

Weaknesses in Japan's Postwar Politics

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PREFACE

This pamphlet includes two papers. The first is by Professor Reiko OYAMA of Komazawa University, Tokyo, who was an academic visitor at STICERD for the year ending March 2010. The second is by Dr Tomoki TAKEDA, Associate Professor of Political Studies, Daito Bunka University, Tokyo, who was an academic visitor in the LSE for the same period.

These papers were written after the collapse of the long-lasting rule of the Liberal-Democratic Party (LDP) under Taro ASO in September 2009 and the succession of the new cabinet of the Democratic Party of Japan (DPJ) headed by Yukio HATOYAMA. But they were completed before the resignation of Mr HATOYAMA in June 2010. He was succeeded by Naoto KAN as party head and also prime minister. The DPJ is preparing with a virtually unchanged cabinet for the election for half of the seats of the Upper House of the Japanese Parliament which will take place in July.

This follows the earlier paper on a related topic by Dr Koji Nakakita on the establishment of the 1955 system (ISD/04/477).

A convenient list of prime ministers of Japan from 1945 to 2009 is given in Table 1, page 21, of Professor OYAMA's paper.

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ABSTRACTS

OYAMA: Discusses Japan's political immobilism caused by lack of strong ministerial leadership and failure of reform initiatives. Attributes it to the power of factions within political parties which reforms have failed to break and the dominance of the bureaucracy. Paper surveys the two decades since 1993 when the LDP monopoly first broke down and specially the Koizumi years (2001-6). It traces the difficulties of institutional change back to the constitution formulated during Allied occupation of Japan (1945-52) and discusses how far Japan follows, and can aspire to, a two-party system on a Westminster model.

TAKEDA: Discusses the system of government inaugurated in 1955 and the way in which it has been changed over the years, quoting earlier authors. This has tended to be a 'state-party cartel' whereby Japan's rapid economic growth was fostered by the alliance between the LDP, the bureaucracy and big business. After failure of Socialist party, parties had to resort to coalition politics in order to achieve united opposition.

KEYWORDS:

Bureaucracy; political factions; electoral reform; party finance; Britannicization of Japan; constitution of 1947; 'the 1955 system'; pre-legislation scrutiny; Koizumi reforms; anglophile politics of DPJ; absence of leadership; coalition government; political immobility; one-party domination; 'catch-all party'; failure of united opposition;

Strengthening Political Leadership Institutional and Historical Analyses of Japan's Political Reform

Reiko Oyama

Doomed to failure?

Japanese politics has long and widely been known for failing to deliver prompt policy changes, in other words, for suffering from political immobilism. Prime Ministers have not played an active role to initiate changes. They appear relatively weak and passive by comparison with the heads of government in other democratic countries like the United Kingdom, France or Germany.

Between 1945 and 2009 there have been 12 Prime Ministers in the U.K., but in Japan as many as 31 (Table 1). Cabinet Ministers do not enjoy enough longevity either. They only survive for an average of less than one year. The rapid turnover of Ministers has created a situation where they are not able to exercise leadership in their own ministries. In each ministry, senior civil servants have been more influential in shaping public policy than their Ministers. The bureaucrat-dominated decision-making system is nothing new to Japan. The bureaucracy was an important element in the process of modernizing Japan throughout the second half of the nineteenth century. After Japan's defeat in World War II, the Allied Occupation needed to depend on the existing bureaucracy to carry out its reforms and, in consequence, failed to reduce the power of bureaucrats. But the tradition of bureaucratic rule was seemingly even more intensified under the long reign of the Liberal Democratic Party (LDP, *Jiyu-Minshuto*) which stretched over more than a half century since 1955 except for a short interval from August 1993 to June 1994.

The most plausible explanation for frequent ministerial reshuffles was the fragmented structure of the ruling party. The LDP was something like a coalition of factions (*habatsu* or *ha*), so that the Prime Minister had to work with Cabinet Ministers who were not necessarily loyal to him. Cabinet and party posts were regarded as resources that the Prime Minister could distribute among factions to maintain party unity. Faction leaders who in turn required Cabinet posts to allocate to their members put pressure on the Prime Minister to carry out earlier reshuffles of the Cabinet. Sometimes they even tried to replace the Prime Minister himself.

There are two caveats that should be noted here. First, the political leaders of the LDP did not feel much need for radical policy changes under Japan's high economic growth until the middle of the 1970s. There existed a broad public consensus about which direction Japan should go and the leaders were rather content with their position described as 'the politicians reign and the bureaucrats rule.'¹ Second, the bureaucracy itself did not, and of course could not, exercise total control over policy-making. On the contrary, they held full consultation with the LDP members to prepare bills acceptable to them. That is true especially for the period since the 1970s when the elected politicians have gradually gained strength. Influential leaders of the LDP, in collaboration with the bureaucracy, could eclipse their official supreme leader, the Prime Minister, in policy-making. The two-track system of policy-making, which proceeded in parallel in government and in the ruling party, has been called by the Japanese media a 'dual government'.

However, the political climate of Japan has been dramatically changed since the early 1990s. During more than ten years of economic stagnation, Japanese people as well as political leaders recognized the need for more effective political leadership. The end of the Cold War had narrowed the division between the right wing and the left wing of political parties and enabled them to achieve a compromise. In addition, a series of money scandals opened a window of opportunity for reform. The decade starting from 1993, when the LDP government was superseded by a coalition of opposition parties, was a period of significant transformation in Japan. Several attempts were made to reform the political decision-making system and to strengthen political leadership.

First of all, the package of electoral reforms introduced in 1994 altered the basic conditions of party politics in Japan.

Elections for the House of Representatives had long been held under the 'medium-sized' constituency system (*Chu-senkyoku-sei*). Each voter cast a single non-transferable vote (SNTV) while three to five seats were elected in a constituency. This meant that any party seeking a majority of seats had to run two or more candidates in most constituencies. The LDP candidates in heated competition against each other were much concerned with 'pork barrel' issues, as they could hardly be differentiated on policy issues. In most cases, each LDP candidate in the same constituency was not supported by the party's constituency branch but by a different faction, which made the party organization something close to 'a franchise

¹ Johnson, 154.

system'.² As a result, the leader of the LDP, the Prime Minister, had great difficulty in controlling LDP members of Parliament.

The most important achievement of the Hosokawa coalition government which assumed office in August 1993 was to reform the electoral system that had been criticized for providing favourable soil for intraparty factionalism and corruption. The legislation to reform the electoral system for the House of Representatives passed on 29 January 1994 through a long negotiation between the Prime Minister and the leader of the opposition LDP.

The new electoral system for the lower house combined 300 seats elected from single-member constituencies by a simple majority with 200 seats chosen by proportional representation from 11 regional constituencies (total 500 seats). Later, in 2000, the number of seats allocated to proportional representation regions was reduced to 180 (total 480 seats). Each voter casts two ballots: one for an individual candidate in the single-member constituency and the other for a party list in the region. Unlike German electoral system for the Bundestag or New Zealand's system for its House of Representatives, the seats for each regional constituency are distributed among the parties in proportion to the percentage of their votes in the region, separately from the poll results in other regions or single-member constituencies, while it is possible for a candidate to stand simultaneously in both single-member and regional constituencies. It is obvious that the new system was a product of compromise between the major parties that wanted a simple first-past-the-post system and the smaller parties that were seeking proportional representation. Nothing but the mixed system could win the support of most parties. But, anyway, reformers in every camp agreed to create a more party-centered politics.

The second part of the electoral reform enacted by the Hosokawa government was aimed at imposing a stricter regulation of party finance. The new laws introduced a public grant for political parties and, in return, tightened the regulation of political fund-raising, establishing a ban on donations to individual politicians as well as the principle of complicity on which politicians could be prosecuted for the misdemeanors committed by their members of staff. These reforms together with the new electoral system have centralized party control over members and hence weakened the powers of factions in the LDP.

² Curtis, 143.

After the LDP came back to office, Prime Minister Hashimoto and his successor Obuchi undertook a broad range of administrative reform. The reforms which the central government set out in January 2001 had two goals: to streamline the government by reducing the number of ministries and to enhance the capacity of the Prime Minister and his Cabinet to exercise leadership. The new, expanded Cabinet Office and a new committee chaired by the Prime Minister called the Council on Economic and Fiscal Policy (*Keizai Zaisei Shimon Kaigi*) were created in order to provide the Prime Minister with power to direct the policy-making process. At the same time, the Prime Minister appointed 48 junior ministers, 22 state secretaries (*Fuku Daijin*) and 26 parliamentary secretaries (*Daijin Seimukan*), with the intention to increase the influence of political appointees in policy-making and to curtail the power of bureaucracy in ministries.

When Junichiro Koizumi took office as Prime Minister in April 2001, the reforms implemented by his predecessors had enabled him to exercise executive power more effectively than before. The victory in the LDP presidential race for Koizumi, a maverick politician willing to 'smash the LDP', proved that the new electoral laws had the effect of undermining factionalism in the LDP. As the Prime Minister, he took full advantage of the new system. Under the Koizumi government, the Council on Economic and Fiscal Policy evolved into a locus of policy-making where not only economic matters but also the whole area of public policy was discussed. Koizumi fully utilized the Council for taking the initiative in policy-making to the exclusion of the LDP heavyweights or the bureaucracy. He also rejected factional demands for Cabinet posts and tried to make his ministers stay in post for longer than they did in the previous Cabinets.

