

Decentralisation: How Should Important Figures in a Local Government be Chosen?

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Abstract

In the post-WWII government system of Japan, representative democracy was widely used as a result of the reform after the end of the war. Decentralisation was strongly advocated at the same time.

During this period, in the structure of local government system in Japan, two tendencies are observable, although these tendencies have both showed very gradual moves. One is the tendency in the degree of the use of election in choosing chief executive officers, local assembly members, members of independent administrative boards which are responsible for a certain part of local administration and other officials. The number of occasions where election system is used for selecting these important figures is definitely on the decline. The second tendency is the fact that the possibility of the application of Residents' Initiative systems including Recall systems, people's initiative to dismiss a local government official, has been widened.

While there seems no consistent intention of the central government to decrease the use of election systems, which is the mainstay of the representative democracy some modifications are made to expand the possibility of Residents' Initiatives, a way to urge increased responsiveness of a local government. Both these phenomena occurred while there has been no change in the basic systems of the central government. This paper shows each aspects of these tendencies.

1. Introduction

Democracy depends on representation and responsiveness. In the post-WWII government system of Japan, representative democracy was widely used as a result of the reform after the end of the war. Decentralisation was strongly advocated at the same time. This tendency for decentralisation was kept all through the period from just after the war until the present time. New chapter for Local Autonomy, Chapter 8, was created in the new Constitution¹ and movements toward decentralisation were given boosts. There have been many endeavours toward decentralisation, which culminated in the Decentralisation Promotion Act in 1999.

During this period, in the structure of local government system in Japan, two tendencies are observable, although these tendencies have both showed very gradual moves. One is the tendency in the degree of the use of election in choosing chief executive officers, local assembly members, members of independent administrative boards which are responsible for a certain part of local administration and other officials. The number of occasions where election system is used for selecting these important figures is definitely on the decline. The second tendency is the fact that the possibility of the application of Residents' Initiative systems including Recall systems, people's initiative to

dismiss a local government official, has been widened.

Both these phenomena occurred while there has been no change in the basic systems of the central government.

2. Wider use of Election Systems immediately after the End of World War II

After the end of WWII, there was a great deal of changes in Japan. Now the emperor is no longer the absolute monarch, but just the symbol of the nation. The executive power now resides with the Prime Minister who is to be chosen from among members of Diet. Not only the members of the House of Representatives but now also the members of the upper House, now called the House of Councillors, were elected. This made all the members of the Diet those directly elected by Japanese people. This also means that the Prime Minister must be chosen from among elected people.

In local governments all the members of prefectural assemblies and also all the members of municipal assemblies had been elected by male residents but they had been the only ones elected in local governments before the end of WWII. However, after the end of WWII the number of local public officials elected directly by residents increased dramatically. First, prefectural governors who had been appointed by the central government mostly from among its permanent bureaucrats were now elected directly by residents, both males and females, of the region in conformity to the new Constitution. Also municipal mayors who had been appointed by the central government from among the candidates chosen by the local assembly of the municipality were elected directly by the residents.

Adding to chief executives and assembly members in local governments, part of the members of Independent Administrative Boards, newly created bodies in both prefectures and municipalities to deal primarily with administration which requires either specific and expert knowledge, or political neutrality were also to be elected in the new system. As these Independent Administrative Boards, both prefectures and municipalities have Education Boards, Election Management Boards, Personnel Management Boards (or Equity Boards in smaller municipalities) and Auditors. Furthermore, Public Safety Boards, Labour Relations Boards, Land Confiscation Boards, Sea District Fisheries Adjustment Boards and Inland fisheries Management Boards were established in prefectures and Agriculture Boards and Fixed Assets Evaluation Boards were established in municipalities.

Among them, the members of Education Boards, newly created boards to deal primarily with management of schools established by local governments, were to be elected directly by the residents of the local government. Also part of the members of Sea District Fisheries Adjustment in prefectures and Agriculture Boards in municipalities were to be elected not by all residents but by people engaged in these activities. Election was made use of here, too. Members of Election Management Boards are to be elected by local assembly members. Election system was used here, too but with a different kind of voters. Part of the Auditors in local governments must be appointed from among local assembly members by the chief executive of the local government. Here, too, there are elected people.

