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General (legislative) elections in Japan (31 of October 2021)

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1. Introduction

On the last day of October 2021, Japan went once again to the polls in the most recent general elections for the House of Representatives (衆議院 – *Shūgiin*)[4]. The electoral scenario may be understood as having been the first major challenge to the coalition between the Liberal Democratic Party (自民党 – *Jimin-tō*) and the Komeito party (公明党 – *Kōmeitō*). Previous Prime-Minister, Yoshihide Suga (菅•義偉), had resigned from his functions after the poor results in the approval polls related to the government's performance in dealing with the SARS-CoV2 pandemic (COVID-19), announcing at the end of September that he wouldn't run in the new elections. These events throw the country into uncertainty since on one hand, it was not clear who would lead the coalition at that exact moment and on the other hand if the coalition would survive the scrutiny of its first mandate.

Thus, in the present elections, the coalition between the Liberal Democratic Party and the Komeito party presented itself with new leadership – the previous Minister of Foreign Affairs from both governments of Shinzo Abe (安倍•晋三) and interim Minister of Defense in the third government of Abe/Suga – the leader of the Liberal Democratic Party, Fumio Kishida (岸田•文雄).

A considerable weakening of the government's leadership marked the pre-electoral scenario, given that in the same term the country has had two resignations from the premier position – Shinzo Abe due to health issues and Yoshihide Suga because of his lack of popularity. Furthermore, the national political scene was marked by the emergence of a strengthened center-left party, the Constitutional Democratic Party of Japan (立憲民主党 – *Rikken-minshutō*) and by the creation of a new left populist party, Reiwa Shinsengumi (れいわ新撰組), led by the retired actor Taro Yamamoto (山本•太郎). The Constitutional Democratic Party of Japan was created through the previous fusion between the party with the same name, with part of the Democratic Party for the People (国民民主党 – *Kokumin Minshutō*) and part of the Social Democratic Party (社会民主党 – *Shakai Minshutō*). Given the present political framework, in this article we are going to look at the Japanese electoral system regarding the House of the Representatives, analyzing the electoral results as well as the political consequences for the Japanese political future.

2. The House of Representatives and the Japanese Electoral System

A) House of Representatives

i) Composition: 465 representatives (art. 4 of the Public Offices Election Act[5])

ii) Term: 4 years (art. 45 of the Constitution).

iii) Electoral capacity

- **Active:** the right to vote is attributed to citizens older than 18 years old (art. 9 no. 1 of the Election Act)
- **Passive:** only Japanese citizens older than or aged 25 years old can run in the elections (art. 10 no. 1 of the Election Act)

iv) Requisites for Candidature (art. 92 of the Election Act)

One of the relevant requirements for the application is that each candidate must make a deposit in the amount of 3 million yen (approx. €23.300,00€) in case of individual candidatures or 6 million yen (approx. 46.600,00€) in the case of a candidature through a political party. In the first case (individual candidate) the value

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4 All the terms in Japanese language, with exception to the personal names, are going to be presented between parentheses in the original kanji and in the Latin alphabet through *Hepburn* Romanization. Table 3 and the underlying result analysis shall be presented solely in English with *Hepburn* Romanization.

5 The Public Offices Election Act (公職選挙法 – *Kōshoku senkyo-hō)*, henceforth referred to as Election Act.

shall be kept if the total number of gained votes is inferior to 10% of the total number of valid votes. In the second case (candidature through a political party), the value of the deposit may reach 3 million yen if that same candidate runs simultaneously in an individual candidature and the amount to be kept will be calculated according to the following formula: *Value to be kept = deposited value – (3-million-yen x A + 6-million-yen x B x 2)*. In that calculation, *A* corresponds to the number of candidates that run for office in a single-member constituency and under the system of proportional representation which are elected in a single-member constituency and *B* corresponds to the number of elected candidates by proportional representation.
It's also relevant to refer that any candidates who were condemned by bribery while in office will not be eligible to run in the elections. This condition is valid during the period of sentence and in the 5 years afterwards.[6]

B) Public Offices Election Law and Electoral System

i) Under art. 4 of the Election Act, the members of the House of Representatives are elected by single-member constituencies and multiple-member constituencies. Regarding the first case, voters elect 289 members, while in the second case, 176 members are elected, distributed by 11 constituencies (see table 1 regarding the number of seats by multiple-member constituencies).

