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A Study of the Adaptation of Local Government: The Test Case of the Japanese Prefectural System

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A STUDY OF THE ADAPTATION OF LOCAL GOVERNMENT: THE TEST CASE OF THE JAPANESE PREFECTURAL SYSTEM

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PREFACE

The adaptational approach to comparative politics will be investigated in order to apply the best method to the study of the structural-functional features of the Japanese local government system. The adaptation of local government to meet the demands of the masses for better living conditions has started a new phase of prefectural administration in Japan. In the last fifteen years, the adverse effects of industrialization and urbanization on Japanese localities have increased their costs over their benefits and forced the people to push for stronger environmental policies to protect their health and welfare. The response to the demands of the masses for anti-pollution measures has come from the governors of the prefectural governments and has greatly affected the very nature of the Japanese local government system.

By comparing the traditional local administration to the present day system, the development of a new era for the governor can be identified. After Japan's defeat in World War II, many reforms were initiated to democratize and decentralize the local government structure with the most significant reform being the direct election of the governor. Most of the other structural and functional measures had been quickly recentralized under the national government as the reforms were reversed in everyday practice. The election of the governor has remained because it is popular with the people.

This thesis will trace the historical development of local government in Japan and compare it to the recent initiation of local autonomy in the office of the governor based on its structural adaptation to the needs of the masses who demanded functions from the governors to control pollution problems. The demands of the periphery were like flood waters pushing against a dike where the most susceptible point gives way first to the onrushing pressures. So, too, the masses found the governor to be most susceptible to their local demands in the public administration structure due to the fact he is an elected official.

The masses in the periphery adapted the focus their attention on the governor which affected the intergovernmental policy making of the Japanese political process. As a result of functional cleavages engendered by the anti-pollution citizens' movements and lack of response by the national government, bold environmental policies were undertaken by the prefectures--even though these initiatives sometimes ran counter to central government regulations. The successful adaptation of the prefectural system to changes in its living environment influenced the decision making of the national government, realized the legitimatization of local autonomy inscribed in the reforms after World War II, and caused local voters to become more active and issue-oriented.

I wish to acknowledge the excellent advice of Dr. Raphael Zariski in centering the focus of my study on Japanese local politics. Much praise and respect must also be given to the tremendous assistance of Dr. Joong-Gun Chung in formulating the Governors' Survey and in locating valuable primary resources.

CHAPTER 1

THE COMPARATIVE APPROACH TO POLITICAL ADAPTATION: THEORY AND MODEL BUILDING

Politics determines who gets what limited resources, as well as when and how they are obtained. The conflict between human beings over scarce resources lies at the heart of the political process. The needs and demands of society require a conversion process, a government, consisting of the structures and functions through which rules, policies, and the allocation of limited resources are authoritatively decided. Consequently, society is divided into a dichotomy of functional groups: the elite, who are the ruling decision makers, and the masses, who are the ruled demanders. The constant interplay between the rulers and the ruled, as well as the continual conflict among competing elites for the right to rule, identifies the dynamic nature of the political process.[1]

It is the formal political institution, such as a parliament, a politbureau, or a tribal chieftain, which the elites use as a means of controlling the masses and for securing their position against competing elites. The masses, however, view the formal institution as the symbol of the status quo and the primary target of change. The formal political

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[1]See the following works and theories on politics and government: Harold D. Lasswell, Politics: Who Gets What How (New York: McGraw-Hill, 1936); David Easton, The Political System (New York: Alfred A. Knopf, 1953), especially Chapter 5; C. Wright Mills, The Power Elite (New York: Oxford University Press, 1956); Robert A. Dahl, Pluralist Democracy in the United States (Chicago: Rand McNally and Co., 1967); and Gabriel A. Almond and Sidney Verba, The Civic Culture: Political Attitudes and Democracy in Five Nations (Princeton: Princeton University Press, 1963).

processes institutionalize the struggles of the elites and the masses, and become the focal point of political conflict. Due to the dynamic nature of the political process, the formal political institutions, themselves, are in a constant state of adaptation. Adaptation, which implies a flexible system dealing with the interactions of many forces, is used in this case rather than the word "change" because change tends to carry a connotation of absoluteness. This thesis studies the adaptation process as it relates to a particular political structure--the prefectural government of Japan.[2]

The study is divided into three parts. The first area concentrates on the approaches to the comparative investigation of local government systems (Chapter 1). The second area is primarily concerned with the historical description of local government at the prefectural level in Japan from the Meiji Restoration to World War II--1868 to 1940 (Chapter 2), and the structure established by the reforms during the Occupation Period--1945 to 1952 (Chapter 3).

The third area of this study uses the application of Robert Fried's model on prefectural governments for careful identification of the major characteristics of the Japanese system. This is followed by an in-depth

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[2]For background in elitist, pluralist, and mass theory, see Thomas R. Dye, Who's Running America? Institutional Leadership in the United States (Englewood Cliffs, N.J.: Prentice-Hall, 1976); T.B. Bottomore, Elites and Society (Middlesex, England: Penguin Books, 1964); Harold D. Lasswell, Daniel Lerner, and C. Easton Rothwell, The Comparative Study of Elites: An Introduction and Bibliography (Stanford, Cal.: Stanford University Press, 1952); Jack L. Walker, "A Critique of the Elitist Theory of Democracy," American Political Science Review 60 (June 1966), pp. 285-295; Robert A. Dahl, Who Governs? (New Haven, Conn.: Yale University Press, 1961); and Jose Ortega y Gasset, The Revolt of the Masses (n.p.: W.W. Norton and Co., Inc., 1932).

[3]Robert C. Fried, The Italian Prefects: A Study in Administrative Politics (New Haven, Conn.: Yale University Press, 1964), Chapter 6. Hereafter cited Fried, Prefects.

analysis of Sidney Tarrow's center-periphery model to develop the territorial dimensions of local politics in industrial Japan (Chapter 4). The conclusion of the investigation indicates that political activism in Japan has centered its attention on the local government office of the prefectural governor to press for better living conditions in the post-industrial society[4] and it has led to greater democratization of the Japanese political system.

The formal institutions of government are the most visible elements of the political process providing for the decision making of who gets what, when and how.

> As the focal point or arena of the political process, the structure of a nation's political system undoubtedly influences and shapes its policy making processes. The question that besets comparative analysts is "how much."[5]

To what extent can the political stabilisy and relative tranquility of England and the Scandinavian states be attributed to the specific structures of their political institutions? Could the political instability which besets Italy be somehow eradicated by changing her political system to more closely resemble that of England? Did the change in the political structure of Japan (i.e., the direct election of local government chief executives after World War II) lead to more democratization and local autonomy?

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[4]Sidney Tarrow, Between Center and Periphery: Grassroots Politicians in Italy and France (New Haven, Conn.: Yale University Press, 1977). Hereafter cited Tarrow, Between Center and Periphery. See also Sidney Tarrow, Peter J. Katzenstein, and Luigi Graziano, eds., Territorial Politics in Industrial Nations (New York: Praeger Publishers, 1978), Chapter 1. Hereafter cited Tarrow, Territorial Politics.

[5]Monte Palmer and William Thompson, The Comparative Analysis of Politics (Itasca, Ill.: F.E. Peacock Publishers, Inc., 1978), p. 7. Hereafter cited Palmer and Thompson, Comparative Analysis.

The study of the Japanese prefectural system is, by its very nature, a study in structural-functionalism which focuses the emphasis of comparative analysis on the important issue of how different institutional arrangements handle problems. In order to analyze how different structural arrangements handle the same essential functions, it is necessary to focus on both functions and structures. Gabriel Almond clearly summarizes the utility of structural-functionalism as a tool for political analysis:

> The concept of function pushes us in to realism and away from normative or ideological definitions. To answer functional questions we have to observe what a particular social system actually is and does. The concepts of functionality and dysfunctionality sensitize us to the factors making for social stability and social change, and enable us to perceive them in an orderly and thorough way. The concept of interdependence forces us to examine the performance of any structure or institutions systematically; i.e., in all of its ramifications and interdependencies.[6]

Employing the process of adaptation as part of the study of the structural-functionalism of Japanese prefectural politics requires that the term "adaptation" be defined. Adaptation in its simplest form is the sum total of the physiological and sociological changes designed to enhance an organism's survival within a given environment. Any alteration in behavior which is based on the need for survival is not adaptive unless it has been successful in changing the organism sufficiently to insure its continued existence in its environment. Alterations which endanger or extinguish the life of the organism are dysfunctional and/or mal-adaptive. Every intelligent organism perceives that it has different possible options in the adaptation process

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[6]Gabriel A. Almond, "A Developmental Approach to Political Systems," World Politics 17 (January 1965), p. 186.

although each alternative will not be of equal desirability or have an equal possibility of achievement. Thus, the organism will not be completely unrestricted in its behavioral responses to environmental contingencies.[7]

The simplest example of the decision making process in adaptation of the organism to its environment is the case of a man living alone on an island. The man must satisfy his basic needs in order to survive. If he must climb trees, dig the earth, or fish the sea in order to obtain food, then he must perform one or all of these functions in order to eat. If he doesn't eat, he will die. The man must protect himself from the elements and/or external threats to his existence. In adapting himself to his surroundings, the man must find shade from the sun, warmth from the cold, and protection from his predators. The inputs in this case consist of the needs for survival and are converted into outputs by the man himself.

If the outputs are successfully implemented to insure the survival of the man, he has adapted to his environment. If the implemented outputs are dysfunctional and mal-adaptive to the man's environment, then there will be the need for another change in behavior or the man's chances for survival will be diminished.

The man may decide that he does not possess the ability to adapt to the conditions of his island. He may move to a new environment, non-identical to the first, in which a minimum amount of adaptative change is

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[7]For the fleshing out of the approach to the adaptational study of politics in Peter Corning, "The Biological Bases of Behavior and Some Implications for Political Science," World Politics 23 (April 1974), pp. 321-370, I am indebted to the thesis of Melvin Cohen, "The Communist Party in Selected Communes of Haute Vienne" (M.A. Thesis, University of Nebraska at Omaha, 1974), Chapter 1.

necessary for his survival. The man may decide, on the other hand, that he does not wish to, nor is capable of, change and be willing to die. In making these choices, the man is the sole entity in the decision making process.

At first glance, the possible responses to changes in the environment of adapting, staying without adapting, and leaving appear to be a straightforward process. The system becomes more complex, however, as it moves from the level of the individual to that of the collective group. This is due to the fundamental reason for biological adaptation --survival. Evolution deals more with a species or group than with any particular individual. In politics, for example, the government contains the decision making process which is dependent for its collective survival over an extended period of time upon its adaptive capabilities.

At the most elementary level of structure, a single chieftain in a primitive tribe may be capable of performing all the output functions described by Gabriel A. Almond--rule making, rule application, and rule adjudication.[8] Environmental changes, however, can greatly strain the capacity for successful conversion of the demands of the ruled into outputs. Consider, for example, the instance of a primitive tribe coming into contact with a much more economically developed society, thus threatening to disrupt its existing cultural patterns and cause members to suddenly demand a greater share of tribal wealth. The existing governmental structure would then have to adapt to the increased complexity of inputs in order to accommodate the new functional levels

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[8]Gabriel A. Almond and James S. Coleman, eds., The Politics of Developing Areas (Princeton: Princeton University Press, 1960), introductory essay.

created by the demands of the masses within the framework of the limited resources of the tribe. "Harmony, then, must exist between the level of function performance necessary to keep a society intact and the structural capability of a society to perform those functions at the necessary levels."[9]

When the level of the group or collectivity is reached, additional complexity is placed upon the system and the same basic adaptational principles remain operative. An advantage of structural-functional analysis is its emphasis on the interaction and reciprocity between structures and functions as they adapt to changes in their environment. As governments grow in size and as their tasks become more voluminous and specialized, a direct correlation exists between the complexity of the function performed and the complexity of the structure required.

Today, the further expansion of governmental scope and the great complexity of tasks inherent in modern complex systems require highly specialized structures capable of making decisions dealing with a variety of issues, such as tax matters, welfare problems, housing programs, sanitation wastes, money supply, pollution hazards, the economy, foreign affairs, and labor relations. Structural-functional differentiation requires, concomitantly with the need for specialization, the development of structures capable of integrating and coordinating the specialized actions of many agencies at different levels into coherent and harmonious policies. Eugene Kolb precisely emphasizes an essential fact in political analysis:

> Hence, the analysis of decision-making systems must focus on such structural differentiation and specialization, and on

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[9]Palmer and Thompson, Comparative Analysis, p. 19.

> coordination and integrating machinery. The analysis must ask which structures within the system actually do what, perform what roles, and with what autonomy and authority, in the entire complex of decision-making and with regard to what types of policy matters. The analysis must include assessment and evaluation of the relationship between the system's organizational structure and its apparent capabilities and effectiveness.[10]

This study will look at the development of local autonomy at the prefectural level in Japan based on the structural adaptation of the governors to the demands of the masses which created functions to curtail pollution problems. As in the ideal unitary system, it is the central government in Japan which has the power to make laws and delegate authority. In the examination of a political organism, however, one must not be too narrow and must keep in mind the hierarchical organization of the state and its territorial boundaries. Every level of government adaptation may be perceived as being a bit different. The person at the base may feel that a specific change is needed to effectively adapt to a new environment and yet this issue may be seen very differently from the top. While the survival and adaptation of the whole is of the most crucial importance, other spheres of the multi-faceted process must not be overlooked as they are continually undergoing various adaptations to their specific environment, as well as to the other levels of the political system.

The examination of the Japanese prefectural system is very important for several reasons: (1) there has not been a great deal of research done on local government in Japan; (2) the Japanese prefectural system is unique because it employs the presidential system of electing the governor, rather than appointment; and (3) in a climate of world-wide

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[10]Eugene J. Kolb, A Framework for Political Analysis (Englewood Cliffs, N.J.: Prentice-Hall, Inc., 1978), p. 228.

subnational activism, the postindustrial effects of pollution have mobilized local participation in Japan resulting in the adaptation of anti-pollution policy making decisions being initiated at the prefectural level. In order to determine the best framework to use in studying the Japanese prefectural system, one must remember its structural placement as a local government body in the new Constitution of 1947 and its functions as intermediary between the central and municipal governments.

The post-World War II reforms of the Supreme Command of the Allied Powers in Japan changed several basic structural facets of the Japanese governmental system in order to establish more democratic patterns and strengthen local autonomy. The direct popular election of local chief executives, instead of the previous method of appointment by the central government, is one example. The structural change, however, must be accompanied by a significant shift of functions in order for a reasonable chance of success; the two steps go hand in hand. The question arises in establishing local autonomy at the prefectural level, as to what comes first: the structure for local participation, or local participation which places demands on the system and thereby alters its functions?

An important and interesting question directly facing the study of local autonomy in Japan is: If the structure is changed to encourage local self-government, will be structures adopt new functions as the system undergoes massive changes through modernization, industrialization, urbanization, and pollution in an attempt to survive by adaptation to its new environment? The structural and functional differentiations which took place in the conversion process of the Japanese system have been subject to many changes in the environment.

The aftermath of World War II saw the growing importance of governmental centralization as a means of achieving the rapid economic successes for all of the capitalistic industrial nations throughout the world. The effects on these political systems have been the dramatic rise of the welfare state, the development of technology, urbanization, and the modernization of moral and social values.[11] The complexity of functional responses which have resulted from the central government's adaptation to its dynamic environment has the tendency to displace the territorial dimension of politics because of its need for stronger central government control. The adaptations of the central government have often been mal-adaptive for the local subunits.

There are many valid reasons which additionally justify the study of the Japanese prefectural system. A brief world-wide overview of current trends in politics witnesses the consideration and implementation of devolution procedures in several institutionalized nations. Does the impetus for devolution naturally occur at the top, or the bottom, of the governmental hierarchial system?

An adaptational study should concentrate on local government because it is at this level that the masses experience their closest contact with the environment, where policy is actually applied, and where the pressures from the environment will, in all probability, be the strongest. Proponents of the local system approach argue that a

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[11]For background information see, for instance, Zbigniew Brzezinski, The Age of Technocracy (New York: Harper and Row, 1972); L. E. Shriner, "Tradition/Modernity: An Ideal Type Gone Astray," Comparative Studies in Sociology and History (April 1, 1975), pp. 245-252; Samuel Huntington, "Modernization, Development, and Politics," Journal of Comparative Politics (April 1971), pp. 283-322; and Marshall Dimock, The Japanese Technocracy (New York: Walker/Weatherhill, 1968).

complex political system can best be understood by investigating the way the system functions at the basic level.[12] The local systems approach posits a multiplicity of interests and a contest for power among local elites, rather than a suppression of particular interests by means of a monopoly of central government power over subnational units. It is argued, moreover, that it is at the local level--the political microcosm--that concrete and meaningful comparisons within the political system, as well as between political systems, can best be drawn--rather than at the abstract national level.[13]

In the case of Japan, the overlapping complexity, confusion, and magnitude of functions at each level of government has created an incredible myriad of organizational jurisdictions that few Japanese can decipher. This is particularly true at the national level due to the traditional Japanese doctrine of decision by consensus which is decisively different from the processes of, for example, France and Italy.[14] The preference for decision by consensus limits the reliability of available data on

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[12]Many scholars are now developing local systems studies. For two works, of many fine ones done by the author, see Mark Kesselman, The Ambiguous Consensus: A Study of Local Government in France (New York: Alfred A. Knopf, 1967); and "Research Perspectives in Comparative Local Politics: Pitfalls and Prospects," Comparative Urban Research 1 (Spring 1972), pp. 10-30.

[13]The methodological basis for the local systems mode of analysis presented here is found in John W. Lewis, "The Study of Chinese Political Culture," World Politics 18 (April 1966), pp. 503-524.

[14]This observation of the Japanese process is so common in literature that it is difficult to find an appropriate citation. However, the following should serve to establish the point: Chitoshi Yanaga, Japanese People and Politics (New York: John Wiley and Sons, 1956), pp. 85-86; and J.A.A. Stockwin, Japan: Divided Politics in a Growth Economy (New York: W.W. Norton and Co., 1975), p. 27. For a contrast between Japanese and French attitudes, see Laurence Wylie, Village in the Vauchese (New York: Harper and Row, 1964), pp. 19-20.

intergovernmental decision making and impedes data sources from making unchallengeable inferences at the national level. This permits more research to focus at the local level since decision by consensus is practiced "behind the scenes at the national level and far more openly at the local level."[15]

The study of the center-periphery relations in Japan is highly significant for it embarks on a course rarely pursued by American political scientists. Comparative works abound on Japan and the United States, Japan and East Asia and the Japanese Government--all explored from a multitude of different perspectives. The comparative analysis of Japan and Western Europe or Japan and other unitary systems, however, is painfully sparse. The increase of interest in the field of comparative politics at the local level of government finds a fertile area for scholarly investigation in the study of Japanese politics. While the limited scope of this thesis cannot hope to adequately present the many fecund areas of research available, the most profitable result of this study on Japan will come from investigating two models developed for France and Italy; i.e., the major traits of prefectural systems found in Robert Fried's model, and the center-periphery relations theory of Sidney Tarrow.

Single-country studies, in addition to providing useful information about a specific state, region, or local government, also provide the basis for comparing elements of the political process cross-nationally. As comparative analysts test the same hypothesis under the same

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[15]Robert E. Ward, Japan's Political Systems (Englewood Cliffs, N.J.: Prentice-Hall, Inc., 1967), p. 101.

definitions, the ability to precisely relate events and circumstances will be improved. Theoretically, this thesis will allow both the reader and the student of local government to correlate the cross-national implications that the models of Fried and Tarrow raise. Hopefully, in later works the eventual integration of single-country and cross-national studies will develop into a grand, overarching theory of politics that will provide social scientists and policy makers alike with a basis for explaining and predicting political trends on a global basis.[16]

On the surface, some of the similarities in the systems of France, Italy, and Japan are very striking. All three are theoretically democratic capitalistic societies with freely organized economies, but extensive state intervention.[17] Each basically has a unitary form of government, highly centralized territorial administrations and bureaucracies, and multi-factional party systems. Each country experienced defeat, military rule, and occupation due to World War II. All three nations have since enacted new constitutions, initiated institutional devolution schemes, maintained a virtual one-party ruling elite national political system, and experienced rapid industrialization, economic development, and urbanization.

> These similarities provide a telling background for the role of local political elite as brokers between social and economic change, on the one hand, and the capacity of the periphery to adapt to it through the political allocations they can capture from the state, on the other. Where they

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[16] For a sample of the comparative approach to research, see Robert T. Holt and John E. Turner, eds., The Methodology of Comparative Research (New York: The Free Press, 1972); Adam Przeworski and Henry Teune, The Logics of Comparative Social Inquiry (New York: Wiley-Interscience, 1970); and Arend Lipphart, "The Comparable-Cases Strategy in Comparative Research," Comparative Political Studies 8 (July 1975).

[17] Edwin O. Reischauer, "The Changing Status of the Balance of Power in East Asia: U.S. Recognition of China," ABC-UNO Forum (Unpublished: December 18, 1978), from author's notes.

> fail, local and regionalist pressures will take other and frequently more violent, forms.[18]

While the similarities among the three nations allow these systems of diverse cultural, historical, and racial background to be comparable, their differences are fundamental and invite the development of a conceptual framework for the theoretical understanding of the problems of political integration in complex societies. The world-wide financial crises of local governments in the 1950s, the popular resort to mass demonstrations, riots and participatory democracy in the 1960s, and the ever increasing demands of territorial subunits for governmental devolution in the 1970s have shifted the attention of the students of local power to the relationships between the grassroots communities and the central government.[19]

In a sense, behavioral political science has begun again to look at the fundamental preoccupation of past legal-institutional studies which focused on the relationship between "sovereign" and subordinate levels of government. In modern states, it is power and policy at the national level that determine who wins and who loses in the struggle for limited resources at the periphery. What becomes of the communities at the grassroots thus depends on the linkages between center and periphery, the political skill of the leaders, and their political support.

In the past, little attention has been paid to the study of grassroots politics and politicians by political scientists. In his book,

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[18]Tarrow, Between Center and Periphery, p. 6.

[19]Jacek Tarkowski, "Local Influences in a Centralized System: Resources, Local Leadership, and Horizontal Integration in Poland," in Tarrow, Territorial Politics, p. 213. See also Samuel Beer, "The Modernization of American Federalism," Publius 3 (Fall 1973), pp. 49-97.

Between Center and Periphery, Sidney Tarrow deals with the theoretical and practical linkages between center and periphery which help explain the particular attitudinal, behavioral, and relational qualities of local politicians and national administrators. The theory building advanced by Tarrow is very important to the study of the Japanese prefectural system, especially the role of the Japanese governor, who embodies a unique mixture of both politicians and administrator. Tarrow examines the periphery from a systematic perspective that draws on the works of many authors such as Shils, Pizzorno, and Crozier. Tarrow presents a concise juxtaposition of three models which contain the distilled experience of these writers on center-peripheral relations: the diffusion-isolation model; the dependency-marginality model; and, the bureaucratic-integration model (See Figure 1).

The diffusion-isolation model is derived primarily from Edward Shil's functional sociology.[20] Shil presents the center as the core of values and sees all conflict occurring between those social groups that are close to the central values and those that are far away. The aim of the model is to diffuse the central values into society's periphery, thus extending the ruling elites' authority by penetrating and instilling the primacy of central values in the soul of the periphery. The state penetrates the periphery mainly through its agencies of socialization and social control. The diffusionist perspective in Western philosophical thought and modern social science inevitably characterizes the periphery as isolated, distant from the center, and lacking autonomous political activity.

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[20]Edward Shil, "Center and Periphery?" The Logic of Personal Knowledge: Essays Presented to Michael Polanyi (London: Routledge and Kegan Paul, 1961), pp. 117-130.

FIGURE 1

THREE MODELS OF CENTER-PERIPHERY RELATIONS, SUMMARY CHARACTERISTICS

	Diffusion-Isolation Model	Dependency-Marginality Model	Bureaucratic-Integration Model
Source	Functionalism, technological reformism	Marxian and economic anthropology	Organization theory
Dominant linkage	Cultural hegemony	Economic exploitation	Administrative complicity
Major emphasis	Center	Periphery	Center-periphery linkages
Definition of the periphery	Geographically distant areas, low social strata	Underdeveloped regions and ethnic groups	Local units
Relation of state and market	State dominates the market	Market dominates the state	State and market are unrelated
State's relation to periphery	Socialization into modern values	Reinforcement of market forces	Distribution of public goods
Importance of community politics	None; politics is a "central" capacity	Low; major decisions made elsewhere	High; local elites capture public benefits

Source: Tarrow, Between Center and Periphery, 1977, p. 32.

The dependency-marginality model finds its antecedents in Marxism. The inability of the periphery to marshal the necessary resources to overcome its subordinate position within advanced capitalist systems impedes and restricts its development. Subsistence in the periphery is marginal and can be seen by the migration of people from rural to urban centers, such as Tokyo and Paris. The peasant farmer has little weight in affecting the economic decisions of the central elite regarding the policies of the food processing and distribution industries upon which he depends. Thus, the economic marginality of the periphery creates an even greater dependency on the center, especially if the center offers compensatory assistance to the periphery. The state penetrates the periphery mainly by reinforcing its domination of capital over the farthest reaches of the national territory.[21]

The bureaucratic-integration model is based on the work of Michel Crozier dealing with the territorial linkages within the states and organizational sociology.[22] This model seeks to understand the linkages and the policy impact between center and periphery. Far from finding an "ideal" bureaucracy within the state to administer central functions in the territorial areas of the periphery, Crozier finds that the dynamics of actual bureaucratic organization--personalism, informal understandings, and alternation between immobility and crisis--function despite formal and hierarchical blockages. The sharp edge of central policies can be softened by the social contacts and personal affinity

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[21]Tarrow, Between Center and Periphery, pp. 21-26.

[22]Michel Crozier, The Bureaucratic Phenomenon (Chicago: University of Chicago Press, 1966), and The Stalled Society (New York: Viking Press, 1973).

to the local population felt by the peripheral agent of the state. The integration of the bureaucratic extension of the state into the periphery occurs due to bargaining and interpersonal complicity between the territorial agent of the state (the prefect) and the elected notables and other elites at the local level.

After thoroughly dissecting the diffusion-isolation, dependency-marginality, and bureaucratic-integration models, Tarrow skillfully uses the salient aspects of each model--the integration of the periphery, the impact of institutions and public administration on political systems, the legitimacy of governments, and the future of the regime--to construct a more complex pattern of conceptual framework. Tarrow develops a synthetic model to specifically illustrate the policy impact of the center on the periphery, the adaptive strategies followed by the elites in the periphery, the types of center-periphery elites in the periphery, the types of center-periphery institutional linkages, and the outcome of the experience in dirigiste and clientelistic political systems.

Tarrow's study examines the adaptive strategies of the political links and interactions between national politics, on the one hand, and local politics in the villages, cities, and towns on the other by investigating a selected sample of mayors in France and Italy. Tarrow argues that the study of the patterns of political integration and of change in the modern industrial states requires one to define local politics in terms of the constraints and resources identified (and largely influenced) at the national level. Hence, grassroot politics is greatly concerned with lobbying, entrepreneurship, and brokerage in an attempt to secure one's place with the center and to integrate the periphery into the broad context of national politics. Tarrow posits that the "grassroots

FIGURE 2

TWO TYPES OF CENTER-PERIPHERY POLICY LINKAGES AND HYPOTHETICAL OUTCOMES

	Dirigiste	Clientelistic
Elite model of moral hegemony	Technocratic reformism	Distributive welfare
Breadth of social alliances	"Productive"	Populist
Central policy control	High	Low
Policy benefits	Concentrated	Diffused
Strategy of grassroots elites	Administrative activism	Political entrepreneurship
Political effect on community	Demobilizing	Divisive

Source: Tarrow, Between Center and Periphery, 1977, p. 46.

politicians and the mechanisms of local national linkages they manipulate are crucial intervening variables between the economic marginality that marks much of the periphery in advanced societies and its ability to hold its own in the competition for resources at the center."[23]

In the process of investigating the effective links between peripheral communities and national decision makers at the center, the stereotype of the local official as the ideal of the administrator is dispelled--replaced by the appearance of a broker. Tarrow discovers the role of the local political elite to be that of a broker between social and economic change, on the one hand, and the capacity of the periphery to adapt to it through the political allocations they can capture from the state on the other. The mayors have become policy brokers who actively seek outside resources, especially from the central government, thus enabling them to respond to local demands for community development. When they fail in their efforts, other forms of pressure result. An example of this is the separationist and devolution movements in Western industrial nations.

Tarrow carefully constructs his synthetic model of center-periphery policy linkages from top to bottom. France has a dirigiste system in which the elite bases its rule on a narrow productive coalition and has a strong state bureaucracy at its disposal with which to regulate the periphery by its selective regional policies. French local officials are typically administrative activists who try to expend their communities' share of the state's allocations by operating within a well-defined and efficient national administration. They shun strict partisanship,

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[23]Tarrow, Between Center and Periphery, p. 3.

maintain close productive local relations, and accept the elitist pattern of authority in which policy priorities are left in the hands of national technocrats. In this way, Gaulist regime discretion, in its pattern of policy allocation, has concentrated resources on larger population centers as well as the most rapidly developing communities at the expense of the declining areas.

Italy has a clientelistic system where the elite governs through a populist coalition and shapes distribution policies to support coalition needs. In the absence of coherent national policy and efficient national control, Italian local officials are forced to become political entrepreneurs in locating the means of increasing their communities' share of public resources. The weak and diffuse state bureaucracy adds to their difficulties. They must go outside the bureaucracy for policy benefits by using personal, political, and (especially) party ties to the capital. While the policy impacts of the central government in Italy may be territorially and socially distributive, the allocation pattern is highly susceptible to political influence in both its transmission and its implementation. This is particularly detrimental to the poorest social groups and communities.[24]

In this study of the Japanese prefectural system, however, it is also interesting to note how local politics can affect national decision-making from the bottom up. While one can picture the Japanese center-periphery policy linkages as functionally a dirigiste system, the structural conditions placing the prefectural system as a local public body with an elected governor directly infers a clientelistic chief executive.

