

State's Educational Administration and Finance : MEXT and Education Policy Process

1. Organization and Personnel of MEXT

(1) MEXT's Organization Structure and Characteristics

See **Reference Diagram**.

(Through the reorganization of government ministries and agencies realized in 1999, former Ministry of Education, and Science and Technology Agency, were integrated into **Ministry of Education, Culture, Sports, Science and Technology**. --- abbr. **MEXT**)

One characteristic is a strong sectoral division by bureau unit, and a vertically-segmented administrative system by department in charge within each bureau, missing a holistic approach to undertake a cross-sectional policy coordination over Ministry. Only in 1987, Ad Hoc Council on Education called for "strengthening its functions as a government office for policy planning", and brought about the establishment of Policy Planning and Coordination Division.

Another prominence is seen in a generally long time-span from the stage of policy planning to maturing and, then, to setting (against a background of having features of education administrations and extensive job sites)

(2) MEXT's Staff Composition and Personnel

Staff Size

- Related facilities: a little fewer than 140,000
- Head ministry office: a little fewer than 2,000
 - Career-track bureaucrats: about 300
 - Expert staff: about 200
 - Nonelite careers: in vicinity of one thousand and a few hundred

Pattern of Promotion and Upgrade for Career-Track Staff

- 1) Deskwork on planning and legislation for each division in bureau/department (for 2-3 years)
- 2) Section chief (some 8 years)
- 3) Temporary transfer to prefectural governments as division chief (some 2 years)
- 4) Back to the head ministry office as assistant division chief
- 5) Planning official, general manager of planning office
- 6) Division chief (some 18-20 years after hire): Real apportionment begins at this stage.
 - Career-up path in head ministry office: "three stellar division chiefs" which are general affairs, financial affairs, and personnel affairs (policy)
 - Or, in outside world: university secretariat (secretary-general)
- 7) Councilor (of each bureau, of secretariat), department chief
- 8) Bureau chief
- 9) Deputy vice-minister for policy coordination
- 10) Deputy secretary

Nonelite Careers

Division of Jobs

Division of roles between career-track bureaucrats and nonelite staff, and an antagonism.

2. Segregation of Roles Between State and Local Governments in Education

Administration and Finance

(1) Principle of Local Autonomy and State's Role in Education Administration and Finance = Equal Opportunity = Assurance of National Minimum

An observation of principles of legal systems for the education administration and finance in the postwar period reveals that only after the confirmation of legislative principles of the local autonomy and the basic rules of local autonomy on education (administrations) did sharing of roles among State, prefectures, and municipalities come to be realized.

Constitution of Japan and Local Autonomy Law: Compulsory schooling is an autonomous control affair of local authorities.

Article 5 of School Education Law: Principles of responsibilities for bearing and managing (schools) on the installing party.

Article 9 of Local Government Finance Act [literal translation]: Local public bodies bear all financial costs of education.

*Article 6 of the act of incorporation for [literal translation] the former Ministry of Education with respect to the Ministry's Authority

Paragraph 2: "Ministry of Education, on exercising its authority, shall not implement administrative and operational supervisions --- except as otherwise provided by law."

The act of incorporation for the MEXT does not include rules on its involvement in the autonomous body. Such rules are lumped together in the new Local Autonomy Law.

(The modality of the state's involvement in the autonomous body will be touched on in the class 3.)

- Municipalities = School attendance, operations, installations, and supervision of faculty members, etc. relative to compulsory schooling.
- Prefectures = 1) Broad-based administrative undertakings with respect to school attendance, operations, and installations, for high schools and schools for disabled children, etc.
2) To bear 1/2 of salaries of faculty members for compulsory-educational schools, including the power to appoint and dismiss faculty members
3) Aid and backup for municipalities.

- State = To install and operate national education and research institutes (national universities, etc.)
 Setting, maintenance, and improvement of national minimum on education
 (Bearing of 1/2 of salaries of faculty members for compulsory-educational schools,
 bearing of school buildings, financial bearing for promotion of schooling,
 standard-setting of educational curriculum, etc.) Aid and backup for education
 operations of local public bodies and incorporated schools (subsidy, etc.)

