

HENRY M. JACKSON SCHOOL OF INTERNATIONAL STUDIES

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Explaining Opposition Failure in Japan: Institutions,
Party Fragmentation, and the Rural-Urban Divide

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University of Washington, Seattle

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Explaining Opposition Failure in Japan: Institutions, Party Fragmentation, and the Rural-Urban Divide

Faculty Advisor

Dr. Robert J. Pekkanen

Evaluator

Dr. Ethan Scheiner

Professor in the Department of Political Science at the University of California, Davis

Coordinators

Rachel Greenwood

Elizabeth Swanberg

Editors

Diego Lingad

Grace Roberts

Authors

Rachel Greenwood

Elizabeth Swanberg

Diego Lingad

Grace Roberts

Karen Kaminaga

Mia Kim

Dorrit Lin

Changyu Li

Guy Oron

Adrian Yue

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Glossary of Acronyms

CDP	Constitutional Democratic Party
DPJ	Democratic Party of Japan
FPTP	First-Past-the-Post
GDP	Gross Domestic Product
HC	House of Councillors
HR	House of Representatives
JCP	Japanese Communist Party
JDP	Japan Democratic Party
LAT	Local Allocation Tax
LDP	Liberal Democratic Party
MMD	Multi-Member District
MMM	Mixed-Member Majoritarian
MMP	Mixed-Member Proportional
NFP	New Frontier Party
OECD	Organization for Economic Co-operation and Development
PH	Party of Hope
PNP	People's New Party
POEL	Public Office Election Law
PR	Proportional Representation
SDP	Social Democratic Party
SMD	Single Member District
SNG	Subnational Governments
SNT	Single Non-Transferable Vote

Executive Summary

Japan's democracy poses a unique question that scholars have been struggling to answer. Japan is a democratic country, and yet the Liberal Democratic Party (LDP) has ruled the country almost continuously since 1955, despite being unpopular among the Japanese public. The opposition, except in 1993 and 2009, has never mounted a credible challenge against the LDP and has failed to be electorally competitive. This pattern of democracy, with an unpopular dominant party and almost no opposition, is an anomaly within contemporary democratic states. Our report, then, addresses the question: why does the opposition continue to lose in Japan? We answer this question in three different sections: 1) overview of key institutions: electoral system and fiscal centralization, 2) top-down party organization and party fragmentation, and 3) clientelism and LDP popularity.

First, we analyze institutions fundamental to Japan's opposition, including the **electoral system, malapportionment, and fiscal centralization**. Chapter 1 focuses on the electoral system and malapportionment, detailing how the skewed importance of single-member district votes with the mixed-member majoritarian (MMM) system creates advantages for the LDP. To suggest how reform might produce a different outcome, we provide case studies on electoral systems in Italy and New Zealand. Additionally, malapportionment creates an uneven distribution of votes and strengthens clientelism. Chapter 2 explains how the central government makes local expenditure decisions through delegated functions.

Second, we assess top-down party organization and fragmentation, explaining how it hinders opposition success. Chapter 3 explains how Japan's top-down party system causes opposition fragmentation, as opposition parties are often created through mergers or splits. Additionally, opposition parties are ideologically incoherent and spoil each other within the single non-transferable vote system (SNTV). Chapter 4 details Japan's strict campaign regulations and

argues that they further problems with opposition incoherency. Lastly, Chapter 5 provides policy recommendations for fragmentation.

Finally, we examine clientelism and its contributions to LDP popularity. Chapter 6 suggests that clientelist transactions, through *kōenkai* and public works, help maintain LDP support in rural areas while limiting the opposition's competitiveness in rural regions. Thus, clientelism creates a rural-urban divide in Japan. Chapter 7 demonstrates how institutions are connected to clientelism and evaluates case studies to consider the persistence of clientelism in Japan. Finally, Chapter 8 gives policy recommendations for clientelism.

Ultimately, our report aims to make sense of Japan's opposition failure and determine its causes and effects. We additionally provide policy recommendations to encourage opposition success.

Drawing from our research, we present the following policy recommendations:

- Change MMM
- Return campaign minimums to 30 days or more
- Revise Public Office Election Law (POEL) to allow for door-to-door canvassing
- Decentralize fiscal resources
- Reapportion the number of seats per region to reduce disproportionality

Introduction

Overview & Introduction of the Puzzle

Japan's Liberal Democratic Party (LDP) has governed almost without interruption since its formation in 1955, despite being unpopular among the public. In the past 65 years, the LDP has only been out of power for a mere three years and ten months, demonstrating both the formidable nature of the LDP and the failure of the opposition. In a democracy, this effectively one-party rule is particularly surprising and concerning. Democracies are about representation and the rotation of power, and a one-party dominant system suggests that neither are working. Thus, opposition failure in a democracy prompts the questions: Does Japan need a more effective opposition to be more of a democracy? What can be done to create an effective opposition or alternation in power? In this report, we argue that opposition failure in Japan is caused by institutions, like the electoral system and fiscal centralization, which weaken the opposition through fragmentation and translate rural support into significant LDP victories.

Why Japan Needs a Stronger Opposition

Japan needs a stronger opposition to strengthen its democracy, which requires competition and party change to best represent the people. While a fundamental component of democracy is free and fair elections, competitive elections with an opposition are equally important. Competition is crucial to democracy, and democracy without an opposition means that the dominant party does not need to compete to be elected. As Scheiner explains, opposition is “a critical check on a country's rulers,” and without it, the government is left to the whims of a single powerful party (Scheiner 2006, 7). Importantly, an opposition encourages competition among parties by forcing them to compete for the public's support to get elected. Scheiner further argues how “party competition forces political elites and voters alike to consider alterations to the existing political agenda,” meaning that parties must adapt over time to survive or face electoral failure (Scheiner 2006, 7). This notion of adaptation emphasizes the significance of the public in a democracy, such that a party cannot win an election without votes from the people. Therefore, in

a democracy with an opposition, a party's survival is based on its ability to create a political platform attractive to voters and deliver on its promises once elected.

Japan's democracy lacks a strong opposition, and thus the LDP does not have to adapt to fit the wants of the people. LDP dominance has resulted in a lack of policy change over time and while it has brought consistency to the government, it neither reflects the will of the people nor has it brought necessary change to Japan. Thus, a one-party dominant system perhaps not only hinders the opposition, but also Japan as a country.

Once again, it is particularly surprising that Japan, a country praised as a paragon of democracy by Freedom House, is experiencing the rather undemocratic phenomenon of opposition failure (Freedom House 2020).¹ The LDP's overwhelming dominance in government appears striking, given just how unpopular the party is among the public. One might expect dissatisfaction to lead to opposition success, and yet the only time that has happened was in 1993 and 2009. So what exactly is going on in Japan?

¹ According to Freedom House's 2020 Freedom in the World rankings, Japan received a 96 out of 100 score for the measures of political rights and civil liberties

Background

	Ruling Party	Oppositon Party	Other Major Events
1955	Liberal Democratic Party	Socialist Party	
			1964 Komeito Formation
1993	8 Party Coalition	Liberal Democratic Party	
1994	Liberal Democratic Party	New Frontier Party	1994 Parties unite to form NFP
		Democratic Party	1996 Democratic Party Formation
2009	Democratic Party	Liberal Democratic Party	1996 NFP falls apart Komeito-LDP coalition forms
2012	Liberal Democratic Party	Democratic Party	
		Constitutional Democratic Party	

Figure 0.1 Timeline of opposition and governing parties 1955-present

History of Japanese Opposition (1945 - current)

To understand opposition failure, one must first look at Japan's history, especially given its relatively new constitution and the implications of post-WWII reform. While the LDP has been consistent, Japan's opposition parties have experienced drastic transformation since the implementation of its modern constitution in 1947.

After Japan's WWII defeat in 1945, the country experienced a period of U.S. military occupation lasting for seven years under the control of General Douglas MacArthur, the Supreme

Commander for the Allied Powers. During this occupation, a new constitution was implemented, replacing the Meiji constitution and creating a democratic government. This occupation ended in 1952, returning power to the Japanese government. Occupation disrupted political power in Japan through the promotion of democracy and the push to eradicate nationalistic militarization. During this time, war criminals were arrested, greatly diminishing the power of right-wing political actors (Jansen 2002).

Immediately after the 1946 elections, MacArthur purged hundreds of Diet members who had collaborated with the wartime government, including election winner Hatoyama Ichirō, instead electing to install the more moderate Yoshida Shigeru (Fukui 1970). The following year and under the new constitution, the first general election saw the victory of the Socialist Party, led by Katayama Tetsu. Its success was driven in part by the purge of the conservative leaders, and would manage to implement a number of social democratic reforms. However, this party collapsed in less than a year due to Katayama's failure to follow through on many of his election promises and the resurgence of the political right (Kohno 1997).

Following this failure, Yoshida Shigeru and the Democratic Liberal Party won the 1949 election, becoming the first major administration in post-war Japan. The Yoshida administration stayed in power until its downfall in 1954 due to Yoshida's firm anti-communist views, "one man" political stance, corruption, and endemic factionalism (Kohno 1997). These factors helped create the Japan Democratic Party (JDP), a coalition among anti-Yoshida conservatives led by Hatoyama (Kohno 1997).

Finally, 1955 witnessed the formation of the LDP into the party that exists today. This year saw the rise of two major parties within post-war Japan: the Japan Socialist Party and the Japan Liberal Democratic Party (LDP), which were formed through two different coalitions. First, the Leftist Socialist Party of Japan and the Rightist Socialist Parties merged to form the Japan Socialist Party. Second, threatened by this coalition and the growing socialist power, the JDP and

the Japan Liberal Party, both right-wing, conservative parties, merged to create today's LDP. The LDP won the 1955 elections and held that majority until it lost in 1993.

The development of Japan's opposition is best illustrated by the following figures. Figure 0.1 displays the largest opposition parties since the LDP's creation in 1955. While Japan is notorious for the merging and fragmentation of opposition parties, one should note that this figure is a basic diagram, with the careful omission of smaller opposition parties. Figure 0.2 illustrates the different mergers and constant shuffling of opposition parties, exacerbating fragmentation and instability.

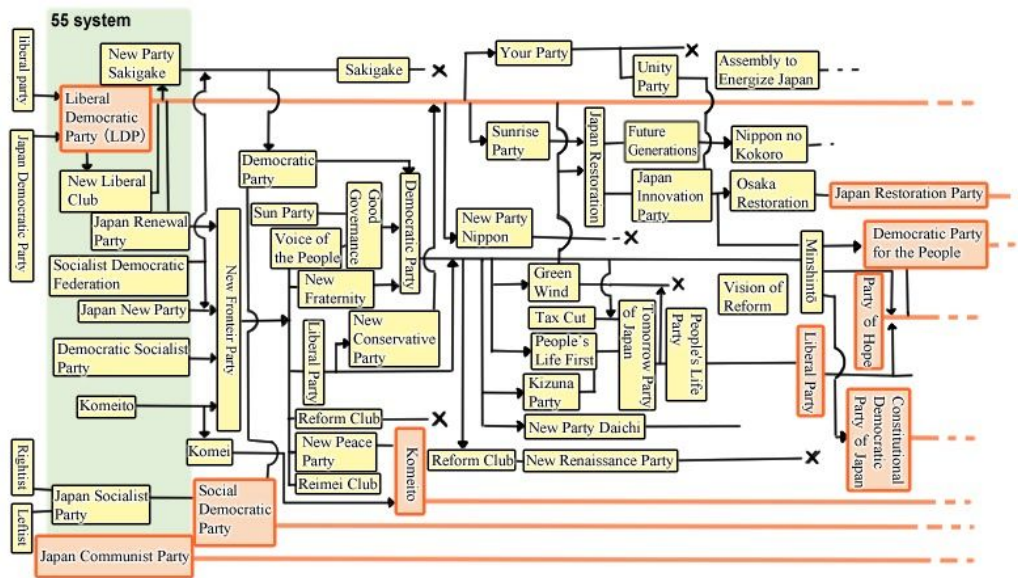


Figure 0.2 Japanese political parties from 1947 to present

Source: Tokyo Horei Publishing (author's translation)

Pre and Post-Reform Electoral Systems

Before the electoral reform of 1994, Japan had operated under a single non-transferable vote system (SNTV). A voter casted only one vote for a candidate, and the top candidates in each district, which had a specified allocation of seats, won seats in the Diet. Under this system, parties were incentivized to run multiple candidates in a race to maximize their seats in the Diet. With politicians from the same party competing against each other, many LDP candidates

differentiated themselves by implementing special policy favors catered to certain sectors (Rosenbluth 2010, 149). If one candidate focused on transportation, another would focus on agriculture, while another would focus on construction. This created and emphasized “special favors” or clientelism (Rosenbluth 2010, 124). LDP politicians navigated this system to their advantage. The differentiation of LDP candidates by political advantages made it hard for other parties to find new issues they could use to challenge the LDP.

Corruption and LDP domination stemming from these policies became evident, and the electoral system became the opposition’s target for reform. With the opposition winning the 1993 elections, they pushed for the single member district (SMD) system. This system favors larger parties, so many of the smaller parties objected, fearing that SMD would drive them out of government as well. The reform process ended in a compromise, ultimately bringing about the mixed-member majoritarian system (MMM) in 1994. As we will argue in Chapter 1, this new system incentivizes election strategies in a way that ultimately hurts the opposition.

An additional consideration for opposition failure is the 2009 DPJ victory. The DPJ’s victory might suggest that Japan’s opposition is doing better, but its failures in government seem to have encouraged further opposition failure.

Discussion on 2009 DPJ Victory

The DPJ’s 2009 victory signaled a monumental moment in Japanese politics. For the first time since 1993, an opposition party won an election, doing so by securing a broad base of support through clientelism and appeals to reform. It seemed like the LDP lost its dominance. Nevertheless, the ensuing years revealed that the opposition still had a long way to go. Indeed, the DPJ failed to deliver on nearly all of its policy reforms and even dissolved by the 2012 election. Thus, clientelism, policy reform, and dissatisfaction with the LDP explain the DPJ’s 2009 victory, while policy failures and fragmentation once in government encouraged continued opposition failure.

Explanations for DPJ Victory

Clientelism

Clientelism, as this report examines later, plays a critical role in Japanese politics and the 2009 election was no exception. In fact, clientelism helped isolate voters from the LDP's previous rural strongholds, while also bringing new voters into the DPJ.

Since the 1990s, Koizumi Junichirō hoped to privatize the the post office, reshaping Japan's political and economic structure. As Prime Minister, he introduced postal privatization reform to the Diet, only to have it rejected by the House of Councillors (HC) in 2005 (Onishi 2005). In an attempt to get his reform passed, Koizumi called a snap election in 2005, counting on support from the public for privatization. While the LDP won that election, its focus on postal reform proved devastating in 2009, alienating rural supporters and giving the DPJ an advantage.

Rural populations rely heavily on the post office, which is “the main savings and insurance institution for Japanese families” and finances public works projects in rural areas (Onishi 2005). Public works, as this report explores, are fundamental to clientelism, which creates a patron-client relationship between a party and voters. Thus, rural voters personally benefit from these projects, whether through construction companies, improved schools, etc. Consequently, Koizumi's reforms upset rural voters because they took away rewards that they had come to expect.

Therefore, the DPJ capitalized on dissatisfaction to build support for the 2009 election. While the DPJ had significant support in urban areas, party leaders realized that they needed a broader base of support to win the election. Ozawa orchestrated the DPJ's shift from programmatic appeals to clientelism in 2005, bringing material rewards to rural areas through a monthly child allowance, a household income support system for farmers, and other methods (Ito and Sugihara 2011). Ultimately, clientelism proved successful in 2009 when the DPJ won several electoral districts in rural areas.

Policy Reform and Dissatisfaction with the LDP

In addition to clientelism, policy reform and dissatisfaction with the LDP contributed to the DPJ's victory, mobilizing more voters than in previous elections. The DPJ offered a progressive alternative to the conservative LDP government, and also proposed reforms on several issues. For instance, the DPJ government promised to shift power away from bureaucrats and reshape Japan's relationship with the United States, both of which the LDP did not prioritize (Siddiqui 2012). Additionally, the DPJ mobilized voters who had been dissatisfied by the LDP. Voter turnout in 2009 was exceptionally high for Japan at 69.7 percent (IDEA). Previously, Japan's highest voter was 73.31 percent in 1990 (IDEA). This turnout prompted the Guardian to proclaim that the DPJ "stirred voters out of their disenchantment with politics," suggesting a political apathy that was, at least temporarily, extinguished by Japan's opposition (McCurry 2009). Nevertheless, the DPJ's failure to deliver on its promises proved disastrous not only for its own party but perhaps the opposition in its entirety.