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[24]Ibid., pp. 7, 38-46.

With his clientelistic integration at the local level, the Japanese governor also functions as the dirigiste administrator of the state who works actively within the national bureaucracy to coordinate national policies in the periphery. As a functional intermediary between the state and the municipalities, the governor is in the perfect position to convey the demands of peripheral masses to central elites. The reciprocal role of Japanese citizen movements in center-periphery relations can be seen in this statement by Tarrow:

> Grassroots political organization can encourage territorial solidarity, in which case the community's leverage vis-a-vis the state is increased but the interests represented are local and territorial.[25]

Although Tarrow does not actually use his synthetic model to include the influence of the periphery on national policy makers, he does stress the importance of the focus of political conflict at the local level in later works. By considering the other side of the two-way street of center and periphery relations, Tarrow offers an additional refinement to his synthetic model which is most compatible to the adaptation of the center to the needs of its total environment.

At the core of Sidney Tarrow's theory on center-periphery relations is the contention that territorial representation in central governments, especially in unitary systems, has become institutionalized to such an extent that it is no longer adequately responsive to the needs of the masses in the periphery. The static centralization of functions at the national level has insulated the elite against a viable threat from the masses and has caused citizens at the periphery to turn to local governments as the focal point of political conflict in order to forcefully

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[58]Ibid., p. 45.

articulate their demands. "Citizens at the periphery /have/ to turn more and more to the local, regional and primordial identities around them."[26] In Japan, local activism has centered its attention on the governors to press for better living conditions in the postindustrial society. The demands of the periphery for better living conditions has awakened Japanese local government and caused it to adapt itself to be responsive to local issues for its own survival or face the electoral consequences.

Even in a system viewed as universally homogeneous as Japan, there are territorial cleavages which are reinforced by cultural and regional identities, fiscal and reorganizational crises of the cities, massive and uneven urbanization, air and water pollution, and industrial and technological placement problems. The functional centralization of the 1950s and 1960s, spurred on by the national economic development and welfare programs, has led to many new service functions for the local governments under central government direction. Still, "there has been surprisingly little change in the attachment of ordinary citizens to their subunits."[27] This aspect of center-periphery relations finds particular importance in light of the success of the grassroots movements on pollution issues in Japan (see Chapter 4).

The main emphasis for this thesis is that it is through the territorial units in which they live that men organize their relations with the state, reconcile or fight out their conflicts of interest, and attempt to adapt politically to wider social pressures. The adaptation of the

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[26]Tarrow, Territorial Politics, p. 22.

[27]Ibid., p. 2.

prefectural governor is particularly salient because of Japanese political culture and its tradition of political socialization. The position of governor, or prefect, has historically been an appointed office of the central government. The reforms initiated by Japan after World War II made the office elective, but its position and functions was very similar to its antecedent. After heavy industrialization and urbanization produced environmental problems, however, the masses used the prefectural system to channel electorally bolstered demands to the national government in order to obtain an effective response to pollution problems.

The following chapters will study the adaptation of the Japanese governor and the masses who are his constituents to their changing environment. The question of how scarce resources are allocated in the intergovernmental process will be investigated in the light of center-periphery relations. The patterns of development, which emphasize the force that institutions play in the molding of political entrepreneurship in France and Italy, are the correlates (at the individual level) of the systemic differences in national-local relationships that emerge from the two countries' historical traditions.[28] Keeping this in mind, Chapter 2 begins with the creation of the modern local government in Japan in the nineteenth century.

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[28]Tarrow, Between Center and Periphery, p. 244.

CHAPTER 2

HISTORY OF THE LOCAL GOVERNMENT IN JAPAN: MEIJI PERIOD TO WORLD WAR II

The study of intergovernmental relations requires a clear understanding of the tradition of the political structure through which policy has been formulated in the past. In order to trace the history of Japanese local government, this chapter will explore the nature of centralism and localism during the Tokugawa Period (1600-1868), the bureaucratic centralization of the Meiji Restoration (1868-1878), the ups and downs of local government in Japan from 1878 to 1887, the establishment of a modern local government system with the Meiji Constitution (1888-1926), and the development of trends in local politics up to World War II (1926-1945).[29]

By the time of the Tokugawa Period, 1603-1867, ancient communes had evolved into a number of larger communities with characteristics of localism based on close ties to clan and commune. When the Tokugawa

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[29]The historical data used for background information on the development of local government in modern Japan before World War II comes from a variety of sources, including George M. Beckmann, The Making of the Meiji Constitution: The Oligarchs and the Constitutional Development of Japan, 1868-1900 (Lawrence, KS.: University of Kansas Press, 1957); George Akita, Foundations of Constitutional Government in Modern Japan, 1968-1900 (Cambridge: Harvard University Press, 1967); Joseph Pittau, Political Thought in Early Meiji Japan, 186801889 (Cambridge: Harvard University Press, 1967); Frank O. Miller and Minobe Tatsukichi, Interpreter of Constitutionalism in Japan (Berkeley: University of California Press, 1965); and L.H. Redford, ed., The Occupation of Japan: Impact of Legal Reform (Norfolk, Virginia: MacArthur Memorial, 1977).

regime established its supremacy, the Shogunate government (bakufu) became the supreme ruler of the feudal leaders and extended its direct rule beyond its own fief to all major cities and important smaller islands. It is very important to remember that Tokugawa feudalism lacked legal, military, or fiscal authority in the modern sense. Under it, there was no concept of "nation" in the modern sense of the word--men were regarded as subjects belonging to the ruler who owned the land they lived on.

To ensure political stability and restore peace to the country, Tokugawa Ieyasu had to consolidate the loyalty of all the feudal lords (daimyo) under his leadership, institute a reliable line of succession, and protect the country from foreign invasion, from both inside and outside Japan. In order to secure these conditions, a substantial amount of governmental power was invested in the head of the Tokugawa family. The daimyo were required to swear allegiance and obedience to the shogunate, rather than the Emperor. The Emperor became only the nominal head of the country. The daimyo were permitted no contacts with the Emperor whatsoever. Japan was isolated from trade and contact with the outside world and Christianity was suppressed.

The state of the administrative structure dealing with local politics during the Tokugawa period was a curious compromise between actual centralized control and theoretical local autonomy. The intergovernmental policy of direct rule through the familiar daimyo system was centralized and expanded. It proved to be a useful expedient for temporarily stabilizing the political situation. The utilization of the daimyo system of vassalage was a highly conservative, if not reactionary, measure which grew to be quite rigid. The local autonomous

bodies consisted of the following areas: the town (Machi), classified as commercial or industrial; the village (Mura), classified as rural; the high-town (So-Machi), an association of towns; and the high-village (So-Mura), an association of rural villages. Each of these areas were placed under the general supervision of the feudal lord's court.

All the contact between the lord's court and the local people was done, as a rule, through the office of the administrative agent of the feudal lord, called the Bugyo. These administrative agents were entrusted with the execution of administrative and judicial power within their jurisdiction, and were empowered to a small extent to make public administration decisions in a manner similar to the justice of the peace in England. Japanese feudal culture emphasized the ideal of harmony, however, not justice as in the Western tradition of Roman law; thus, there was no notion of "rights" as the abstract rights safeguarding individual interests.[30]

The sphere of public administration allowed local autonomy was very limited and its mechanism was simple. While it differed from the local governments then existing in Europe or America, it is important to remember that some local autonomy existed in Japan before the Meiji era. The Tokugawa shogunate had a policy of leaving local matters to the local villages with little intervention unless the authority of the shogunate itself was threatened by the local autonomous activities. The country was divided into feudal principalities (han) and each of these areas had its own feudal lord as ruler. "In fact, each han was an autonomous unit

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[30]Additional useful material on this history can be found in Koji Saka, Local Government and the Meiji Restoration (Tokyo, Japan: Ministry of Home Affairs--Local Autonomy College, 1979), Chapter 1. Hereafter cited Saka, Meiji Restoration.

of local government supporting an autonomous force in the Tokugawa military establishment, even though its autonomy in both fields was in fact carefully supervised by a powerful central government."[31]

Under the Tokugawa policy toward local autonomy, the traditions and local customs of the daimyo realms were honored and preserved. The community heads (Nanushi/Shoya) represented the inhabitants of the local autonomous bodies to the ruler and his administrative agents. They handled all the matters relating to the common affairs in their area, conveyed orders from the bugyo to their people, carried out civil administration in their area, petitioned the bugyo officially on behalf of their unit, and held a civil court in which civil disputes were settled. The communities under the Tokugawa regime enjoyed far more autonomy in judicial administration than the present local authorities in Japan because today all the judicial power is reserved by the state.[32]

As the sole official channel of communication between the feudal ruler and the people, the community head played a double role: on the one hand, he was the representative of the people to the feudal lord, and on the other hand, he was the agent of the lord to the people. Although territorially close to the present-day mayor, functionally and structurally his role more closely resembled the modern governor. Even though the development of the community head far precedes the establishment of the prefectural system and the office of governor in modern

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[31]Edwin O. Reischauer and John K. Fairbanks, A History of East Asian Civilization, Vol. 1 (Boston: Houghton Mifflin Co., 1960), p. 604. This is a good source for the chronology of dates and the evolution and adaptation of the earlier periods in Japan's history.

[32]For more on traditions and customs in Japan, see William Theodore deBary, ed., Sources of Japanese Tradition, Vols. 1 and 2 (New York: Columbus University Press, 1964).

history, the study of his role is very important for the understanding of the latter's position in intergovernmental relations.

While the power and responsibilities of the community heads differed from one area to another, their general pattern of activity was:

> A. To keep the public order
> B. To make the people abide the laws
> C. To encourage cultivation, reclamation and other agricultural improvements
> D. To assess and collect taxes for the lord's court
> E. To maintain public highways and to provide for prevention of floods
> F. To requisition laborers for public works from the people of the community
> G. To attest to all the official and private contracts and other important papers
> H. To compile all the official books related to registry, religion, five person unit system, police administration, rice and other crop yields, and other essential items of the community and to report them to the office of the lord's agent
> I. To be a witness of the official survey of the arable land and of the official assessment of the crop yields of the year, carried out by the agent of the lord's court
> J. To make a claim, for the benefit of the people in the community, against the lord's court.[33]

There were three methods of selecting the community head. The first method was simply through heredity and was most popular in the west. The second method was appointment by the feudal lord from among the community's qualified families. The second method could take one of two forms: the office could be periodically rotated, usually year by year, or, a new head would be selected from another family upon the death or retirement of the office holder. The third method of selection was by the heads of all the families in the community consulting with each other and designating their choice. This method always required the approval of the competent agent of the daimyo, while the other two methods usually did not. The third method was most popular in the

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[33]Saka, Meiji Restoration, p. 6.

east. The nominee was required to meet certain specific requirements, such as being of good character, from a good family, and free from poverty.

The governments of the feudal principalities came to represent miniature replicas of the shogunate government. In effect, the complicated governmental structure of the bakufu had a dual nature: the personally imposed administration of the shogun over the daimyo; and, the national government of Japan which ruled the people indirectly through its control of the daimyo. The dual nature of Tokugawa politics lacked governmental integration and created a situation in which the masses had to shift and fend for themselves to adapt to their new environment. There was absolutely no concept of any right to local self-government for the lower echelons of the governmental structure.

Any ideas of an overriding Japanese national loyalty were lacking and were viewed as strongly subversive until the Meiji Restoration in 1868. The daimyos were semi-independent sovereigns whose vassals were loyal only to their immediate lords.

> The trouble with the Tokugawa system of maintaining peace was that it worked too well. The long period of domestic stability favored the expansion of the money economy at the expense of the rice economy and the rise of the commercial classes at the expense of the agrarian feudal classes. As the merchants in Edo and Osaka grew richer, the daimyo and samurai grew poorer.[34]

As the daimyo and samurai suffered more and more due to the Tokugawa system, their loyal ties to the shogunate eroded. Pressure from the challenge of the West to open Japan for trade and the decline of the power of the shogunate meant the time was ripe for a change in the

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[34]Theodore McNelly, Politics and Government in Japan (Boston: Houghton Mifflin Co., 1972), p. 9. Hereafter cited McNelly, Politics.

old order. In 1853, Commodore Perry sent a message to the Emperor calling for the opening of Japan. He represented much more than a single person; he embodied all the overwhelming military, economic and political aspects of the technologically advanced notions of the West.

In signing the Perry Treaty in 1854, Shogun Iesada underlined the fact that he possessed neither the military strength nor the support of the daimyo necessary to repel the American barbarians and successfully maintain the Tokugawa standard of isolationism. The underground intellectual movement of men committed to the higher loyalty of their nation and their Emperor (which had marginally existed throughout the Tokugawa period) began to swell. Beset with difficulties on all sides, Tokugawa Keiki, also called Yoshinobu, declared the shogunate at an end in 1867.

Keiki had assumed he would be a leading figure in the new and imperial regime, but he and his family were shut out of any participation in the government by a coalition of southern and western clans: Chosu, Satsuma, Tosa, and Hizen. These clans and their samurai swore their loyalty to the fifteen-year old Emperor Meiji, fought a bitter civil war against the followers of Shogun Keiki, and vested all the political powers of the country in the Emperor. To dramatize the transfer of political power, the Emperor Meiji moved his imperial residence from Kyoto, where it had been since 794 A.D., to the capital city of the Tokugawas in Edo. He took over the shogun's palace and renamed the city "Tokyo"--meaning the capital in the East. The immediate problems faced by the leaders of the Meiji Restoration were to break down feudal particularism, establish a strong central government to facilitate modernization from within, and create a unified country able to withstand the

challenges from the onslaught of Western influence, treaties, and trade from without.[35]

By the time of the Meiji Restoration, loyalty to the feudal principalities no longer stood in the way of centralization. The Meiji Restoration restored the nominal emperor system. The effective political authority was monopolized under the control of an oligarchy of twenty leaders from the four victorious clans. These leaders found the emperor system to be consistent with the idea of centralization because his exalted position as the center of all national action made it difficult not to include all functions under his mantle. Above all, Japan needed to be a unified country with uniform institutions that would impress the West as being stable and modern. Thus, the period from 1868 to 1878 was a time of great urgency in establishing a new modernized form of national government.

It was not the intention of the Meiji leaders to destroy the semblance of local autonomy which had developed, but the new regime would be endangered without the plenary disassembly of the feudalistic society. Feudalism had been the very foundation of the Tokugawa reign for several hundred years and had permeated the Japanese way of living and thinking. The social custom personal habits, economic structure, political system, education, moral discipline and ideology, plus the local autonomy were altered by sweeping changes to a bureaucratic monarchy. Actually, there had been no modern development of local self-government in Japan, but, rather, there had been in existence a strong

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[35]Steiner, Local Government, p. 20.

tradition of political localism based on strong family, clan, geographical, provincial, and local loyalties.

In order to effectively adapt to the new environment in which Japan found herself, all the powers that had been given to each of the feudal lords had to be nominally restored to the Emperor as the political head of the nation and they were centralized in a strong state government. The first step in assuming total control of the political system was to liberate the people from their bondage to the feudal principalities and to place all land under national control. The Return of the Land and People to the Emperor Reform (Hanseki-Hokan) in June 1869 transferred the land and people registers to the Emperor, compensated the feudal lords for their land, allowed allegiance of the people only to the Emperor, and granted liberal pensions to the daimyo and samurai, but deprived the latter of many of their privileges. The Abolition of the Feudal Principalities and Creation of the Prefectures Reform (Haihan-Chiken) redistributed the land of the 246 hans and replaced them with 72 prefectures which were administered by governors appointed by the Emperor.

At first, the feudal lords had been appointed by the Emperor to be governors of their principalities; however, on June 14, 1871, the daimyo were barred of all their powers, new governors were appointed from the high officials in Tokyo, and the masses were allowed freedom of movement throughout Japan. Thus, all local administration at the prefectural level came under the responsibility of the government in Tokyo. In the Imperial Edict of 1871 the Emperor made clear to the public the reasons behind his reforms:

> It is necessary to unify the political authority in order to open negotiations advantageously with foreign countries as well as to promote domestically the stability of public life

> in this reformation. Therefore, the Emperor had the land and the people both returned to the crown, and appointed the former owners of the feudal tenure to the governorship. However, bound by the time-honored traditions and customs, the governors were not able to adjust themselves to their new positions. They were inadequate and uncapable of coping with the new situation. Under these circumstances, carrying out negotiations favorable to Japan with foreign countries would be extremely difficult and the stability of public life could not be achieved easily. The Emperor doth deplore deeply this situation.
>
> Therefore, the Emperor has made up his mind to abolish all the principalities, and to set up prefectures in their place. The purpose of this form is simplification of governmental structure, avoidance of complexity in political affairs and unification of the administrative authorities.[36]

The prefectures were divided into two categories: "Ken," which was made up mostly of rural areas; and, "fu," which was mostly urban. In 1871, there were three prefectures classified as fu: Tokyo, Osaka, and Kyoto. The prefectural administration was headed by the governor for execution of the central government policy. The prefectures were divided into districts (gun), cities (ku), towns, and villages with their officials appointed by the governor. They were responsible to the governor for the local administration.[37]

The district was specifically set up as an ad hoc administrative division by the Registry Act of 1871 to control the problems created by the new freedom of movement in Japan.[38] Localism was threatened by the

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[36]Saka, Meiji Restoration, p. 18.

[37]George M. Beckmann, The Making of the Meiji Constitution (Lawrence, Ks.: University of Kansas Press, 1957), pp. 19-20. Hereafter cited Beckmann, Meiji Constitution.

[38]The Registry Act was promulgated by the Cabinet proclamation No. 170 of April 4, 1871. An interesting portent which adumbrates the environment in which the birth of Japanese local government occurs is contained in this act's Preamble: "It is crystal clear that the main purpose of the public administration lies in the protection of the people."

sudden incursion of vagrants, hooligans, and unknowns into the community. While aiding the police, the national registry also provided valuable information about the size and population changes necessary for the scientific management of public administration. The district gradually turned into a general-purposed administrative division as it acquired multiple duties by disassembling the communities' system. In 1872, the community heads, as well as the other offices of the community, were abolished and replaced by the district head.[39]

The national government centralized all political, military, administrative, and financial power in Tokyo. In addition to the abolition of the feudal principalities and the creation of the prefectures, the following measures were enacted: disbandment of the feudal armed forces and formation of the new national Army and Navy; unification of the tax system subject to the national treasury, executed by the prefectures; unified monetary system under the Bank of Japan; and national registry of the people. By taking upon itself the handling of all matters of the country--domestic or foreign, administrative or judicial, spiritual or material--the central government soon ran into difficulty.

Local affairs had been under the Treasury Department (Kura-Sho), but the government discovered it needed a stronger administration to cope with the situation. The Home Office (Naimo-Sho) was a new department established as the principal authority within the national government for promoting centralized local administration. The Secretary of the Treasury, Duke Okubo Toshimichi--one of the most influential politicians in the Meiji era--proposed the move and took office as Home Secretary on November 29, 1873.

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[39]Saka, Meiji Restoration, p. 21.

As the national government pursued their policy of centralization, more and more interference occurred in the daily life of the local communities. The people were apprehensive about the numerous changes going on around them. The breakdown of individual life styles caused dissatisfaction, confusion, and social unrest as seen by the Saga Rebellion of 1874. In the eyes of the local people, all the manpower and resources seemed to be collected in Tokyo. While unification of the country had been successful, the political regime faced urgent problems which threatened its stability. The appeasement of the local people through limited decentralization programs was seen as the only means to cope with the internal problems. To accomplish this, a conference of local administrators (Chihochokan-Kaigi) was summoned by the Tokyo government to serve as a substitute for a national parliament to discuss public opinion and the needs of the local people.

Before the conference of local chief administrators was to have any impact on decentralization policies, a civil uprising posed the most serious threat to the Meiji government. A rebellion in the Kagoshima prefecture, the southernmost part of Kyushu Island, occurred under the direction of General Saigo who led a group of discontented Satsuma samurai. The government's newly conscripted armed services, equipped with modern weapons and trained in Western techniques, suppressed the rebellion which lasted from February to September 1877.

By the time the state of the nation had fully recovered from the war in the Southwest, the demise of the main triumvirate of Meiji leaders had occurred: Kido Koin, advocate of constitutional monarchy and local self-government, died of illness in May 1877; Saigo Takamori, who wanted more power for the samurai and Satsuma, took his own life in

September 1877; and, Home Minister Okubo Toshimichi, advocate of the strong national bureaucracy and authoritarian central government, was assassinated in May 1878.[40]

The departed triumvirate was replaced by Ito Hirobumi, Okuma Shigenobu, Terajiona Munenori, Matsukata Masayoshi, Kuroda Kiyotaka, and Yamagata Aritomo. These men controlled the government, alternating governmental posts every six months.

The democratic movement was reaching its zenith in 1878. The leaders realized that they needed to establish a representative parliament and organize political parties. Decentralization was the only way that the government could keep the local public in order. The Minister of Home Affairs was able to accomplish this, as well as to improve public works throughout the country and promote the birth of local government, by the New Legislation of Three Acts (Shin-Sanpo). The three acts were: The County, Ward and Town-Village Organization Act (Gun-Ku-Chosen Hensei-Ho, No. 17), The Prefectural Assembly Act (Fuken-kai Kaisoku, No. 18), and The Local Tax Act (Chihozei-Kisoku, No. 19). These acts were drafted by the government, approved at the second conference of the local chief administration, reviewed and passed by the Senate, in 1879.

The main features of the statutes were:

> 1. the transference of administrative power relating to local affairs from the central government to the local bodies, and, while the organization of the town and village office was stipulated, their assemblies' proceedings and provisions were lifted up to their own constitutions to be regulated;
> 2. the abolishment of the old district system and the reinstatement of an administrative ward covering several towns and villages (chosen);

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[40]Beckmann, Meiji Constitution, p. 40.

3. the introduction of a popular voting system for selecting the town-village chief executive (Kocho) and self-regulation of the town and village assembly (Chosen-Kai);
4. the return to the town and village system based on localism--a local government system rooted in the people's tradition and local history--and, by changing the structural position of the district, "the old historical county (gun) would have to be revived as an administrative division so as to make the administrative jurisdiction harmonize with the historical area of the people's life";
5. the introduction of democratic control of taxation through the means of the local assembly;
6. the adoption of a national distinction between local administrative divisions and local autonomous entities.[41]

The Meiji leaders felt that local government, based on tradition and evolved from history, even if less sophisticated than modern administrative models, would be far better for political stability in 1878. While the regime was adapting to the changing internal environment, a philosophy began to permeate the theory of local self-government. Local autonomy had to be established before the introduction of a parliamentary system in the national structure in order to ready the political atmosphere for a representative decision-making process. On October 12, 1881, the Imperial Edict on the Creation of a National Parliament (Kokkai-Kaisetsu-no-Shochoku) proclaimed that a constitution providing for an elective parliament would be established in 1890.

The nationwide debate on the content and substance of the constitution completely absorbed the politics at all levels of the government. The radical movement for a representative government grew stronger throughout Japan against the oligarchy's position of imperial absolutism. The limited concessions of the government (e.g., the politically ineffective local assemblies rationalized by the philosophy of gradual progress) were unacceptable to the liberal democrats.[42]

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[41] Saka, Meiji Restoration, pp. 25, 29-32.

[42] Beckmann, Meiji Constitution, p. 52.

Opposition against the central government became fashionable and the newborn autonomy in the local assemblies was only manifested by denouncing the central government, especially its prefectural governors and other representatives in the local bodies. Assemblies invited open attack against the national policies in the local arenas. The emotional political movements engaged in excessive political activity based on discontent with the present regime and turned the local assemblies into turmoil. While the national politics of the 1880s is seen as a time of constitution drafting and experimentation in local government structure, it was also a time for re-entrenchment of the completely autocratic centralization of functions under national government control.

It was inevitable that the state would start amending the New Legislation from the outset when it saw the anti-government tendencies of the assemblies. The course taken by the state to strengthen its position and control of the local units was crucial to the later evolution of functions of the governor. First, the executive selection process established under the New Legislation (1878) called for prefecture, county, and ward heads to be appointed while the town and village chief executives were elected. The county head was appointed as a link between the local and central government. The ward chief was appointed because urbanized areas were considered politically unsafe as potential breeding places of new ideas and demands. The election of the town or village executive was conditional upon the approval of the governor.[43]

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[43]Steiner, Local Government, pp. 30-31.

Although the New Legislation was enacted in 1879, by February 1880 it was already undergoing major revisions. The Law Regarding Ward, Town, and Village Assemblies (Kuchosen Kaiho, Imperial Decree No. 18) permitted elective assemblies on all but the county level. The purpose of the amendment, however, was to avoid conflict between assembly and executive, as well as establish the executive superiority to the assembly. The prefectural, ward, and town-village heads alone were empowered to initiate programs, approve and effect assembly action, suspend assembly meetings, enforce their own original bills, decide when the assembly had failed to act, and dissolve the assembly at their discretion with the Home Minister's consent. The actions of ward and town-village chiefs were supervised by the governor who could override their decisions. Thus, before local assembly elections started the powers of the government had been increased to meet any popular challenges to its authority.[44] What the government had granted to the people in concessions of structural form in local government, it had taken back in the substance of its functions.

The government at the local level was practicing the system that would be initiated at the national level: elected representatives subservient to the executive, a legislature limited to debate only, and electoral rights limited to substantial citizens. The new system met little of the expectations of the masses and local rioting broke out to vent frustration on village landlords. In response to the rioting, the

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[44]Mishima Michitsune was a hard line Imperialist appointed head of Fukushima Prefecture in 1882. Every one of his bills was voted down and expenditures unappropriated by the assembly, but under the existing rules Governor Mishima could and did implement all of his programs.

Decree of the Council of State, May 1884, further restricted the town-village chief executive election process: the assembly was permitted to nominate three candidates of which the governor appointed one. In the same year, the government disbanded all political parties.[45]

Additional measures were taken to cope with, and suppress, the growth of local political movements with the Local Chief Administrators' Establishment Act of 1886. It explicitly proclaimed the following:

> 1. the prefectural governors would act under the general supervision of the Home Secretary;
> 2. the prefectural governors would execute national policies under the supervision of the competent Ministers;
> 3. the governors were to enforce the national laws in their jurisdictions with police power;
> 4. the respective Ministers could suspend the enforcement of gubernatorial orders, and, where necessary, revoke such orders;
> 5. the governor would supervise his staff: appoint, transfer, promote, discipline, or dismiss lower officials while the senior prefectural officials were handled by the Home Secretary with the governor's advice;
> 6. in the case of an emergency, the governor was authorized to call for dispatch of the armed forces.[46]

Following the pattern established by Home Minister Okubo, the prefectural authorities not only looked to Tokyo for their appointment, but also for their system of rewards and punishments. They had become part of the national centralized bureaucracy, and thus depended on central, not local, connections for their power.[47]

While searching for an adequate formula for a parliamentary Constitution by 1890, the national leaders were able to consolidate their positions and power over local administrations. The volatile state of

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[45]W.G. Beasley, The Modern History of Japan (New York: Praeger Publishers, 1974), p. 129. Hereafter cited Beasley, History of Japan.

[46]Saka, Meiji Restoration, p. 34.

[47]Beasley, History of Japan, p. 127.

local government figured prominently in the final product. "The authoritarian prejudices of the oligarchs, the traditional fear of factionalism in the state, coupled with their preoccupation with military readiness and pressing problems of industrialization from the top down, led them to turn--if they turned outward for models--to German theories of the supremacy of state."[48]

The Bureau to Study the Establishment of a Constitution (Kempo Seido Torishirabe Kyoko) studied twelve systems of parliamentary government, all of which were constitutional monarchies. Ito Hirobumi was ordered by the Emperor to visit and investigate the various European systems in operation. Ito was very impressed with the suggestions made by Rudolf von Gneist and Albert Mosse in Berlin on limiting the power of parliament and placing the supreme care of powers in the Emperor, as exercised by his ministers. This was the system which the Prussian Constitution employed.

> Iwakura /Tomomi/ looked in favor upon the Prussian system in which the king remained the center of power. He was particularly impressed by the fact that the Prussian king selected his own cabinet, which remained responsible to him. In general, Iwakura was seeking additional sanctions for a highly centralized authoritarian government.[49]

Home Secretary Yamagata Aritomo, an advocate of a constitutional parliament system, invited Albert Mosse and von Gneist's disciple, Hermann Roessler, from Germany to serve as advisors to the Japanese government. They joined the Organizing Committee of the Local Government System, chaired by Ito Hirobumi. Mosse strongly recommended that the local

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[48]Ardath W. Burks, The Government of Japan (New York: Crowell, 1964), p. 12. Hereafter cited Burks, Government.

[49]Beckmann, Meiji Constitution, pp. 57-60, 70-71.

government system be established in advance of the formation of a national parliament and that a well-devised local government be statutorily organized as an indivisible part of the whole national administrative process. To this end, Mosse drafted a municipal government act modeled after the Prussian system.

In Mosse's view, local government was to be the politically neutral area where public administration, both local and national, was carried out. The polemics and political activities that were inevitable with a representative parliament at the national level had to have no involvement in the local governmental system. He felt the Japanese people--very sensitive to tradition, steeped in localism, limited by the lack of a common education system in the feudal Tokugawa period, and politically immature because they had no experience with representative government--had to be kept immune from the political strife the competition and factionalism political parties would cause at the national level. Thus, the purpose of local autonomy was to make the people familiar with modern politics by involving them in public administration--educating and politically socializing them in local government as a training ground for participation in national politics.