These provisions legally acknowledge principles of the local autonomy:

- (1) Education is a local government's affair, and its management operation comes under the jurisdiction of the local authority.
- (2) Expenditures required for the local education is borne by the relevant local autonomy, which is a confirmation of a principle that an installer bears the cost. (Article 5 of School Education Law, and Article 9 of Local Government Finance Law [literal translation], etc.)
- (3) State and local governments are the administrative organs at the equal level, and State does not intervene in the other except as otherwise provided by special law.

On the other hand, State receives requests for setting national standards to ensure the equality of educational opportunity and to maintain a proper educational level/content. Also State and prefectures are expected to execute their roles and functions to cope with disparities and needs for aid/backup among autonomous bodies and schools. Thus, the relationship among State, prefectures, and municipalities carries some aspects that cannot be clear-cut by the principles stated in the above.

*←Our agenda is a modality of such relationship in terms of the operation and coordination/cooperation. (in the class 3)

(2) MEXT's Task and Authority

The task and authority assumed by MEXT are stipulated in Article 4 of "Act of Incorporation for MEXT" (the mandate affairs of MEXT), etc. Those activities can be roughly sorted out as follows:

(1) Regulations, i.e., Authoritative Activities

State undertakes such "statutory designated affairs [literal translation]" as permissions for installations and changes and directing closedowns of public/private schools, outside of compulsory installations, and authorizations of school textbooks. (Until April, 2000, the task included the approvals of appointed school superintendents, setting of class composition standards, school attendance affairs, etc. These became affairs of autonomous bodies after the formation of the decentralization package bill through the decentralization reform.) State imposes certain duties on citizens, inhabitants, and corporations, and

prohibits or sets limitations on certain deeds, and practices approvals and licenses. Such undertakings have been invested in State as its mandate to observe the equal rights of citizens and children, and in order to secure these rights State is accepted to involve itself in local autonomies and corporations.

(2) Backup/Aid Activities

State supports, promotes, and stimulates educational operations of local governments, incorporated schools, etc., by way of providing data/information, training, contribution, subsidy, etc.

(3) Operational Activities

State directly runs its own operations to install and maintain/administer/manage national schools and institutes/organizations, etc.

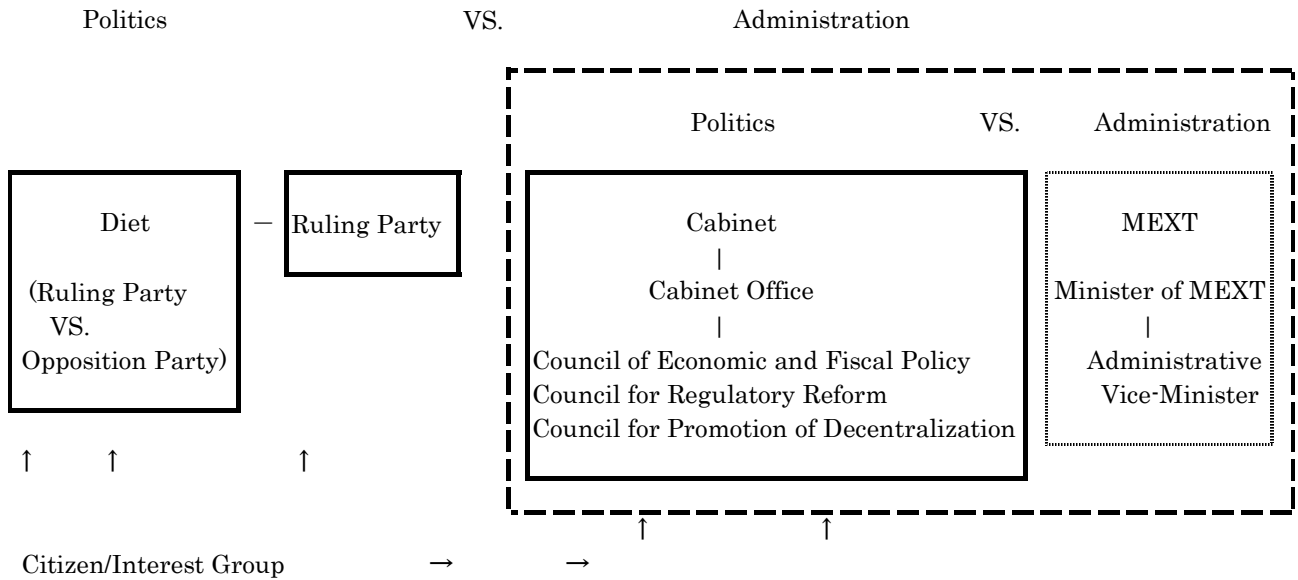
Additional comments regarding to the above-mentioned MEXT's task and jurisdiction:

