
Notes

Introduction

1. Literally, “a temple for seeking refuge.”
2. Demands for a consumer *kakekomidera* have ranged from requests for the introduction of facilities in preexisting ministries and agencies to deal with consumer-related issues, to the establishment of a specific ministry or agency for consumer affairs.
3. I use the term *consumer group* to refer to small, fluid consumer organs at the local level and reserve *consumer organization* for the larger, more tightly organized entities that focus on prefectural and national politics.
4. Consumer advocates are self-designated representatives of broad consumer constituencies who campaign for public goods in a particular political system. In Japan, a number of advocacy organizations are sponsored by business interests. Unless otherwise specified, I do not include these organizations in my analysis.

Private organizations that specialize in consumer advocacy should also be distinguished from grassroots consumer groups consisting of concerned citizens who perform consumer-related functions exclusively for themselves or their immediate communities. These groups include self-help groups designed to increase awareness of smart shopping techniques, local recycling groups, and purchasing clubs.

5. See chapter 1 for a discussion of the “consumer interest.”
6. In order to assess the nature of the conflict between consumer and producer interests, I have excluded cases like the anticonsumption tax campaign in which consumers and producers (small businessmen, in the tax case) joined together in pursuit of common goals. The antitax campaign is also problematic for my purposes because it does not reflect the “consumer interest” as defined

by Japanese activists. As several movement insiders revealed to me, many activists believed the tax to be in the long-term best interests of consumers in a rapidly aging society and therefore participated in the campaign only for the sake of movement solidarity.

1. Toward a Framework for the Study of Consumer Advocacy

1. Although the scope and meaning of the term is subject to debate among scholars, *consumerism* is often used interchangeably with *consumer movement* to refer to a particular type of social movement (see Brown 1996:77–78; Mayer 1989: 3–5).
2. For further analysis of the controversies surrounding the concept of the “consumer interest,” see Forbes 1987:ch. 1.
3. Consumers International is an international network of national consumer organizations from both advanced and lesser-developed economies.
4. For a discussion of “political entrepreneurs” in social movement organizations, see McCarthy and Zald 1977, Oberschall 1973, and Walsh 1978.
5. As stated by the British government in its 1962 *Final Report of the Committee on Consumer Protection* (the Molony Report), “the consumer is everybody all the time” (quoted in Wraith 1976:9).
6. Environmental activists are also concerned with issues that transcend socioeconomic boundaries. However, since pollution and other forms of environmental degradation can have a severe and immediate impact on both the ecosystem and human health, they are more likely than consumer-related issues to spark strong grievances that motivate individuals to mobilize in pursuit of collective goals.
7. For a detailed discussion of the conflict between producer and consumer interests at the individual level, see D. Vogel and Nadel 1976.
8. As one British scholar noted, “Consumers are more obviously mobilized around their roles in the division of labor, typically as members of occupational groups, trade unions or professional associations which overwhelmingly determine their social and political organization” (Hornsby-Smith 1986:303).
9. By implication, the functions of advocacy organizations may diminish and those of educational organs expand as advanced industrial democracies shift from a system of consumer protection based on governmental regulation to one based on the self-responsibility of well-informed consumers.
10. Many of Japan’s small, local consumer groups and the Seikatsu Club Consumer Cooperative are exceptions to this general trend. Both the Seikatsu Club and its electoral wing, the Seikatsusha Network, are characterized by democratic participation by rank-and-file members in decision making. Since the club does not participate in national policymaking processes, I have not included it in

my analysis. For more on the Seikatsu Club, see Gelb and Estevez-Abe 1998 and LeBlanc 1999.

11. For an in-depth analysis of the criteria for a successful boycott, see Friedman 1999.
12. The Seikatsusha Network is, of course, an important exception to this rule. But as Robin LeBlanc (1999:ch. 5) shows, even the “netto” has trouble recruiting Seikatsu Club members into electoral politics.
13. The leading works in the resource mobilization tradition include McCarthy and Zald 1977, Jenkins and Perrow 1977, Oberschall 1973, and Wilson 1973.
14. Examples of the classical approach include Davies 1969, Kornhauser 1959, and Smelser (1959).
15. The resource mobilization perspective has been adopted by several scholars to explain the initial formation of social movements in Japan. Margaret A. McKean argues that the proliferation of environmental organizations during the 1960s and early 1970s was a direct function not of any growing sense of isolation or alienation among individuals but, rather, of “rational attempts by [aggrieved groups] to mobilize hidden resources” in specific communities (McKean 1981:160). Krauss and Simcock explain the “rapid and spectacular spread” of environmental citizen groups in a similar vein, paying particular attention to “the availability of an extensive web of community and associational organizations at the local level” (Krauss and Simcock 1980:207–8).
16. “Historical precedents for social mobilization” include the demonstration effects of social movements that have organized in the past.
17. The historical institutionalist school of thought is a very diverse one and is by no means fully represented in this book. Works in this tradition that have informed this study include Dunlavy 1993, Hall 1986, Hattam 1993, Immergut 1992a, Steinmo 1993, and Steinmo, Thelen, and Longstreth 1992.
18. For a detailed overview of different conceptualizations of “institution,” see Steinmo et al. 1992.
19. I prefer the *historical* institutional approach to the *rational-choice* version as an analytical framework for studying social movements, for three reasons. First, social movement activists do not always act rationally. As historical institutionalists have observed, many activists respond subconsciously to institutional norms and historical precedents in ways that are not always in their best interests. The rational choice approach is further weakened by the fact that advocates rarely act on the basis of perfect information. In fact, many movement organizations are frequently denied access to crucial information not only by other societal actors but also by governments. Finally, as Steinmo et al. point out, the rational-choice approach tends to address the preferences and objectives of societal actors as givens rather than as variables that need to be explained. The historical institutional approach, I believe, with its historical focus and inductive methodology, is better poised to explain the seemingly irrational

objectives of specific social movements. For more on the differences between these and other strains of the “new institutionalism” approach, see, e.g., Hall and Taylor 1996, Koelble 1995, March and Olsen 1989, and Steinmo et al. 1992:ch. 1.

