

**Rising Sun, Failing Democracy: Japan's Inability for Change and What International
Institutions Can Do About It**

Submitted by

Jacob Packard

Political Science

To

The Honors College

Oakland University

In partial fulfillment of the

Requirements to graduate from

The Honors College

Mentored by: Cody Eldredge

Associate Professor of Political Science

Oakland University

December 9, 2024

Abstract

Japan is often referred to as a “model democracy” within the Asian continent. This thinking reduces Japanese politics to an overly simple level, and has the unfortunate consequence of inadvertently discouraging full-bodied critiques of Japanese democracy. Through a qualitative analysis of three separate case studies focusing on Japanese economy, culture and criminal justice, it is shown that Japanese politics becomes less pressured by that of the so-called “one-and-a-half” party system that political scientists have suggested in recent years and more by the fact that the electorate within Japan struggle to challenge what is perceived as the “status quo”. A thorough analysis of this status quo is conducted, and suggestions for both Japanese policy advocates and international organizations are presented.

Introduction

Since the beginning of parliamentary politics in the Meiji Restoration, Japan has struggled to produce accountability and the representation of the “national interest”, even after the reformation and rebuilding of institutions in the American occupation after World War II. Often, there are two explanations for this issue: one lying in the area of politics, and one lying with sociological studies on Japan as a whole. These theories both conclude, although in differing ways, that the Japanese electorate are deferential to what they believe to be the “authority figure” of politics, that being the Liberal Democratic Party, or LDP. This deferential treatment towards the LDP forms the 1955 System (*gojūgo nen taisei*), which has often been colloquially offered the title of the “one-and-a-half party system”. In such a system, any opposition party attempting to gain traction through any attempts possible (whether that be promotion of ideological beliefs, campaigning directly against the LDP or simple political ploys for power) often find themselves unable to capture long-term political power. In the best of times, they are able to turn political scandal and impropriety into added seats for the Diet, but often they cannot convert those voters into committed constituents for their party, leading to the reversal of any progress to remove the LDP from majority rule (see Umeda, 2019).

This propagation of the 1955 System is theorized to be supported by two factors: an ability for the LDP to elude responsibility for corruption and public dissent, and an inability for opposition parties to press the LDP to either reform or resign. The LDP’s active dodging of accountability is seen in Hino’s (2022) *Japan: Political Developments and Data in 2021*, where the resignation of former Prime Minister Yoshihide Suga and the public distaste for his management of certain events was simply moved past with the appointment of now current Fumio Kishida. Even then, it seems as though Prime Minister Kishida is unable to avoid political

scandal, with recent leadership allegedly concealing funds procured from fundraising events (Osawa, 2024). Even then, the LDP has been able to apologize consistently and advance through any issues that might pose a problem to their rule of the Diet and the Cabinet. Whether it be accepting bribes from Lockheed Martin to obtain preferential treatment in the purchasing of Lockheed aircraft (Jones, 1977), actions of insider trading where a private company, Recruit, gave shares to members of the Diet for a company that was briefly to become public (Nestor, 1990), or the storage of improperly non-taxed securities and ingots of gold from the “kingmaker” Shin Kanemaru in 1993 (Pollack, 1996), the LDP has few issues with maintaining power that it has acquired over time and protecting itself from various and frequent financial and political scandal.

However, this isn’t to suggest that all of the blame for such a system lies with the LDP, and current literature reflects that sentiment. This system is also brought on by fractured opposition groups that cannot gain enough political power to threaten the LDP’s hegemony. An example of this clawing for power in opposition politics is seen in Dornetti’s (2022) qualitative analysis of a CDP (the Constitutional Democratic Party) candidate, Dr. Akai Ohi, and his bid for a Hiroshima-prefecture seat in the Diet. Dr. Ohi is also a political scientist, and part of this analysis involved his own view as to why he believes he lost compared to the LDP candidate. He suggested that part of the issue exists from the inherent lack of funding that the Diet and private funders give to opposition candidates compared to that of the LDP. The issue of the overuse of *koenkai* (roughly translated to local support groups) has been hotly debated in both the Diet and political science academia, with multiple attempts of election reform including the issue of how much (or how little) power these groups should be given, and how much they should be able to give to political candidates. Without these regulations, often political campaigns and battles

between two Diet candidates are not decided by policy they suggest or their personalities, but by how much money they have and how much money they can give to their constituents, sometimes directly.

Even when opposition parties are able to take over the government, it is often not for long, and the Diet transitions back into either a fully-run LDP Diet or a coalition-government between the LDP and similar groups. The reasoning for this is explored mainly through the fragmentation of the Democratic Party of Japan after they were able to successfully obtain a majority through a coalition-government with the Socialist Democratic Party and the People's New Party. Silva (2021) provides a simple and thorough answer to the reason why the DPJ was unable to hold power for too long: their ideological differences were simply too large to overcome or ignore. With the LDP, although it may be called a conservative-leaning party, the size and structure (mainly through factions within the party) allow it to cover a large area that it would not otherwise, whether that be more aggressive foreign policy, isolationism, more social services, or anything else the electorate could want. The DPJ, however, enveloped four separate parties, all with differing ideologies on how Japan should be run, and attempted to force everyone into a compromise of policy and ideology. This caused in-fighting within the DPJ, and the lack of structure and stability inevitably meant the DPJ lost its power and closed its doors to merge with more opposition parties.