Regulations, or the authoritative influences, are fewer than those of other ministries and agencies (Less number of authorities on approval and licensing: over 1,900 cases with the former Ministry of Transport/Ministry of International Trade and Industry; in digit of 1,000 to 1,300 cases with the former Ministry of Agriculture, Forestry and Fisheries/Ministry of Finance/Ministry of Health and Welfare; while 300-odd cases with MEXT). The reason is that the major portion of educational operations is borne by local governments/corporations (private schools), and the task of State, i.e. MEXT, centers on backup/aid to these activities.

In the backup/aid activities, one can easily recognize contributions/subsidies to autonomous bodies/corporations, and the subsidies to local governments/corporations occupy 70-odd percent of MEXT's responsible budget, which constitutes the grounds for Ministry to be called a "subsidy government office". * See Document: Budget under MEXT's Responsibility

3. State's Education Policy Process and MEXT

(1) Politics and Administration over Education Policy Process = Decision of Education Policies, at State Level



Main Actors in Policymaking Process

① Inside Government

- Cabinet
- Nucleus of ruling party in power
- Lawmakers with vested interests (abbr. "Zoku") in education in the ruling party
- MEXT
- Opposition party

② Education Administration Organizations

- Vocational associations, such as associative federations of school superintendents and boards in prefectures/municipalities, and school principals and assistant principals by each category of schools

③ Non-government

- Faculty members' union
- PTA
- Various non-governmental education organizations/groups

(2) Education Budget Compilation = Policy Formation Process: Reconciliation Process Among Ruling Party and Interest Organizations/Groups

1) Fundamental Policies of Cabinet

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2) Ruling Party in Power

The ruling party and each opposition party have own organizations for policy formation and determination by each administrative area. Executive Council and Policy Affairs Research Council play an important role as the body for policy reconciliation and decision in the ruling party.

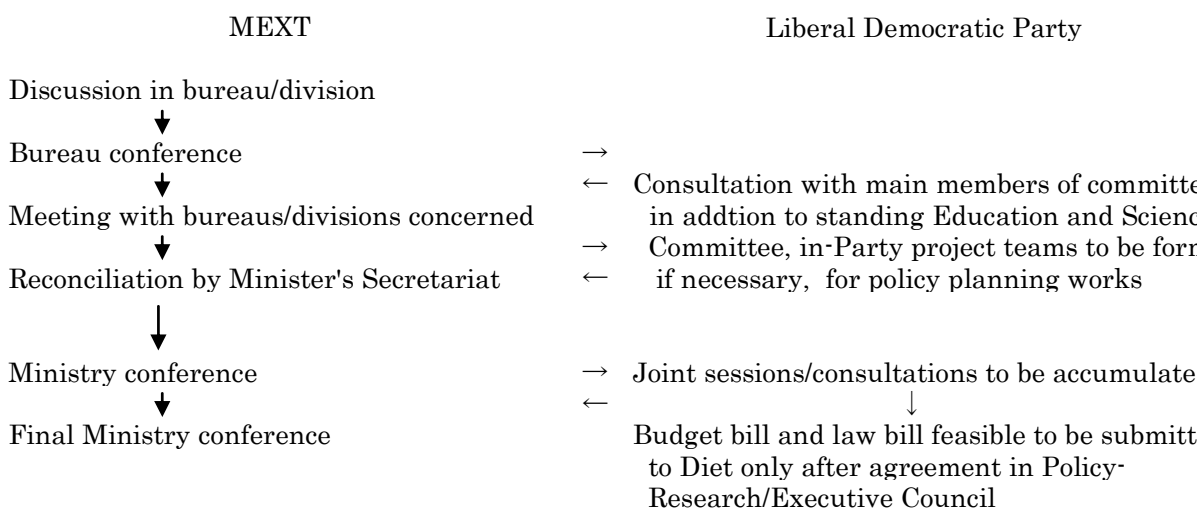
- Executive Council: The ultimate decision body, to approve bills to be submitted to Diet
- Policy Affairs Research Council (abbr. Policy-Research): Has each specialty committee corresponding to organizations of the government ministries and agencies, and “Education and Science Committee” for education (which is said to have a great influence over, primarily, short-term educational policies and an annual budget compilation for education.)
- Education System Research Council [literal translation]: The organization to study mid-and-long term policies on education in Liberal Democratic Party (members including past-time Ministers of Education, etc.)

