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# Micro-Regionalism in Southern Africa

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The necessity of regional cooperation is well recognized, but the theoretical foundations of the arguments for regionalism and regional cooperation are mainly based on European models (Boas et al., 2003). In this chapter, the authors aim to determine whether a non-European model can be established in Southern Africa as an alternative. First, the African civil society and informal sector perspectives have been recognized as counterarguments to the top-down development approach since the 1990s. However, the concept of civil society is derived from European societies, so it has been suggested by some scholars that its application in African societies would be very difficult (Chabal & Daloz, 1999). The actual structure of African civil society therefore needs to be captured accurately. Second, micro-regional views have existed since around the year 2000, mainly in the development corridors that link Southern African states (Soderbaum & Taylor, 2001). This stream of thought was recently highlighted by the New Partnership for Africa's Development (NEPAD), and the possibility of a model of regionalism promoted by a state and inter-state framework thus exists. Another aspect of micro-regionalism is transnationalism, and the interpenetration of neighboring societies is an important ingredient. We therefore need to understand whether specific micro-regionalism is driven by state actors or non-state actors, and which intervention is greater. From the viewpoint of national interests, micro-regionalism can be linked to the interests of the political elite. As is often the case, the transnational civil society argument is not free from such messy state involvement.

This chapter analyzes the development corridors in Southern Africa, especially those involving Mozambique, from the viewpoint of civil society. Many development corridors occur across state borders, so arguments in regarding micro-regionalism and the management of state borders are relevant. Development corridors can link up ports, mineral resource areas, industrial estates, and forests and are also called economic corridors or resource corridors. The most prominent corridors in Southern Africa are the Maputo Development Corridor (MDC), the Walvis Bay Development Corridor (mainly in Namibia), and the Tri-National Dja-Odzala-Minkebe (TRIDOM) in Cameroon, the Republic of Congo, and the Republic of Gabon. The MDC is considered the most successful corridor and links the Gauteng, Limpopo, and Mpumalanga provinces in South Africa and Maputo, the port city and capital of Mozambique. The author will next examine the MDC and the other corridors in Mozambique.

South Africa's economic power in the Southern African region is strong. South Africa alone occupies half of the GDP of the 15 member countries of the Southern African Development Community (SADC). South Africa has cherished the idea of the Spatial Development Initiative (SDI) for a long time and has promoted micro-regionalism in Southern Africa. The SDI was the encompassing vision for resource development and industrial policy along with development corridors. This idea was promoted by the South African Department of Transport and Industry under the leadership of the neo-liberalist former President Mbeki and formulated following bitter lessons learned in the 1990s where SADC tended to spur traffic infrastructure policies only along the development corridors and to ignore industrial policies. The MDC was one of the SDIs that South Africa used to try to upgrade cooperation with its neighbor. Maputo is a good port, faces the southwestern Indian Ocean, and is located in a very strategic place. The MDC facilitates exports from South Africa and imports into Mozambique. Notably however, the former value is 120 times larger than the latter (Bowland & Otto, 2012).

Mozambique gained independence from Portugal in 1975, and Frente de Libertacao de Mozambique (Frelimo), a former military group, became the ruling party and advocated socialism. Resistencia Nacional Mocambicana (Renamo), a former military group and opposition party, was created in South Rhodesia to collapse Frelimo when Mozambique tried to block South Rhodesian trade on the coast (Funada, 2008). After South Rhodesia became Zimbabwe in 1980, South Africa assumed South Rhodesia's role by supporting the military group, and it was then named Resistencia Nacional Mocambicana. Renamo's ruling area was the northern part of Mozambique. When the Cold War ended, Frelimo abandoned Marx-Leninism, and apartheid

ended in South Africa. The battles between Frelimo and Renamo stopped, and a peace accord was reached in 1992. Following the intra-state war, Frelimo won the first election. South Africa tried to change its antagonistic position against Frelimo and started working on cooperation projects. One of the important projects was the revamping of the MDC. South Africa was also involved in the civil war in Angola, which ended in 2002, 10 years longer than civil war in Mozambique.

The MDC gained everybody's attention in the region due to its size and economic effects. This corridor extends 150 kilometers and was developed by the World Bank and private financial investments (PFI), including foreign ones, based on a bilateral agreement in 1995. It is an enormous program comprising a toll road between the two countries, key infrastructure facilities, and industrial estates. The MDC is considered a pioneering model for development corridors in the region. However, the subsequent corridor plans did not progress steadily since there were some problems with the underlying philosophy. The origin of the MDC was the agreement signed in 1897 between Portugal and the (then) Republic of Transvaal, which existed until the early 20th century. This agreement provided Mozambican labor to the gold mines in the Transvaal on a continuous basis, while Transvaal government promised to export half its products through the MDC via the Maputo port. Mozambique was one of the countries supplying labor to South Africa, but the number of emigrant workers declined during the apartheid era. After apartheid, the number of workers suddenly increased, and about 340,000 legal emigrant workers were dispatched to South Africa in 1996 (Niemann, 1998). In the early 20th century, South Africa produced a quarter of the world's gold, and Mozambique provided 80 percent of the gold mining labor. The MDC was a route for the steady supply of labor and gold exports transfer. In a sense, the colonial-time agreement was revived in the 1990s as an advanced case of micro-regionalism.

## 1. The Position of the MDC

Mozambique is a coastal country and has various corridor plans linking it to neighboring inland countries. The major plans are the MDC, the Beira Development Corridor (BDC), and the Nacala Development Corridor (NDC). The BDC links Beira port in Mozambique with Mutare, a city in Zimbabwe, and the NDC links the port of Nacala in Mozambique with Malawi and Zambia. These three corridors are positioned in Mozambique in a balanced way: the MDC is located in the south, the NDC is located in the north, and the BDC is located centrally. Mozambique had been a Portuguese colony since the 16th century. This rule continued until Portugal was democratized in the 1970s. Mozambique had not only had a vertical relationship with Portugal, but also a special relationship with South Africa. The latter was characterized as an example of a sub-imperialist in the region (Aminaka, 2007). South Africa was quite dominant and located in the central position of the region. This sub-imperialism laid the foundation of today's inter-state relations in Southern Africa. Portugal was a suzerain state, but also a debtor country in the imperialist 19th century context. Its colonial policy attempted to sell the colony by piece: In the northern and central parts of Mozambique, chartered companies handled everything from the police to tax collection administration, and their capital was mainly derived from gold-related industries. In the southern part, Mozambique was a colony, and Portugal had a labor agreement with the Transvaal.

The present MDC program consists of the N4 toll road between Johannesburg and Maputo. This road was reconstructed on a build-operate-transfer (BOT) basis through a 30-year contract with a private consortium comprising South African, French, and Mozambican companies. The Maputo port was recently refurbished, and its handling cargo volumes amounted to 20 million tons in 2018. This refurbishment was entrusted to the private consortium. Along with the toll road, there is also a railway, which is administered by Transnet, a part of the railroad and port agency of South Africa. The aluminum refinery Mozal, the third

largest in the world, is located 20 kilometers from Maputo, and this consortium was financed by the Australian South32, the Japanese Mitsubishi Corporation, the South African Industrial Development Corporation, and the Mozambican government. Maputo has become one of Africa's major industrial areas given its factories and infrastructure facilities.

Soderbaum and Taylor (2008) compared formal and informal micro-regionalism to investigate the meaning of today's MDC. Formal micro-regionalism usually means top-down implementation of the government's priority programs and its related institutional building. Furthermore, the invitation of private investment is guided by neo-liberal government policies, and this genuine partnership limits part of the government's sovereignty due to the existence of bilateral agreements. Informal micro-regionalism refers to ordinary people and vendors' trade and traffic of any kind, including that occurring without the government's permission. When vendors on the MDC are excluded because of the toll road, they cross the state border over the fence using any means, putting themselves at risk and potentially sacrificing their lives. Given this situation, Soderbaum and Taylor (2008) attempted to determine who benefits from the corridor. They observed that some people were positively affected by the presence of the corridor while others were not. They noted that the economic disparities between South Africa and Mozambique determined the character of the corridor and pointed out that the MDC was a top-down development. It thus lacked the vision of a bottom-up approach that could induce townspeople into the development formulation process.

