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Raymond V. Christensen

INTRODUCTION

Despite the promise of bold and innovative action, doubts are increasing as to whether the recent upheavals in Japanese politics will actually transform government and politics in Japan. When the coalition of Liberal Democratic party (LDP) renegades and opposition parties ousted the LDP from power in mid-1993, they made electoral reform their first and most important legislative priority. The reforms they passed in 1994 became the most significant legislative accomplishment of the first post-LDP government, yet will these reforms actually transform Japanese politics as promised?

It is claimed that these new electoral rules will change the way parties are organized, the flow of campaign funds, the scandal-ridden nature of Japanese politics, and the relevance of policies and issues in campaigns. Many have assumed that the new electoral system will cause the emergence and maintenance of two moderate political parties that will alternate in power. Even grander speculations have been made about the entire reformist agenda. Some suggest that Japan’s new political leaders will usher in a new era of less bureaucratic and more democratic politics. The leaders of this more efficient government will rescue the long-suffering Japanese consumer, improve the frayed nature of U.S.-Japan relations, and create a modern Japan that will revise its anachronistic ban on the maintenance or use of military force.

Other observers have been quick to take an opposite and extreme position that no real changes were occurring. In contrast to both approaches, those with a more careful and studied perspective of Japan have been more reticent to draw grand conclusions about the permanent changes in the Japanese political landscape. In this latter perspective, I will review and

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3 For the former perspective see Yomiuri Shimbun (Feb. 1, 1994) which summarizes the U.S. reactions to the reforms; for the more careful perspective, see Gerald Curtis as quoted in Yomiuri Shimbun, March 5, 1994, p. 13.
analyze the first and perhaps the most important institutional change enacted by the reformers, the 1994 restructuring of Japan’s election system and campaign laws.

I will first describe and explain the significant and interesting features of the new electoral system. Second, I will turn my focus to the future and address the claims of change in Japan. Specifically, I find it doubtful that the new electoral system will decrease the total number of political parties, though the emergence of a second large party or coalition of parties is likely. I also speculate that coalition governments are likely to become the norm in Japan. Money politics will not decline, though scandal-tainted incumbents are more likely to go down to defeat under the new system. There are also indications that more women might be elected and that parties could gain greater influence over individual politicians.

With regard to grander speculations about the nature of Japanese democracy, deregulation, the decline of bureaucratic power, and more efficient government, I find little evidence to connect these hoped-for changes with any of the new electoral rules. Politicians may pursue these loftier goals as part of their political agenda, but there is little inherent in the reforms thus far legislated to indicate progress towards these goals.

Japan’s New Electoral System

The reformers who took over power from the LDP in 1993 under the leadership of Hosokawa Morihiro quickly introduced electoral reform legislation that was intensely debated in the latter half of 1993. By January 1994, the Hosokawa government reached a compromise with the LDP opening the way for 1994 to become the year of electoral reform legislation in Japan. The Japanese national legislature (Diet) subsequently passed electoral reform measures on three separate occasions. First, on January 29, 1994, four bills were passed which changed the election system for the Lower House or House of Representatives, altered campaign regulations, and created public subsidies for political parties. Two of these bills amended existing legislation; two other bills created new laws.4 As part of the January compromise, further amendments to these four bills were drawn up and passed on March 4, 1994. This new legislation created a

4 The existing laws were The Public Officers Election Law (Koshoku Senkyo Ho) and The Political Funds Control Law (Seiji Shokin Kisei Ho). The new laws were The House of Representatives Election District Demarcation Deliberative Council Establishing Act (Shuin Senkyoku Kakutei Shingikai Setchi Ho) and The Political Subsidy Law (Seitai Josei Ho).
commission that was to draw boundaries for new election districts. The commission gave its recommendations to the prime minister, and they were passed into law by the Diet on November 21, 1994.⁵

1. Plurality and Proportional Representation

A first vantage point in understanding the differences between the old and new electoral systems is the common distinction made between plurality and proportional representation (PR) electoral systems. Though there are problems with this dichotomy, the categories of distinction have a long history in the electoral systems literature.⁶ In plurality systems voters choose from a list of candidates in their district, and the candidate who receives the most votes is elected. This system is also called the “First Past the Post” system in the United Kingdom, and it is sometimes referred to as the “Anglo-American” system because of its common use in the countries with an Anglo-American heritage.

In PR systems, voters typically select parties, and parties are awarded seats based on the percent of votes that the party receives. For example, in a twenty-seat district a party that received 30 percent of the votes would be awarded six seats. The six new representatives from that party are then determined by taking the top six candidates listed by the party on a list that was submitted in advance of the election.⁷

A key feature of both types of electoral systems is the district magnitude: the number of representatives elected from each district.⁸ Most plurality systems use single-seat districts; most PR systems use multimember districts. District magnitude is important because it determines the thresholds of victory for parties and candidates. In a single-seat district, 50 percent of the vote is needed to be assured of victory. In a twenty-seat district, a candidate or party that receives even less than 5 percent of the vote is guaranteed victory. If single-seat districts are used, strong incentives exist for parties to merge in order to be competitive. In multimember districts, small parties are able to win seats and thereby enjoy strong incentives for their continued existence. These incentives and their effects on parties are called

⁵ This last legislative package also included four separate bills. One demarcated the new district boundaries. A second set the date for the 1995 unified local elections. A third created the requirement that political parties register as legal entities in order to receive government funding. The fourth made candidates liable for the campaign law violations of a larger number of their campaign workers.


⁷ There are many variations of PR systems (see Douglas W. Rae, *The Political Consequences of Electoral Laws* [New Haven: Yale University Press, 1971]). Some allow voters to express preferences for specific candidates on the party lists. PR systems also vary in the mathematical formulas used to convert votes for parties into seats awarded to parties.