20. Frank K. Upham’s analysis of the effects of legal structures on political conflict and social change in Japan is written at least in part in this tradition. According to Upham, institutions—in this case, laws and judicial structures—can have a major impact on the fora of particular political conflicts, the manner in which societal actors organize themselves, and the development of political alliances (Upham 1987:4). Jeffrey Broadbent also incorporates an institutional focus into his multifaceted treatment of the environmental movement (Broadbent 1998).
21. Notable exceptions to this norm include Kitschelt’s research on the antinuclear movement.
22. In a similar fashion, March and Olsen argue that “the primary source of the institutional challenge is empirical” (March and Olsen 1984:741).
23. Kitschelt, writing from the POS perspective, addresses policies, but mostly in terms of the state’s capacity to implement them, a variable that he argues can “determine the overall responsiveness of politics to social movements” (Kitschelt 1986:63).
24. Theorists writing from a social movement perspective who analyze the impact of policies on social movement behavior include Andrain and Apter 1995 and Duerst-Lahti 1989.
25. Georgia Duerst-Lahti (1989) argues along similar lines in her study of the government’s impact on the development of the women’s movement in the United States. Duerst-Lahti shows how changes in government policy toward women led to the introduction of a number of federal institutions that gave female activists incentives to mobilize into a nationwide political movement. One implication of these findings is that networks of social movement organizations often follow rather than precede state initiatives in a particular policy area. As subsequent chapters illustrate, comparable patterns can be found in the case of organized consumer movements.

2. *Consumer Advocacy in the United States and Britain*

1. Definitive works on the American consumer movement include Aaker and Day 1974, Berry 1977, Bloom and Smith 1986, Maney and Bykerk 1994, Mayer 1989, and Nadel 1971.
2. Notable exceptions to this norm include Asch 1988.
3. Some of the criticisms posed by Kallet and Schlink (1933) appear quaint in retrospect. In chapter 2, for instance, the authors describe the many dangers posed to the human digestive system by eating Kellogg’s All Bran and raw fruits and vegetables (pp. 19–24).

4. Among the senators who embraced the consumer cause were Ed Muskie, Edward Kennedy, Estes Kefauver, Warren Magnuson, Mike Mansfield, John Moss, Philip Hart, Abraham Ribicoff, and Benjamin Rosenthal.
5. Most of these measures were regulatory in scope and included the Cigarette Labeling and Advertising Act (1965), the Fair Packaging and Labeling Act (1966), the National Traffic and Motor Vehicle Safety Act (1966), and amendments to the Food, Drug, and Cosmetics Act (1962) and the Flammable Fabrics Act (1967).
6. For more on the organized movement's power of persuasion, see Nadel 1971:211.
7. Today, there are almost 5 million paid subscribers to *Consumer Reports*. Consumers Union amasses about \$100 million in total revenue, most of it coming from sales of this and other publications. Private, noncorporate donations also are a large revenue source (Karparkin 1997a:183–84).
8. Many consumer organizations refuse to accept governmental financial assistance. Consumers Union, for instance, stopped accepting government grants for specific projects during the 1970s in an effort to preserve its political independence and to prevent conflicts of interest (interview, James, May 1999).
9. Dan Burt's organization, for example, argued that Nader stood at the head of a "huge lobbying and opinion-marketing conglomerate" that resisted the very kinds of organizational accountability that Nader was demanding of industry (Burt 1982).
10. For more on the proposed agency, see Herrmann and Mayer 1997:593.
11. Consumer organizations do not speak with a unified voice on free trade issues. Whereas Nader's network has opposed NAFTA and the GATT for their potentially negative effects on the environment and domestic employment, for example, Consumers Union has come out in support of free trade on the grounds that it promotes economic development in Third World countries (interview, James, May 1999).
12. The number of autonomous local groups in the movement rose from a mere thirty-eight in 1969 to nearly 400 in 1983 (Brobeck 1997:532). In addition, Nader's network of public-interest research groups (PIRGs) expanded during the 1980s. PIRGs are nonprofit, state-level organizations that concentrate not only on consumer protection but also on issues relating to governmental reform and environmentalism (Mierzewski 1997).
13. The British cooperative movement, the first of its kind in the world, served as the leading representative of consumer interests until the early postwar period. Although a few cooperative leaders continue to sit on governmental committees, the functions of consumer advocacy are now largely carried out by other organizations. For excellent analyses of consumer cooperation in Britain and elsewhere, see Furlough and Strikwerda 1999.
14. The bulk of NCC funding comes in the form of grants-in-aid from the Department of Trade and Industry.

15. Unlike *Consumer Reports*, *Which?* is available only to subscribers.
16. The CA now has roughly 800,000 members, two-fifths that of Consumers Union.
17. This total makes the CA the second richest consumer organization in the world, after Consumers Union.
18. Local consumer groups are affiliated with the National Federation of Consumer Groups.
19. The NCC, unlike other consumer organizations in Britain or, for that matter, the United States and Japan, has its own press office.
20. Britain's incomes and pricing policies were aimed primarily at curbing inflation.
21. For a discussion of the processes of "re-regulation," see S. Vogel 1996.
22. This is, of course, a play on Pempel and Tsunekawa's term "corporatism without labor" (Pempel and Tsunekawa 1979).