Failure of the DPJ and Implications for the Opposition

The DPJ won the House of Representatives (HR) election with a commanding majority, seemingly marking an end to the LDP's hegemony. Yet just after their win, the DPJ had quickly fallen out of favor (Kushida and Lipsy 2013, 13) and in just little as three years, a relatively unchanged LDP had regained power in a similarly stunning majority in the 2012 HR elections (Kushida and Lipsy 2013, 1). While the LDP may have won that year, they remained unpopular with fewer voters choosing the LDP over other parties than in 2009 and a measly 59.3 percent turnout (Pekkanen 2012). According to an article on the National Bureau of Asian Research, pre-election polls indicated that voters were not enthused by the LDP and were quite unsure of who the right leader for Japan should be (Pekkanen 2012). To add insult to injury, another opposition party, the Japan Restoration Party, had even surpassed the DPJ in the PR tier that year (Funabashi and Nakano 2017, 151). Indeed, the 2012 HR elections did not showcase the strength and victory of the LDP, rather, it demonstrated the results of the weaknesses and failures of the DPJ.

Policy Failures and Fragmentation

Perhaps one of the DPJ's largest failures while in power was their inability to do anything radically different from the LDP. As shown by the following Figure 0.3, legislative activity declined under DPJ rule, despite the fact that they had won the HR elections "on a platform of reform and change" with an exception in 2011 due to construction bills being passed in response to the Great East Japan Earthquake (Kushida and Lipsy 2013, 18). In 2010, the passage rate of legislation had fallen to an average of 66 percent, which is quite dramatic compared to the LDP's average passage rate of 70 percent to 100 percent (Kushida and Lipsy 2013, 20). Fragmentation within the DPJ had considerably contributed to their legislative failures. One notable in-party disagreement happened between Ozawa Ichirō, who later left the DPJ in 2012 to form his own opposition party, and Maehara Seiji. The conflict revolved around Ozawa wanting to take away support from the LDP through clientelism, while Maehara viewed it to be against what the DPJ stood for (Kushida and Lipsy 2013, 20). The LDP's clientelistic spendings was seen as wasteful, a problem which the DPJ had aimed to end under their manifesto. Through their manifesto, the party had promised to implement policies that would change Japanese society. Unfortunately, they were mostly unsuccessful in fulfilling those promises, with only 30 percent of their 130 original proposals implemented (Kushida and Lipsy 2013, 20).

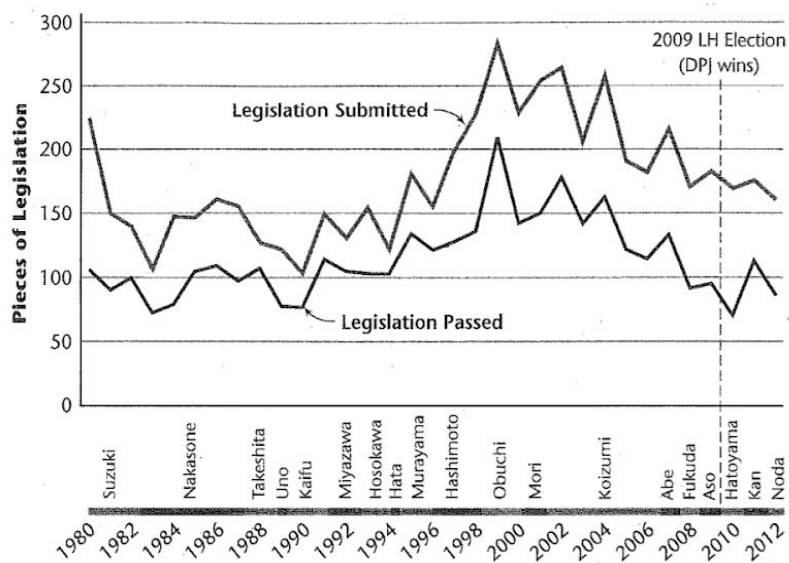


Figure 0.3 Legislation submitted and passed 1980-2012

Source: Kushida and Lipsy 2013

Kushida and Lipsy attribute the DPJ's policy failures to several factors: electoral incentives, influence of rural regions, inner-party conflict, relationships with bureaucracy, economic constraints, and international structural constraints. Inner-party conflict, which had weakened the LDP, had also weakened the DPJ. As there are strong incentives to attract urban voters and rural voters, parties tend to split on which constituents to support. This divide in the party often brings together conflicting ideals, resulting in "incoherent policy outcomes" (Kushida and Lipsy 2013, 31). In-party conflict can also result in the party sabotaging itself. Such is the case with the DPJ when Ozawa's supporters joined forces with the LDP and attempted to remove then-Prime Minister Kan Naoto, a DPJ politician, from power (Kushida and Lipsy 2013, 31). With the amount of scandals and corruption the elite bureaucracy had under the LDP, the DPJ had promised to empower politicians over these elites. Unfortunately, attempts to restrict information going to the bureaucracy had been reverted due to in-party conflicts affecting policy coordination (Kushida and Lipsy 2013, 32). Japan's stagnating economic growth, aging population, and preexisting national debt had made it financially difficult for the DPJ to fulfill their signature programs such as the child allowance and the elimination of highway tolls. The 2011 earthquake, tsunami, and nuclear disaster in Fukushima also exacerbated DPJ's dilemma, as they had to reallocate their budget towards reconstruction efforts (Kushida and Lipsy 2013, 33). In addition to their economic constraints, the DPJ had also faced international constraints. The promise to have better relations with foreign countries failed as the relationship with China worsened due to the territorial dispute with the Senkaku Islands. In addition, with their failure to fulfill their promise to relocate the U.S. military base, the DPJ's actions failed to differentiate themselves from the LDP.

Implications for the Opposition

The DPJ's loss in 2012 marked one of the biggest victories for the LDP. After failing to fulfill several promises and going through three prime ministers in just three years, one can easily

conclude that the DPJ's 2009 win did not amount to much. However, the DPJ's ineffective time in power has had a major consequence that affects Japan's politics as a whole. If nothing else, the DPJ's time in governance had at least amounted to an increase in public distrust of politics, which led to an increase in non-partisan voters (Krauss et al. 2017). According to a study done on political trust in Japan, distrust increased to 58.1 percent in 2010, possibly as a result of the DPJ's unpopularity (Krauss et al. 2017). As DPJ failures in handling their promises and the disasters that occurred in 2011 fuelled political distrust, the increasing non-partisan voters tended to vote for third or new parties, which "fragmented the opposition vote to the benefit of the LDP" (Krauss et al. 2017). However, not all hope is lost for the opposition. The increase in new and third parties may bring in another worthy challenger for the LDP, but as this report reveals, the opposition still has a long way to go.

Limitations of this report

While this report covers issues ranging from electoral rules to clientelist practices, this report has a number of limitations. We did not conduct original research and relied on previous scholarly works and polling. Some researchers are not fluent in Japanese and thus privileged sources in English. We considered other potential factors, such as the role of culture and media, but these appeared less salient to our research question.

Part I

Overview of Key Institutions: Electoral System and Fiscal Centralization

This section provides an overview of Japanese institutions fundamental to understanding opposition failure. First, it assesses Japan's electoral system, while also providing case studies of electoral reform and detailing the issue of malapportionment. Second, it explains fiscal centralization and how it benefits the dominant party in government.

Chapter 1: Electoral Systems

Promises unfulfilled by 1994 electoral reform

The 1994 electoral reform was implemented to shatter the status quo. By combining SMD and PR seats, the mixed system aims to achieve the best out of these two systems, ideally resulting in proportionate election results. However, the reform failed to accomplish a sustainable two-party-system and even proved beneficial to the LDP. Previously, voters were dissatisfied by the pre-reform electoral system because the dominant party was overpowering. Under a SNTV system, citizens vote for individuals. Each voter could only cast one vote for one candidate and whoever won the most votes would fill the seat. It allowed the party to run multiple candidates who could potentially take up all the seats in one constituency. The disparity of the voters' power in electing representatives favored the LDP. Since the number of seats depended on the population of the district, rural areas, which were more populous when election districts were first apportioned, had more representation in the Diet (Scheiner 2006, 477). Due to fiscal centralization and clientelism, the LDP was disproportionately strong in rural areas, which led to greater political power. This power allowed LDP to enact policies that institutionally disadvantaged opposition like imposing demanding campaign rules while the nature of the electoral system disadvantaged the opposition due to voter preference.

Moreover, the overrepresentation of SNTV seats contributed to tactical voting and hurt the opposition since “the electoral system affected citizens' propensity to vote sincerely and sophisticatedly” (Blais 2015, 438). In order to make their votes more effective, voters tended to vote for candidates who were most likely to win, usually between two dominant parties. Thus, it left candidates from small parties with few to no votes.

Hoping to create a two-party system and alternate the power dynamics, Ozawa Ichirō suggested transferring from multi-member districts to a mixed-system to promote more party competition and a more democratic government. He claimed that Japanese politics had little democratic roots and urged Japan to become more of a “normal nation” with an effective government (Ozawa

1994, 51). Following Duverger's law, “the single-member district tends to favor the two-party system” (Duverger 1959, 217). Put another way a single-member district plurality voting system would marginalize small oppositions and lead to two dominant parties.

The post-1994 reform electoral system

Since the 1994 electoral reforms, Japan has operated under a MMM (Mixed-Member Majoritarian) electoral system for selecting members of the Diet. This system is composed of two ballots for national elections: SMD and a Proportional Representation (PR) list. Elections for the House of Representatives (HR), which forms government, occur every four years, though are often called early by the prime minister. SMD seats are decided through a SNTV to whichever candidates win the most votes, while PR list seats are allocated in eleven large multi-member regional districts according to the D'Hondt² method in proportion to the amount of votes each party wins (Neary 2019, 107-108). Elections for the House of Councillors (HC) occur every three years and cannot be called early, with half of the seats up for grabs every election. Because HR elections determine whether the opposition or LDP form a government, this analysis will focus exclusively on HR elections.³

The MMM system disproportionately and negatively affects the opposition in two ways. Firstly, SMD plays an outsized role, determining the winner of the election. Because of LDP clientelist practices which solidify their support in rural areas and malapportionment which gives these rural voters disproportionate representation, SMD seats are biased against the opposition. Secondly, the MMM system encourages fragmentation while simultaneously punishing it. Combined with a tendency for parties to organize from the top-down, which makes opposition parties more susceptible to fragmentation, the MMM system works to disadvantage the opposition. These two aspects of the MMM system, when observed in context, serve to perpetuate opposition failure in Japan.

² For more on the D'Hondt method, see Herron, Pekkanen, and Shugart 2018.

³ HC electoral reform has also been very contentious. Changes such as the 2001 open list reforms disproportionately benefited the LDP, which lost their HC majority for much of the 1990s. For more see Hizen 2004.

Two MMM Paradigms

Under the MMM system, Japan has experienced two distinct political paradigms: party consolidation and party fragmentation. The first paradigm, between 1994 and 2010, marked a progressive consolidation of opposition parties, first under the New Frontier Party (NFP) and then under the DPJ, resulting in the landslide 2009 DPJ victory. This first paradigm featured the proliferation of neoliberal economics, the decline of clientelism and shift to a two party system.⁴ However, this consolidation paradigm was cut short by the disastrous double-resignation of Prime Minister Hatoyama Yukio and DPJ Secretary-General Ozawa Ichirō following Hatoyama's failure to bring about the withdrawal of U.S. forces from Okinawa and a scandal over Ozawa's political finances (Pekkanen, Reed, and Scheiner 2013, 9-11; Cucek 2010). The subsequent HC election deprived the DPJ of a majority in the HC, spelling the beginning of the end for the DPJ and ushering the second paradigm of the MMM system. This fragmentation second paradigm is the current political paradigm of Japanese politics, featuring the return of LDP electoral dominance and the complete disintegration of a consolidated opposition. This paradigm in some way mimics the 1955 party system, featuring a dominant LDP and various minor opposition parties competing to reclaim the DPJ's position of a consolidated opposition party (Neary 2019, 110).⁵ The second paradigm paradigm is defined by party fragmentation, high voter abstention, the proliferation of "third force" start-up parties, a decline in party membership and Abe Shinzō's dominance as the longest-serving prime minister.⁶ This second paradigm shows no signs of abetting, and party fragmentation seems to be the norm for the foreseeable future. As seen in Figure 1.1, the first consolidation paradigm resulted in a reduction of the

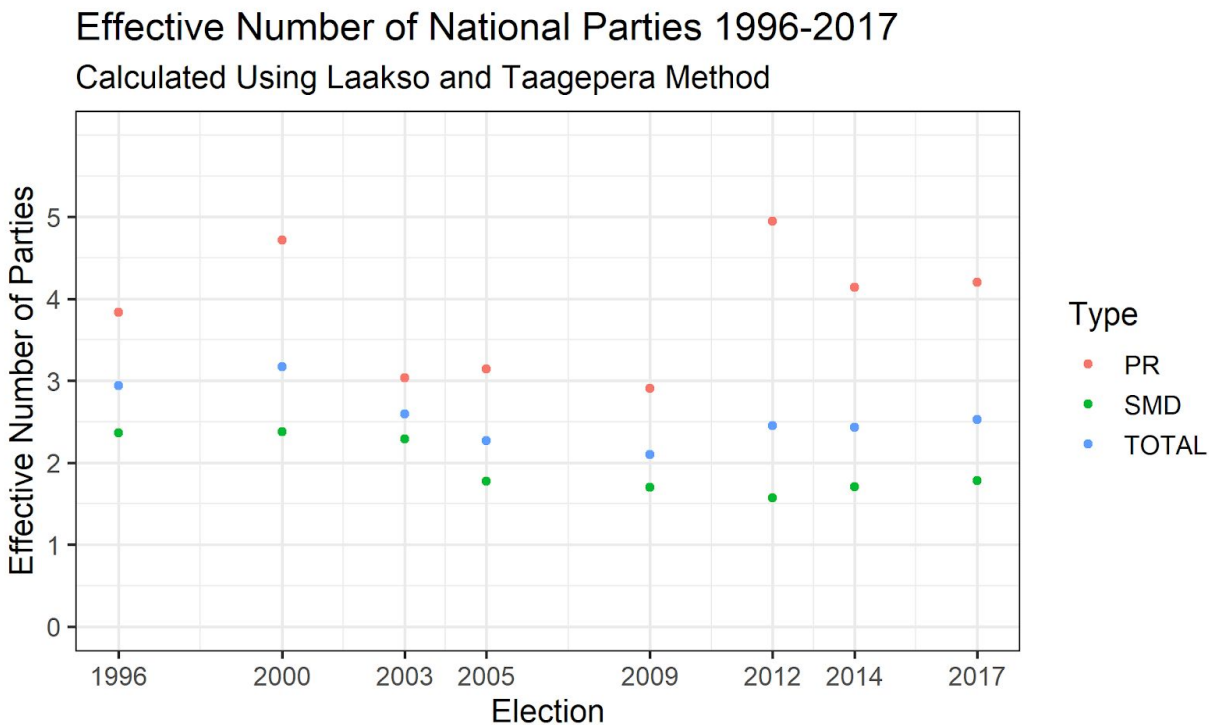
⁴ For more on neoliberalization of Japan, see Neary 2019, 75-76, 150-52; For the gradual consolidation of votes and seats behind two parties, see Reed, 2007. Note that by the 2005 HR election, 85 percent of seats allocated were allocated to the LDP and DPJ; During Koizumi's premiership, the LDP aggressively pursued postal reform, privatization of state-owned corporations and scaled back construction projects. This move significantly weakened the LDP's clientelist base, and contributed to their 2009 HR election loss. For more, see Kawata 2011; and also: Reed, Scheiner, and Thies 2012; The declining influence of clientelism which began in the latter first paradigm continues in the second MMM paradigm. However, clientelism still holds significant sway in rural areas, maintaining LDP dominance of rural areas.

⁵ Neary notes that Japan has reverted to a "one-party-plus-several" system.

⁶ For discussion on the drop in LDP membership see: Endo, Pekkanen, and Reed 2013, 50; According to the Inter-Parliamentary Union, PR list voter turnout has declined from 69.27 percent in 2009 to 53.68 percent, a drop of over 15 percent; By the time this report is published in March 2020, Abe Shinzō will have been in office for an unprecedented 3000 days, see Murakami 2019; For discussion of third force parties and opposition fragmentation, see: Reed, 2013; Pekkanen and Reed 2016; Pekkanen and Reed 2018b.

effective number of national parties from three to less than two by 2009.⁷ However, since 2009 under the fragmentation paradigm, the effective number of national parties has increased back to 2.5 from less than two. This is an indication of the increased prominence of opposition fragmentation under the current political party paradigm.