Contrary to many political theorists' hopeful analyses, the 1955 System predominates and continues to resist reform, with weakened opposition parties, corruption and greed from the leading party allowing it to benefit even further from their *koenkai*. This would suggest that perhaps this is simply the reason why Japanese politics struggles to offer opposition parties the ability to improve the democracy by giving the Japanese people the ability to choose their party

as they see fit. However, this explanation ignores the agency of the Japanese electorate, and simply brands them as being unable to participate in a liberal democracy. Such a statement should not be taken lightly, and proof of this inability needs to be shown directly through the actions of the Japanese citizenship, which has not been studied to as intense of a degree as the studies surrounding the LDP.

Furthermore, the literature mentioned above presupposes that the cause of further political issues is mainly caused by the party rule, and fails to account for a reversal in causation. There is as much of an argument that another force is causing both the current party system as well as currently undesirable aspects of Japanese politics, yet this has not been as thoroughly tested as the extent to which research into how the LDP maintains control has been. Thus, an intense and focused view into other parts of the Japanese political system is warranted, especially to see if there are potentially indicators that the issue that Japanese politics faces goes deeper than a simple party rule system.

The opinion that Japanese society is already forfeit does not reflect the effects of globalization and, shockingly, the Internet has played on shaping Japanese politics. The cultural and political issues that Japan has faced were able to be ignored in the face of a country recovering from the aftermath of World War II and the following Occupation, but to say that still applies now would be imprudent. As the country is requiring more and more students to learn English as well as Japanese, and as they allow more and more culturally diverse students and workers into their country, Japan is slowly becoming ingrained into the international culture as much as the international culture is being ingrained into Japan. These changes occur not from large shifts of ideology but through the individual and how it changes from this exposure, and as

such the focus for this research will point towards the electorate and if (and how) its opinions and methods of political activity have made meaningful impact on the system.

With this in mind, a systemic view of Japanese politics, both domestically and internationally is warranted to explore how the electorate and government reacts to these issues. In order to obtain as neutral of a view on the electorate, three issues will be extensively discussed: the human rights concerns presented by Japanese corporations requesting high amounts of working hours, the on-going *chikan* epidemic, or incidents of groping in public transportation, and the quasi-sexual assault laws that are being rewritten after an outcry from women who have experienced a disappointing fate with the judiciary ignoring their suffering.

These issues shall highlight the ways in which it is not a political party's sole blame for the issues that pervade Japanese society. All of these case studies imply issues that concern all members of the Japanese party line: a healthy workforce, a safe society, and an active international policy schedule. To write them off as the fault of the LDP would be premature, as there is more complexity that has not yet been explored. From viewing these issues with a neutral and critical eye, we can see how the LDP affects (or doesn't affect) the issues, and how much power the electorate holds, only to be squandered by their own inaction.

We can see both the current reactions from international forces as well as the normal Japanese response to three differing yet consequential case studies: the issue of over-working in Japanese corporations on the rise, an on-going *chikan* epidemic, or incidents of groping in public transportation, and quasi-sexual assault laws being rewritten after an outcry from women who have experienced a similar fate. These issues will show a way that both the international community as well as Japanese citizens can work together to benefit both the country as well as

the world, and suggest policies to allow Japan to grow as a nation as well as actions that can bring the country as a whole closer to its diplomatic allies with respect to international norms.

Case Study 1: Black Companies and the “Karoshi” Epidemic

An ideal place to begin with the disconnect between international standards and Japanese implementation is in the workplace. Japan is a founding member and current party to the Declaration on Fundamental Principles and Rights at Work (1998) in which members of the conference agree that there are certain obligations to promote ideals of the free market. These include the ability to work in a “safe and healthy working environment”, the removal of “all forms of forced or compulsory labour”, and the “elimination of discrimination” within the workplace. These ideals attempt to give workers in these countries the ability to enjoy the rights and privileges afforded to them by a free market economy without fear of nations’ industrial ability being handicapped by relying on these standards.

However, multiple Japanese business practices are often in direct conflict with these ideals presented, often with the reasoning that they are brought on by societal and social norms driving the consistently abusive practices and thus cannot be remedied or mitigated. The two main practices that have plagued the Japanese business sphere have been black companies (“*burakku gaisha*”), and the “*karoshi*” situation, for which there is no direct English-language equivalent. Black companies refer to specific companies in which abusive labor practices are employed, including requiring burdensome amounts of overtime, reporting inflated wages that includes “required overtime” that on its face seems like an attractive compensation package, and intentionally breaking any semblance of a relationship between coworkers, while “*karoshi*”, which translates to “death by overwork”, refers to a zeitgeist among Japanese workers where

employees often work excessive amounts of overtime to the point of hospitalization and even death from stress-induced symptoms.