3. *The Politics of an Emerging Consumer Movement*

1. Even though I use the well-known term *Reverse Course* for the sake of convenience, I take it with a grain of salt. This phase of the Occupation, which began around 1947/48, did *not*, as the term implies, usher in a wholesale unraveling of earlier democratic reforms. Rather, it should be interpreted as a reorientation of Occupation policy away from democratization and toward the reinvigoration of the postwar Japanese economy.
2. For more on the economic conditions facing Japanese citizens in the immediate aftermath of World War II, see Dower 1999:89–97.
3. The name of the group was the Women's Committee for Postwar Policies (Sengo taisaku fujin iinkai), a precursor of the Japan League of Women Voters (Nihon fujin yūkensa dōmei).
4. For prewar examples of direct confrontation between consumers and public authorities, see Lewis 1990.
5. A *furoshiki* is a large, square cloth used for wrapping and carrying small parcels.
6. The expression *kome yokose* apparently appeared for the first time in the journal *Sekki*, the precursor to *Akahata*, the official newspaper of the Japan Communist Party. Originally devised as an appeal to the government to issue more adequate rice rations to hungry workers, the expression was eventually adopted as a slogan by many early consumer activists who were protesting inefficiencies in the rice-rationing system (K. Kobayashi, June 1993:41). The inclusion of the term *furoshiki* in the slogan Give Us Back Our Rice *furoshiki* movement signals the leading role of housewives-as-consumers in this early postwar consumer campaign. For more on this subject, see Yamamoto 1976.

7. The movement reached a peak on May 19, 1946, when a demonstration of more than 30,000 labor unionists, left-wing political activists, and consumers was carried out in front of the Imperial Palace in Tōkyō. Known as the Give Us Our Rice Mayday, the incident was criticized by General Douglas MacArthur as a threat to domestic peace (NHK 1980:17).
8. I have yet to see evidence that the designation was consciously modeled after the New York prototype.
9. According to Oku Mumeo, one out of every five or six matches in a five-yen box was defective (Oku 1988:176).
10. See Oku 1988. For more on Oku's life and career, see Oku 1988, Tokuzo 1999, and Narita 1998.
11. The rice paddle was chosen as the official symbol of Shufuren because it symbolized the woman's caretaker role in the family, the problems encountered by Japanese housewives as both women and consumers, and the kitchen as the basic building block of the contemporary consumer movement. Large cardboard replicas of the rice paddle covered with political demands ("Stop Price Fixing!"), angry pronouncements ("Goodbye Tanaka Cabinet!"), and slogans ("Turned Away at the Gate") are often held aloft in street demonstrations.
12. Chifuren was particularly active during the early postwar period in opposing proposed changes to constitutional provisions pertaining to women.
13. Chifuren eventually withdrew from the antinuclear movement after the movement became heavily politicized (KSS 1997:70).
14. The Tōkyō chapter of the federation, led by Tanaka Satoko, has been particularly active in the consumer advocacy realm.
15. A consumer cooperative is a nonprofit organization in which members serve as both consumers and suppliers of capital. For an excellent history, in Japanese, of the Japanese cooperative movement, see Yamamoto 1982.
16. Seikyōren, with 674 member organizations, is the wealthiest consumer-related organization in Japan. In 1990, it took in roughly 700,800,000 yen from its affiliates (Keizaikikakuchō 1991c:82).
17. Established in 1965, the Seikatsu Club had more than 55,000 members in 1992. The club promotes participatory democracy in both the cooperative setting and local government and is a strong advocate of environmental protection (Tōkyō Initiative on International Cooperative Alliance 1992). For more on the history and significance of the club, see Gelb and Estevez-Abe 1998 and LeBlanc 1999:ch. 5.
18. Article 5 of chapter 1 states: "The Cooperative Society shall not be established covering a wider area than that of a prefecture" (Ministry of Health and Welfare 1989:2).
19. According to statistics compiled by Kurimoto Akira, the Japanese movement is larger than those of Austria, Denmark, Germany, Italy, Sweden, and the U.K. in terms of total membership. However, Japanese co-ops comprise only 2.5

percent of market share, a very small proportion compared with Sweden's 15.2 percent (Kurimoto 1992:224).

20. Japanese consumer cooperatives have assumed more consumer advocacy functions than their American and British counterparts have. The British co-ops, as we noted in the last chapter, were widely recognized as the country's leading advocates until 1957, when the Consumers' Association assumed this distinction.
21. Although the Co-op Law has been updated several times, its most controversial provisions remain intact.
22. In a 1983 survey, for example, only 2 percent of the members of forty-two cooperatives indicated that they had joined for political reasons (Kilburn and Nomura 1986:53).
23. The only other private entity engaged in extensive consumer product testing after the war was the magazine *Kurashi no tetchō*. The magazine is still published today. Shufuren's testing facilities, on the other hand, are no longer operating.
24. For a history of prewar and wartime Japanese savings campaigns that also touches on early postwar trends, see Garon 2000.
25. See chapter 4 for a discussion of the lifestyle schools. For a more in-depth analysis of the New Life movement, see Garon 1997.
26. For a history of moral suasion campaigns based on partnerships between citizens and governmental authorities, see Garon 1997.
27. Shufuren has tried on several occasions to obtain foundation (and hence tax-exempt) status as a means to enhance the independence of its financial base, but it could never raise the principal required for such status.
28. For example, Oku Mumeo and Higa Masako, the leaders of Shufuren and the Kansai shufuren, respectively, were well-known adversaries. Some observers in the movement chalked their differences up to the conflicting temperaments of Tōkyōites and Ōsaka natives (K. Kobayashi, June 1994:46).
29. From this perspective, consumption refers simply to the act of using the fruits of production to satisfy wants. A consumer, then, is someone who performs this act.
30. For a comprehensive history and competing definitions of the concept of *seikatsusha*, see Amano 1996. Shimizu Makoto, a scholar of consumer law, tends to avoid the term *seikatsusha* yet assigns the conceptual identities of that term—consumer, producer, citizen (*shimin* and *kokumin*)—to his definition of *shōhisha* (consumer). Shimizu's multifaceted definition of *shōhisha*, which he applies to contemporary Japan, mirrors the conceptual approach of early postwar consumer activists, an approach that still holds sway today in the movement (see Shimizu 1994).
31. The term *seikatsu* (lifestyle), by contrast, was widely used both in the organized consumer movement and by other societal and government actors. For more on the use of this term during the interwar period, see Garon 2000.

