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Employment in the Near Future



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Editorial Notes
Personal Names
All personal names are given in
the customary order in the
native language of the person
unless otherwise requested.
Hence in Japanese names, the
family name is given first, e.g.
Toyotomi Hideyoshi, and in
Western names the family
name is given second, e.g.
George Bush.

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To create a society where people can work productively and happily has been a pressing issue not only for the Japanese government but also for every element of society including companies, labor unions, and local communities. The Institute of Social Science has been conducting research into the current state of employment systems under the auspices of the Ministry of Education, Culture, Sports, Science and Technology's "Project for the Creation of an Employment System that Enables Lifelong Growth for All People" (LGAP). Participants in the LGAP project have focused on 1) employment markets and education, 2) companies and organizations, and 3) legal systems and institutions. The project team has been sharing research results in academic settings as well as reporting to policy makers and personnel practitioners since 2008. This issue of *Social Science Japan* features reports from five of the project researchers.

First, the project leader, Yuji Genda, reviews the changes in Japanese-style employment since the 1960s, and proposes an employment system that will have the resiliency to meet future challenges to Japanese society. Sachiko Kuroda presents her recent research on the changing and perhaps surprising causes of long working hours in Japan. Iwao Sato received permission from the Supreme Court to conduct a broad survey of participants in the recently created labor tribunal system. He reports on workers' and employers' views of the new alternative dispute resolution process. LGAP was awarded funding under the Japan Society for the Promotion of Science's "Program for Promoting Social Science Research Aimed at Solutions of Near-Future Problems," and Naofumi Nakamura presents an interim report on the Fukui Project, an in-depth, cross-disciplinary study exploring the role of hope in regional development. Finally, Kotaro Tsuru discusses the recent polarization of the labor market between regular and irregular workers, and offers proposals for improving conditions for non-regular workers without increasing risks for employers.

In the next section, *Social Science Japan* presents a special contribution from Professor David Leheny of Princeton University, a former editor of the *Social Science Japan*, on his report on the Great East Japan Earthquake on March 11, 2011 and his experience in *Shaken* since the mid- 1990s. In the "Research Report Section," Shiro Sakaiya, a new member of the ISS, presents his recent research into the regime transformation mechanisms of the collapse of the Tokugawa regime in 1867. We then present Questions and Answers with Professor Laura Hein, who conducted research into the postwar development of local educational and cultural institutions and local governments in Kamakura and was based in *Shaken* during Autumn/Winter in 2011.

Finally, in addition to abstracts of lectures by the ISS Contemporary Japan Group, information on "Reconsidering Governance" Seminars and ISS Seminars, and recently published books written by members of our research staff, this issue features a "Focus on ISS" essay by Suehiro Akira, ISS director, that presents a brief outline of the New Kamaishi Project and addresses the questions: What should *Shaken* do? What can *Shaken* do? What kind of contributions can social science make in the midst of the disaster and struggle brought by the Great East Japan Earthquake?

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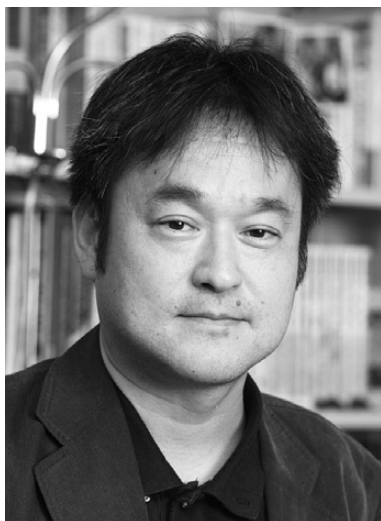
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The Near Future of Employment in Japan

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Discussions of economic issues require, as an essential prerequisite, a statistical grasp of the facts. This point is well illustrated by the fact that the average rate of unemployment in 2009—a year of economic crisis often breathlessly described as “a recession of unprecedented magnitude” which happens “once in 100 years”—actually turned out to be 5.1%, lower than the 5.4% rate in 2002, which is the highest on record (according to the *Labor Force Survey* by the Statistics Bureau of the Ministry of Internal Affairs and Communications).

In retrospect, the employment situation in 2009 was characterized more by its rapid pace of change than its level of unemployment. It was the first time since employment statistics began to be compiled that the unemployment rate shot up by as much as by 1.1 percentage points in the course of a single year. Yet, as is often stated, once a crisis is behind us, we tend to forget its lessons. Memories of an acute change quickly fade once that change becomes a thing of the past. Nevertheless,

from differing sources and in differing forms, the enormous wave of change taking place on a global scale will continue to assault the Japanese economy and employment in the future.

What is important, therefore, is to build an employment system that can endure the challenges that are certain to visit us again. This author is a participant in the “Project for the Creation of an Employment System that Enables Lifelong Growth for All People” in the Institute of Social Science at the University of Tokyo. This project was commissioned by the Ministry of Education, Culture, Sports, Science and Technology. What follows in this essay is an attempt to lay out the blueprint for an employment system that will have the resiliency to meet future challenges, based on the discussions that have been taking place in this project.

Looking back at history, the need to reform Japan’s employment system has been advocated on several occasions during past economic downturns. According to Professor Keisuke Nakamura of the University of Tokyo, a specialist in labor-management relations, three crises have threatened Japanese-style employment, occurring in roughly 15-year intervals. The first crisis came when capital and trade flows were being liberalized during the 1960s. The second was immediately after the oil crisis of the mid-1970s. And the third came with the bursting of the bubble economy in the 1990s. We may well call what has happened since the mid-2000s a fourth crisis. Professor Nakamura argues that each of these crises was overcome through adaptive changes including the introduction of new elements and improvements such as the adoption of the merit-based wage system in the 1960s, the introduction of pay grades based on professional skills in the 1970s, and the performance-based pay system in the 1990s.

Looking back at these changes, we may say that the Japanese employment system contains within it a “capacity for self-reform.” In the ongoing crisis as well, a significant change of mode is taking

place, with reforms quietly being made to the system of non-regular employment. A key issue that has been raised with regard to non-regular workers is their job insecurity and comparatively low wages. Their vulnerability has been in the spotlight more than ever since the onset of the global financial crisis in the autumn of 2008, the so-called Lehman shock, when temporary (dispatched) workers were laid off on a massive scale.

And yet, trends that defy the conventional assessment of employment insecurity are emerging as well. From the Ministry of Health, Labour and Welfare's *Basic Statistical Survey on Wage Structure* (Wage Census), we find an elongation of years of continuous employment at the same enterprise for short-time workers in general. The average length of continuous employment for non-regular female workers aged 30-34 rose from 2.0 years in 1980 to 3.1 years in 2008. This rise contrasts with a shortening of the average number of years of continuous work among female regular workers in the same age bracket during the 2000s.

It is also well known that today one out of three employees is in non-regular employment. Non-regular workers without a fixed term of employment or with an employment contract whose term is at least one year, who are labeled as "permanently employed" non-regular employees, accounted for a mere 6.0% of total employment in 1987, but this proportion grew to 22.0% in 2007. On the other hand, the proportion of temporary non-regular employees with contracts of less than one year remained almost flat, moving from 12.8% to 13.5% during the same period (according to the *Employment Status Survey* by the Statistics Bureau of the Ministry of Internal Affairs and Communications).

There were a plethora of reports in the mass media depicting temporary employees as expendable, throw-away workers faced with life-threatening misery, including the cases of terminated temporary workers who were at risk of becoming homeless after being abruptly evicted from company-provided housing. What the data show in reality, however, is that for non-regular employees as a whole, continuous work is becoming increasingly widespread.

The expansion of continuous employment for

non-regular workers has led to other improvements in how they are treated. It is often said that it is difficult for non-regular employees to move into regular employment, but in actuality, somewhere near 400,000 non-regular workers move into regular employment each year through job changes (according to the "Detailed Tabulation" of the *Labor Force Survey*). Closer analysis of the data reveals that non-regular workers who have worked continuously for approximately two to five years have greater chances of finding jobs as regular workers than those with shorter tenures. The reason is that recruiting companies interpret this willingness to stay with one company for a long period as a signal that the individual will not quit easily. Such workers are given high marks for their perceived tenacity.

In addition, critics of the expansion of temporary employment have generally lumped all non-regular workers together, irrespective of their experience and capabilities, based on the assumption that these workers have little opportunity to acquire marketable skills on the job. But the fact is that more often than not, there is a positive correlation between years of service and annual income among non-regular workers as there is with regular workers. They do not always need to switch companies to make gains. There are non-regular workers who are highly regarded thanks to their length of service within a company who are therefore promoted to regular positions.

From now on, a new employment system under which workers are subject to downsizing during economic downturns but can expect stable employment in normal times is expected to spread. At a time when uncertainties are increasing globally, firms will rein in the hiring of regular workers in favor of non-regular workers, who can be more easily laid off or fired as needed. On top of this, firms will hope to retain capable non-regular workers as long as possible in view of the looming concern over potential labor shortages.

For non-regular workers, like other workers, the top priority should be increasing opportunities for stable employment. The best way to develop the capabilities of non-regular workers is on-the-job training at a stable workplace. Non-regular workers who succeed in acquiring skills and

experience often find it possible to earn higher wages and employment as regular workers or skilled subcontractors.

Because it is economically rational for both companies and workers, the inclusion of non-regular workers will continue to increase. As a consequence, there will be a rise in what may be called “quasi-regular employees” who have stable employment in normal times—albeit less secure employment when firms need to cut labor costs—and constitute an intermediate employment type which fills the gap between regular employees and non-regular employees. In the future, we must endeavor to develop an employment system with lower barriers for quasi-regular employees seeking to move into positions as regular employees or independent contractors.

What sort of policy will be needed, then, for the development of an employment system based on large numbers of quasi-regular workers? One important element will be policies that do not stand in the way of desirable changes. Revisions of the *Worker Dispatch Law* are likely to restrict the use of temporary workers in the manufacturing sector and registration-type dispatch (in which workers are not paid unless assigned to a client firm by their temporary agency) in general. But it is not rare for workers on registration-type dispatch to eventually be hired as regular workers by client firms. Temporary work not only provides a valuable employment opportunity but also is serving as a form of quasi-regular employment for many workers. The blanket prohibition of worker dispatch, which ignores these realities, would be a mistake.

I do not deny that there are many problems with non-regular or fixed-term employment. Non-regular employees who have no choice but to jump from one place of work to another face many risks, including illegal labor practices. It is important nonetheless not to restrict non-regular employment on the pretext that there are problems with the practice. What is needed instead is to establish a system to quickly and individually resolve problems faced by non-regular workers.

To assist non-regular workers with labor problems, the government operates comprehensive

labor consultation booths at 385 locations around the country. But according to the results of a survey conducted by this author, only 10 percent or so of unmarried non-regular workers are aware of this service. An urgent task is to make the system better known and stronger lest workers facing unfair labor practices find themselves abandoned without recourse.