The purpose of the SDI for South Africa was to produce economic growth and development in accordance with local potentiality, to provide stable employment for local people and the nation, and to advance regional cooperation by utilizing private investment. The MDC, the first case of the SDI, induced foreign investment and restricted government spending. Thus, the MDC became a good example of a public-private partnership (PPP), and the positive effects were confirmed through the national economy by virtue of increased trade volumes between the two countries.

However, this program has faced many challenges. Capital-intensive factories around the MDC have limited the job creation effects, and the spill-over effects of the MDC into agriculture and tourism have also been limited. Informal traders tend to be shut out from the corridor, and smuggled goods from South Africa have delivered a serious blow to the local economy in Mozambique. According to an expert in small and medium enterprises (SMEs), if you want to make a product in Mozambique, almost all the materials and even its packaging will need to be imported from South Africa (interview, 2019). Moreover, issues such as the low capacity of the railroad infrastructure, soaring prices of transportation, and imbalanced bilateral trade are considered key problems. Part of the body running the MDC was intended to be decentralized from the central government to the provinces, but this has not yet been realized (Soderbaum & Taylor, 2001). Relations between South Africa and Mozambique have nevertheless developed favorably, and the MDC has become a symbol of the two countries' relations.

South Africa formed the Southern African Customs Union (SACU) with Botswana, Lesotho, and Eswatini in 1910 and implemented a common tariff policy with these inland countries. Moreover, the South African rand was used as the common currency. In the Cold War period, Malawi supported the apartheid policy, and the white South Rhodesian government itself implemented the policy. Mozambique opposed the policy with Zambia and Tanzania following independence. However, when the African National Congress (ANC) won the 1994 elections in South Africa and abolished apartheid, a cooperation commission was established between South Africa and Mozambique. A bilateral economic forum was established in 1997, and minister-level meetings were held regularly. The trade and investment relationships between the two countries have since improved and intensified, and Mozambique workers continue to emigrate to South Africa. The MDC has thus become a symbol of the revival of the history of the two countries' relations.

## 2. Top-Down Development History

The MDC has influenced the SDI approach in Southern Africa, and further top-down development has been facilitated since its inception. Although many SDI plans were proposed, the majority of the plans were not realized. A reason for the slow pace of implementation of the SDI plans seemed to be apartheid's negative antecedents. Apartheid policy aimed to divide the living spaces of people based on the criterion of race, where black people were forced to live in the so-called homelands. The South African government has therefore felt uneasy dividing the space and promoting region-specific development in the post-apartheid period since 1994 (Robbins, 2008). Acceptable SDIs have included the Industrial Development Zones (IDZs), which invited large private investment and trans-border development corridors like the MDG. However, in the case of the trans-border SDIs such as the Walvis Bay Development Corridor, multilateral negotiations were needed in the planning stages, and the negotiations were not easy. South Africa was not incentivized to deliver products from neighboring inland countries to her ports, and the division of labor beyond the nation state has not progressed due to the slow pace of diversification of industrial and export goods in the region (Beer et al., 1999).

The most serious bottleneck of the MDC has undoubtedly been the lack of communication between the various stakeholders. The South African government talked with a few dozen investors and ministry officials about this large-scale development project but did not convene consultation meetings with the local population (Mitchell, 1998). The provincial government of Mpumalanga tried to set up a comprehensive communication strategy with the local people to resolve the issues, but the meeting was postponed due to a change in leadership (Mitchell, 1998). The toll charges for the use of the N4 were therefore not announced to the local people and informal sector vendors. Local people living along the corridor near Nelspruit, the provincial capital city, and other places were thus suddenly required to pay for use of the road on their way to schools, offices, hospitals, and shopping areas. People were embarrassed and became angry, so stakeholder consultations were held, and it was decided that a subsidy would be allocated to local people to reduce their financial burden. Shaw (1999) called this situation the democracy deficit.

Arguments in support of the development corridor were expressed gradually by the African Union (AU), the SADC, the African Development Bank (AfDB), the World Bank, and the U.S. and Japanese governments. These donors were positive about economic growth rather than poverty reduction which was the net transfer to poverty priority sectors. They subsequently felt compelled to shift course when they saw China had started to pour money into infrastructure development in Africa as a whole on a massive scale. In 2009, the Japanese government expressed interest in promoting development corridors, especially the NDC, via an assistance program to Mozambique. The Japanese government and the Japan International Cooperation Agency (JICA) decided to implement ProSavana, a tropical agricultural development project, through a triangular cooperation scheme with Brazil and Mozambique, to formulate a master plan called the Project for Nacala Corridor Economic Development Strategy (PEDEC-Nacala), and to design the entire program and its components (projects) (Oriental Consultants, 2014). PEDEC-Nacala aimed to serve as the foundational strategy from which to invite appropriate development and investment into the NDC, to analyze its promotive and restrictive factors, and to start a variety of project component investigations (Oriental Consultants, 2014). Moreover, it set the goals of upgrading social capacity, promoting economic growth and private investment, introducing appropriate development, and managing natural resources.

JICA held a side-event seminar on the development corridor for African economic growth at the fifth meeting of the Tokyo International Conference in African Development (TICAD) in 2013. On the African side, (then) President Guebuza of Mozambique, the Mozambican Minister of Agriculture, the Malawian Minister of Economic Planning and Development, and the CEO of NEPAD made speeches on the importance of development corridors. Thereafter, the Mozambican, Malawian, and Brazilian governments and JICA explained

the NDC in detail. The following year, Japanese Prime Minister Abe visited Mozambique with a private sector mission and emphasized the expansion of investment through PPPs. In a joint statement by President Guebuza and Prime Minister Abe, Japanese aid amounting to 70 billion yen in official development assistance (ODA) was pledged, with a focus on infrastructure, such as road, port, electricity, and industrial development, based on the strategic master plan of the NDC (Ministry of Foreign Affairs [MoFA], 2014). The NDC agricultural project undertaken by Brazil and JICA received recognition as a model (Collier & Dercon, 2014), but NGOs in Mozambique, Brazil, and Japan, as well as a group of researchers, expressed concern about the expulsion of small-scale farmers from their homes. Funada (2014) explained that land deprivation had become a serious issue for farmers and environmental groups around the year 2010. She had also started a campaign around that time when she had noticed the problem with ProSavana. When she saw the working plan, there was no reference to the rights of inhabitants, the issue of deforestation, or environmental care. In 2012, Uniao Nacional de Camponeses (UNAC) issued a statement criticizing the ProSavana planning and implementation method, which had tended to exclude civil society organizations (CSOs) at every stage of the development process. Mozambican farmers' associations and CSOs could participate in the ProSavana meetings, but they received only flat, monotonous responses from the government. UNAC stated that the ProSavana situation had resulted from a top-down development policy that had not paid attention to the farmer's needs, prospects, and concerns. They denounced the initiative to relocate the community and to expropriate farmers' land to realize large-scale monoculture agricultural projects. The Japanese NGO Japan Volunteer Center (JVC) continued to sensitize public opinion on this issue. The NDC situation demonstrates the revival of the top-down development that occurred in the MDC.

ProSavana is an agricultural development project covering 14 million hectares (ha) along the NDC in the Niassa, Nampula, and Zambezia provinces of Mozambique. The Japanese agricultural land was estimated to be 4.5 million ha in total in 2015. This project's prototype was an agricultural project undertaken by Brazil and Japan in Cerrado, Brazil. The Cerrado project realized large-scale monoculture commercial agriculture and enabled Brazil to become a grain-exporting country. Nevertheless, it was criticized because of the expulsion of indigenous people and the ensuing environmental degradation. Recently, land enclosure has been facilitated by the use of foreign capital through funds like the U.S. pension fund (Vasquez, 2019). At present, small-scale farmers are at risk of being expelled from their homelands all over the world (United Nations Human Right Council, 2019). By comparison, there is no land market in Mozambique, and the population density in the ProSavana project area is much higher than that in Cerrado (Horn, 2018). Large-scale development projects integrate many people's lands, and small-scale farmers may be expelled unless they become tenants. UNAC, an environmental NGO called *Justicia Ambiental*, and a researcher group started a campaign against ProSavana that targeted corruption scandals involving President Guebuza, Frelimo's top leaders, and foreign investors (Madeleine, 2011). They pointed out that foreign companies were colluding with local companies to obtain large-scale tracts of land. Several thousand people lost their land rights even though the government had promised these farmers that they would reap the benefits of the corridor development. This set of events also seemed to be a revival of Portugal's colonialism (UNAC & GRAIN, 2015). The plantation land that the Portuguese landlords relinquished the right to in 1975 had been returned to local farmers. Under the Mozambican land law, if farmers wanted to continue cultivating their land, they could claim entitlements. However, the Mozambican government condemned the land so that it could be lent to foreign companies or foreign companies could purchase the land directly from farmers at very low prices.

