

Relevant Literature List (Citation / Abstract)

- **Etymology and Cultural Meaning of Shōganai:** Linguistically, shōganai (しょうがない) comes from shiyō ga nai (仕様ががない), literally “no way/method to do (something).” Originally it meant “there is no means or method (to respond)” ¹ in a predicament. Over time, its usage shifted to express acceptance or resignation that “it can’t be helped” ². Culturally, observers have often framed shōganai as a form of Japanese fatalism or coping mechanism. For example, a Japan Times commentary noted the phrase is sometimes used as “I can’t be bothered” or “we just have to accept it,” implying passive acquiescence ³. Western interpretations have evolved; whereas it was once seen as a “loser’s mentality,” some now describe shikata ga nai as a positive ethos of resilience in the face of adversity ⁴. (Abstract: These sources illustrate that while shōganai is commonly understood as emotional resignation to unavoidable circumstances, its literal origin is rooted in the absence of a workable method or specification to deal with a problem.)
- **“Shōganai” as Systemic vs. Personal:** Despite the extensive cultural discourse, we found **no prior research** explicitly redefining “shōganai” as an indicator of systemic or structural failure (an “error message” of missing procedures) rather than an individual’s mindset. Most literature treats it as a psychological or cultural concept of fatalistic acceptance. The novelty of the Yamauchi hypothesis lies in flipping this perspective: interpreting “しょうがない” not as “nothing can be done (so I give up)” but as “there is no specification (no established method to do something)”. This reframing is unique; we did not find existing studies in public administration or systems engineering that use the term shōganai in this technical, structural sense. (Abstract: There appears to be a research gap in treating shōganai as a sign of administrative design flaws – an absence of prescribed method – rather than as cultural fatalism.)
- **Street-Level Bureaucracy** – Michael Lipsky (1980): Lipsky’s classic work Street-Level Bureaucracy examined how frontline public service workers (e.g. welfare caseworkers, police, teachers) cope with resource constraints and ambiguous policies ⁵ ⁶. These “street-level bureaucrats” have considerable discretion but face **“inadequate resources”, “conflicting demands”,** and “ambiguous, contradictory, and unattainable role expectations” ⁶. To manage these stresses, they develop **coping mechanisms** and **simplified routines**. For instance, “the development of simplifications and routines permits street-level bureaucrats to make quick decisions and accomplish their jobs with less difficulty (saving scarce resources through time-saving), while reducing tensions with clients and anxiety over decision adequacy” ⁷. They may categorize or “label” clients, ration services, and prioritize cases as informal rules for self-protection ⁷. Lipsky showed that in practice, frontline workers often reshape policy implementation: **what actually happens on the ground (“実施”) can deviate from policy intent** because workers must make do within systemic gaps. (Abstract: Lipsky’s theory highlights that frontline officials respond to structural pressures by improvising methods – sometimes saying “nothing can be done” when, in reality, the system provided no viable method. This underpins our inquiry: a shōganai response may reflect such systemic omissions rather than personal indifference.)
- **Japanese Applications of Lipsky** – Hatakeyama (1989): In Japan, Hirofumi Hatakeyama’s study “官僚制支配の日常構造—善意による支配とは何か” (1989) paralleled Lipsky’s insights using Japanese welfare bureaucracy examples ⁸. Hatakeyama analyzed everyday practices of bureaucrats (“benevolent domination”) and how staff, under the banner of good intentions, nonetheless employ discretion to maintain control. His research (published the same year

Lipsky's work was translated into Japanese) demonstrated that **street-level dynamics** like discretionary decision-making, client categorization, and **responsibility avoidance** are present in Japanese administration as well ⁸. (Abstract: This indicates that the fundamental issues of front-line staff coping – potentially saying “仕様がない/しょうがない” when protocols are lacking – have been observed in Japan. However, Hatakeyama (like Lipsky) discusses these as de facto practices, not framing them as an engineering “specification” problem, which is where Yamauchi's approach diverges.)

