

# Experts in Cultural Policy-Making in Japan: Two Expert Networks and the Making of the Basic Act on the Promotion of Culture and the Arts (BAPCA)

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## 1. Introduction

In this paper, I analyze the process of establishing official principles (law-making, or policy-making in a broad sense) in the field of cultural policy<sup>1</sup> in Japan, with special attention to role of experts. As a case, I focus on the legislation of the Basic Act on the Promotion of Culture and the Arts (文化芸術振興基本法, hereafter BAPCA; Table 1), which was established in 2001. There, opposing definitions of culture emerged together with two different types of “policy expertise”.

My research questions are as follows:

- (1) Who are the “experts”<sup>2</sup> in Japanese cultural policy-making?
- (2) What do different groups of experts want to achieve in cultural policy?
- (3) How do different groups of experts influence the process of cultural policy-making?

I pursue the answers to these questions through analysis of published and unpublished documents, and interviews to related individuals.

Not many researchers have previously considered the legislation of BAPCA. Neki and Sato (2013), Kobayashi (2004), and Tani (2003), respectively wrote commentaries on the Act; Kobayashi (2004), Yoneya (2004), and Hiromoto (2002) delineated the process of lawmaking. Among them, Kobayashi, who was one of those experts concerned about the way the Act was made, analyzed the establishment of the law especially thoroughly and critically in its direct aftermath. Relying much on Kobayashi’s study, I shed light on the philosophies and strategies of two different groups of policy experts (including Kobayashi herself) in the making of BAPCA from a broader perspective. I also follow the activities of such experts after the BAPCA was established, and analyze their influence on contemporary cultural policy-making.

In the following sections, I first sketch out rough findings of my research. Then, I elaborate on the details of BAPCA legislation, including the background information on postwar development of Japanese cultural policy. In the later part, I analyze how both groups of experts continued to influence cultural policy-making after the BAPCA legislation.

## 2. Findings

The results of my analysis are summarized as Table 2. Brief answers to the research questions are as follows.

(1) Two kinds, or groups of experts, participated in the lawmaking: “the Professionals” and “the Policy Planners and Administrators”. They respectively formed different type of networks<sup>3</sup> in order to influence the process of legislation and administration of BAPCA. These two sorts of “expertise” reflect the rather decentralized or unorganized nature of cultural policy-making in Japan.

(2) “The Professionals” consist of performers of *geinō* (芸能 : a Japanese word for performing arts), and producers in film and music industries. They want to secure their own rights, such as copyright, and to achieve better social status.

“The Policy Planners and Administrators” consist of academics of arts management, officials of local governments, staffs of not-for-profit arts organizations, etc. They want to realize cultural rights (文化権) for everybody by constructing a humane and democratic society, where diverse actors take part in cultural expression, communication and education.

(3) In the lawmaking process, the Professionals organized their interest groups into an umbrella organization, *Geidankyō* (芸団協), and actively promoted the establishment of Basic Act. Through their close work with Diet members, they actually initiated the legislation by providing core ideas of the law. Right after the legislation, the Professionals established an even more political lobbying organization, AC-Forum (Arts and Culture Forum: 文化芸術推進フォーラム), which aims to contribute to “Nation Based on Culture and the Arts (文化芸術立国)”. They currently run a campaign to establish a Ministry of Culture in the Olympic year 2020.

The Policy Planners and Administrators, on the other hand, were rather reactive and critical. Researchers of arts administration had in fact provided their knowledge to *Geidankyō* and helped the Professionals’ activities to prepare the Basic Act. The legislation process, however, was all too hasty, so that some researchers, together with like-minded local grassroots cultural administrators, made an appeal to take time for nationwide discussion. After the law had passed the Diet, this loose network of policy planners and administrators developed into an online mailing list, the “CP-NET (文化政策提言ネットワーク)”, where they could regularly exchange opinion and information. Core members of CP-NET later established an academic association (*gakkai*), aiming to develop an interdisciplinary field of Cultural Policy Research.

After the legislation of BAPCA, the Japanese government has been pursuing cultural policy in a

more organized manner. While the Professionals lobby their interests through AC-Forum with an increasingly nationalistic tone, the Policy Planners and Administrators provide their knowledge through advisory committee of Agency for Cultural Affairs, and promote long-term discussion among researchers and activists at the Japan Association for Cultural Policy Research, which celebrated its tenth anniversary in 2016.

From the next section on, I delineate the history of cultural policy-making in Japan before and after the BAPCA legislation, and consider the role of two expert networks.