This was the picture in the early days of the post WWII period. There were much more positions to which the officials were elected directly or indirectly by the people or, taken up by elected people, compared with the situation in the time before and during the war.

However, strangely enough there has been no increase of elected positions in Japan during the period of about three quarters of a century thereafter.

3. Changes after the Initial Reforms in 1940s.

Most of the changes to this post war systems made after the initial introduction of them were made in the local

government system.

As early as in 1956, the election system for the members of the Education Boards was abolished. This was looked upon as an isolated development at that time and the reason which was given for the change of this system was that the election system had induced too much involvement of party politics into Education Boards. Since the Education Boards deal with education at publicly maintained schools including compulsory education schools for young people, more political neutrality was considered desirable. After the abolishment of the election system for the members of the Education Boards, the members were then appointed by the chief executive officer of the local government, governors and mayors, with the approval of respective local assemblies. This system is still maintained until the present time.

Other changes to the systems of electing members of a local government organ or appointing an elected person to it, which I described above, came much later.

The election system for part of the members of the Sea District Fisheries Adjustment Boards is still maintained, but the election system for part of the members of the Agriculture Board was abolished in 2016 by an amendment to the Agriculture Board Act. The members are now appointed by the municipal mayor with the approval of the local assembly of the municipality.

By an amendment to the Local Autonomy Law in 2017, it is now allowed for a local government not to include members of the local assembly among Auditors.

However, there is a more complicated issue. This is the case of the election of the chief executive of the special wards in the central part of Tokyo Prefecture. The central part of Tokyo is not covered by any municipality as a result of amalgamation of the Prefecture of Tokyo and the City of Tokyo in 1943. Instead there are twenty-three special wards and they were originally established as internal subdivision of the city government organisation of the former City of Tokyo in pre-war time. They functioned only as the internal subdivision of the city and they were not considered as a local government but even before the amalgamation of the City of Tokyo with the Tokyo Prefecture in 1943, they had incorporated status, and after the amalgamation their status became something in between municipalities and internal organisations of a municipality. After the end of WWII with post-war reforms, election system for their chief executive officers started in 1946 but in 1952, this system was abolished and then chief executive officers were selected by their local assemblies with the approval of the governor of Tokyo Prefecture. Indirect election system was employed here. Then again, the system was changed in 1975 and election system was re-employed for their chief executive officers. In this case, the first move of abolishment of election system of their chief executives was taken in accordance with other reforms making them more subordinate to and more like internal organisations of the Metropolitan Government. It can also be considered as belonging to the same tendency as the abolishment of the election system of the members of the Education Boards in local government system in that it followed the tendency toward less use of direct elections. However, the second change shows a move in the opposite direction. Nonetheless, this can be considered as a move not directly related to the argument of whether an election system fits in the special ward system but a move coupled with the change of the status of these special wards into something more like a usual municipality, since they were given more authorities in public administration at the same time². In other words, this change was made not as a move in favour of election systems but made as Special Wards were given more authorities and became more like an ordinary city and the system was made similar to that of cities. So this change can be construed not as an exception to the tendency toward less employment of election systems.

In 2012, a new law, making it possible in Metropolitan areas other than Tokyo, to introduce a special ward system similar to the system in Tokyo, was enacted. This act also employs election system for the chief executives officers

and local assembly members of those entities which are to be called Special Wards. This system has not yet introduced in any part of Japan, although there was a try in Osaka area and the governor of Osaka Prefecture and the mayor of the City of Osaka are still fighting very hard to realise it. The first trial in 2015 failed when residents' referendum was held and the residents said "No" with very narrow margin³. This new system is seen as the act of division of existing large cities and their chief executive officers and local assembly members are to be elected directly by the residents of the divided area because they succeed to the places of the chief executive officers and local assembly members of the original large cities to be divided into special wards. Thus this is to be seen not as representing increased use of election system but simply the increase in the number of municipalities.