Despite the prevailing belief that the termination of fixed-term employees is easy, there are some legal restrictions. The *Labor Contract Act* stipulates: “With regard to a fixed-term labor contract, an employer may not dismiss a worker until the expiration of the term of such labor contract, unless there are unavoidable circumstances” (Article 17, Clause 1). This stipulation notwithstanding, in the absence of a consensus over what constitutes an “unavoidable circumstance,” the global crisis triggered by the Lehman shock came as a heavy blow exacerbating an already chaotic situation. As contradictory as it may sound, transparency in dismissal rules works to create an environment in which firms can continue to hire non-regular workers without concern as long as an abnormal situation does not occur.

To increase the transparency of rules, it is important to create opportunities to include the voices of non-regular workers in open discussions among the government, management and labor, as well as through an accumulation of judicial rulings on lawsuits over unjustifiable dismissals. At the moment, however, there is a shortage not only of opportunities but also of personnel who can take note of their voices.

Regarding the rules for dismissal, rules for financial compensation need to be established for fixed-term employees. As many cases of dismissal of dispatch workers lead directly to their loss of housing, income guarantees are an essential requirement for ensuring their basic livelihood for a certain period of time in order to reduce the hardships immediately faced by dismissed workers. Any policy that ignores market trends such as the increase in quasi-regular employment is bound to fail. Policies that prompt steps that create hope are needed at a moment when we simply cannot overlook the miserable conditions that people face.

Expanding Access to Justice for Labor Disputes: The Impact of the Labor Tribunal System

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1 Introduction

Japan's labor tribunal system (*rōdō shinpan seido*) was launched in April 2006 as a new scheme for resolving labor disputes between workers and employers in court. The purpose for adopting the labor tribunal system, as defined in Article 1 of the *Labor Tribunal Act*, is to find "prompt, accurate and effective solutions tailored to the context in which disputes arose." To achieve this, the labor tribunal system was endowed with several new features not found in conventional labor litigation: (1) proceedings are well organized and concluded expeditiously, in principle, within three sessions; (2) cases are handled by a three-person committee comprised of a professional labor tribunal judge (*rōdō shinpan-kan*) and two lay members (*rōdō shinpan-in*), both of whom are experts in labor relations recommended by a labor union and an employers' association, respectively; (3) deliberations are held in an informal round-table style with an emphasis on oral—not written—

questions and answers; (4) elements of both mediation and trials are integrated into the system. The labor tribunal committee initially seeks a resolution through mediation, but if that is not possible, it hands down a decision.

The initial estimate for the number of cases that would be handled by the labor tribunal system was 1,500 per year at the most, but with 3,375 cases in 2010, the use of the system has exceeded expectations, and caseloads are likely to increase. Only five short years after its inception, the labor tribunal system now commands an important position within Japan's labor dispute resolution system.

To find out how participants in the labor tribunal process view the new system, a research group to which I belong in the Institute of Social Science, University of Tokyo (ISS) has been surveying labor tribunal system litigants, with the cooperation of the Supreme Court and district courts around the country, since July 2010 (hereinafter, "ISS Survey"). A preliminary report on the results of this survey was published in October 2011 (ISS 2011). In this article, I will discuss the background of the ISS Survey and introduce some of our key findings.

2 Background: Difficulties in Accessing Justice and Resolving Labor Disputes

In the past, litigation was the primary judicial process for resolving labor disputes in Japan, but there are two problems with labor litigation. The first problem is the difficulty in gaining access to the courts. It is a well-known fact that, compared to other industrialized nations, the number of labor cases in Japan is extremely low. While Germany's labor courts (*Arbeitsgericht*) processed approximately 490,000 cases in 2009 and France's labor relations tribunals (*conseils de prud'hommes*) processed about 160,000 cases in 2008, Japan's courts, for many years, processed only 1,000 to 2,000 cases annually. This number has risen ever

so slightly in recent years — 3,073 individual labor-related lawsuits in the first instance in 2010—but pales in comparison to the aforementioned figures from Germany and France. There are many reasons for the low number of labor cases in Japan, but one of the more significant is that litigation in Japan is too costly and time consuming for most workers to pursue.

The second problem is the difficulty of resolving labor disputes. Most labor disputes involve complicated and often emotional conflicts between workers and their employers, and regular litigation is not always a suitable channel for resolution since it requires expertise in labor relations. According to the 2006 Survey of Users of Civil Litigation (hereinafter, the "2006 Civil Litigation Survey"¹) conducted by the academic research group sponsored by the Japan Law Foundation (which operates under the auspices of the Japan Federation of Bar Associations) across the entire spectrum of civil litigation, labor lawsuits in par-

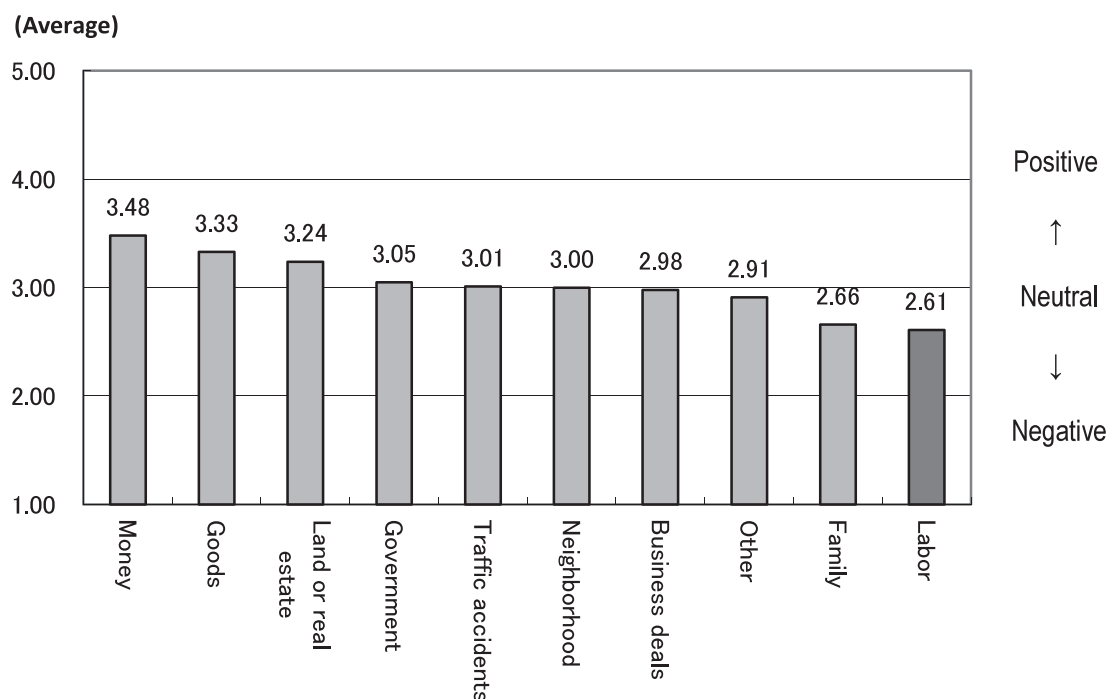
ticular ranked the lowest in terms of litigants' satisfaction with the outcomes (**Figure 1**).

Against this backdrop, the new labor tribunal system, with its focus on swift procedures and labor relations expertise, was established with the dual aims of expanding access to justice for parties who found it difficult to use the conventional court system and creating a dispute resolution mechanism with a high level of user satisfaction.

3 The ISS Survey: Elucidating Parties' Assessments and System Issues

The ISS Survey was conducted between July 12 and November 11, 2011 with questionnaires sent to 1,782 parties (891 workers and 891 employers) involved in labor tribunal proceedings in courts throughout Japan. Since this survey pertained to closed court proceedings, it was procedurally complex and required considerable diligence in administration. 494 valid surveys (309 workers

Figure 1: Satisfaction of Civil Litigants by Case Type



*Average score of responses to the question "Are you satisfied with the litigation results?"

Answers: "1 = Very dissatisfied; 2 = Somewhat dissatisfied; 3 = Neutral; 4 = Somewhat satisfied; 5 = Very satisfied."

Source: 2006 Civil Litigation Survey.

¹ For details on the 2006 Civil Litigation Survey, please refer to Civil Litigation System Research Group (2007). The microdata for this survey were deposited in the SSJ Data Archive of the Institute of Social Science, University of Tokyo.

and 185 employers) were collected by the deadline, yielding a response rate of 27.7% (workers: 34.7%, employers: 20.8%).

While our team has yet to complete its detailed analysis, the initial survey results reveal that parties who used the labor tribunal system gave it a generally positive assessment. In particular, the system received high marks for speed. When asked about the time required to complete the labor tribunal process, 46.4% of respondents replied "short," 25.7% replied "neutral," and 27.5% replied "long." The percentage of respondents who indicated at the start of labor tribunal proceedings that they "had an idea" about how long they would take was 67.6%, far outstripping those who reported having "no idea at all" (30.4%). In principle, labor tribunal proceedings are supposed to conclude within three sessions, which is why parties can more easily anticipate the amount of time required.

Additionally, responses to questions on the conduct of labor tribunal procedures were generally positive (Table 1). In particular, more than 70% of respondents chose "Agree" in response to "Proceedings were swift" and "Language used in the labor tribunal was easy to understand." Many

people, accounting for as much as 50% or 60% of the total in some cases, had positive views of other aspects of the proceedings which shows that, overall, participants' assessments of the handling of their cases were favorable.²

Figure 2 is a comparison of responses to similar questions in the ISS Survey and the aforementioned 2006 Civil Litigation Survey. Higher numbers indicate more positive assessments. As this figure shows, labor tribunal parties responded more positively than conventional labor lawsuit litigants on questions concerning cost, speed, thoroughness of deliberations, satisfaction with the judge (or labor tribunal judge) and satisfaction with the outcomes of proceedings. In addition, the parties' scores for satisfaction with the tribunal's lay members involved in their cases (indicated as Lay Member A and Lay Member B in the survey) were as high as those for the labor tribunal judges.