Japanese business has been widely recognized by both human rights organizations as well as the Japanese government for their practices, mainly through socially pressuring new employees into working a large amount of overtime as it would be the “right thing to do” in that situation. Japanese companies often have a family-like organization which results in attempts of asserting workplace boundaries being met with the feeling of guilt, resulting in requesting legally mandated paid time off in Japan being one of the lowest rates in the world (Demetriou, 2020). This often creates a cycle where personal matters are pushed off for the sake of the company, which allows for bad actors to abuse this constant deference to the company. The status quo for Japanese workers to defer legally prescribed (and sometimes mandated) time off is something worth consideration, especially in the comparison of other industrialized countries and their handling of employees. Many do not have to worry about employees not using the benefits given by the state, yet Japan as a whole does struggle with this matter to a shocking degree.

This is where “black companies” enter the picture. Often hiring from students directly out of college (and allowing a lot of students to push past any glaring issues in the employment process in fear of not being employed out of college), these companies use and abuse the ideal of putting the company over the individual, often requiring excessive amounts of overtime (sometimes totalling 80 hours per week), not adequately paying staff for their time spent working, and constant harassment and bullying within the workplace (Boggs, 2013). This might sound as though it is the working conditions of a sweatshop, but in actuality these black companies exist mainly in the office setting. This consistent and harsh abuse may raise a question, however: why exactly do they not just leave these companies? People are starting to

see the abuse that they face, and from numbers by the Ministry of Health, Labor and Welfare from Japan, the reports and complaints for legal rights regarding overtime pay and paid time off are increasing (Tanaka, 2013). So why are they not leaving these places? The answer comes from understanding Japanese sociology.

Japanese companies often hire workers for life, in which they work at a company from when they leave high school or college until they retire. This in turn gives a sour taste in recruiters' mouths in the case someone lists on their resume that they left a job. Although this stigma has changed somewhat recently, it is still palpable in the hearts of Japanese workers, which often gives anxiety regarding leaving a job, fearful of looking "lazy" or as though they are not "a team player". This anxiety is often directly exploited by these black companies by trying to goad workers to stay in fear of the consequences of potentially never being hired again, forced to work menial labor even with a college degree. This fear crescendos into a new sector in the Japanese economy opening up: the "*taishoku daiko*" that supports employees thinking about leaving their current post but are terrified of the consequences of doing so (see Kageyama, 2023).

However, this issue of overworking is one that Japan as a whole faces through the "*karoshi*" issue, one not perpetuated by a single company or group of companies but rather by the entire Japanese community. This issue has been noted first in the 1970s, in which the term was coined and potential solutions were suggested in order to fix what many considered a "social disease", only for it to persist to this day. Given that still to this day around 22.7% of Japanese companies have employees that have clocked more than 80 hours in a work-week (France-Presse, 2016) and that over twice as much of the Japanese working population puts in

time over the legally mandated 40-hour workweek (Takami, 2018) compared to that of the United States, it is safe to say that this disease has not gone away.

Government intervention into this matter has been with little success, with the proportion of employees working more than 60 hours a week from 11.0% in 1999 to 7.7% in 2016 (Ministry of Health, Labour and Welfare, 2017), yet many issues with the systemic overworking of the Japanese workforce present to this day, such as a record high number of cases in which mental disorders erupted to the point that someone was needed to be hospitalized, or worse yet, that someone died (which might also indicate elevated rates of workers taking their own lives). Attempts at alleviating the suffering caused by black companies have resulted in databases in which a list of “alleged black companies” is given to anyone willing to look for it, but a majority of the support given both for workers going into the labor market and those already in the market has been through private citizens attempting to raise both awareness and action through events such as the “Black Company Awards”, in which reports from government sources are tallied to see what companies truly are the worst in Japan to work at.

However, this issue might be one that produces skepticism. These workers are adults, not children nor someone who lacks legal agency in their lives. If they have such terrible times working, why not just stop working so much? They must know the extent to which their lives are worsening from the amount of work they do, yet the cycles still continue on and on with more people believing that this issue isn’t one that deserves pause. Stopping social structures and ideologies that have been in place for decades is not one that can just be cured with a swift smack on the head and a stern talking to: it requires a nation-wide concern into the issue to provide a true resolution to this issue. Other nations do not struggle with evolving their late-stage capitalist market from one that emphasizes the right to work to one that emphasizes the civil

rights of those workers, and there is a lack of evidence why Japan should be offered an exception for this lack of corrective action.

But why has Japan not been able to provide this critique? If the government sees this problem and considers it something that needs to be meticulously cataloged, it seems contradictory for there to then be no form of workplace reform. Are they concerned about the infringement of Article 27 of the Japanese constitution, that allows for the citizens of Japan “the right and the obligation to work”? A similar legal argument could very well be construed that the current state of workplace affairs infringe upon this right for the Article also contains a provision prescribing that standards for work should be governed “by law”. What seems just as puzzling is the fact that there exists little dissent from the population at large as well. There lacks a consistent, uniform voice regarding these issues of workplace health and safety within the Japanese electorate and is often not shared explicitly.

More interesting is the lack of concern from international allies regarding the status of Japan’s labor force. Although it has been aging to the point of concern for some time, the current influx of foreign workers both within menial and administrative positions poses a cause for concern for these nations. Assuming they do care for their emigrants, the current status of black companies and a heightened renewal of “*karoshi*” leaves many foreign workers at risk of the abuse and harassment of these tumors of the economic system of Japan without much recourse. It is clear, however political the right to work may be taken, that a culturally charged movement of workers performing their tasks and jobs until their bones start to degrade is, in fact, not an economic system that should be condoned by international economic powers. Even other nations have seen this epidemic and given some form of condemnation, but the issue never rises to the point of needing international intervention in their eyes.

