework of a particular categorical system leading to predictions that change as the categorical grouping system changes (Wagner 2000, 541).

Another critic, Tsujinka (2003, 84) argues that the “social pluralist” approach epitomised by Yamamoto provides a blinkered view of the of the NPO sector because it focuses on “spontaneous drives” which leads it to only be concerned with an adversary relationship between citizens and the state and does not map organisational development of NPOs within the context of Japan’s history, economic, political and cultural contexts. Garon (2003) and Pekkanen (2003) are also critical of this focus and argue that it overlooks the process of negotiation between the state and market that “moulds” organisational development.

The limitations of social origins theory when applied to the non-profit sector in Japan have meant that the transformation of social and cultural attitudes to the non-profit sector in Japan has not been well mapped. Although there is clearly a connection between civil society, NPOs and democracy, Yamamoto’s work demonstrates that social origins theory only offers a one dimensional view of both the social space and development of NPOs and interpretation of Japan’s expanding non-profit sector. The theory was unable to address the growing interdependence of both public and private organisations in Japan’s broader social and political context. Furthermore it was unable to take into account the evolutionary character of non-profit organisations and time dimension which is necessary for understanding changing notions of volunteering in Japan.

One approach that would help to address these issues is Antonin Wagner’s institutional analysis. Wagner (2000) aims to address the historical evolution and embeddedness of non-profit organisations in social space through an analysis of the structural transformations of the public sphere and the changing roles of non-profit organisations. His approach emphasises the transformations affecting the public sphere through a conceptual framework that uses time and institutional “elasticity” as its main variables. Wagner’s (2000) approach challenges the conceptual framework of social origins approach in two important aspects. First, it challenges the static dichotomy between the government and non-profit service providers upon which the theory is based and which correspondingly fails to take into account the evolutionary character and the time

dimension of the non-profit phenomenon. Second, it points out that social origins theory neglects to take into account the growing interdependence of both public and private organisations in the broader social and political context.

Institutional analysis is able to take into account that organisations are embedded in social systems and that their behaviour is shaped by cultural influences as well as many other coercive factors (Wagner 2000). It analyses the structural transformations of the public sphere and the changing role played by NPOs in order to understand the dynamics of the non-profit phenomenon and pattern of interdependence. The basic premise of institutional analysis is that different institutional forms are historically determined social systems resulting from an evolutionary process. This method emphasises the interplay between internal and external factors affecting organisations and their surrounding social systems by taking into account multiple constituencies or stakeholders and their different and conflicting interests, values and role requirements. It does this by taking “elasticity” as a function of the institutional structure of the public sphere and proposes the following hypothesis: In a government-dominated environment, the rate of change of non-profit sector of service provision is smaller than the rate of change of the government sector. In a pluralistic environment, NPOs are induced to collaborate with the government and it is likely that in relative terms, the non-profit sector grows at a faster pace than the government (Wagner 2000, 550).

Institutional analysis offers an approach that best enables a study of the relationship between the state and civil society throughout history. Unlike social origins theory which does not explain the interdependence of both public and private organisations in the broader social and political context in Japan, institutional analysis offers the potential for mapping of change in the relationship between the state and NPOs because it is based on the premise that changing relationships lead to variations in the structure of NPO service provision. Furthermore, unlike social origins theory, institutional analysis is not limited by Western notions of public and private because the focus of the model is on institutional interaction and takes into account cultural values and experience; the Western-centric assumption of private and public do not affect the model’s predictions. For this reason, it provides a more robust framework for the analysis of NPOs in a country such as Japan.

Central to my analysis of changing notions of volunteering in Japan is the theoretical framework of institutional analysis which focuses on sector interdependencies and the

structure of service provision. I connect changing sector independencies and the structure of service provision with the emergence of *borantia* and tensions between *hōshi* and *borantia* post World War II. By tracking the historical transformation of volunteering within its cultural, political and institutional context, I link the changing form of volunteering to important shifts in state-citizen relations.

Autobiographical note: motivation for the research

When I was in my mid-twenties I moved to Japan and lived there from 1992 until 1997. Those five years included numerous and varied cross-cultural experiences such as working for the Department of Compulsory Education in Shizuoka Prefecture, teaching business English to Japanese executives, a two year home stay, studying Japanese language with a class full of Chinese students, and establishing and operating a Non-Profit Organisation. Of all these experiences involvement in a NPO, and working with the Japanese volunteers involved in it, had the greatest impact on me.

My NPO experience occurred quite by accident when at the beginning of 1993 I was persuaded by a friend not to return home to Australia and visit my family, but instead to visit Vietnam. Enticed by my friend's infectious passion for intrepid adventure I agreed. At the time Vietnam had just begun to open up to foreign tourism. Travel within Vietnam was highly regulated: there were curfews, armed soldiers, raids on homes and gathering places, and compulsory internal passports. Locals were not allowed to speak with foreigners or have them in their homes without a police permit. It was not, however, the restrictions, poverty or the fields and roads still pockmarked with landmines that most affected me. I was moved by the vitality and energy of the Vietnamese people and was interested in the particular point that they were at in their long history.

Vietnam had a dynamism that could only be expressed by a people who could see a future for themselves other than war and poverty. The atmosphere in Vietnam was electric with hope, ambition and potential. Cut off and forgotten about for around 20 years, in the 1990s global attention again turned to Vietnam. Foreign aid had increased, big business was interested, and tourism was now a possibility; Vietnam had the potential to develop on its own terms. However, despite all of these positives, I found myself wondering whether Vietnam would be able to maintain and restore its natural environment and the dignity of its people throughout its imminent and rapid economic development and social change. At

the same time, I was also very concerned about the plight of women and children who, as U.N. publications confirm are always the first to experience the negative effects of economic rationalism.³

The trip became a turning point in my life because I felt that Vietnam was vacillating between flourishing through the development of strong economic and political partnerships, and being exploited by those same (potential) partnerships. Not wanting to become yet another Western traveller who just lamented Western exploitation in Asia, I decided to “do something about it”. Upon my return to Japan in 1993, I committed my time and energy to raising awareness and funds for Vietnamese women.

I began by investigating women’s organisations in Vietnam. My research focused on women’s organisations and projects that promoted women’s literacy because I believe that women are the cornerstones of communities because we are mostly responsible for the nutrition and education of children - the future. Moreover, because women pass their learning onto their children, better educational opportunities for women empower whole communities to make informed choices. Therefore, as my objectives were to help Vietnamese women have a say in their country’s economic and social progress, it made sense to support programs that had an educational focus and targeted Vietnamese women.

My research led me to the Vietnam Women's Union (VWU)⁴ a national organisation whose main objective is to, “unite all women, promote their creative potential to realise social progress, economic efficiency and greater participation in the country’s national reform” (Oxfam America 2006). The VWU in partnership with UNICEF Hanoi, implemented and monitored literacy and income generation projects for poor women throughout Vietnam. I decided to form an organisation called “Cycle Against Poverty” (CAP) to work with the Vietnam Women’s Union in achieving its goals. CAP was a non-profit, non-government volunteer organisation based in Japan.

³ See for example: “1990 World Summit for Children”, 29-30 September 1990, New York. Working with UNICEF Hanoi I had access to drafts of the UN publication “State of the World’s Children”, 1996, prior to its publication. There are 2003 versions available.

⁴ The VWU was formed in 1930 and is the most active mass organisation in Vietnam today at both government and grass roots levels. The VWU plays a central role in promoting women’s issues within government and policy development concerning women because the President of the VWU has the right to participate as an equal member in regular meetings of Government. In addition the VWU’s highly tiered decision-making structure enables it to network with women at all levels through all Vietnam’s 53 provinces to its estimated membership of 10 million women and undertake grassroots activities such as income generation and credit schemes, maternal and child health programs (UNDP 1995) .

CAP was formed in 1993. Its main objective was to support UNICEF/VWU literacy and income generation programs for poor women in Ha Giang Province in Northern Vietnam. In late 1993 CAP developed a three pronged campaign approach to raise funds and awareness for the program in Vietnam. The campaign involved two major cycling tours, one through Japan and one through Vietnam. The third phase of the campaign was an exhibition of contemporary Vietnamese artwork and cultural displays by Vietnamese people living in Japan. The exhibition and displays travelled to all major cities throughout Japan. CAP was formed under the umbrella of UNICEF Hanoi. UNICEF was an important partner as it was able to guarantee that all monies raised would go directly to the project in Ha Giang Province. At the time corrupt government officials were intercepting and pocketing supplies and monies sent to Vietnamese NPOs by international donors.

When I established CAP in Japan in 1993, I assumed that cultural understandings of volunteering were universal – that is the same as mine. As a white,⁵ middle-class tertiary educated Australian female, I had grown up with the belief that I was “lucky” and that I had a responsibility to make a difference to the lives of those who weren’t as fortunate as myself. In my view at the time, volunteering was about both an ability and willingness to contribute to the community without receiving (monetary) reward but having the satisfaction of knowing one had “made a difference”. Within this assumption notions of volunteering were connected to concepts of “public spirit” and “civil responsibility”.

While managing CAP I began to experience frustration motivating Japanese people to become involved in the organisation. I could not seem to find a common ground or a concept to explain what motivated me, a white Australian woman, to operate an NPO in Japan for Vietnamese women. Japanese volunteers, bureaucracy, and potential sponsors asked why I did not go home and advocate for women in my own country, after all Vietnam had nothing to do with me or them. To many Japanese I was just a *benna gaijin* (strange foreigner).

My research focus crystallised in a classroom at Mishima Girls High School, Shizuoka Prefecture. The following experience brought home to me the cultural and socioeconomic specificity of my assumptions about volunteering: In 1994, CAP undertook an awareness raising campaign about the organisation and its projects in Vietnam. The campaign

⁵ I should point out here that in both Japan and Vietnam I was defined as “Western” by my skin colour, not my nationality. At that time many Japanese people tended to assume that all white people in Japan were American.

involved a number of multimedia presentations at junior and senior high schools throughout Japan. Part of the presentation involved a visualisation exercise where students were asked to close their eyes and imagine that they were a young illiterate Vietnamese person. This was followed by a discussion on the challenges they would face and the limited opportunities that would be available to them. This activity tended to be extremely awkward and generally unsuccessful as students would either take the opportunity to sleep, or would look confused.

The reason for their confusion became apparent one day when a girl at a Mishima Girls High School put up her hand and challenged me by asking, “How can we possibly imagine what it is like to be Vietnamese? We are Japanese.” The other students agreed. At the time I was shocked by such a definitive statement of exclusiveness. However, the more I discussed her comment with the class and other Japanese it became apparent that she was expressing a lack of connectedness not only to those outside of Japan, but to those outside her immediate circle of relationships. I not only became aware that notions of volunteering were not as universal as I had supposed, but also that notions of community, upon which my ideas of volunteering were based, were different in Japan. In this context I began to ask myself what Japanese notions of volunteering were and how those ideas came to be. I became interested in exploring Japan’s traditional form of voluntary activity called *bōshi* which has strong associations with obligation and service to the Emperor or state, and its cultural context.

Central to CAPs operations were its volunteers and Vietnamese project partners. The development of close working and personal relationships with these people challenged me to explore my motivation and views of volunteering as well as their impact on cross cultural programs. As they saw it, my view of volunteering could easily translate into one of power between the volunteer and recipient (this was not a criticism of me). In this paradigm the volunteer from the dominant white Western culture has the economic power to aid the poor recipient, and may also assume the power to decide who is deserving of aid, what kind and how much is required (Raffer 2001). The powerful position of the white Western volunteer can also be connected to development aid where central criticisms are concerned with the assumed universal cultural values of often well meaning Western aid imposed onto people in developing countries (Picciotto and Weaving 2004).

In the five years that I lived and worked in Japan I was first and foremost perceived as an “outsider” (*gaijin*), then as a “white person” (*bakujin*). Perceptions of “white outsiders” have changed throughout Japan’s history. It is not the place of this thesis to discuss the complexity of these perceptions or their implications for the researcher. However, of relevance to this thesis is the label “white person” as white skin is laden with meaning in cross-cultural research.⁶ In Japan white skin is particularly associated with “the West”. It should be noted that throughout Japan’s history “the West” has meant many different things and has been identified with many different places including North America and Western Europe. As Director of CAP, the colour of my skin both opened doors and closed them. On the one hand I was treated with suspicion because I was an outsider, not local and would return to my own country. On the other hand, I was treated with respect because I was a white, native English speaker from what was perceived to be a part of the powerful “West”. (My non-white Australian friends had a different experience altogether.) English was a much desired skill, and many Japanese people viewed the English language and association with a white English speaker as sophisticated. As a white native English speaker, I was forgiven for my many cultural faux pas, and my opinions were valued, enabling me to obtain meetings with Japanese people in a position to support CAP’s agenda. For example, I had no difficulty obtaining meetings with the Manager of the International Relations Department in prefectures throughout Japan or with Japan Committee for UNICEF’s Office Director. In contrast Japanese people and people from the Asia Pacific or the Middle East were required to wade through miles of bureaucratic red tape to obtain these interviews.

“The West” or “Western” is an academic construct often used to define one’s position as opposed to people or cultures which are “...allegedly unfamiliar, enigmatic, or barbaric (Sakai 2000, 790)”. The origins of the use of the term, “the West” are caught up with the conventional history of modernity in Western Europe (Sakai 2000, 794). It is postulated that “...the West is a geographic area where all... modern things originally started. Therefore it is claimed that (the) events, which symbolise modernity, all took place within the West. Furthermore, modernity is fantasised as emanating in a reverse manner from the centre to the hinterlands of the world” (Sakai 2000, 795). Sakai (2000, 796) argues that this view of “the West” is problematic because it is dependent on the construct of a European core and denies the emergence of any other modernity. In addition the construct of “the

⁶ Notably, in my experience Japanese people did not readily use the term *kokasesu chihō no hito* (literally: person from Caucasia) to describe light skinned people. Rather people were first defined by the colour of their skin.

West” claims a “collective identity” and assumes economic, social, cultural, ethnic and religious homogeneity in the geographic areas imagined to constitute the West. He argues that the view of a homogeneous Western core is even more ridiculous when one considers that the geographical area of the West has changed throughout history: in the nineteenth century Western Europe, mainly bourgeois Britain and France with North America being added in the twentieth century.

Academically, the positionality of “Westerner” is not useful because the collective identity of “the West” holds the assumption of homogeneity, denying my national identity as an Australian and particularly the multitude and complexity of my positions as an individual (wife, mother, sister, daughter, student etc.). Following this line of reasoning the collective identities of “we Australians” or “the Japanese” also assume homogeneity and deny “...differences, tensions, and contradictions...” within cultures (Kondo 1990, 10). Kondo (1990) and Sakai (2000) both warn that the subject’s position as “binary other” in opposition to “the West” is another problem of adopting the positionality of Westerner in cross-cultural research. They argue that focusing on what is different does not aid understanding particularly when the subject and researcher are basing their argument on assumed homogeneity of each position.

Apart from the personal challenge of addressing the implications of, and assumptions about my “Western whiteness” in relation to development aid in Asia, it was also extremely difficult establishing CAP, both bureaucratically and within the broader Japanese community. Legally it was virtually impossible for CAP to become recognised as a “charitable organisation”. At the time incorporation of “public interest legal persons” (*koeki hojin*) was determined by Article 34 of the Japanese Civil Code and handled by the Ministry of Foreign Affairs. The incorporation process not only required a lot of paperwork and “official” connections, but also a considerable sum of money. At this time Japan had what was considered one of the most regulatory environments for the incorporation of NPOs in the developed world (Salamon and Anheier 1997, 22). CAP’s inability to gain incorporated status defined Japanese attitudes towards the organisation. Lack of “official recognition” meant that people treated us as untrustworthy because our organisation was officially illegitimate according to the law.

Managing an unincorporated organisation also held huge implications for me, the Director. The phone line, bank account and rental agreement were in my name and this meant that if

something went wrong I could be held legally and financially liable. As the Director of the organisation I was under constant scrutiny both personally and professionally. In addition, as an unincorporated organisation CAP was not eligible for tax benefits and our donors were not eligible for tax deductions. Overall networking and fund raising in this environment was very difficult.

In order to overcome some of the negative perceptions of CAP as an unincorporated organisation we recruited the support of a local group called the *W no Kai* (“W” for women and “*kai*” meaning group). The group comprising of housewives in their 40s helped CAP deal with bureaucracy, businesses and organise events and publicity. The *W no Kai’s* support of CAP’s activities did not stem from any sense of civil responsibility or social activism. Rather, the women made it clear from the outset that their main interests were extending their knowledge of how other women lived and a desire to improve their English language ability. However, this group of older, reputable, socially connected women were essential to the establishment of CAP in the local Japanese community because the established and non-threatening nature of their social position or “place” helped to legitimise the organisation’s activities. In addition to the support of the *W no kai*, CAP’s formal association with UNICEF Hanoi and the Japan Committee for UNICEF - large, established, reputable organisations - also served to legitimise the organisation and its activities.

The difficulty CAP experienced gaining public support and trust was typical of the obstructive legal environment and attitude toward unincorporated NPOs and volunteers in Japan. However, after the Kobe earthquake in 1995 public and political attitudes towards volunteers and volunteering appeared to undergo a massive change and the earthquake appeared to be the catalyst for national shifts in legislation and a surge in public and political interest in volunteering and the role of NPOs. Witnessing this change against the background of my own experience motivated my interest in understanding more about Japanese perceptions of volunteering and the historical, political, cultural and institutional contexts that mould them.

This autobiographical note outlines the experiences that led me to develop a research question on Japan. Telling this story is a necessary step in addressing the issue of positionality in cross-cultural research. Auto-biography is a methodological procedure that provides a framework for the individual researcher to account for how the research

question was reached, as well as an opportunity to explore individual assumptions (Lyons 2001, 117). It also provides the opportunity to raise questions about positionality. Mapping the social, cultural and historical contexts of volunteering enables me to avoid a blinkered analysis of notions of volunteering in Japan, such as the one perpetuated by the strict categorical framework of social origins theory. Furthermore autobiography allows me to question the homogeneity of such concepts as “Western” theory or countries. Instead, I concentrate on the individual meaning of volunteering and the changing context of that meaning throughout Japanese history rather than comparing it to broad assumptions of “Western” movements. This approach means that I do not discard the Japanese experience because it does not fit a Western mould, rather it enables me to draw significant parallels between changing notions of volunteering in Japan and changing state-citizen/state-civil society relations.

Terminology

Terminology has posed problems for scholars examining volunteering in Japan. Modern Western terminology and culturally specific terms are used and interchanged, often with the assumption that Japan’s indigenous notions of volunteering and those of the West have been parallel and will remain so with the West (Wada 1999, 164). The term “non-profit organisation” (NPO) is a modern Western term and therefore can be misleading in an historical analysis of the development of Japanese notions of volunteering. Throughout this introduction I have used the terms “NPO” and “volunteering” as they are the terms used in academic discourse of associational behaviour across the globe; they express the norm or standards used to describe associational behaviour

There is general disparity in terminology in the literature on volunteering and private not-for-profit organisations in Japan. For example Yamamoto and Komatsu (1995) use the terms “philanthropy” and “NGO” interchangeably. Others fail to distinguish between their use of NGO and grassroots organisation, cooperatives, charity (in both the traditional sense of mutual aid and the modern form of citizen involvement and participation) (Amenomori 1997; Menju and Aoki 1995). Other terms used interchangeably by scholars include “private non-profit sector”, “non-profit organisation”, non-governmental organisation”, “citizens’ activity group”, and “volunteer group”(Wada 1999, 164).

Theoretical frameworks based on Western experience are central to the confusion and inconsistency of terminology in the Japanese case. This has occurred because modern forms of private not-for-profit activity and volunteering, which play an active role in political life, emerged in the West from the 1950s onward, while in Japan similar types of organisation did not begin to occur until the 1980s and in particular the 1990s (Hirata 2002a, 8). In this respect, the Western experience, with its longer and different history of associational development has been central to the development of theoretical frameworks and accompanying terminology used to explain and describe the emergence of such organisations and activity.

Amenomori (1997) and Yamamoto (1998) argue that the Japanese experience does not fit Western-centric frameworks or terminology; however they do not address the gap. Wada (1999, 164) argues that compounding the problem of the Western cultural assumption that underlies existing theoretical understanding is that there are not exact Japanese equivalents for English expressions central to these theories. Words such as “civil society,” “governance” or “philanthropy” are not able to be translated directly into Japanese, and therefore there are considerable differences in nuance when the available Japanese terms are used. For example, in Japanese language civil society is either translated as *shimin shakai* (literally, citizen society) or transliterated from the English word as *shibiru sosaeti*. The term *shimin shakai* was generally used in the past, however the word *shimin* carries considerable ideological baggage and a number of interpretations of the term ‘civil society’ in Japan. One interpretation stems from the introduction of *shimin shakai* as a key concept in Japanese history lessons on the French Revolution. Here civil society is the modern society that emerged in the wake of the French Revolution under the influence of thinkers such as John Locke and Jean Jacques Rousseau. In this interpretation the bourgeoisie play a leading role in civil society. Another interpretation of the term is connected to leftist Japanese political ideology in the post-World War II era. During much of this era, Japanese intellectuals and social commentators such as Goro Hani, Osamu Kuno and Yoshikazu Sakamoto believed in the progression toward a socialist society where citizens or *shimin* would play a leading role. This interpretation was common until the 1980s. A more contemporary interpretation, common since 1989 when communism collapsed, views civil society as the broad scope of social relationships wherein individuals voluntarily come together for a common beneficial purpose. In this view of civil society voluntary organisations or NPOs are central (Deguchi, 1998).

Osa (2003) points out that terms such as “NPO” and “NGO” are still new to Japanese society. He states that generally speaking, in the context of modern Japan the notion of private not-for-profit activity involves private citizens becoming voluntarily involved in not-for-profit groups and playing an active role in their local, domestic or the global community. These groups also play an active role in political life in terms of “deciding the public good” and policy making (Yamamoto 1995b). In modern Japanese usage the term “non-profit activity,” denotes “voluntary citizens’ group” and often refers to voluntary established groups not included in the legal framework that governs public-interest corporations as well as legally incorporated organisations (Wada 1999, 173).

Clear terminology is essential to mapping the shift from *bōshi* to *borantia* as the words people use to describe volunteering in Japan relates directly to the shift in notions of voluntary activity, which corresponds to the changing role of volunteering in Japanese society. Throughout my analysis of indigenous notions of volunteering in Japan I will use indigenous terms, explaining what they mean in their social context, in order to demonstrate the shift in notions of voluntary activity, its changing role in Japanese society, as well as changes in organisation form and practice.

Although leading scholars such as Yamamoto (1995a) fail to differentiate between incorporated and non-incorporated organisations, for the purposes of this thesis I find it necessary to differentiate between incorporated and unincorporated organisations in order to better highlight the transition from *bōshi* to *borantia*. I will use the term “non-profit organisation” (NPO) to describe Legal Public Interest Persons or Groups (*Kōeki Hōjin*) as defined by Article 34 of the Japanese Civil Code. NPOs will therefore refer to legally incorporated charitable organisations. It should be noted that many of these organisations are described by financial bureaucrats and conservative politicians as being a *gyōsei itaku soshiki* (administrative consignment organization). The term refers to the act of state administration consigning specific functions to private organizations (Takao 2001, 293). The term “voluntary citizens’ group” will be used to refer to *nin-i dantai* or unincorporated non-profit organisations. The Economic Planning Agency refers to these organisations as, “groups for participating in social activities.” Commonly called *shimin dantai* or civic groups, they provide opportunities for Japanese citizens to participate in social life and political life (Amenomori 1997). The term “non government organisation” or NGO will follow the typical modern Japanese usage and refer to non-profit organisations operating

overseas programs, such as development assistance and global environmental issues (Hirata 2002a; Yamamoto 1999, 123).

My question connects Japanese notions of volunteering with state-citizen and state-civil society relations. Of these concepts, civil society in particular raises questions of Western cultural bias and is surrounded with debate regarding its definition. There is no unanimity among scholars on the definition of civil society, as it has changed and evolved over time according to its historical context (predominantly Western) and cultural location (Schwartz 2003a). Broadly speaking, civil society consists of “sustained, organised social activity that occurs in groups that are formed outside the state, the market and the family. Cumulatively, such activity creates a public sphere outside the state, a space which groups and individuals engage in public discourse” (Pharr 2003, xiii). Within the public sphere, “social actors pursue neither profit within the market nor power within the state” (Schwartz 2003a, 23).