32. The determination of many women to take an integrative approach to the politics of consumption—one that would not infringe on the priorities of family life—was symbolized at the micro level by Oku Mumeo's habit of calling on the homes of Shufuren activists to personally thank their families for allowing her to take them away from their housewifely duties (Oku 1988:182–83).
33. Both the American and British movements did, however, ally with other economic groups. As noted in chapter 2, the British consumer cooperative movement was closely associated with the labor movement, and Ralph Nader's network of organizations has allied with the AFL-CIO. That said, American and, to a lesser extent, British consumer advocates have been far more willing to draw a line in the sand between citizens as “consumers” and other economic groups in the polity than Japanese advocates have.

4. *Consumer Politics Under Early One-Party Dominance*

1. For a comprehensive analysis of changing Japanese consumption patterns since the Meiji Restoration (1868), see Partner 1999.
2. The expression “extravagance is the enemy” never really disappeared from the postwar lexicon. As Garon notes, many Japanese still endorsed it toward the end of the twentieth century in their efforts to save (Garon 2000).
3. For more on these and similar incidents, see Morishima and Smith 1986 and Reich 1984.
4. For more on patterns of local intergovernmental relations, see Samuels 1983:17–32.
5. For several years, British consumer-related administrative functions were concentrated in the Department of Prices and Consumer Protection. After the department was abolished, those functions were assumed by the minister for consumer affairs and small firms, a junior-ranking position in the Department of Trade and Industry. Many British consumer advocates believe that the consumer-related functions of the bureaucracy should be expanded.
6. Many of these groups, of course, did not last beyond the Occupation.
7. Of the 357 groups established between 1965 and 1969, for example, four were national groups, twenty-nine were prefectural in scope, and the remaining 324 were local (Keizaikikakuchō 1997:9).
8. Each school consists of about 100 housewives (Osami 1995:8).
9. In 1995, for example, membership in the lifestyle schools totaled a mere 64,000. Participation in the schools reached a postwar high of 105,000 in 1974/75 (Keizaikikakuchō 1997:5).
10. Shufuren's Takada Yuri was one such representative.
11. The center's regional programs were mainly targeted toward the *fujinkai* (Zen-chifuren 1986:27).

12. According to at least one reliable source, members of consumer-related organizations affiliated with MITI are occasionally warned by ministry officials to refrain from politicized consumer movement activities. This kind of “administrative guidance” is often heeded by those organizations because MITI is a very important source of funding (interview, source withheld, February 1994).
13. The Consumption Science Center is licensed by the Economic Planning Agency. Shufuren does not hold this kind of legal status.
14. In 1980, Shōkaren concluded on the basis of taste tests conducted on various brands of imported and domestic rice that high prices did not necessarily signify high quality. After informing the public that California brands were of very high quality and competitively priced, Shōkaren’s offices were flooded with inquiries from consumers who wanted to know how to obtain them.
15. The Japan Automobile Users’ Union, a relatively small and highly specialized consumer organization that supervises the automobile industry, consists almost entirely of men. It is not normally a player in broad political advocacy movements.
16. Many activists believe that this weak sense of civic consciousness prevented a more rapid expansion of consumer organizations over the years (Inaba et al. 1979:7).
17. As Feldman argues, the public assertion of rights normally occurs during conflicts in which the desire to maintain a “superficially harmonious” relationship with one’s opponents is discarded (Feldman 2000:5).
18. An awareness of individual rights among ordinary Japanese citizens appears to have progressed far more on issues like environmentalism and health care, issues that tend to have a much greater impact on the health and welfare of individuals. For more on the development of rights consciousness in the health-care realm, see Feldman 2000.
19. John O. Haley points out that the notion of rights, which he defines as “the claims of individuals to protection by specific procedures and remedies,” is a characteristic of Roman law. In Japan and other East Asian countries, the delineation of *duties* is often the main mechanism through which legal rules are enforced. So, while Japan’s approach to consumer protection may differ from that of its Western counterparts, it fits in well with Asian legal norms (Haley 1991a:11).
20. The law has often been criticized by many Americans for prohibiting the provision of free gifts or services in excess of 10 percent of the value of the product or service purchased. This would, in theory, hurt imports, whose prices are not always competitive with those of domestic products.
21. In September 1960, the Ikeda cabinet announced a “consumer price policy” (*shōhisha bukka taisaku*) designed to ensure the proper application of the Anti-monopoly Law and to specify governmental measures to adjust supply to demand. The government also introduced a number of more specific measures

to control the prices of such basic commodities as milk, meat, and vegetables (NHSK 1980:54).

22. Nakamura Kii noted that the boycott was one of the very few occasions when the media aggressively pursued consumer activists, rather than the other way around (interview, K. Nakamura, April 1994).