Brazil's involvement in the NDC seems to have been diminishing in recent times. There are several reasons for this: the decline of the international investment boom in the agribusiness sector due to lowered future commodities prices, the anti-ProSavana campaign conducted through the international cooperation of CSOs and academics, and reconsideration of the necessity of large-scale development projects (Shankland &

Euclides, 2016). Moreover, Brazil's Temer administration had been promoting land enclosure using foreign capital since 2016, and the policy direction of large-scale agricultural projects was rearranged in favor of domestic ones. Foreign companies involved in land enclosure in the NDC were manifold, comprising returned Portuguese landlords (some of them owned companies), European and Mozambican companies in joint ventures, South African and Brazilian companies now prominent in Southern Africa, Mauritian government-owned investment companies, and a paper company with a tax haven address (UNAC & GRAIN, 2015). Mozambique's non-concessional loan share has been growing, and the debt per GDP ratio has risen to over 60 percent. Furthermore, former President Guebuza's non-disclosure debt issue was revealed in 2016. The IMF's lending policy to Mozambique was suddenly stiffened, but the Ministry of Economy and Finance has been consulting with creditor groups to try to arrange a debt repayment schedule by putting up the future revenues of natural gas fields as collateral.

In a proposal by the Norwegian fertilizer company Yara in 2008, the BDC was envisioned to yield agricultural production across 10 million ha. Yara is the world's biggest agribusiness company and was expecting a green revolution in Africa. The BDC was discussed at the World Economic Forum (WEF) in Davos in 2009 when the then-Mozambican Prime Minister Diogo explained the importance of PPPs. In the same year, the government established a secretariat to construct industrial free zones and special economic zones and set up the Agriculture Promotion Center to facilitate PPPs. This center has the specific role of providing advice to foreign investors when they try to expropriate land from farmers. This development vision can be traced back to the South African SDI approach at the time of the MDC proposal (Kaarhus, 2018). The BDC is a corridor from the Beira port to Zimbabwe, which like the NDC, links Mozambique to former inland British colonies. The BDC starts at the port of Beira and has two main routes: the Machipanda railway line linking Manica province, Zimbabwe, and Zambia and the Sena railway line linking Tete Province and Malawi. However, interest from the Norwegian side has since faded although the Mozambicans have remained very positive. Soil and water quality testing conducted by Yara in 2010 for a factory site revealed that the construction costs would be very high (Kaarhus, 2018). In the following year, Yara decided to move the base for this priority project from Mozambique to Tanzania.

The Mozambique Ministry of Transport and Communications did not relinquish the BDC development plan and continued to hold investment meetings in Beira. The N6 road linking the Beira port and Zimbabwe has subsequently been rehabilitated using Chinese financial assistance. There are plans for the Sena line to be rehabilitated, and part of the line will be double-tracked in response to the growing demand for coal transportation from Tete Province (Japan External Trade Organization [JETRO], 2015). The Norwegian embassy has invested in agribusiness projects through the BDC catalytic fund, and the UK and the Netherlands have joined the fund. The center of these activities has been Manica Province. There used to be public farming when Portugal ran the plantations during the colonial period, but this was privatized by the government in 1989. The land was mainly sold to Frelimo and government elites, and they became absentee landlords. Some Zimbabwean farmers who escaped the confiscation of white-owned farms have settled in Manica Province (Kaarhus, 2018).

As demonstrated through these development scenes in the corridors, top-down development clearly differentiates between the beneficiary and the victim, and external resources tend to be linked to concessions for power elites through unclear channels. This composition is akin to the relationship between the actors in the center and the periphery advocated in dependency theory in the 1980s (Frank 1971). While the Mozambican government has tried to introduce foreign capital and set up public institutions using a positive approach, the government and power elites have controlled their vested interests through joint ventures and affiliated companies with foreign capital. In a formal sense, foreign capital pays for land acquisition costs, and agreements are reached with local leaders on the usage of the land; however, farmers are often being expelled

from their homeland. Who benefits from the development? This question has been asked since the initiation of the MDC in Mozambique (Taylor, 2002). The acquisition process has not changed significantly over time, and as a result, civil society continues to feel excluded, and this has led to protests against the government with the help of global outsiders. Farmers and residents are usually not provided with essential knowledge about their livelihoods, works, and the right to know (Club of Mozambique, 2018).

### 3. Desirable Structure of Micro-Regionalism

#### (1) Development and intra-state political confrontations

Japan has been involved in many development activities in the NDC, and the ProSavana agricultural development project is one of them. Nevertheless, there are many other related projects. First, the Nampula-Cuamba road improvement project was made possible through a yen loan, and the project for the construction of bridges on the road between Ile and Cuamba was carried out following Japanese grant assistance (JICA, 2011). Second, another yen loan was financed to develop and improve the cargo facilities at the port of Nacala. Mitsui & Co. and Vale are cofinancing the management and operation of the coal terminals in the port. The coal is delivered by rail from the Moatize coal mine in Tete Province to Nacala, a distance over 912 kilometers, and over 10 million tons of coking coal are shipped from Nacala to India and Japan annually (JETRO, 2018). Third, the Japan Bank for International Cooperation (JBIC), major Japanese private banks, and the AfDB have made \$2.7 billion of international cofinancing available for the port and railroad in the NDC. Moreover, adjacent regions have received grant capital assistance for the education and energy sectors around the NDC.

The content of these programs may appear similar to the East-West economic corridor in Vietnam that links the port of Da Nang to inland countries as Japan provided the financing for the Second Mekong International Bridge; however, the NDC is more reminiscent of the Eastern Seaboard Development (ESD) program in Thailand in the 1980s. This program aimed to develop a natural gas project in Siam Bay and to provide good natural ports in Laem Chabang and Map Ta Phut as alternatives to the Bangkok port so that container and other cargo could be moved between the eastern seaboard and the Bangkok metropolitan area. The Thai National Economic and Social Development Board (NESDB), the Japanese government, and JICA promoted the ESD program together, and half of Thailand's development budget was disbursed for the program. The author was involved in the ESD program as a staff member of the aid agency and was concerned about the environmental risks and potential damage to local fisheries voiced by civil society and scholars at the time (Satake, 1992). After a quarter of a century, the ESD program created a base for the second-largest industrial zone in Thailand after the Bangkok metropolitan area, and its impact on the national economy was greatly appreciated (Ariga & Ejima, 2000). Nevertheless, this unequal development pattern in Thailand seems to have led to political confrontations between urban and rural areas and coastal and inland areas, even though it is difficult to carry out evidence-based research on this (Takahashi, 2015). From the author's viewpoint, if the impact of development is accompanied by serious disparities among local groups, it could add a political dimension to the development. In Mozambique, serious confrontations have occurred between Frelimo and Renamo, the ruling and opposition parties, respectively. Renamo's base used to be the northern and northern-central areas. Since the disbursement of the development budget to the northern area has been quite limited compared with that to the southern area, increasing the development budget in the northern area would be a positive step; however, what matters are the development methods and their potential political impacts.

