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ABSTRACT

This booklet analyzes the changes that have occurred in Japan in the postwar period. The book is divided into four chapters. Chapter 1, "Revolutionary Change: American Occupation, 1945-52," focuses on the dramatic changes brought by Occupation forces. Chapter 2, "Evolutionary Change: Japan's Democracy from the Occupation through the 1980s," chronicles almost 40 years of uninterrupted conservative rule. Chapter 3, "The Transformation of 1993-94," addresses the more "surprising" developments of recent years. Chapter 4, "The Future of Japan's Democracy," examines how the most recent changes stemmed from earlier transitions and projects their possible impact on the future. The volume includes an annotated reading list and a set of discussion questions for classroom use.
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FOREIGN POLICY ASSOCIATION

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Japan's Democracy: How Much Change?

by Ellis S. Krauss

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Characters for "Japanese Democracy" are superimposed
on opening words of Japan's constitution.

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Introduction

AT THE CLOSE of the 1980s, Americans were transfixed by the dramatic end of the cold war in Europe. A few years later, and much less noticed, on the other side of the world Japan also seemed to be undergoing the greatest changes in its political system since the American occupation ended over 40 years ago. Suddenly, instead of no news about Japanese politics in the U.S. media, or the same old news of one faceless prime minister replacing another from the same majority party, Americans were reading stories about the instability and change in Japanese politics. In the summer of 1993, for the first time in 38 years, the seemingly perpetual ruling Liberal Democratic party (LDP) lost power, replaced by a grab bag of political parties, some of which had only recently been formed.

This issue of the HEADLINE SERIES has been underwritten by a generous grant from the United States-Japan Foundation.

After the election, Americans and Japanese confronted a bewildering image of change. Between the spring of 1993 and the spring of 1994, Japan had four prime ministers. Having split and lost power following a general election, the LDP then gained it back by forming a coalition with its former ideological opponent during most of the postwar period, the Socialists. (Socialists in this HEADLINE SERIES refers to members of the Social Democratic party of Japan, SDPJ, not to be confused with the more moderate Democratic Socialist party, or DSP.)

By the summer of 1994, Japan had its first Socialist prime minister since the late 1940s. The future seems to promise no more stability than the present: a sweeping reform of the electoral system has been passed that is likely to change Japanese politics substantially, with uncertain consequences. To understand these apparently extensive changes, Americans need some familiarity with the postwar Japanese political system and Japan's democracy.

Why should the United States care about those changes? For most Americans, Japan is a far-off country that tends to do things very differently. Japan is primarily a business-and-trade or exotic-culture story for Americans and their mass media, rarely one about politics. After all, didn't Japan adopt American democracy following World War II, including a constitution, Supreme Court and a freely elected legislative body? Didn't the Japanese want to be America's ally in the cold war and support U.S. actions in defense of freedom? The answers to these questions are "yes and no" or "it depends," and are more complicated than most Americans believe.

One reason for focusing on the changes in Japanese democracy is that they affect many Americans, as well as a vast number of other people on the planet. It is common knowledge that Japan has the second-largest economy in the world and the world's largest trade surplus. Perhaps less well-known is the fact that the trade of the United States and Japan combined makes up about a quarter of world trade, and that Japan buys more agricultural products and computers from the United States than from any other country. Probably least well-known



Heng Cartoonists and Writers Syndicate

are the following data: Japan is the largest giver of official development assistance after the United States; the second-largest contributor to the United Nations; the first or second top trading partner with most of the countries of Asia—the most dynamic area of growth on the globe. It has the five largest banks in the world and spends more on defense in absolute terms (not in percentage of economy or per capita) than any country except the United States.

Clearly, this is a country whose policies and people have an influence that is strongly felt in the United States and in most of the world. Without exaggeration, no government—with the exception of their own—affects the lives of ordinary Americans more than Japan's. Americans may have no control over Japan's government, but they should at least get to know it.

Another reason for seeking to understand Japan's democracy is to better comprehend the nature of democracy itself. Japan was the first non-Western country to modernize and also to establish democratic institutions. Its post-World War II democracy was strongly influenced by the United States. Americans are engrossed today in the problematic journey to democracy

taking place in other parts of the world—Russia, Eastern Europe and Latin America—but often forget that Japan preceded all these countries on that road. Did Japanese democracy turn out as the American occupation intended? Are the Japanese politically just like Americans, or at least like citizens in the democracies in Western Europe? These are all critical questions for this country.

Japanese democracy is especially intriguing to Americans and Europeans. Despite experiencing at least as much economic and social change as the United States and Europe in the postwar era, Japan seems to have been better able to manage the resulting dislocations than many other democracies. Japan's unemployment and crime rates are much lower than in the United States, and the distribution of wealth and income is much more equitable. Americans may be able to learn something about themselves and their democracy by comparing the trade-offs they have made with those made by the Japanese.

This analysis of Japan's democracy will concentrate on the changes that have occurred in the postwar period, from the U.S. occupation (1945–52), through almost 40 years of uninterrupted conservative rule, to the “surprising” developments of the early 1990s. Finally, it will examine how the most recent changes stemmed from earlier transitions and their possible impact on the future.

1

Revolutionary Change: American Occupation, 1945–52

IN 1868, A SMALL GROUP of young, lower-ranking samurai from 4 out of the more than 250 feudal domains overthrew the Tokugawa shogun—the last in a long family line of military rulers—in the name of “restoring” the Emperor Meiji to his rightful place. They attempted to legitimize their own power and modernize Japan by using a newly constructed ideology centered on the emperor. Under pressure from foreign governments and internal political movements, they gave Japan its first constitution in 1890. Modeled on the Prussian constitution and presented as a “gift” of the emperor, it provided for imperial rather than popular sovereignty and emphasized the duties of subjects rather than the rights of citizens.

The same year the constitution was promulgated, Japan held its first election for its newly established parliament, the National Diet. These measures had little democratic impact since, under the Meiji constitution, the cabinet—for some time composed of the handful of ex-samurai who had led the resto-

ration—was independent of the Diet and the civil and military bureaucracies were directly responsible to the emperor. This new political system was strangely lacking in any clear accountability: ultimately, everyone derived his authority from an emperor who, in fact, did not actually make decisions but only legitimized those of the political, bureaucratic and military leaders who were supposedly responsible to him.

Even so, by the 1920s two political parties that had come to dominate the cabinet competed in free national elections in which all adult males had the right to vote. By the late 1920s, Japan very much resembled some of the post-World War I constitutional monarchies of Europe.

A decade later, rule by democratically elected political parties was dead, the military became the most influential group among contending governmental elites, an authoritarian state mobilized the people politically and economically, and Japan had invaded China and was bogged down in a "dirty war." There is no simple single answer to how or why democracy perished in pre-World War II Japan. Certainly the Great Depression of the 1930s that brought poverty and hardship, especially to rural Japan, was a factor. So too was intimidation by extreme right-wing civilians, who assassinated their opponents, and attempted coups by ultra-rightist young military officers. Both groups took the myths underlying the imperial ideology quite literally. The Meiji constitution's weaknesses allowed the military high command to blackmail civilian political leaders into getting what they wanted, including war on the Asian continent.

The democratic elements that existed in prewar Japan were not strong enough to resist the growing power of the military and ultra-right. Moreover, the Meiji constitution was never a fundamentally democratic instrument in the Western sense. On the other hand, there was never a mass-based fascist party in prewar Japan nor a charismatic leader as there had been in prewar Germany and Italy. Japan's partially democratic government was subverted from within by the military, not from without by a mass movement. With the exception of the Com-

munist party, no organized resistance to military takeover emerged in Japan in the 1930s.

Japan invaded China in 1937, and the military expanded its influence in a state mobilized for sacrifice and war. Unable to take over China completely despite bloody conquest, Japan in 1941 moved into French Indochina (present-day Vietnam) to gain a base for air attacks against continuing Chinese resistance. When the United States responded to this further aggression by cutting off Japan's supplies of oil and other strategic materials, the Japanese government faced a dilemma. It could either regain the supplies by giving in to U.S. demands to withdraw from China or it could try to get natural resources by conquering the rest of Southeast Asia and attacking the United States in the hope of destroying the American fleet at Pearl Harbor, Hawaiian Islands, and forcing the United States to negotiate a settlement on Japan's terms. Japan, unfortunately, chose the latter course.

The 1941 Pearl Harbor attack unified Americans to wage war on Japan. After a year of Japanese triumphs, the much greater resources and the military and industrial might of the United States turned the tide. By 1945 Japanese cities were undergoing massive air bombardment from American bases in conquered Pacific islands, and what was likely to be a very bloody invasion of Japan was imminent. When the United States dropped atomic bombs on Hiroshima and Nagasaki in August 1945, and the Soviet Union entered the war against Japan, the Japanese surrendered. For the first time in its long history, Japan had been conquered and occupied.

Occupation Assumptions, Goals and Administration

The Americans who occupied Japan after its disastrous defeat were convinced that Japan had to become both a democracy like their own and incapable of disturbing international peace ever again. The occupation's goals, decided even before the war was over, were *democratization* and *demilitarization*. It is impossible to say which of these two goals had priority because they were seen as inextricably linked: to demilitarize Japan was

also to democratize it, because this would eliminate one of the chief domestic threats to democracy, the military; to democratize Japan was also to demilitarize it, because true democracies did not wage aggressive war. The occupation did not limit itself to political change. It took the view that it had to demilitarize and democratize Japan's economic, social and cultural institutions, as well as its political ones.

Unlike in Germany, the government of Japan was still in existence, the country was undivided, the United States was in full control, and there were Japanese leaders not associated with the prewar past whom the United States could use to accomplish its goals. Throughout the occupation, the Japanese Diet and the government actually implemented policies. The extent to which this practice was merely a fiction that masked orders from the Americans and the extent to which the Japanese government had real input into the policies adopted varied according to the particular type of policy.

The head of the American occupation was the Supreme Commander for the Allied Powers (SCAP), a term that came to indicate occupation headquarters as well as its leader, General Douglas MacArthur. MacArthur demonstrated a sensitivity to the needs and feelings of the Japanese and induced respect among the people. At a time when public opinion in the Allied nations favored getting rid of the emperor or even trying and hanging him as a war criminal, MacArthur argued for retaining the emperor on the throne and using him to buttress the authority of the occupation and democracy. This policy avoided alienating the Japanese people and probably helped assure the security of the occupation with minimal use of American troops.

Technically, MacArthur was responsible to councils in Tokyo and Washington composed of representatives of the Allied nations; in fact, as American military commander, he was really responsible to the U.S. Joint Chiefs of Staff and ultimately the U.S. President in Washington, and he largely ignored the other Allied nations. The occupation was an American operation, and, for better or worse, the model of democracy used in reshaping Japan was also distinctly American.



General Douglas MacArthur, Supreme Commander for the Allied Powers, arriving in Japan in September 1945. He came with a broad mandate for sweeping reforms.

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Democratizing Society and the Economy

Because of the broad concept of democracy used by the occupation, no aspect of Japanese society, economy or politics was left unaltered. A constitution, drafted by the Americans with some minor revisions suggested by the Japanese, was promulgated in 1947, incorporating or legitimizing many reforms. Technically, the constitution was merely an amendment to the prewar Meiji constitution, although in fact it was a totally new document.

Believing that a sound democracy rested on a democratic society and culture, the occupation reformed family, religious and educational institutions, and propagated new values and attitudes. The 1947 constitution gave women equal status with men—a provision still not in the U.S. Constitution—and ended primogeniture (inheritance by the eldest son). The Americans

disestablished Shinto, the traditional religion of Japan, which had been used briefly by the prewar militarists as the state religion.

Education was reformed both in structure and content. Responsibility for education was taken away from the national government and given to local governments, as in the United States. The Americans also expunged all references in textbooks and curriculum to the prewar emperor-worship ideology, and they substituted civic education espousing the values of democracy.

The economy was another target of democratic reform. SCAP quickly moved to eradicate one of the root causes of economic inequality and prewar instability—the existence of a few wealthy, often absentee, landowners and a large class of poor farmers who rented land and were often indebted to the owners. Even the prewar government had recognized this as a problem that had to be resolved, but had never done so. Under the American occupation, landlords were forced to sell most of their land to these tenant farmers. This land reform not only helped create greater economic equality, but also produced a large class of rural and generally conservative citizens with an economic and political stake in the new democratic system.

The occupation also moved to redress the imbalance between capital and labor that had existed in prewar Japan. A large proportion of the prewar economy had been in the hands of the *zaibatsu*, a few families who owned companies in a wide range of industries through stockholding trusts. The occupation began the process of dismantling these centralized family conglomerates, forcing them to sell much of their stock, separating companies in different industries, and turning their operation over to a professional managerial class. At the same time, SCAP encouraged the expansion of existing trade unions and the creation of new ones and it also guaranteed the right to collective bargaining. As a result, thousands of workers flocked to join the labor movement.

More generally, a constant campaign in Japan's mass media—censored in the early years for nondemocratic or anti-

occupation messages—and adult education programs (especially in rural areas) sought to instill in the Japanese people belief in the new democratic values, at home and in the workplace, as well as in politics.

New Democratic Structure of Government

Democratic reform included the extension of social and economic rights, but the heart of it was political change. Under the new constitution the imperial institution, the legitimizing principle for the entire prewar system, was now part of a constitutional monarchy with no real political powers and only ritualized functions.

The Diet was to be the “supreme organ of state power.” An elected House of Councillors replaced the prewar House of Peers, which had been composed of appointed aristocrats, the wealthiest taxpayers and former officials. The House of Representatives, the more important chamber of the Diet, was given greater powers along the lines of Britain’s House of Commons. Both bodies were to be elected by universal suffrage, and for the first time in Japanese history women were given the right to vote.

