

THE CONCEPT OF "AVERAGE CITIZEN" IN MODERN GOVERNMENT

Tadao ADACHI

FOREWORD

I have already had two articles published: "Project Recognition in Japanese Expropriation System" and "Compensation in Japanese Expropriation System". The themes of these two articles have been considered to belong to the field of law mainly and the researches on them have been done by lawyers and government officials concerned. Although I am not a specialist, but a near outsider of law, or rather because I am an outsider, I have raised a simple question that, in their descriptions, the specialists' researches on them or at least the traditional principles and theories may reveal a lot of contradiction and confusion, and even unreasonableness, unfairness and unreality, if seen from the "average citizen's" standpoint. I think that I am closer to the average citizen in the sense that I am not a specialist in law, but what is the average citizen? This is what I am going to discuss.

The average citizen is nothing but a human being to begin with, although he has something to do with politics and government. Nothing would be so ever-changing and complicated as a human being in this world, and nothing would be so ever-changing and complex in history as modern society. On the other hand, the pursuit of man is the ultimate goal of learning of all sorts. Hence, it would be easily understood that it is impossible to conceptualize the "average citizen" through the results of researches on politics and political science only which I specialize in. Therefore, I had to use the results of researches in various other fields as economics,

sociology, psychology, social psychology, anthropology (cultural anthropology in particular), business administration, mass communication, statistics, mathematics, medicine, technology, philosophy and so forth with which I am much less familiar than with law.

Therefore, I may have made a number of mistakes which one is apt to make in borrowing knowledge from fields other than one's own. The scholars of those fields may find funnily one-sided views of mine in the article. The conclusion may be too hasty because I have not read the reference books of the fields which I should have. I myself know that on account of the shortage of time or because they were not available, I could not read some books which I knew I should. And so, some of my ideas may be extremely bold, naive and even illogical at times. Considering these points, as long as I did not abstain from publishing the article, my scholastic conscience would be questioned. Knowing that, I am still confident that the field I am challenging is unexplored, yet important and that some of my ideas about it will help those who will do research in this field later on. Besides, I am not very young and do not have much time left. While coddling myself with the idea that I have an old and long-time student's privilege to offer some bold opinions, and yet with the conviction of the significance of the question, venture to present this article.

I. Positivistic Conceptualization of "Citizen"

1. Introduction

I have often used the term, ordinary and general citizens, and it is possible that the usual citizen might possess a rather clear

concept of this term. But closer observation would reveal to them what an infinite variety there is of ordinary and general citizens. Hence, the term, ordinary and general citizens may be confusing. I am going to apply the words "average citizens" to stand for what I have called the ordinary and general citizens. But in whatever way they are called, unless their characteristics (common ones) are clarified, they will not be fully explained. The term "citizen" has to be examined first to begin the clarification.

There is, for my purpose, no need to discuss the history of the citizen who has been highlighted in political history since the middle class revolution. Nor need we to examine the political concept of the Japanese people when they called "citizens". The citizens live in cities, and they live in the land of Japan. But when they are called "citizens" in this article, it is their relations with the government and public functions which are emphasized. T. H. Marshall, an English sociologist, classifies citizenship into three parts: civil, social, and political.¹⁾ The citizen in this article is about the same as the political one in Marshall's classification.

Even though the term "citizen" is restricted to this sense, or rather because it is limited to this sense, there will be an infinite variety still found. As is well known, the contemporary government and public administrations are concerned with our human life in nearly all aspects. Not only do the government functions approach us in many ways, but also, from the other side we work upon them. In this sense we have an immensely increasing character as citizens, equally so in villages as well as in cities.

Generally speaking, when people's aspects and characteristics as citizens are observed, it is soon noticed that, in the above

government-citizen relations, some people are inactive, passive and quiet enough to let the government's functions approach them and be accepted by them without murmur, where as other persons are active and productive citizens who independently select the functions and set to work upon the government to change some of the functions which they do not like. These are two extremes and any closer examination of citizens' characteristics will reveal an endless variety between them.

And such a vast variety of the concept of the citizens' characteristics may similarly be found in the consciousness of public agencies and government employees that have actual relations with citizens. If each public agency and its staff is involved in strict citizen participation and movements, even when they think of citizens in broader terms of the general public and the general citizens they may consider the citizens as the above active ones, or conversely they may regard the citizens as the so called "silent majority", that is, as inactive citizens. Moreover, it is easily inferred that even in the same agency, if each bureau's or department's business and human objects (e. g. in the Women and Minors Bureau and Unemployment Countermeasure Department of the Ministry of Labor), or material objects (e. g. in the Textile of Bureau and Heavy Industry Bureau of the Ministry of International Trade and Industry), or geographical objects (e. g. in the Asian Affairs Bureau and American Affairs Bureau of the Ministry of Foreign Affairs) differ, each concept of the citizens would compose a range of immense variety.²⁾

When such a wide variety of the concepts of citizens is faced, should the pursuit of the common characteristics of citizens be

given up? Or, if not, how can they be clarified? Before the answer is attempted, researches on the concept of the citizen in our country are to be reviewed.

The citizen concerned with government and public administration has been mentioned. But seeing that today's public administration has greatly expanded and occupied many areas of political functions, and that this article is trying to make clear the relationships between the public administration and the citizen, the term, public administration, will be mainly used. Besides, in addition the terms, state functions, government functions, public services will be used occasionally. The terms, government, public administrations, state functions, government functions, and public services differ from one another in their nuances, in the areas they cover, and in the functions themselves, strictly speaking. But since this is not the occasion to discuss the difference between them in detail, and assuming a true and substantive difference in their meaning, whatever term is proper will be used according the context.

2. Trends in Recent Research: Idealistic Conceptualization and Typological Conceptualization

In today's research on the citizen in our country there are two big trends: ideological conceptualization and typological conceptualization.

a) Ideological Conceptualization

As is well known, in every civilized country of the world, the research on urban problems, and the related advocacy and movements of local self-government (decentralization of power)

are, like a fashion, being given attention. In such research, and advocacy, and movements, the concept the citizen is of vital importance, for consciously or unconsciously a certain concept of the citizen is assumed in them. This is most certainly true in Japan, for there is a common characteristic in the citizen assumed in the advocacy and movements of local self-government and citizen participation in this country.

It is impossible in this short paper to refer to each of a great number of the reference books, but as an example the concept of the citizen by Keiichi Matsushita, a leading scholar in this field, will be described. He develops the idea of "civil minimum" as the citizen's reason.³⁾ He defines the citizens as "the working class with new character".⁴⁾ According to him, the citizen is "a free man who has pride as a human being and has ability to form organizations and propose policies. He takes part in politics not in the sense of national mission, but in that of daily life. And since he thus has the modest, broad-minded living attitude of considering his own opinions not as all truth but as half truth, his behavior tends to make rules."⁵⁾ According to my understanding of this passage, Matsushita's view is that of the citizen conceptualized in four aspects of class, ability, sense and attitude: social position as the working class, independently-policy-making-ability, the sense of daily life and the broad minded attitude toward making rules. These elements should be closely examined, but here for the moment it should be at least pointed out that such a concept of citizen is an ideologically conceptualized ideal one.