Using the concept of “civil society” within the context of Japan, particularly in an historical analysis of Japan’s civil society, is problematic for a number of reasons. The notion of civil society is coloured by Western concepts and ideology. Furthermore the notion of citizenship is associated with the rise of the nation-state, democracy and mature civil society (Ikegami 1996, 186), and the right to participate in governance. Garon argues that these ideas were foreign, or “inappropriate and illegitimate” to Japanese people until democratic reform was imposed by the Allied Occupation in 1946 (2003, 130). Prior to this, the Meiji Constitution viewed Japanese people as “subjects” of the Emperor with no civil rights or real opportunity for participation in governance. However there were individuals and groups who challenged their positioning as ‘subjects’ under the Meiji Constitution from the 1870s.

Despite the potential problems that the notion of civil society raises in the context of an historical study of Japan, for the purposes of this analysis the concept is still a useful tool for understanding relations between the state and the citizenry. I adopt Garon’s (2003, 44) broad definition of civil society as “groups and public discourses that exist in public spaces between the state and the people”. This definition is useful in an historical study of volunteering and state-citizen relations in Japan as it focuses on the relationship dynamic and disassociates civil society with democratic notions of citizen participation in governance.

Throughout this paper I use the term state-citizen relations to mean relationship between the state and individuals. In particular, the way a nation's policies are shaped and the interchangeable responsibility and accountability between the state and its citizens in the process of thinking about and deciding the priorities of a nation. I use the term state-civil society relations to describe the relationship between the state and civil society groups. In the latter context I use relationship to mean the level of discourse and negotiation, cooperation, collaboration or antagonism between the state and civil society groups.

Chapter outline

In order to identify evidence of change in state-civil society and state-citizen relations, I map notions of volunteering throughout Japan's history, in particular the movement from *bōshi*, Japan's traditional indigenous expression of volunteering to *borantia*, borrowed from the English "volunteer", that emerged in the 1970s. Within the context of their social, economic and political environment, I examine how and why notions of volunteering have changed over time and what these shifts mean in the context of state-citizen/state-civil society relations. In Chapter One I explore *bōshi*, Japan's indigenous notion of volunteering. I track the evolution of *bōshi* from the beginning of the Tokugawa Shogunate in 1600, until the Allied Occupation in 1945, and explore social, cultural, economic and political contexts for its meaning. In Chapter Two I identify two distinct patterns of associational behaviour in Japan from the country's defeat in World War II in 1945 until the mid-1990s. These are the continuation of *bōshi* and the emergence of *borantia*. In this chapter I track the emergence of *borantia* and analyse the social, cultural, legal and political contexts that supported the continuation of the tradition of *bōshi*. In Chapter Three I argue that the Great Hanshin-Awaji Earthquake was the catalyst for changing state-civil society relations in Japan because it triggered debates surrounding *borantia* that thrust the importance of an active civil society into the public eye. In this chapter I analyse changes to the incorporation process for NPOs and NGOs in Japan, and the impact these changes had on Japan's state civil-society relations. In the Conclusion I provide an overview of the thesis. I conclude that the emergence of *borantia* to describe voluntary activity marks a tremendous shift in public attitudes towards the state, particularly the way in which Japanese citizens view themselves in relation to the state. Tension remains in Japan because the old systems and practices that supported *bōshi* remain along side new systems and practices that led to the emergence and proliferation of *borantia*.

CHAPTER ONE

HŌSHI

In order to understand the nature and meaning of volunteering in present day Japan I begin by exploring the origin and evolution of the meaning of *bōshi*. *Hōshi* is the Japanese word that was historically used to describe private philanthropy, charity and mutual self help. It embodies a strong sense of obligation and is characterised by notions of service and sacrifice, particularly dedicated service to the Emperor and state. This chapter will examine the social, cultural and political context of *bōshi* throughout Japanese history until the Allied Occupation in 1945. This time-frame is significant because it is during this time that the government began to actively use associational activity as part of its social welfare philosophy as a means of “organising society on its own terms”(Garon 2003, 49).

For the objectives of this thesis I have found it more useful to use the indigenous word *bōshi* rather than the English word “volunteer” in my exploration of state-citizen relations in Japan. The use of “volunteer” to explore Japanese notions of volunteering would impose modern Western perception and ideology onto the Japanese experience. As I have already demonstrated in my Introduction, the imposition of such foreign terminology attempts to fit indigenous concepts into Western moulds at best and ignores the indigenous experience at worst. Finally, particular meanings associated with *bōshi* can be seen by the relatively recent adoption and popularisation of *borantia* derived from the English word “volunteer”.

However, I should point out that in using the English language as my tool of communication and analysis to explain Japanese ideas and experience, I am at times confined to using terms that are loaded with meaning rooted in Western experience. Using terms such as “non-profit activity/group” to describe the organisation of *bōshi* in Japan can be misleading as these Western terms have connotations to concepts which include “public spirit”, “civil rights” and “public participation in governance”. I will demonstrate that these concepts and ideas were irrelevant to the organisation of *bōshi* within Japan’s broader social and political context prior to 1945 when the Allied Occupation imposed democratic change. In order to address these challenges of terminology and represent these groups as accurately as possible, I embed terms such as “non-profit activity/group” and interpret them within the predominant ideology, social, political and economic environment of the

time. By placing these modern Western terms in this context I have been able to systematically address and challenge Western interpretation of how *hōshi* was organised and why.

An historical overview of the origins of hōshi

In this section I map the evolution of *hōshi* from the beginning of the Tokugawa Shogunate in 1600, until the Allied Occupation in 1945. However, it should be noted that the earliest forms of non-profit activity in Japan were recorded as far back as the seventh century. At this time, charitable and voluntary activity focused on poverty relief. Voluntary activity was initiated through Buddhist temples by Buddhist monks who established hospitals within the precinct of large temple grounds such as the Tadaiji and the Shitennōji (Amenomori 1997). In association with mutual help groups that were attached to the temples, monks provided charitable relief activities such as feeding the poor and fundraising campaigns for orphanages and aged care homes.

These early forms of charitable activity did not appear to have the strong associations with service and sacrifice embodied by *hōshi*. This was probably because these early forms of charitable and voluntary activity were not subject to state control or intervention. At this time, even though Buddhist temples were tightly controlled by the state or powerful clans, and were part of the feudal administrative system⁷ (Amenomori 1997 p190), the Buddhists were left to dispense poverty relief among other charitable and voluntary activities. This “hands off” attitude towards poverty relief changed under the Tokugawa Shogunate who began a process of institutionalising voluntary activity into the state’s welfare policy.

Hōshi has its roots in the social and welfare policies put into place by Tokugawa Ieyasu⁸ whose reign marked the beginning of 250 years of secluded peace in Japan. The strict social codes imposed by the Tokugawa Shogunate’s (1600-1867) social and welfare policies created associational behaviours that initiated the connection between *hōshi* and sacrifice and service. Ieaysu Tokugawa unified Japan and its people during the Edo Period (1600s) after 400 hundred years of civil war and unrest . Tokugawa Ieyasu aimed to create a well ordered society with no room for rebellion or upheaval (Totman 2005, 18). His social and welfare policies were designed to prevent Japan from descending into civil war again.

⁷ From the 17th century on every household had to register with the local temple.

⁸ Tokugawa Ieyasu defeated his rival warlords in the battle of Sekigahara in October 1600, and declared himself Shogun and ruler of all of Japan in the Emperor’s name.

However, he is perhaps most noted for his overall policy of both literal and ideological seclusion, which involved sealing off Japan from the outside world so that no subversive ideas entered to disturb the delicate balance (Gordon 2003, 17-18). Westerners who appeared to be a threat to the polity, such as Christians, were removed and private travel abroad forbidden. However, the government tolerated some Western trade and cultivated foreign relations in Asia where it promoted officially sponsored trade and diplomatic travel (Gordon 2003).

Tokugawa Ieyasu also introduced Neo-Confucianism (as expounded by the Chinese philosopher Zhu Xi) from China, as the state philosophy. Significantly Neo-Confucianism places emphasis on the state rather than citizens (Gordon 2003, 36). According to Neo-Confucian philosophy the ruler was a superior person who would always provide good government. This notion was based on Confucian ideas present in Chinese society where the people were expected to obey the laws and follow their leaders as long as they were just (Gordon 2003). The introduction of Neo-Confucianism did not encourage public participation in the governance process, and arguably it has coloured state-citizen relations whereby the state is seen as superior to its citizens (Gordon 2003; Iokibe 1999).

Neo-Confucianism was the ideological basis for the establishment of the Tokugawa Shogunate's strict social system with rigid codes of behaviour that emphasised hierarchy and respect for authority. Tokugawa Ieyasu's hierarchical social system became the basis of government and the underlying ethical code for all levels of society (Gordon 2003; Totman 2005). People were told what to do and what was expected of them. Society was divided into rigid classes with a different set of laws governing each (Kitagawa 1990; Totman 2005). At the top was the *daimyo* (semi-independent feudal lords) that governed their domain but had to pledge fealty to the *shogun* (the ruler). Next were the *samurai* (military class) who became the army, police and administrators of the new system. *Samurai* lived in garrisons, received a stipend and were allowed to carry two swords. Next were the farmers who ranked high because they produced Japan's staple food, rice. They were followed by artisans and finally merchants at the bottom of the social hierarchy (Kitagawa 1990, 151). Merchants were considered parasites as they profited off the production of others (Kitagawa 1990, 151; Storry 1968-75). They did not pay taxes and held no social rights or privileges.

Under the Tokugawa Shogunate, Japan made the transition from an agricultural society to a commerce-oriented society because the end of warfare meant that people could focus on production and the development of arts, crafts and trades (Kitagawa 1990, 151). In this environment the derided merchant class prospered. However, despite their increasing wealth, strict social codes prohibited merchants from using their wealth to improve their status by, for example, marrying into a *samurai* family, or moving into the *samurai* section of town. In addition to these prohibitions, the wealthier a merchant became, the greater the risk that the government would confiscate everything they had.

The social and economic policies of the Tokugawa shogunate had a huge impact on associational behaviour in Japan (Garon 1997). In particular, the importation of Neo-Confucianism led to the weakening of Buddhism. In turn, the corresponding decline in the wealth of Buddhist temples led to a decline in charitable and voluntary activity initiated and undertaken by Buddhist Priests (Amenomori 1997, 190). The combination of the weakening of Buddhism and an increasingly wealthy merchant class saw the main source of charitable and voluntary activity move from temples to wealthy merchants (Amenomori 1997).

The merchant class became the main source for funding and managing private charitable activities because they were buoyed by economic policy, yet stifled by social policy; they needed to dispose of their ever-accumulating wealth and wanted to gain some kind of social status (Garon 1997, 27; Iokibe 1999, 56; Storry 1968, 74). Activities funded by the merchant class resulted in the opening up of space for public discussion and associational life (Garon 2003, 45). For example, *Shijuku* (private tutorial schools) flourished in both rural areas and large cities (Amenomori 1997, 191). The schools opened up space for public discussion as they fuelled the circulation of information as well as the growth in literacy among well to do commoners (Garon 2003, 45; Iokibe 1999, 56). Staffed by private academics who volunteered to tutor both classical literature and modern Western learning, the schools were organised as private associations, and were similar to earlier mutual help groups that had gathered around temples (Amenomori 1997, 191).

The development of social welfare policy and the association of *bōshi* with service and sacrifice are closely related. Reflecting the earlier concerns of Buddhist based charity, the central focus of welfare programs during the Tokugawa period was to relieve destitution (Garon 1997). However, whereas earlier religious based charity had more altruistic

motivations, the welfare programs of the Tokugawa shogunate were a means of maintaining peace. Poverty relief was of particular concern to the shogunate and individual domains for fiscal reasons. Poverty relief policy was predominantly focused on rural areas with the intent of maintaining the millions of small peasant households, whose taxes were vital to the shogunate and domains (Garon 1997, 27). In cities, however, poverty relief was intended to address major problems of public order, such as vagrancy. It often involved returning the poor to the country side (Garon 1997).

The connection between *hōshi* and obligation and service (to the community), can be traced to *chōnai kai* (community organisations for mutual help). *Chōnai kai* can be viewed as the organisation of *hōshi* by the Tokugawa Shogunate. Central to the government's policy of welfare relief during the Tokugawa period, in rural areas *chōnai kai* were created by the *shogun's* central government and *daimyo* to tackle famine and natural disasters such as crop failure, fires, typhoons and floods as these were considered the principle sources of destitution (Amenomori 1997; Garon 1997, 27). Managed by several elders, including land lords and householders, and supervised and guided by government authorities (Amenomori 1997, 27; Garon 1997), their operations were based on the concept of *tonari gumi* (neighbours ties), a system of collective responsibility and self-reliance (Braibanti 1948; Stevens 1997). This system required that:

...first and foremost, the poor should be helped by relatives; if one lacked relatives the village as a whole bore the obligation to assist; but if the village itself were too impoverished to do so, a magistrate should carefully investigate and in the last resort, assistance should be granted from above (Garon 1997, 28-29).

*Tonari gumi*⁹ involved a strong element of mutual obligation and was encouraged by government authorities through legal mechanisms such as the system of tax payment by the community rather than by an individual (Braibanti 1948; Stevens 1997). The legal method of promoting collective responsibility through the payment of taxes collectively as a village or a “five-family group” meant that wealthier peasants often assumed responsibility for covering the tax portions of other villagers (Garon 1997). Through the practice of *tonari gumi*, *hōshi* was primarily funded by the community itself. Commoners were encouraged to give large donations through official “letters of praise”, and on occasion *samurai* privileges

⁹ The well known concept of “groupism” used to explain the social organisation of Japanese society may have its roots in *tonari gumi* but it is not in the context of this thesis to discuss it in this section.

such as permission to wear a short sword or use a surname (Garon 1997, 29). During this time many wealthy land owners donated large sums of money. These benevolent gestures were exhibitions of compassionate rule intended to demonstrate the moral virtue of the land owner (Garon 1997). The first example of organized private philanthropy in the field of social welfare and relief, the *Akita Kan on ko*, established in 1829 occurred in this context. It was established through a large donation by Nawa Saburoemon Sukenari, purveyor to Lord Yoshiatsu Satake, for the alleviation of poverty in the Akita Domain¹⁰. The donation was probably a demonstration of moral virtue and driven by notions of responsibility to ease the suffering of the community.

In times of extreme hardship, and upon the application of wealthy landowners who had exhausted all other means to feed the poor, the shogunate provided a handout to his people known as *osukui* or “lord’s relief” (Garon 1997). The practice, based on the Chinese Confucianism virtue of the “kingly way” and “benevolent rule”, and was connected to the personal hierarchical relationship between the lord and his subjects (Garon 1997, 27-28). The practice of *osukui* encouraged the notion that government assistance was a benevolent act (Garon 1997, 27). According to Vlastos, both government and peasants had a stake in maintaining the system of institutionalised benevolence: “Peasants could not survive without judicious adjustments in fiscal policy, and benevolence appeared to protect the interests of both lord and peasant (cited in Garon 1997, 28).

The practice of asking for *osukui* became standard by the 1830s and villagers had come to expect “lord’s relief” as an obligation of the ruler to his subjects. Japanese officials attempted to set limits citing both moral and fiscal reasons (Garon 1997, 27-28). At this time the optimistic philosophy of self help emerged among the peasantry and was encouraged by the wealthier land owners who preached it to the recipients of their generosity and informally by the shogunate (Garon 1997). The philosophy, based on the Confucian virtues of filial piety and diligence, led to the popular attitude that if an individual was not prosperous they were lazy and spendthrift. It also strengthened notions of servitude and obligation to one’s patrons, and later, the Emperor.

¹⁰ (Amenomori 1997, 191). Nawa Saburoemon Sukenai presented 400 *ryo* to Yoshiatsu Satake to provide child care and relief for the poor. Many of his fellow merchants then made their own donations in sympathy with his efforts. The funds raised were used to endow and establish the *Akita Kan on ko*, which functioned as an early community foundation supporting relief efforts (Yamaoka 1998).

In the mid-17th century in the major cities, more institutionalised programs of *boshi* in the form of public assistance and indoor relief such as temporary relief shelters which distributed food and then sent the recipient back to the country side were established (Garon 1997, 29). In the late 17th and early 18th centuries more permanent facilities were constructed. These included several poor houses for the homeless and sick. For example, in 1670, the *Hiningoya* was established in Kanazawa, it functioned as a shelter and work house and job-placement centre for the able-bodied poor (Garon 1997).

In the 1790s, Edo city (old Tokyo) officials created an endowment for the poor that was financed by a shogunal donation. It was known as the “70% Reserve Fund”, because it was financed by 70% of a special levy on the townspeople of Edo (Garon 1997). At the same time, a new town office called the *machi kaisho* (new town office) was established to administer the fund along with three granaries to store relief rice. Although it was supervised by the shogunate, wealthy merchants and other townspeople voluntarily managed the *machi kaisho*. The *machi kaisho* provided both temporary relief for disaster victims and ongoing relief for those elderly, young children and chronically ill who lacked relatives to support them.

The Meiji Period (1868-1912) marked the beginning of the modern era in Japan and tighter control of *boshi* by Japan’s leaders. Tighter control corresponded to less opportunity for public participation in the governance process. However the reforms at the beginning in the Meiji Restoration¹¹ (1866-1869) profoundly changed Japanese society and triggered public discussion and the establishment of numerous associations (Garon 2003). Changes that triggered the surge in associational behaviour included the abolition of the hereditary status system and the equality of all Japanese (with the exception of women) before the law. This change was significant because it meant that some Japanese men could take part in governance or discuss public issues (Garon 2003, 46). In addition the new freedom of physical mobility, together with better public transportation and communications enabled associations to operate on regional and national scales¹² (Garon 2003, 46). In addition, under the slogan “*Fukoku Kyōhei*” (Enrich the country and strengthen the military), Japan ended its seclusion and rushed to catch up with the industrialised West. To make this transition Japan’s new leaders realised that they needed a skilled population. To this end,

¹¹ So called because revolution toppled the Tokugawa shogunate and “restored” imperial rule was the precursor of the Meiji Period.

¹² Tax qualifications meant that only a very small percentage of the male population could vote or stand for public office before 1925.

mass education was instituted in 1872. Universal elementary education led to mass literacy which also fuelled the exchange and development of ideas and public discussion and the organisation of associations (Garon 2003, 46). Industry was promoted, foreign technicians were welcomed in Japan and Japanese were sent abroad to learn. Victory in the Sino-Japanese and Russo Japanese wars moved Japanese capitalism onto the international stage. To stabilise the national budget and have money to spend on building up the nation, a central modernised system of taxation was established together with a new system of coinage. A national land tax system with payment in money (rather than rice) was introduced in line with this goal.

Other significant changes included the abolition of the feudal system and the emergence of the imperial system. Under the Tokugawa shogunate Japan was controlled by hundreds of semi-independent feudal lords (*daimyo*), in 1871 the *daimyo* domains were surrendered to the throne and standardised into prefectures. The *daimyo* were pensioned off as members of the new nobility and the *samurai* took bureaucratic posts. Domain armies were disbanded and a national army based on universal conscription with a minimum of three years service was introduced. A constitution was drawn up, a parliament was established and the unequal treaties¹³ of the late Edo period revised. Western culture, synonymous with power in the minds of Japan's new leaders was encouraged and Western style learned societies sprung up in urban areas. One of the most influential of these societies was *Meirokusha* (Sixth Year of Meiji Society), a voluntary association that encompassed the urban public and civil society of the time (Garon 2003, 46). In rural areas the Freedom and Popular rights movement formed around political associations of disaffected samurai in the mid-1870s (Garon 2003, 47).

The Meiji Period marked the connection between the association of *bōshi* and service to the Emperor. Central to this connection was the adoption of Shinto as the state ideology. Emperor worship, or the concept of the divine right of the ruler, was an idea derived from Shintoism, or *Kami no michi* (way of the Gods) (Kitagawa 1990). Pre-eminently the religion of an agrarian people, it was a remnant of primitive nature worship rooted in an instinctive feeling of being in communion with all living forces of the world. Emphasis was laid on the supremacy of the Sun-Goddess, Amaterasu-O-mikami, ancestress of all Japanese

¹³ The unequal treaties granted Europe and the United States one sided legal and economic advantages in Japan. Japan had been forced to sign treaties that limited its control over its foreign trade and required that crimes concerning foreigners in Japan be tried in Western courts rather than Japanese courts.

people, while the Emperor, a direct descendent of the Sun Goddess, was the father of his people.

The concept of the divine right of the ruler, which was central to Shinto, aided in the transformation of the function of the Emperor. The Emperor was placed at the apex of the spiritual hierarchy and power structure, with every individual regarded as *shinmin* (imperial subject) and former *samurai* took bureaucratic posts and became servants of the Emperor, becoming politically responsible to the Emperor, not the parliament (Hirata 2002a, 19). During this period the pressure of obligation left little room for private organisations to operate separate from the state (Amenomori 1997). Where once people were simply obliged to contribute time, money, services or rice etc. to support their community, now a nationalistic element was added to their sense of obligation as they were obliged to contribute to their community in the name of the Emperor (Gluck 1985, 92). Garon (2003, 48) points out that throughout this period:

...most societal groups preferred to work with the state to realise their objectives, while state officials increasingly sought to mobilise society for purposes of governance.

From the late 1800s onwards there was major government intervention in private non-profit activities (Garon 2003, 49). This was aligned with the government objective of channelling all of Japan's resources into building a powerful nation on par with Western countries such as the United States of America and Europe. The government utilised associations because they viewed them as an important way of disseminating information and technology, and improving quality control, as well as establishing co-operative arrangements in credit buying and selling (Garon 2003, 49). The government takeover of the privately organized school system, initiated by wealthy merchants during the Tokugawa era¹⁴ demonstrates that the government viewed the approach of state organisation and management of private associations and *bōshi* as “in line” with the official ideology that the central state (as successor to the *shogun* and *daimyo*) bore responsibility for mobilising the resources of the nation at all levels; state, local governments, communities and families (Garon 1997, 32-33).

¹⁴ During the Meiji era, private schools existed, however they were under strict government supervision and licensing.

In keeping with the philosophy that nation building was solely the government's responsibility with no place for innovation or leadership from the Japanese public, government authorities actively encouraged *hōshi* in the form of mutual fellowship efforts to relieve poverty among people in rural areas, while in the big cities, civic institutions that provided relief in the form of public assistance were actively discouraged as they were considered a threat to state control. For example the “70% Reserve Fund” was cut and the *machi kaiso* was abolished in 1872 because the prefectural authorities complained that while the wealthy merchants of the city continued to oversee the provision of poor relief they could not keep the “loyalty” of the people (Garon 1997, 35).

Throughout the Meiji period, for financial cost cutting reasons, the government propagated the attitude that poverty was due to individual failing. This became central to popular attitudes toward welfare and provided a moral impetus for encouraging *hōshi* in the form of private activity involving mutual self help (Garon 1997). The Meiji government adopted the Tokugawa shogunate's view that the government was only obligated to aid the “poor who have no-one to turn to” (*mukoku no kyūmin*), and that relief of poverty was the responsibility of families and communities (Garon 1997, 38). This view further entrenched the understanding that government assistance was a favour, or benevolent act rather than a right of the people.

Private non-profit activity and government welfare policy which focused on both responding to destitution brought about by natural disaster, and the protection of children, reflected the attitude that government assistance was a benevolent act and that the responsibility of poverty relief lay in the hands of the Japanese people (Garon 1997, 33). The Relief Regulations (*Jikkyū Kisoku*) promulgated in 1874, are a clear example of this attitude. The Relief Regulations maintained the shogunal and domain categories of the Tokugawa period that had excluded the able-bodied and their families as recipients (Garon 1997, 34). They were employed to enforce community responsibility for relief provision (Garon 1997, 35) and were arguably a key factor in cementing the association between *hōshi* and notions of obligation and sacrifice. This association was probably strongest in regional areas where the state often intervened to force the already struggling farming communities to aid their poor (Garon 1997, 38). Rural families were eventually forced to aid the poor in 1898 when officials received explicit legal authority to make the family the basis of social welfare after the Civil Code of 1898. The Civil Code required family members and even distant relatives to support their poor (Garon 1997, 38). The aggressive organisation of

boshi in the form of private relief meant that the chief sources of relief for most of Japan's poor remained families, were stable villages and mutual assistance networks (Garon 1997, 39).

Although private relief was imposed it was also encouraged by the state. In this way the state control of benevolent acts meant that such gestures were associated with service to the state, or national agenda upheld by the state. At the prefectural level officials actively encouraged (and occasionally compelled) the local rich to bear the primary costs of relief during the 1880s and 1890s. The Tokugawa practice of commending subjects who aided the destitute was continued with success as the following examples indicate: In 1885 in Tokushima prefecture “charitable worthies” (*yūshishiba*) furnished half of the prefecture's disaster relief funds and in Saitama prefecture's Sate district, 30% of the district's inhabitants were receiving relief rice from the wealthy (Garon 1997, 38).

