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**Taking a Hint from the British Civil Service System
for Reform of the Japanese Civil Service**

Nozomu Okibe

Senior research fellow

IIPS

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In the latter half of the 1990s, comprehensive reform of the organization of Japan's public administration was undertaken for the first time since World War II. These reforms were influenced by certain aspects of the public administration structure in the United Kingdom, such as the two layers of government ministers (cabinet ministers and ministers outside the cabinet) and the so-called "next-step agencies."

Though Japan is currently engaged in reforming its system of civil servants, it seems that there has been insufficient discussion on what the essential nature of civil servants should be. Whereas a contrastingly high level of interest was shown in the administrative structure in the UK, it cannot be said that Japan has up to now devoted sufficient attention to a discussion of the essential characteristics of UK civil servants.

Since the latter half of the nineteenth century, the essential role of British civil servants as impartial advisors to government ministers of the time and as fair implementers of policy has been established through a system of selection and promotion based on merit. In this context, integrity, propriety, impartiality, and objectivity have made up the core civil service values. These values—and the duties attendant upon them—are specifically and clearly prescribed in the Civil Service Code and other related codes and form the basis of the civil servant's ethos.

However, these values and this ethos are not immutable. The Thatcher and Major governments of the 1980s and 1990s introduced reforms emphasizing the importance of the recipients of administrative services (the users) and mandating a quantitative and transparent management of public business, as exemplified by the agencies. Against the backdrop of these reforms, the degree of accountability of civil servants was increased so that, not only were they accountable to government ministers, they were also directly accountable to the public. This, in turn, raises issues regarding the definitive limits of ministerial accountability, one of the pillars of the British system of democracy. The Blair government's delegation of a greater role to politically appointed special advisors also raised questions regarding the political neutrality of civil servants.

Principles and rules governing Japan's public servants are laid down in the *National Civil Service Law*. As well as prescribing democracy and efficiency as principles for public administration, this law also sets out standards of conduct, "service for the public



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interest,” “prohibition on behavior that might lead to lack of trust,” “restrictions on political activity,” “separation of duties from private business,” and “prohibition on improper disclosure of official information.” In addition, in accordance with the provision in Article 15 of the Constitution, that “All public officials are servants of the whole community and not of any group thereof,” public officials are required to exhibit “neutrality” and “impartiality.”

If the Constitution and the *National Civil Service Law* (as mentioned above), the *Freedom of Information Law* and *National Civil Service Ethics Law* that were enacted in 1999 and others are taken together, it can be argued that Japan too has rules that are broadly equivalent in substance to those established in the UK, as one or other of these laws either includes or implies each of the same points. However, to quote just one such example, with the existing rules covering the political neutrality of career civil servants under the present system of democracy, the *National Civil Service Law* only imposes restrictions on political activity by individuals and contains no explicit provisions dealing with issues such as the proper relationship between career civil servants and the political party in power at the time. Thus, there is scope for legislation that redefines and systematically adjusts core rules. In addition, as a prerequisite to this, it is essential that discussion of the relationships between the government and civil service, and between the public and civil service, be intensified, and that general consensus on proper relationships be achieved not only at the level of those who take public office but throughout all levels of society.

The boundary between civil servants and politicians: the essence of the political neutrality of civil servants

Of all the afore-mentioned demands that the rules impose on public servants, the ideal of political neutrality is viewed as the most difficult.

While UK civil servants are under cabinet control (based on the system of parliament and the cabinet), a merit-based appointment system is employed. From the rank of permanent secretary downwards, the Civil Service is comprised almost solely of politically neutral career civil servants, and to this extent the system is the same as in Japan. However, in the UK (where there had been a long history of a patronage system), as power regularly changes hands from one party to the other, people are acutely aware of the significance of “political neutrality.” Moreover, both ministers and civil servants are charged with an explicit obligation to preserve the neutrality of career civil servants.

In modern-day Japan (especially from the middle of the Meiji Era onwards, and essentially up until the present day) a merit-based appointment system has been rigorously applied. Moreover, pre-war government officials were in fact the emperor’s officials, and were thus originally detached from the will of the people. Furthermore, during the long post-war period of Liberal Democratic Party rule, seldom was there opportunity to call into question or test the political neutrality of civil servants. Thus, it is essential that discussion be continued regarding the nature of the government’s control over the civil service (including the making of politically motivated appointments), and regarding the way in which the government and the civil service should work in concert.

The boundary between civil servants and the public



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In the UK, in keeping with the system of merit-based appointments, a scheme of external appointments based on open competition (known as the “Administration Trainee Scheme”) is already being introduced in the wake of the Fulton Report. At present, senior civil service posts are generally filled using open competition, without discrimination between internal and external applicants. In addition, as great emphasis is being placed on cost effectiveness, with processes such as “agencification” and “market testing” having been adopted in the management of public administration, the boundaries between public and private organizations have changed, and the need to preserve the civil servant ethos—in whatever way possible—is becoming an important point of issue.

In Japan, the status of civil servants have up to now been isolated from the private sector. However, from now on, as factors such as increased personnel exchange between civil service and private organizations and the expansion of independent administrative agencies could come into play, the proper boundaries between the private sector and the civil service looks set to become a major issue.

Regaining public trust

In the UK, the ninth report of the Committee on Standards in Public Life identified the following requirements as necessary “to sustain public trust”: (1) high standards of conduct; (2) clarity about the boundaries of responsibility within the executive and security about the maintenance of these boundaries; (3) government administration in accordance with the Seven Principles of Public Life for holders of public office; (4) provision of a robust framework for civil servants for delivering the programme of the government of the day; (5) the building and sustaining by office-holders in the executive department of the relationships necessary for good government, so that all concerned can know clearly where they stand; and (6) as a matter of great importance, the prevention of incidents harmful to the relationship between ministers, civil servants and special advisors.

These points could equally well apply to Japan. Naturally, the recurrence of scandals and the like should be prevented. Moreover, as the world economic environment changes with ever increasing speed, and as demands on administrators increase and grow more complex, civil servants must come to grips with relevant contemporary issues by imparting these concepts in order to regain and maintain public trust.