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V-Dem East Asia Regional Center

DEMOCRACY BRIEF

Is Japan's Democracy in Retreat?

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The program code used for analysis in this article can be viewed at the following site:

(GitHub) <https://github.com/vdem-eastasia/vdem-eastasia/tree/main/democracy-brief>

(Google Colab)

https://colab.research.google.com/drive/19mu5sP_wwUqNAVERkOhFbsao9N5JHV1?usp=sharing

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1. How to grasp the current state of Japanese politics

Democratic backsliding (i.e. a deterioration in the quality and level of democracy) has become a global concern in recent years. This trend includes the rise of populist parties in European countries such as Hungary, Poland, and the Czech Republic. In the United States, under the former Trump administration, attacks on opposition and mass media, and abuse of power, were all too common. Furthermore, in January 2021, in the midst of President-elect Biden's confirmation, supporters of President Trump attacked the capital building in Washington DC. This wave of democratic backsliding has been witnessed in Asia as well, with crackdowns on opposition and minorities under the Modi administration in India, attacks on journalists and human rights activists under the Duterte administration in the Philippines, and a military coup d'état in Myanmar in February 2021. Indeed, there are numerous cases which point to a widespread retreat from democracy.

What about Japan's democracy? Even if you search on the internet in Japanese with keywords such as "democracy," "retreat," "danger," or "deterioration," the results are overwhelmingly about the United States in the Trump era and other populist leaders, coeval with stories about Central and Eastern Europe, and the Philippines. More recently, results have been dominated by stories of demonstrations in Bangkok, Thailand, or coverage of Myanmar's military coup d'état. In contrast to coverage on threats to democracy outside of Japan, coverage in the Japanese language space on the health and sustainability of Japan's own democracy, is suspiciously limited.

Despite the poverty of Japanese-language based information, from a variety of sources there are visible signs that point to a decline in the health of Japanese democracy. For instance, in 2015, the Student for Emergency Action for Liberal Democracy (SEALDS), consisting mainly of Japanese university students formed with the main purpose of opposition to security-related legislation, engaged in political activism in the forms of protests marches, demonstrations, and public discussions. Furthermore, in 2020 the Prime Minister's office created a storm of protest—much of it via-twitter and consisting of high-profile entertainers—over the retirement extension of the corruption-implicated Tokyo High Public Prosecutor Kurokawa. In the same year, yet another controversy emerged when Prime Minister Suga refused to appoint six scholars recommended to the Science Council of Japan, to which more than 260 academic societies and research institutes issued official statements criticizing the unprecedented move.

Given the variety of partisanship differences across the sources of political activism noted above, coupled with the fact that many of those engaged in criticism have traditionally refrained from publicly expressing their preferences, we can conclude that such responses are beyond everyday politicking. Additionally, while these cases are typically viewed, or at least framed as being distinct, when tied together, they demonstrate a wide-spread trend of social concern over the health of Japanese democracy. In order to better empirically verify whether or not Japan's democracy is in retreat, this article employs data from the V-Dem project.

2. Definition of Democracy and Cross-national Comparison

We start by clarifying how we operationalize the concept of democracy in this article. Definitions of democracy certainly vary, but the general idea can be divided into two camps: 1) as a principle

of politics, and; 2) as an operation of the actual political system (i.e. as the “form of government” in political terminology). In this paper, we focus on the latter.

