# Lessons are Still Unlearned: Post-Fukushima Accident Investigation Activities in Japan and Continued "Structural Disaster"

Kohta Juraku

Tokyo Denki University, Japan

juraku@mail.dendai.ac.jp

## Introduction

It is believed that official investigation for terrible accident is essentially important. It was also the case in Post-Fukushima Japan. Four major investigation commissions carried out accident investigations and published their final report by the mid of 2012.

However, this fact does not necessarily mean that the processes, causes, backgrounds and impacts of the Fukushima Nuclear Accident have been learned well. In this brief paper, the author would try to shed light on this problem – failure of learning from the disaster – from the point of view of relationship between contents of the reports themselves and their socio-political contributions towards the improvement of nuclear risk governance in Japan.

## "Manmade" and "Made in Japan" Disaster: Where is the Locus of Responsibility?

It was the most authoritative one that the National Diet of Japan Fukushima Nuclear Accident Independent Investigation Commission (NAIIC). NAIIC was established on December 8, 2011, with the legal basis by an ad hoc act.

Their report was published on July 5, 2012 and some statements attracted the strongest public attention and even encouraged public anger. The author would take two examples from their provocative theories here: 1) "manmade" and "Made in Japan" disaster theories on the root cause of the accident and 2) "regulatory capture" criticism against the corruption of the past nuclear regulation.

The first case, "manmade" and "Made in Japan" disaster theory was suggested in the "Message from the Chairman" page of the Executive Summery written

by Chairman Kurokawa, not in the full report[1]. That page was original in English version and no counterpart in Japanese version of the report. The word "manmade" attracted rapid and positive attention mainly in Japanese domestic public opinion. It has been pointed out that Japanese society tends to seek criminal responsibility of and societal punishment against victimizer strongly when large-scale accident happens[2]. "Manmade" theory was consistent with this tradition. Actually, the criminal prosecution process was virtually started on August 2, 2012, after the NAIIC's report published.

However, Kurokawa suggested another message at the same time – the theory of "Made in Japan" disaster with "Japanese Culture" explanation. It was spread all over the world very quickly, as wells as in Japan. This could obscure our understanding on the locus of responsibility and root cause of the accident and there were negative responses on this point from foreign major journalism[3]. It also seemed odd because this was contradictive to the individual prosecution strategy supported by his own "manmade" theory. These keywords are often cited simultaneously without any inconvenience, and considered those as the most important messages of the NAIIC report.

**Introduction of "Regulatory Capture" Concept as a Rhetoric**

Similar thing was also found in the body text of the report. It strictly pointed out the deficits of past nuclear regulatory system, then proposed a fascinating keyword again – "regulatory capture."

Shuya Nomura, a member of the NAIIC, a jurist and the proponent of this concept described its outline correctly: "Regulatory capture is a theory posited by George Stigler in The Theory of Economic Regulation. It refers to a condition in which regulators are "taken over" by the operators due to their lack of expertise and information, which results in the regulations becoming ineffective."[4]

However, this Nobel Prize awarded concept was not used as an analytical framework in the report. It just exemplified the historical process of collusive regulatory practices as a case of "regulatory capture."

This was interpreted as just a strict criticism against the corruption and

[1] NAIIC (2012a: 9).
[2] See Ikeda (1995) and Science Council of Japan (2005), for example.
[3] For example, Bloomberg (2012) and Dickie (2012).
[4] NAIIC (2012b: 10).

became very popular. But, causal relationship between any particular factors and the result (=corruption) has not been demonstrated by this concept yet.

**Regulatory Reform *Before* the Final Reports Published**

However, it may not be so important that the discussion extended above in this paper, because the actual design of nuclear regulatory reform was carried out *before* NAIIC and other major final reports were published.

Japanese Government established a new nuclear regulatory body "Nuclear Regulatory Authority" (NRA) in September 19, 2012, three month after the Act was approved on June 20, 2012 [5] . It was chronologically impossible to reflect the recommendation of NAIIC report on this institutional reformation formally.

Actually, NRA themselves don't include the NAIIC report as a part of the background of their establishment, according to their website [6] . It was quite unreasonable that the Diet didn't wait for their own commission's conclusion and recommendation, as well as those of other major reports, though their final reports had almost been finished.

**Concluding Remark: "Structural Disaster" Still Continued**

The issues discussed in this paper can be seen as a critical failure of social learning process from the disaster through the official "accident investigation." It suggests that the strong possibility of the reproduction of "structural disaster," which was articulated by Miwao Matsumoto[7], to analyze the serious failure among socio-technical interface such as serious nuclear accident. The author's illustration here implies that it was not solved by the investigations, but reproduced or even enforced by them. This faulty chain has to be cut off to prevent next Fukushima scale accident. To do so, we have to answer this question: can STS / Disaster Studies scholarship cut off such chain of the "structural disaster?" The author would like to discuss this with international colleagues at the workshop.

---

[5] NRA (2014).
[6] NRA (2014).
[7] Matsumoto (2002=2012), (2012) and (2013)

**References**

Bloomberg (2012) “Japan’s Unsatisfying Nuclear Report” July 9, 2012.

Dickie, M. (2012) “Beware post-crisis ‘Made in Japan’ labels” The Financial Times, July 8 , 2012.

Ikeda, Y. (1995) “Problems on Criminal Negligence and Aircraft Accidents” *The Bulletin of School of High-Technology for Human Welfare, Tokai University*, Vol.4, pp. 81-91, 1995

Matsumoto, M. (2002=2012) *Chi no Shippai to Shakai: Kagaku-Gijutsu wa Naze Shakai ni Totte Mondai-ka* [The Structural Failure of the Science-Technology-Society Interface]. Tokyo: Iwanami Publishing Co.

Matsumoto, M. (2012) *Kozosai: Kagaku-Gijustu-Shakai ni Hisomu-Kiki* [The Structural Disaster: Crisis Hidden in Techno-Scientific Society]. Tokyo: Iwanami Publishing Co.

Matsumoto, M. (2013) ““Structural Disaster” Long Before Fukushima: A Hidden Accident” *Development and Society*, 42(2), pp. 165-190.

NAIIC (2012a) “Executive Summery of The Official Report of Fukushima Nuclear Accident Independent Investigation Commission” July 5, 2012.

NAIIC (2012b) “The Official Report of Fukushima Nuclear Accident Independent Investigation Commission” July 5, 2012.

NRA (2014) “Background of the Reform of an Organization in charge of Nuclear Safety Regulation.”

Science Council of Japan (2005) “Ningen to Kougaku Kenkyu Renraku Iinkai Anzen Kougaku Senmon Iinkai Houkoku: Jiko-Chousa no Arikata ni kansuru Teigen” [Report of the Safety Engineering Expert Committee, Committee of Human and Engineering: Recommendations on Practice of Accident Investigation] Science Council of Japan, June 23, 2005.