⁸ Taagepera and Shugart, *Seats and Votes*, make a convincing argument on this point.
“Duverger’s Law” (single-seat districts lead to two political parties) and they encapsulate one of the most significant differences between PR and plurality systems.9

Both the former and the new Japanese electoral systems do not fit nicely into either category. The former system was technically a plurality system. Voters selected candidates and the top vote getters in each district were elected. However, election districts were of “medium magnitude,” meaning that each district elected from three to five representatives.10 Under this system, small parties that received only 10 percent of the vote could often win thirty or forty seats in Japan’s 511 seat House of Representatives.11 Though technically a plurality system, the multi-member districts of the former electoral system created incentives for the continued existence of small parties as a PR system does.

The new Japanese electoral system is a hybrid of plurality and PR systems. As a result it creates mixed incentives for small parties. Three hundred of the five hundred seats in the House of Representatives are allocated to each of three hundred new electoral districts. Voters will select one candidate in each district, and there will be only one victor in each district. These districts create strong incentives for small parties to merge or at least form electoral coalitions that have a chance of winning the support of half the electorate in each of these districts. Without such mergers or alliances, small parties will not be viable contenders for these three hundred seats.

The remaining two hundred seats are allocated by PR. Japan is divided up into eleven regional PR districts, and based on population, each district elects from seven to thirty-three representatives. Voters select parties, and seats are allocated to the parties based on each party’s share of the vote in that district. For example, the smallest PR district is Shikoku with seven seats. If the Communist party wins 13 percent of the vote, it will win at least one of the seven seats.12 In the largest district, the Kinki region, only 3 percent of the vote will be needed to win one of the thirty-three seats.

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10 There were several exceptions to this rule. The Amami Islands constituted a single seat district for much of the postwar period, and in the 1980s several two-seat districts and one six-seat district were formed by reapportionment efforts.
11 For example, the Democratic Socialist party received 4.8 to 8.8 percent of the vote in elections from 1960 to 1990. This party won from 14 to 38 seats in these same elections. The size of the House of Representatives has varied in this same period from 467 seats to 512 seats.
12 This percentage is an estimate. Seats are apportioned under the D’hondt PR seat allocation formula. Under this system, the party with the largest share of votes is allocated the first seat. Its vote share is then divided by two (1+ the number of seats already received). The party that now has the largest number of votes is then awarded the second seat. That party’s vote is then divided by 1+ number of seats that party has received. This process continues until the last seat in the district is awarded. In a seven-seat district, a party with 15 percent of the vote is guaranteed to win at least the seventh seat. If another party won the remaining 87 percent of the vote, that party’s vote would be divided by 7 after it had been awarded the sixth seat. Its vote share for the awarding of the seventh seat would be 12.4, less than 13 giving the final seat to the smaller party.
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PR districts drastically reduce victory thresholds, opening the door for small and minor parties. Thus the single-seat districts and the PR districts produce contradictory incentives. Three hundred seats are contestable only by parties large enough to attract nearly 50 percent of the voters in a district; the other two hundred seats can be won by parties that muster the support of only 3, 5, or 10 percent of the voters in a PR region.

2. Barriers to Small Parties

It is claimed that PR systems are more democratic because they allow representation to a wider range of parties and political viewpoints. PR systems, though, are also blamed for party fragmentation and political instability. Some nations, therefore, include artificial barriers in their PR systems which make it more difficult for small parties to win seats. The most famous of such barriers is the 5 percent exclusion clause in Germany. Parties that fail to receive at least 5 percent of the vote nationwide are not eligible to receive any PR seats in the German system.

The new Japanese system also includes such legal barriers to the electoral access of small parties. A party must win 3 percent of the vote nationwide to be eligible to win any PR seats. I pointed out earlier that in the thirty-three-seat Kinki PR district, a party that won only 3 percent of the vote in that district would win one seat. However, the party would not be eligible to win any PR seats unless it first received 3 percent of the total nationwide PR vote.

Another barrier exists for small parties even when they try to register to be on the PR ballot in a district. Parties will be listed on PR ballots only if they meet at least one of the three following conditions: (1) in the most recent national election, the party received at least 2 percent of the nationwide vote; (2) the party has at least five sitting members of the House of Representatives and the House of Councillors combined; or (3) the party lists a sufficient number of candidates on its PR district list equal to at least 20 percent of the seats up for election in that district. For example, in the seven-seat Shikoku district, a party would need at least two candidates on its list to qualify to be on the PR ballot there. In the thirty-three-seat Kinki district, a party would need seven candidates on its list.

This last option for qualification would seem to open wide the door for every conceivable party to get on the PR ballot in every region of the country. Parties would simply have to list the minimum number of names on its list for each PR district. However, the law also requires a deposit of 6,000,000 yen (60,000 at an exchange rate of 100 yen = 1 dollar) per

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13 In the Japanese context see an editorial of Asahi Shimbun, January 12, 1994 that takes this viewpoint.
candidate which is only refunded depending on the number of victors that the party has\textsuperscript{14}. What would happen if a party tried to qualify for the PR ballot by listing the minimum number of candidates required in each of Japan’s eleven districts (forty-five)? That party would have to pay a total deposit of 270 million yen (\$2,700,000). If the party did not win any PR seats, it would lose its entire deposit.

Other, less significant, barriers to small parties also exist. A candidate can not run under a party label in the local or single-seat districts unless the party has either five incumbents in the Diet or has won at least 2 percent of the vote in the last national election. Candidates may run as independents in the single-seat districts, but they may not use the party label if the party failed to meet at least one of these two conditions. A party must also meet one of the same two conditions in order to receive the newly created government subsidies of political parties.

3. Dual Candidacies and Identical Rankings

The electoral rules allow candidates to run in the local single-seat districts and to be listed on a party PR list in the same election.\textsuperscript{15} In addition, such dual listed candidates can also be given identical numerical rankings on the PR list. If a dual-listed candidate wins in her local district, then her name is removed from the party list for the PR district because she has already been elected. “Ties” between identically ranked candidates on the PR list are broken by giving priority ranking to the candidate who did better in her local single-seat district race.

