

Japan: Mixed Model Electoral Management for a Mixed Parallel Electoral System

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The constitution of Japan adopts representative democracy and guarantees universal suffrage, equality of vote, and the secret ballot. It also includes the basic principles of the election system in the chapter on Rights and Duties of the People, which apply both to elections for members of the National Diet and to elections for members of local assemblies and heads of local authorities.

Universal suffrage in elections for public office is guaranteed to all Japanese nationals 20 years of age and older. Since 1945 there has therefore been no discrimination on suffrage according to gender, race, social status, property, or the amount of tax paid. Requirements as to the amount of tax paid to the National Treasury, which existed in the former election law under the Meiji constitution, were completely abolished in 1925, and in 1945 after World War II, women were finally given the right to vote.

The Public Offices Election Law actualizes the principles contained in the constitution relating to elections for national and local public offices. Previously, there was no unified legislation on elections. Each election, national or local, was held under individual pieces of legislation (the Lower House Election Law, the Upper House Election Law and the provisions concerning the election of local authorities in the Local Autonomy Law). In 1950, all these acts were consolidated into the Public Offices Election Law.

Institutional Structure

The types, responsibilities and composition of the EMBs are as follows.

The responsibilities of the *Central Election Management Council* relate to the election of the members to the House of Representatives under the proportional representation (PR) element of Japan's Mixed Parallel electoral system, and of the members of the House of Councillors under the PR element of the electoral system. The Central Election Management Council is an independent body, composed of five members appointed by the prime minister based on nominations by the Diet. The term of office is three years.

Prefecture electoral management committees have responsibilities related to the election of the members of the House of Representatives from the single-member electoral districts, the members of the House of Councillors from electoral districts, the governors of prefectures, and the members of prefecture assemblies. Prefecture election management committees are

composed of four members selected by prefecture assemblies. The term of office is four years.

Municipal (city, town and village) electoral management committees have responsibilities related to the election of the heads of municipalities and the members of municipal assemblies. They have four members selected by municipal assemblies. The term of office is four years.

Every prefecture and municipality establishes such an election management committee which is one of the administrative committees of the authority, parallel to other local authority committees such as those for education, public safety, local labour relations and agriculture.

In addition, electoral management committees are set up in the special wards of the Tokyo metropolitan government and in the administrative wards of 12 designated cities.

These committees are wholly responsible for the management of their respective functions. Local government in Japan is based on the presidential system, where governors, mayors and councillors are directly elected, and functions on the principle of the separation of powers and internal checks and balances to ensure democratic local administration. An ordinary local authority thus consists of an executive branch and a legislature. The legislature (the elected council) of the prefecture or municipality determines budgets, enacts local legislation and makes decisions on its policies. The executive branch implements the policies decided by the legislature. It includes governors, mayors and their executive committees. To prevent the over-concentration of power in one place, the executive branch also includes a number of administrative committees which are independent of the governor or mayor, for instance, the board of education, or public safety committee, and election committees.

Local authorities are empowered to manage their own financial affairs, and sources of revenue are guaranteed in a number of ways. Their major revenue sources are local taxes, a local allocation tax, government grants, and local loans. Article 7 of the Local Allocation Tax Law requires local authority estimates (income and expenditure) to be determined by the Cabinet, submitted to the Diet and subsequently published. This allows for verification that the local authority revenues will be sufficient to provide a given level of service and meet legal obligations. If revenue is insufficient, the central government may consider amendments to the local tax system, increase the local allocation tax, or take other action. The arrangement also helps local authorities match their economic and fiscal policies with those of central government and acts as a guideline for fiscal management.

A system of resident registration has also been set up to identify accurately the residents within a local authority's jurisdiction. The register contains consolidated records of all residents within the community, forming a database for voter registration and other matters involving residence. It also makes notification procedures easy for the purposes of national health insurance, taxation, compulsory education, and so on.

Sources of Technical Advice and Recommendations

There are a number of sources for technical advice and recommendations relating to elections.

The Central Election Management Council provides the prefectures, cities, towns and villages with technical advice and recommendations and with directions for the legal and appropriate management of the election of members of the House of Representatives and the House of Councillors based on the PR system.

The minister of public management, home affairs, posts and telecommunications is empowered under the Local Autonomy Law to provide the prefecture, city, town and village electoral management committees with technical advice and recommendations as well as directions for the legal and appropriate management of the election of members of the House of

Representatives on the single-member electoral district system, as well as elections to the House of Councillors.

The prefecture electoral management committees also provide the municipal electoral management committees with technical advice and recommendations.

Efficiency and Costs in Vote Counting

A characteristic of election officials in Japan is their orientation to professionalism and a drive towards constantly increasing efficiency, especially regarding the vote counting.

There are two main reasons for the electoral commissions' efforts in reducing the time for vote counting. The first originated from the extension of the opening hours of polling stations, from 6 pm to 8 pm. Because salaries are higher in the evenings than during the daytime, costs increased when the opening hours of the polling stations were prolonged and electoral commissions have been keen to speed up the counting process.

The second reason is media pressure: the press has demanded timely information disclosure and sought accurate results from the electoral authorities on the day of polling. This has even led to competition among electoral commissions to reduce the time for vote counting. Some electoral commissions have chosen to make public their estimated time for vote counting in each municipality, demonstrating the element of competition. Other electoral commissions have chosen to introduce electronic voting machines, but because of the perceived complexity, cost, and security issues regarding e-voting, the machines have not yet become popular. In a further approach to cost reduction, a number of electoral commissions, such as that in Yokohama city, have instead decided to conduct the vote count on the day after polling, but delay their declaration of results by doing so.