The normative theory behind the establishment of local government began as a variation of the concepts of the center-periphery process (Chapter 1). The emperor was the center of society and of its values as in the diffusion-isolation model. As guardian of society's values, the elite of the national system, however, found their roots in local government. Peripheral isolation consisted of insulation from political conflict, but local administration was a check on the national parliament and the very foundation of the country. Thus, the bureaucracy

served as a means for the periphery to integrate the center in a major modification of the bureaucratic-integration model. Although the theory represented major innovations in center-periphery concepts, the initial application followed the dependency-marginality model more closely.

The political philosophy of Yamagata and Ito dovetailed nicely into Mosse's construct. Yamagata served as head of the army simultaneously with his other government positions. He saw a common basis in the need for the fulfillment of an individual's obligation to the state and for a hierarchically ordered society paralleling the establishment of a modern army and the creation of a local government system. Yamagata was particularly concerned about the need for preliminary education of the people in public affairs which stressed the duties--not the rights--of the masses. He saw local government as the best socializing vehicle. He demonstrated his views by saying:

> Local self-government raises the public and cooperative spirit, unites the ideas and hopes of the people and the policy and aims of the bureaucracy, and fosters patriotism and a sense of independence and honor in the people of the entire country.[50]

Ito Hirobumi was more of a moderate than Yamagata and felt that the constitution should precede the establishment of a local government system. Ito felt that everything in Japan had to be spread from the center and approved the possibility of local self-government becoming an exception to the complete rule of the Emperor. On matters of substance and political philosophy, Ito and Yamagata were in close accord. A local government system imposed from above, in Ito's opinion,

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[50]Steiner, Local Government, p. 37.

would put the interests of the state first, thus stressing the duties and not the rights of citizenship. This is shown in the following statement of Ito:

> In order to organize local government, we must be able to interfere with the regulation of prefectures, counties, and wards . . . . The central power must not be divided and mixed up with local government. Local government must have its bounds, and the central power shall absolutely not be restrained by it. Local government shall be limited by the Imperial Edict which permits its existence.[51]

Using Mosse's proposal for the new municipal system, Yamagata worked quickly to establish local government while Ito was finishing up the draft of the constitution. On April 17, 1888, the City and Town-Village Government Act (Shisei-Chosonsei) was promulgated as Law No. 1 by Imperial Decree. It was followed on May 17, 1890, by the County Government Act (Gunsei) and the Urban and Rural Prefectural Government Act (Fukensei). In this study there is no need to go into all the technicalities of each act, but it is important to survey the significant features of the local government system because they were to remain as the pillars of the structure through World War II.

In 1888, city, town and village were made the first-tier of local government. They were corporations entitled to dispose their own public affairs. Supervision came, primarily, by the prefectural council, secondly by the prefectural governor, and, finally, by the Home Secretary. Only the landlords and male citizens over 25 years of age with an upper class income were given suffrage in elections for members of their local assemblies. The selection of the town and village chief executive was made by popular vote from among resident candidates

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[51] Ibid., p. 36.

eligible to vote and over 30 years of age. Their four-year term required the approval of the supervising authority. The city mayor was selected by an indirect election whereby the city assembly nominated three candidates for the position and the Emperor appointed the most suitable of these as chief executive for a two-year term.[52]

Home Minister Yamagata chaired the committee organizing the local government system and chose this selection process over a majority of disagreement against it. The reasons for his decision are very interesting. The mayors were to carry out the policy made by the local assembly and, at the same time, be administrative agents of the national government taking part in the execution of national matters. National administrative affairs would obviously be much more complicated in urban areas than rural areas.

Yamagata felt that most elected men would be able to deal with the less complicated administrative work of the rural areas, but there was no assurance that a man who was capable enough to cope with the complexity of administrative work in the city would be elected by popular vote. A situation like that which existed in the districts during the early 1880s had to be avoided. Yamagata stated:

> In this situation, the mayor will not be relied on by the capable, learned people who mostly belong to the minority group of the former warriors. Consequently, an elected mayorship would make it difficult to execute the national policy in local areas.[53]

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[52] Local Government Reform in Japan (Tokyo, Japan: Ministry of Home Affairs--Local Autonomy College, 1973), p. 3. Hereafter cited Local Reform.

[53] Saka, Meiji Restoration, pp. 45-46. It is interesting to compare the philosophy of Yamagata to that of the Prussian adviser, Albert Mosse: "It is most likely that the coming parliament will be organized with the people from the upper classes and it is unimaginable that the people would agree to a plan of local autonomy which would inevitably demand their own personal sacrifice and service to the people."

The ruling power of the local government was placed in the hands of a few upper class inhabitants of the region. Simultaneously, these leaders were placed under the strong control of the central government. Up until the enforcement of the City and Town-Village Act, the towns and villages had been very small, feudalistic rural societies. The Meiji government, in order to administer more directly and effectively central affairs, carried out a large scale amalgamation program under the prefectural governors' direction in 1888. The size of the average town and village (chosen) was increased five times and their numbers were reduced from 70,434 to 13,347 by the time of the enactment of the City and Town-Village Act on April 1, 1889.[54]

The Prefecture and County Acts of 1890 established the prefecture and county as regional bodies containing the towns and villages. The county was a purely administrative district with no legal personality, supervised directly by the prefectural governor and appointed by the Home Minister. The prefecture was a public corporation under the general supervision of the Home Minister. The governor (chiji) of each prefecture was appointed by the Emperor on the recommendation of the Home Minister, and, as an imperial appointee, was a national official just below the rank of a vice-minister. Competent cabinet ministers had the authority to issue directives and instructions to governors, and suspend or cancel their actions. Gubernatorial powers included the following: overriding decisions of prefectural assembly, withholding approval of

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[54]Ibid., p. 49. For further material on the Meiji incorporation of a city and enlargement of the size of the towns and villages, see his Chapter 2, Section 7.

village and town chiefs, introducing legislation, drafting laws, establishing taxes, and formulating the prefectural budget. The governor also had considerable control over the budgets of cities, towns, and villages due to the fact that his staff members were also central government officials who controlled the city, town, and village system.

The prefectural and local assemblies were popularly elected but their power was weak. Their responsibilities were limited to matters relating to their local autonomous entity. Almost any matter important enough to come to the attention of the national government put that affair out of the assemblies reach and into the administrative division of the national government. Assemblies could be dissolved at any time by imperial decree, exercised no control over the governor or his staff, and could not remove their chief executive. The cities indirectly elected their mayor, but the Minister of Home Affairs could dissolve them, and all other assemblies, at his own discretion. The governor could disallow any city action and appoint a temporary mayor. In particular, the governor could make decisions on his own and enact them without consulting his assembly.

The Meiji Constitution, which was promulgated in 1889 and enforced in 1890, established a unitary system which was to affect the practice of local government in Japan. The predominance of the unitary concept for the Meiji oligarchs and their successors was based on several factors, many of which were mentioned earlier. In order to prevent foreign colonization, compete industrially, and enter the modern world from its years of isolation, Japan needed "a strong, central government, close cooperation between policy makers, bankers, and manufacturers, and a

local public whose labor could be mobilized for the sake of fulfilling government-prescribed national goals."[55]

The small geographic area of Japan facilitated central control and communication, while its regional differences were not strong enough to require autonomous subdivisions. For centuries, the Japanese had spoken the same language and had experienced only minor religious differences. The Meiji era re-established Shinto as the state religion in order to emphasize the supreme position of the Emperor and condition the masses to be loyal to a central, national authority again.[56]

A unitary government can be defined as a system in which the central government determines how much or how little of its power may be delegated to its subcenters.[57] Local governments in the Meiji Constitution were administrative units of the central government under the strict supervision of the Home Ministry. Forty-seven prefectures were established, and they remain the same today. Forty-four were classified as rural (ken) and three were classified as urban (fu). The most developed prefectures--Tokyo, Osaka, and Kyoto--were classified like before as fu. Their cities were not allowed to elect mayors of their own, but had appointed governors as their chief executives.

Since central power and authority could not be exercised directly on the thousands of localities in the Japanese unitary state, the

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[55]Cynthia H. Enloc, The Politics of Pollution in a Comparative Perspective. Ecology and Power in Four Nations (New York: David McKay Company, Inc., 1975), p. 223. Hereafter cited Enloc, Politics of Pollution.

[56]McNelly, Politics, pp. 11-18.

[57]Ivo D. Duchacek, Comparative Federalism: The Territorial Dimension of Politics (New York: Holt, Rinehart and Winston, Inc., 1970), p. 114. Hereafter cited Duchacek, Territorial Dimension.

prefecture served as the intermediate level in the chain of command. The prefectures were subordinate to the central government and they, in turn, exercised control over the municipalities. The schema on Figure 3 shows the relative positioning of governmental units drawn by the Meiji Constitution.

Different revisions occurred after the enactment of the Meiji Constitution, up to 1926. For instance, in 1898, the larger prefectural cities were allowed to have their own mayors for the first time. In 1911, city councils were made specifically subordinate to their chief executive, as was the case for the prefectural assemblies, and all executive power was centered in the mayor. In 1926, the county system was abolished and mayors were elected popularly by city assemblies. There no longer existed the need for the governor's ratification of chief executive appointments, although the Home Minister could still disapprove the selection.

Foreign affairs had taken a major share of the central government's attention after the turn of the century and began to effect local government as well. Influenced by the first World War and the Russian Revolution, the Japanese working classes joined the groups wanting more democratic procedures. "In 1925, an equal election system was adopted and male citizens over 25 were granted suffrage in their local elections."[58]

After the Manchurian Incident of 1931, Japan, which had already annexed Korea in 1910, moved on to a national structure oriented toward war. With this action, the local bodies came completely under the control of the central government. By 1943, the mayors were chosen by the

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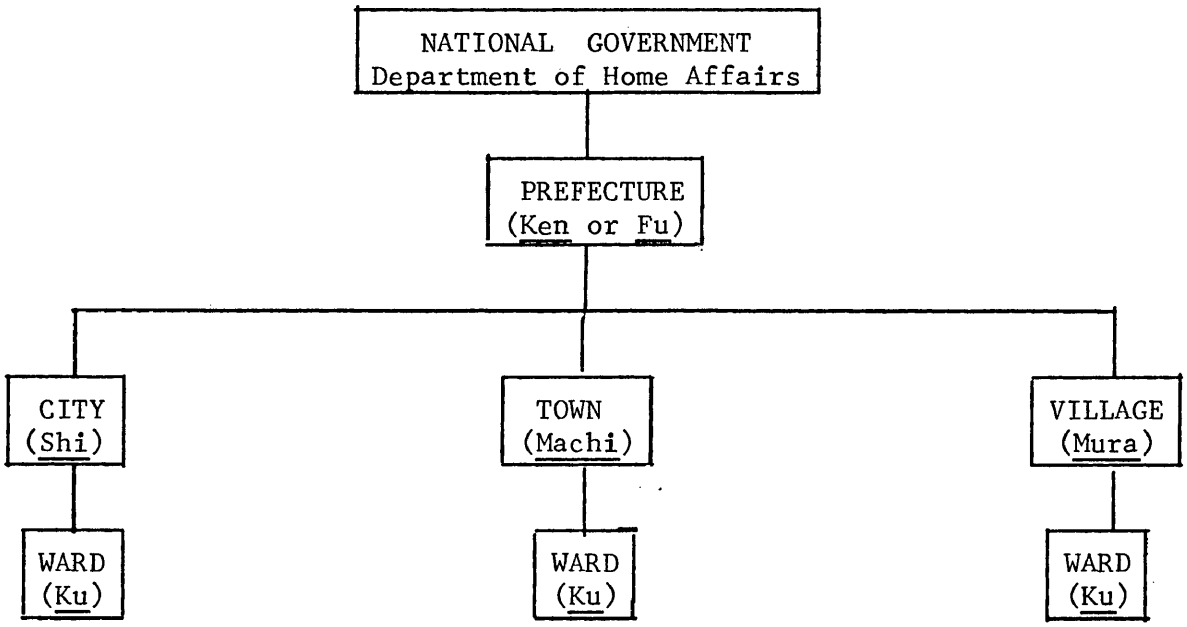
[58] Local Reform, p. 4.

FIGURE 3

DIAGRAM OF ADMINISTRATIVE UNITS



Source: Embree, The Japanese Nation, 1945, p. 82.

Home Minister and ceremoniously appointed by the Emperor. In 1943, the city of Tokyo was absorbed by its prefecture and Tokyo's citizens completely lost any semblance of local autonomy.[59]

Local government became the most effective organization for central control of war mobilization, as well as labor mobilization of its inhabitants, through the revision of the Basic Local Government Act. The most significant revision during the war period was the creation of a new level of government, the nine regions, formed by grouping prefectures together according to their administrative, geographic and economic regions. They were headed by the governor of the most important prefecture in the region. In June 1945, the system changed to eight regional superintendencies—general and represented the total centralization of the local government system.[60]

A review of the Meiji leaders' reasons for the adoption of local government indicates that the system's purpose was to reduce the administrative work of the national government, execute national policy in such a manner as to make it compatible with individual local circumstances, encourage public participation in local administration, and train people to obtain the needed education to act responsibly in national affairs. Local government service was a duty and an honor which people were expected to fulfill. The initial idea was for the villager to concentrate on the welfare of the village, the county resident on the welfare within his county, and the prefectural citizen on

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[59]Saka, Meiji Restoration, pp. 49-50, 52.

[60]McNelly, Politics, pp. 191-194.

FIGURE 4

Prefectures and Principal Cities of

JAPAN

★ National Capitals • Prefectural Capitals

0 50 100 200

STATUTE MILES

– 8 Administrative Regions

Sources:

Prefecture Map - McNelly, Politics and Government in Japan, 1972, pp. 192-193.
Administrative Regions - Embree, The Japanese Nation, 1945, p. 47.

the promotion of prefectural welfare. Thus, the welfare of the whole nation would be promoted by the local government system.[61]

In practice, the local government system before World War II, characterized by modeling itself after the Prussian municipalities, paid no regard to local desires. "Second, all political power was legally and actually concentrated at the national level; local governments enjoyed no autonomous rights and were created and controlled by the national government in Tokyo."[62] The process of authoritarian decision making was characterized as centralistic and bureaucratic. "Although officially described as 'local self-government,' the system remained one of almost complete centralization, regimentation, and submission."[63]

Financial difficulties hurt the development of local autonomy because the allocation of the financial resources between the national government and the local authorities was constantly unfavorable to the local governments. The local government system itself was not suitable to cope with the complicated socio-economic life of the nation moving into modernity.[64] More and more laws were passed by the state to organize governmental tasks and the basic structure of public administration had to take on more and more complex functions which were supervised by the center's authority and performed by the periphery's structure.

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[61]Saka, Meiji Restoration, pp. 49-50.

[62]Robert E. Ward, Japan's Political System, 2nd ed. (Englewood Cliffs, N.J.: Prentice-Hall, 1978), p. 167.

[63]Steiner, Local Government, p. 54.

[64]Saka, Meiji Restoration, p. 53.

The central government was much more interested in maintaining control of political participation than developing any degree of concrete local self-government. All local units were actually "distribution centers of the central authority."[65] Consequently, the tradition of local autonomy was quite weak and the American constitutional theory of states' rights was virtually nonexistent in the Japanese political consciousness.

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[65]Harold S. Quigley, Japanese Government and Politics: An Introductory Survey (New York: Harper and Row, 1932), p. 296.

CHAPTER 3

THE JAPANESE PREFECTURAL SYSTEM SINCE WORLD WAR II: AN OVERVIEW OF FRIED'S MODEL

With the defeat of Japan in World War II and the Allied Occupation which followed, many new laws were written and enforced from 1946 to 1947 which greatly changed the structure of the local government system. Reforms to democraticize and decentralize Japan's unitary process were initiated. The new Constitution (Shin-Kempo) and the Local Autonomy Law (Chihojichi-Ho) provided local self-government as a basic principle of Japanese government. Local government, unmentioned in the old Imperial Constitution (Kyo-Kempo), was enshrined in Chapter VIII of the new Constitution--Articles 92, 93, 94, and 95.

The Occupation authorities did not attempt to introduce federalism in Japan, nor Americanize its institutions. They did, however, influence reforms in the governmental structure aimed at prohibiting the over-centralized authority which had paved the way for military rule. The reforms had been proposed in the past by various Japanese groups, but had lacked the backing necessary to be promulgated.[66]

A brief summary of the reforms after World War II is as follows: Universal suffrage was adopted in local and national elections for those citizens 20 years of age and older thus giving women the right to vote for the first time; prefectural governors and city mayors were no longer

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[66]Steiner, Local Government, Chapter 3, and McNelly, Politics, Chapter 7 point this out. See also Saka, Meiji Restoration, p. 46.

appointed by the central government, rather they were elected at large by the inhabitants of their respective areas; the police force and parts of the educational system came under the control of the local governments; and, the Ministry of Interior, which had held the strongest power in the central government, was dissolved.[67]

Although the Japanese local government structure underwent a structural facelift with the Occupation reforms, it still bears a close resemblance to its antecedants. This is due, primarily, to the piecemeal opposition of its conservative national governments. The first post-war governments had been closely allied with the pre-war bureaucracy and sought to vitiate the reforms from the start. The reformers failed to permanently reallocate governmental functions or establish an independent and viable local finance program. Much of this is due to the fact that the Constitution has no distinct definition of the principle of "local autonomy" in it. There have been many disputes over what the principle actually means. Presently, however, there is a consensus that local self-government is guaranteed by the Constitution and that it must not be abandoned by any enactment.[68] (This subject will be explored in more detail in Chapter 4.)

The new Constitution established the national, prefectural and municipal levels as the principal echelons of the Japanese government. The organization and operations of the local entities are fixed by law.

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[67]The basic national laws concerning local government were as follows: Local Autonomy Law (1947), Local Finance Law (1948), Local Public Service Law (1950), Election Law (1950), Local Tax Law (1950), Local Allocation Tax Law (1950), and Local Public Enterprise Law (1952).

[68]Local Government in Japan (Tokyo, Japan: Ministry of Home Affairs--Local Autonomy College, "Jichi Kenchu Kyokai," 1979), p. 1. Hereafter cited LGJ.

FIGURE 5

LOCAL SELF-GOVERNMENT

Article 92. Regulations concerning organization and operations of local public entities shall be fixed by law in accordance with the principle of local autonomy.

Article 93. The local public entities shall establish assemblies as their deliberative organs, in accordance with law.

The chief executive officers of all local public entities, the members of their assemblies, and such other local officials as may be determined by law shall be elected by direct popular vote within their several communities.

Article 94. Local public entities shall have the right to manage their properties, affairs, and administration and to enact their own regulations within law.

Article 95. A special law, applicable only to one local public entity, cannot be enacted by the Diet without the consent of the majority of the voters of the local public entity concerned, obtained in accordance with law.

Source: McNelly, Politics and Government in Japan, p. 269.

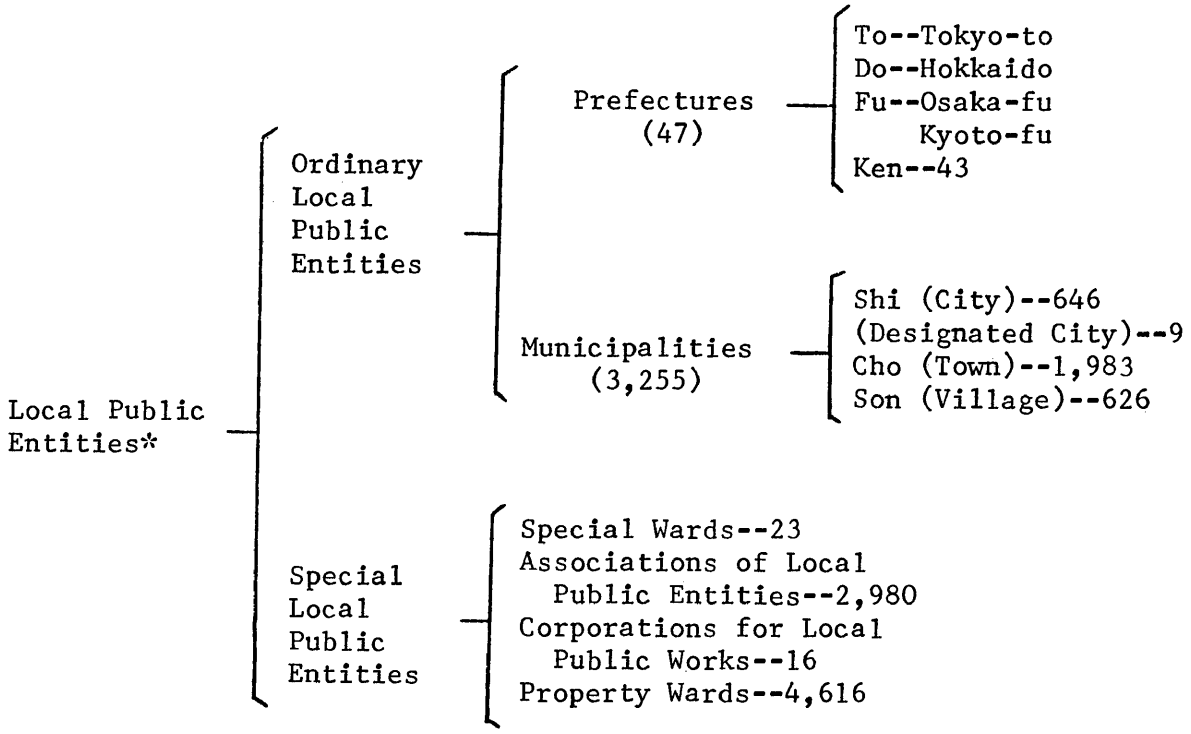
The enforcement of the Local Autonomy Law (1947) abolished the previous Metropolitan, Prefectural, Municipal and Town-Village Systems. The pattern of local government is legally divided into two areas: prefectures (to-do-fu-ken); and cities, towns, and villages (shi-cho-son). They are general in nature and called local political bodies. There are also special local public entities which include property wards, special wards, associations of local public entities, and corporations for local public works.

All of the local public entities, ordinary and special, are incorporated. As ordinary local public entities, they are invested with three basic elements: inhabitants, territory, and self-governing authority. The Constitution lists no specific powers for local governments. National statutes have vested the general, all-purpose authorities (the prefectures and municipalities) with the authority to levy taxes, enact bylaws and regulations within the frame of the national statutes, and perform their administrative and financial affairs. In this sense, local governments exercise only the powers delegated to them by the Diet, in standard unitary state procedure, and they are under the regulation of national statutes much the same as before World War II.

In a blend of models, the presidential form of chief executive was grafted, with a series of checks and balances, onto the parliamentary form of assembly for local government. The Occupation reforms had changed the chief executive position of the governor from a central to a local government official. Chief executives of ordinary local public bodies and the members of their assemblies are directly elected by the

FIGURE 6

LOCAL GOVERNMENT DIVISIONS



*As of March 1, 1979

Source: LGJ, p. 3.

voters for four-year terms. The chief executive is thus responsible to the electorate, rather than the assembly.

Chief executives of local governments may veto legislation of the assembly. The veto can be overridden by a two-thirds vote of the assembly. The chief executives are subject to recall by the voters and votes of nonconfidence by the unicameral assemblies. For example, with a two-thirds quorum and a three-fourths vote, the assembly can remove their chief executive from office unless he dissolves the assembly and calls a new election. In this case, the executive takes the disagreement directly to the people.

When acting as an organ of the national government, the governor is also subject to the direction and supervision of the respective Cabinet Minister by the Local Autonomy Law. A governor who refuses to enforce a national law or cabinet order can be required to perform the function by the Cabinet Minister. The Minister himself may enforce the law if the governor continues to be recalcitrant, in which case the Prime Minister may then remove the governor from office. "Likewise, if a mayor fails to enforce certain national or prefectural legislation, the prefectural governor may compel him to do so by means of a court order or may remove him from office."[69]

The commission system on the national and local level was introduced for the first time in Japan by the new Constitution and vested with executive, quasi-judicial, and quasi-legislative powers. The commissioners are subject to recall by the voters. The governor and mayor appoint commission members with the approval of their deliberative organ

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[69]McNelly, Politics, pp. 198-199.

FIGURE 7

MANDAMUS AND DISMISSAL OF CHIEF EXECUTIVES

(Cause) Governor's default or illegal management of national functions.

(1) The competent Minister sends an order to the governor to take corrective measures (with time limits).

(If the governor fails to take corrective measures,)

(2) The competent Minister files a suit with the high court for a writ of mandamus.

(If the court issues the writ of mandamus, and if the governor fails to comply with the writ,)

(3) The competent Minister files a suit with the same high court for confirmation of non-compliance.

(If the court gives a confirmatory decision,)

(4) The competent Minister may take the necessary measures himself on behalf of the defaulting governor,

(5) And/or the Prime Minister may dismiss such governor.

*In the case of a mayor's default or illegal management, the governor is the competent authority.

Source: LGJ, p. 51.

The number of members in the prefectural (40-126) and municipal (12-100) assemblies is determined by law and varies according to population. The local legislative bodies are empowered to enact bylaws (jorei) on subjects enumerated in the Local Autonomy Law. The national government may also deal with these matters, however, and only the national Diet can pass laws (horitsu). A municipality may not contravene any of the bylaws of the prefecture. When a local assembly passes a resolution which might contravene national laws and ordinances (or prefectural laws), the executive may bring a court action against the assembly. Assembly members may be recalled by the voters in an election held as the result of a petition. This may, in fact, result in the dissolvement of the entire body.

The reforms guaranteed to the voters in Chapter V of the Local Autonomy Law gave extensive power of direct control over the governmental system to the voters, while stopping just short of establishing initiative and referendum in the local entities. "This system was introduced with the aim of ensuring equality and fairness in the management of local government by inspections based on the will of the inhabitants, instead of by supervision from higher authorities."[70]

The direct demand procedure falls under four classifications: (1) demand for enactment, alteration and abolition of bylaws; (2) demand for inspection of the management of affairs carried on by the local public body; (3) demand for dissolution of the assembly; and, (4) demand for dismissal from office of members of the assembly, chief executive and

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[70] Local Reform, p. 7. See this, also, for a good description of the local direct demand procedures.

major public personnel. The first two procedures require one-fiftieth of the registered voters to sign the petition; the last two procedures require one-third.

The local government reforms after World War II had aimed at decentralization of the national decision making process in the areas of local finance, education, police, and local government. The local government system was established primarily to regulate local affairs and to promote the welfare of local people in a matter similar to the way it had evolved historically in Japanese localism. The basic tendencies of centralization remained latent, however, in the politics of the national government. "From about a year before the start of the Korean War, the local government system which had been directly modeled on the American system, was gradually modified to correspond more closely to the Japanese conditions."[71]

The modification of local government was achieved in two ways: by the nature of the functions between the governmental levels, and by central government statutes. Legally speaking, both prefectures and municipalities have the same status as local governments and there is no superior-inferior relationship between them. However, a prefecture is a regional local government unit embracing many municipalities within its territory. Every piece of land within a prefecture belongs to some municipality and every municipality is a part of the prefecture. "For this reason, prefectures act as coordinators for municipalities. Also, the governors of the prefectures exercise supervision and control over municipalities under certain situations as the agents of central government."[72]

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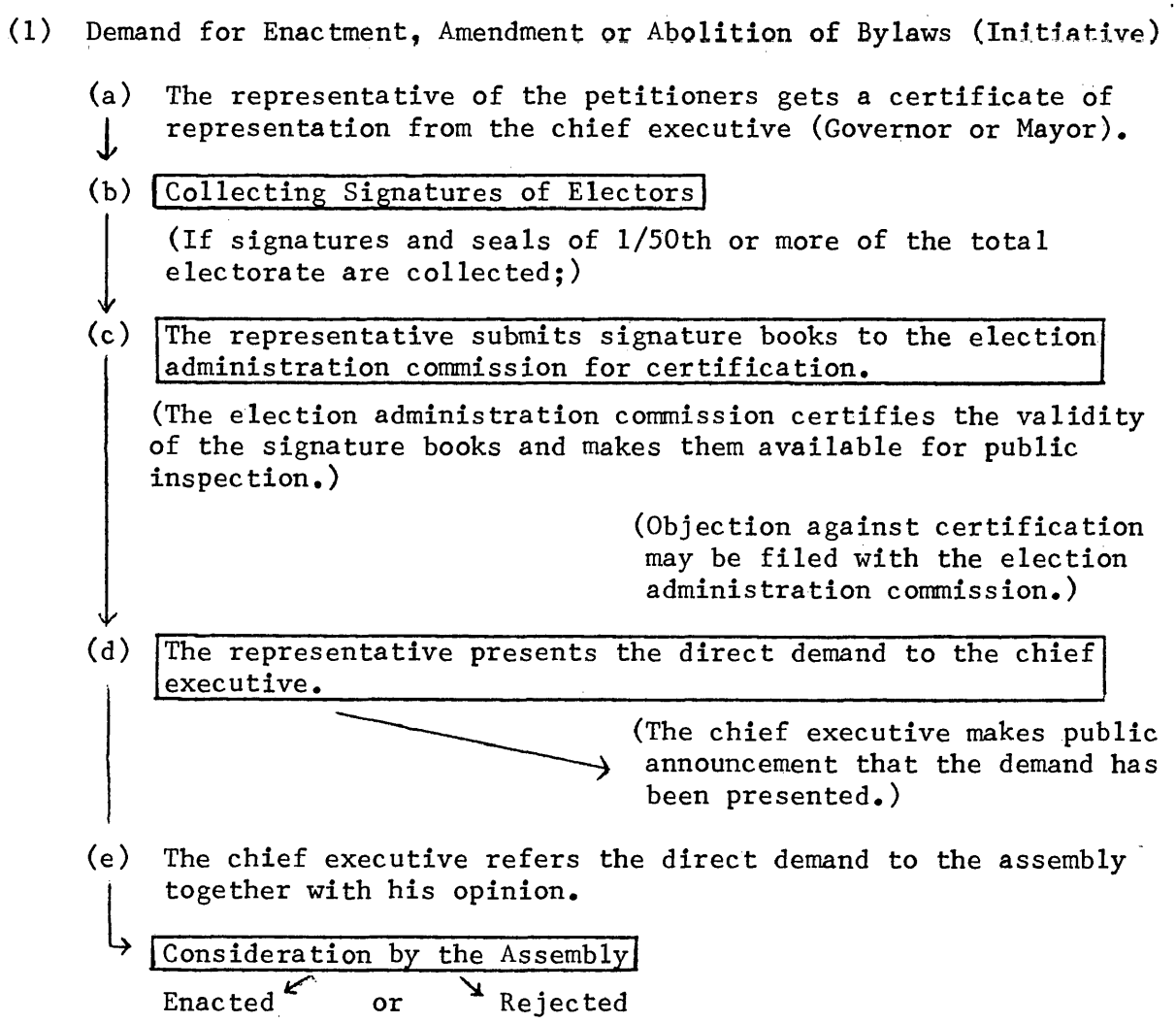
[71] Local Reform, p. 9. [72] LGJ, p. 9.