- **Dramaturgy in Public Service** – Erving Goffman's Perspective: Erving Goffman's sociological theory (e.g. *The Presentation of Self in Everyday Life*, 1959) introduced a **dramaturgical analysis** of social roles, using theater metaphors. Goffman distinguished “front stage” behavior (the public-facing performance an individual gives) from “back stage” behavior (hidden from the audience) ⁹. Individuals manage impressions by playing roles as if actors on a stage ¹⁰. In a public service context, this suggests bureaucrats may perform an official role when interacting with citizens – following scripts, exhibiting empathy or regret (“We're sorry, but there's nothing we can do”) – while privately, in the back stage among colleagues, they might acknowledge the actual causes (e.g. “the manual or budget doesn't cover this situation”). We did not find a specific study titled “dramaturgy of bureaucratic responsibility”, but Goffman's concepts are often invoked in organizational studies to explain how employees conform to expected roles. (Abstract: The idea of frontline staff engaging in “演技” (acting) to deflect blame aligns with Goffman's model – they present a front of helpless compliance (the *tatemae* of *shōganai*) to clients, while backstage the *honne* may be that the system tied their hands. Yamauchi's hypothesis intersects with this by suggesting the “act” is necessitated by missing systemic specifications.)
- **Double Bind in Public Organizations** – Røhnebæk & Breit (2022): Recent public management research explicitly applies **double bind theory** to bureaucratic roles. Røhnebæk and Breit (2022) propose a framework for “‘damned if you do and damned if you don't’: double binds in public service organizations.” They note that modern agencies must juggle **conflicting demands** and mixed messages from their environment ¹¹. Borrowing from Bateson's double bind (originally a psychological communication concept), they show how **frontline staff are often caught between contradictory expectations**, creating no-win situations. For example, a welfare officer might be instructed to “increase service quality” while also “cutting costs” – fulfilling one mandate violates the other. The study demonstrates this using Norway's labor and welfare administration, highlighting how “conflicting demands stemming from double communication and elusive mixed messages” force workers into impossible positions ¹². (Abstract: This literature confirms that double binds – essentially “板挟み” situations – are a recognized cause of stress and hypocrisy in public services. An official saying “しょうがない” could be the result of such a double bind (unable to please either side). Yamauchi's work appears unique in that it not only identifies these predicaments but seeks to resolve them by introducing a technical solution (ICAI) that changes how rules are implemented, rather than leaving the worker to absorb the pressure.)
- **Organization of Hypocrisy** – Nils Brunsson (1989): Nils Brunsson's “**organizational hypocrisy**” theory describes how organizations cope with conflicting external demands through **decoupling talk, decisions, and actions**. In his book *The Organization of Hypocrisy*, Brunsson observed that especially in public sector organizations, survival often depends on maintaining legitimacy to multiple stakeholders rather than on pure output ¹³ ¹⁴. When faced with inconsistent societal expectations, organizations respond by “speaking one thing, and doing another” ¹⁵. They make grand statements or formal “**talk**” to satisfy demands for rationality, fairness, or “decent” behavior, but their “**actions**” may quietly diverge so that work can still get done efficiently ¹⁶. This is not (in Brunsson's view) mere duplicity but a necessary **structural adaptation**: “hypocrisy...addresses the demands for rationality, decency and fairness, while also efficiently

generating coordinated action” ¹⁶ . For example, an agency might publicly endorse a new policy (to appear compliant) while internally instructing staff to follow older procedures that actually work under current constraints. (Abstract: Brunsson’s theory closely parallels the Japanese concept of “建前と本音” (tatemae/honne) in organizations. Prior research has noted Japanese bureaucracy’s tendency to create a public facade of following rules (tatemae), even as the practical honne is different (often due to resource limitations or political expediency). The Yamauchi hypothesis connects to this by positing that “shōganai” is uttered as a tatemae to external parties, masking the honne that “the system has no provision (no spec) for this issue.” Yamauchi’s approach would call out this hypocrisy by explicitly identifying the missing specifications and treating them as design flaws to be fixed, rather than allowing the talk-action gap to persist.)