At the same time, Japan's party politics was moving towards a two-party system. The mixed electoral system of 1994 was tilted towards simple first-past-the-post system and had the effect of marginalizing the small parties as might be expected by some reformers. Since the turn of the century, the biggest opposition party, the Democratic Party of Japan (DPJ, *Minshuto*) has vied for power with the LDP in every national election. The more voters began to cast their votes as a means to express their choice for the Prime Minister, the more loyal party candidates became to their leader. A foreign observer of Japan called it the 'Britannicization' of Japan.³

Since Koizumi stepped down in 2006, however, his successors seem to have failed to wield their power effectively. The three consecutive Prime Ministers from the LDP,

³ Estévez-Abe, 633.

Abe, Fukuda and Aso, were all short-lived, just one year each in office. It also appeared that they had acted in a more traditional way than Koizumi and depended more on factions for support. During three years under their three cabinets, the holders of vested interests recovered some of their strength through the network of the LDP leaders, bureaucracy and interest groups. The old practice of dual government died hard after all. In hindsight, even Koizumi appears to have been less effective in breaking up such a practice. As we will discuss in detail below, he abandoned the idea of abolishing the intraparty legislative procedures after his party's defeat in the upper house on the Postal Privatization Bill.

In the general election held on 30 August 2009, Japan saw a historic change in parliamentary politics. The DPJ defeated the LDP-New Clean Government Party (*Komeito*) ruling coalition and ended the almost unbroken rule by the LDP since 1955. This is the first time in Japan's history when a change of government occurs through a popular election in which one opposition party has won a majority of seats. The Parliament chose the DPJ leader, Yukio Hatoyama, as the Prime Minister on 16 September. We might say that it was another example of Britannicization of Japan. However, the practice of dual government seems to survive under the new DJP government. It is generally believed that an experienced politician, Ichiro Ozawa, who became the DJP's secretary general, has the whip hand over the policy-making of the government.

The attempts so far to strengthen political leadership have markedly increased the power available to the Prime Minister and his Cabinet, but the real locus of political power in Japan is still unknown. Are the political reforms doomed to failure because of Japan's political culture which remains distinctly different from the West? Or is there any other reason for the failure in reform? The rest of this article will approach this question from institutional and historical points of view.

Constitutional Reconstruction after World War II

Following World War II, Japan experienced a radical change in the political institutions under the strong influence of the Allied (American, in reality) Occupation authorities. The Constitution enforced on 3 May 1947, which is still in force with no amendments, was drafted by the officers of the General Headquarters (GHQ) commanded by General Douglas MacArthur, soon after the Japanese government failed to prepare a draft of new Constitution acceptable to the Allied Occupation.

The central purpose of the occupiers was to democratize Japan.⁴ The Constitution established popular sovereignty. The position of the Emperor was reduced to 'the symbol of the State and of the unity of the People, deriving his position from the will of the people with whom resides sovereign power' (article 1). Ever since, his functions have been purely ceremonial, even more restricted than those of the British monarch. On the contrary, the Parliament as a representative body became 'the highest organ of state power' which has 'the sole law-making authority of the State' (article 41). The suffrage was extended to include women and the minimum voting age was lowered from 25 to 20.

Concerning political institutions, the most important accomplishment of the Constitution of 1947 was to adopt the parliamentary cabinet system. It stipulated that the Prime Minister should be chosen by the Parliament from among its own members (article 67). The Prime Minister is the head of the Cabinet and shall appoint the Ministers of State, a majority of whom must be members of the Parliament (article 66, 68). At the same time, article 66 established the principle of Cabinet collective responsibility to the Parliament. The lower house, the House of Representatives, is empowered to pass a resolution of nonconfidence in the Cabinet or reject a confidence resolution. In either case the Cabinet must resign en masse, unless the House of Representatives is dissolved within 10 days (article 69).

The new Parliament is a bicameral legislature, but all members of both houses are directly elected by the people (article 43). The members of the House of Representatives are elected for four-year terms, although the house can be dissolved earlier. The House of Councillors, the new upper house replacing the largely hereditary House of Peers, is elected for six-year terms by staggered election with half of the members being elected every three years and is not subject to dissolution. The House of Representatives is now more powerful than the upper house. When the upper house does not approve a legislative bill passed by the lower house, the latter may override the decision of the former by a two-thirds majority of the members present (article 59)⁵. The budget must first be submitted to the lower

⁴ Paragraph 10 of the Potsdam Declaration stated: 'The Japanese Government shall remove all obstacles to the revival and strengthening of democratic tendencies among the Japanese people. Freedom of speech, of religion, and of thought, as well as respect for the fundamental human rights shall be established.'

⁵ From a comparative point of view, however, the upper house of Japan is not a weak body at all. The lower house cannot push through its will except when it passes the bill for the second time by a majority of two-thirds or more of the members present. Although the LDP government had maintained a majority in both houses up to 2009 except for a short period between 1993 and

house. If the upper house does not concur with the lower house or fails to act within 30 days, the lower house vote on the budget becomes binding (article 60). Although both of the houses have the right to elect the Prime Minister, the choice of the lower house is considered as that of Parliament in the case of disagreement between the two houses (article 67). In consequence, only the lower house has the power to pass a nonconfidence resolution against the Cabinet.

A view widely shared by both Japanese and foreign scholars is that the political framework under the Constitution of 1947 is close to the British version of parliamentary government, commonly identified as the Westminster model. The officers of the Occupation authorities undertook with missionary enthusiasm the task of democratizing Japan and their main concern was to clarify the lines of responsibility by eliminating unelected political powers such as the military. One scholar argues that it proved easier to reconcile a single line of authority and responsibility with a British-type fusion-of-powers theory than with American-style notions of the separation of powers.⁶ Another predicates: 'On paper, post-war Japan has always been a parliamentary democracy with a strong Cabinet resembling that of the U.K.'⁷ It is unquestionable that the Occupation reforms, having paid regard to Japan's democratic heritage from the pre-war period, ensured parliamentary cabinet system, rather than introduced American style of presidential government. But can we call it a 'Westminster' system characterized by a strong Cabinet?

If you take a closer look at the articles of the Constitution, however, you can see a somewhat different picture.

Many officials of the Occupation saw the prewar Imperial Parliament as an incompetent body dominated by the executive. They were eager to create a new parliament to be 'a truly representative legislative body, based upon universal adult suffrage, responsible to the electorate, free of domination by the executive, and having full legislative powers, including control over the raising and spending of all

1994, it had never gained more than two-thirds of the seats in the lower house until the landslide victory in the 2005 election. Moreover, the two houses have equal powers on almost all measures other than legislation. So, even if a government is enjoying a two-thirds majority in the lower house, it is a hard job for the government to deal with the opposition in the upper house. Since July 2007, when the government lost majority in the upper house, the LDP-New Clean Government Party coalition government had confronted a 'twisted Parliament', a divided government Japanese-style.

⁶ Stockwin, 57.

⁷ Estévez-Abe, 636.

public money'.⁸ The new Parliament is defined as 'the sole law-making organ of the State' in article 41 of the Constitution.

On the other hand, the Constitution does not refer to the legislative initiative of the Prime Minister or the Cabinet. There is no such clause in the current Constitution as article 38 of the Meiji Constitution that read: 'Both Houses shall vote upon projects of law submitted to it by the Government, and may respectively initiate projects of law', although the equivalents are fairly common in the Constitutions of most countries under a parliamentary cabinet system.⁹ The only article that seems to be related to the matter is article 72, which reads: 'The Prime Minister, representing the Cabinet, submits bills, reports on general national affairs and foreign relations to the Diet [Parliament]'. Post-war experts in constitutional law have disputed whether the 'bills' referred in article 72 include projects of law or not.¹⁰ Even though the dispute was settled by the Cabinet Law of 1947, article 5 of which clearly states that the Prime Minister submits legislative bills to the Parliament, it is apparent that government-sponsored legislative bills were considered to be a mere sideshow in the legislative process in the new Parliament. As a natural consequence, the 1947 Constitution, unlike the Constitutions of other countries, has no article allowing the Cabinet to accelerate the legislative procedures in the Parliament.¹¹

Arguably the Constitution of 1947 introduced a legislative procedure based on the notion of separation of powers rather than fusion of powers, despite the fact that it confirmed parliamentary cabinet system. Even under the Meiji Constitution, the lower house of the Imperial Parliament was a centre of power as a representing body. But the centrifugal structure of political institutions, balancing the key actors such as

⁸ Supreme Commander Allied Power (SCAP), vol.1, 145.

⁹ Article 39 of the French Constitution of 1958 reads: 'Both the Prime Minister and Members of Parliament shall have the right to initiate legislation' and article 76 of the Basic Law for the Federal Republic of Germany stipulates 'Bills may be introduced in the Bundestag by the Federal Government, by the Bundesrat, or from the floor of the Bundestag.'

¹⁰ In Japanese text of the Constitution, the bills in article 72 reads '*gian*', which means bills in a broader sense. On the contrary, the Constitution employs the word '*hoan*' (legislative bill) in article 59.

¹¹ For example, the French Constitution prescribes as follows:

Article 44 Paragraph 3: If the Government so requests, the House before which the Bill is tabled shall proceed to a single vote on all or part of the text under debate, on the sole basis of the amendments proposed or accepted by the Government.

Article 49 Paragraph 3: The Prime Minister may, after deliberation by the Council of Ministers, make the passing of a Finance Bill or Social Security Financing Bill an issue of a vote of confidence before the National Assembly. In that event, the Bill shall be considered passed unless a resolution of no-confidence, tabled within the subsequent twenty-four hours, is carried as provided for in the foregoing paragraph. In addition, the Prime Minister may use the said procedure for one other Government or Private Members' Bill per session.

political parties, bureaucrats, the upper house and the military, had disrupted the evolution of parliamentary cabinet convention. Nevertheless, the founders of the postwar regime did not adopt decisive measures to buttress the power of Prime Minister in decision-making process. No doubt most of the obstacles under the Imperial Constitution which made the Cabinet's responsibility unclear were removed. But now, the Prime Minister has to face the strong Parliament.