However, this same critique also applies to the electorate that has control over these issues. There is no doubt that the Japanese citizens do know about this issue, especially since both the government and private organizations work to raise awareness to this issue. However, rather than taking a more aggressive approach to reducing or regulating these dangerous industries (and dangerous work-ethic), it is an approach that lacks direct action. Merely informing citizens about the hazards that could potentially harm them should they prove to be unlucky is a mere part of the job of protecting Japanese citizens and their right to work, yet the Japanese citizenry do not wish to pressure the government into making these larger steps. Is it not considered a large enough issue to justify political movement? Or is it pure inaction from the electorate to make big moves, almost seeing the half-measures employed by the government to be “enough”? As we will see from later case studies, the latter seems to also apply for this situation.

Case Study 2: The “Chikan” Matter and Attempts at Resolution

Japan further suffers from a reputation of being awash with attempted and actual cases of groping, often referred to as the “*Chikan*” epidemic. Although the attempts at resolution have mainly focused on groping that occurs on the local train, it is not a stretch of the imagination to say that Japan struggles from industry-spanning sexual harassment issues. Just recently, the company responsible for the management and publicity of many J-Pop performers and actors, including the extremely popular actor-songwriter Takuya Kimura, has been exposed for the leader, Johnny Kitagawa, and his tendency to sexually abuse his minor actors and singers for roughly two decades (Hernon, 2023).

However, this type of sexual harassment pales in comparison to the wide-spread issue of groping on public transportation, both in scale and in international acknowledgement. According

to data collected by the Tokyo Metropolitan Government (“Over 40% of women”, 2023), close to 30% of respondents to a survey reported being groped, with a staggering imbalance towards more women being molested compared to men. Furthermore, the majority of younger respondents reported being molested on a train when they were in high school or younger, with a total of 53.2% of respondents reporting such. Compared to other Western countries, although individuals may have been found to abuse their position to sexually harass their subordinates, this often takes place behind closed doors, in comparison to the often very public molesting that occurs within these trains.

Although it might seem as though Japan has been largely ignoring the situation, the solution carried out often takes the form of mitigation rather than prevention. For example, just recently prefectural police have increased their patrolling and heightened any potential surveillance to catch perpetrators (Masutani, 2024). However, this is not round-the-clock enhanced vigilance, but rather before high school and college entrance examinations, a time known often for allowing sexual assailants to take advantage of minors while they are often distracted with these beastly exams in which sleeping less than 4 hours is considered good luck.

The “*chikan*” issue, however, is not disappearing, but is rather festering into the digital era. Recently, a BBC documentary (2023) exploring the epidemic shows that there is now a form of pornography that specifically focuses on recording these sexual assaults, then uploading them to the Internet for financial gain. The issue of trafficking unconsensual sexual acts, although not new to the Internet, shows that the issue is not ending but rather is adapting to the changing times. This also means that responses from both police and politicians end up being attempts to mitigate the worst of the damage rather than prevention of the issue as a whole. It is not

female-only train cars or protecting students before their exams that will end this issue, but rather affecting the culture that perpetuates this grotesque behavior.

This is also an issue recognized on an international scale, with many states recognizing it as a concern for human rights. The Bureau of Democracy, Human Rights and Labor (2022) lists sexual harassment to stand deeply in the way of Japan's ideals of respecting human rights. Sexual harassment within the office is persistent to this day, even in the face of changes of the law, and on public transportation the sexual abuse received by many people continues to be a stain on the country's ability to respect women's human rights. Furthermore, Japan is a signed member of the Convention on the Elimination of All Forms of Discrimination against Women (1979), which vows "to modify the social... patterns of conduct of men and women", including these kinds of egregious acts committed en masse. The fact of Japan's incessant inaction of protecting the rights of women and girls in the face of this convention shows a lack of willingness on other state parties as well as the United Nations to hold Japan accountable for its shortcomings.

The main issue that faces a lot of the issues regarding non-consensual touching in public places is that it is ignored by the community at large, both by victims and by bystanders that witness this constant issue. Recent calculations have reported the rate in which victims report the sexual assaults they experience to be 5% (Johnson, 2024), compared to that of America's 26% reporting rate of sexual assault (Rennison, 2002). It is extremely unlikely for a person who is sexually assaulted to receive any form of assistance from the government or other organizations designed to assist sexual assault survivors, in part from the lacking aftercare system meaning they are more likely to be re-traumatized (McClean, 2007), but also in part because speaking out about sexual assault is something not already done by people. It is difficult to change this already

existing principle, not only because it is a highly stigmatized issue around the globe but because Japanese culture makes it even more difficult to justify “straying away from the herd”.