Most advocates of local self-government and citizen participation

in politics have in common with Matsushita this trend in the conceptualization of the citizen. For example, Masayasu Marumi, who has much to say about the "progressive local government," clearly states, "What is in question about the "citizen" should not be the restoration of rights and humanity, but the creation of a new concept of the "citizen" and *a reform of his humanity.*" (italics mine)

I agree that the above concept of the citizen is desirable for the advocate of "true" democracy and that effort should be made to bring up such a citizen. I also agree that, as mentioned below, the concept of the citizen makes a kind of standard in the analysis of the actual citizen and an index in tackling the practical problem of "a reform of humanity" of the actual citizen. D. F. Thompson, an American political scientist, says, "Theories of democracy qualify as forms of citizenship theory in so far as they presuppose the autonomy and the improvability of citizens."⁷⁾ In spite of this, or rather on account of this, it is an undeniable fact that not every citizen, particularly one living in Japan, has the four factors of the citizen which Matsushita has given. There are numberless people around us who, in opposition to Matsushita's concept of the citizen, act heteronomously, taking no interest in politics and public administration. Actually, however hard we citizens try to "reform" ourselves to be such "democratic" citizens in the four factors, we tend to give up easily. Any a citizen with all the four factors would be an exceptional one. Of course, both Matsushita and Narumi are well aware of this. They simply insist that such a concept of the ideal citizen should be pursued. Narumi says, "We are at the stage of specifically pursuing the concept of the "citizen"

with a twenty-first century prospect.”⁸⁾

In short, the above concept of the citizen is an ideological one. It is a value concept or an ideological one in the sense that it is related to a certain sense of values like one in democracy — apart from diverse meaning of democracy. This formulation does not constitute a realistic and scientific concept to help us objectively to conceptualize a number of real citizens. Since I seek to conceptualize objectively number of citizens actually living in the society as what I have called the ordinary citizens, my standpoint is different, and stands apart, and should be excluded from this ideological concept of the citizen.

The term, ideology, in this article is used in its broader sense: it includes thought, idea, ideal, sense of values, principle, opinion, hope, subjective judgment and so forth.

b) Typological Conceptualization

While the above advocates of local autonomy and citizen participation show the concept of the ideal citizen, those who are interested in the phenomena of mass society, especially sociologists and social psychologists, show the masses, the citizens in the opposite sense. Kunio Tanaka's description will be given as an example since here also it is impossible to cite every one. “It is believed that the mass society developed with mass democracy. Traditional democracy, established by middle class revolutions, had in its core a nineteenth century style representative government controlled by autonomous citizens. On the other hand, the mass society had an immense ruling structure based on the individual's sense of meaninglessness and powerlessness.”⁹⁾ He emphasizes the masses' feeling of solitude and powerlessness and cites as the

characteristics of the masses "equalization of social psychology" and "consumption of political consciousness."¹⁰ Certainly the inactive, passive and vegetative citizen is emphasized.

Of course, not every Japanese sociologist and social psychologist conceptualizes the mass as such inactive citizens. While many of the past theories assume the autonomous (active) citizens produced by civil society, they emphasize the inactive character of the public to clarify as an antithesis that today's masses are weakening such an active aspect of the citizen. What they mean would be that today's masses, active or inactive, cannot be defined in a monistic way, but have pluralistic aspects. That is why they show many models of pluralistic conceptualization of the citizens when they do research on the citizens, especially of the cities, concerned with government and public functions.

Here again, since not every model can be cited, Michita Okuda's assumptive model is chosen to be introduced below. It has been used like Matsushita and Narumi's models in the study of citizen participation and residents' movements and is quoted by many people.

He posits "the two analysis axes of subjectification-objectification mainly in a behavior pattern and universalization-specification in a consciousness pattern"¹¹ and explains four models of local communities and the residents' (citizens') types made by the "mechanical combinations" of the axes as follows. 1) "a local community" model (the co-ordinates of subjectification and specification) and the residents there, 2) "the traditional anomy" model (the co-ordinates of objectification and specification) and the residents traditionally uninterested in their community, 3)

the individual model (the co-ordinates of objectification and universalization) and "the residents with modern consciousness" or "the right-asserting-residents" and 4) "the community" model (the co-ordinates of subjectification and universalization) and peculiar residents there. As for the explanation of the residents in the fourth model he says, "The above three models contain a potential of development into the 'community.' The residents in the fourth model have as leading factors a comparatively high academic background, a high living standard, brain work as their jobs and etc. suitable for the maturity in the process of urbanization of the community. But, characteristically, they are not confined to their peculiar attributes. They are not confined to their peculiar attributes. They are residents in general who can stand in structural tension with the established order." This is not always understandable for the ordinary citizen. The citizen assumed here is the one subjective in behavior and universal in the sense of values, that is the one who, while sticking to the community as his residence, has "an aspect of socialization of his values as an individual." This would almost agree with Matsushita's ideological citizen. Therefore, such a "community" and citizens are "potential" ones that may develop from the first three communities. Many of them may appear in the future through the later "maturity in the process of urbanization" as a potential, but now they are a minority. And, strictly speaking, these residents are suitable for citizen participation and movements, desirable for Okuda himself. In this sense it can be said that the "community" and its residents, and the models themselves in this analysis are ideological ones connected with a certain sense of values. Okuda himself says, "As

long as the definition of the community touches the value system as a leading principle as behavior and consciousness, the normative idea of a community as a model cannot be avoided."

I would like to commit myself to such a community as a model. But such a one is accompanied by ideology and subjectivity, causing the lack of persuasion for people. Let me introduce Kokichi Masuda's analytical model which is described in easier terms. It does not show much potential quality of the citizen and is less ideological, although its validity as a practical theory is in question.

This is what he used in his survey of the consciousness of the citizens of Kobe. First he says, "The term 'the citizens' character is often confounded with the one 'the local people's consciousness.' But the citizens' character as a concept grasped in the process of modernization and urbanization essentially differs from the local people's consciousness,"¹³⁾ He then analyzes the citizens' character as being distinguished from the local people's consciousness by five pairs of standards: of being open versus closed, of the equalitarian versus the authoritarian, of the rational versus the conventional, of the independent versus the dependent, and of the active versus the passive. Theoretically, if not actually, therefore, there exist as many types of the citizens' character as the combinations of the pairs.

In this realistic and objective analysis of the citizens' character, however, not every ideological factor is abstracted by Masuda. He himself says, "The citizens' character here is seen from a viewpoint of values in the sense that it is desirable for the local community. It does not point to the general character of the

citizen in an abstract sense. At this point a question remains." In cognition of social affairs, particularly of relationships of citizens with governments and public functions, conceptualization of the citizen totally disconnected with a sense of values may be impossible.

The two sociologists' ideas of the citizen or the citizens' character have been touched on. What I want to point out here is that they give up defining the citizen in terms of 'the general citizen' and try to conceptualize the citizen in types, that is, in different quality or diversity. Pursuing the ordinary and general citizen, we must part with sociologist' typological conceptualization of the citizen.

3. Possibility of Positivistic Conceptualization of Citizen

Needless to say, however, it is possible to learn from the above examination of several concepts of the citizen.

First, when the citizen or the citizen's character is realistically conceptualized, the actual citizen must be conceptualized as objectively and in an as much sense-of-values-deleted way as possible. Of course, as mentioned, it may be impossible to avoid any sense of values in the sociological concept of the citizen, and besides, it concerns one of the most basic problems of cognition in the academic world. It would be too bold a project for me to present it in detail and only the following point is mentioned, therefore. In Japan where acute ideological confrontation is seen, any assumption of ideological views of the citizen deeply concerned with a certain sense of values should be avoided, however difficult it may be. Instead, the citizen should be conceptualized as

objectively and as far away from any sense of values as possible, and thus a concept of the citizen should be established which is acceptable for as many people as possible beyond the difference in ideology and the sense of values.

An American scholar tries to explain the question of the citizen participation by distinguishing "the indigenous citizen," who, living in the community, does not have enough knowledge and technique to solve complex problems of the public functions of the community, from "the non-indigenous citizen," who though not living in the community has them.¹⁴⁾ Even if the validity of the model may be in question, it is noticed that there is very little ideological factor in it. Another scholar suggests analysing the relationships between public functions and the citizen by distinguishing between "the client as a child" and "the client as an adult." The former does not understand the administrative procedure of public agencies, at all, while the latter does.¹⁵⁾ There are many questions in this, too, but there is very little ideological factor in it.

