

## **Genro Democracy: Elite Democracy in Japan**

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### **Abstract**

This paper studies the suffrage requirements of the Meiji Constitution, which the Meiji oligarchs/elder statesmen created to show that Restoration Japan would be a western-style liberal state, and the first Japanese general election. The original Japanese electoral law stated that to be a voter, a Japanese man had to be 25 and above, meet residency requirements, and pay 15 yen in yearly taxes. Only 1% of the Japanese population met these requirements. However, unlike the preceding eras of Japanese history, most of these were commoners. As a result, this was the first time that Japanese outside the aristocracy and samurai classes, if they met the financial requirements, got to have a say in the running of their nation. Through an analysis of various primary and secondary sources, this research establishes that the first Japanese general election did not truly reflect the voice of the Japanese people, considering that lower-class Japanese and residents of Hokkaido and Okinawa could not vote. Even considering these factors, as the first election in Asia, the first parliamentary election of Japan was still a major change, for this was the first time that Asians, regardless of birth, got to choose their leaders. This paved the way for the other Asian democracies that would follow.

*Keywords:* Meiji era, Japanese constitution, Japanese parliamentarism

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## Introduction

During the Meiji period, the leaders of Japan drafted a new Constitution, with the help of foreign advisers, to create a new state structure to replace the old Chinese-style/*ritsuryo* state structure. This was supposed to show the Western nations Japan was at their level, but at the same time, create a governmental structure suitable to the Japanese's needs. Due to this, the resulting Constitution allowed commoners to participate in the Japanese government for the first time.

However, due to electoral law provisions accompanying the Constitution, participation was limited to the wealthiest commoners. As a result, the Meiji Constitution may have created a liberal democratic state structure. However, this structure was a *genro*/elite democracy because even though most qualified voters voted, the franchise was limited by the taxation system, which favored rural landlords and a few wealthy merchants, and the residence requirement did not include the territories of Hokkaido and Okinawa. Thus, the first general election in Japan, despite having a high turnout, did not consider the voices of most Japanese. Despite the limited number of votes in the first Japanese election, it is still significant in the study of Asian history because it was the first election ever held in Asia.

## Framework

In theory, the new Constitution was able to give Japanese commoners (those who were neither ex-samurai or nobility) the power to shape their country, and it was seemingly able to do so, since the Meiji Constitution did not discriminate against any subject based on class. However, Japan became an elite democracy run like a well-kept casino. This is because it was like how Benedict Anderson (1988), described Philippine politics, where anyone could participate, but the elite would always win in the end. In Japan, anyone could participate, just like the casino would welcome any paying customer. Despite this, in the end, due to the voting requirements, participation was limited to a few, and these few would win. The only difference between this *genro* democracy and feudal Japan was that the *genro*/imperial advisers allowed wealthy commoners to participate in the crafting of the new Japan.

## Meiji Constitution and *Genro* Democracy

After the success of the Meiji Restoration, the restored Imperial Government of Emperor Meiji decided to send the Iwakura mission to see the West and learn how to reform the Japanese governmental system to ensure that the forced treaties imposed on Japan by the European countries and the United States be renegotiated (Takii, 2007). Takii Kazuhiro (2007) would explain this as an attempt to achieve equality with European nations. Once the Japanese could be equal to the other European nations, then they would escape the humiliation forced on them by the West. This was part of a general transformation of Japanese society that was taking place. To face Europe and the United States on equal terms, Japan had to transform itself into a society that could fit in the Western mold. In the 19<sup>th</sup> century, due to the influence of the Enlightenment and the rise of liberal ideas, a constitution was needed. This is because it was necessary to clearly define the powers of the government and protect the rights of the people.

However, it was important for the Meiji leaders to research the constitutions of the West to see which model would be most appropriate for Japan. This is why Ito Hirobumi, one of the Meiji leaders and the first prime minister of Japan, went to Europe (Takii, 2016). According

to Takii Kazuhiro (2016), he studied the Prussian Constitution and learned about it from German law scholars Rudolf von Gneist and Lorenz von Stein. The German model, according to Takii's (2016) analysis, was chosen over the British model because the Meiji leaders thought the British parliament was too powerful. This was because the British parliament makes laws while implementing it through a Cabinet responsible to it. The Meiji leaders feared that it would weaken the emperor.