These results show that people who have actually used the labor tribunal system—which was adopted with the aim of finding "prompt, accurate and effective solutions tailored to the context in which disputes arose"—view it favorably overall. It should also be noted that the responses pro-

Table 1: Assessment of Labor Tribunal System Proceedings

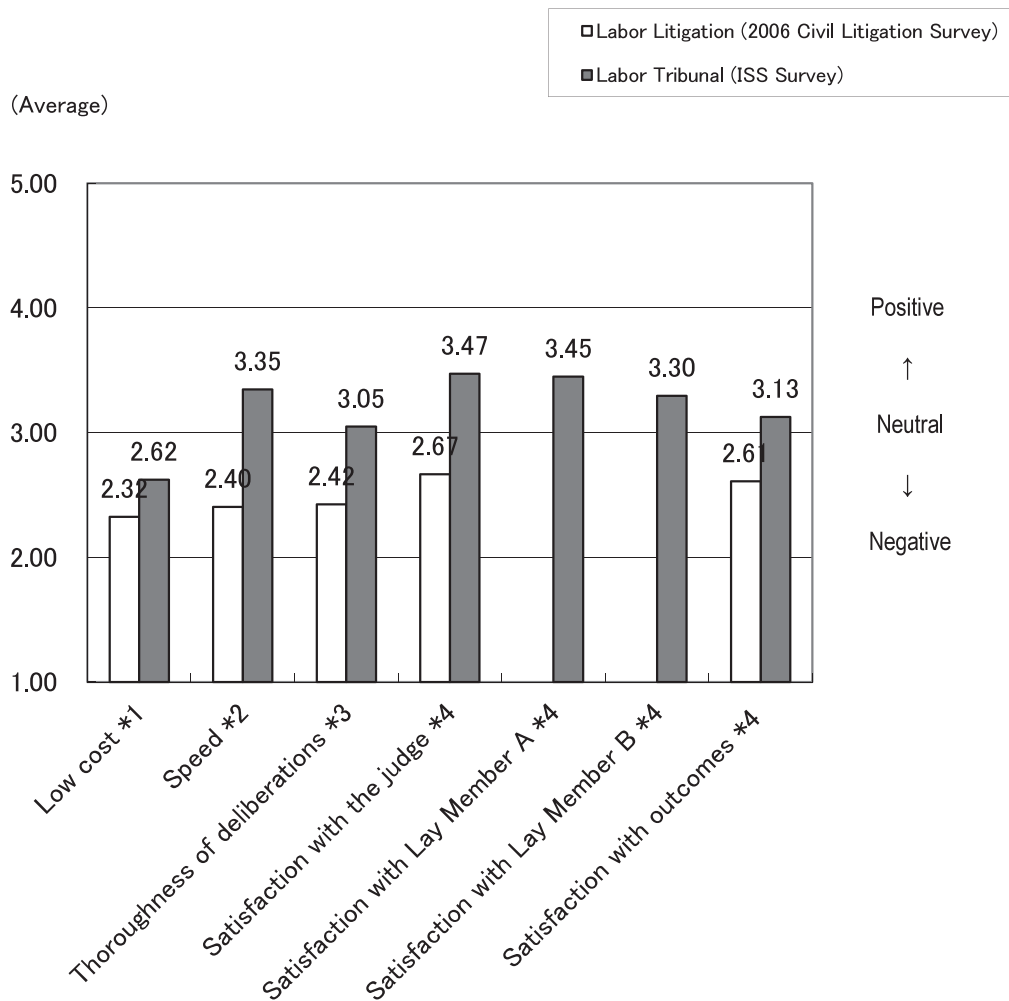
	(%)		
	Agree	Undecided	Disagree
I was able to sufficiently state my position.	56.6	10.4	33.0
I was able to present ample evidence.	68.2	11.2	20.6
I was able to sufficiently understand the other side's arguments and presentation of evidence.	14.0	9.6	76.4
Proceedings were easy to understand.	57.5	18.3	24.2
Language used in the labor tribunal was easy to understand.	72.9	15.9	11.2
Proceedings were fair and equitable.	60.0	16.4	23.6
Proceedings were swift.	74.6	14.7	10.7
Deliberations were thorough.	41.9	21.8	36.3

Note: $n=479-491$.

Source: ISS Survey.

² The only question to which a low percentage of respondents replied "Agree" was "I was able to sufficiently understand the other side's arguments and presentation of evidence." The question was meant to check if parties were able to comprehend the other side's arguments and evidence, but some respondents may have perceived the question as asking if they thought the other side's evidence was *persuasive*.

Figure 2: Comparison of Litigant Assessments: Labor Litigation vs. Labor Tribunal



*1 Average score of responses to the question "Was the total cost incurred expensive?" (Answers: 1 = Very expensive; 2 = Somewhat expensive; 3 = Neutral; 4 = Somewhat inexpensive; 5 = Very inexpensive).

*2 Average score of responses to the question "How do you feel about the time required for the proceedings?" (Answers: 1 = Very long; 2 = Somewhat long; 3 = Neutral; 4 = Somewhat short; 5 = Very short).

*3 Average score of responses to the question "Do you think the deliberations were thorough?" (Answers: 1 = Strongly disagree; 2 = Disagree; 3 = Neutral; 4 = Agree; 5 = Strongly agree).

*4 Average scores of responses to questions about satisfaction with the judge (or labor tribunal judge), labor tribunal lay members³ and the outcomes of proceedings (Answers: 1 = Very dissatisfied; 2 = Somewhat dissatisfied; 3 = Neutral; 4 = Somewhat satisfied; 5 = Very satisfied).

Source: 2006 Civil Litigation Survey and ISS Survey.

vided by employees were more positive than those of the employers.

The survey results also elucidate some problems in the labor tribunal system that can be improved such as potentially prohibitive lawyers' fees. Because labor tribunal proceedings are swift, with cases usually concluded within three sessions, litigants must present ample evidence early in the

process, which means legal representation is recommended. In the ISS Survey, 84.8% of litigants hired lawyers. However, almost half (49.5%) of these respondents replied that lawyers' fees were "expensive," which suggests the financial burden on workers is especially large. Also, when comparing employees by employment type, 84.7% of regular employees hired lawyers as opposed to 70.9% of non-regular employees. This difference

³ Labor tribunal lay members are unique to the labor tribunal system, so there were no questions pertaining to them in the 2006 Civil Litigation Survey.

could indicate that it is more difficult for non-regular workers to hire lawyers. Even though respondents feel that the cost required for labor tribunal proceedings is lower than that for conventional labor lawsuits (see Figure 2), creating policy instruments to make the labor tribunal system more accessible by reducing the burden of lawyers' fees is a pressing issue.

4 The Legalization of Labor Relations: Prospects for the Labor Tribunal System

Labor practices unfavorable to workers that are not permitted under labor laws have nevertheless been prevalent at Japanese companies—especially small and medium-sized enterprises. Since it was never easy for workers to spend the time and money to take disputes over unfair treatment to court, they had no choice but to "grin and bear it," which allowed their employers to continue practices favorable to the company. However, the labor tribunal system makes it easier for workers to resolve their disputes—even for grievances that would have been difficult to contest through conventional lawsuits—in court. As more workers take advantage of the labor tribunal system, more employers will likely have to correct the old habits they have grown accustomed to as well as the attitudes underpinning them. Another interesting aspect of these proceedings are the reports that labor tribunal lay members nominated not only by labor unions, but also by the employers' associations often give employer-defendants a "stern talking to" about how their arguments will not pass muster according to the rules set forth under labor laws.

This "legalization" of labor relations—ensuring that the rights afforded to workers by law will actually be upheld in the workplace—has been one of the bigger issues in Japanese society. In this sense, establishing the labor tribunal system as a new means for courts to resolve labor disputes may well have been an important step toward "legalizing" labor relations.

While labor tribunal usage has been active since the system's inception, the annual number of cases remains below 3,400, so caution must be taken not to overestimate its impact. As mentioned earlier, issues such as reducing the burden of lawyers' fees remain. That being said, the labor tribunal system's role in dramatically expanding worker access to the courts should not be downplayed. Going forward, we would like to conduct an in-depth analysis of the ISS Survey data to elucidate the real conditions surrounding the labor tribunal system and further explore the impact of the system on labor relations in Japan.⁴

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⁴ We plan to deposit the ISS Survey microdata into the SSJ Data Archive in the near future so they may be used freely for academic purposes.

The Social Sciences of Hope: The Fukui Research Project

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Investigating the Role of Hope in Regional Regeneration

The aims of this research are to conduct a comprehensive regional survey on the social phases of hope with a focus on Fukui Prefecture and to explore the region's past, present and future. From 2006 to 2008, a group of Shaken researchers conducted a comprehensive study called "Hopology—The Kamaishi Research Project" in the city of Kamaishi in Iwate Prefecture. A team of researchers from a variety of social science disciplines—namely, law, political science, economics and sociology—conducted surveys and interviews in order to examine the role of hope in a region of industrial decline from a variety of angles. Our findings led to a hypothesis that there are three elements essential for regenerating hope within a region—reestablishing a local identity, sharing hope, and forming social networks within and outside of the region. The common keyword among all three elements was "dialogue" (Genda

et al. 2009).

With this hypothesis in mind, we established a Regional Survey Group within the Long-Term Growth for All People Project (LGAP) led by Professor Yuji Genda of the University of Tokyo's Institute of Social Science (ISS). In 2009, LGAP was awarded funding under the Japan Society for the Promotion of Science's (JSPS) "Program for Promoting Social Science Research Aimed at Solutions of Near-Future Problems" and began a comprehensive regional survey to explore the issue of hope. Based on our findings in the Kamaishi project, we paid particular attention to the employment problem, an issue which arguably has the most influence on the state of hope in any given region.

The target for our study, Fukui Prefecture, is a relatively wealthy region within Japan and its residents demonstrate high levels of life satisfaction. Socially, economically and in many other aspects, Fukui is considerably different from Kamaishi, so it is the perfect area for our research which aims to ascertain the social phases of the development of hope from multiple angles.

Methodology

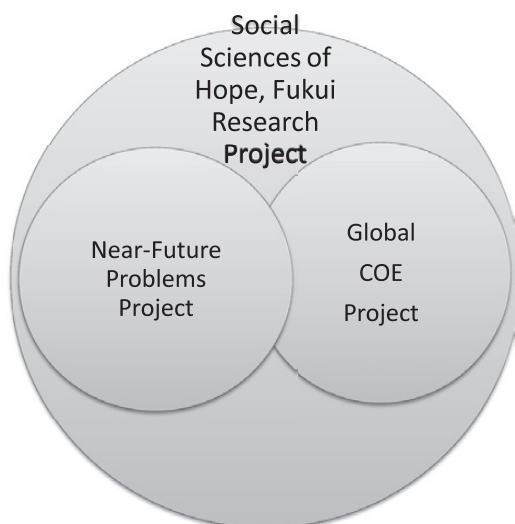
Our team conducted a comprehensive regional study that spans a range of social science disciplines, and our research roadmap is unlike that of conventional regional studies in that it:

- (1) Is designed to identify issues instead of testing hypotheses.
- (2) Explores the past, present and future of the local community based on the keywords of "hope" and "employment."
- (3) Transcends a simple situational assessment and analysis to examine regional regeneration theories with an emphasis on history and culture.
- (4) Focuses on engaging in dialogue with the people of the target region.

In addition, the other special feature of this research project is that a variety of researchers from different disciplines, using their own research methods, are working together to analyze the "state of hope" in one particular area. By doing this, we intend to comprehensively assess various aspects of the local community as we delve into issues pertaining to the regeneration of hope.

Research Group Organization

The Fukui Research Project is a collaborative effort by individuals and institutions. The initiative began as joint research effort between the Social Sciences of Hope Project of the ISS and the Fukui Prefectural Government. The research team secured funding and designed the survey autonomously, all while receiving the complete support of the Fukui government. The research team is comprised of participants in the LGAP study, part of the Near-Future Problems Project, and participants in the "Research Survey on the Features and Mechanisms of Fukui Prefecture's Livelihood Security System," (funded by a Grant-In-Aid for Scientific Research Specially Promoted Research Subsidy for the "Project on Intergenerational Equity" and a grant from the Suntory Foundation and led by Professor Noriyuki Takayama) which is part of the Global COE project, "Gender Equality and Multicultural Conviviality in the Age of Globalization," led by Professor Mari Osawa. A total of 40 researchers work in several teams, conducting archival research, interviews, surveys, and various other methods.