Secondly, since public functions concern many kinds of citizens in vast areas, it may be necessary to typologically conceptualize them in their diversity and difference; but on the other hand, it is more important to conceptualize them in their common quality, namely in what Masuda calls "the general character of the city people" or 'the general character of the citizens'. It would be well nigh impossible to conceptualize the general character of the citizen concerned with public functions objectively and in a sense-of-values-deleted way. That is why existing research on the citizen has given it up and discussed the concept of the desirable citizen or

typological conceptualization of diverse citizens. But I do not believe it is absolutely impossible to grasp the general character of the citizens.

Let me give a few simple examples. In 1970 the average height of the male Japanese was 166 centimeters, and the average weight, about 58 kilograms. Such characteristics have nothing to do with ideology; they are objective facts. It may be insisted that such facts are not related to government functions. But they are. Every older Japanese veteran would remember that the cannons and guns of the army were so big and heavy that they were difficult for Japanese to handle (in 1935 the average height of the twenty-year-old male Japanese was about 163 centimeters). It was because these weapons were made with the Frenchman's height and physique as the standard. This is a story of a long time ago, but not a few such examples are found in today's government functions in Japan. Recently because of the increase in schoolchildren's height, the height of desks and classroom entrances of public schools has had to be changed. This is an example where such general character of the citizens has influenced public services. Cynically speaking, most of our "rosokutai" — "It is the narrow and long part on the sidewalk-less road, or on the sidewalk-less side of the road, zoned by a road mark for pedestrians' walk and the better use of the carriage way." — clause 3 a), article 2 in the Road Traffic Law — were made, it is imagined, with the supposition of the average breadth of Japanese shoulders as being 30 centimeters. In other words, most of them are narrower than one meter in width, too narrow for two pedestrians walking in the opposite directions to pass each other on it. They mainly help keep "the better use of

the carriage way," which is the result of the government's ignorance of the general character of the citizens' physique. To cite an example of a trial case, recently the Air France Airlines was going to fire a Japanese stewardess because she gained weight and was no longer stylish enough. The court declared the dismissal invalid, saying that the stewardess, who was 159 centimeters high and weighed 57 kilograms, was not too fat by a Japanese standard. This can be said to be a court judgement with the general characteristics of citizens' physique as its standard.

It may be possible to add mental characteristics of citizens to such physical ones. For example, reading comprehension of letters and words, which forms a part of intellect, a mental characteristics, can be included in the common character of the ordinary and general citizens. In many cases as in the above case the administrators compose documents without considering it.

NOTES;

- 1) T. H. Marshal, *Class, Citizenship, and Social Development* (Anchor Books edition, 1965), pp. 78—91.
- 2) Robert S. Friedman, Bernard W. Klein, and John H. Romani, "Administrative Agencies and the Publics They Serve," *Public Administration Review*, XXVI (1966), pp. 192—204.
- 3) Keiichi Matsushita, *Shibiru Minimamu no Shiso* (The Philosophy of Civil Minimum), 1971, pp. 271—274.
- 4) & 5) *Shiminsanka* (Citizen Participation) ed. Keiichi Matsushita 1971, p. 199.
- 6) Masayasu Narumi, *Toshihenkaku no Shiso to Hoho* (Ideas

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- and Methods of City Peform) 1972, p. 172.
- 7) Dennis F. Thompson, *The Democratic Citizen*, 1970, p. 10.
 - 8) Narumi, *op. cit.*, p. 172.
 - 9) & 10) Kunio Tanaka, *Gendaishakaishinrigaku* (Modern Social Psychology) 1965, pp. 206—208.
 - 12) Michita Okuda, "Chiikishakai to Shimin-undo" (Local Community and Citizen Movements) in *Shiminsanka* (The Citizen Participation), The second in the series of "Gendaitoshiseiskaku" (The Modern City Policy) (Iwanamishoten, 1973) pp. 89—91.
 - 13) Kokichi Masuda, "*Shimin-ishiki no Chosa Komyuniti ishiki ni tsuite*" (A Survey of the Citizen's Consciousness) in *Shiseichosa* (Kobe City) (A Survey of the Municipal Government Functions) Vol. 14. (March, 1970), p. 48.
 - 14) Carl W. Stenberg, "Citizens and the Administrative State: from Participation to Power," *Public Administration Review*, Vol. XXXII No. 3 (1972) pp. 191—2.
 - 15) Orion F. White, Jr., "The Dialectical Organization: An Alternative to Bureaucracy," *Public Administration Review*, Vol. XXIX No. 1 (1969), pp. 33—5.

II. The Concept of "Average Citizen"

1. "Average Citizen" as a Standard of Government-Citizen Relationships

I have now reached the step specifically to discuss the concept of the ordinary and general citizen that I have mentioned. It will be used as a norm or a standard of government-citizen relationships, my original subject, and a proposition will be made through it.

The ordinary and general citizen will deserve the term "the average citizen" from now on. Because in the case of the average height of male Japanese, for example, those of 166 centimeters are of ordinary height, neither particularly too high nor too small for Japanese. And they are of general height in the sense that the majority of the male Japanese are approximately of that height. It is beyond me to decide whether this average value of 166 centimeters is the mean value, the medium value or the mode value in a statistic histogram. Possibly what I call the average value means the mean value and the mode value. Besides the average citizens, I am not forgetting a minority of the *exceptional* citizens. But hastily to conclude, a proposition is put forth as a minimum request in theory of government-citizen relationships that "public services must be carried out with the average citizen as a standard." I have already pointed out in the article of the land expropriation system that government functions of this country work, consciously or unconsciously, with an exceptional minority of citizens as a standard. And here the traditional nature of the government functions of the country is represented.

In the concept of the average citizen, the common and general quality of the citizens is emphasized, and not their diversity and different quality. And by common and general quality, those of the Japanese now are meant. As many sociological researches show, the present citizens seem to reveal their real diversity and different quality as far as their relationships with government are concerned. But it is a fact also that in discussing government and public service, the terms "the general citizens' intellect," "the general citizens' life" and "the general citizens' feelings" are constantly used. In other word, in government functions the general citizens are assumed as their

objects. And citizens work upon government as general citizens who are conceptualized literally in common and general quality, and not in diversity and different quality.

Since we Japanese have existed as a homogeneous people, we have more common characteristics than any other nation in the world in such physical characteristics as the color of skin, hair and height, and in such cultural characteristics as language and religion, and in such mental characteristics as mood, mind, attitude, behavior and customs. As is seen in the recent theories on the Japanese and in the researches on the Japanese nationality which are now in fashion, this fact has been, and will be, clarified in natural anthropology, cultural anthropology, sociology and social psychology. To be sure, not every common quality of the citizen is significant in government-citizen relationships. Actually the above sociologist classifies the citizens, supposing that most of the common mental characteristics are hardly related to government functions. But, when government functions are closely examined, it is found that unexpectedly many common mental characteristics of the citizens are related to the functions. For a further example, the so-called active "radical reformers" who are against the existing government and the so-called inactive "traditional conservatives" show great difference in political views, but, nevertheless, they sometimes show immense similarity in their attitude and behavior. Both have "the mental structure of being too dependent,"¹⁾ and show a common "response style" that it is difficult for them to get along with the public functional formality required by the coldhearted law. And, when the Japanese are made to wait at a city office window, they get irritated

within five minutes, that is sooner than any other nation, which must be common between those of both categories. Also, it may help to note that the members of "the Japanese Red Army" who confined themselves to the Asamasanso Hotel were very similar in attitude and behavior to the soldiers of the internal affairs division of the old Japanese armies. Moreover, it is common among us, whether we are conservatives or progressives, "progressive men of culture" or "rustics," that we wish to have honor medals and live comfortably with "the authority of a position."