- **“System of Irresponsibility”** – Masao Maruyama: Political scientist Masao Maruyama famously analyzed Japan’s pre-war decision-making pathology as “musekinin no taikei” (無責任の体系), a **system of irresponsibility**. Under the Meiji Constitution, authority was so fragmented – e.g. the Cabinet had no supreme decision power and the military was independent – that no one bore final responsibility ¹⁷ . Maruyama described a three-tier structure of the era: the **“mikoshi”** (the figurehead, e.g. the Emperor, carried by others and not accountable), the **bureaucrats** (who pass the buck upward), and the **“lawless elements”** (actors who take initiative without oversight) ¹⁷ . This diffuse authority led to policies “drifting” without anyone clearly in charge, a trait Maruyama critiqued as persisting in postwar Japan’s bureaucratic culture. Contemporary commentators (e.g. Ikeda 2016) note that this irresponsibility system often manifests as **precedent-following** and risk-averse “do-nothing” stances in agencies, i.e. avoiding decisive action to escape blame ¹⁸ ¹⁷ . (Abstract: Maruyama’s concept is relevant because labeling shōganai as “lack of specification (shiyō ga nai)” essentially calls out a form of institutional irresponsibility: nobody prepared a “spec” or procedure for a known issue, yet also nobody accepts blame for that omission. Yamauchi’s thesis attempts a modern update – instead of describing it merely as cultural or structural malaise, it frames it as a breach in system design (perhaps even a neglect of duty) that can be analytically pinpointed and corrected.)

- **Legislation-Implementation Gaps and Symbolic Policies:** A body of public administration and law literature addresses the **“implementation gap”** where laws or policies exist on paper but fail in practice due to inadequate specifications, funding, or enforcement structures. Such laws are sometimes derided as **“symbolic legislation”** – enacted to signal concern or gain political credit, without the tools to be effective. In criminal law scholarship, for instance, “symbolic or emblematic legislation” is defined as lawmaking aimed “primarily at political appeal to voters,” where in reality concrete effects or enforcement are weak ¹⁹ . In Japan’s social policy context, there have been instances of ambitious rights or programs declared by law (e.g. lofty education goals, disability rights) that lacked accompanying budget, personnel, or detailed regulations – rendering them mostly aspirational. (Abstract: The Yamauchi hypothesis zeroes in on these “specification voids.” By framing “仕様がない” literally – the system has no spec – it aligns with criticism of government for enacting plans without operational plans (akin to negligence). Notably, we did not find prior research that explicitly equates lack of implementation mechanisms to legal fault; this is an innovative leap, treating policy omissions as one would treat an engineering bug or a breach of contract.)

- **Legal Duty to Implement – Administrative Negligence:** In legal theory, a government’s failure to act (不作為) or to provide adequate implementation can, in some cases, be deemed unlawful. However, courts are cautious in labeling policy gaps as **negligence**. For example, in a Japanese court case on vaccination policy, the judges scrutinized the “implementation system’s inadequacies” and suggested that the fault lay not only with individual officers but with the state’s

failure to establish a proper system ²⁰. This hints that “**lack of due setup**” (体制不備) can be recognized as a form of administrative fault. Generally, though, unless a law clearly mandates a specific action or result, the state can evade liability by citing budgetary or technical constraints. (Abstract: There is scant precedent for arguing that “no specification = negligence per se.” Yamauchi’s approach, which draws on concepts like 善管注意義務違反 (breach of duty of care), attempts to break new ground. It leverages the logic that if a law establishes a right or service (the requirements), the government has an obligation to also provide the specifications (methods, funding) to realize it – failing which might be construed as a form of maladministration or even legal breach. This is a provocative stance that challenges the traditional latitude given to administrative agencies.)