5. *The Post-1968 Consumer Protection Policymaking System*

1. The agency was headed at the time by Miyazawa Kiichi.
2. Sunada was one of the only postwar conservative politicians who openly championed consumer issues. Although he occasionally made appearances at national consumer rallies sponsored by Shōdanren, Sunada's relationship with consumer organizations was apparently not a close one (Shōdanren 1987b:15).
3. For more on this trend, which intensified during the 1970s, see Krauss 1984.
4. For information on the 1961 Agricultural Basic Law, see Calder 1988:264–66. For analyses of the 1967 Basic Law on Environmental Pollution, see McKean 1981:20 and Broadbent 1998:114, 120–22, 128, 132.
5. The reference to free and fair competition alludes to the proper implementation of the Antimonopoly Law.
6. For a discussion of the impact of *tatewari gyōsei* on consumer policymaking, see chapter 4.
7. The “Japan Consumer Information Center” was the official Japanese translation of Kokumin seikatsu sentaa. In late 2000, the center changed its English name to National Consumer Affairs Center.
8. In 1999, there were 359 consumer centers in Japan (Keizaikikakuchō 1999:17).
9. This is a complaint shared by nearly all the consumer advocates I interviewed who had served on national *shingikai*.
10. See Upham's discussion of pollution complaint counselors and prefectural pollution review boards (Upham 1987:56–58).
11. Ordinance to Prevent Damages Caused by Lifestyle Commodities, to Rationalize Business Practices Pertaining to Labeling, etc., and to Provide for the Relief of Consumer Damages (Tōkyōto seikatsu busshi no higai no bōshi, hyōji nado no jigyo kōi no tekiseika oyobi shōhisha higai no kyūsai ni kansuru jōrei).
12. More specifically, the Local Autonomy Law encourages local self-government as a key to democratization and the development of local administrations that reflect public opinion (Samuels 1983:xx).
13. In the spring of 1994, for instance, I was amazed to find consumer leaders in the movement to enact a product liability law devoting the bulk of their time during public meetings to defining basic legal terms, even though the bureaucracy, which was in the midst of drafting a bill, had moved well beyond that stage.

14. Since class action suits are not permitted in Japan, activists file suit as groups of plaintiffs.
15. In this regard, consumer organizations were behaving like other social movements in Japan. For an analysis of the significance of litigation for the assertion of rights by social movements, see Feldman 2000.
16. For general analyses of the institutional barriers to litigation in Japan, see Haley 1978 and Yamanouchi and Cohen 1991.
17. There are relatively few examples of local governmental support for lawsuits involving small claims and large numbers of plaintiffs, in part because such suits are not often filed in Japan.
18. Shufuren, for instance, received some support from the Tōkyō metropolitan government for its lawsuits against the alleged kerosene cartel during the 1970s and 1980s.
19. For more on the internal functions of protest in Japan, see Pharr 1990:ch. 6.
20. The product boycott—the quintessential form of market-oriented protest for consumer advocates—was not a large part of the organized movement’s strategic arsenal after the 1970/71 color tv boycott. There are at least two reasons for this. First, boycotts are extremely labor intensive and difficult to carry out in the best of times. With the decline of mass production and the development of small-niche markets, they have become even more difficult to organize. Second, boycotts were most appropriate during the high-growth era, when consumers were bombarded with unsafe products. Once the flood of defective products into the marketplace slowed, however, boycotts lost much of their strategic appeal.
21. For more on the Information Disclosure Law, see chapter 9.
22. For an up-to-date analysis of the role of the reporters’ clubs in Japanese politics, see Freeman 2000.

6. *The Right to Choose*

1. George Fields, for example, points out that “there is virtual silence [on the part of consumer advocates] when the biggies fix prices” (Fields 1989:133).
2. The so-called *per se* illegal principle is a defining feature—in theory, at least—of American antitrust policy. In British and many European antitrust systems (with the notable exception of Germany), it is the *effects* of monopoly and collusive business practices, rather than the phenomena themselves, that are the main targets of regulation.
3. These laws targeted, for example, the export and import sectors, the ammonium sulfate industry, the coal and machine tool industries, and textiles (Misono 1987:95–97).
4. This is the official “tentative” translation of the Japan Fair Trade Commission.

5. For summaries of these different points of view, see, for example, Hosokawa June 1996:1–21 and September 1996:29–46; Yamane, Seryō, and Mori 1998:67–82.
6. The membership of the council consisted of three scholars, one media representative, and eleven representatives from the business community.
7. Japanese consumer advocates view premiums as an enticement for consumers to buy overpriced products.
8. Illegal RPM setups were often referred to as “black market resale price maintenance systems” (*yami saiban seidō*).
9. The JFTC ruled that under the Law to Prevent Unjustifiable Premiums and Misleading Representations, qualified complainants must suffer damages as a result of violations to the law. In the eyes of the commission, Oku Mumeo, who filed the complaint on behalf of Shufuren, had incurred no such damages (*Shufuren dayori*, April 15, 1973).
10. The Sendai High Court ruled in favor of the consumers in 1985, but its decision was overturned by the Supreme Court.
11. Iyori notes, for example, that only seven suits were filed under the provisions of article 25 of the AML between 1947 and 1984. In the United States during the early 1980s, more than 1,000 private antitrust actions were filed each year (Iyori 1986:75, n. 21).
12. This certainly seemed to be the case in the “Big Four” environmental cases and the suits involving damages incurred by consumers of tainted foods and medicines.
13. For more on the impact of litigation on rights awareness in the general public, see Feldman 2000.
14. Of the thirteen members of the JFTC study group, ten were from the academic community, two from the media, and one from a semiprivate research organization (Misono 1987:256, n. 7).
15. Under the existing law, a consumer had the power to request a JFTC investigation of an alleged AML violation, but the commission was not obligated to alert him or her of its findings. Consumer representatives and many scholars and opposition party politicians wanted this changed.
16. Article 25 of the AML stipulates that consumers can sue companies—on the basis of strict liability—for damages caused by violations of the AML. Article 26, however, states that lawsuits cannot be launched until after the JFTC has ruled on the case. Consumer advocates supported an amendment to the law that would permit citizens to file such suits independently of JFTC investigations.
17. In my interviews with advocates on the AML and other consumer issues, most were very forthcoming in expressing their disappointment in Nakasone’s stance toward consumers as both head of MITI and prime minister. One advocate, at the mere mention of his name, growled, “That man! Ooooooh, he infuriates me!”