### 3. The Development of Cultural Policy in Postwar Japan

#### 3-1. Until the 1980s: Absence of Active National Cultural Policy

After the Second World War, the Japanese government long hesitated to take an active role in cultural policy. In 1968, the Agency for Cultural Affairs (ACA, 文化庁) was established, but its role was limited to the preservation of heritage and national language, and the management of religious affairs. Public use of the term “cultural policy (*Bunka Seisaku* 文化政策)” was avoided until 1989; instead, the term “cultural administration (*Bunka Gyōsei* 文化行政)” was used on official occasions.

In the absence of active national cultural policy, two movements developed for the promotion of arts and culture. Both movements focused on the field of performing arts, which had widely been excluded from the ACA’s administration.

The first movement was to organize performers and producers of performing arts including film and music industries (*geinō* 芸能). As an umbrella organization of various interest groups concerning *geinō*, *Geidankyō* was established in 1965. In 1977, a cross-party association of politicians to promote *geinō*, named *Ongiren* (音議連, the Association of Diet Members for Music), was formed in the Diet. *Geidankyō* worked closely with *Ongiren* to pursue their interests such as abolishment of entrance tax at theaters and concerts, promotion of copyright, etc. *Geidankyō* also conducted a number of researches on social status of performers, etc. In the mid-1980s, members of *Geidankyō* were already discussing the need to establish a “Basic Act” for performing arts (芸能文化基本法). They soon set up study groups for the preparation to make such a law.

The second movement was to develop local cultural administration as part of public policy. Progressive governors, mayors, and local government officials advocated “culturalization of administration (*gyōsei no bunkaka* 行政の文化化)” since the 1970s. By responding to the needs of diverse citizens, developing unique local identities, etc., such local autonomies tried to construct communities where the residents can be proud of themselves (Mori 2009). They ultimately aimed to break down the compartmentalized structure of

conventional administration system (*tatewari gyōsei* 縦割り行政), and to establish “general administration” (*sōgō gyōsei* 総合行政). Such “culturalization” of local administration started in most cases from the promotion of the arts and cultural activities, since there was no binding law for cultural policy at that time; municipal chiefs had free hand for creative reforms in this field. During the bubble economy of the 1980s, many local governments built multifunctional “cultural centers” (*bunka hōru* 文化ホール) as a symbol of new cultural administration.

### 3-2. The 1990s: Need for Organized Cultural Policy and the Formation of Two Contrastive Expert Networks

The persistent efforts of *Geidankyō* to promote the arts and culture, as well as the rapid development of local cultural administration, urged the central government to improve the institutional basis of national cultural policy. In 1989, the Commissioner for Cultural Affairs set up the Council for the Promotion of Cultural Policy (文化政策推進会議). The next year, the National Theater, which had mainly been in charge of promoting traditional performing arts under the auspices of the ACA, was reorganized as the Japan Arts Council (日本芸術文化振興会), to support broader activities. Its main resource was the Japan Arts Fund (芸術文化振興基金), ca. ¥66 billion.

Outside the government, the two groups of cultural policy experts began to organize themselves more intensively in order to build a better institution for the promotion of arts and culture.

Among the Professionals, *Geidankyō* started a project to establish a legal basis for the promotion of performing arts. A study group on cultural policy at *Geidankyō* conducted a specialized research from 1990 to 1994. The study group pointed out 12 possible issues to be included in the Basic Act, which was to be established in the near future (*Geidankyō* ca. 2002a). A few years later, *Geidankyō* resumed the project, this time setting up two specialized committees in 1999. The Basic Act Committee consisted mainly of performers; the Project Committee invited outside specialists. The results of these committees were summarized in a report in 2001 (*Geidankyō* 2001). The report included a “Proposal from performers on the legislation of Basic Act on the Arts and Culture (tentative name) and on the improvement of related laws” (芸術文化基本法(仮称)の制定および関連する法律の整備を：実演家からの提言). It thus provided the basic philosophy of BAPCA, which was going to be established within the same year.

Among the Policy Planners and Administrators, it was increasingly recognized that cultural administration needed a more systematic theoretical basis. Those local government officials, who had led the “culturalization” movement, organized study groups already in the 1980s, such as the Study Group on Cultural Administration in the Metropolitan Area (首都圏文化行政研究会); they also hosted some nationwide discussion forums. In 1991, an even broader discussion forum was started, namely: the “National Forum for Policy Research and Exchange on City Planning with a Cultural View” (全国文化の見えるまち

づくり政策研究交流フォーラム) (Mori 2009), which invited people from outside of local administration, such as *Geidankyō*, the academia, business corporations<sup>4</sup>, etc. Meanwhile, professional researchers on arts administration increased in number. These researchers organized some academic associations, most notably the Japan Association for Cultural Economics (JACE, 文化経済学会〈日本〉) in 1992, and established specialized courses at universities. Some of the veteran officials from local governments began working at such educational institutions for their second career.

