

September 2021

country report

Country Programme Japan

**KONRAD
ADENAUER
STIFTUNG**



General Election Outlook 2021- Opinion Piece

Developments in the Final Racing Rounds of the Political Circuit

By Naoki Takiguchi

*This analysis was written before PM Suga expressed his intention to resign. As such, the report does not take his resignation into account.

Introduction

According to the traditional Japanese calendar autumn has already arrived, but the unbearably hot summer still continues. We have felt the heat lingering on longer than before in recent years, most likely due to global warming. This tremendously hot summer will transform into a hot fall in the political arena, as Members of the House of Representatives, the lower chamber of the National Diet of Japan, are fast approaching the end of their term on October 21. In addition, Prime Minister (PM) Yoshihide Suga's term as the party leader (president) of the Liberal Democratic Party (LDP) will come to an end this month. At the same time, the COVID-19 pandemic and the Olympic and Paralympic Games have proved to be complex political issues for the government. Suga still battles to control COVID-19 and has successfully hosted the Olympic Games in which Japan did surprisingly well. (The Japan team had its highest ever haul: 27 Gold, 14 Silver, and 17 Bronze medals.) But the PM is unlikely to earn any credit for this. It is still difficult to make any definite prediction regarding a general election even now at the beginning of September, with less than two months of the lawmakers' terms remaining. (Here the term

"general election" refers to the House of Representatives election). The LDP decided to hold its leadership (presidential) election on September 29¹, thus the general election will take place sometime after this, from October to November. In this paper I will discuss possible general election dates and explain why it is so difficult to predict a definite date.

One important factor is the Public Offices Election Act, the provisions of which may seem to be complex and hard to understand for those unfamiliar with Japanese politics.

I. Driving factors

First, Japan, and Tokyo in particular, is in the midst of the fifth wave of the pandemic, with the weekly average of new positive cases reaching a record high of 25,852 nationwide as of August 20². Future developments in this regard are unpredictable. The seemingly everlasting state of emergency has been extended until September 12. There is also a growing view that would be psychologically difficult to dissolve the House of Representatives for an election under a state of emergency. It is under such conditions that the Olympic and Paralympic Games have been held. Before the Olympic Games began, many Japanese wanted to further postpone or even cancel the event¹. We now know that the anticipated success of Japanese athletes during the Games did not translate into higher approval ratings for the Suga Cabinet – a severe miscalculation.

Second, the ruling LDP's leadership election is set for September 29, in accordance with the party's Leadership Election Regulations. Mr. Suga was elected party leader last year and has served the remainder of his predecessor, Mr. Shinzo Abe's term of office. Contrary to the last leadership election, which was conducted as an extraordinary one due to former PM Abe's abrupt resignation, the party will hold a general vote open to all eligible party members as it will be an ordinary election with multiple candidates. This suggests a general election will take place after the party leadership election. PM Suga denied media reports that he would dissolve the House of Representatives in mid-September and postpone the leadership election until after the general election³.

II. Article 31 of the Public Offices Election Act⁴ - A cause of unclear vision for a general election -

Even if the date of the LDP leadership election is fixed, it does not necessarily define the date of the general election. That is because this depends on whether a Diet session will be convened during the remaining period, or whether PM Suga will choose to dissolve the House for a snap election or wait until the expiration of the term of office for Members of the House of Representatives. He can do so with the support of Article 31. On the other hand, the opposition parties have already requested that an extraordinary Diet session be convened and are pressuring the government and the LDP, but their requests have been rejected so far. I will explore various possibilities for the general election according to the provisions of the law below. Sections 1 and 2 refer to a general election by the expiration of the term of office while Sections 3 and 4 refer to a general election by dissolution.

(Section 1)

"General elections due to the expiration of the term of office of the Members of the House of Representatives shall be held within 30 days before the expiration date of the term."

¹ June Poll by Yomiuri Shimbun: 50% in favor of holding the Olympic Games; 48% against. Due to the greatest success of the Japanese athletes, August Poll by Yomiuri Shimbun ameliorated: 64% in favor of having held the Olympic Games.
Yomiuri Shimbun Poll June 6, 2021 <https://www.yomiuri.co.jp/election/yoron-chosa/20210606-OYT1T50178/>
Yomiuri Shimbun Poll August 9 2021 <https://www.yomiuri.co.jp/election/yoron-chosa/20210809-OYT1T50143/>

If a general election takes place due to the expiration of the term, according to the provision it must be some time between Tuesday September 21 and Wednesday October 20. In this case, available Sundays are September 26, and October 3, 10, and 17. (By convention, polling takes place on a Sunday).

There was only one general election held due to expiration of the term of office, during the Takeo Miki Cabinet in 1976. The LDP lost its majority in the House of Representatives and the Miki Cabinet was forced to resign.

