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**CENTRALIZATION AND DECENTRALIZATION
IN NATURAL DISASTER RESPONSE:
A COMPARATIVE CASE STUDY OF
3.11 EARTHQUAKE AND HURRICANE KATRINA**

by

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Introduction

The March 11, 2011 Tōhoku Earthquake and Tsunami (hereafter “3.11 Earthquake”) in Japan caused significant destruction and chaos at the same time. The Japanese government, though generally doing well in the disaster relief, was largely criticized by the general public for its “failure to insist on adequate safety measures, its lack of advance preparations to manage and care for evacuees, and, above all, its failure to disclose critical information to affected persons in a timely manner.”¹ Following such a critique, many Japanese scholars have argued that local governments should be empowered to provide more effective assistance, since almost all the practical disaster relief programs were carried out on the local level, and the central government appeared to simply complicate and delay the process.² The ruling party since 2009, the Democratic Party of Japan (DPJ), responded to these criticisms and demands by enacting reforms to decentralize emergency power in June 2012. However, the opposing Liberal Democratic Party (LDP), which became the leading party in Japan following General Election in December 2012, claimed that the government’s failure was a result of the central government not having enough power to handle disaster relief effectively. Correspondingly, in April 2012, the LDP proposed a *Draft Amendment to the Constitution of Japan* (hereafter “Draft Amendment”), in which they added an Emergency Clause to the Constitution “based on the reflections of governmental response [and failure] during the 3.11 Earthquake.”³ The Emergency Clause, as written in the draft, would grant the Prime Minister the power to declare a state of emergency “in

¹ Lawrence Repeta. "Japan's Democracy at Risk – The LDP's Ten Most Dangerous Proposals for Constitutional Change," *The Asia-Pacific Journal*. Volume 11, Issue 28, Number 3. July 14, 2013. <<http://apjjf.org/2013/11/28/Lawrence-Repeta/3969/article.html>>

² See “chapter 6: repurposing local government” in Richard J. Samuels’ *3.11: Disaster and Change in Japan*.

³ The Liberal Democratic Party 自由民主党. *Q&A for the Draft Amendment to the Constitution of Japan (redaction)* 「日本国憲法改正草案 Q&A (増補版)」. October 2013. p.32, Q39. <https://jimin.ncss.nifty.com/pdf/pamphlet/kenpou_qa.pdf>

the event of...large-scale natural catastrophes due to earthquakes, etc.,"⁴ during which time the Cabinet would be able to "enact Cabinet Orders having the same effect as laws."⁵ This Draft Amendment has not been passed yet as of today, but the LDP has been continuously promoting in public speeches and political campaigns, and is still putting in great effort to get it passed.

The difference between the responses of the DPJ and the LDP is very puzzling but also very interesting. The fact that they make conflicting responses shows that they are taking away different lessons from the governmental failure in disaster relief. Why did that happen? In order to answer this question, I would like to compare the 3.11 Earthquake with another serious disaster, which took place in the U.S, the August 2005 Hurricane Katrina. Similar to the Japanese case, government disaster relief response to Hurricane Katrina was also heavily criticized. However, the criticism was a little bit different, for in the U.S, it is the state's responsibility to declare its own state of emergency in order to receive federal resources and funds, or more specifically, from the Federal Emergency Management Agency (FEMA). During Hurricane Katrina, the miscommunication and ineffective cooperation between FEMA and the state of Louisiana was largely criticized as one of the major causes for the large number of deaths in the city of New Orleans. In response, the Post-Katrina Emergency Management Reform Act of 2006 restructured FEMA and at the same time granted the president more power for providing disaster relief. Generally speaking, the central government's power was strengthened.

As noted above, Japan's two parties, the DPJ and the LDP, took completely opposite views on whether the emergency power should be centralized or localized as a lesson learnt from the 3.11 Earthquake. The LDP's plan concurred with the U.S government's path to strengthen the

⁴ Lawrence Repeta. "Japan's Democracy at Risk – The LDP's Ten Most Dangerous Proposals for Constitutional Change," *The Asia-Pacific Journal*. Volume 11, Issue 28, Number 3. July 14, 2013.