Another means of encouraging private citizens to bear the burden of poverty relief was the legal basis for incorporation of charitable associations (*kōeki hōjin*) in the 1896 Civil Code. The *Kōeki hōjin* system was a Western system for non-profit activities and was established to serve government defined objectives (Amenomori 1997). For example, *onshi zaidan* (endowments) established by an appropriate cabinet minister under the direction and support of the Emperor was a typical form of this practice (Garon 1997, 48-49).

In the 1890s, new types of poverty were arising from urbanisation and industrialisation. After the recession of the mid-1880s many indebted farmers left for cities in search of work. The government's response to the weakening of communal bonds in the villages and migration to the cities resulting in expanding slums was to develop a new policy designed to “work to make neighbourly assistance a reality” (Garon 1997, 45). The policy through which private charities as well as local public bodies became the prime agents in providing “neighbourly mutual assistance”, continued to focus on the state's organisation and management of *boshi* in the form of private relief work (Garon 1997, 45). It should also be noted that although the Meiji government was exposed to Western welfare policy and ideology, it chose to continue to promote mutual self help as the central pillar of its welfare policy and the key to its nation building strategy for moral and fiscal reasons. The policy of “work to make neighbourly assistance a reality” probably contributed to the growing association between sacrifice for the Emperor or country and *bōshi*. The bureaucracy both created associations and took control of existing private associations and

community groups in the Emperor's name, forcing them to follow government agenda. Gluck (1985, 92) points out that the Home Ministry invoked the Emperor's moral influence to remind rural Japanese people of the debt of gratitude that they owed the Emperor for his benevolence and how it must be repaid.

In rural areas this was implemented through the "Local Improvement Campaign" (1906-1918). Undertaken in the Emperor's name, this highly intrusive campaign reorganised existing indigenous associations of reservists, young men and young women into centrally supervised federations (Garon 2003, 50). The government objective in taking this approach was twofold: "to mobilize people in pursuit of national power and to improve popular welfare" (Garon 1997, 46). The imperial image of patriarchal benevolence was linked with progress, to encourage Japanese people to reciprocate with local social and economic self help (Gluck 1985, 92). In the name of the Emperor, the Home Ministry was able to institutionalise teachings of mutual assistance and "self management" through the establishment of *hōtokusha* (repaying virtue societies) and state regulated agricultural cooperatives (*sangyō kumiai*) which operated as credit societies for villagers (Gluck 1985, 92).

In line with the government's preference for private rather than public relief, the Home Ministry enlisted the services of local notables and private charities in the cities (Gluck 1985, 91). In 1908, the Home Ministry sponsored the first "Reformatory and Relief Works Seminar" a five week course that encouraged local leaders to undertake social work in their own communities. Attended by charity workers, local elites, civil servants, philanthropists, educators and clerics, these seminars were also held the national and provincial levels over the next 15 years (Garon 1997, 47). The Home Ministry also began working closely with private charitable relief organisations. In 1908, Ministry Officials in partnership with former bureaucrats and prominent social work leaders founded the *Chūō Jizzen Kyōkai* (Central Charity Association) to research poverty and coordinate relief work (Garon 1997, 47). In the same year the government practice of making donations to many charitable groups was instituted. The 1908 fund was to encourage *hōshi* in the form of relief work or "reformatory and relief work" by private groups. Relief work was distinguished from "provision of poor relief": relief work implied various social services to teach the youth and destitute how to avoid falling into poverty or how to escape from poverty (Garon 1997, 44). By the end of 1910 there were 107 orphanages and other institutions that raised children; 86 clinics for the poor; 53 reformatories; 28 schools for blind, deaf and mute; 26 day care centres for the children of poor workers; 19 services to protect ex-convicts; 17

employment services; and 13 old age homes across Japan (Garon 1997, 44). Throughout the nineteenth century the Emperor increasingly contributed to charitable projects and the practice of imperial donation was institutionalised by Home Ministry leaders, following the Russo-Japanese War (1904-05) (Garon 1997). In the early twentieth century, imperial donations were used to subsidise private and charitable organisations in each prefecture to stimulate a major expansion of social work projects until the 1920s (Garon 1997).

In 1911, the Emperor contributed 1.5 million yen to provide a program of free medical care for the poor (Amenomori 1997; Gluck 1985, 91). In the same year the *Onshi-Zaidan Saiseikai* (Imperial Relief Association) was established with encouragement and seed money from the Emperor's donation was supplemented by contribution from businesses, civil servants and local notables who donated a total of 25.9 million yen. The Emperor's benevolence was viewed as a demonstration of "social conscience" (Gluck 1985, 91) and the Emperor's example paving the way for the establishment of many similar foundations which were established in the following year (Amenomori 1997). It should be noted here that pressure was put on the local rich by government officials to make contributions (Garon 1997).

The government's increasing involvement in Japan's private non-profit associations during the Taishō democracy (1912-1926)¹⁵ and early Shōwa (1926-early 1930s) periods fused *hōshi* with notions of service to the Emperor and country, stripping it of any association with free will. During the 1920s the Emperor centred bureaucracy became consolidated and become central to economic and military developments (Hirata 2002a, 19). Despite this, the interwar democracy of the 1920s and 1930s as well as the booming economy saw the growth of urban mass culture in Japan which triggered a growth of civil society and public spaces (Garon 2003, 52). Throughout this period associational life flourished as labour unions and affiliated social movements, emboldened by the wartime economy challenged the authority of the state (Garon 2003, 51).

Women began entering public life during the interwar period. Increased education of women and their subsequent entry into professions such as medicine, nursing, journalism, teaching, and social work led to the formation of professional associations that connected with the socialist movement and lobbied for political rights for women (Mackie 2003, 33). As a result, the government modified the Public Peace Police Law of 1900 that had barred

¹⁵ The period popularly known as the period of 'Taishō' democracy is not precisely the same as the reign of the Taishō Emperor (1912-1926), and usually refers to a slightly wider period of time.

women from attending or holding political meetings, giving women some access to political power¹⁶ (Garon 2003). However the state was more interested in mobilising women to support state policies, rather than their contribution to shaping state policies (Mackie 2003, 64). For example, women's groups, (often established by the state), were enlisted to join the moral suasion campaigns to promote habits of thrift, improve hygiene and eradicate popular suspicion meshed with the state's interest in encouraging high household savings that could be invested in industry and the military and its drive to modernise Japan (Garon 2003).

In the 1930s and 1940s, throughout Japan's ultra nationalist period, the military bureaucracy overpowered the civilian bureaucracy and exercised uncontrolled power by virtue of its independent access to the Emperor. At this time all private non-profit organizations such as scholarship foundations and *Chōnai kai* were controlled or supervised by the bureaucracy in the name of the Emperor (Amenomori 1997, 192). All youth, labour and religious organisations were merged into one national body, providing the government with direct access to the community and becoming political instruments (Amenomori 1997, 192).

No discussion of *bōshi* would be complete without mention of the role of Christian missionaries. In the sixteenth century Catholic missionaries expanded the scope of voluntary activity through the establishment of charitable activities in Japan that addressed ethical issues such as human rights and morality; for example Jesuit missionaries campaigned for the abolition of slavery and prostitution. Leprosy hospitals and nursing homes and social service groups called *Misericordia* were also established (Amenomori 1997, 191). *Misericordia* collected donations regularly and ran mutual aid programs that provided aid to the elderly, relief and medical services, aided families of fallen soldiers during the Civil War in the late sixteenth century. Some of these organizations survived after the banning of Christianity in 1638. Between 1878 and 1897 Christians had founded 12 of the nation's 22 new orphanages. They also established the first Japanese chapters of major international organisations, such as the Women's Christian Temperance Union, The Salvation Army and the Young Men's Christian Association (Garon 2003,48).

However, middle-class Japanese Christians played a central role in formulating the governments programs of social management after 1900. Christian ideology adopted by

¹⁶ Article Five of the Public Peace Law was modified in 1922. The Public Peace Law was superseded by the Peace Preservation Law in 1925.

the state contributed to the connection between *hoshi* and obligation. The Home Ministry depended on Christian social workers for their expertise and knowledge of welfare programs in the West (Garon 1997, 47). Christians were also central to helping the Ministry promote the ideology of individual self help and self management during this time (Garon 1997, 48; 2003, 48). In addition, Japanese Christians introduced ideas of hard work and thrift, aspects of Christian moral ideology, to social welfare policy practices. These ideologies initially were used by the state to support the policy that emphasised the community's obligation to help the poor (Garon 1997, 47-48) and the later "Local Improvement Campaign" which disseminated the Christian values of self-help and self-management that supported the official line that the "excessive evils of assistance" encouraged indolence (Garon 1997, 48).

As this discussion has shown, the association of *hoshi* with service and sacrifice began during the Tokugawa Shogunate's (1600-1868) poverty relief programs and was cemented over time. From the Tokugawa period until the Allied Occupation in 1945 the state imposed *hoshi* in the form of mutual relief and controlled community groups, particularly those in rural areas for fiscal reasons, such as nation building. At the same time, the association between the Emperor's benevolence and poverty relief encouraged a pattern of dependency on the state that has characterised the relationship between Japanese citizens and the government throughout history.

The pattern of associational behaviour and *hoshi* in Japan prior to the Allied Occupation in 1945 is one of growing ties between the state and private associations. The Tokugawa Shogunate's introduction of a rigid class system and strict social codes based on Neo Confucian ideals of filial piety created the framework for a hierarchical society where eventually in the early 1930s all classes of Japanese people saw themselves as subservient children of the Emperor. During the late Meiji Period, *hoshi* was stimulated through large government endowments. As Japanese society became increasingly centralised the state took increasingly tighter control of both the management and formation of private associations and *hoshi*. During the 1930s and 1940s state management of these groups for political ends in the name of the Emperor, cemented the association between *hoshi* and service to the Emperor and country.

Despite close ties with the state, organisational behaviour in Japan prior to the Allied Occupation in 1945 was not about public participation, but rather a means of survival,

particularly for rural farming communities. This was also the case for the merchant class who played an important role in the development and expansion of non-profit activity throughout the Tokugawa and Meiji periods. Wealthy merchants were often forced to perform benevolent acts to keep their wealth from being confiscated. However, wealthy merchants and land owners probably also used their benevolent acts as a means to accessing state power and using it to their advantage. Their relationship with the state was probably one of cooperation within the framework of the state's agenda.

In the following section I move from an overview of the development of *bōshi*, Japan's indigenous form of volunteering, to an examination of the cultural, social, political and economic context of *bōshi* because "...volunteering is part of the way societies are organised, how they allocate social responsibilities, and how much engagement and participation they expect from citizens" (Salamon and Anheier 1999).

The origins of hōshi

This section explores the political, economic, cultural and social systems that shaped the behaviour and patterns of *bōshi* before the Allied Occupation in 1945. I focus on the state-citizen relationship within Japan's changing socio-cultural context in order to identify the key concepts that influenced notions of volunteering and associational behaviour in Japan. I pay particular attention to the relationship between government and private not-for-profit organisations because the role of the state and the nature of state-society relations have a significant impact on the role of volunteering (Salamon and Anheier 1999).

The responsibility of the state

The historical overview provided in the previous section highlights that throughout the Tokugawa and Meiji periods *bōshi* was increasingly directed and driven by the government as part of its nation building agenda. Understanding the cultural roots of Japan's state-citizen relationship is central to understanding indigenous attitudes toward *bōshi* on a number of levels, including broader public attitudes and policy toward private not-for-profit organisations. Culturally embedded attitudes towards the state, individualism and institutions, led to the legitimisation of government control of private not-for-profit organizations and *bōshi* which resulted in the association between *bōshi* and obligation to the Emperor. I explore both the cultural practices that contributed to this tradition and the ensuing policies that gave the government responsibility for the management and guidance

of *hōshi* in Japan. As *hōshi* is an integral part of associational behaviour in the public sphere, I use the lens of civil society to examine state-civil society relations in Japan. I begin by examining the indigenous understanding of *keō*, the contemporary Japanese word for “public”.

Initially *keō* did not have any connotations of “public” in sense of “the people as a whole” as it does today. Rather, *keō* has been closely associated with the ruling elite and government bureaucracy throughout Japan’s history (Yoshida 1999, 24-25). Usages indicate that *keō* as “ruling authority” is deeply embedded in the Japanese psyche as well as vocabulary (Yoshida 1999, 24). Depending on the historical era and social context, “the term generally meant the monarch, government, or some other superior authority”, and reflects the tradition of hierarchical social relations in Japan (Yoshida 1999, 24-25). In fact the traditional attitude that *keō* has been synonymous with the government and its officials throughout the course of modern Japanese history can still be seen in vocabulary used today. For example, government documents have come to be known as *keōbunsho* and government archives as *keōyōsha* (Yoshida 1999, 25).

The word *keō* was initially used in juxtaposition with *shi* (self or private), and literally meant “righteous, devoid of selfish motives” or “impartiality” (Yoshida 1999, 24). In early Japan, the *keō-shi* pair came to take on the nuance of a ruler subject relationship after the character *keō*, originally adopted from China, was used to represent the word *ōyake*, which means “mansion of the lord” (Yoshida 1999, 24). In the Edo period (1603 -1867) the title *daikeōgi* (great authority) was used in reference to the Tokugawa Shogun at the apex of the hierarchy, while domanial *daimyo* were called *keōgi* (authorities). *Kōgi* was a common noun meaning government (Yoshida 1999, 24-25).

During the Meiji Restoration *keō* came to mean the imperial government and/or the state itself (Yoshida 1999, 25). From 1868 until 1945, the Emperor was at the apex of both spiritual hierarchy and power structure (Gluck 1985, 77). The monarch came to mean absolute *keō* and the government bureaucracy became associated with *keō* because the Emperor’s officials held ultimate responsibility for the task of nation building and administering the affairs of the state. During this period the phrase *messhi hōkeō* (literally: self annihilation for the sake of one’s country) was often used in slogans calling for selfless loyalty to the state and was central to mobilizing popular energy for service to the *keō* as the state, both spiritually and mentally (Yoshida 1999, 25).

The adoption of Shinto as the official religion during the Meiji Restoration effected Japan's indigenous understanding of *keō* because it was intrinsic to the view that the state upheld the divine will of the Emperor. Meiji Leaders sought to make a transformation of traditional loyalty in the minds of the people to rest on the new government. While successful nation building involving; the establishment of a new army, efficient stable political system, physically strong technically competent people and a sound industrially advanced economy was part of this process, the methods effecting the transformation of traditional loyalty centred principally on insisting that the reigning Emperor and ancestors were divine. Emperor worship was the emotional basis for the necessary reverence and obedience of people (Gluck 1985). The oligarchy attempted to do this by making the Emperor the central figure in a revived and officially sponsored religion, State Shinto.

Shintoism was essentially the continuation of traditional religious beliefs and practices of myths concerning the origin of Japan and its ruling houses. Worship of the nation's heroes and its imperial ancestors were added to these beliefs. As such, it was identified closely with patriotism and gave a religious tinge to the ensuing nationalistic aspect (Kitagawa 1990, 203). State Shintoism was placed under a government department different from that of other religions. State Shinto insisted that the reigning Emperor and ancestors were divine. Rather than a formal religion Shintoism was a creed or way of life. Said to embody the spirit of ancient Japan Shinto was used to change the dominant metaphor of Japan; "Japan was a single family, and the Emperor descended from Amaterasu was the father" (Naff 1996, 46-47). By identifying the state with the family it was possible to use emotional attachment to the family in the service of the state (Gluck 1985, 265; Mackie 2003, 22; Naff 1996, 46-47).

Under the reign of the Tokugawa ordinary families managed their own affairs. At this time, the typical Japanese family lived in an *ie* (household), which was part of a *mura* (village). Villages were self-governing, tight-knit communities where people worked together in common enterprise (Naff 1996, 46). Under Meiji rule, the *ie* tradition was written into the constitution giving the state control of the villages. Administration of villages by the state enabled the state to both promote and utilise mass loyalty to the imperial institution and to the person of the Emperor for state objectives of modernisation and economic growth (Mackie 2003, 22; Naff 1996, 46-47). In addition, the Meiji Constitution politicised the family, creating a gendered hierarchy within the family (Mackie 2003, 29). The term *ryōsai*

kenbo described their ideology that women should serve the state by being “good wives” and “wise mothers” (Mackie 2003, 29).

Relegation of women to the domestic sphere shaped the activities of women’s organisations and the way they were perceived by the state. For example, the state mobilised women’s organisations for the war effort. The Patriotic Women’s Association (*Aikoku Fujin Kai*) which formed in 1901, embraced notions of “good wives and wise mothers”, reworking them to give women a role in philanthropic activities and was mobilised by the state to provide support for the war effort through fundraising and preparation of packages to send to soldiers serving overseas (Mackie 2003, 29-31). After the Great Kantō Earthquake of 1923 the government saw the potential of women playing a voluntary role in welfare (Mackie 2003, 30). The state attitude that women will remain in the domestic sphere and care for children, the old and infirm was reflected in Post World War Two Japanese welfare policy up until the 1980s, which is based on the premise of a division of labour and roles between the sexes (Kanai 1996, 8).

Control of the family by the state gave the state legitimacy to decide the public interest and impacted on associational behaviour as it affected the way Japanese people socially organised themselves.¹⁷

This emotional identification of family and state provided an alternative to other potential forms of social grouping based on class or occupation. The principle of loyalty to the Emperor and to one’s elders, described in the Imperial Rescript on Education of 1890, was reinforced by ethics textbooks which explicitly linked the family to state, and father to Emperor. The father was “ruler” over his family members, and the Emperor “father” to his childlike subjects (Mackie 2003, 22).

The role of compulsory education in bringing Shinto to the masses cannot be ignored. Mass education and control over educational content meant that the state had control over ideas and the introduction of state ideology to the masses and was partly responsible for moulding the Japanese people into a nation of patriots. It should be noted that state control of the education system and family reflects the Confucian utilitarianist belief that these institutions are inseparable from the function of the state (Mackie 2003, 22). To the reformers, education meant the training of a technically competent workforce to help build

¹⁷ The impact of social organisation on associational behaviour in Japan will be discussed later in this chapter.

a strong state. Education was a tool of the government used to train obedient and reliable subjects who would serve well the machinery of the modern state. To this end in 1872 instituted compulsory education and established 54,000 elementary schools. This example demonstrates one way in which the government blurred divisions between private and public spheres by taking control of existing private schools. By coopting and or simply taking over private voluntary organisations, the state gained control over voluntary citizens' activities or *bōshi*.

The 1890 Rescript on Education demonstrates the government's attitude that the role of schools was to teach what to think, not how to think. Following the doctrine of State Shinto, the document aimed to instil in Japanese children and young people Confucian obligations of filial piety, obedience and benevolence in their various relationships and to offer themselves "courageously to the State" if required (Storry 1968, 120). To this end, Shinto shrines were placed in every school and portraits were hung in every school shrine, Shinto rituals were made a fundamental part of training every school child. The 1890 Rescript on Education became Japan's fundamental ethical code for the next 50 years (Storry 1968, 119).

Yoshida (1999) argues that in Japan the notion of "public" is premised on values divorced from the state; this is in contrast to *keō* which assumes that public moral values and those of the state are one and the same. In addition, the notion of "public" is a horizontal or lateral concept as opposed to the vertical or hierarchical concept of *keō* (Yoshida 1999, 25). In this context, government intervention, organisation and management of not-for-profit activity in Japan has not been considered to be a conflict of interest, rather, throughout history intervention has been considered the responsibility of the government. Therefore in order to maintain peace after years of civil war, it was considered natural that one of the key duties of the government of the Tokugawa Shogunate was to closely monitor and, more often than not, suppress the formation of any groups or factions interested in public affairs (Storry 1968, 112). Suspicion towards groups showing interest in public affairs has been central to state-citizen relations throughout Japan's history.

In fact, until the Meiji era the association of *keō* with government was so strong that there were no mechanisms for public participation in the governance process. The government's resistance to the formation of political parties lobbying for a parliament indicates the entrenched ideology that the government was synonymous with the public. For example,

Jiyūto (Liberty Party), set up in October 1881 to lobby for *minken* (people's rights)¹⁸ formed the backbone of Japan's first political association (Bowen 1980, 108). The party was viewed by the government authorities as subversive as it argued that there was a need for some kind of national representative assembly (Bowen 1980, 109). *Jiyūto* often came under attack from government authorities, and its members were treated with great severity by the police.¹⁹ Eventually under government pressure *Jiyūto* disbanded.

The notion that the state and public are one and the same embodied in *kō* was exemplified by the drafting process of the Constitution which set a precedent that cemented the power of the bureaucracy and severely limited public participation in the governance process. The drafting of the Constitution took place without public consultation or discussion (Mackie 2003, 21). It was drafted by a committee attached to the Ministry of the Imperial Household. The committee was led by Conservative members of the oligarchy.

The Constitution used Shinto ideology to protect the ancient rights of the throne and those who represented it. All legislative and executive powers culminated in the Emperor and nothing could be decided without his consent, or that of his personal advisors. The Constitution contained no provisions for amendment by the legislative branches and ordered that the powers of an elected assembly should be tightly controlled and restricted by an executive responsible, not to the assembly, but to the Sovereign Ruler of the country. In any conflict the Parliament's defeat was a foregone conclusion. Overall, the position of the monarch was the same as it would have been without the parliament and the constitution was merely a concession to popular government with the oligarchy retaining practically all powers.

Furthermore, although the Emperor's powers had been defined by the Constitution no one could criticize the Constitution since according to Shinto no one was permitted to criticize the Emperor. As the sovereign rights of the state were transmitted to the Emperor, it was logical that the ministers should be responsible to the Emperor rather than to the people (Kitagawa 1990, 210). Obligation to the Emperor overshadowed all others, and may have been viewed as a source of all other duties a supreme ethical commandment. Throughout the Meiji period until 1945 true loyalty was now the source of all virtue in the state. It was

¹⁸ It should be noted that *Jiyūto* was not liberal in the Western sense of principals such as human rights, freedom of speech and equality; it held more self serving motives (Bowen 1980).

¹⁹ The Police Law of 1900 not only categorically excluded women from political life, it also empowered officials to disband threatening popular organisations. Its Article 17 further outlawed the act of "instigating" or "inciting" others to strike, join unions or engage in collective bargaining (Garon 2003, 49) (p49)

not so much an obligation toward the divine imperial house as it was a privilege. The individual's development was met only in terms of the state.

This discussion of state responsibility and *keō* reveals that Japan's indigenous understanding of public shaped the meaning of *bōshi* during the Meiji period. The oppositional binary of the *keō-shi* pair was central to the Meiji government's welfare policy which mainly focused on poverty relief. At this time most government officials viewed themselves as benevolent rulers taking the place of the *shogun* and *daimyo* and believed that the central state bore the responsibility to the destitute (Garon 1997, 32-33). However, as discussed earlier, government officials sought ways to reduce government expenditure of prefectural taxes on poverty relief so that the monies could be channelled into nation building. *Hōshi* was used to this end (Garon 1997, 35-37; Gluck 1985, 91-92).

The Relief Regulations were a strategy to reduce government spending on aid. The categories outlined in the Relief Regulations severely limited those who could receive government aid while at the same time declaring that the responsibility of relief lay with the community mutual aid (Garon 1997, 32-34; Gluck 1985, 91-92). In line with the oppositional binary of the *keō-shi* pair the policy accounted for the benevolent ruler, absolving the government of any responsibility to the poor whose poverty was their own fault rather than the result of poor economic or social policy. In fact the official argument at the time was, "because society did not make the poor sick or idle, society (defined as the government) therefore had no obligation to assist" (Garon 1997, 38). However welfare policy was built around the notion of "mutual fellowship among the people" (Garon 1997, 38). Poverty relief was seen as an obligation of families and communities to do their bit toward achieving the goal of the Emperor, a powerful Japan (Gluck 1985, 92). Notions of *keō* and *shi* therefore were the underlying cultural ideology behind a welfare policy that created a social pressure which both shamed the poor, who were viewed as a burden, and attached a sense of obligation and service to *bōshi*.

The moral right of the state

The non-profit sector is commonly valued and, until recently, understood as a social and moral force (Salamon and Anheier 1996b, 33-60). However, in Japan, the state, rather than the non-profit sector has traditionally represented the moral values of the whole. In this section I will focus on the state-religion relationship, specifically the development of morals and ethical codes of conduct in order to place the strong association between *bōshi* and

dedicated service to the Emperor into its socio-cultural context. I argue that state control of moral and ethical values in Japan is central to state control of *bōshi*.