The executive was the prime minister, elected by the Diet. He had to be a Diet member and a civilian. He in turn appointed his cabinet (half of whom had to be Diet members). He could dissolve the House of Representatives to call a new election; the House could vote “no confidence” in him and his cabinet.

The occupation also reformed the judiciary. Courts were made independent of the executive and legislative branches. Unusual in a parliamentary system, the Supreme Court had the power of judicial review, i.e. the right to declare acts of parliament null and void if they did not accord with its interpretation of the constitution, just as in the United States. The 15 justices of the Supreme Court were appointed by the prime minister to life terms, but, unlike in the United States, every 10 years they had to be approved by a majority vote of the people or lose their positions.

As in the American model, local government was decentralized. Local administrators—mayors of cities, towns and villages, as well as governors of prefectures—were directly elected by the people for the first time in Japanese history. Local governments instead of the national government acquired control of the police.

Modeled on the American bill of rights, the postwar constitution guaranteed essential freedoms and human rights to the Japanese people: the right to a fair trial, freedom of speech, assembly and the press, among others.

One of the most important political changes was not in law or structure but in personnel. SCAP purged former politicians, military officers, teachers, businessmen and others who had been associated with the prewar regime and imperialist causes. Bringing a whole new class of liberal and more democratically oriented people into politics made it more likely that the democratic reforms would not be undermined by the old right—the supporters of the military. The civil service personnel, however, remained largely unchanged.

Demilitarization and Remilitarization

SCAP ensured a demilitarized Japan in two ways. One was to turn public opinion against Japan's previous leaders and their military aggression—an easy task since the suffering the people had endured during the war had already bred antiwar and anti-military feelings.

The second was the inclusion of Article 9 in the new Japanese constitution. This clause made it unconstitutional for Japan ever to engage in war and outlawed the maintenance of military forces. Conservatives in the Japanese government opposed Article 9, but the Americans insisted on it. The allies originally had conceived of a future Japan as unarmed and even nonindustrialized. The United States had looked to its ally in World War II, China, as the cornerstone of security in Asia. Together with its other allies in that war, the Soviet Union and Britain, the four powers would keep world peace.

By 1947, however, the United States viewed its former ally,

the Soviet Union, as a rival and future threat. The cold war had begun. By then almost all the occupation's reforms had been promulgated but, especially in the business and labor sectors, not all had been completed. Considering the sweeping nature of the changes, this was nevertheless a remarkable record. As the international situation changed, the United States began to think more about stabilizing Japan than democratizing it. With their cities bombed out and unemployment and hunger widespread, a segment of the population was eager for change. The newly legal Communist party and other leftists had captured leadership of the burgeoning union movement and were fomenting strikes. As the cold war spread, SCAP began to worry more about the radical left than the prewar right. Suspected Communist and left-wing Socialists in the labor movement and public offices were pressured to leave.

Then, in 1949, the Communists won the Chinese civil war, undermining the American government's plans for the postwar world. A year later, in June 1950, the cold war turned hot as the North Koreans invaded South Korea, and the United States, leading UN forces, came to its rescue. An unarmed and nonindustrialized Japan was a luxury the United States felt it could no longer afford. Instead, it needed Japan as a producer and supplier of goods for American forces in Korea. The billions of dollars in military equipment the U.S. government ordered from Japanese factories and workshops speeded the reconstruction of the Japanese economy.

Japan was the logical, indeed the only, possible U.S. ally in Asia to take the place of China. Regretting its demilitarization policy and Article 9, the United States began to argue that the constitution prohibited only "offensive war," not defensive war. No nation, it claimed in an interpretation accepted after the occupation by both the Japanese government and the Supreme Court, could give up the inherent right to self-defense. Therefore, as long as military forces were for defensive purposes only, they were constitutional.

The core of these forces was formed after the invasion of South Korea. The United States needed to free its occupation

troops to fight on the peninsula. It formed a special Japanese police force of 75,000 men, some of them former prewar army officers who had been "depurged" to allow them to join. This police force was the nucleus of the Self-Defense Forces (SDF), Japan's armed forces. Today they number about a quarter of a million, and they consist of an army, navy and air force.

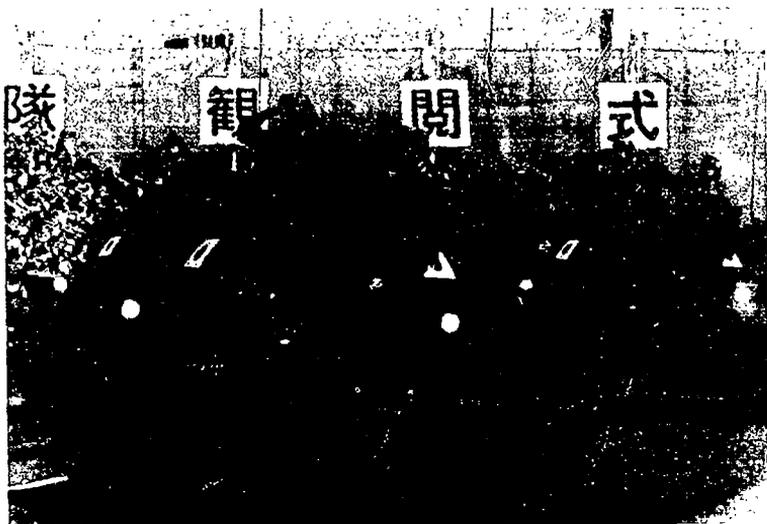
The Occupation and Japanese Democracy

The U.S. occupation ended in the spring of 1952 and Japan was once again a sovereign nation. However, a security treaty the two nations had signed in 1951 tied Japan politically and militarily to the United States and allowed American forces to remain stationed at Japanese bases.

In terms of changing Japan into a democratic country, the occupation must be rated a success. Ever larger numbers of Japanese came to subscribe to democracy as the best form of government. Surveys show, too, that over the decades an overwhelming majority of the Japanese accepted the new constitution.

Groups that benefited from the reforms, such as newly independent farmers, labor union members, women and new generations of politicians, had a vested interest in the new system and resisted changing it. The wartime experience and suffering, combined with the antimilitary values the occupation had instilled, also created for at least a generation a public opinion largely hostile to total remilitarization. Indeed, despite the desire of the far right to amend the constitution (requiring a two-thirds majority of the Diet), especially to rescind Article 9, the Japanese constitution remains exactly the document it was when first passed under the occupation; it has never been amended. As an example of a peaceful military takeover after a bitter war, and a successful transformation of one country by another, the American occupation of Japan probably has no parallel in history.

This is not to say that Japanese democracy and politics functioned exactly as the early occupation had intended. First, the occupation itself never completed, or partially revised, some of its reforms before leaving Japan. This was the case with the



Reuters/Bettmann

Japanese Self-Defense Forces on parade in suburban Tokyo.

reinterpretation of Article 9 and the establishment of the SDF. It was also the case with decentralizing the economy. While the zaibatsu were broken up by the occupation, there were new forms of economic concentration, with major banks implementing cooperative alliances among firms in different industries. The antitrust laws introduced by the occupation have never been enforced to the extent intended by their originators.

Second, the newly independent Japanese government canceled a few of the reforms. Most importantly it partially recentralized education and the police. It took control over schools away from the cities, towns and villages and put it partly in the hands of the prefectures, the middle level of government between local and national, and partly under central administration. Thus in Japan today there is a nationally standardized curriculum, and the Ministry of Education must approve the textbooks that schools can choose. The Japanese government after the occupation also put the police under pre-

fectural control in more urban areas, with a national police force for more rural areas.

Finally, if the Americans intended their reforms to turn Japan into a copy of democracy in the United States, they were disappointed. Some aspects of democracy—such as the role and function of the Supreme Court, or the equality and participation of women in politics—functioned differently than in the United States, despite similar formal and legal arrangements, because the societal and political contexts were different.

Another major reason why Japanese democracy did not become a carbon copy of its American model was that the occupation by its own actions unintentionally changed the outcomes of some of its reforms. The Japanese bureaucracy, for example, lost its major legitimation after the war when it was stripped of its imperial status and put under the democratic control of the cabinet and the Diet. Yet because the occupation needed the bureaucracy to govern, it never purged civil servants to the extent it did political and industrial leaders. Further, it allowed the bureaucracy to retain some of its prewar legal powers and even gave it new ones to cope with the problems of reconstructing postwar Japan. Thus, the national bureaucracy remained a key player in politics and policymaking, far more so than in the United States but similar to its role in various European countries.

Perhaps the most far-reaching unintended consequence of occupation policy sprang from its own reversal of direction after the onset of the cold war.

Reverse Course and Polarization of Democracy

In a sense, there were two American occupations of Japan. The first was the reforming occupation of 1945–47 that attempted to transform Japan from a hierarchical, centralized society and polity dominated by the military, with an ideology of emperor-worship, into a modern, liberal, democratic society and political system and an unarmed and peaceful nation. The second was the conservative occupation from 1948–52 that wanted to create a stable, reindustrialized, rearmed, anti-Communist ally in the Pacific.

It is difficult to overstate the importance for Japanese politics and democracy of these events. In all industrialized democratic countries, the cold war helped to polarize politics into left and right, especially in Japan's former Axis allies, Italy and Germany. But in these European countries, the respectable left and right did not disagree about the legitimacy of their constitutions or the need to ally themselves with the United States in the cold war to protect themselves from the Soviet threat. In Japan, however, the cleavage between left and right for most of the postwar period went deeper: although related to the cold war, the conflict was also about fundamental questions of democracy and the legitimacy of the institutions the American occupation had brought to Japan. Those differences, in turn, were directly related to the two occupations.

Liberals, Socialist union members and others on the left totally supported the reforms of the first two years of the occupation and the new constitution that enshrined them, including the "no war" clause. They sincerely absorbed and assimilated the lessons of the war and of the early occupation's democratizing phase. For them the second phase of the occupation was antithetical to those lessons and a repudiation of the reforms. Indeed, they referred to the second stage of the occupation, with its priorities on stabilization and remilitarization of Japan as a U.S. ally, as "the reverse course": they saw it turning the clock back to the days of prewar authoritarianism and militarism.

The conservatives and others on the right, on the other hand, saw the occupation's liberal reforms of the first two years as the imposition of alien values on Japan by a foreign power, and Article 9 as a denial of Japan's sovereignty as a nation. The turnabout of the last few years of the occupation was welcome because it allied Japan in the fight against communism and partially rescinded demilitarization.

Japanese political culture remained polarized for the next several decades. To be on the right (conservative) meant to support Japan's political alliance with the United States, remilitarization, and American foreign policy, while having doubts about the U.S.-inspired constitution and especially hav-

ing a desire to amend Article 9 to make the Self-Defense Forces legitimate. To be on the left (reformist) meant to oppose remilitarization and the U.S. alliance, the security treaty and global policies, but to defend the spirit and letter of the American-inspired constitution.

Although labor unions tended to be on the left and big business on the right, issues concerning the distribution of wealth or income or the nationalization of industry tended not to be ideologically divisive. Rather, differences over issues related to defense and the alliance with the United States, or concerning threats to the liberal values of the new democratic constitution, quickly escalated into intense and bitter confrontations.

The great changes in Japanese politics in the 1990s reflect not only the end of the cold war, but also the diminution of the cleavages unintentionally induced by the two occupations of Japan.

Evolutionary Change: Japan's Democracy from the Occupation through the 1980s

DEMOCRACY, as used here, is a form of government in which political leaders are chosen by and ultimately accountable and responsive to the people, and in which the people enjoy basic human rights, including the right to participate in politics and peacefully protest the decisions of their leaders. And, if economic and social democracy as well as political democracy are included, then a definition must include some consideration of equality.

The discussion and evaluation of Japanese democracy in the post-occupation era will consider the following aspects: equality of, and participation by, the people; law, order and human rights; representation of the people; accountability to and governance for the people.

No existing democracy fully embodies the ideals stated above. Indeed, in each aspect of democracy there will often be trade-offs and limitations. Thus, as the history of both liberal

democratic and Communist politics has often demonstrated, the attempt to attain perfect economic and social equality may require limitations on political liberty; an emphasis on the latter, on the other hand, may mean shortchanging the former.

In evaluating postwar Japanese democracy, therefore, it is important to always keep in mind that the ideal democracy does not exist, and Japan is no exception. Its version should be viewed in the context of other existing polities in the democratic world.

Equality of, and Participation by, the People

Two of the most salient aspects of democracy in the modern world are participation and equality. The former involves the extent to which citizens have the ability, in addition to voting, to participate in political activities, especially peaceful protest. The latter concerns the extent to which wealth and income are distributed more or less equitably and whether cultural—religious, racial and ethnic—groups are discriminated against economically, socially and politically. Both these aspects are related in one sense, as both involve the issues of minorities: how free political minorities are to protest, whether a minority or majority benefits most from the nation's wealth and income, and how social minorities are treated.

Political Protest

Japan's political and social minorities have had the legal right to protest in the postwar period, and the Japanese have used this privilege as frequently as the Americans.

For the first quarter century after the war, there was intense protest activity over issues related to the reverse course of the occupation and subsequent conservative Japanese governments. An active Trotskyite student movement, a leftist labor movement and a Socialist party that refused to abandon extraparliamentary action were either deeply committed to defending the new constitution and keeping Japan unarmed, or overthrowing what they saw as the sham and superficial democracy controlled by American imperialism, or both. Mean-

while, the nationalist right, both within and outside the conservative political parties, saw these movements as aiding and abetting worldwide communism and as representing values alien to Japan, and mobilized against them.