FIGURE 8

PROCEDURES OF DIRECT DEMANDS



(3) Demand for Dissolution of Assembly

(a) Joint signatures--1/3 or more of the total electorate;
↓
(b) Election administration commission's certification of signature books;
↓
(c) Presentation of demand to the election administration commission; and,
↓
(d) [Vote of the Electorate--Assembly is dissolved by majority vote for dissolution.]

(4) Recall

(a) Joint signatures--1/3 or more of the total electorate;
↓
(b) Election administration commission's certification of signature books;
↓
(c) Presentation of recall to the election administration commission; and,

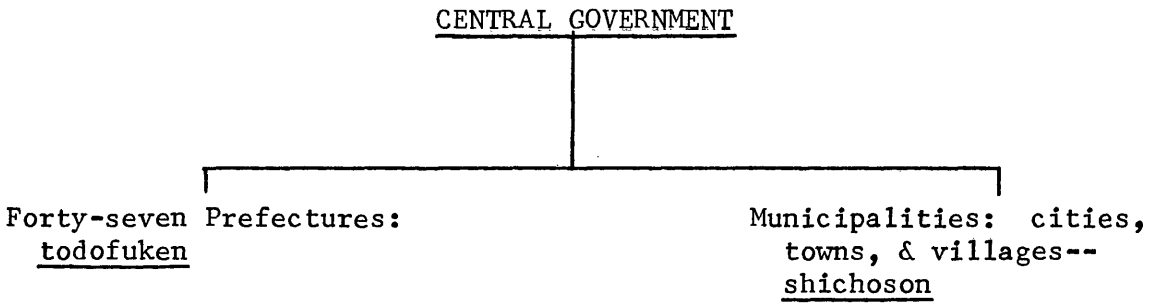
(Members of assembly or chief executive)	(Vice-chief executive and other officials)
↓	↓
(d) [Vote of the Electorate]	[Consideration of the Assembly]
(If a majority votes for recall,)	(If the assembly decides for recall,)

[RECALL IS EFFECTED]

Source: LGJ, pp. 46-47.

FIGURE 9

STRUCTURE OF LOCAL GOVERNMENT



Source: Adapted from Burks, The Government of Japan, Figure 9, p. 201.

An example will help illustrate the importance of the functions of the governor in Japan's rebuilding effort after World War II and show the role these functions have played in placing the prefecture between central and municipal governments. "Most of the local governments are highly responsible to the policies of the national government. Usually, local governments are deeply involved in the economic development of their communities."[73] Local government in Japan played an integral part in the industrialization of the nation. The enormous challenges to reconstruct a war-torn nation called for expedient and effective public administration. Of the more than ten thousand municipalities which were in existence in Japan immediately after World War II, most were small and inefficient in dealing with their new functions.

In 1953, the Law for Promoting Mergers of Towns and Villages enacted a nation-wide reorganization program. The role of the governor in the merger procedure shows his position in the middle of state and municipal governments (See Figure 10). The successful reorganization program and the accompanying improvement of municipal administration was made into a twenty-year ongoing project in 1965 by the Law Concerning Special Measures for Municipal Merger. In 1979, the number of cities, towns, and villages equalled 3,255.

The other reason the prefectural system regained its pre-World War II functions was by central government statutes which pursued reverse course policies in matters of police, finance, and education.

> These particular reforms were speedily reversed by Japanese governments after the Occupation had come to an end. Although their undoing was restricted by the Opposition parties on the

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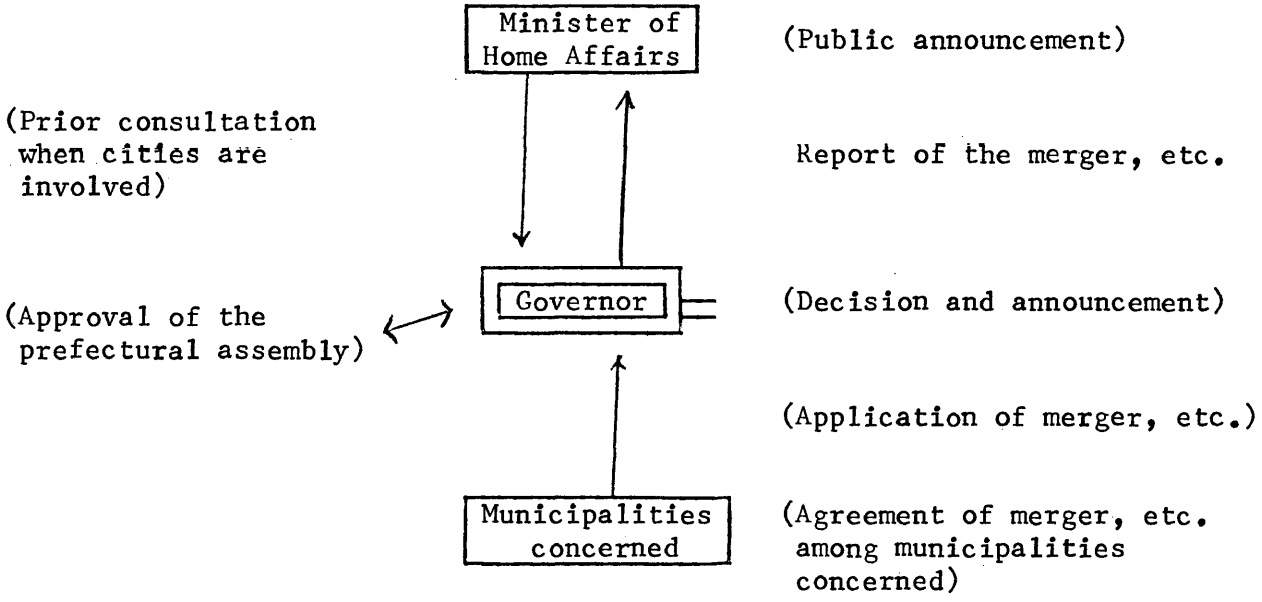
[73] Ibid., p.2.

FIGURE 10

PROCEDURE OF MERGER, ETC., OF MUNICIPALITIES



Source: LGJ, p. 10.

> grounds that they were part of an intended full-scale "reverse course," it is arguable that they were reversed principally because they did work in contemporary Japanese conditions.[74]

The recentralization of the police force was one of the first of the reverse course changes to occur. The new Police Law of 1954 relocated the local organization of police services under the operational control of the Prefectural Public Safety Commission. The members of the commission are appointed by the governor with the approval of the prefectural assembly. All policies, regulations, and management control, however, are located in the central government under the recreated Ministry of Home Affairs. Local governments simply could not afford to adequately finance their own local police.[75]

Although continually investigated for over thirty years, local finance reform has been virtually nonexistent after the Occupation. "A principal reason for the partial recentralization of government in Japan has been the inability of the local units to collect adequate taxes to fulfill the heavy demands placed on them."[76] The tendency toward centralization of government functions has been world-wide in the area of finance. Grants-in-aid, a growing national policy in the United States as well as Japan, was the financial tool the central government used to control local entities.

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[74]J. A. A. Stockwin, Japan: Divided Politics in a Growth Economy (New York: W.W. Norton and Co., Inc., 1975), p. 48. Hereafter cited Stockwin, Divided Politics.

[75]McNelly, Politics, pp. 206-208.

[76]Ibid., p. 201.

The Revision of the Local Autonomy Law in 1956 had a profound effect on the system of education and local government. The Revision returned the overall control of the organization and management of local education administration to the central government under the Minister of Education.[77] The Revision differentiated the cities, towns, and villages as basic local public entities and established the prefectures as large scale local public entities encompassing them. This Revision specifically charges the prefectures with the following functions: maintaining a liaison between the state and the municipalities; assisting in the rationalization of organization, amalgamation, and management of the municipalities; and caring for delegated central government tasks. "The prefecture thus holds again, in law as in fact, an intermediary position in the local government structure. Of course, this position is by no means identical with the position of prefecture held under the Meiji codes."[78]

In order to take a comparative approach to the study of the Japanese prefectural system, an investigation employing an overview of the model developed by Robert Fried will be made. In his study, Fried compares the Italian to the French prefectural systems and, as a result of his findings, constructs a model of the major traits of the prefectural system (Figure 11). The test case of Japan will be used to see where it holds true to, or varies from, the generalized conceptualizations of Fried's model.

The main portion of the substantive investigation will center on the integral discussion of the first two areas for consideration: the

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[77]Burks, Government, p. 214. [78]Steiner, Local Government, p. 141.

FIGURE 11

MODEL A

Prefectoral* systems have certain common characteristics.

1. The national territory is divided into areas variously called "provinces," "departments," "governments," "prefectures," etc.

2. In each of these areas there is appointed a high functionary representative of and responsible to the central government (and in particular to a Minister of the Interior, or Justice, or Government) to carry out the following kinds of functions:

   a. political and social representation of the central government;

   b. maintenance of law and order;

   c. supervision of central government officials operating in the area;

   d. supervision of minor units of government in the area.

3. This official is a civil functionary operating independently of the military and the judiciary.

4. He does not enjoy the security of tenure enjoyed by other officials and may be dismissed or transferred at the pleasure of the central government.

5. He is not a resident or native of the area which he governs.

6. He may be either a career functionary or a "political" appointee from outside of the career service.

7. And he is usually supervised by a specialized central department--a Ministry of the Interior--which is nationally responsible for such matters as public safety and local government.

*Fried uses the British spelling, "prefectoral;" outside of this model, this thesis will standardize the usage to the American form, "prefectural."

Source: Fried, Prefects, p. 301 passim.

national division of territory and the selection of the prefectural chief executives with their functions. An examination of Fried's model will require additional analysis and an in-depth exploration of the intricate complexities and intricacies of the local governmental system both in its structure and its functions. The detailed treatment of the first two traits will precede the summary treatment of the other Japanese prefectural characteristics.

The first major trait of Fried's model is the territorial division of the national unit. All of Japan's territory is divided into forty-seven prefectures, which are roughly equivalent in geographical area to an English county or a French department, and known collectively as todofuken. Tokyo-to is the lone metropolis prefecture and Hokkaido is Japan's only designated district (or province). Osaka-fu and Kyoto-fu are the two urban prefectures. There are forty-three rural prefectures called ken (refer to Figure 6).

The prefectures differ greatly in size, population density, degree of urbanization, and financial capability. A listing of the prefectures appears in Table 1 and follows the common Japanese manner of beginning in the extreme northeast and continuing in a southwesterly direction. The degree of urbanization is indicated by the percentage of the population living in cities (shibu), plus the high percentage engaged in secondary and tertiary occupations.

The prefectures have the same boundaries as before World War II, which were set when the nation was primarily agricultural and its communications network was very primitive. These boundaries were determined and drawn before the invention of modern transportation, such as the car or train in Japan, based on the ability of a man on horseback, setting

TABLE 1

THE PREFECTURES OF JAPAN

Prefecture	Area in sq. km.	Population			Industry[a]		
		Total	Per sq. km.	Percent in shibu	Primary	Secondary	Tertiary
Hokkaido	78,664.48	4,773.087	61	42.9	42.4	22.1	35.5
Aomori	9,611.52	1,382,523	144	42.3	62.9	9.8	27.2
Iwate	15,309.50	1,427,097	93	43.6	63.3	11.8	24.9
Miyagi	7,285.70	1,727,065	237	34.2	55.1	12.7	32.3
Akita	11,611.48	1,348,871	116	38.7	60.5	14.2	25.3
Yamagata	9,325.15	1,353,649	145	45.9	68.4	15.6	25.9
Fukushima	13,781.82	2,095,237	152	37.4	58.4	16.2	25.4
Ibaraki	6,078.30	2,064,037	340	35.2	63.2	13.2	23.6
Tochigi	6,449.13	1,547,580	240	47.6	53.1	18.2	28.6
Gumma	6,331.86	1,613,549	255	47.9	51.1	21.8	27.1
Saitama	3,802.42	2,262,623	595	50.1	45.5	24.2	30.3
Chiba	5,024.92	2,205,060	439	49.7	55.7	14.1	30.2
Tokyo	2,020.88	8,037,084	3,977	93.7	3.8	38.2	58.0
Kanagawa	2,362.37	2,919,497	1,236	87.1	15.5	31.6	52.9
Niigata	12,544.52	2,473,492	197	46.6	56.0	17.5	26.5
Toyama	4,248.75	1,021,121	240	55.3	46.1	23.4	30.5
Ishikawa	4,190.62	966,187	231	48.8	45.3	24.1	30.6
Fukui	4,264.70	754,055	177	52.0	46.5	25.4	28.1
Yamanashi	4,455.62	807,044	181	44.5	52.5	20.3	27.3
Nagano	13,628.16	2,021,292	148	36.0	56.8	16.2	27.0
Gifu	10,477.67	1,583,605	151	47.2	43.2	27.1	29.7
Shizuoka	7,768.75	2,650,435	341	54.6	39.3	27.9	32.8
Aichi	5,057.55	3,769,209	745	68.6	26.9	36.8	36.3
Mie	5,765.85	1,485,582	258	55.7	48.5	22.7	28.8
Shiga	4,016.00	853,734	213	36.1	51.9	21.5	26.5
Kyoto	4,633.61	1,935,161	418	78.7	22.5	30.4	47.1

TABLE 1 Ctd.

Prefecture	Area in sq. km.	Population			Industry[a]		
		Total	Per sq. km.	Percent in shibu	Primary	Secondary	Tertiary
Osaka	1,809.93	4,618,308	2,522	87.4	7.8	42.3	49.9
Hyogo	8,312.96	3,620,947	436	66.6	28.1	31.4	40.4
Nara	3,692.11	776,861	210	30.5	41.3	23.8	35.0
Wakayama	4,712.99	1,006,819	214	42.0	39.8	26.5	33.7
Tottori	3,488.50	614,259	176	40.3	56.8	12.9	30.3
Shimane	6,625.04	929,066	140	43.0	58.3	15.0	26.7
Okayama	7,061.93	1,689,800	239	50.6	51.0	21.6	27.4
Hiroshima	8,431.22	2,149,044	255	46.7	39.9	23.1	37.0
Yamaguchi	6,074.88	1,609,839	265	62.2	43.9	21.4	34.7
Tokushima	4,142.85	878,109	212	28.5	54.0	17.7	28.4
Kagawa	1,859.36	943,823	508	36.0	49.2	17.4	33.4
Ehime	5,651.18	1,540,628	273	48.0	50.4	20.3	29.3
Kochi	7,114.24	882,683	124	39.4	58.8	12.9	28.3
Fukuoka	4,899.47	3,859,764	788	60.3	27.5	31.6	40.9
Saga	2,403.50	973,749	405	46.5	49.1	18.6	32.4
Nagasaki	4,086.38	1,747,596	428	48.8	48.3	17.2	34.5
Kumamoto	7,527.43	1,895,663	252	39.5	56.1	14.2	29.7
Oita	6,176.41	1,277,199	207	47.8	56.2	13.9	29.9
Miyazaki	7,733.59	1,139,384	147	45.7	59.8	14.1	26.1
Kagoshima	9,190.91	2,044,112	222	36.5	68.7	8.5	22.9
*All Japan	369,765.89	89,275,529	241	56.3	41.1	23.8	35.1

[a]Base: employed persons of 14 years of age or older

*Note: Okinawa added in 1972

Sources: Population Census of 1955; for tax receipts, Japan Statistical Yearbook, 1947, p. 416.

out from any part of the prefecture, to reach the prefectural capital within one day. "In today's industrialized society, in which motorized transportation and electronic communications have shrunk an already small island nation into even narrower confines"--the 3,255 cities, towns and villages and 47 prefectures seem to be too many for efficient regional and national growth.[79]

All the area of the prefecture is under the control of one or another municipal unit. The municipalities are collectively called shichoson, which are designated according to population and degree of urbanization.[80] Tokyo-to, as the only metropolis prefecture, has a special local government structure: 23 wards, 17 cities, 24 towns and villages, 3 counties, and several islands. Hokkaido, the northernmost island, is the only district prefecture. It is largely undeveloped and represents Japan's one frontier region. It is of constant concern since it contains 23 percent of Japan's territory, yet only 5 percent of the total population. It also exhibits different cultural patterns than the rest of Japan: it lacks the Japanese tradition of ostracism, uses a different style of architecture, and consistently votes farther to the left.

There are a few distinct characteristics indigenous to the Japanese regions. The Hokkaido (island) and Tohoku (northern Honshu Island) regions have long, cold winters with much snow and are economically underdeveloped compared with the rest of Japan. Industry

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[79]Warren M. Tsuneishi, Japanese Political Style (New York: Harper and Row, 1966), p. 196. Hereafter cited Tsuneishi, Political Style.

[80]Stockwin, Divided Politics, p. 205.

is concentrated in the 4 regions of Kanto (including Tokyo and Yokohama), Chubu (including Nagoya), Kinki (including Osaka, Kobe, and Kyoto), and Kyushu. The main occupation in the regions of Chugoku, Shikoku and Okinawa have been agriculture and fishing. Recently, fishing has become very industrialized.[81]

Amalgamation of municipalities has been occurring in Japan since the Meiji Restoration. Postwar legislation has encouraged the incorporation of towns and villages and many have voluntarily chosen to do so for reasons of economy and efficiency under the guidance and direction of their governor. The most notable amalgamation was in 1960 when the cities of Moji, Kokura, Yawata, Tobata, and Wakamatsu, all in the prefecture of Fukuoka-ken, merged to become Kitakyushu-shi, Japan's seventh largest city. The amalgamation movement stabilized in the Sixties and Seventies.

The new units were not always representative of actual communities, however, because they often reflected central bureaucratic convenience rather than local demand. As the cities grew, local contacts remained the same, but local bureaucracies became unresponsive, complicated, and unfamiliar. This occurred just as participatory democracy and citizens' movements against pollution began to use the local representative entities as new linkages and channels for policy input.[82]

Amalgamation has also been proposed for the prefectures, in order to more centralize them under the state, although it has not resulted in

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[81] McNelly, Politics, pp. 191-194.

[82] For a classical clientalistic approach to Japanese politics, see Nobutaka Ike, Japanese Politics: Patron-Client Democracy (New York: Alfred A. Knopf, 1972).

any mergers. The Local Administration Investigation Committee (1951) recommended the enlargement of the scale of the prefectures in accordance with their economic, social, and cultural realities. These consolidations have been justified on the grounds of economy and better administration, which many central government officials consider a condition prerequisite to granting more local autonomy in practice. "There are strong opinions, especially among business circles, that the readjustment of prefectural boundaries is long overdue."[83] Opponents of the plan, however, see this as another step in the direction of removing local control still further from the voters.

During the war period a regional system had been established grouping the prefectures into eight administrative and economic regions, corresponding closely to the eight geographic regions usually referred to in Japanese statistical and economic yearbooks: the Regional Administrative Councils and the Regional Superintendencies. The new Constitution did not include a regional system. The Local Administration Investigation Committee opposed any plans to superimpose regions, in order to recentralize local government, on the present prefectural structure. It felt it would only complicate the existing administrative system and increase costs. It also opposed proposals to replace the prefectural system with an administrative regional structure, called the Do-Shu (district-state) plan, because it would weaken local autonomy by the appointment of chief executives.

In 1957, however, the Local System Investigation Council proposed the latter plan in its majority report on the rationalization of

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[83] LGJ, p. 11.

of prefectural areas, along with a consolidation plan which would group three or four prefectures together to form 15 to 17 units in its minority report.[84] As mentioned earlier, the spirit of the Law for the Acceleration of Amalgamation of Towns and Villages (1953) continues to promote amalgamation schemes. The central government has even drafted a plan to create regional prefectural federations with the rights to issue ordinances, manage finances, float bond issues, and engage in regional planning.

There has also been discussion on joining Tokyo-to with its neighboring prefectures of Kanagawa, Saitama, and Chiba where many people who work in Tokyo live. This plan has been opposed by Tokyo governors because Tokyo, the world's largest city, is already too big. This merger would represent over one-fifth of Japan's population. There have been two other possible mergers discussed: Osaka-fu, Nara-ken, and Wakayama-ken; and Aichi-ken, Gifu-ken, and Mie-ken (plus the city of Nagoya).

The important aspect of the proposed structural reorganization of the prefectures is that the proposals have been made by the central government primarily to reinstitute an appointed administrative intermediary between the state and the local entities. The conservatives have had sufficient votes in the Diet to constitutionally amend the territorial alignment of the prefectures, yet have chosen not to do so. The conservatives argue that the Constitution does not define the term "local public entities," therefore leaving the determination of this term to law. Thus, under Article 93 of the Constitution, the government

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[84] Steiner, Local Government, p. 157.

can abolish existing types of local entities, substitute new ones, determine the degree of autonomy, re-establish constitutionally the prewar system of appointed governors, or create a regional system.

As noted before, amendment of the Constitution requires a 2/3 vote of all members in both houses of the Diet and ratification by the people through an affirmative vote by a majority of those participating. Amending the Local Autonomy Law needs only a simple majority of the Diet. Conservatives have had the votes to have easily passed legislation to change the prefectural procedure. This would have most likely met with Supreme Court consent.[85] In the case of Tokyo-to, the Local Autonomy Law was amended in 1952 to abolish the direct election of special ward chiefs. These wards are classified as "special local public bodies." In its decision of 1956, however, the Supreme Court would not even rule on the constitutionality of the procedure. In 1963 (reversing Tokyo District Court decision of 1962) the Supreme Court declared that the wards were not independent local entities and thus could be legally altered by the Diet.

The investigation of prefectural reform presents some very interesting questions: Why no territorial reorganization in Japan? Why so many municipal amalgamations and no prefectural consolidation? Why the vast spread of regional agencies, but no realization of a regional territorial system? Why the change to appointed Tokyo ward chiefs, but no

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[85]Kurt Steiner, "Local Government in Japan: Reform and Reaction," Far Eastern Survey 23 (July 1954), pp. 97-102. "The abolishment of the direct election of Tokyo ward chiefs by an amendment of the Local Autonomy Law in 1952 remained uncontested in the courts. In this sense, it constituted a precedent in the government's favor." (footnote 5, p. 100). Hereafter cited Steiner, "Reform and Reaction."

parliamentarian action on the appointment of governors? Why didn't the need of economic efficiency rationalize the governor selection process? Theoretically, there are two reasons why prefectural boundaries and gubernatorial elections continue as the status quo: territorial socialization and political costs. Both are independent variables affected by tradition, popular attitudes, and economic industrialization. The first trait of Fried's model must be examined in light of territorial socialization, and the second trait will consider political costs.

Territorial socialization is the term used by Ivo Duchacek to emphasize the geographical aspect of the process of political socialization. Duchacek defines territorial socialization as a complex process through which men "become attached rationally and emotionally to their territory, its way of life, its institutions, and its culture."[86] Duchacek argues that the artificially constructed departments in France, for example, had become legitimatized over 150 years through territorial socialization, particularly in consideration of geographic limits, economic activities, transportation networks, and the vested interests of local administration. These have all been directly influenced by the history and topography of the area.

The territorial socialization process has been so complete that the arbitrary arrangement of the new French administrative regions "are now being criticized /by the French/ mostly on the grounds that they destroy what has become natural."[87] Natural trade and economic ties

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[86]Ivo Duchacek, Comparative Federalism: The Territorial Dimension of Politics (New York: Holt, Rinehart and Winston, Inc., 1970), p. 33. Hereafter cited Duchacek, Territorial Dimension.

[87]Ibid., p. 30.

have been established which were not consistently recognized with the creation of the new regional system. Perhaps Morton Grodzins' theories on the decentralization of federalism can be limitedly applied to Japan anent the history of nations with territorial divisions that predate the modern union. The artificially created boundaries of these states have become traditional referents to the masses that have helped developed local pride through territorial socialization.[88]

In a country with the sharp geographical contrasts of Japan--high mountain ranges, large and small islands, long fertile valleys, an inland sea--and intense cultural pride, it is not surprising to find local loyalties based on regional diversity and traditional identification. Local attitudes and territorial attachments remain very strong even after amalgamation and urbanization movements. The people do not like losing their established channels of communication with local government--caused by the new administrative bureaucracies which amalgamation creates.

The patron-clientele influences, local bosses, and regional ties are still very important. They have even extended their networks into the cities. Some people keep up their membership in a local association in the family's home prefecture. Even a person whose family has lived for generations in Tokyo, when asked where he is from, will give the name of his ancestral native village. "Coming from the same local area in a clique or association is a potent connection for a young man seeking employment in the city, or a politician seeking to enlarge his network of contact which may have an oyabun-kobun character."[89]

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[88] Ibid., p. 314.

[89] Frank Langdon, Politics in Japan (Boston: Little, Brown and Co., 1967), p. 84.

The rationalization of prefectures has been encouraged by the central government to weaken the principle of local autonomy in its "reverse course" to realize more centralization. The conservatives have had more than enough votes to promulgate an appointed administrative intermediary between the state and local entities, however, the ratification process requires a popular majority vote in a special referendum. Undoubtedly, the Liberal-Democratic governments have not felt such a majority has ever been a real possibility. Even intelligent proposals to create a regional system that would rationalize economic development have failed to gain popular support.

> The emphasis thus has changed from attempts at restructuring the general scheme of local administration to creating ad-hoc devices for the planning and the execution of certain functions closely related to the development of certain regions in regard to their land and water resources and industrial facilities, housing and community facilities, and so forth.[90]

Since Japan has withstood proposals for amalgamation, consolidation, or regionalization of their territorial prefectural units, we may theorize that the Japanese are satisfied with the present delineation, although it was artificially created by the Meiji Restoration in 1870 from the feudal principalities.

> People usually support, and identify with, persons and institutions that largely satisfy their fundamental demands for identity, internal order, external security, progress, welfare, and culture. Gratitude for benefits received and expectation of more to come constitute the foundations of political loyalty.[91]

The central government of Japan has often used the logic of efficiency and economy in administration as a grounds for justifying

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[90]Steiner, Local Government, p. 152.

[91]Duchacek, Territorial Dimension, p. 31.

prefectural reorganization. One interesting research project would be to study the French regions with the appointive system to see if it is, in reality, more functionally efficient and economical than before the creation of the regional system. Another interesting study would be to compare the French appointive to the Italian elective superprefect of their regional systems in order to measure the costs involved.

The second trait of Fried's model, the appointed high functionary, representative of, and responsible to, the central government is the major Japanese deviation from common prefectural characteristics. In Japan, the governors of the prefectures are elected by the voters for four-year terms, subject to recall by the voters, and votes of nonconfidence by the prefectural assembly (See Figure 12).

The functions which the governor and the prefectural assembly perform for the central government bring them under the supervision of the state. Certain functions are delegated from the prefectural level to the municipalities which creates a hierarchial pattern of authority from central government down to the local entities with the governor as the intermediary liaison. As we have seen, this is similar to the system as it was before the reforms of the Occupation. This relationship has largely affected the political and social group that the governor has represented by serving both the central government and his electorate.

The complexity of intergovernmental development of structural-functionalism at the prefectural level is in need of much research. Kurt Steiner identifies the confusing situation as the "muddled functions of the governor."[92] Here we will study the political aspects which

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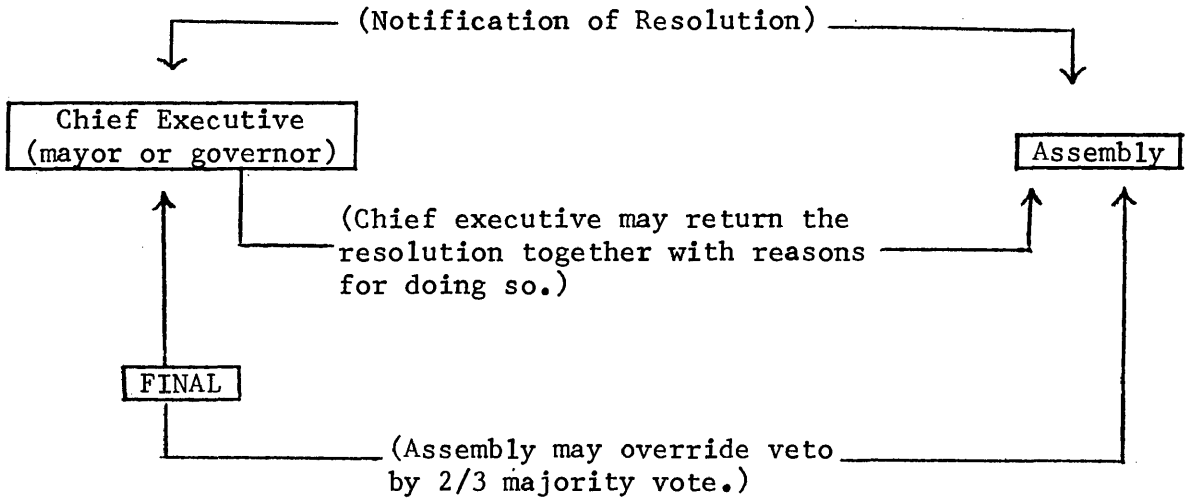
[92]Steiner, Local Government, Chapter 8.