Thus it is noticed that the citizens do have much common quality in their relation to government functions. Although part of the common quality is adopted as a standard in public services, the larger part is abandoned. And does it not cause friction and conflicts between government functions and the citizens?

Then what common characteristics should be employed as standard in public services?

Common physical characteristics would be easily clarified as in the above example, but common mental ones should be clarified through sociological research in a broad sense. And if in the future clarification of common mental characteristics they are figured such as in case of physical ones (e. g. height) or waiting time at a city office window, figured standards in public services will be set. As an American scholar points out,²⁾ research on national character or modal personality of the nation is extremely difficult and may not be figured. But differently from Americans, the Japanese are composed of a homogeneous people and some aspects of the citizens which are related to public services can be

figured fairly easily. Actually some scholars of politometrics in the United States deduce some judgment on crimes, suits, disputes and accidents through the statistics of them in public administration.³⁾ Hence, this problem should not be treated insignificantly because of its difficulty. Because if it is possible to figure various characteristics of the citizens, some of the political problems which tend to end in useless ideological disputes, may be solved by scientific and objective data, a standard. In this sense apart from "administrative sociology" or sociology of bureaucracy which many British and American scholars are trying to establish, and yet in close relation to it, another "administrative sociology" based on the relations between the citizens and government functions must be established. If such scholars' main interest lodges in "the relationship between bureaucracy and political democracy"⁴⁾ as Michael J. Hill says, the approach by the majority of them to limit the question of democracy to the people within the organization (administration) is too one-sided.⁵⁾ Democracy should be studied in relation to the people (citizens) outside the organization. And also, "administrative culture" often discussed in the United States recently can have a new perspective through paying attention not only to the administrators' culture, but to the culture of the administered, that is, the cultural characteristics of what I call the average citizens. When Dwight Waldo discussed "Administration and Culture," he said, "I should like to ... by the term 'administrative' suggest emphasis upon the science and art of operation organizations." But in relation to culture, he refers "to its 'administered' quality." Waldo as well as most other American political scientists usually do not make a distinction between "the

administrative" and "the administered." I am not sure whether I should interpret the latter as a genuinely passive sense.⁷⁾ He himself says, "I should like a looser term."⁸⁾ The point is that a new perspective may be obtained by clearly distinguishing between "the administrative" and "the administered." Because I am sure that public administration is an aspect of the power-oriented government. Comparative politics and comparative public administration will be newly developed from this base.

2. Three Aspects of "Average Citizen"

At this stage of scholastic achievements of the field it is impossible to discuss the average citizen, strictly speaking. But let me introduce the concept of the average citizen in the following three aspects based on my analysis of the Japanese expropriation system and as the object of later criticism. I propose it as a standard of public services.

a. "Average Citizen" in Ability to Understand Public Information

Intellect is one of the ordinary and general citizen's common mental characteristics. In psychology and social psychology the term "intellect" contains various meanings. Closer examination of the word would be required to determine on which meaning emphasis is laid in this article. Therefore, the term "comprehension" will be used in a more concrete and general sense. This would be a linguistic comprehension factor in psychology.

Comprehension here means the ordinary and general citizen's comprehension of public information. Public information is given verbally and in documents. Our comprehension of it may include

such physical characteristics as sight, hearing and attentiveness, but comprehension here means that of language and characters. Then the average comprehension will be shown in the numbers of words and characters one comprehends, that is in quantity and figures as in case of the comprehension of the Chinese characters for daily use.

Once again the relations between the term "ordinary and general" and the term "average" should be mentioned. Some citizens show a very high figure of the above comprehension of public information, and others a low one. But the citizens of both categories are very few. The ordinary and general citizens' comprehension is neither extremely high, nor extremely low. It is ordinary comprehension near the mean value. And it is the general citizens' comprehension in the sense that it is found in the majority of the citizens. It is in this sense that I call the ordinary and general citizens "the average citizens."

I propose as a standard of public services the average citizen with the average comprehension of public information first. It is a standard on the part of the government in an obligatory sense that public agencies must give public information comprehensible enough for the average citizen. And on the other hand, it is a citizen's standard or norm by right in the sense that he should require the government to make its public information comprehensible enough. And as mentioned in "Project Recognition in the Japanese Land Expropriation System," the public notification or inspection of public information written in such terms as only very few particular and exceptional persons well versed in official terms can grasp is no notification (or inspection)

substantially, if not officially. And sometimes even the exceptional person cannot understand some terms without the explanation of the parties concerned. In this sense this norm on the part of the citizen is nothing but his minimum request to government. As long as it is a norm, it is a citizen's duty to request it, also.

This is a minimum request to be made to such private organizations as business firms as well as public organizations such as governmental agencies, made by clients or citizens influenced by their activities. Thus it is an organizational or procedural minimum.⁹⁾ In this context I should like to call this average comprehension of the average citizen a public standard. And some other public standards are found in some other characteristics of the average citizens. The social responsibility of private firms, much talked about recently, can have some social concreteness if seen from the viewpoint of an organizational minimum. This will be referred to later again.

Getting back to the question of public services, it is, for example, beyond the standard of the average citizen's comprehension that the term "project recognition" in the Land Expropriation Law means an action to forcibly acquire citizens' land because the project initiator's project promotes the public interest. Why should they not call it the recognition of compulsory land acquisition right? And why is notification pamphlet the project initiator issues to the landowners not easy enough for the average citizen to understand? It is well known that many of legal terms and official governmental terms are too difficult for the average citizen. Whence does it come? It would be impossible to discuss it in detail, but it is closely related to "Amtsgeheimnis"¹⁰⁾

peculiar to every bureaucratic organization of "Betrieb" as well as to every government, especially in this country. Because through making terms vague and difficult, the government can substantially keep secret the content of public information and hold it authoritative position to the citizens as high as ever.¹¹⁾ For example, there was a Ministry of Foreign Affairs top secret leakage case, which exposed a secret agreement between Japan and the United States about the return of Okinawa that the former should pay more than one billion yen for the latter. But very few persons noticed that although the budget for the return of Okinawa was discussed in the Diet, it could not be clarified in the Diet how such a huge amount of money would be spent. This is closely related to the custom in this country since the Meiji era that the budget in which the Diet members as well as the people—except some accountants of the Ministry of Finance and the accountant of each section of each Ministry—are kept unknown from its real substance, has been considered as a good budget.

At any rate it would be generally approved that such a custom of the Japanese government should be adjusted to the standard of the average citizen's reading comprehension. Actually in Britain during the Labor Party administration after World War II it was pointed out that governmental technical terms were not only difficult, but had arbitrary usage causing the citizens much trouble. In order to better the situation the government asked Sir Earnest Gowers, a noted government official, and his cooperators to publish *Plain Words*, which has been revised more than once since and is owned by most of the government employees and many of the citizens. This is suggestive. And the question of "the right to

know" in much discussion in Japan recently should be traced back to the social responsibility of every organization (government, press and firms) for the most basic standard of the average citizen's reading comprehension. Some articles in culture columns of the famous Japanese newspapers, some political articles, for instance, are too difficult even for me to understand without a dictionary. (Simply, I may be ignorant.) But whom are they reporting to? In Britain the term, "expropriation" used to be employed as a legal term, but recently the term, "compulsory purchase or acquisition" has been used. This is easy enough for everybody to understand "the essence of the fact".

b. "Average Citizen" in Access to Public Information.