From 1957 to 1960, protest activity widened and deepened as Nobusuke Kishi, a wartime bureaucrat and cabinet minister who had originally been designated a "Class-A War Criminal" by the American occupation but was later released for lack of evidence, became leader of the ruling conservative LDP and prime minister. Kishi's background as well as his policy priorities fed the left's distrust of him. Kishi decided to make the major foreign policy accomplishment of his administration the renegotiation and renewal of the U.S.-Japan Security Treaty. He succeeded in getting U.S. agreement to change the treaty on terms more favorable to Japan in some ways. But the necessity of obtaining the Diet's approval of the treaty gave a focus to the left's dislike of the alliance with the United States and brought to the fore the deep polarization over defense, foreign policy and democracy that existed after the occupation.

As the Diet debated, students and leftists mobilized marches against the treaty and the Kishi administration. The Socialists and Communists blocked swift passage, often using obstructionist tactics. As the deadline neared for passing the treaty in time to implement it before a projected visit by U.S. President Dwight D. Eisenhower to Japan in June 1960, the LDP rammed the treaty through the House of Representatives, using, to put it mildly, questionable parliamentary procedure. Moderates and even those not necessarily opposed to the treaty were appalled by what seemed like an arrogant disregard for democratic procedure. About half a million demonstrators filled Tokyo's streets to protest. Kishi was forced to resign in 1960.

This was the peak of confrontation between left and right and the most intense protest in postwar Japan. Thereafter, students would demonstrate on campuses and in the streets, sometimes violently, and labor unions and farmers would conduct ritualized protests to push their demands, but nothing ever again compared with the 1960 treaty crisis.

This experience convinced the LDP that it had to back off from the brink and defuse political tensions by emphasizing issues less offensive to the left. Such an issue was economic growth. Kishi's successor, Prime Minister Hayato Ikeda (1960–64), made income doubling in ten years part of the LDP government's goals. The government more than achieved that objective. As affluence increased and the LDP soft-pedaled the reverse-course issues, intense, widespread protest subsided. Although the left-right rift remained, its intensity diminished with time.

The fruits of economic growth were widely distributed by the mid-1970s. Japan under conservative rule had a more equitable distribution of income and wealth than any industrialized democracy except Socialist Sweden, an interesting paradox. In Japan's case, the conservative alliance of big business and farmers produced policies that rewarded agriculture and rural areas and kept their incomes from falling too far behind those of their urban counterparts.

Ironically, however, rapid economic growth gave rise to the next major protest to sweep Japan. In the late 1960s and early 1970s, pollution had become a horrendous problem. Throughout the country, citizens organized at the grass roots to protest injuries and death from existing polluters and to prevent government and industry from locating polluting facilities in their areas. These local citizens' movements were the first protests of the postwar era to transcend the left-right cleavage and mobilize citizens regardless of party or ideological affiliation into independent organizations. These groups helped elect non-LDP candidates to local executive positions in almost every major city in Japan. The LDP finally was forced to pass stringent antipollution legislation, including perhaps the toughest air-pollution regulations in the world. By doing so, it finally arrested the erosion of support and partially recaptured many local governments.

The building of Narita International Airport to serve the Tokyo metropolitan area provoked a different kind of struggle. The government arrogantly confiscated farmers' ancestral land



UPI/Bettmann

Thousands of demonstrators in Tokyo protested the renewal of the U.S.-Japan Security Treaty in 1960.

to build the facility. They resisted and radical student groups joined their cause as a symbolic protest against the state. Pitched battles between police and resisters continued for years. Eventually the airport was built and opened for business in 1978. Few foreign passengers realize that to this day it is virtually an armed camp, constantly surrounded by riot police and enclosed in razor wire.

Student and other radical groups continue to protest, but increasingly, like the farmers in the Narita struggle, they lack public support. The government's tactic of labeling them as extremists and isolating them from the mainstream has proved effective.

Minorities—Discrimination and Protests

The Japanese like to portray themselves as a homogeneous society of "pure" racial composition, with no cultural minorities. In fact, large social minorities exist in Japan and always have.

The Korean minority, for example, consists of almost 700,000 persons. Some are descendants of Korean economic

migrants to Japan when Korea was part of the Japanese empire from 1910 to 1945 and Korean culture was brutally suppressed at home; others are the offspring of forced Korean labor brought to Japan by the military during World War II to work in factories and on construction brigades to free Japanese to fight at the front. At the end of World War II, the division of the Korean peninsula into North and South and the difficulty of repatriation trapped many Koreans in Japan. Their descendants are still there, often speaking fluent Japanese, but many of them are still resident aliens without citizenship and thus unable to vote. They are divided along political lines, with some supporters of the Korean Communist regime in the North, others of the South. Many claim they are discriminated against in employment, the selection of marriage partners and daily life.

The issue that had provoked the Korean minority the most in recent years was that of fingerprinting. All resident aliens in Japan must register with the government and be fingerprinted, as in other countries. But instead of requiring one fingerprinting for the duration of residence, or one every several years, Japan insisted on annual fingerprinting. In effect, despite birth and long-time residence in Japan, Korean residents were being treated the same as any other foreigner. Several years ago some Korean residents began protesting this practice as a humiliating ritual, refused to be fingerprinted, and succeeded in inducing a change to one-time fingerprinting.

A much larger minority are the so-called *burakumin* outcast group. They are no different from other Japanese racially, linguistically or culturally. They are descendants of people who over a thousand years ago came to be treated as outcasts, forced to live in separate villages and do labor considered "unclean" in Buddhist-influenced Japan, such as slaughtering animals, burying the dead, tanning hides and working with leather or footwear. For much of Japanese history they were treated abominably by both the majority and the law. Today their descendants number between 1.5 and 3 million and are equal citizens under the law.

De facto discrimination continues to exist, however, in mar-

riage and employment. Many middle-class Japanese parents, for example, routinely have background checks conducted on prospective brides or grooms for their children and look particularly for evidence of outcast blood. During the postwar era there supposedly has been a "black book" circulating among large companies—although they deny its existence—that lists all the outcast villages existing 200 years ago. A response on an employment application that asks one's family's village of origin can then be checked against the proscribed village list and, if there is a match, the applicant identified as an undesirable outcast.

The Socialist and Communist parties have both organized the outcast minority and championed its cause, although in different ways. These differences and competition between the parties and their affiliated organizations led to bitter rivalries in the 1970s.

In that same decade, some outcast groups became active in mobilizing and demanding redress from government, and the national and local governments did adopt several programs to raise their economic level. Little, however, was done to change the attitudes of the majority. The government's strategy in dealing with individual protests seems to be to let nongovernmental authorities handle the problem as much as possible and to only respond to the extent necessary to prevent the spread of the conflict, while making certain that no precedent is established that can apply to other cases or be used as the basis for general legal redress. After the 1970s, the subject of the outcast minority became almost taboo in print or on television.

Unequal Treatment of Women

Women, of course, are the largest minority that experiences discrimination. Many women work outside the home in Japan as they do in the United States, and to some extent they have shared in the general distribution of affluence. However, few people who have spent any time in Japan or who have seen the statistics on women in high positions in the private sector, government bureaucracy or politics, or a comparison of female and

male admissions to four-year colleges and graduate schools, could deny that inequality is pervasive and persistent in Japan, probably more so than in any other industrialized democracy.

For example, although at least the same percentage of women as men go on to higher education, most women go only to junior colleges, rather than four-year universities. In the early 1980s, overall wage differentials showed that women on average earned little more than half of men's wages. Many companies will not hire a woman graduate of a four-year university and have never employed a woman in a supervisory position. In the political realm, less than 3 percent of the representatives in the important lower house of Japan's parliament in 1993 were women.

Even the widespread employment of women has a discriminatory side: they are often employed in part-time and temporary positions or in small enterprises, where the principle of life-time employment, given to male, full-time and permanent workers in large enterprises, does not apply. Employment by large firms is often in less important clerical positions where women are expected by custom to serve tea to their male colleagues as a matter of routine.

There is a woman's movement in Japan, but its more militant wing—probably not all that militant by comparative standards—has tended to be isolated, and its more moderate wing tends to consider a woman's issue one involving motherhood or consumer problems. Given so many working women, Japan's postwar affluence and the knowledge of progress made by women in other countries, the women's equality issue is probably one of the most undeveloped and potentially important political issues in Japan's future. In the meantime, a large proportion of the brains, creativity and energy of Japan's population remains untapped, at least in areas outside the home, school and community service organizations.

Equality and Protest in Japanese Democracy

These dimensions of Japanese democracy contain many inconsistencies. Japan has accomplished the equitable distribu-

tion of wealth and income better than most industrialized nations. The overwhelming majority of Japanese are employed and consider themselves middle class, and there exist fewer of the "underclass," the huge numbers of homeless or the large ghettos of despair, drugs and violence that one finds in the United States.

The treatment of cultural and social minorities, discrimination and the disregard for equality as a social and legal principle, on the other hand, present a different picture. Here, egalitarian values are not universal, and minorities are not assimilated into the mainstream.

The freedom to protest and its exercise are comparable to those in any Western democracy. But with the exception of the antipollution movement, authorities have managed to control and limit almost all protests.

The treatment of the outcast minority in Japan, for example, presents an intriguing contrast to the civil rights movement in the United States, where the appeal to the U.S. Constitution, the courts and public opinion politicized the conflict. The movement attempted to change the attitudes of the majority and establish legal principles that could be more broadly applied to prevent or redress discrimination. It made little progress, however, in improving the economic lot of the minority. In Japan, the government provided some material redress, but did little to establish the universal principle that discrimination is illegal and immoral.

Law, Order and Human Rights

An important dimension of democracy is justice and order. It involves the legal system and the extent to which that system protects the rights of individuals while preserving order without which no one's rights are protected. Especially important is the way the system balances order and individual rights. In cultures such as Japan's, conflicts tend not to be resolved by formal legal means and the collective good takes precedence over the individual's interests.

Formally, Japan has a well-developed legal and court sys-

tem. The Supreme Court, with its power of judicial review, presides over a hierarchical system of regional and local courts and family courts. Judges, public procurators (prosecutors) and lawyers are an elite group selected on the basis of one of the most stringent examinations in this country with a penchant for selection by difficult qualifying tests. They all attend the same legal institute, and specialize in their last years of training.

This modern advanced legal system, however, is the arbiter for a society that has traditionally preferred other means of conflict resolution. In Japanese society, taking your neighbor to court over a dispute about his dog digging up your yard, or suing your common-law spouse for palimony, just is not done. Conflicts are normally managed, if not resolved, through more personal means. This is one reason that Japan has a much smaller ratio of lawyers to population than the United States.

Furthermore, it is often said that Japanese society still operates according to a form of "situational ethics"—treating people differently depending on their status, relationship to you or the situation—rather than according to universal general principles of equality or morality found in Western societies. Perhaps more importantly, universal values are not as much embodied in, or achieved through, law. Although concepts of innate individual rights and the application of universal principles have been gaining increasing acceptance in postwar Japanese society, more traditional notions of Confucian situational ethics remain to some extent.

It would be a mistake to think, however, that traditional social relationships alone account for the reticence to use the courts to settle conflicts. Some observers have argued that the incredibly long court delays—judgments in both complicated civil and criminal cases can take years to finally resolve, not counting appeals—are probably at least as important a reason why people avoid the legal system.

It would also be wrong to think that if courts and lawyers are not as important a means of conflict resolution as in American society, that the law is also not as important. Law is important in Japan, particularly as a statement of society's norms, if not as

a means to implement universal values. Thus, for example, when Japan passed an Equal Employment Opportunity Act in 1985 guaranteeing equal opportunity for women in the workplace but failed to specify any legal penalties for companies that did not comply, many Westerners were skeptical of its effect. Yet, the very fact that the law established such norms, Japanese argued, meant that there would be enough pressure on companies to make them comply.

Role of Government Bureaucrats

Nor does the lack of lawyers in Japan mean that the law is unimportant. The largest number of legal experts in Japan are not lawyers but the government bureaucrats who often draft the laws and implement them, much as civil servants do in many European democracies. These bureaucrats usually graduate from a faculty (like American academic departments or schools within a university) of law, and receive at least undergraduate specialized training in law. Some Japanese legal experts have argued that laws in Japan are often implemented and interpreted by the bureaucrats in ways that ensure that no universal principles can be derived from them. Otherwise citizens might use the principles as grounds to sue, thus taking discretion out of the hands of the bureaucrats and giving it to the courts.

Whether because of tradition or for more pragmatic reasons connected to court delays and the strategies of bureaucrats, the courts have not played as great a role in Japanese society in resolving conflicts or expanding rights as they have in some Western societies like the United States. However, it would be wise to remember that America's great use of the courts—rather than other political and social institutions—to manage conflict or expand legal rights is itself relatively unique among industrialized democracies. In this respect, too, Japan may be closer to European nations.

Where cases involving basic democratic rights, and they are relatively few, have come to the courts, their judgments have been mixed. On issues such as freedom of expression and the

press, the courts have at least as good a record as in many Western countries. Libel laws, for example, are much less of a restraint on press and individual expression than they are in the United States. While government employees may be subject to punishment for divulging government secrets, the press has not been subject to anything resembling The Official Secrets Act in Britain where the government can punish the press for leaking almost anything it wants hushed up. And although the courts have never firmly established a right of the press to a privileged communication with their sources, such as a doctor has with patients, some recent cases have moved in that direction.