FIGURE 12

VETO AND NONCONFIDENCE

Veto I (Discretionary: Budget, Bylaws)



Veto II (Mandatory: Illegal Resolution, Illegal Election in Assembly, and Ultra Vires of Assembly)

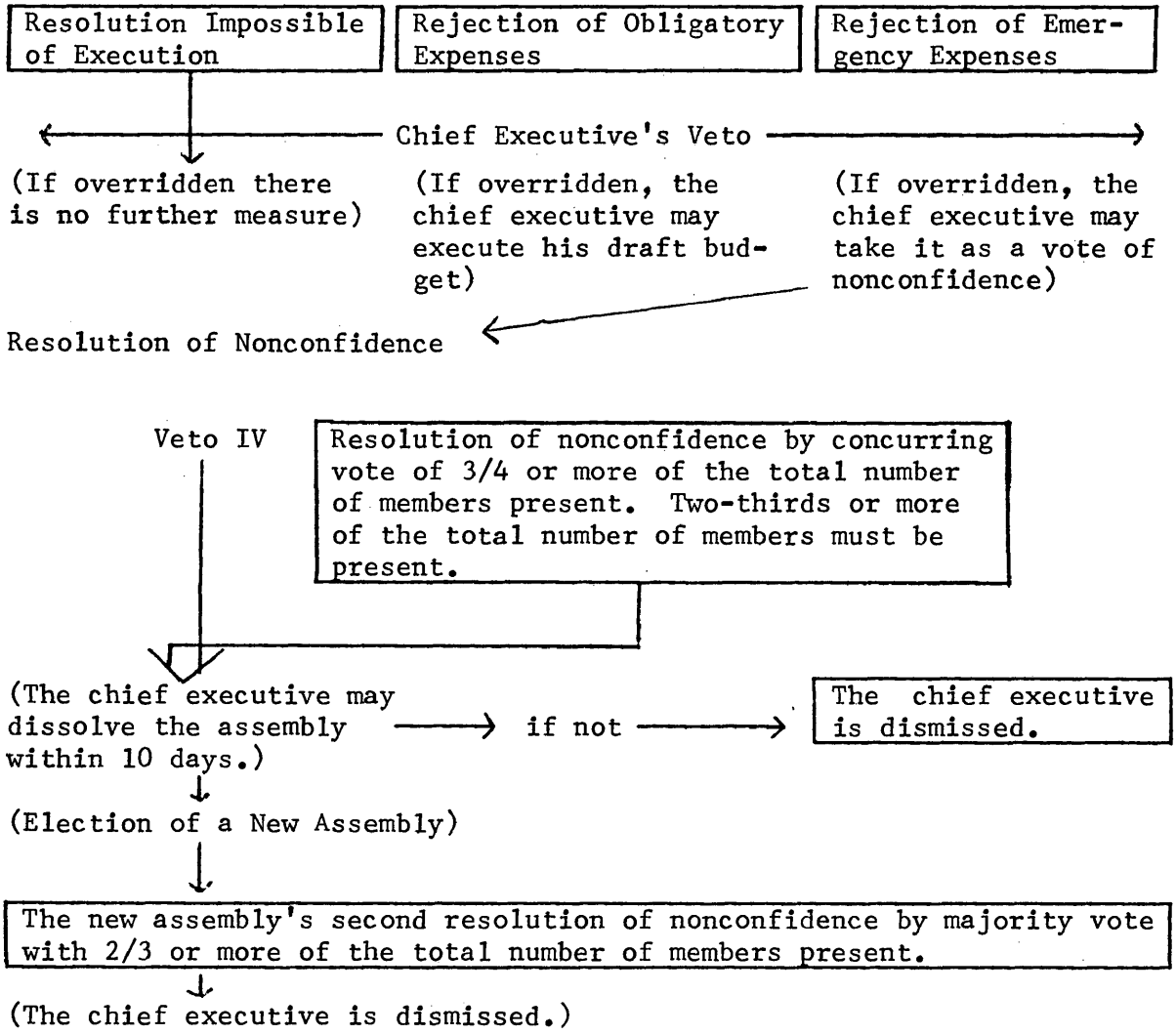
a. The chief executive must return illegal resolutions or illegal election to the assembly for reconsideration or re-election.

b. If the assembly overrides a veto, the chief executive may request an investigation by the governor (in the case of a mayor) or the Minister of Home Affairs (in the case of a governor).

c. The Governor (or the Minister) decides on the case.

d. If the chief executive or the assembly are not satisfied with the decision, they may file a suit in a court of law.

Veto III (Mandatory: Resolution Impossible of Execution or Rejection of Obligatory Expenses, or Emergency Expenses in the Draft Budget)



Source: LGJ, pp. 20-22.

have resulted from functional representation married to the electoral process.

In practice, the governor has continued to carry out the functions of the central government. "Moreover, the chief executives and administrative boards act in the capacity of agencies of the central government in performing national functions delegated to them, and, as such, they are under the direction and control of the central government."[93] As noted earlier, the Revision of the Local Autonomy Act (1956) legally returned the prefectural system to the intermediary position between the state and the municipalities from its position on the same level as the municipalities. "Thus the local chief executives must serve two masters, since they function as agents of the national government in national matters and as officers of their local governments in local matters."[94] As liaison between the state and the municipalities, the prefecture serves primarily as a channel downward, and its "liaison function tends to draw it close to the central government."[95]

In the Japanese system, being essentially unitary in nature, local governments exercise authority largely subject to central direction. The prefectural governments do not have constitutions of their own and are thus subject to centralization and national domination. The governor is most significantly subjected to the influence of the national government in his role as an organ of the central state.

> Eighty percent of all work handled by the local government units consists of administrative affairs entrusted to them by agencies of the central government. The administrative

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[93] LGJ, p. 49. [94] McNelly, Politics, p. 199.

[95] Steiner, Local Government, p. 185.

> structure of the prefectural and municipal offices is largely determined by laws enacted by the Diet.[96]

Due to the large amount of work done for the national government, and the reliance on funds supplied by the national treasury, the governor is subject to a great deal of state influence. As long as the governor functions as a national official, he will be subject to central government orders on the entire range of his activities.

The state influence on the political and social representation of the governors is obvious when one reviews their party affiliations and backgrounds. After the Occupation, many of the first elected governors were former governors under the Meiji system or had been national bureaucrats.[97] The trend of the governors in the Fifties was an Independent affiliation, approximately 70 percent, which diminished to less than 50 percent in the Sixties. This trend is parallelled by the increase in the number of Liberal Democratic governors from 17 percent in 1947 to 52 percent in 1963.

Conservative independents who agreed with Liberal Democratic policies began to use party identification in order to better serve their constituency. As the Liberal Democratic Party (LDP) stabilized its control of the Japanese parliament, candidates saw it to their advantage

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[96] McNelly, Politics, p. 199, also see pp. 38-39.

[97] Ralph J. D. Braibanti, "Executive Power in Japanese Prefectural Government," The Far Eastern Quarterly 9 (1950), pp. 231-244. "The first direct election of governors was held April 5, 1947. The results of this election show little indication of the transfer of authority from the 'old guard' to a new group of administrators. Ex-governors were elected in 27 of the 46 prefectures." (At this time Okinawa was occupied and solely under United States authority.) "Noteworthy also is the fact that the best part of the newly-elected governors hailed from among bureaucrats." (footnote 11, p. 236). Hereafter cited Braibanti, "Executive Power."

to run as party members. LDP candidates credibly claimed ties to Tokyo, through the ruling party, which led to increased national loans, grants, and subsidies for local programs.

Former high-level bureaucrats, as well as LDP notables, with close relations to the national government were attractive gubernatorial candidates. Their personal, political, administrative and professional ties to politicians and bureaucrats in the national government, as well as to business and industry interests, allowed them to receive favorable allocations of resources from the central government.

The rapid growth of the industrial state in Japan and the expanding role of the central government in welfare programs, local finance, transportation, and construction caused voters to look for governors who could bring these benefits of industrialism to their community. These benefits were national programs of highway construction, housing development, industrial expansion, economic investment, and employment opportunities. The financial dependence of local governments on the LDP-dominated central government gave an unfair advantage to LDP candidates for local offices. The number of former high-level bureaucrats who became governors in Japan was very high. "Seventy percent of the prefectural governors were former officials of the national government" before the 1971 elections.[98]

The adaptation of local government, particularly at the prefectural level, has had an interesting development of democratic input and popular support which is closely tied to economic progress: the greater the need for industrialization, the greater the state push for an appointive

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[98]Tsuneishi, Political Style, p. 225.

governor system; conversely, the greater the GNP growth, the lesser state demand for appointed prefectural governors.

The economic development programs and the need for growth of the Japanese industrial state were directly related to the highly successful "reverse course" (gyaku-kosu) taken by the Japanese unitary government after the reforms of the Occupation.

> The reverse course since the early days of the Occupation has been to recentralize control over education, police, finance, and virtually everything else. Thus, it may be said that the Occupation's controversial objective to establish more democratic home rule in Japan has been largely frustrated by Japanese tradition and economic modernization.[99]

The reverse course can be seen as the central government's adaptation to the new environment in which it found itself.

The new Constitution designated a "sovereign" Japanese parliament (Diet) as the "sole law-making organ of the State" and "the highest organ of state power." In the Cabinet-parliament form of democracy, the majority party elected to the lower House of Representatives in the Diet supplies the Prime Minister, and the Diet supervises the executive. Since 1948 the conservatives have controlled the Diet and have voted along strict party lines, thus eliminating votes of no confidence. This has allowed the LDP, in effect, to govern Japan.[100] The LDP selects

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[99]McNelly, Politics, pp. 210-211. The essential contribution of government-business cooperation to the making and implementation of economic policy in post-war Japan has been fully documented and analyzed in such notable studies as William W. Lockwood, "Japan's 'New Capitalism,'" and Martin Bronfenbrenner, "Income-Doubling Plan," in William W. Lockwood, ed., The State and Economic Enterprise in Japan (Princeton: Princeton University Press, 1965); Kozo Yomamura, Economic Policy in Postwar Japan: Growth Versus Economic Democracy (Berkeley: University of California Press, 1967); and Kazushi Ohkawa and Henry Rosovaky, Japanese Economic Growth: Trend Acceleration in the Twentieth Century (Stanford, Cal.: Stanford University Press, 1973).

[100]Nobutaka Ike, Japanese Politics: An Introductory Survey (New York: Alfred A. Knopf, 1957), p. 184. Hereafter cited Ike, Japanese Politics.

the Cabinet. "In practice a principal function of the Cabinet is legislative, since the Cabinet initiates virtually all of the bills which are enacted by the Diet."[101]

In Japan's unitary system of government, there are few of the devices for the protection of minority rights which are present in the United States' federal system, such as the presidential veto, judicial review of legislation, and states' rights. In Japan, all bills laid before the Diet have been either sponsored or approved by the Cabinet, except the Socialist bill for compensation of pollution victims in the 1970 Pollution Diet. The Supreme Court is distrusted as partisan, with a weak legal tradition, and has at times even permitted seemingly unconstitutional government action. States' rights are nonexistent since Japan is a unitary system, and it was not until the anti-pollution judicial decisions of the seventies that local government rights developed.

"In order to prevent the 'tyranny of the majority,' the minority must use obstructionist tactics."[102] Obstructionist methods used in Japan are: filibusters--used in committee and in plenary parliamentary sessions; suwarikomi (sit and fill up), sit-down strikes--used both in the corridors of the Diet and around the Diet building in Tokyo; boycotts--where opposition nonattendance creates the impression that a bill has been passed undemocratically in committee and plenary sessions, and the Socialists have at times threatened to resign their seats; demonstrations--in the Diet corridors, around the Diet building, and throughout the streets of Tokyo causing massive traffic jams which

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[101] McNelly, Politics, p. 157. [102] Ibid., p. 142.

create the impression that the "people" are against a proposal; strikes--centered mainly in Tokyo; riots--have occurred within the august chambers of the Diet itself to protest a vote on a government bill; and political assassinations--usually taking place in or around Tokyo.

One of the chief state apprehensions of elected governors is the maintenance of law and order and concerns the location of the central government in the city of Tokyo. The LDP controlled central government has always worried about elected governors from other parties controlling Tokyo-to. Not only can this impede and hamper relations between state and local governments, it could also be dangerous for Japan. There is an inordinate concentration of governmental authority, crucial to Japan's national security, centered in Tokyo. Conservatives have been afraid that the parliamentary process, centered in Tokyo, would be endangered by an opposition governor who would show too much sympathy or lenience toward leftist demonstrators.

The problem of all things being centralized in Tokyo versus local government decentralization is a fact closely related to the reverse course, such as the reconcentration of the police system in the hands of the prefectures in 1956. The Local autonomy Law allowed local governments to organize their own local police forces; however, 90 percent of the municipalities found it too expensive. The Revision of the Local Autonomy Law (1956) returned maintenance of law and order to the Prefectural Police under the operational control of a Prefectural Public Safety Commission. Commission members are now appointed by the governor with approval of the prefectural assembly and the police expense is borne by the prefecture. The prefecture is always in need of national financial supplements to meet national government requirements.

The recentralized police control is shown by its structure of command and system of functions. The Chief of the Prefectural Police Headquarters is appointed by the National Public Safety Commission, whose members are appointed by the Prime Minister. Under the present system, the Prime Minister has the automatic consent of the Diet and the right of national emergency powers. The supervision of the police has been delegated to the Home Affairs Minister.

> The National Public Safety Commission administers police affairs relating to state security, exercises control over such matters as police education, communication, criminal identification, and criminal statistics and coordinates police administration on the whole. Under its jurisdiction, the National Police Agency is concerned with criminal investigation, scientific crime detection, and police communications.[103]

The reverse course of the center revised the educational system initiated by the Occupation reforms. The modern educational system had been installed with a democratized and decentralized school administration system patterned after those in the United States. Parent-teacher associations were established and the prefecture paid most of the teachers' salaries. In 1953, however, the central government instituted a more direct subsidy. Using the weakness of local government finance (there are no provisions for specific school taxes), half of the teachers' salaries in elementary and lower secondary schools are now paid by the national government and the other half is paid by the prefecture--just as it was done from 1940 to 1945.

In 1956, the Diet passed a bill making the school boards appointive, replacing the elective method introduced by the Occupation reforms. The governor appoints the five prefectural school board members. The

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[103]Ibid., pp. 207-208.

appointments of the powerful superintendents in the prefectures, however, must be approved by the Minister of Education. The municipal superintendents have to be approved by the prefectural board. In addition, the "Minister of Education enjoys some of the rights of veto over the acts of the boards of education."[104]

The state-formulated legislative proposals to significantly centralize decision making powers within the Japanese universities faced stiffer opposition to the reverse course. Attempts to bring them under Cabinet jurisdiction and to broaden central government control over faculty and students reached no conclusion in 1948, 1951, 1954, 1959, and 1963. The central government kept trying even though it had already recentralized the other areas of education and the police to their prewar status. The above proposals were never passed in the Diet, although the government had the votes to push them through each time. This happened because the populist opposition to educational recentralization was so great throughout Japan that the Liberal Democratic Party did not feel it could afford the loss of political capital which could result from its arbitrary promulgation.

The media speculation and academic thought believed that, by ramrodding these bills through the Diet, the Liberal Democratic Party would have lost its electoral majority. This attitude changed, however, with the university turmoil in 1968 and 1969. When the recentralization issue was coupled with anti-violence measures it was passed in 1969 and called the University Control Law. Its immediate impact was to close down campuses for nine months.

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[104]Ibid., p. 204.

> The governing Liberal-Democratic Party had a majority in both houses of the Diet, and was able to enact the bill notwithstanding the protests of the opposition. Among intellectuals, the feeling was that the government had gravely abused the parliamentary process and that democracy was in danger.[105]

The system of elected prefectural chief executives is the one main area where the center has not fulfilled its reverse course strategy, although it has tried many times. The Japanese state viewed the appointed governor system as an efficient and economical administrative vehicle to implement national programs which were badly needed for national industrialization and reconstruction after the debilitating defeat and destruction of World War II. "To speed up economic progress, to eliminate territorially uneven social and economic development, and to ensure national security, it seems imperative to provide for centralization of economic and political powers on which a nationally unified policy and action may be based."[106]

During the "income-doubling" plan of Prime Ministers Yoshida and Kishi in the Fifties, the return to appointed governors was advocated in order to promote economy and efficiency in national planning, policy implementation, and local administrative functions. It would eliminate competition for national grants and time-consuming divisive political campaigns. The faults of the gubernatorial election process are best summarized by Kurt Steiner, who points out:

> . . . that, in turn, this creates unnecessary competition among the prefectures for allotment of national grants; and, lastly, that political fence-mending requires so much time of the governors that they are apt to neglect their national duties. These reasons--which could easily be applied against any type of popular representation--fail to convince the

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[105]Ibid., p. 61. [106]Duchacek, Territorial Dimension, p. 347.

> opposition that the government's plan is not in reality the capstone of a wide scheme of recentralization.[107]

In 1954, a bill to formally amend the Local Autonomy Law, in order to return to the system of appointed governors, was drafted by the LDP. It "was not submitted to the Diet because it was felt that 'public opinion did not support the change.'"[108] The LDP had more than enough votes to pass this measure, yet it viewed the possible electoral consequences as detrimental to its political viability. Until 1955, the LDP had the votes to pass a constitutional amendment and override a House of Councillors veto to return to the appointed governors system, yet the LDP refused to even bring the issue to committee. There were predictions that the government would make a determined effort to realize the plan prior to the local elections of 1955 or 1959, but it did not do so.

The central government was fully aware of the public opposition to the appointment of governors, and the Liberal-Democrat party refrained from putting the measure before the Diet because it realized, from the public debate that the announcement of its plan engendered, that pushing them through would have repercussions that it preferred to avoid.[109]

In 1954, Minister Tsukada, head of the Autonomy Board recommended the plan for the appointment of governors at the conference of governors. He encountered heavy opposition, even from governors belonging to his own ruling Liberal Party. Ironically, the Autonomy Agency had been envisioned by the reformers to be the guarantor of local authority.

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[107] Steiner, "Reform and Reaction," p. 99.

[108] Steiner, Local Government, p. 144, and "Reform and Reaction," p. 99.

[109] McNelly, Politics, p. 144.

Moves for constitutional revision within the conservative parties resulted in the 1957 establishment of the Commission on the Constitution which reported in 1964 that the national government should be strengthened at the expense of the localities, and it favored appointed governors.[110] "Surprising as it may seem when one considers the inauspicious origins of the Constitution and its radical rejection of much in the Japanese political tradition and experience, serious attempts to revise its text appear to have been shelved more or less indefinitely."[111]

Besides the political costs involved in changing the prefectural system, the maintenance of the elected governor procedure has also been due to several positive features: successful adaptation of the office to the environment, the preference of the masses, and the rise in the level of industrialization in Japan. Although the governors' adaptation of local autonomy in the pollution issue will be explored in more detail in Chapter IV, a few words must be said at this time to substantiate the positive side of the elective governor process. Dr. Ralph Braibanti made the following critical evaluation of the prefectural chief executive: "The reformed office of the governor is in slavish imitation of neither its American counterpart nor that of the prefect of continental countries; it is rather an adaptation of the American version of executive office to a political milieu long accustomed to concentration of power at the national government level."[112]

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[110]For a detailed summation of the revisionist proposals and counter proposals, see Robert E. Ward, "The Commission on the Constitution and Prospects for Constitutional Change in Japan," Journal of Asian Studies 24 (May 1965), pp. 401-429.

[111]Stockwin, Divided Politics, p. 188.

[112]Braibanti, "Executive Power," p. 231.

Public opinion has been very much in favor of gubernatorial elections. In 1954 a poll was conducted in the Tokyo Metropolis with results indicating that 76.7 percent of the respondents favored direct elections of governors, while only 9.7 percent favored governor appointments. The popularity of prefectural elections can be seen by the fact that they have drawn consistently higher voter turnouts than the national elections, especially in rural prefectures.[113] "In a nationwide survey conducted after the 1967 local and prefectural elections, 53 percent of those interviewed in Japan indicated that their interest was primarily in local contests while only 15 percent said that national elections were of greater concern."[114]

The central government initiative to return to appointed governors subsided as Japan's rapid economic progress vaulted her into position as one of the leading industrial nations of the world. The economic advancement in Japan allowed the central government to follow the "low posture policy" of Prime Minister Ikeda in the first half of the Sixties and put an end to speculation that the state would attempt to pass through the Diet a bill for appointing governors. This substantiates the theory that as an economy grows, elections at the prefectural level become affordable.

Observing the post-war situation of local government in Japan, Robert Ward wrote:

> In a small and poor country like Japan the problems of local versus national government, of decentralization versus centralization are significantly different than in a nation of immense wealth and continental scope such as the United

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[113] Steiner, Local Government, p. 496 and pp. 407-408.

[114] Bradley M. Richardson, The Political Culture of Japan (Berkeley: University of California Press, 1974), p. 57.

> States. A degree of local autonomy appropriate to the latter --or even an approximation thereof--is not necessarily or even probably suitable to the variant needs and genius of the former.[115]

Applying Morton Grodzin's theory of decentralization in American federalism to Japan and unitary decentralization, Japanese national wealth has permitted the experimentation of elected governors in the prefectural system.[116] Thus, "the great increase in elective positions which the Occupation brought about has for the most part survived its demise."[117]

The state has succeeded in recentralizing local finance, police, education, and the administration of local functions but it has not reverted back to the appointment of governors because the LDP fears the political costs which it would suffer. The independent variable of political costs has been affected by popular attitudes, tradition, and economic industrialization. Japanese voters want elected governors. Duchacek points out that a unitary system can, in theory, eliminate units of local self-rule, but in practice rarely does so. "The reason for the restraint is not a constitutional prohibition but politically wise respect for territorial pluralism . . . ."[118]

One may wonder at the popular support of the gubernatorial electoral process. The governor functions mainly as an administrator of state programs. Decisions passed by the prefectural assembly are virtually always "model laws" formulated by the Cabinet.[119] In the few

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[115]Robert E. Ward, "Some Observations on Local Autonomy at the Village Level in Present-Day Japan," Far Eastern Quarterly 12 (1953), p. 199.

[116]Duchacek, Territorial Dimension, pp. 317-318.

[117]Stockwin, Divided Politics, p. 48.

[118]Duchacek, Territorial Dimension, p. 234.

[119]Ike, Japanese Politics, p. 33.

areas which the state has vacated, the prefectures vitiate local self-government by looking to the state for policy-making guidance. They ask the central ministries for advice on the first drafting of the bills and usually request a reading by the Autonomy Minister before considering to pass a bylaw.[120]

Is the populace really interested in this kind of representation? We have seen that public opinion is strongly in favor of elected governors. Voting participation for governors is significantly higher than for national contests. The parliamentarian representative has become the main avenue for private interests, the central channel for national lobbying interests, the elite of the patron-client model--yet more voters are interested in the gubernatorial position. The election of governors has fast become a tradition in Japan.[121]

Another important point on the election of chief executives relates to the forementioned abolishment of the election of the heads of the special wards in Tokyo-to. The abolishment was accompanied by a considerable reduction in the functions of the special wards. The purpose of the reform was to establish integrity of administration over the entire area of special wards.

> Though the election of the heads of the special wards was abolished in 1952, the special wards kept demanding restoration of that system and it became a subject of very active citizen movement. As a response to such demands, a reform was considered in the Diet and the election system was restored in 1974.[122]

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[120] Steiner, Local Government, p. 327.

[121] Ike, Japanese Politics, p. 118.

[122] LGJ, pp. 56-57.

The major third trait of Fried's prefectural chief executive is that he is a civil functionary operating independently of the military and the judiciary. After World War II, the military was disbanded and outlawed in Japan. Article 9 of Chapter II read as follows:

> Article 9. Aspiring sincerely to an international peace based on justice and order, the Japanese people forever renounce war as a sovereign right of the nation and the threat or use of force as means of settling internal disputes.
> In order to accomplish the aim of the preceding paragraph, land, sea, and air forces, as well as other war potential, will never be maintained. The right of belligerency of the state will not be recognized.

The Japanese National Defense Force has subsequently been developed and is independent of the prefectures. Prefectural police work closely with the courts and the offices of the public procurators. The governor, however, has little involvement in this area. Although there is some overlay of structure, there is no mixture or conflict of functions.

It is noted in Chapter Two, in the development of the Meiji prefectural chief executive, that he had a measure of judicial power. Chapter VI of the new Constitution, however, places all judicial authority in the Supreme Court.

> Article 76. The whole judicial power is vested in a Supreme Court and in such inferior courts as are established by law.
> No extraordinary tribunal shall be established, nor shall any organ or agency of the Executive be given final judicial power.

As mentioned earlier, a governor failing to carry out a national law can be subjected to a court order to do so (Figure 7). So far, this has never run its full course.

The fourth trait of Fried's prefectural model is no security of tenure in the office of governor. In the Japanese system, the governor

is elected for a four-year term, subject to voter recall, votes of non-confidence by the prefectural assembly, and performance of national duties. On the prefectural level, these checks have not been used often, and where they have been used the governor has not lost his position.

There are no Constitutional or Local Autonomy Law provisions which limit the number of times a governor or mayor may be re-elected. Also, the central government may not transfer a governor for any reason. As of August 1979, the average tenure of the governor of Japan was 5.5 years.[123] Also, the office of chief executive is incompatible with membership in the Diet or any local assembly.

The fifth trait of Fried's model is that the governor is not a resident of his prefecture. A governor must have been a resident of his prefecture for three months prior to his election in Japan. The residency characteristic of the governor is long-term membership in the community. The average governor's age is 61.6 years old and he has lived in his prefecture for over 42 years.[124]

The sixth trait of Fried's model is that the governor is characteristically a career functionary or a political appointee. Whether appointed or elected, the center plays an important role in the selection of the governor. It has been discussed that the first elected governors in Japan were either former governors or national bureaucrats. Fried, in calling the role of governor a "career functionary," is

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[123]Figures based on author's personal survey of Japanese governors conducted from May to September 1979. Hereafter cited Governors Survey.

[124]Author's Governors Survey.

specifically referring to national bureaucrats. In the Fifties and Sixties, Japan's national economic programs, financial limitations and reliance on state monies by local government favored governors with national administration and/or Liberal Democratic Party backgrounds.

The Seventies have represented a turn to a new breed of governor that reflects Japan's progress into post-industrialism. The new breed of governor has an academic and/or local administration background. He reflects the desire of the local Japanese to improve their quality of life by lessening pollution, corruption, and bribery. After the local elections of 1979, 58.3 percent of the governors had local government and/or academic backgrounds.[125]

The seventh trait of prefectural systems according to Fried is the supervision of the governor by a specialized central department concerned with public safety and local government. We have seen that during the reverse course taken by the Japanese state, public safety and local government was recentralized under the Autonomy Ministry. The Ministry of Home Affairs has developed, again, an extremely important role in the financial affairs of local government. It has gained a decisive voice in equalization payments and provides in its budget the details of local finance, including local deficits.[126] The fact that local budgets are

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[125]Figures based on Governors Survey:

Category	Absolute Frequency	Relative Frequency (PCT)
National Bureaucrat	15	41.7
Local Administrator	16	44.4
Academic	5	13.9
Total	36	100.0

[126]Langdon, Politics in Japan, p. 186.

submitted to the Home Affairs Minister leads to indirect controls over its fiscal policy.[127]

The governor is closely supervised by the Ministry of Home Affairs while carrying out duties delegated to him by the central government.[128] We have seen that national duties constitute at least 80 percent of the governor's work. The Ministry of Home Affairs has acquired additional activities as supervisor of local government. The governor must go through the Home Affairs Minister in Tokyo for transfer of necessary and suitable personnel to his prefectural service in order to staff national programs.[129] The state pays all the expenses for strictly national programs carried out by the prefectures. It pays a percentage of the shared expenses for combined programs of the state and the prefecture. A ministry proposing a bill placing financial burden on local government must consult the Home Affairs Minister in advance, then the Ministry of Home Affairs expresses its opinion concerning the budget estimate involving the sharing of expenses to the Finance Minister.[130]

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[127]Tsuneishi, Political Style, p. 196.

[128]Steiner, Local Government, p. 309-319.

[129]Burks, Government, p. 209.

[130]Author's Note: The Meiji Ministry of Home Affairs was abolished by the new Constitution (1946) and local government was placed under the supervision of the Autonomy Agency, which became the Autonomy Ministry. "But in 1960 the Ministry of Home Affairs was set up for the nation-wide planning of local administration and financial organization, but in contrast to the pre-war Ministry of Interior, many of its functions were divided among the various other ministries and the new ministry was made responsible for the planning of /the/ local government system, reform of /the/ local taxation system and the co-ordination between the local public bodies and the central government.

"But from the standpoint of the central government as a whole, not only the Ministry of Home Affairs but also many of the other ministries have dispatched their bureaucrats to the prefectures. Also many of the ministries have grants-in-aid by which they financially control the local government." Local Reform, pp. 20-21.

The sharing of expenses for the performance of state functions by the prefecture while acting as an agent of national government brings this thesis to a crucial point. What role does the prefecture and its chief executive play in the relations between the central elite and the masses in the periphery? Thus far, this discussion has focused on the nature of state control inherent in the structure of the governmental divisions. The reverse course pursued by the national government to adapt to its new environment recentralized almost all prefectural functions just like they were before the new Constitution.