The second standard of public service relates to the average citizen in access to public information. The citizen's access to public information being a more vague concept than his comprehension of it, it is therefore a more vague standard. But both the citizens who can get information from a piece of notice on the bulletin board in front of a city office, and the ones who cannot get information in spite of every means such as the public relations bulletins, newspapers, radio, TV and notifications, are numerically very few, and the average citizen is situated between the two categories. At the moment the average citizen in this aspect is discussed in a rather vague way. But in the field, the average degree can be measured fairly accurately in Japan, where mass communication media are remarkably developed. In fact, it has already been measured to some significant degree.^{1 2)} Even according to the present vague standard it can be affirmed that the present written application for the recognition of project

in the land expropriation law and the means of its notification virtually ignore the standard.

And here again many things can be learned from some English examples. In Japan the application for project recognition, related to the interests of the landowners and the parties concerned, and the recognition of the project, which has more to do with them, are to be notified at "the municipal office as a rule"; and "when it is especially inconvenient for the landowners and the parties concerned, some other proper places (such as a branch office or a community centre) can be chosen." ("On the Exercise of the Revised Land Expropriation Law" II, 1, December 19, 1967, the Ministry of Construction Project Development No. 313). But in England at the time of the application for project recognition, a public notification of it as well as its two week advertisement in the local newspaper near the project site is given, while "a notice of order" is seen directly to the known landowners and parties concerned. And at the time of the recognition of the project, also, it is publicly notified, advertised in the local newspapers and "a notice to treat" is sent to the landowners and parties concerned. When I discussed the written application for project recognition in the previous article, I said, "Should it not be the project initiator's duty to notify the very possible landowners of the application?" I had in mind the English examples, and more basically, the citizen's access to public information as a standard of public services. In other public services of this country the average citizen can easily find similar examples far from the standard.

'Kind public services' which tend to end in mere precepts can be given a concrete content by the above two standards.

c. "Average Citizen" in Living Conditions

The third standard should be the average citizen in respect to living conditions. This is a still more vague standard than either of the former two. Because our life is conditioned not only by economic factors like income and property (real estate like land and houses, and monetary poterty like bank accounts, and share-certificates), but also by such natural, physical, mental and cultural surroundings as residence and jobs. It is also conditioned by one's view of life, which is purely individualistic and hard to be figured out. Some people, like Yen Hui whom Confucius praised, "How wise, Hui!", lead a spiritually satisfactory life even if they are poor. And some others, like Shakespeare's King Lear, lead a spiritually poor life in spite of their power and wealth. It is hard to discuss wealth and poverty of life today when there is wide disparity of the sense of values among people like moneygrubbers and hippies. Besides more and more public services concern the mental aspect of the citizen. (Consider the number of entertainments in the national theatres, prefectural theatres and municipal halls). But after all, government functions concern the materialistic aspect of life far more than the mental one. Therefore, the third standard will be discussed with emphasis on materialistic aspects of life.

Roughly speaking, the citizen's materialistic life is represented by food, clothing and shelter. There are conditioned by such numberless factors as the climate, weather and geographical features. Today, however, the citizen's life is conditioned by four

systems as Matsushita says: individual income (A), social capital based on daily life, (B), social securities (C) and public health including that of pollution prevention (D).¹³⁾

Here the citizen's life will be discussed mainly in the points of food, clothing and shelter, with working time and leisure time added.

Life with the factors of food, clothing and shelter, and working time and leisure time, is determined by income and property, especially by income. The average income of the citizen is already figured. And the average living expenses of the standard family are also figured by the average income, together with the commodity price index and the living expense index. It is another question how significant the mean value is such as the average used area of a house and land, but the average number of tatami (strawtats) is already known. The same would be true of the average annual expense for food and clothing, the average number of calories taken from food, the average working time and leisure time. And suppose the spreading rates of daily necessities like electricity, gas, water, telephone, TV, radio and an electric refrigerator are added, it will be possible to figure out the average citizen's average life in Japan to some extent. Further, the physical and natural aspects of life could be figured, too. Actually the government employee's cold district allowance is determined with the average temperature of Japan as the standard.

And in relation to the average life, as is shown in the analysis of the land expropriation system, it would be possible to calculate the area of land that the citizen owns or uses. (The use of land is more significant in relation to life). At this moment I cannot

determine the average area of land for the average citizen. But even now everybody knows that except for in case of agricultural and forestry industries one or two thousand square meters is not the size of land for the average citizen's life. In other words, in case of compensation as to the land of such a size, compensation for the landowner's living conditions need not be considered, that is, transference "from compensation for articles to compensation for the person" need not be considered. In the recent revision of the Local Tax Law in accordance with the demand in the city for the same taxation of farmland as that of residential land and for the increased municipal property tax, reduction and exemption of tax were applied to the land of two hundred square meters or smaller. This was done not as a "civil minimum," but with the average size of land used in what I call the average citizen's daily life in mind. And if the average area of land used in daily life is objectified in figure through the later research and survey, if to a certain degree, it will be applied to various systems of the much discussed land regulation law as well as the tax system.

Further, the standard and concept of the average citizen in living conditions can be widely applied not only to the policy and government functions concerning land, but also to other fields of policy and government functions deeply related to the citizen's life. A regulation of public utilities charges would be an example. A higher water, power and gas rate should be adopted for the consumption above that of the average family in the average life. Or by borrowing from compensation in the land expropriation system the idea of "from compensation for articles to compensation for the person," a lower rate could be applied to those with

income below the average. Also it is easily surmised that this standard can be applied to welfare service and their administration, which will be described later.

Before the description of the average citizen in living conditions is concluded, the difference between the average citizen in ability to understand public information and the one in access to public information, and the one in living conditions should be mentioned. The first two concern the means (language and characters) by which the government informs the citizen. They are the procedural, formal and administrative standard. But the third one is substantial, policy-making, and functional. It has already been pointed out (in my previous article, I, 2, a) that a political and procedural approach and a substantial approach are necessary for the concept of public interest, a vital question in today's real politics. The three standards are to give an objective basis to these two approaches.

In short, through the analysis of land expropriation I propose as standards of public services the citizen's various aspects which can be grasped as "the average valued." In other words, I propose the concept of the average citizen as a minimum precept in the case of government reformation. For that the concept of the average citizen should be more widely applied, and the concept itself should be more specified.

3. General "Average Citizen" and Specific "Average Citizen"

When the concept of the average citizen is applied to more fields of government functions, it needs, to be classified in much more detail.

To be sure, today's government functions are extremely expanded. And the citizen is concerned with the functions in many daily aspects. But not every citizen is concerned with them directly and equally. As mentioned above, the objects of compensation in the Japanese Land Expropriation Law are landowners and parties concerned only. In other words, this law concerns the citizens in a restricted sense.

In recent years among lawyers it is becoming popular to classify government functions into three-part division based on how the administrative subject (government) concerns the administrative object (citizen). There are deprival functions, regulative functions and beneficial functions. Narikazu Imamura says, "It is proper to classify public functions into deprival ones, regulative ones and beneficial ones according to their relations to the individual right and freedom. The deprival functions deprive the citizen of right and freedom (taxation and compulsory land acquisition), the regulative ones regulate him (police) and the beneficial ones provide him with spiritual and materialistic benefit (economic and social and cultural benefit."¹⁴⁾