18. The items that took precedence over the AML reform bill included revision of the political finance and election laws and the ratification of both the Sino-Japanese Friendship Treaty and the Nuclear Nonproliferation Treaty.
19. The only other issue of concern to the consumer movement that received comparable attention at election time was the controversial consumption tax.

7. The Right to Safety

1. Takeuchi Naokazu, the founder of Japan Consumers Union (Nihon shōhisha renmei), is the most prominent proponent of this position.
2. This term is often used in the Japanese literature to refer to the decline of movement growth rates during the 1980s, the aging of movement leaders, and the movement's failure to prevent the introduction of a general consumption tax.
3. In regard to the number of participants, the anti-deregulation movement is surpassed only by the movement to oppose the introduction of a general consumption tax, which occurred later in the decade.
4. For a comparison of governmental approaches to regulation and deregulation in Japan and the West, see Maclachlan 1999.
5. The commuter's patronage of small, often dirty, noodle stands located next to train stations is, of course, an exception to this general tendency.
6. That number shrank during the early 1970s when several of those additives were discovered to be carcinogenic.
7. The Morinaga Milk incident of 1955 involved a powdered milk formula that had been tainted with arsenic.
8. The so-called Kanemi oil incident. For more on this story, see Reich 1984.
9. David Vogel suggests that food processors "did not oppose this policy change" (D. Vogel 1992:129). Although this was no doubt true if we are to measure "opposition" according to the public pronouncements of business, consumer activists have stated to me that opposition was carried out quietly behind the scenes so as to avoid a public backlash.
10. Unless otherwise specified, the following two paragraphs are based on NHK 1980:133–36.
11. The cyclamate boycott also proved to be an important dry run for the much more effective color TV boycott that was carried out the following year.
12. David Vogel points out that depending on how they are defined, between 50 and 200 additional synthetic additives are permitted for use in the United States (D. Vogel 1992:123).
13. Britain's regime was the most permissive in the European Union before harmonization, a process that increased the number of approved additives on the continent to 412. Germany, for instance, had authorized 150 synthetic additives, and Greece only 120 (D. Vogel 1995:51–52).

14. The law was strengthened in response to both the Kanemi oil disaster and the SMON incident involving tainted diarrhea medicine.
15. For a detailed analysis of mounting trade frictions between the United States and Japan over Japan's strict food regulatory regime, see D. Vogel 1992.
16. The irony here is, of course, that natural additives also have the potential to damage the health of consumers.
17. One of the most prominent proponents of this position has been Takeuchi Naokazu, president of Consumers Union. Unlike the United States, natural additives are not subject to regulation in Japan.
18. As David Vogel points out, this latter requirement distinguishes Japan's regulatory system governing food additives from that of the United States (D. Vogel 1992:121).
19. For a comparative analysis of the theories of deregulation, see S. Vogel 1996: ch. 1.
20. In the United States, for example, American policymakers were questioning the validity of the 1958 amendment to the Food, Drug, and Cosmetics Act (the "Delaney Clause") which prohibits the use of additives suspected of having even trace levels of carcinogenic properties. The clause was criticized as excessive and outdated, given the availability of new, sophisticated technology capable of determining the exact levels at which synthetic additives can be safely consumed by human beings.
21. Consumer activists, relying on scientific studies conducted in Japan, argued that the substance may have had carcinogenic properties (KSS 1997:155).
22. In use in Japan since 1954, BHA is found in such products as margarine, cooking oil, and instant noodles.
23. During the early 1990s, for example, consumer advocates solicited American support for a Japanese strict liability law.
24. The most publicized experiments were those conducted by Professor Itō Nobuyuki of Nagoya City University's Medical Department (*Mainichi shimbun*, February 1, 1983).
25. In 1981, the Ministry of Health and Welfare announced an "interim five-year plan for the administration of food additives" (*Shokuhin tenkabutsu gyōsei chūki gokanen shikaku*) that highlighted the need to deregulate additives in the interest of the international harmonization of food safety standards.
26. Partly in response to mounting American pressure to open Japanese markets, Keidanren supported the authorization of additives that were in use in foreign countries (*Mainichi shimbun*, July 13, 1983).
27. A summary of the questions and responses was reprinted in *Shufuren dayori* (June 15, 1983). Details presented in this and the two following paragraphs are from this source.
28. The media's interest in the consumer movement's position on additives was conditioned by the nature of the issue. John C. Campbell notes with reference

to policymaking regarding the elderly that “a proposal will be attractive to the media . . . if it is easily understandable (not highly technical), human and concrete (not abstract), in line with conventional social values (does not make people uncomfortable) and benefits the public as a whole (not special interests)” (Campbell 1996:193). These same criteria were also in place during the antiregulation campaign.