Another evidence that Japan is moving toward less use of election as a way of choosing its key officials is the fact that, although Japan's local government system newly adopted systems which targeted to create small entities, like neighbourhood government for local residents, they were not designed with a chief executive officer who is elected by the residents or with councils necessarily comprising elected members. There are two of this kind, namely, Autonomous Districts (provided for in Articles 202-4 through 202-9ⁱ of the Local Autonomy Law) and Comprehensive Wards (provided for in Article 252-20-2ⁱⁱ of the Local Autonomy Law).

The Autonomous Districts⁴ are new organisations whose system was created by the amendment to the Local Autonomy Law in 2004. It is optional for municipalities to create them and not many municipalities actually have them now. As of April 1st of 2018, 14 municipalities have in total 141 Autonomous Districts. They are not devised as independent local governments with legal incorporation. They do not have corporate status. Actually, they were originally conceived as something like neighbourhood local governments. With strong promotion of amalgamation of municipalities to deal with ageing population and depopulation by the central government, especially on rural side of Japan, the average size of municipalities in Japan was growing rapidly. Then it was thought that after large scale amalgamation, residents need some form of government nearer to them than municipalities after amalgamation. Initially, something like Parishes in United Kingdom was conceived. But the idea was then changed into internal subdivision of a municipality, with some authorities delegated by the parent municipality. They have a chief executive officer who is appointed from among the staff of the city, which means he/she is a subordinate of the mayor. They also have a kind of local council. The members of the council are appointed by the mayor of the municipality, of which the Autonomous District is a part. Here the members of the Council are to be selected in the way the parent municipality determines in its by-law. In practice nowadays, most of the members are chosen because they are executive members of public organisations like Farmers' Cooperative, Fishermen's Cooperative Neighbourhood Association and League of Entrepreneurs' of the area.

Another new system is that of a Comprehensive Ward. Comprehensive Wards can be established within largest cities, which are called Designated Cities⁵. This system was introduced through amendment to the Local Autonomy Law in 2014 and put into force in 2016. So far no Designated City has adopted this system. These are entities which can be established in the place of wards in those cities, which are not independent entities but defined as part of the city organisation. Comprehensive Wards are also stipulated to be part of the city organisation but they have a chief executive officer who has more authority than the head of an ordinary ward office of a designated city. The chief executive officer of a Comprehensive Ward is to be appointed by the mayor of the Designated City which created it with the approval of the local assembly of the Designated City. More important thing is that these chief executive officers are considered as political appointees, unlike chief executive officers of ordinary wards. These chief executive officers can have decision making authorities when delegated from the mayor. Even though these Comprehensive Wards are more independent than an ordinary ward of a Designated City, they are not necessarily provided with a local assembly. A designated city may establish a Ward District Council, which is almost exactly the same as

District Councils in Autonomous Districts, in a Comprehensive District. But it is optional, as it is the case with an ordinary ward of a Designated City. This system was also conceived as something like an intermediate organisation between large cities and their citizens. Even though Designated Cities have ordinary wards, they are more like local branch offices of the city office and have almost no decision making authorities. However, since Designated City governments cover such a large population, some delegation of decision making authorities to smaller entities was thought better and, therefore this new system was devised.

Both the systems of Autonomous Districts and Comprehensive Wards could have been devised as a new class of independent local government, that has a incorporated status, but if they were made as independent local government, there could be a problem with Article 93 of the Constitution⁶, which states that all local governments have to have an elected chief executive officer and a local assembly whose members are elected by the residents. So these present systems can be interpreted as a form of local government which was designed to avoid this problem.

These changes show that the number of the occasions where the use of election systems is seen in public administration has consistently decreasing in local government systems in Japan. Election being most typical way of representation in democracy, this shows that Japan has been modifying its model of democracy gradually over a fairly long time span of seventy years.