This, combined with the previous case study, suggests something disheartening in that broken systems remain broken, and that Japanese citizens lack agency to change these broken systems. A cycle of inactivity occurs, where in order to change systems that cause harm, one needs to feel as though they are not the only person advocating for this change: that they are not the odd one out. This feeling then requires more people to participate in the change process for it to become a large enough issue to justify social change within a community rather than just a single person’s complaints. This then requires people to feel as though they are not the first person to step out onto the political battlefield, and the cycle repeats. The majority of Japanese citizens might believe something to be morally wrong or that something needs to be done, but until someone takes the first step, everyone waits until action is taken by someone else.

This news is, quite honestly, dismal. It seems from first glance that in order for change to be enacted there needs to be a force, within or outside, that pushes for these changes. This has unfortunately not occurred in many situations, especially since international forces want to respect national autonomy to run their nation how they see fit. However, Japan has joined many treaties and institutions, and whether this was a genuine attempt to improve their international contributions or if they wanted to seem as though they were a part of the international community, they are still members of the parties of the treaties mentioned above in which many of these ideals are being violated. That being said, the enforcement of treaties might not be the only way in which Japan is able to improve their democracy.

Case Study 3: Sexual Assault and Rising Social Tensions

With regards to cases of severe sexual assault, Japan lags behind its contemporary allies in how such a crime is prosecuted and charged. The system has repeatedly drawn criticism for its' lackluster aftercare treatment in the case a sexual assault victim decides to pursue charges against their abusers (McClean, 2007) and its grating legal system that often wears down victims for what judges unconsciously perceive as “the truth”, especially on hearing testimony from both victims and assailants (see Burns, 2021, see also Gray, 2018). These issues often disempower Japanese sexual assault survivors from reporting incidents of sexual harrassment, and leave assailants at large for them to continue their actions.

However, this state of affairs has recently been criticized, and it is from this criticism that we see a fundamental shift in how public interest plays a role in Japanese politics. This critique comes from the grassroots movement “Flower Demo” (the Japanese name being *furawā demo*) that Japanese women have been consistently pushed aside for the alleged status-quo, where men of power remain so even in face of proved sexual assault. Flower Demo cites three main cases for their disapproval of the judicial system; a case from the Nagoya prefecture, one from the Fukuoka prefecture, and one from the Shizuoka prefecture. All of these cases highlight a shortcoming of the then-current penal code on sexual assault, and as such an examination of the proceedings is warranted.

The case from Nagoya (Abe, 2020) focuses around a 19-year old woman who was sexually assaulted by her father twice in the span of five years. The victim suffered a large amount of emotional abuse, in which her father would refuse to let her see her biological mother for extended periods of time, and discouraged her from pursuing any assistance from the police. Furthermore, the defendant paid for the daughter's scholarship, and thus any attempt to escape

from the abuse would jeopardize her future. However, the initial Nagoya District Court ruled that as there was not a clear and present threat to the victim's well-being, and the methods in which the father controlled his daughter into silence were not considered strong enough to consider indicting the father with quasi-forcible entry. This case mainly focuses on the idea that to consider someone guilty of sexual assault, one must be found to have a complete inability to resist. In its initial form, this inability to resist refers to extreme cases of either physical intimidation or extortion, and lacks the modern understanding of current criminology theory that include instances of the "freeze reaction" often experienced by victims of sexual assault (Rubin and Bell, 2023).

The Fukuoka case (Maiko et al., 2019) is a further example of the non-ability to handle complexity of the past Penal Code, with a woman who was taken advantage of while inebriated. This matter involved a victim who, after going to a restaurant and drinking, became intoxicated, and the defendant then proceeded to touch the woman inappropriately. It was established in the Fukuoka District Court that at that time, the victim asked the defendant to stop with his actions, in which he did not comply and proceeded to commit sexual assault. Although the court agreed that the victim was inebriated at the time of the assault, and thus would be incapacitated rape, they ruled that as she asked the defendant to stop his advances, she was most likely coming out of her intoxication. Furthermore, hearsay evidence suggesting that a third party said that the victim is consenting to the actions by the defendant is what made it likely that he was not intentionally having intercourse with someone unable to resist.

The matter from Shizuoka (*Not-guilty rulings on sex crimes*, 2019) also provides more grounds for criticism of the handling of matters of mental well-being and resistance. This focuses on a victim who, after being greeted by someone outside, was forcibly groped and made a victim

of oral sexual assault. The victim sustained a lip fracture and a temporomandibular joint sprain from how forcibly she was assaulted. The facts were all confirmed in the District Court of Shizuoka, yet the judge ruled in favor of acquitting the accused. This was because the sexual assault was not considered severe enough to justify punishing him with quasi-sexual assault. They further ruled that because the victim was only unable to resist due to mental reasons, and thus that a power to resist did exist in that case. For those reasons, the judge ruled this matter was not quasi-sexual assault.

These three cases show one main point: the total inability to resist matters more for the decision of a case than consent. In all of these cases there is a situation in which someone is forcibly made to have sex with someone by non-physical means, and they have a way to escape physically from such a situation barring current understandings of sexual assault victims' psychology. They are not being assaulted in the eyes of the judiciary. This approach lacks nuance and consideration for other forms of abuse and assault, and thus leaves these holes in which these cases fall through. However, this is not the end of this matter, and combined with the grass-roots movements of both Flower Demo as well as other activist groups, the Ministry of Justice moved and approved the reformation of the Penal Code to include a "no means no" model of sexual assault charges, along with updated criminal code for issues of statutory rape and voyeurism (Ishikawa, 2023).