⁵ Ibid.

power of the central government, while the DPJ's changes went in the opposite direction and strengthened local power instead. Given that Japan and the U.S both experienced severe natural disasters and are both democratic regimes with well-functioning governments, some may argue that Japan should follow the same path that the U.S took and also strengthen its central government. However, besides the similarities, the two countries also have many differences which may cause their best choices for policy reform to be completely different. The goal of this paper is to analyze the causes for governmental responses in the two countries towards the natural disasters and the factors that led to their policy reforms afterwards. After this analysis, we will be able to decide whether the DPJ or the LDP holds a more convincing argument in terms of policy reform after the disaster relief period of the 3.11 Earthquake.

The first step towards answering these questions will require detailed comparison between the two countries in various aspects. First of all, there are fundamental differences in the political structures in Japan and the U.S, despite the fact that they are both liberal democratic regimes. Similarities and differences exist between the two countries in political institutions and political dynamics, both at the central level and in the central-local relations. The background section will examine the similarities and differences in political institutions and dynamics between Japan and the U.S which could have influenced either the disaster relief procedure or the policy reform afterwards.

Besides the political differences, the type and dimension of the disasters also played critical roles during and after the disaster relief period. Section two of this paper will compare various aspects of the two disasters and discuss the similarities and differences. One of the most obvious and important difference is that a hurricane can be predicted through weather forecasting but an earthquake cannot. This difference in predictability, together with many other differences

between hurricane and earthquake as natural disasters, serves as a significant factor that influenced both the actions taken during the disaster relief period, and the policy reform thereafter.

A third section consist of two case studies will focus on how the governments of the U.S and Japan managed the disaster relief and evacuation period and what were their failures, since only after learning about the governmental failures could we make judgements on the correct lesson to learn from those failures. This section will examine the different means each government utilized to respond to the disaster, how the factors described in the first and second sections contributed towards such differences, and what kind of criticism was directed against the governmental actions during disaster relief and evacuation period.

But that is only half the story. It is not enough to know what the governmental responses during the disaster relief period were, but also why the two governments made different decisions thereafter. The fourth section will analyze the different policy reforms (enacted or proposed) after the disaster relief period, what led to them, and whether those causes were logical conclusions to be made after careful analysis of governmental failures.

Finally, based on the findings in the detailed analyses, the conclusion section will evaluate the significance of all factors during the disaster relief period and for the policy reforms. It will first determine the most influential factors that caused governmental failures in the disaster relief period, then make a judgement on the factors that drove political leaders to pursue certain policy reforms. The current political situation in Japan in regards to these reforms will also be touched upon at the end.

Background

In order to understand the two countries' responses during and after the disaster relief period, we must understand first how these two governments function. Although both Japan and the United States are liberal democracies, the governmental structure and political dynamics differ a great deal in regards to the decision-making process in the central government and the central-local relationship. Structure-wise, the two countries have three major differences that play a role in influencing or determining governmental decisions during the disaster relief period: 1) system of government on the central level, 2) central-local power balance and 3) distribution of emergency power between central and local governments. Besides structural factors, there are three contingent factors that influence government decisions of reform policies: 1) public opinion and criticism, 2) the dynamics of the political parties, and 3) the political interest of political parties. This section will offer an introduction of all these six factors.

The most important and obvious difference between the central governments in Japan and the U.S is the presence of a parliamentary system versus a presidential system. The U.S has a presidential system, in which the President is elected through direct election and does not need to be a member of the Congress to be eligible for the presidency. As Alexis de Tocqueville points out in his famous *Democracy in America*, “care was taken not to subordinate [the president’s] will to that of a council, a dangerous expedient which both clogs government action and lessens the ruler’s responsibility.”⁶ In Japan, however, the parliamentary system is designed so that “the Prime Minister shall be designated from among the members of the Diet by a resolution of the Diet” (Article 62)⁷. In other words, the Prime Minister has to be a member of the Diet, and is

⁶ Tocqueville, Alexis de. *Democracy in America*. p.121.

⁷ *The Constitution of Japan*. Promulgated on November 3, 1946. Came into effect on May 3, 1947.
<http://japan.kantei.go.jp/constitution_and_government_of_japan/constitution_e.html>

appointed by the party that has a majority in the Diet. Because of this difference, a president may go against the Congress even if his party is taking the lead, whereas a Prime Minister is usually a representative for his party's policy interests.