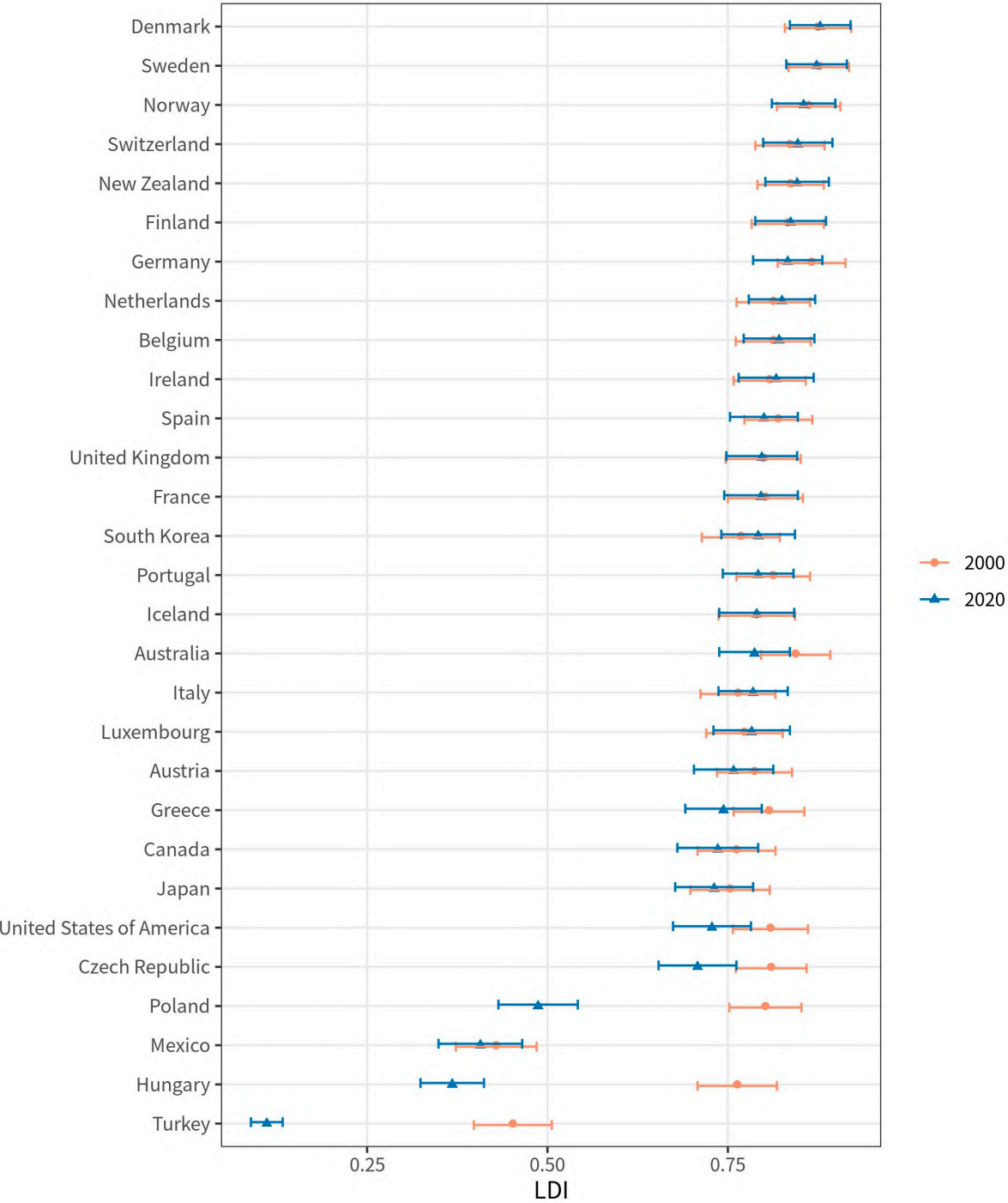
What then, does it mean to be democratic at the level of the political system? Although there are various views on this, the view supported by most political scientists is arguably the one conceptualized by Robert Dahl, an American political scientist. According to Dahl’s (1971) definition, a democratic system is “one in which the government is politically impartial and always responsive to the demands of its citizens.”¹ While the Freedom House Index and the Polity IV Index exist as indicators to measure the extent to which a country has such a political system, this paper employs the Liberal Democracy Index (LDI) from the V-Dem dataset.² The LDI Index has been scored annually since 1900 for about 200 countries and territories around the world, and at the time of this writing, scores through 2020 exist. The LDI Index is a composite of several component indicators, described below, and is measured as a continuous variable, with values between 0 and 1. The closer the score is to 1, the more democratic the country is. Each year, three to five experts in political analysis from each country and territory participate in the evaluation of the components. Figure 1 shows the extent to which the LDI indicators have changed between 2000 and 2020 for the major OECD countries.³

¹ Dahl, Robert 『Polyarchy』 San Ichi Shobo Publishing、1971、p. 6.

² The V-Dem index measures the degree of democracy at the level of the political system, which is commonly used in comparative politics: the Electoral Democracy Index, which measures the ideological type of democracy, called polyarchy which was proposed by Dahl, and the Liberal Democracy Index, which adds an element of liberalism (whether there are appropriate restraints to prevent abuse of government power). The EDI focuses mainly on conditions related to electoral competition, but since the issue we want to examine here relates to restraints on government as well as elections, we use the LDI.