Research Details

In this paper, I would like to highlight a portion of our ongoing research using examples from the Near Future Problems Project.

- ① The Regional Resources Team is currently examining the relationship between sole proprietorship and employment by focusing on the commercial fishing industry in the coastal city of Echizen, which is located on the Port of Echizen. The team is interviewing members of the Echizen Commercial Fishers' Cooperative about snow crab fishing business conditions and market price formation as well as collecting relevant statistics and materials. The team is also interviewing individual fishermen and fishing crews about their operations, fish resources, and income levels. The team plans to interview city officials and collect primary materials from the city government to ascertain its views on the local economy, recent fluctuations in the region's fishing and tourism industries and issues related to the formulation of future policy roadmaps.
- ② The Social Research Team conducted a survey of four high schools' alumni associations in Fukui Prefecture, with particular emphasis on Fukui City, essentially carrying over a method used in the Hopology Project in Kamaishi, to examine regional migration and the major life events of Fukui natives ages 20-79. The team's ultimate goal is to analyze the subjective processes respondents employed in envisioning their life course

Near Future Problems Project

- a. Labor Market and Education Research Group: Labor Team, Regional Resources Team, Social Research Team, Political Team
- b. Corporate/Industrial Organization Research Group: Textile Industry Team, Corporate Team, Environment and Culture Team
- c. Reinan Region Research Group: Utility Team, History Team

GCOE Project

- d. Research Group on the State of Labor and Social Inclusion/Exclusion
- e. Research Group on Cooperation in Daily Life

prospects.

- ③ The Political Team is primarily conducting research on the Fukui Prefectural Government by collecting oral histories of the governors and holding focus groups on the government's role in coordinating and collecting resources. The team is also exploring how the residents of Fukui Prefecture define "hope," how their definitions shape policy and how they present policy feedback. Additionally, it will consider the impact that decentralization reforms, municipal mergers, local policy manifestos and other new initiatives are having on local government.
- ④ The aim of the Textile Industry Team is to clarify the process of industry agglomeration and transformation by combining traditional historical research with new oral history techniques. In particular, the team is focusing on Seiren, a core manufacturer in Fukui Prefecture's textile industry. It aims to shed some light on the mechanisms of Seiren's corporate development by researching the company's unpublished archives while concurrently collecting oral histories from current and former executives. Using a variety of means to examine Seiren's rapid expansion from a dyeing and finishing subcontractor into an integrated textile manufacturer—including its acquisition of Kanebo's domestic textile plants—will likely result in an invaluable case study of not only Fukui Prefecture's regional economy, but Japan's textile industry as a whole.
- ⑤ The Corporate Team is using new approaches to ascertain the current issues facing the regional economy. Taking a different tack than before, the team's research does not focus on an economically active region, nor does it explore the regional economy in a declining region; rather it uses detailed case studies to reveal "the light of hope" within a declining region and to paint a picture of the underlying factors and future direction thereof. The team has chosen Sabae, a region known for its eyewear, lacquerware and textile industries that is facing the pressures of structural adjustment. The team is focusing on companies, government officials, and other agents who are responding positively to these adjustments and attempting to enact

reforms. The ultimate aim is to elucidate the characteristics of those efforts.

- ⑥ The Environment and Culture Team is examining the concept of local identity, which was found in the Kamaishi Project to play a significant role in the regeneration of hope. The team is researching documents on community development and holding discussions with key players in those efforts in the town of Ikeda, home to the traditional *Mizumi dengaku* and *noh* dances—which are said to date back over 400 years—and winner of the Minister of the Environment Prize in the 2006 Local Government Environmental Grand Prix. In addition, the team is interviewing those involved in preserving the *dengaku* and *noh* traditions and conducting on-site surveys on how this historic cultural asset has been handed down from one generation to the next, all as a means to explore the concept of local identity and examine its construction and functions.
- ⑦ The Utility Team is conducting interviews and researching documents on nuclear power plants in Fukui with the aim of achieving a genuine reconciliation between Fukui and other prefectures, between the Reinan (southern Fukui) and Reihoku (northern Fukui) regions, and between municipalities with and without nuclear power plants in the Reinan region. The team is discussing with nuclear power plant operators and interviewing municipal and prefectural government officials as well as meeting with residents in areas with and without nuclear power plants. The team is theorizing on the links between local identity and hope in regions with nuclear power plants, giving full consideration to the diversity of perspectives on the nuclear power issue. The team is also re-examining the role of nuclear power plants in the wake of the Fukushima nuclear power plant accident on March 11, 2011.
- ⑧ The History Team is researching the modern-day development of the Reinan region—a region where the ocean, mountains and rivers are inextricably linked—focusing primarily on issues surrounding the opening of and subsequent renovations to its main port. The team aims to clarify the political trends

surrounding development while elucidating the local identity fostered amid the progress and setbacks of development. The team has collected and analyzed historical and official documents as well as publications by Itteki and Hokuso Bunko (Libraries) and is conducting interviews.

Research Period and Presentation of Outcomes

The research period for this project is 2009-2012. While the teams are progressing at slightly different rates, the main research is nearly complete. We are currently conducting additional research and issuing interim reports, and we issued an interim report and held a public symposium in Fukui City in July 2011. An audience of 200 gath-

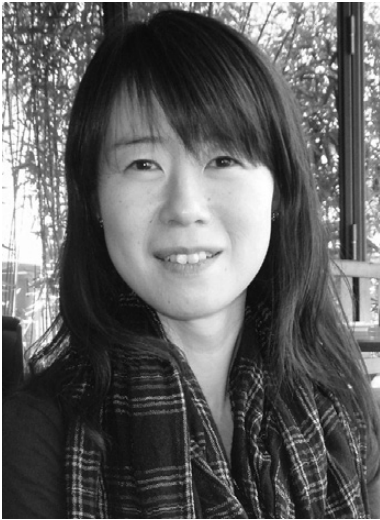
ered, and a vigorous discussion on hope in Fukui ensued. We plan to hold a similar interim report session in the city of Tsuruga in early December 2011 and publish our findings as an edited volume.

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Is Overwork on the Decline in Japan?

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I have been researching employment issues from various angles as a member of the research project, “Creation of Employment System that enables Lifelong Growth for All People,” commissioned by the Ministry of Education, Culture, Sports, Science and Technology as part of the Program for Promoting Social Science Research Aimed at Solutions of Near-Future Problems. In this article, I present an overview of our findings on the issue of long working hours in Japan.

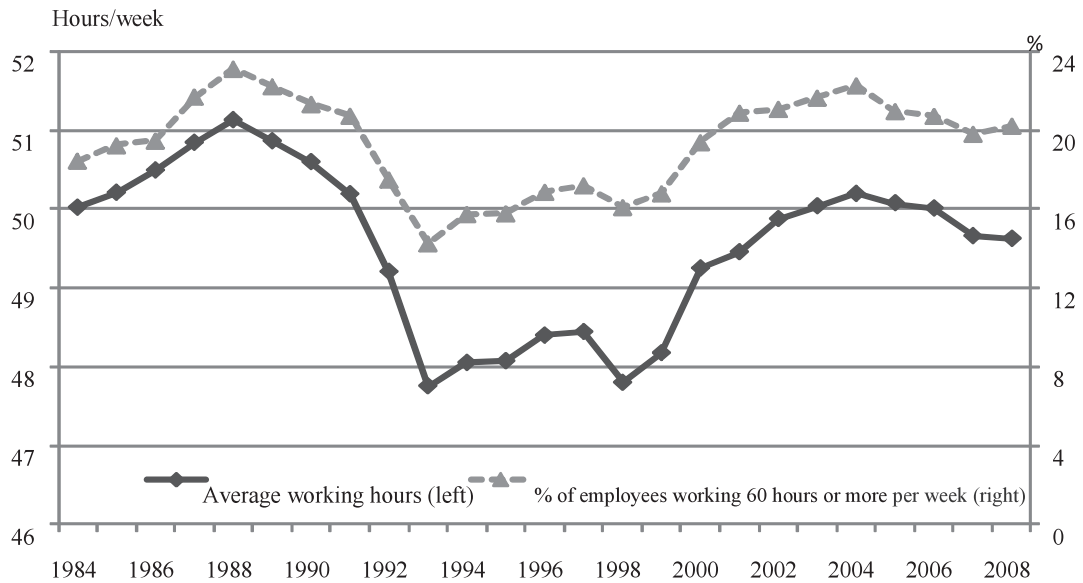
In the early 2000s, extremely long working hours or overwork became a social issue in Japan due to frequent media coverage of *karōshi* (death from overwork) incidents and “name-only” managers, managerial staff forced to work long hours without extra pay. From the latter half of the 2000s onward, average working hours have been falling due to repeated negative shocks including the global recession in the wake of the Lehman Brothers bankruptcy and the Great East Japan Earthquake. The Japanese government, however, has

stated that the “working hours of so-called regular employees remain unchanged” and—among other countermeasures—has called on employers to consider concrete measures for increasing their employees’ use of their annual paid leave.

The Japanese government has been working to address the issue of long working hours for over 20 years, starting with its revision of the *Labor Standards Act* in the late 1980s. Under the revised law, the length of the statutory work week was reduced gradually from 48 to 40 hours, which resulted in the widespread adoption of a five-day work week in the 1990s. In fact, according to the *General Survey on Working Conditions* (Ministry of Health, Labour and Welfare (MHLW)), the annual average number of days off for regular workers increased from 92.9 in 1985 to 113.8 in 2009, or 21 days over the past 25 years. If you treat one day as equal to eight working hours, this translates into a reduction of about 170 working hours per year. Given this drop, one is left to wonder why the issue of Japanese people working long hours remains salient today, 20 years after the *Labor Standards Act* was amended. To answer this, I will introduce the results of my research, which utilizes microdata from several sets of government statistics, as I explore how working hours have changed over the years.

First, Figure 1 uses microdata from the Ministry of Internal Affairs and Communications’ (MIAC) *Labour Force Survey* to show the average working hours of “prime age” male employees in their 20s, 30s and 40s—i.e., the so-called workaholics—in a time sequence. Looking at the most recent years, average working hours rose rapidly between 1998 and 2004 and declined gradually thereafter. This trend matches the time frame in the early 2000s when the issue of long working hours was brought to the fore. The period from the late 1990s until the early 2000s was a time when Japan faced a deepening economic recession. The unemployment rate, for example, reached a historic high of 5.5%. Until this time, average working

Figure 1: Working Hours of Male Regular Employees Ages 20-49



Sources: *Special Survey of the Labour Force Survey and Labour Force Survey (Detailed Tabulation)*
Formatted by author based on Genda, Kuroda, and Ohta (2011)

hours in Japan generally moved procyclically with the economy, since overtime was drastically cut to reduce personnel expenditures in times of recession. However, what became apparent in the early 2000s was the opposite phenomenon: people working longer hours during tough economic times. In Genda, Kuroda, and Ohta (2011), we propose the "fixed duty hypothesis" to interpret this phenomenon. First, we assume that many white collar workers' range of responsibilities remained unchanged during earlier economic downturns. Large-scale restructuring and hiring cutbacks stemming from the worsening recession of the late 1990s however, resulted in dramatically fewer employees having to assume additional duties due to downsizing. Under this model, the volume of fixed duties remains the same as before the recession, so the regular employees who escaped restructuring are left to bear the entire burden, and as a result, they end up working longer hours. When we tested this hypothesis against the microdata from the *Labour Force Survey*, the results, as expected, suggested that the more extensive restructuring a sector underwent, the longer the working hours of remaining regular workers became. We are currently working on an analysis using other data in order to further test this hypothesis.