This classification is not unacceptable and even more detailed classification would be necessary for today's complex government functions. Suppose this classification is used here, it can be said that while the deprival and regulative functions concern most of the citizens, the beneficial ones do not always concern them. Even in such functions as compulsory land acquisition or land expropriation, taxation and police they do not concern the citizens equally. The citizen with ordinary and general income and the one with tax-exempt low income are treated differently. The latter is

often excepted from "the citizen to be the object" of taxation. In case of police functions if traffic regulation concerns car drivers, the walking citizen is excepted from "the citizen to be the object" of traffic regulation. Further, "the citizens to be the object" of beneficial functions are specific and diverse. Many of the beneficial functions are also called "service functions" and welfare functions are their representative. Among the functions the poor citizen is the object of daily life security, the old citizen the object of old people's welfare, and the child citizen the object of children's welfare, and the mentally or physically handicapped citizen the object of welfare of the mentally or physically disabled. And among the mentally or physically handicapped there are crippled persons, optically handicapped persons and auditively handicapped persons. Thus there are various kinds of "citizens to be the objects" of welfare functions. Each function has "the citizen to be the object" of its own. Public Administration in the United States proposes to grasp the citizen as a client or clientele, or a consumer of public service and to classify public functions and public agencies based on the client. The government-citizen relationships are, after all, "a kind of human relationship" accompanied by a power element of rule and obedience. To grasp the citizen as a client or consumer cuts off the power element. But the term "client" or "consumer" is more citizen-centered than the one, "the administrative object" of legal science. Besides, without this ideological view, the term, "client" or "consumer" is more closely related to each of public functions. Hence, this term will be used here. But at any rate, what is important is that for each public function there exists each citizen as client. And the public

functions whose clients are most of the citizens are called general public functions, and the functions whose clients are specific citizens are called specific public functions. Many of the general public functions are seen in deprival and regulative functions, and many of the specific public functions are seen in the beneficial functions.

The standard of the average citizen, then works only in the general public functions. Hence, such a citizen should be called the general average citizen. On the other hand, the citizen as a client of the specific public functions should be considered, too. The average old person in the old people's welfare, the average handicapped person in the welfare of the mentally or physically handicapped (and a more detailed classification there is such as the average optically handicapped person—it should be noted that the optically handicapped are medically classified further according to their sight) and the average patient in the medical welfare should be considered.

There are more of those who suffer from an apolectic stroke in the colder prefectures than in the other ones of Japan. If so, in the stroke prevention services, the average patient peculiar to the districts should be considered as a prefectural or regional specific average citizen. The same would be true of the patient in the city and the one in the country.

Recently the Prime Minister's Office made a survey of old people's views of life. The majority of the old people, the specific average citizens, are supposed to be "content with the present status." If this survey was carried out rightly, the average old person is a standard of the welfare of the old people in the sense that the welfare of the old should not be generalized, but

emphasis should be put on a few exceptional old persons. From this standpoint it can be said that the policy of giving free medical care to every citizen above a certain age regardless of his financial plight would be a politically sentimental and votegetting one. Afraid of the journalist's rebuke, the Prime Minister's Office hesitated to make the survey public. Because they thought the journalist likes the idea of "the poor old person." I do not think the survey is faultless. But considering that the majority of today's old people formed their personality in such ages of patience and simplicity as Meiji and Taisho, the result of the survey is natural as far as the old people's subjective views are concerned.

The specific average citizens in the welfare of the mentally or physically handicapped are further classified. The average optically handicapped person and the average auditively handicapped one are different in the welfare public functions, and they even oppose each other. For instance, both the national and private railways tickets are sold in vending machines these days; and while the former pays a cost for it, the latter benefits from it a great deal. And similarly while the optically handicapped benefit from a difference in height between the carriage way and the sidewalk, the physically handicapped using wheelchairs suffer from it.

How is the specific average citizen different from the general average citizen? This may be simply too apparent to mention. The specific average citizen in the welfare public services for the optically handicapped has far poorer eyesight than the general average citizen, which is known to everybody. Its being an apparent fact is one thing, however, and its being regarded as

important in the actual public services is another. Therefore, it should be mentioned below.

Needless to say, the average citizen with the three aspects mentioned in the previous section is the general average citizen. The comprehension of, and access to, written public information of the specific average citizen as an optically handicapped one are far below than those of the general average citizen. They must be almost nothing. And the auditorically handicapped person's comprehension of, and access to, verbal public information must be near zero. The aspects of life of the specific average citizen as a needy one related to income must be far below those of the general average citizen. When these specific average citizens with a minimum value of each aspect are considered, it will be noticed that they should be regarded as important in the general public functions as well as in the specific public functions. In a typical public service of traffic regulation the sign in Chinese characters meaning "Don't cross the street!" is fully understood by the average citizen. But in June, 1974, a first-grader who could not understand it crossed the street and was killed in an accident. Since then the sign has been changed for the one in hirakana, or the Japanese syllabary to the same effect. The child had to be killed due to his low comprehension of public information. But as far as the written characters are concerned, the optically handicapped person's comprehension is far below than the child's. If every citizen approves of the idea that nothing is so vital as human life, this fact tells us that in the general public functions concerning life or health the minimum value, and not the mean value, should be the important standard. Therefore, where the

traffic is heavy, a means of public information which the totally blind can understand should be devised. Actually in Kobe city verbal public information is given. But it must be added that it is given in just one place of the city. Because this "one-gorgeouspoint-policy," "one-attractively-cheap-article-policy" or the "Olympic policy" is, together with "the rough-and-ready policy" and "the-cheaper-the-better policy," the traditional nature of government and public services, and of every organization of Japan. It does not agree with the standard of the average citizen ultimately.

Recently at some stations of the private railways they are trying to get rid of every employee by setting ticket vending machines and computerized wickets. The private railways is a public transportation means for every citizen, which *would be approved of the everybody*. Then the private railway companies force a cost upon the optically handicapped and substantially shut them out of the citizens as customers. If the fee of the private railway is to be one of the public utilities charges the profit the private railway company gains by replacing the employees with machines should be offset by paying for the optically handicapped persons' heavy cost. In other words, the optically handicapped should be allowed to take trains free (the rate of their taking trains is very low). This offset is the optically handicapped person's minimum request as well as the social responsibility of the private railway company which runs a public utility. In this sense the average citizen is the standard of public services and social responsibility.

There are cases in which the average value of the three aspects of the citizen in the previous section is less important than the

minimum value. In most cases the citizens with the minimum value would be a few exceptional ones. Following the explanation of the difference between the general average citizen and the specific average citizen, I need to discuss in the next chapter the difference between the (general) average citizen and the exceptional citizen.

NOTES;

- 1) Takeo Doi, *Amae no Kozo* (Mental Structure of Being Too Dependent) (1971) P. 1 and the following.
- 2) Alex Inkeles and Daniel J. Levinson, "National Character: the Study of Modal Personality and Sociocultural Systems" in Garder Lindsey (ed.) *Handbook of Social Psychology*, 1954, Vol. II.
- 3) Ted Robert Gurr, *Politimetrics: An Introduction to Quantitative Macropolitics*, 1972.
- 4) Michael J. Hill, *The Sociology of Public Administration*, (World University, London, 1972), p. 1 .
- 5) In many American books on democracy in relation to bureacracy this approach has been almost always employed since Waldo first raised this question as a political scientist. Dwight Waldo, "Development of Theory of Democratic Administration" in *The American Pplitical Science Review*, 1952.
- 6) Dwight Waldo, "Public Administration and Culture" in Roscoe C. Martin (ed.) *Public Administration and Democracy*, 1965, p. 42.
- 7) As for the meaning of "administered," I asked William D.

Bray, a colleague of mine. He said he was not sure whether it was meant for a genuinely passive sense or not, and that in the United States they do not make clear distinction.