For example, the Shikoku PR district has seven seats, this region is also divided into thirteen local single-seat districts. The LDP could submit a PR list for the Shikoku district that includes the names of each of the thirteen LDP candidates that are running in the thirteen single-seat districts of Shikoku. In addition, the LDP could rank all thirteen candidates as “1” on its PR list. These thirteen candidates might then be followed on the list by additional candidates who are only running on the PR list. These additional candidates would be ranked “2,” “3,” “4,” etc. respectively. If the LDP won eight of the thirteen local districts on election day, the names of these eight victors would be crossed off the LDP’s PR list. This list would now have five

\textsuperscript{14} The forfeiture rules are as follows: (1) each victor from the party PR list allows the party to reclaim 12,000,000 yen of its deposit; (2) if a party double listed a candidate on a PR list and in a single-seat district, and that candidate won in the district, then the party may reclaim 6,000,000 yen of its deposit. (The deposit for a single-seat district race alone is 3,000,000 per candidate. Dual-listed candidates pay a total deposit of 6,000,000 yen.) In essence, each victor reclaims for the party the deposits of two candidates.

\textsuperscript{15} Dual-listed candidates must run in local, single-seat districts that are within the bounds of the PR regional district in which they are listed.
local district losers still ranked as “1,” followed by candidates that were ranked 2, 3, 4, etc. If the LDP’s share of the PR vote in Shikoku entitled it to only four of Shikoku’s seven seats, then the four PR winners would be determined by seeing which four of the five candidates ranked as “1” on the LDP list received the highest percent of the vote in their local district races.

4. Redistricting and Balloting

The reform legislation also created two ballots for Japanese voters. Each voter casts one ballot for the candidate of his choice in a local district race. The voter then casts a second ballot for the preferred party in the regional PR race. In a break with past practices, voters were to be given ballots printed with the names of candidates or parties. In previous elections, voters were given blank sheets of paper on which they wrote the name of their preferred candidates. However, on December 13, 1995, the LDP-Socialist-Sakigake coalition government changed the law reinstating the old system of blank ballot sheets.

The law also created a permanent election boundary commission: The House of Representatives Election District Demarcation Deliberative Council. This commission’s first task was to draw up a proposal for the boundaries of the three hundred single-seat districts. They presented their proposal to the prime minister, and it served as the basis for the legislation that created the new districts. The commission remains empaneled, and it will submit redistricting recommendations as needed and at least after every census. It has, though, no legal power to force redistricting. It can only make recommendations to the prime minister’s office, and the prime minister is legally obligated only to report the commission’s recommendations to the Diet.

The three principles that most significantly influenced the drawing of election boundaries were (1) minimal population disparity (the largest district should have no more than double the population of the smallest district); (2) respect for the boundaries of local government units; and (3) maintaining district contiguity. The new districts conform to each of these.

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16 The decision to use printed ballots was a matter of serious consequence. Forcing voters to correctly write the name of a candidate or a party on a ballot puts parties that draw a relatively larger share of their support from the less educated segments of society (e.g., the former Clean Government party and the Japan Communist party) at a disadvantage. Their supporters are more likely to cast invalid ballots. The passage of this specific reform in 1994 and its repeal in 1995 is best explained by the different members of the coalition government at each respective time. In 1994 the former Clean Government party was part of the coalition government; in 1995 it was in the opposition.

17 Though the new law does not force a regular redistricting, it is a slightly better measure than its predecessor which only “urged efforts” to have a regular redistrictings. Under this new legislation, politicians will have a more difficult time delaying necessary redistricting when the commission has issued its findings. Furthermore, a hostile commission could further embarrass lawmakers by issuing repeated recommendations.

18 The law actually states that the commission’s recommendations should be guided by (1) a population disparity ratio of less than 1:2, (2) local government boundaries, (3) topography, (4) transportation, and (5) other factors. Technically, these guidelines only apply to the commission’s work and not to the actual legislation that specified district boundaries.
three principles with only minor deviations. The ratio of disparity between the largest and smallest districts is 1:2.137; fifteen local government units having been divided between election districts; and one regional PR district is not contiguous.\textsuperscript{19} However, in contrast to practices in the United States, there was very little gerrymandering of district boundaries to produce districts that were favorable to one particular party. The priority given these three principles and the large size of most local government units in Japan greatly reduced the partisan possibilities to create effective gerrymanders.\textsuperscript{20}

5. Campaign Finance Reform

The reforms placed additional restrictions on the fundraising activities of individual politicians. The added burden of these new restrictions is compensated for by (1) a new program of national subsidies of political parties, and (2) the relatively unfettered fundraising abilities of political parties.

The reforms attempt to channel political money into routes other than the traditional fundraising bonanza of Japanese politics: money collected from businesses by well connected politicians. Each candidate is now allowed only one official fundraising organization. Corporations and other organizations can contribute only 500,000 yen ($5,000) in a calendar year to a politician’s official fundraising organization. After five years, such contributions will be completely banned. Corporations and other organizations will then be allowed to give money only to political parties. In addition, only political parties are allowed to give money directly to candidates; this provision is designed to make it difficult for factional organizations to give campaign funds to their members.

Reporting thresholds were also lowered for most instances of political giving. An individual or organization’s contributions to either a party or a candidate’s official fundraising organization must be reported if such donations exceed 50,000 yen ($500) in a calendar year. Purchases of tickets to fundraising events (not technically a contribution because they are a “purchase” of a ticket) must be reported if a person or organization purchases more than 200,000 yen ($2,000) of tickets at a single event.\textsuperscript{21}

\textsuperscript{19} On December 30, 1994, it was announced that the disparity had risen to 1:2.22 using more recent population figures. The pressure for a reapportionment of the new system is beginning even at the inaugural point of the new system.