More important the Parliament attained a dominant position in the legislative process in the Parliamentary Law (Diet Law) of 1947. This was drafted by the GHQ officers, directly inspired by the U.S. Legislative Reorganization Act of 1946, so that it gives no priority to bills submitted by the Cabinet. The Cabinet must ask for permission from the House to amend or even withdraw its own legislative bills, since the Parliamentary Law does not give the Cabinet a free hand to do so.¹² In addition to that, there is no official way for the Cabinet to consult with the House on the timetabling of parliamentary business. The Houses of Parliament, unlike most European legislatures, do not have a body responsible for achieving consensus on timetabling between the House and the Cabinet.¹³ The organization and timetabling of business in plenary session is determined, independently of the Cabinet, by the Steering Committee (Committee on Rules and Administration) of each House excluding Cabinet members. In sum, the Cabinet is subservient to the will of the Parliament as far as concerns legislation.

The most outstanding innovation introduced by the Parliamentary Law was a subject-related standing committee system. As for January 2010, both of the Houses have 17 standing committees each. The committees are generally parallel to the ministries, excepting Committee on Budget, Committee on Discipline, and the like. Each committee has from 20 to 50 members in the lower house and from 10 to 45 in the upper house (Tables 2 and 3). In addition to the standing committees, special committees may be appointed in order to examine matters that do not fall within jurisdiction of any standing committee or important and/or urgent matters such as the North Korean abduction issue.

¹² Article 59 reads: 'To amend or withdraw a measure presented by the Cabinet, which a House or a Committee has already begun to consider, the Cabinet is required to obtain the consent of that House. The Cabinet may neither amend nor withdraw a measure, however, after it has been decided upon by one of the Houses.'

¹³ For example, German Bundestag has the Council of Elders (*Ältestenrat*), which comprises the President of the Bundestag, other members including representatives of the parties and a Government Minister. In France, the Government is given priority to determine the timetabling of debate for a half of the sitting days (Article 48 Paragraph 2 of the Constitution).

When a bill is submitted by an individual member or the Cabinet, or is referred from the other house, the speaker of the house sends it directly to the appropriate committee. Normally no debate on a bill is held in the chamber before the committee concludes its examination. As the house puts no time limit on a committee's work unless otherwise resolved, committees examine bills in detail and may amend them or prevent them from being given further consideration. They also have the right to establish sub-committees for more specialized examination and initiate their own bills. We can say that the standing committees in Japan's Parliament, similarly to their counterparts in the U.S. Congress, are functioning as gate-keepers of the entire legislative process, having the power of killing any bill referred to them.

Committees may conduct investigations on the matters within their jurisdiction. They can hold public hearings in order to gather opinions of interested parties or experts, compel witnesses to testify at these hearings, and call for documents from the ministries concerned. Committees have a right to summon any person before them as a witness. Ministers who allegedly committed misconduct have been grilled by opposition members in the committee rooms.

The committee staff permitted by Parliament can arouse envy from members of other legislatures abroad, perhaps the only exception being the U.S. Congress. Each standing committee has a research staff containing, on average, one senior researcher and ten other researchers. Recently the House of Representatives reorganized its committee staff into the Research Bureau. The researchers of this Bureau launch preparatory investigations on demand from 40 members or more.

Furthermore the resources available to members of the Parliament were dramatically expanded by a series of laws. Members' salaries were raised to a par with those of the highest bureaucrats. Each member was furnished with a private office adjacent to the Parliament building and secretarial assistance as well as administrative expenditure allowances. The National Diet [Parliament] Library was created on the American model of the Library of Congress in order to provide assistance to members. Members also can get help from the Legislative Bureau established in each of the houses.

The American-inspired standing committees were designed and expected to play a key role in the Parliament-led legislative process. The drafters explained that whether the Parliament became 'the highest organ of state power and the sole lawmaking body' or continued to pursue its historic role as a mere organ of

discussion would depend upon the degree to which the standing committees use the power conferred upon them and the skill with which they employ the legislative aids and devices provided in the new law¹⁴.

Practice and development under the 1955 system

Since 1955, when two conservative parties amalgamated into the LDP, Japanese Politics had been a near perfect example of one-party dominance. The general opinion among both Japanese and foreign scholars as well as journalists ascribes the poor performance of Parliament to the long reign of the LDP, which is called the '1955 system'.

The actual legislative practice under the 1947 Constitution developed into something quite different from what the drafters expected. From the very beginning, the great majority of bills were initiated not by individual members but by the Cabinet (Table 4). The ratio of members' bills is above the average for a country under parliamentary cabinet system, but fall far short of expectation. Possibly the more serious problem of the Parliament is found in its debate. The sitting hours of both the chambers and committees have been gradually declining in spite of increase of days in session (Figure 1). Ever since the middle of the 1950s the hours of plenary sittings of each house have been less than 100 hours per year, significantly lower than the hours of sitting in other legislatures: around 1400 for the British House of Commons and 1000 for the French National Assembly, for example. Of course much longer time has been spent in the committees, but their influence on legislation has been limited, with few amendments added to most government-sponsored bills.¹⁵ The standing committee system was considered to be probably the least successful postwar innovation in the internal organization of the Parliament.¹⁶ The hope to build up a Parliament-led legislative process seemingly soon reverted to the familiar pattern of the prewar period.

In addition to that, a series of revisions of the Parliamentary Law have transformed the legislative procedure a little closer to that under the Imperial Parliament. In 1948, the power of parliamentary committees was reduced by the new rules which admitted the right of the house to meddle in a committee's business by setting a time

¹⁴ Supreme Commander Allied Power (SCAP), vol,1, 164.

¹⁵ The figure for amendments is slightly higher than that for the British House of Commons in recent years.

¹⁶ Baerwald, 134.

limit for it.¹⁷ After the 1955 revision, members are not able to initiate a bill unless supported by other members, 20 or more members in the lower house and 10 or more in the upper house.¹⁸

The informal intraparty practice of 'pre-legislative scrutiny' (*Jizen-shinsa*) can be traced back to 1962 when a LDP leader sent a letter to the Chief Cabinet Secretary requesting that draft government bills be referred to the ruling party before proposing them to the Parliament. The scrutiny became so institutionalized by the 1970s that the LDP began to work as the second legislature, or a "parliament within the Parliament".

A government bill initially drafted by bureaucrats in the relevant government ministry was referred to the LDP before the Cabinet's decision. The LDP created its own committee system, divisions of the Policy Affairs Research Council (PARC), to scrutinize government bills. These divisions paralleled the parliamentary standing committees as well as the government ministries. For example, a bill on pension scheme proposed from the Ministry of Health, Labour and Welfare was examined and debated by Health, Labour and Welfare Division of the PARC. Members of the LDP with expertise in a specific policy area played a key role throughout the policy-making process, by acting as agents for interest groups. The bill approved by a division was sent to the full Council, followed by the political scrutiny of the LDP's highest decision-making organ, the Executive Council. Since the LDP's decisions were required by custom to secure unanimous support, a small group of Members could revise or even block government bills. Once the party had come to a decision, the bill was approved by the Cabinet and thereafter presented to the Parliament, usually to the lower house first, where the LDP members which hold a majority simply approved it.

¹⁷ Article 56-II. When the Committee on Rules and Administration deems it necessary, a House may hear in its plenary sitting the explanation of the purport of a measure introduced or proposed to the House.

Article 56-III. A House may, in case of necessity, call for an interim report by a Committee on a pending measure or matter.

With respect to a measure or matter on which such an interim report has been made, the House may, in case of urgent necessity, set a time limit for the Committee consideration or proceed to deliberate it in a plenary sitting.

If a House has allocated the time for the Committee consideration and the consideration has not been completed within that time, the House shall begin to consider the matter in a plenary sitting. The House may, however, extend the time for consideration, if the Committee requests an extension.

¹⁸ In the case of a bill requiring budgetary action, the necessary numbers of members are raised to 50 and 20 each (article 56).

The pre-legislative scrutiny by the LDP might be valued as the intricate decision-making system responding to pluralist interest, contributing to a public consensus. However it had a host of serious side-effects including lack of openness in policy-making process, dominance of bureaucrats, and dearth of political leadership.

First, the decision-making process under the LDP government had stayed out of public view. The pre-legislative scrutiny was neither open to the public nor fully pluralistic. Some groups, industrialists, agricultural cooperatives and medical professionals, for example, were given preference, while others such as labour and consumers had only limited access to the policy-making process.

Second, the scrutiny by the ruling party deprived the Parliament of substantial debates. A government bill had been thoroughly reviewed and debated by LDP members before it was finally presented to the Parliament as a *fait-accompli*. Consequently, the debate in standing committees of the Parliament consisted of nothing but adversarial confrontation between government and opposition. Although the opposition parties might attempt to block the passage of a government bill, they hardly succeeded in adding meaningful amendments to it. On the other hand, ruling party members tended to regard the committee stage as a nuisance and a waste of time since their voices had been already heard outside the Parliament. When the bill reached the chamber, there was little left to discuss or decide. As a result, the plenary meetings became a mere ceremonial affair.