On the other hand, some court cases have raised questions about the commitment of the system to an individual's rights. In one famous case, the widow of a Self-Defense Forces soldier who died in an automobile accident sued the government for trying to have his name enshrined in a Shinto shrine among the honored dead who had served the nation. She and her husband were Christians and she argued that such an act both violated her constitutional rights and conscience as well as the separation between (Shinto) church and state. She lost. Perhaps the most disturbing aspect of the case from the perspective of Western human rights was the interpretation of the courts that because the soldier died on duty, disposal of such matters in effect rested with the state rather than the individual's family.

Even when Japan has ratified international treaties concerning human rights, the courts do not always apply those standards. Thus, although the government is a signatory to the International Covenant on Civil and Political Rights and other such treaties, the Japanese courts have consistently ruled that those treaties do not apply to rights and discrimination cases within the country, and particularly not to non-Japanese ethnic minorities.

Crime, Order and Rights

While Americans often like to interpret freedom as a concept meaning freedom from government, there is another kind

of freedom that residents of Japan enjoy in unparalleled degree compared with the United States: freedom from crime and from the fear for personal safety. The United States has the highest crime rate among the industrialized democracies; Japan has one of the lowest. But in this respect, too, Japan is not unique: countries like Britain and the Netherlands have murder rates at least as low as Japan's.

Despite the recent poison-gas attacks on Japanese subways, which led many Japanese and American journalists to bemoan that Japan was becoming more like the United States, the comparison is still ludicrous. In 1994, for example, there were 38 gun murders in all of Japan; in 1993 there were almost 17,000 in the United States. For most of the postwar period, one was about 10 times more likely to be murdered in New York City than in Tokyo, a city with several million more than New York (and New York is *not* the most violent American city). The contrast in incidence of robbery is even more amazing: Tokyo for much of the postwar period has had robberies and burglaries numbering in the hundreds annually, whereas New York has had them in the thousands.

Americans would most likely attribute the difference to such things as more severe sentences or more police in Japan. In fact, most American beliefs about crime prevention are myths, at least according to the Japanese experience. Sentences on average are lighter than in the United States. Japan does not have draconian punishments like caning, as in Singapore. And there are fewer police per population than in the United States (although there are more police per land area, as one would expect in a more densely populated and smaller country). There is capital punishment, but as the timing and process of execution are not widely publicized and are kept even from the family of the executed, it is hard to see how it serves as much of a deterrent.

No one knows the exact causes of crime, but it is likely that other factors account for the low Japanese crime rate. For example, there is less motivation to commit crime as there has been almost full employment in Japan since the 1960s. The

unemployment rate in the midst of a severe recession is now around 3 percent compared to the currently low average of 5 to 6 percent in the United States and Europe's much higher current average; for most of the postwar period Japan's unemployment rate was closer to 1 percent. Illegal drugs are kept much scarcer in Japan than in the United States. Another major factor in violent-crime control is Japan's very stringent gun-control laws, similar to every other industrialized democracy except the United States. Handguns are illegal. You need a police permit, and to receive one you must prove you have no record of criminal activity or mental aberration—not only to own a hunting rifle, but even to have a starting pistol for a track meet.

The police arrest and clearance rate for major crimes is higher than in the United States. Once a suspect is arrested, the public procurator has great power to determine whether he will be brought to trial. Many first-time offenders who confess and are contrite about their crimes and whom the public procurator deems likely not to commit another crime are released in the custody of family or employers without ever going to trial. But those whom the public procurator brings to trial are almost invariably found guilty by judges. As in all but the Anglo-American democracies, there are no jury trials in Japan. Thus it may be that the certainty of being arrested and, if arraigned, convicted and punished may be more important variables in preventing crime than the severity of the sentence.

The relationship of the police to the community may be another contributing factor in helping to prevent and solve crimes. Police in urban areas are stationed in police boxes in every neighborhood: citizens know where they are and how to reach them. These neighborhood police also pay a visit at least once a year to all the homes in their neighborhood, asking residents if they have noticed any suspicious activity and taking a survey of valuables, the number of people living in the house or apartment and their occupations. Such close contact with police and provision of information to such authorities would seem extremely intrusive to Americans, but in Japan they are accepted and probably contribute to crime prevention. Despite

such integration into neighborhoods, because of the public's concern stemming from the prewar experience with abuses by the police, their behavior toward the public in postwar Japan has come under careful scrutiny and they have operated under stringent legal and political constraints.

From the perspective of human rights, the police's more important failings concern treatment of suspects. Detention of suspects without arraignment is allowed legally for several weeks in Japan. A report of the Japan Lawyers' Association has claimed that during detention mental and physical abuse can often occur as police attempt to coerce confessions. Whether because of this treatment or a cultural proclivity to confess, or both, confessions are much more common among suspects in Japan than in other countries. Confessions are not supposed to be the only evidence for finding suspects guilty but often do play a major role in determining guilt.

Further, in the earlier postwar period, police methods for collecting evidence were often fairly loose. There have been several instances in recent years in which the courts have reopened cases from the late 1940s and discovered some incarcerated suspects who were found guilty based on concocted or circumstantial evidence and forced confessions. Police argue that such cases and methods were confined to that period and that such things have not occurred for many years.

The dual aspects of police restraint and the potential for abuse were illustrated recently in the police operations prompted by the March 1995 poison-gas attacks on Tokyo subways that killed 12 and injured thousands of people. The religious sect Aum Shinrikyo was suspected of masterminding the attacks. Tens of thousands of police were mobilized to carry out the investigations and to prevent further attacks, but the police moved very carefully—probably much more carefully than police in other countries would have—to avoid making arrests and charges before they had the evidence, and they were scrupulous not to give the impression they were persecuting a religious organization. On the other hand, while the investigation was in progress, many of the sect's leaders were arrested

and detained on minor offenses, and at one point 53 children of the sect's adherents were forcibly taken from their parents, on the grounds they may have violated the child-welfare law.

Evaluating Postwar Law and Justice in Japan

Japan's law and justice have their own particular strengths and weaknesses, advantages and failings, as in other democratic societies. In Japan, there exists a professional legal and court system staffed by highly educated experts which nonetheless is woefully slow in rendering justice and is not utilized as much as it could be for the protection of individual rights.

Japanese citizens enjoy a level of personal safety and freedom from crime and fear—achieved without severe or cruel legal sentences—that can, and should, be the envy of citizens in every country. They also enjoy an environment in which there are few barriers to freedom of the press, religion, assembly or other basic human rights. On the other hand, legal protection for the suspect once arrested is quite weak, and police methods and detention periods after arrest may require reform and more stringent civilian supervision.

If a general pattern can be discerned in Japan's legal and justice system in the postwar period, it is that it has done a very good job of maintaining the rights and interests of the collective—whether it be the public as a whole or groups such as the press—but the rights of the individual or minority, especially if suspected of being in conflict with the interests of the majority or the state, may not have been as well served.

Representation of the People

Modern democracies are representative democracies. Some of the core questions about the democratic process, therefore, are how, and how well, are the people represented, and by whom? From these questions stem more specific ones: How do people select those who will pass the laws and make the policies that affect their lives? How do the means by which these leaders are selected and votes mobilized affect the quality and fairness of representation the people receive? How does the

process affect the longevity, number and competition of parties and politicians holding power?

Japan's Postwar Election System

Japan had a fairly unusual electoral system for most of the postwar period. Technically it can be called a medium-size, multimember-district, single, nontransferable voting system. What this means is that although the voter gets only one vote, as in the United States, his or her district elects more than one representative, unlike in the United States. Depending on population, districts were assigned three, four or five seats. (Later in the postwar period there were also a few districts with two or six seats.) The voter cast her or his ballot for a candidate, and the top three, four or five vote-getters won a seat to represent the district.

An illustration from a hypothetical district should illustrate the process (see page 38). This hypothetical district is a five-member district, and 11 candidates are running for the seats. The top five vote-getters win; the rest lose.

So far, fairly simple. Yet the consequences of this system for Japanese political parties, politicians' behavior and government policymaking are great. Without knowing much more about the system, some of its more important consequences can be deduced.

First, note that the LDP had enough strength to put up more than one candidate in many districts. This meant that for LDP candidates, the election was more about beating their fellow party members than besting other party rivals. It was unlikely, for example, that a leftist voter would vote for the LDP or a conservative for the Socialists. Therefore, each of the four LDP candidates in this district were essentially competing for the same pool of conservative and independent voters: the system encouraged intra- rather than interparty competition. And, not coincidentally, it also encouraged factionalism within the LDP, as individual candidates looked to different faction leaders within the party for endorsement and then for financial support in their campaigns against party rivals.

Second, because more than one candidate represented the district and because LDP candidates in particular competed with each other, ideology and policy differences were not terribly important in vote mobilization. Thus, an LDP candidate running against three other LDP candidates in his or her district, as well as against the nominees of the other parties, could not really stress differences from intraparty rivals on the basis of ideology or policy: all were conservatives supporting the party's basic program. For LDP candidates this election system was much more like an American primary in which people of the same persuasion and policy compete. The result was that the LDP candidates competed more on the basis of personal appeal and how they could bring benefits to voters and the district.

This tendency to appeal to constituents on the basis of their material self-interest or that of the district was reinforced by

Hypothetical Five-Seat Election District Under Japan's Postwar Electoral System Until 1993

CANDIDATE	PARTY	NUMBER OF VOTES RECEIVED	WINNER
A	Liberal Democratic	73,000	Yes
B	Liberal Democratic	69,000	Yes
C	Liberal Democratic	54,000	No
D	Liberal Democratic	49,000	No
E	Socialist	65,000	Yes
F	Socialist	36,000	No
G	Clean Government	60,000	Yes
H	Clean Government	58,000	Yes
I	Democratic Socialist	33,000	No
J	Independent	6,000	No
K	Independent	3,000	No

the legal campaign restrictions. Japanese electoral law is one of the strictest in the world in terms of what it allows candidates to do in campaigns. Thus one may only campaign during the official 30-day period after an election is called, not before; the number of posters and handbills distributed is strictly regulated; door-to-door campaigning is illegal; media time or space cannot be bought; the government provides an equal amount of airtime on radio and TV and advertising space in newspapers to all candidates.

Mobilizing the Vote

How then do candidates distinguish themselves from fellow candidates of the same party to win more votes than their rivals? Since candidates never knew from one election to the next exactly how many votes it would take to wind up among the winners, much depended on how many candidates their own and the other parties endorsed in that district and how many votes they could mobilize. The party, of course, could not help one of its candidates more than the others.

These factors combined to force candidates to improvise and invent their own methods for reaching and holding voters. The major means to do so was the *koenkai*, or the candidate's personal support organization. Every candidate had one, even Communist and Clean Government party (CGP) candidates, who also relied heavily on their party organizations to mobilize the vote, and Socialist and Democratic Socialist candidates, who had labor union support. For LDP candidates, it was the prime organizational means of reaching voters.

The *koenkai* system was formed for the purpose of electing a particular House of Representatives candidate and encompassed supporting local politicians and aides. But the *koenkai* was much more than just a candidate's staff and local allies; it was also a mass membership organization. The candidate would get voters to join the organization by providing services to *koenkai* members, for example, recreational activities. Thus a *koenkai* might sponsor a young persons' club, a seniors' club, or a mountain-climbing club for members. The larger the

koenkai—and it could run into the tens of thousands of members—the more recreational activities it could provide.

It also created a direct pipeline to a powerful and prestigious person whose attention could provide both status and material benefits. Diet members were expected to attend the wedding of the son or daughter of an active member of the *koenkai*, or to send a congratulatory wreath on the opening of a store, or a funeral wreath and bereavement money on a death in the family. If one's son wanted to get into a particular private college, or a daughter who had quit school at 17 needed a job, *koenkai* members who brought their problem to the attention of the Diet member's administrative secretary might expect some timely intervention by the Diet member, using his broad range of contacts. If this sounds unusual to Americans, they should remember that there are echoes of this type of personalist politics still between local politicians and voters in some rural areas, and that the urban political machines of an earlier era fulfilled many of the same functions. Also, such personalized representative politics is not uncommon in some parties in West European democracies.

For the candidates, the *koenkai* provided a year-round political machine that helped them contact voters and oblige a core group to vote for them. It also helped them get around the strict campaign rules. Thus, although one could not legally campaign before the official 30 days prior to the election, nothing could prevent a private citizens' organization like the *koenkai* from inviting the candidate to major sites in the district to give speeches on public affairs months before the campaign began. When the official campaign did begin, the members of the candidate's *koenkai* would form the basis of a support group to go out and mobilize friends and neighbors to vote.

The Electoral System and the Party System

This unique Japanese electoral system benefited some political parties more than others. It helped the LDP become the ruling party for 38 years, from 1955 to 1993.

The table on page 42 shows the names of the parties and the

popular votes and seats they obtained in postwar elections. Larger parties, such as the LDP, benefited because they alone had enough voter support to field more than one candidate in most districts. On the other hand, the system worked to the detriment of smaller parties that needed a certain threshold of support before it paid for them to field even one candidate.

The system imposed another hardship on opposition parties in general: disunity. Each of the major Japanese political parties represented issues that were particularly salient at various stages of the postwar period. The LDP represented capitalism, anti-communism and the alliance with the United States, while the Socialists represented socialism, neutrality and antirearmament, the polarizing issues of the immediate postwar period. The Democratic Socialists were a more moderate trade-union-based party that split in 1959 from the Socialist party because it supported the U.S.-Japan alliance while the Socialists did not. The moderate Clean Government party emerged in the 1960s promoting welfare issues. The Japan Communist party (JCP), although present since the end of the war, regained popularity during the late 1960s and early 1970s by emphasizing pollution control and responsiveness to local needs.