When we observe the data in Figure 1 over a longer time span, however, we find that even in

2004— average working hours were about one hour shorter than in the 1980s. Furthermore, there is no evidence that a higher percentage of employees worked more than 60 hours per week in the early 2000s compared to the late 1980s. In other words, it would be false to say that average weekly working hours in Japan in the early 2000s exceeded those in the 1980s. Furthermore, given that the annual number of days off has increased as described above, we can state that annual working hours have, in fact, decreased. Nevertheless, according to the *Survey on the State of Employees' Health* (MHLW), the percentage of persons who responded that "work is physically very tiring" increased from 9.5% in 1992 to 11.8% in 1997 and reached 14.1% in 2002. The number of people experiencing fatigue due to work is on the rise. Why is this so?

Let's explore daily working hours for a possible answer. Table 1 uses micro data from the *Survey on Time Use and Leisure Activities* (MIAC) to show daily weekday working hours and hours of sleep since the 1970s, with adjustments made for demographic and structural changes over the past few decades in Japan, namely, population aging, rising education levels and the tendencies to marry and give birth later in life. In this survey, respondents are asked to record all of the activities they undertake in a 24-hour period in 15-minute increments, which allows us to ascertain how people

Table 1: Average Daily Working Hours of Male Full-time Employees

	1976	1986	1996	2006	76→06	
Working hours	8.02	8.70	8.80	9.12	1.10	**
Sleeping time (hours)	7.92	7.57	7.40	7.22	-0.70	**
% of employees working 10+ hours	17.1	31.0	35.4	42.7	25.6	**
% of employees working 13+ hours	2.0	4.4	5.7	8.2	6.2	**

Source: *Survey on Time Use and Leisure Activities Basic Survey on Social Life* (Ministry of Internal Affairs and Communications), formatted based on Kuroda [2010].

Note: Two asterisks (**) mean the difference between two points in time is statistically significant at 1%.

spend their time aside from working. Looking at Table 1, the daily working hours of male full-time employees have risen consistently since the 1970s regardless of economic cycles. The table also shows that the percentage of men who work 13 hours or more per day rose from 2.0% in 1976 to 8.2% in 2006; these figures represent actual hours worked and do not include time for commuting, breaks or lunch. Furthermore, the increase in daily working hours coincides almost exactly with a steady drop in the average hours of sleep per night. According to Kuroda (2010), men's weekly sleeping time has decreased four hours in the past 30 years while women's has decreased three hours over the same period. One possible reason for the increase in daily working hours is that the distribution of working time within a week has changed along with the shift to a five-day work week and the increase in the number of national holidays, thereby increasing the likelihood of having to work longer hours on weekdays. Furthermore, in accordance with the rise in daily work hours of regular employees, business hours have expanded in order to meet the demand for goods and services in the early morning and late night hours. Using micro data from the *Survey on Time Use and Leisure Activities*, Kuroda and Yamamoto (2012) found that regions where regular employees work longer hours are more likely to employ non-regular employees to work early morning and late night shifts.

There are only 24 hours in a day, so increasing time for one activity requires reducing time for another. I assume the monotonic decline in sleeping time among Japanese people could be linked to the increase in work hours on weekdays as well as the increase in the number of non-regular employees who work at unusual hours. And I assume this phenomenon is also closely related to

the increase in the number of Japanese experiencing fatigue despite the uptick in annual days off. This suggests that haphazardly increasing the number of days off merely leads to intensified periods of work before and after days off, making weekdays increasingly busy. When discussing the work-life balance, increasing the number of days off to create more annual leisure time is important, but we must recognize the need to strike a balance over the shorter term, i.e., days, weeks and months.

Lastly, as I have outlined above, my research shows that Japanese people's use of time throughout the week has changed gradually over the past few decades, but one question remains: are working hours in Japan over the past several years still long when compared with other countries? To answer this, I used micro data from American and Japanese time-use surveys conducted in 2006. After adjusting for differences in demographic composition between the two countries, I compared the working hours of full-time workers and found that Japanese men work nine hours longer and Japanese women seven hours longer per week than their American counterparts (Kuroda 2010). Even in this day and age, full-time Japanese employees work longer than full-time employees in the United States. With such long working hours as these, one can infer that the hourly productivity of Japanese workers is considerably lower than that of workers in the United States or other countries whose average work hours is relatively shorter than that of Japanese. It is a pressing issue for the Japanese to design measures to ensure the problem of overwork does not get any worse, but at the same time, we must also consider how to improve our hourly productivity.

In the wake of the Great East Japan Earthquake

and subsequent nuclear power plant incident in 2011, many companies encouraged their workers to take long vacations or work from home, and some companies even adopted summer time schedules, with the aim of saving electricity during the peak season for power consumption. Going forward, we will need to pay attention to how big external shocks like this alter—or don't alter—the way the Japanese work.

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Creating an Employment System that Sustains Lifelong Growth for All People: How to solve the problem of irregular employment

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A lifelong, growth-oriented employment system is an employment system that comprehensively achieves creativity, flexibility, and security by enabling workers to develop and apply new skills throughout their careers. In order to build such a system, multifaceted research has been conducted in the Institute of Social Science at the University of Tokyo under the auspices of the Program for Promoting Social Science Research Aimed at Solutions of Near-Future Problems ("Near-Future Problems Project"). As a member of this project, I have focused my research on the most pressing issue in the contemporary Japanese employment system: the polarization of the labor market between regular and irregular workers. In this article, I will discuss strategies for addressing the core of this problem, that is, the issue of fixed-term employment.

Irregular employment is characterized by three axes: (1) working hours (full-time→part-time), (2)

employment contract duration (permanent→fixed-term), and (3) employment relationships (direct hire→dispatch from a temporary agency). In other words, irregular employment can be identified in a three-dimensional matrix where regular employment is the origin. The most important of the three axes is employment contract duration. While many people may willingly choose part-time or temporary jobs, few choose to be fixed-term employees rather than to be permanent ones. Not only is fixed-term employment the root cause of job instability, it has been used as an justification for treating irregular workers differently from permanent employee even with both groups are doing the same types of work.

Looking at policy discussions on irregular employment to date, there has been a strong tendency to differentiate between part-time, temporary, and fixed-term employment (the last of which primarily refers to directly hired, full-time contract employees) and propose separate policy measures for each. This separation is akin to forcing a three-dimensional system into a one-dimensional one, which is, as we know, impossible. Whether it is part-time or temporary or both, irregular employment must be approached from a different angle, that of the shared issue of fixed-term employment.

The issues associated with fixed-term employment regulatory reform span a broad spectrum, but the major focus among Japanese policymakers is whether or not to adopt a European-style regulatory system. All European Union members must comply with the EU directive on fixed-term work adopted in 1999, while each member state also maintains its own set of national regulations. This system can be broken down into four parts: 1) underlying philosophies and conceptual foundations, 2) provisions regarding the terms of fixed-term contracts (entry regulations), 3) provisions on working conditions, and 4) provisions regulating the termination of fixed-term work contracts (exit regulations).

First, with respect to underlying philosophies, regulations in most EU countries explicitly stipulate that regular employment, i.e., open-ended contracts with no specified end date, are the norm, while the stated aim of the EU directive is to prevent both discrimination against fixed-term workers and the overuse of fixed-term contracts. The EU directive does not mandate member states to require employers to provide objectively justifiable reasons for hiring fixed-term workers instead of regular workers—such as a temporary increase in demand or seasonal work—but individual countries, particularly those in Southern Europe, have traditionally imposed such regulations.

Meanwhile, in order to prevent abuse arising from the use of successive fixed-term employment contracts, the EU directive stipulates that member states must implement at least one of the following exit regulations: a defined maximum duration of successive fixed-term employment contracts, a limit on the number of contract renewals, or a requirement that employers submit objective evidence to justify contract renewals. As for employment conditions, the EU directive prohibits discrimination against fixed-term workers unless justified on objective grounds.

In contrast to Europe, in Japan it is generally understood that indefinite employment is the norm, even though that norm is not made explicit in the relevant legislation. As a result of this omission, there are no entry regulations, no regulations on employment conditions and no exit regulations to prevent abuse arising from the use of successive fixed-term employment contracts. That being said, Japan's courts have ruled that the doctrine on the abuse of the right of dismissal, which offers some recourse to regular employees who are wrongfully terminated, can be applied analogously to fixed-term employees under certain conditions.

Japan's *Labor Standards Act* stipulates that fixed-term labor contracts, in principle, are not to exceed a period of three years. However, this limit is not an exit regulation intended to prevent abuse but rather a means to bind both parties to the contract. In other words, Japanese regulations on fixed-term employment—including the rele-

vant provisions of the Civil Code—only provide for the binding force of contracts in terms of protecting both parties, making the regulations far weaker than those in continental Europe. Looking at the Employment Protection Legislation Indicators issued by the Organisation for Economic Co-operation and Development (OECD), Japan's labor laws are actually closer to that of the United States and England.

However, importing European legislation to Japan as is for the sake of enhancing fixed-term worker protections would be problematic. It is practically impossible to successfully import an entire set of regulations from another country, no matter how excellent the regulations might be, if conditions in the importing country significantly differ from those in the country of origin.

In Japan, where fixed-term employment regulations have been relatively weak, the proportion of fixed-term workers—especially those with long contracts or periods of employment—is on the rise. It has been generally believed that the renewal of fixed-term work contracts is desirable so long as it is based on mutual agreement between employers and workers; employers tend not to question the repetition of fixed-term contracts over a long period of time. Given this historical background, the introduction of entry or exit regulations or the principle of indefinite employment is probably not an effective option for Japan.

What kind of fixed-term employment reforms are necessary and feasible? As an overarching policy direction, Japan should develop qualitative regulations that would lead to improved treatment, rather than quantitative regulations, as exemplified by entry and exit regulations that would forcibly reduce the number of fixed-term workers. In particular, issues such as job insecurity and termination should be handled by improving predictability at the time of contract termination by thoroughly implementing and institutionalizing requirements for employers to present fixed-term workers with various options of employment contracts when hired, each of which explicitly state whether a worker will or won't be eligible for renewal and, if applicable, the maximum number of renewals.