Last but not least, the collective decision-making process of the pre-legislative scrutiny obscured political leadership and responsibility. Under the LDP government, substantial decisions of policies would take place not only outside the Parliament but also beyond the reach of the Prime Minister. The government bill decided through close interaction between LDP members and bureaucrats was presented at the Cabinet meeting to receive a rubber stamp of approval from the Prime Minister. Some influential Prime Ministers certainly could and did have a strong voice on policy-making, yet they did so in their capacity as one of the heavyweights of the ruling party. Generally speaking, the role of LDP Prime Ministers was not to lead policy-making but to mediate and settle conflicts among other actors. The policy-making system of Japan could be described as a dual government with the Cabinet on one side and the collusive alliance of the bureaucrats and the ruling party on the other.

Audacious Koizumi was the first Prime Minister to openly challenge the influence of the LDP old guard. The main battlefield was privatization of the postal system, the flagship policy in Koizumi's 'structural reform' (*Kozo Kaikaku*). In March 2002 the National Strategy Headquarters, an LDP taskforce appointed by Koizumi, submitted a proposal to him to create a more centralized decision-making system by abolishing the pre-legislative scrutiny of the ruling party. Later in April of the same year, the Cabinet presented two bills relating to postal services¹⁹ to the Parliament without preliminary approval by the LDP. Those bills were adopted by both houses only after the ruling party members added considerable amendments to them.

The next battle was fought over the Postal Privatization Bill. This time Koizumi referred the bill to the scrutiny of the LDP, where LDP leaders succeeded in persuading him to give several concessions. But the opposition from implacable members continued regardless of Koizumi's threatening to dissolve the lower house if the bill failed to pass. In June 2005 the revised bill was approved by the LDP on a majority vote, instead of a unanimous vote, in violation of the party's custom. On 5 July, the Postal Privatization Bill was put to the lower house vote and barely passed, notwithstanding 37 LDP members voting against it. However, on 9 August, the upper house rejected it by a negative vote of 125 including 22 from LDP members. Koizumi immediately called a general election by dissolving the lower house. He refused to give party endorsement to the members who had opposed the bill and selected 'assassin' candidates to run against them in their constituencies. He took a big gamble and won. After his landslide victory in the election of 11 September, the deflated members of the upper house in October approved the same Postal Privatization Bill that they had rejected only two months before.

Japanese people as well as foreign observers were dazzled by Koizumi's spectacular victory. However, Koizumi was not so successful in reforming Japanese politics.²⁰ As far as the reform of the legislative process is concerned, we should describe it as a defeat for Koizumi, rather than his success. Learning from the experience that his bills had undergone substantive amendments by the Parliament, Koizumi abandoned his ambition to abolish the pre-legislative scrutiny. Instead, he tightened controls over each member of the ruling party through his strengthened ability as a party leader, in order to dominate the intraparty decision-making.

¹⁹ One was to establish the Japan Postal Public Corporation and the other was to define conditions to be met by private corporations to enter the mail delivery business.

²⁰ For Koizumi's relationship with the bureaucracy, see Mishima.

Why did the pre-legislative scrutiny survive this series of political reforms? Why did the charismatic leader fail to alter the old habits of the LDP? Although no single factor can answer the question, the kernel of the problem is the conflict between the American-inspired legislative procedure and the realities of parliamentary cabinet.

Who gained advantages from the pre-legislative scrutiny? There is no doubt that the LDP members could amend bills more freely in an intraparty review than in an open debate held in the standing committees of the Parliament. The pre-legislative scrutiny provided the ruling party members, including rank and file, with an opportunity to deliver benefits to their supporters through intervening in policy-making process. The bureaucrats also derived advantages from the preliminary negotiation with LDP members. It ensured them from the accidental defeat of bills in Parliament in exchange for policy concessions in advance. However, if the pre-legislative scrutiny produced no benefit to the Cabinet, it would not have survived intact.

The key aspect of the policy-making system under the 1947 Constitution is the preponderance of Parliament over the Cabinet. As the legacy of parliamentary cabinet convention in the prewar era, the great majority of bills have been initiated by the Cabinet since the first session of the new Parliament. There is nothing strange about it since the Cabinet is formed on the support of the Parliament and the Prime Minister is usually the leader of the biggest party in the Parliament. But, once a bill is presented to Parliament, the Cabinet has no means of ensuring its passage.

From the standpoint of the Prime Minister, the most important function of the pre-legislative scrutiny was to make government bills move smoothly through Parliament.²¹ Without the prior approval of the ruling party, the fate of bills would be treacherous even under a strong Prime Minister, as we saw in the defeat of the Postal Privatization Bill. The pre-legislative scrutiny was presumably invented to fill the gap between the ideals of the Parliament-led legislation and the reality of the parliamentary cabinet system. Therefore, former Prime Ministers expressed strong fears that Koizumi's attack against the intraparty scrutiny convention would cause chaos in the whole policy-making process.²² Even Koizumi soon changed his mind as not to abolish but to utilize the pre-legislative scrutiny system.

²¹ 'The ruling party's most important function in this process is to see that bills and budget proposals move smoothly through the Diet.'(Yamato,Hiroshi. 'Political Parties and the Diet' in Valeo and Morrison (eds.), 1983, p.35.).

²² A remark by Miyazawa Kiichi on 2 April 2002.

Deviation from Westminster?

Since the 1990s the Westminster model whose central feature is the concentration of power in the Cabinet has been the major source of ideas for political reform in Japan. In addition to electoral reform and the reorganization of central government, the party leader debate (*Toshu-toron*), a sort of Westminster-style 'Question Time', was introduced to the Parliament in 2000, though, strangely, this debate is held not in the lower house chamber but in a joint session of purpose-built committees, Committees on Fundamental National Policies in both houses.

Politicians of the DPJ seem to be even more 'anglophile' than their colleagues of the LDP. Ozawa, the incumbent Secretary General and former president of the DJP, has been known as an indomitable advocate of British-style reforms for a long time. The reforms under the Obuchi government introducing the debates between party leaders were based on the ideas of Ozawa, who was then leading the Liberal Party (*Jiyuto*), a coalition partner of the LDP government. He also took the initiative for the introduction of junior ministers as well as the electoral reform to reduce the number of members elected by proportional representation from 200 to 180.²³

Unquestionably other members of the DJP share his thinking. The DJP appointed its 'Next Cabinet' following the British shadow cabinet in October 1999. In the 2003 general election, the DPJ produced an extensive and detailed manifesto imitating the British example, with the smiling face of their then leader on the cover.

A new centre-Left coalition government took power in September 2009 following the DJP's victory in the general election, after half a century of conservative rule.²⁴ The Hatoyama government is putting forward the principle of 'politician-led policy-making'. The DJP's manifesto described it as switching 'from government delegated to the bureaucracy to politician-led government in which the ruling party takes full responsibility'. Hatoyama also called for an 'exhaustive cleanup of the postwar government' through the elimination of wasteful spending. Soon after its inauguration, the government created a body called the Government Revitalization Unit (*Gyosei-Sasshin-Kaigi*) to scrutinize budgetary requests in public. It was an attempt to bring transparency to budget compilation which had hitherto been

²³ 'In Ozawa's thinking, this was in order to tilt the balance further in the direction of a British-style voting system, and bring forward the day when two large competing parties would vie for power with relatively even chances.'(Stockwin, 95).

²⁴ The DPJ without a majority of the House of Councillors had to form a coalition with other parties. See note 5.

controlled by the bureaucracy. At the same time, the DJP abolished the pre-legislative scrutiny of the former government.

However, the two-track system of policy-making has been neither dispelled nor weakened. The DJP Secretary-General Ozawa seemingly plays an even more decisive role in the policy-making process than his LDP predecessors, with individual members of the ruling party being overpowered by him. The press has questioned the Prime Minister's leadership and the approval rating of the Cabinet has dropped from around 70 percent after its inauguration to around 50 percent in late December. The party leader debate has not taken place as regularly as it was planned. Hatoyama looks reluctant to face opposition leaders in Parliament. There is not much prospect that the Prime Minister will powerfully lead the policy-making.

Many commentaries on Japan consider the postwar political institutions of Japan to be essentially based on the British model. The present practice of Japanese politics is therefore believed to have deviated from the Westminster system. One scholar remarks: '[T]he Japanese political system departs quite significantly from some key aspects of the present-day Westminster model on which it is based'²⁵ and 'The Japanese model of policy-making deviates from the Westminster model in that the power of executive is undermined by two alternative power structures: the party and the bureaucracy'.²⁶ Another argues: '[P]rime ministers took the lead less often than might be expected in view of the long dominance of the LDP and the authority granted the prime minister in the constitution'²⁷. By the Japanese politicians resonating with such assessments, many Westminster-inspired reforms have been recently implemented, aiming to put Japanese political system back in its proper position.

I totally agree with the view that further reforms are needed to strengthen the political leadership of Japan. But the major stumbling block to success in reform might be the assessment of political institutions under the 1947 Constitution. The current legislative procedure prescribed by both the Constitution and the Parliamentary Law is designed to be led by a strong Parliament. For that reason, reforms on the lines of the Westminster model are presumably doomed to failure unless the constitutional framework of postwar Japan undergoes a major reorganization.

²⁵ Mulgan (2002), 140.

²⁶ Mulgan (2003), 76.

²⁷ Richardson, 105.

Needless to say, strengthening political leadership does not mean introducing political dictatorship. What we need now is some reforms to combine a strong Parliament with the reality of a parliamentary cabinet. The Parliament of Japan contains many features that are commonly observed in countries which have aspects of a parliamentary government system unlike Westminster: relative independence of the ruling party (parties) from the government, specialist and permanent standing committees, and so on.²⁸ The European continental standard for parliamentary procedure, rather than the Westminster model, will provide a better guide to Japan. More important for the Japanese people and politicians, however, is to develop an original plan to reform Japan's politics.