Figure 1.1 The effective number of national parties in HR elections between 1996 and 2017. The increased disproportionality between PR list and SMD results under the second MMM paradigm has driven much of the opposition’s fragmentation



Source: Inter-Parliamentary Union and author’s calculations

Under MMM, SMD Seats Determine the Winner

While the MMM system features two ballots, they are not equal in influence. Historically, the percentage of seats allocated through the PR and SMD tiers have always been extremely contentious, with smaller opposition parties generally favoring PR and the LDP (and sometimes

⁷ The effective number of national parties is a metric first introduced by Laakso and Taagepera to measure political party fragmentation. The higher the number, the more fragmented a political system is, and vice versa (Laakso and Taagepera 1979).

larger opposition parties) favoring SMD (Reed 2005, 291-92). The electoral reform plan submitted by Prime Minister Hosokawa Morihiro in September 1993 proposed 250 SMD and 250 PR seats. However, the influence of PR seats was significantly diminished at the hands of some Japan Socialist Party HC members, who forced Hosokawa to reduce the number of PR seats to 200 and increase SMD seats to 300 (Carlson 2007, 7). Following a relatively narrow victory in 1996, in which the LDP won a plurality of votes, the PR list was further reduced to 180 seats. As seen in Table 1.1, since the 2000 HR election the proportion of PR seats has remained stable at around 38 percent.

Table 1.1 House of Representatives seat allocations after the 1994 reforms

Elections	1996	2000–2012	2014	2017
Single-Member				
Districts	300	300	295	289
Proportional				
Representation List	200	180	180	176
Total	500	480	475	465
Percent PR	40.00%	37.50%	37.89%	37.85%

Adapted from Pekkanen and Reed 2018a, 18.

In the MMM system, SMD seats, which tend to over represent the election winner, become decisive while the PR list remains more competitive but less important. Because PR seats are still a minority compared to SMD seats, a party must win a plurality or majority of SMD seats to win an election. Historically, the LDP and its coalition partners⁸ have won an election despite failing to achieve a majority of PR list seats. However, the opposition has never won without winning a majority of SMD seats, as it did in 2009. Under MMM, the LDP's strengths in over-apportioned SMD seats in rural areas lead to the LDP winning elections.

⁸ Principally Kōmeitō, which has been in coalition with the LDP since 1999.

Since 1996, the party which has won a majority of SMD seats has always won the election. Table 1.2 shows that in these elections, opposition parties have historically been unlikely to win a majority of SMD seats, with the only exceptions being 1993 and the 2009 landslide DPJ victory.⁹ Clientelism and malapportionment give the LDP a natural advantage in the SMD tier. Meanwhile, opposition parties have won a majority of PR list seats in the 1996, 2000, 2012 and 2017 elections, despite losing the overall election. The LDP has governed with a majority of seats in the HR despite losing the popular vote in most of the recent elections. This troubling phenomenon means that the opposition must either win a large plurality of votes at the expense of the LDP as they did in 2009, or hope that the LDP fragments or otherwise is unable to adequately contest the SMD seats. Due to incentives that encourage fragmentation, opposition parties under the current MMM paradigm have a difficult time winning SMD seats, often facing off against other opposition parties in addition to the LDP.

Table 1.2 HR election winners, in SMDs and in PR lists, 1996 to 2017

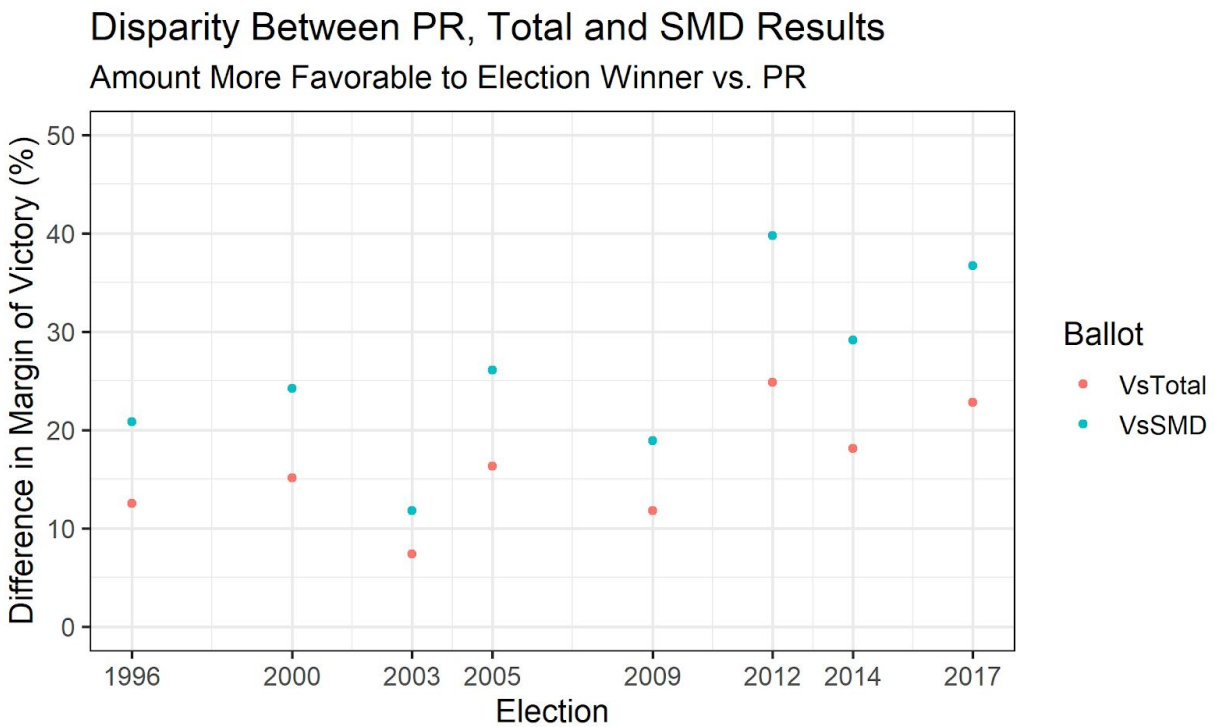
Election	Winner	SMD Result	PR Result
1996	LDP	LDP Majority	Opposition Parties Majority
2000	LDP	LDP Majority	Opposition Parties Majority
2003	LDP	LDP Majority	LDP Coalition Majority
2005	LDP	LDP Majority	LDP Coalition Majority
2009	DPJ	DPJ Majority	DPJ Coalition Majority
2012	LDP	LDP Majority	Opposition Parties Majority
2014	LDP	LDP Majority	LDP Coalition Majority
2017	LDP	LDP Majority	Opposition Parties Majority

Source: Inter-Parliamentary Union

⁹ Two recent HR elections to buck this trend were 2005, when Koizumi's landslide enabled the LDP to win many urban areas and make up for losses due to postal reform, and 2009, when the DPJ was able to appeal directly to farmers and undercut the weakened LDP in many rural areas.

The current MMM system is defined by disproportionality, with many voters not having their voice heard in SMD seats. Since 1996, the winning coalition has always over performed their PR list result by at least 10 percent. This disparity has increased dramatically since 2012 to between 29 and 40 percent. The LDP is winning by a landslide in SMD seats, while losing or barely winning the PR seats. Figure 1.1 shows that this disproportionality is built into the MMM system, with SMD seats radically diverging with the popular PR list vote. Under the current political paradigm, this disproportionality is far more pronounced as a result of party fragmentation. Because the MMM system values SMD seats over the PR list, opposition parties are unable to win even if they together win a majority of votes.

Figure 1.2 The disparity between the election winner’s PR result and their total and SMD seats won. Note that a party has never won a majority of PR seats alone



Source: Inter-Parliamentary Union and author’s calculations

Mixed system: the application in Japan in comparison with New Zealand and Italy

The mixed electoral system that combines SMD and proportional representation has been adopted in many countries, including Japan, Germany, New Zealand, and Italy, which are known to be long-established democracies. While Japan maintained a single-party government for years except when the New Frontier Party won in 1993 and the DPJ in 2009, New Zealand managed to have leadership equitably shifted between the Labor Party and the National Party. Italy's previous dominant party, the Christian Democratic Party, governed for more than 40 years but fragmented into smaller parties and lost its domination after the electoral reforms. These smaller parties split into center-left and center-right coalitions and no one party was able to gain a majority and govern. Although all three electoral reforms shared similarities, the degree that reform aligned with the electoral interest of the dominant parties varied in these countries, which generated distinctive political outcomes. Therefore, the cases of New Zealand and Italy serve as examples in analyzing Japan's flawed electoral system. This section will first illustrate how similar electoral reforms generated different political outcomes and exerted different effects on the dominant party. By comparing these differences, we highlight the uniqueness of Japan's electoral system and reinforce our argument that electoral rule sustains the LDP's one-party dominance. Finally, adopting lessons from New Zealand and Italy, we offer policy recommendations regarding electoral rules.

All three electoral reforms were designed to address the failure of the previous political system, varying from declining government accountability, inadequacy in representing the people's will, and corruption scandals (Sakamoto 1999, 421). However, the outcome of the reform in Japan and Italy were slightly different in comparison to New Zealand. The mixed electoral systems are a mixture of both MMP and a MMM systems, depending on how the number of legislative seats are allocated. For instance the MMP system, like in New Zealand, a party receives seats proportional to its PR results. In the MMM system, like in Italy and Japan, seats are allocated independently within SMD and PR.

Despite single-party domination, Japan's MMM system resulted in many other problems, as illustrated in other sections: overrepresentation of the SNTV votes, opposition fragmentation and malapportionment, etc. The reason was that the seats for SNTV and PR system were separate, so even if a large party won a disproportionate number of the SMD seats, it keeps its full proportional allocation of party-list seats (Cox and Schoppa 2002, 1029). Therefore, the proportional seats under Japan's electoral system hardly impact election outcomes.

On the other hand, the adoption of the mixed system has a different effect in Italy. The Rosatellum law in 2017 established the MMM system, with 37 percent of parliament seats voted through first-past-the-post (FPTP) and 61 percent of seats voted through PR. Additionally, a representation threshold of three percent was required to enter the parliament. It consolidated previously fragmented parties, encouraged coalition formation, and set the grounds for the current tri-polar political dynamics. The small independent parties under the new electoral system tended to form two major pre-electoral coalitions. In contrast, without an electoral threshold requirement, the opposition parties in Japan are fragmented. The electoral threshold requirement is the minimum percentage of votes required for a party to enter parliament. It would force small opposition parties to form a coalition and encourage a two-party system. The ability to establish enormous personal vote through clientelism or fiscal centralization prevents the opposition in Japan from coordinating with other parties in the pre-electoral period since joining a pre-electoral coalition would require some parties to sacrifice SMD seats (Ono 2013, 178).

The alternative of the majoritarian system is a proportional system, like in New Zealand. Electoral reforms in 1996 were implemented under the influence of Robert Muldoon, the leader of the National Party in 1975. His strong intervention in the state economy led to a recession and currency crisis, which raised the unemployment rate and upset citizens. Despite little support from both major parties, the public demanded electoral reforms due to unfair election results. Even though Labor received more votes at the national level, the National Party was able to retain office with an absolute majority of the seats in the HR. In addition, the Social Credit Party

could only secure one seat despite having 16 percent of the votes in 1978 (Roberts 2005). Voters were aggravated that one party gained more votes while the other gained more seats. The 1990 election result, in which the National Party was given 69 percent of the seats with only 48 percent of the total votes, intensified the discontent. This distortion triggered the consolidation of the Royal Commission on the electoral system, which recommended a mixed-member representation system. The reforms aimed to ease the distorted voting results under the previous FPTP system with a MMP system.

After adopting the MMP voting system in 1996, New Zealanders opened up the possibility of institutionalized multiparty politics, and the formation of the coalition and minority governments as a matter of course (Riera 2019, 96). Both parties lost their complete dominance in the House and failed to hold a majority, suggesting that they now needed to form a coalition to govern. Nonetheless, under the MMP system, the seats in the parliament were determined exclusively by the party list vote to level out the imbalance in the single-member district allotment. It would distribute more seats to underperformed parties on SNTV. For example, although having only 6.7 percent of the vote in 2016, the Green Party won nine seats in the parliament (ACE 2017). Contrary to Japan, the issue of malapportionment was remedied in New Zealand. According to ACE Project Electoral Knowledge Network, “The index of disproportionality [in New Zealand] plummets from an average of 11 percent for the 17 FPTP elections held between 1946 and 1993, to an average of 3 percent for the first three MMP elections” (Roberts 2005). In addition, while the issue of disproportionality in Japan barely improved, there was a drastic growth in proportionality in New Zealand. The disproportionality rate, which remained average at 11 percent from 1946 to 1993 (Boston et al. 2003, 25), dropped to 3.43 percent after the transition to MMP, and down to 2.73 percent in 2017 election. All of these examples indicate that compared to Japan, New Zealand's electoral system would encourage grand coalition among small parties and keep the two-party system intact.

The different outcome of these three countries' electoral reforms suggested that increasing the proportionality of the PR seat, setting up threshold rate to enter the parliament, or transforming

into mixed-member proportional system might help Japan form a sustainable two-party system and empower the opposition.

Malapportionment and the Rural-Urban Divide

Malapportionment refers to unequal voter representation in the electoral system, helping to strengthen Japan's rural-urban divide. This disproportionate representation has often been used by the LDP to build on its support in rural areas, and hinder the opposition. Over the years, the Diet has taken action to reduce voter disparity through increasing seats in certain districts and redrawing district boundaries. However, these reforms have proven to be only slightly effective in balancing the disparity and the Supreme Court has ruled this electoral imbalance as unconstitutional several times. Despite the unconstitutional state of the electoral system, as declared by the Supreme Court, malapportionment still remains a large cause of inaccurate voting results. Following the 1994 electoral reform, the LDP has continued using malapportionment to fuel increased clientelism in rural districts and weaken opposition support. This chapter explains malapportionment, how it is advantageous to the LDP, factors that amplify malapportionment and the response of the Supreme Court and the government.

Definition of Malapportionment

Malapportionment is an outcome of the electoral system in which one group of voters holds a stronger influence with their votes over other groups of voters due to an uneven spread of populations in voting districts. This inequality is measured by the Supreme Court through comparing districts with the largest and smallest populations. For example if voter disparity is 1:2.38, this means that for every voter in district A, district B had nearly 2.4 voters (Christensen 2013). This goes against representational equality of "one man, one vote," which arguably undermines democracy. In Japan, the country "is notorious for its malapportioned election districts" and is said to be one of the "most unequal of election districts in similar countries such as the United States, Canada, Australia, or the United Kingdom" (Christensen 2013, 139-40). While the LDP has held consistent power in the Diet since the LDP's formation in 1955, with the exception of 1993 and from 2009 to 2012, malapportionment became a prominent issue in

elections, following 1994 electoral reform. We see the effects of malapportionment in elections such as the case in the 2010 HC Elections in which the DPJ garnered a total of 22.75 million votes across all electoral districts while the LDP only won 19.49 million votes. However, because of malapportionment, the DPJ was only able to win 28 seats and the LDP won over the majority with 39 seats, despite popular vote results (Pekkanen, Reed and Scheiner 2013). With the addition of institutionalized malapportionment since 1994, the chances of smaller, newly-formed parties winning seats, especially in large rural districts, have become slim. Additionally, factors such as fragmentation and fiscal centralization, as mentioned in later chapters, help diminish chances of an opposition to win a majority of seats in the Diet, even under a partial proportional representation system.