As a result of these efforts, two networks of cultural policy experts were formed – the Professional network and the Policy Planner/Administrator network. The two groups of experts were not entirely opposed to each other; they rather collaborated when it was necessary. The establishment of JACE, for example, was welcomed and supported by *Geidankyō*; the secretariat of the Association was even located at *Geidankyō* office for many years. At the same time, the two groups were rather different in their objectives and visions. The discrepancy became clear during the legislation of BAPCA at the turn of the century.

#### 4. The Legislation of BAPCA (2000-2001)

##### 4-1. The Basic Act: Its Legislation and Content

The legislation process of BAPCA in the Diet was documented by Mari Kobayashi<sup>5</sup>, then lecturer at Shizuoka University of Art and Culture, in her book *Toward the Realization of Cultural Rights* (Kobayashi 2004: 84-93). According to Kobayashi, it was *Ongiren* that took the initiative of lawmaking. In February 2000, its General Assembly decided that they establish a “Basic Act on the Arts and Culture” (tentative name), and set up a special committee to study and consider the Basic Act. Among political parties represented in the Diet, *Komeitō* was especially eager about the legislation. Many of the parliamentarians from *Komeitō* were professional performers of theater and music (*geinōjin*).

In June 2001, *Komeitō*, together with the Conservative Party, proposed draft legislation on the “Basic Act on the Promotion of Arts and Culture” at the House of Representatives. Other parties such as the Communist Party, the Democratic Party and the Liberal Democratic Party (LDP), respectively considered drafts of a similar bill. The Diet was closed in summer 2001 for the election; after it reopened in autumn, all major fractions submitted draft legislations for the Basic Act. Within a month, these bills were coordinated at *Ongiren* into a unified bill<sup>6</sup>. The *Ongiren*-bill was revised in early November, and passed the House of Representatives (the Committee on Education, Culture and Science on November 21th, the Plenary Session on November 22th), then the House of Councillors (the Committee on Education, Culture and Science on November 29th, the Plenary Session on November 30th), respectively with a supplementary resolution. On December 7th, the closing day of the Diet, the BAPCA was established, promulgated and enforced.

The BAPCA was created and passed in an astonishingly short time. It was Diet members who drafted and submitted the bill – a rare case in Japan, where the Cabinet initiates most legislation. Kobayashi points out that the decision of *Ongiren* members to coordinate a single bill, hoping to pass it as soon as possible, left the Act some serious defects (the content of BAPCA is summarized as Table 1). She and other critics list up three problems in the content of BAPCA.

First, the title of the law sounds strange. Its keyword, “Culture and the Arts (文化芸術)”, sounds unnatural – “Arts and Culture” is a normal term (Tani 2003: 118). The label “Basic Act on the Promotion (振興基本法)” also blurs its legal character (Kobayashi 2004: 96). In fact, the law had originally been named “Basic Act on Arts and Culture (芸術文化基本法)” (resolution of *Ongiren* in 2000), but its title was later changed into “Basic Act on the Promotion of Culture and the Arts (文化芸術振興基本法)”. Kobayashi suggests that the LDP influenced the adoption of the label “Culture and the Arts”, since the party tried to promote various cultural resources and activities in addition to the arts, such as the national language, by the new Act (Kobayashi 2004: 95).

Second, the content of “culture” (and “the arts”) is obviously unbalanced. In Chapter 3 of the Act (“Measures for Promotion”), for example, *geinō*, performing arts and traditional culture get much attention, while fine arts and heritage are rather underrepresented. The content of “life culture (生活文化)”, mentioned in Article 12, is limited to traditional ones such as tea ceremony, flower arrangement and calligraphy<sup>7</sup>.

Third, norms and measures of cultural policy envisioned in BAPCA were not sufficiently based on democratic values. Kobayashi comments that the Act merely listed out “what” or “which genre” of culture should be promoted. It neither stated the conditions to be achieved through the promotion of culture (“why” culture should be promoted), nor the institutional measures (“how” to promote culture) such as evaluation criteria of cultural programs, administration system of cultural facilities, etc (Kobayashi 2004: 99-100). Tani insists that the Act regards culture much as national tradition and foundation of national integration towards “the formation of a fulfilling, energetic society”, although its preamble refers to creativity, diversity, peace etc., He criticizes that the BAPCA’s view on culture is too “harmonious, opportunistic and nationalistic”, its statement of cultural rights not sufficient; the Act overemphasizes the role of the state, while it does not provide concrete system of citizens’ participation (Tani 2003: 120-121). Both Kobayashi and Tani attribute this insufficiency of democratic element of BAPCA to the all too hasty legislation process of the Act itself (Kobayashi 2004: 99-100, Tani 2003: 121).