The German Constitution, on the other hand, granted considerable powers to the German Emperor, for the Imperial Chancellor was accountable to the emperor alone. (German Historical Institute, n.d.). According to the German Historical Institute's (n.d.) copy of the German Imperial Constitution, the constitution was, instead of being a social contract between the German Emperor and the people, an agreement between the German monarchs to establish a unified Germany under the presidency of the Prussian King (as German Emperor).

This was suitable for the Meiji leaders because they rallied around the emperor. Therefore, it was not surprising that the Meiji leaders ensured that the Constitution they drafted would appear to be the gift of Emperor Meiji to the Japanese people. Consequently, Ito Hirobumi (1906) and the rest of the Meiji Cabinet created a constitution where the emperor had all sovereignty. Article IV of the new Japanese constitution explicitly stated that sovereignty was with the emperor, not the people, which explains why the Meiji Constitution calls the Japanese people subjects instead of citizens (Ito, 1906). Another evidence of the emperor officially having full sovereignty is that only the emperor could propose amendments to the Constitution, but with the approval of a two-thirds vote of the Imperial Diet (Ito, 1906). This would be significant later in Japanese history, for the current Japanese constitution would be promulgated following this process as an amendment to the Meiji Constitution.

After all, even under the various shogunates and the Fujiwara *kampaku*/regents, sovereignty was still with the emperor/empress (for before the Meiji era, Japan had eight empresses). The shoguns and regents ruled in the emperor's name. This conservatism was like that of the German Reich, which is why the Meiji leaders chose it as a model. It was easy for the Meiji leaders to adopt some form of constitutionalism because of the ancient Japanese tradition of the emperor not participating in day-to-day governance.

However, what was new with the Meiji Constitution was that the Japanese emperor agreed to share his legislative power with an Imperial Diet, as stated in Article V of said constitution, which would have two chambers, the House of Representatives and the House of Peers (Ito, 1906). The framers of the Meiji Constitution chose the term Diet for the parliament because they chose the German Imperial system as their model, for the term Diet was used for the parliament of the Holy Roman Empire. Even if the people were not sovereign yet, this was still a giant step towards democracy because, for the first time, the people got a say on how to govern Japan.

After all, the final approved version of the Meiji Constitution, as explained by Ito (1906), provided for an elected House of Representatives, which had priority over the budget and revenue. Therefore, the people of Japan, for the first time, got a say on how the emperor (through his ministers) would spend their taxes. This meant that if the elected representatives opposed the initiatives of the emperor's advisers, then they could block the budget they proposed. In short, that would get the advisers to think again and consider the ideas of the electorate.

However, even if the people were now sharing power with the emperor, the Meiji leaders or the *genro* still were on top. This was because, as Prince Ito (1906) explained, when the emperor would act, the ministers were responsible, and the *genro* were the ministers. As the emperor's advisers, they exercised his authority, and so they exercised real power. So, in the end, the Meiji Constitution's system resembled a parliamentary monarchical system in its early stages. Also, even in most modern constitutional monarchies outside Japan, the monarchy (The Crown) still has the official sovereignty, but the royal advisers are accountable to the elected legislature. In this stage though, cabinet collective responsibility had yet to develop.

As the elected house, the House of Representatives would be the centerpiece of Japan's new *genro* democracy. This is because the people of Japan, provided they met the requirements for suffrage, could share power with the emperor's unelected advisers. However, as seen with the first Japanese election, only a minority of Japanese could vote, due to the limiting nature of these requirements.

## **The First Japanese Election (as a Case Study)**

### **Voting Requirements**

The Meiji Constitution, regarding suffrage, only mentions that the members of the House of Representatives would be directly elected by Japanese subjects, based on the provisions of an Electoral Law (Siemes, 1968). This Law of Election stated that only Japanese men aged 25 years who were residents of their Fu (City) or Ken (Prefecture) for a year or more and paying at least 15 yen in either land or income tax (McLaren, 1914). Regarding income tax, the taxpayer had to be paying it for at least three years (McLaren, 1914).

One reason behind these qualifications is that more conservative leaders like Yamagata were very skeptical about the liberalism of the West, due to their belief that giving everyone political rights would overthrow the Japanese state (Takii, 2007).