This kind of grass-roots movement is unheard of for Japan, and shows a shift towards Western approaches towards activism, but in a unique manner. Flower Demo is mainly a #MeToo inspired movement, yet it lacks the movement's main point towards empowering women towards supporting it, that being the accusation of men of power who have used their power to sexually assault women and keep it hidden. However, rather than focusing on ousting

the men that assaulted them from society, Flower Demo's meetings are often focused towards the victims, with individuals sharing their stories and how they often coped with the internal trauma they suffered from being assaulted (*Hundreds protest across Japan*, 2019).

In the perspective of Japanese society, this has a reverberating effect on other women who hear these stories, as it often seeks to maintain or create a status-quo of events. If a large industry executive were to be publicly accused of sexually assaulting their assistants, it would be natural for that person to immediately be removed from the business and an apology be offered, but any systemic change after that is not even considered: the buck stops at the executive. The status-quo was already maintained through the removal of the executive, and thus any extra reform is unnecessary. However, if thousands of sexual assault victims are found to have an extremely similar experience to one another, fixing the status quo requires more drastic measures.

Conclusion

The generally uncriticized approach of treating Japan as a model democracy in the face of other countries in the Asian continent is extremely problematic, as we see from the case studies provided above. Although Japan is not becoming a democratic backsliding nation as compared to other nations experiencing intense waves of far-right extremist support, it does suffer from a system in which political institutions vest power in the people that do not seek change first, and the oligarchic structure of both the Diet and the executive branch second. This dynamic creates an incessant cycle of inactivity, where those in power are allowed to further build walls for entry within Japanese democracy, making the rare case in which an issue is large enough to justify a movement within the electorate less and less likely. This creates a complacency within the

Japanese electorate, almost tolerating the “good enough” of politics without consideration of things in which the Japanese government and Japan at large could be doing even better.

However, in recent years, the ability of Japanese citizens to disagree on policy and criticize social and political motions has been hamstrung from the beginning, as their deference towards the status quo trumps their own feelings of resentment or their desires for change. This is not only seen through the case studies and the electorates’ inability to question if policy best fixes the issues presented, but also through the course of history. It was not Japan’s sovereign decision to change from an autocratic plutocracy run by fascist elites and the Zaibatsu to a democracy, but rather the outside Allied forces demanding they change their governing system as part of the retribution of the horrors caused by World War II.

This is not to suggest that the Japanese population is “incapable” of supporting a democracy, yet it is to suggest that a weak point of their current government is that issue-spotting by the public is extremely lacking. The ideals that the Japanese consider tantamount to society as a whole lend themselves well to autocratic and other minority-rule models of government, with ideals of deference and an assumption of the status quo being what’s best for the people. A well functioning democracy requires that citizens consistently consider themselves as individual stakeholders in the government they participate in, mainly because they are: an average voter in Western democracies often considers only what directly affects their livelihood, unless some extenuating circumstance takes hold of the electorate. The Japanese way of living and thinking is not “wrong”, but rather needs to be looked at through the lenses of adapting to best fit the democratic model, as the current system is lacking.

The last case study regarding the lack of nuance in sexual assault cases does show that there has been a fundamental shift in the way Japanese politics is undertaken, which can be

mostly characterized as public awareness. Often picketing in a busy street in Shibuya might have been the way previously to go about raising awareness for issues, but the Flower Demo movement shows that the way Japanese have been handling the situations they find themselves in is not through accepting their fate but rather rebelling against the status quo as a group, something contrarian and countermovement to the normal Japanese response. However, I believe that there has been a beautiful synthesis between both Western pressure for the adoption of international norms and the traditional Japanese response, leaving for a system that is highly empathetic rather than seeking for the best five words to air on television constantly.

The Flower Demo movement is heavily influenced by the #MeToo movement, and shares a lot of the ideals regarding the protection of women in sexual violence and amplifying female voices that have been wronged. However, the means of which these norms are transmitted are wholly different from the way Western #MeToo movements show these standards. It is just as Lilja (2022) says in their writings: it focuses not only on the assailant (although justice should come swiftly) but rather on the hurt of the victims, and the pain they suffer from these injustices. This provides a refreshing view on which politics can be explored, both with improving the Japanese political system and for applying it within our own political systems. Many critiques of the current United States political machine involve around the sensualized 24-hour political news cycle, and how discussions of politics focus not around suggested policy or the capacity of leaders but rather through 5-second sound bites that make the candidate look either good or bad. The solution to this problem is one that often does not have a simple solution, as all actions feed back into the cycle.

However, the focus on those aggrieved and how they are aggrieved provides a more humane and grounded approach to handling politics, rather than the current state of focusing

with the candidates. Although this insight might be incredibly obvious on its face, it is an insight that many politicians and voters both have lost, and a return to such offers the opportunity for voters to understand what they are supporting instead of who they are supporting. This evolution of Japanese social movements has been in part the result of pre-existing social movements from other locations being brought within Japan's social borders, yet it is also the result of the Japanese people adapting and applying it within their own situation, rather than trying to force a system that does not work for them onto themselves.