²⁸ 'Specialist standing committees systems are the norm outside the House of Commons and the French National Assembly.' (Arter, 225-226).

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Table 1 Prime Ministers of Japan since 1945

Name	Terms	Political Party
Naruhiko Higashikuni	August 1945 – October 1945	
Kijuro Shidehara	October 1945 – May 1946	
Shigeru Yoshida	May 1946 – May 1947	Liberal
Tetsu Katayama	May 1947 – March 1948	Socialist
Hitoshi Ashida	March 1948 – October 1949	Democratic
Shigeru Yoshida	October 1949 – December 1954	Liberal
Ichiro Hatoyama	December 1954 – December 1956	Democratic, LDP
Tanzan Ishibashi	December 1956 – February 1957	LDP
Nobusuke Kishi	February 1957 – July 1960	LDP
Hayato Ikeda	July 1960 – November 1964	LDP
Eisaku Sato	November 1964 – July 1972	LDP
Kakuei Tanaka	July 1972 – December 1974	LDP
Takeo Miki	December 1974 – December 1976	LDP
Takeo Fukuda	December 1976 – December 1978	LDP
Masayoshi Ohira	December 1978 – June 1980	LDP
Zenko Suzuki	July 1980 – November 1982	LDP
Yasuhiro Nakasone	November 1982 – November 1987	LDP
Noboru Takeshita	November 1987 – June 1989	LDP
Sosuke Uno	June 1989 – August 1989	LDP
Toshiki Kaifu	August 1989 – November 1991	LDP
Kichi Miyazawa	November 1991 – August 1993	LDP
Morihiro Hosokawa	August 1993 – April 1994	Japan New
Tsutomu Hata	April 1994 – June 1994	Renewal
Tomiichi Murayama	June 1994 – January 1996	Socialist
Ryutaro Hashimoto	January 1996 – July 1998	LDP
Keizo Obuchi	July 1998 – April 2000	LDP
Yoshiro Mori	April 2000 – April 2001	LDP
Junichiro Koizumi	April 2001 – September 2006	LDP
Shinzo Abe	September 2006 – September 2007	LDP
Yasuo Fukuda	September 2007 – September 2008	LDP
Taro Aso	September 2008 – September 2009	LDP
Yukio Hatoyama	September 2009 –	DJP

Table 2 Standing Committee of the House of Representatives, January 2010

Name of committees	Number of members
Cabinet	40
Internal Affairs and Communications	40
Judicial Affairs	35

Foreign Affairs	30
Financial Affairs	40
Education, Culture, Sports, Science and Technology	40
Health, Labour and Welfare	45
Agriculture, Forestry and Fisheries	40
Economy, Trade and Industry	40
Land, Infrastructure, Transport and Tourism	45
Environment	30
Security	30
Fundamental National Policies	30
Budget	50
Audit and Oversight of Administration	40
Rules and Administration	25
Discipline	20

Table 3 Standing Committee of the House of Councillors, January 2010

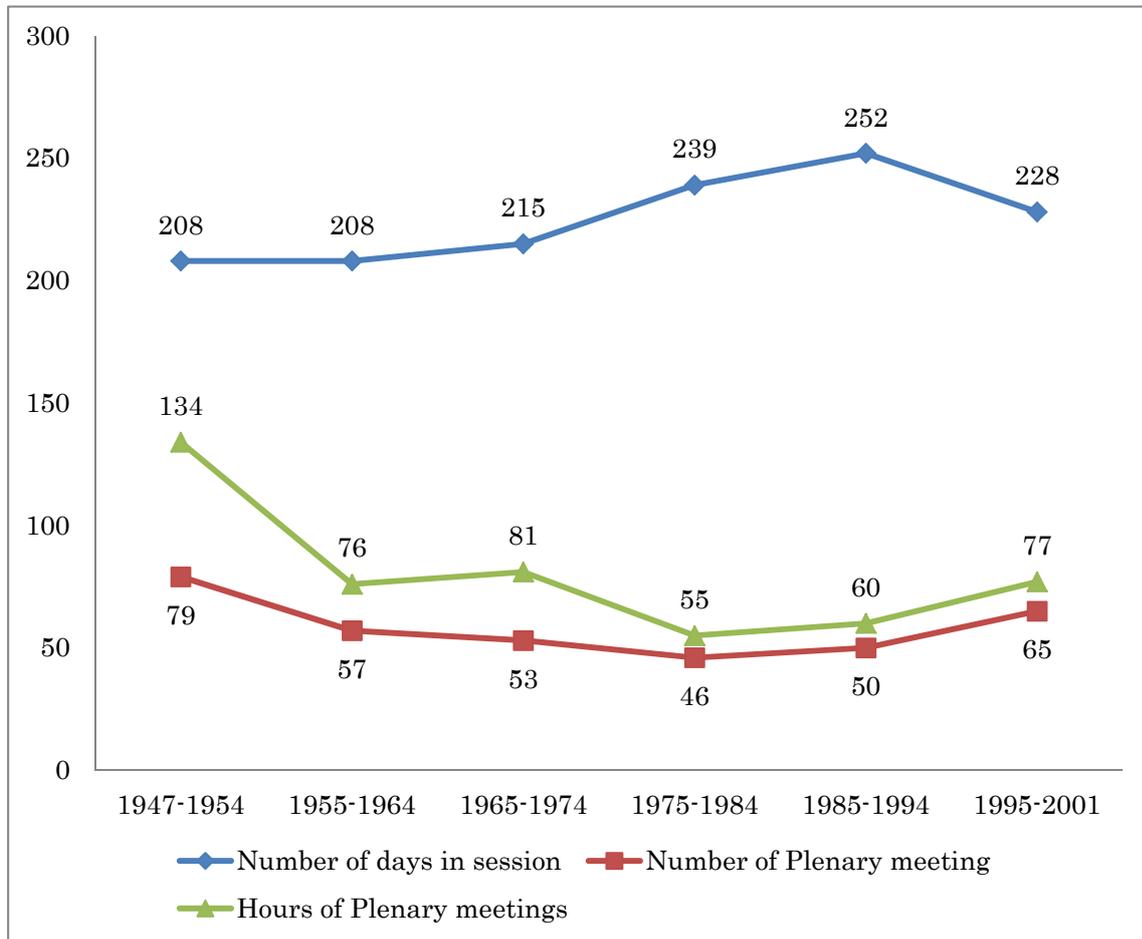
Name of Committees	Number of members
Cabinet	20
General Affairs	25
Judicial Affairs	20
Foreign Affairs and Defense	21
Financial Affairs	25
Education, Culture and Science	20
Health, Welfare and Labour	25
Agriculture, Forestry and Fisheries	20
Economy and Industry	21
Land and transport	25
Environment	20
Fundamental National Policies	20
Budget	45
Audit	30
Oversight of Administration	30
Rules and Administration	25
Discipline	10

Table 4 Numbers of Bills, 1947-2009

		1947-1955	1955-1993	1993-2009	Total
Bills submitted	Government Bills	2194 (76.2%)	5016 (65.8%)	1980 (59.3%)	9190 (65.7%)
	Members' Bills	826 (27.4%)	2608 (34.2%)	1360 (40.7%)	4794 (34.3%)
	Total Bills	3020	7624	3340	13984
Bills approved	Government Bills	1902 (79.8%)	4134 (88.6%)	1820 (83.8%)	7856 (85.2%)
	Members' Bills	482 (20.2%)	531 (11.4%)	351 (16.1%)	1364 (14.8%)
	Total Bills	2384	4665	2171	9220

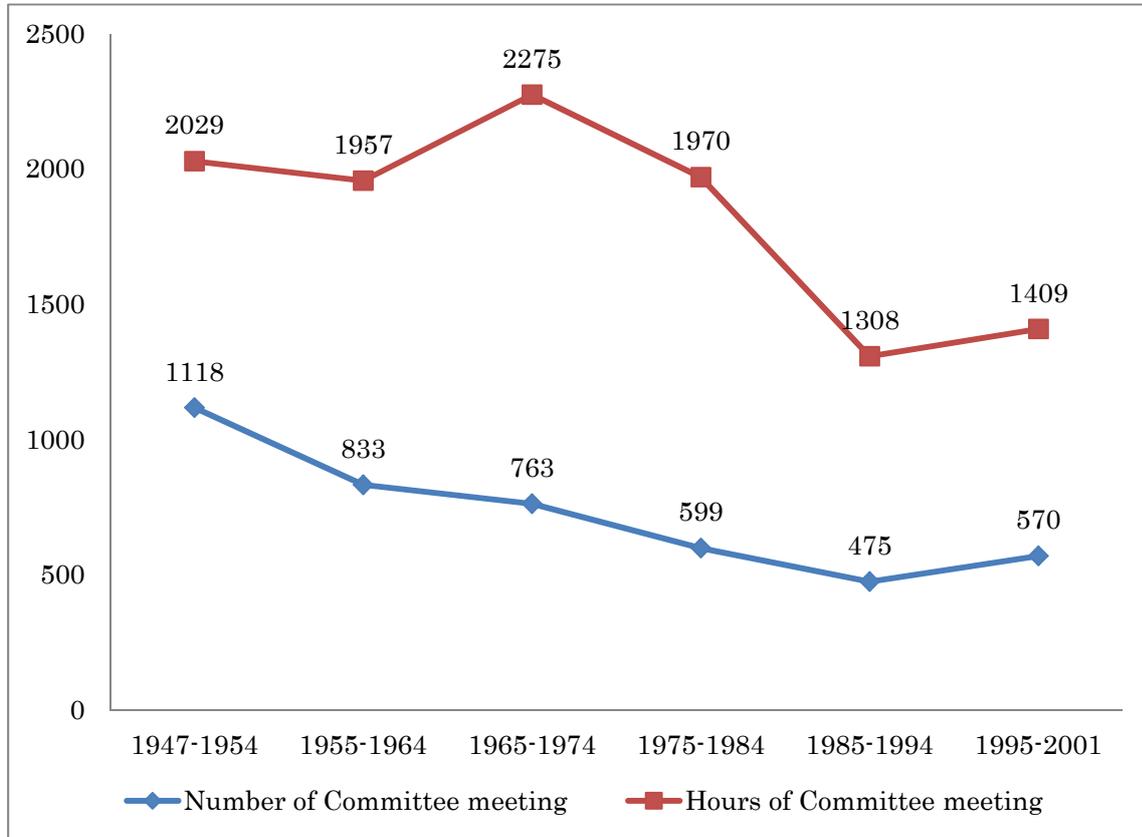
Source: National Diet Library

Figure 1 Average number and hours of Plenary meetings in the House of Representatives per year 1947-2001