The provision of local autonomy in the Constitution remained dormant. The areas where local government could exercise any direction were very minor. As stated above, "mayors and village heads spend up to eighty percent of their time on functions assigned to them by Tokyo."[131] The elective nature of the office of governor, however, remained intact. As heavy industrialization and urbanization grew, new changes occurred in the environment. These changes affected the living conditions of the people in the periphery and this led to the need for adaptation by local government. Chapter Four will examine the results this had on the politics of Japanese center-peripheral relations.

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[131]Kurt Steiner, "Japanese Village Government," Far Eastern Quarterly 15 (February 1956), p. 199.

CHAPTER 4

JAPANESE CENTER-PERIPHERY RELATIONS

The development of Tarrow's model of center-periphery relations in Chapter 1 has shown that an investigation of the distribution of power between the levels of Japanese government can be most profitable through an examination of the territorial subunits. This chapter explores the development of local autonomy in the environmental crises of the late 1960s and early 1970s. The focal point of political conflict centered on the governorship of the prefectural system which was the representative level of government chosen by the masses to channel its electorally bolstered demands to the national government for pollution controls.

At the national level, the anti-pollution measures of the periphery became functional cleavages between the state and local governments because they were in conflict with the demands of the national elite, especially the ruling Liberal Democratic Party (LDP) and big business interest groups. The national representatives in the Diet were viewed by grassroot citizens movements to have lost their effectiveness in influencing the decision making process. The parliament seemed to exist primarily to serve to discuss and pass LDP policies and to lobby for special private interests.

As a result of functional cleavage and lack of response of the national government, bold anti-pollution initiatives were undertaken by the prefectures even though they sometimes ran counter to central

government policies. By supporting the demands of the periphery, the prefectural system adapted to changes in the living environment and in its intergovernmental relations. It has also influenced national policy makers and developed a small degree of local autonomy for itself along the lines of the structurally adopted reforms for local government inscribed in the new Constitution and the Local Autonomy Law which had otherwise remained dormant.

One reason for studying Japanese local government was the direct attempt of the United States to alter aspects of Japan's government to resemble its own image and likeness during the Occupation Period following World War II. What have been the effects of the political reforms introduced into Japan during the Allied Occupation?

The postwar political reforms sought to establish local self-government through two avenues: (1) decentralization--the transfer of political and administrative power from central to local authorities; and, (2) democratization--the bringing of administrative functions under the will of the local community by means of direct popular controls of an elected chief executive and a strengthened legislature. An elaborate legal structure was set up to implement these reforms and became the framework of the new local government system in Japan. The application of the local self-government reforms in the 1950s and 1960s, however, showed that the popular controls established by law for prefectural administration had met with little success.[132]

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[132]Several fine works have been done on the prefectural system of Japan in the 1950s. See, for instance, the unpublished dissertation of Cecil Carter Brett, "The Government of Okayama Prefecture: A Case Study of Local Autonomy in Japan" (University of Michigan, 1956); Kurt Steiner, "Local Government in Japan: Reform and Reaction," Far Eastern Survey 23

The most significant innovation was the elected governor who was to represent prefectural interests as distinct from national interests but who, in the exercise of his administrative functions, serves the central government. The laws and policies he executes are not made in his prefecture but in Tokyo; thus,little scope remains left over the exercise of prefectural initiative.

Why, then, did the periphery choose to focus its demands for anti-pollution measures on the governors? Were the reforms of the Occupation period far-sighted measures which accurately forecasted the need for devolution of authority in modern, industrial, complex societies? Was the structure merely idle, waiting for inevitable forces to put it into gear? Or, did the demands of the periphery need to have a function performed that necessitated a successful adaptation to a changing environment of pollution problems by the intergovernmental system?

The center-periphery theory of Tarrow can be used in order to look at these questions. As functional conflicts reach the center of the political system, the effectiveness of the national parliament tends to erode and

> . . . citizens turn more and more not to "functional" representation but to the territorial institutions around them, reinforcing the territorial dimension in representation just as it is being displaced in policy-making and administration. The result is to create a greater and more sophisticated range of demands upon local political leaders and a need for leaders who can link center and periphery of the political system.[133]

(July 1954), pp. 97-102; Robert E. Ward, "Some Observations on Local Autonomy at the Village Level in Present-Day Japan," Far Eastern Quarterly 12 (1953), pp. 183-202; and George A. Warp, "Americanization in Japan," National Municipal Review 41 (October 1952), pp. 443-448.

[133]Tarrow, Territorial Politics, p. 3.

At issue in the study of local government is how the central government and its subterritorial units are linked politically. Also, problems of intergovernmental relations and of managing the class and interest conflicts of modern societies are involved. This has re-emphasized the clientelistic aspects of the elected governor in Japan. It has created local political activism that allows the subnational units to, in some ways, utilize the center to their advantage through the political resources and mechanisms of territorial representation. The examination and understanding of the problem of policy balance between the national government and territorial subunits is essential to the investigation of normative questions concerning the degree of adaptation of democratic reform and local autonomy in the Japanese political process, as well as in other industrial, modernized, and complex societies.

Test case--Japan; why did the citizens in the periphery center their demands for improvement of their local environment in the prefectural government, instead of the national government? It is interesting to note how local officials adapted to changes in the environment and what effect this had on national decision making.

Since the LDP's ascendance in 1955, the Diet's real policymaking role has diminished. The majority of bills introduced into law have come from the executive and his cabinet. "There is provision for private bills introduced by individual Dietmen, but these are far fewer in number and more peripheral in policy importance."[134] These private bills occupy most of the representatives' time. The only real significance

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[134]Enloc, Politics of Pollution, p. 214.

in voting for Diet representatives is the selection of the party in power. After 1955, the "Diet became an electoral college registering the will of the people for government by one political party [the LDP]."[135]

In Japan the LDP governs, and this has caused the Diet to become an advisory board whose main functions are to discuss and agree. A Diet member "spends most of his time running errands for voters from his constituency and has little to do with the legislative program. He cannot vote against his party's bills, and in those rare instances when he feels he cannot support his party, he will be absent from the floor when the vote is taken."[136] Since 1955, the largest Diet representation has belonged to the LDP, and because the LDP had no interest in pursuing anti-pollution measures, the concerned periphery had to turn somewhere to express its growing concern over the effects of pollution on their environment.

The limited authority retained by local government placed the prefectural subunit in a more feasible position to effect measures against pollution. Under the new Constitution, local entities were permitted to legislate bylaws that did not contravene national law. Prefectures were empowered to issue ordinances, but cities were not, as provided in the Local Autonomy Law of 1947. Tokyo was the first to use its legislative

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[135]McNelly, Politics, p. 146. Author's Note: The need for political stability and effective leadership in the Diet convinced party leaders and the business world that the merger of the Liberal and Democratic (Progressive) Parties was necessary to meet the emerging Socialist threat to capitalism. The two conservative parties combined in November 1955 to become the Liberal-Democrat Party (LDP, "Hiyu-Minshuto" or "Jiminto"). McNelly, Politics, pp. 85-90.

[136]Nobutaka Ike, Japanese Politics: An Introductory Survey (New York: Alfred A. Knopf, 1957), p. 118. Hereafter cited Ike, Japanese Politics.

authority by passing the Factory Hazard Control Ordinance in 1949. The prefectures of Osaka and Kanagawa passed similar ordinances in 1950 and 1951 respectively. Tokyo passed additional ordinances to control noise and smoke in 1954 and 1955.[137]

Prefectural bylaws are valid insofar as they do not contravene or conflict with the national laws. Matters which are regulated by national statutes are said to be "preoccupied affairs." The scope of the enactment of bylaws and regulations for local governments were strengthened by the Occupation reforms and are now capable of creating new offences punishable by imprisonment, fines, and censorship.

In pollution issues the local governments had established bylaws and regulations first. The central government was attempting to take away the autonomy beginning to develop in this small area of local self-government by adopting national statutes on environmental controls that would make them "preoccupied affairs." Thus, prefectural bylaws would be pre-empted and the national government could handle the problems as the central elites wished.

FIGURE 13

HIERARCHY OF LAWS

The Constitution
National Statutes
Cabinet Orders
Ministerial Orders
Bylaws
Regulations

Source: LGJ, p. 40.

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[137]For background information of these circumstances and the full details of these ordinances and others, consult Margaret A. McKean, "Pollution and Policy Making," in T. J. Pempel, ed., Policy Making in Contemporary Japan (Ithaca, N.Y.: Cornell University Press, 1977), especially pp. 212-215. Hereafter cited McKean, "Pollution."

At first the national government paid nominal attention to pollution problems, and where it acted, it acted against local interests. For example, the Water Quality Preservation Law, the Factory Effluent Control Law, and the Sewerage Regulation Law were passed by the Diet in 1958. These laws were very weak and were not meant to be enforced. Their primary effect was to cause major jurisdictional disputes between national and local governments because many cities, designated as problem zones in the new law, already had stricter prefectural ordinances.

In fact, the entire output of national measures against pollution in the Sixties proved less forceful than local prefectural ordinances. The Basic Law for Environment Pollution Control (1967) was passed in absence of enabling legislation or vigorous enforcement. It was not as tough as many local ordinances and proved utterly inadequate.

The Fifties and Sixties were periods of great industrial growth in Japan and prefectural ordinances which placed a burden on big business were easily abrogated by the national government. Local governments developed a great financial dependency on the central government for local programs and spent most of their time administering national services. This allowed for minimal innovation and experimentation at the local level. The pollution crises in Japan, however, created local grassroot movements that demanded a forum.

The profit-seeking industrialist, national bureaucrat, and stability-minded conservatives who collaborated their special interests at the national level in a coalition sometimes referred to as Japan, Inc., refused to take expensive measures to lower effluents. They were joined by their adversaries of labor and the Left who were fearing lost jobs

due to expensive steps to prevent pollution and make ample restitution to the victims.

The condition of the Japanese system can best be seen in the description presented by Professor Masamura of Senshu University:

> Various reforms after World War II reconstructed and strengthened the foundation of freedom and democracy. As one aspect, "self-government" systems have been introduced accordingly. Unfortunately, however, they have not been fully utilized. In the meantime, the centralized structure of decision-making which was reorganized for the purpose of economic recovery and consolidation of international competiveness has been playing a very important role for the past thirty years. As a result, even the concentration of materials and population in Tokyo occurred on a tempo and scale that exceeded the eighty years up to the end of World War II. On the other hand, freedom and democracy have been understood only as principles of equal opportunity, free competition, and the competitive organization of various groups, so that people have become interested mainly in increasing individual or household disposable income and satisfying their personal desire for consumption. Thus people have been incorporated into a livelihood structure created by policy systems giving priority to capital accumulation by commercial enterprises. In proportion to this, importance of financial security, public facilities and public undertakings have been relatively neglected, and the significance of the role of public organizations in preserving and creating healthy environments had been ignored accordingly.[138]

The governor became the focus of peripheral anti-pollution demands for two reasons: his elected role as intermediary between state government and the municipalities, and the uniqueness of the prefecture as a territorial subunit. The governor supervises the units of municipal government within his prefecture. He also acts as an assistant to the competent ministry in delegating, applying, and supervising in the municipalities the policies established by national agencies, as outlined in Chapter 3. The national government is expected to render

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[138]Kimihiro Masamura, "For the Establishment of Decentralization and Self-Government: On the Proposal by 'Cripa,'" Local Government Review 3 (1975), pp. 12-13.

technical advice and financial support to the local public bodies without exercising unnecessary control. The Tokyo Governors' Association described the position of the prefecture as follows:

> The prefecture is an "intermediate body" existing between the nation as a whole and the city, town and village. It is defined as a "local public body of a regional type" exercising jurisdiction over a wide area. The affairs managed by prefectures are those of a regional nature which city, town and village administrations do not undertake--large-scale projects, affairs which must be handled on the basis of regional uniformity, and tasks in support of cities, towns and villages which they are not capable of carrying out by themselves.[139]

One of the main duties of the governor was set forth in the Autonomy Ministry's Ordinance 359 in 1952, which defined the duties of the governor in regard to the calculation of grants and their distribution to the cities, towns, and villages. In order to obtain loans, grants, and subsidies, the municipalities "bring their estimates to the prefectural governor for inspection and amendment, or in the case of towns and villages, for actual preparation of their application."[140]

By 1957 the number of all types of treasury payments to local entities was about 600, most of them specific subsidies. The necessity to get money from the government "has, in Japanese villages, acquired something of an aspect of a national sport-like 'winning' . . . and an ability to channel such grants into his village is the most accepted criterion of successful statesmanship in the village mayor."[141]

The main effort to obtain grants and subsidies by the local government is directed toward the prefecture and then toward the national

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[139]"Local Government System in Japan, " Pamphlet (Tokyo Governors' Association, 1976), p. 137.

[140]Steiner, Local Government, p. 291.

[141]R. P. Dore, Land Reform in Japan, p. 222 from Steiner, Local Government, p. 287.

level. The position of the governor as the central channel for local government aid "ties the prefecture more closely to the central government and makes the municipalities more dependent on the prefecture." It is not difficult to picture the governor as "the benevolent guardian of the municipalities in his jurisdiction."[142]

Both national and local finances depend on tax revenues as the major source of income. As illustrated in Figure 14, during fiscal 1973, revenues from national taxes amounted to 14,048 billion yen (68.4 percent of the total revenues from taxes), while local tax revenues amounted to 6,491 billion yen (31.6 percent of the total). However, the expenditure out of the tax revenues shows that the local governments spent about 65 percent of the total, while the national government spent about 35 percent.

This gives an indication of the important part played in public finance of the subsidies given by the central to the local governments. Since the greater part of national public services is carried out by the local bodies or their agencies, local finance equally matches national finance in scale. Using the total expenditure in the 1976 fiscal year, the central government spent 24,467.6 billion yen, while the local public bodies' corresponding expenditure was 28,907 billion yen. If this is viewed from the standpoint of net amount expended for functions directly performed by respective authorities, about 66 percent of total expenditures of both the central government and local public bodies was disbursed by local public bodies. (Incidental note: The total expenditures spent by national and local governments in 1976 was

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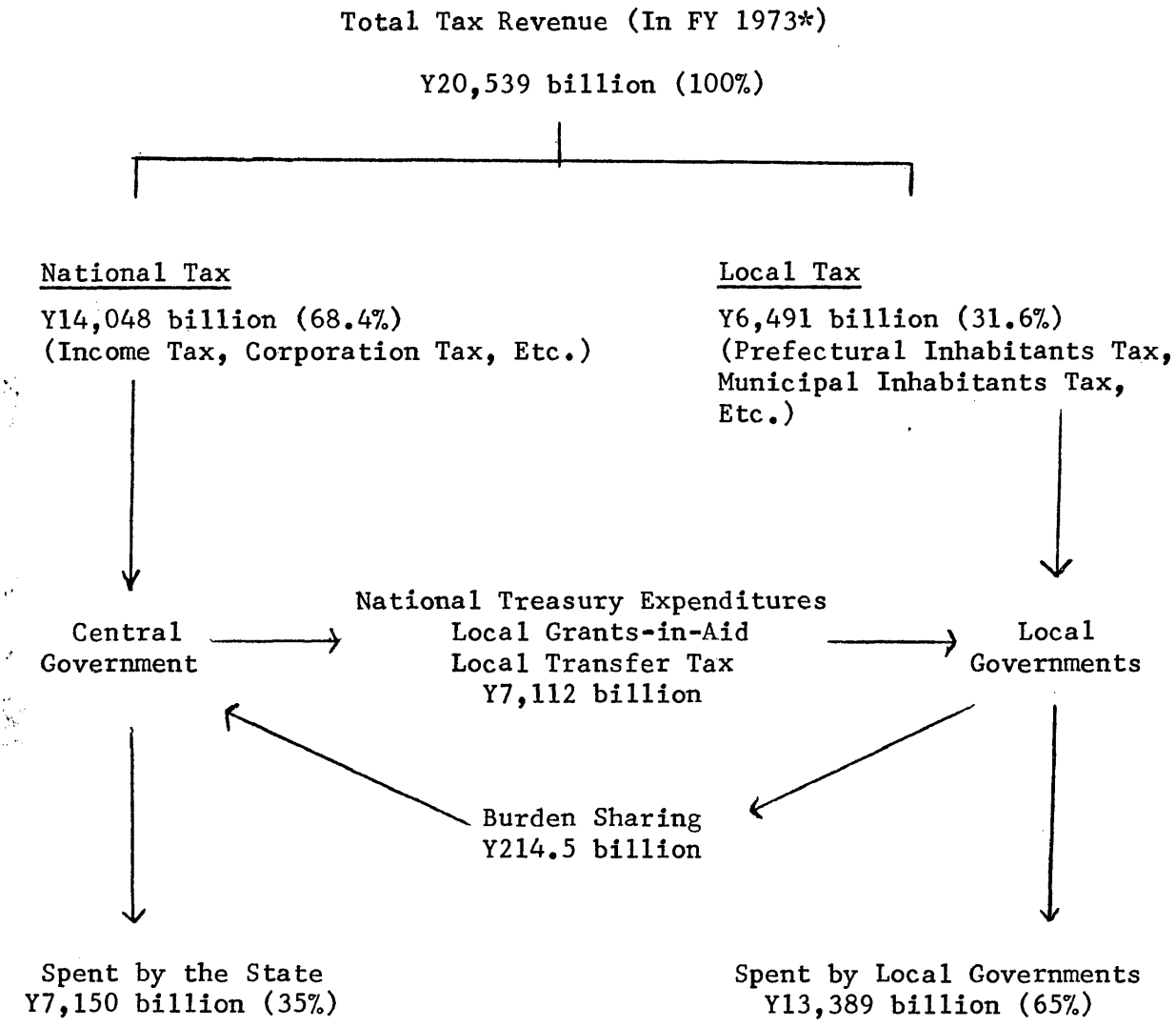
[142]Steiner, Local Government, p. 291.

FIGURE 14

NATIONAL FINANCE AND LOCAL FINANCE



*NOTE: U.S. $1.00 = Y291.20 as of May 1975

Source: "Local Government System in Japan," pp. 138-139.

43,112.8 billion yen, more than double that of 1973. This calls for the transferring of many financial resources from the central government to local public bodies, as seen in Table 2.[143] Local finance is, thus, connected with national finance and its management is related to national policy.

TABLE 2

COMPOSITION OF LOCAL REVENUE, 1959

Source of Revenue	Prefectures	Municipalities	Over-all
Local Taxes	28.9%	44.1%	36.2%
Refund Taxes	3.0	0.2	1.9
Local Distribution Tax	17.1	11.4	15.3
Other National Treasury Disbursements	31.0	12.5	24.4
Income from Property	1.2	3.6	2.2
Allotted Charges	1.1	0.8	0.6
Fees and Rents	3.5	3.5	3.6
Contributions	0.6	1.8	1.0
Carried Over	1.0	2.2	1.5
Miscellaneous Income	6.0	5.2	5.2
Local Loans	3.5	6.0	4.7
Brought Forward	3.1	3.7	3.4
Total	100.0%	100.0%	100.0%

Source: Based on Autonomy Ministry, Chiho zaiseijokyo, 1959, see also the Autonomy Ministry's pamphlet The Local Finance System in Japan, prepared for the 1961 EROPA Seminar. From Steiner, Local Government in Japan, p. 292.

The prevalence of the prefecture as an intermediate body is very important when the municipalities wish to formulate a bylaw, as well as

[143] For these statistics and further information on Japanese revenues and expenditures, see two pamphlets prepared by the Ministry of Home Affairs: Local Allocation Tax System in Japan (Local Allocation Tax Division--Local Finance Bureau, 1978); and An Outline of Local Tax System in Japan (Local Autonomy College, Jichi Kenshu Kyokai, 1973).

in financial matters. The Local Autonomy Law (Sections 14, 15, and 138-4) provides that local governments have the power to enact bylaws and that their executive organs have the right to enact regulations. As mentioned earlier, bylaws may be enacted for any functions of local government insofar as they are not in conflict with national law. Therefore, the national functions delegated to the executive organs are excluded from the jurisdiction of bylaws. Prefectures may enact "coordinating bylaws" which set broad regulations with which municipal bylaws must comply. Municipal bylaws are null and void if they are in conflict with the coordinating bylaws of prefectures.[144]

Local entities are not only accustomed to accepting guidance from above, they are afraid to act without it. If a municipality "desires to adopt a by-law on its own initiative, the mayor often presents a draft to the Local Affairs Office of the prefecture before submitting it to his assembly."[145] The governors will even seek the advice of the Ministry of Home Affairs regarding the introduction of a bill.

Traditionally, the mayor has had a great deal of power at the municipal level. This is unlike the prefectural governor who had, before the surrender of Japan, been an instrument of the central government. As citizen movements began to reflect local cleavages with national policies the mayor's traditional role did not serve as a channel upward to the central government. The mayor's principal adjustment to local demands had been "to get a law passed (by the local assembly)

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[144] LGJ, p. 41-42.

[145] Steiner, Local Government, p. 327.

exactly as demanded by higher authority, but with informal, careful assurances of application according to the /local/ consensus."[146]

The uniqueness of the territorial subunit was a reason why local demands became active at the prefectural level, and why the governor became the main broker for local demands in Japan, instead of the mayor who Tarrow finds as the broker of center and periphery policy making in Italy and France. The area of the prefecture incorporates all the territory of its administrative unit. Large polluting companies were able to locate in or just outside of small towns and villages, where they were able to pollute without fear of repercussions.

For example, the city of Minamata had the worst case of mercury poisoning in Japan which resulted from eating fish contaminated by the Chisso factory. The socialist mayor and powerful labor organization chose, however, to defend Chisso, the major cause of the mercury poisoning, against the victims in 1959. The fact that Minamata was dominated by "progressive" political forces could not erase the more significant fact that it was also a one-company town, dependent on Chisso for its economic survival. A local citizens movement pushed for anti-pollution ordinances by the governor of the Kumamoto Prefecture which would prevent the high level of mercury poisoning flowing from the Chisso factory into the water.[147]

Citizen movements throughout Japan against pollution were organized to combat specific local pollution problems and were able to promote

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[146] Burks, Government, p. 220.

[147] For a detailed account of various pollution problems and prefectural responses, see McKean, "Pollution."

stronger environmental ordinances than the national government through their elected gubernatorial representation. For example, in 1968 the Toyama Prefectural Assembly provided medical relief to the victims of "Itai-itai" (cadmium poisoning) two years before the central government began to provide such aid. The polluting company, Mitsui (a large national mining industry), was charged to refund payments for medical costs. This was the first time that any governmental body in Japan sued a polluting enterprise for damages.

Other outbreaks of pollution diseases and their areas had been: organic mercury poisoning, also called Minamata disease, in Kumamoto and Niigata Prefectures; asthma in Mie Prefecture, especially Yokkaichi City; and the noise and air pollution of Tokyo-to. Minamata and "Itai-itai" diseases are chronic illnesses and produce hideous lingering deaths.

The prefectures of Toyama and Kumamoto filed suits against the Mitsui and Chisso companies, respectively; however, the central government had claimed that these prefectural ordinances were in violation of state law, thus unenforceable by the courts. The companies themselves haughtily and publicly refused to even consider the payments ordered by the prefectures. National government anti-pollution measures had long been toothless because any meaningful legislation "had been removed or eroded by the government's willingness to bow to the wishes of the economic ministries and business pressure groups."[148]

One of the most common generalizations about the Japanese central government is that it is highly committed to economic development and,

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[148]McKean, "Pollution," p. 213.

thus, big business interests are highly influential in its decision making process. Since the founding of the LDP in 1955, both the party and government have concentrated on economic growth as the primary goal of all governmental policy making. This policy has held the LDP together and the success of these policies has been a major factor in maintaining the LDP's electoral strength.[149]

Big business is the principal opponent of stronger environmental policies because they compete with established economic development policies. Environmental policy makes business pay the social cost of its use of the air and water, and it forces business and government to divert resources into "non-productive" research and investment. Both big business and the central government made great efforts to ignore the pollution issue. In the case of Minamata, there was suppression of scientific evidence on the quantity and effects of organic mercury poisoning by the company, violence against reporters and photographers investigating the disorders in the community, and attempts to buy off the opposition.

The central government discounted or overlooked the available evidence, tended to define the problem in the narrowest possible terms, and were very slow to produce any findings on the issue.[151] "Big

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[149]These conditions appear often in literature on Japan, for example, see Chitoshi Yanaga, Big Business in Japanese Politics (New Haven, Conn.: Yale University Press, 1968) and Herman Kahn, The Emerging Japanese Superstate (Englewood Cliffs, N.J.: Prentice-Hall, 1970).

[150]See Matthew A. Crenson, The Un-Politics of Air Pollution (Baltimore: John Hopkins Press, 1971).

[151]See W. Eugene Smith and Aileen M. Smith, Minamata: Words and Pictures (New York: Holt, Rinehart and Winston, 1975) and Norris Huddle and Michael Reich, Island of Dreams: Environmental Crisis in Japan (Brooklin, Mass.: Autumn Press, 1975).

business groups, the LDP, and the ministries responsible for the economy all resisted each and every step toward a stronger environmental policy, at least until 1970."[152]

Local citizen groups pressured for more anti-pollution measures and they centered their attention on the governor. "The actual role played by each governor is a function of the relative strength of the pressure from the central government on the one hand and the pressure from the constituency on the other."[153] As long as the governor is an elected official, he will be subject to the influence of local political forces.

The central government has attempted to reinstate the appointed governor system because it has long disliked the system of elected governors serving as buffers between the central government and their constituents.

> For instance, when rice quotas are assigned, the governors may negotiate with the central government in the interest of the farmers within his constituency in order to achieve a modification of its demands. From the viewpoint of the central government, this appears as a "lack of smoothness" in the execution of one of its programs.[154]

The possibility for lack of smoothness between the central government and the periphery intensified in 1967 when Minobe Ryokichi was elected governor of Tokyo. Chapter 3 pointed out that Tokyo-to has a unique prefectural structure (see Figure 15). There is no mayor of Tokyo City, rather its chief executive is the governor. Most municipal

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[152]Reed, "Environmental Pollution," p. 20.

[153]Steiner, Local Government, p. 165.

[154]Ibid., p. 143.

functions are administered by the prefecture and many major positions in the offices of the special wards are occupied by the officials of Tokyo-to. "The most important municipal taxes are levied and collected by Tokyo-to Government."[155] Tokyo is also the political, economical and cultural capital of the nation.

Governor Minobe became the focal point for all the prefectural anti-pollution movements by demanding stricter penalties against industrial pollutors than the national government had pursued. Backed by a progressive coalition of the Left, Minobe campaigned as an issue candidate against pollution and as an advocate of stronger local government. Despite his reliance on the support of the Left for electoral victory, Minobe was essentially an idealistic academic liberal. In 1969, Governor Minobe passed the Tokyo Ordinance which was significantly bolder than any other previous local legislation. The central government was immediately offended by its passage with stronger prefectural, then national, provisions and moved to pre-empt its legality.[156]

The Tokyo Ordinance broke into the open the cleavages between central and local governments due to Governor Minobe's vigorous enactment. The local legislation called for tougher industrial smokestack specifications than the central government, "defying Japanese tradition in which central policy is stricter than local."[157] The fact that the ordinance did not refer to the official national policy--"harmony with the economy"--was particularly alarming to the government, as were the

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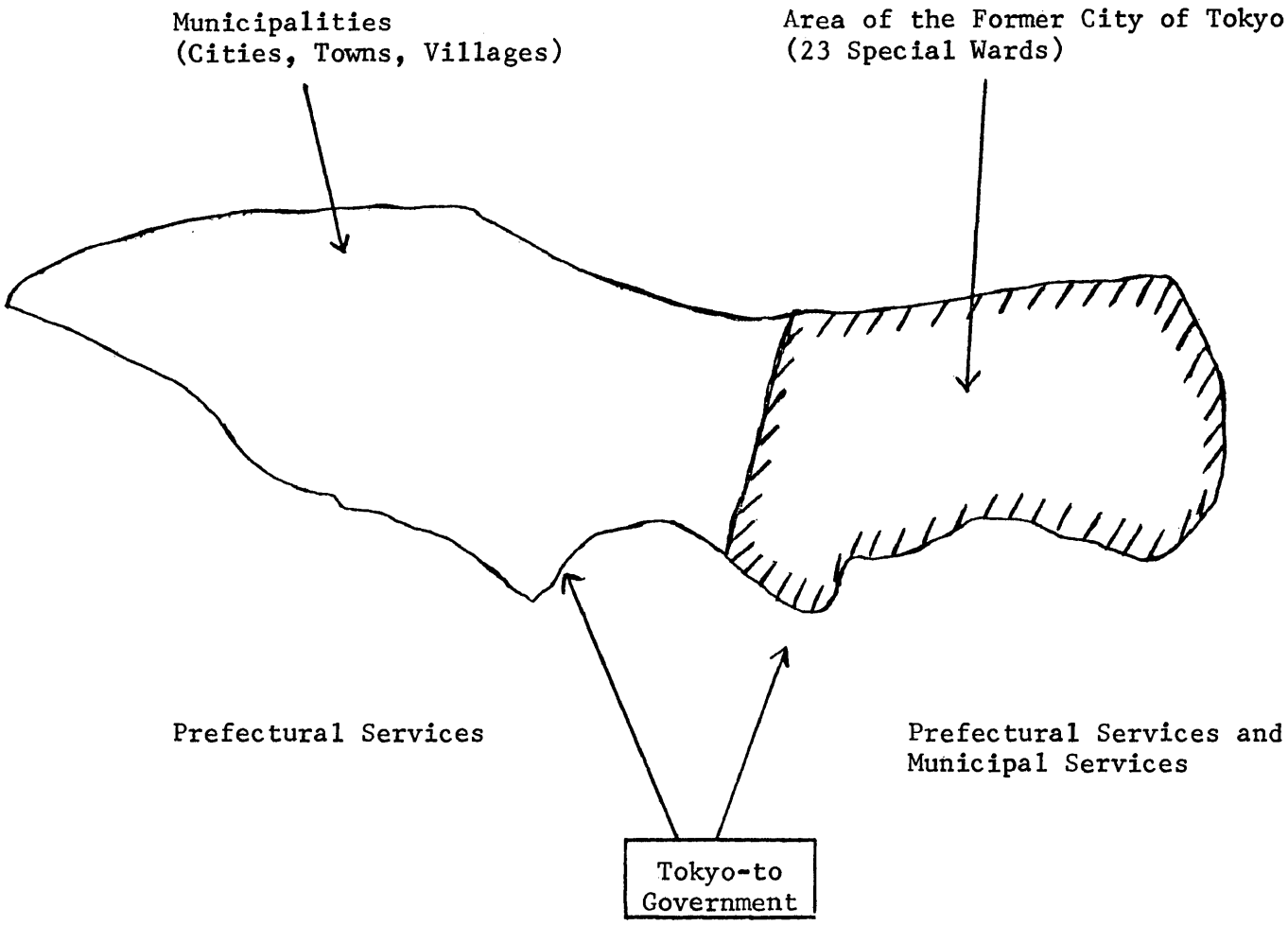
[155] Local Government in Japan, p. 56.