Salamon and Anheier (1999) have found that the dominant religion in each country has influenced the size and shape of the voluntary and community sector and the practice of volunteering in that country. They propose that whilst all religions have charity as a main tenet of their faith, differing attitudes towards the state, the individual and private and public institutions have led to very different patterns of voluntary action. Throughout history the Japanese state has had both spiritual and political power, this has meant that the state has controlled the development of moral and ethical codes of conduct in Japan. The implications of tight state control are that the standard according to which the nation's actions are judged as right or wrong lies within itself, the national polity. Therefore what the nation does is not subject to any moral code that supersedes the nation. This means that there is no conflict between the moral order and the legal order in Japan; what is legal, or what is in the rules, is moral by definition (Lehmann 1982, 114).

Throughout history the Japanese state has held both spiritual and political power (Lehmann 1982, 113). This is in contrast to predominantly Christian societies where the state and religion are separate institutions with separate social functions. In these societies the state is generally concerned with legal order (collecting taxes, administering justice and waging war), whereas religious institutions are concerned with things moral and spiritual (Lehmann 1982, 112). In Japan the relationship between the state and religion has involved the inter-legitimization of religious traditions and the government, from the time of the introduction of Confucianism in the fifth century, to the way in which State Shinto served as a source of legitimacy for Emperor worship, to eventually becoming part of the state's justification for nationalism (Kawamura 1994, 150; Kitagawa 1990, 249; Woronoff 1997, 170). As I argued in the previous section, this was central to the association between *bōshi* and sacrifice in the name of the Emperor. In the Japanese case religion and religious institutions were employed by the state to develop and enforce ethical codes of conduct and moral values that justified the existing status quo of social order such as the *tennōsei* (Emperor System) and *ie* (family) ideologies which were central to the non-profit sector in Japan.

Japan's moral and ethical codes of conduct are a blend of aspects of Shinto, Buddhism, Confucianism and *Bushidō* (The Way of the Warrior) (Lehmann 1982, 115). Furthermore

the process of blending did not occur naturally; rather it was orchestrated through a process of government suppression and promotion of aspects of particular doctrines and beliefs. For example, during the Tokugawa Shogunate the state introduced Neo-Confucian moral teachings and adopted Neo-Confucianism as the ‘official theology’ (Kitagawa 1990, 249). Another example occurred during the Meiji Regime when the government ordered the separation of Buddhism and Shinto²⁰ (Kitagawa 1990, 226).

State control of religion in Japan has meant that theological and philosophical thought which forms the foundation of cultural ideas about morals, have been secondary considerations to social order and political practice (Lehmann 1982, 115). Iokibe (1999) argues that the Buddhist doctrine of respect for humanity, although deeply imbedded in the Japanese spirit was never able to evolve into a theory of democratic principles due to the State’s control over religion. He argues that the banning of Christianity and repression of Buddhist sects meant that Buddhist teachings were tolerated in so far as they did not conflict with the official structures of the Confucian view of the social order. In this context Iokibe concludes that, “the ‘dignity of the individual’ could not be legitimised either socially or politically” (Iokibe 1999).

The Tokugawa Shogunate adopted Neo-Confucianism as the “social ideology” in order to maintain the existing social status quo. To this end, not all aspects of Neo-Confucianism were adopted and only those practical moral teachings of the Confucian tradition that could be interpreted in a way that would uphold the existing status quo of power were embraced (Kitagawa 1990, 249). Neo-Confucianism’s eclectic ethos enabled it to be appropriated relatively smoothly as it easily allied itself with Shinto as well as *Bushidō*, the two major belief systems of the time (Kitagawa 1990, 249). It served as the intellectual bridge between the feudal and modern periods and was integral to the process of increasing formalization or bureaucratization of both the political state and religion and a systemized public morality to which every individual had to adhere at a national, organizational and group level. This can be seen through the attitude to welfare and *osukui* which were essential to maintaining the status quo of tax paying peasants who were grateful to their benevolent Emperor (Kitagawa 1990, 249; Lehmann 1982, 115). In addition to this, the

²⁰ This precipitated an anti-Buddhist (*haibutsu kishaku*) movement that reached its climax around 1871. The *haibutsu* events were caused by a combination of two forces: the public’s pent-up resentment against the temple establishment, which had conducted surveillance of the population for the Tokugawa and which had in many cases imposed an unpopular religious tax; pent up resentment among academics who had condemned Buddhism as a ‘non-Japanese’ religion. Rioting occurred primarily because police control over the expression of resentment was suspended in 1870 and 1871 (Amstutz 1996)

impact of Neo-Confucianism on legal institutions and educational work furnished normative principles for individual and public morality and provided the state with legitimate power to exercise moral authority over its subjects (Kitagawa 1990, 249; Lehmann 1982, 115).

Neo-Confucian ideologies remained in place for almost three centuries until the Allied Occupation in 1945. It is therefore not surprising that these ideologies still form the foundation of moral conduct in many Japanese institutions, such as businesses and factories (Lehmann 1982, 115). It is also important to note that after WWII, the separation of religion (Shinto) and the state was instituted, however freedom of religious belief and the independence of the civil realm from the state are not yet adequately realized in Japan today²¹ (Kawamura 1994; Yamamoto c1995a).

Apart from implying that the state is always right, the control by the state of both legal and moral law means that there has not been opportunity for conflict between the state law and moral law as in predominantly Christian societies.²² This implies not only the assumption that the government is right, but also that there has been no other yardstick for judging the actions of the state, other than the state, for the majority of Japan's history. In this context *bōshi* has been concerned with supporting the state agenda and following its direction, rather than being a vehicle for citizen engagement with the state.

The Japanese government has actively discouraged the concept of the individual and individual rights through their tight control and management of *bōshi*. In addition to this the deep rooted cultural understanding of the individual as synonymous with selfishness and the ruler with benevolence has allowed the authorities to assume the public moral values and those of the state as one and the same. In this respect cultural practices and the Emperor System actively constructed a series of structural impediments to political democratisation and freedom of expression, giving Japanese citizens little opportunity to participate in the governance process²³. Rather the state's manipulation of religion, cultural

²¹ For example, visitation of Yasukuni Shrine by Prime Ministers incites huge national and international debate.

²² The development of democracy which has its roots in Christianity's teachings of an 'inner God' is a good example of this conflict as democratic ideology and practice developed at a time when absolute rule was legitimized under the 'divine right of kings' (Iokibe 1999 58).

²³ This is not to say that there has not been extensive discussions of rights which have been carried out since the 1870s in Japan. Furthermore, while the Meiji Constitution emphasised the duties of its subjects, the second chapter of the Constitution in dictating the rights of subjects, bore a resemblance to similar articles in both European and North American constitutions of the day. Many of these rights are enshrined in the 1946 Constitution.

practice and policy to suit the national agenda has encouraged Japanese people to depend heavily on the bureaucracy to meet all manner of needs including legal and moral (Yoshida 1999, 13). In contrast, predominantly Christian democratic societies have a long tradition of civic engagement with and participation in the governance process has meant that the people have more opportunity to direct the government. In these societies, conflict over what is legal and what is 'right' has encouraged a culture of questioning the status quo, advocacy and campaigning. In addition there are platforms for individuals to successfully lobby the government (for a change in legislation) if there is conflict between the state and what is believed to be moral or 'right'.

The importance of obligation in Japanese associational behaviour

In this section I explore the cultural systems that influenced the style of associational activity in Japan prior to the Allied Occupation in 1945. Early associational behaviour in Japan was characterized by a sense of obligation to the community. In the context of *bōshi*, I focus on key ethical values such as *giri* (obligation), *on* (indebtedness), and *ninjō* (human feeling), that are associated with Japan's cultural systems. I argue that *on* contributed to the mutual assistance style of associational activity that is characteristic of pre-World War Two Japan. The following exploration of the ethical value of *on* in Japanese society illustrates that the sense of debt was a morally binding force that had a significant role in shaping traditional roles to benevolence and other non-profit activity in Japan during the Tokugawa and Meiji periods.

On, the Japanese word which expresses both the debt of gratitude and strong sense of obligation the Japanese feel after having received a favour also refers to the benevolence of the *on*-giver. *On* operates within Japan's hierarchical social structure between a superior and subordinate such as, employer-employee, master-student, and within the context of filial piety, parent-child (Benedict 1972, 70-72). In these formalised situations the superior is the *on*-granter. Benedict observed that the act of accepting an *on* from an inferior or equal caused the Japanese to feel an uncomfortable sense of inferiority (Benedict 1972, 69). She states:

Casual favours from relative strangers are the ones most resented, for with neighbours and in old established hierarchical relationships a man knows and has accepted the complications of *on*. But with mere acquaintances and near-equals men chafe (Benedict 1972, 72).

Lebra (c1976) points out that *on* refers disproportionately more to the debtor's obligation than to the creditor's benevolence because granting a favour is choice, while repayment is obligatory. This observation is supported by Benedict (1972, 80-81) who likens the exchange to the financial transaction of taking a loan. She states that, like a loan, interest is accrued over time on the *on*, and just as the loan and the interest must be repaid by the debtor or family, so the *on* and accrued interest must be repaid by the *on*-receiver or family.

On is therefore part of a complex cultural system that binds both the *on*-receiver and *on*-giver in their mutual obligation and for this reason an *on* is not accepted lightly. The Japanese are extremely wary of getting entangled in *on*, especially in unformalised situations, and are often resentful if they feel that an *on* has been imposed upon them. Indeed as Lebra notes, the Japanese often suspect an unsolicited generosity contains an ulterior motive and in this vein the value system of Japanese culture includes an idealisation of social withdrawal in-order to keep oneself free of the *on* burden (Lebra c1976):

...for the sense of debt to be operative as a morally binding force, one must have an internalized proclivity for crediting whatever one enjoys to others, rather than to oneself, regardless of whether or not a particular creditor – benefactor can actually be identified (Lebra c1976).

The above quote is the key to understanding *on* and its relevance to volunteering in Japan. Mutual assistance, the predominant form of associational behaviour during the Tokugawa and Meiji periods, was encouraged by the ethical value of *on* (indebtedness). The role of *on* as an underlying ethical value of Japanese culture has meant that benevolence in the Japanese context has a formalised place in the Japanese social hierarchy – only those in a superior social position can dispense benevolence. From the perspective of the recipient, *on* is considered a double edged sword which both benefits the *on*-receiver but also imposes debt. For these reasons the practice of *otsukui*, created a sense of indebtedness to the Emperor for his benevolence. Therefore control of non-profit activity by the authorities was essential to strategies for maintaining loyalty to the Emperor, essential to nation building. The government strategy of managing non-profit activity meant that they were in a sense dispensing *on*.

It could therefore be argued that *on* also contributed to the rise in self help philosophy in rural areas. Not wanting to become bound in an *on* relationship it is likely that people were motivated to be as self reliant as possible. Avoiding unnecessary *on* was a virtue in itself

(Lebra c1976). Furthermore, Japan's traditional social structure of small isolated groups supports the mutual assistance style of associational activity, the traditional mutual assistance style of associational activity. Nakane (1972, 7-8) describes a social structure of closed isolated groups formed around "frame" (share a common situational position, eg. Live in a particular district, or belong to a specific organisation) rather than attribute (refers to any specific "quality" of an individual in his social context eg. academic background, social standing or occupation, are acquired in the course of life) which is typical of predominantly Christian cultures. According to Nakane (1972, 14-21) in Japan the inward focus is created because the individual's sociological frame is simple and limited and because it requires the total emotional participation of its members.

Enduring patterns of the almost suffocating intimacy of the constant human contact within the group which intrudes into both private and public aspects of a person's life are described by North Americans who have lived in Japan after World War Two (Kondo 1990). Kondo (1990) details how the intensity of human contact in Japanese society eventually encroaches on an individual's ideas and way of thinking. She points out that a lack of privacy in the Japanese community left the individual "open for public inspection" and that in this environment as an American she found it difficult to relax because she felt that the appropriateness of her behaviour was scrutinised and continually monitored eventually causing her to lose her own identity to that of the expectations of the group (Kondo 1990, 20-21). The suffocating intimacy of the group described by Kondo (1990) can be attributed to isolation. Nakane (1972) argues that closed groups become isolated from other groups due to their inward looking nature. Their isolation inevitably fosters traditions specific to the group, which in turn contributes still further to the group's integration and unity while at the same time cultivating a gulf between the group and others with the same attributes outside the frame (Nakane 1972, 21). The end result is a weak consciousness of "kind", and a strong consciousness of the difference between "our people" and "outsiders".

Doi's (1981) model of concentric circles describes the pattern of social interaction within the closed group described by Nakane (1972). *Enryo*, meaning hesitation or emotional restraint, is the gauge used to distinguish between inner and outer circles or groups (Doi 1981, 38). Japanese express *enryo* in behaviour and language, for example the further away from one's inside or inner-circle, the more formal the behaviour and language. The core, or inner group, is considered as self or made up of those who are part of oneself, such as

the parent-child relationship and other blood relationships such as siblings. Here there is no *enryo* (emotional restraint) and *ninjō* (human feeling) arises naturally (Doi 1981, 38). Kondo (1990, 29-32) describes Japanese social interaction as operating along a “sliding scale of self and other”, or a complex series of graduations of detachment and engagement, distance and intimacy and formality and informality.

The outer-circles are made up of relationships of what Doi (1981, 38) describes as “socially contracted interdependence” such as between student and teacher, employee and employer etc. These relationships are “*giri*-relationships” or relationships where the individuals are bound by social obligation. As they always involve one of the parties being in a superior position to the other, *enryo* is present and it is officially permitted to experience a degree of *ninjō* (Doi 1981, 34). The *giri-ninjō* dynamic of reciprocal obligation and human feeling, and is considered to be one of the key ethical concepts underlying Japanese society in the past {Benedict, 1972 #5}. It should be noted that these relationships support and are firmly embedded in the hierarchal social order of Japan.

Individuals outside the official spheres of social obligation fall into the category of *tannin*, (translated as persons unconnected with oneself, “others”, outsiders.) Here, as there are no ties of social obligation or indebtedness, there is no *enryo* (restraint) and therefore *ninjō* (human feeling) does not arise (Doi 1981, 38).

Associational activity during the Tokugawa and Meiji periods was usually focused around the community in rural areas and did not extend between communities. And as discussed earlier, government welfare policy actively encouraged the community to bare the primary burden of relieving poverty among people in rural areas. The social organisation of traditional rural Japan was comprised of closed, isolated groups. The environment of the closed group encouraged a sense of identification by the individual with the community group. In this context the close bonds are formed which are central to support during time of natural disaster and hardship.

Research on voluntary associations in Japan by anthropologist Edward Norbeck in 1966 found that the social and economic pressures to participate in mutual support groups (that provide labour exchange, crime and fire protection, and other social benefits), were so strong that village residents had little choice but to belong (Stevens 1997, 18). These groups were based on mutual commitment and a sense of obligation epitomised the sense of service embodied by *hoshi*.

Conclusion

Private non-profit associations have a long history in Japan. Throughout history when governmental control allowed the people of Japan to do so, they showed no reluctance to form their own private non-profit associations, many of which had aims of social reform. However, from the Tokugawa period until relatively recently, there was little political space for citizen participation in the governance process. During this time Japan developed a highly centralised system of governance that took an authoritarian approach to managing its subjects and civil society. The state controlled or took responsibility for the provision of public service and goods, mobilising citizens to meet state-led objectives.

The authoritarian attitude of the Japanese state towards its citizens was reflected by *hōshi*, the Japanese word that was historically used to describe private philanthropy, charity and mutual self help in Japan. It embodies a strong sense of obligation and is characterised by notions of service and sacrifice, particularly dedicated service to the greater good of the Emperor and state. The cultural context from which *hōshi* emerged included: the hierarchical organisation of society, a social system of interdependent social relationships associated with personal obligations to family, village and state, and *on* the moral system upon which Japanese society was based where kindness and goodwill were used to create a sense of indebtedness (Lebra 1974). From the Tokugawa Period onwards, Japan developed a highly centralised system of governance that took an authoritarian approach to managing its citizens and civil society and people were, “mobilised under mass organisations as youth, women, as workers and even as intellectual workers” (Mackie 2003, 122). This was central to defining the tradition of *hōshi* which follows a top down pattern of establishment and management by an authoritarian state. During this time, the state controlled or took responsibility for the provision of public services and goods, mobilising citizens to meet state-led objectives.

In the next chapter I analyse the social, cultural, legal and political contexts that supported the continuation of *hōshi* as well as those that led to a new form of associational behaviour described by the term *borantia*. I focus in particular on the tensions surrounding the emergence of *borantia* and continuation of *hōshi* and explore what these tensions indicate about state-citizen relations in Japan.

CHAPTER TWO

TENSIONS AND TRANSFORMATIONS

In Chapter One, I mapped the evolution of *bōshi* from the beginning of the Tokugawa Shogunate in 1600, until the Allied Occupation in 1945. Through an analysis of the cultural, social, economic and political context of *bōshi*, I argued that *bōshi*'s top down pattern of establishment and management by the state, as well as notions of obligation and service and sacrifice to the Emperor and state epitomised state-citizen/state-civil society relations throughout this period in Japan's history. In this chapter I identify two distinct patterns of associational activity in Japan from the country's defeat in World War II in 1945 until the mid 1990s. The first pattern represents the continuation of the traditional indigenous style of associational activity which follows the traditional top down pattern of establishment and management embodied by *bōshi*, described in detail in Chapter One. The second represents the emergence of an organisation type that is based on voluntary activities both initiated and undertaken by citizens at the grassroots level (Takao 2001, 293). This organisation type which includes voluntary citizen's groups and movements will be referred to as *borantia*.

I track the emergence of *borantia* and analyse the social, cultural, legal and political contexts that supported the continuation of the tradition of *bōshi*. The analysis highlights that the continuation of the traditional *bōshi* system of private non-profit association establishment and management was dependent on citizen deference to state authority, while the emergence of *borantia* occurred due to international and domestic forces and factors that affected social and cultural change within Japan. Key factors that contributed to the maintenance of state authority and continuation of *bōshi* from 1945 to the mid-1970s include restrictive incorporation regulations which facilitate state use of voluntary citizens' groups to serve government objectives. In addition, the policy of indirect rule served to support entrenched systems of bureaucratic dominance. The "iron triangle" (the alliance formed between the bureaucracy, business and the Liberal Democratic Party), further encouraged the public expectation that the government is responsible for providing for the people (Yoshida 1999).

I argue that the emergence of *borantia* has occurred through the erosion of state authority and the gradual opening up of Japanese society. Democratic reform laid the foundation

for the opening of political space for citizen involvement in the governance process. The granting of citizenship to Japanese women as well as the passing of information disclosure laws contributed to the emergence of *borantia* and played a significant role in defining attitudes towards it. In addition, socio-economic change in Japan contributed to growing public awareness of the government's limitations both domestically and internationally, eroding state authority and facilitating the emergence of a diverse range of NGOs such as voluntary citizens' groups.

Continuation of the tradition of hōshi

Despite democratic reform, the tradition of *hōshi* continued in the post-war period. I begin by outlining the democratic reforms imposed by the Allied Occupation. In 1945 a defeated Japan had to accept the wishes of the Allied Occupation Forces and adopt a democratic form of government. The objective of the reforms was to decentralise government power and transform the relations between the state and citizens (Smith 1986, 158). The reforms were intended to remove any future threats from ultra-nationalist tendencies by making it difficult for the state to maintain both traditional hierarchies and powerbases (Schreurs 2002, 58; Smith 1986, 157; Takao 2001, 293). To achieve these goals the 1946 Constitution (essentially written by the United States) reduced the power of the Emperor to a symbol of the state; established a parliamentary system with a bicameral legislature and regular elections; decreed that Japan would renounce the right to war; and that the public and private entities be separate (Schreurs 2002, 58).

The Western democratic system imposed by the Allied Occupation over the traditional Japanese system and social norms, challenged institutions and ideologies, such as the Emperor system and nationalistic sentiments, that had given people a sense of community and a resolute sense of purpose and identity (Hane 2001, 460). However, the ideology of the reforms was not completely alien to the Japanese people (Smith 1986, 158), and in many respects the reforms gave Japanese people overnight what they had been fighting for over many decades. Throughout the Meiji period Japanese people were “subjects” of the Emperor and had been “mobilised under mass organisations as youth, as women, as workers and even as intellectual workers” (Mackie 2003, 122). Under the 1945 Electoral Law all Japanese people (including women) became citizens with inalienable rights including the right to freedom of association (Mackie 2003, 127). For example women, who had lobbied since the 1920s for the right to vote, attend political meetings and join

political parties, were given full political rights. Additionally workers were given full political rights, including the right to form unions (Mackie 2003, 121).

As I have argued, in pre-World War II Japan, state benevolence and authority were central to defining the tradition of *bōshi*, which is characterised by the notion that one is obliged to service and sacrifice oneself to the greater good of the Emperor and state. These social and cultural systems that accepted and supported the authority of the state were not immediately changed by Japan's loss in World War II, and democratic reform imposed on Japan by the Allied Occupation (Smith 1986, 158). In fact, during the early post-World War II era from the 1950s -1970s state authority persisted and was further reinforced (Hirata 2002a, 19-22; Iokibe 1999, 78-79). Correspondingly, the tradition of *bōshi* continued.

Continuation of state authority

State authority continued after World War II due to the policy of “indirect rule” and the success of state-led industrialisation strategies. The Japanese government was able to achieve the goal of rapid economic growth because of the “indirect rule” policy of General Douglas MacArthur, Supreme Commander of the Allied Powers. Central to the policy of indirect rule was General MacArthur's decision to keep Japan's financial bureaucracy intact so that Japan would be able to rebuild its war torn economy. This decision had three important implications for the bureaucracy. First, the economic ministries regained power as they filled the vacuum left by the military bureaucracy which was abolished (Hirata 2002a, 19; Iokibe 1999, 79). Second, indirect rule required younger bureaucrats to work closely with the Occupation Authorities. These partnerships resulted in young bureaucrats gaining expertise in specific policy areas (Iokibe 1999, 79). Finally, indirect rule contributed to the formation of strong alliances between the bureaucracy and the Liberal Democratic Party (LDP) which ruled Japan from 1955-1993 (Hirata 2002a, 21; Iokibe 1999, 79). The iron triangle was referred to as such because each party (bureaucracy, business and LDP) protected the other's interests. The bureaucracy provided supervision, guidance and assistance to business and connections were made with the LDP through the tradition of *amakudari* (descent from heaven) where many bureaucrats became politicians after retirement, or took high ranking positions in *kōeiki hōjin* (public benefit organisations incorporated under Article 34 of the Civil Code) (Hirata 2002a, 19). Bureaucrats not only later became politicians, but often wrote legislation on behalf of the LDP. Significantly the iron triangle excluded civil society and is representative of traditional power structures in

Japan which place bureaucrats in the position of ultimate decision maker and source of information.

The success of state-led industrialisation strategies strengthened the state's legitimacy as a decision making body and reinforced its right to intervene in civil society as well as the business sector. The state's industrialization strategies involved state intervention in the economy. The state intervened by determining the nation's strategic industries, providing subsidies and administrative guidance to these industries in order to enhance their international competitiveness, controlling foreign exchange and trade, and placing limits on foreign imports to protect domestic industries (Hirata 2002a, 19-22).

Japanese people predominantly supported state intervention in civil society throughout the 1950s and 1960s. There are two reasons for this: The policy of state intervention in the business sector was instrumental in achieving the nation's primary goal of catching up with the West, and distributing wealth relatively evenly among the people (Hirata 2002a, 19-22). Throughout the mid-1960s to the early 1970s state intervention continued to be a successful policy as Japan experienced a period of high economic growth in the form of double digit annual economic expansion (Gordon 1993, 450). Economic growth and labour shortage during this time allowed the average Japanese to enjoy unheard of affluence, security and leisure (Lebra 1974). In the 1960s Japanese people, proud of the economic success of their country as it began to "catch up with the West", were optimistic about their future and accepted their government's policy of intervention as necessary for Japan's continued success as a nation (Hane 2001, 460).

Interpretation of the law: Public interest legal persons – *kōeki hōjin*

The incorporation process of voluntary citizen's groups perpetuated state authority because it maintained the *bōshi* model of relations between the state and voluntary citizens' groups. Basic provisions of Japan's legal incorporation system are determined by the Japanese Civil Code which established the legal framework in which Japan's non-profit organisations operated from 1945-1995. In this section I provide an overview of the key articles of the Civil Code that address the incorporation of private non-profit organisations.