Table 1. Mutiple-Member Constituencies[7]

Constituency	Seats
Hokkaido (北海道)	8
Tohoku (東北)	13
North-Kanto (北関東)	19
South-Kanto (南関東)	22
Tokyo (東京)	17
Hokurikushinetsu (北陸信越)	11
Tokai (東海)	21
Kinki/Kansai (近畿)	28
Chugoku (中国)	11
Shikoku (四国)	6
Kyushu (九州)	20
TOTAL	**176**

ii. Each voter is given the chance to vote in the elections for candidates running in single-member constituencies and multiple-member constituencies (art. 36 of the Election Act)
iii) A candidate may run both in a single constituency and in proportional representation (party lists) if in the latter he does so for the same district where he runs as an individual candidate (art. 95 no. 3 of the Election Act).

iv) Election of Members

a. In single-member constituencies, the candidate who obtains most votes – by simple majority – is elected, but only if that number of votes is superior to 1/6 of the total number of valid votes registered in the respective running constituency (art. 95 no. 1 of the Election Act). We should note that this isn't a typical majority electoral system (first-past-the-post) given that there is an electoral threshold (more than 1/6 of every valid vote).
b. In the multiple-member constituencies, a proportional majority is adopted under the D'Hondt highest average method for the conversion of votes into mandates (art. 95 no. 3 of the Election Act).

3. The main political parties, their orientation and values

Table 2.

Party	Political orientation and values
Liberal Democratic Party (自民党 – *Jimin-tō*)	Center-right, conservative, nationalist, liberal, populist party
Party of Hope (希望の党 - *Kibō no Tō*)	Right to far right, conservative, populist party
Constitutional Democratic Party of Japan (立憲民主党 – *Rikken-minshutō*)	Left-center, liberal, pacifist party
Democratic Party for the People (国民民主党 – *Kokumin Minshutō*)	Center to center-right, conservative, reformist, pacifist party
Komeito (公明党 – *Kōmeitō*)	Center-right, pacifist party, in coalition with the Liberal Democratic Party;
Japanese Communist Party (日本共産党 – *Nihon Kyōsan-tō*)	Left to far left, socialist, pacifist party;
Japan Innovation Party (日本維新の会 – *Nippon Ishin No Kai*)	Center-right to right, localism, economic liberalism party;
Social Democratic Party (社会民主党 – *Shakai Minshutō*)	Left to center-left social democratic party.

4. Brief remarks on the governmental system

The head of state is Emperor Naruhito (徳仁), but his role is absolutely ceremonial given that his various acts must always be advised and approved by the Government under the terms of art. 7 of the Constitution of Japan (日本国憲法 – *Nihon-koku kenpō*), therefore not having any kind of autonomy from the Government. The leader of the majority party (or majority coalition) in the House of Representatives is appointed as Prime Minister (首相 – *Shushō*) for a four-year term.

6 http://archive.ipu.org/parline-e/reports/2161_b.htm
7 Distribution made according to art. 13 no. 2 of the Election Act.

The Prime Minister is the head of Government and holds executive power. The executive branch of government is directly or indirectly dependent on the support of the National Diet (国会 – *Kokkai*), which is, under art. 41 of the Constitution, "*the highest organ of state power*" being the "*sole law-making organ of the State*"; this support can often be expressed through a motion of confidence. In cases where the House of Representatives does not pass a motion of confidence or approves a motion of no-confidence, the Government is obligated to renounce its mandate, unless the House of Representatives is dissolved within a maximum period of ten days pursuant to art. 69 of the Constitution.

Under art. 42 of the Constitution, the legislative power in Japan is organized in a bicameral fashion. The National Diet consists of the House of Counselors (参議院 – *Sangiin*), an upper house with 242 members elected for six-year terms by popular vote and half of the members can be renewed every three years under art. 46 of the Constitution. The House of Representatives (衆議院 – *Shūgiin*), in turn, is a lower house composed of 465 members elected by popular vote for four-year terms under art. 45 of the Constitution.

5. Results of the last general elections

Table 3.