4. Residents initiatives in Japan

There are several systems with which residents in Japan can make direct move to local governments. There are several systems of residents' initiatives and also there are several recall systems, a system under which people can get rid of a public official. These systems exist only in local government systems. Articles 74 through 88 of the local Autonomy Law stipulate about these systems.

There are three kinds of residents' initiatives and they are Initiative for Enactment of, Abolishment of, or Amendment to a by-law⁷, Initiative for Audit of Local Government Business⁸ and Initiative for Dissolution of Local Assembly⁹. There has been only one change to them after their introduction in 1947. The change was made in 1948, just in the next year when it was introduced to limit the scope of the Initiative for Enactment of, Abolishment of, or Amendment to a by-law. As a result, Initiatives concerning tax and fees were exempted from this initiative scheme.

There are various recall schemes under which residents can demand dismissal of public officers. Initially, this system of recall was introduced by the Local Autonomy Law of 1947 and was applicable to chief executives of local governments¹⁰, governors of prefectures and mayors of municipalities, local assembly members¹¹, both at prefectural and municipal levels, Vice Governors of prefectures, Vice Mayors of municipalities, Prefectural Treasurers, Municipal Treasurers, members of Election Management Boards, Auditors and members of Public Safety Boards¹². Similar recall schemes were also introduced for members of Education Boards, members of District Fisheries Adjustment Boards and members of Agriculture Boards. There have been several changes to these schemes.

First, the scheme for Prefectural Treasurers and Municipal Treasurers were abolished, because the systems of Prefectural Treasurers and Municipal Treasurers themselves were abolished.

Secondly, the scheme for members of Agriculture Boards was abolished. This corresponds to the abolishment of election system for members of Agricultural Boards.

Thirdly, a new scheme was added in 1995. This was a scheme for the establishment of Council for Amalgamation. A Council for Amalgamation is usually established by the initiative of the chief executive officers of municipalities concerned in order to consider an amalgamation among municipalities. But this scheme allowed residents to start a procedure for its establishment. The original scheme made in 1995 allows residents to require the Mayor to ask its

local assembly about the establishment of an Amalgamation Council with one or more of other municipalities if the residents collect signatures of one fiftieth or more of the voters in the local government. The Mayor must also ask the Mayor of the municipality specified in the Initiative whether he/she would ask its local assembly about the establishment of the Amalgamation Council. If all the municipalities concerned agreed to establish an Amalgamation Council, then the procedures for amalgamation shall begin. In 1999, an additional scheme was created which enabled residents in other municipalities specified in the original Initiative for the Establishment of Amalgamation Council to start an identical initiative in his/her own municipality following the original Initiative which specifies his/her municipality as amalgamation partner. In this case, if the second Initiative collect one fiftieth or more of the voters' signatures, the Mayor shall ask the local assembly of the local government about the establishment of an Amalgamation Council. In 2002, another element was added to this scheme and then if the local assembly of a municipality concerned turned down the proposal of establishing an Amalgamation Council, the Mayor can call a referendum of voters in the local government and if more than half of the votes are for the establishment of it, then this shall overrule the decision of the local assembly. Furthermore, even if the Mayor does not call a referendum, residents can start an Initiative for the Establishment of Amalgamation Council and if they collect one sixth or more of the voters' signatures, a referendum shall be called and, again, if more than half of the votes agreed on the establishment of the Amalgamation Council, then it shall supersede the decision of the local assembly. This scheme was added during the period when promotion of municipal amalgamation was of high priority and probably had the intention to promote amalgamation regardless of the reluctance of the municipal chief executives and assembly members. Even so, this scheme made significantly wider use of residents' initiative. This system is currently effective only up to 2020 and it is not clear whether it will be extended after that date.

With regard to the systems to dismiss public officers, there have been two additions to Recall systems and one is the addition of the chief executives of Comprehensive Wards, whose system was recently introduced. They are considered as political appointee and with the introduction of the new system involving them, those chief executives were added to the list of potential objectives of Recall system. The other is the Superintendent of Education. Recently their status was changed from that of permanent staff who were required of political neutrality to that of political appointee. They became members of the Education Board and they were added to the potential objectives of Recall systems.