\textsuperscript{20} The large size of local government units is illustrated by the fact that of the 500 new districts, half (147) of them are composed of only four local government units or less.

\textsuperscript{21} The previous reporting requirements kicked in for yearly contributions of greater than 10,000 yen ($100) to political parties and official fundraising organizations. Contributions to other political organizations were not reported unless they exceeded 1,000,000 yen ($10,000). Purchase of tickets to fundraising events were only reported if they exceeded 1,000,000 yen ($10,000) in purchases by one purchaser at a single event.
In exchange, individual contributions to political parties and political organizations are encouraged. Such donations have been made tax deductible. In a calendar year an individual may give a total of 20 million yen ($200,000) to political parties and political fundraising organizations. An individual may contribute an additional 10 million yen ($100,000) a year as political contributions to other recipients.

More significantly, the government has committed 250 yen per citizen as an annual public subsidy of political parties. The total available subsidy is nearly 31 billion yen ($309 million). It will be distributed in January and July to qualifying parties. To qualify for a subsidy, a party must have five sitting members in the Japanese Diet or have polled at least 2 percent of the vote in the most recent national election. In addition, parties must register as legal entities, and party organization and operations must be conducted according to principles of democracy and fairness. Initially, the law also required that a party’s government subsidy could not exceed two-thirds of the amount that the party had raised on its own in the previous calendar year. The LDP-Socialist-Sakigake ruling coalition repealed this provision on December 13, 1995. In the first year of subsidies (1995), both the Socialists and Sakigake had received less government funds than they initially qualified for because of this provision. Parties now receive subsidies based only on their relative share of (1) the members of the Diet, and (2) the national vote in recent House of Representatives and House of Councillors elections.\(^{22}\)

**The Effects of a New Electoral System**

When a rock is thrown into a pond, the tallest ripples are near the center and decrease in height as one moves away from the point of impact. Similarly, the effects of a new electoral system become more muted and tenuous the further the focus of analysis is shifted away from the actual operation of the election system. I will begin with the most prominent and easy-to-predict effects of this new electoral system. I will conclude with the more speculative, tenuous, and far removed changes of Japanese political system that are being discussed.

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\(^{22}\) Half of the annual subsidy will be awarded to qualifying parties in direct proportion to their percent of seats in the Diet (both the House of Representatives and the House of Councillors). The other half is divided into four equal sums which is distributed to parties in proportion to the percent of the vote they won in each of four sets of elections: (1) the most recent house of Representatives PR vote, (2) the most recent House of Representatives local district vote, (3) the average of the two most Recent House of Councillors PR vote, and (4) the average of the two most recent House of Councillors local district vote.
1. The Number of Political Parties

It is difficult to predict the number of political parties that will exist under the new electoral system. Even under the best of circumstances, Duverger’s “law” that single-seat districts lead to two political parties is inexact. Japan’s new electoral system further muddies the analytical waters by creating contradictory incentives. Small parties must merge or work together to be viable in the single-seat districts, yet they can win seats on their own in the PR districts. The possible scenarios for party alignments are (1) a complete amalgamation of political groups into two major parties; or (2) a less complete amalgamation with two major parties and several minor parties that contest only in PR races; or (3) three major parties that contest the single-seat districts which are joined by several minor parties in the PR races; or (4) a blurring of the lines between major and minor parties as three or more parties contest some or all of the single-seat districts through the use of electoral coalitions.

Of these four scenarios, numbers two and three seem to be most likely to occur, though if the unity of the New Frontier party or LDP breaks down, scenario four is an alternative with historical precedent in Japan. It is generally accepted that at least two major, moderate parties will contest both the PR races and in the local single-seat districts. They will be the LDP and the New Frontier party. In addition the Japan Communist party will continue to put up candidates in every election district. If the left wing of the Socialist party is finally cut adrift, it is likely that it too will remain viable, winning seats in PR districts. Both the Communists and the left-wing Socialists might win a few local districts in which they field strong and locally popular candidates. There is also much talk of a third, moderate alternative to either the LDP or the Ozawa-controlled New Frontier party. If this group

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23 There are several prominent exceptions to Duverger’s law that require further explanation. Canada has only single-seat districts, yet it has had three or more major political parties. India also has multiple political parties in a single-seat district system. Germany has a mixed system that produces proportional results, yet it has had two major political parties for most of the postwar period. Austria also has a paucity of parties given its PR system.

24 This scenario is based on past Japanese experience with mixed incentives. The House of Councillors combines a PR vote with single and multi-seat districts. In these races it is common for smaller parties to form electoral coalitions in order to contest races in single-seat districts. In addition, electoral coalitions are also quite common in gubernatorial and mayoral races.

25 There is, however, a precedent in single-seat gubernatorial and mayoral races for all political parties (except the Communist party) to unite in support of strong incumbents or the designated heir-apparent to a retiring incumbent. Certainly, strong incumbents will emerge in certain districts who will have no more than token oppositions; this phenomenon occurs in any electoral system. It would be a surprise, though, if “bandwagon” candidates, those with the formal endorsement of most political parties, became the norm in the local district races of the House of Representatives. It is hard to imagine how parties that compete in the Diet and PR districts could justify their joint support of candidates in local districts. Which party would these bandwagon candidates support in the Diet once they were elected?
becomes viable, it could become a third major party in the first post-reform election.