While the MDC seems to have had negative effects on residents and the informal sector, NDC has threatened the livelihoods of, and materially damaged, small-scale farmers. On the other hand, the farmer groups are more organized than the informal sector groups, so they have been in a better position to make their claims heard both domestically and globally. In practice, these claims have contributed to the opening of a public hearing as well as changes to the content of the master plan (Shankland & Goncalves, 2016). Brazil was disappointed to learn that the Cerrado formula had not found easy application in the NDC. Nonetheless, the small-scale farmers' claims were not taken seriously, and the government did not respond to the claims appropriately (Funada, 2014). With respect to Mozambique's relationship with civil societies in its neighboring countries, the people of Malawi who were linked through the NDC did not hold favorable opinions of the Mozambican government. Indeed, it is said that over 6,000 refugees made an exodus from Mozambique to Malawi during these years. Although the Mozambican government rejected this claim, Medecins Sans Frontieres (MSF) in Malawi reported that the number of refugees grew from 2015 because military and police forces attacked and persecuted Renamo militia and supporters (MSF, 2016). Frelimo has expanded its influence through its position as the long-term ruling party, reaching the northern provinces and suppressing Renamo's power by using foreign money and aid. Renamo has tried to reject these offerings and has clashed with Frelimo in many places. As a result of these interactions and battles, even though limited in scale, refugees have streamed out of Mozambique to Malawi in the same way as occurred during the Cold War period.

According to the Malawian government, it would be convenient to enhance trade if the country were linked to the Mozambican ports in the Indian Ocean. The mass media similarly tended to welcome the NDC. The railway construction ceremony for the award of the 30-year lease contract between the Malawian government and Vale was held in August 2017 to cover the Malawian side of the PPP formula.

Maravi, the predecessor of Malawi, was an enormous empire during the 16th century and included parts of Mozambique and Zambia. Maravi traded with Portugal and the Arab countries and diffused the Chicheŵa language through the region. Portugal purchased slaves and forced them to work on many plantations in Mozambique and Brazil, and the Chicheŵa language is now spoken in central and southern Malawi, Tete Province in Mozambique, and eastern Zambia. Malawi became a British protectorate at the end of the 19th century after the British took over from Portugal. In a sense, the NDC could be seen as the revival of the Malawi cultural zone if the corridor is developed and trade with the surrounding areas is activated. However, if it is conducted by external actors and Frelimo and thereby excludes the local people, it will be an ironic twist in the region's history.

Mozambique was forced to stop the lending programs of the IMF and other lending actors because its external debt had been growing, and untraceable financing between Credit Suisse and the Russian Bank, on one hand, and the public enterprise Empresa Mocambicana de Atum (EMATUN), on the other, was revealed in 2013. A similar scandal came to light in 2016, and the IMF became very cautious. The JVC and others (2016) explained that common elements in these scandals were the undertakings by unknown enterprises related to the intelligence agency in the Department of Defense in Mozambique, but President Guebuza assured lenders of government security with respect to foreign loans. It is said that unidentified borrowing accounted for 20 percent of Mozambique's total external debt, and the Mozambique News Agency (Agência de Informação de Moçambique) recognized that the debt repayments were already unsustainable. In addition, the Mozambican government declared that the debt repayment by EMATUN was already untenable. A default was declared in January 2017. This was the second case of a default following that of Cote d'Ivoire after the Heavily Indebted Poor Countries (HIPC) initiative was applied to low-income countries and Africa (Wallace, 2017).

Looking back on the history of the development corridors in Mozambique, it is clear that the MDC was a symbol of the quickly improving relationship with its former enemy, South Africa. It seemed to be

the reemergence of a colonial time agreement with South Africa, but the significant contribution to the local economy was acknowledged. Nevertheless, it was a top-down development, not the bottom-up type or one that involved citizen participation, where the voices of local people are listened to. It was also not carefully designed. The BDC is also a top-down development and has facilitated land acquisition to some extent, though this has not been significantly progressed.

Mozambique's inland partner, Zimbabwe, has been worn down because of more than 10 years of political turmoil, and this has led to large numbers of emigrant workers moving to South Africa. As a result, the competitive power of the BDC has declined sharply. The movement of goods between Zimbabwe and Mozambique has not grown steadily, with the mobility of human resources between Zimbabwe and South Africa growing instead. The NDC plan has remained intact, but civil society has harshly criticized the top-down development of ProSavana. When its main promoter, the former President Guebuza, was suspected of being involved in bribery, the development momentum slowed down. In essence, the BDC and the NDC were designed to strengthen the power bases of Frelimo and to weaken Renamo. The Mozambican state relationships with the inland former British colonies, Malawi, Zambia, and Zimbabwe, are expected to develop over the long term—and they are desirable, but the BDC and the NDC deteriorated into domestic political confrontations before stable and prosperous interstate relationships were realized.

## (2) Top-Down and Neopatrimonial Systems

The Mozambican micro-regionalism and development corridor policy has been conducted using the top-down approach of the power elite. This approach was steadily progressed by inviting PPPs and foreign assistance. It has also given rise to awkward questions regarding the limited range of beneficiaries. The power elites are concentrated among those with personal connections in the substantial one-party system, and collusion and cooperation between the party, government, and enterprises have thus been easily formed. Soderbaum and Taylor (2008) attributed the rise of the power elites that has driven development to an Africa-specific neopatrimonial rule. The same tendency can be found in the BDC and the NDC. This begs the question: How can desirable micro-regional approaches be achieved? Is a bottom-up approach possible? This approach would involve and affect the everyday lives of Africans, with local traders and civil society members crossing the border and constructing human networks. Can this approach be incorporated as an essential component of large-scale corridor developments? The essence of the approach requires that local merchants, traders, farmers, and residents be able to voice their opinions, and the lives of these people are respected and their livelihoods maintained, even in the pursuit of large-scale development.

Micro-regionalism through the SDI has depended on the Mozambican government's capacity to control many aspects of development by augmenting cross-border economic activities. The MDC has followed the path of dependence by utilizing the existing historical corridor through which Mozambique sent emigrant workers to the South African mines and mobilizing the large-scale economic power of South Africa and foreign capital. Mozambique has promoted this development strategy, but the interests of the informal sector have been ignored. The NDC was started in 2010 based on an agreement between Malawi, Zambia, and Mozambique; however, relations between Malawi and Mozambique were not as intimate as those with South Africa, and demand for transportation between the two countries was also not high. With the commitment of Japan and Brazil, President Guebuza pushed this development corridor project forward, but it resulted in land appropriation issues and the exclusion of small-scale farmers because Frelimo tried to construct a power base and interest networks on Renamo's home ground. Accordingly, the Frelimo elites have been criticized by international civil society. In the process of establishing both the MDC and the NDC, the everyday lives of Africans were not considered. The author provides some observations below.

First, PPPs have some merit because they expand the financial packages for a given development plan to include aid and foreign investment. At the same time, they carry risks. Private investors can approach politicians and high-ranking officials to seek favorable conditions and the removal of restrictions, thereby paving the way for corruption. It is very hard to investigate murky public-private relations that are mingled with external financing, especially when the state controls the information. This is notable in the case of former President Guebuza, who has been linked to suspicious activities. At the start of his tenure in government, the president nominated his friends to some important posts so that concessions could be offered to the private sector. These people were very alert to lucrative investment opportunities for the private sector and were very loyal to the president (US AID, 2009). Part of the president's structural corruption has been made public, and a dozen of his friends, including his son, were arrested in March 2019. The takeaway from this is that information disclosure needs to be conducted for all large-scale development projects, such as PPPs and SDIs, to ensure transparency in all financing deals.

Second, in NDC-related areas, land appropriation has been facilitated by buyers who have established and maintained close contact with local chiefs and important local figures. This phenomenon can be considered the construction of neo-patrimonial interest-inducing systems that link the center with the local, and neopatrimonialism is thus taking root in these local societies. This system was founded on the vision of large-scale development and the construction of human networks closer to Frelimo, and suppressed resistance from small-scale farmers and CSOs to land acquisition. In opposing these activities, transnational civil society has used the words "land grabbing," convened meetings, produced a movie about the Cerrado project that destroyed the forests of Brazil, and alerted outside society to what has transpired. As a result, donors have come under pressure and the concepts of tenant farmer, landed farmer, and local market are emphasized in the JICA master plan (Hanlon, 2019). Transnational civil society, Mozambican farmer associations, and environmental groups have jointly resisted the introduction of the neo-patrimonial interest-inducing system in local society (Shankland & Goncalves, 2016). This movement is not limited to Mozambican civil society, however; it has been facilitated and supported by a global coalition of civil societies. In a sense, in opposing the neopatrimonial system in Mozambique, global civil society movements have united an otherwise weak civil society in Mozambique.