(Section 2)

"In the case where the period during which a general election shall be held pursuant to the provision of the preceding section falls within 23 days from the day when the Diet is in session or when the Diet session is closed, the general election shall be held no earlier than 24 days from the day when the Diet session is closed but within 30 days."

- (1) If the Diet is in a session within 30 days before the expiration of the term of office, the general election shall be held no earlier than 24 days from the day when the Diet session is closed but within 30 days. Should Saturday, October 2 be the closing day, Tuesday, October 26 to Monday, November 1 would be the period set forth by the provision. During that period the only Sunday would be October 31. This means that the general election could be held even after the expiration date of the term of office.
- (2) If the Diet is closed on or after Sunday, August 29, a general election shall be no earlier than 24 days from the closing day but within 30 days. Should September 10 be the closing date, the period would fall on from Monday, October 4 to Sunday, 10. During this period, the only Sunday would be October 10.

(Section 3)

"A general election due to dissolution of the House of Representatives shall be held within 40 days from the date of dissolution."

In the case of a general election by dissolution, the general election shall be held within 40 days from the day of dissolution. This is the most common case. Should the House of Representatives be dissolved, a general election is held within 40 days. For example, if the House is dissolved on September 16 (even though PM Suga clearly denied a possible dissolution around this date), the general election needs to be concluded by Tuesday, October 26. In the seven general elections held since 2000, the average number of days between dissolution and polling day is 29.1⁵. Thus, Sunday October 17 could be a likely option.

Normally, rumours that a dissolution is imminent start spreading in Nagatacho (the center of national politics) first, but it usually happens at short notice. From then onwards, the content of campaign pledges, election campaign posters, and any other campaign material will be produced at an accelerated pace. As explained, it is difficult for party members, campaigners and the media to determine when the House will be dissolved. Therefore, the term "permanently on the battlefield" is often used to describe the pressure candidates face. They have to be ready at all times, because a dissolution can occur literally at any moment. With the current electoral system, Diet members and candidates running in a general election have to constantly juggle dates and campaign schedules. This leads to Members of the House of Representatives continuously campaigning. Dissolution is the PM's de facto prerogative (strictly speaking the Cabinet's), therefore it is difficult to project a date.

(Section 4)

"If the House of Representatives is dissolved before the date of the general election by the expiration of the term of office (according to Sections 1 and 2), the public notice (official start) of the general election by the expiration of the term of office shall cease to be effective."

If the House of Representatives is dissolved on the day when the term of office expires (October 21), the election date can be postponed until Sunday, November 28 at the latest in accordance

with Section 3. While this is a delaying tactic, some ruling party members currently believe that it would be better to hold a general election later (for example in November), given the state of the vaccination rollout and the correlation between Suga Cabinet's approval ratings and the worsening COVID-19 situation. The logic is to wait until the vaccine rollout has reached all corners of the country and the numbers of new positive cases have substantially declined. Hence, the Suga Cabinet is trying to accelerate the vaccination rollout in order to create a suitable momentum for the LDP to comfortably win the general election.

III. Effects on the actors: an analysis

The above explanation is in line with the provisions of the law. But of course, the timing of a general election is always considered in conjunction with the political situation. Good timing secures good results for the ruling party. Conveniently, the Cabinet has the constitutional right to dissolve the House of Representatives. It is possible that no Diet session will be convened before House members' term of office expires.

With the abovementioned record high number of new COVID-19 cases, record low public support ratings, and his recent failure in local elections, PM Suga is facing a difficult situation.

1. COVID-19 mishandling

As mentioned above, the number of new infections is the highest ever. Roughly 60% of respondents in an August NHK poll are unsatisfied with the government's handling of the crisis⁶. There are no signs of improvement. If it were not for the Delta variant, however, Japan might have fared well even with its relatively loose restrictions. The number of new cases and the medical situation will have a critical influence on Mr. Suga's political future.

2. Intra-party and public support

Currently, Secretary-General (SG) Toshihiro Nikai, an LDP powerbroker who created a strong momentum for then-Chief Cabinet Secretary Suga to become PM, supports Suga's re-election as party leader (thus PM). Former PM Abe, the de facto leader of the LDP's largest faction, is generally supportive of Suga's re-election. However, Abe is likely to be taking the current status quo into consideration. PM Suga's most decisive weaknesses are still that he is factionless and lacks a solid political power base. Immediately after taking office last year, Suga enjoyed very high approval ratings. He toyed with the possibility of calling a snap election to secure his mandate, but in the end decided to prioritize controlling the pandemic. According to NHK's August poll, Cabinet disapproval ratings stood at 52%, against approval ratings of 29%⁷. More recent opinion polls conducted by other media outlets show the same trend of record low approval ratings compared to those right after his inauguration. The Suga Cabinet surely expected its approval ratings to rise after the Olympic Games. Hence, the results of the current polls greatly affect internal leadership discussions within the LDP.