Source: Secretariat of the House of Representatives, Yomiuri Shinbun, Mainichi Shinbun

Figure 2 Average number and hours of Committee meetings in the House of Representatives per year 1947-2001



Source: Secretariat of the House of Representatives, Yomiuri Shinbun, Mainichi Shinbun

Reexamining the 1955 system Old System, Old Practice and Political Immobility²⁹

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The '1955 system' and the political reform

What would be the most frequent answer to the question, 'what has most affected Japanese politics?' It would be 'the 1955 system'. It is well known that the Japan Socialist Party (JSP, *Nihon Shakaito*) was reunified as a single party in October of 1955, followed by the inception of the Liberal Democratic Party (LDP, *Jiyu-Minshuto*) in November. Although the Japan's post war party system has been described in a variety of ways since then, the term '1955 system' is still widely used to indicate the party system which had ruled postwar Japan for over 50 years.

Recent Japanese politics is in transitional stage from that system. Since the late 1980s, some reformers have been trying to accelerate this transition. Ichiro Ozawa and Junichiro Koizumi would be most notable among them. In 1993 the step down of the LDP after ruling 38 years since its inception materialized with Ozawa as central figure. In 2001 Koizumi came into office promising 'the breakdown of the LDP' or *Jiminto wo Bukkowasu*. In 2009 the general election brought further change, giving 308 seats for the Democratic Party of Japan (DPJ), only 119 for the LDP and Ichiro Ozawa became the secretary general of the DPJ.³⁰

However, these changes haven't led to the realization of a more stable and effective policymaking process. Why? There are many reasons and as many ways to explain the answer. In either way, we should have a concrete understanding of the 'outdated' system.

The conception of the '1955 system' is, in this respect, regarded as highly arguable. For example, we would be mystified by the fact that the collapse of the system had been repeatedly predicted. It had been done in 1960s when Japan's party system

²⁹ This paper is based on my chapters on the history of Japan's party politics from 1955 to 2009 in Yoshiya Suetake and Tomoki Takeda(eds), *Nihon Seito Shi [History of Japan's party politics; from Meiji to the Present]*, Tokyo: Yoshikawa Koubunkan, 2010 (forthcoming).

³⁰ For more detailed explanation of this process, see Naoto Nonaka, *Jiminto Seiji no Owari [The Collapse of the LDP politics]*, Tokyo: Chikuma Shobo, 2008.

became a multi-party system and especially in the early 1970s when the era of 'government-opposition parity' or *Yo Ya To Hakuchu* began. Furthermore, the year 1993 is often referred as the 'real' end of the '1955 system' while, having considering the fact that the LDP returned to the governing coalition in 1994 and had led the coalition from 1995 to 2009, we have a feeling that the party system which had begun in 1955 seems to have lasted 54 long years in one way or another. When we think of the political scandals and factional conflicts within the DPJ, we also cannot help but admit that the old practices of the old regime are also still quite active in Japan, even if the LDP's seemingly 'permanent' dominance has finally come to an end.

I tend to agree with a Japanese observer, Zenichiro Tanaka, who states that these years of coalition government with the LDP can be seen as another era of the LDP's dominance just relatively weaker than the previous years.³¹

What is the '1955 system' after all? We need to clarify its meaning. We also need to have an understanding of how the recent political immobility has been caused by the system. To think of these issues might require more concrete answers to what has to be done in this transitional period, all the more so if the issues and problems of 'one-party dominance' appear to be forgotten in the excitement of the change to a DPJ government in September 2009.

The '1955 system' and 'One-party Dominant System'

Although some usage of the term '1955 system' can be found in the literatures of the Japan Communist Party (JCP, *Nihon Kyosanto*) in the 1950s,³² the concept is best credited to the classic article published in 1964 by Junnosuke Masumi. In this article Masumi defined Japan's postwar party system as the system of two major parties, namely the JSP and the LDP, and described the system of 1955 as "a grand political dam into which the history of Japanese politics surge".³³

³¹ Zenichiro Tanaka, *Nihon no Sosenkyo 1946-2003* [General Elections of Japan 1946-2003], Tokyo: Tokyo Daigaku Shuppan Kai, 2005.

³² Hideo Otake, "Rieki Seiji ni yoru Jiminto Shihai"[the LDP's Rule by Interests Politics] in *Kodo Seicho Ki no Seiji Gaku* [Japanese Political Science in the Economic Growth], Tokyo: University of Tokyo Press, 1999.

³³ Junnosuke Masumi, "1955 Nen no Seiji Taisei [The system of 1955]", *Shiso*, No.480, 1964, carried in Junnosuke Masumi, *Gendai Nihon no Seiji Taisei*[Contemporary Japanese Political regime], Tokyo: Iwanami Shoten, 1969.

One of his significant perceptions shown here is that he obviously regarded these two major parties were the equal composites of the system. It is probable that he, in the first place, anticipated that a British-style two-party system would emerge in Japan's postwar political scene as his contemporaries did. The other is his socio-ideological perception which is parallel to Lipset and Rokkan's analysis of the party system. In other words, Masumi, in conceptualizing the '1955 system', observed that socio-ideological cleavages had emerged in Japan through a series of the political events up to the year 1955. The party system of 1955 was, in his account, the representation of this social structure.³⁴ However, the development which started in 1955 was in fact 'a huge political system which spread to foreign relations and industrial relations'.³⁵ There is little wonder that a variety of ways arose to describe Japan's party system even under the same conception of the '1955 system' after Masumi's article was published.³⁶

This conceptual stretching of the term together with the LDP's apparent dominance in the system after 1960s has made political scientists prefer the concept 'one-party dominant system' nowadays. The conception of a 'one-party dominant system' should be credited to the Italian political scientist, Gionavanni Sartori, although the interest in the emergence of a 'dominant party' in Western democracies had already increased before him. For example, Nobutaka Ike had also described the Japanese party system as a 'one-party dominant system' in 1972.³⁷ However, Sartori's monumental work of comparative party politics, *Parties and Party System: A Framework for Analysis* in 1976 took the lead in classifying Japan's party system as a one-party dominant system; and later works of political scientists followed his line.

It would be unwise, however, to suggest that Masumi had ignored the significant character of the LDP dominance in Japan's postwar party system. Masumi described the political scene up to the late 1950s as 'one and one half' party system, a parallel concept to the '1955 system'. By this Masumi meant that 'one' party (namely the LDP) had been, and would continue to be, in power and the 'half' party (the JSP)

³⁴ Masaru Kono, *Japan's Postwar Party Politics*, Princeton University Press, 1997.

³⁵ Koji Nakakita, *The Korean Armistice and Japanese Politics*, Discussion Paper, STICARD, No. IS/04/477. London: LSE. See also Koji Nakakita, *1955 nen Taisei no Seiritu* [The Establishment of the 1955 system], Tokyo: University of Tokyo Press, 2002.

³⁶ For critical analysis on the usage of 1955, see Yasushi Yamaguchi, "Sengo Nihon no Seiji Taisei to Seiji Katei" [Political regime and Political Process of Postwar Japan] in Ichiro Miyake et al (eds), *Nihon Seiji no Zehyou*, Tokyo: Yuhikaku. Shinichi Kitaoka, "Houkatsu Seito no Gorika [The rationalization of the Catch-all Party]" in Jiro Kamishima (ed), *Gendai Nihon no Seiji Kozo* [The political Structure of Contemporary Japan], Tokyo: Horitsu Bunka Sha, carried in Shinichi Kitaoka, *Kokusaika Jidai no Seiji Shido* [Political Leadership in the Global Age], Tokyo: Chuou Koron Sha, 1990.

³⁷ Ike, Nobutaka, *Japanese Politics: Patron-Client Democracy*, 2nd edition, Knop, 1972.

would be permanently out of power. Thus, Masumi had obviously noticed the LDP's dominance in conceptualizing the 1955 system.³⁸

If there is a consensus on the fundamental image of Japan's party system, then can we say for sure it is LDP dominance that is to be changed? In reality it seemed an answer to Ichiro Ozawa along with Morihiro Hosokawa when they were shaping the opposition's coalition in 1993 against the LDP's maneuvers to stop coalition-making. Ichiro Ozawa again, along with Yukio Hatoyama, believed that change was necessary during the election campaign in the summer of 2009.

This answer, however, would still be insufficient. First of all, we must admit that the significance of Japan's party system does not itself explain today's immobility. On the contrary, we should remember that the system was regarded by some overseas observers in the 1980s as highly effective, even if it might have been seen as 'uncommon democracy'. Secondly, we should note that the conception of a 'one-party dominant system' cannot explain what kind of political process would emerge under this system. The concept is capable only of categorizing a party system in democracies, not in understanding the political process under a system.