Moreover, a "tenure-track system" in which fixed-term employment is clearly redefined as a probationary period before workers are hired as permanent employees should be adopted. As it stands, probationary periods are only provided for in open-ended employment contracts and this makes for a rigid system in which new employees who are fired may sue on the grounds that the employer has abused its right of dismissal. If probationary periods were stipulated in fixed-term employment contracts, however, companies could reduce the risk of hiring permanent employees.

Japan should also consider mandating the payment of contract termination allowances to fixed-term workers when their employment contracts end as a means to compensate for job insecurity. In France, for instance, employers are obligated to pay a terminated worker 10% of his or her annual salary in severance pay. In implementing a contract termination allowance, it is important to treat it as a special allowance that is proportional to time worked, as is the case in the French example.

Finally, how should Japan go about remedying the disparate treatment of regular and irregular workers? What is important here is not to treat all wage disparities between regular and irregular workers as problematic because in some cases, a reasonable explanation can be provided, even if the workers in question are performing the same duties. For example, when employers pay fixed costs for regular employee hiring, training, and benefits, they may reduce hourly wages for part-time workers to offset those costs. Employees who prefer shorter working hours and the absence of overtime should have a lower reservation wage (i.e., the lowest wage at which a worker would be willing to accept a job). Reservation wages for temporary workers are also likely to be lower since they can save money by not having to search for work on their own.

An essential difference between regular and non-regular workers is that the scope and nature of

the future work of regular workers is unknown. In other words, regular employees understand that they may need to acquiesce to sudden requests for overtime, division transfers and relocation. Even if regular employees currently perform the same duties as irregular employees, it is only natural for the former to receive higher salaries to compensate for potentially difficult work assignments in the future. Given that there are reasonable explanations for some cases of wage disparity between regular and irregular workers, it may be irrational to define strictly those who are non-regular workers in form but almost equivalent to their regular counterparts in substance (same tasks, same career track) and mandate employers to give such workers equal treatment with their regular counterparts as provided for in Article 8 of the *Part-Time Work Act*.

In Europe, the equitable treatment of fixed-term employees is provided for in the EU directive; however, the reality is that different treatment is permitted where there are objective and reasonable grounds such as differences in the number of years of service and educational backgrounds, with the non-discrimination provisions effectively interpreted as the "principle of prohibition of unfair treatment without reasonable grounds." Rather than implementing the principle of same pay for the same work as a rock-ribbed law, Japan should strive to realize equitable treatment—i.e., balanced treatment of workers according to their respective situations—by legislating the "prohibition of unfair treatment without reasonable grounds."

Some people may point to the ambiguity as to what constitutes "reasonable grounds," but it is necessary to leave room for flexibility to make judgments on a case-by-case basis through dialogue between management and labor. What is important is to create a mechanism under which companies cannot escape penalty if their practices deviate significantly from that of equitable treatment.

David LEHENY



At the request of the SSJ Newsletter, David Leheny of Princeton University has written a short essay discussing his time at *Shaken* following the 2011 tsunami as well as his history at the Institute.

David Leheny is the Henry Wendt III '55 Professor of East Asian Studies at Princeton University. Professor Leheny is a former Managing Editor of *Social Science Japan* from 1996 to 1998, and was a Visiting Professor at the Institute of Social Science, the University Tokyo from April 1 to July 31, 2011.

I spent an unplanned night at Shaken on March 11th, 2011. Although I was scheduled to begin a four-month stint on April 1st, I was living in western Tokyo while doing research at Hitotsubashi University between October and March, so it was only because of an unrelated meeting that I was in downtown Tokyo that day. The quake struck while I was sitting in a Starbucks in Ikebukuro, and among the many things I won't forget from the day was the remarkably calm and professional response of the young people working there. While I was still under my table on the second floor, thinking the building was still shaking, they were already at the door, reassuringly and smoothly leading customers out through the fire escape. My wife was working at Shaken at the time, and because I was unable to reach her on her cellphone, I walked along the packed but nearly silent streets of Toshima and Bunkyo Wards to get back to the University of Tokyo's campus.

I found my wife and Shaken's other faculty and staff on the first floor of the main building, where they had gathered with tea and cookies while watching the news of the terrible disaster taking place up north. Although we left for two hours on a fruitless mission to find an open hotel room in Ueno, my wife and I spent most of the long, anguished evening with Shaken colleagues back at the Institute. The extent of the disaster was already becoming clear, and it struck home with the faculty; as is well-known, many of Shaken's researchers had spent significant amounts of time in the city of Kamaishi in Iwate Prefecture, the subject of an earlier issue of the *SSJ Newsletter*. I had never been there and knew the town only through the *Kibōgaku* (Social Sciences of Hope) series. While sitting in the main open space on the first floor, we watched the continually updated videos of areas of Tōhoku – including Kamaishi, where many of the people that night had built strong friendships – being devastated by the tsunami. It was, of course, a terrible experience, one I will never forget, but I am glad that I was with the people at Shaken, who were already trying to make sense of what was happening and to think through how they might respond.

I would certainly have followed up with Shaken regarding the disaster after beginning to work there on April 1st, but even on a personal level I feel fortunate to have been there that night; it is about as close as I have had to a home in Japan over the past fifteen years. Back when I was a visiting graduate student in at the University of Tsukuba from 1994-1995, I used to be very happy to attend talks at the Shaken, especially the Contemporary Japan Group. This was before the construction of the "Tsukuba Express," which now connects Tsukuba directly to Akihabara Station, so I remember taking the "highway bus" from Tsukuba to the evening talks, joining people for dinner, and then either begging some other graduate student to let me sleep on their floor or having to sneak out a bit early to catch the last bus back up north. I also participated in the early days of the SSJ-Forum, back when it was moderated by Jonathan Lewis, now a professor at Hitot-

subashi University.

In early 1996, I was given the opportunity to spend two years at Shaken as a “research associate” (*joshu*). In addition to my own dissertation research, I moderated the SSJ-Forum and edited the *SSJ Newsletter*, translating a few articles from Japanese for each issue. It was probably the most important experience of my career, largely because there is no better way to learn about contemporary social science in Japan than to pay attention to the diverse research projects at Shaken, from economics to history, and from sociology to political science. The highlight of that period for me was the chance to participate in the “50th Anniversary” festivities for Shaken. We did a special issue of the newsletter, for which I edited and translated four longer pieces by Shaken faculty about the Institute’s history and as well as the social sciences in postwar Japan. Even now, I remember that as one of the hardest things I’ve ever done, but it was one of the most rewarding. These were some of the earlier projects in Shaken’s internationalization initiatives of the 1990s and 2000s, and they have since grown exponentially, including the SSJ Data Archive, the *Social Science Japan Journal*, and other programs run at the institute. My own part was limited really to the SSJ-Forum and to the newsletter. I feel honored to have been part of the relatively early days of both, and am delighted to see them continuing in the very capable hands of young scholars like Ishiguro Kuniko and Motegi Akira.

My initial goal while on sabbatical last year was to complete several interrelated research projects, which I had been planning to tie together with some of the concepts introduced in Shaken’s *Kibōgaku* project. This project has been going on for over five years, and the publication in 2009 of the four-volume series on the topic included not only great chapters by Shaken faculty and colleagues in Japan, but also from US-based scholars whose work I respect greatly, like Anne Allison, Annelise Riles, Hirokazu Miyazaki, and Richard Swedberg. I had been very interested in the work that Shaken had done in Kamaishi, the steel town on the coast of Iwate prefecture that served as the core of Volumes 2 and 3 in the *Kibōgaku* book series, which were edited by Professors Genda Yūji and Nakamura Naofumi. But as a political

scientist, I found myself drawn to the questions asked by Shaken’s political theorist, Uno Shigeki, who co-edited (with Professor Genda) Volumes 1 and 4. While pursuing through my research in 2010 and 2011, I found myself thinking about how the search for agency lay behind many of the projects I was investigating, and I realized that I was using some of Professor Uno’s ideas to build a unifying narrative around a number of different cases.

That was before March 11th. Over the past few months, I have been participating in Shaken’s continuing activities in the region, and trying to incorporate them into my work. Even before March 11, there were major debates about how recession-era Japan might build hope, particularly in areas that had already been hit hard by industrial decline. These obviously have even stronger resonance today, as they face even deeper challenges. It’s hard not to be depressed both about the scale of the disaster and about the often chaotic party politics surrounding the government at the moment. And it’s equally hard not to be a bit immobilized by the scale of the challenges that Japan currently faces, both in judging how best to rebuild the injured coast and to respond to the Fukushima catastrophe. But of course Japanese scholars don’t have the luxury to be immobilized, particularly those — like Professor Genda — who participate in government advisory councils on national reconstruction, or the many more who have been working with colleagues in Kamaishi to support the town’s rebuilding. So my effort to build from Professor Uno’s idea now includes an examination of how ideas of hope in Japanese debates about reconstruction incorporate and revolve around different claims about political and social agency.

But this is still a struggle. Some other researchers writing about contemporary Japan in English work in areas that have allowed them to make immediate contributions to these debates, whether Daniel Aldrich’s research on nuclear power siting and on natural disasters, or Andrew DeWit’s writing on energy politics. I imagine, however, that many have been like me: feeling simultaneously skeptical of the idea that “March 11th changes everything” while also realizing that whatever we were writing and talking about

before the disaster feels at least partly out of date. After 9/11 in the United States, I remember the humorist and writer Fran Lebowitz saying in a radio interview that there would likely be a major change in American popular culture because, as she put it, if one turned on the television, everything produced before the terrorist attacks seemed hopelessly old-fashioned. The prediction might have been overstated, but I think the judgment was understandable and perhaps in many ways correct. The March 11th disaster clearly does not change everything about Japan, but I cannot think of arenas of cultural, social, and political life there that will be completely untouched by the disaster. Whether we choose to write about it directly or not, I suspect that all of us who work on contemporary Japan will need to be think about how it intersects with our research and colors and shapes the topics we investigate or the meaning of the questions we ask. At least for the questions I have been asking, Shaken's continuing efforts in Kamaishi that emanate from the *Kibōgaku* are enormously instructive in helping me understand the analytical and discursive frames through which engaged scholars and writers in Japan have been trying to contribute to better outcomes along the devastated coast.

I should add that Shaken's faculty have been uniformly kind and helpful in encouraging me to take part in their ongoing research. Professor Nakamura Naofumi — who was actually my boss, along with Professor Nakagawa Junji, back in my days as editor of the *SSJ Newsletter* — took the extraordinary step of bringing me along on one of his research trips to Kamaishi after the disaster, which gave me the opportunity to build connections and return there later that summer as well for follow-up interviews. I have known some of its faculty members, like Professor Ishida Hiroshi, Professor Nakagawa Junji, Professor Satō Kaoru, and the Institute's Chairman, Professor Suehiro Akira, for many years, and I feel privi-

leged to call them colleagues and friends. The people have always been exceptionally warm and generous to me, so I have found it a singularly welcoming environment.