Nevertheless, the LDP's approval ratings outperform the other parties, standing at 33% in the NHK poll⁸, while the largest opposition party, the Constitutional Democratic Party, had only 6%. However, if the opposition parties could coordinate to run unified candidates in as many single-seat constituencies as possible against the LDP and Komeito coalition, they would have a considerable impact. In Japan, where a first-past-the-post single-seat constituency system is the primary electoral system for the House of Representatives, the ruling party can enjoy a comparative advantage if the opposition parties are divided.

3. Mistakes made in recent local elections

The LDP did not perform well in the Tokyo Metropolitan Assembly election held in early July⁹ (contrary to polling and media predictions before polling day). This has made it even more difficult to determine the general election date.

Additionally, in the Yokohama mayoral election held on August 22, (PM Suga's constituency is located in Yokohama) the LDP-backed candidate, Hachiro Okonogi, was defeated by an opposition-endorsed candidate. Ironically, Suga had pledged his "full support" to Okonogi, who had resigned from his Cabinet post as Chairperson of the National Public Safety

Commission to run in the Yokohama mayoral election. Okonogi also announced his opposition to the campaign to attract an integrated resort (i.e. casino complex) to Yokohama, a policy promoted by the LDP itself. Suga and Okonogi have been sworn allies since Suga served as an aide to Okonogi's father, who was also a Diet member. (This is an example of the clan-mentality of Japanese politics, with events being determined by personal ties rather than policies and logic.)

It is not always appropriate to directly link national and local politics, but the Tokyo Metropolitan Assembly election in particular is a microcosm of national elections. Furthermore, the fact that the candidate whom PM Suga strongly supported in his constituency lost has serious political implications.

4. Possible candidates for LDP leadership election

If PM Suga believes he should step down to enable a general election to be held under a different leader, or if the idea that changing the face at the top would be preferable gains traction within the party, the new LDP leader would be elected PM in a hypothetical extraordinary Diet session. After that a new Cabinet would be launched. Under this scenario, it would take much longer to determine the date of the general election.

Seiko Noda, Executive Acting Secretary-General of the LDP, said in a speech on July 7, "the next general election will be very difficult (for the LDP)¹⁰." Ms. Noda has expressed interest in running for the next LDP leadership election¹¹. She is one of the leading female politicians, having tried to run for past LDP leadership elections to challenge the so-called glass ceiling. Former Foreign Minister Fumio Kishida, who ran in last year's leadership election, officially announced his candidacy for the party leadership¹². However, as the Chair of the LDP Hiroshima Chapter, he failed to secure victory in an Upper House by-election in Hiroshima in April, which also casts a huge shadow over his leadership. Former Minister of Interior Affairs and Communications, Sanae Takaichi, who is close to Abe, has made her intention to run for the presidency very clear in an article contributed to a monthly magazine *Bungeishunju*¹³.

Last but not least, former Secretary-General Shigeru Ishiba ranked first in a Yomiuri Shimbun poll as the most suitable person to become the next PM. This fact I regard as a clear sign of public support for a person who differs from PM Suga in his clarity and his candid and plausible remarks. Mr Ishiba was a strong Abe-critic and ran against PM Suga last year. Ishiba himself is considering whether to participate in the race¹⁴.

In order to officially register as a candidate for the leadership election, leadership hopefuls need to secure the signatures of 20 other LDP Diet members. This is generally difficult if they are not firmly backed by factions.

PM Suga showed renewed determination to run again for the party leadership after his defeat in Yokohama. He now seeks to regain public support by reshuffling the party leadership and the Cabinet prior to the leadership election. This is likely to include the replacement of SG Nikai, who has been subject of party dissatisfaction for his long tenure, by someone popular with the electorate, such as Taro Kono, Minister in charge of Administrative Reform. However, Gen Nakatani, head of the Tanigaki group in the LDP, said, "party members and the people will likely be fed up¹⁵" with such a strategy. It is doubtful whether it will lead to a recovery in approval ratings. As many as 66% of respondents in an August poll by the Yomiuri Shimbun want PM Suga to resign at the end of his term as LDP President¹⁶.

IV. Conclusions

As explained, it is difficult to state a definite election date even less than two months before the expiration of the term of office. Article 31 of the Public Offices Election Act gives the Cabinet various actual options to take at the tactical level as I mentioned above. The G20 summit meeting to take place in Italy is also scheduled for the end of October, and therefore it is

possible that Japan might be in the midst of a general election during that time. Some media reports claim that the general election is likely to be held on October 17 due to the expiration of the term of office, but this is by no means certain. In this case, the government has to make the Cabinet decision some time late September, which is in the middle of the LDP leadership campaign, when the winner of the race is still unknown. We still have to watch for further developments.