The Basic Act prescribed the promotion of “culture and the arts” through the Basic Policy (基本方針) of the national government. The Basic Policy was to be decided by the Cabinet, based on the draft proposal made by the Council of Cultural Affairs (CCA, 文化審議会), an advisory council of ACA. Until the BAPCA was amended to the Basic Act on the Culture and the Arts (文化芸術基本法) in 2017, four such Basic

Policies were issued –in December 2002, February 2007, January 2011 and May 2015, respectively.

#### 4-2. The Role of Two Expert Groups

##### 4-2-1. The Professionals: Taking Initiatives

The establishment of BAPCA was obviously the result of long-time, organized efforts by *Geidankyō*. As stated in 2-2, *Geidankyō* summoned specialized preparatory committees to consider the content of the Basic Act in late 1999, just a couple of months before the *Ongiren*'s resolution for the legislation. The result of their research and discussion was summarized as “Proposal from performers”, a document that *Geidankyō* handed to *Ongiren* in June 2001, the month when *Ongiren* set up a special committee on the Basic Act on the Promotion of Arts and Culture. From summer to autumn 2000, *Geidankyō* campaigned widely for the Basic Act legislation by publishing pamphlets, hosting events, setting up a mailing list, etc (*Geidankyō* ca. 2002b). Without the initiatives of professional performers, the law would not have been established.

##### 4-2-2. The Policy Planners and Administrators: From Cooperation to Criticism<sup>8</sup>

The Policy Planners and Administrators also participated in the lawmaking. Some academics from this group were summoned to preparatory committees at *Geidankyō* as advisors<sup>9</sup>. Many of these advisors became, however, increasingly concerned that the legislation was going too hurriedly. Sudden coordination of major fractions' draft legislations into a single bill by *Ongiren* seemed especially problematic, since the content of draft legislations had not been open to public. In late October, Kobayashi, who had attended the *Geidankyō* Project Committee, contacted her colleagues and launched an appeal to take more time in legislation. On November 5th, “Appeal on the BAPCA Legislation”<sup>10</sup> was issued in the name of “Group of Concerned Individuals on the Basic Act on Culture (文化基本法を考える会)”, with approval of 45 individuals. About half of them were academics; the rest were local government officials, active or retired, and representatives of arts organizations, etc. On November 24th, another group, the Association for the Socio-Culture, launched a declaration “We want broader discussion for the realization of cultural rights”<sup>11</sup>. Both appeals expressed concern over the hasty legislation process, and stressed the need for a nationwide discussion, specifically on the content of “cultural rights” to be realized in the Basic Act.

Thus, both the Professionals and the Policy Planners/Administrators took part in the BAPCA legislation process. Their style and view of politics, however, shows a stark contrast. While the Professionals pursued their own interests through organized lobbying, the Policy Planners/Administrators tried to realize “cultural rights” as human rights through broader discussion on the draft legislation.

## 5. The Aftermath of the Legislation

The BAPCA was enacted on 7th December 2001. It was six months after the initial proposal by *Komeitō* and the Conservatives at the House of Representatives, and within less than a month after the submission of the *Ongiren* bill. Hardly one month had passed since the appeal by Kobayashi and her colleagues. Following the establishment of BAPCA, the two expert groups respectively developed networks of cultural policy-making based on their experiences during the legislation.

### 5-1. The Professionals: Organized Lobbying for a “Nation Based on Culture and the Arts”

On 29th January 2002, two months after the establishment of the Basic Act, those organizations of performing arts and cultural industries that supported the legislation established a “Forum to Support the Administration of BAPCA”. The secretariat of the Forum was located at *Geidankyō* office. The Forum issued requests and comments to the CCA’s draft proposal of the First Basic Policy on the Promotion of Culture and the Arts (adopted by the Cabinet in December 2002). In 2003, the Forum was renamed as the Arts and Culture Forum (AC-Forum). Since then, the AC-Forum has launched various policy proposals, based on consultations with people from ACA and major parties.