Moreover, there was an amendment to the system of Initiative for Dissolution of Local Assembly and Recall systems in 2002. Originally, signatures of more than one third of the voters in the local government concerned was required to initiate these moves in these systems but considering the fact that it is very difficult to collect signatures from one third or more of the voters, exceptions were made for larger cities. In cities whose number of voters exceeds 400,000 the required number of signatures for the start of those procedures was changed to not one third of the number of voters but one third of 400,000 plus one sixth of the number of voters in excess of 400,000. This was a change to make these procedures easier to start.

5. Observations

(1) With regard to the system related to representativeness, election, Japan is making less use of it. In Japan, election system was introduced on a much larger scale than in pre-war time, at the time of the post-war reforms. However, it seems that the use of election system did not increase after that time. Almost no changes are seen in the system of the central government. But in local government system there is definitely a trend toward less use of elections. Election systems for the Chief Executive Officers, Governors of Prefectures and Mayors of Municipalities

are unchanged, but election system for smaller positions has been slowly abolished.

(2) Adding to that, there is a fact that in new systems in local government system like Autonomous Districts and Comprehensive Wards, the systems were so designed that they do not necessarily have to have elected organs. To avoid complication with the Constitution of Japan, these new systems are not designed as new kinds of local government but rather as internal organisations of existing local governments. Creation of the systems which does not employ election systems can be also construed as the evidence of the same trend.

(3) It is also interesting that these new systems are meant for small scale entities. This tendency of less use of election is seen mainly in local government and especially in small parts of local governments. This fact can be construed as evidence which shows that in smaller scale democracy, people can more easily trust responsiveness of the government concerned and they do not necessarily require elected representatives. There people think that, since the scale of public administration is small and the government is near to the people, those non-elected officials can feel the needs of the citizens and their actions directly and are under directly observation by the people. Therefore, the need to elect public officers as their representatives is not very large.

(4) Those phenomena may mean that in small scale public administration in Japan, it is gradually recognised that democracy does not necessarily requires elected representatives.

(5) In the cases public officers are appointed and not elected, they are often appointed since they have the advantages of professional skill and experiences and this is a merit of not using election system.

(6) The author interviewed Mr. Yasuaki Kadoyama¹³, former Director-General of Local Administration Bureau of the Ministry of Internal Affairs and Communications and asked if the Ministry has any organisational intention to lessen the use of election systems. The answer was no and according to him, each new system was designed without any overruling intention.

(7) The actual number of local assembly members, the typical and most numerous elected members of local governments is decreasing, too. The number was 64,712 at the end of 1998 but was 33,436 at the end of 2016. (Ministry of Internal Affairs and Communications) This is mainly due to municipal amalgamations and the general public's pressure to squeeze the number of local assembly members.

(8) With regard to the systems promoting responsiveness of government units, Residents' Initiatives and so-called Recall systems, these exist only in local government from the outset. There have been very few changes to these systems since then and most of the changes just accompanied changes of the nature of the position in question, that is, whether they are considered as political appointees or not. The only significant changes outside these were the change in 2002, which lessened the required number of signatures in larger cities and the addition of the Residents' Initiative to establish an Amalgamation Council in 1995, in 1999 and in 2002. The former was for the convenience of those who want to use it, and the latter is totally new. Both are in the direction to promote their use.

(9) In conclusion, the author thinks that it is being realised in Japan that in a smaller scale democracy, there can be also other ways of selecting important figures than election. By reinforcing the other core element of democracy, responsiveness, through giving more possibility of supervision by the people in order to secure responsiveness, these other ways of selecting important figures can also secure democratic governance. Gradual change in Japan's local government system proves that this fact has been slowly realised.

Notes

¹ Constitution of Japan promulgated on 3 November, 1946 and put into force on 3 May, 1947.

² This was made by the amendment to the Local Autonomy Law in 1974.