Political parties are by nature tenacious about winning. The LDP is no exception. They can resort to dissolution at short notice. Dissolution and the general elections are always dynamic, and the ruling parties can choose the best timing to suit their purposes. They will use the LDP leadership election as a leverage in their tactics. PM Suga is said to have been the person responsible for the tactic of postponing the dissolution of the House of Representatives at the time of the 2008 Financial Crisis, when Taro Aso (now Deputy PM) was PM. Therefore, PM Suga may be deliberately refraining from using his prerogative.

In Germany and many other countries, election dates are set well in advance, but this is not the case with general elections in Japan. Consequently, not only elections, but also parliamentary schedules are usually not decided until a few days beforehand. I sometimes wonder if there can be a continuous tension in politics without the threat of dissolution, since dissolution forces Diet members to squarely face issues with a responsible attitude. Dissolution, frequently deters lawmakers from irresponsible statements or behavior for fear that those statements and behavior could cost them their seats.

COVID-19 countermeasures and economic revitalization will be the core themes of the general election. The LDP leadership election will be held before a general election, tightening the LDP's organizational structure and enabling the party to seek higher approval ratings from the general public. The Diet may be convened only after this. The government will announce an outline of economic and COVID-19 related measures, such as a supplementary budget for the current fiscal year, and then the Cabinet will determine the date of the general election.

We are drawing into very late summer, feeling a cool breeze in the early mornings and evenings, but still facing an even hotter fall. In Japan, just as the summer skies can change suddenly, so can the political world be shocked by a bolt from above.

It is my hope that this paper assists you in understanding the subject and gaining insight into future developments.

This article reflects the sole opinion of the author and does not present an official standpoint of KAS.

Note: The links are not necessarily available in English.

¹ Takeshi Noda, Chair of LDP Presidential Election Committee, August 26, 2021
<https://www.youtube.com/watch?v=WhDVaSW0i64>

² Ministry of Health, Labour, and Welfare, COVID-19 Number of newly confirmed cases, weekly average as of August 20 https://www.mhlw.go.jp/stf/covid-19/kokunainohasseijoukyou_00006.html

³ Yoshihide Suga, Prime Minister of Japan, Prime Minister's Office, September 1, 2021
https://www.kantei.go.jp/jp/99_suga/statement/2021/0901kaiken.html

⁴ e-GOV, Public Office Election Act <https://elaws.e-gov.go.jp/document?lawid=325AC1000000100>

The provisions in the paper are translated by the author since there are no official translation available.

⁵ House of Representatives, List of General Elections (衆議院議員総選挙一覧表)
https://www.shugiin.go.jp/internet/itdb_annai.nsf/html/statics/shiryo/senkyolist.htm

⁶ NHK Poll, August 10, 2021 <http://www.nhk.or.jp/senkyo/shijiritsu/>

⁷ Ibid

⁸ Ibid

⁹ Japan Times, July 5, 2021 <https://www.japantimes.co.jp/news/2021/07/05/national/tokyo-assembly-election-2/>

¹⁰ The Mainichi, July 7, 2021 <https://mainichi.jp/articles/20210707/k00/00m/010/218000c>

¹¹ Kyodo News, July 17, 2021 <https://www.47news.jp/news/6536162.html>

¹² Fumio Kishida, Member of the House of Representatives, August 26th, 2021
<https://www.youtube.com/watch?v=zZige2J84ZQ>

¹³ *Bungeishunju* (文藝春秋) August 10, 2021 <https://bungeishunju.com/n/n08645a71626f>

¹⁴ Shigeru Ishiba, Official Blog August 27, 2021 <http://ishiba-shigeru.cocolog-nifty.com/>

¹⁵ Gen Nakatani, Member of the House of Representatives, September 1st, 2021
<https://www.facebook.com/gen.nakatani.1>

¹⁶ Yomiuri Shimbun, August 10, 2021 <https://www.yomiuri.co.jp/election/yoron-chosa/20210809-OYT1T50144/>

(URLs accessed on September 2, 2021)

The Author

Naoki Takiguchi is the Senior Programme Manager for Country Programme Japan. Prior to joining KAS, he served as a Policy Advisor to Diet Member Akihisa Nagashima and functioned in various positions at the Embassy of Sweden Tokyo, and the Democratic Party of Japan. Takiguchi served concurrently as a Special Researcher at the Cabinet Secretariat under the DPJ government.

Konrad-Adenauer-Stiftung e. V.

Naoki Takiguchi
Senior Programme Manager for Country Programme Japan

www.kas.de/japan
naoki.takiguchi@kas.de

September 2, 2021



The text of this publication is published under a Creative Commons license: "Creative Commons Attribution- Share Alike 4.0 international" (CC BY-SA 4.0), <https://creativecommons.org/licenses/by-sa/4.0/legalcode>.