29. “Shokuhin tenkabutsu kyūzō naze?” [Why the sudden increase in food additives?] *Mainichi shimbun*, July 1983.
30. Shufuren, for instance, complained that the parties were much too slow in following the procedures for accepting petitions from consumer organizations and deliberating on whether or not to pass resolutions on the basis of those petitions (*Shufuren dayori*, February 15, 1984).
31. As I write this, I am reminded of the ongoing consumer backlash in Europe against the import of genetically engineered agricultural produce from the United States. Like their Japanese counterparts in 1983/84, European consumers base their opposition on fear rather than fact, for there is no conclusive evidence that these products pose a threat to the health of consumers. Much to the chagrin of American producers, however, that fear has evolved into an effective trade barrier and threatens to form the basis of a transatlantic trade war. These developments also lead me to question David Vogel’s position that the politics of food safety regulation in Japan are “unique” (See D. Vogel 1992:124).

8. *The Right to Redress*

1. These statistics were compiled by Kitamura Haruo, former director of the Japan Consumer Information Center (Kitamura 1992:20).
2. In addition to establishing the SC Mark system, the 1973 Consumer Product Safety Law sets a number of product safety standards and provides for stricter governmental regulation of product safety (see Morishima and Smith 1986: 519–20).
3. This program was introduced in 1979 under the Drug Side Effects Injuries Relief and Research Promotion Fund Act (see Tejima 1993).
4. Compared with judges, juries tend to be more sympathetic to (and hence generous with) plaintiffs who have suffered damages caused by defective products.
5. In the SMON (Subacute-meylo-optico-neuropathy) case, about 6,000 victims in fifteen districts filed suit against the government. As Morishima notes, the main purpose of those cases was not to receive monetary compensation but, rather, to point out the weaknesses in the government’s regulation of medicinal products (Morishima 1993a:723).

6. The concept of strict liability does have historical precedence in Japan. In 1955, for example, it was incorporated into the Automobile Compensation Law, which holds car owners strictly liable for damages caused by traffic accidents and establishes a system of compulsory automobile insurance (Morishima 1993a:723; see also Morishima and Smith 1986).
7. For more on how “problems” are addressed in the agenda-setting stage of the policymaking process, see Kingdon 1984:95–121.
8. The EC viewed a uniform products liability standard as a necessary step toward (1) the equalization of competition among member countries, (2) the promotion of the free flow of goods across borders, and (3) the promotion of the “equal protection of the consumer” (Nilles 1985:744).
9. The development risk plea enables manufacturers to avoid liability if they can prove they were incapable of predicting the occurrence of product defects on the basis of existing technological knowledge. Also known as the state-of-the-art plea, the provision was viewed by supporters as necessary to the survival of the high tech, pharmaceutical, and other industries that produce inherently risky products. Of the EU countries that have enacted PL laws, only Luxembourg, Finland, and Norway have ruled against the plea.
10. Although the loosening of the Large-Scale Retail Store Law technically increases the consumer’s access to a wider range of products, the move met with opposition from activists who sought to protect small retailers from competition from larger retailers. For more on the law and its consequences, see Upham 1993.
11. The “Lifestyle Superpower” plan was a five-year economic plan introduced by Prime Minister Miyazawa in 1992 that had five interrelated objectives: (1) shorter working hours; (2) affordable housing; (3) improved social infrastructure; (4) harmonious external relations, achieved in part through a reduction of Japan’s trade surplus, which would involve the stimulation of domestic demand; and (5) meaningful international contributions (“Tomorrow’s ‘Lifestyle Superpower’ ” 1992).
12. Among the opposition parties, only the Kōmeitō and the Japan Social Democratic Party had been active promoters of PL reform. The Japan Communist Party supported reform but did little to promote it openly until toward the end of the legislative process. The Democratic Socialist Party, meanwhile, expressed reservations about strict liability in response to the wishes of the auto workers’ unions.
13. Advocates in the legal community argued that given the barriers to information confronted by plaintiffs in civil suits, a product liability law without a presumption clause would defeat one of the key purposes of the law: lessening the heavy burden of proof shouldered by plaintiffs (M. Nakamura 1993).
14. The PL promotion faction failed to note that European plaintiffs face similar—although perhaps not as severe—barriers to litigation.

15. Katō, professor emeritus of Seijō University and a former president of Tōkyō University, is a highly respected legal scholar and expert on consumer-related issues.
16. For example, the NHK, Japan's leading television broadcasting corporation, aired a fascinating documentary that was highly critical of the council's role in articulating the interests of average Japanese citizens (see NHK 1993).
17. *Ranso* is composed of the characters for "riot" or "disturbance" (*ran*) and "to sue" (*so*). The term was used frequently by PL critics who regarded American-style PL rules as far too tough on business.
18. Product liability was apparently discussed briefly during the SII talks of 1989/90 but was not incorporated into the final report. Sources connected to the American embassy told me in early 1994 that the U.S. government had directed embassy officials to refrain from voicing a position on Japanese policymaking surrounding product liability for fear that it would spark Japanese resentments that might hamper the "framework talks" between the two countries. They also revealed that the embassy was ambivalent about Japanese PL reform, since some U.S. businesses were complaining that the introduction of strict liability rules would constitute another nontariff barrier to imports.
19. The bureau both formulates and coordinates MITI's consumer policy.
20. Leading members of the PL Renrakukai included advocates from Shufuren, Chifuren, Shōkaren, Consumers Union, and the consumer cooperatives.
21. Most of the Renrakukai meetings I sat in on, for example, were held at the large consumer center located at Iidabashi Station in Tōkyō. I was surprised at the extent to which movement activists felt so at home in these facilities and at the level of communication between activists and center officials.
22. In Japan, 110 denotes a toll-free telephone number, similar to 1-800 in North America.
23. According to hotline organizers, most of the 715 consumers who used the service in 1990 expressed intense dissatisfaction with the *aitai kōshō* process and a general lack of awareness of alternative avenues of redress (M. Nakamura, Tajima, and Yonekawa 1992:23–25).
24. One such questionnaire distributed in Nichibenren, for instance, revealed that of the 250 cases involving defective products handled by lawyers in 1989, 166, or 66 percent, never made it past the consultation stage. Of the remaining eighty-four cases, fifty-four were resolved through out-of-court settlements, and only thirty were either before the courts or had reached in-court settlements. During the entire year, only four lawsuits resulted in victories for consumers. In this and subsequent studies conducted by Nichibenren, difficulties in proving negligence on the part of the manufacturer were cited as the main reason most of the cases never advanced beyond the consultation stage (M. Nakamura et al. 1992:26–30).
25. Both the *Hokkaidō shimbun* and the *Chūnichi shimbun*, for example, reported

regularly on the activities of consumer organizations and supported consumer proposals for a product liability law.