In terms of executive power, then generally speaking the President has much greater power than the Prime Minister. In the United States, to become a law, a bill must be presented to and receive approval from the Congress and then signed by the President. The President also has veto power to prevent the law from coming into effect. However, in Japan, Article 41 of the Constitution suggests that "the Diet shall be the highest organ of state power, and shall be the sole law-making organ of the State."⁸ According to this article, the Diet is able to decide on all laws by itself without asking the Prime Minister's permission. Although the Prime Minister holds the power to dissolve the lower house of the Diet, his power is still largely restrained by the two houses of the Diet. Thus in the central government, the U.S has a tendency towards strong and centralized power, whereas the Japanese system prefers pluralism and collective decision making.

Shifting our focus to central-local relations, we discover that the balance of power between the state and the federal governments has been one of the major concerns of the U.S politics since its foundation. Soon after the establishment of the country, extensive debates took place between Federalists led by Alexander Hamilton and Democratic-Republicans led by Thomas Jefferson in regards to central-local relations. In short, Federalists argued for more power granted towards the Federal government, whereas Democratic-Republicans argued for more power granted towards the State governments. Eventually an agreement was made with compromises of both sides, creating the Constitution which granted the federal government certain essential

⁸ Ibid.

powers while leaving the state enough autonomy for its daily operation. However, the Constitution did not settle down the dispute, and there are still constant debates as to whether the federal government or state government should make decisions in certain circumstances.

The situation is quite different in Japan. After World War II, the Japanese government and people became suspicious and vigilant of strong leadership,⁹ and the 1947 Constitution shows a clear intention to strengthen the local governments. Article 92 of Japanese Constitution notes, “regulations concerning organization and operations of local public entities shall be fixed by law in accordance with the principle of local autonomy,”¹⁰ securing local governments’ freedom to operate without interference. Furthermore, Article 95 states that “a special law, applicable only to one local public entity, cannot be enacted by the Diet without the consent of the majority of the voters of the local public entity concerned, obtained in accordance with law,” protecting local governments from direct control of the central government. In terms of public spending, Richard J. Samuels points out that the local governments in Japan accounted for “nearly 60 percent of all public spending”¹¹ in 2011, which is very significant given that in the U.S case, state and local governments together account for only around 42 percent of all public spending.¹²

Besides the general relationship, the most relevant issue pertaining to the central-local relation for this paper would be the use of emergency power in the event of natural disasters, which is defined in very different ways in the two countries. First of all, both countries do have articles in their Constitutions concerning governmental operations during a “state of emergency,” but those articles only deal with emergencies regarding national security. The emergency in

⁹ Nakasone, Yasuhiro. Connors, Leslie, trans. *The Making of the New Japan: Reclaiming the Political Mainstream*. Routledge. 1999. p.222.

¹⁰ *The Constitution of Japan*. Promulgated on November 3, 1946. Came into effect on May 3, 1947.

¹¹ Samuels, Richard J. *3.11: Disaster and Change in Japan*. Cornell University Press, 2013. p.151.

¹² In 2015, for the total of \$6.4 trillion government spending, 3.7 trillion is attributed to the federal government. <http://www.usgovernmentspending.com/total_2015USrt_18rs5n>

terms of natural disasters in the U.S is handled by a collective force of the individual states and a federal agency named “the Federal Emergency Management Agency” (FEMA), an agency established by the United States Department of Homeland Security by executive order.¹³ The Stafford Act rules that Individual states are expected to declare a state of emergency during natural disasters and then request a federal declaration of emergency in the designated state by the president in order to receive physical and monetary support from FEMA.¹⁴ The balance of power here is that although individual states could declare their own “state of emergency”, the federal declaration is the only credential for states to receive financial and material support during a natural disaster. In short, FEMA provides the supplies, and individual states carry out practical disaster relief programs.

In contrast, in Japan, emergency power in circumstances of natural disasters is largely granted towards the local governments by the Basic Act of Disaster Counterplan.¹⁵ Since natural disasters are very common in Japan, the local governments have developed effective and efficient procedures in dealing with them. According to the Basic Act of Disaster Counterplan, besides the responsibility of conducting disaster relief activities, the financial burden of disaster relief it to be assumed by the local government, and the Cabinet only establishes a special committee to provide monetary support to local governments only in the extent of a particularly damaging earthquake or disaster.¹⁶ Generally, in Japan disaster relief takes place largely on the local level.