Conventionally, Policy Affairs Research Council/Education and Science Committee and Education System Research Council were reportedly separated, as described in the above. In late years, however, they are said to be operated in union or reduplication.

↑ ↓

3) MEXT

① Bureau/Department within Ministry



*Other than budget compilation, division chiefs/assistant division chiefs of concerned bureaus/divisions constantly attend “study sessions” hosted by the education committee and the judicial system research council of LDP to exchange and coordinate opinions. And when it comes to a submission of bills (amendments), the influence of Policy Affairs Research Council (committee)/Executive Council becomes crucial, since submitting bills (amendments) related to education to Diet requires an “agreement” of LDP Policy Affairs Research Council. (LDP's Three Top Executives: Secretary-General, Chairman of Executive Council, Chairman of Policy Research Council)

② Councils and Research Partnership Conferences, etc. Within MEXT

- Central Council for Education as an advisory board
- For more specialized studies relative to specific themes for education issues, so-and-so research partnership conferences are in heavy usage in late years. They constitute not only discussion sites of committees (specialty committees), but also opportunities to consolidate relative opinions and collect pertaining information, as well as processes to coordinate interests, through hearings and researches, etc. from concerned people of groups and organizations.

(3) Japanese (Education) Policymaking Process and Its Characteristics:

L. J. Schoppa's Pluralism Model and Strong Policy Consortium by “(Educational) Sub-Government” = Policy Network,

① From Elitism Model to Pluralism Model in Actor Theory

- 1) Up until 1960s, a common viewpoint was that, among actors' group, only a fraction of elite actors possessed of prominent power controlled policymaking processes. This model of policymaking process of elitism gave a birth to a bureaucracy superiority theory as an elite's symbol, and disseminated an impression for a long time that policymaking was led by bureaucrats in the centralized administration. In actuality, until around that period, LDP had no “Zoku” with special interest in education and only preoccupied with security measures against Japan Teachers' Union, as far as education issues were concerned. The party left the rest to Ministry of Education.
- 2) After the “struggles” of universities in the 1960s-1970s, the education “Zoku” were born within LDP. Also, in the process of experiencing the high economic growth and social maturity, social organizations crowded in variety and became institutionalized, while vitalizations of local politics progressed. During this period, for certain, political powers came to be socially decentralized, and actors participating in policymaking processes increased dramatically. Due to institutionalizations of interest groups related to education, diversified actors began to be seen in the education policy processes. =

Diversification = Controversy over which actor seems to be taking “initiatives”.