Initial elections, however, are unreliable as predictors of the number of parties in the long term.\textsuperscript{27} After several electoral debacles, will the weakest of three moderate parties be forced to disband because it can no longer attract strong candidates or sufficient supporters to effectively contest races in the local districts? Will only one of the two potential left wing parties be left viable after several elections? Though there is strong precedent for such party consolidation under plurality electoral systems, the Japanese system is distinct enough to create strong, countervailing incentives for further party fragmentation.\textsuperscript{28} For example, the electoral system does not punish or discourage such party defections; a break-off group can still win a sizable bloc of seats in PR races, and with locally popular candidates or electoral alliances, it might even win some single-seat districts.\textsuperscript{29}

Similarly, the electoral reforms increase the likelihood that coalition governments will become common. The new electoral system itself is actually less likely to create coalition governments, but the party realignment that has occurred will make coalition governments much more common in Japan.\textsuperscript{30} If coalition governments become the norm, a strategically placed group of politicians might enhance their power and influence by defecting from one of the major parties. As a small party, they could provide the votes that would be necessary to make a coalition government viable. Just as the

\begin{footnotesize}
\textsuperscript{28} Estimates of how many seats small parties such as the Japan Communist party will win under the new system vary. For example, the Yomiuri Shim bun predicted the Communists would win only three seats under the new system on February 6, 1994 (p. 2); on March 5, 1994 (p. 1) the paper predicted the party would win ten to thirteen seats; on August 12, 1994 (p. 1) the paper was back to predicting only two seats for the Communists. These differences are explained by whether estimations are based on past electoral data or public opinion polling. It is my opinion that the former provide more accurate estimations because many Communist supporters do not identify themselves as such in public opinion polling. These estimates show the Communist party winning a larger share of seats.


\textsuperscript{29} See Reed, “Structure and Behavior,” for the contrasting view that incentives for party consolidation will be predominant under the new electoral system.

\textsuperscript{30} Even the most pessimistic estimates of Communist party popularity still show the viability that the PR system will give small parties above the 3 percent threshold. Based on an estimate of the Communist party vote at only 3.1 percent (2.4 percent of the respondents who declared a party preference), Yomiuri Shim bun (February 6, 1994, p. 2) estimates that the party would still win 3 of 200 PR seats.
\end{footnotesize}
small Free Democrat party in Germany has determined which of Germany’s
two main parties will lead the government, so could this small party become
the “casting vote” in determining which major party will lead the Japanese
government. The system seems likely to produce at least two major parties
that will rely on smaller parties to form governing coalitions, not exactly the
outcome that the system was designed to produce.

2. An End to Money Politics?

Despite the various reforms designed to restrict the flow of money from
business interests to political notables, these electoral reforms, in and of
themselves, will have little effect on money politics and corruption in Japan.
Indeed the most notable effect of the reforms on corruption has gone
largely unnoticed: that it will become difficult for scandal-tainted politicians
to remain in office.

The flow of money from business to political kingmakers will continue
unabated because of two prominent loopholes in the legislation. Businesses
will still be able to give money to both national and local party organiza-
tions. Politicians will therefore be able to transform their local support
organizations into local party organizations. As the dominant party leader
in the area, they will still control these local party chapters. Businesses will
still be able to contribute funds to as many local party organizations as
their favorite politician decides to create. There could be a local party
organization in every town, village, and neighborhood of a candidate’s
election district.

A second loophole is that even business contributions that are given to
national party organizations will be able to be allocated to influential politi-
cians. A business donor need only specify informally that the funds
contributed are to be controlled by a specific party member. In essence the
contribution to the party would be given with invisible “strings” attached. In
name the contribution would be to the party, but in actuality the money
would be controlled by the member of the party who had raised the funds.\footnote{All things being equal, the new electoral system gives the largest party such a huge bonus of seats that the party should not need coalition partners to govern. If the old LDP were to run under this new system, the same share of the vote would translate into approximately 50 percent more seats for the LDP. However, electoral reform and party realignment have split the LDP, and if two parties split the single-seat districts, it is likely that neither party will pick up a sufficient number of seats in the PR races to become a majority party. Coalition governments will therefore become more common under the new electoral system.}
These loopholes exist because the reformers of the Japanese electoral system did not accept the elimination of money politics as one of their priorities. The system was made to appear less corrupt without actually cutting the life blood of money on which the system ran. The elimination of money politics in Japan would require drastic reforms that would eliminate money as an essential component of any successful campaign. Just as interdicting drug runners at the U.S. border does little to address the problem of illegal drug use in the United States, restricting certain types of campaign contributions does little to reduce the importance of money in Japanese elections. Candidates still need large sums of money to reach out to voters through support organizations, candidate-sponsored study sessions, social obligations such as weddings and funerals, and outright vote-buying. Enterprising candidates will find new loopholes and new sources of money in order to outspend their opponents.

The new system, however, does make it more difficult for scandal-tainted incumbents to be reelected. In the past, such politicians might be expelled or resign from the party, but the candidate could run as an independent. Because thresholds for victory were low, the candidate would often win with only 15 or 20 percent of the vote. Under the new system, an incumbent that has been expelled from the party will find reelection more difficult. Running as an independent will become much more difficult. The scandal-tainted incumbent will not have the option of running in a PR district. If she decides to run as an independent in a single-seat district, she will have to outpoll each of the other contenders in that district. She will not be able to do as former Prime Minister Nakasone did in 1992. He ran as an independent after the Recruit Scandal and came in third in a four-seat district. Coming in third under the new system would result in a loss, not a victory.

3. More Women in Politics?

PR systems are usually effective vehicles for boosting the participation of women or other traditionally underrepresented groups in legislatures. Because parties usually exercise some control over the listing of candidates, they can include candidates from historically underrepresented groups in order to broaden the party’s appeal to such groups. The creation of two

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31 Another example is the provisions of the law that increase the penalties and liabilities of candidates for violations of campaign laws by their family members, secretaries, and leaders of support groups such as unions or personal support organizations (kōenkai). The impact of these new provisions is assumed to be not a decrease in illegal activities, but the appointment of figurehead directors and campaign secretaries. Politicians will make sure that their real campaign operatives are in lower positions in the campaign organization hierarchy so as to not create any liability in the candidate should the operative be arrested for illegal activities.

hundred PR seats should therefore increase the dismally low participation of women in Japan’s House of Representatives.