³ Countries that joined the OECD after 2020 have been omitted.

Figure 1: Trends of LDI Indicators in OECD Countries (Comparison between 2000 and 2020)

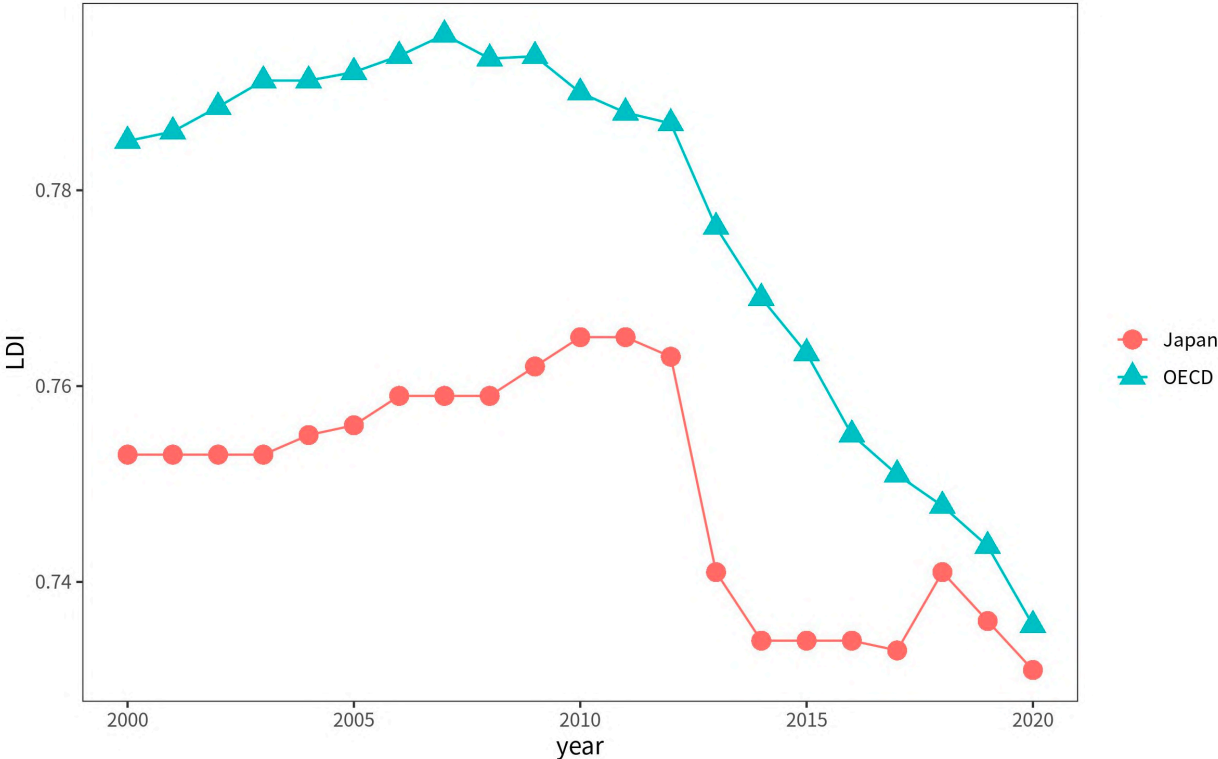


Source: Compiled by the authors from the V-Dem data set, ver. 11

Note: The circles and triangles in the figure indicate the values of the LDI index, and the horizontal bar interval indicates the 95% confidence interval.

From Figure 1, the following points can be extrapolated. First, the degree to which Japanese politics can be described as democratic is in the bottom 30% of the 30 industrialized countries, both in 2000 and in 2020. In short, Japan’s rating of democracy, as measured by the LDI, is not that high to begin with, as compared to the group of developed countries. Second, we see that Japan's democracy has declined over the past two decades. The extent of the decline itself is small compared to the US, Hungary, Turkey, Poland, and the Czech Republic, which are frequently discussed internationally, but it is clear that Japan`s democracy is on a declining trend. In order to understand the details of this democratic deterioration, Figure 2 plots the time series of Japan’s LDI index and the OECD member country average over the past 20 years. The average LDI of OECD countries peaked in the latter half of the 2000s and has been declining since. Specifically, the decline of Japanese democracy has been significant since 2012 following elections and the formation of a new coalition government under the conservative Liberal Democratic Party (LDP) (the core party) and the New Komeito (the junior party).