② Study on Education Policymaking Process by Pluralism Model: Schoppa’s Viewpoint

In his study, Schoppa points out the characteristics and structure of the “pluralist” education policy process during 1970-80s, as follows:

- (1) When pluralist actors participate in policymaking under situations and political dynamics at any given time, they do not act precariously or in flux, but rather they take part in the planning under a uniform pattern. (patterned pluralism)
- (2) What builds pluralist actors into a uniform pattern is the sub-government system which has been formed particularly strong in Japan. (The sub-government system is a network of interest groups in each administrative domain comprised of, with respect to stake in each administrative domain, bureaucrats in each ministry/agency and “Zoku” lawmakers in each policy field, and public and private sectors’ interest circles related to those policy domains.)
- (3) While the sub-government system exists in many countries, its role has been particularly robust in Japanese policymaking process because LDP has maintained the administrative power for the long term. Networks of interest groups for each administrative domain exist in every country, and such networks are characterized as being more moderate and fluctuating in countries where a change of government takes place frequently. In contrast, where few opportunities of government change are found, these interest groups tend to be more strongly integrated with the political power of one party (and that of an opposition party).

Schoppa accordingly indicates the following:

First, the conventional education policymaking in Japan was conducted in a narrow educational business world (the education sub-government) which deemed the single jurisdiction ministry/agency as the top, centering on LDP’s education “Zoku” and Ministry of Education that kept intensifying an “immobilist orientation” under the long-term administrative power of LDP.

Secondly, some education-related interest groups (Japan Teachers’ Union, etc.), excluded from such educational business world (the education sub-government), were resigned to consolidating their political demands centering on opposition parties, not the ruling party. Consequently education policies came to involve factors of severe political collisions.

Thirdly, resulting from the above, “reforms” of Japan’s educational policies relied on power dynamics within the educational business world (the education sub-government), and on a success/failure of an emerging external leverage, i.e. with/ without wielding its influence.

(4) Education Policymaking Process and Its Structural Transformation in Recent Years

Through the administrative reforms in the 1980s, in the administrative areas of the agriculture and national railroad, etc., policies for these areas largely changed due to participations in political policy processes by outer forces and their strong influences that came from outside of these industry segments, partly leveraged by some external pressure (international pressures, etc.). In the area of education, however, approaches from the outside of the educational business world could not break through the firmly-closed wall of policymaking processes in that business domain.

Nevertheless, the conventional policymaking structure came to transfigure due to such changes in the political map as the disruption of LDP's single-party government, the loss of power, and the comeback by the coalition governments in the 1990s, coupled with the "conciliation" between MEXT and Japan Teachers' Union, and the restructuring of central ministries/agencies and the reforms on decentralization/regulation stating in 2000.

- (1) Greater voices of ruling parties comprising the coalition government other than LDP
- (2) Greater voices of Cabinet Office (Council for Decentralization Reform, Council of Economic and Fiscal Policy, Council for Regulatory Reform, etc.) versus "Zoku" legislators in the ruling party, MEXT, and the education sub-government
- (3) Promotion of the special zone [literal translation] in the regulatory reform, i.e., a new policy technique by the special zone concept (expansion of the special zone concept across the nation by the assessment committee), which is to bring about the planning and crystallization of education policies without going through the ministry/agency or "Zoku" legislators.
- (4) Greater voices of heads of local governments resulting from broader/more flexible standards, ruled by the central ministry/agency, attributable to the decentralization reform, which has enlarged decisions on municipalities' education policies outside of the traditional route from MEXT to the board of education.

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4. Decentralization Reform and National Administration System Reform

(1) Development and Basic Principle of Decentralization Reform

In June, 1995, Law for the Promotion of Decentralization [literal translation] (effective for a limited period of 5 years) was established, and in July, Committee for the Promotion of Decentralization [literal translation] was installed. (The committee officially announced its first report “Interim Report: Creation of Decentralized-Form Society” in March, 1996 which expressed the decentralization reform philosophies and the reform issues, then, followed through with submissions of the first recommendation in December, 1996, the second in July, the third in September, and the fourth in October, in 1997, respectively.) Government, having accepted these recommendations, approved the “Plan for the Promotion of Decentralization [literal translation]” in the Cabinet meeting (May, 1998), upon which “Devolution of Power Law” was established in the ordinary session of the Diet in 1999. The bill contains the largest kind of amendments of Local Autonomy Law, and, along with these changes, 21 pieces of the education-related legislations were amended, and the new legal system became effective in April, 2000.