The beneficent effect of PR on the representation of women in the House of Representatives could also be significantly blunted by the dual listing of candidates on both PR lists and in local districts. A national party will have two hundred potential PR seats and three hundred candidates for single-seat districts. The candidates for the single-seat districts will of course include some women, but the bulk of such candidates will be male incumbents or other prominent local politicians. If that party decided to dual-list all three hundred local candidates in priority positions on the PR lists, there would be little room left for women and other nontraditional candidates on the PR lists. If that party’s candidates lost half of the local races, then one hundred-fifty losers from those races would remain on the PR lists in priority positions. If that party also won half of the PR vote, it would receive one hundred PR seats, and most of these seats would go to the dual-listed candidates.\(^{33}\)

4. Ticket Splitting

Ticket splitting will occur in Japan, as it does in other countries in which voters cast multiple ballots. Some voters in Japan will vote for the candidate of one party in their local district and cast ballots for a different party on their PR ballot.\(^{34}\)

Of interest is the degree to which such ticket splitting will occur in Japan’s House of Representatives. If it is widespread, it will increase the viability of small parties, which in turn will create stronger incentives for party fragmentation and increase the likelihood of coalition governments. Estimates of ticket splitting can be made by examining the past record of ticket splitting in House of Councillors races. In these races, voters have been casting two ballots, one for a candidate and one for a party since 1983.

Figure 1 shows the difference between the percent of votes the LDP and Socialist party received in PR races and in local races.\(^{35}\) These large parties

\(^{33}\) This analysis makes two assumptions that are likely to be violated in practice. First, PR lists are often led by popular vote-getters who are often not politicians. Even if dual-listed candidates were given priority over solely PR candidates, there would likely be some solely PR candidates who would be given high priority on PR lists. Also, irregularities in electoral success of a party’s candidates between PR districts would allow some solely PR candidates to win despite a subordinate ranking on PR lists to dual-listed candidates. For example, if the party swept all the single-seat districts in one PR region, then any seats awarded to that party off its PR list would of necessity be solely PR candidates.

\(^{34}\) Ticket splitting will occur in Japan for various reasons. Three prominent explanations are that (1) supporters of small or minor parties will often not have a candidate of their party running in their local district; (2) voters will decide not to waste their ballot on a candidate in the local race who has no chance of victory, but they will cast their sincere preference for a party in the PR race; and (3) some strong, local candidates will attract supporters of other parties who will continue to support their home party in the PR vote.
receive a smaller percent of the vote in PR races than they receive in local races. Small parties do better in the PR vote because they typically do not run candidates in most or any of the local races.\textsuperscript{36}

In the four House of Councillors elections, the LDP and Socialist party lost between 12 to 19 percent of their combined district vote when they contested the PR race. These lost votes in the PR race went to the other smaller parties.\textsuperscript{37} Figure 1 also shows, though, that the loss of seats to small parties in the PR races is not as great as the loss of votes to the same parties.\textsuperscript{38} The combined LDP and Socialist party loss of seats in the PR races due to ticket splitting declines to the range of 6 to 12 percent. These large parties lose

\begin{figure}
\centering
\includegraphics[width=\textwidth]{figure1.png}
\caption{FIGURE 1
Percent of Votes and Seats Lost Due to Ticket Splitting}
\label{fig:figure1}
\end{figure}

\textsuperscript{36} In comparing the vote percentages for the LDP and Socialist party, I deleted local districts in which a party did not run a candidate. Their percent of the local vote is calculated as a national percent that includes only the districts that the party contested.

\textsuperscript{37} The exception is the Communist party which runs a candidate in every local race. It polls a slightly higher percent of the vote in these local races as compared to the PR vote. Its local candidates are attracting the votes of some who regularly support a different party and therefore do not vote for the Community party in the PR vote.

\textsuperscript{38} There are, of course, small numbers of voters who abstain from voting in the PR race.

These figures are calculated by comparing the LDP and the Socialist party's percentage share of PR seats won with the percent of the vote that the party won in the local districts.
fewer seats because some of the small parties that attract ticket splitting voters fail to reach the 2 percent of the vote that is necessary to win a PR seat in the House of Councillors. Their votes fail to be translated into seats, and the other parties that have qualified for seats divide up these extra seats proportionally.

Will the two largest parties that emerge in the House of Representatives also win a smaller percent of PR seats because of ticket splitting? Ticket splitting might occur less frequently because voters will take the House of Representatives elections more seriously. These elections determine the composition of the government, in contrast with the House of Councillors which has lesser powers.

On the other hand, voters might cast their “serious” ballot for one of the two or three major parties in their local district. They might then use their PR vote to cast a protest ballot or show their feelings on a specific issue by supporting a one-issue minor party. For this reason, I am skeptical of the claim that the incentives to ticket split will be dulled by a sense that the House of Representatives election is more “important” than the House of Councillors election.

Nevertheless, the effect of splitting should be smaller in the House of Representatives. The greater thresholds to win seats in PR races of the House of Representatives will mean that many of the votes cast for minor parties will not be translated into seats for those parties. If the percent of split tickets is the same in both the House of Representatives and House of Councillors elections, the major parties in the House of Representatives will lose fewer seats to ticket splitting because of the higher thresholds in the House of Representatives.

5. Changes in the Strength of Party Organizations

The electoral reforms are designed to give parties greater strength and clout vis-à-vis their individual members. Campaign funds from organizations and the government will now be distributed through the party organization. The party will control nominations as it has in the past, but the value of such party nominations for both the PR list and local district races has increased tremendously with the greater difficulty of running a successful independent campaign under the new system.