Figure 2: Time series change of OECD average and Japan's liberal democracy index



Source: Compiled by the authors from the V-Dem data set, ver. 11

3. Evaluation of democracy by key elements

Democracy as a political system is an abstract concept consisting of multiple components, but which of these components are responsible for the decline of democracy in Japan? Figure 3 plots the eight main elements used in the calculation of the LDI index, divided into two aspects.⁴ The first aspect can be called “elements related to electoral democracy,” and is the index from A-1 to A-4 below. These are also the institutions that guarantee a political environment in which policy makers can be chosen through free and fair elections, as formulated by Robert Dahl.

A. Elements Related to Electoral Democracy

A-1. Free and fair elections

A-2. Freedom to form and join organizations

A-3. Suffrage (eligibility for public office)

A-4. Right to vote

The second aspect is what can be called the “liberalism factor.” By “liberalism” we mean the principle of limiting government power and protecting the rule of law and the free will of the individual. In the Japanese context, this means the degree to which the potential for abuse of power by the Prime Minister is adequately controlled. Four of the components of the LDI index, B-1 through B-4, fall into this category.

B. Elements Related to Liberalism

B-1. Freedom of expression, multiple sources of information

B-2. Equality before the law, civil liberties

B-3. Government oversight by the legislature and other government agencies

B-4. Government oversight by the judiciary

⁴ In the V-Dem version 11 codebook, the LDI indicator includes a ninth component related to parliamentary structure in addition to the eight listed here, but this component is not included here because it has not changed in Japan. In the V-Dem definition of the LDI index, the B-1 components of freedom of expression and multiple sources of information are treated as part of electoral democracy (Dahl's Polyarchy condition). In this paper, we emphasize that this component is also related to liberal democracy, and we have made it part of the second aspect.

Figure 3(a) demonstrates how the four factors related to electoral democracy have changed over the period from 2000 to 2020. Each index takes a value between 0 and 1, with a value closer to 1 indicating a higher degree of the element in question (this scale is the same for the index in Figure 3(b)). Figure 3(a) shows that the level of democracy in relation to elections has not declined in recent years. It continues to be at its highest level with respect to the right to vote and the right to be elected, and there have been recent increases in the categories of “fair elections” and “freedom of association.”