The relationship between State and autonomous bodies is recommended to reform to the new one of equality and cooperation, specifically:

- 1) To eliminate the agency delegated function system [literal translation] which legally used to set the two parties on the ground of a top-to-bottom hierarchy and a subordinate-superior relationship
- 2) To cut down to the minimum necessity an involvement of ministries/agencies based on their comprehensive right of command, particularly a preliminary advice by the power, and to reform coordination rules and procedures into fair and transparent ones in reference to the thoughts in Administrative Procedures Act.
- 3) To seek strict application of the principles of “administration by law”, and to curtail as much as possible State’s administrative control over local public bodies by setting its basis to a preliminary control by the Parliament and a postmortem judiciary control by court of law.

(2) Administrative System Reform by Decentralization Reform

① Abolishing and Limiting State’s Involvement in Local Governments

- 1) Abolition/Disposition of Agency Delegated Functions and Reexamination of Affairs Distribution (Autonomous Affairs and Statutory Designated Affairs)

【Mechanism of Old Agency Delegated Function System】

- Fundamental legal system indicates that, other than differences in roles and affairs to cover, State, prefectures, and municipalities are positioned equal to each other in terms of the authority, thus no hierarchy. One exception, however, is the case where the agency delegated function is managed/executed among these administrative organizations, in which the authoritative upper/lower relationship takes place. The agency delegated function is a system for State to delegate the execution of its affairs, instead of undertaking on its own, to the enforcement offices of local public bodies (including governors/municipal principals and the education boards) for the reasons of expenditure and efficiency (when there is no State's branch office in a local region). Upon handling the agency delegated function, local public entities become State's agencies and, are restricted by directions/supervisions, from competent ministers for prefectures, and from prefectures and competent ministers for municipalities, at times of their executions and treatments. Moreover, should such affairs be neglected, either State or prefectures are to act by proxy after a court procedure for lawsuit on order of duty execution (Article 151 of Local Autonomy Law,). Before the abolition, the number of the agency delegated functions was said to be as many as 561 (379 for prefectures and 182 for municipalities) which occupied 80% and 30-40% of the total approval-and-license affairs conducted by prefectures and municipalities, respectively.
- Municipal bylaws and local assemblies could not get involved in the agency delegated functions.
- The historical background of the agency delegated function system was that, in the process of reforming the local government institution after the war, the governorship was revised from State-appointed bureaucrats in the pre-war period to publicly-elected officials. The system was established for the newly set governors to handle State affairs, used to be executed by equivalents in the past, without hindrance. (Japan Association for the Study of Local Government, *The Agency Delegated Function and Local Autonomy: Keibundo*, 1997, pp. 37-38)
- In its "Interim Report", Committee for the Promotion of Decentralization points out regarding negative effects pertinent to the agency delegated function system, as follows:
 - ① The system positions State and local public entities in a hierarchical and subordinate-superior relationship;
 - ② It places on governors and municipal principals the double burden of local public governments' representatives and State's local administrative agencies;
 - ③ It sets administrative responsibilities unclear between State and local public entities;
 - ④ Due to State's trivial involvements, local authorities have less room for their

discretionary judgments to meet true local situations, and waste their time and money for reports, consultations, and applications, etc;

- ⑤ Because of the vertical control/supervision system in the Ministry/Agency, a hierarchical and subordinate-superior relationship taking a vertical positioning among State and prefectures and municipalities gets established in uniformity throughout the country.

The report emphasizes that in order to fundamentally reexamine the relationship between State and local governments, and to transform that relationship to one of equal and even basis, the agency delegated function system needs to be abolished.

→ The agency delegated function was abolished, and was transformed to the autonomous affairs and the statutory designated affairs.

Statutory designated affairs became ones belonging to local autonomous entities and their assemblies.

2) Formulation of Rules and Procedures Regarding State's Involvement in Local Governments

Local Autonomy Law regulates involvements by State in prefectures, and by State and prefectures in municipalities. (basic principles and procedures for the involvement, in-writing system, local entities' opinion proposals and State's obligations for responses, etc.)