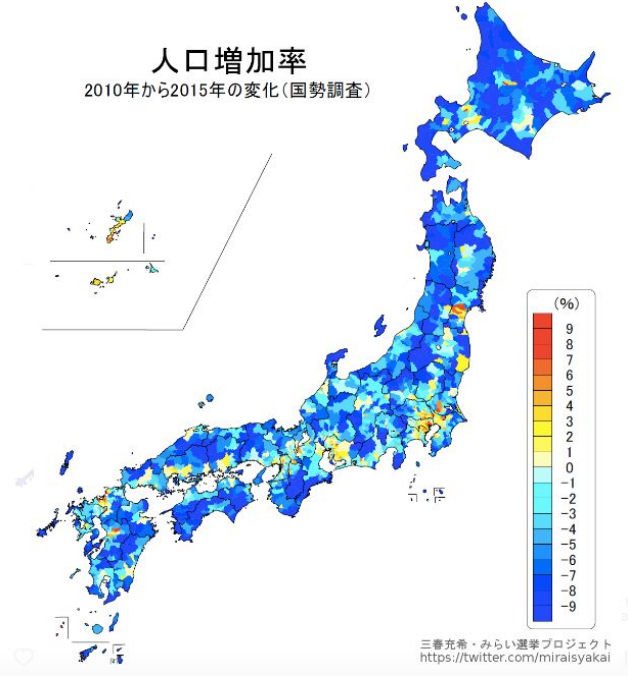


Figure 1.3 Map of population increase

Source: Miharu Mitsuki in *Bukitoshiteno Seiron*

Additional Factors that Contribute to Malapportionment

Factors that enhance malapportionment include population movements and the redrawing of district boundaries. Since the value of a vote differs depending on district populations under the SMD system, regional populations play a large role in voter disparity. Districts with a greater population density will have a lower value than those with a smaller population. When looking at Japan's demographics, it is clear that the country is facing a population shift, in which rural areas are losing residents to urban centers that continue to grow every year. As seen in Figure 1.3, between 2010 and 2015, rural regions are colored in blue, signifying population loss over time, with some areas experiencing a loss as great as 9 percent over five years. Meanwhile, the urban centers of Japan are seen in yellow or orange, indicating a population increase. More and more of the younger population has moved to urban areas seeking jobs while the population in rural areas becomes older. Scholars have observed that this "demographic shift has made the political voice of Japan's rural areas disproportionately large" and is reinforced by the electoral system (Pekkanen, Reed and Scheiner 2013, 150). By focusing their attention to winning districts in rural areas, the LDP is able to win a majority in the Diet, but not by winning a majority of total votes. Although voter apathy has been a critical issue in Japan recently, voter turnout in rural districts has been relatively high which is in part, due to the increase in the elderly population (Pekkanen, Reed, and Scheiner, 2013). Additionally, when looking at the demographics, "in 1970, at the beginning of the LDP's rise, 7.1 percent of the population was over 65 years of age, [...] in 1995, it was 14.6 percent, and in 2010, it was up to 22.5 percent" (Pekkanen, Reed, and Scheiner, 2013, 149). Again, the LDP has been benefiting from this increase in the percent of the older population because most of the LDP's electoral strength comes from older voters in rural districts. In the past, the LDP was able to win 52 percent of seats in comparatively well-apportioned districts while it was only able to win over 32 percent in underrepresented, urban districts.

Response of the Supreme Court and Central Government

Over the years, the LDP has taken advantage of this unequal representation by emphasizing garnering votes in rural districts. One of the main ways the party does this is through clientelism,

which means that rural voters receive material benefits in exchange for their loyalty to the party (Scheiner 2006, 64). Due to such benefits, rural voters tend to hold more considerable favoritism for the LDP in comparison to constituents in urban districts. Benefits through clientelism are what result in the rural-urban divide, which will be discussed further in later chapters. This rural-urban divide is evident in Figures 1.4 and 1.5, which show the percentage of LDP support throughout the country. Dark purple and red colors indicate a high percentage of LDP support, while light blue to white indicates a low percentage of voter support. When comparing the two figures, Figure 1.4 from 1974 contains greater areas of dark purple in comparison to that of Figure 1.5 in 2019. However, even after 45 years, we can see that the pattern has remained relatively the same; there is more significant LDP support in Japan's rural regions. A few examples of clientelist measures taken by the LDP include additional government spending in rural areas, prioritization of reforms for the elderly, and increased public works projects for rural construction companies (Scheiner 2006, 72), which will be further explained in Chapter 6. What many voters also seek is strong stability in the leadership, as opposed to a constant rotation of leadership seen during the DPJ period. With the stability that the LDP has brought for the past seven years with Prime Minister Abe Shinzō, it is highly likely that voters seeking consistency will continue to vote for the LDP.

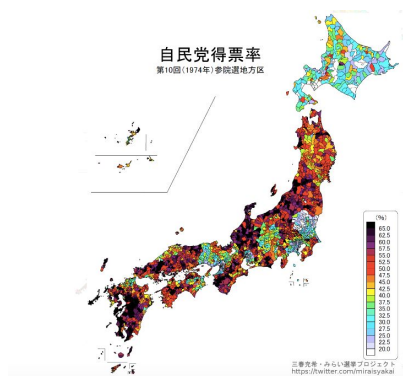


Figure 1.4

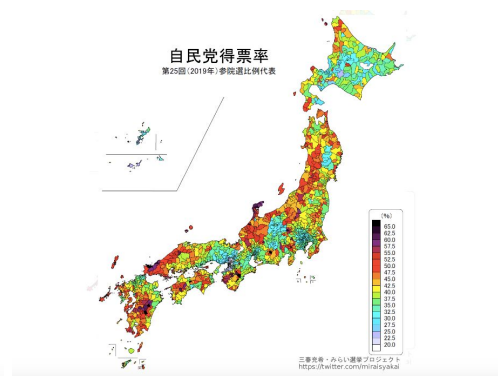


Figure 1.5

Source: Maps of LDP support by Miharu Mitsuki in *Bukitoshiteno Seiron*

In response to this unfair voting system, the Supreme Court has intervened multiple times in the past few years, deeming such results of elections as unconstitutional. The Supreme Court ruled in 2014 that the HC elections of 2013 held that “disparity rate among constituencies [were] egregiously high that it posed a threat to the election’s constitutionality” (Osaki 2014). However, even after such ruling, the Diet (ruled by the LDP beneficiary), responded with minimal reforms that ensured the LDP’s continued advantage in the electoral system. Prior to the election, the Diet took measures to reduce voter inequalities in November 2012, by passing a bill to change the number of single-seat districts in four prefectures” (Osaki 2014). While this was a step towards a more balanced electoral system, there still remained a large imbalance between rural and urban voters. Following the 2014 ruling of unconstitutional voter disparity, the Supreme Court “acknowledged the effort. Instead of just tweaking districts, the government ‘should pursue a legal revision to overhaul the current electoral system and eliminate the unconstitutionally high level of vote weight disparities’” (Osaki 2014). As discussed, while malapportionment has been acknowledged as unconstitutional and therefore inhibits Japanese democracy, the LDP-led Diet has remained comparatively unresponsive to such rulings. These rulings bear very little significance as long as the LDP remains in power of the government. The advantages that these vote disparities provide the LDP a driving force in a never-ending cycle of the LDP valuing malapportionment, executing clientelist practices, winning rural districts, controlling the Diet, and preventing a change in the electoral system to continue to allow malapportioned districts.

Despite past efforts, the Supreme Court has once again ruled that HC election results, that were held in July 2019, were in a state of unconstitutionality (*Japan Times* 2019a). The disparity in the weight of a single vote between urban and rural constituencies was extremely high and beyond the “constitutional imbalance” (*Japan Times* 2019a). Looking at voter disparities from 2010, the number has significantly been reduced from 5.00 to 2.998, however, voting values still remain far from “one man, one vote” and continues to aid the LDP with its continuous victories. Without assertive measures by the Supreme Court to fix malapportionment and without action by the Diet, voting disparities will continue to fuel the rural-urban divide which is further expanded

through clientelism and kōenkai, and opposition parties will continue to struggle to win a majority of seats in the Diet due to their lack of support in malapportioned areas in rural Japan.

Chapter 2: Fiscal Centralization

Introduction

Fiscal centralization is an institutional reason why the opposition parties in Japan continually fail to alternate power with the LDP. The law in Japan endows the central government with the power to control local expenditure decisions through a large number of “delegated functions” financed by specific purpose grants. These kinds of central-local relations have been used to affect election results in favor of the incumbent, the LDP, of the central government, by enabling them to fund clientelism and attract local politicians. In this way, the LDP gains plenty of strong candidates in national elections and prevents new parties from forming through roots, which consequently leads to the top-down party structure in Japan, as discussed in Chapter 3 of this report. Thus, fiscal centralization served the LDP as an effective tool to maintain its power in the central government. Importantly, it was only after decentralization reforms during 2004-2006 that the opposition parties could defeat the LDP in the HC election in 2007 and HR election in 2009.

Government Structure

The Japanese government is mainly stratified into national, prefectural, and municipal governments. The national government is also referred to as the “central” government while the latter two are called “local governments” and jointly referred to as “local public bodies” (Mochida 2008). Besides local public bodies, there are “designated cities,” large cities carrying out some prefectural functions, and 23 special wards of the Tokyo Metropolitan Area, a special type of local public body (Mochida 2008). Japan’s intergovernmental structure is more like a unitary system rather than a federal system as local jurisdiction administratively and financially depends on the national government.

Background: Vertical Fiscal Imbalance Caused by Decentralized Expenditure and Centralized Revenue

In this report, when we say that the Japanese system is fiscally centralized, we mean the local government has very limited local autonomy considering both its limited decision-making power in expenditure and revenue raising power. Put another way, the level of fiscal decentralization is measured by the amount of independent decision-making power of local governments in subnational expenditure and revenue decisions rather than the share of local expenditure in general government expenditure (Bodman 2011, 374). Generally, the more adequate and independent sources of revenue the local government possesses, the more decision-making power it has. Although Japan's local governments implement the majority of expenditures, the central government has revenue-raising power and local governments rely heavily on these funds. Therefore, local governments have very limited autonomy in their spending decisions and a substantial portion of local expenditures are mandated by the central government (Mochida 2008). According to Kitagawa Masayasu, the central government mandates about four-fifths of expenditures at the prefectural level and two-fifths at the municipal level (*Economist* 2008). Therefore, the decentralization of expenditure is solely a delegation of functions, instead of a decentralization of political power or legal authorities in Japan's fiscal system (Mochida 2008). For instance, major government functions like education, health, and welfare are carried out by local governments but actually formulated at the central ministries and largely financed by central government grants (Mochida 2008). Therefore, we describe Japan as fiscally centralized.

Specifically, Japan's system is characterized by decentralized provision of public services, centralized tax administration, administrative control on borrowing, and heavy dependence on intergovernmental transfers, each of which is further explored in these subsections (Mochida 2008).

Decentralized Expenditure

Local governments in federal systems tend to enjoy higher fiscal autonomy than those in unitary systems. In federal regimes, local governments usually have ample room to finance their own expenditure. In unitary systems, local governments tend to have very limited leeway in generating revenues and rely on "fiscal transfers" through various subsidies. Correspondingly, subnational government spending in unitary systems tends to be lower than that in federal

systems. According to the 2016's data from the 2019 Report on World Observatory on Subnational Government Finance and Investment, subnational governments (SNGs) in federal countries account for 46.9 percent of public spending or 16.8 percent of gross domestic product (GDP); SNGs in unitary countries account for 19.4 percent of public expenditure or 6.9 percent of GDP (OECD/UCLG 2019).

However, the expenditure of subnational governments in Japan, a unitary country, is disproportionately high. Based on 1998 data, Japan's local governments performed 78.2 percent of all public-sector spending and took 12.9 percent of GDP, out of which 40.3 percent (5.2 percent of GDP) were funds transferred from the central government. Data from FY2005 indicates a lower percentage of local governments' expenditures out of the total public expenditures, which is 60 percent, but it is still much higher than the global average level (Saito 2010). One OECD country that demonstrates higher local expenditure as a percentage of overall government expenditure (82.3 percent) is Germany. However, Germany is a federal state and none of the expenditure was fiscal transfer from the central government. Besides, rules for tax and expenditure assignment to each level of government in Japan have been established through national legislation, such as the Local Tax Law of Japan, rather than administrative intervention (Mochida 2008). High local budgetary expenditure in Japan is not occasional but has continued for decades.

Centralized Revenue

Although the local government takes significant expenditure responsibilities, it has very limited revenue-raising powers with regards to tax bases, the bulk of local debt flotation, or the ability to borrow. The revenue of the local government is largely controlled by the central government. Current local taxes comprise of property tax, inhabitant tax, general sales tax, and tax on business, which account for approximately 31 percent of revenues for prefectures and 33.7 percent of revenues for municipalities (Mochida 2008). Correspondingly, "30 percent autonomy" was frequently used to describe local governments in Japan.

Administrative control on borrowing

Japan's local governments have to obtain permission from the central government to issue local bonds. Their financial position is monitored by the Ministry of Internal Affairs and Communications (MIC) and they will not be permitted to issue bonds if their debt-service ratio is not within a certain limit (Mochida 2008). When local governments' fiscal deficit transcends a certain limit, they will be put under the direct control of the central government.

Dependence on intergovernmental transfers

Since the 1970s, tax revenues collected by subnational governments account for approximately 40 percent of total tax revenues while its expenditures accounted for approximately 60 percent of the total government expenditure (Saito 2010). Since the local governments in Japan spend much more money than they raise in taxes and other forms of revenue, a significant vertical fiscal imbalance exists in Japan's fiscal structure and Japan's local governments unhealthily depend on the national government's fiscal transfer to do their work. According to Kitagawa Masayasu, the central government mandates about four-fifths of expenditures at the prefectural level and two-fifths at the municipal level (*Economist* 2008).

Discretion of Fiscal Transfer

What makes subnational governments' heavy reliance on transfers from the central government dangerous is the considerable discretion held by the central government to distribute funding. In Japan, transfers from the central to local governments are made through the local allocation tax (LAT) grant and the treasury disbursement (Saito 2010). The LAT grant is a general fiscal transfer and the allocated amount is largely determined by the law. The treasury disbursement, however, gives specific subsidies for individual projects, largely at the central government's discretion. In the fiscal year 2007, LAT grant accounted for about 11.8 percent of revenues of the municipal governments while treasury disbursements accounted for 10.9 percent (Chiho Zaisei Chosa Kenkyu Kai 2009). Therefore, approximately half of the transfers from the central government are closely tied with local politician's relations with the national party, which has predominantly been the LDP since 1955. In order to win local support, ambitious local politicians tend to align with the LDP to gain more subsidies to implement beneficial projects. In this way, opposition parties face huge difficulties in winning local elections or attracting local

politicians, and thereby lack candidates with experience in subnational elected public office during national elections.

Redistribution of the Intergovernmental Transfers

Japan's redistribution system is widely critiqued as "over-equalized" because it leads to a higher index of per-capita revenues of rural areas than urban areas, which is quite different from other OECD (Organization for Economic Co-operation and Development) countries like France, Germany, the U.K., and the U.S. (Dewit and Sven 2002). A disproportionate share of the taxes is raised from urban areas, particularly Tokyo and Osaka, Japan's two largest and richest prefectures. Based on 1998 data, residents from Tokyo and Osaka generated 25 percent of GNP but paid 42 percent of all national taxes (Dewit and Sven 2002). Then the subsidies are redistributed in a way to reduce inter-regional income differences among the local governments. On one hand, based on data in 1998, the five least-taxed prefectures (Okinawa, Nagasaki, Kagoshima, Koichi, and Shimane)—all rural areas—receive subsidies that account for at least three-quarters of their incomes, with some getting subsidies four times as much as they pay for national taxes (Dewit and Sven 2002). On the other hand, Tokyo receives subsidies worth only 6.2 percent of what it pays in national taxes (Dewit and Sven 2002).

Redistribution and Clientelism

The central government's control of subnational governments' finances works to facilitate the client-patron dependency at every level of subnational government in Japan. Clientelism prevents the formation of externally-mobilized new parties from the roots, which means the party formation in Japan is mainly top-down. Compared with parties formed from grassroots that typically have a set of issues to unify them, elites who form new parties tend to disagree on many core issues and can hardly work together (Scheiner 2006). That is the other important reason besides the electoral system, of why Japan's opposition parties stay fragmented and continue to fail, which we will expand on in the following chapter.

Decentralization Reform

In the 1980s, the Japanese government faced fiscal stress and the public believed that Japan's centralized system of government was unable to resolve issues generated by the uncertain financial situation (Mochida 2008). Therefore, the government enacted the Law for the Promotion of Decentralization to start the decentralization process and deregulate administrative control, on May 15, 1995 (Mochida 2008). Subsequently, the Koizumi administration reformed intergovernmental financial relations to strengthen local revenues and reduce the reliance on central government transfers. The so-called "Trinity Reform," launched in fiscal year 2002, reduced the number of earmarked grants, transferred tax revenue sources to local governments, and revised the institutional architecture regulating LAT grants (Saito 2010). Those reforms weaken LDP's control of local governments in the long-term. For example, the central government used earmarked grants to influence local governments' spending decisions. Those grants were conditional on strict and detailed operational standards such as the brands of construction material and parts. The reduction of those grants weakens the central government's control of local governments and reduces clientelism.

After the reform, opposition parties were able to defeat the LDP in HC election in 2007 and HR election in 2009. Opposition parties' success after decentralization reforms under Prime Minister Koizumi verifies the importance of fiscal centralization for the LDPs power.