This is the best way to approach how international forces can assist Japan with its democracy. The idea of forcing a movement or a political system has resulted in systems that feel esoteric to the Japanese people, and such forceful adaptation to these systems will unfortunately end with struggle and resentment. However, providing Japan with the means and history of other countries going through a movement or applying a political system allows them to develop a unique way to protect their traditional ideals while also suggesting that potentially, the things they believe to be a status quo really are not with other members of the international community. It was in part the #MeToo movement that had such strong international support that allowed for Japan to push back on draconian laws regarding child sexual assault and sexual assault while incapacitated, and it is future movements regarding other internationally recognized norms that will help Japan grow, both politically and socially.

Furthermore, suggesting that Japan's autonomy as a nation means that there should be no interaction from the international community would be a preposterous claim. Japan is a party to many major international treaties, including one previously mentioned: the Convention on the Elimination of All Forms of Discrimination against Women. The issues presented from the second and third case studies are not only things that directly apply to statutes from these

treaties, but are also issues that many other countries are well aware of. The standard of ignoring in the face of fear of upsetting Japanese democracy or sovereignty is not beneficial, either to the Japanese democracy or to international relations. We must also keep in mind that although Japan is a democracy, it is also a democracy that was not taken freely after the end of World War II, and a new democracy on top of that. With that in mind, it is important to strike moderation when it comes to this directly negative critique: too little, and Japan is left with no means of challenging its' norms, but too much, and Japan becomes potentially isolated from the rest of the world, adding much more concern to the potential for democratic backsliding.

However, I am not in a position to prescribe any specific policy adaptations for either the Japanese government or for international norm-building institutions. Further research is needed into how exactly the integrity of Japanese ideals can be protected while continuing to push the government to be stronger and more respectful of its citizens. With the Asian theater heating up on military activity, and the recent activation of the North Korean army, the concern of Japanese democracy degrading during such an important part of the hegemonic cycle suggests that this issue might need to be addressed sooner rather than later. Only with the help of the international community through inculcation rather than force can Japan grow into a beautiful and prosperous democracy, one that deserves its title as the rising sun.

Bibliography

Abe, S. (2020, November 7). *Supreme Court upholds 10-year prison term for rapist father* | *The Asahi Shimbun: Breaking News, Japan News and Analysis*.

<https://www.asahi.com/ajw/articles/13909303>

“Black Corporations” Still Common in Japan. (2023, November 22). Nippon.Com.

<https://www.nippon.com/en/japan-data/h01840/>

Boggs, S. P. (2013, August 14). *Black companies – the ugly side of Japanese business*.

Employment Law Worldview.

<https://www.employmentlawworldview.com/black-companies-the-ugly-side-of-japanese-business/>

Burns, S. L. (2021). Sexual Assault and the Evidential Body: Forensic Medicine and Law in Modern Japan. *Osiris*, 36, 163–180. <https://doi.org/10.1086/713424>

Danielle Demetriou. (2020, January 17). *How the Japanese are putting an end to extreme work weeks*.

<https://www.bbc.com/worklife/article/20200114-how-the-japanese-are-putting-an-end-to-death-from-overwork>

Dornetti, F. (2022). In Search of an Alternative to the Liberal Democratic Party. The Case of Akai Ohi’s Electoral Campaign in 2021 Japanese General Election. *Nuovi Autoritarismi e Democrazie: Diritto, Istituzioni, Società (NAD-DIS)*, 4(1), Article 1.

<https://doi.org/10.54103/2612-6672/18116>

Father found guilty of raping daughter, gets 10 years in prison | *The Asahi Shimbun: Breaking News, Japan News and Analysis*. (n.d.). The Asahi Shimbun. Retrieved February 13,

2024, from <https://www.asahi.com/ajw/articles/13209314>

- France-Presse, A. (2016, October 8). Japan: One fifth of employees at risk of death from overwork – report. *The Guardian*.
<https://www.theguardian.com/world/2016/oct/08/japan-one-fifth-of-employees-at-risk-of-death-from-overwork-report>
- Gray, H. (2018). Rape and Sexual Assault in Japan: Potential Gender Bias in Pre-Trial Procedures. *Reinvention: An International Journal of Undergraduate Research*, 11(1), 1–1.
- Hernon M. (2023a, March 10). BBC Documentary Exposes Abusive Past of Johnny Kitagawa. *Tokyo Weekender*.
<https://www.tokyoweekender.com/japan-life/news-and-opinion/bbc-documentary-exposes-s-abusive-past-of-johnny-kitagawa/>
- Hernon M. (2023b, June 9). BBC Documentary Exposes Chikan Videos. *Tokyo Weekender*.
<https://www.tokyoweekender.com/japan-life/news-and-opinion/bbc-documentary-exposes-s-chikan-videos/>
- Hino, A., Ogawa, H., Fahey, R. A., & Liu, L. (2022). Japan: Political Developments and Data in 2021. *European Journal of Political Research Political Data Yearbook*, 61(1), 264–286.
<https://doi.org/10.1111/2047-8852.12384>
- Hitoshi Tanaka & Shinji Yoshitani. (2013). *Implementation Efforts for the Individual Labor Dispute Resolution System: 2012*. Ministry of Health, Labor and Welfare.
<https://www.mhlw.go.jp/stf/houdou/2r985200000339uj-att/2r985200000339w0.pdf>
- Hoffman, M. (2023, July 21). *BBC reports on Japan’s “chikan” problem which now includes videos*. Japan Today.