3) Foundation of Agency to Handle Disputes between State and Local Governments

In order to guarantee a proper involvement of State in local governments, the "Mediation Commission for Conflicts between State and Local Autonomous Bodies [literal translation]" is to be installed so that disputes between State and local governments, if happened, should be handled by a fair and neutral agency.

5. Decentralization Reform and Education Administration Reform

(1) Abolition of Agency Delegated Function and Reexamination of Affairs in Education Administration

Compared to other administrative areas, the number of the agency delegated functions in the education domain was not so big, and many of them were in the field related to State's roles and functions based on requests to safeguard the equality of educational opportunity, and to maintain/improve appropriate, neutral, and fair education, including subsidy affairs concerning education.

Typical examples of affairs which have come to fall under the autonomous bodies, after abolishing the agency delegated function, are:

- drawing up books for school-aged children

- affairs on specifying schools for children to enroll (come to affairs of the municipal education boards)
- affairs on setting and approving class composition standards (come to affairs of the education boards of prefectures and municipalities)

In the area of abolishing/cutting down State's involvements, the scheme was abolished for State to approve education principals appointed by local authorities. What left for MEXT's agency delegated functions in the form of new statutory designated affairs are the approvals of incorporated schools, adoptions of necessary measures for supervision with respect to "Law on Subsidies for Promotion of Private Schools [literal translation]", contribution and subsidy affairs represented by "Law for Promotion of Industrial Education [literal translation]", and affairs relative to "Temporary Measures Law [literal translation]" on textbook publications.

(2) Expansion of Discretionary Authority of the Local Education Board

- In setting specific standards of curriculum, by expanding the discretionary powers of local governments and schools, these standards are to become broad and elastic based on the perspective of letting them to compose curriculums with their originality and ingenuity. (Clear stipulation that the school curriculum guideline, being State's standard, is a "minimum criterion")
- The reform plan clearly acknowledges that class-composition norms and standards for faculty-member quota, ruled in "Compulsory Education Standard Act [literal translation]", constitute the basis of financial burden to State, and that this law is to be revised so that prefectures, if necessary, can flexibly operate the class composition and faculty-member quota.
- Guidance administrations for curriculums and pupils are to be carefully examined for MEXT to newly focus on basic affairs, and a national center for the guidance of curriculums and pupils is to be established so that effective advices and assistances from more specialized angles can be provided pursuant to needs of the education board, etc. (this center to be installed in National Institute for Educational Policy Research, apart from MEXT)

(3) Reexamination of Guidance and Advisory Administrations

One of the matters over which Committee for the Promotion of Decentralization and ex-Education Ministry acutely exchanged opinions is said to be a reexamination of the "guidance and advisory" administration conducted by the Ministry and the prefectural education boards. The committee presented the following critical comments:

All the state ministers except Education Minister are only ruled by the general provisions of Local Autonomy Law in which the context of the administrative guidance/advisory is prescribed to be "technical advices and recommendations" (4th paragraph of Article 245 of

Local Autonomy Law) On the other hand, the rule for Education Minister and education administrations describes the same context as “guidance, advices, and assistances”. Such peculiar description constitutes an administrative means for the central education party to apply stronger controls to local regions as compared to other administrative areas. Actually, in a book by a group related to Education Ministry, the above-mentioned point was treated as follows:

The expression of guidance, advices, assistances based on Law Concerning Organization and Operation of Local Education Administration (abbr. Local Education Admin Law) [literal translation] has no descriptive constrain of “technical”, and whatever actions deemed necessary can be taken broadly. Additionally, the law stipulates that these actions “are to be taken”, thus it is understood that Education Minister should positively undertake the same. (Compiled by Education Ministry’s Study Group on Education Act “Education Act”, Gyosei 1988, page 49)

Accordingly, the committee is said to have suggested that the existing rules in the local education administration law be eliminated, and that “technical advices” in Local Autonomy Law prevail in unification, and that the expression of “are to be taken” be reformed to “can be taken”, etc.