It is undeniable that the development corridors could have the effect of strengthening the unity of the region if the right development methods and actors are selected. Fourteen inland countries in Africa badly need these stable development corridors. However, there is competition regarding which routes should be selected first. In the early 2000s, an African corridor boom was anticipated given the positive economic growth rate in each country. After 2012, the investment boom gradually subsided because of the decrease in natural resource prices. The BDC was a case in point: it was unsuccessful in its bid against Tanzania to invite Yara to set up a plant. In Tanzania, the Southern Agricultural Growth Corridor of Tanzania (SAGCOT) project linking Dar es Salaam, the capital city, with Zambia has been promoted by Yara, and the United States, the UK, and the World Bank have joined the project. The links between Tanzania, Zambia, and Malawi have slowly been strengthening. Zambia was initially indifferent to whether SAGOT or the NDC were constructed. Malawi used to have strong economic ties with South Africa, but its link with Tanzania is becoming increasingly important due to the geographical proximity. The BDC plan was promoted by Zimbabwe, and once competed with the MDC, which was promoted by South Africa. Zimbabwe's economic downturn and the weakening of the BDC plan took place simultaneously, so the BDC plan has been dropped from the priority list.

The rise and fall of the main corridors have been affected by trends in the economy, transport, agriculture, and tax policies. The SADC created the Free Trade Association (FTA) in 2008, and its member countries agreed to abolish tariffs in the region extending from South Africa to Tanzania. Some of the FTA

members have delayed the process, but Zimbabwe abolished the tariffs in 2014, and Mozambique abolished the tariffs to South Africa in 2015. From a donor perspective, many conditions seem to be favorable for the construction of corridors in Southern Africa. Conventional development corridors have been resource-focused and colonial in form, where resources are moved to ports and shipped from there, and subject to external demand. However, contemporary development corridors need to respond to internal demand in Africa. In this internal development process, how to develop a bottom-up scheme has been questioned. The bottom-up model can lead to internal development, but would it be able to coexist with the neo-patrimonialistic system, or does this post-colonial model, with its open character, sound too idealistic? Many questions need to be answered, but the seeds of a new system have taken root in civil society's debate on the NDC.

The long-term significance of micro-regionalism is without doubt, and it is essential for the development of inland countries. However, in the short and medium term, harsh competition between the corridors will continue to exist. For Zambia and Malawi, the route from Tanzania seems to be more promising and looks more realistic at present. Zimbabwe does not have bright prospects for inter-state relations with its neighboring countries given its current economic paralysis. South Africa and Mozambique and South Africa and Angola continue to enjoy strong bonds through the development corridors. Since independence, South Africa has been deeply involved in the civil wars of both countries, but the present situation is the result of a total transformation. The inter-state relations between the three countries are stable, and economic interdependence has expanded. The remaining issue is that the promoter of the corridors is located in the central part, the capital city of Mozambique, and it is deeply entrenched in African neopatrimonial politics. Stability can be constructed, but corruption scandals and political monopolies are continuing. Aside from South Africa, the civil societies in the region have weak internal social structures. Nevertheless, over the long term, if peace and stability are restored, civil society can be strengthened beyond state borders.

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# Assessing Police Oversight and the Complaint Review System in Japan

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## Abstract

**Purpose:** This study examined the effectiveness of the civilian oversight system of the police in Japan, particularly, its complaint review system. The research question is whether the current complaint review system in the Japanese civilian police oversight system, the Prefecture Public Safety Commission (PPSC) system, is effective or not.

**Methodology:** The study conducted empirical analyses on the system, using the theoretical framework developed by Walker, from three aspects: openness, integrity, and accountability. Quantitative data provided by the police and civilian oversight agencies, as well as qualitative information obtained through the author's interviews of practitioners, were analyzed.

**Findings:** Provisional analysis suggest that Japan's PPSC complaint review system is ineffective: The system lags behind major civilian oversight models in the U.S. and many potential areas remain for further improvement, for instance, public awareness, utilization, and transparency.

**Research limitations:** Further research based on more detailed data will be necessary to verify the present study's argument. To access fully the effectiveness of Japan's PPSC system, its auditor functions should also be carefully evaluated.

**Originality/value:** To date, no academic study has assessed the effectiveness of Japan's PPSC complaint review system. The present study provides an important step for further improvement of the country's police accountability.

**Keywords:** Police oversight, Complaint review, Police accountability, Japan

## Introduction

Based on theoretical models, this study examined the effectiveness of the civilian oversight system of the police in Japan, in particular, its complaint review system.

Civilian (or citizen) oversight of the police may be defined as "one or more individuals outside the sworn chain of command of a police department whose work focuses on holding that department and its officers and employees accountable" (De Angelis, Rosenthal, and Buchner, 2016, p. 13), although there is no academically agreed upon definition to date. Among several functions of civilian oversight of the police, its complaint review system has traditionally been one of the most important roles, defined as "an agency or procedure that involves participation by persons who are not sworn officers (civilians) in the review of citizen complaints against the police and/or other allegations of misconduct by police officers" (Walker, 2006a, p. 2).

During the past few decades, the number of civilian police oversight agencies in the United States, the United Kingdom, Canada, Australia, and other major democratic developed countries has sharply increased although they have varying structures, authorities, procedures, and so on. This trend's basic assumptions are that "members of the community do not have faith in the ability of a police or sheriff's department to police itself" and that "involving non-sworn individuals in the oversight of the police has the potential to increase public confidence and trust in the police" (De Angelis et al., 2016, p. 17). Presumably then, civilian oversight can improve police accountability, and, as a result, contribute to enhancing citizens' trust in the police and police legitimacy. In the United States, President Obama's 2015 task force on policing also endorsed such an argument (The President's Task Force on 21st-Century Policing, 2015, p. 26).

In Japan, the Prefectural Public Safety Commission (PPSC) system is the civilian oversight system created in 1954 when the current police system in Japan was established by the Police Law. Although more than six decades have passed since then, to date, no academic study has provided a thorough theoretical evaluation of the PPSC system's effectiveness.

**Background: Public Safety and Citizen Trust in the Police in Japan**

In Japan, citizen trust in the police has not improved much during the past few decades, despite significant advancement of the country's overall crime situation during the same period. In the seven and a half decades since the end of the Second World War, Japan has successfully maintained a relatively safe society in terms of crime. The number of criminal code offenses has continued to decline since 2002, when it hit the highest level since the end of the war. In 2018, it hit its lowest level after the war, less than one-third (29%) of its highest record in 2002. As far as crime statistics are concerned, it is not an exaggeration to say that, today, people in Japan are living during one of the safest times in the country's post-war history. According to chronological surveys conducted by the private Japanese research institution Central Research Services, however, citizen trust in the police has not improved much since the early 2000s (Table 1). Survey results in Table 1 also indicate that the police in Japan have not been as trusted as other major Japanese institutions, for instance, the Self-Defense Force, medical institutions, judges, and banks. In comparison with other countries, chronological surveys conducted by the World Values Survey Association showed that citizen trust in the police in Japan has remained lower than that in the other G7 countries (Table 2) despite Japan's better overall crime situation.