The Japanese system of legal incorporation of non-profit organisations was developed within the cultural and social context of state authority and in line with the tradition of *bōshi*

which left citizens outside of the process of deciding their needs. Until the mid-1990s most private philanthropic and charitable organisations were established and incorporated under Article 34 of the Uniform Civil Code, promulgated in 1896 and put into effect 1898. The Civil Code originated during the Meiji era when Japan was forced to modernise under foreign pressure. After a long history as a closed country, Japan wanted to persuade Western countries to revise certain “unequal treaties” that Japan had been forced to agree to at the end of its feudal era. One condition for revising the treaties was that Japan promulgates a Civil Code and a Criminal Code. This Civil Code, remained generally unchanged for almost 50 years. There were no changes regarding the incorporation of non-profit organisations between 1898 and the 1990s until the passage of the “Law to Promote Specified Non-Profit Activities” (NPO Law) was passed in the Diet, on March 25, 1998, and enacted on December 1, 1998.

After Japan was defeated in World War II it was occupied by the Allied Forces from 1945-1952 and a new constitution was written. Significantly, apart for a revision to Article 89, Section 34 of the Civil Code was not revised by the Allied Occupation after Japan’s defeat in World War II. The revision of Article 89 ordered the separation between public and private and was part of strategy to change the state-citizen relationship in Japan. The rationale of the revision was that the state would not impose conditions on the activities of private organisations in exchange for not providing public assistance or support (Yamaoka 1999, 37). The law aimed to decentralise government power by ensuring that strong national regulation of private organisations during the pre-war and war years would not re-emerge (Hirata 2002a, 37). In line with this objective, in 1947 the Allied Occupation abolished the network of 199,000 community-based organisations established and administered by the state during the 1930s and 1940s (Takao 2001, 299). This led to the enactment of Special Laws that essentially enabled the state to regain control of the organisation types that it had traditionally funded and administered. The government intervened, despite the constitutional changes that ordered the separation of public and private entities.

One area in which government intervention occurred was social welfare. In the immediate post-war period social service facilities began to fail due to extreme financial hardship and lack of infrastructure. During this time social service organisations dropped from a pre-war level of 6,700 to 3,000 (Yamaoka 1998, 41). Government intervention to relieve the financial hardship of social welfare organisations was essentially to retain control of the

services it had traditionally been responsible for. The government developed a system whereby it virtually replicated its traditional pattern of interaction with social service organisations. It bore the burden of the operational expenses of private social welfare organisations through the payment of fees for services rendered (Yamaoka 1998, 42).

Two legal changes were implemented that exempted social welfare organisations from the Civil Code's rule ordering the separation of public and private entities. The legal changes that the government implemented were to direct the exceptional formation of the Joint Endowment for the Benefit of the People movement which began in the autumn of 1947 on a nationwide level (Yamaoka 1998, 41), and to commission welfare services from the private sector in order to help private facilities with their operating expenses. In 1949 the government introduced *shakai fukushi gyōsei roku gensoku* (the basic structure of Japan's social service administration) thereby introducing the establishment of the *Chuo Shakai Fukushi Kyogikai*, (the Central Social Welfare Association) later renamed the *Zenkoku Shakai Fukushi Kyogikai*, (the National Social Welfare Association). The association was formally provided for in the Social Welfare Services Law of 1951 (Yamaoka 1998, 42).

The financial and administrative relationship between the education system and the state is another example of an area traditionally controlled by the government pre-World War II and co-opted by the government post-World War II. Protected and supported by the American Alliance, Japan experienced a period of economic growth from the latter half of the 1950s until the 1970s. High economic growth led to an increase in students entering colleges. The increase in students, combined with the overall increase in school age population created a demand for more colleges. Private colleges were established to meet this demand (Yamaoka 1998, 43). The government coopted the surge in demand for education by removing the legal restrictions prohibiting assistance for private organisations such as private schools by national or local government and establishing the *Shigaku Shinkō Zaidan Hō*, (Private School Encouragement Foundation Law) in 1970 (Yamaoka 1998, 44). Assistance with the operating expenses of the private colleges was then implemented through a per capita student subsidy and in 1976 the *Shinritsu Gakkō Shinkō Josei Hō* (Private School Encouragement Assistance Law) was enacted which created an aid system for all private schools (Yamaoka 1998, 44). The system of government financial support for private schools meant that the government again regained control over the private school system and therefore controlled curriculum (Yamaoka 1998, 43).

Article 21 of the Constitution, which provides for freedom of association, was introduced as part of the Occupation Authority's democratisation process. Article 21 was intended to encourage the emergence of private non-profit activity and had a great impact on non-profit organisations during the 1950s (Amenomori 1997, 193; Takao 2001, 293). The new law encouraged trade unions and economic associations, which had been suppressed or otherwise controlled in the pre-war period, to participate and take a larger stake in society. However, although this law encouraged the emergence of new and different types of non-profit activity, these new types of organisations faded due to extreme financial hardship as well as the restrictive incorporation process (Yamaoka 1998, 47). In addition, they were unable to establish themselves on a purely citizen-based structure of management, administration and funding (Amenomori 1997, 193).

The broad guarantee of freedom of association in Article 21 is limited by Article 33 which requires that all legal persons be formed in accordance with its regulations. Legal persons are groups or organisations legally empowered with an independent existence and the ability to possess rights and obligations (Pekkanen 2000, 116). Without legal status, groups can have no legal existence. Articles 34 and 35 create classes of legal persons. Article 35 of the code provides for the establishment of for-profit organisations, or companies. Article 34 provides for public-interest legal persons (*kōeiki hōjin*). *Kōeiki hōjin* includes incorporated foundations (*zaidan hōjin*) and incorporated associations (*shadan hōjin*). *Kōeiki hōjin* is far more restrictive than Article 35 as it means that groups that are non-profit but not in the “public interest” had no legal basis whatsoever to form (Pekkanen 2000, 117).

Under Article 34, incorporation could be granted with the permission of “competent authorities”, interpreted as “government ministries with jurisdictional authority over the area of activities of the NPO.” This interpretation meant that bureaucrats determined whether a particular organisation was contributing to public interest. This discretionary power gave government agencies bureaucratic control over *kōeiki hōjin* (Hirata 2002a; Pekkanen 2000; Yamamoto 1999,108). The incorporation process under Article 34 was complex and time consuming, taking up to one year. It was also costly as government agencies required a minimum of approximately Y300 million as an endowment and of approximately Y30 million as an annual budget (Pekkanen 2000, 118).

Articles 34 and 35 are supplemented by a host of attached Special Laws, which often serve to create special categories within the general Article framework. Special Laws were

established mainly as part of the liberalisation imposed by the Supreme Commander for the Allied Powers. Such groups include social welfare legal persons (*shakai fukushi hōjin*, established by the *Shakai Fukushi Jigyōhō* of 1951), school legal persons (*gakkō hōjin*, established by *Gakkō Kyōikuhō* of 1947), religious legal persons (*shūkyō hōjin*, established by *Shūkyō Hōjinhō* of 1951), and medical legal persons (*iryō hōjin*, established by *Iryōhō* of 1948).

Once an organisation has been incorporated, Article 67. Paragraph 2 establishes a supervision system (*kanshi seido*) by the competent supervising ministry (*shumu kanchō*) (Pekkanen 2000, 118). This involves reporting duties to the competent ministry, which retains the power to investigate the group or even to revoke legal status. In addition to this there is a fine system for *kōeki hōjin* that do not comply, this forces licensees to comply with bureaucrats' preferences and limits the independence and autonomy of the organisation (Pekkanen 2000, 118; Yamamoto 1999).

Bureaucratic control of *kōeki hōjin* extends beyond the legal framework (Pekkanen 2000; Yamamoto 1999). Some *kōeki hōjin* are established by state initiative and staffed by retired bureaucrats through a practice known as *amakudari* (descent from heaven). In addition, they are often established by funds from the supervising ministry, and receive an operating income through their relationship to the ministry which is usually in the form of government contracts. Twenty percent of *kōeki hōjin* in Japan were established by state agencies to carry out state initiated activities (Hirata 2002a, 13). This means that the majority of *kōeki hōjin* do not meet the commonly accepted definition of a non-profit organisation as being voluntary and self governing and are in reality part of the government sector, although legally they are in the private non-profit sector (Yamamoto and Amenomori 1998, 15).

Salamon and Anheier (1997, 22) argue that under the *kōeki hōjin* system of incorporation Japan had the most severe regulatory environments for the incorporation of non-profit organisations in the developed world. Under the *kōeki hōjin* system it has been difficult for an autonomous civil society, independent from the state to flourish. For example, under the *kōeki hōjin* system groups whose objectives or styles differ from the permitting ministry found it very difficult to gain approval. In an Economic Planning Agency (EPA) nationwide survey of Japanese NPOs, the most common reason cited for not applying for legal status was that accounting and finance reporting requirements were too onerous (61% of groups listed this reason), and third most common was the fear that the objective of the

NPO, or the content of its activities, could be controlled by bureaucrats (45%) (Pekkanen 2000, 119). Prior to the enactment of the NPO Law in 1998 there was no legal category for these groups to exist in and, as a result they were reduced to operating as informal voluntary groups, or even becoming corporations. A 1997 Economic Planning Agency (EPA) survey members of voluntary organisations, or “groups for participating in social activities” found that the majority of Japan’s non-profit organisations were unincorporated associations that have no legal status and are not registered with the state²⁴ (Hirata 2002a; Takao 2001).

The legal structure created two distinct groups of NPOs in Japan: incorporated associations (*bōjin*) which followed the traditional *bōshi* model in that they had a top down pattern of organisation establishment and management, and were dependent on and often attached to the state; and unincorporated associations (*nin’i dantai*, commonly called “civic groups” or *shimin dantai*). These organisations were based on volunteer activities initiated and undertaken by citizens at the grass roots level. These organisation types are best described as *borantia*.

In Japan, the legitimising role of the state is perhaps larger than in many other industrialised countries. This means that in Japan denial of public legitimacy for *borantia* is synonymous with social denial and legitimacy of *borantia*. Pekkanen (2000) argues that disincorporation by categorisation was a deliberate attempt on the part of the Meiji oligarchy to place strict limits around the formation of civil-society groups. His argument centres on a comparison between the Swiss and German laws which this section of the Civil Code was modelled. Pekkanen argues that the Civil Code was an attempt by the state to maintain the long tradition of regulating voluntary citizens’ groups and utilising them to achieve the state agenda. For example, as discussed in Chapter One, the state used citizens’ groups to reduce some of the social welfare burden of the state. Pekkanen identifies a conscious shift from non-profit to public-interest legal persons in the Civil Code, which is corroborated by evidence from explanatory notes attached to Article 35 of the Civil Code and to an earlier draft of the Civil Code.

In keeping with *bōshi*’s tradition of deference and dedication to the state, bureaucratic control of the incorporation process for private non-profit organisations limited the platform of citizen involvement in the governance process. In this paradigm the state-

²⁴ Of the 1, 159 groups surveyed 86.4% were unregistered and not legally registered.

citizen relationship can be viewed as a patron-client relationship that places non-profit organisations in the junior role, and the state in control of civil society (Yamamoto 1998, 120).

The emergence of borantia

State authority began to erode from the late 1970s. This corresponds to an increase in *borantia* over the same period. In this section I argue that the impacts of democratic reform, globalisation, mass communications, and industrialisation factors have been central to the change in state-citizen relations in Japan because they have contributed to broad social, cultural, economic, and political transformations in Japanese society. I demonstrate that the emergence *borantia* is indicative of changing patterns of state-citizen/state-civil society relations. I conclude that social transformation has gone hand-in-hand with changing perceptions of civil society and the emergence of *borantia*.

Democratic reform and public participation in governance

Democratic reform was central to the emergence of *borantia* because it changed associational behaviour. In theory, “Democracy requires an active civil society, because it is through public discussion and involvement in politics that societal goals are defined” (Hirata 2002a, 47). Therefore ideologically, democratic systems provide a political space in which citizens can play a significant role in the governance process (Hirata 2002a). The democratic reforms of the 1946 Constitution opened new political space for Japanese people, particularly women, to participate in the governance process. Prior to this Japan did not have a tradition of public participation in the governance process. Japanese people were actively discouraged from organising and operating outside the channels of traditional political action through a combination of traditional values, legislation such as the Article 5 of the Public Police Law of 1900 and the Peace Preservation Law of 1925, as well as political will.

Democratic reform “provided a scope of civil liberties of a kind that had never before existed in Japanese society” (Smith 1986, 157-158). Reforms such as, the right of association and citizenship with inalienable rights for all Japanese people opened political space by providing the legal framework for citizens to organise themselves outside of formal bureaucracy and operate (Upham 1993, 342). Evidence of the immediate impact of the reforms is the flurry of political activity in the 1950s which saw the emergence of new

political parties and organisations including re-formed labour unions. New kinds of women's groups also emerged. These included the New Women's League (*Shin Nihon Fujin Dōmei*), which later became The League of Women's Voters (*Fujin Yū Kensha Dōmei*) in 1950, and The Women's Democratic Club (*Fujin Minsbu Kurabu*) established in 1946 (Mackie 2003, 122). Unlike war-time women's groups which had been organised by the state to meet the state agenda, these groups were critical of the state, demanding that the state do more to support women and alleviate poverty (Mackie 2003).

The opening of political space contributed to the emergence of *borantia* from the 1970s onwards. The 1960s and 1970s saw the emergence of what the Japanese media referred to as a "new social action". The new social action represented a change in associational behaviour, manifesting itself as residents' movements (*jūmin undō*) and citizens' movements (*shimin undō*) (Upham 1993, 343). Examples of residents' and citizens' movements include: *Beibeiren* (*Betonamu ni heiva o! shimin rengō* or the League of Peace for Vietnam) which led the anti-Vietnam movement and operated from 1965-1974. *Beibeiren* is an example of an organisation with political roots. In this respect was typical of many early organisations in Japan at the time. *Beibeiren* was referred to as a "citizens' movement" (Hirata 2002a, 16-17). *Beibeiren* was significant because it was formed entirely outside the institutional, financial and ideological channels of the established post war Left and was to become the model for a variety of citizens' movements that would emerge in the 1960s and 1970s (Koschmann 1993, 414-415).

Another example of a citizens' and residents' movement is the environmental movement to address local pollution problems that arose in the early 1970s. The environmental movement was initially referred to as a "residents' movement". It was significant because the emergence of groups surrounding the movement marked a shift from politically based opposition centred movements such as *Beiberen* to a-political, pro-active types of movement (Yamaoka 1998, 1999). The environmental movement was significant because it signalled an opening in political space for citizen involvement in governance as citizen protest was a critical factor leading to the environmental regulatory changes of the early 1970s (Schreurs 2002, 58).

The environmental movement is typical of residents' and citizens' movements as it formed spontaneously around numerous private associations or "circles" during the 1960s²⁵ (Sasaki-Uemura 2001, 27-28). The circles were initiated and operated by volunteers and were local and purpose specific, organised around people's common interests such as reading; cultural activity; and pursuits such as hiking (Sasaki-Uemura 2001, 27-28). Circles were under the umbrella of political parties such as the Communist Party or labour unions, however, circles generally did not follow the central leaderships policies and directions and could not be organised into mass protest by their umbrella organisations (Sasaki-Uemura 2001, 28; Wanner 1998, 4).

Residents' and citizen's movements' are considered to be the origins of an active civil society in Japan (Takao 2001). These movements differed to pre-war movements, such as the local improvement campaigns, whose activities tended to conform to the needs and policies of the state. In contrast, residents' and citizens' movements functioned "as open, non-hierarchical associations in which the individual had scope to use his own initiative in proffering ideas and taking action"(Smith 1986, 160). By operating outside traditional political channels the movements represented both a new form of political participation, as well as the emergence of a new political culture (Hirata 2002a, 16; Takao 2001, 293; Upham 1993, 342; Wanner 1998, 3). For example, residents' and citizens' movements of the 1960s often undertook confrontational and at times violent attacks on traditional authority (Upham 1993, 342). Their aggressive approach to authority marked a shift away from the traditional, hierarchical and deferential relationship between the state and citizens epitomized by *bōshi* to one that was more questioning of authority (Takao 2001, 293; Wanner 1998, 3).

Movements such as the environmental movement were significant because they established the legitimacy of protest. This was a milestone for Japanese citizens because ostracism and all kinds of intimidation of people and groups who appeared to oppose the state agenda had been common in Japan (Smith 1986, 161). For example, initially Minamata pollution victims did not seek compensation or file tort suits due to social pressure which viewed

²⁵ The movements have been described as "spontaneous", "meaning that the participants acted as individuals on their own initiative and not as members of organisations. (Smith 1986) (p 160) These groups included Parent Teachers Associations (PTA) and *Kyōdō Bokin* (Community Chest) which although formed at the same time that citizen's movements were gaining in visibility, were not established by independent citizens. Today they act as external organs for schools and governments and not as independent citizens' groups.(Yamaoka 1998, 47)

such action as disloyal to the national agenda upheld by the government (Upham 1993, 343).

The movements used litigation to open up public discourse. The courts provided a national forum in which to pose social and political positions on particular issues (Upham 1993, 342). Debate in the courts led to issues being debated in the media, which in turn forced the LDP and bureaucracy to take public positions on particular issues. In this manner litigation was used to expose the informal and closed decision making process of the government to public scrutiny. Litigation was also used to establish citizens' rights. For example, the environmental movement combined litigation in the form of tort suits, as well as confrontational citizen protest, media coverage as well as bad international publicity to pressure the government into introducing strict environmental laws and bureaucracy between 1967, and the first oil shock of 1973 (Schreurs 2002, 58). The new legislation changed the practice of Japanese corporations. The environmental movement used the courts to establish that "citizens' had environmental rights and corporations had a responsibility to protect life and well being" (Smith 1986, 161). As a result corporations adopted the practice of "corporate responsibility" because the high cost associated with non-compliance as well as the economic incentives to control pollution and reduce energy consumption made it the profitable option. Corporate responsibility grew to include the establishment of grant making foundations, some of which focused on environmental and historical preservation (Schreurs 2002, 58).

Borantia was used by the mass media to describe the "new social action" that the residents' and citizens' movements represented. *Borantia* first appeared in Japan's national newspapers in association with the environmental movement during the 1970s (Nakano 1998, 2). Significantly, from the early 1970s *borantia* also began to appear in major Japanese dictionaries (Nakano 1998, 2). Dictionary definitions of *borantia* were the antithesis of *bōshi*, rather than having connotations of obligation, *borantia* was associated with free will and "social contribution" (Nakano 1998). Dictionary definitions of *borantia* were similar to the meaning of the English word "volunteer". For example in the *Gakken Kokugo Daijiten*, published in 1976, *borantia* is defined as, "a person who is involved, without pay, through self motivation, in public works"(Nakano 1998, 6).

Democratic reform and social change

Democratic reform broke down the social systems that were central to *hōshi*. Central to democratic reform was the principle of equality among individuals. The granting of citizenship to all Japanese people, including women and minority groups such as Ainu broke down the debtor-creditor social hierarchies upon which *hōshi* operated. At the same time the reforms removed ties of obligation to the Emperor which were also central to *hōshi*. By reducing him to a symbol of the state he lost not only his power but also his status as son of the gods. In addition, techno-environmental change led to a major migration of people from rural areas to urban areas, breaking down traditional forms of community and village ties that had depended on the tradition of *hōshi* for survival during times of poverty and hardship (Lebra 1974; Sasaki-Uemura 2001, 53).

The rapidly changing social context of Post World-War Two changed attitudes to *on* and contributed to the emergence of *borantia*. *On* was the moral system upon which Japanese society (Lebra 1974, 106) and *hōshi* were based. As discussed in Chapter One, central to Japanese social interaction is an emphasis on the sensitisation of one's debt, whereby *on*, a blend of received benefit and incurred debt, makes the receiver aware of his/her debtor's status (Lebra 1974, 106). Within the *on* system of social morality, kindness and good will were used to create a sense of indebtedness. Indebtedness became central to *hōshi* when the state used it to motivate people to contribute to their village or country. In this context the benefactor's action was designed to gain social approval, respect and status²⁶ (Lebra 1974, 112).

Lebra identified a resistance to traditional morality by post-war generation Japanese and found a difference in attitudes toward *on* between pre-war and post-war generations²⁷ (1974). In 1970 Lebra conducted a comparative study concerned with delineating a "generation gap" between the moral values of pre and post war generations. Focusing on *on*, the analysis involved a sentence completion test and concentrated on the fair distribution of rewards and punishment (compensative justice) aspect of moral order. Lebra's study found that in contrast to adults, youth disapproved of, or were indifferent to "doing something good in anticipation of a reward" (1974, 112). In addition, youth

²⁶ In Chapter One I discussed how nobles donated money to gain social status and to demonstrate their generous spirit.

²⁷ In a sample of 100 adults and 98 youth "pre-war" was defined as those "adults" who had completed basic education prior to 1945, and post war generation, includes those "youth" who were born after 1945 (Lebra 1974, 90).

experienced feelings of hostility towards the benefactor of the good deed as they resented the burden of obligation to repay the debt that is morally implied by the benefactor's action (Lebra 1974, 109-110). Lebra's study also found that that youth's resistance to the social expectations connected to *on* applied only to remote, impersonal relationships and not to intimate personal interactions such as those typically found within the nuclear family small-scale peer group (Lebra 1974, 113). Lebra concluded that although the post-war generation's resistance to traditional morality was in part due to "life-cycle", it could also be attributed to the process of re-socialisation of Japanese people in a rapidly changing context brought about through democratic reform and industrialisation (Lebra 1974, 113). Therefore, I conclude that as the traditional moral order of Japanese society began to change with the break down of *on* outside the nuclear family and small scale peer groups, space opened for the emergence of different kinds of social interaction based on horizontal relationships rather than vertical. One new form of social interaction that resulted was *borantia*.

The granting of citizenship for Japanese women was central to the emergence of *borantia*. The reforms had a significant impact on the emergence and proliferation of women's groups and women's participation in citizens' groups (Mackie 2003, 122; Sasaki-Uemura 2001, 29; Uno 1993, 303-322). By granting women citizenship the reforms translated into unprecedented political, economic and civil rights for women in Japan which "helped to legitimise women's efforts to carve out social spaces in which to voice their concerns" (Sasaki-Uemura 2001, 29). Previously in Japan, Article 5 of the Public Police Law of 1900, denied women the right to attend or hold political meetings or join political parties (Mackie 2003). Although the Law was reversed in 1922, it was not until the 1945 Electoral Law that Japanese women the right to vote, rights within the family such as the right to inherit property, and labour protection such as maternity leave.

The strong presence of women in *borantia* has contributed to both the state's denial of *borantia* and the public illegitimacy of *borantia*. *Borantia* remained illegitimate because, despite the constitutional commitment to liberal individualism and the generally egalitarian emphasis of the Civil Code, the legitimacy of *borantia* as a means of participating in governance was hampered by ideologies of suitable feminine behaviour as well as the division of labour in Japan. Women came to play an increasingly prominent role in citizens' movements (Kitazawa, Matsui et al. 1996, 28). Japanese women, previously excluded from politics gained experience of public political activities through involvement

with pacifist and consumerist organisations in the immediate post-war period (Mackie 2003, 134). However, ideologies of suitable feminine behaviour effected how women behaved in the public sphere and acted as political agents (Mackie 2003, 9). For example, women initially played a supportive role in political movements led by men during the 1950s and 1960s (Kitazawa, Matsui et al. 1996, 28). From the 1970s onwards, influenced by women's liberation, women began to act independently (Kitazawa, Matsui et al. 1996, 28), however they "tended to work as pressure groups and lobbyists rather than attempting to participate directly in parliamentary politics" (Mackie 2003, 8).

Women's political activity during the post-war period did not challenge Japanese social notions of femininity (Mackie 2003, 8). In fact some political activities by women revolved around the identity of "mother" and sometimes the identity of "housewife", both reflecting and perpetuating the Meiji ideal of *ryōsei kenbo*' (Mackie 2003, 134). For example, "Mother's Conventions" (*Habaoya Taikai*), illustrate this point. At the first Mother's Convention in June 1955 leaders urged "mothers of the world to join hands to prevent nuclear war, and create a world where mothers and children can live without anxiety", echoing the pre-1945 link between pacifism and maternalism (Mackie 2003, 134). In addition, consumerist groups moved from kitchens and supermarkets to consumer testing laboratories, as environmentalists tried to "clean up the environment" (Mackie 2003, 8).