Figure 3: Changes in the components of Japan's liberal democracy index

Figure 3 (a) Four elements related to electoral democracy

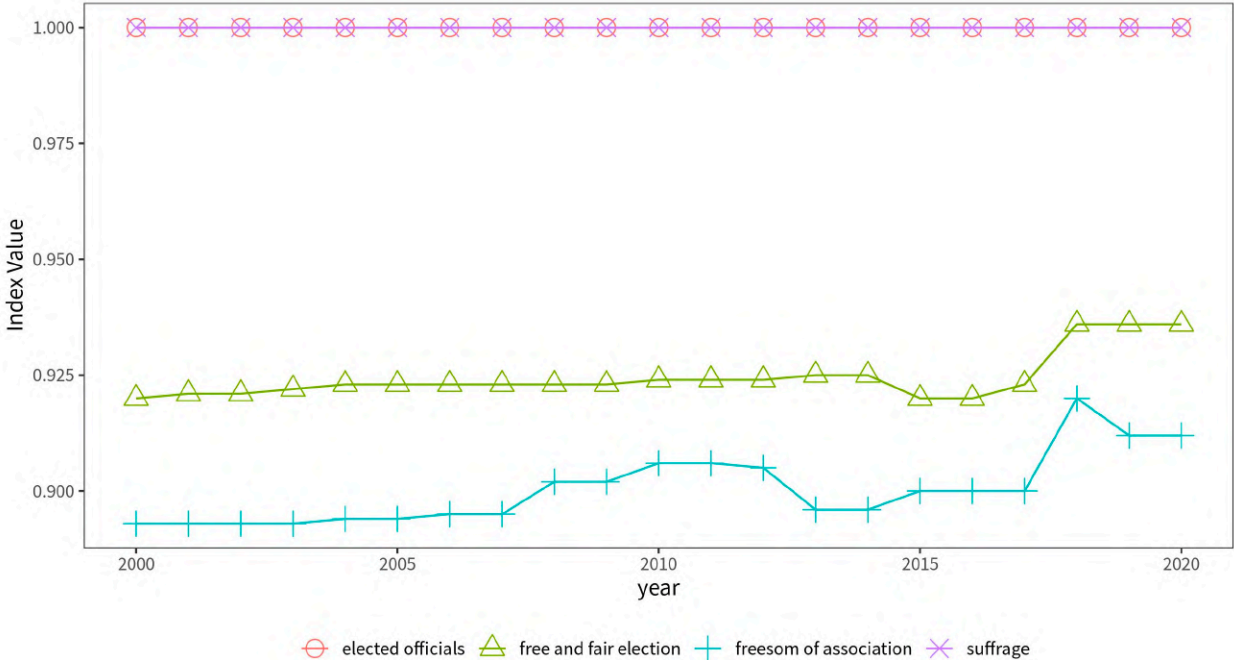
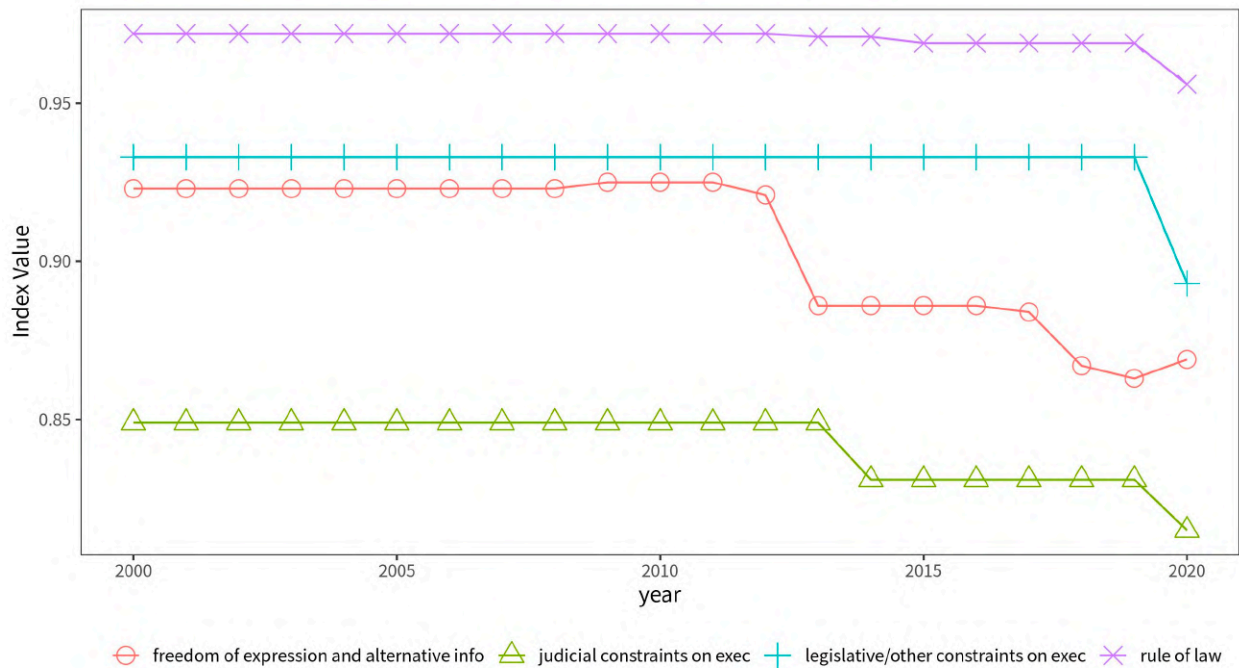


Figure 3 (b) Four elements associated with liberalism



Source: Compiled by the authors from the V-Dem data set, ver. 11

In Figure 3(b), we plot the second aspect of the LDI index, the four elements related to liberalism. From the figure, we can see that the ratings of all four components have declined since 2012. In short, Figure 3(b) shows that the regression of democracy in Japan shown in Figures 1 and 2 is primarily a decline in elements related to liberalism.