**Table 1. Chronological Change of Citizen Trust in the Police in Japan**

	2000 Mar.	2001 Jan.	2004 May	2007 Jul.	2008 Aug.	2009 Dec.	2012 May	2015 Sep.	2017 Oct.	Avg.
Self-Defense Forces	3.0	3.3	3.3	3.2	3.3	3.2	3.7	3.6	3.7	3.4
Medical Institutions	3.1	3.2	2.9	3.2	3.3	3.5	3.5	3.5	3.6	3.3
Judges	3.3	3.3	3.2	3.1	3.1	3.4	3.3	3.4	3.5	3.3
Banks	2.7	2.8	2.9	3.0	3.2	3.2	3.2	3.4	3.5	3.1
<b>* Police</b>	<b>2.3</b>	<b>3.0</b>	<b>2.8</b>	<b>3.0</b>	<b>3.1</b>	<b>3.1</b>	<b>3.1</b>	<b>3.3</b>	<b>3.4</b>	<b>3.0</b>
Large Enterprises	2.7	2.8	2.8	2.8	2.9	2.9	3.0	3.1	3.1	2.9
Media	2.6	2.6	2.8	2.6	2.7	2.8	2.6	2.7	2.6	2.7
Teachers	-	3.0	2.8	2.9	2.9	3.1	3.1	3.2	3.3	2.7
Diet Members	2.2	2.4	2.0	2.1	2.2	2.4	2.1	2.4	2.5	2.3
Bureaucracy	2.2	2.2	2.0	2.0	2.1	2.3	2.2	2.5	2.6	2.2

(Min = 0, Max = 4.0)

\* Source: Central Research Service, Inc. "Survey on Citizen Trust in Diet Members, Bureaucracy, Large Enterprises, Police etc." (<https://www.crs.or.jp/>)

**Table 2. Chronological Change of Citizen Trust in the Police in G7 Countries**

	1981–1984 Survey	1990–1994 Survey	1995–1998 Survey	1999–2004 Survey	2005–2009 Survey	2010–2014 Survey	Avg.
Canada	-	3.04	-	3.02	-	-	3.03
UK	-	2.96	-	2.76	2.81	-	2.84
USA	2.98	2.90	2.74	2.82	2.79	2.76	2.83
Germany	-	2.78	2.61	2.79	2.77	2.98	2.79
Italy	-	2.69	-	2.72	2.85	-	2.75
France	-	2.60	-	2.67	2.75	-	2.67
<b>* Japan</b>	<b>2.69</b>	<b>2.61</b>	<b>2.82</b>	<b>2.37</b>	<b>2.64</b>	<b>2.64</b>	<b>2.63</b>

(Min = 0, Max = 5.0)

\* Source: World Values Survey Association (WVSA) (<http://www.worldvaluessurvey.org/wvs.jsp>)

Exploring the full causes of unimproved citizen trust in the Japanese police is beyond the scope of the present report. However, a number of earlier studies in the United States and European countries have revealed that, in democratic societies, citizen perception of police legitimacy can be shaped not only by the outcome of the police's crime-fighting performance, but also by procedural justice--whether the police wield their power in fair, just, and neutral ways (e.g., Mazerolle, 2013; Tyler, 2011a & 2011b). Based on this argument, it might be assumed that enhancing police accountability, in particular improving civilian oversight of the police, could be one possible measure, although it might not be the only one, for improving citizen trust in the police in Japan (Kobayashi, 2012).

Since Japan will host the 2020 Olympic Games (which was postponed to 2021), the police force has been enhancing its security capabilities with, for instance, introduction of high-tech street surveillance cameras, and facial recognition systems. These measures might be necessary for a successful event. At the same time, however, the potential risks of police abuse of power might be increased as well. Some people are concerned that such an increase in police capabilities does not seem to accord with appropriate enhancement of democratic police oversight. The issue will likely remain a great challenge to Japanese society even after the 2020 Olympic Games.

### *Overview of Civilian Oversight of the Police in Japan*

Japan consists of 47 prefectures, each with an independent police force. The jurisdiction of each police force covers the entire prefecture, while lower-level municipal governments at the county, city, town, or village levels do not have independent police forces. Japan has no national police force equivalent to the Federal Bureau of Investigation in the United States. The National Police Agency (NPA), part of the central government, is responsible only for policy-making and coordination of prefectural police forces; thus, it does not itself enforce the law. In theory, each prefectural police force has a high level of autonomy vis-à-vis the central government, although in reality, the NPA has some influence over prefectural police forces through budgetary, personnel, and coordination powers.

With regard to civilian police oversight systems, each prefecture has a PPSC, created in 1954 by the Police Law. Each PPSC consists of three or five members, depending on its jurisdiction's population. PPSC members are appointed by the prefectural governor with consent of the prefectural assembly, with both the governor and assembly members chosen directly by each prefecture's democratic elections. In theory, therefore, the PPSCs are democratic representatives of local citizens and accountable to them. Typical PPSC members are local business executives, scholars, journalists, lawyers (or retired judges), retired senior local government officials, and the like. (At the national level, the National Public Safety Commission [NPSC] is responsible for supervising the NPA. The NPSC consists of five members, plus a chairperson, who should be a state minister, while other members are appointed by the prime minister with the consent of both the Lower and Upper Houses of the National Diet.)

According to the Police Law in Japan, PPSCs are responsible for supervising the prefectural police forces' activities, while neither PPSCs nor prefectural governors have authority to intervene directly in prefectural police forces' individual investigations or in specific law enforcement activities. For instance, PPSCs are responsible for: (1) drawing up basic policies for prefectural police forces' activities; (2) reviewing specific police misconduct cases; and (3) dealing with complaints from citizens regarding police activities and the like. It should be noted that, according to the Police Law, despite these supervising authorities, PPSCs do not have an independent budget or staff members, relying instead on the respective prefectural police force. Therefore, although PPSCs are responsible for dealing with complaints from citizens, they do not have independent investigative manpower. In practice, local prefectural police forces conduct primary investigations of complaints, and the PPSCs review investigative reports submitted by the police.

Theoretically speaking, Japanese PPSCs fit into the “auditor/minor agencies” models of civilian oversight systems according to classification by De Angelis and others, explained later. The PPSC system’s actual effectiveness, however, remains to be ascertained.

## Literature Review

In Japan, some introductory studies about the PPSC System have been conducted by Kawai (2007), Oginno (2010), Shimane (2014), Takagi (2014), and Shikata (2018). However, their studies have mainly focused on PPSCs’ legal authority or day-to-day practical activities, with little theoretical evaluation of the system’s effectiveness. In particular, except for Kobayashi’s study in 2012, no academic research addresses the PPSCs’ complaint review procedure. This situation might be partly because little statistical data on PPSCs’ activities has been publicly available, also explained later.

In the United States, Europe, and other western democratic countries, on the other hand, a number of previous studies have dealt with civilian police oversight in terms of classification, efficacy, evaluation, and so on.

### *Classification*

As of 2016, according to the National Association of Civilian Oversight of Law Enforcement (NACOLE), the United States had more than 140 civilian oversight agencies with various different structures, authorities, procedures, and so on. (NACOLE, established in 1995, is a nationwide nonprofit organization in the United States, aiming at enhancing fair and professional law enforcement responsive to community needs). Based on intensive field research on more than 140 civilian oversight agencies in the United States, the recent study by De Angelis and others in 2016 classified different types of civilian oversight police models in the country as follows: (“As noted above, PPSCs in Japan may fit into the third category, the “auditor/monitor agencies” model.)

- ***Investigation-focused Models:*** “A form of oversight that operates separately from the local police or sheriff’s department. While the structure, resources, and authority of these types of agencies can vary among jurisdictions, these agencies are tied together by their ability to conduct independent investigations of allegations of misconduct against police officers” (De Angelis et al., 2016, p. 7).
- ***Review-focused Models:*** “A type of oversight that focuses its work on reviewing the quality of completed internal affairs investigations. Many review agencies take the form of volunteer review boards or commissions and are designed around the goal of providing community input into the internal investigations process. Instead of conducting independent investigations, review agencies may evaluate completed internal affairs investigations, hear appeals, hold public forums, make recommendations for further investigation and conduct community outreach” (De Angelis et al., 2016, p. 7).
- ***Auditor/monitor-focused Agencies:*** “One of the newest forms of police oversight. While there can be variation in the organizational structure of this type of civilian oversight, auditor/monitor agencies tend to focus on promoting large-scale, systemic reform of police organizations while often also monitoring or reviewing individual critical incidents or complaint investigations” (De Angelis et al., 2016, p. 7).