Gender was often considered a defining characteristic element of citizens' and residents' movements (Sasaki-Uemura 2001, 29). The legitimacy of *borantia* as an avenue for participation in the governance process has been limited because women, the main leaders and participants in the movements remained positioned outside of mainstream political activity. The reasons behind the strong presence of women are significant because notions of gender in Japan affect the legitimacy of women to engage in public, political activities. Women were able to participate in and lead citizens' movements because the division of labour in Japan is based on gender – men worked long hours doing the important job of rebuilding the economy and women stayed home in a supportive role (Kitazawa, Matsui et al. 1996, 48-49). The division of labour in Japan is supported by the taxation system and employment practices which make it disadvantageous for married women to engage in full time employment, thus conditioning their "choice" to engage in part-time work (Mackie 2003). The position of women outside of mainstream political activity enabled the state to easily dismiss the movements and ignore the numerous groups of *borantia* throughout Japan. The state's attitude that *borantia* has little to contribute to Japanese society is reflected in the

resistance to changing laws relating to the establishment of NPOs (discussed in Chapter Three).

Democratic reform triggered citizen demands for information disclosure by the government. These demands resulted in the local disclosure ordinances, first enacted in 1982, and the freedom of information law that took effect in 2001. These laws had their roots in the 1960s consumers' movement when consumers pressured bureaucrats to disclose information about food additives, pesticide use and drug side effects, and to act with greater concern for public safety (Kingston 2004; Maclachlan 2002). Throughout the 1970s citizens' groups continued to advocate for greater information disclosure at the local and national levels of government. In the 1980s there was lively debate about the need for transparency (*jōhō kōkai* –literally: information disclosure) and the principle of *shinru kenri* (the right to know). Central to these debates was the democratic notion of the right of citizen's to participate in governance. Advocates argued that transparency and disclosure would improve democracy and government and facilitate public participation in creating the nations social and political agenda (Kingston 2004, 42-43). The first local disclosure ordinance was enacted in 1982. After fifteen years of disclosure from 1982-1997, there was media support and support in the courts for disclosure as well as a public desire for information on how taxes were being spent and the demand for a national disclosure system (Kingston 2004, 50). Pressure on the government for a national disclosure system increased in the early 1990s after public outrage over a number of political and bureaucratic scandals. These included the Recruit and Sagawa Kyubin scandals where money politics was evident on an unprecedented scale, bureaucratic incompetence by the Ministry of Finance in its handling of the *jusen* (firms specialising in real estate loans) crisis, and the negligence of the Ministry of Health and Welfare that led to an epidemic of HIV infection in haemophiliacs (Kingston 2004, 52). Increased public pressure as well as the favourable political environment of the mid-1990s facilitated the freedom of information law which was passed in 1999 and enacted in 2001. However, the law has some exemptions to disclosure, including *tokushu hōjin* (special public corporations) which are not subject to the law (Kingston 2004, 53).

Successful application of information disclosure has changed state-citizen relations and led to higher expectations and hostility towards the closed file approach to information that has been the bureaucratic norm in Japan (Kingston 2004, 52). Information disclosure has changed the way Japanese government and officials conduct their business. Monopolising

information was seen as one source of power for bureaucrats and sharing it was viewed as infringing on their authority (Kingston 2004, 48). The ability to control information has enabled bureaucrats to monopolise and direct policy making. This has become more difficult with the freedom of information laws as bureaucrats are no longer able to shield policy making from view (Kingston 2004, 56). In addition the law has encouraged Japanese citizens to become more involved and knowledgeable in national policy as it provides the legal basis for expanding public oversight of, and participation in governance (Kingston 2004, 54). Furthermore, by eroding state authority and empowering Japanese citizens to more effectively participate in the policy debates, the law supports the emergence of *borantia* as it has opened an important role for independent citizens' groups in the governance process. Citizens' groups now able to focus on critical issues and demand specific kinds of information are able to operate as independent policy organisations and contribute to the policy making process. Kingston (2004, 52) argues that changes to the laws relating to the establishment of NPOs (discussed in Chapter Three) is encouraging as it enables independent policy organisations to obtain independent legal status.

Economic change

In addition to the changes that democratic reform brought to Japan's state-citizen relations, globalisation and post-industrialism led to broad social, cultural, economic and political transformations in Japanese society which eroded state authority and brought about a changing conception of civil society. The globalisation of Japan's economy led to material affluence in Japan. By the 1980s the majority of Japanese people believed that they were part of a vast middle-class and began to develop a middle-class consciousness (Iokibe 1999, 53). A symptom of middle-class consciousness was the search by young Japanese people for a new identity. Central to their search was the desire for a purpose other than the accumulation of wealth (Hirata 2002a, 28-29; Iokibe 1999, 53; Ohnuki-Tierney 1993). *Borantia* was also a response to questions of how to live and how to reformulate values in an affluent society (Nakano 1998, 60).

The globalisation of Japan's economy also led to increased interactions between Japanese and people of other cultures. Japan's increased wealth meant that more Japanese people were able to afford to travel, study and live abroad. Correspondingly, Japan's affluence also made it an attractive place to migrate and work. The flow of people, products and information into Japan exposed Japanese people to global issues, such as migration, repatriation, the environment and AIDS, which impacted on them at an individual level.

The globalisation of communications and the media also contributed to the growing sense of connectedness between Japanese people and people of other nationalities. As a result Japanese people became increasingly aware of diverse social needs and values within their own communities as well as throughout the world (Hirata 2002a, 4). For example, from 1979 to 1980 Japanese people were particularly responsive to the Indochinese refugee crisis (Kuroda 2003, 231). Moved by images in the media of suffering, many young Japanese people travelled to South East Asia to volunteer while others volunteered in their home communities to give assistance to Indochinese refugees coming to Japan (Hirata 2002a, 31-32). The Indochinese refugee crisis led to the public awareness and growth in Japan of *borantia* in the form of NGOs or voluntary citizens' groups that operated overseas programs. These programs were generally concerned with development assistance and global environmental issues. The impact on Japanese society of NGOs formed in response to the Indochinese refugee crisis was significant. These NGOs served as a catalyst for later NGO activism and government policy development throughout the 1990s (Hirata 2002a).

The surge of interest in NGOs in Japan has been closely linked with international trends to encourage NGO participation in addressing global issues of development such as refugees, the environment, and human rights (Yamamoto 1995b). For example, initiatives such as International Women's Year and International Women's Decade impacted on the philosophies of women's groups in Japan (Mackie 2003). In addition, the United Nations Conference on Environment and Development (UNCED) in Rio de Janeiro in 1992, considered a watershed event for Japan's NGO development as it was the first time that a significant number of NGOs participated in an official international meeting, reflected the increasingly favourable view of Japanese NGOs by the government and public (Yamamoto 1995b).

The globalisation of Japan's economy also resulted in the breakdown of state authority largely because the Japanese government no longer had control over the market and could not protect businesses. The 1980s saw the breakdown of the iron triangle which had been central to state authority up until this period. The bureaucratic and political alliance began to falter after the 1989 national election, when the LDP lost its majority in the Diet's upper house. The loss led to a major power shift of domestic forces. The end of the LDP rule symbolised the end of the party's position as one of the most dominant forces shaping the legitimate political economy of the development state (Takao 2001, 31). The breakdown of the iron triangle was completed in the 1990s when the "bubble economy" burst, triggering

collapses in the stock market and land prices. The ensuing financial confusion led to the collapse of the major banks and securities firms, resulting in economic recession. At the same time a number of bureaucrats were exposed for the misuse of public funds. When the public learned of a series of corruption cases involving not only politicians and business representatives but also elite bureaucrats who had previously been considered trustworthy, Japanese people began to change the way they viewed their government (Kingston 2004). They began to question longstanding beliefs, attitudes, relationships and patterns of behaviour and became increasingly disillusioned in the capacity of the state to effectively manage the domestic and global economy (Takao 2001, 291).

Tension between the tradition of hōshi and the emergence of borantia

An adversarial relationship developed between the government and businesses and citizens movements in the 1960s when these groups aggressively challenged traditional authority over environmental and issues such as the mercury poisoning caused by a chemical company in Minamata in southern Japan. As a result, public officials tended to view voluntary, civic-orientated groups as intrusive to the status-quo (Amenomori 1997 p193-194). Compounding this negative view of *borantia* was that “...many volunteer services initiated after World War II had a strong element of welfare service, expressed in acts of compassion toward the weak... (which gave) ...many ordinary people the impression that volunteer activities were somehow a special endeavour performed by a small subgroup” {Sato cited in \Kizuki, 2001 #60}. In addition, *borantia* was initially associated with Christian groups in Japan who often tend to express their Christian values through volunteer activity (Stevens 1997). Due to the “outsider” status of Christianity in Japanese culture, volunteerism’s association with Christianity added to its negative associations.

Tension between the tradition of *hōshi* and the emergence of *borantia* began during the Citizen’s movements which dominated Japan’s political landscape in the 1970s and laid the foundation for the emergence of an active civil society (Wanner 1998, 4). Tensions were cemented between the tradition of *hōshi* and *borantia* when the government, protective of its power base, saw the political ideology and confrontational nature of *borantia* as a challenge to its authority (Upham 1993, 343). An adversarial relationship between the Establishment, composed of businesses and local and national government authorities, and *borantia* developed during the 1960s and 1970s (Amenomori 1997, 193; Schreurs 2002, 58;

Upham 1993, 343-345; Wanner 1998, 4; Yamamoto 1995b, 12). The tension between the tradition of *bōshi* and *borantia* can be seen by contrasting the relationship between bureaucracy and grant making foundations which also emerged during the 1960s²⁸ and the relationship between the bureaucracy and *borantia* (Amenomori 1997, 193). Grant making foundations followed the tradition of *bōshi* and cooperated with and depended on bureaucracy. The foundations that were established during the 1960s concentrated on grant-making in the fields of science and technology.²⁹ It is significant that this focus was in line with the government's primary agenda at the time, the modernisation of Japan (Amenomori 1997, 193). The focus of the foundations is indicative of the close relationship between the bureaucracy and business embodied in the iron triangle. The state actively encouraged foundations by providing them with a special tax status. The special tax status, based on the *shiken kenkyū hōjin* system (the present day *tokutei koekizōshin hōjin*) created one of the lineages of grant-making foundations that are structured to advance science and technology (Yamaoka 1998, 45).

In contrast, protective of its powerbase the government attitude towards *borantia* was obstructionist at best, for example the burdensome legal requirements for the formal certification of non-profit groups can be seen as a deliberate effort by authorities to discourage *borantia*. The government's response to the environmental movement is a good example of how the government stifled *borantia* by maintaining dependency on the bureaucracy. After initially ignoring citizen protest about toxic emissions, the government was finally forced to act due to increasing pressure by the media and public, and loss of face after the success of "the Big Four"³⁰ (Upham 1993). In order to maintain traditional authority the bureaucracy effectively dispersed the citizens' movement by co-opting the cause that was driving the citizen's movement phenomenon. It did this by first eliminating the pollution through the introduction of strict anti-pollution laws (Upham 1993, 343). Japan's environmental legislation of the 1970s was among the most advanced in the world and by the end of the 1970s Japan's environment was noticeable cleaner (Schreurs 2002, 57-59). Once the pollution was under control, the government developed legislation to

²⁸ The majority of Japan's present day grant making foundations were established after the 1960s. The foundations that had been established prior to World War II disbanded or ceased operation due to sudden inflation and changing values that occurred during the post-war period (Yamaoka 1998, 44).

²⁹ Grant making foundations with diverse missions including the humanities and social sciences began to appear in the 1970s.

³⁰ When disease caused by the effects of toxic emission was found in Niigata in 1964, the victims filed suit in June 1967, three months later a suit was filed in the Yokkaichi air pollution case, then in July 1968 in the Toyama cadmium poisoning case. Finally in June 1969, 16 years after the appearance of the disease first appeared in Minamata, one faction of Minamata disease patients filed suit against Chisso. As these cases progressed over the next several years, they became known as the "Big Four" pollution cases.

create bureaucratic machinery for both the compensation of existing victims and the resolution of current and future disputes (Upham 1993, 343). The new legislation effectively replaced the courts and citizens movements with concerned bureaucrats in the management of environmental conflict (Upham 1993, 343). As a result environmental activism sharply declined and by the end of the 1980s was scattered, small and locally oriented (Schreurs 2002, 59). The fading of Japan's environmental movement is typical of the fate of citizen's movements and groups during this period who dispersed after their cause had been resolved in one form or another usually by government intervention.

The government's reaction to social change and conflict is exemplified by its response to the environmental movement as it demonstrates the power of the iron triangle and its role in maintaining traditional authority. As the above example demonstrates, the government took action to discourage individual action, particularly legal action while at the same time encouraging dependency on the bureaucracy (Upham 1993, 345). This occurred due to the powerful alliance of the iron triangle which had a vested interest in maintaining traditional authority and the status-quo. Business groups and MITI successfully opposed compensation through a tort system by emphasising the primacy of industrial development and urged the replacement of the tort system by a comprehensive system of extrajudicial dispute resolution by the bureaucracy (Upham 1993, 344).

The Japanese government tried to maintain the tradition of *bōshi* through changes in national and foreign policy. While government policy stimulated interest in *borantia* the government's approach to volunteering was typical of *bōshi* in that the government intended to maintain control through a top down approach to initiating and managing (through funding allocation and the incorporation process) citizens' groups. Beginning in the late 1970s the ruling Liberal Democratic Party began urging fiscal retrenchment and greater private, rather than state responsibility for social welfare problems (Nakano 1998, 1). Rejecting European-model welfare states as fiscal failures, the LDP urged a "Japanese-model welfare society" (*nihongata fukushi shakai*)³¹ based on the contributions of private individuals, families and enterprises (Takahashi 1997, 172). The Japanese welfare model is based on Japan's "unique cultural assets of active private sector and family care", and was probably designed to appeal to the Japanese people's growing sense of pride in the achievements of their country as well as their search for meaning (Nakano 1998; Takahashi

³¹ This slogan was replaced in the early 1980s with *Katsuryoku aru Fukushi Shakai* (Welfare Society with Vitality). The updated slogan also emphasised the energy of the private sector (Takahashi 1997).

1997). The LDP policies emphasised the centrality of the private sector in taking responsibility for welfare issues, with the government playing a supporting role. For example, The Ministry's 1989 *Gorudo Plan* (Gold Plan) outlining welfare policies through the 1990s emphasised the need to manage the aging of society through increased citizen participation and in particular, through community based care (Takahashi 1997, 151). In the 1990s government welfare objectives were expressed in slogans envisioning a "Participation-Oriented Welfare Society" (*Sanka-gata Fukushi Shakai*) which relies on the voluntary contribution of the non-public sector to local welfare efforts (Nakano 1998, 40; Takahashi 1997, 196).

In the 1980s, the flourishing of *borantia* as well as the erosion of state authority led Japanese ministry officials to review the potential of *borantia* in achieving both domestic and international agendas. For example, the growing sense of interconnectedness between Japanese people and people from other cultures and countries, and concern over the influx of migrant workers into Japan, was tapped by the Japanese government who introduced the policy of "Internationalisation" in the 1980s and 1990s. The policy promoted *borantia* by encouraging grassroots initiatives at the community level whereby citizens formed voluntary groups that promoted friendship with foreign students living in Japanese communities through home stay and sister city programs (Yamamoto 1995a, 146). Organisations to support migrant workers also proliferated (Kuroda 2003, 231). Internationalisation as well as the social and economic climate in Japan led to an increase in citizens' organisations interested in international cooperation and many international NGOs established partner organisations, including Care Japan, World Vision Japan, and Plan International Japan (Kuroda 2003, 231). It also contributed to the emphasis of voluntary citizens' groups moving from "justice" and "mission" to "fun" movements such as those that helped form friendships or emphasised events (Yamaoka 1998, 48).

By the 1990s, social change, the erosion of state authority alongside the flourishing of *borantia* led the Government to turn their attention to the potential of *borantia* to address domestic issues such as the aging population, rising unemployment and the overstretched welfare system. To this end the National Institute of Research Advancement, a government think tank, began comprehensive surveys of NPOs and the legal system. Significantly, politicians also turned their interest to NPOs. There were study groups in several parties, and the political party Shinto Sakigake published a study of the non-profit sector in December 1994 (Pekkanen 2000, 139).

On the international stage, economic assistance as a diplomatic tool became central to Japan's foreign policy from the 1970s on (Purrington and A.K. 1991; Yasumoto 1989-1990, 491). Two events shifted Japan's policy objective from "reparation arrangements" in the form of economic cooperation designed to win over neighbouring nations which Japan had invaded during World War II, to an aid focus (Yasumoto 1989-1990, 492). These included, Prime Minister Tanaka's ASEAN trip in January 1974 which triggered riots in Bangkok and Jakarta. The reception shocked the Japanese who, "responded with greater attention to Asia, based on an aid-centric approach" (Yasumoto 1989-1990, 492). The second factor was the OPEC oil shock in the winter of 1973-74, where aid was used by the Japanese to placate OPEC nations and secure an oil supply (Yasumoto 1989-1990, 493). By the 1980s, "aid had become a multi-dimensional, multi-purpose diplomatic instrument" (Yasumoto 1989-1990, 495)

Aid was central to Japan's foreign policy vision of the late 1980s where Japan began to use greater activism on political, strategic and economic issues through non-military diplomatic methods such as economic, financial, technological, human resources and cultural avenues (Yasumoto 1989-1990, 496-97). Japan's use of aid as the central diplomatic tool was popular with the Japanese people who wanted to be seen to "do something" for the third world" (Yasumoto 1989-1990, 597). With this focus two factors led Japanese ministry officials to consider the potential of *borantia* in international relations. As Japan became the world's prominent economic actor, ministry officials became aware that Japan needed to conform to the norms and values of sustainable human development, promoted by the international aid regime (Hirata 2002a, 28). In addition, there was favourable media coverage in Japan and abroad about Japanese NGOs.³² In this paradigm, Japanese foreign policy makers came to consider possibilities of NGOs as useful foreign aid collaborators. The state began to shift their practice from obstructionist to more facilitory and develop a collaborative relationship with NGOs (Hirata 2002a, 28). Experienced NGOs helped the state to identify and design development aid projects that were beneficial to the recipients of aid, in return the state funded the work of NGOs. The Japanese government began to channel funds into NGOs in a number of ways including the 1989 Subsidy System for NGO Projects introduced by the Ministry of Foreign Affairs, which underwrites development programs that are too small or difficult to implement with ordinary official development assistance but that can be effectively carried out by NGOs (Wanner 1998, 5),

³² In Japan, NGOs are differentiated from domestically based and oriented NPOs and voluntary citizens' groups (Yamamoto 1999, 123).

The Grant Assistance for Grass-Roots Projects program, which is closely monitored by the Foreign Ministry-affiliated Japan international Cooperation Agency, Tokyo awards grants to selected NGOs, not to exceed Y6 million, and the Voluntary Deposit for International Aid initiative was instituted in 1991 and administered by the Ministry of Posts and Telecommunications.³³ In addition in the early 1990s, independently of these formal programs, the Ministry of Foreign Affairs also provided NGOs with subsidies for overseas study missions and efforts aimed at promoting technical cooperation (Wanner 1998, 5).

As a result of the collaborative relationship between the state and NGOs, Japan has been the single largest donor in the world since 1991 and has used its aid as its principle mechanism for gaining economic and political influence around the world (Hirata 2002a; Purrington and A.K. 1991; Yasumoto 1989-1990). However, government funds typically are awarded after the completion of a project, so the NGO must be able to front the costs. This means that the state only collaborates with established, incorporated NGOs as fledgling NGOs have limited resources and are unable to take advantage of the subsidy programs (Wanner 1998, 5). Despite the Japanese public support for this peaceful approach to international relations, in this paradigm, the state holds the purse strings and has a significant influence over the projects of participating NGOs. In this way the state-NGO relationship is inline with the state history of harnessing citizen energy and directing it toward the state-led agenda.

Conclusion

The emergence of *borantia* can be attributed to the gradual opening of Japanese society and corresponding erosion of state authority. These changes were the result of the impacts of democratic reform and economic change in the shape of increased affluence, globalisation and the telecommunications boom. These factors changed the fabric of Japanese society by gradually challenging and eroding Japan's social system of hierarchical interdependent social relationships based on personal obligation to family, village and state.

Democratic reform provided a legislative framework which created political space for citizen involvement, especially women, in governance. Notions of equality that are embodied in democracy broke down debtor-creditor social hierarchies and removed ties of

³³ Under this program, people who maintain a postal savings account may donate 20 percent of the after tax interest earned on their deposits to a special fund, which the Ministry of Posts and Telecommunications divvies up among various NGOs (Wanner 1998).

obligation to the Emperor that were central to *bōshi*. Japanese people became citizens with inalienable rights, one of which was the right of association. These changes led to a flurry of political activity in the 1950s, and the emergence in the 1960s and 1970s of *borantia*. *Borantia* first appeared in Japan's national newspapers in association with the residents' and citizens' movements during the 1970s. It represented a change in associational behaviour as the movements functioned as open, non-hierarchical associations in which the individual had scope to use his or her own initiative in proffering ideas and taking action. The movements were aggressive and confrontational and used litigation to challenge state authority, open up public discourse and establish citizen's rights, marking a shift away from the traditional, hierarchical and deferential relationship between the state and citizens to one that was more questioning of authority. Significantly the movements established the legitimacy of protest and represented a new form of political participation, as well as the emergence of a new political culture as it operated outside traditional political channels. Democratic reform triggered citizen demands for information disclosure by the government. The enactment of the first local disclosure ordinances in 1982 and the freedom of information law in 2001, eroded state authority and empowered Japanese citizens to more effectively participate in policy decision making.

Globalisation and the telecommunications boom led to broad social, cultural, economic and political transformations that increased pressure on the Japanese government to adequately represent the diversity of its citizens. Economic affluence resulted in the emergence of a growing middle class and young people began searching for a meaningful life. In addition, increased interactions between Japanese people and people from other cultures exposed Japanese people to a flow of people, products and information about global issues such as migration, repatriation, the environment and HIV/AIDS. These things resulted in an increasing awareness of Japanese people about the diverse social needs and values within their own communities as well as throughout the world and caused them to be particularly responsive to the Indochinese refugee crisis. The Indochinese refugee crisis led to the public awareness of and growth in Japan of *borantia* in the form of NGOs, or voluntary citizens' groups that operated overseas programs, and transnational networks between organisations and individuals interested in specific issues or causes were formed. The impact on Japanese society of NGOs formed in response to the Indochinese refugee crisis was significant as these NGOs served as a catalyst for later NGO activism and government policy development throughout the 1990s when development aid became central to Japan's foreign policy strategy.

Globalisation changed the way businesses interacted, and the state lost control over the market as the economy became more globalised. This led to the breakdown of the iron triangle. State authority was eroded further in the 1990s when the bubble economy burst, leading to economic recession. At this time a number of bureaucrats were exposed for the misuse of public funds. The public became increasingly disillusioned in the capacity of the state to effectively manage the domestic and global economy.

The emergence of *borantia* has been crucial to changing the relationship between the state and its citizens. The collapse of the iron triangle impacted on government attitudes to voluntary citizens' groups, which have changed from obstructionist to facilitatory. Changing government attitudes towards voluntary citizens' groups as well as growing support of the Japanese public widened the political space for these organisations to emerge and begin to play an active role in Japan's governance process. In addition, increasing activity of *borantia* organisations in both domestic and international spheres led to growing support of the Japanese public and international bodies for Japanese NGOs and NPOs. However, some factors contributed to the maintenance of state authority and the continuation of *hōshi* from 1945-1995. Central to these were the restrictive incorporation regulations of *kōeki hōjin* which facilitate state use of *borantia* to serve government objectives. The disparity between *kōeki hōjin*, where the state remains in control of civil society, and the emergence of *borantia* led to growing tension between the needs of an active civil society and the state's desire to continue the tradition of *hōshi* and maintain its grip on civil society in Japan. This tension inspired growing discussion across all sectors of Japanese society about creating a more enabling environment for civil society.

It was against this background that the Great Hanshin-Awaji Earthquake, January 1995, hit Kobe. The rapid citizen response to the earthquake in contrast to the slow government response demonstrated the value and capacity of *borantia* and highlighted the limitations of the state. Public disillusionment in the capacity of the state to prepare for and manage disasters fuelled existing pressure on the government to find ways to facilitate *borantia* and create a more independent role for voluntary citizens' groups, free from government intervention. This pressure resulted in the "Law to Promote Specified Non-profit Activities", commonly known as the NPO Law which was enacted on December 1, 1998. In Chapter Three I examine the process of enactment of the law, arguing that it represented a significant landmark in changing state-civil-society relations. I also discuss the potential of the law to impact deeply on state-citizen relations in Japan.