Another reason behind these restrictions was that, according to the liberals like Ito who desired a parliamentary regime, was that Japanese liberalism was still at its infancy, so it was not yet the right time to allow full-blown democracy (Takii, 2007).

Also, to demonstrate that Meiji Japan was a *genro* democracy, the suffrage requirements in Meiji Japan will be discussed. However, for purposes of this paper, these will be limited to the first Japanese election, promulgated the year after the constitution, for the first election sets the tone for all future elections, and in these succeeding elections, the electoral rules would already be modified.

### **Age Requirement of 25 Years for Voters**

The Meiji Constitution and the Law of Election limited Japanese subjects to above 25 voting age to restrict suffrage to those who supposedly had mature judgement (Siemes, 1968). In those days, most of the registered population of Japanese males during the early Meiji period, was above 25 (Morita, 1963). However, it is very difficult to gauge the population of Japan per age group in this early period since population registration was at its infancy (Morita, 1963) Also, these men above 25 were from every class of society, from the commoners, ex-samurai, and nobility, so age limits in themselves are not discriminatory.

However, the heads of the old Japanese aristocratic families were not allowed to vote, regardless of age (Ito, 1906). This was fair because the heads of the noble families were eligible for membership or election in the Upper House, the House of Peers, and for the higher nobility, meaning those in the ranks of Prince (equivalent to Duke) and Marquis, were automatically members of the House of Peers, as explained by Marquis (later Prince) Ito Hirobumi (1906). This was likely to prevent men from becoming members of both houses of the Imperial Diet. After all, even in modern-day Britain, membership in the House of Lords is still a disqualification for voting in the general elections.

Thus, the age requirement for suffrage was not discriminatory, since, without considering the other requirements, most Japanese men would have been eligible to vote. Due to this, when universal suffrage in Japan was instituted during the late Taisho period, this requirement remained.

### **Residence Requirements and the Marginalization of Ethnic Minorities**

Based on the first Japanese election law, a Japanese man had to meet a one-year residency requirement in his city (Fu) or prefecture (Ken) (McLaren, 1914). Also, these prefectures were divided into electoral districts (Mason, 1969). Most electoral laws have residence requirements so that voters know their voting place well enough to choose the right candidates and avoid flying voters. Thus, this requirement in Meiji Japan seemed reasonable.

McLaren's (1914) translation of the Law of Election explicitly stated, in Section CXI, that its provisions would not apply in Hokkaido and Okinawa. Okinawa was not included because it was only incorporated into Japan with the overthrow of the Ryukyuan Kingdom (Kerr, 2000). As it once was a separate kingdom, the Ryukyu people in Okinawa had a different way of life than the Japanese, which explains why the Japanese did not grant Okinawans the right of suffrage. However, according to Kerr (2000), the Ryukyu Kingdom was already under the Japanese sphere of influence during the Tokugawa period, but it retained its separate status to allow the Japanese to trade with China.

Thus, the Okinawans were viewed as foreign in the eyes of Japanese, which likely explains why the framers of the Meiji Constitution and the Law of Election were reluctant to include Okinawa in constructing electoral districts. The incorporation of Okinawa into Japan only made the subservience of the Okinawans to the Japanese official, for their separate status denied them suffrage, even for the Okinawan elites. These elites were given Japanese noble titles, so they ended up being eligible for the House of Peers.

Hokkaido, on the other hand, was not considered part of Japan at this time, for Japan proper was limited to Honshu, Kyushu, and Shikoku Islands (Lu, 2016). Due to this, in the early Meiji years, Hokkaido was governed by the Hokkaido Development Agency (Lu, 2016), and not by its local government. The Agency encouraged ex-samurai to move to Hokkaido (Lu, 2016), most probably because some of these samurai were discontented due to losing their privileged status during the Meiji restoration. As a result of moving to Hokkaido, these ex-samurai, along with other Japanese colonists, ended up being denied the right to vote in the first Japanese election.

Also, the colonization of Hokkaido ended up pushing the indigenous Ainu aside, and the lands given to the colonizers were taken from them (Okada, 2012). Also, another reason why Hokkaido was not included in the creation of electoral districts was that the Ainu were

originally not considered Japanese. This was why the Japanese, according to Mitsuharu Okada (2012) of the University of Hawaii-Manoa, forced the Ainu to use Japanese last names and abandon their traditional practices. Thus, since the Ainu were not fully assimilated into Japanese society, they were denied the rights enjoyed by Japanese subjects, just like the Okinawan people.