Generally speaking, the first category, “investigation-focused models,” seems to have higher citizen involvement in complaint review procedures and greater independence from police forces than other models. True, traditional complaint review functions have been regarded as the most important core functions of

civilian police oversight. At the same time, however, some critics have recently argued that, along with complaint review functions, auditor functions also seem very beneficial for enhancing overall police accountability since auditor functions might enable civilian oversight agencies proactively to evaluate broader background factors that create circumstances for misconduct and make policy recommendations to the police (e.g., Alpert et al., 2016; Harris, 2012). De Angelis and others have also pointed out that each category seems to have both strengths and weaknesses in enhancing police accountability (De Angelis et. al., 2016, pp. 22-32).

### *Efficacy of Civilian Oversight*

Based on empirical data, several earlier studies have shown that effective implementation of civilian police oversight can, to some extent; improve citizen trust in the police (e.g., Buren, 2007; De Angelis, 2009). Other studies, however, have pointed out that, in reality, civilian oversight systems have faced a variety of obstacles, for example, limited authority, opposition from the police, lack of support from political leadership, and the like. The extent of their efficacy seems to vary depending on each case's specific circumstances (e.g., Walker & Archbold, 2019; Alpert et al., 2016; Harris, 2012).

On January 30th, 2015, Brian Buchner, president of NACOL, also pointed out in his testimony to The President's Task Force on 21st-Century Policing: "Civilian oversight alone is not sufficient to gain legitimacy; without it, however, it is difficult, if not impossible, for the police to maintain the public's trust." President Obama's task force on policing also concluded that some form of civilian oversight is important to strengthen trust with the community, while indicating a lack of enough strong research evidence that civilian police oversight works well and the necessity of further research (The President's Task Force on 21st-Century Policing, 2015, p. 26).

Based on Walker's early study, De Angelis and others indicated the "core elements of successful oversight" as follows: (1) independence, (2) adequate jurisdictional authority, (3) unfettered access to records, (4) access to law enforcement executives and internal affairs staff, (5) full cooperation, (6) support of process stakeholders, (7) adequate resources, (8) public reporting or transparency, (9) pattern analysis, (10) community outreach, (11) community involvement, and (12) respect for confidentiality requirements (De Angelis et al., 2016, pp. 36-44).

### *Evaluation of Complaint Review Systems*

A number of earlier studies have indicated difficulties in systematically evaluating civilian oversight models' overall effectiveness; this could be attributed to lack of sufficient data and information and to lack of standardized criteria for evaluation (De Angelis, 2016, p. 17; Filstad & Gottschalk, 2011; Walker, 2014).

Among several different functions of civilian police oversight, its complaint review system has traditionally been one of the most important roles. If we focus on complaint review systems, Walker suggested that openness, integrity, and accountability could be fundamental criteria for evaluating complaint review systems (Walker, 2019, p. 141; Walker, 2014, pp. 107-108).

- **Openness** means that "*the process makes an effort to inform citizens about the complaint process and to receive all citizen complaints, no matter how frivolous some might seem*" (Walker, 2014, pp. 107-18)
- **Integrity** means that "*complaint investigations are conducted in a manner that is thorough and unbiased*" (Walker, 2014, pp. 107-18)
- **Accountability** means that "*the complaint process itself is subject to review to ensure that it operates properly and effectively*" (Walker, 2014, pp. 107-18)

## Materials and Methods

### *Research Questions and Hypothesis*

As mentioned above, this study's purpose is to examine the effectiveness of the existing civilian police oversight system in Japan, in particular, its complaint review system. The major research question is whether the current PPSCs' complaint review system is effective. Given that citizen trust in the police in Japan has not improved much during the past two decades, despite significant progress in the country's overall crime situation during the same period, a possible hypothesis for answering this question is that the current complaint review system is ineffective.

To examine this research question and the hypothesis, the present study conducted empirical analyses on the effectiveness of the current PPSCs' complaint review systems in Japan by utilizing the theoretical framework developed by Walker and others. Quantitative data provided by the police, civilian oversight agencies, and others, as well as qualitative information mainly obtained through the author's interviews of practitioners, were analyzed.

### *Theoretical Framework*

In the theoretical framework for evaluating the civilian police oversight system's effectiveness, as noted above, Walker (2014) suggested that openness, integrity, and accountability could be fundamental criteria for evaluating these systems. While Walker did not provide any further details on how to achieve openness, integrity, and accountability, based on interviews with practitioners, such as a NACOL executive (e.g., Brian Corr, a former NACOL vice president, personal interview with the author, March 2, 2015, Cambridge, Massachusetts), the present study assumed that the following factors could be useful criteria for evaluating complaint review systems:

- **Criteria to evaluate *Openness*:** (1) public awareness of PPSCs' complaint review system and (2) their utilization (e.g., the number of annual complaints filed per 100,000 population).
- **Criteria to evaluate *Integrity*:** (1) independence from police (e.g., authority, budget, manpower, and so on); (2) efficiency of the complaint review process (e.g., average duration of the review process, conviction rate, and so on).
- **Criteria to evaluate *Accountability*:** (1) transparency or availability of the complaint review system's statistical data to the public (e.g., regularly published annual reports); and (2) proactive outreach to the public.

## Discussion: Evaluation of PPSCs' Complaint Review System in Japan

In this section, the current PPSCs' complaint review system is examined based on the theoretical framework outlined above.

### *Openness*

With regard to the public awareness level of the PPSCs' complaint review system, the opinion survey conducted by the Kochi Prefectural Police in Japan in 2014 (Table 3) indicated that 15% of all respondents replied positively ("Know it very well" or "Know it generally, though not in detail"), while 85% replied negatively ("Do not know it at all" or "Know it very little, only just by name"). As to the PPSCs' complaint review system, in particular, only 5.4% of all respondents replied positively, while 96.6% replied negatively.

Another similar survey conducted in 2012 among approximately 140 college students in Kanagawa Prefecture also indicated that college students' awareness of the PPSC and the PPSCs' complaint review systems were approximately 6% and 5% percent, respectively. Evaluating these results objectively is difficult due to lack of sufficient comparative data between the United States and Japan. A similar survey conducted in 2001 and 2002 in Tempe, Arizona, however, indicated that the awareness level of the local civilian complaint review system among respondents was 7 to 11% (Buren, 2007, p. 149–50), slightly higher than in Japan. Despite lack of sufficient information, available but limited data suggested that the public awareness level of the PPSC system and the PPSCs' complaint review system in Japan has remained very low.

**Table 3. Public Awareness of the Prefectural Public Safety Commission (PPSC) and Complaint Review System (General Public, Kochi Prefecture, Japan, 2014)**

	Q. 1 PPSC System	Q. 2 Complaint Review System
Know it quite well	2.5%	0.8%
Know it in general, though not in detail	12.5%	4.6%
Know it very little, only just by name	44.4%	21.7%
Do not know it at all	38.5%	70.6%
N/A	2.1%	2.3%

\* Sample size: 3,000 [Effective responses: 1,800 (60%)]

\* Source: Kochi Prefectural Police (Japan):

With regard to utilization of the PPSCs' complaint review system in Japan, data in Table 4 indicate the total number of annual complaints filed with PPSCs in all 47 prefectures from 2001 to 2018 and the number of complaints filed per 100,000 population each year (utilization ratio). Data in Table 5 also show the utilization ratio of the PPSCs' complaint review system all over Japan and in Tokyo, in comparison with utilization ratios of equivalent civilian complaint review systems in New York City, Washington, D.C., San Jose, California, and Denver, Colorado. New York's Civilian Complaint Review Board and Washington, D.C.'s Office of Police Complaint could fit the "investigation-focused model," while San Jose's Independent Police Auditor and Denver's Office Independent Monitor could fit "auditor/monitor agencies," the same category into, which Japan's PPSC systems fit. (Tokyo is the capital and the largest city in Japan, with approximately 9.2 million population. Tokyo Metropolitan Police Department is the largest police force in the country with approximately 46,000 employees. New York, Washington, D.C., San Jose, and Denver are the first, 20th, 10th, and 19th largest cities in the United States, respectively, with approximately 8.4 million, 0.7 million, 1.0 million, and 0.7 million population, respectively. The New York City Police Department is the largest police force in the United States, with approximately 50,000 employees.)

