



The Arrest of Muneo Suzuki: Politics and the Prosecutor's Role in Japan

Japan Chair Forum Report (Summary by Sabina Douglas and Eliot Walker)

On June 19, the lower house of the Japanese Diet voted to permit the arrest of senior Liberal Democratic Party (LDP) member Muneo Suzuki. This event exposes Diet members' inappropriate relations with government bureaucrats and introduces a new phenomenon in relations between criminal prosecution and Japanese politics. The June 28 CSIS Japan Chair Forum focused on this phenomena with a distinguished journalist, who has covered the Prosecutor's Office for many years, Osamu Murayama, a visiting fellow at CSIS from *Asahi Shimbun*, and in-house political analyst Tsuneo Watanabe at CSIS in Washington, D.C.

Murayama described the unique role of the Japanese Prosecutor's Office in combatting political corruption and noted there had been a change in the media and public's perception of the public prosecutor. Since the end of World War II, Japan's Special Investigative Prosecutor's Office has been respected as a counterweight to corruption in Japanese politics. Now, however, both corrupt politicians and the Prosecutor's Office are being criticized. This has important implications for the course of Japanese politics and the role of the public prosecutor.

Murayama described two major actors, Lower House Diet member Muneo Suzuki and the Prosecutor's Office. Suzuki began his career as a politician's secretary, collecting money from contractors and distributing it to colleagues in the Diet. Through this and by doing favors for the media, he eventually built a reputation as a man with many connections.

In January of this year he was accused of having abused one such connection. It was discovered that he had exerted his influence in the Ministry of Foreign Affairs (MOFA) to stop the participation of two non-governmental organizations' representatives in an Afghanistan revival conference held in Tokyo. The Japanese media leaped on the opportunity, and soon he was cast as a "national enemy."

The special investigative squad of the Tokyo Prosecutor's Office, or *Tokusokensatsu*, which includes only 125 investigators, has in the past prosecuted such infamous cases as the 1976 "Lockheed Incident," which caused the fall of prominent Prime Minister Kakuei Tanaka. Its role as a watchdog against corruption has been widely applauded throughout Japan.

Now, however, both Suzuki and the Special Investigative Office find themselves involved in a new kind of problem. After a series of allegations concerning illegal activity with MOFA, it was brought to light that Suzuki might also have accepted a 5-million yen bribe from a logging company. In exchange for the money, Suzuki allegedly exerted his influence in the Forestry Agency to give that company favorable legal treatment.

While major news outlets are still reporting the usual success stories, weekly and monthly magazines are becoming critical of the Prosecutor's Office. One journalist, Akira Uozumi, recently published an op-ed in *Asahi Shimbun* titled, "Unpersuasive Investigation in Line with the National Policy." Uozumi accuses the Prosecutor's Office of merely presenting the public with a scapegoat, diverting attention from a more significant policy failure. Uozumi mistrusts the Prosecutor's Office's incentive to hide its own "improper accounting" scandal and criticizes the posture and technique of the special investigation prosecutors in the Suzuki case.

His suspicions are derived from the investigation having shifted so suddenly from MOFA to the Forestry Agency. There are two suspicions being raised against Suzuki and MOFA. One concerns unclear accounting in the "Northern Territory Support Committee." The other is a leak of classified information from MOFA to Suzuki.

In Murayama's view, the Prosecutor's Office-the keystone of Japan's checks and balances-stands at a crossroads. In order to facilitate transparency and accountability in government, it must restore public confidence. He recommends that the Prosecutor's Office take three actions:

- First, the Prosecutor's Office should give a satisfactory explanation to the public on whether there was any problem in its criminal investigation procedure. It should do this after the conclusion of Muneo Suzuki's case.
- Second, the Prosecutor's Office must also investigate suspicious accounting and information leak concerns in the Ministry of Foreign Affairs.
- Last, the Prosecutor's Office must put an end to suspicions of its own irregular accounting. It must invite an external audit, conduct a thorough investigation and make an official announcement.

CSIS political analyst Tsuneo Watanabe approached this issue from the politician's side. The impact of Suzuki's arrest on the political world lies in the fact that the prosecution regarded political contributions as bribery. Although the Japanese system of political finance has historically been very opaque, the prosecution made a case for considering legally transacted political donations as bribery. This case may redefine what is called a simple donation and what is bribery. It will also affect politicians' lobbying of government bureaucrats, from which most LDP politicians benefit.

It is important to note that Suzuki's case is merely the tip of the iceberg and that a great deal of improper political collusion remains to be uncovered. The decision to prosecute Suzuki could possibly open up relations between politicians and the bureaucratic system, exposing the system and forcing it to accept greater transparency.

This bodes poorly for Prime Minister Junichiro Koizumi. Koizumi enjoyed unprecedented public support and sympathy from the opposition at the outset of his administration, vowing economic structural reform for growth. Now, however, his popularity is waning, and he receives less sympathy from the opposition. In order to move his agenda, he needs the support of his own Liberal Democratic Party. Senior, influential LDP members will doubtlessly be averse to an upheaval of the old system and will attack Koizumi for promoting it. Thus, what was once in Koizumi's advantage is now in his detriment.

Watanabe recommended more transparency in both political finance and the policy process, especially within the Liberal Democratic Party, rather than applying a heavy rule for financial restriction on political contributions or interactions between the LDP and bureaucrats.

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