These differences in identity alone would have made opposition party unity difficult; the Japanese electoral system made it even more so. Proportional representation encourages numerous parties, because even small parties can elect representatives and give their voters a say in parliament. Single-member districts, such as in the United States and Britain, are conducive to the existence of two or three parties because only larger parties can gain enough votes to win the majorities or pluralities necessary to gain seats. Japan's multimember-district system is somewhere in between. Parties do not have to be very large to win seats: a candidate only has to win about 15 percent of the vote. But unlike the proportional representation system, really small parties with less than 15 percent of the vote cannot win. Thus this electoral system encouraged the moderate-size multiparty system of five to seven major parties that Japan has had for most of the postwar period.

Results of Postwar General Elections (House of Representatives) in Japan: 1958-93

% of vote (% of seats)

YEAR	LDP	CONSERVATIVE PARTIES	DSP	CGP	JSP	JCP	INDEP./ OTHER
1958	58% (61%)				33 (35)	3 (2)	6 (3)
1960	58 (63)		9 (5)		27 (31)	3 (6)	3 (3)
1963	55 (61)		7 (5)		29 (31)	4 (1)	5 (3)
1967	49 (57)		7 (6)	5 (6)	28 (29)	5 (1)	5 (3)
1969	48 (59)		8 (6)	11 (10)	21 (18)	5 (3)	5 (3)
1972	47 (55)		7 (3.5)	8 (6)	22 (24)	10 (7)	5 (30)
1976	42 (49)	4(3) [NLC]	6 (6)	11 (11)	21 (24)	10 (3)	6 (4)
1979	44 (48)	3 (1) [NLC]	7 (7)	10 (11)	20 (21)	10 (7)	5 (4)
1980	48 (56)	3 (2) [NLC]	7 (6)	9 (7)	19 (21)	10 (6)	3.5 (1)
1983	46 (49)	3 (1.5) [NLC]	7 (7)	10 (12)	19 (22)	9 (5)	3 (3)
1986	49 (59)	2 (1) [NLC]	6 (5)	9 (11)	17 (17)	9 (5)	6 (1)
1990	46 (54)		5 (3)	8 (9)	24 (27)	8 (3)	7 (4)
1993	37 (44)	10 (11) 8 (7) [JRP] [JNP] [HP]	3 (2)	8 (10)	15 (14)	8 (3)	8 (7)

NLC=New Liberal Club

JRP=Japan Renewal party (former Hata-Ozawa faction of LDP)

JNP=Japan New party (led by Morihiro Hosokawa, PM)

HP=Harbinger party (led by Masayoshi Takemura, ex-LDP)

Compiled by *Felix Kraus*

Because a moderately small party can survive in this system and preserve its identity, there is little incentive to combine with other parties to win elections. If Japan had a single-member district system like the United States, there would have been far more incentive for parties to moderate their differences and combine in order to gain the necessary majorities or large pluralities. The Japanese electoral system discouraged opposition parties from forming coalitions, and as long as they remained separate and disunited, they had nowhere near enough seats individually to challenge the LDP.

Malapportionment

What may have helped the LDP most to maintain its dominance was the malapportionment of the electoral districts. The original distribution of three, four or five members to an electoral district was made right after the war when about two thirds of the Japanese population lived in rural areas. Today, over three quarters of the Japanese people live in urban areas. The Electoral Law says that there should be a redistribution of seats with every census, yet the lines of the districts and the distribution of seats have never been fundamentally altered. The result has been a consistent malapportionment of seats favoring rural districts over urban ones. At its worst, this has meant that it could take as many as *five times* more voters to elect a representative in an urban district than in a rural one, making the vote in an urban district worth one fifth that in the rural district. Thus, rural areas elected far more representatives than their population entitled them to and urban and suburban areas, far fewer.

The reason the system has not been basically altered since 1947 is a simple political one: the ruling LDP that controlled the majority of seats in the Diet obtained more support in rural than urban areas and thus benefited from the malapportionment. If the seats had been apportioned fairly, the LDP would have lost its majority. The chief opposition party, the Socialists, eventually became a party roughly divided between urban and rural seats and also had little incentive to push for reform. The losers

were the smaller parties (DSP, CGP, JCP) because they were primarily urban-based; they were too small to do anything.

Why didn't Japan's Supreme Court order such inequality ended, as the U.S. Supreme Court did in 1964 when it established the "one man, one vote" principle, forcing legislative districts to have roughly equal population? The court, beginning in the 1970s, did declare some of the malapportionment unconstitutional, but it never provided remedies nor did it void any electoral results. Instead, in a continuing series of cases, it seemed to establish a principle that malapportionment that exceeded a disparity of 3:1 was unconstitutional because it violated the constitution's "equal treatment under the law" provision, but that disparities of less than that were legal.

How or why the Supreme Court determined that a 3:1 disparity was the legal dividing line for tolerable equality is unclear. Many suspect that whatever the court's legal rationale, there was also a political factor. Had the justices, all of whom had been appointed by the LDP, enforced full equality of the vote, they would have jeopardized the LDP's hold on power. In any case, the Supreme Court did little more than threaten to do something. Embarrassed by rulings of unconstitutionality, the LDP would add a few seats to urban areas and get the disparity temporarily below 3:1, but the system was never reformed completely. Then the next election would give rise to another court case and the cycle would start again.

Money and 'Pork'

The electoral system induced an insatiable need for money, and it cemented connections between politicians and the interest groups that could provide them with funds. Since American candidates spend much of their money on TV ads, it may seem odd that an electoral system that did not allow buying media time would be expensive. But in fact the koenkai is an extremely expensive organization to maintain because it provides so many services to constituents. The Diet candidate also had to give money to local assembly allies, whose own koenkai were folded into his and also demanded services. By the 1990s

it is estimated that a Diet candidate had to spend millions of dollars to win a seat. Multiply several million dollars by 512 Diet seats, and each House of Representatives election had to cost successful candidates *billions* of dollars. This does not even include the amount spent by the losing candidates.

This need for money propelled politicians into the arms of special-interest groups. The LDP, as the only true conservative party that gave a priority to maintaining capitalism and an environment conducive to business, naturally was able to raise enormous amounts of money from big business. The Socialist parties, the SDPJ and the DSP, each had close ties to labor union federations and raised funds from them. The CGP and Communist parties were mass parties which could rely on the dues of their members and other party sources.

However they attained office, politicians elected under this electoral system had strong incentives to concentrate most of their energy on maintaining personal contact with their *koenkai* and voters, and especially on providing their constituents with services and their districts with so-called pork: bridges, roads, dams, schools and other material benefits. These were the principal ways politicians distinguished themselves from their rivals in the next election and maintained their seats. Thus representatives in the ruling LDP were usually more concerned with the politics and policies of construction, transportation, agriculture, small business and education than with the "high policy" issues—foreign, trade or economic policy.

Representation: Satisfaction and Cynicism

The electoral system produced a rather paradoxical system of representation. On the one hand, it helped to maintain the LDP in power for almost four decades, which was probably not unappealing to most Japanese. Even if the system helped the LDP a bit and malapportionment a great deal, it should be remembered that in free and competitive elections from 1955 to 1967 a majority—and thereafter the largest plurality—of Japanese voters consistently voted for the LDP rather than the alternatives. Even had the system not benefited the party, the

LDP probably would have been at the least one of the governing parties. It should also be noted that had Japan had a single-member district system like the United States, the LDP as the party with the largest plurality of support probably would have done even better so long as the opposition parties remained disunited.

Another, often neglected, benefit of Japan's electoral system was that during a period of major polarization of political values following the occupation, it channeled politics away from ideological cleavages toward a more personal, interest-oriented brand of politics. This system produced a form of personalized representation that delivered concrete services and material benefits to constituents. Perhaps this is why surveys in the postwar period showed great support for democracy and for democratic institutions in the abstract.

Those same surveys revealed another side of democratic representation in Japan: a deep and abiding distrust and cynicism toward politicians and political parties. There are many possible reasons, but surely the consequences of Japan's postwar electoral system did much to breed this cynicism. With a majority of the population living in districts underrepresented because of malapportionment, the insatiable need for money by politicians and the close connection between representatives and the interest groups funding them, it is no wonder the average Japanese was cynical about politicians and political parties.

Accountability to the People

Once in office, how responsive are elected leaders and parties to the people who chose them? How powerful are those elected leaders compared to nonelected officials? To what extent is abuse of power ascertained and punished? How much influence do the established opposition and the media have in holding officials accountable? These issues of accountability are particularly important in Japan because it is one of a group of postwar industrialized democracies, that includes Italy, Sweden and Israel, in which one party held power for long periods despite competitive free elections.

The Governing Party and Supporting Interest Groups

The LDP has never been unified along ideological lines. Other than a shared commitment to capitalism and the alliance with the United States and the West in the cold war, its members represented a wide range of political views: populist conservatives, who gave priority to improving the lot of the common person, to establishment conservatives interested in advancing the fortunes of big business; from dovish types, who wished to take no action that would rile the opposition parties on defense and foreign policy issues, to unreconstructed pre-war types who wished Japan to rearm quickly. Imagine one conservative party spanning the gamut in American politics from far-right conservatives to liberal Democrats and that would be an American equivalent of the LDP.

The party also enjoyed the support of a broad sweep of interest groups. As the only major party totally committed to private enterprise and antisocialism and anticommunism, it had always had the support of big business, which provided it with the funds it needed to win elections. Along the way, it acquired the support of the newly independent and now conservative farmers in rural areas. In return for their votes, the LDP maintained for much of the postwar period price supports and an import protection system for rice that heavily subsidized farmers and rural areas at the expense of the urban consumer. Japanese consumers have usually paid many times the world rice price for their staple food.

Over the years, the LDP expanded its support base to include small businesses, which it rewarded with loans and tax breaks, educational groups, professional and local civic groups, and so forth. Indeed, probably the only major organized interest group that the LDP did not include was organized labor, which tended to back one of the two opposition Socialist parties. It has therefore been called a catchall party, and this wide support base is one of the important reasons it was able to stay in power for so long.

The party's Diet members themselves primarily came from

the ranks of former bureaucrats and former local politicians, with a sprinkling of businessmen, journalists and other professionals (though few lawyers). The bureaucrats had been more numerous in the earlier postwar period, but in the last decade or so, former local politicians began to surpass former bureaucrats among the Diet members. Also in the last decade, former administrative assistants to Diet members, or their sons, sons-in-law or other relatives began to compose an important part of party representation.

LDP Factions and National Leadership

LDP Diet members were usually divided into at least five major personal-leadership factions. These factions controlled access to the chief leadership positions in the government and party, including the prime ministership and cabinet positions. These factions were far more organized, hierarchical, permanent and less ideological than the factions found in parties in the United States or Western Europe.

Each faction had a faction leader, who in turn had lieutenants and followers who advanced up the faction-career ladder by seniority (according to time in the faction, not age). After the death, retirement or stepping down of a faction leader from the prime ministership, the faction would usually be handed over to one of his lieutenants.

Factions met once a week or so for a breakfast meeting, had an office with staff in Tokyo, and were exclusive—members could belong to one and only one faction. This was because they existed for one primary purpose, to elect their faction leader as president of the LDP and thus to the prime ministership.

In return for supporting the leader consistently in the party's biennial selection process, faction members received a great deal, including the party's endorsement in their district and funds to run their *koenkai*. Thus party and governmental leadership, factions and the politics of the election districts were quite intertwined.

As no LDP faction controlled a majority of the party's Diet

representation, a faction leader needed more than the support of his own followers; he needed to make alliances and form a coalition with at least one or two other faction leaders. In every party presidential race, strategies were devised, wheeling and dealing occurred, and deals were made among the factions. A winning coalition would back one of the faction leaders, and he would become party president and prime minister.

In selecting his cabinet, the new PM would reward the higher members of his own followers, his allies and their high-ranking lieutenants, and even give some posts to his former rivals' factions. The latter was in part an attempt to co-opt them into the government to mitigate their machinations and criticism as they maneuvered toward the next presidential race. By the 1980s, however, the awarding of cabinet posts to factions became more automatic: the norm for allocating the 20 cabinet positions was the proportional strength of the faction among Diet members in the party.

Two obvious questions emerge from this description of how the major leadership positions in the national government were allocated. The first is whether a national leader selected by such a process could be a strong leader. Although one might assume that the Japanese prime minister as the leader of a party with a perpetual majority of seats in a parliamentary system is powerful, this was not the case. The practical politics of factional and other party divisions and the route to the office severely limited the prime minister's influence. In effect, the Japanese prime minister was more the "first among equals"—the head of what was really a collective leadership of at least five faction leaders, all of whom had to be at least consulted on major party and governmental issues. One would look in vain for the Japanese equivalent of a single, strong leader—a Lincoln, Roosevelt or Churchill—in this system. Japanese leadership was more like that in postwar Italy: their political leaders needed similar skills in backroom maneuvering and building political coalitions.

The second question is how such important positions could possibly be filled by the most qualified persons if factional politics was a prime criterion for appointment? The answer

depends on what one means by qualified. Many cabinet members did have some background in the policy areas of the posts they were given; but they may not have been "experts." The role of a cabinet minister, however, is not exactly similar to that in the American system. In fact, the cabinet was principally a liaison between the party and the bureaucracy, the latter being the real experts who conducted the daily business of government.

The Bureaucracy and the Policymaking Process

The bureaucracy in most democratic countries with a parliamentary system of government plays a greater role in policymaking than in the United States. This is certainly true in Japan.

The bureaucracy in Japan is one of the smallest in the industrialized democracies, but it is elite and influential. Recruited from the best students at the top universities in the country, especially Tokyo University, by a very difficult examination, national bureaucrats are exceptionally bright and respected. They work in one of 16 ministries and several agencies for their entire careers, usually until their early 50s when one of their "class" with whom they entered government becomes administrative vice-minister, the highest position in the ministry. At that point they will be expected to retire so that he will have seniority. After a required waiting period, most will then "parachute" into careers in business or a semi-public institution, and a few into politics. This is known as *amakudari* or "Descent from Heaven" and conveys an idea of the prestige with which the bureaucracy is held.