In 2006, the AC-Forum took over the function of *Ongiren* Support Congress (音議連振興会議). The activities of AC-Forum thus assumed a more nationalistic character, with “Nation Based on Culture and the Arts (文化芸術立国)” as its slogan. In 2010 and 2012 respectively, the Forum submitted petitions with more than 600 thousand signatures to the Diet through *Ongiren*, and appealed for the upgrading of culture and the arts policy as “a basic policy of the state”. The second petition was adopted at the Diet. Since 2013, the Forum has been calling for the establishment of a Ministry of Culture<sup>12</sup>; this appeal was later upgraded to a nationwide campaign, with a deadline set in 2020. The slogan goes: “Set up a Ministry of Culture in the Olympic year (五輪の年には文化省)”<sup>13</sup>.

As of March 2017, 17 organizations belong to the AC-Forum<sup>14</sup>. Among them are *Geidankyō*, the Japanese Society for the Rights of Authors, Composers and Publishers (JASRAC), the Association of Japanese Symphony Orchestras, the Directors Guild of Japan, the Japan Artists Association, etc. Here, *Geidankyō* continues to play a major role as one of the Forum’s secretariat organizations. For example, the Forum’s policy proposal for the Second Basic Policy of the government, “Our Vision of Culture and the Arts 2007-2011” (AC-Forum 2007), appeals the inheritance and development of traditional culture as “our national treasure”. A majority of *Geidankyō*’s 74 member organizations engage in traditional theater, music, entertainment, etc; Man Nomura, a *Noh* performer and “human national treasure (人間国宝)”, is its longtime president. In the meantime, the JACE removed its secretariat out of *Geidankyō*, a decision that put *Geidankyō* more distanced from the academia.



### 5-2. The Policy Planners/Administrators: Discussion and Research for a Cultural Policy as Public Policy

Early December 2001, as soon as the BAPCA was established, Kobayashi and her colleagues renamed and reorganized their “Group of Concerned Individuals” into the “Cultural Policy Proposal Network (CP-NET)”. The CP-NET was conceived as a loose network for exchanging information and opinion, as well as for making policy proposals. The mailing list of CP-NET functioned as a forum for open discussion at some critical moments in cultural policy-making, e.g., when the Local Autonomy Act was amended in 2003 to introduce the Designed Administrator System (指定管理者制度) for the management of local cultural centers. The mailing list is still active today with 1150 members as of December 2017; it serves mainly as an information board for announcing events and related information on the arts administration.

In December 2006, five years after the establishment of CP-NET, a symposium “Forefront of Cultural Policy Research” was held at the University of Tokyo. The participants of the symposium agreed that it was time to create an academic association for cultural policy research<sup>15</sup>. In May next year, the Japan Association for Cultural Policy Research (JACPR, 日本文化政策学会) was established. Its first President, Ikuo Nakagawa, then professor of Tezukayama University, had long worked at Toyonaka City (Osaka Prefecture) as a public servant. Of the Association’s 22 promoters, 11 were members of the 2001 appeal of “Concerned Individuals”. All three Presidents of the Association, Nakagawa (2007-2012), Yasuo Ito (2013-2015) and Sumiko Kumakura (2016-present), and the two Secretaries General, Taisuke Katayama (2007-2012) and Mari Kobayashi (2013-present) approved the 2001 appeal, and were core members of CP-NET. At its annual meetings, the Association has organized forums and roundtables on actual issues of cultural policy, such as the Act for the Revitalization of Theaters, Music Halls etc. (the “Theater Act” 劇場法, established 2012), and the 2020 Tokyo Olympic and Paralympic Games. Its journal has a special section for policy critiques, and welcomes contributions by practitioners.

In March 2017, the JACPR celebrated its tenth anniversary. President Kumakura, in her memorial speech at the annual meeting, depicted the first decade as a period full of challenges, both academically and practically. She emphasized that the Association always paid special attention to the relation between the arts and society; she depicted cultural policy as “a skewer that penetrates the society” (Kumakura 2017).

### 5-3. The Influence of the Two Networks on National Cultural Policy-Making

Today, both expert networks, the Professionals and the Policy Planners/Administrators, exert influence on national cultural policy-making by providing their expertise in different ways. The Professionals work closely with *Ongiren* and input their interests in policies through legislations, discussion forums, informal consultations, etc.; they also launch petitions and public campaigns to involve the general public. The AC-Forum, as a lobbying organization, stresses the importance of “culture and the arts” as a foundation of national integration and affluence.