Table 4. Number of Complaints Filed with PPSCs in Japan (2001–2018)

(Year)	Number of Complaints Filed with PPSCs	Number of Complaints Per 100,000 Population
2001	503	0.4
2002	456	0.4
2003	467	0.4
2004	553	0.4
2005	634	0.5
2006	747	0.6
2007	717	0.6
2008	783	0.6
2009	1,067	0.8
2010	1,082	0.8
2011	1,168	0.9
2012	1,397	1.1
2013	1,034	0.8
2014	930	0.7
2015	977	0.8
2016	965	0.8
2017	894	0.7
2018	901	0.7

\* Source: (Number of Complaints) The National Police Agency of Japan (<https://www.npa.go.jp/>)  
(Estimated Population) Statistics of Japan (<https://www.e-stat.go.jp/en>)

Table 5. Number of Complaints Filed with Civilian Oversight Agencies in Tokyo, New York, Chicago, Washington, D.C. , San Jose, and Denver

(Year)	(Per 100,000 population)					
	All over Japan	Tokyo	New York City	Washington D.C.	San Jose	Denver
2009	0.8	2.2	93.7	91.4	-	-
2010	0.8	2.1	78.9	96.2	29.4	100.9
2011	0.9	2.3	72.2	90.1	36.6	74.1
2012	1.1	N/A	68.8	90.4	33.5	81.1
2013	0.8	N/A	64.2	67.6	35.7	82.2
2014	0.7	N/A	56.6	58.7	33.5	82.3
2015	0.8	N/A	52.7	60.3	29.5	58.9
2016	0.8	N/A	50.6	63.8	28.3	55.7
2017	0.7	N/A	53.2	111.1	21.5	57.7
2018	0.7	N/A	56.5	111.0	24.1	45.1

\* Sources:

(Number of Complaints)

The National Police Agency of Japan (<https://www.npa.go.jp/>)

Tokyo Public Safety Commission (<https://www.kouaniinkai.metro.tokyo.jp/>)

Civilian Complaint Review Board, New York City (<https://www1.nyc.gov/site/ccrb/index.page>)

Office of Police Complaint, Washington D.C. (<https://policecomplaints.dc.gov/>)

Independent Police Auditor, City of San Jose (<https://www.sanjoseca.gov/index.aspx?nid=702>)

Office of Independent Monitor, Denver (<https://www.denvergov.org/content/denvergov/en/office-of-the-independent-monitor.html>)

(Estimated Populations)

World Population Review (<http://worldpopulationreview.com/>)

The annual number of complaints formally filed with PPSCs throughout Japan from 2009 to 2018 was only 0.7–1.1 per 100,000 population, while in Tokyo, the figures from 2009 to 2011 were 2.1–2.3. On the other hand, utilization ratios in New York, Washington, D.C., San Jose, and Denver during the same period were 50.6–93.7, 60.3–111.1, 21.5–36.6, and 45.1–100.9, respectively. True, systems in the two countries are not identical, and simple comparison is not necessarily appropriate. Nevertheless, it could be said that the PPSCs' complaint review system is significantly underutilized in comparison with equivalent systems in the United States. It is not necessarily surprising that figures from New York and Washington, D.C. are higher than those in Japan, since civilian oversight models in New York and Washington D.C. may fit into "investigation-focused models" that emphasize independent complaint investigations. Worth noticing is that figures in San Jose and Denver are also much higher than those in Japan, although civilian oversight models in these two cities may fit into the same category as Japan's PPSC models--the "auditor/monitor agencies"—that emphasize auditor functions. The reason for this difference should be subject to further research; however, the low level of public awareness of the PPSCs' complaint review system could be a possible reason.

### *Integrity*

With regard to PPSCs' independence from the police, the Police Law in Japan stipulates that each prefectural police entity deals with the PPSCs' secretariat functions. Each prefectural PPSC (N=47), therefore, fully relies on the police department it supervises for budget, manpower, and facilities, unlike some major civilian oversight agencies in the United States such as New York City's Civilian Complaint Review Board and Washington D.C.'s Office of Police Complaint.

As to the efficiency of PPSCs' complaint review process, very little information or data are publicly available, including the number of complaints filed, classification of complaints, average duration of the review process, conviction rate, and so on. (The number of total complaints filed in all 47 PPSCs annually is available from the NPA. The number of complaints filed in each PPSC, however, is available only in limited prefectures. The PPSC in Tokyo, for some reason, has stopped announcing the number of complaints it received in each year since 2012.) Therefore, providing a definite evaluation of the effectiveness of the PPSCs' complaint review system in Japan is very difficult, while in the United States, most major civilian oversight agencies publish these data and information on their official websites, in annual reports, and so on.

### *Accountability*

In terms of transparency or availability of information and statistical data of the system to the public, each PPSC has an official website that typically displays an introduction of the PPSC system's legal basis, each PPSC member's biography, brief reports of regular weekly meetings, explanations of the complaint submission procedure, and the like. As mentioned previously, however, detailed information or data on the complaint review system, as well as auditor functions, are not publicly available. As of November 2019, approximately one-fourth of all PPSCs (11/47) even do not provide a direct link to the complaint review procedure on their website's homepage. Only two PPSCs accept complaints by e-mail, while other PPSCs accept complaints only on paper. No PPSC issues its own annual report either, while most major civilian oversight agencies in the United States issue quite informative annual reports, including basic statistical data, and these reports are easily available on their websites. The PPSCs' regular weekly meetings are not open to the public, while some civilian oversight agencies in the United States (e.g., Cambridge, Massachusetts) make their regular meetings open to the public. Such a low level of accountability of the complaint review system could coincide with the low level of awareness and utilization mentioned above.

As to proactive outreach to the public, as far as publicly available information in the PPSCs' official websites indicates, the PPSCs' board members often attend internal police meetings and ceremonies, aiming

to reaching out to and communicate with police employees. At the same time, however, they very rarely reach out to the general public outside the police, while some major civilian police oversight agencies in the United States place much importance on such activities that is, attending town meetings, school meetings, and so on.

### Summary

On the basis of the assessments above, it seems that the current PPSC system in Japan lags behind some major civilian oversight models in the United States (which are imperfect, too) and that many potential areas still need improvement (Table 6).

**Table 6. Evaluation of the Prefectural Public Safety Commission (PPSC) System in Japan Based on Walker's Framework**

	Evaluation of the PPSC System in Japan
<b>Openness</b>	
- Public Awareness	: Very low
- Utilization of complaint review system	: Very low (much lower than in the U.S.)
<b>Integrity</b>	
- Independence from the police	: No independence for budget and manpower
- Effectiveness of complaint review system	: Inconclusive (data not available)
<b>Accountability</b>	
- Transparency (availability of data and information to the public)	: Very low
- Proactive outreach to the public	: Very little

\* Source: The author

## Conclusions

### Findings

As mentioned previously, the current study's major research question is whether the current complaint review system in the Japanese civilian police oversight system, the PPSC system, is effective or not. The study conducted empirical analyses on the system, using the theoretical framework developed by Walker and others, from three different aspects: openness, integrity, and accountability. Although sufficient data or information available for thorough evaluation were not available, results of provisional analysis suggest that the current PPSC complaint review system in Japan is ineffective: The system lags behind some major civilian oversight models in the United States, and many potential areas remain for further improvement, for instance, public awareness, utilization, independence from police, transparency, and proactive outreach to the general public.

### Limitations and Future Research

Needless to say, the present study has several drawbacks. As noted above, very little information or data regarding PPSCs are publicly available, including basic statistics from its complaint review system. Further research based on more detailed data and information will be necessary to verify more thoroughly the present study's argument. To access fully the effectiveness of the current PPSC system in Japan, not only its complaint review functions, but also its auditor functions should be carefully evaluated in future studies.

Moreover, as noted above, exploring full causes of unimproved citizen trust in the police in Japan, in particular examining the relationship between citizen trust in the police and civilian oversight of the police, is beyond the present study's scope. Further research will be necessary to explore the details of these mechanisms.

Although these limitations exist, I believe that the present study provides an important step for better understanding of civilian police oversight in Japan, as well as for further improvement of the country's police accountability.

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