Besides the extraordinary quality of the Institute's intellectual contributions, I would add only that the Institute's interdisciplinary nature and its tireless engagement with pressing issues together make it a remarkable place to study. Shaken's joint research projects (including the *Kibōgaku* project, earlier studies of the Japanese political economy, 20th Century World System, and the "lost decade," not to mention its current study of Governance) are distinguished largely by the exceptionally clever ways in which organizers leverage the Institute's diverse resources while bringing in distinguished contributors from other Japanese universities and from overseas.

Shaken's continuing work in Kamaishi is yet another reminder of what makes the Institute special. Sociologists, economists, historians, and political scientists have been working together to consider how best to help the region while also working to fit their research into current scholarly debates. I feel honored and very lucky that Shaken's faculty introduced me to people in Kamaishi, and I have found the work there daunting, inspiring, and challenging. The idea of a "social sciences of hope" isn't driven by naïve idealism about the challenges facing Japan, even in economically struggling areas like Kamaishi. It is instead an effort to dig deep — using the tools of social science — into a community's history, economy, and culture to understand the resources that might allow its members to muddle through in hard times, and perhaps to give themselves and others reason to believe that tomorrow will be better than today. It's difficult not to admire a research institute that would both come up with that idea and work to follow through on it by helping that community when it really needs it.

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For the past several years, one of my research interests has been the Meiji Restoration. My intention is to delve deeper into how and why the Tokugawa regime collapsed in 1867 by using social science approaches to analyze the mechanisms of regime transformation.

This is a serious topic for me, but when I tell other researchers what I am doing they usually give me an odd look. In my previous book (Sakaiya 2006), I analyzed voter survey data from the 2000s to empirically demonstrate the influence of campaigns on Japan's elections. In other more recent research, (Sakaiya, forthcoming) I conducted a statistical analysis of survey data on politicians to discuss the post-2009 structure of political party conflict in Japan. In sum, my area of expertise is contemporary Japanese politics, and I am a political scientist whose methodological toolkit includes game theory and statistical analysis. Admittedly, the Meiji Restoration—at first glance—does not appear to match my research profile.

The primary reason I am conducting this "out-of-field" research is simple: Japan's political scientists have largely ignored the Meiji Restoration for over fifty years and almost no other political scientists are currently tackling the topic head-on. This gap in political science research may seem surprising given the significance of this political event, but it is true. I checked the contents of two leading academic journals on Japanese political research, *Annals of the Japanese Political Science Association* and *Leviathan*, for the entire postwar period through 2010. What I found was that, aside from one review paper in the 1960s, there were no articles on the mechanisms underlying the collapse of the feudal system. In the realm of postwar political science, the Meiji Restoration could be called the "forgotten revolution" (Sakaiya 2010b).

I find it hard to believe that postwar political scientists (especially, students of Japanese politics) have been consciously avoiding the end of Tokugawa feudalism as a subject of study. In fact, when you look at social science research from the prewar era until the early stages of the postwar era, you will find that not only was the Meiji Restoration an extremely important topic, it was *the* research topic of the time. During this period, a group of mostly Marxist social scientists engaged in vigorous discussions about the nature of the Meiji Restoration and its underlying causes, as evidenced by the debate on Japanese capitalism between the *Koza* (lecture series) school and the *Rono* (worker-farmer) school. The "theoretical" study of the rise of the Meiji regime which arose from these discussions gradually faded away after the war as Marxist ideology lost its appeal, but this decline of a specific approach should not affect the academic value of the research topic itself.

The reader may be asking what is the positive significance of my involvement in research on the Meiji Restoration? Shouldn't I leave the analysis of historical events to professional historians? Does a political scientist who deals with contemporary political analysis need to even concern

himself with this topic?

In fact, historians in recent years have started to recognize the usefulness of theories and methodologies from political science in the study of the Meiji Restoration. A marked trend since the 1960s among many of the historians who specialize in the late Tokugawa and early Meiji eras has been to painstakingly accumulate data by uncovering historical materials, while paying little heed to "theory" (although exceptions such as Mitani (2006) do exist). It seems that historians are aware of the problem of ignoring theory. Takagi (2011: 50), for one, gives an overview of the historiography of late Tokugawa political history, after which he declares, "The study of theories of history that include interplay among sociology, philosophy and political science is an important theme that each and every researcher should proactively undertake, instead of treating it as someone else's problem."

In political science, especially in the field of comparative politics, there is already a rich collection of work on revolution and regime transformation, although unfortunately the case of Japan is rarely dealt with. Now we have access to analytical tools, such as game theory, that were unbeknownst to social scientists in the early postwar era. On the other hand, in recent decades historians have generated a wealth of historical data useful for constructing and evaluating theories. I think one could say the time has come for researchers to explore the mechanisms underlying the Meiji Restoration.

Sakaiya (2010a) is one attempt at doing this, in light of my understanding of the situation as I have outlined above. In this article, I treat the collapse of the Tokugawa regime as the breakdown of peaceful negotiations between two elite groups, the shogunate and the Satsuma domain. Why did the shogunate fail to win over Satsuma in 1867, by acquiescing to more of its demands, for instance, and thereby forestall the domain's

defection? To answer this question, I constructed a game theory model to deduce the general mechanisms of disunion within the ruling elite. More specifically, I divided the ruling elite into mainstream groups and non-mainstream groups. Then, I posited the theoretical prediction that a regime is more likely to collapse due to non-mainstream group defection when a mainstream group does not accurately recognize the power or preferences of other groups, or when the balance of power among groups is projected to change rapidly in the future. Next, I examined historical literature to determine whether or not the conditions at the end of the Tokugawa Era conformed to my explanation of these general mechanisms. Finally, I tentatively concluded that, in the grand scheme of things, conditions that suit this theory actually existed.

This approach is equivalent to the so-called "analytic narratives" approach (Bates et al. 1998) used by American political scientists. In Japan, studies that explicitly rely on this approach of using game theory and other methods from modern economics to analyze historic political phenomenon are still rare.¹ Personally, I will continue studying the Meiji Restoration and hope to see more progress in the use of contemporary analysis methods in Japanese history.

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¹ This does not mean there has not been any research conducted by contemporary Japanese political scientists on historical cases (although the question remains as to when "history" ends and current affairs begin). For example, Ikuo Kabashima, the well-known election researcher, used Allison's (1971) bureaucratic and political models to analyze the political process of the Manchurian Incident's containment (Hatano and Kabashima, 1991), and Kawato's (1992) analysis of prewar political parties using methods and theories for analyzing elections from the same time period is also an invaluable contribution.

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Questions and Answers with Visiting Professor

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(Visiting *Shaken* from September 1 to December 31, 2011)

Q. How did you come to know about *Shaken*?

My early contacts at Tōdai were actually in the Economics Department. When I was researching my first book, on postwar energy policy and labor relations, Professor Nakamura Takafusa and Professor Sumiya Mikio, who was then the president of Tokyo Woman's Christian University, were very kind to me. Both talked to me many times and lent me books from their personal libraries. Professor Nakamura arranged for me to interview Arisawa Hiromi (twice!) and Professor Sumiya wrote some magic words on the back of his *meishi* that opened the stacks of the Economics Department library to me for the next two years. So I've always used the Akamon—I think the first time I ever walked through the Seimon was this year. I gradually became aware of the *Shaken*, in part because it was established right after the war, and so is itself an example of the subject I study. Then in 1990-91, I spent a year at Hitotsubashi and realized that, although people talk of a rivalry with Tōdai, the relationship is characterized by respect and collaboration. The first time I entered the *Shaken* building was to consult Hashimoto Jurō in 1996. He promised me a half-hour meeting but

gave me two hours, jumping up every few minutes to find a document or check something in a book in his meticulously organized but very crowded office. That was in the days when Japanese professors still enjoyed cigarettes at work and I staggered out of there, reeling from both the effects of second-hand smoke and the barrage of new knowledge.

Q. What are your research interests?

I define my work as studying the ways that people transform their political and economic ideas into institutions. Those transformations are the main way that political culture changes over time. For example, I often feel frustrated by the excessive attention paid to the documents that initiated policies rather than what changed in the implementation stages. We all know from personal experience that it is easy to misunderstand a problem until deep into the process of trying to solve it, but our research strategies do not always reflect that insight. And of course sometimes the people implementing a policy have their own agendas.

I also like studying early postwar Japan for a number of reasons. First, the stakes of all decisions were unusually obvious to people then, meaning that they talked about their goals explicitly, leaving traces for the historian to find. Second, when I read their work, I find many individuals whose values were quite close to my own. The *Shaken's* mission statement, "to conduct empirical studies using historical and comparative perspectives, and to contribute to a social scientific understanding of Japan and of the world by taking advantage of the interdisciplinary and international nature of academic foundation," is one of many attempts by smart Japanese people to respond constructively and comprehensively to the disastrous failure of the war. Moreover, the choices embedded in that sentence still seem like excellent priorities to me, ethically as well as intellectually.

But I also find postwar Japan intellectually

absorbing. Especially during the Occupation years, there essentially was no national boundary for policymaking, which is my third reason for focusing on that era. For most of the topics I examine, it would be inaccurate to say that America dictated to Japan, even though it may have looked that way from a distance. Rather, small groups of like-minded Japanese and Americans battled with other small internationally mixed groups over such problems as whether to establish separate revenue-creating mechanisms for local governments, or to quickly “repatriate” Koreans in Japan. Their ideas also often came from sources that were already familiar to both Japanese and American experts, but were not the exclusive property of either one, such as the Weimar-era German constitution. That document served as a model for both Japanese scholars and Occupation officials, explaining why, for example, Article 25 of the postwar Japanese constitution declares that “All people shall have the right to maintain the minimum standards of wholesome and cultured living. In all spheres of life, the State shall use its endeavors for the promotion and extension of social welfare and security, and of public health.” Beate Sirota and Takano Iwasaburō had both lived in interwar Germany and—independently—both turned to this document for ideas when they sat down to rework Japan’s entire legal framework.

My fourth reason for focusing on postwar Japan is also highlighted by this example. I am always impressed by the people I study: their optimism, clarity of vision, intellectual fearlessness, and sense of social responsibility, not to mention the sheer energy level, was awesome. The twenty-first century needs more people like that, both in Japan and the United States. I feel the same way about the early Meiji leaders, although their mistrust of the general population meant they turned their talents to blocking democratic expression rather than enhancing it.

Q. What is the purpose of your visit?

When I wrote a chapter on Minobe Ryōkichi’s administration as the governor of Tokyo, I was surprised to see how different Japanese history looked from a local rather than a national point of view, even though that locality was the national

capitol. Because of Tokyo’s dominance, people in other places had to think about—and explicitly state—the ways in which their local identities and institutions differed from Tokyo’s, again creating a document trail for historians. In response, I decided to base my current project in Kanagawa prefecture, especially Kamakura, looking at the postwar development of three kinds of local institutions: educational, cultural, and local governments. In all three areas, postwar people established or re-established local institutions that they hoped would serve as the basis for a far more democratic society. As is well-known, their record is mixed: postwar Japan is far more egalitarian and humane than was pre-surrender Japan, but the leftists who deserve much of the credit for keeping these priorities at the forefront of political life were not able to sustain their influence. The dominant story is that they failed because of ideological rigidity and an impractical approach to real-life problems but that explanation doesn’t quite fit the facts as I see them. Rather, their strategies for persuasion enhanced the inherent tension between democracy and expertise—a fundamental issue for everyone who hopes to both make use of a specialized education and participate in a truly democratic system.