- 8) Waldo, *op. cit.*, p. 42.
- 9) Scott. an American scholar of business administration, proposed to establish, as a structural minimum, representative government in administrative organizations and a sweeping "appeal system" in every organization to protect the members' humanity. I believe that a minimum for the citizens other than the members should be considered as well. William G. Scott, "Organization Government: The Prospect for a Truly Participative System", *Public Administration Review*, Vol. XXIX No. 1 (1969), p. 50.
- 10) Max Weber, *Wirtschaft und Gesellschaft* (Klepenheuer Witsch, 1964), S. 165f.
- 11) Max Weber, "Parlament und Regierung im neuordneten Deutschland" in *Gesammelte Politische Schriften von Max Weber*, 1921, S. 140. About this point see Tadao Adachi, *Kindai Kanryosei to Shokukaisei* (Modern Bureaucracy and the Position Classification) Gakuyoshobo, 1952), p. 5.
- 12) The Information Section, Prime Minister's Secretariat (ed.) *The Public Opinion Poll of Mass Communication Media* (1969). According to this in 1968 75 percent of the Japanese citizens "read a newspaper every day." while in 1965 and 1960 71 percent of them do. p. 5.
- 13) Keiichi Matsushita, *Toshiseisaku o Kangaeru* (On the City Policy) (1971), p. 110.
- 14) Narikazu Imamura, *Gyoseiho Nyumon* (Introduction to the

Public Administrative Law) (1966), pp. 55 –62. Also see Tsutomu Muroi, *Gendai Gyoseiho no Genri* (The Principle of the Present-day Public Administrative Law) (1973, p. 16 and the following.

III. “Average Citizen” and “Exceptional Citizen”

As mentioned above, the exceptional citizen as opposed to the average citizen and belonging to the minority can be discussed as well as the average citizen. The exceptional citizen is quite significant in the present government and its functions. The exceptional citizen, like the average one, can be discussed in terms of many aspects of the citizen as a human being. But here the exceptional citizen will be discussed in his three aspects.

1. “Exceptional Citizen” in Ability to Understand Public Information: the “Biggest Citizen” and the “Smallest Citizen”

The exceptional citizen’s ability to understand public information is either much more, or much less, than that of the average citizen. In other words, there are the biggest exceptional citizen and the smallest one.

For example, the biggest citizen can not only understand any difficult public information, but can sometimes propose some measures to solve the related public problems. If public information is limited to a legal one, the lawyer would be a good example of this. But today’s public information and the related public problems are not always legal ones. Rather, such information is exceptional. That is why Keiichi Matsushita defines a new type of intellectuals in this way. He says, “The politically-concerned intellectuals have so far been divided into two types:

abettors and enlighteners. But if various kinds of intellectuals such as politically active citizens, professional politicians, scholars, lawyers, doctors, bureaucrats, economists, artists and journalists tackle policy based on political science, they can be called the policy-making intellectuals as a new type." He considers the idea "the concept of social roles". If this type of intellectual actually exists, he would be the typical biggest citizen.

It must be added, however, that when various types of citizens including the smallest exceptional citizen are discussed in this article, they have nothing to do with any ideology or sense of values. I certainly hope that such policy-making intellectuals will appear and that they will act in my favor. But as long as the relationship between the government and the citizen is that of power and therefore has a possibility of confrontation, it is none of my concern in whose favor such intellectuals would use their knowledge. Because even if I want a lawyer's knowledge to be used in a way I hope, I know that so-called "vicious lawyers" do exist. One thing, however, can be said concerning the relationship between the government and the citizen: the biggest exceptional citizen, such as a policy-making intellectual or a lawyer, has a "social role" to bring up the smallest exceptional citizen's understanding of public information to the level of his own understanding, or at least to that of the average citizen.

It seems that this kind of the biggest exceptional citizen is scarcely a norm on a standard in public administration. Still he cannot be made light of, because chances are that he gets to know the intention of public information to the best of his ability, and acts against the intent of the public organization or outwits it. It

is too well known that some policies or functions of governments have been ineffective because such "clever", nay "rational" citizens were not taken into consideration.

As far as visual information is concerned, the optically handicapped are the smallest exceptional citizens in terms of the understanding of public information, and concerning auditive information, the auditive handicapped are the smallest exceptional ones. And in a certain area of government functions, this kind of citizen must be the definite norm or standard in the relationship between the government and the citizen.

2. "Exceptional Citizen" in Access to Public Information: the "Shortest Citizen" and the "Longest Citizen"

The exceptional citizens in access to public information can be divided into both extremes likewise.

On the one hand, there exists the shortest exceptional citizen who can get public information far faster than the average citizen. This kind of citizen always has a keen interest in the government and its functions, and tries to get news sources about them. A good example is a journalist like a newspaper reporter. But when public information is only partially released—the whole procedure of planning a project and carrying it out is scarcely opened to the public today—, not only journalists, but those citizens who can get the information by cutting short the average citizen's route to it, for example through their business connection with some influential persons, are the shortest exceptional citizens. A typical example is a politician or an administrator.

On the other hand, there exists the longest exceptional citizen

who cannot get any public information in spite of every means of communication. Those who have neither interest in, nor knowledge of, politics belong to this type. A famous novelist in the Meiji Era realized that the Russo-Japanese War was going on only after it was over. If it is true, he was an extreme example of this kind.

Today very few longest exceptional citizens could be like this novelist. Yet it cannot be denied that an increasing number of citizens are disinterested in, and ignorant of, politics. But such citizens find themselves in a disadvantageous position in their relation to government functions. They tend to have the least understanding of public information and the longest access to it. How they are disadvantageous has been shown in my analysis of the land expropriation system. And the following example shows it also. Several years ago when student power was raging all over the country, in Tokyo University, only a part of the law department faculty reported to the tax office the damage caused by the students, having quite an amount of tax returned. Learning this, the professors of the other departments became envious who could not get the information on tax as fast as the law professors did. Such examples are too numerous to cite in welfare functions of governments. What is more, this happens to every citizen except for the shortest exceptional one in his every relation to government functions. Every citizen must have been at a disadvantage because of his ignorance of public information (laws and ordinances). This experience is so common that no citizen has noticed that. Actually according to a survey by the Information Bureau of the Cabinet Secretariat, in 1973 a half of the nation (49%) were dissatisfied with government agencies. If the number

of the latent complainers (who denied having any complaint at first, but showed some dissatisfaction upon seeing a list of complaints) is added, a great majority of the people are dissatisfied with government agencies. And yet the rate of those who "have never been to the agencies to talk over" their complaint was 87%.²⁾

Therefore, it is an important social role of the shortest exceptional citizen to bring up the longest exceptional citizen's access public information to at least that of the average citizen. I am afraid I am not qualified to criticize today's journalism. But from a viewpoint of social roles, if journalists keep the access of the longest exceptional citizen to public information from approaching that of the average citizen by deluging the society with information on entertainers' privacy, they play a social role of physicians who try not to cure their patients. It is clear that the idea of social roles is inseparably related to that of social responsibility. Here again, the average citizen would be a standard.

3. "Exceptional Citizen" in Living Conditions: the "Highest Citizen" and the "Lowest Citizen"

There are two extreme examples in case of exceptional citizens in living conditions. They are very wealthy citizens and very poor ones. It is not easy to measure wealth and poverty of a citizen as an individual. But if his living is limited to food, clothing, shelter, labor and spare time, what conditions them most would be his income.

Therefore, if one's living is limited to the one related to one's income, both extremes of exceptional citizens in living

conditions can be pointed out very clearly. That is, if the survey by the Tax Administration Agency in 1973 is correct, the highest exceptional citizen is Manji Hasegawa with the income of 5,144,040,000 yen while the lowest ones are those who have the Daily Life Security Law applied to themselves. Excepting for those who do not know the law or do not have it applied to themselves even if they know it, these citizens should have the lowest income. For example, as of October 1, 1974, a man of between twenty and forty with no income, who lives in his own house (hence, no housing assistance) in a first-rate place (possibly a city). and does not need educational, medical and any other assistance, can monthly get ¥15,470 for food, the first item, and ¥9,450 for fuel and light expenses, the second item. That is, he gets an income of ¥25,253 monthly. He is allowed to possess the following items: useful furniture, inexpensive interior decorations, the land attached to their house whose size is provided for in Articles 52 and 53 of the Building Standard Law—actually, unless its disposal value is extremely high, a land that is larger than the provided size is tolerated and a house whose disposal value is not much more than the utility value, as well as a telephone and a color TV set where their spreading rate is 70 per cent or more. That is, today's lowest exceptional citizen has this level of living standard, whether it guarantees him "the minimum standards of wholesome and cultured living" of Article 25 of the Japanese Constitution or not.