'State-Party Cartel' and the irony of 'fragmented character' of Japanese government

There are two points I would like to make here regarding the Japanese party system's influence over the Japanese political process.

First, the 'state-party cartel' has emerged under the system. One of the most notable observations is that of Masumi in 1985. He argued that Japan's rapid economic growth from 1950s onwards was promoted by the party system which formulated an 'iron triangle' between the LDP, the bureaucracy and big business. According to Masumi, one-party dominant system (namely the LDP dominance) was a 'promoting machine' of Japan's economic growth with close state-party relations at its core. Although it was a distorted party system uncommon to democracy, this triangle helped to deliver 'structural policy' in order to bring about socio-economic change without being influenced by short-term interests of the electorates.³⁹

³⁸ Robert A. Scalapino and Junnosuke Masumi, *Party and Politics in Contemporary Japan*, University of California Press, 1962.

³⁹ Junnosuke Masumi, *Gendai Seiji*, in 2 vols, Tokyo: University of Tokyo Press, 1985 (Ronnie E. Charlie (trans), *Contemporary Politics in Japan*, University of California Press, 1995).

Jun Iio also observed the historical emergence of state-party cartel under long LDP rule in 1995 with another critical stance.⁴⁰ There is no doubt that the state-party cartel promoted by the LDP dominance could easily become a hotbed of 'vested interests' even if it could have had potentially positive impacts in terms of political stability. However, it easily made, together with the fragmented character of the Japanese cabinet system as argued in Dr. Oyama's paper, a number of *department-party* cartels which are department-focused, not nation-focused,.

This explains one of the reasons for the emergence of specialist-politicians or *zokugijin* in the LDP and the 'political' bureaucrats or *Seijiteki Kanryo* who tend to deliver long-term but 'department-focused' policies. In this way, as the one-party dominant system developed in Japan, both specialist politicians and political bureaucrats reinforced the ironical 'fragmented character' of Japanese government in this uncommonly strong 'state-party fusion'.

Opposition's strategy and the irony of a 'catch-all party'

Secondly, the system encroached upon the opposition's strategy to a great extent. Theoretically speaking, a party system would prescribe the pattern of inter-party relations and the one-party dominant system would leave only two strategies to the opposition. One is to become a 'catch-all party' to appeal to a broader spectrum of the electorate at general elections. The other is to make a coalition in the parliament and the constituencies against the ruling party.⁴¹

It is interesting to note that in the history of Japan's postwar party politics the second of these strategies in parliament succeeded in 1993 after many frustrations in the 1970s. The collapse of 'the 1955 system' in 1993, that is, the step-down of the LDP from its ruling position, resulted from the success of the opposition's coalition-making, not from the direct result of a general election.⁴²

On the other hand, Japanese opposition parties had constantly failed in the former strategy. The conception of a 'catch-all party' was originally introduced by Otto Kerhiheimer as a strategy for the opposition to fight the government party. In Japan,

⁴⁰ Jun Iio, "Seijiteki Kanryo To Gyosei Teki Seijika [Political bureaucrats and bureaucratic politicians]", *Nenpo Seijigaku*, Tokyo: Iwanami Shoten, 1995. See also Iio, Jun, *Nihon no Tochi Kozo* [Japanese Political Structure], Tokyo: Chuou Koron Shinsha, 2007.

⁴¹ Toshihiro Matoba, "Itto Yuui Sei Ron no Tenbou [Theoretical Prospects of One-party Dominant System]", *Hogaku Ron Zo* Kyoto: University of Kyoto, Japan, Vol.118, No.4/5/6, 1986.

⁴² After the general election on 18 July 1993, the number of the seats occupied by the LDP was 223 (later it became 228), 43.6% of the whole seats. The LDP lost the 'secured' majority but still a leading party in the House of Representatives.

however, the concept has often been used to explain why the LDP dominated over the JSP. It is very ironical to see that in Japan's postwar party system it was the government party, not the opposition, which succeeded in this strategy.⁴³

With this irony, the success of the LDP to become a catch-all party and the failure of the opposition, especially the JSP, to do so is essential in understanding the development of Japan's postwar party system. The LDP's dominance and the JSP's incompetence were in retrospect decided as early as the 1960s and it prescribed the 'evolution' of the system as a prompting machine for economic growth as shown above. However, we could say that it prescribed the 'decline' of the system as, having had produced the political stability and efficiency for the economic growth, it turned into the hotbed of vested interests and department-focused state-party cartel in the end. Thus the one-party dominant system curtailed the possibility of nation-focused political reform necessary for Japan in the 21st century.

The LDP as a 'Catch All Party' in the late 1950s

Then, how did it happen? It is a fact that the JSP heralded the spring of Japanese postwar party politics in the late autumn of 1945. Although the party was a loose amalgam of prewar proletarian parties that resulted in frequent party splits in later years, the formation of the JSP was a declaration of Japanese proletarians' resolution to take a strong lead in Japan's new democracy. They were so welcomed by Japanese people that they came into power in 1947. The Tetsu Katayama cabinet, a coalition government with the JSP at its core, was the very first cabinet which was designated by the Diet under the new constitution.

On the other hand, it is also known that the LDP started its history in 1955 as a very fragmented, weakly organized party. It was also a loose amalgam of several parties, some of which had their roots in prewar or war period. It is very natural that the LDP would be split by the former Japanese Progressive Party (JPP, *Kaishin To*) members sooner or later.⁴⁴ From 1990s there appeared some discussions on the making of

⁴³ Kerhiheimer repeatedly presented the concept in arguing the transformation of party system in Western democracies. In so doing he observed, almost lamented, the decline of policy differences and political oppositions as well as the genesis of a cartel of centrist parties. Accordingly he pointed out a gradual power shift from parliament to the executives—all of which would end up, again, in state-party cartel. See Andre Krouwel, "Otto Kirchheimer and the catch-all party", *West European Politics*, 26:2, 2003.

⁴⁴ Seiichiro Kusunoki, "Syosenkyoku Houan no Zasetu"[The frustration of Introducing Single Vote Constituency Law in 1950s], in Takahusa Nakamura, et., al., *Kadoki toshite no 1950 nendai* [Transitional Era of 1950's], Tokyo: University of Tokyo Press, 1997. For the organization of the LDP from a different angle, see also Hitoshi Komiya, *Jiyuminsyuto no Tanjyou* [The Birth of the Liberal Democratic Party], Tokyo: Bokutakusya, 2010.

the LDP with detailed, fresh look and some arguments on the possibility of 'another two party system' in 1950s, whether with the LDP and JSP or Japan Liberal Party (JLP. *Nihon Jiyu To*. Later it became Japan Liberal Democratic Party, JLD, *Minjito*) and the JPP.⁴⁵ Whether accepting the possibilities of 'another 1955 system' or not, these new understandings have clarified the inevitability of the fragmented character of the LDP more than ever.

It was evident that some time was necessary after 1955 to stabilize the organization of the LDP. Some scholars have been particularly concerned to understand the puzzle of the LDP's dominance during that time. One of the pioneering work in Japan which pointed out the importance of the consolidating process of the LDP as dominant party is the article by Shinichi Kitaoka. Kitaoka gave importance to the shaping process of the Hayato Ikeda cabinet (1960-1965) in making the policy orientation of the LDP economic in character. Later, he elaborated this issue further, using the letters of Shigeru Yoshida, and argued that in the development of the Ikeda cabinet the confrontation within the LDP was finally eased by the alliance between Yoshida and Kishi Nobusuke who had been well known as a antagonist against Yoshida politics in the early 1950s. Kitaoka lays emphasis on the fact that Kishi gave strong support to Ikeda in the LDP's presidential election in 1960 because they roughly achieved a consensus on a pro-Western, economic-oriented line which later characterizes LDP policy. Kitaoka continues to say that this critical moment for the stabilization of the LDP's factionalism could be called the making of the '1960 system'.⁴⁶

As the organizational stability and a consensus of a pro-Western, economic-oriented line was achieved, the transformation of the LDP to a 'catch all party' started. As Mamoru Sorai argued in 1993, the process was prompted since the Ichiro Hatoyama cabinet (1954-1957).⁴⁷ It should be noted, however, that the transformation of the LDP into a 'catch-all party' had been already conditioned by the formative process of

⁴⁵ See Tomoki Takeda, *Shigemitsu Mamoru to Sengo Seiji* [Mamoru Shigemitsu and Post-war Politics], Tokyo: Yoshikawa Kobunkan, 2002. I understand that the early 1950s had the possibility for another two party system while Nakakita underestimates the possibility. See Nakakita, *ibid*.

⁴⁶ Shinichi Kitaoka, "Houkatsu Seito no Gorika [The rationalization of the Catch-all Party]" in Jiro Kamishima (ed), *Gendai Nihon no Seiji Kozo* [The political Structure of Contemporary Japan], Horitsu Bunka Sha, 1985, carried in Shinichi Kitaoka, *Kokusaika Jidai no Seiji Shido* [Political Leadership in the Global Age], Chuou Koron Sha, 1990, "Kishi Nobusuke", in Akio Watanabe (ed), *Sengo Nihon no Saisho Tachi* [The Prime Ministers of Postwar Japan], Tokyo: Chuo Koron Sha, 2001, "Yoshida Shigeru no Senzen to Sengo" [Shigeru Yoshida in the prewar Japan, postwar Japan], *Nenpo Kindai Nihon Kenkyu*, Vol.16, Tokyo: Yamakawa Shuppan Sh, 2001, *Jimintou: Seikentou no 38 nen* [The LDP: Its 38 years as government party], Tokyo: Chuou Kouron Shinsha, 2009.