Proposals for policies that would become parliamentary bills would have come from various sources—from the ministries themselves, from the many advisory councils attached to the bureaucracy composed of experts from the private sector and government, from the cabinet or politicians—and they would be put into draft form in the relevant ministry or agency. From there the policy proposal would go to the LDP and its internal policy body, the Policy Affairs Research Council (PARC), for

revision, approval or rejection, and then to the party's top executives. Once the party had approved the proposal, it would go to the cabinet which then would give it final approval and introduce it to the Diet as "cabinet-sponsored legislation," which comprised the large majority of bills introduced and passed by the Diet.

As in many European democracies, bureaucrats had a major role in almost all stages of the policymaking process, from formulation through advising and negotiating with the LDP and Diet committees, to implementing the new law once passed. Also, as the Diet practice was to write rather general laws, the bureaucracy had a great deal of discretion in interpreting and implementing policies. In many areas, Japan is replete with myriad bureaucratic regulations. This was particularly true in the economy, where regulations sometimes seemed almost designed to make it more difficult and expensive for the consumer.

The influence bureaucrats wield has led several scholars of Japanese politics to emphasize their dominant role in policymaking. Others have argued that this is an exaggeration and that politicians and interest groups also have much clout. For example, some studies have found that key interest groups have quite a bit of influence in many policy areas and that a characteristic of Japanese policymaking is actually the mutual accommodation of interest groups and a particular ministry.

Politicians also have had influence. No policy devised by bureaucrats could become law without the approval of the people's representatives in the Diet. Further, the bureaucracy was by no means a monolithic body. In fact, each ministry has traditionally been so jealous of its own turf that interministerial rivalries and conflicts have always been rife. The ministry may have substantial influence on policies within its jurisdiction, but if issues spanned ministerial jurisdictions, often LDP party leaders had to be brought in to mediate the dispute and find compromises and resolutions, giving the senior politicians a key role in major policy decisions.

Finally, by the 1980s, the LDP had been in power for so

long that many of its longtime representatives who had much experience on PARC and on Diet committees and in subcabinet and cabinet positions, rivaled or surpassed bureaucrats in their policy expertise and their connections to important interest groups. These LDP representatives in specialized policy areas, such as agriculture, transportation or construction, were known as policy tribes and were thought to be very influential in policymaking.

It is probably impossible to know for sure whether politicians or bureaucrats were more or less influential, and if so by how much. Clearly, however, the bureaucracy plays a greater role in policymaking than in the American system (but a role comparable to bureaucracies in some European countries). But democratically elected politicians and powerful special-interest groups play their parts as well.

The Diet and Opposition Parties

One of the hallmarks of democracy is supposed to be the potential for alternation of parties in government. The voters eventually get to "throw the rascals out" and choose the former opposition to govern. What happens, however, when the opposition never gets a turn? How in this policymaking process did the representatives of the people who did not vote for the LDP (in the 1970s and 1980s these were actually a majority of voters, as can be seen in the table on page 42) have any influence on the laws that governed all? For that matter, in a policymaking process such as described above, what role does the Diet as a whole play?

There is no question that the opposition parties had less influence in this one-party-dominated state than they would have had if they had been able to alternate in power. Nor has the Diet ever played the role of "supreme organ of state power" given it by the constitution. But it is also true that neither the opposition parties nor the Diet were completely shut out of influence.

Despite the fact that the LDP could use its majority to force through any legislation it wanted—and had used this power at

times during the 1950s and 1960s—by the 1970s it was doing so with decreasing frequency. To do so was to invite charges of “tyranny of the majority” and a violation of consensual norms that called for the minority’s views to be taken somewhat into account. To get the opposition to approve bills, the LDP would make minor concessions in committees.

Then in the 1976–80 period, the opposition parties collectively came within a vote or two in both houses of the Diet of matching the LDP seats. The LDP consulted even more frequently with the opposition in Diet committees and bargained enough to get the approval of at least one or more of them on almost all bills. The Diet, or at least its committees, became something like the focus of government-opposition relations and policymaking that the constitution had intended.

With the LDP’s resurgence in the 1980 election, the opposition once again was confined to a less central role and the Diet ratified rather than made decisions. If Japan’s dominant party system did not provide opposition parties the chance to take power occasionally and mold policy themselves, it did at least afford them the chance to have a bit of consistent influence. In effect, the opposition had simultaneous if quite limited influence rather than the greater but serial influence in an alternating party system.

The Mass Media

The mass media have been seen as a major check on the ruling party. Japan’s three national newspapers have circulations of between 4 million and 11 million copies each morning, and the country as a whole has a greater circulation rate per capita than any other major industrialized democracy. These newspapers are part owners of the major commercial television networks. There is also the giant public broadcaster, NHK, funded by direct payment of fees by TV set owners and not by government, which broadcasts many daily news programs as well as quality dramas. The Japanese watch more television than any people except Americans. No wonder that in one survey, when elites were asked which group had the most influ-

ence on Japanese society, a large proportion, with the exception of the media themselves, responded the "mass media."

The giant national newspapers have often pursued political figures once their involvement in scandal has been revealed. Thus, the press was active in covering such scandals as the money connections of former Prime Minister Kakuei Tanaka, which led to his resignation in 1974, the later revelations of his possible bribery by Lockheed, the American aircraft manufacturer, and his arrest, indictment and conviction. Intense press coverage also helped bring about Prime Minister Noboru Takeshita's resignation in 1989. The company president of the Recruit Corporation had made large and questionable, if technically legal, contributions to the LDP, supposedly to buy influence.

Yet, a closer examination of the role of Japan's media in exposing and holding the political elite accountable to the public reveals a more complicated situation. The major newspapers cover government and politics by stationing their correspondents in "reporters' clubs" which are located in most of the major ministries, agencies and official and private institutions. In these clubs, the reporters from all the major papers and TV networks, who specialize only in the news from the organization they are covering, become dependent on official spokespersons and rarely have independent sources of information. The result, despite differences in the editorial stances of the papers, has been a remarkably homogeneous and factual coverage of public affairs, with information largely provided by government officials and politicians themselves. Television news until the late 1980s was dominated by NHK, whose strictly factual and neutral coverage of public affairs emphasized the bureaucracy more than politicians.

Even the pursuit of scandal by the press was not, strictly speaking, the carrying out of a "watchdog" function vis-à-vis government. The information that led to Prime Minister Tanaka's downfall, for example, was revealed by a free-lance writer for a limited-circulation magazine appealing mostly to intellectuals, not by the establishment press. The Lockheed

scandal was revealed not by investigative reporters but rather by a U.S. congressional committee. Overall, the press helps keep the government accountable to public opinion, but its role seems more crucial because of the ineffectiveness of the opposition parties and the lack of alternation of parties in power.

One-Party Dominance and Accountability

Those who assume that a single party in power for as long as the LDP in Japan would automatically mean near-authoritarian rule, with no accountability to the people and no influence on the part of the opposition or a wide range of interest groups, are wrong. The factions in the LDP to some extent played the traditional role of opposition by checking the power of the prime minister. The LDP's mobilization of a wide range of interest groups also meant responsiveness to a wide range of people. Opposition parties had some influence, if limited, in the Diet, and the press could zealously pursue scandal once revealed, with much effect.

The ruling party and the policymaking process, however, hardly fit our ideal image of democratic accountability and responsiveness. If the factions checked centralized power in the LDP, they also helped to insulate elected opposition members from governance and policy decisions. And responding to diverse interests, no matter how wide the range, with material rewards, is still not the same as responding to the general public's interests. The high consumer prices Japanese pay for many of the products produced in their own country is a good example. Protection from foreign imports for farmers, the encouragement of legal cartels to ease the transition of declining industries, and aid and zoning to help inefficient small and medium enterprises have all raised the cost of many consumer goods, even while supporting profits and employment in these sectors for political reasons.

The influence of nonelected bureaucrats on policymaking also helped to insulate government from accountability. Furthermore, the media's close ties to officials and politicians through the reporters' clubs limited newspapers' potentially

greater function in revealing the mistakes and abuses of government.

Whether because of the long tenure of the LDP and its ability to control press information, or because of a cultural predisposition toward such mechanisms, the political process has been opaque rather than transparent. Conflicts and accommodations are managed, whether between government and opposition, interest groups and parties, or politicians and bureaucracy, behind closed doors and not in public arenas.

Finally, the long dominance of the LDP, the lack of realistic alternatives to its rule and the inclination toward backroom politics may well have led to arrogance and increasingly corrupt practices. All countries' politics contain elements of corruption, and it is impossible to measure what those involved are intent on keeping secret; but the periodic postwar scandals that were probably only the tip of the iceberg did give the Japanese public the impression that its democracy contained an excess of corruption.

The Transformation of 1993–94?

DURING TWO AND A HALF short years, between mid-1992 and the end of 1994, many of the key issues associated with Japanese democracy peaked: corruption and behind-the-scenes influence of key politicians, the public's disgust with corruption, the changing role of mass media, the ambitions of LDP politicians and factions and electoral reform. And some long-standing elements of postwar democracy, including deep differences over defense policy and the LDP's long dominance over government, came to an end.

The Strange Case of the 'Godfather,' Kanemaru

At first it looked like just another periodic corruption case involving a key LDP politician who would escape from scandal with power intact, like so many of his predecessors. By the late 1980s, Shin Kanemaru had become the godfather of LDP politics, a key back-room figure who had all the power bases covered. He was the second-in-command of the largest faction in the LDP, and also the "don" (used by the Japanese in the mafia

sense) of several "policy tribes," such as those in construction and agriculture, two of the most important interest-group bases of the LDP. His power was so great that it was thought no one could become prime minister without his approval and that whoever did attain that post would not have anywhere near the power of Kanemaru.

It began as a scandal involving accusations that executives of a burgeoning package-delivery business, Sagawa Kyūbin, not only had ties to organized crime and possibly bribed bureaucrats, but also had made incredibly large and illegal contributions to many politicians. The Tokyo District Public Prosecutor's Office arrested some of the company's executives and investigated the possible bribery of politicians to liberalize a law affecting parcel deliveries. The press was fairly passive during this period, merely reporting the revelations that came out of the Public Prosecutor's Office, but doing little investigating on its own.

The Public Prosecutor's Office then began investigating Kanemaru. In the summer of 1992, Kanemaru finally admitted publicly that he had accepted \$4 million in illegal contributions from the delivery firm. His negotiated bargain with the Public Prosecutor's Office resulted in a fine of less than \$2,000. Some wags pointed out that this was less than the potential fine for parking illegally in Tokyo overnight.

The media and public at this point exploded in fury at such bald favoritism toward a powerful politician. Whether stung by the outcry or carrying out an ingenious strategy to "be forced" to go further, the Public Prosecutor then raided Kanemaru's office and found millions of dollars in unaccounted-for cash and gold bars. Television anchors like Hiroshi Kume, a new breed of popular news host who pioneered a more opinionated critical form of TV journalism in the 1990s, relentlessly covered the growing Kanemaru scandal and criticized the pernicious corruption of the LDP and Japanese politics. Kanemaru was forced to resign from the Diet and was indicted, his power and political career broken.

In this groundswell of public rage against corruption, politi-



Reuters/Bettmann

Ichiro Ozawa (r.) applauds Japan Renewal party leader Tsutomu Hata as he paints an eye of the lucky daruma doll following his victory in the July 1993 general election.

cians even within the LDP began to talk about political reform, particularly reform of an electoral system that required enormous sums of money to keep it oiled. Here again the new forms of television journalism played a role. Prime Minister Kiichi Miyazawa (1991–93), pinned down on the issue of political reform in a talk show moderated by another popular and outspoken TV personality, promised he would get political reform bills passed in the current Diet session. When he failed to bring his party along on such a reform in the spring of 1993, he was seen as having reneged on a public pledge and was severely weakened politically.

Meanwhile, as factional and other strains within the LDP were nearing the breaking point over its failure to respond to the public clamor for reform, a vacuum developed at the top of the party. Two leading LDP politicians, Ichiro Ozawa, a young

lieutenant and protégé of Kanemaru, and Tsutomu Hata, a popular politician, teamed up to bolt the party and form their own alternative conservative party, the Japan Renewal party. They took enough LDP Diet members with them to deny the LDP a majority of seats in the Diet. Another group led by a former LDP member formed the Harbinger party.

The most interesting of the new reformist conservative parties was the Japan New party, led by the scion of one of Japan's most important families during the period of the samurai, an immediate descendant of a pre-World War II prime minister. Morihiro Hosokawa was a handsome, poised, former LDP governor and a onetime newspaper reporter who knew how to use Japan's mass media to advantage.

1993 General Election

These three new conservative parties, campaigning against the incorrigible corruption of the LDP and for thorough political reform, along with the five other opposition parties challenged the LDP in the July 1993 general election. The campaign was marked by appeals for change, with little clear definition of what that might mean, and by effective use of appearances on TV interview programs by the new parties. (It should be remembered that in Japan TV time cannot be bought and that each party gets an equal number of TV ads with the same format.) The results, however, showed how loyal the constituents of the LDP remained: the diminished and much condemned party lost only a few seats from its pre-election strength. The Ozawa-Hata-led Japan Renewal party and the Hosokawa-led Japan New party did well, but they seemed to take their votes more from the old left than the old right. The chief losers seemed to be the Socialists, who lost over a third of the popular vote and about half of their seats in the election (see page 42).