26. It is unclear whether such actions by the Socialist Party were carried out on the party's own initiative or in response to urging from members of the Social Policy Council.
27. A PL law that includes incentives for the courts to play a major role in settling product liability disputes would result in increased legal expenditures for businesses. A law without the development risk plea, moreover, would dampen incentives to innovate by holding firms legally liable for damages caused by state-of-the-art technologies and medicines.
28. Once again, Professor Katō Ichirō was appointed chairman of the council and Professor Morishima Akio head of the Consumer Policy Subcommittee.
29. The Nippon Association of Consumer Specialists (NACS), for example, was the only consumer-oriented organization in the PL Renrakukai that had drafted its own model law. NACS is an association of advisers and consultants licensed by MITI and the Shōhisha kyōkai, respectively, who are hired by both companies and local consumer centers to advise consumers. The NACS model met many of the demands of the business community. It was also opposed by a number of other consumer advocates on the grounds that it did not do enough for consumers in a court of law.
30. Indeed, the public was not even informed that the Economic Planning Agency was the center of gravity in the drafting process until after the bill had been drawn up.
31. For analyses of the statute itself, see Madden 1996, Marcuse 1996, and Takahashi 1996.
32. The battle pitted conservative politicians representing the medical lobby against those in the coalition parties who viewed inclusion as a symbol of the government's commitment to the consumer welfare.
33. A time limit on producer liability is set at three years from the time that a consumer or his or her lawyer becomes aware of product-related damages. In addition, manufacturers are liable for only ten years following the release of a product into the marketplace.
34. For a comprehensive analysis of those mechanisms, see Maclachlan 1999.
35. MITI's Industrial Structure Council, for example, had established a subcommittee to deal exclusively with these third-party redress mechanisms.

9. The Right to Be Heard

1. Only books remain on the government's official list.
2. For in-depth analyses of the political developments of the 1990s, see Curtis 1999 and Pempel 1998.

3. For a profile of one such politician before the LDP's downfall, see LeBlanc 1999.
4. Mrs. Ishige was ranked second only to Kan Naoto, the president of the Democratic Party at the time.
5. For an excellent analysis of Japan's deregulatory process, see S. Vogel 1996.
6. The Information Disclosure Law exempts several categories of bureaucratic information from disclosure, such as information that, if disclosed, would violate business secrets or the privacy of individuals and that pertain to foreign affairs and national security. Information generated by semigovernmental corporations will also be exempted from the law, although this provision is now under review. For more on the disclosure law and its legislative history, see Maclachlan 2000.
7. The legislative process formally began in 1990, when the Legislative Advisory Council took up the issue in response to long-standing pressure from citizen groups, the corporate sector, and the legal profession. The 1996 changes constitute the first time the code was significantly amended since 1926 (see Oda 1996:457–58).
8. For more on that process, see Maclachlan 2000.
9. For comparable trends in the NPO case, see Pekkanen 2000. Although consumer organizations supported the movement to enact the Nonprofit Organization Law, they were not major players. Ironically, virtually no consumer advocacy organizations have filed for NPO status since the law was enacted, although several new, local, issue-specific groups have taken advantage of the new provisions (interviews with consumer advocates, October 2000).
10. Consumer organizations viewed the new *kaigo hoken* law as primarily a “welfare” issue that did not warrant the expenditure of scare movement resources (interview, Shimizu, July 1999). For more on the *kaigo hoken* system, see Campbell 2000.
11. The law merely requires businesses to “do their best” (*doryoku suru*) to provide such information to consumers (*Nihon keizai shimbun*, April 12, 2000).
12. Many of the consumer cooperatives, for instance, have been grappling with financial difficulties as result of the recession. Co-op prices tend to be higher than those of mainstream retailers because of smaller economies of scale and the sale of organic (read costly) food products.
13. Chifuren, for instance, has lost many of its members over the last few years and is struggling to strengthen its presence in the cities (*Asahi shimbun*, June 5, 1998).
14. In late 1998, the Finance Ministry began deliberations on a financial services law that would protect consumers (*Asahi shimbun*, December 9, 1998).
15. Many advocates, for instance, are responding to bureaucratic deliberations on the question of judicial reform by clamoring for the introduction of a jury

system that, they believe, will make the courts more sympathetic to the particular concerns of consumers (*Shufuren dayori*, October 15, 2000).

16. In contrast to the early years of Shōdanren's existence, labor unions are no longer members of the organization.
17. As of this writing, however, only four or so men have joined the association.
18. The old headquarters were known as the Housewives' Hall (*Shufu kaikan*), a rather progressive-sounding name in the 1950s when women were still very marginalized politically. The new building has provided the cash-strapped association with additional sources of revenue, as several floors are rented out not only to citizens in search of meeting and wedding reception facilities but also to other consumer organizations, including Seikyōren, the national umbrella organization for consumer cooperatives, and Shōdanren. The last two organizations used to occupy separate facilities before financial constraints forced them to seek new accommodations.