⁴⁷ See Mamoru Sorai, "Jiminto Ittou Shihai Taisei Keiseikatei to shite no Ishibashi Kishi Naikaku (1957-1960)" [The formative process of the LDP dominance in Ishibashi, Kishi cabinets 1957-1960], *Kokka Gakkai Zasshi*, vol.106, No.1/2. University of Tokyo, 1993.

the party as described above. The integration of some pro-socialist groups within the party helped the LDP to appeal to a broader spectrum in electoral politics. The importance of the late 1950s for the LDP does not diminish the importance of the year 1955 as the starting point of the LDP's dominance.⁴⁸

Failures of the JSP and Japanese Opposition Politics

On the other hand, what was happening in the JSP in the 1950s? As an amalgam of several factions at the time of its inception, factionalism, which has often been attributed as a characteristic of the LDP, could be seen also in the JSP. However, conflicts over policy and ideology within the JSP appear to have assumed relatively greater importance: factionalism in the JSP has been more intense than in the LDP so that the party split several times until its reunification in 1955.

This problem and the process of the party's serial split-ups do not need to be retold here because they are covered in standard works by A.J.J. Stockwin in the English language.⁴⁹ Even in the heyday in the late 1950s when the support rate for the JSP in general elections was growing constantly, the JSP was troubled considerably by factionalism and organizational problems, while the Democratic Socialist Party (DSP. *Minsya To*) was established with Suehiro Nishio as Party Chairman after the strong conflict over the revision of the US-Japan Security Treaty. From the late 1960s the JSP began to suffer a continuous decline in the election results and other opposition like the Komei Party and the Japan Communist Party (JCP. *Nihon Kyosan To*) began to gain support in the metropolitan areas making inroads into the electoral support of the JSP as well as the LDP. The general history of JSP's bleak picture of decline does not need to be told here because it is the reasons for the JSP's failure for the strategies left to them under the one-party dominant system that I am concerned with. First, why did they fail to seize the opportunities for united opposition against the LDP's dominance while there did exist such opportunities in the 1970s? To explain this failure, more emphasis should be laid on the interaction among the opposition parties than the electoral politics. As Stephen Johnson correctly argues, the strong competition among the opposition was as much a feature of Japan's opposition politics of these years when the LDP suffered from electoral emergency.⁵⁰

⁴⁸ See Tomoki Takeda, *ibid.* See also Yasuko Kono, *Sengo to Kodo Seicho no Shuen* [The End of Postwar Period and Economic Growth], Tokyo: Kodansha, 2002.

⁴⁹ A.J.J. Stockwin, *The Japanese Socialist Party and Neutralism*, Melbourne: Melbourne University Press, 1968, "The Social Democratic Party (Formerly Socialist Party): A Turbulent Odyssey", in Ronald J. Hrebener, *Japan's New Party System*, Oxford: Westview Press, 2000.

⁵⁰ Stephen Johnson, *Opposition Politics in Japan; strategies under a one party dominant regime*, London: Routledge, 2000.

As I mentioned earlier, it was not until 1993 that the united opposition was successful; but it succeeded only because of the skillful maneuvers of Ichiro Ozawa who had been the mainstay of LDP politics until he split the biggest faction of that party, *Keiseikai*, just before the coalition government was formed. The rivalry within the opposition in Japan was so strong that an experienced 'strong man' like Ozawa was necessary to form a united opposition.

The rivalry within the opposition or the incompetence of united opposition was also underpinned by their electoral strategies which were inferior to those of the LDP. In other words, the opposition was not able to appeal to a broader spectrum of the electorate on its own as the LDP could. A united electoral campaign was urgently needed; but many coalition attempts were designed with the intention of excluding and isolating the JCP which had seen a resurgence in the 1970s. The ideological conflict among the opposition was of benefit to the LDP's dominance. The JSP was, in reality, most militant against the JCP.

Secondly, why did they fail to become a catch all party? In reality there was a series of unfulfilled endeavors in the JSP known as 'Structural Reform' or *Kozo Kaikaku Rosen* in the 1960s. It was the attempt to change the too ideological character of the party into a more popular one. The reform started quietly as early as 1957 and the unsuccessful electoral result after the split in 1960 and the assassination of JSP chairman, Inajiro Asanuma, forced the party to reassess its basic policy especially its Marxist doctrine. Under a new leader, Eda Saburo, the new doctrine of incremental social reform was put forth. However, the emergence of this doctrine was strongly connected with factional realignments and caused more rivalry in the struggle for a new leadership. In 1964 the new party's platform, 'The road to Socialism in Japan' was introduced by the leftist group, *Shakaishugi Kyokai*. By May 1965, the Left firmly controlled the party again.

We might call it the '1965 system' of the JSP in that the system made the evolution of the JSP difficult in retrospect. It was too late for the JSP to revise its platform in 1984. Masumi emphasizes the emergence of 'mass society' in 1960s as the crucial factor to explain the failure of the growth of a Japanese social democratic party. It is rather common to suggest that 'mass society' diminishes the conditions for social democratic party to grow (Epstein 1967). However, the organizational problem in the

SDP appears to have played a larger role in the failure of the JSP to make this happen.⁵¹

Interestingly some scholars are revealing the more pragmatic character of the Marxist group in the party.⁵² I am reluctant to accept the idea of the 'moderate' JSP in the 1960s but it is true that, while expressing Marxist doctrine, they were 'realistic' enough to enjoy a limited channel of influence under the LDP's dominance and continued to give a higher priority to maintaining the status quo as a weak, incompetent opposition. This opposition attitude is to blame for Japan's 'democracy without competition'.

Things to be done?

Whatever possibilities Japanese politics had in the 1950s and 1960s, 'another' 1955 system were only imaginary. The 'real' 1955 system had taken off in the middle of the 1960s and the well known 'Japanese way of Politics' began to appear: the exclusive state-party cartel between the bureaucracy and the LDP, the fragmented vested interests among them and the militant rivalry among opposition groups which had made united opposition improbable.

Under this ironically 'stable' party system, both government and opposition could enjoy the status quo as long as steady economic growth was visible. What kind of leadership was needed in these circumstances? It was a coordinating type of leadership. It would be unwise, however, to suggest that that style had been prominent since its inception. Kishi, Eisaku Sato and Kakuei Tanaka were all fond of a stronger leadership style. Masayoshi Ohira and Takeo Fukuda would have followed them if their term of office had been longer, while their periods of power had seen very strong inter-party, factional conflicts within the LDP. New leaders in the 1980s such as Noboru Takeshita, Kiichi Miyazawa and Shintaro Abe were reluctant to compete with each other in the struggle for power. Some observers in Japan in the late 1980s stated that the LDP factions resembled Japanese corporations in the way that they were reluctant for a power struggle among them⁵³. The Japanese way

⁵¹ Yoshihisa Hara, *Sengoshi no nakano Shakaito* [The JSP in the postwar history], Tokyo: Chuo Koron Shinsha, 2000.

⁵² Koji Nakakita, "Nihon Shakaito no Bunretsu: Nishio Ha no Rito to Kozo Kaikaku Ha"[The Spl of the JSP: Nishio faction and Kozo Kaikaku Faction] in Masumi Ishikawa and Jiro Yamaguchi *Nihonsyakaito: Sengo Kakushin no Shiso to Kodo*[The JSP: Thought and Behavior of Postwar Japanese Progressives], Tokyo, Nihon Keizai Hyoron Sya, 2003. Stephan Johnson, *ibid*.

⁵³ Hirohumi Iseri, *Habatu Saihensei* [The realignment of Factions in the LDP], Chuo Koron Shin Sha, 1988.

of politics which had originated in the party alignment of 1955 and started consolidating in the 1960s was completed in this way in the 1980s.

This leadership style was tolerable in ordinary peaceful situations: it was not in the emergency of the 1990s. It was quite natural, therefore, to assume that the way of politics would change if the one-party dominant system collapsed. It only collapsed completely in 2009 for many reasons such as the electoral system, change of voter behavior and the change of international environment; and the new DPJ government put many reform programs into practice under its rule.

However, it appears to be rather 'structural change' that they are trying to introduce. As Dr. Oyama states in the preceding paper, the DPJ appears to 'britannicize' Japan, while, as I have shown in this paper, the historical background of Japan's postwar party system as well as the institutional background are so different between Japan and Britain.

Furthermore, fundamental structural change will take longer. What if the DPJ government changed in the next election? One observer states that there might be another 'one-party dominant system' under the DPJ rule in the near future. It might not be an improbable scenario in the minds of DPJ executives to pursue this radical structural change. Britannicization is not an answer while the resurgence of one party-dominant system is out of the question.⁵⁴ We have to find a new system; and the resemblance between the DPJ and the LDP in terms of money scandals and weak leadership is now widely recognized.

The DPJ's inter-party rivalry would be another problem. The party is obviously following the tradition of Japanese opposition which saw the party split several times and become unable to formulate an opposition consensus. Power only holds them together for now but it would not be a surprise if the party split into several small parties when they are out of office. We should note that that is what has happened to the LDP since 2009.

It will take many trials and errors before we see the establishment of a new party system and the practices compatible with it. But we have to recall that that was how we had learned the old one. Further reform will be needed; and a long-awaited healthy rivalry within the multi-party system should be established. Otherwise,

⁵⁴ Toishikazu Inoue, "Jiminto ga hutatabi seiken wo ninau niwa"[How can the LDP go back into office again?], *Sankei Shinbun*, 9 Sep 2009.

unnecessary disappointment will grow on the Japanese political scene and it will make the necessary reform all the more difficult.

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