Q. What do you like about *Shaken*?

The amazing libraries of Tokyo University must figure large in that list, including *Shaken*’s own remarkably comprehensive collection. It is also one of the creepiest libraries I have ever used; the first few times I entered, I was so busy crouching under its low passageways, stepping blindly into the dark stacks to activate the overhead lights, and remembering which layers led to the exit, that I failed to notice the many signs reading, essentially, “if there is an earthquake, get out as fast as you can!” But more importantly, *Shaken* is full of smart, thoughtful people who are trying to use their professional training to make Japan and the rest of the world a better place to live. They are honoring the spirit of early postwar Japan—and that makes the Institute a vibrant and significant place.

ISS Contemporary Japan Group at the Institute of Social Science, University of Tokyo

ISS Contemporary Japan Group seminar series provides English-speaking residents of the Tokyo area with an opportunity to hear cutting-edge research in social science and related policy issues, as well as a venue for researchers and professionals in or visiting Tokyo to present and receive knowledgeable feedback on their latest research projects. Seminars are open to everyone. Admission is free and advance registration is not required. For inquiries, please contact the seminar organizer Professor Gregory W. Noble (noble@iss.u-tokyo.ac.jp).



Ulrike Schaede

Professor of Japanese Business at the School of International Relations and Pacific Studies, at the University of California San Diego

Show Me the Money

—Japan's Most Profitable Companies and the Global Supply Chain—

September 20, 2011

Abstract: The most interesting Japanese companies are no longer those that mass produce high quality consumer end products. In their stead, leadership in technology and profitability has shifted to companies that excel in producing input components and materials, but many of these companies are relatively unknown. Schaede introduces comparative data on the profitability of US and Japanese firms during the 2000s, and describes the strategies and management practices of the most profitable firms in Japan based on interviews with company executives. These practices stand in stark contrast with “Old Japan” management approaches. A better understanding of “New Japan” companies is necessary to grasp Japan's important role in the global supply chain of many high-tech products.

Amy Borovoy

Associate Professor of East Asian Studies, Princeton University

Robert Bellah's Organic Community

November 24, 2011



The talk looked at Robert Bellah's engagement with Japan, particularly with the work of Watsuji Tetsurō, in formulating his ideas about communitarianism and his critique of American liberal individualism.



John C. Campbell

Emeritus Professor of Political Science at the University of Michigan / Visiting Scholar at the Institute of Gerontology at the University of Tokyo

The Political Economy of Aging in Japan

January 26, 2012

Population aging is often cited as the main cause of Japan's recent economic woes and as its biggest policy problem for the future. This talk put aging into a broader policy perspective, and assessed how well Japan has been dealing with the various problems of the aging society.

Daniel H. Foote

Professor of Law at the University of Tokyo

Reforming Japanese Criminal Justice: Recent Reforms as Viewed in Historical Perspective
February 16, 2012



Abstract:

In recent years, Japan has undertaken a broad range of reforms to the criminal justice system but these were by no means its first attempts at criminal justice reform. Notable prior efforts include the European-influenced Meiji era reforms in the late 1800s, the introduction of a jury system in the 1920s, extensive reforms heavily influenced by the US model in the early postwar years (which Occupation officials characterized as seeking “a fundamental change of the criminological attitude” with “elaborate safeguards for the protection of the individual”), and a strong push for reform in the 1980s following revelations of miscarriages of justice in four highly publicized death penalty cases.

In these past efforts, and again in the recent reforms, many of the same themes recur: reducing prosecutors' reliance on confessions and the pressure to coerce confessions, strengthening the rights of suspects and defendants, fostering a robust adversary system, and providing for lay participation in judging cases. Earlier efforts had considerably less impact than the reformers may have envisioned. The prewar jury system, for example, quickly fell into disuse. Occupation-era criminal justice reforms were interpreted narrowly or even ignored. And the pressure for reform in the 1980s faded with little visible effect. With reference to these prior experiences, the presentation considered whether there is any reason to think the recent reforms to Japanese criminal justice will have a greater lasting impact.

“Reconsidering Governance” Seminars and ISS Seminars

Institute of Social Science, The University of Tokyo: September 2011 – February 2012

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Governance

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Machidori Satoshi (Professor, Graduate School of Law / Faculty of Law, Kyoto University)
September 29, 2011

『「再生産」のガバナンスと日常生活の再編成
— 日本の場合』

Takeda Hiroko (Project Associate Professor, College of Arts and Sciences, The University of Tokyo)
October 18, 2011

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Tanaka Ryuichi (Associate Professor, National Graduate Institute for Policy Studies)
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Marukawa Tomoo (Professor, Institute of Social Science, The University of Tokyo)
December 20, 2011



『EU研究とガバナンス・アプローチ』

Hirashima Kenji (Professor, Institute of Social Science, The University of Tokyo)
January 17, 2012



『震災復興のガバナンス』

February 21,
2012



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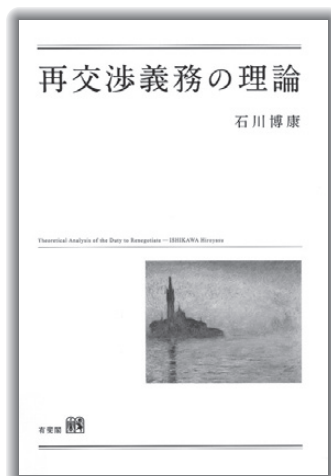
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January 10, 2012

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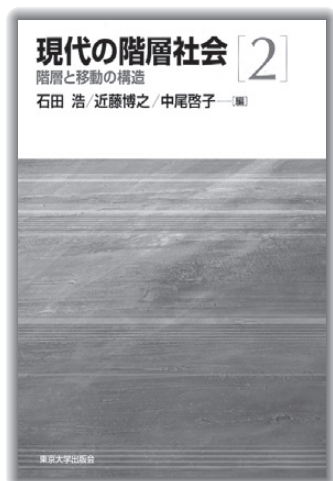


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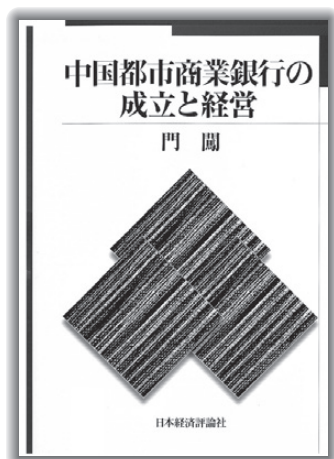
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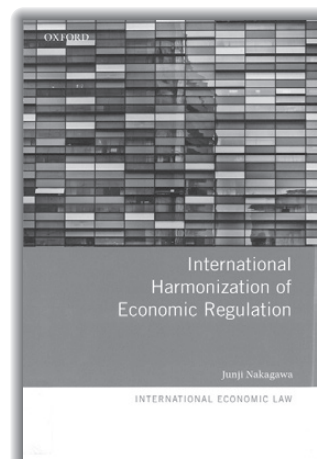
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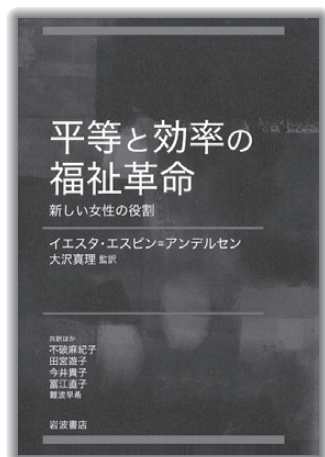
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Focus on ISS

Social Sciences of Hope: The New Kamaishi Project

Akira Suehiro

Director, Institute of Social Science

ISS's Social Sciences of Hope research team first visited the city of Kamaishi in Iwate Prefecture in January 2006. Over the next four years, 40 researchers visited Kamaishi to research a wide range of topics including the change in people's lifestyles, the role of local government, the promotion of industry and sports, NPO activities, the history of Nippon Steel's Kamaishi Works and trends among Kamaishi natives living in other regions of Japan.

Kamaishi once flourished as a steel town, and at one time, its rugby team won seven consecutive national titles, but the town began to decline after the blast furnaces closed in 1989. During our fieldwork, Kamaishi was dealing with depopulation, aging, and declining industry—the same issues facing most of Japan's regional cities—and the city government was in the midst of a regional improvement initiative. We cooperated with the city's efforts while conducting our own interdisciplinary research. The results of this work were compiled in volumes two and three of the *Kibogaku Series*, a four-volume set published by the University of Tokyo Press in 2009.

The First Kamaishi Project officially ended in 2009, but members of the Social Sciences of Hope research team kept in contact with the people of Kamaishi. Then, on March 11, 2011, the Great East Japan Earthquake struck Tohoku. The subsequent tsunami wreaked havoc on Kamaishi. The port and shopping district were decimated, and the number of dead and missing topped 1,000.

In April, several members of the Social Sciences of Hope research team went to Kamaishi to assist with its recovery by collecting and sharing information. By June, the group had held seven report sessions. Team members also joined the recovery planning teams established by Iwate Prefecture and Kamaishi. One of their first projects was drafting and executing a questionnaire survey of 4,000 citizens to gauge the extent of the damage and obtain feedback on recovery efforts. More recently, at the behest of Mayor Takenori Noda, the team has been preparing for the "University of Tokyo-Kamaishi College," a lecture series on human resources development for reconstruction set to begin in June 2012.

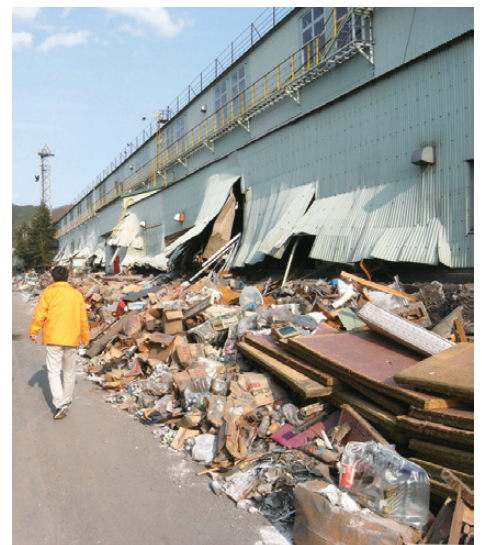
Last year's disaster raised important questions for us as an institution: What should ISS do? What can ISS do? What kind of contributions can social science make? We intend to find answers to these questions by tangibly contributing towards Kamaishi's revival as we launch the Second Kamaishi Project, an initiative that is scheduled to span the next 10 years.



Briefing session of the publication of the series, Social Sciences of Hope (Kamaishi City, June 2, 2009)



Staff training session in Kamaishi City (March 5, 2010)



Professor Genda's first visit to Kamaishi after the earthquake (April 2, 2011)