<https://japantoday.com/category/features/kuchikomi/bbc-reports-on-japan's-'chikan'-problem-which-now-includes-videos>

Horii, M., & Burgess, A. (2012). Constructing sexual risk: ‘Chikan’, collapsing male authority and the emergence of women-only train carriages in Japan. *Health, Risk & Society*, 14(1), 41–55. <https://doi.org/10.1080/13698575.2011.641523>

Hundreds protest across Japan over acquittals of men in sex crimes. (2019, June 12). The Japan Times.

<https://www.japantimes.co.jp/news/2019/06/12/national/hundreds-protest-across-japan-acquittals-men-sex-crimes/>

International Labour Organization. (1998). *ILO Declaration on Fundamental Principles and Rights at Work*.

Ishikawa, J. Y., Eru. (2023, June 17). *Why Japan is rethinking its rape laws and raising the age of consent from 13.* CNN.

<https://www.cnn.com/2023/06/16/asia/japan-sex-crimes-penal-code-reform-intl-hnk-dst/index.html>

Japan cracks down on train gropers targeting high-school students during exams. (2024, January 10). South China Morning Post.

<https://www.scmp.com/week-asia/people/article/3247960/japan-gets-tough-deter-groper-trains-protect-women-alarming-chikan-problem-persists>

Johnson, D. T. (2024). Is rape a crime in Japan? *International Journal of Asian Studies*, 1–16.

<https://doi.org/10.1017/S1479591423000554>

Kasai, T. (n.d.). *Japan’s not-so-secret shame.* Al Jazeera. Retrieved February 13, 2024, from

<https://www.aljazeera.com/opinions/2018/7/29/japans-not-so-secret-shame>

- Lilja, M. (2022). Pushing resistance theory in IR beyond ‘opposition’: The constructive resistance of the #MeToo movement in Japan. *Review of International Studies*, 48(1), 149–170. <https://doi.org/10.1017/S0260210521000541>
- Maeda, K. (2023). Wedge Issue Politics in Japan: Why Not Revising the Constitution is Helping the Pro-Revision Ruling Party. *Journal of East Asian Studies*, 23(2), 317–331. <https://doi.org/10.1017/jea.2023.10>
- Maiko, E., Yuko, A., & Misato, K. (2019, May 22). *Public alarmed by sexual assault acquittals in Japan* | NHK WORLD-JAPAN News. NHK WORLD. <https://www3.nhk.or.jp/nhkworld/en/news/backstories/545/>
- McLean, I., & L’heureux, S. (2007). Sexual assault aftercare services in Japan and the UK. *Japan Forum*, 19(2), 239–256. <https://doi.org/10.1080/09555800701422852>
- Ministry of Health, Labor and Welfare. (2017, November). *White Paper on Measures to Prevent Karoshi, etc.* <https://fpcj.jp/wp/wp-content/uploads/2017/11/8f513ff4e9662ac515de9e646f63d8b5.pdf>
- Not-guilty rulings on sex crimes.* (2019, May 18). The Japan Times. <https://www.japantimes.co.jp/opinion/2019/05/18/editorials/not-guilty-rulings-sex-crimes/>
- Osawa, K., & Sasaki, T. (n.d.). *Japan PM Kishida’s support sinks to 26% on slush fund scandal.* Nikkei Asia. Retrieved February 13, 2024, from <https://asia.nikkei.com/Politics/Japan-PM-Kishida-s-support-sinks-to-26-on-slush-fund-s-candal>

Over 40% of women, nearly 10% of men in Tokyo have been groping victims: Survey. (2023, December 26). *Mainichi Daily News*.

<https://mainichi.jp/english/articles/20231226/p2a/00m/0na/004000c>

Police, railways increase anti-groping tactics for exam season | The Asahi Shimbun: Breaking News, Japan News and Analysis. (n.d.). The Asahi Shimbun. Retrieved March 10, 2024, from <https://www.asahi.com/ajw/articles/15105834>

Silva, F. U. B. (2021). Family Feud, or Realpolitik? Opposition Parties, Breakups and Realignments in Contemporary Japan. *Politikon: The LAPSS Journal of Political Science*, 49, 71–89. <https://doi.org/10.22151/politikon.49.4>

Umeda, M. (2019). The Liberal Democratic Party: Its adaptability and predominance in Japanese politics for 60 years. *Asian Journal of Comparative Politics*, 4(1), 8–22.

<https://doi.org/10.1177/2057891118783270>

U.S. Department of State. (n.d.). 2022 Country Reports on Human Rights Practices: Japan.

United States Department of State. Retrieved March 10, 2024, from

<https://www.state.gov/reports/2022-country-reports-on-human-rights-practices/japan/>

Yuri Kageyama. (2023, June 30). *In workaholic Japan, “job leaving agents” help people escape the awkwardness of quitting*. AP News.

<https://apnews.com/article/japan-jobs-labor-economy-quitting-conformity-cfaaf1fc4d22d71f7a8b891295c670eb>