CHAPTER THREE

BORANTIA

As argued in the previous chapter, democratic reform and economic change led to the opening of Japanese society, corresponding breakdown of state authority and emergence of *borantia*. Operating outside traditional political channels, the emergence of *borantia* indicated a change in state-citizen and state-civil society relations because it represented a new form of political participation and political culture. The change in state-citizen/state-civil society relations created tension between old systems that supported state authority such as the *kōeiki hōjin* system of incorporation, and the needs of a burgeoning civil society. As Japanese people became increasingly disillusioned in the capacity of the state to manage Japan's affairs nationally and internationally, civil society leaders increased pressure on the state to create a more enabling environment for civil society.

The January 1995 Great Hanshin-Awaji Earthquake was the catalyst for changing state-civil society relations in Japan because it triggered debates surrounding *borantia* that thrust the importance of an active civil society into the public eye. The Great Hanshin-Awaji Earthquake occurred at a time of mounting dissatisfaction with the government's inability to deal effectively with domestic and global change. Lack of foresight and complacency has been central to citizen disillusionment in the capacity of the state. The Great Hanshin-Awaji Earthquake highlighted the government's inability to effectively address citizen safety and the bureaucracy's inability to represent its citizens. The Earthquake was particularly significant because in its aftermath the Japanese public took matters into their own hands when the government bureaucracy's response was too slow. It provided a strong argument for promoting the development and sustenance of an active civil society, fuelled by the media's positive take on *borantia*, community leaders and spokespeople increased pressure on the government to change the incorporation process for NPOs. As a result of this pressure, the Law to Promote Specified Non-Profit Activities (NPO Law) was passed in the Diet on March 25, 1998 and was enacted on December 1, 1998. Through an analysis of the NPO Law and its effectiveness I demonstrate that despite the potential that the NPO Law offers Japan's civil society, tension between the tradition of state authority and the needs of an active civil society remain.

The Great Hanshin-Awaji Earthquake: catalyst for the enactment of the NPO Law

The Great Hanshin-Awaji Earthquake that hit Kobe in January 1995 killed more than 6,000 people, left another 350,000 homeless, and caused massive property damage. The earthquake was significant not only for the scale of the disaster, but for its impact on state-citizen relations in Japan. The earthquake occurred at a time which coincided with the maturation of conditions such as the establishment of democratic institutions and erosion of state authority, as well as a number of socio-economic changes. These conditions facilitated the emergence of voluntary citizens' groups and a growing awareness of their role in civil society across all sectors of Japanese society. In this context, pressure from civil society leaders to create a more autonomous environment for civil society groups on bureaucracy was mounting when the earthquake hit (Yamamoto 1999, 111). The responses (or lack of response) to the earthquake of various stakeholders across all sectors of Japanese society, fuelled discussion on the role of voluntary citizens' groups in civil society by highlighting the value of volunteers.

The response of the Government bureaucracy in the immediate aftermath of the crisis was slow. Government relief efforts were paralysed by jurisdictional disputes that prevented effective crisis management, and the mobilisation of sufficient public resources to cope with the disaster (Hirata 2002a, 33; Iokibe 1999, 94; Pekkanen 2000, 114). In addition, the government would not provide relief assistance from public funds for individual quake victims for fear of conflicting with the letter of the law, nor would it allow international governments and organisations to deliver emergency assistance (Hirata 2002a, 33). *Kōeki hōjin* groups in contrast were paralysed from acting as they faced the same jurisdictional pressures from vertical division as government ministries.

In direct contrast to the bureaucratic response, in the immediate aftermath of the quake voluntary citizens' groups moved quickly to provide disaster relief. These groups became "substitutes" for the government as they engaged in fields of disaster aid and service provision which were activities normally considered within the jurisdiction of the state. Due to the efforts of voluntary citizens' groups, within two months over 1.2 million volunteers had gone to the area, and Y160 billion (US\$1.6 billion) eventually flowed to the ravaged districts (Pekkanen 2000, 114).

In the aftermath of Kobe, Japanese businesses joined forces with civil society leaders in the push to change legislation regulating the incorporation of voluntary citizens' groups. Keidanren's One Percent Club, oversaw the process of equipping volunteer groups with a variety of goods including telephones, motorcycles and copying machines, donated by member companies. The club also administered around ¥120 million (US\$1 million) in cash contributions and recruited corporate managers to work in the offices of local non-profits. These corporate/non-profit teams managed the numerous volunteers who converged on the disaster site (Wanner 1998, 9).

The successful collaboration between the private and the non-profit sectors during the Kobe tragedy focused the attention of corporate leaders on *borantia*, in particular the importance of voluntary citizens' groups in bridging gaps in government-provided assistance (Wanner 1998, 9). Through this experience, they became aware of how obstacles to the incorporation of non-profit organisations discouraged volunteerism. In response, the business community banded together with the civil society leaders to push legislation that would ease the regulatory burden of gaining non-profit incorporation and harness the energy of *borantia*.

Japanese companies were also motivated to support civil society groups because better tax conditions for civil society groups would help reduce taxable incomes of companies who donated to civil society groups. Corporate leaders argued that tax deductible benefits would encourage more generous giving by both companies and individuals (Wanner 1998, 11). In addition, donations to civil society groups providing social welfare and other heretofore state funded services would replace a part of the government's budget financed by taxpayers and would allow tax-deductible contributions to civil society groups to facilitate deficit-reduction efforts (Wanner 1998, 11).

The media was responsible for thrusting *borantia* into the public spotlight and cementing its strong association with the notion of civil society and citizens' participation in the governance process (Yamamoto 1999). The media used the term *borantia* to describe the actions of the numerous individuals who converged on the disaster site in the aftermath of the quake and aided the victims of the disaster. In this context *borantia* became synonymous with voluntary civil society groups and their members as well as the movement to change legislation regarding the incorporation of these groups. The media affected a shift in popular public attitudes to volunteering and voluntary citizens' groups.

Borantia became a household word and symbol of civil society. Prior to the earthquake, voluntary groups had been regarded with a degree of suspicion by the public, however the media's positive take on volunteering created positive perceptions of *borantia* among the Japanese public (Nakano 1998, 44). *Borantia* became something that ordinary people could do.

The media quickly took up the dramatic contrast of the government's ineptitude and the volunteers' selflessness and speedy activism. It played a significant role in guiding the responses of the nation as a whole. The media linked the government's failure in an emergency to a need for a more independent civil society by focusing on the legal status of the voluntary citizens' groups who had provided the bulk of the emergency aid (Iokibe 1999, 90; Pekkanen 2000, 115). The media made an issue of the fact that most groups were not incorporated. This meant that should a volunteer be injured or killed in their relief activities they were not covered by any kind of work insurance because they were considered individuals engaged in hazardous behaviour. The argument hinged on the legal status denied to volunteer activist groups due to the rigid state controlled incorporation process, and emphasised the ungrateful treatment of volunteers in order to demand legislative change (Pekkanen 2000, 115). Positive portrayal of the heroic efforts of voluntary citizens' groups in the aftermath of the earthquake by the global media also gave momentum to a move to draft legislation that would make it easier for civil society groups to obtain corporate status (Wanner 1998, 10).

Media attention to *borantia* redirected public anger about the government's failure in an emergency toward calls for a revision of the regulation on the incorporation of voluntary citizens' groups. The quick response of voluntary citizens' groups in comparison to the slow government response highlighted the inherent limitations of the government bureaucracy. Public frustration with the government, compounded by government failure to consider its citizens, motivated citizens to organise against the dominance of the state in deciding the public's needs (Hirata 2002a, 4; Pekkanen 2000, 115; Takao 2001, 302).

Media attention enabled voluntary citizens' groups to garner support from political and business leaders, and the public as it highlighted the willingness of Japanese people to volunteer and brought attention to the issues surrounding incorporation of voluntary citizens' groups. Intense pressure was placed on the government, to find ways to facilitate volunteer activities as well as to create a more independent role for voluntary citizens'

groups, free of government intervention (Pekkanen 2000, 116). In late 1996, the LDP and its two parliamentary allies, the leftist Social democratic Party of Japan and the New Sakigake Party introduced the NPO bill, formally called the “Citizens’ Activities Promotion Bill”. This resulted in passage of the Law to Promote Specified Non-Profit Activities (*Tokutei hieki katsudō sokushin hō*) or NPO Law in the Diet on March 25, 1998 and enacted on December 1, 1998.

In 1994 voluntary citizens’ groups had already begun the process of lobbying government to create a more enabling environment for the establishment of citizen’s groups. (Matsubara 2002; Yamamoto 1999) Specific issues included less government control over incorporated voluntary citizen’s groups and better tax treatment. The process of legislative change would have taken much longer if the tragedy of the Great Hanshin-Awaji Earthquake had not pushed the potential of *borantia* into the public consciousness, and would not have occurred at all without the earlier organisation and study of civil society by voluntary citizens’ groups, as well as the emergence and growth of *borantia* (Yamamoto 1999 p98-99).

NPO Law

The NPO Law was designed to promote the autonomy of non-profit organisations by decentralising and simplifying the incorporation process. (JCIE October 1997). Decentralisation of the incorporation process was designed to reduce the influence of central government agencies over the activities of NPOs and NGOs as experienced by NPOs incorporated under the *koeki hōjin* system³⁴ (JCIE September 1999). Under the NPO Law certification for non-profit status is undertaken by the governor of the prefecture where the activities are to be carried out.³⁵ The central government office only certifies the groups which extend over several prefectures. According to Matsubara (2002, 2) authentication at the prefectural level was designed, “to recognise “public interest” as based on pluralistic values according to civil society rather than the discretion of bureaucrats.” In contrast, NPOs incorporated under the *koeki hōjin* system, require approval by “competent authorities”, specifically government agencies with jurisdiction over the area of activities of the NPO in question. As discussed in Chapter Two, this gives government authorities considerable influence over not only which NPOs are incorporated but also the activities they conduct.

³⁴ Article 34 of the Civil Code.

³⁵ Or the Economic Planning Agency in the case of NPOs with offices in at least two prefectures.

The new legislation substantially simplifies and expedites the incorporation process. Under the NPO Law certification as to whether a voluntary citizens group conforms to the provisions outlined in the legislation must be accepted or rejected within two months immediately succeeding the two month period of public announcement. In contrast, under Article 34 of the Civil Code approval is given at the discretion of the competent authorities without regard to objective criteria, and no application is accepted unless the proposed corporation has approximately 300 million yen (approximately A\$3 million) in assets. The cumbersome application process can take up to a year. Testimony to the easier incorporation process for fledgling groups, provided by the NPO Law is the 3,500 NPOs that became incorporated in the year after its enactment (JCIE July 2001).

Despite the initial excitement over the passing of the NPO Bill, citizen's groups and civil society leaders had three main criticisms of the NPO Bill. These were: limitations of the categories of NPO activities; inspections of NPOs by government agencies and lack of tax incentives for donors to NPOs (JCIE October 1997). Initially incorporation under the NPO Law was only available to non-profit groups that conducted most of their activities within one of twelve specified categories.³⁶ However these categories were criticised by citizens' groups who argued that by limiting the activities that qualify as citizens' activities to twelve categories and excluding such activities as ombudsman and consumer advocate, the bill may also extend government control over selecting organisations (JCIE October 1997).

That the Bill gives the government the right to conduct inspections was a source of dissatisfaction. Disclosure of financial information is mandatory and once incorporated, NGOs are be required to submit all accounting documents and annual reports to the administrative bodies every year. Critics feared a possible loss of autonomy as a result of being put under the administrative responsibility of local government or the Economic Planning Agency. They feared that this requirement may strengthen the government's control over nongovernmental organisations (JCIE April 1998).

³⁶ These categories of activities were: "the promotion of health, medical, and welfare services; the promotion of social education; the promotion of community building; the promotion of culture, arts or sports; the preservation of the natural environment; disaster relief; regional security; the protection of human rights or promotion of peace; international cooperation; building a participatory society that treats both sexes equally; the promotion of sound rearing of children; and communication, advice, or assistance for organisations that perform any of these activities" (Schwartz 2003b).

The main criticism of the NPO Bill by citizens' groups and civil society leaders was its lack of tax incentives for donors to such organisations.³⁷ This criticism led to a Diet resolution attached to the Bill calling for a review of the tax system to be concluded within two years of promulgation (end of November 2000) (JCIE October 1997). The resolution was moved forward due to pressure from both politicians and the NPO community to move this resolution forward (JCIE September 1999). On December 14, 2000 the legislative proposal stating that tax measures to support NPOs should be introduced from October 1, 2001 was passed in both houses of the Diet without any revision in March 2001 (JCIE July 2001). The Law Amending in Part the Special Tax Measures Law was approved as the first legislation to address the eligibility of NPOs incorporated under the NPO Law to receive tax-deductible donations (JCIE July 2001). The original tax legislation passed in March 2001, set objective criteria for according tax-deductible status to NPOs, thereby establishing a more concrete basis for eligibility than the subjective evaluations by supervising government authorities that *koeki hojin* organisations must undergo (JCIE December 2003). However, the legislation received extensive criticism from the Cabinet Office, various ministries and NPOs when only 0.1 percent of NPOs were authorised after one year, it soon became clear that the provisions that determined eligibility for tax-deductible status for NPOs were overly restrictive and that the application process was cumbersome and confusing (JCIE December 2003).

The NPO Liaison Council led efforts within the sector to urge the related government agencies and legislators to move forward with the reform process. As a result, amendments to the law were made and were approved on December 2002, and came into effect on April 1, 2003 (JCIE December 2003). The unique type of tax-exempt donation (*minashi keijukin*) already recognised in the public interest corporation system is now

³⁷ In order for Japanese NPOs to become eligible for tax-deductible contributions, they have to be authorised as a "special public interest-promoting corporation" by the Ministry of Finance and the government agency with jurisdiction over them. While the scope of organisations with this privilege has been widened since the late 1980s, of the total 26,000 public interest corporations incorporated under Article 34 of the Civil Code, less than 1,000 are given this status. It is important to note that this special tax privilege must be reassessed every two years through a rigorous renewal process in which the decision to grant or renew this status rests entirely on the discretion of officials in charge at the Ministry of Finance. Moreover it can be safely assumed that most of those 1,000 non-profits with the tax privilege are de facto subsidiaries of government agencies with their top executive posts filled normally by ex-bureaucrats of these agencies. Aside from these 1,000 organisations that underwent the authorisation process, 34 types of organisations, such as legal persons conducting scientific research and experiments, educational corporations, social welfare corporations, and corporations providing rehabilitations for criminal offenders, have been defined as special public interest-promoting corporations, and some 17,000 such organisations have been automatically given the privilege of receiving tax-deductible contributions (JCIE July 2001).

applicable to NPOs. Up to 20 percent of a NPOs taxable income from profit-making activities that is used toward non-profit activities will be treated as this type of donation.

Impact of the NPO Law

The enactment of the NPO Law was a significant landmark. The passage and enactment of the law could not have been possible in earlier political environments and is indicative of broadening of political space which allows for increased citizen process in the governance process. The key to the successful passing of the NPO Law lay in the altered political circumstances after 1994, as well as the changes in Japanese electoral institutions in 1994 (Pekkanen 2000, 142). These changes altered the incentives facing political actors and facilitated the passage of the NPO Law (Pekkanen 2000, 112). The passing of the NPO Law was characterised by legislative and coalition politics and extensive lobbying by citizens' groups. This could not have occurred before 1993 when splinter groups broke away from the LDP, bringing the party's 38-year-long rule to a close in the lower house election of the same year. From this point on the LDP has had to co-ordinate policy making itself in coalition, and not with bureaucracy. This change enabled more legislative and political action, and increased possibilities for lobbying pressures by citizens' groups (Pekkanen 2000, 142).

The high level of citizen involvement in drafting the Bill³⁸ marked a shift in bureaucratic thinking away from the government as the, "sole legitimate arbiters of public interest and thus entitled to control voluntary citizens' groups", towards citizen participation in the governance process (Yamamoto 1999,110). The legislative process of the drafting of the NPO Law was historical because the legislation was developed through direct floor bills³⁹ and voluntary civil society groups were involved in the development of the legislation. The usual legislative process involves a bill being drafted by bureaucrats in the central government and being passed through Diet with support of the ruling party with little debate and only minor modification (Matsubara 2002,4; Yamamoto 1999,112). In the drafting of the NPO Bill, the central government bureaucracy was not involved at all; instead it was independently conceived and written by law makers in cooperation with

³⁸ Scholars differ on who initiated the process: Yamamoto argues that the process was launched through the "...usual exchange between a representative of the ruling party and cabinet minister in charge at the Diet interpellations" (Yamamoto 1999 113). While Matsubara, Executive director, C's (Coalition for Legislation to Support Citizens' Organisations) argues that the legislation process was led by various private organisations which included the participation of approximately 3000 NPOs from all over Japan (Matsubara 2002 5).

³⁹ 'Direct floor bill' refers to the process whereby new legislation is presented directly to the Diet by political party representatives.

voluntary citizens' groups and civil society leaders (Matsubara 2002,4; Pekkanen 2000, 120; Wanner 1998,10). The inclusive legislative process signifies the emergence of an enabling environment conducive to the growth of civil society in Japan. The fact that the Bill was passed unanimously by all the parties including the governing Liberal Democratic Party and the Japan Communist Party was extremely unusual. Despite the confrontational nature of the Bill, it was unanimously passed after being agreed upon through a process of many modification conferences. These conferences involved forums held by civil society groups throughout Japan, followed by direct floor bill through direct discussions with members of the Diet. The discussions were then accepted, and the Bill was modified in accordance with the discussions.

The Bill's passage was the crystallization of a growing movement in Japan to reduce the influence of government bureaucrats and to have citizens take public interest into their own hands (JCIE April 1998). Debates surrounding the drafting of the NPO Bill moved beyond creating legislation to support volunteers, to focusing on the role of voluntary citizens' groups in conducting public activities within the context of enhancement of domestic governance (Yamamoto 1999,114). The change in focus in the debate surrounding the drafting of the Bill is further evidence of a shift that also awakened "Japanese citizens to the possibility of new ways of relating to their government" (Yuko Iida Frost cited in Wanner 1998). Furthermore the successful lobbying of citizens' groups as well as Diet Member Bill and increased legislative experience of local government as a result of the passage of the NPO Law, indicate an erosion of the tradition of bureaucratic dominance in the decision making process of governance.

The Bill marked an important step in achieving a legal framework that encourages citizens' activities rather than discourages them (JCIE October 1997). The passing and enactment of the NPO Law is significant as it defines legal boundaries between business, government and a "third sector" consisting of voluntary citizens' groups engaging in non-profit activities (Matsubara 2002, 3). Up until this point these groups did not form a sector distinct from the public and the private business sectors. This was due to the influence and overlap of the other two dominant sectors. Amenomori (1997, 189) emphasises this point through his observation that the Japanese term *dai san sekutaa* (third sector) refers to a hybrid sector of quasi-public, quasi-business organisations but does not depict a distinct institutional sphere.

The NPO Law created a two tier structure of the non-profit sector, with one group of non-profits incorporated under Article 34 of the Civil Code and another group incorporated under the NPO Law. The new category of authenticated organisations created by the NPO Law are known as “specified non-profit organisations” (*tokutei hieiri hojin*) (JCIE September 1999). The two tier structure has led to an exploration among civil society experts, practitioners, and members of the Diet to review the entire structure of civil society, including Article 34 of the Civil Code, which requires constitutional revision (JCIE July 2001).

The NPO Law has undeniably led to an increase in “incorporated” voluntary citizen’s groups in Japan. By end of March 2004 some 16,000 voluntary citizens’ groups had become incorporated under the new law (JCIE 2004). The rate that organisations have become incorporated under the new law has escalated, for example between 2003 and 2004 voluntary citizens’ groups were incorporated at a rate of approximately 500 organisations a month (JCIE 2004). While these figures reflect a dramatic surge in formal incorporation they are not an accurate indication that the NPO Law has stimulated the emergence of more volunteer groups. Many of these groups were operating before becoming incorporated and chose to become incorporated because of the opportunity that organisation legitimacy offered in terms of fund allocation, donations, tax benefits and social acceptance by the Japanese public, corporations and bureaucracy (Pekkanen 2000, 113). For example, once registered even small groups can make a contract with the government or a corporation (Kambayashi 2005).

In addition, formal incorporation of voluntary citizens’ groups significantly lessens the burden on individual members. This means that individuals no longer have to take financial responsibility for the organisation, and use their name to rent a phone line or office space. The move is significant because by giving volunteers the status of operating on behalf of the organisation rather than acting as individuals, they are entitled to be covered by work insurance and other basic work place entitlements (Pekkanen 2000, 113). The law also enables organisations to continue in their own right after individual directors have moved on and develop a track record, legitimacy and networks in its own name rather than depending on the credentials and social standing of an individual member.⁴⁰

⁴⁰ Prior to the passing of the NPO Law unincorporated NPOs had to rent offices, register vehicles, phone lines and bank accounts in the name of an individual representing the organisation rather than in the name of the organisation itself.

Tense relations: the state and civil society

While the enactment of the NPO Law offered the potential for a more enabling environment for *borantia*, a complex web of domestic and international factors has affected the ability of the law to broaden political space for increased citizen participation in the governance process and a more equal partnership between the state and civil society groups. The reality remains that traditional attitudes toward the authority of the bureaucracy prevail and are impacting on the effectiveness of the NPO Law.

The bureaucracy maintains authority over civil society groups because it controls fund allocation and the formation of partnerships. Despite the potential for autonomy that legal legitimacy offers, traditional attitudes towards social hierarchy and status have prevailed. The continuing emphasis on the importance of social hierarchy and status in Japan means that the state still has a strong influence over which NPOs flourish. Citizen's groups who have partnerships with the government or high profile corporations have greater legitimacy than groups who do not. Meanwhile the majority of civil society groups are still struggling for acceptance because they have less status, receive less funding, and public donations and support for their activities (Kambayashi 2005).

The allocation of government funding to groups with government partnerships raises concerns that the government aims to co-opt NPOs to carry out its agenda rather than enabling them to respond to the concerns of citizens (Kingston 2004, 75). In addition, bureaucrats still maintain authority over which organisations receive preferential tax treatment, thus controlling which organisations are able to collect private funds. While the new legislation promised autonomy by decentralising and simplifying the incorporation process, the reality is that in order to be applicable for preferential taxation treatment they still have to seek additional authorisation to confirm that they serve the public interest (JCIE April 2005). At the time of writing the requirements for an organisation to become authorised as serving the public interest were vague and up to bureaucratic discretion (JCIE April 2005).

The amendment in the NPO Law's tax clause was intended to stimulate public giving to NPOs. However Japan's history of weak individual and corporate giving has prevailed and the flow of private donations into the sector has not matched the growth rate⁴¹ (JCIE 2004).

⁴¹ According to a survey by the Ministry of Public Management, Home Affairs, Posts and Telecommunications, 77 percent of households in Japan made charitable contributions in 2000. The average

As a result many newly incorporated NPOs do not have the resources to fund their operations (JCIE 2004). Furthermore, restrictions on the use of government funds make it difficult for NPOs to cover daily operating expenses and the lack of public giving means that there is little alternative funding available (Kingston 2004, 75-76). The funding challenges of civil society groups are reflected by the findings of a government survey conducted in 1999. The survey found that, just over half the civil society groups surveyed had an annual budget of less than \$2, 900 (Kambayashi 2005). This is in sharp contrast to the Japan Committee for UNICEF which received a record U.S.\$100 million in donations in 2003 (Kambayashi 2005).

The lack of public giving may also be a reflection of the traditional inclination of the Japanese people to let the government take the lead. This attitude was apparent in the Japanese public's response to the earthquake and tsunamis in South East Asia:

According to the *Asahi Shimbun*, Japan was perhaps the only major donor where the government contribution - \$540 million – overwhelmed the \$23.5 million in private donations. Some say that, "...when the media extensively reported that the government contribution was the worlds third largest, many people stopped opening their wallets (Kambayashi 2005).

While public giving remains low the bureaucracy will maintain its hold over civil society groups. Currently the government supports civil society groups that pose no threat to the status quo and serve the state agenda. Pekkanen observes that the Japanese government has been supportive of small local groups that have no real impact on policy making (Kambayashi 2005). This view is supported by Takeshi Jitsuyoshi (cited in Kambayashi 2005), head of the Kobe Empowerment Centre, (an NPO that supports citizens' groups by networking with corporations and local governments), who says "the government tries to exploit small groups as a 'mere cheap subcontractor'."