³ The referendum was held on 17 May, 2015 and 694,844 (49.6%) voted for the introduction of the new system and 705,585 (50.4%) voted against it.

⁴ There was a very similar system called Amalgamation Special Ward, into which former local governments before amalgamation could be converted. An Amalgamation Special Ward had a chief executive officer and a kind of Council but they were not elected but appointed. This system was applicable only those municipalities that amalgamated between 1999 and 2010 and they are allowed to last only for five years or shorter. There had been 25 of them.

⁵ There are twenty of them now and they have a population of more than 700,000 except for one.

⁶ (Constitution of Japan)

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

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

⁷ Initiative for Enactment of, Abolishment of, or amendment to a by-law requires signatures of one fiftieth or more of the voters of the local government. Then the chief executive officer proposes the bill to its local assembly for its decision.

⁸ Initiative for Audit of Local Government Business requires signatures of one fiftieth or more of the voters of the local government. Then Auditors make an audit on the matter.

⁹ Initiative for Dissolution of Local Assembly requires signatures of one third or more of the voters of the local government. Then referendum by voters in the local government shall be called and if the number of affirmative votes exceeds half, the assembly is dissolved.

¹⁰ To start the procedures to recall a chief executive officer of a local government, signatures of one third or more of the voters of the local government is required. Then referendum by voters in the local government shall be called and if the number of affirmative votes exceeds half, the chief executive loses his/her position.

¹¹ To start the procedures to recall an assembly member of a local government, signatures of one third or more of the voters of the local government, (or in local governments where its area is divided into election wards, one third or more of the voters in the election ward the assembly member was elected) is required. Then referendum by voters in the local government shall be called in the local government area (or in local governments where its area is divided into election wards, in the election ward the assembly member was elected) and if the number of affirmative votes exceeds half, the chief executive officer loses his/her position.

¹² In the cases of Vice Governors of prefectures, Vice Mayors of municipalities, Prefectural Treasurers, Municipal Treasurers, members of Election Management Boards, Auditors and members of Public Safety Boards, signatures of one third or more of the voters of the local government is required to start the recall procedures. Then there shall be a vote in the local assembly of the local government, where their appointment were approved, and if three quarters or more agrees on the recall, with two thirds or more of the assembly members present, the officer in question loses his/her position.

¹³ Mr. Yasuaki Kadoyama was the Director-General of Local Administration Bureau of the Ministry of Internal Affairs and Communications when the Comprehensive Ward system was created.

ⁱ Articles related to Autonomous Districts in the Local Autonomy Law (Author's abridged translation)
(Establishment of an Autonomous District)

Article 202-4 A municipality can divide its area and establish an Autonomous District to each of those divided areas by a by-law, for the purpose of let the Autonomous District to share part of the mayor's responsibilities and let it discharge them, reflecting the opinions of the residents to a greater degree.

2 An Autonomous District shall have an office and its location, name and jurisdiction shall be provided for in a by-law.

3 The head of the office of an Autonomous District shall be selected from the staff of the mayor

4 When determining the location of the office, consideration to the convenience of the residents must be made. Head of the office shall work under the decisions of the mayor, following the instructions of his/her superiors and supervising his/her

subordinates.

(Establishment of District Council and its members)

Article 202-5 An Autonomous District shall have a District Council.

2 Members of the District Council shall be appointed by the mayor from the residents.

3 When selecting the members of said District Council, the mayor must pay attention to the appropriateness of the composition of the membership to reflect the variety of opinions of the residents in the District.

4 The term of office of the members of the District Council shall be determined by a by-law in a period within four years.

5 The membership of the District Council can be unpaid.

(Chairperson and vice chairperson of a District Council)

Article 202-6 A District Council shall have a chairperson and a vice chairperson.

2 The way they are selected and dismissed shall be determined by a by-law.

3 The term of the office of a chairperson and a vice chairperson shall be the same as the term of the members of the Council.