However, it would be premature to assume that these powers will accrue to a party leadership that differs significantly from the individuals or factions that have dominated Japanese political parties. Actions taken in preparation for the first election under this new system highlight the weakness of the parties rather than their strength. Strong incumbents and potential candidates are aligning themselves with the party that promises the best deal for them in terms of party nominations and electoral support. It is a buyers’ market with strong potential candidates able to extract
nominations and support from the parties. No real penalty for disobeying party leaders has developed because a strong candidate can easily switch to a rival party. For example, the LDP has decided to punish members who defected from the party line on government investiture votes. These incumbents will not receive the party nomination in their new district if there is another more loyal LDP incumbent in the district. The penalty, however, is of little effect because the New Frontier party is aggressively courting these incumbents to run on their party label. With such fluidity in party identification, the punishment of denying a candidate the party nomination is meaningless.

Despite these actions, over time, the new rules could work to strengthen parties. If more stable party identifications develop, greater power will be concentrated in the hands of party leaders than was the case under the former electoral system. However, if these party resources are controlled through informal, behind-the-scenes arrangements, the role of the faction leader or kingmaker will remain unchanged. Even if party discipline reasserts itself in Japan, it will most likely be a discipline that is enforced by networks between individual politicians and not by the party structure. The party may hand out penalties, but such party powers will be manipulated by the party notables who dominate the party through their extensive networks and alliances.

6. More issue-oriented elections

A fundamental premise of the electoral reforms is that they will lead to more issue-oriented elections. Under the previous electoral system, conservative candidates competed against each other on the grounds of anything but relevant political issues. As a result, elections turned on personality, networks, identification with regional or occupational electorates, and pork barrel spending. The new hope is that two moderate political parties will now compete against each other on issues. They will espouse and highlight policy differences in order to attract voters in contrast to the previous model of competing candidates from the same party attempting to woo voters.

See Yomiuri Shimbun, July 29, 1994, p. 2. The LDP was also going slow in deciding its candidate line-up in the local districts in order to delay the creation of disgruntled LDP members who were denied nominations. LDP leaders feared giving Ozawa too much time to woo such disgruntled politicians (Yomiuri Shimbun, February 19, 1994, p. 3). Yomiuri Shimbun (August 13 and 14, 1994, p. 2, p. 2) also reports that Ozawa is leaving nomination slots open in certain districts for anticipated defectors from the LDP and Socialist party.

Elections will become more issue oriented. Given the track record of LDP candidates, it is hard to imagine elections not becoming more issue oriented in a relative sense. However, three observations cause me to question the conclusion that Japanese elections will be transformed into a battleground of competing ideas and policies.

First, the range of issues debated in campaigns should narrow with the emergence of two conservative-moderate major parties. Under the previous system there was no debate of the issues between conservative candidates, but issue differences were prominent in the contests between LDP and opposition party candidates. This debate was rightfully criticized as uninformative and unrealistic because of the ideological and radical components of the socialist and Communist agendas, but at least different viewpoints were presented. The new system will create a more realistic choice between two parties, but because of similarities in party platforms, this choice may not be very significant. The new PR system will give greater voice to minor parties and their pet issues, but between the major contenders, the range of issues debated will not be as diverse as it was between the old LDP and the Socialists.

Second, the LDP and the New Frontier party were not organizing themselves along any coherent policy perspective.\(^{41}\) Defections and mergers are occurring based on personality, nomination slots for candidates, networks, and alliances. The policy platform of the New Frontier party is extremely vague because the range of views within the party is so diverse as to preclude a strong stance on any controversial issues.\(^{42}\) The range of views within the LDP and within the New Frontier party are essentially identical.\(^{43}\) There is little policy cohesion within these parties, and presently little effort is being made to create such unity. These parties are preoccupied with the task of fielding the best candidates for the next election, regardless of their espoused policies.

Third, the local and personal nature of campaigns that has characterized elections in Japan remains unchanged. PR races will focus on parties and issues, but local district candidates are still prohibited from taking their message directly to the voters. Door to door campaigning is prohibited, advertising by candidates is strictly constrained, the election period is highly


\(^{42}\) Yomiuri Shimbun (November 7, 1994, p. 3; November 11, 1994, p. 1) reports that discussion on the new party's positions with regard to UN peacekeeping participation had to be shelved because of opposition by members of the Clean Government party. The party policy platform proposal focused instead on deregulation of the economy and the more innocuous claim for permanent Security Council membership for Japan.

regulated and most methods of reaching the voters are proscribed. In this continuing environment, candidates will reach voters through the next best method, informal contacts with potential voters through "pre-election activities." Candidates will continue to reach out to voters through social functions, constituent service, study sessions, etc.\textsuperscript{44}

Will this method of campaigning become obsolete with the higher thresholds that are necessary for victory under the new electoral system? After all, it is much more difficult to have a personal connection with 50 percent of the voters in a district than it is to build a network that includes only 20 percent of the voters. On closer examination, though, the task of building such support networks has not radically changed. Under the old system, the nation was divided into 130 election districts, and on average a candidate needed 20 percent of the vote to be guaranteed of victory in a district.\textsuperscript{45} Under the new system, the nation is divided into three hundred districts, and on average a candidate needs 50 percent of the vote to be a guaranteed victor. In recent elections the national electorate has had approximately 70 million voters. The old system, therefore, required the average candidate to create a support base of 107,000 voters to be assured of victory. Under the new system, the average candidate will need a support base of 117,000 voters. This small difference indicates that the vote gathering tasks of local candidates have not changed.

Even if candidates wanted to pursue different campaign strategies, they are prohibited by strict campaign laws from enhancing the direct appeal or advertising components of their campaigns. With these restrictions in place, candidates are essentially prohibited from running issue-oriented campaigns.

Nevertheless, in the long term, the efficacy of personal and network-oriented campaigns may be gradually declining in Japan. Candidates routinely complain about "floating voters," those voters that can not be reached by "personalistic" campaign strategies. Network, occupational, and area links seem to be of less relevance to the rising generation of Japanese voters. Therefore, the party image put forth in the newly instituted PR campaign should provide a useful tool for local candidates in wooing these "floating voters." The emergence of this tool, however, will only augment the continuing "personalistic" campaign activities of local candidates under the new electoral rules.