Rise and Fall of Hosokawa and Fall and Rise of LDP

The weakened LDP still remained the largest party, with 44 percent of the seats in the Diet. For a long time political observers

had expected that should the LDP face such a nonmajority, it would merely form a coalition with one or more of the middle-of-the-road parties and continue business as usual.

In the first truly unexpected event of this whole period of change, Hosokawa and Ozawa managed instead to do the seemingly impossible: they cobbled together a coalition of the seven other diverse major parties, excluding the Communists. The fact that they were able to accomplish an alliance of parties that ranged from the Socialists on the left to the only recently departed LDP members of some of the new conservative parties on the right was the first real indication that perhaps Japan was in fact witnessing a fundamental political party realignment, not just another superficial dispute among ambitious politicians.

Hosokawa in August 1993 was named prime minister of a coalition government, committed to political reform, including deregulation needed to aid Japan's neglected consumers. He used his good looks and appealing personality to advantage on television and was constantly compared to America's President John F. Kennedy as Japan's first "mediagenic" political leader. For the Japanese public, he was a refreshing change from the old-fashioned and decidedly uncharismatic typical LDP prime minister.

The Hosokawa government's major substantive political goal was to bring about electoral reform. After months of preparation, hard bargaining with the LDP opposition (whose approval became necessary when some members of the governing coalition parties defected on earlier bills), and some setbacks, agreement was finally reached on the outline for a new electoral system. The legislation, along with other bills that impose much more stringent punishments for proven corruption during election campaigns and provide for some public funding of campaigns, passed the lower house in November 1993.

By the time of their passage by the upper house in February 1994, however, Hosokawa was on the way out of office. After being in power less than a year, he resigned in April 1994 when reports of improprieties from his past began to surface. Hata,

head of the other leading conservative reform party and coalition partner, the Japan Renewal party, took over as prime minister.

Hata's government lasted only a matter of weeks. The Socialists bolted from the coalition in the spring of 1994, fearing that the behind-the-scenes power broker of the coalition and Hata's right-hand man, Ozawa, was conspiring to shut them out.

The End of the Postwar Era

Japan was to have its fourth prime minister in a year. The nation that had once been the paragon of political stability began to look a bit like that country which symbolized revolving-door governments, Italy. The biggest surprise, however, was yet to come and shocked even the most cynical of Japanese citizens and Japan-watchers abroad: the Socialists formed a coalition with their long-term ideological opponents and political rivals, the LDP. Joined by the small, liberal Harbinger party that also left the Hata-Ozawa coalition, this three-party coalition held a 40-seat majority in the lower house, forcing the former Hata-Ozawa forces into opposition, and formed a new government.

The new coalition elected Tomiichi Murayama, the 70-year-old Socialist chairman, as prime minister, the first Socialist to hold the position in 46 years. A political cartoonist's delight, with a lean frame, an avuncular mane of white hair and matching, conspicuous eyebrows that seem perpetually windswept, Murayama had had a long career as a local politician and then Diet member, but not necessarily one that marked him as a national leader.

There was a price for power, however. Public statements and the party's September 1994 convention made it clear that to form the coalition with the LDP and win the prime ministership, the party had to abandon many of its longest and most deeply held ideological beliefs and eschew several previous policy positions. Having resisted since the occupation the constitutionality of the Self-Defense Forces and the American alliance, the Socialists now accepted the SDF as being "within the framework of the constitution" and also supported the Security Treaty with the United States, long after a majority of



Reuters/Bettmann

Prime Minister Tomiichi Murayama (r.) discusses the proposed new electoral system with former Prime Minister Tsutomu Hata (l.) in August 1994.

the people had countenanced both. They even reversed their previous antagonism to sending forces abroad as part of UN peacekeeping or humanitarian operations.

This turn of events was made possible by, and symbolically marked the official end to, the intense cleavages and polarization of the reverse course that had begun in 1948. The unpredicted coalition of these old ideological enemies and the Socialists' about-face on defense and the U.S. alliance marked the real end of the postwar era in Japan.

No one gave this "political marriage of convenience" much chance to survive, but these years of surprising change were not yet complete. As of spring 1995, the Murayama government was still in power and is expected to remain in office at least

through the summer, largely because the governing coalition cannot agree on a replacement. The government's weakened support as a result of its slow and uncoordinated response to the Kobe earthquake disaster in January 1995 and the Socialists' internal schisms may force an earlier election, but if it can muddle through, it may be in power for two more years. Japan's next election, the first under its new system, does not have to be called until the summer of 1997.

The New Electoral System and Party Realignment

The return of the LDP to now-shared power does not mean the return to politics as it was before. The change of the electoral system has already begun to have an effect.

The new electoral system for the lower house does away with the unusual multimember-district system and instead combines the two systems typically used in American and European democracies: 300 seats of the new 500-seat Diet will be elected using single-member, vote for the candidate, "winner take all" districts, as in the United States and Britain. The remaining 200 seats will be filled by people elected under a regional proportional representation (PR) system. For these seats, voters will get to cast one vote, not for the candidate, but for a party. The parties in advance will choose a list of candidates in each region, rank them in order, and then, based on the results of the election, the party will receive seats approximately proportional to their popular vote. Thus if the LDP received about 40 percent of the vote in a region with 20 seats, it would get about 8 (40 percent) of the seats. The candidates ranked 1 through 8 on its list would then go to the Diet.

Although this may seem an unusual system to Americans, it is common in some European countries. What is rather singular is the combination of the two systems in one parliament, but even this is not unique. Coincidentally, Italy, another country undergoing substantial reform as a result of corruption scandals and the decline of a long-ruling conservative party, recently adopted a similar combined system. Japan's less important parliamentary chamber, the House of Councillors, has had a

different kind of combined system since 1983: a multimember local district system for some representatives and a proportional representation system for the remainder. Further, although the new system does not completely right the balance, it does improve greatly the apportionment of seats between urban and rural areas.

The fact that three fifths of the 500 seats will be chosen by the single-member district system is already bringing about changes. Such electoral rules over time discourage smaller parties because only those with substantial pluralities or majorities in many districts have a chance of electing a fair number of representatives to the legislature and thus having an influence in government. As Japan's politicians have begun to understand the long-term implications of the new electoral system they have adopted, they have scrambled to prepare themselves for the future. Thus, many of the Hata-Ozawa coalition parties have united to form the New Frontier party, led by former LDP Prime Minister Toshiki Kaifu.

The new electoral system, in the short-term, also exacerbates intraparty power struggles, as party leaders must now decide which of the former representatives of a multimember district will become the party's candidate in the new single-seat constituency. The end of the ideological divisions of the past, with most parties moving toward the center, also means that there are more alliance options than in the past. It is very possible that the Socialists, the LDP and the new parties may yet undergo further splits and recombinations. In the short run, perhaps over the course of at least two or three elections, party instability is likely to continue. Eventually, however, it is likely that a three- or at most perhaps four-party system will emerge and stabilize. How clearly defined a choice those parties will provide to the voter remains to be seen. The key question is not particularly the number of parties there are, but rather, what differentiates them and what it is they fight over.

The Future of Japan's Democracy

WITH THE IMMEDIATE postwar cleavages now irrelevant, what are the likely lines of conflict in post-postwar Japanese democracy? What are the remaining problems that must be faced? Foretelling the future has always been a risky business, and given the incredible events in the world and in Japan in the past few years, one should be especially skeptical of anyone who shows up carrying a crystal ball. But it is possible to make informed guesses as to some of the possible issues, conflicts and pending problems of Japan's democracy in the future.

Corruption, Cynicism and Political Parties

Will the new election system and tougher anticorruption laws really succeed in diminishing the politicians' need for money in election campaigns and attempts by interest groups to influence government, sometimes by unethical or illegal means? If they do, will citizens be prepared to change their expectations that politicians should provide them with services

and goods, which consumed much of the money politicians collected? It would seem that either way, the deep-rooted cynicism of at least some Japanese citizens toward their representatives will remain.

Even without the corruption issue, Japan's political parties face a major struggle to recapture the voters' allegiance. Disappointed with their failure to carry out further political reform, disgusted by the sight of two former ideological enemies entering a cynical alliance to share power, and confused as to the differences between the two major party blocs (the LDP-Socialists and the New Frontier party coalition), many voters are disenchanted with politics in general.

In the April 1995 local elections for governor of two of Japan's largest and most important cities, Tokyo and Osaka, voters rejected the candidates of the major parties and elected independent candidates. Further, the two winners, both popular and appealing former comedians turned upper-house representatives, ran their campaigns as crusades against the established parties, with little financial support from interest groups. The established parties were shocked but perceived the message of the elections correctly: voters are fed up with party politics as usual and want change, cleaner politics and people in office who seem to represent the average citizen.

The dilemma is that effective governmental change can only be brought about by organized political groups like parties, yet voters seem to be drifting away from those groups. Whether and how parties can recapture the support of many of the increasingly independent voters in the next few years is one of the major issues confronting Japanese democracy.

The Bureaucracy's Proper Role and Power

Few observers of Japanese politics would disagree that, for the time being, it is the bureaucracy that has probably benefited most from the current transition period. Behind the instability and turnover of parties and leadership, the bureaucracy abides, hides and guides: it adjusts to whoever is in power and quietly follows its own agenda, unhindered now by stable

attentive political leadership. Further, the parties' instability and involvement in preparing for the new electoral system have partially put on the back burner issues of further reform, such as deregulation, that might substantially change the bureaucracy's power.

What the current period represents, however, is part of a continuing debate among Japan specialists as to the power of the bureaucracy in postwar Japan. Some see the transition period as a temporary hiatus from a long-term trend toward more power to politicians; others view the apparent increase in the power of politicians in the later years of LDP rule as a mirage and argue that the present period is the true reflection of what always was, and what may be for quite some time, bureaucratic dominance in Japan.

Some argue that the new electoral system will produce not only less corruption but also more policy-oriented campaigns. If so, this may push politicians to get more involved in both the general direction and the specifics of policy than in the past, making them more influential. But some might counter that the bureaucracy's real power does not come from statutory or regulatory power in any case, but from its dense ties and channels to special-interest groups, as well as its ability to negotiate outcomes with these groups that allow it to control the pace of change. As long as these ties remain, deregulation, or politicians' mobilization of votes along policy lines, may not limit the bureaucracy's ability to influence.

Either way, it is unlikely that the issue of the future role of the bureaucracy will be far from the center of key political questions about Japanese democracy. Japanese democracy will never look like American democracy, but, as in many democratic countries in Europe, it will always have a state bureaucracy more directly involved in formulating and implementing policy and in regulating society.

The Mass Media's Proper Role and Power

In the transition of 1993-94, and in the few years preceding, one could discern important shifts in the relationship between

the mass media and government, and between the mass media and the general public.

In the past, bureaucrats and politicians have been able to keep the media generally under control. The genie, however, may be emerging from the bottle. Television news programs, and information talk shows especially, have become more open, freewheeling, opinionated and critical of politicians and government in general. And more alternation of those in power means less fear of alienating one particular party. The opinionated-news style of television may inspire more investigative and critical reporting by newspapers, too, especially if the reporters' club system can be weakened or modified in the future.

Politicians and officials can counterattack, however. This was clear in the aftermath of the 1993 election when the head of the news bureau at TV Asahi, the network with the most critical and freewheeling news and talk shows, was hauled before the Diet to answer questions about his statements during the election campaign indicating he intended to use the network's coverage to defeat the LDP. Politicians' future control of the media may also take a different form than crude pressure: they may attempt to manipulate the medium rather than the newspeople. One can already see a change in the type of politicians coming to the fore in Japan. Those who know how to act and react on television—such as Hosokawa—seem better equipped to succeed in politics today.

Television's contribution, opinion, debate and criticism in contrast to the passive and purely informational functions of newspapers in the past, is probably a welcome addition to Japan's democratic life. But important questions remain: Will that opinion and debate be balanced or one-sided? Will purely critical and opinionated TV make Japanese citizens even more cynical about their political leaders?

Universal Rights and the Courts

An awareness of human rights does exist among the general public, but Japan's legal institutions and court system do not seem to play a major role in guaranteeing such rights or

establishing universal principles, especially for those of more marginal status, such as women, outcast groups and foreign residents.

There are some signs that the courts may be giving greater recognition to such rights than in the past. A regional court recently affirmed for the first time that international treaties on civil and political rights do apply in Japan. The Supreme Court also seemed to apply more flexible criteria when it awarded Japanese citizenship to a young Filipino boy adopted by missionary parents, even though the national origin of his biological mother was unproven. Perhaps the question of greatest importance in Japanese society is whether the courts will one day become active in finding women's social and economic status inconsistent with the constitutional provisions on gender equality.

It is unlikely that the Japanese courts will ever play a role anywhere near comparable to that of the U.S. courts in establishing and implementing universal principles concerning the status of minorities. But if future parties of more liberal bent control government and get to appoint Supreme Court justices, over time there may be an evolutionary trend toward decisions more in line with those of constitutional courts in Europe and the United States. The real question is whether, before that happens, Japanese citizens will begin to question why their courts lag behind those of other industrialized nations on this dimension of democracy.

Consumer-Citizen vs. Producer-Interest Groups?

The U.S.-Japan trade friction of the past several years has highlighted how weak and neglected consumer interests have been compared to the interests of the producer. There is growing recognition among urban, salaried workers, especially those who have been abroad, that the prices Japanese pay for many items are far higher than those in other countries because either politicians have allowed the interests of producers (large manufacturing industries) to take precedence or have protected inefficient economic sectors (agriculture and small- to-medium enterprises) because they were key supporters of the ruling party.