In the following section, we will examine the specific events that are thought to be behind the decline in ratings, in order of when the decline began. The V-Dem democracy index has a nested structure, and the measurement of each of the four elements is calculated based on the values of the sub-elements that comprise it. In this section, we examine which of the subcomponents have declined, but we omit mention of the value of the decline. For more information on the contents of the subcomponents and their numerical values, please refer to the V-Dem data and codebook.⁵

(1) Freedom of expression, multiple sources of information

The index of “freedom of expression and multiple sources of information” in the V-Dem data is a composite index of eight related sub-elements, and in the case of Japan, there is a particular decline in three areas: direct and indirect government control of the media, bias in reporting by

⁵ <https://www.v-dem.net/en/>

opposition parties and anti-government forces, and diverse perspectives in the mainstream media. In terms of political reporting and expression in Japan, the “*Kisha club*” (“press club”), which has allowed an oligopoly of mass media outlets to operate as an exclusive closed-door system, has consistently existed since the end of World War II, and has proven to be a significant obstacle to diverse sources of information. The adverse effects of this system have been regarded as a problem to the extent that the EU has recommended that regulations be improved.⁶ While Japan's indicators have been weak in general, they have declined further since the start of the second Abe cabinet at the end of 2012 until now.

The decline in ratings since 2012 can be attributed to both the administration's control of the media and the numerous “disciplines” used by the mass media to avoid criticizing the administration. As for the administration's control of the media, it has stopped the flow of new freelance journalists joining the press club since 2012, which had increased during the Democratic Party of Japan (DPJ) administration. In addition, freelance journalists were not allowed to ask questions at press conferences held by the Prime Minister's Office under the Abe administration.⁷ An example of discovery on the part of the mainstream media is public broadcaster NHK's reporting stance when the National Diet debated the Security Law in August 2015 and the opposition movement's growing momentum.⁸ Despite the fact that there were 120,000 people, according to the organizers, and 30,000 people, according to the Metropolitan Police Department, demonstrating in the vicinity of the Diet, NHK's coverage was scant. In addition to this, it has been pointed out that several NHK news anchors have been forced off the air due to their critical attitude toward the administration, although no solid evidence of this has been verified.⁹

(2) Government Oversight by the Judicial Branch

Indicators of the judicial branch's oversight of the government (the executive branch) are based on three subcomponents: (1) the judicial branch's independence from political influence; (2) the degree to which the government adheres to judicial decisions, and; (3) the degree to which the heads of the executive branch (prime minister and cabinet ministers) respect the Constitution. Of these, only the degree of respect for the Constitution by the heads of the executive branch has declined over the past decade, while the other subcomponents have remained relatively stable. The decline in the element of respect for the Constitution occurred in 2013-14, and is thought to be due to the Act on the Protection of Specific Secrets, which was passed in 2013. This law allows the government to designate information on security issues as specified state secrets. However, since the government can arbitrarily decide what is classified as a secret, some pundits have pointed out that this may infringe on the “right to know,” which is interpreted as a fundamental right of “freedom of expression” stipulated in Article 21 of the Constitution.¹⁰ Others have noted that the

⁶ <https://web.archive.org/web/20030802231245/http://www.ojr.org/japan/media/1056657646.php>

⁷ https://hbol.jp/236801?cx_clicks_art_md1=7_title

⁸ https://www.news-postseven.com/archives/20150915_350413.html?

⁹ <https://president.jp/articles/-/43654?page=1>

¹⁰ <https://www.osakaben.or.jp/02-introduce/kenpou/pdf/leaflet-tokuteihimitsu.pdf>

Cabinet decision to change the interpretation of the right of collective self-defense in July 2014,¹¹ and the related Security Law legislation enacted in September 2015,¹² also violate the Constitution.

(3) Equality before the law and civil liberties

Of the sub-components of “equality before the law and civil liberties” in the V-Dem data, two have declined in Japan: the private misappropriation and embezzlement of public funds by government leaders and the arbitrary execution of duties by public officials, in addition to the problem of government leaders' lack of respect for the Constitution, as already mentioned.¹³ As for the evaluation of the private misappropriation and embezzlement of public funds by government leaders, there was a decline from 2015 to 2016. This may reflect the revelation in February 2015 of allegations that Agriculture Minister Nishikawa had received political donations from corporations in return for subsidies and his subsequent resignation. The “cherry blossom viewing party” issue that surfaced in 2019 also falls under the category of private misappropriation of public funds. In this case, Prime Minister Abe had been inviting a large number of members of his own supporters' association to a cherry blossom viewing party, a public event sponsored by the government. When asked to explain the problem, the government reported that it had destroyed part of the list of invited nominees, and the part of the list it had submitted was heavily blacked out. It has been pointed out that such a response is a violation of the people's “right to know”.¹⁴