Gap Analysis: Yamauchi Hypothesis vs. Existing Research

1. Reframing Cultural Fatalism as System Error – Novelty: Existing literature tends to treat “しょうがない” as a **cultural or psychological phenomenon** – a mindset of resignation or acceptance. No prior research was found that reconceptualizes it as “仕様がない” (absence of a specification) in a literal, systems-engineering sense. Yamauchi’s hypothesis is novel in that it takes a phrase emblematic of Japanese fatalistic ethos and interprets it as a **diagnostic signal** of administrative dysfunction. While anthropologists and sociologists talk about why Japanese people say “shikata ga nai” (historical, social reasons), Yamauchi asks: “What if the person is right? What if, indeed, the system had no procedure or method for this situation?” This flips the analysis from “why do people give up?” to “why did the system leave them no options?” – a perspective **missing in prior scholarship**. The gap here is both conceptual and methodological: bridging **cultural semantics with structural analysis**. Yamauchi’s use of engineering metaphors (treating policies as software with requirements and specifications, bugs, and even proposing an Input Constitutional AI) is unprecedented in the social science literature we surveyed. Researchers have not commonly applied terms like API, OS, hack, or spec sheet to public administration problems – doing so represents an interdisciplinary innovation that sets this work apart.

2. Front-Line Behavior – Extending Street-Level Bureaucracy: Lipsky and subsequent scholars (including Hatakeyama in Japan) document how street-level officials cope by bending rules, rationing services, or “acting” out roles to survive the double binds of their job. However, these studies largely **describe** the phenomenon; they stop short of proposing structural remedies beyond broad calls for more resources or discretion. The Yamauchi hypothesis aligns with these observations (e.g. welfare caseworkers defaulting to “shōganai” because they truly lack tools to help a client), but then goes a step further: it implies that such “no-choice” performances can be engineered away. By introducing the idea of an external “**hack**” – specifically, the Input Constitutional AI (ICAI) – the hypothesis suggests inserting a new agent into the system to enforce rights and fill implementation gaps. This is fundamentally different from Lipsky’s premise that street-level bureaucracy dilemmas are more or less inherent. In other words, prior literature frames front-line improvisations as **necessary evils** to be managed; Yamauchi frames them as **system design failures** to be corrected. No previous work was found that brings an AI-driven constitutional check into the daily record-keeping of social services to ensure no rights are violated (a core part of Yamauchi’s proposal, as seen in the research background). This creates a gap in how we view agency: Yamauchi’s front-line worker isn’t just a rational actor responding to constraints, but a user of a flawed “OS” that can be patched or upgraded. The uniqueness lies in merging **Lipsky’s human-centric insight** with a **technology/legal intervention** – essentially treating street-level bureaucrats not only as policy agents but also as potential users of a system that might be redesigned.

3. Decoupling and Hypocrisy – Bridging Talk and Action: Brunsson’s theory and Japanese discussions of *honne/tatemae* highlight that organizations often maintain a facade (talk, formal rules) divergent from actual practices. Yamauchi’s hypothesis appears to directly target this facade by **making the lack of specification visible** and labeling it explicitly as a problem. In the “system of irresponsibility,” everyone could claim “we followed the rules as written” even if those rules were hollow; *shōganai* was a convenient excuse that masked the absence of real solutions. Existing research has critiqued this hypocrisy but often in qualitative or philosophical terms. The gap is that **few have attempted to codify or litigate it**. Yamauchi’s approach to treat “no spec” as equivalent to “no responsibility taken” potentially gives teeth to what was previously just critique. For instance, consider a welfare law that guarantees assistance but sets no clear process: bureaucrats perform the ritual of intake and say “nothing can be done” if the case doesn’t fit the norm – a textbook case of organizational hypocrisy (the law’s promise vs. agency’s action). Yamauchi would diagnose that as a specification bug and seek to **rewrite the “code” (policy guidelines, accountability mechanisms)** so that the action matches the talk. This is an angle unaddressed in prior literature: treating *tatemae/honne* divergence not just as social reality to accept, but as a design flaw to be repaired by systemic means (like transparent data, AI audit of decisions, legal mandates for follow-through).