4 The chairperson of the Council shall manage the affairs of the Council and represent it.

5 The vice chairperson shall act for the chairperson when he/she is unavailable.

(Responsibilities of the Council)

Article 202-7 A District Council can deliberate on issues asked by the mayor or other municipal organisations, or they consider it necessary, from among following issues and offer its opinion to the mayor or other organisations.

A Issues related to responsibilities of the office of the Autonomous district

B Other issues related to the responsibilities of the municipality implemented by the municipality in the area of the District.

C Issues related to closer relationship with its residents with regard to the implementation of the municipal responsibilities

2 The mayor shall hear the opinions of the District Council before he/she decides on or make changes of an important municipal policy issue that is enumerated in a by-law and related to the area of the Autonomous District.

3 The mayor and other municipal organisations, taking account of those opinions, must take appropriate actions when they think them necessary.

(Organisation and Management of a District Council)

Article 202-8 Other items related to the management and organisation of a District Council outside those provided for in this law, including the number of membership, shall be determined by a by-law.

(Delegation to Cabinet Orders)

Article 202-9 Other items related to a Autonomous District outside those provided for in this law shall be determined by Cabinet Orders.

ii The Article related to Comprehensive Districts in the Local Autonomy Law (Author's abridged translation)

(Establishment of a Comprehensive District)

Article 252-20-2 A Designated City can establish a Comprehensive District in the place of ordinary wards by a by-law, when it recognises it necessary to secure smooth implementation of its public administration, in order to let the chief executive officer of a Comprehensive District to implement part of the mayor's responsibilities in the District following the provision in Clause 8. It can establish its office and, if necessary, its branch offices.

2 The location, name and its jurisdiction of the office of a Comprehensive Ward and its branch offices and the responsibilities the office of a Comprehensive District shares shall be provided for in a by-law.

3 A Comprehensive District shall have a chief executive officer.

4 The chief executive officer shall be appointed by the mayor with the approval of the local assembly.

5 The term of office of the chief executive officer shall be four years. However, the mayor can dismiss him/her before the end of the term.

6 When the chief executive officer is unavailable, an official of the office appointed as such shall act for him/her.

7 (Most of the restrictions (for example prohibition of having other works) applied to other political appointees like vice

governors and vice mayors are applicable to the chief executive officer.)

8 A chief executive officer of a Comprehensive District shall deal in policies and planning of the Comprehensive District and discharge responsibilities given to him/her by acts, cabinet orders based on acts or by-laws and the part of the following responsibilities of the mayor which are mainly related to the area of the Comprehensive District. The chief executive officer shall represent the designated city in the implementation of these affairs, except where an act provides for an exception.

A The responsibility of promoting the area of the Comprehensive District reflecting the opinions of the residents. (Except for those reserved to the mayor by acts, cabinet orders based on acts or by-laws.)

B The responsibility of promoting interactions between residents. (Except for those reserved to the mayor by acts, cabinet orders based on acts or by-laws.)

C The responsibilities related social welfare and public hygiene provided directly to the residents of the Comprehensive District. (Except for those reserved to the mayor by acts, cabinet orders based on acts or by-laws.)

D Other responsibilities main related to the area of the Comprehensive District which are provided for by a by-law.

9 The chief executive officer shall appoint and dismiss the officials (except for those provided for in the cabinet order) of the offices and branch offices of the Comprehensive District. However, the chief executive officer shall get the approval of the mayor before he/she appoints or dismisses important officials listed in a city ordinance.

10 The chief executive officer can give his/her opinion to the mayor on the part of the budget related to the affairs he/she implements, when he/she sees it necessary.

11 A Comprehensive Ward shall have a Election Management Board.

12 When determining the location of the office, consideration to the convenience of the residents must be made. Head of a branch office shall work under the decisions of the chief executive officer, following the instructions of his/her superiors and supervising his/her subordinates.

13 A Designated City can establish a Ward District Council in a Comprehensive District.

14 Other items related to a Comprehensive District outside those provided for in this law shall be determined by Cabinet Orders.

Article 93. of the Constitution

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

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

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