As for the decline in the item of arbitrary execution of duties by civil servants, the following cases can be considered as reflective. The first is the “South Sudan PKO daily report issue,” which became a hot topic around 2016. In this case, the Ministry of Defense initially denied the existence of reports related to the PKO in South Sudan that were requested by journalists using the Freedom of Information Act, but admitted their existence and disclosed the information after receiving criticism from many quarters.¹⁵ In addition, the Moritomo/Kakei Gakuen issue,¹⁶ which was uncovered in 2017, raised suspicions that administrative decisions were distorted due to former Prime Minister Abe's political involvement.¹⁷

(4) Oversight of government by legislature and other agencies

In the case of Japan, there is a decline in two items related to the ability of the legislature and government watchdogs (e.g., the Public Prosecutor’s Office and the Board of Audit) to investigate and take appropriate action against the executive branch when it violates the law or the Constitution.¹⁸ This may be due to the fact that many of the LDP leaders and high-ranking bureaucrats involved in the political scandals of the past decade or so have not been prosecuted. Examples include former Prime Minister Abe in the “Moritomo-Kakei Gakuen” and “Sakura-no-Mieru Kai” scandals, former Minister Amari in the 2016 bribery scandal, and senior officials of

¹¹ <https://www.s-bengoshikai.com/bengoshikai/seimei-ketsugi/k14-6kennpou/>

¹² https://www.nichibenren.or.jp/activity/human/constitution_issue/ikenkokoku.html

¹³ This component consists of 15 items, see the V-Dem Codebook for details.

¹⁴ <https://www.asahi.com/articles/ASN1B6D21N1BUTFK01K.html>

¹⁵ <https://www.nhk.or.jp/kaisetsu-blog/100/294704.html>

¹⁶ <https://vdata.nikkei.com/newsgraphics/fv20180523/>

¹⁷ <https://vdata.nikkei.com/newsgraphics/fv20180523/>

¹⁸ Specifically, there is no change in two areas: oversight of the executive, the actual investigation of the legislature, the actual questioning of legislative officials, and the opposition in the legislature.

the Ministry of Finance's Financial Bureau in the Moritomo scandal. In addition, the 2020 scandal involving the postponement of the retirement of Tokyo High Public Prosecutor Hiromu Kurokawa exposed allegations that the prime minister had exerted strong influence over the prosecutor's office, which was supposed to be the government's watchdog. This is the “watchdog of the Prime Minister's Office to cover up the scandals of the Abe administration.”¹⁹ This is a case in which the Cabinet decided to extend the retirement age of Mr. Kurokawa, who was called “the next Director General of the Public Prosecutors Office”, by half a year. Although the decision to extend the retirement age itself was not illegal, it was a major departure from the customary practice of bureaucratic appointments and was considered to be the result of the Prime Minister's Office's desire to place Mr. Kurokawa in the post of the next Director General of the Public Prosecutors Office.²⁰ Although the scandal ended with Kurokawa's resignation due to the mahjong gambling problem, it did raise the question of whether independent oversight of the government was properly working or not.

5. Conclusion

This paper has shown that democracy in Japan has been regressing since the 2010s, as far as the LDI indicators in the V-Dem data are concerned. The extent of this regression is less than in the U.S., but it is still a problematic situation to the extent that specific examples can be clearly listed. The other major point the paper makes is that the problems in Japanese democracy are more serious in relation to liberalism, i.e., restrictions on government power, than in relation to elections. These problems include government leaders' failure to respect the constitution and abuse of power, threats to press freedom, including the right to know, and the weakening of the institutions set up to monitor the government. This trend is similar to the pattern in Western countries where democracy is in retreat.²¹ The question as to why this retreat is occurring in Japan, will be analyzed in a future research.

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¹⁹ <https://toyokeizai.net/articles/-/329365>

²⁰ Murayama, Osamu, “Abe and Kan Administration vs. Prosecutors Office: Chronicle of a Dark Fight,” Bungeishunju, 2020.

²¹ <https://www.americanpurpose.com/articles/liberalism-and-its-discontent/>