4. Legal Theory – Duty of Care and “Specification Negligence”: Perhaps the boldest gap Yamauchi’s thesis tries to fill is in **legal accountability for structural omissions**. Traditionally, legal redress in administration comes from either specific statutory duties or broad human rights principles, and courts often defer to administrative discretion on resource allocation. No explicit doctrine says “if the government passed a law but failed to create an implementation manual or fund it adequately, they are liable.” Yamauchi’s argument leans on analogies like product liability (the idea that if the state “manufactures” an education system that fails to deliver a basic outcome – e.g. functional literacy or “人格の完成” (personal development) as in the Education Basic Law – it could be seen as delivering a defective product). This is highly unorthodox. The **counter-arguments** are strong: education and social outcomes aren’t guaranteed like products, individuals’ free will and external factors play a role, and the law’s “completion of personality” is an aspirational goal rather than a measurable spec. Critics would argue that applying **strict liability concepts** to public services misapplies legal theory – governments are typically obligated to use due care, not to ensure results. Yamauchi anticipates this by invoking 善管注意義務 (duty of due care of a good administrator). The hypothesis essentially says: “due care” in modern governance should include properly designing the implementation (not leaving a void). This is a novel argument; we found **no prior case law or academic consensus backing it** outright. The risk is that it may be seen as a logical stretch – an area where the hypothesis could be attacked for legal robustness (more on this below). Nevertheless, by identifying this gap, the research invites new thinking on whether citizens should have recourse when the state’s inaction or poor preparation nullifies their rights. It’s an attempt to fill the conceptual gap between a theoretical right and its practical delivery by using legal and engineering frameworks in tandem.

5. Empirical and Interdisciplinary Gap: Finally, the Yamauchi hypothesis stands out methodologically by combining **sociological diagnosis, legal analysis, and systems engineering**. Existing studies usually stay in one lane – e.g. sociology of bureaucracy, or administrative law, or information systems in government – rarely integrating all three. There is a gap in **translational research** that takes sociological findings (like street-level discretion, double binds) and then designs technical or legal instruments to counteract those issues. Yamauchi’s work, in aiming to implement Input Constitutional AI and measure outcomes like SROI (social return on investment), attempts to cross that gap from analysis to solution. This approach could carve a new niche (what one might call “legal-design informatics” in public administration). The challenge here is that it must satisfy experts of multiple fields – each of whom might find the approach too naive in their domain (e.g. lawyers might say “the metaphor is interesting but not how liability works,” engineers might say “social systems aren’t as controllable as software,” etc.). These

gaps in understanding between disciplines are precisely what the research tries to bridge, making it pioneering but also potentially contentious.

Risk Assessment of the Hypothesis' Logic

Every innovative thesis invites scrutiny. For Yamauchi's hypothesis – reconceptualizing “shōganai” as “specification missing” and equating administrative omissions with negligence – several points of potential attack emerge:

1. Legal Feasibility of “No Spec = Negligence”: Critics will question whether failing to detail a procedure truly constitutes legal negligence or breach of duty. Public administration typically operates under broad discretionary standards. Unless a statute or court establishes a **duty to create effective implementation measures**, holding an agency liable for not having a “spec” might be considered a category error. For example, in state liability (国家賠償) claims, one must prove the government violated a law or was irrational in action/inaction. The government can defend itself by saying, “We allocated budget and staff as per policy; perfect efficacy was never guaranteed.” The lack of a specific method could be attributed to policy choice or resource limits, not legal fault. Therefore, **one risk** is that the hypothesis' legal argument could be dismissed as overly simplistic – akin to arguing “if anything goes wrong, it's the government's fault for not planning better.” The burden of proof in showing gross neglect (e.g. the state knew of a necessary specification and ignored it, leading to rights violation) is high. Yamauchi's thesis will need to buttress this logic with examples or precedents where courts did entertain such arguments (for instance, the vaccination case hinting that systemic setup was scrutinized ²⁰). The risk is that without solid legal grounding, the bold claim of “administrative specification void = breach of duty” may not hold, and the entire reframing of shōganai could be seen as metaphorical rather than actionable.