Party	Party Lists		Individuals		TOTAL	Comp.+/- 2017
	Votes (%)	Seats	Votes (%)	Seats		
Liberal Democratic Party	19.914.883 (34,66%)	72	27.626.235 (48,08%)	187	259	-25
Japan Constitutional Democratic Party	11.492.095 (20%)	39	17.215.691 (29,96%)	57	96	New
Japan Innovation Party	8.050.830 (14,01%)	25	4.802.793 (8,36%)	16	41	+30
Komeito	7.114.282 (12,38%)	23	872.931 (1,52%)	9	32	+3
Japanese Communist Party	4.166.076 (7,25%)	9	2.639.631 (4,59%)	1	10	-1
Democratic Party for the People	2.593.396 (4,51%)	5	1.246.812 (2,17%)	6	11	New
Reiwa Shinsengumi	2.215.648 (3,86%)	3	248.280 (0,43%)	0	3	New
Social Democratic Party	1.018.588 (1,77%)	0	313.193 (0,55%)	1	1	-1
Party to Protect people from the NHK	796.788 (1,39%)	0	150.542 (0,26%)	0	0	New
Shiji Seito Nashi	46.142 (0,08%)	0			0	0
Japan First Party	33.661 (0,06%)	0	9.449 (0,02%)	0	0	New
Yamato Party	16.970 (0,03%)	0	15.091 (0,03%)	0	0	New
New Party to Strengthen Corona Countermeasures by Change of Government	6.620 (0,01%)	0			0	New
Kunimori Conservative Party			29.306 (0,05%)	0	0	New
Love Earth Party			5.350 (0,01%)	0	0	New
Party for Japanese Kokoro			4.552 (0,01%)	0	0	0
Reform Future Party			3.698 (0,01%)	0	0	New
Renewal Party			2.750 (0,00%)	0	0	New
Party for a Successful Japan			1.630 (0,00%)	0	0	New
Independents			2.269.168 (3.95%)	12	12	-10
TOTAL	**57.465.979 (100%)**	**176**	**57.457.032 (100%)**	**289**	**465**	**0**

Source: https://www.soumu.go.jp/main_content/000776531.pdf

As observed, the Liberal Democratic Party managed to maintain a majority in the House of Representatives. From its coalition with Komeito, 291 seats were won, which results in the possibility of the Government having their policies passed on the house without depending on the approval of the opposition. The Liberal Democratic Party thus passed its first "trial by fire", being the party that has ruled uninterruptedly since its creation in 1955, now with Fumio Kishida who stands in elections as the party's leader.

The fears of a governmental "revolving door" of prime ministers, which was the norm between 2006 and 2012 were dissolved by keeping Kishida in power, who, incidentally, comes out strengthened in popular support with the election results. Note that Kishida, belonging to the leftmost faction of the party, was forced to make a number of concessions to conservatives in order to win the campaign for party leader, which somehow implied his poor popularity, even among the party members. Kishida's victory in these elections allows him to autonomously chart a liberal course for the Liberal Democratic Party.

Voter turnout was around 55.53%, slightly up from around 53.68% for the 2017 elections, but still the third lowest voting participation since the post-war period, with an abstention rate of 59.3%. The lowest turnout of all time was in 2014, with about 52.65%. [8] It was expected that participation would be higher, especially given

8 https://www.asahi.com/ajw/articles/14472475

the fact that a proper electoral response to the disputed measures adopted in the context of the SARS-Cov-2 pandemic was yet to be made, as well as to properly test the acceptance of the newly inaugurated Prime Minister, as explained above. It is also worth noting an increase in the number of seats assigned to new parties opposing the ruling party which together with the abstention numbers, may be an indication of some discontent among the population with the parties in power. Still, the results seem to point towards the sense that the electorate continues to prefer the stability of government that the Liberal Democratic Party offers, rather than a shift in power, especially in light of the economic challenges that the Covid 19 pandemic continues to present. However, Kishida will have a challenging mandate due to internal party pressure to increase defense spending beyond the traditional 1% GDP, something Komeito does not agree with. Furthermore, the ideal of Kishida's "new Japanese capitalism" is a project with a markedly social nature through its redistribution of wealth, which will imply new taxes on the wealthy and companies – something which the business world and the party's own members oppose. Notwithstanding these challenges, with these electoral results the established fact is that the Liberal Democratic Party, in coalition with Komeito, maintains the necessary majority to peacefully govern the land of the rising sun.