Against these opinions, Ministry of Education insisted that due to peculiarities of education administrations, the administrative means of “guidance, advices, assistances” being non-authoritative influences needed to be maintained. The peculiarities of education administrations meant, according to the Ministry’s explanation, the following: State, corresponding to citizens’ right to education, assumes the accountability to satisfy such right, and the education administration requires promoting autonomous and voluntary activities for the development of education through non-authoritative means; In order to smoothly implement such education administration, there are instances when State needs to indicate certain directions and initiate a political leadership by non-authoritative means.

* → Article 48 of Local Educational Admin Law was reformed to “can be taken”.

See the by-article commentary on the local educational administration law in *Commentary: Six Laws on Education*

【Pillars of Latest Decentralization Reform】

- (1) To abolish the agency delegated functions which positioned autonomous bodies under the comprehensive control and supervision of State, and to reconfigure these functions into autonomous affairs and statutory designated affairs.
 - The statutory designated affair is a system carried down to have autonomous bodies’ principals and functions handle State’s affairs by proxy. Points different from the agency delegated functions are:
 - ① To abolish State’s right of command associated with the agency delegated function.

And in line with themes of the decentralization reform, State is to designate the execution of own affairs to local autonomous bodies on an equal/independent basis, and State's involvements in such executions require legal grounds, and are kept in minimum.

- ② With respect to own affairs, State is entitled to set "handling criteria" for executions by local autonomous bodies, but, in turn, local autonomous bodies can involve themselves in such a way as making own bylaws inasmuch as they are the ones to execute these affairs. (No involvement in the agency delegated function was possible for local autonomous bodies by means of their assemblies or bylaws.)
- (2) Although State and local autonomous bodies are now positioned in the equal and cooperative relationship, a new scheme is in place that allows State in local autonomous bodies, and prefectures in municipalities, to get involved in affairs for executions by local authorities, with the objective for State to ensure an uniformity in its national administration. (New Local Autonomy Law "Chapter 11: Relationship between State and Ordinary Local Public Bodies, and Relationship among Ordinary Local Public Bodies")

[Involvement in Autonomous Affairs]

- Advice or recommendation
- Request for submission of document
- Consultation
- Request for correction

[Involvement in Statutory Designated Affairs]

- Advice or recommendation
- Request for submission of document
- Consultation
- Consent
- Admission, permission or approval
- Supervision
- Execution by proxy

- (3) When disputes happen between State and local autonomous bodies, or between prefectures and municipalities, being positioned in an equal and cooperative relationship, the Mediation Commission for Conflicts Between State and Local Autonomous Bodies for the former and the Mediation Commission for Disputes among Local Autonomous Bodies [literal translation] for the latter are to be installed as the scheme to resolve conflicts and disputes. These commissions have been established, having reformed the structure for State's superiority represented by handling of the old agency delegated functions, as one of the systems to ensure the new phase of an equal and cooperative relationship between State and local autonomous bodies.

2. Decentralization Reform and Education Administration Reform

① Abolition of Agency Delegated Functions and Distribution of Affairs

Compared to other administrative areas, the number of agency delegated functions in the education domain was not so big, and many of them were in the fields related to State's roles

and functions based on requests to safeguard the equality of educational opportunity, and to maintain/improve appropriate, neutral, and fair education, including subsidy affairs concerning education.

【Affairs shifted from the agency delegated functions to municipalities】

- drawing up books for school-aged children, and affairs on specifying schools for children to enroll (affairs of the municipal education boards)
- affairs on setting and approving class composition standards (affairs of the education boards of prefectures and municipalities)

【Abolition/Curtailment of State's Involvement】

- abolished the system for State to approve education principals appointed by the local authorities
- abolished MEXT Minister's authority of control and supervision over the education board in line with the elimination of the agency delegated function (Article 55 of Law Concerning Organization and Operation of Local Education Administration)

【Statutory Designated Affairs】

- approvals of incorporated schools
- adoptions of necessary measures for supervision with respect to Law on Subsidies for Promotion of Private Schools
- contribution and subsidy affairs represented by Law for Promotion of industrial Education
- affairs relative to Temporary Measures Law on textbook publications.