[156] McKean, "Pollution," p. 223.

[157] Enloc, Politics of Pollution, p. 249.

FIGURE 15

TOKYO-TO (PATTERN OF LOCAL GOVERNMENT)



Source: Local Government in Japan, p. 4.

penal provisions and the comprehensive coverage against the six major pollution diseases.

The central government stated that the magnitude of the difference between national and local regulations made the ordinance illegal. It argued that prefectures were required to make ordinances within the scope of the law, only insofar as they did not violate national laws or regulations. While the central government had vacated certain trivial areas where it allowed the prefectural governors the authority to provide standards, "the government argued that when the national law did not explicitly delegate such authority, duty by duty, local government had no jurisdiction at all."[158]

Governor Minobe argued against the views of the national government with logic diametrically opposed to the orthodox socialist preference for centralization. Minobe maintained that as an elected local government official, his first responsibility was to represent local citizens, not to act as an administrative agent of the state. He argued that the Local Autonomy Law had empowered local executives to provide for the protection of their constituents' health and safety. Since Tokyo was still beset by the dangerous pollution problems of noise, smoke, and factory hazards--even after the passage of national laws--Tokyo had to create stiff anti-pollution ordinances to comply with the legal obligations of governing.

As the central-local controversy continued, Governor Minobe announced that Tokyo-to would buy cadmium-contaminated rice from farmers who would otherwise be unable to sell it. He also initiated plans to

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[158]McKean, "Pollution," p. 223.

convert the contaminated rice fields to other purposes. The central government immediately labelled Minobe's rice-buying plan as a violation of the Food-Control Law.

As the center-periphery, national versus local rights, discussions raged, pollution problems escalated greatly. Tokyo experienced several periods when the photochemical smog was so severe that school children had to be hospitalized. Policemen had to wear gas masks. Vending machines were installed so people could buy fresh air.

The mass media relentlessly pursued the pollution issue. There was growing public fear of pollution damage. Unfavorable international publicity covered the pollution scares. The Minimata and Itai-itai diseases had led to defining air pollution health damages as pollution diseases, and Japan's pollution diseases were so severe that the issue could not be suppressed. "It is hard to ignore such diseases, first of all, because they are so spectacular." Secondly, "Unlike the temporary air pollution emergencies caused by temperature inversions common in other countries, pollution diseases do not go away after a while. The victims of Minamata disease and their families could not be completely ignored, especially after the second outbreak confirmed the national scope of the problem."[159]

The air pollution causing asthma in Yokkaichi was generated in a vertically integrated industrial park, called a kominat, located on a highly visible site. Climatic conditions ensured that the heavily populated island on the coast would bear the brunt of the effects of air pollution from the factories. The water-carried Minamata and Itai-itai

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[159]Reed, "Environmental Pollution," p. 14.

diseases also produced clearly identifiable victims. Other groups arose claiming to be victims of pollution diseases.

> Victims' groups claimed damages, but broader groups also developed pressing for preventive policies. These groups, called "citizens' movements" by the Japanese, opposed development policies and began to exert a positive influence on local government policy making and local elections.[160]

The explicit criticism of national policy by Governor Minobe and other local governments caused the LDP to fear electoral losses. The number of pollution incidents also increased drastically in 1970. There was an increase in the number of local complaints filed, cases submitted for mediation, cases related to pollution in the courts, and pollution protests.[161] Many observers, both inside and outside the LDP, began to predict electoral disaster. "Opposition parties began to win mayoral and gubernatorial seats. The LDP simply could not afford to let the opposition monopolize such a popular and populistic issue."[162]

The pollution issue assumed crisis proportions for the LDP. The national government convened an extraordinary session of the Diet in order to pass additional legislation to enact measures to prevent pollution, as well as grant relief to its victims. The session became known as the Pollution Diet of 1970. Fourteen pollution bills were passed in the special session of the Diet.

The original draft of the bill establishing the dispute-resolution system was amended by the opposition. The bill was allowed to be sponsored by the Socialists and, with its passage, became the first opposition bill

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[160] Ibid., pp. 16-17.

[161] McKean, "Pollution," p. 224.

[162] Reed, "Environmental Pollution, " p. 21.

promulgated into law in post-war Japan. The amended version of the law required that the prefectures create offices to handle pollution complaints in order to give local government additional authority and to make the system more accessible. The fact that the opposition sponsored this bill was a dramatic compromise by the LDP.

While the Pollution Diet was an example of periphery demands reaching the national level, it merely allowed the local-central government controversy to be resolved by national action. It gave the prefectural governors wider powers against pollution, however, they remain dependent on the central government for the budgetary resources needed to exercise that authority.[163]

Contrary to some authors' opinions, this thesis does not propose that the pollution crisis revolutionized the democratic process in Japan, or that domestic and international issues will now be decided in local government assemblies, or that the American-envisioned reforms of the Occupation have, at last, brought federalism to Japan. The fourteen anti-pollution laws to the Pollution Diet were essential to placate the periphery. All preventive measures were effectively removed from the laws. The bill providing jail terms and fines for polluters was applied "to a very narrow range of industrial pollution and wasn't used until 1974."[164]

The important aspects of the anti-pollution movements in Japan are that territorial subunits have realized a degree of legitimatization of local autonomy and voter awareness has become issue-oriented. Under

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[163]Enloc, Politics of Pollution, p. 248.

[164]McKean, "Pollution," p. 228.

the ordinances of the prefectural bylaws, the polluting industries were taken to court. Between 1971 and 1973 four major court decisions resulted in substantial financial penalties against industrial polluters, and substantiated prefectural authority. In the two cases we have discussed, the Mitsui and Chisso companies, both were found guilty. In June 1971, the victims of "Itai-itai" disease in Toyama Prefecture became the first victorious pollution litigants. When Mitsui appealed the case to the Supreme Court, the victims more than doubled their demands for restitution, and in August 1972 they were awarded 100 percent of their increased claims. The court ruling against the Chisso company resulted in $3.6 million paid to 138 individuals.[165]

The courts, in their landmark decisions, caused business and the central government to respect local government authority. The courts have not changed their attitude or role since World War II by the prosecution of polluters. The courts maintain their custom of allowing the Diet to interpret the meanings of the new Constitution. When the Pollution Diet identified specific areas where local governments could initiate regulations beyond the central government restrictions, the courts accepted it as part of the definition of the phrase "local autonomy" contained in Article 92.

It is interesting to point out that in 1970 the phrase, "in harmony with economic development," was deleted from the preamble of the Basic Pollution Control Law and "it became heresy to suggest in public that the goal of reducing pollution should be tempered with economic

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[165]Ibid., p. 232.

considerations. This symbolic commitment was maintained throughout the oil crisis (of 1973-74)."[166] The court rulings have held local government environmental bylaws to be primordial to central government legislation, thus the legality of prefectural ordinances was the first institutional guarantee of local autonomy in post-war Japan.

The 1970 Pollution Diet disposed of the controversy over local control by delegating greater powers to the local governments. The Water Pollution Law of 1971 explicitly permitted prefectures to create standards stricter than those of the central government and gave prefectural governors the power to suspend operations of an offending enterprise for up to one year. The revised Basic Law in 1971 also permitted local governments to enact their own ordinances to meet local needs.[167] "In 1971 and again in 1974 strict antipollution programs which served as models for the rest of the country were enforced (in Tokyo by Governor Minobe). The antipollution campaigns resulted in more frequent glimpses of Mount Fuji, previously obscured by smoke."[168]

It is interesting to note that the development of the central Environment Agency has not met with as much success as the prefectures in the public administration of anti-pollution measures. The Japanese administration is characterized by vertical fragmentation with each ministry guarding its own jurisdictions, exercising a virtual veto over proposals impinging upon its prerogatives, and solely supervising its

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[166] Reed, "Environmental Pollution," pp. 10-11.

[167] McKean, "Pollution," p. 229.

[168] Marie France Rouze, "Tokyo to Elect New Governor," Korean Herald (April 8, 1979), p. 11.

own functions in the local areas. Agencies tied to the Prime Minister's Office, such as the Environment Agency (EA), are staffed by personnel from several ministries and tend to become the battleground for jurisdictional disputes rather than independent agencies capable of coordination. The EA itself has not always had dynamic leadership and has never been a truly effective force in the Japanese government. "Yet, Japanese environmental policies have been implemented with sufficient, often impressive levels of coordination. Coordination is achieved not by the central government or any central agency, but by prefectural and municipal governments."[169]

The focal point of coordination proficiency is governmental structure. The local governments have directly elected chief executives on the presidential model while the Prime Minister is indirectly elected by the Diet on the parliamentary model. Governors and mayors have greater powers with respect to personnel and organization in their own office and their personnel systems cover the entire local system, rather than just one ministry like the Prime Minister's Office. Today, many reorganizations have been effected and most prefectures have a department with the word "environment" in its title which provides an overall framework for policy making and follow through on all the separate steps needed for implementation of programs.

An idea of the coordination by prefectural administration on environmental policies can be drawn from a survey done on the current state of the prefectures and the perceptions of the governors conducted

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[169]Reed, "Environmental Pollution," p. 19. The whole issue of coordination of governmental policies is a theme which runs throughout Reed's paper.

from May 1 to September 30, 1979. The rate of return of the questionnaires was an overwhelming 36 of the 47 governors--virtually 75 percent.[170] When asked to rank the order of action they would take if a major industry was causing excessive pollution in their prefecture the number one response was to order the polluter to correct the situation immediately or face fines and closing (See Table 3). This is a fairly militant attitude for an office that was intended by the central government to be the doormat of bureaucratic administration.

TABLE 3

QUESTION: PLEASE RATE THE FOLLOWING STEPS IN THE ORDER YOU WOULD TAKE THEM IF A MAJOR INDUSTRY IN YOUR PREFECTURE WAS CAUSING EXCESSIVE POLLUTION:

	Rating					
Category	1	2	3	4	Total*	Rank
Publicly criticize company	4	10	10		66	3
Consult company privately	12	4	9		78	2
Wait for citizen complaints		1	10	8	31	4
Order situation corrected	22	9	1		117	1

Source: Author's Governors Survey.

*Total based on rating scale of 1=4, 2=3, 3=2, and 4=1.

The rigid enforcement of anti-pollution measures has been a major trait of the prefectures in the Seventies. This has been due, in large

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[170] I undertook this survey by correspondence to find out about the behavior and attitudes of the governors themselves. The questionnaire was composed with closed responses, but over half the governors returned personal responses. The most beneficial letter came from Taku Yamamoto, Secretary of the Governor of Kochi Prefecture. It was he who directed my attention and research to the Tokyo Governors' Association which was most helpful in uncovering primary resources. I must acknowledge Isamu Adachi, Chief of Foreign Affairs at the Governors' Association, for his time, effort and quality assistance. There is still the possibility that the remaining eleven governors may respond to the questionnaire thanks to Mr. Isamu's prompting, but they had not been received by publication deadline.

measure, to the prefectural perception as to the gravity of the pollution problem, especially when paralleled to the national picture. Steven Reed looked at the overall environmental picture presented in Table 4 and concluded that "Japan has the worst pollution problem in the world."[171] The prefectural view validates that of the national as over 70 percent of the governors claimed that the issue of pollution control is very important in their prefecture.[172]

The adaptational process of behavioral attitudes has influenced the functions and attitudes of the governors. It has been based on their practical experience. In the survey of the governors, only 36 percent considered the central government to be the best governmental level for effectively controlling pollution in their prefecture.[173] Prefectural and municipal governments coordinate environmental policy making better than the national government, and this has been attributed,

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[171] Reed, "Environmental Pollution," p. 13.

[172] The frequency of response in the Governors Survey to the question, "In your prefecture, how important is the issue of pollution control?" was as follows:

	Absolute Frequency	Relative Frequency (PCT)
A great deal	26	72.2
Some	10	27.8
None/No Opinion	0	0
Total	36	100.0

[173] The frequency of response in the Governors Survey to the question, "In your opinion, is the central government the best level for effectively controlling pollution in your prefecture?" was as follows:

	Absolute Frequency	Relative Frequency (PCT)
Yes	14	36.1
No	20	52.8
No Opinion	2	11.1
Total	36	100.0

in large measure to its structure. "With executive support, which was generally forthcoming in the 1970s, environmental agencies on the local levels have been able to raise the environmental consciousness of other agencies and effect a great deal of coordination."[174]

TABLE 4

SELECTED ECONOMIC INDICATORS PER KM^2 OF INHABITABLE AREA

	GNP	Industrial Output	Energy Consumption	Number of Automobiles
Japan	6.05	2.04	4.12	331
U.S.A.	0.32	0.09	0.36	27
U.K.	1.04	0.26	1.00	80
France	0.87	0.25	0.47	47
Italy	0.81	0.24	0.66	74
Sweden	1.67	0.44	1.09	69
Netherlands	3.10	0.83	2.38	146

Source: O.E.C.D., Environmental Policies in Japan (1977), p. 10.

Notes: GNP and industrial output are in millions of U.S. dollars for 1975 and 1974 respectively. Energy consumption is in thousands of TOE for 1974. Number of automobiles is also for 1974.

The adaptation of the elected governor to survive in his changing environment was effected by the economic pushes of the central government. The formative years of Japanese industrialization after World War II called for close ties between the prefectures and the central government, and was reflected in the high number of former national administrators and LD party candidates elected to governorships in the Fifties and Sixties. As the Japanese economy prospered, the center's pressure to appoint the governors abated. The Seventies, however, found the masses desiring anti-pollution measures to check the random advance of

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[174]Reed, "Environmental Pollution," p. 19.

of commercial modernization. The prefectures found a new breed of candidates emerging, shunning party identification and special interest ties, as Japan's economy moved into post-industrialism.[175]

Japanese electoral patterns were altered remarkably in the Seventies as local government increased its authority and legitimatized its autonomy. Candidates for governor with connections to the national bureaucracy and political influentials, such significant gubernatorial campaign assets in the industrial period, started to be replaced by scholars and younger local administrators with little or no partisan background. In the 1971 local elections, following the Pollution Diet of 1970, there were 22 party endorsed gubernatorial candidates. Four years later the number of party-endorsed candidates had fallen to only 10 (1975). Of the 17 prefectural governors elected in 1975, five were university professors, six were local administrators, and only four were former higher civil servants at the national level.[176]

By means of careful analysis and calculations, although remarkably one-sided in perspective, Taketsugu Tsurutani showed that in 1976 approximately 40 percent of the Japanese population was governed by a new breed of local chief executive. The new breed consists of academicians and

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[175]For background on the post-industrial aspects of Japan, see Joji Watanuki, "Japanese Politics in Flux," in James W. Morley, ed., Prologue to the Future: The United States and Japan in the Post-Industrial Age (Lexington, Mass.: D.C. Heath and Co., 1974); Nobotaka Ike, Japan: The New Superstate (San Francisco: W.H. Freeman and Co., 1974); and Taketsugu Tsurutani, "Japan as a Postindustrial Society," in Leon N. Lindberg, ed., Politics and the Future of Industrial Society (New York: David McKay Co., Inc., 1976).

[176]For the development of voting trends, electoral perceptions and gubernatorial profiles, see Taketsugu Tsurutani, Political Change in Japan: Response to Postindustrial Challenge (New York: David McKay Co., Inc., 1977), pp. 223-244. Hereafter cited Tsurutani, Political Change.

younger local administrators who are free from the political baggage of the conventional parameters which concerned local officials in the Fifties and Sixties.

In 1967, Minobe Ryokichi, an economics professor and popular television commentator, was a Socialist Party (JSP) member elected governor of Tokyo with the support of the Communist Party (JCP). He was re-elected in 1971 and 1975 as a progressive candidate who shunned party labels and rigorously defended the environment, local autonomy, and the Constitution against the centralism of the national government. He is representative of Tsurutani's new breed of local chief executive: an academician, running without party label on anti-pollution platforms, and winning the governorship.

The nationwide socialist catastrophe in the 1969 elections greatly lowered the Leftist vote and representation in Tokyo-to. In 1971, however, Governor Minobe overwhelmingly won re-election against a hand-picked former police superintendent, running on the LDP ticket. Governor Minobe was aided by his strong record of upholding the Constitution, his measures against pollution, and his strengthening of local authority.

As Japan has become increasingly post-industrial, the growth of local authority has called more attention to local elections because of the new breed of local chief executive. He has been supported by citizen associations of the periphery with more sophisticated demands on local politicians for better living conditions than ever before. In the local elections of the 1970s, for example, the number of voters casting their ballot on the basis of such traditional electoral referents as a candidate's party, political connections, and the like, decreased significantly. Conversely, those casting their ballot on the basis of their personal

assessments of a candidate's policy commitment and instrumental qualifications rose (double in 1971 over 1967, and a nearly 70 percent rise in 1975 over 1971).

The anti-pollution movements aided by the corruption and influence-buying which rocked all levels of Japanese government, particularly the LDP office holders, contributed to the rise of the new local politician. "The 1975 gubernatorial elections showed that, where the LDP managed to retain the governor's mansion, it was largely owing to its determined effort to provide fresh candidates and/or more authentically citizen-oriented, problem-oriented platforms."[177] It also accentuated the continuing increase in interest in Japanese gubernatorial electoral process.

The current state of gubernatorial political party affiliation is reflected in Table 5. Only eleven governors, 23.4 percent, were elected under their party's banner,all Liberal Democrats. Assessing the qualifications they felt most significantly contributed to the election, the governors overwhelmingly indicated personal and family backgrounds. Party affiliation was rated as least important as a factor (See Table 6). Table 6 shows the second most significant factor for gubernatorial election is his position on the issues. When asked to rank the issues most important in his campaign, by far the greatest factor was the candidate's overall qualifications, such as background, administrative record, and corruption-free image over the issues of pollution or inflation. (Table 7) Approximately 20 percent of the

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[177]Tsurutani, Political Change, p. 230.

TABLE 5

THE GOVERNORS
(As of August 9, 1979)

Prefecture	Governor	Born	Political Party	No. of Terms	Present Term Began	Term Expires
Hokkaido	Naohiro DOGAKINAI	6/ 2/14	Ind.	3	Apr '79	Apr '83
Aomori	Masaya KITAMURA	5/ 3/16	LDP	1	Feb '79	Feb '83
Akita	Kikuji SASAKI	11/25/21	Ind.	1	Apr '79	Apr '83
Iwate	Tadashi NAKAMURA	11/27/12	LDP	1	Apr '79	Apr '83
Yamagata	Seiichiro ITAGAKI	9/ 7/15	Ind.	2	Oct '77	Oct '81
Miyagi	Soichiro YAMAMOTO	6/15/19	Ind.	3	Mar '77	Mar '81
Fukushima	Isao MATSUDAIRA	6/14/07	Ind.	1	Sep '76	Sep '80
Niigata	Takeo KIMI	12/22/11	LDP	2	May '78	Apr '82
Tokyo	Shunichi SUZUKI	12/ 6/10	Ind.	1	Apr '79	Apr '83
Ibaraki	Fujio TAKEUCHI	11/30/17	Ind.	2	Apr '79	Apr '83
Tochigi	Yuzuru FUNADA	6/13/23	Ind.	2	Dec '78	Dec '82
Gumma	Ichiro SHIMIZU	9/ 4/18	LDP	1	Aug '76	Aug '80
Saitama	Yawara HATA	9/29/10	Ind.	2	Jul '76	Jul '80
Chiba	Kiichi KAWAKAMI	10/30/19	Ind.	2	Apr '79	Apr '83
Kanagawa	Kazuji NAGASU	7/28/19	Ind.	2	Apr '79	Apr '83
Yamanashi	Yukiaki MOCHIZUKI	5/25/24	Ind.	1	Feb '79	Feb '83
Shizuoka	Keizaburo YAMAMOTO	8/17/13	Ind.	2	Jul '78	Jul '82
Nagano	Gonichiro NISHIZAWA	12/ 5/06	Ind.	6	Apr '79	Apr '83
Toyama	Kokichi NAKADA	12/ 7/15	LDP	3	Dec '77	Dec '81
Ishikawa	Yoichi NAKANISHI	9/23/17	LDP	5	Feb '79	Feb '83
Gifu	Yosuke UEMATSU	7/ 2/14	Ind.	1	Feb '77	Feb '81
Aichi	Yoshiaki NAKAYA	10/27/25	Ind.	2	Feb '79	Feb '83
Mie	Ryozo TAGAWA	3/ 8/19	Ind.	2	Dec '76	Dec '80
Fukui	Heidayu NAKAGAWA	3/18/15	Ind.	4	Apr '79	Apr '83
Shiga	Masayoshi TAKEMURA	8/26/34	Ind.	2	Dec '78	Dec '82
Kyoto	Yukio HAYASHIDA	11/26/15	Ind.	1	Apr '78	Apr '82

TABLE 5 (ctd)

Prefecture	Governor	Born	Political Party	No. of Terms	Present Term Began	Term Expires
Osaka	Sakae KISHI	1/22/22	Ind.	1	Apr '79	Apr '83
Nara	Ryozo OKUDA	5/15/03	Ind.	8	Jan '79	Jan '83
Wakayama	Shiro KARIYA	3/13/22	Ind.	1	Nov '75	Nov '79
Hyogo	Tokitada SAKAI	9/18/11	Ind.	3	Nov '78	Nov '82
Tottori	Kozo HIRABAYASHI	11/21/30	Ind.	2	Mar '78	Mar '82
Okayama	Shiro NAGANO	10/ 2/17	Ind.	2	Nov '76	Nov '80
Shimane	Seiji TSUNEMATSU	1/21/23	Ind.	2	Apr '79	Apr '83
Hiroshima	Hiroshi MIYAZAWA	9/22/21	Ind.	2	Dec '77	Dec '81
Yamaguchi	Toru HIRAI	1/ 3/26	Ind.	1	Aug '76	Aug '80
Kagawa	Tadao MAEKAWA	2/ 1/09	Ind.	2	Sep '78	Sep '82
Tokushima	Yasunobu TAKEICHI	1/17/17	LDP	4	Oct '77	Oct '81
Ehime	Haruki SHIRAISHI	1/ 2/12	LDP	3	Jan '79	Jan '83
Kochi	Tsutomu NAKAUCHI	6/15/19	LDP	1	Dec '75	Dec '79
Fukuoka	Hikaru KAMEI	1/ 1/09	Ind.	4	Apr '79	Apr '83
Saga	Kumao KATSUKI	1/25/16	Ind.	1	Apr '79	Apr '83
Nagasaki	Kanichi KUBO	9/25/10	Ind.	3	Mar '78	Mar '82
Oita	Morihiko HIRAMATSU	3/12/24	Ind.	1	Apr '79	Apr '83
Kumamoto	Issei SAWADA	10/ 6/21	LDP	3	Feb '79	Feb '83
Miyazaki	Suketaka MATSUKATA	2/26/18	Ind.	1	Aug '79	Aug '83
Kagoshima	Kaname KAMADA	10/ 2/21	LDP	1	Mar '77	Mar '81
Okinawa	Junji NISHIME	11/ 5/21	Ind.	1	Dec '78	Dec '82

Source: Author's Governors Survey.

Note: Ind. stands for Independent and LDP stands for the Liberal Democratic Party.

TABLE 6

QUESTION: PLEASE RATE THE QUALIFICATIONS THAT WERE MOST IMPORTANT FOR YOUR ELECTORAL SUCCESS:

Category	Rating					
	1	2	3	4	Total*	Rank
Personality and Family	27	6	1	1	129	1
Party Affiliation	3	16	14	1	89	4
Position on the Issues	17	11	4		109	2
Professional Background	4	19	9	3	90	3

Source: Author's Governors Survey.

*Total frequencies based on rating scale of 1=4, 2=3, 3=2, and 4=1.

TABLE 7

QUESTION: PLEASE RATE THE ISSUES MOST IMPORTANT IN YOUR CAMPAIGN

Category	Rating				
	1	2	3	Total*	Rank
Inflation	5	13	22	81	3
Pollution Control	5	19	6	89	2
Overall Background	30	4	1	134	1

Source: Author's Governors Survey.

*Total frequencies based on rating scale of 1=3, 2=2, and 1=1.

governors identify themselves as progressives, with 44 percent moderate and 36 percent conservative.[178]

The 1979 prefectural elections, however, marked another variation of the adaptation of the elected governor. The conservatives led by the LDP and their centralist allies, the Komeito and Socialist Democratic (SDP) parties, swept to victory in 14 of 15 gubernatorial elections. The left lost the governorship of Tokyo, held for 12 years by the retiring Minobe, to the conservative-backed Shunichi Suzuki (68 years old). Osaka, the second largest prefecture, had been administered by Communist-backed Ryoichi Kuroda since 1971. But Kuroda lost his bid for a third term to Sakae Kishi (57), a conservative candidate. In the 15th case, progressive Governor Kazuji Nagasu was supported for re-election by all the parties of both the right and left.

The most significant aspect of the April 1979 prefectural elections was the coalition politics played by the LDP at the local government level. Until two years ago, the situation had been unambiguous: on one side stood the government and the ruling LDP, on the other the opposition which ranged from the Communists to the neo-Buddhist Komeito--and compromises were inconceivable to all. The successes of the local leftist candidates had previously resembled very closely the pattern experienced in many French and Italian municipalities recently. After the 1976

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[178]The frequency of response in the Governors Survey to the question, "Would you consider your political ideology closest to:" was as follows:

	Absolute Frequency	Relative Frequency (PCT)
Progressive	7	19.4
Moderate	16	44.4
Conservative	13	36.1
Total	36	100.0

general elections, however, the LDP had its majority in the national legislature cut down to a few seats and the governing party became more active and flexible in local political arenas.

The unyielding Communist Party (JCP) stances, meanwhile, and the slide further to the left by the Socialist Party under the influence of the extreme Marxists caused the Komeito and SDP not to take part in local alliances involving the JCP. The conservative success was only possible thanks to the local alliances between the LDP and the centrist parties, whose support proved decisive. "The fact that the alliances were possible at all shows the profound changes which have affected the Japanese political structure over the last few years."[179] Still, in the case of Tokyo, this must be tempered by the fact that Governor Suzuki, veteran administrator and one-time vice-governor garnered 1.9 million votes to beat progressive union leader Kaoru Ohta (1.5 million) and independent progressive candidate Yoshikata Aso-O (0.9 million). The combined votes for Ohta and Aso-O could easily have defeated Governor Suzuki.

One of the factors involved in the conservative surge may have been the defusing of the pollution crisis: "the level of public concern with the environment has dropped considerably since the early 1970s."[180] This may have been due, ironically, to the success with which governors handled anti-pollution measures, thus proving the feasibility and appropriateness of the local self-government reforms after World War II.

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[179] Korean Herald, April 11, 1979, p. 10.

[180] Reed, "Environmental Pollution," p. 18.

Commentators on the scene in Japan, however, had the following reasons for the conservative sweep: "the lack of debatable issues, a shift in voters' interests from ideological theory to pragmatic performance, /and/ outright disappointment with progressive politics." Only the first item would seem to explain the fact that the 1979 elections marked the lowest voter turnout ever for gubernatorial elections--an average of 64 percent, with only 55 percent turning out in the rain in Tokyo. The truth of the progressives' failures probably lies close to Ohta's analysis of his defeat in Tokyo: "We have failed to inspire voters with issues."[181]

The 1979 gubernatorial elections may refute the theory of a new breed of governor, but they also signify the new political emphasis placed on the intergovernmental process in Japan. "Since the prefectures were under the control of the central government in pre-war days, it was not necessary to take their opinions into account. But after the war, the prefectures began making their own proposals."[182] The day-to-day pollution and disruption of the environment by rapid industrialization created an issue that cut across traditional lines of cleavage. The desire to protect one's own health, community, and livelihood was the driving force behind people banding together in grass-roots movements in various Japanese localities.

> In other words, it will not be too much of an exaggeration to say these phenomena represent natural courses of action taken by the people to prevent their communities from having unfavourable effects imposed from the government's overheated economic policy or from the policy taken by hard-lined local public organs that somewhat align with the Establishment.[183]

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[181] Asiaweek, April 20, 1979, p. 10.

[182] Local Reform, p. 21.

[183] Kiyoaki Tsuji, "Local Autonomy in Japan," Local Government Reviews No. 1 (1973), p. 14.