The Planners/Administrators also influence the policymaking, not only indirectly through academic activities at JACPR, but also more directly through the participation of its individual members in various advisory boards and committees for the government. The most powerful channel is the Working Group on Cultural Policy at the CCA, an advisory group that has drafted the four Basic Policies on the Promotion of Culture and the Arts. The Working Group consists, in most cases, of 20 individuals (academics, artists, representatives of arts organizations, etc.), and has always included a couple of experts from the “Policy Planners and Administrators” group since its establishment. The most frequent participant is Sumiko Kumakura, professor at Tokyo University the Arts and current President of JACPR, who attended 10 of the 15 sessions in the past. Kumakura also acts as the chairperson of the Working Group since 2014. Experts from the “Professionals” group are also summoned in the Working Group; from 2003 to 2009, for example, a representative of *Geidankyō* attended its meetings. In terms of the number and continuity of participation, though, the presence of the Policy Planners/Administrators is overwhelming.

In addition to their advisory role at the ACA and other national institutions for cultural policy, the Policy Planners/Administrators support the development of diverse cultural activities in Japanese society more directly through their ordinary work. Here the academics make significant contribution through research and education. They provide knowledge in the concrete planning and administration of local cultural policy, such as the establishment of municipal Ordinances on the Promotion of Culture (文化振興条例), the management of local cultural institutions and arts projects, etc. In many cases, they involve their students actively in the practice of cultural policy. Staffs of local governments, not-for profit arts organizations, etc., visit seminars of such experts to receive training. Many young students pursue their career in the field of arts administration after graduation.

The style of politics by the two groups of experts to influence or construct cultural policy is contrasting. The Professionals pursue traditional type of politics, which is rather centralized and “top-down”, through building a powerful interest group and lobbying politicians and bureaucrats at national level. The Policy Planners and Administrators also provide their expertise to the central government, but their activities goes well beyond such official consulting practices to various “bottom-up” works of research, education, and participation in many parts of the society.

## 6. Conclusion

Culture is a delicate policy field. The concept of culture as the object and goal of promotion is itself contested. Different actors or stakeholders create, manage, participate and appreciate culture in their own ways. The state is therefore obliged to secure and promote the creative freedom of various actors through its

cultural policy.

The result of this paper's analysis shows that in Japan, "culture" as the object and goal of promotion in policy oscillates along a continuum between two poles: (1) national and profit-making culture led by the central government and professional organizations, which becomes the basis of national integration and affluence; and, (2) more anti-authoritarian nonprofit culture, initiated by local governments and grassroots organizations, which is to be pursued through the realization of "cultural rights" as human rights. These two poles emerged together with two different types of policy experts — "the Professionals" and "the Planners and Administrators" — in the legislation of BAPCA.

In the lawmaking process, the Professionals, i.e., *geinō* performers and representatives of cultural industries around *Geidankyō*, played a key role, from the draft preparation of till the law establishment. They had already been well organized as interest groups long before the legislation. After the BAPCA was enacted, they founded a larger and even more powerful lobbying group, the AC-Forum, and intensified their relationship with politicians.

The influence of the Policy Planners/Administrators, on the other hand, was relatively indirect and limited during the legislation itself. This initial "weakness" was partly due to the fact that these experts represented many different professions in the public administration and were not organized well enough at that time. Through their participation in the BAPCA legislation, however, they felt the necessity of more networking and collaboration. Accordingly, they first formed a loose network (CP-NET), and later, established an academic association (JACPR), in order to supplement the defects of BAPCA with open discussion, specialized knowledge production and human resource development.

The development of two expert networks reflects the relatively unorganized structure of postwar Japanese cultural administration. The two expert networks also represent two different types of politics – both in philosophy and methodology – in contemporary Japan. The Professionals and the Planners/Administrators are not necessarily rivals; in concrete policymaking, they exchange information, and sometimes also collaborate among themselves.

In 2017, the BAPCA was amended and renamed as the Basic Act on Culture and the Arts (BACA, 文化芸術基本法 : Table 1). The Committee for Education, Cultural Affairs and Science of the Diet initiated the amendment. The substantial change in the new Act was to set up a Council for the Promotion of Culture and the Arts (文化芸術推進会議), which consists of multiple ministries of the national government (Article 36). The Council acts as a consultative body in making the Basic Plan on the Promotion of Culture and the Arts (文化芸術推進基本計画), an upgraded version of Basic Policy (基本方針) in the BAPCA (Chapter 2). Thus, the whole national government, not only the ACA, takes more active part in cultural policy-making under the new Act.

The philosophical core of this inter-ministerial policymaking system is the recognition of broad utility

of cultural activities. The new preamble and Article 2 state that “various values” are produced by culture and the arts, and that it is important to make use of these different values for further inheritance, development and creation of culture. This kind of utilitarian thinking can be attributed to the profit-and-power oriented view of culture shared among the Professionals.

The new Act also reflects the idea of cultural democracy developed by the Planners/Administrators. Although the word “cultural rights” was not adopted in the text, the preamble of BACA states that it is indispensable “to deeply recognize the importance of freedom of expression as a foundation of culture and the arts.”