2. The Education “Product Liability” Analogy – Counter-Arguments: Comparing educational outcomes to product liability (製造物責任) is provocative. Opponents will argue that education is not a manufacturing process with guaranteed outputs. The Education Basic Law's phrase “人格の完成” (“completion of character/personality”) is aspirational and cannot be measured like a defect in a car. Numerous factors outside school control (family, health, individual ability) affect education, and courts worldwide are reluctant to penalize educators or governments for less-than-ideal outcomes. A likely rebuttal to Yamauchi: “You cannot sue the state because a child didn't turn into a ‘complete’ person; the law sets a guiding principle, not a deliverable specification.” Additionally, imposing a product liability frame might incentivize perverse behaviors (teaching to the test, or refusing to serve “difficult” students to avoid liability). The hypothesis must navigate these critiques by clarifying that it does not expect 100% success, but rather argues for liability in cases of systematic negligence – e.g. if a child never received basic literacy education (a clear requirement) due to administrative failure, that's comparable to a product missing a crucial component. The risk is that without carefully delineating this, the analogy will be shot down as legally and philosophically unsound. Yamauchi will need to show that this is not about guaranteeing personal perfection, but about enforcing minimum standards (the “specs” that were promised, such as a curriculum, reasonable accommodation for disabilities, etc.). Even then, skepticism is certain: educational experts might say “education is an inherently uncertain endeavor, not amenable to spec-based quality control in the way machines are.”

3. Implementation of Input Constitutional AI (ICAI) – Practical Resistance: On the practical side, Yamauchi proposes a tech solution (ICAI) that monitors and flags rights violations in real time by

checking records against principles (e.g. CRPD for disability rights). While innovative, this could face **pushback from practitioners** and bureaucrats. Front-line staff might experience ICAI as a form of surveillance or second-guessing of their professional judgment, potentially breeding resentment or creative avoidance (another “double bind” – serve the client vs. satisfy the AI auditor). Managers might resist because it exposes the agency to more liability (the AI could create a data trail proving a specification was missing or a procedure not followed). There is a risk that the very system meant to solve the shōganai problem could be undermined by lack of buy-in, misuse, or political defunding. Essentially, the **human factor** is a risk: the hypothesis assumes a rational uptake of an AI accountability tool, but existing literature on bureaucratic reform shows that actors often protect their turf. Yamauchi’s plan to integrate AI in public service will have to overcome institutional inertia – a lesson from many e-government projects that is not explicitly addressed in prior research (this is new territory). The hypothesis could be attacked for being technologically deterministic (believing a new tool will automatically change behaviors) without addressing change management and incentive realignment.

4. Overemphasis on Engineering Metaphor – Communication Risk: While the engineering approach is the thesis’s strength, it could also be its Achilles’ heel in reaching traditional audiences in public administration and law. Scholars might criticize the heavy use of terms like “API,” “OS,” “hack,” and “debugging” of policy as gimmicky or lacking theoretical depth in social science. There is a risk that the work is misunderstood as naive – i.e. treating complex social systems as if they were software that one can re-code overnight. The hypothesis must guard against appearing to oversimplify; otherwise, reviewers may dismiss the whole premise as an extended metaphor rather than a substantive analysis. To mitigate this, Yamauchi will need to connect engineering metaphors with established concepts: for example, linking “API for law” to the idea of **modular governance** or open data standards; linking “operating system of bureaucracy” to institutional frameworks in political science; and clarifying that “hacking” in this context means iterative, participatory problem-solving (not illicit intrusion). The **communication risk** is real: if not properly framed, the innovative language could alienate the very fields it seeks to enrich.

5. Scope Creep – Blame Where Due: Another logical risk is stretching shōganai to cover too much. Not every instance of “it can’t be helped” uttered by an official is due to a missing specification; sometimes it truly is resource constraints or even personal indolence. Critics might point out that Yamauchi’s structural focus absolves individuals too much – what about cases of personal irresponsibility or bias? By saying shōganai = system error, one must be careful not to let human actors off the hook when they actually could have done something within existing specs. The hypothesis could be attacked for being **over-deterministic** (implying that if only the “spec” were perfect, officials would perfectly execute). In reality, discretion and variation will always exist. Yamauchi’s framework should acknowledge the interplay of system and agency: e.g., even with great design, street-level bureaucrats need training and monitoring; conversely, sometimes shōganai is a convenient excuse for apathy. The research must delineate when しょうがない signals a true policy gap versus when it’s a cultural habit or a dodge. Failing to do so leaves a flank open for critics to present counter-examples that undermine the theory.