Part II

Opposition Fragmentation

The fragmentation of Japan's opposition parties can be traced back to two formal institutions: fiscal and electoral, which ultimately results in opposition failure. While fiscal centralization ultimately prevents parties from forming at the local level, at the same time, a system based on MMD and SNTV pressures party splits and mergers from the national level, thus creating party fragmentation. Today, the current MMM system characterized by a semi-proportional representation system, continues to foster top-down party fragmentation. While both fiscal centralization and electoral systems create top-down party formation, the current MMM system continues to punish fragmented parties through spoiled votes, dual-listing, and the best loser provision. Ultimately, this system enables the continuation of LDP power and hurts the opposition's chances of winning elections. Because of Japan's top-down party formation, opposition parties are incoherent and, come election time, have difficulty creating name-recognition due to short campaign lengths. Together, campaign regulations and fragmentation inevitably results in disappointing election outcomes for the opposition.

This part demonstrates how formal institutions lead to top-down party organization, while emphasizing how party fragmentation gets punished by semi-proportional representation, party incoherency, and stringent campaign regulations. First, it describes how fiscal centralization and electoral systems create top-down party organization. Second, it addresses Japan's current PR system and details how it both encourages and punishes party fragmentation. Third, it discusses challenges brought about by strict campaign regulations. Finally, it provides two policy recommendations on how to strengthen the opposition despite fragmentation.

Chapter 3: Top-Down Party Organization and Party Fragmentation

How Fiscal Centralization and the Electoral System Cause Top-Down Parties

Discussion on Fiscal Centralization and National Level Party Formation

Party systems around the world differ in monumental ways, however, despite a large number of systems, there are two ways in which parties are born: from the bottom-up or from the top-down. Lipset and Rokkan's work on West European party systems does well to define bottom-up parties, suggesting that they are parties rooted in key social concerns that people have chosen to express through an organization (Bértoa 2014, 2). However, Japan's political party system seems to fall under a different category, because rather than building from the local level, they instead form at the national level instead. As stated previously in Chapter 2 of this report, fiscal centralization favors the dominant party that controls the central government. This enables the incumbent party to utilize funds that parties would not be able to access otherwise to attract local politicians and voters. Hence, clientelism and *kōenkai* emerge from fiscal centralization, enabling the LDP to develop strong local relationships and ultimately producing strong candidates in the national elections. Consequently, newer and smaller parties struggle to form at the local level, forcing them to split from and/or merge with those parties already well established at the national level.

Discussion on Pre-Reform Electoral System and Fragmentation

The current splitting and merging practices of politicians previously mentioned can be traced back to the electoral system before and after the 1994 electoral reform. From 1947 until 1994, Japan's pre-reform electoral system was characterized by SNTV in multi-seat districts, as discussed in previous chapters (Krauss and Pekkanen 2011, 9). As a strategy to win in this system, larger parties began putting more than one candidate into every district election, forcing voters to choose between multiple candidates from the same party or alliance. This strategy resulted in two things. First, candidates from the same party were having to compete and run

against one another which led to larger parties splitting into factions as candidates sought to distinguish themselves from those representing the same party or alliance in the same district, as Koike Yuriko did when she defected from the LDP to create her own party, the Party of Hope (PH). Second, parties merged for the purpose of increasing the likelihood of party candidates obtaining majority seats in given districts, as did PH and CDP in 2017. These splits and mergers had produced a “semi-proportional effect” because with as many as five candidates running for one district, a candidate only needed as little as 10 percent of votes to win, which, again, opened the door to split and merger parties (Krauss and Pekkanen 2011, 45). For this reason, following the electoral reform, top-down parties were born as several parties began to emerge from splinters of the Social Democratic Party; such as Kōmeitō, the New Party, the Renewal Party, and the New Frontier Party, etc. Even the LDP, the dominant party in Japan, was the result of a merger between two political parties: the Liberal Party (Jiyūtō) and the JDP (Nihon Mishuto) in 1955. Ultimately, Japan’s political parties are created not only through the national government, but also by splits and mergers which produce parties that are not built from the bottom up, but from the top-down.

Case Study: Party of Hope and Democratic Party in 2017 General Elections

To demonstrate the formation of top-down parties, it is best to refer to Japan’s reformist party, the PH. The PH was led by Koike, the governor of Tokyo, who split from the LDP just before the 2017 general election. In 2017 the leading opposition party, the Democratic Party (DP), was significantly unpopular—in fact, the party’s popularity in the polls had sunk to single digits (Reed and Scheiner, 2018, 86). The leader of the DP, Maehara Seiji, announced that the party would not run in the 2017 general election. Rather than dissolving the party, Maehara created a deal with Koike, leader of the PH, to integrate DP politicians into her party and under her label (Pekkanen and Reed, 2018b, 87). This merger appeared to be the only viable solution for creating an opposition that could seriously challenge the LDP despite fiscal centralization and clientelism. Koike agreed to this on the condition that she could select the politicians entering her party. Basing her decision off of individuals’ views on national security and the clause banning war in Article 9 of Japan’s constitution, she welcomed only those who were in support of

collective security (Reed and Scheiner, *Japan Decides* 2017, 88). As a consequence of this party merger, those who did not agree with Koike were not accepted by the PH were left on their own to split from their original party at the national level and form the Constitutional Democratic Party (CDP) of Japan. Interestingly enough, on May 7, 2018, the DP ended up completely merging with the PH to form Democratic Party for the People (DPP).

As demonstrated by the example of the PH during the 2017 general elections, parties in Japan are not being built at the local level. Instead, they are being built by politicians who are continually creating negotiations regarding the splitting and merging of parties in an attempt to win elections and push their own agendas at the national level.

MMM System Encouraging Party Fragmentation

While fiscal centralization and the pre-1994-reform electoral system fostered the creation of top-down party fragmentation, the system following the electoral reform incentivizes continued split and merger practices among politicians. Historically, the percentage of seats allocated through the PR and SMD tiers have always been extremely contentious, with the LDP (and sometimes larger opposition parties) favoring SMD, and smaller parties generally supporting PR. Smaller parties supported PR systems because, when fully proportional, the system would provide better representation of parties competing against the dominant party. This favoritism is because the PR system enables candidates who failed in the single-member districts to be listed on their parties' PR list, meaning candidates can still win a seat if they were listed high enough on that list (Krauss and Pekkanen 2004, 8). Consequently, this new system has given smaller parties strong incentives to unite to gain pluralities in local districts because a 180-seat PR section enables the opposition to deprive the LDP of a majority of seats, thus “producing a limited multiparty system with coalition governments,” (Krauss and Pekkanen 2004, 8).

Such incentives for parties to split and merge resulted in the DPJ's formation in 1998 as a merger of four parties: the previous DPJ, the Good Governance Party, the New Fraternity Party, and the Democratic Reform Party. In 2003, the Liberal Party was absorbed into the DPJ, which resulted

in the DPJ gaining additional seats, adding to a total of 72 seats which was three more than what the LDP had won in the proportional representation tier as presented in Figure 3.2 (Takashi 2011, 112).

Table 3.1 November 2003 HR election: results of 300 SMD seats

Party	Vote	% of vote	Seats
LDP	26,089,326	43.85%	175
DPJ	21,814,153	36.66%	105
Kōmeitō	886,507	1.49%	9
JCP	4,837,951	8.13%	0
SDP	1,705,671	2.87%	1
NCP*	791,588	1.33%	4

* NCP stands for Hoshu Shinto, or New Conservative Party, later merged with the LDP as the Nikai faction. As of December 2005, its leader, Nikai Toshihiro, was the Minister of Economy, Trade and Industry in the Koizumi Cabinet.

Source: Takashi 2011

Table 3.2 November 2003 HR election: results of 180 PR seats

Party	Vote	% of vote	Seats
LDP	20,660,185	34.96%	69
DPJ	22,095,636	37.39%	72
Kōmeitō	8,733,444	14.78%	25
JCP	4,586,172	7.76%	9
SDP	3,027,390	5.12%	5
NCP	0	0	0

Source: Takashi 2011

In 2003, the DPJ won more seats than the LDP in the proportional representation tier, and “for the first time in the post-war era, an opposition party with pragmatic centrist views challenged the LDP in an environment in which voters care more about policy that they had under the ’55 system” (Krauss and Pekkanen 2011, 12). We see this pattern again in the 2009 election when the DPJ won 42.2 seats in the HR from PR, whereas the LDP only won 26.7 from PR as presented in Figure 3.3 (Reed, Scheiner, and Thies 2012, 358). To conclude, while the electoral system preceding the reform in 1994 produced top-down party fragmentation through SNTV and multi-district seat districts, it is the integration of PR listing in the current electoral system that continues to incentivize patterns of party mergers and splinters today. However, it is important to remember that while PR listing incentivizes splits and mergers, thereby creating a top-down party system, as we will argue later in the chapter, it does not necessarily work in the opposition’s favor. As was addressed in Chapter 1, the PR seats are disproportionate to SMD seats, which results in continual LDP dominance because while the opposition might be winning more seats than the LDP through PR listings, the LDP has been winning a majority of seats through the SMD, with exception to the general elections in 1993 and 2009.

Table 3.3 Percentage of HR seats by party, 1996-2009

	1996			2000			2003			2005			2009		
	PR	SMD	Total Seats	PR	SMD	Total Seats	PR	SMD	Total Seats	PR	SMD	Total Seats	PR	SMD	Total Seats
LDP	32.8 (35.0)	38.6 (56.3)	47.8	28.3 (31.1)	41.0 (59.0)	48.5	35.0 (38.3)	43.8 (56.0)	49.4	38.2 (42.8)	47.8 (73.0)	61.7	26.7 (30.6)	38.7 (21.3)	24.8
DPJ	16.1 (17.5)	10.6 (5.7)	10.4	25.2 (26.1)	27.6 (26.7)	26.5	37.4 (40.0)	36.7 (35.0)	36.9	31.0 (33.9)	36.4 (17.3)	23.5	42.4 (48.3)	47.4 (73.7)	64.2
Kōmei				13.0 (13.3)	2.0 (2.3)	6.5	14.8 (13.9)	1.5 (3.0)	7.1	13.3 (12.8)	1.4 (2.7)	6.5	11.5 (11.7)	1.1 (0.0)	4.4
JCP	13.1 (12.0)	12.6 (0.7)	5.2	11.2 (11.1)	12.1 (0.0)	4.2	7.8 (5.0)	8.1 (0.0)	1.9	7.3 (5.0)	7.3 (0.0)	1.9	7.0 (5.0)	4.2 (0.0)	1.9
SDP	6.4 (5.5)	2.2 (1.3)	3.0	9.4 (8.3)	3.8 (1.3)	4.0	5.1 (2.8)	2.9 (0.3)	1.2	5.5 (3.3)	1.5 (0.3)	1.5	4.3 (2.2)	2.0 (1.0)	1.5
NFP	28.0 (30.0)	28.0 (32.0)	31.2												
Other	3.7 (0.0)	8.0 (4.0)	2.4	12.9 (10.0)	13.5 (10.6)	10.5	0.0 (0.0)	7.0 (5.6)	3.5	4.7 (2.2)	5.6 (6.7)	5.0	8.1 (2.2)	6.6 (4.0)	3.3

Notes:

1. PR = proportional representation (votes for party).

2. SMD = single-member district (votes for person).

3. Political parties listed here are Liberal Democratic Party (LDP), Democratic Party of Japan (DPJ), Kōmeitō (Kōmei), Japan Communist Party (JCP), Social Democratic Party (SDP), and New Frontier Party (NFP).

Source: Reed, Scheiner, and Thies 2012

MMM System Punishing Party Fragmentation

The MMM system not only encourages fragmentation but also punishes fragmented parties. According to Maurice Duverger, a simple-majority single-ballot system favors two-party systems over multi-party systems (Duverger 1959, 217). Duverger's law suggests that supporters of third-party candidates “realize that their votes are wasted if they continue to give them to the third party” (Duverger 1959, 226). The idea of these wasted votes encourages coordination among candidates and parties to avoid spoiling the election in favor of a mutually-hated foe (Duverger 1959, 226). Thus, Duverger argues that a simple-majority single-ballot system creates an underlying tendency towards two-party consolidation (Duverger 1959, 228). By contrast, proportional representation systems favor multi-party systems because it allows voters to vote for parties that would otherwise be unviable under a simple-majority system (Duverger 1959, 239, 248-53). As discussed earlier, a party must win a plurality or majority of SMD seats to win an election. The necessity to win SMD seats creates a great incentive to consolidate to a two-party system. However, even during the most consolidated period under the first MMM paradigm, 15 percent of HR seats were allocated to minor parties (Inter-Parliamentary Union). This result is because the PR list enables small parties to thrive. Facing little push to vote for a disliked but more viable party, voters under PR choose their favorite party, enabling a plethora of smaller parties to gain representation in the Diet.

Spoiler Effect

All simple-majority single magnitude district seats enable the spoiler effect, in which a smaller party siphons off votes from their more aligned party, enabling the more mutually-disliked party to win. In non-mixed systems, the spoiler effect serves as a strong incentive in the process of consolidation towards a two party system. However, in Japan’s case, the contradictory incentives of MMM encourage party fragmentation. The proportional representation list not only enables fragmented allocation of PR list seats among many parties, but also incentivizes opposition vote splitting in SMD seats. Because of a short campaign cycle and the endemic “startup party”¹⁰

¹⁰ By “startup party,” we refer to the tendency for existing parties to fragment or form into new ones to form and win seats in the PR list. This phenomenon is not unique to Japan, other countries with hierarchical, top-down parties and proportional lists which have high district magnitude can feature this phenomenon. For example, The Blue and

phenomenon, party name recognition is often low. This cycle encourages parties to run candidates in SMD seats, even when they have little chance of winning, in order to benefit from the contamination effect and win a PR list seat. The contamination effect is when a party list candidate increases their share of the vote as a result of the candidacy of SMD candidate in the same PR district. For example, the Japanese Communist Party (JCP) consistently runs candidates in almost every SMD to shore up their PR list vote (Nemoto 2017, 831). In the 2012 elections, “startup parties” who won 15.6 percent of the PR list vote in PR districts where they had SMD candidates, in contrast to only 9 percent of the PR list vote in regions where they did not field SMD candidates (Nemoto 2017, 832). In a political party paradigm where opposition fragmentation and new “startup parties” are the norm, the incentives of the MMM system discourage cross-party coordination, perpetuating the spoiler effect in many urban SMD seats and punishing opposition parties for their ongoing fragmentation.

Dual-Listing Candidates

In addition to the inherent contradictions of any MMM system, the Japanese MMM system features two unique aspects which further encourage party fragmentation. Firstly, the MMM system allows parties to dual-list candidates in both SMD seats and on PR party lists. Dual-listing, in which a candidate simultaneously runs for both a single-member district and under the regional party list, is allowed under the 1994 rules (Neary 2019, 108). Dually-listed candidacies amplify the incumbent advantage of many candidates. Under the MMM system, dual-listing has become the norm, complicating efforts to coordinate joint SMD candidacies, increasing the overall number of SMD candidates and the spoiler effect (Nemoto 2017, 829, 832-3). Dual-listing, while an overlooked feature of the 1994 electoral reforms, has become a de facto regulation, creating a new breed of HR members—candidates who lose their SMD races but win a PR list seat or “zombies” (Pekkanen, Nyblade, and Krauss 2006, 183, 185). Dual-listing intensifies the contradictory incentives of the MMM system, further encouraging party fragmentation which is punished via the spoiler effect.

White party in Israel is the largest party following the September 2019 election, despite being formed only months earlier in February 2019.

Best Loser Provision

The second complicating aspect of the MMM system is the best-loser provision. Party list seats are allocated according to party list rank, with the highest ranked candidates receiving the highest preference to winning a seat.¹¹ However, the process of ranking PR list candidates is divisive. Instead, parties opt to not rank their PR-list candidates at all. Because of the proliferation of dual-candidacies, if two candidates both fail to win their SMD seats, the PR list seat is allocated to the losing candidate with the smallest margin—i.e. the best-loser (Neary 2019, 108). The best-loser provision encourages candidates to maintain strong personal support bases, reinforcing clientelist practices such as *kōenkai*. The best-loser provision also disincentivizes the introduction of PR list “specialists,” who run on just the PR list and thus do not spoil SMD races (Pekkanen, Nyblade, and Krauss 2006, 192). The combination of dual-listing and the best loser provision inhibits effective cross-party coordination such as smaller parties withdrawing from SMD races or larger parties encouraging their members to vote for an aligned small party PR list “specialist” candidate. Japan’s MMM system, in all its complications, encourages party fragmentation which disproportionately impacts the more fragmentation-prone opposition. The MMM system then punishes this fragmentation through the spoiler effect, causing opposition failure.