The two networks of experts of cultural policy that emerged around the legislation of BAPCA will continue to be influential under the BACA in the future. Their different philosophies and styles of politics, as well as their competition and interaction, will shape the cultural policy in Japan towards and after the Olympic year of 2020.

Table 1: The Basic Act on the Promotion of Culture and the Arts  
(2017 Amendment: the Basic Act on Culture and the Arts)

Chapter	Article	Content of BAPCA (2001)	2017 Amendment (BACA)
Preamble	(Role of C&A)	Promotion of creativity, diversity and peace; foundation of identity	
	(Objectives of the Law)	Inheritance and development of traditional culture and the arts; promotion of new and unique art creation	+ <u>Utilization of values produced by C&amp;A</u>
	(Attention to be paid)	Respect of autonomy of C&A; make C&A familiar to the nation	<u>Autonomy</u> → freedom of expression
	(Nature of the Law)	Establishment of basic concept of C&A promotion; General improvement of C&A promotion	Establishment of basic concept of C&A <u>promotion</u> ; General <u>and planned</u> improvement of C&A <u>promotion</u>
Chap.1 (general provision)	Art. 1	Objective	
	Art. 2	Basic concept	+ <u>Utilization of values produced by C&amp;A (10)</u>
	Art. 3	Responsibility of the government	
	Art. 4	Responsible of municipalities	
	Art. 5	Interest and understanding of the nation	
	Art. 5-2	(-)	<u>Role of C&amp;A organizations</u>
	Art. 5-3	(-)	<u>Cooperation and collaboration of various actors</u>
Chap.2 (Basic Policy/Plan)	Art. 7	Basic Policy on the Promotion of C&A	Basic <u>Policy Plan</u> on the Promotion of C&A
	Art. 7-2	(-)	<u>Plan on C&amp;A Promotion at Local Level</u>
Chap.3 (Basic measures)	Art. 8-35	The arts; media arts; traditional performing arts; <i>geinō</i> ; life culture, national entertainment, publications; cultural heritage; local C&A; international exchange; human resource development; educational and research institutions; national language; Japanese education for non-natives; copyright; opportunity of C&A appreciation for the nation; the elderly, the handicapped etc; youth; school education; theaters and music halls; museums and libraries; places for local activities; public buildings; IT; information provision; mecenat; cooperation of actors; honors; open policymaking; measures by local governments	+ <u>Research</u> ; inclusion of <u>culinary culture</u> in "life culture"
Chap.4 (Institution for C&A Promotion)	Art.36	(-)	<u>Council for C&amp;A Promotion</u>
	Art.37	(-)	<u>Council for C&amp;A Promotion at local level</u>

Source: Author's own construction based on BAPCA and BACA

\*C&amp;A=culture and the arts (abbreviation)

Table 2: Two Networks of “Cultural Policy Experts” in BAPCA legislation

Type of experts	The Professionals (performers of <i>geinō</i> , producers of film and music industries)	The Policy Planners and Administrators (academics, officials of local governments, staffs of NPOs and foundations, etc)
Attitude to the legislation	Taking initiatives (positive/promotive)	Criticizing the content and procedure ( <b>critical/cautious</b> )
Objectives of legislation	Betterment of <b>rights and social status of performers/producers</b> + (after BAPCA-legislation) Contribution to “ <b>Nation Based on Culture and the Arts</b> ” (文化芸術立国)	Realization of “ <b>cultural rights</b> ” (文化権)* as human rights for all
Main fields of interest in cultural policy	“ <i>Geinō</i> ” (芸能)** = Traditional and popular performing arts	(1) “ <b>The arts</b> ” (アート), (2) “ <b>Cultural Administration</b> ” (文化行政) = Construction of a humane society
Style of politics	<b>Top-down</b> (Lobbying politicians and bureaucrats of the central government)	<b>Bottom-up</b> (Collaboration of citizens, local governments, corporations, grass-roots organizations, etc)
Role of culture (Before BAPCA)	Source of creation and development, peace and comfort, self-realization; foundation of affluent society, self-identification, and democracy ( <i>Geidankyō</i> 2001)	Tool for constructing democracy and humane life, promoting social inclusion (> Constitution of Japan, norms of UNESCO)
Role of culture (After BAPCA-legislation)	“Traditional culture is treasure of our nation” (AC-Forum, “Vision 2007-11”)	
Organizational base	<i>Geidankyō</i> (芸団協; Japan Council of Performers’ Rights and Performing Arts Organizations), <b>AC-Forum</b> (文化芸術推進フォーラム)	<b>CP-NET</b> (文化政策提言ネットワーク)*** Japan Association for Cultural Policy Research ( <b>JACPR</b> , 日本文化政策学会)