6. Comparisons to Existing Theories – Differentiation Risk: Finally, Yamauchi’s ideas will be measured against Lipsky, Brunsson, Maruyama, etc. A risk is if evaluators perceive it as reinventing the wheel under new jargon. The onus is on the hypothesis to clearly state: “Unlike Lipsky, I am not just describing discretion – I am offering a solution. Unlike Brunsson, I am not accepting hypocrisy as inevitable – I aim to eliminate the need for it by design. Unlike Maruyama who lamented the irresponsibility, I propose a mechanism to assign responsibility via data and AI.” This differentiation must be crystal clear. If not, detractors may say “We already know Japanese bureaucrats avoid responsibility (Maruyama), already know they face conflicting demands (double bind), already know they put on performances (Goffman). What does Yamauchi add beyond a fancy analogy to computers?” Thus, a key task in the dissertation will

be to **articulate its unique contribution** vis-à-vis those theories. The risk is more academic in nature: failing to do so could diminish the perceived originality and rigor of the work, affecting its acceptance.

In summary, the Yamauchi hypothesis charts an ambitious course through uncharted interdisciplinary waters. Its strengths – innovation, bold metaphors, normative stance – come with commensurate risks of misunderstanding, oversimplification, and legal controversy. Anticipating these criticisms, as we have outlined, will be crucial. By addressing each potential attack with evidence (such as citing jurisprudence for duty of care, piloting the ICAI concept, or showing concrete cases where lack of specification clearly caused harm), the research can bolster its robustness. The payoff of success is high: it could pioneer a new way of diagnosing and fixing administrative dysfunction, turning “Datte shōganai janai ka” from a shrug of defeat into an impetus for systemic change.

1 2 しょうがない『仕様が無い』の語源・由来 – 語源辞典オンライン

<https://etymology-encyclopedia.com/shouganai/>

3 The curse of 'shikata ga nai' - The Japan Times

<https://www.japantimes.co.jp/opinion/2001/04/16/commentary/the-curse-of-shikata-ga-nai/>

4 The Japanese Art of Acceptance: Shikata ga nai | Psychology Today

<https://www.psychologytoday.com/us/blog/finding-meaning-in-lifes-struggles/201603/the-japanese-art-of-acceptance-shikata-ga-nai>

5 6 7 irp.wisc.edu

<https://www.irp.wisc.edu/publications/dps/pdfs/dp4869.pdf>

8 [PDF] 福祉行政における裁量と手続

<https://www.ipss.go.jp/syoushika/bunken/data/pdf/sh290306.pdf>

9 Dramaturgical Analysis | Research Starters - EBSCO

<https://www.ebsco.com/research-starters/drama-and-theater-arts/dramaturgical-analysis>

10 Erving Goffman's dramaturgical approach is a sociological ...

<https://www.cliffsnotes.com/study-notes/14436856>

11 12 'Damned if you do and damned if you don't': a framework for examining double binds in public service organizations

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[srsltid=AfmBOopMqtD6kUSRDFgXa_x0jgoVRBLq-3kTCsX2gVG0hXTjJ4Af87GB](https://eurekamag.com/research/099/466/099466062.php?srsltid=AfmBOopMqtD6kUSRDFgXa_x0jgoVRBLq-3kTCsX2gVG0hXTjJ4Af87GB)

13 14 15 16 Radical Institutionalism and Public Administration: A Review of Nils Brunsson's Contributions to Understanding Public Secto...

<https://spaef.org/file.php?id=317>

17 18 事なかれ主義の「無責任の体系」が日本を滅ぼす法を超える「過剰なコンセンサス」のリスク(1/3) | JBpress (ジェイビープレス)

<https://jbpress.ismedia.jp/articles/-/47724>

19 刑事立法の新動向とその検 - J-Stage

https://www.jstage.jst.go.jp/article/jcl/43/2/43_282/_pdf

20 [PDF] 行政責任と不作為の違法 (1)

<http://www.ls.kagoshima-u.ac.jp/ronshu/ronshu1/64/v40n1doi.pdf>