Effects of opposition fragmentation in elections

The electoral system encourages fragmentation in the opposition, as we discussed above, and this consequently hurts their election results. In this part of the chapter, we analyze these effects in a number of past elections and find that fragmentation hurts the opposition's election outcomes. We find that fragmentation hurts the opposition in elections, but success is possible if the opposition coordinates. This opportunity suggests that although there are a variety of parties that form the “opposition,” voters are not necessarily loyal to individual parties—rather, they support the opposition in general. Beyond elections, we also analyze how fragmentation weakens the opposition’s image and ability to present a clear alternative to the LDP. Taking these findings

¹¹ For example, if a party wins three out of five seats, the first, second and third ranked list candidates would win a seat.

into consideration may help the opposition in elections and, more broadly, encourage greater voter participation.

Effects of Elections on Opposition Failure

Opposition coordination in previous elections reveals that it is possible to gain more seats through coordination, suggesting that fragmentation is a suboptimal strategy for the opposition. These past cases of coordination additionally give us insights into voter behavior and what the electorate wants out of the opposition. These cases of coordination reveal what the opposition can gain and conversely reveal what is lost through fragmentation.

The 2003 general elections saw an LDP victory with a reduced majority, due to seats gained by the opposition. The ruling coalition lost a total of 12 seats in the HR, while the opposition coalition gained 11. In the opposition, the Liberal Party joined the DPJ, leaving the DPJ as the only “credible opposition party” in the race (Maeda 2010a, 424). With one less opposition party competing against the DPJ, the party gained a significant 40 seats. The merger of the Liberal Party into the DPJ did more than just divert Liberal Party votes—it also diverted votes from the JCP and the Social Democratic Party (SDP) (Maeda 2010a, 424). One might expect that voters of these left-wing parties vote according to their ideologies. However, the 2003 election results suggest that these voters are generally voting for the opposition, and they vote for the party that most strongly contends the LDP. Opposition coordination also attracts swing voters or those who previously voted for the LDP. When voters are dissatisfied with the government’s performance, voters tend to punish the ruling government, but they also need a clear alternative to channel their votes (Maeda 2010a, 433). The 1993 merger between Liberal Party and the DPJ provided a clear party to receive these votes.

Opposition coordination alone might not be enough to win an election, as the 2003 election shows. However, it can help the opposition mount a more credible challenge against the incumbent. Fragmentation disperses votes, which is especially unfavorable for the opposition in SNTV races. If coordination helps dissatisfied voters vote against the government, then

conversely, fragmentation makes it difficult to cast a punishment vote. When the opposition is fragmented, which has intensified since 2012, they are unable to capitalize on these votes.

When dissatisfaction with the government *and* opposition coordination occur, the opposition can win, as was the outcome of the 2009 elections. In this election, the DPJ was seen as the main opposition party since 2003 and held three-quarters of opposition seats since then (Maeda 2010b, 891). Further bolstering the DPJ's position as the main opposition party was the JCP's cooperation. The JCP historically ran candidates in every SMD race, but for the 2009 election, withdrew some candidates, which helped shift votes to the DPJ (Maeda 2010b, 901). JCP cooperation with the DPJ did not swing the whole election, but nonetheless helped the DPJ. This result also reinforces the idea discussed earlier that many voters are voting for the opposition in general, not necessarily for a specific party's platform. Aside from the JCP, the Social Democratic Party (SDP) and People's New Party (PNP) had enhanced cooperation with the DPJ (Maeda 2010b, 904). Coordination meant that the three parties did not compete with each other in select races. In previous elections, like 2003 and 2005, ruling parties won SMD seats with less votes than the combined opposition votes, but coordination in 2009 prevented this outcome (Maeda 2010b, 904). The ruling parties winning seats with fewer votes than the opposition in SMD races indicates an imperfect system, as we discussed earlier in the report, but the opposition's strategy can have a significant impact on the result, despite this system.

These cases of coordination are uncommon, and more often than not, opposition parties do not coordinate effectively. To illustrate how non-cooperation impacts opposition performance, we will discuss the example of the 1996 elections. In the 1996 elections, the LDP's two main opponents, the NFP and DPJ, had cooperated in twenty districts, winning seven of those districts. In 57 districts, the LDP candidate won against the two candidates sponsored separately by the NFP and the DPJ (Christensen 2000, 37). In 46 of those districts, the combined vote of the two opposition candidates was greater than the vote of the LDP victor. When analyzing the 1996 elections, it is reasonable to speculate that if these two parties had cooperated to win those seats in the other forty-six districts, together they might have won "as many as 36 more seats than the

LDP” in Japan’s single-seat districts (Christensen 2000, 49). Looking at the most recent 2017 general elections, it is also speculated that perfect coordination between the PH, the CDP, and Ishin might have denied the LDP-Kōmeitō coalition up to 21 urban seats, because the LDP-Kōmeitō coalition winner fell short of 50 percent in 59 out of the 94 urban wins (Scheiner, et. al, 2018). However, it is important to note that had the opposition parties coordinated better, they might have blocked an LDP-Kōmeitō supermajority, but would not have won government, meaning more improved tactics will be required of the opposition if they are to win (Scheiner, et. al, 2018).

In every general election between the 1994 electoral reforms and the 2009 elections, the opposition parties received more votes than the ruling LDP-Kōmeitō coalition, but only won in 2009. The existence of the LDP-Kōmeitō coalition also suggests that even the powerful LDP benefits from coordinating with another party. The diminished popularity of the LDP helped swing the country to a DPJ government in 2009, but opposition coordination was also a key factor. In the many elections where opposition parties received a higher proportion of the popular vote in SMD races, coordination could have helped gain seats. While attaining a 2009 kind of victory might not have been possible each time, failing to coordinate deprived the opposition of gaining additional seats and establishing strong incumbents.

In this section, we illustrated the ways in which opposition fragmentation and the electoral system interact. The electoral system both causes fragmentation *and* punishes it come election time. This underscores the significance of the electoral system and suggests that opposition fragmentation is persistent because it is reinforced at both ends by the electoral system.

Effects of Incoherent Image on Opposition Failure

With politicians within and across opposition parties coming from different ideological backgrounds, it is difficult to create a unified front, with negative consequences on the opposition’s image and ability to influence legislation. Having many different parties with slightly different policy positions can weaken the opposition’s ability to influence legislation,

and at election time, the opposition cannot present itself as a coherent alternative to the LDP. Lack of identity, which is one cause of fragmentation, also translates into an effect on the overall image of the opposition.

Lack of ideological coherence can even be found within parties. One such example is the DPJ, which, even from its inception, “did not have a clear underlying policy or sense of solidarity,” not uniting over common ideals or policy positions, but simply in an effort to become “bigger” for the sake of surviving the new electoral system (Scheiner 2006, 188). After the DPJ defeat in 2012, politicians had no reason to stay on the sinking ship that was the DPJ and opposition politics entered an era of new parties forming and splitting every few years. The failure of the DPJ to stay together after finally getting power reveals that the opposition consolidation into the DPJ from 2003 to 2009 was built on weak foundations. The opposition only centered on the DPJ because it showed potential to win, but after the drop in popularity became obvious in 2012, the incentive to stay together as the DPJ disappeared. There is no strong ideological or policy purpose at the foundation of opposition parties. The electorate can see this, and when voters perceive a party as an “incoherent collection of politicians,” they are statistically less likely to vote for that party (Scheiner 2006, 207). This incoherent image hurts the opposition in elections.

The consequences of incoherence extend beyond elections and also affect the opposition’s ability to influence legislation. A more recent example of policy position fragmentation within the opposition was the increase in consumption taxes. The current main opposition party, the CDP, wanted to keep the tax rate the same, rather than increasing it, but Reiwa Shinsengumi and the JCP wanted it lowered (*Japan Times* 2019b). Their inability to create a unified policy position made it difficult to oppose the LDP’s proposition to increase consumption tax. The LDP managed to pass the tax increase. In the next elections, the opposition may have difficulty using their position consumption tax as a campaign issue. How could they position themselves as the party that fought against the LDP on taxes, when they themselves were at odds regarding the issue? This recent issue of consumption taxes illustrates how opposition fragmentation impacts the legislative process, as well as potential problems that come out of this incoherence.

Having many parties forming the opposition, with many new parties forming out of old ones, can be confusing come election time. Given the short campaign period, discussed in detail in the following chapter, voters may not know what a party stands for. Even with the existing opposition parties, it is not always clear what they stand for, as we illustrated with the case of consumption taxes, since they have varying positions. If the current opposition parties change by the next election, it would be even more difficult to recognize the parties and know their platforms. Having so many unclear choices can be confusing, leading voters to vote for what is familiar, the LDP, or not vote at all. Compounded with short campaign periods, new opposition parties might not have the time to spread its message. In a similar way that fragmentation weakens the opposition given election laws, fragmentation weakens the opposition given campaign laws.

Discussion

We discussed the incoherence of the opposition, but does that mean that the LDP-Kōmeitō ruling coalition is presenting a unified front? Not exactly. The LDP itself was born out of a 1955 merger between the Liberal and Democratic Parties, with candidates of different personalities and politics (Scheiner 2006, 1). The electoral system at the time allowed for more candidate-centered voting, rather than party-centered voting, so incoherence was less of an issue. The LDP was able to establish dominance and create unity through power, so the switch to party-centered voting in 1994 did not hurt the LDP as much. The LDP-Kōmeitō coalition may also face some tensions, as the LDP pushes further for constitutional reform, while Kōmeitō members intend to protect the current constitution (*Japan Times* 2019d). We have yet to see how this potential fracture will play out. However, incumbent advantages rooted in the electoral system and reinforced by clientelism will likely mitigate effects of coalition incoherence on the LDP-Kōmeitō. Additionally, fragmentation is much less apparent in the ruling coalition compared to the opposition, given that the ruling coalition is only made up of the LDP and Kōmeitō.

Incoherence in the opposition can be very damaging, as we have discussed in this section. However, the ability of the ruling coalition to evade some of these impacts suggests that other factors, like the electoral system and clientelism, are at play. The opposition can benefit from increased coherence and coordination, but they may not see LDP-like dominance because of these other factors. Increasing opposition coherence, though, will be important if they want to gain more legislative power to change these systems that uphold LDP dominance.

Fragmentation: Setbacks and Opportunities

Fragmentation has important effects on elections. It can allow the LDP to win without a popular vote, and conversely, cooperation can give substantial gains to the opposition. While coordination alone might not win a majority in the Diet, it certainly helps gain seats. Increased coordination within the opposition and increased consensus-making on policy can benefit the opposition because past elections suggest that voters are generally voting for the “opposition” and not their individual party platforms. These victories could establish loyal voting bases, something the opposition lacks compared to the LDP. In addition to the effects on elections, fragmentation is not good for the overall image of the opposition. Disunity can harm campaigning efforts, and constant party splitting and reorganization can be confusing. While the election and campaign laws can hurt the opposition, there are changes that can be made within and across opposition parties to help them strengthen in spite of these systems.

Fragmentation severely hurts the opposition and is something that will need to be overcome, but we would like to reiterate that this problem stems from structural issues in the electoral system. The electoral system creates top-down parties, which fragments the opposition. Additionally, this electoral system helps the LDP remain dominant, even if the LDP itself faces problems with incoherence. To create the conditions for the long-term competitiveness of the opposition, these will need to be addressed. To do so, though, would first require the opposition to overcome fragmentation and gain enough legislative power to make these changes.

Chapter 4: Campaign Regulations

Introduction

Just as the electoral system contributes to opposition fragmentation, Japan's campaign regulation laws help further fragmentation and party incoherency. Importantly, campaign regulations help dictate how opposition parties create name-recognition and spread awareness of its candidates and campaign issues. Japan's Public Office Election Law (POEL) establishes campaign rules, and, while first introduced in 1950, has been revised and narrowed over time (Klein 2015, 59). Notably, electoral regulations are not included in the constitution and are instead changed at will by the parliamentary majority (McElwain 2008, 35). Since forming in 1955 and subsequently dominating Japanese politics, the LDP has changed election law drastically, primarily for its own benefit. Thus, regulations unsurprisingly benefit the LDP and hinder the opposition. Ultimately, strict campaign regulations contribute to opposition failure by limiting the opposition's ability to create name-recognition and party coherency, while favoring better-established parties, like the LDP.

Short Campaign Periods

Short campaign periods prove particularly detrimental to the opposition, limiting its ability to create name-recognition and furthering issues of party fragmentation, described earlier. In recent elections, campaign periods have been only as long as the legally required minimum or just a few days longer (Umeda, 2019). This use of campaign minimums results from control of election law by the dominant party, which has almost always been the LDP. These short campaigns benefit the LDP because it is already well-known and does not need to spend time creating name recognition. By contrast, newer opposition parties work hard to build awareness, and Japan's regulations, determined by the LDP, give them a disadvantage. These campaign minimums are extremely short, ranging from 17 days for HC elections and 12 days for HR elections. Historically, the LDP has gradually shortened these minimums over time. In 1950, the POEL dictated that all major elections had 30 days minimum of campaigning, with this minimum for HR elections decreasing to twenty days in 1958, 15 in 1983, and finally 12 by 1994 (McElwain

2008, 41). With this limited frame, the opposition can only do so much to create name-recognition. Especially if the party is less well-established, the platforms and candidates of opposition parties can be extremely confusing to the Japanese public come election time. Consequently, this confusion often leads to fewer votes and less power in government.

Additionally, Japanese ballots require voters to write a candidate's full name or party, further exacerbating existing issues of name-recognition for the opposition. This requirement makes Japan the "only developed country that has a handwriting system for national-level, large-scale elections" (*Mainichi* 2019). When the opposition briefly took power in 1993, a system to check instead of write candidate names was permitted. Nevertheless, this system was never put in use and later abolished, in part due to LDP dissent. While voting booths have a list of candidate names, ballots with illegible or incorrect names are discarded. This outdated system perpetuated by the LDP proves consequential to opposition parties, whose candidates are often lesser-known and thus less recognizable come election time (*Mainichi* 2019).

Finally, party fragmentation encourages problems of name-recognition created by campaign regulations. Parties unable to unify around a central ideology confuse the Japanese public and can lead to party formation only days before an election. For instance, the PH formed just hours before the 2017 snap election. To further explore campaign regulations, one must examine some of the campaign methods that the POEL allows.

Campaign Methods

Gaisensha

One of Japan's most well-known campaign methods is the *gaisensha*, or sound truck. These trucks drive on predetermined routes, blasting candidate names and slogans to the public. This method is encoded in Article 141 of the POEL, which details the number of trucks a party can use and how many speakers it can have. Additionally, trucks must keep their volume lower than 85 decibels, but this is not always enforced (*Japan Times* 2006). While some complain that these trucks are a nuisance and create sound pollution, they do help create name recognition by

exposing the public to a candidate's name and increasing awareness. Nevertheless, incumbents usually have more recognition, and, while gaisensha can try to increase awareness of newer opposition candidates, they ultimately cannot make the opposition competitive with better-known politicians.

Street Campaigning

Politicians, accompanied by campaign staffers, often campaign directly on the streets, delivering speeches to the public. These speeches often take place in train stations or on major roads, and appeal to anyone who is willing to listen. Politicians hope to increase their name-recognition and captivate undecided voters through this method. Klein suggests that “candidates here are deciding about a trade-off: either concentrate on making a passing audience remember the politician's name or focus on a very small number of pausing voters by expounding policy proposals,” (Klein 2011, 70). Thus, candidates often target their appeals to a larger, but perhaps less attentive audience, hoping that someone will remember them.

Kōenkai

Kōenkai, local support groups, strengthen a candidate's grassroots support and also fulfill clientelism, described at length later in this report. These groups help create local support for a candidate, often through material favors, such as wedding gifts, building schools, etc. They are best used by the LDP, but are also used by other parties to achieve similar purposes.

Other Methods

Other campaign methods include television advertising, sign boards, and social media. Importantly, advertising on TV is publicly funded and guaranteed to every candidate. The 1994 reforms helped provide a certain amount of free time for TV advertising for every candidate, while restricting a party's number of advertisements by its number of candidates. This rule means that independent candidates can only run their ads once on NHK, setting them at a disadvantage. Additionally, while parties can run advertisements without restriction, candidates can only run ads during the 12 to 17 day campaign period. Thus, candidates must create

name-recognition on TV quickly, which is more difficult for lesser-known opposition candidates than the well-known LDP politicians.