Source: Author’s own construction

\* Cultural rights

= Basic human rights of

(1) freedom of intellectual activities (thoughts and expressions), (2) pursuit of happiness (Kobayashi 2004, 2009);

(1) expression, (2) communication, (3) education (Nakagawa 1995)

\*\* *Geinō* (芸能) = Traditional and popular performing arts

Traditional: *Noh*, *Kabuki*, *Bunraku*, Traditional Music (*Hōgaku*), etc

Popular: Actors, Musicians, Comedians, Models, Orchestras, Theater Producers, etc

\*\*\* Organizations with gray highlights were created in reaction to, or in the aftermath of, the BAPCA legislation (2001).

## List of Abbreviations

ACA Agency for Cultural Affairs (文化庁)

AC-Forum Arts and Culture Forum (文化芸術推進フォーラム)

BACA Basic Act on Culture and the Arts (文化芸術基本法)

BAPCA Basic Act on the Promotion of Culture and the Arts (文化芸術振興基本法)

CCA Council of Cultural Affairs (文化審議会)

CP-NET Cultural Policy Proposal Network (文化政策提言ネットワーク)

*Geidankyō* Japan Performers Rights & Performing Arts Organizations (公益社団法人日本芸能実演家団体協議会、略称：芸団協)

JACE	Japan Association for Cultural Economics (文化経済学会 (日本))
JACPR	Japan Association for Cultural Policy Research (日本文化政策学会)
Ongiren	Association of Diet Members for Music (音楽議員連盟、略称: 音議連)

## Note

- <sup>1</sup> I use the term “cultural policy” to refer generally to “policy which promotes cultural resources and activities”. The content of “culture” or “cultural” varies depending on the time, place, people or organization of its use.
- <sup>2</sup> An “expert” is a person with special knowledge, skill or training in something (OED). The word originate itself from the Latin “expertus”; its meaning is close to “a person with knowledge from experience” (ジーニアス英和大辞典).
- <sup>3</sup> I use the term “network” in the sense of policy network analysis in political science. “Policy networks are sets of formal institutional and informal linkages between governmental and other actors structured around shared if endlessly negotiated beliefs and interests in public policy making and implementation.” (Rhodes 2009)
- <sup>4</sup> The Association for Corporate Support of the Arts (企業メセナ協議会) had been established in 1990.
- <sup>5</sup> Kobayashi is currently professor of Cultural Resources Studies at the University of Tokyo.
- <sup>6</sup> The final bill was based on two fraction bills: (1) the LDP version and (2) *Komeitō* and the Conservative Party version.
- <sup>7</sup> When the Act was amended in 2017, culinary culture was added to the list of “life culture”.
- <sup>8</sup> The contents of 3-2-2 and 4-2 are based on interviews to Ms. Mari Kobayashi (May 15, 2017), and to Mr. Yasuo Ito (June 4, 2017), as well as unofficial documents possessed by Mr. Ito. The author cordially thanks to the two experts for their generous support.
- <sup>9</sup> Yasuo Ito (Shizuoka University of Art and Culture), Nobuko Kawashima (Doshisha University), Kazuko Goto (Saitama University), Mari Kobayashi (Shizuoka University of Art and Culture), and Kunihiro Noda (Yokohama City) respectively contributed the results of their research at the *Geidankyō* Project Committee. Ito was also a member of the Basic Act Committee (*Geidankyō* 2001: 188).
- <sup>10</sup> The text of the appeal is documented in Kobayashi 2004 (Appendices 1-11).
- <sup>11</sup> 「文化権の実現をめざす広範な議論を」社会文化学会ウェブサイト、〈[http://japansocio-culture.com/declaration/declaration\\_20011124/](http://japansocio-culture.com/declaration/declaration_20011124/)〉 retrieved 16 August 2017.
- <sup>12</sup> Currently, the ACA (Agency for Cultural Affairs) is subordinated under the Ministry of Education, Culture, Sports, Science and Technology (MEXT).
- <sup>13</sup> “To 2020” (in Japanese) 〈<https://ac-forum.jp/to2020/>〉 retrieved 16 August 2017.
- <sup>14</sup> “About the AC-Forum” (in Japanese) 〈<http://ac-forum.jp/about/>〉, retrieved 16 August 2017.
- <sup>15</sup> Preparatory meetings, such as the “Congress of Cultural Policy Research 2005 in Hamamatsu”, had been organized since previous year.

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