In the highly tense and dynamic Japanese society there has always been a political struggle for position and policy behind its formal conformity. The informal groups and associational organizations of the periphery have emerged as practitioners of political competition to ensure better living conditions in post-industrial Japan. "In Japanese politics, notions about the general welfare are more clearly developed in terms of the local community than at the national level."[184]

The evolution of citizen movements in many localities was seen as "a symptom of dissatisfaction against the existing political system."[185] Local government adaptation and action come in direct response to citizen initiated movements at the prefectural level of territorial representation. "Note that the development of citizens' movements was not a function of Japanese culture or social structure. Citizens' movements are a new form of political organization in Japan /and/ . . . . The form and development of the pollution issue itself produced citizen's movements."[186]

As the representation of the periphery has become stagnated in the Diet, citizens movements on environmental issues have broadened the scope of participation by local political leaders, constrained the freedom of action of the bureaucrats in central government ministries and, adapted the governmental structure to respond to the demands of masses in the periphery.[187]

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[184]Ike, Japanese Politics, p. 121.

[185]Local Reform, p. 25.

[186]Reed, "Environmental Pollution," p. 18.

[187]In the author's Governors Survey, not one of the governors disagreed with the statement: "The governor is more responsive to local demands than the Diet representatives." The frequencies were as follows:

"Citizen's movements started to take shape as discontent over ineffectiveness of representative democracy grew."[188] The masses have come to realize, and utilize, the structural leverage that the elected governor allows. "Firstly, in the course of movements, the residents recognized on the one hand, the effectiveness of negotiating with the Governor directly, to push for their demands ... Secondly, through the contact between the Governor and the residents, the residents are inevitably made aware of the aspects of the Governor as an elected political figure, rather than an administrator."[189]

Even though the voter turnout for the 1979 gubernatorial election was low, the change in prefectural politics marked by the intensity of the citizen involvement was still very strong. Surveyed after the election, over 94 percent of the governors felt Japanese voters are becoming more involved in the governor's selection process.[190] Citizens movements are becoming aware of the complexity of problems facing the

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	Absolute Frequency	Relative Frequency (PCT)
Agree	34	94.4
Disagree	0	0.0
No Opinion	2	5.6
Total	36	100.0

[188]Tokio Sakata, "Citizen's Movements and the Role of Local Assemblies," Local Government Review No. 6 (1978), p. 49.

[189]Haruo Matsubara, "The Local Government and Citizen Movement," Local Government Review No. 5 (1977), p. 67.

[190]The frequence of response in the Governors Survey to the statement, "Japanese voters are becoming more involved in the gubernatorial selection process," was as follows:

	Absolute Frequency	Relative Frequency (PCT)
Agree	34	94.4
Disagree	1	2.8
No Opinion	1	2.8
Total	36	100.0

Japanese public administration and they are trying to influence decision making to reflect their needs in the periphery.

> The solution and coordination of various conflicts in the modern society where varied interests, objectives and values coexist is a great issue in modern politics. This is at the same time a major role of the local assembly. But this function has been almost lost and is being taken care of by the chief executive.[191]

Some every prefecture has added, or is in the process of adding, a department to handle the issues raised by citizen movements--called the Citizen Office. This has placed more responsibility on the governors to represent the demands of the masses.

> So they naturally expect that the Governor utilizes the communication channel of the Citizen Office directly to the implementation bureaus and exercises his power as the chief of administration in instructing these bureaus to respons (to) the residents' demand. The residents expect that the Governor takes strong administrative leadership to fulfill his role as an elected representative.[192]

To accomplish much of the work demanded by citizens movements, the governor must go to the central government. Most importantly of all, the governor views his role as intermediary between the central and local governments to be to that of a representative of peripheral needs to the state (See Table 8). Today, all governors believe they influence the passage of national statute, with over 33 percent considering themselves to have a great deal of influence.[193]

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[191]Tokio Sakata, "Citizen's Movements and the Role of Local Assemblies," Local Government Review No. 6 (1978), p. 53.

[192]Haruo Matsubara, "The Local Government and Citizen Movement," Local Government Review No. 5 (1977), p. 68.

[193]The frequency of response in the Governors Survey was as follows to the question, "How much influence do you as governor have on the national government: for example, in passing national bills for pollution control?"

TABLE 8

QUESTION: PLEASE RATE THE ROLES OF THE GOVERNOR THAT ARE MOST IMPORTANT TO THEIR INTERMEDIARY POSITION BETWEEN THE CENTRAL AND LOCAL GOVERNMENTS:

Categories	Rating					
	1	2	3	4	Total*	Rank
Political administrator of state programs	0	8	16	2	68	4
Representative of local needs to the state	27	5	1	0	125	1
Administrator adapting state projects to locality	11	17	3	1	102	2
Agent seeking national funds for constituents	10	16	2	0	94	3

Source: Author's Governors Survey.

*Total frequencies based on rating scale of 1=4, 2=3, 3=2, and 4=1.

To find out what kinds of policies the governors are representing to the central government for the periphery, it is interesting to look at a survey conducted by the Regional Development Secretariat of the Minister of Home Affairs. A summary of the survey's findings includes the following trends among basic prefectural policies:

> 1. The ultimate objective of prefectural government is to enhance the welfare of the residents and, thus, the basic aim of public administration by the chief executive is considered to be the establishment of a society to meet that objective.
> 2. An emphasis has been placed on the importance of warm-heartedness in the pursuit of a public administration to build a society worth living in.
> 3. The basic attitude of the governor is to respect humanity and give priority to everyday life. This reflects the economic trend that as the rate of economic growth stabilized, there was a major change in the interest and consciousness of the residents

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	Absolute Frequency	Relative Frequency (PCT)
A great deal	12	33.3
Some	24	66.7
None	0	0
Total	36	100.0

from search for material wealth to search for mental satisfaction.

4. The necessity of citizen participation and people-oriented administration is recognized by the governors to protect health and livelihoods.

5. The basic policies of the governor expresses the principles and the objectives in the administration of prefectural government, thus they remain constant year after year. New measures to combat recession, restore economic vigor, and handle tight local government finances are becoming increasingly important.[194]

The hard-fought-for fruits of local autonomy are only the beginning of the movement toward the realization of self-government for the subunits of administration in Japan. Far and away the most crucial issue facing the prefectures today is increased local autonomy (See Table 9). Local autonomy, in this sense, means more authority for the local governments to make their own decisions on the way to administer their prefectural affairs. One of the methods being tried today to aid in this process is the further modernization of the prefectural organization. "Recently local governments in Japan are striving more and more to streamline their administration within the present institutional arrangements by utilizing techniques of modern scientific management."[195] One of the main techniques for a more reasonable division of functions among the three levels of government the governors would like to utilize is the transfer of the supervision of some national administrative duties directly to the municipalities.[196]

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[194]Regional Development Division, Secretariat of the Minister of Home Affairs, "Trends in Regional Policies of Prefectures and Designated Cities in 1978," Local Government Review No. 6 (1978), pp. 93-94.

[195]LGJ, p. 2.

[196]The frequency of response in the Governors Survey to the question, "Would you favor transferring some of your national administrative duties to the municipalities?" was as follows:

TABLE 9

QUESTION: AS GOVERNOR, PLEASE RATE THE ISSUES THAT ARE MOST CRUCIAL TO YOUR PREFECTURE:

Categories	Rating						
	1	2	3	4	5	Total*	Rank
Increased Industrialization	9	10	7	1	1	109	3
Increased Governmental Funding	13	12	2	2	0	123	2
Increased Pollution Protection	3	18	6	1	0	107	4
Increased Local Autonomy	26	6	2	0	0	160	1
Decreased Administration of State Programs	2	8	12		3	81	5

Source: Author's Governors Survey.

*Total frequencies based on rating scale of 1=5, 2=4, 3=3, 4=2, and 5=1.

The greatest problem facing modern prefectural public administration for the Eighties, however, is local finance. The circle is being completed, and the problem of local finance discussed throughout the last thirty years is bound to re-establish itself as the number one factor affecting local autonomy--just as it was in the 1950s. For example, most of the governors surveyed feel that the governor should have more control over the collection and distribution of local tax affairs.[197]

	Absolute Frequency	Relative Frequency (PCT)
Yes	32	88.9
No	1	2.8
No Opinion	3	8.3
Total	36	100.0

[197]The frequency of response in the Governors Survey to the statement, "The governor should have more control over the collection and distribution of local tax revenues.

	Absolute Frequency	Relative Frequency (PCT)
Agree	31	86.1
Disagree	4	11.1
No Opinion	1	2.8
Total	36	100.0

This parallels the view of the governors that there should be more local autonomy at the prefectural level.[198]

Retired Governor Minobe of Tokyo had won local autonomy from the central government, pushed forward bold anti-pollution programs, and sought to improve the living conditions of Tokyo residents. At the end of his tenure, however, he left his governorship with a staggering financial deficit, surpassing 270,000 million yen in 1978 ($1,300 million at the 1978 rate of exchange). The principal reason for the deficit was the economic recession which hit small businesses in the past decade, especially after the rise in oil prices. About 60 percent of Tokyo's revenues come from taxes, a far greater share than the other prefectures, and half of that is paid by businesses which are susceptible to economic fluctuations. But part of the blame also falls on Minobe who himself admitted that "due to a total lack of experience, I was a poor administrator."[199]

The central government has tried to delegate some additional functions to the largest municipalities, called the designated city system. The nine largest cities--Osaka, Kyoto, Nagoya, Yokohama, Kobe (in 1956), Kitakyushu (in 1963), Sapporo, Kawasaki, and Fukuoka (in

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[198]The frequency of response in the Governors Survey to the statement, "There should be more local autonomy at the prefectural level" was as follows:

	Absolute Frequency	Relative Frequency (PCT)
Agree	32	88.8
Disagree	2	5.6
No Opinion	2	5.6
Total	36	100.0

[199]Marie France Rouze, "Tokyo to Elect New Governor," Korean Herald (April 8, 1979), p. 11.

1972)--are still under the control of the prefectures, but such functions as social welfare, public health and city planning were placed under the jurisdiction of the designated cities. "But with the rapid expansion of the Japanese economy in recent years, the socio-economic areas of these designated cities have been extended beyond the city boundaries, and the financial needs for urban renewal, highway construction and environmental pollution control have increased."[200] Consequently the prefectures have had to assume a major role in the coordination of the municipalities' functions at great financial cost to themselves and this points to another area of local public administration needing reform in Japan.

One must put some qualitative restrictions on the periphery's impact on national decision making. The pollution issues gained force because they arose at a time other national issues, such as inflation, inadequate social services, overseas trade vulnerability, and international environmental concerns were prompting a fundamental reassessment of national goals. The Pollution Diet and the court rulings did not defuse the environmental issue or guarantee the safety of Japan's environment, even though they did have an unsettling impact on industrial priorities, business investments patterns, and government policies. The financial dependence of prefectural government for the budgetary resources to enforce anti-pollution measures still involves the supervision of the central government.

This case study has indicated that the periphery can be effective in winning greater local autonomy through its demands for environmental

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[200] Local Reform, p. 16.

safeguards at the prefectural level. These electorally bolstered demands on the governor caused functional cleavages with national interests and resulted in devolution of authority to the territorial subunits.

> The so-called "progressive local government" movement which developed during a period from the 1960s to the first half of the 1970s has played a role in making a new epoch in the development of democracy in Japan by giving a finishing touch to "self-government" introduced nominally into the system after World War II.[201]

The oil crisis of 1973-1974 did not slow down the tide of prefectural anti-pollution bylaws and after 1973 even big business went along with the flow. The momentum was maintained until 1976 or 1977, and the present situation is not one of retrenchment but only slower progress. The reasons for this have been that prefectural governments can coordinate policy making well (at times), and that business interests, still very influential in Japan, lose legislative battles. "When electoral concerns compete directly with business interests, electoral concerns will win out. Japan is an electoral democracy." "The environmental issue in Japan is an example of democracy working," but can this new influence of prefectural autonomy carry over into other areas of local public administration, and/or continue to influence the center?[202]

Decision making in Japan can be considered a more open process than just the cluster of power at the center among the LDP, the bureaucracy, and big business. Influence and policy initiatives can come from far beyond the center causing the need for accommodation by the central government with the demands of environmental activists and opposition parties.

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[201]Kimihiro Masamura, "For the Establishment of Decentralization and Self-Government: On the Proposal by 'Cripa,'" Local Government Review No. 3 (1975), p. 13.

[202]Reed, "Environmental Pollution," pp. 21-23.

Significant influence has been wielded on national policymaking by the local level. The long dormant Japanese institution of local government has shown by its actions against industrial pollution the influence prefectural governments can have while they lie "on the periphery of national policymaking."[203]

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[203]T. J. Pempel, Policy Making in Contemporary Japan (Ithaca, N.Y.: Cornell University Press, 1977), p. 309.

CHAPTER 5

CONCLUSION

By the refinement of Tarrow's center-periphery model in Chapter 1, the study of the Japanese prefectural system has pointed out that the demands of the periphery for better living conditions have reinforced the territorial dimension of its representation at the prefectural level. The governors have channeled peripheral demands to the center where they caused functional conflicts with the policies of the national government, the LDP and big business. They eventually affected national decision making, implementation of environmental legislation, and legitimatization of local autonomy. This thesis has traced the history of the prefectural system and its relationship to the central government, especially dealing with the impacts of the post-war reforms, industrialization, and environmental issues on local government autonomy. The major aspect of this study is that Japan remains a highly centralized, democratic nation which has recently experienced a devolution of authority to the prefectures in the spirit of the Occupation reforms.

The study of the Japanese prefectural system brings out an interesting theory raised by Fried:

> It is frequently asserted that stable democracy requires a considerable degree of decentralization of local self-government. It may be, however, that there are stable democracies that are highly centralized. If there <u>are</u> no stable democracies that are highly centralized, if all stable democracies are highly decentralized, then it will follow that those stable democracies with

> prefectural systems must all permit considerable local government power and autonomy. This has yet to be tested.[204]

Japan's unitary system still remains highly centralized. The fact that the Japanese national government has evolved into a stable democracy and has experienced devolution of power and autonomy to local government indicates that this theory may hold considerable validity.

It is hard to estimate the relative importance in the evolution of local government between the structure supplied by the new Constitution and the need for political adaptation to local environmental changes since World War II. Local government in Japan was given a meaningful structure to permit periphery input. At the local level, almost all the devices of popular political participation--of either American or British origin--can be found.[205]

The functions allowed local governments by the central government have been strictly monitored through the auditing of their finances, control of grants and loans to them, and by special legal powers. The recentralization of functions virtually returned the prefecture to its intermediary position between the central government and the localities. Ralph J. D. Braibanti provides a good summary of the scope of powers assigned to the prefectural chief executive:

> Most of these are derived from his elective office; some are delegated to him by the national government. Both types of power are now checked by even broader powers of the legislature, which can remove him from office, investigate the conduct of his administration, and bring suit against him in court. His power as an agent of the national government is subject to investigation by the prefectural legislature, and he is subject to investigation mandamus proceedings and removal by the national

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[204]Fried, Prefects, p. 313.

[205]Langdon, Politics in Japan, p. 185.

> government. He can be ousted from office by a legislative vote of nonconfidence; he is subject to direct recall by the electorate. His tenure is indeed precarious--a situation not at all resembling that prior to 1947. While the range of authority of the governor is broad, it is circumscribed by a series of ingenious devices incorporating features of British, American and Oriental political science.[206]

Structural-functional analysis provides the basis for the systematic study of the manner in which variations in the operations of the components of the political process relate to the type of political system in which they exist. The major variation of the Japanese structure is the elected governor. The adaptation of the masses in the periphery to focus their attention on the governor has effected the intergovernmental policy making of the political process. "Every political system formulates and enforces public policy in a manner that reflects its general culture as well as the institutional strength of the various politically oriented groups and individuals within the state."[207] The prefectural level has been chosen by Japanese grassroot movements to channel their demands to the national government. The Japanese have turned to their local territorial representation to link the center and periphery of the political system in the personage of the governor.

The consideration of local demands which have affected decision making at the national level,specifically the anti-pollution movements, have created the only viable instance of local autonomy affecting national policy in Japan. The demand for strict penalties against

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[206]Braibanti, "Executive Power," p. 244.

[207]Barbara N. McLennan, Comparative Political Systems: Political Processes in Developed and Developing States (North Scituate, Mass.: Duxbury Press, 1975).

industrial polluters and compensation for the injured has not been a national movement, but several localized ones which vary from prefecture to prefecture. These electorally bolstered demands on the governor were channeled to the national government where they became functional cleavages with national interest groups, as well as cleavages between the state and prefectural governments.

The significance of the anti-pollution issues for local government was that for the first time the prefectures promulgated bylaws which were not in agreement with the national government. These measures were viewed as extremely unfavorable by the central elites, however, they were not formally challenged because of their public support. When the courts upheld prefectural bylaws that were stiffer than those of the central government, it was the first example of the legitimatization of the authority of the local entities since the democratic reforms of the Constitution in 1947 had been enacted.

The new era in the Japanese political process has validated the principle of local autonomy and has defined it as those functions which the government allows the subsystem. Before the environmental crisis, that meant no autonomy at all. After the Pollution Diet of 1970, local autonomy has expanded its definition to mean the protection of the health and welfare of the periphery. This is reflected by the trends present in local government policy matters.

Gubernatorial activism has won constitutionally supported autonomy for the territorial subunits of the national government at the prefectural level of the local entities. The voters of Japan have shown their desire for the system of elected governors since the reforms of the Occupation and have turned to their governors to back their demands

for environmental controls. The system of elected governors has become very popular with the Japanese people, as well as with the governors themselves.

The central government's push for economy and efficiency and Japan's rapid industrial growth initiated many changes, such as urbanization, concentrated industrial development in limited geographical area, diminishing agricultural sector, and high levels of industrial pollution. The theory has been presented here that as a democratic nation succeeds in industrialization, as Japan has, elections at the intermediary level of the intergovernmental structure become affordable. As Japan became increasingly post-industrial, the bureaucratized central government became insensitive to the demands of the periphery for better living conditions, and anti-pollution citizen movements adapted their political conflict to their governor for effective representation. "To be meaningful, to be applauded, to be emulated, to be considered good, political effectiveness must be united with goals that maximize the potential for human development and happiness."[208]

In final analysis, the adaptation of the political process must consider the democratic implications of subsystem autonomy.[209] If there is more competition among political parties, interest groups, unions, citizens movements, and the press (both highly developed and independent of each other), then there is a high level of democratic autonomy in the

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[208]John F. Embree, The Japanese Nation (New York: Farrar and Rinehart, Inc., 1945), p. 45.

[209]Subsystem autonomy has been considered as the extent to which a nation provides a basis for political competition in Almond, Powell, and Bingham, Jr., Comparative Politics: A Developmental Approach (Boston: Little, Brown and Co., 1966), Chapter 1.

political system.[210] The 1979 gubernatorial elections indicate an unprecedented level of coalition politics, political maneuvering, and national interest in the subsystem electoral process. The masses are increasingly involved in the governors' selection process and the governors are experiencing a variety of demands from more and more interest groups, independent from each other, than ever before.

The striving for local self-government in Japan has followed, somewhat, the pattern of democratization described by Barrington Moore, Jr. For Moore, democratization involves a long, unending struggle to: check arbitrary rules, replace arbitrary rulers with just and rational ones, and obtain a share for the underlying population in the making of rules.[211] To check the lack of interest of the national government in legislating anti-pollution statutes, the periphery sought to use the electoral offices, especially that of the governor, to select new officials to handle their environmental problems. This affected the decision making process,not only at the prefectural,but at the national level as as well.

The decision making stage for adapting democratic rules and procedures to the political process is very important in Dankwart Rustow's model of the dynamic transition to democracy.[212] Rustow stresses the institutionalization of the decision to compromise. He posits that the motivation behind the adoption of democratic structures is not important.

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[210]Palmer and Thompson, Comparative Analysis, p. 28.

[211]Barrington Moore, Jr., Social Origins of Dictatorship and Democracy (Boston: Beacon Press, 1966), especially p. 414.

[212]Dankwart Rustow, "Transitions to Democracy: Toward a Dynamic Model," Comparative Politics 2 (April 1970), pp. 337-364.

What is important is that a conscious decision has been made to use democratic devices for expressing and resolving future conflict at all levels of the Japanese governmental structure. The last stage of Rustow's model is the habituation phase:

> If the new rules and structures are successful, initially begrudging or cautious acceptance on the part of politicians and citizens alike may give way gradually to enthusiastic appreciation. Even if the initial application of democratic procedures had been limited to certain issues, early success is likely to cause the new rules to be applied to other issues. This spillover effect institutes a competitive dynamic in which political parties learn to seek support from their constituency groups and, equally importantly, attempt to win against their opposition . . . . In this fashion, further advances in the extent of democratization are achieved.[213]

The fact that the LDP is now active in prefectural politics and is willing to compromise with other parties signifies the institutionalization of more democratic procedures and rules. The Rustow model predicts that this type of adaptation adumbrates the spillover effect of more local autonomy into other issues for the governors. The conclusion is that one can expect to see further advances in the democratization of local government in Japan as envisioned by the reforms of the Occupation. While this means more prefectural decision making based on local realities on specific issues it does not necessarily mean that there will also be an accompanying policy of decentralization of public administration--especially in matters of local finance.

A tangential observation is that Japanese politics are "reflective of a complex socioeconomic-political evolution, and, for this reason, are more comparable with the politics of Western Europe."[214] The historical

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[213]Palmer and Thompson, Comparative Analysis, p. 51.

[214]Robert A. Scalapino, The Japanese Communist Movement, 1920-1966 (Berkeley: University of California Press, 1967), pp. 346-347.

perspectives on socioeconomic processes and democracy consider the relationships between democracy, economic development, and the general social conditions of lower, middle, and upper income strata. In comparison with the attitudes of the French or Italians, not to mention the peoples of most of the rest of Asia and Africa, the Japanese citizen accepts the authority of his government much more easily.

In adapting to modern society, Japan has shown a ready ability, as noted earlier, to try new methods, mold them to suit her particular environment, and discard what she did not need. "Change and continuity have existed as complementary themes throughout Japan's political evolution."[215] Even with the greater use of the features of the political structure of liberal industrialized nations, "the operation of the Japanese government shows the strong continuity of Japanese culture."[216] It was imperative that the anti-pollution movements work within the political system to achieve results and this led to the utilization of the elected governor.

This study has indicated several areas where more research is needed. Other issues besides anti-pollution measures should be investigated to determine their effect on the increase, or decrease, of local autonomy in Japan. The Supreme Court's position of allowing the national legislature to interpret the Constitution on local autonomy and then adhering to its decision even over the central government's objections would make for intriguing comparative studies. Its style resembles closely that which was endorsed by United States President Thomas Jefferson.

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[215] McNelly, Politics, p. 1.

[216] Langdon, Politics in Japan, p. 189.

It would be interesting to contrast the governors' choice of their personal qualities as the main basis for their electoral victory to that of Americans. Seldom does one hear an American official claim electoral victory due to his personality. The most important facet of local government in need of additional study that this thesis has uncovered, however, is in the area of finance. The personal responses of the governors, as well as the information supplied by the Tokyo Governors' Association, clearly identifies local finance as the greatest obstacle to local autonomy and the most crucial topic of discussion in intergovernmental administration today.

To present an accurate perspective, a couple of Tarrow's statements must be criticized. Tarrow speculates: "Only in France and Japan has there been consistent recourse to high levels of categorical grants-in-aid and, in the latter case, at best, the goal has been less central control over local governmental activity than the center's macroeconomic aim of regulating the rate of the economy."[217] In light of this study on the Japanese prefectural system, finance has been the primary centralizing area of the national government. The central government of Japan simply has not wanted a great deal of local autonomy developed in Japan and, while it has not been able to afford the political costs to revert to the appointed governor system, it has used the power of the purse to make certain that most disagreements between the central and local entities are worked out within the national ministries.

Tarrow also states that in technocracies, of which Japan is one of the leaders, "the technical expertise to administer complex

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[217]Tarrow, Territorial Politics, p. 9.

national programs has been developed by the municipalities."[218] It has been pointed out that in Japan the need for quality prefectural personnel to handle complex national administrative programs necessitates that the prefecture must ask the national government to supply the trained workers that the national programs which they administer call for. The prefectures do not have the money or the facilities to train the specialized personnel required to perform national functions.

The remarkable thing about local government in Japan "is that prefectures have accomplished so much, rather than so little, under such handicaps."[219] "Despite the commonly held belief that local governments in Japan operate simply as the uninspired and obedient tools of the central administration, and are unable to do otherwise because of their financial dependence on the center," the central establishment only reluctantly took up the environmental problems after "being forced to do so by measures taken . . . at the local level."[220]

The role of the elected governor has been shown as similar to both the French and Italian Prefects according to Fried's model, although it varies enough to justify a new category of an integrated prefectural system that concentrates both on administering programs of,and presenting peripheral demands to, the central government. A pinpoint observation by Sidney Tarrow serves as a critical evaluation on the local autonomy in the Japanese prefectural system.

> What should be stressed here is that "local autonomy" cannot be measured as the simple residual of the administrative functions that are left over after the center takes its share, nor

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[218] Ibid., p. 15 [219] Burks, Government, p. 217.

[220] McKean, "Pollution," p. 236.

> as the level of financing that the center bestows on the periphery (for this can be as much a sign of peripheral influence as of central governmental power), but by the political resources and mechanisms of territorial presentation that allow subnational units to utilize the center to their advantage.[221]

The demands of the periphery did affect national public administration and local governments on the prefectural level were granted the right to make stronger local ordinances than the national government. This was, indeed, the legitimatization of local autonomy in Japan.

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[221]Tarrow, Territorial Politics, pp. 20-21.

APPENDIX

JAPANESE GOVERNORS' QUESTIONNAIRE

Instructions: Where there are lettered choices, please place the corresponding letter for your answer in front of the number of the question.

1. Name of your prefecture ( ).

2. Your age ( )

____ 3. How much education have you completed?
(a) high school (b) college (c) post-graduate

4. How many years have you lived in your prefecture? ( )

5. How many years have you been governor here? ( )

6. What year is the next regularly scheduled gubernatorial election? ( )

7. What was your occupation before becoming governor?
( )

Questions 8 - 13 are concerned with your election as governor.

8. What is the name of your political party? ( )

____ 9. In your recent election as governor, did you run as a nominee of your political party? (a) Yes (b) No

____ 10. Would you consider your political ideology closest to:
(a) Progressive (b) Moderate (c) Conservative

____ 11. How important do you feel your party label was to your election? (a) Helpful (b) No difference (c) Harmful

For the questions below asking for a "rating" of alternatives, please use the following scale: (1) for most significant; (2) for significant; (3) for less significant and so forth.

12. Please rate the qualifications that were most important for your electoral success:
( ) Personality (include family background)
( ) Party affiliation
( ) Position on the issues
( ) Professional background (including education)

13. Please rate the issues that were most important in your campaign:
( ) Inflation
( ) Pollution control
( ) Candidates' overall qualifications (such as backgrounds, administrative records, corruption-free image, etc.)

14. Please rate the roles of the governor that are most important to his intermediary position between the central and local governments:
( ) A political administrator of central government programs
( ) Representative of local government needs to the central government
( ) Administrator adapting national programs to local realities
( ) Agent seeking national funds for local usage

15. Please rate the most important methods of influencing the national government in order for the governor to obtain national funds (revenues) for his prefecture:
( ) Tokyo Governors' Association
( ) Prefectural Diet Representatives
( ) Personal contacts
( ) Party connections

16. As governor, please rate the issues that are most crucial to your prefecture:
( ) Increased industrialization
( ) Increased government funding
( ) Increased pollution protection
( ) Increased local autonomy
( ) Decreased administration of state programs

17. Please rate the following steps in the order you would take them if a major industry in your prefecture was causing excessive pollution:
( ) Publicly criticize the polluting company
( ) Consult privately with the industry
( ) Put up with the situation until citizen complaints begin
( ) Order Polluter to correct situation or face fines and closing.

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_____ 18. What percentage of your time is spent on duties that are primarily administrative functions required for the central government?

_____ 19. How effective are your representatives to the national Diet in passing legislation that is important for your prefecture?
(a) Excellent (b) Fair (c) Poor

_____ 20. How much influence do you as governor have on the national government: for example, in passing national bills for pollution control?
(a) A great deal (b) Some (c) None

_____ 21. In your prefecture, how important is the issue of pollution control? (a) A great deal (b) Some (c) None

_____ 22. Do you feel that anti-pollution measures have increased local autonomy in your prefecture?
(a) A great deal (b) Some (c) None

_____ 23. In your opinion, is the central government the best level for effectively controlling pollution in your prefecture?
(a) Yes (b) No (c) No Opinion

_____ 24. Would you favor transferring some of your national administrative duties to the municipalities?
(a) Yes (b) No (c) No opinion

Please answer the following questions: (a) Agree, (b) Disagree, or (c) No Opinion.

_____ 25. An appointed governor could better administer national programs.

_____ 26. The governorship would be more prestigious as a nationally appointed office.

_____ 27. The central government has the constitutionally legitimate authority to change the selection of governor to an appointed office.

_____ 28. You favor amalgamation of your prefecture with your neighboring prefectures.

_____ 29. The Do-shu plan is a good regional plan.

_____ 30. The governor is <u>more</u> responsive to local demands than the Diet representatives.

_____ 31. Japanese voters are becoming more involved in the gubernatorial selection process.

_____ 32. You plan to run for another term as governor.

_____ 33. Every national directive has been fully implemented in your prefecture.

_____ 34. To effectively govern,administration is more important than politics.

_____ 35. The governor should have more control over the collection and distribution of local tax revenues.

_____ 36. There should be more local autonomy at the prefectural level.

_____ 37. The Do-shu system would increase local autonomy.

_____ 38. Central government programs should be administered directly from the state to the field agencies.

_____ 39. The Emperor system is a useful political institution.

_____ 40. You would support a Constitutional Amendment for Japan's rearmament.

_____ 41. The national government has so many funding programs available for local governments that the governor can pick and choose the programs he wants.

_____ 42. After the governorship, you would consider serving in another public office.

If you agree, check which office(s) you would consider:
( ) House of Representatives member
( ) House of Councillors member
( ) National Cabinet Minister

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