Social media and the Internet have changed Japanese campaigns by increasing accessibility and bringing new demographics into politics. In 2013, the POEL was revised to permit online campaigning, which was strongly supported by the DPJ. This form of campaigning is newer and less regulated than previously described methods and has been used extensively by Japan's political parties. In a 2019 HC election, the LDP created a social media team for 16 prefectural constituencies with only one seat open. Similarly, the CDP's Edano Yukio tweeted that "the CDP can't use its budget for television commercials," and would instead use social media to engage with voters (*Japan Times*, 2019c). Thus, Japanese election's increased use of social media presents an opportunity for the opposition, which can develop social media strategies to the same ability as the LDP. If the opposition can mobilize public dissatisfaction with the LDP and raise awareness of its own party, then it has a significantly better chance of winning elections.

Additional Campaign Restrictions

Additional restrictions set by the POEL include political canvassing and campaign financing. First, political canvassing was prohibited in 1950, and despite several attempts at reform, this ban continues today. Importantly, the LDP-majority in the Diet has strongly resisted change because of bribery and coercion concerns. Nevertheless, this ban prevents grassroots mobilization and ultimately hinders the opposition. Second, loose campaign financing laws have helped the LDP through its control of national government resources, known as fiscal centralization. Under the Political Control Act, donations to political parties, politicians, and candidates are restricted to prevent bribery, which has been an issue in Japanese politics. Consequently, corporations, industry organizations, and unions can only donate to political parties and their fund-managing organizations, not to specific politicians or candidates. These donations range anywhere from 7.5 million yen to 30 million yen per year, depending on the size of the donating organization. Individuals can donate goods or services separate from money of

up to 1.5 million yen per year to a candidate and can donate up to 20 million yen a year to parties (Umeda 2019). Nevertheless, the LDP has a financial advantage to the opposition, and ultimately loosening restrictions allow the LDP to spend an excessive amount in elections, to which the opponent cannot compete.

Conclusion

Strict campaign regulations contribute to opposition failure by limiting the opposition's ability to create name-recognition and party coherency, while favoring better-established parties, like the LDP. Specifically, short campaign periods make it difficult for opposition parties to establish name-recognition for their candidates and forces them to do it sometimes in a matter of days. While campaign regulations have historically benefitted the LDP, social media offers an opportunity to the opposition because of its less-restrictive, more accessible nature. If opposition parties can overcome other problems, like fragmentation and clientelism and win a parliamentary majority, they can change the POEL to become more favorable to them.

Chapter 5: Policy Recommendations for Fragmentation

Alternatives to MMM: Embrace Fragmentation or Disincentivize It

In order to avoid further opposition failure, Japan should change its MMM system. Electoral reform can either embrace the fragmentation endemic to the second MMM paradigm or curtail party fragmentation and recreate the two party consolidation of the first MMM paradigm.

With the first approach, party fragmentation is no longer punished as it is in single magnitude simple majority races. Under this system, SMD seat allocations are subtracted from party list votes, balancing the total allocation of seats to align with the party popular vote. Alternatively, SMD seats could be completely abandoned and a full PR system is embraced. This would enable opposition governments to form despite weaker organizational structures. Under full PR, the party which wins the most seats does not necessarily form or head the government. As seen in Table 5.1, a fully PR Japan would theoretically have had opposition parties win the 1996, 2000, 2009, 2012 and 2017 HR elections, instead of just the 2009 election.¹²

With the second approach, the PR list would be abandoned instead. In a fully SMD system, Duverger's theory predicts that a two party system would emerge. This system would minimize the spoiler effect by depriving smaller parties from substantial representation. Without contradictory incentives, a more consolidated opposition party would be more likely to win against the LDP. However, a fully SMD system would squeeze out of small parties such as the JCP and Kōmeitō and reduce the amount of choice voters have. The MMM system is an unacceptable compromise which perpetuates opposition failure. While electoral reform is a risky prospect, approaches to both embracing and discouraging political party fragmentation offer great promise.

¹² One should note that a fully PR system would significantly change voter and candidate behavior and further deprioritize candidates in favor of parties. This model is not meant to convey a fully accurate counter-factual.

Table 5.1 Seats won by the LDP coalition and opposition parties in the 1996-2017 elections. Using the amount of seats won on the proportional representation list, an alternative only PR seat count is modeled, showing who would win under full PR

Election	Seats		LDP	Opposition	LDP	Opposition	Full PR
	Needed	Winner	Seats	Seats	Full PR	Full PR	Winner
1996	250	LDP	256	235	202*	298	Opposition
2000	240	LDP	271	194	213	267	Opposition
2003	240	LDP	275	194	251	229	LDP
2005	240	LDP	327	135	267	213	LDP
2009**	240	DPJ	140	334	203	277	Opposition
2012	240	LDP	325	150	211	269	Opposition
2014	238	LDP	325	141	248	227	LDP
2017	233	LDP	310	129	230	235	Opposition

Source: Inter-Parliamentary Union and author's calculations

*Rounded down to accommodate maximum number of seats

**Opposition includes both DPJ Coalition and non-LDP opposition parties (JCP and Your Party)

Changes in the electoral system, of course, will have to be passed by the Diet. With the LDP-Kōmeitō coalition in power, this is unlikely to happen. To first gain power within the current electoral system, the opposition will need to center around one main opposition party. As we discussed in Chapter 3, the opposition performs better when parties coordinate with each other. The opposition should recognize that voters are interested in voting for the opposition in general, not necessarily a specific party. The opposition should coordinate towards a common goal of winning a majority and passing more effective electoral reforms.

Revising the POEL: How to Make Campaign Regulations More Friendly to the Opposition

Now, we address campaign regulations that disadvantage the opposition. This report recommends returning campaign minimums to 30 days or more, thus increasing the minimum campaign period required for HC and HR elections. More specifically, an increase from the current 12 to 17-day minimums to 30 days, a return to the 1950 POEL, would allow the opposition to spend more time building name-recognition and increasing public awareness. As Chapter 4 explains, candidates cannot campaign before this period, and it encourages existing problems of fragmentation and incoherence. By increasing the campaign minimum, the opposition has a more equal, level playing field and might be successful in overcoming fragmentation.

An additional recommendation is revising the POEL to allow door-to-door canvassing. Under the current POEL, parties have been forced to use less effective methods of campaigning, like gaisensha and street speeches, which almost exclusively focus on name-recognition. By contrast, canvassing allows candidates to connect directly with voters and present their policy platforms. This direct connection would undoubtedly benefit the opposition, which can take advantage of stalled policy change under the LDP and present themselves as an alternative.

Part III

Clientelism and LDP Popularity

The failure of Japan's opposition parties, as this report demonstrates, has been shaped by several interwoven factors. Formal institutions, like the electoral system and fiscal centralization, work with informal systems, like clientelism, to strengthen the LDP and hinder the opposition. Significantly, clientelism explains LDP support in rural areas and demonstrates why the LDP is more popular than some might believe. Clientelist transactions help maintain LDP support in rural areas while limiting the opposition's competitiveness in these regions. By contrast, urban areas experienced anti-clientelist backlash and are less likely to support the LDP. This rural-urban divide in Japan, described by Scheiner as the parallel party system, has been encouraged by clientelism and reinforced by institutions. Thus, clientelism maintains LDP popularity in rural areas while electoral institutions and fiscal centralization translate that support into significant electoral victories.

This part demonstrates how LDP popularity in rural regions, encouraged by clientelism and reinforced by institutions, contributes to LDP electoral victories and hinders the opposition. First, it outlines the rural-urban divide in Japan, connecting LDP popularity in rural areas to clientelism. Second, it details the mechanisms of clientelism, such as *kōenkai* and public works. Third, it suggests that fiscal centralization allows for LDP financing of clientelism. Fourth, it explains how the electoral system translates rural support into LDP electoral dominance. Finally, it considers case studies of clientelism and argues why clientelism has been persistent in Japan.

Chapter 6: LDP Popularity, the Rural-Urban Divide, and Clientelism

Clientelism

Clientelism refers to a system whereby politicians reward voters with material benefits, emphasizing patronage politics over programmatic politics. Kitschelt and Wilkinson define clientelism as “a linkage between politicians, parties, and citizens” (Kitschelt and Wilkinson 2007, 1). These linkages are often expressed through material side payments, such that politicians provide benefits to citizens who vote for them. Politicians award benefits to people who support the party and, significantly, withhold them from those who do not support it (Scheiner 2006). Clientelism also represents a transaction, meaning “the direct exchange of a citizen’s vote in return for direct payments or continuing access to employment, goods, and services” (Kitschelt and Wilkinson 2007, 2). Notably, these systems “lack a transition from patronage politics to programmatic politics” (Kitschelt and Wilkinson 2007, 2). This lack of transition suggests that clientelism encourages politics founded more on the ability of politicians to provide material benefits and less on the development of policy or ideology. Further, Kuo characterizes clientelism in two ways: first, as an election strategy, and second, the distribution of state resources (Kuo 2018). Thus, clientelism is not an institution, but rather represents a means of doing politics. Consequently, political actors use clientelism together with institutions to produce specific political outcomes.

Parallel Party System

Japan’s parallel party system demonstrates how clientelism encourages LDP support and creates divisions between rural and urban voters. Scheiner says that two parallel party systems have developed in Japan: first, a one-party dominant system in rural areas and, second, a competitive system in urban areas (Scheiner 2006). Based on this system, Scheiner suggests that rural support for the LDP is based on clientelism, and clientelist voters are more likely to support the LDP while anti-clientelist voters support new parties (Scheiner 2006). Importantly, rural voters seem to benefit more from material rewards, as this report describes in the following sections, and

urban voters are more interested in programmatic reforms than patronage. Thus, Japan's rural areas are not electorally competitive because of the LDP's clientelist transactions.

Resource constraints help explain why the LDP targets rural voters, such that the party uses fewer resources while maximizing electoral success. As noted above, clientelism helps shape Japan's rural-urban divide by securing LDP dominance in rural areas. Like Kuo describes, clientelism signifies an intentional way of doing politics, and the LDP, as a political actor, relies heavily on this system. Corstange suggests that clientelism is used to attract different voters because of costs to parties. Significantly, parties use electoral clientelism during the campaign season to influence voter behavior (Corstange 2018, 79). He says "budget constraints compel [parties] to privilege voters who are most receptive to changing their behavior in exchange for modest material rewards" (Corstange 2018, 79). Thus, parties target the voters that they believe will be easiest to buy off. This notion explains clientelism's presence and success in rural areas, such that Japan's rural voters not only benefit the most from clientelism, but are also the cheapest to pay. Thus, rural areas do not force the LDP to expend an excess of resources to achieve electoral victory, and clientelism fits within budget constraints. By contrast, the opposition lacks similar material resources and cannot compete with the LDP's material rewards. Perhaps a transformation to programmatic politics would lessen the effects of patronage and weaken the LDP. Nevertheless, clientelism persists in Japan, which this report later explains, and rural areas witness various methods of clientelist exchange.

Mechanisms of Clientelism: Kōenkai and Public Works

Within Japan's politics, kōenkai are support organizations that allow politicians to secure votes in return for favors towards the kōenkai's members. Politicians run kōenkai mainly to assure that they have a reliable source of constituents that will vote for them. As evidence towards their reliability, according to an analysis done by Krauss and Pekkanen on Meisuikyō data from 1972 to 2003, "kōenkai members were about 10 percent more likely to vote than nonmembers" and that kōenkai members are more likely than non-members to support the same party for more than 10 years (Krauss and Pekkanen 2011, 33).

While *kōenkai* have given the LDP an advantage over the opposition for many years, the groups themselves do not usually focus around a party. Instead, a *kōenkai* would often revolve around an individual politician. As described by Krauss and Pekkanen, this encouragement of personalistic politics is aimed to cultivate a personal vote, meaning that it would lead to constituents voting for a politician based on their personal traits rather than the political party in which they are in (Krauss and Pekkanen 2011, 30-31). Because of this personal vote, candidates that have a *kōenkai* attract more floating votes, meaning that they are able to get more votes from constituents who do not necessarily vote for the party that the candidate is in. For example, the Japan Medical Association backed LDP member Ōno Yoshinori in Kagawa Prefecture despite backing the DPJ in Ibaraki Prefecture during the 2009 elections (Krauss and Pekkanen 2011, 80).

Other than voting for a politician's personality, a key factor for *kōenkai*'s ability to mobilize votes is the possibility of clientelist exchange. According to Scheiner, member constituents are usually given many different favors and services that appeal to them, and in return they are expected to vote for the politician that the *kōenkai* is dedicated to (Scheiner 2006). Favors can range from more particularist, which may include wedding attendances, trips to hot springs, organizing sport tournaments, etc. (Krauss and Pekkanen 2011, 31) to more pork-barrel style favors such as "multiple bottles of expensive sake to local organizations and considerable sums of money to help with small-scale construction projects" (Scheiner 2006, 72). Interviews done by Krauss and Pekkanen reveal that some Diet members can attend up to 2000 weddings a year just for their *kōenkai*, this is not even including other events that Diet members often attend such as parties, funerals and festivals (Krauss and Pekkanen 2011, 36). In addition, *kōenkai* allows politicians to circumvent campaigning laws, effectively becoming year-long campaigns (Curtis 1971, 155). Because of a *kōenkai*'s propensity to do favors for constituents and their year-round run time, the costs for maintaining them are exorbitant. *Kōenkai* are a big reason as to why in Japan, "nearly four times more money per capita was spent on politics than in Germany, the United States, or the United Kingdom," (Carlson 2007, 5).

The high costs required to run and maintain a kōenkai act as a huge barrier to non-incumbent politicians as they struggle to gather the required funding. According to data on kōenkai spending within PR blocks during the year 2000, the LDP had spent approximately \$258,000 on kōenkai while the DPJ had only spent approximately \$77,000 during for politicians who were dual listed (Carlson 2003, 186). Supporting the argument on fiscal centralization that will be discussed later on: as the incumbent party, LDP candidates have the government resources available to run kōenkai, giving them an advantage over the opposition (Reid, Scheiner, and Thies 2012, 360). Kōenkai today attempt to run at a profit, or at least be profit neutral, by requiring membership fees. While funding from the members does help subsidize some of the kōenkai's activities, these funds alone cannot sustain the kōenkai. A large portion of the funding comes directly from the party. In the year 2000, the LDP headquarters had distributed ¥19.2 million to local party branches; ¥18.1 million of that had been transferred from a politician's party branch to their kōenkai (Carlson 2007).

Kōenkai Post-Reform

By removing the SNTV/MMD system, reformists argued that politicians would focus less on kōenkai in favor of issue-oriented and party-based media campaigns (Christensen 1998, 992). The reasoning behind this is that since kōenkai had found success in splitting the vote and increasing the chances of multiple LDP candidates winning, transitioning into a electoral system that prevented in-party competition within the same district would lead to politicians choosing to forgo the need for a kōenkai. However, they still remain an important tactic for the LDP, albeit less popular as they were before the reforms. Data on the LDP's kōenkai from 1986 to 2003 have revealed a downward trend in the number of kōenkai groups after the reform (Carlson 2007, 246). On average, the number of LDP kōenkai from 1986 to 1993 is 8.1 groups higher than the number of kōenkai from 1996-2003, showing a decrease in demand post-1994 reforms. The kōenkai's ability to raise funds have also diminished after the introduction of campaign finance regulations, with their mean income declining from 209.4 to 102.2 million yen (Carlson 2007). Other evidence supporting the decline of kōenkai is the decrease in kōenkai voter. In the 1979

HR Election, 19.7 percent of voters were members of a *kōenkai*, while in the 2005 HR Election, only 10.2 percent of voters were members of a *kōenkai* (Krauss and Pekkanen 2004).

Despite its decrease in numbers, “the *kōenkai* do not appear at any risk of becoming extinct in the near future” (Carlson 2007, 251). They still remain as an important strategy for the LDP in mobilizing votes and some scholars would argue that the reforms had made it even stronger in certain cases. After the reforms were passed, politicians could not rely on party identification to mobilize votes, which had forced many of them to strengthen their *kōenkai* to gather votes and generate funds. According to Carlson, the reform has made incumbent politicians more likely to rely on their *kōenkai* as their political strategy in contrast to new candidates (Carlson 2007, 251). This is supported by data from 2003 showing that LDP incumbents have spent approximately 7.32 to 17 million yen more than new candidates (Carlson 2007, 248). The importance of past incumbency in the effectiveness of a *kōenkai* provides another challenge for opposition politicians, as they would require an already established *kōenkai* to challenge incumbent LDP candidates in districts where *kōenkai* remain a viable strategy to mobilize votes.