There are some signs that consumer consciousness is not only rising among such citizens, but also that some politicians recognize this issue as potentially popular. Championing such issues, however, will pit the amorphous and fairly unorganized mass of consumers against very well-organized special-interest groups. The ability of these groups to mobilize resources, influence politicians and bureaucrats, and even use the media to convince consumers that their interests lie with the producer groups makes the outcome of any such conflicts far from certain.

Big-Business Profits vs. Economic and Social Welfare

Major economic changes are occurring in Japan. The population is aging rapidly: Japan will go from having the smallest proportion of over-65 population among the major industrialized democracies earlier in the postwar period to having the largest in the next 30 years. Labor costs are rising, and big business is shifting some manufacturing and research and development operations overseas to less expensive countries, including the United States. Subcontracting and subsidiary small businesses are increasingly paying the price for economic downturns.

During most of the postwar period, the close vertical ties of small businesses to large firms, with both being represented by the LDP, meant that small—versus large—business issues were muted. The fact that labor unions in large firms were mostly company unions, and that the labor movement was ideologically divided and supported the out-of-power opposition parties, meant that labor-management issues were not politicized and could be handled within the firm.

This could change. As large firms gradually modify long-standing practices such as seniority-based pay and lifetime employment (retirement at 60 and only for full-time, permanent employees) to cut labor costs to meet international competition, and move manufacturing and suppliers offshore, economic security among employees and small businesses could become an important issue. The aging-population structure in-

evitably means that concerns about retirement security and health care will intensify. And the fact that the once-divided labor movement has recently united in one large federation may also enhance the bargaining power and political clout of organized labor, even as the number of members it attracts declines. New political parties searching for a support base and votes may decide to appeal to such segments of the population with these issues.

Japan's Role: 'Normal' vs. Unusually Wary Nation

While basic schisms of the past may diminish and cease to be the chief organizing principles of partisan conflicts, they are unlikely to disappear completely. American political parties, after all have been fighting in one form or another over the same basic issue for 200 years: how large, powerful and intrusive should the central government be. Similarly, it would be naive to expect that defense and foreign policy will disappear completely as controversial issues in postwar Japan.

Currently it appears that defense and foreign policy issues are being sublimated to a new, related issue: how actively and in what ways Japan should play a role in the world commensurate with its economic power. This probably will not be an issue of internationalists versus nationalists. Nor will it be a conflict of the extremes over Japan's becoming a major military power again versus a totally unarmed neutral. Rather, on one side will be those such as Ozawa, the key figure in the Japan Renewal party, who wish Japan to be able to use its armed forces as other sovereign nations do, either for collective security or in its own defense; on the other side will be those who will argue that even if the Self-Defense Forces are legitimate and Japan participates in some UN peacekeeping operations, it should never again become a conventional military power.

Japan: Primarily Western or Asian?

Recently there have been signs of another possible international fault line in Japanese politics, namely, over the question of whether Japan should continue to maintain its prime politi-

cal and economic ties to the United States and Europe or whether it should begin to focus more on Asia.

Japan's total trade with the rest of Asia exceeds its exports to and imports from the United States and Europe. Asia is becoming more important to Japan not only materially but also culturally. Tired of friction and American complaints, some Japanese are already beginning to argue that Japan should rediscover its Asian roots and pay less attention to the West. If China, Taiwan, South Korea and the Southeast Asian nations continue their present rapid economic growth, the temptation may be great for Japan to identify itself more as an Asian- than a Western-oriented country.

The danger with such a reorientation to Asia is not likely to be a repeat of Japan's prewar arrogance and imperialism. The danger is rather much more subtle and related to Japan's future as a democracy. Some political elements may be greatly tempted to follow in the steps of certain other Asian countries and ignore or defend the faults and weaknesses of Japan's democracy by asserting that such principles as human rights are merely Western concepts, inappropriate in an Asian setting.

There are, and should be, variations and divergences among nations, as well as a continuing dialogue about what democracy means and how it should be implemented. To set up one country's form of democracy as the ideal and insist on imposing it on all others is mere arrogance. But arguments that dismiss human rights as not universal but culturally relative, or seek to legitimize hierarchy rather than equality, or to limit and control forms of participation and representation, should be exposed for what they may well be: masquerades for the preservation of nondemocracy. Under the guise of choosing between Asian and Western democracy, Japan may really be facing the alternatives of a more- or a less-complete democracy.

Looking Ahead

Which, or which combination, of the above political, economic and international issues, or others one cannot predict,

will become the new political fault lines in Japan's democracy remains to be seen.

What is becoming clear, however, is that the early 1990s may represent a transition period from postwar democracy to new forms of conflict and political competition.

The immediate postwar period saw many democratic accomplishments, including the establishment and acceptance of a liberal constitution, functioning representative institutions and peaceful competition between political parties representing different political philosophies, as well as the expansion and legitimation of interest-group activity. Additionally, the Japanese have enjoyed safer streets, more-equitable distribution of wealth and income and a greater absence of international conflict than in many industrialized countries. Sometimes, the Japanese have a tendency to compare their politics to an ideal, textbook version of democracy and find themselves wanting, while Americans have a tendency to compare Japan to the United States and find it different and therefore undemocratic. At other times, both Americans and Japanese will compare the two countries and naively see Japan as some reverse image of the United States that seems to have solved all the social and economic problems that plague Americans today. Neither of these extreme views of Japanese democracy is valid. Japan ranks among the functioning democracies of the world, and some aspects of its democracy can be ranked higher than their American equivalents; but as this brief survey makes clear, Japan is no democratic utopia uniformly performing better than the United States. As many Japan specialists are increasingly recognizing, U.S.-Japan comparisons that rest on the assumption that America is the standard (positive or negative) usually wind up making Japan look deviant and unusual one way or the other. In fact, depending on the issue in question, Japan often more closely resembles a European democracy than the American, and it is the United States that sometimes is the "unusual" democracy in the world. Both Americans and Japanese would do well in the future to include European countries in gauging more realistically where Japan fits among democratic nations.

Therefore, Japan's current transition should not be expected to wind up making it look exactly like the United States. The key questions for Japan's near future are how the new electoral system will eventually restructure partisan organizations and the quality of representation; whether Japanese political elites will be less subject to the temptations of corruption and more accountable to the interests of the individual citizen and the general public than those of organized interest groups; whether the bureaucracy and the media will play more democratic roles; and whether universal concepts of human rights will be increasingly incorporated in legal and judicial guarantees. These are the challenges for Japan's democracy.

Many contemporary industrialized democracies have a similar set of challenges, but it is unlikely all will face them in the same way. The characteristic of all democracies is that they are never complete, and always changing. But each is incomplete in its own way.

Talking It Over

A Note for Students and Discussion Groups

This issue of the HEADLINE SERIES, like its predecessors, is published for every serious reader, specialized or not, who takes an interest in the subject. Many of our readers will be in classrooms, seminars or community discussion groups. Particularly with them in mind, we present below some discussion questions—suggested as a starting point only—and references for further reading.

Discussion Questions

What is democracy? Do you think the definitions and dimensions of democracy used in this HEADLINE SERIES are valid? Comprehensive enough? What alternative definitions and dimensions might have been used?

Employing the same definitions and criteria for democracy as used in this book, how would you evaluate American democracy? In what respects would the United States be more democratic than Japan? less democratic? In terms of democracy, what do you think would be the most difficult thing to adjust to if you were an American living in Japan? If you were a Japanese living in the United States?

If Japan and the United States were compared to Western

European democracies, which one would be the most typical of industrialized democracies? which the most "exotic" and different?

Modern democracy arose first in the West. Is the concept of democracy itself therefore biased toward Western values? Or is it truly universal? Are there common standards by which to measure democracies?

What do you think the American occupation of Japan did right in bringing democracy to defeated Japan? What do you think it did wrong? Why? To what extent do you think postwar Japan fulfilled the American occupation's goals for it?

How does Japan's treatment of minorities differ from this country's? How is it similar? Given these similarities and differences, how might discrimination be lessened in Japan?

In what ways do you think the long rule of Japan's Liberal Democratic party was "democratic"? In what ways was it not?

Americans tend to believe that their country is more equal than most in terms of distribution of wealth and income, that crime can be prevented by harsher punishments and putting more police on the streets, and that having a small government must mean having a weak bureaucracy. The experience of Japan contradicts all these beliefs. What are some of the possible reasons for, and implications of, these contradictions?

What do you think the Japanese experience suggests about the potential for exporting "American-style" democracy to Eastern Europe, Russia and Latin America, and for these new democracies becoming just like us?

Annotated Reading List

Allinson, Gary, and Sone, Yasunori, eds., *Political Dynamics in Contemporary Japan*. Ithaca, N.Y.: Cornell University Press, 1993. Analyses by Japanese and American scholars of the various ways Japanese politics is "negotiated" among important groups.

Beer, Lawrence Ward. *Freedom of Expression in Japan*. Tokyo, Kodansha International, 1984. Voluminous study on Japan's legal system and freedoms of speech and press.

- Curtis, Gerald L., *Election Campaigning: Japanese Style*. New York, Columbia University Press, 1971. The classic work, seen from a Diet member's perspective, on how Japan's politicians campaigned under the old postwar, multimember-district election system.
- . *The Japanese Way of Politics*. New York, Columbia University Press, 1989. Curtis' follow-up on how Japanese parties and politics had changed since the earlier postwar period.
- Flanagan, Scott C., et al., *The Japanese Voter*. New Haven, Conn., Yale University Press, 1991. Voluminous quantitative analysis of how and why Japanese voters behave the way they do.
- Field, Norma, *In the Realm of a Dying Emperor*. New York, Pantheon, 1991. A detailed insight into the issues that have divided Japanese for most of the postwar period and a portrait of Japan at the end of Hirohito's reign in 1989.
- Haley, John O., *Authority Without Power: Law and the Japanese Paradox*. New York, Oxford University Press, 1991. A scholar of Japanese law analyzes how the function and implementation of law differ in Japan.
- Hayao, Kenji, *The Japanese Prime Minister and Public Policy*. Pittsburgh, Pa., University of Pittsburgh Press, 1993. An attempt to explain the paradox of Japan's top leadership: how and why a prime minister who in theory should be a strong leader, usually isn't.
- Ishida, Takeshi, and Krauss, Ellis S., eds., *Democracy in Japan*. Pittsburgh, Pa., University of Pittsburgh Press, 1989. American and Japanese scholars provide accounts of Japan's political, economic and social democracy, the extent to which the occupation's goals have been fulfilled, and how Japan compares to other countries.
- Johnson, Chalmers, *MITI and the Japanese Miracle: The Growth of Industrial Policy, 1925-1975*. Stanford, Calif., Stanford University Press, 1982. The classic book that made the case for government's role in Japan's postwar economic growth and provided the controversial paradigm of a Japanese state in which politicians reign but bureaucrats rule.
- McCormack, Gavan, and Sugimoto, Yoshio, *Democracy in Contemporary Japan*. Armonk, N.Y., Sharpe, 1986. A critical account of various aspects of Japan's democracy.
- Pempel, T.J., *Uncommon Democracies: The One-Party Dominant Regimes*. Ithaca, N.Y., Cornell University Press, 1990. Comparison of Japan with its equivalents, the one-party dominant regimes in the West, in Italy, Sweden and Israel.
- Pharr, Susan J., *Status Politus in Japan: Social Conflict, Authority, & the State*.

Berkeley, University of California Press, 1990. Using case studies of women, the outcast minority and a young group of conservative politicians, Pharr analyzes the process of "status-based" conflict in Japan and how the authorities skillfully manage it.

———, and Krauss, Ellis S., eds., *Media and Politics in Japan*. Honolulu, University of Hawaii Press, forthcoming. How Japanese and American journalism differ and the neglected role of Japan's powerful newspapers and TV in politics.

Rauch, Jonathan, *The Outnation: A Search for the Soul of Japan*. Boston, Mass., Harvard Business School Press, 1992. Astute and interesting impressions and insights into contemporary Japanese society by a talented American journalist who spent six months in Japan as a nonexpert observer.

Reed, Steven R., *Making Common Sense of Japan*. Pittsburgh, Pa., University of Pittsburgh Press, 1993. Why the Japanese do what they do and recommendations for understanding Japanese behavior.

Samuels, Richard J., *The Business of the Japanese State: Energy Markets in Comparative & Historical Perspective*. Ithaca, N.Y., Cornell University Press, 1987. Important analysis of business' influential role in energy policymaking, as well as of how the conflicts between business and bureaucracy get resolved outside public arenas.

Upham, Frank K., *Law and Social Change in Postwar Japan*. Cambridge, Mass., Harvard University Press, 1987. Analyzes the relationship between the law and society in Japan.

Wolfereen, Karel van, *Enigma of Japanese Power: People & Politics in a Stateless Nation*. New York, Knopf, 1989. Controversial critique of Japanese democracy which asks some of the key unanswered questions about postwar Japan.



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by Larry Minear and Thomas G. Weiss. Minear codirects the Humanitarianism and War Project at Brown University's Thomas J. Watson Jr. Institute for International Studies. Weiss is associate director of Brown University's Thomas J. Watson Jr. Institute for International Studies. Published April 1995. (72 pp. \$5.95)
- HS 303 Nuclear Proliferation: The Post-Cold-War Challenge**
by Ronald J. Bee of the University of California Institute on Global Conflict and Cooperation in San Diego, California. Published February 1995. (72 pp. \$5.95)
- HS 302 Global Population Growth: 21st Century Challenges**
by George D. Moffett. Global Media Award-winning diplomatic correspondent of *The Christian Science Monitor*. Published July 1994. (72 pp. \$5.95)
- HS 301 Religious Fundamentalisms and Global Conflict**
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