It is no doubt that, as a norm or standard, the lowest exceptional citizen is far more important than the highest exceptional one. The commodity tax is not to be imposed on living necessities. The lowest exceptional citizen can be a norm to a

great extent when the kinds of living necessities are decided, a tax-exempt point of taxable articles is decided, or reduction and exemption of public service fees (gas, water and electricity expenses) are decided. On the other hand, the highest exceptional citizen can be a norm when the tax of the articles is decided which only he can consume or the gradual increase of public service fees is decided.

4. The "Strongest Citizen" and the "Weakest Citizen"

So far I have discussed the exceptional citizen in his three aspects. From the average citizen's viewpoint, that is, generally speaking, the highest citizen in living conditions is the biggest one in understanding of public information and the shortest one in access to it. At least it is easy for the highest citizen to be the biggest and shortest respectively in the other aspects by "buying" the help of able lawyers, politicians and various type of intellectuals. Thus in his relation to the government functions, which is a power-relation, the highest citizen is generally the strongest one by means of money, knowledge and speed. The biggest citizen in the understanding of public information (e.g. lawyers) and the shortest citizen in access to public information (e.g. journalists) are strong citizens, too. But generally, they cannot beat the highest exceptional citizen in power. On the other hand, the lowest exceptional citizen in living conditions is in general the smallest in understanding of public information and the longest in access to it. According to the above logic, he is the weakest citizen in his relation to governments. An important fact is that while the strongest citizens are getting even stronger by being united among themselves through various organizations (the Japan Federation of

Employers Associations, the Federation of Economic Organizations and so on), the weakest ones, those to whom the Daily Life Security Law is applied, for instance, are getting weaker and weaker since they do not have an organization, or rather power, to unite themselves. Besides, the mentally or physically handicapped severely tend to be financially needy and the weakest citizens. They are such weakest citizens with the smallest understanding or public information, the longest access to it, and the lowest living conditions, that the following passage of the Seebhom Report on welfare administration published in England in 1968 fits them. It says under the title of "Difficult Access" : "People are often unclear about the pattern of services and uncertain about the division of responsibilities between them. Initially a person's true need (sometimes a matter for expert diagnosis) may not be clearly recognised; sometimes the person seeking help may be confused or inarticulate and unable to make plain what particular help he requires. In such circumstances it may be difficult for him to get straight to the right services and the delay and further referral this involves may be discouraging, particularly if the local offices of different services are a considerable distance apart. Furthermore members of the public are often diffident about approaching the services, either on their own behalf, or on behalf of relatives or acquaintances. They may doubt whether help is available or they may fear officials to be remote and bureaucratic."³⁾

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- 1 . Keiichi Matsushita, Toshiseisaku o Kangaeru (On the City Policy), P. 83.

2. The Information Bureau of the Cabinet Secretariat (ed.), A Poll on the Citizens' Consultation about Government Functions (1973) pp. 5 - 9.
3. Report of the Committee on Local Authority and Allied Personal Social Services (London: Her Majesty's Stationery Office, 1968, Reprinted 1972), P. 31.

IV. Mediatory Functions between Government and the Citizen

Article 12 of the Japanese Constitution says, "The freedoms and rights guaranteed to the people by this Constitution shall be maintained, by the constant endeavor of the people, who shall refrain from any abuse of these freedoms and rights and shall always be responsible for utilizing them for the public welfare." And Article 14 says, "All of the people are equal under the law and there shall be no discrimination in political economic or social relations...". As far as these norms are approved of, every citizen must be equal, or average in his relation to government functions which contains power-relations. In other words, the strongest citizen's big power, which tends to be pressure on government functions, and the weakest citizen's power, which tends to be ignored or made light or, should be balanced through mediation. In short, the exceptional citizen must be turned into an average citizen. Considering the fact that the average citizen, too, is weak in his relation to government functions, this is nothing but a minimum request.

Then who will make the exceptional citizen an average one? This question would be the same as the one that who will balance

the citizens' income (and property) if the strongest and the weakest ones exist because of the difference in their income (and property). Therefore, the responsibility stays with the government which promotes taxation on income with progressive rates, on property on inheritance and so on, and with the citizen who demands it. But this may lead to a big political controversy of the socialization in income and property. Besides, today's lowest citizen in living conditions can be the biggest one in understanding of public information and the shortest one in access to it. In other words, it is possible to some extent that he becomes the strongest one. Also, the power of the strongest citizen can be controlled. I will, therefore, discuss the matter of making the exceptional citizen an average one in his understanding of and access to, public information only.

1. Mediatory Functions of the Side of Government

Needless to say, such a role or responsibility rests upon the side of the government or public agencies. Article 99 of the Constitution says, "The Emperor or the Regent as well as Ministers of State, members of the Diet, judges, and all other public officials have the obligation to respect and uphold this Constitution." The government must play a role of settling the conflict, opposition, and complaints (most complaints must be from the citizen to the government, but some are from the government to the citizen) between the government and the weak citizen below the average citizen.

The government must make the most effort for this role. In this case, my general average citizen, and specific average citizen, the

local general average citizen, the exceptional citizen etc. in their various aspects would surely be valuable standards. They are the very norms. The government must examine the norms in details and perform its responsibility. For instance, in the daily life security functions, it is not enough to make information on the Daily Life Security Law and its system understandable for the general average citizen. The information should be understandable enough for the average needy citizen, a client, who is a specific average citizen in the government functions. Since it is known that these functions give a great influence to the citizen's life and health, it is clear that the information on them must be easy enough for the smallest and longest exceptional citizen understanding of, and access to, the information respectively. This is a minimum responsibility on the side of the government, and a minimum request on the side of the citizen. In this sense, each kind of citizen is a norm in the daily life security administration. The preface of the Handbook of Daily Life Security (1974) says, "Although the Daily Life Security Law is for the people, it is generally believed to be difficult to understand . . . In order to explain the basic points of this system this handbook has been made." But still in it such terms as "the principle of complement", "a means test", "case by case (in English)" etc. are seen. They may be understood by the general average citizen, but are beyond the specific average citizen or the smallest exceptional citizen.

The handbook also says, "This handbook is to give a general understanding of the law to the citizen. If you need concrete and detailed judgment upon the welfare administration, please come and consult with us at the welfare office." In almost all the fields

of public administration, the role of administrative counsel is important. The function of administrative counsel or the closely related grievance procedure cannot be discussed here in details. But without doubt these are a kind of mediatory functions of the government above. The citizen's counsel room, on information section or a public relation section in the local government, and the information section of the Administrative Control Agency (and its local branches), the Cabinet and other Ministries and Agencies are the representative organs of the kind set up by the government.

2. Mediatory Functions by Intermediators

But as long as the relation between the government and the citizen is a power-relation of commande and obedience, the conflict, opposition, and complaint between them cannot be sufficiently solved by the government-established organs. Then the government needs to realize its limitation and choose some proper persons from among the citizens who exercise mediatory functions between the government and citizen. They are district welfare commissioners, administrative counsellors, child welfare commissioners and probably civil liberties commissioners. Also the system of Ombudsman should be considered, which started in Scandinavian countries and has spread to almost other countries. However, this will not be discussed in details here, either. I should like to add the fact that the strong inspection branch separated from the legislative, judicial, and administrative branches has been set up to operate almost the same function as Ombudsman does in China since about thousand years ago. China has had a valuable treasure of knowledge and technique to correct the demerit of bureaucracy which is now ignored. (continued)