Public Works

Another primary mechanism for conducting clientelist behavior is through the funding of public works. The LDP would often target certain constituency groups, most notably the farming and construction sectors, and provide companies with public works contracts. In exchange for the funding of these projects, the patrons return the favor by mobilizing votes and supports for the LDP, providing “donations,” or perhaps even secure a highly-positioned job within their firm for retiring politicians, a practice known as *amakudari* (Scheiner 2006, 213). The targeted groups give quite a significant advantage for the LDP due to their size and influence. According to Scheiner, “the well-organized farmers groups are among the leading support groups for the LDP and are more powerful in rural areas” (Scheiner 2006, 116-17). There is numerous evidence that documents this behavior within Japan. For example, in 1996, Japan had spent 8.7 percent of the nation's GDP on public works, which is much larger when compared to other developed, democratic countries. For instance, the United States and Germany have respectively spent 1.7

percent and 2.2 percent of their GDP on public works (Scheiner 2006, 70). The LDP has also been criticized for its “unnecessary” spendings on public works, spending trillions from government funds to hire contractors to create unnecessary infrastructure and “bridges to nowhere” that benefit a few people. One notable example being the Hamada Marine Bridge, a \$700 million bridge that connected the city of Hamada to an already connected, low-populated island (Fackler 2009). In 2018, LDP lawmakers had prompted an increase in public works to make the country more resistant to disasters. Nevertheless, some may argue that the real motive, as with many similar projects, is to garner the construction industry's support (*Japan Times* 2018).

As mentioned earlier, clientelist exchange often has a rural bias due to the nature of the parallel party system, which is why most of these public works are often done in rural areas. Not only that, using public work projects to form clientelist relations is difficult to utilize in urban areas, as many people are affected by these projects being built, thus making it “difficult for parties to target specific groups and claim credit for the benefits of the projects” (Scheiner 2006, 117). It is also for this reason that some politicians take credit for the funding of these projects. One such politician is “Emperor of the Construction Ministry” Tanaka Kakuei, who has funnelled multiple public works projects to the Niigata prefecture (Woodall 1996, 120). One of these notable projects “was a tunnel that ‘liberated’ Shioya Village and its 60 households from its traditional wintertime isolation—at a cost of ¥12 billion” (Woodall 1996, 120). Thus, while clientelism functions through internal mechanisms of the LDP, its success also depends on Japan’s institutions.

Chapter 7: Institutions, Clientelism, and Persistence

While the LDP uses clientelism through its internal functions, Japanese political institutions contribute to clientelism's success as an electoral strategy. Fiscal centralization and electoral institutions explain why clientelism results in LDP dominance. Specifically, the LDP has greater access to resources than the opposition, and rural areas, which experience LDP popularity, are overrepresented by the electoral system. Thus, clientelism remains a viable means of winning elections and perhaps contributes to its persistence.

Fiscal Centralization

The LDP funds clientelism, in part, through fiscal centralization, a Japanese government institution that concentrates financial resources at the national level. Fiscal centralization, described in Chapter 2, enables national control of resources and discretionary funding, often to the benefit of the ruling party. Thus, the LDP has used the central government to selectively fund local politicians and further clientelism. Ultimately, these practices weaken the opposition and strengthen the LDP.

Fiscal centralization encourages significant LDP influence in local elections, bringing clientelism from the national to local level. Local politicians rely on central government funding to finance their projects, which often mean public works or other forms of clientelism in rural areas. Scheiner notes that rural voters depend on and expect clientelist exchange by their politicians, and the LDP helps facilitate that at the local level. Not only does the LDP expand clientelism locally, but it also encourages local politicians to align with its party to receive more significant funding. Thus, the centralized distribution of resources creates “a monopoly [of] local power across the country” by the LDP and shuts out the opposition party from these resources (Scheiner 2006). Therefore, fiscal centralization, which rewards parties powerful at the national level, helps maintain clientelism by the LDP and expands their local power.

Electoral Institutions

Electoral institutions overrepresent rural areas through malapportionment, and thus the LDP's rural popularity allows for significant electoral victories. Malapportionment, discussed in Chapter 1, is defined as disproportionate representation, such that seats are not distributed equitably among the population. While fewer people in Japan live in rural areas than urban ones, rural areas are overrepresented by the electoral system and thus their votes matter more for electoral outcomes.

While clientelism encourages LDP popularity, electoral institutions explain how rural support translates into electoral success. Even though the LDP is unpopular in urban areas, its popularity in rural regions ensures victories at the ballot box. Thus, the popularity of clientelism, and, by extension, the LDP, in rural areas results in electoral outcomes with a greater margin of LDP support than perhaps exists.

Case Studies in Clientelism

Clientelism in Japan has remarkably persisted and contradicts several other cases of clientelist persistence. Traditional cases suggest that clientelism occurs in countries with underdevelopment and weak governing institutions. In Lebanon, high levels of income inequality and social diversity contribute to the clientelism's ongoing persistence (Corstange 2018). In an unequal, underdeveloped society, voters accept clientelism because of economic need, while politicians recognize the electoral advantages of this system. Accordingly, clientelism targets voters who benefit the most from the least amount of resources, as mentioned earlier (Corstange 2018). This targeting means that poor voters rely on small handouts to get by, and underdevelopment persists because politicians recognize clientelism's electoral benefits. Without institutional, policy solutions to underdevelopment, voters continue to depend on the rewards offered by clientelism and thus continue voting for politicians who provide them.

While Japan experiences clientelism possibly to a similar degree as Lebanon, it is neither underdeveloped nor does it have weak governing institutions. Perhaps the United States, which is

more comparable in terms of economy and political institutions, offers another explanation. In the United States, economic development encouraged a shift away from clientelism and towards programmatic politics. Kuo argues that in the United States and Britain, “businesses developed new forms of corporate management and capitalist organization, and found clientelism inimical to economic development” (Kuo 2018). Thus, she explains how changes in the economic sector also produces changes in the political arena. Further, she suggests that “the rise of managerial capitalism, the establishment of national business organizations, and the costs of clientelism to economic development led businesses to push for programmatic reforms” (Kuo 2018). Ultimately, businesses demanded reform because they believed programmatic reforms to be favorable to their business interests. Programmatic politics are predictable and focused on policy development that expands capitalism, while patronage politics reward a few at the expense of the rest of society. Therefore, reform did not originate from politicians themselves, but rather from business interests who recognized an economic opportunity. Nevertheless, Japan has not witnessed a shift towards programmatic politics, even while business interests possess significant power.

Contrary to traditional cases of clientelism, Japan is neither underdeveloped nor has capitalism’s rise encouraged a transition to programmatic politics. Instead, clientelism persists, seemingly against all the odds. Thus, there must be another factor at play that differentiates clientelism in Japan from that of other countries. First, one must understand how institutions and informal systems function together.

Continued LDP dominance after the 1994 electoral reform demonstrates the limits of institutional explanations in political science and reveals how political actors adapt to institutional change. Krauss and Pekkanen argue that LDP formation was “a result of key actors ...shaping a given set of institutional arrangements” (Krauss and Pekkanen 2011, 2). They suggest that political actors operate within confined rules of the game, though those rules are often malleable and can change over time. Thus, political actors must navigate institutions to become successful, but they often possess their own internal institutions that remain intact

regardless of external institutions. For instance, the LDP relied on the SNTV electoral environment to win elections and used this institution as a means of party dominance (Krauss and Pekkanen 2011, 25). The LDP became so successful through this strategy that it led to the 1994 electoral reform, which was intended to weaken the LDP. Nevertheless, the LDP's power stayed the same after the reform. Krauss and Pekkanen use this failure to emphasize how "electoral systems...do not alone or invariably determine the specific outcomes of the game," and instead political actors rely on their own internal institutions, like *kōenkai* in Japan, to gain political power (Krauss and Pekkanen, 10).

Persistence of Clientelism

The persistence of clientelism in Japan results from the continued electoral success of clientelism under unpredictable competition and the partisan allocation of money (Ito and Sugihara 2011, 2). While competition in Japanese elections has increased in recent years, in part due to the 1994 electoral reform, clientelism has not disappeared. Indeed, Ito and Sugihara suggest that competition strengthens clientelism by making it a more appealing electoral strategy than programmatic reforms (Ito and Sugihara 2011, 11). The LDP and other Japanese political parties recognize that clientelist exchange wins elections, and thus they lack incentives for policy-centered campaigns. For instance, while the LDP is perhaps best known for clientelism, the DPJ also used clientelism as a decisive electoral strategy beginning in 2003 (Ito and Sugihara 2011, 16). Ozawa recognized that the DPJ could not only rely on urban voters to secure an electoral victory, so he introduced clientelist rewards as a way to attract rural populations. Additionally, clientelism helps explain the LDP's 2009 election loss because of how Koizumi's postal reform isolated previous LDP clients (Ito and Sugihara 2011, 17). Nevertheless, DPJ failures in government and LDP patron-client linkages helped put the LDP back in power in 2012. Similarly, partisan allocation of money encourages clientelist exchange by political parties dominant at the national level. As mentioned earlier, fiscal centralization is a fundamental element of funding LDP clientelism and is also critical to clientelism's persistence. Without the decentralization of financial resources, parties powerful at the national level will continue to exercise discretionary local funding. Therefore, centralized resources incentivize

national parties to spend for their own benefit. Moreover, the persistence of clientelism can also be attributed to the persistence of its internal mechanisms, like *kōenkai*.

Persistence of *Kōenkai*

There are several factors that contribute to the persistence of *kōenkai* after the 1994 reforms. One of these factors, as stated earlier, is that the reforms had increased the necessity for *kōenkai*. The change from MMD to SMD had led candidates to rely more heavily on *kōenkai* as there was now a need to attract as many constituents as possible (Sanborn 2005). In addition to SMDs encouraging politicians to get more votes, the second life factor that the PR lists give also promotes the use of *kōenkai* under the “best-loser” provisions. Candidates who do not win the SMDs have a chance at getting into the PR list based on their performance in relation to the winner of the SMD (Pekkanen, et al. 2018, 186). Due to this provision, dual candidates have a larger incentive to rely on *kōenkai* to gain more votes (Carlson 2007, 238). This incentive may not be the case in certain situations however. Candidates competing in urban districts tend to rely on other tactics such as mass media to mobilize votes as they tend to be more effective in these areas. However, in districts where *kōenkai* remain a viable strategy, the party’s unpopularity will lead to politicians relying on their support groups more to stand a chance (Krauss and Pekkanen 2011, 256). The lack of suitable replacements to *kōenkai* have also contributed to their persistence. While scholars had predicted that the reforms would encourage local politicians to rely on party ties rather than personalistic politics, incorporating the *kōenkai* into the central party organization is quite difficult as they are ultimately based around “strong feelings of personal loyalty between the members and the Diet member” (Hideo 1998, 3). Furthermore, local party branches that were predicted to overtake the role of *kōenkai* were seen as unreliable, forcing politicians to make more use of their support group. (Sanborn 2005) The ubiquity of hereditary politics in Japan also plays a massive role in *kōenkai*’s perseverance. As *kōenkai* are dedicated to an individual rather than the party, a retiring or dying incumbent may pass it on to another politician that has close ties with them (likely a relative) instead of disbanding the support group that they have worked hard on to build. These hereditary politicians have extended

the life of the kōenkai and by inheriting them, that person “will have had the inside track for the new nomination” (Krauss and Pekkanen 2011, 131).

Chapter 8: Policy Recommendations for Clientelism

Decentralization of Fiscal Institutions

As mentioned earlier, fiscal centralization helps fund clientelism through national control of resources and discretionary funding. Since the LDP has almost always been the ruling party, it has expanded its influence on local governments and attracted experienced local politicians in the national election through its control of funding resources. To weaken the advantage brought by fiscal centralization, we give two policy recommendations: decrease the degree of national control of resources and decrease discretion ability of the national government in fiscal transfers.

As for decreasing the central government's discretion over fiscal transfers, we suggest increasing the percentage of LAT in fiscal transfers, whose distribution is regulated by laws, as opposed to treasury disbursements. Without changing the current distribution of tax revenues or fiscal transfer in different levels of governments, increasing LAT offers local politicians more decision-making power in expenditure. Besides that, funds in the name of LAT instead of treasury disbursement can alleviate local politicians' reliance on personal connections with the central government. Once most fiscal transfers from national to local governments are determined according to a depoliticized formula and personal relationships can hardly make any changes, local politicians can align with opposition parties without the concern of lacking funding for their projects.

The other recommended policy that can achieve a similar effect is to transfer the tax revenue sources to the local government. Interestingly, this policy was part of Koizumi's "Trinity Reform," implemented from 2004 to 2006 to reduce local governments' reliance on fiscal transfers from the national government by strengthening local revenues. These two decentralization policies will decrease LDP's local influence by reducing the funding for clientelism and increasing the likelihood of local politicians to align with opposition parties or even form their own new parties. In this way, parties get more chances to build from the grassroots and alleviate current party fragmentation.

Addressing Malapportionment: Reapportion Districts

As mentioned earlier in this report, malapportionment gives unequal weight to some districts over others, resulting in Japan's rural-urban divide. This uneven distribution is then further encouraged by clientelism and *koenkai*, strengthening the LDP's power. In 2017, "a new redistricting law designed to reduce the voting weight disparity between urban and rural districts took effect" (Freedom House, 2020, 541). This legislation included reducing the number of HR seats of rural districts by ten and implementing a redistricting every ten years after 2020, according to the census. So far, this reform has already reduced one seat from six rural districts, demonstrating how measures to redistribute seats and institutionalize reapportionment have been successful. In the future, this redistricting is projected to continue shrinking voter weight disparity.

Per the effectiveness of the measures already taken by the Diet, our recommendation for reapportioning districts is to have a national redistribution of seats and redraw districts to reflect population changes strictly. While there have already been several cases of seat redistribution, along with legislation to ensure redistribution every ten years following the census, there is a need for examining population shifts and seat redistribution more frequently. We propose to have local city halls of each voting district report the exact change in the district's population to the central government a year before both Upper House and Lower House elections. After receiving demographic data back from each existing voting district, the central government can proceed to alter seats to reflect the voters better. Additionally, after this system has been in practice for several elections, population shift patterns will continue to encourage the redrawing of district boundaries by the central government. For instance, districts that continue to shrink in population size will be considered for an expansion of the district. Ideally, this redrawing would include a merger with a neighboring area with similar demographic patterns, while communities that gain more voters will undergo district splits.

To ensure that the Diet fully implements such a system, given the LDP's consistent dominance, legal revisions proposed by the Supreme Court should take place to legitimize this

redistribution-feedback system. Constant examination of population shifts will lead to a more accurate representation of voters in each district, resulting in Japan becoming closer to having a "one man, one vote" voting system. Finally, reapportionment will help check LDP practices by disincentivizing clientelism and leveling the playing field for opposition parties.

Conclusion

The opposition in Japan faces an uphill battle. Many of the changes that must occur to strengthen the opposition's chance at winning elections, such as electoral reform and campaign law reform, are unlikely to happen while the LDP still has power. Initial steps must occur within the opposition. Consolidation towards one main party must occur to win the important SNTV races, like what happened with the opposition's consolidation towards the DPJ in the years leading up to the 2009 elections. Unlike the 2009 elections, however, the opposition must ensure that party members present a coherent platform that differentiates it from the LDP. This is important for a sustainable future for the opposition.

How exactly Japan would be affected with a change in ruling party is an area for further research. The civil service and non-elected bureaucrats play important roles that affect people's daily lives. How independent is the civil service from political change? This question is important for predicting what a change in government would actually entail. Another area for further research is how Japan's changing demographics could shape electoral outcomes. Assuming that malapportionment does not simply worsen, will the shrinking and aging population of Japan's rural areas force the LDP to appeal to younger urban voters? Exploring this topic could help reveal the LDP's flexibility and responsiveness. Similarly, further research on demographics, voting behaviors, and political apathy could provide a more expansive view on opposition failure.

The opposition has an important role to play in Japanese democracy. While we illustrate the various barriers to opposition success in Japan, the country is by no means a repressive authoritarian state that hides under a false pretense of democracy. The persistence of opposition failure, though, is concerning and is something the Japanese government, regardless of party, should take seriously. We believe that a stronger opposition will amplify concerns and perspectives that may be overlooked by the ruling government. A democratic government is one that is responsive to the will of the people. The will of the people can only be expressed if there

is a choice. Under the current situation, the ruling coalition and the opposition are not on level playing fields. Our policy recommendations attempt to rectify that. We cannot guarantee that following these recommendations will automatically result in an opposition victory, since that is ultimately up to the voters—instead, we hope that Japanese democracy will be one that truly represents and serves the people.

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