

# Political system of Japan



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### INTRODUCTION

Unlike the American political system and the British political system, which essentially have existed in their current form for centuries, the present Japanese political system is a much more recent construct dating from Japan's defeat in the Second World War and its subsequent occupation by the United States. The post-war constitution of 1947 is an anti-militarist document which includes the renunciation of the right to wage war and prohibits the maintenance of armed forces (Article 9) although later a limited re-armament was permitted (so-called "self-defense forces").

The constitution was drawn up under the Allied occupation and drafted in a matter of days. It is a rigid document and, since its adoption, no amendment has been made to it. Article 96 stipulates that any amendment require a two-thirds majority of both houses in the Diet plus the consent of a majority of those voting in a referendum. The most controversial feature of the constitution is the provision which prohibits Japan from maintaining military forces.

Unquestionably Japan is a democratic country, but it is a very different kind of democracy to that prevailing in most of Europe in countries like France and Germany. The single most important reason for this is the dominant position of one party – the Liberal Democratic Party – which has held power almost unbroken for more than 50 years.

### THE EXECUTIVE BRANCH

Japan is a constitutional monarchy (like Britain) where the power of the Emperor is very limited. As a ceremonial figurehead, he is defined by the constitution as "the symbol of the state and of the unity of the people". This is a dramatic contrast to the situation prior to Japan's wartime defeat by the Americans when the Emperor was regarded as divine.

The Prime Minister is chosen for a term of four years, although the political turbulence of the Japanese system is such that he rarely serves a full term. He must win a majority in the Diet in a single signed ballot. If the two houses cannot reach agreement, the decision of the House of Representatives always prevails. The official residence of the Prime Minister is called the Kantei (a new building was opened in 2002).

Shinzo Abe of the Liberal Democratic Party currently serves as the Prime Minister, a position he held before in 2006-2007 and which he has now held since 2012. He was Japan's seventh Prime Minister in six years, but he seems set to become the longest serving Prime Minister in post-war Japan.

The Prime Minister chooses his Cabinet, which is limited by a constitutional amendment of 2001 to an additional 14 regular members with the possibility of three special members. At least half of the Cabinet must be members of the Diet.

### THE LEGISLATIVE BRANCH

The Japanese legislature is called the Kokkai or Diet and is a bicameral structure. Generally decisions are made on a majority vote, but a two-thirds majority is required in special cases.

The lower house in the Japanese political system is the Shugi-in or House of Representatives. Currently it has 465 seats (down from the previous 480) and members serve a four-year term, although only once since the war has a full term been served (the average is two and a half years). Of the 465 seats, 289 are elected from single-member constituencies and the other 176 are elected from 11 multi-member constituencies by a system of proportional representation. Candidates for election to the House of Representatives must be at least 25 years old. Previously voters have had to be at least 20 years old but, in 2016, the voting age was reduced to 18, adding some 2.4 million people to the electorate.

The House of Representatives has preeminence over the House of Councillors and can pass a vote of no confidence in the Cabinet as a whole. The House of Representatives can be dissolved by the Prime Minister or by a Cabinet no confidence vote. Since the last election was in October 2017, the next election has to be held by the autumn of 2021.

The upper house in the Japanese political system is the Sangi-in or House of Councillors. It has 242 seats and members serve a six-year term. Only half of its membership is re-elected at each election every three years, using a parallel voting system. Of the 121 members subject to election each time, 73 are elected from the 47 prefectural districts by the single transferable vote method and 48 are elected from a nationwide list by proportional representation. This element of proportional representation was introduced in 1982 in an effort to combat the effect of huge sums of money being spent on election campaigns. Candidates for election to the House of Councillors must be at least 30 years old.

The House of Councillors cannot be dissolved. The next election is due in July 2019.

If the two houses disagree on matters of the budget, treaties, or designation of the Prime Minister, the House of Representatives can insist on its decision. In all other decisions (such as the passage of a Bill), the House of Representatives can override a vote of the House of Councillors only by a two-thirds majority of members present.

## POLITICAL PARTIES

Traditionally the Japanese political system has been dominated by one party in a manner unknown in the democracies of Europe and North America. That party is the conservative Liberal Democratic Party (LDP). Since its founding in 1955, it has been in power at all times, except for a short-lived coalition government formed from opposition parties for 11 months in 1993 and for a more recent three-year period August 2009-December 2012. In the election of December 2012, it stormed back to power with 294 seats in the House of Representatives. It was re-elected in 2014 and again in 2017 – this time with 284 seats. The LDP is led by Shinzō Abe.

Another important party is Kōmeitō which traditionally allies itself with the Liberal Democratic Party. It is a socially conservative, Buddhist party. In the 2017 election, it won 29 seats. This means that the LDP and Kōmeitō combined command 313 votes in the lower house, just giving the government a “supermajority” in the 465-seat lower house of parliament: that is, more than the two-thirds of seats necessary to override a veto by the upper house. The party is led by Natsuo Yamaguchi,

Following the last election of October 2017, two new political parties form the basis of the opposition:

The Constitutional Democratic party won 55 seats. This is a centre-left party led by Yukio Edano. The party was formed from a centre-left split from the previous opposition Democratic Party in the run up to the 2017 election.

Kibō no Tō (Party Of Hope) won 50 seats. This is a conservative party in Japan founded and led by Tokyo Governor Yuriko Koike. It was formed just hours before Prime Minister Shinzō Abe declared the early 2017 election.

Public funding of political parties was introduced in 1994.

Turnout in elections is low, especially among young voters. Despite being disrupted by Typhoon Lan, the election in 2017 saw a slight increase in turnout rate of 53.68% but this was still the second lowest in postwar Japan.

Historically the dominance of the Liberal Democratic Party in Japan's political system has profoundly shaped the nature of politics in this country compared to other democracies. Since there was effectively no scope for changing the party in power, the conflicts – frequently very bitter – have been more within the LDP rather than between political parties. As a result, an elaborate and all-pervasive system of factions operates in the LDP. This effects both houses of the Diet, but the House of Representatives more than the House of Councillors.

The factions are based on individuals as much as on policies, usually veteran members of the LDP, many of them former or aspirant Prime Ministers. The number and size of the factions are constantly varying. While most factions have official titles, in the Japanese media they are usually referred to by the names of their current leaders.

A notable feature of Japanese politics is the influence of family connections. Many members of parliament are the child or grandchild of former Kokkai (or Diet) members, usually LDP members. The previous Prime Minister Yukio Hatoyama typified this tradition: his grandfather was the first LDP Prime Minister in 1954-56, his father was once LDP Foreign Secretary, he inherited his father's seat in Hokkaido in 1986, and his younger brother was a member of the a previous LDP Government.

The historic success of the Liberal Democratic Party has depended less on generalized mass appeal than on the so-called sanban (three “ban”): jiban (a strong, well-organized constituency), kabana (a briefcase full of money), and kanban (prestigious appointment, particularly on the cabinet level).

## THE JUDICIAL BRANCH

The Supreme Court is the highest court in the land. The Chief Justice is appointed by the Emperor following selection by the Cabinet. Fourteen other judges are selected and appointed by the Cabinet.

Every 10 years, a justice's tenure has to be confirmed by referendum. In practice, the justices are almost always reselected and are allowed to serve until the age of 70.

Historically the Supreme Court has played a low-key role, avoiding controversy and maintaining the status quo. As a result, individual members of the Court are virtually unknown to the general public.

Since the late 19th century, the Japanese judicial system has been largely based on European civil law, notably that of France and Germany. With post-World War II modifications, this legal code remains in effect in present-day Japan.

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