Due to the exclusion of certain territories from the residence requirement, the 1-year residence requirement in Japan denied the Okinawans and the colonists of Hokkaido the right to suffrage. This residence requirement also denied the Ainu the right to vote, since they were the indigenous residents of Hokkaido.

In effect, setting a residence requirement, which would seem reasonable, while at the same time, excluding certain areas in Japan just because the locals were considered non-Japanese, effectively marginalized the local inhabitants. Also, not including Okinawa and Hokkaido in the prefectures, for purposes of election, served to deny Ainu and Okinawans representation in the Imperial Diet.

### **Taxation as a Requirement for Voting**

To be qualified as a voter, a Japanese man had to pay taxes at the value of 15 yen or more (McLaren, 1914). The rationale behind this was that only people who could contribute to the work of the state by paying taxes should be allowed to have a voice in its administration (Siemes, 1968). This was because in a liberal state, the consent of the governed is necessary for a government to function, especially regarding expenditures, and it was believed that only those who contributed to state expenditures via taxation could have a say on how it should be spent. Also, even for men, universal suffrage was not popular during the 19<sup>th</sup> century, so in theory, this would be considered normal.

However, during the early Meiji period, most taxes in Japan were land taxes, so most of those who could meet the 15-yen requirement were rural landowners (Jansen, 2008). Land taxes only had to be paid for a year for a voter to qualify, while income taxes had to be paid for three years (Jansen, 2008). This skewed the voting requirements in favor of rural landlords rather than employees. These rural landlords did not only form most of the electors during the first election, but they also comprised the majority in the House of Representatives, (Jansen, 2008). These landlords benefited from the expropriation of the former *daimyo*, and thus, were able to purchase their lands. Thus, the wealthy landowners of Meiji Japan were of humble origins compared to the former *daimyo* and samurai.

Also, the Law on Election discriminated against urban dwellers because their income tax requirement was 15 yen (McLaren, 1914). However, they had to pay it within a three-year period, unlike property taxes, which the taxpayer had to pay for a year before a landowner could register (Mason, 1969). This was supposed to be a reward for farmers because their tax contributions were greater than those of the urban dwellers, for at that time, there were around 500,000 people who were paying 15 yen in land taxes, while there were 14,000 people who were paying this amount in income tax (Mason, 1969). This could also be a remnant of the discrimination against merchants which was prevalent in feudal Japan, for some urban dwellers were wealthy merchants.

Due to this, it can be concluded that, in theory, a minimum amount of payable taxes would make sure that only those who could contribute to state coffers would be allowed to decide

where their money would go, however, since the taxation system in Meiji Japan was mostly built on land taxes, not on income taxes, this made sure that wealthy landlords were those who controlled the House of Representatives. As a result, even though commoners could participate in government, high tax requirements limited involvement to a new elite. Despite the rise of a new ruling class, this class arose from humble origins, so this was still something new, when compared to the old feudal society.

### **Results of the Election and the Profile of the Elected Representatives**

As a result of these restrictions on suffrage, the total number of men who voted in the first Japanese election was 450,365, according to Australian professor R.H. P. Mason (1969), out of a population of 40 million. Due to this, only 1% of the Japanese population could participate in the first general election (Mason, 1969). Thus, the supposed voice of the people that the Imperial Government heard during the first election and inside the House of Representatives was the voice of the new elite created by the *genro* during the Meiji Restoration.

The representatives they elected to the House of Representatives were mostly commoners, around 30 to 40 years old, and either wealthy or middle class (Mason, 1969). This is significant because the minimum age for representatives was 30 (Siemes, 1968), and most of them were not from the old aristocracy (Mason, 1969). 191 out of the 300 elected were commoners, compared to 109 former samurai (Mason, 1969). In this context, “commoner” meant Japanese who did not belong to the *Kazoku* class (aristocrats) or the *Shizoku* class (ex-samurai). Thus, the nobility had to share power with the commoners for the first time in Japanese history.