\textsuperscript{44} See Curtis, \textit{Election Campaigning}, for a description of this process.

\textsuperscript{45} In a three-seat district, 25 percent is needed; in a four-seat district 20 percent is needed; and in a five-seat district, 16.7 percent is needed. There were roughly equal numbers of three-, four-, and five-seat districts.
7. The Role of the Bureaucracy

The first of the more grandiose speculations of change in Japan is the claim that the leaders of the reform movement will wrest power away from the bureaucrats. This was a stated objective of the Hosokawa government, and Ozawa Ichirô of the New Frontier party also seems inclined to pursue the goal of deregulation while working with the bureaucrats. However, recent political upheavals have only reduced the unity of parties and governments, giving the bureaucrats greater power vis-à-vis the politicians. The bureaucrats only briefly deferred to Hosokawa’s initial popularity before reasserting their traditional influence over policy. In the short term, at least, reform and change has meant the ascendancy of bureaucratic politics to even greater heights.

In the long run will the status and power of politicians rise because of the recent reforms? A future reformist government might successfully reduce the power and authority of Japan’s bureaucrats, but their success or failure in this task would be based on their commitment to this cause and not on any specific electoral reforms enacted in 1994. The power of the bureaucracy could have been challenged just as effectively within the framework of the old LDP and old electoral system. Former Prime Ministers Tanaka and Nakasone have set the example.46 Similarly, leaders elected under the new electoral system could just as easily decide to work with rather than challenge bureaucratic power.

In only one aspect does electoral reform make the prospects of bureaucratic reform more likely in Japan. Successful electoral reform has helped augment the pro-change environment in Japan. In this setting a strong challenge of bureaucratic authority might be more successful than in a more halcyon political environment.

8. A More Democratic Japan

Another public goal of the reformers is to enhance Japanese democracy. Specifically, they aim to open up the political process in Japan by debating important issues in public settings rather than in back rooms. They have also made efforts to be more inclusive of nontraditional candidates for political office, and they have cultivated an image of grass-roots appeal and dynamism which creates an aura of democracy.

The new electoral system and resulting party realignment takes several tentative steps towards greater democracy while simultaneously taking some steps away from that goal. Proportionality is often equated with a more

vibrant democracy because the more proportional an electoral system is, 
the more faithfully it reflects the electorate's preferences in the national leg-
islature. Both the former and new electoral systems are "semi-proportional"; 
they give some representation to small parties, but not nearly at the level 
of proportionality that is common in PR systems with large district magnitudes. The new electoral system is not a marked improvement over its 
predecessor in terms of proportionality.

The new system also makes independent candidacies more difficult, 
and this constraint on the choices of the voters can be seen as a lessening 
of democracy. However, this restriction is counterbalanced by the additional 
vitality that minor parties will have in the PR vote. Lower thresholds for vic-
tory in the PR vote of the new system will make it possible for a wider array 
of minor parties to contest House of Representatives elections.

One significant improvement is that the development of two major 
parties will increase the amount of public debate in the Diet over issues 
and policies. In the past the LDP has been able to turn the Diet into a large 
rubber stamp for its policies with only tactics of delay and symbolic opposition 
from the Socialists and others. However, with two moderate parties, real 
debate about issues may return to the Diet and its committees.

The former opposition parties have also been reintroduced into the 
political mainstream. These parties and their supporters have had informal 
political influence, but now they have been formally reintegrated into the 
political process by party realignment. Japan will seem more democratic if 
all major sectors of its society participate in governments and governing.

There are, however, no guarantees that the ruling parties that emerge 
from the new system will follow a pattern of enhanced public debate and 
decision making. These new parties could fall back on the tradition of 
rationalistic conflict in the Diet and back room compromises that 
characterized LDP-Socialist relations in much of the postwar period. 
Furthermore, specific institutional changes that would enhance popular 
access to government decisions such as a Freedom of Information Act have 
not gone forward under any of the recent coalition governments. Despite 
protestations to the contrary, these reforms might mean "business as usual" 
with only different names for the dominant political parties and leaders.

9. More Effective Government

A third speculation is that the reformers will be energetic in cutting 
through inertia and red tape, and in taking long overdue steps to improve 
Japanese society, politics, education, welfare, regulations, and foreign rela-
tions. The new system is supposed to denigrate factional politics, and the 
debate of issues in elections coupled with single-seat districts is intended to 
give clear mandates and parliamentary majorities to the winning party.
However, the creation of two moderate political parties could have profound consequences on this ambitious reform agenda. Despite the introduction of single-seat districts, party realignment will likely mean that neither one of the two major parties will single-handedly control the reigns of government as the LDP did for nearly forty years. Unless a second major party fails to develop and the LDP is able to dominate the single-seat districts, either the LDP or the New Frontier party is likely to be sharing power with a junior coalition partner or in a grand coalition. Coalition governments are not necessarily less stable than a single-party government, but they do require more negotiation and compromise in reaching decisions and enacting policy. Coalition governments and the objections of coalition partners may make it more difficult to speedily enact the bold initiatives described by the reformers.

CONCLUSION

Electoral reform was but the first salvo of an ambitious agenda of reform by the next generation of political leaders in Japan. The fate of the other ambitious reform is still undecided. Nevertheless, electoral reform is one concrete change of the Japanese political system that is likely to stay. It is an important reform that will affect the number and type of political parties as well as the type and activities of Diet candidates. It will become more difficult for scandal-tainted incumbents to remain in office. There will probably be more women elected to the House of Representatives. Independent candidacies will become more difficult, yet minor parties will find it easier to win seats under this new system. Some of these changes will affect broader issues of reform in Japan, but in general, the answers to such broader questions regarding the transformation of Japanese society remain elusive. An analysis of the new electoral system and party realignment sheds little light on these important questions.

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