In Japan's closely knit local communities it is difficult for civil society groups to maintain positions independent of local governments because there are likely to be shared interests between the public sector and the private non-profit sector in local municipalities. In local communities, non-profit organisations willing to submit to government influence and local governments with favourable attitudes toward the non-profit sector are perhaps more

contribution was US\$27. This is in contrast to the United States where a comparable number of households (89 percent) made charitable contributions, with the average household contribution US\$1,620 (JCIE 2004).

common than they are on the national level. This relationship is consistent with the fact that local recognising authorities are always the more powerful player in the NPO-government exchange (Yamamoto 1998, 139)

In the international sphere the law has not impacted on the hold of bureaucrats over the decision making process of governance. The traditional superior state, subordinate civil society relationship prevails. The determination of the state to maintain this status quo was evident in the backlash against civil society groups that was triggered when three Japanese volunteers were taken hostage in Iraq in early April 2004.⁴² The released hostages returned home to a storm of criticism. They were met at Haneda airport with hostile placards, saying “You got what you deserve” (Pilling 2004b). Politicians and the media said that they created a “public nuisance” entering Iraq despite government warnings and had taxpayer money spent on their rescue⁴³ (Pilling 2004a, 2004b). Takeaki Kashimura, an LDP lawmaker, labelled them as “antigovernment, anti-Japanese elements” (Kambayashi 2005).

The backlash after the hostage crisis suggests that the state was intent on promoting the view of NGOs as inexperienced, unskilled and meddling. The following comment by Ichiro Aisawa, the senior vice-foreign minister dispatched to Jordan during the crisis, expresses a paternal attitude towards NGOs:

“Those people wanted to help Iraq. They had pure and simple feelings... But NGOs don't have the equipment and training to look after their own safety. The SDF are better equipped and trained.” Mr Aisawa expressed hope that the situation in Iraq would become stable enough to enable volunteers to return (Pilling 2004a).

The return to a paternal state attitude to NGOs is evidence that the shift in Japan's foreign policy from an aid focus towards a peacekeeping focus has impacted on the cooperative partnership between the state and NGOs. Aisawa's comment is in sharp contrast to the collaborative approach the state had begun to take towards NGOs in the late 1980s and early 1990s when aid was the central pillar of foreign policy. As discussed in Chapter Two,

⁴² The hostages were: Noriaki Imai, 18, who was researching the effects of depleted uranium shells on civilians; Nahoko Takato, 34, a Japanese volunteer working with street children; and Soichiro Koriyama, 32, photojournalist. The abduction of the three Japanese volunteers came to light on April 8, when Arabic satellite television broadcaster Al Jazeera aired video footage showing the three held by the group which called itself Saraya al-Mujahideen (Jiji-Press 2004). The group threatened that unless Japan pulled its troops from Iraq within three days the hostages would be “burned alive”. Hostages' families appeared on television pleading for their children's lives and calling for the withdraw of Japanese troops from Iraq (Pilling 2004b)

⁴³ The government later billed the released hostages for airfare and medical check-up (Pilling 2004a).

at this time the state sought the advice of NGOs to develop more effective aid programs in developing countries and increased funding to aid projects implemented by NGOs. Increasing cooperation between the state and Japan's NGOs was viewed as evidence that the state's attitude was becoming less constrained (Hirata 2002b; Kuroda 2003). However, the backlash after the hostage crisis suggests that the state is reluctant to let go of its decision-making authority.

The backlash toward civil society groups occurred after the hostage crisis because debate was rekindled in Japan about the evolving nature of its foreign policy, and the role of non-governmental organizations in foreign policy (Pilling 2004a). External pressure and a changing global dynamics have impacted on Japan's foreign policy and impacted on the relationship between the state and Japan's NGOs. The end of the Cold War changed international power dynamics and led to a change in the aid focus Japan's foreign policy. Throughout the 1980s and early 1990s, economic assistance as a diplomatic tool was central to Japan's foreign policy, and the state and NGOs had begun to form a collaborative partnership (Yasumoto 1989-1990, 491). From the late 1980s on Japan's foreign policy used non-military diplomatic methods (i.e., economic, financial, technological, human resources, cultural) to proactively address political and strategic as well as economic issues (Long 1999; Yasumoto 1989-1990, 496). With this focus Japan held the number one position as the leading provider of aid to developing nations in the developing world by the 1990s (Yasumoto 1989-1990, 490).

Japan's non-military approach to international diplomacy garnered enormous public support within Japan (Yasumoto 1989-1990, 493). However, when the Cold War ended (between 1989 and 1991) the focus of Japanese foreign policy began to shift towards peacekeeping. US pressure on Japan to do more in defence burden sharing during the Iraqi invasion of Kuwait on August 2, 1990 also contributed to this sentiment. Even though Japan's total financial support came to \$11 billion, not including emergency aid/loans made to neighbouring nations, the US rejected the Japanese effort to consider aid as a substitute for military efforts (Yasumoto 1989-1990, 494)

The highly controversial Peace-keeping Operations Bill (PKO) which was passed by the Diet on June 15, 1992 arose out of US pressure for Japan to play a more visible role in the Gulf crisis (Nickerson 1992). The threat of global terrorist networks as well as a rising in China and an unpredictable North Korea (nuclear armed) have led to a rising prominence

of foreign policy issues among politicians and public. As a result, defence related laws have been amended, the powers of the SDF, Japan's military enlarged and the stigma around discussing amendments to Article 9 eliminated (Harney 2002). For example, following the September 11 attacks, Mr Koizumi's administration pushed through controversial anti-terrorism legislation that allowed Japan to participate indirectly in international operations in Afghanistan by refuelling US and British ships in the Indian Ocean (Pilling 2003).

The initially unpopular Law marks a major shift in foreign policy⁴⁴ because it enables Japan to dispatch troops overseas and become involved in peacekeeping operations (Nickerson 1992). This shift is part of Japan's strategy become a leading player on the international stage (Pilling 2003). By proving its willingness to participate in international affairs to demonstrate its willingness to take the same risks as other UN member nations to preserve world peace Japan was focused on gaining a permanent seat on the UN Security Council, (gained July 2005) (Nickerson 1993).

The abduction of the volunteers highlighted an alternative to the state strategy for leadership in the preservation of world peace, potentially undermined the state-led national agenda. The position of the government is summed up by Pilling:

The three volunteers, by offering humanitarian aid outside the framework of the government's military led effort, had demonstrated an alternative to the official policy of sending troops, he said. The government resented this civil intrusion onto the moral high ground it had so carefully staked out (Pilling 2004a).

Funabashi Yoichi, commentator with the left-leaning Asahi newspaper, believes that the government manipulated the tone of the media response to the released hostages (Pilling 2004a). Released hostage Imai believes that the government aided by the media deliberately discredited the hostages, who were opposed to sending troops to Iraq because it was sensitive to criticism of the deployment of troops which is seen by many as a challenge to Japan's pacifist constitution (Pilling 2004b).

⁴⁴ Initially the PKO lacked support in Japan and among Japan's Asian neighbours who saw the dispatch of troops as violation of Article 9 of the nation's so-called "peace constitution" imposed by the American occupation authorities. Article 9 which prohibits the use of military force as a tool of foreign policy (Nickerson 1992), had been the bedrock of Tokyo's foreign policy since 1947. The new law permits the sending of no more than 2000 troops to support UN-sanctioned peace-keeping missions and forbids them from serving in a combat environment without special parliamentary approval (Nickerson 1992).

The phrase *jiko sekinin* (self responsibility), was used by the media and adopted in public opinion to suggest that the three volunteers had gone alone, they should have faced the consequences alone (Pilling 2004b). A similar view was held about the victims of the Minamata poisoning (Smith 1986, 161). Like the Minamata victims, the hostages were seen as selfish and disloyal for not supporting the state-led agenda. When the hostages' families called for the withdrawal of Japanese troops they opened themselves up to vilification from Prime Minister Junichi Koizumi and an administration intent on expanding the scope of peacekeeping efforts abroad⁴⁵ (Pilling 2004a).

The hostage crisis suggests that Japan's bureaucrats still control major decisions affecting Japan's international and domestic affairs while voluntary citizen's groups are excluded. It is also evidence that the Japanese government is reluctant to let go of its tradition of using civil society to meet the state agenda. The government response to the hostage crisis showed that if civil society and citizens do not conform to the state-led agenda, they are discarded and easily marginalised as old stereotypes of citizens' groups, such as anti-Japanese are rekindled. This trend is also reflected by the change in Japan's foreign policy which saw spending on official development assistance slashed by ten percent. This change was evident in Mr Koizumi's trip to Singapore in 2002 where he signed a free trade agreement instead of promising aid (Harney 2002).

Despite the constraints of traditional attitudes and approaches some civil society groups are exploring new ways of interacting with the bureaucracy. These groups are taking advantage of Japan's changed political environment to exert more political influence by forging ties with political parties. The Democratic Party of Japan (DPJ) in particular has developed ties with some civil society groups in policy areas such as welfare (Kambayashi 2005). In response to the fragile financial environment for incorporated voluntary citizens' groups, new kinds of initiatives are emerging that are aimed at encouraging private funding sources, particularly individual donors (JCIE April 2005). A notable strategy is the emergence of community based funding intermediaries "that operate at the local level to promote a citizen-to citizen flow of funds for NPO activities in their specific region or municipality"(JCIE April 2005). One such intermediary is the Children's Fund of Kanagawa, which was established through the initiative of local civil society leaders (JCIE April 2005). The success of their efforts suggests that the traditional lack of private

⁴⁵ It should be noted that in past the government has paid big ransoms to secure hostage releases (Pilling 2004a).

charitable donations to NPOs may change and support the continuous growth of the non-profit sector.

Conclusion

The Great Hanshin-Awaji Earthquake of January 1995 was the catalyst for a change in state-citizen relations in Japan. At the time the earthquake occurred, state authority had already been eroded and there was mounting public dissatisfaction with the government's ability to deal effectively with domestic and global change. The media's positive reportage on "volunteerism" was instrumental in providing momentum to draft legislation that would make it easier for civil society groups to obtain incorporated status. The NPO Law was passed in the Diet on March 25, 1998 and was enacted on December 1, 1998. It was designed to promote and simplify the incorporation process and to reduce the influence of central government agencies on the activities of NPOs and NGOs. This law had the potential to provide Japan's newly emerging NPOs with autonomy from the bureaucracy and with the possibility of new ways of relating to their government. It also represented an erosion of the tradition of bureaucratic dominance in the decision-making process.

However, despite the steady increase of incorporation, the majority of Japan's newly incorporated organisations. Civil society groups remain dependent on the bureaucracy for funding because Japan has a weak history of private and corporate giving. The traditional inclination of the Japanese people to let the government take the lead prevails. While new initiatives are emerging to address this problem, the situation raises important questions about state-civil society relations in Japan. Despite legislative change, designed to create a more enabling environment for the incorporation of civil society groups, and a more democratic system of governance, Japan's bureaucrats still control major decisions affecting Japan's international and domestic affairs. While voluntary citizen's groups are largely excluded from these processes. In addition, public attitudes in general continue to support an authoritarian state deciding the public good.

CONCLUSION

My historical study of *bōshi*, the traditional indigenous form of volunteering in Japan, reveals the authoritarian position of the state in relation to its citizens throughout the majority of Japan's history. Citizens/subjects and civil society organisations viewed themselves and were seen by the state, as subordinate to the bureaucracy. From the Tokugawa period until the Allied Occupation imposed democratic reform in 1946, *bōshi* epitomised the Japanese notion of volunteering. *Hōshi* emerged from a social system of hierarchical interdependent social relationships associated with personal obligations to family, village and state. State benevolence and authority were central to defining the tradition of *bōshi*, which is characterised by the notion that one is obliged to service and for the greater good of the Emperor and state.

In this paradigm Japanese people and private non-profit associations were viewed by the state as tools to meet government objectives. Japanese people accepted this view and supported the state agenda. From the 1800s onwards, the predominant attitude held by both the state and the Japanese people was that nation building was the state's responsibility. It was the people's responsibility to help the state and Emperor achieve the state-led national agenda. At this time people were "mobilised under mass organisations as youth, as women, as workers and even as intellectual workers" (Mackie 2003, 122) in order to meet the Japanese state's objective of building a powerful country, equal to Western countries such as the United States of America.

The state's increasing involvement and mobilisation of civil society to meet national agendas from the 1800s to the Allied Occupation in 1945 fused *bōshi* with notions of service to the Emperor and country and stripped it of any association of free will. The Meiji Period saw an increasingly centralised system of government in Japan that controlled the provision of public service and allowed little political space for Japanese people to participate in governance. By the 1930s and 1940s, Japan's ultra-nationalist period, Japan's military bureaucracy overpowered the civilian democracy, leaving no place for innovation or leadership from Japanese people.

Up until the enactment of the NPO Law in 1998, the state's legal treatment of private non-profit associations through legislation governing the incorporation of citizens' groups

reflected the state's authoritarian attitude toward civil society in Japan. Japan's incorporation laws expressed a socio-political and administrative context that limited the freedom of citizens' groups and reinforced the government bureaucracy. Strict legal requirements for incorporation of NPOs, intense bureaucratic involvement in NPOs and unfavourable tax treatment of NPOs limited the autonomy of Japan's NPOs and fuelled the idea that the state is responsible for the wellbeing of its citizens.

Organisations were closely supervised by their bureaucratic superior or "competent authorities" and, citizens' groups operated as subsidiaries of government institutions, often as extension agencies for state policies. Government sponsored organisations easily received tax-free status and had a close funding relationship with their parent ministries, while other organisations struggled for funds. In addition the employment of ex-bureaucrats into senior positions in citizens' groups not only assured funding and other government support for the organisation, the connection gave the bureaucracy control over the public sector.

Prior to the democratic reforms of the 1946 Constitution there had been no separation between public and private, and the state was synonymous with the public good in Japan. Japan did not have a tradition of public participation in the governance process. A combination of traditional values, political will and legislation discouraged Japanese people from organising themselves and acting outside the channels of traditional political action.

Democratic reform was the beginning of a process that changed the way Japanese people viewed themselves and began a shift in the relationship between the state and its new citizens. Significantly, the reforms made Japanese people "citizens" with inalienable rights including the freedom of association. The rights and responsibilities of citizenship opened a new political space, outside of formal bureaucracy for Japanese people, particularly women, to organise and to participate in the governance process.

The change that citizenship brought to the way that Japanese people viewed themselves led to increasing tension between the state and civil society in Japan. Citizens' groups began to increasingly question and challenge state decisions and demand a greater role in the governance process. Evidence of these changes in state-citizen relations was the emergence of new political parties and organisations including re-formed labour unions as well as new kinds of women's groups that were organised around principles that transcended the state agenda.

The emergence of *borantia* in the 1960s and 1970s is a reflection of a change in public thinking about civil society's relationship to the state. It is significant to note that *bōshi* became synonymous with an authoritarian state from the 1930s onwards as nationalism in Japan increased. As a result *bōshi* holds many negative associations for Japanese people who associate it with obligation and sacrifice. In contrast,

The decision to volunteer is seen as an individual choice, a reflection of personal principles, rather than a function of bonds of duty or obligation. This view presents voluntarism as a break from the past, rather than as a continuation (Nakano 1998, 14).

Borantia marked a tremendous shift in public attitudes towards state authority. The “new social action” or *borantia* that emerged from the citizens' and residents' movements of the 1960s and 1970s did not conform to the needs and policies of the state. Rather it operated outside traditional political channels, representing a new political culture and form of participation. Japanese people exhibited a strong sense of their value as human beings. Angry that the state was valuing its citizens behind the goal of achieving the national agenda of catching up with the West, grassroots movements such as the environmental movement surged, challenging state agendas and authority. Litigation was used to establish citizen's rights and empower citizens. This marked a shift from the past where mediation was used to settle disputes.

In addition, globalisation and the communications and technology boom exposed Japanese people to cultures and ideas and led to a change in thinking among the broader Japanese public about their role as citizens, and this encouraged them to question of the role of the state in the global community. As a result, Japanese people became more aware that Japan was part of an increasingly interdependent global community. Within Japan itself the influx of foreign labour, as well as the trend of Japanese citizens travelling abroad, led to growing awareness of global issues such as the environment, refugees, human rights, women's rights and HIV and enabled them to make links between local and global issues.

Social factors such as a growing plurality of Japanese society as well as Japan's aging population led Japanese people to begin to question whether their state has sufficient flexibility or resources to address the needs created by Japan's social change. Public doubt in the capacity of the state was further increased after a series of scandals among bureaucrats in the early 1990s were revealed to the public. These scandals forced Japanese

people to challenge old perceptions of state-citizen relations and increased popular support for the democratic right of citizens to participate in governance. This led to public pressure on the government for information disclosure and the enactment of the Freedom of Information Law in 2001. These laws forced Japanese officials to practice accountability and provided the legal basis for expanding public oversight of, and participation in governance as they encouraged citizens to be more involved and knowledgeable in national policy. At the same time, Japanese corporations became more aware of global issues and were motivated by citizen protest to adopt a more philanthropic attitude towards the communities that support their growth. Furthermore Japan's position as a global economic power led to greater expectations around the world that Japan will undertake a larger share of global responsibilities.

Despite changing attitudes towards the state and the potential of civil society, the state maintained its authoritarian position towards citizens' groups. It continued to harness the power of citizens' groups to address broad social issues such as the aging population, increasing unemployment and the influx of foreign workers by implementing policies such as "internationalisation" intended to facilitate the transition of Japan into a more globalised economy. This attitude was in line with the Japanese state's history of harnessing citizen energy and directing it to serve state-led national agendas.

However, evidence that the state's paternal view towards citizen's groups was softening occurred in the international arena. The state approach to NGOs moved from being obstructionist to more facilitatory and a collaborative relationship developed between the state and NGOs from the late 1980s. In contrast to earlier state-citizen's group interactions, the nature of the relationship between the state and Japan's NGOs was close to an equal partnership, whereby experienced NGOs helped the state to identify and design projects that were beneficial to the recipients of the aid. In return, the state supported the work of Japan's NGOs. A collaborative relationship suited the state because Japan's foreign policy vision involved the use of non-military diplomatic avenues such as economic, financial, technological, human resources and cultural, to achieve political and economic goals. Japan's public supported this approach to diplomatic relations. In addition, the work of Japan's NGOs received much positive media coverage abroad and in Japan, which also reflected positively on the Japanese state.

The Great Hanshin Awaji Earthquake in 1995, triggered a tremendous shift in the way Japanese people viewed themselves vis-à-vis the state. The quake highlighted the effectiveness of private non-profit associations in an emergency as well as the inadequacy of the state. This occurred after the media relayed the rapid and effective response of civil society groups who had acted in place of the state, in contrast to the government's slow and inept response. Media reportage sparked debate on the limitations of the state in light of its dominance in deciding the public's needs. It also made Japanese citizens aware of their potential and value. Significantly, until the Kobe earthquake, there was very little mention of a role for citizens' groups in debates on national political reform. Additionally, there was only limited participation by citizen's groups themselves in this debate, either in the form of policy proposal or other actions.

In the aftermath of the quake, Japanese businesses, media, civil society leaders, politicians and the public began a push to change legislation regulating the incorporation of voluntary citizens' groups. Lobbying by these groups led to "The Law to Promote Specified Non-Profit Activities" (NPO Law). The new NPO Law was designed to promote the autonomy of private non-profit associations by decentralising and simplifying the incorporation process. Specific issues included less government control over incorporated voluntary citizen's groups and better tax treatment. It is significant that the process of legislative change would have taken much longer if the tragedy of the quake had not pushed the potential of civil society into the public consciousness, and would have not occurred at all without earlier organisation and study of civil society by voluntary citizen's groups, as well as the growth of the non-profit sector itself.

The enactment of the NPO Law was a significant landmark as it represented a change in state-citizen relations in Japan. The high level of citizen involvement in the passing of the Bill marked a shift in bureaucratic thinking away from the state as the only legitimate decision maker of the nation's priorities, and therefore entitled to control voluntary citizen's groups. It also marked a shift towards greater citizen participation in the governance process. In addition, the Law defined clear boundaries between business, government and "third sector", consisting of voluntary citizens' groups engaging in non-profit activity. This delineation meant that civil society was no longer "absorbed" by the state with civil society groups viewed as quasi-government organisations.

The passage and enactment of the Law occurred due to a changed political environment in Japan that enabled more legislative and political action and increased possibilities for lobbying pressures by citizens' groups. The passing and enactment of the NPO Law is evidence of a broadening of political space which has the potential to allow for increased citizen participation in the governance process. The Law was the crystallisation of a growing movement in Japan to reduce the influence of government bureaucrats and to have citizens take the public interest into their own hands. The NPO Law was designed to create a more enabling environment for the incorporation of civil society groups, a more democratic system of governance and significant social change.

The emergence of *borantia* to describe volunteer activity in Japan is evidence of a change in state-citizen relations, particularly regarding the way that Japanese citizens view themselves in relation to the state. A good example of these changes is revealed in LeBlanc's (1999) study of Japanese Housewives. LeBlanc's work has extensive discussion from a political science perspective on volunteer movements and their place in Japanese society. Her ethnographic study finds that her informants, Japanese housewives, emphasised the importance of family, community and human connections which she states enable Japanese women to claim 'a sort of politically important experience – experience with human beings over experience with organisations' (LeBlanc 1999, 150). Significantly, while LeBlanc's work identifies the emphasis on human connections in voluntary activity by Japanese housewives, she also finds that their emphasis on human connections is an obstacle to broader political citizenship of housewives. This is partly because politics seen as 'stagnant, corrupt and dominated by men' is considered elite and distant from the everyday life of women (LeBlanc 1999, 75). In this view politics is incongruous with human affairs which is epitomised by *boranita* because politics, or ties with the government would change the emphasis of small grassroots organisations from meeting human needs, to addressing state defined agendas.

These changing perceptions are reflected in information disclosure laws and were crystallised in the lobbying and enactment of the NPO Law. However, despite the potential of the NPO Law, and the gains that it represented in terms of state-civil society relations in Japan, restrictions on the effectiveness of the law remain. Japan's bureaucrats still control major decisions affecting Japan's international and domestic affairs while voluntary citizen's groups are excluded. At the prefectural level lack of change is due to local social factors implicit to closely knit local communities in Japan where shared interests

between civil society groups and government make it difficult for civil society groups to maintain positions independent of local governments. This type of relationship is consistent with the fact that local recognizing authorities, with financial influence and the power to recognise or reject potential public-interest corporations, are always the more powerful player in the NPO-government exchange. Furthermore, the NPO Law's tax clause means that bureaucrats still maintain authority over which organisations are able to collect private funds. This means that the state still governs which organisations receive funding and which don't. These institutional barriers reflect the fact that traditional attitudes towards state authority remain. For example, the state still holds the view that it is the arbiter of public good. The reluctance of the state to allow the status quo to change lies behind the restrictions of the NPO Law's tax clause. Furthermore despite their demand to exercise their right to participate in governance and their experience of the potential of civil society to address social problems within Japan and globally, the Japanese public generally still accepts state authority. The expectation that it is the state's responsibility to decide the public good explains why private and corporate giving in Japan is weak.

From 1945 onwards, changed global conditions served to change the way Japanese citizens viewed themselves and their position in relation to the state. The emergence of *borantia* marked a major shift in Japanese consciousness. However, changing global conditions from 2000 on led to a resurgence of more conservative elements in Japan, which accept and support state authority. In the international arena, the influence of NGOs has decreased as state foreign policy has shifted from an aid focus to peacekeeping. The change in foreign policy direction itself occurred despite public protest, reflecting a growing authoritarian attitude of the state. In addition, the backlash towards the Japanese volunteers who were taken hostage in Iraq suggests that the Japanese public accept state authority and are once again lacking confidence in the potential of civil society.

This thesis set out to examine the relationship between the emergence of *borantia* to describe volunteer activity in Japan and change in the nature of state-citizen and state-civil society relations. What this historical study has shown is that *bōshi* and *borantia* occurred under very different systems of governance in Japan and are a reflection of these systems. *Hōshi* developed under strict state authority. In direct contrast *borantia* emerged through a series of ongoing institutional, regulatory, and legal changes. *Borantia* reflects these changes which have their roots in the democratic reforms imposed by the Allied Occupation in

1946. Central to these changes has been the notion of the democratic right of citizens to participate in setting the national agenda and policy. Tension remains in Japan because the old systems and practices that supported *bōshi* remain along side new systems and practices that led to the emergence and proliferation of *borantia*.

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