Also, Mason (1969) mentions that the liberal *Yayoi Club* won a plurality of 130 seats, while the Progressives won 40 seats and the National Liberals, 5. Due to this, the Liberals had 175 seats in total, as compared with the 80 seats of Yamagata’s pro-Government party, and 45 seats for the unaffiliated, based on Mason’s (1969) study. As a result, the Liberals could push through with their plans for Japan, even if Yamagata could get all the independents on his side. Thus, those who yearned to expand suffrage gradually won, for the only reason the Liberals did not mind restricting suffrage because Japanese democracy was in its infancy. Once the transition from feudalism to the new Japan was complete, suffrage could be extended to all men, which happened under Meiji’s son Emperor Taisho.

However, women’s suffrage would have to wait until the end of the Pacific War, when the current Japanese constitution was promulgated, following the revision process mandated under the Meiji Constitution. This process would also replace the House of Peers with an elected House of Councilors. Therefore, full democracy in Japan had to wait until 1946, when a new Constitution was promulgated (Prime Minister’s Office, 1946), which made suffrage universal even to women.

### **Conclusion: The Power of the *Genro* in *Genro* Democracy**

However, even though governance was opened to the commoners, the *genro* still had power since they were the ones who drafted the Constitution and the Law on Election. Thus, they created provisions that allowed them to restrict suffrage, like residence requirements that effectively banned Ainu and Okinawans, as well as new Japanese arrivals to these areas, from voting, as well as tax restrictions which effectively limited suffrage to wealthy landlords as

well as upper middle class urban dwellers. In addition, most of those elected to the House of Representatives paid 125 yen in taxes (Mason, 1969). This meant that most of the members of the Lower House were wealthy, either as rural landowners or urban entrepreneurs, and thus, it only represented a minority of the Japanese population, for most Japanese people did not own enough property to pay land taxes for.

Also, due to the surrender of the daimyo's domains to the Imperial Government, as well as land reform programs that ended feudalism in Japan, the *genro* ensured that most of the land in Japan would end up in the hands of commoners. As a result, those who could purchase these lands became wealthy landlords. Thus, it can be said that the new elite that could vote in election and serve in the Imperial Japanese government was created by the *genro* themselves.

Since the new elite that controlled the House of Representatives was created by the *genro*, in theory, it should mean that they should be able to control business in both houses, since as ministers of the emperor, the *genro* controlled the House of Peers and had a voice in the House of Representatives. The reality is that because the Liberal and Progressive parties won a majority of the seats in the house, they had power nearly equal to the *genro*, since as Ministers and Privy Counsellors, the *genro* could introduce legislation, and influence the Emperor's decisions, but the House of Representatives and House of Peers were equal, so the Liberal majority could block these proposals. Also, the House of Representatives had budgetary power, so they could deny funding to proposals they disagreed with. Thus, even though Meiji Japan was controlled by the elites, there was still a space for democracy, due to the equality of both houses.

In the end, even though Japan was on its way to democracy during the Meiji Period, the Meiji Constitution, through the Law on Election, created a *genro* democracy, since the framers of the Meiji Constitution and the Law on Election restricted suffrage by creating residence requirements that excluded those living in certain areas in Japan, as well as tax requirements that excluded majority of the Japanese due to the favoring of rural areas. Due to this, those elected to the House of Representatives, as well as the voters in the first Japanese general election, were part of an elite that the *genro* created.

However, due to the victory of the Liberals, democracy in Japan would gradually expand, for the Liberals in the elite favored gradual expansion of democracy. In fact, Kainuma (2024) would state that after the first Sino-Japanese War, the Meiji advisers would implement a business tax, which would increase the power of industrialists over landowners, which would create an expansion of the tax base. This expansion opened suffrage for more people, due to the rise of the non-landowner taxpayers. Ultimately, this led to the passage of the Manhood Suffrage law by the end of the Taisho period, which opened the vote to all Japanese men, regardless of the taxes they were paying, so ultimately, even the factory workers and farm employees got the chance to vote for their representatives (Colegrove, 1929).

To conclude, even if democracy in Japan was limited to a tiny minority in its first election, it was still a start. After all, the first Japanese election was the first election to take place in the Asian continent, under the first codified Asian constitution. After all, even in the West, democratic constitutions in their original forms limited liberal democracy to the elites. This is why there was nothing wrong with Japan limiting suffrage, for the liberals who did win would later expand the vote through amending the election laws, first through changing the tax base, then eliminating tax restrictions altogether.

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