Besides the structural factors, there are other contingent factors that influence decision-

¹³ “Executive Order 12127--Federal Emergency Management Agency.” <<https://fas.org/irp/offdocs/eo/eo-12127.htm>>

¹⁴ See the detailed clauses of the Stafford Act. <https://www.fema.gov/media-library-data/1383153669955-21f970b19e8eaa67087b7da9f4af706e/stafford_act_booklet_042213_508e.pdf>

¹⁵ Disaster Countermeasure Basic Act 災害対策基本法. <<http://law.e-gov.go.jp/htmldata/S36/S36HO223.html>>

¹⁶ Section 2 of Article 28 of the Disaster Countermeasure Basic Act.

making process in terms of policy reforms. Since natural disasters all take place unexpectedly, it is usually the established emergency procedures that guide the disaster relief period. However, for the policy reforms, there is a longer time for politicians to make their decisions based on contingent factors. First is the public opinion and criticism towards governmental actions. This is the most volatile factor since it is very case-sensitive and is directly related to the specific government responses and failures for a certain event. As a result, we will put off the discussion of the comparison between Japan and the U.S on this aspect to the political reform section.

The second contingent factor is party dynamics. Although the Congress in the U.S and the Diet in Japan both have two branches in which members in the upper house serve a longer term of 6 years whereas those in the lower serve a shorter term, the outcome of elections has been very different for the two countries. The relationship between political parties and the dynamic of political warfare also differ a lot between the U.S and Japan.

In the U.S, there are two major players, the Republican Party and the Democratic Party, which represent the right and the left in terms of political ideology. The alternation between two parties in both the Congress and the presidency takes place frequently, and it is not a rare case when the president does not belong to the party which holds the majority in the Congress.

When we look at Japan, we see a very different case: the Liberal Democratic Party (LDP), since its formation in 1955 until today, with short exceptions in 1993-1996 and in 2009-2012, has basically been the majority party for Japan's entire postwar time period. Although generally a conservative party, the LDP has developed within it many factions which represent a wide ideological range from extreme conservatism to moderate liberalism. The major opposition party and the only party which has been able to defeat the LDP by itself is the Democratic Party of

Japan (DPJ), which holds a more liberal ideology.¹⁷ However, since the LDP provides a wide range of ideological possibilities, it has been constantly able to appeal to various groups of people and secured the majority of seats in the Diet. Generally, there is no frequent alternation of parties in Japan's Diet and the position of Prime Minister.

Besides the overall dynamics between political parties, the political goals of parties also differ. For the subject matter of this analysis, the political goal that plays the most important role is the amendment of the Constitution. The perception of Constitutional amendments is very different between Japan and the U.S. Although the Japanese Constitution, just as the U. S', can be amended by a two-third majority in the parliament together with a certain form of local approval,¹⁸ the real practice has been very different. In the United States, to date, thirty-three Constitutional amendments have been proposed and passed by the two-third majority of the Congress, among which twenty-seven were ratified by the necessary three fourth of the fifty states. Generally, these Constitutional amendments have played essential roles in supplementing and clarifying the original Constitution as well as supporting human right movements.

In contrast, in Japan, nearly 70 years after the Constitution came into effect in 1947, no constitutional amendment has been ratified by referendum of people or even been approved by the Diet by a two thirds majority. It has been the LDP's political goal to amend the Constitution for several decades,¹⁹ but it has never been successful. Regardless of why the Constitution has not been amended for 70 years, this simple fact clearly reveals that the political evaluation of

¹⁷ The LDP held a monopoly since its establishment in 1955 until 1993, when it was defeated by a coalition of seven small parties. The coalition government collapsed in 1996, and the LDP came back to power again. In 2009, the DPJ became the first party which could defeat the LDP in an election by itself.

¹⁸ Article 5 of the U.S Constitution and article 97 of Japanese Constitution specify the procedure for amendment. For the local approval, in the U.S case, an amendment should be approved by three fourth of the states. In the Japanese case, a national referendum must approve the amendment by a simple majority.

¹⁹ Lawrence Repeta. "Japan's Democracy at Risk – The LDP's Ten Most Dangerous Proposals for Constitutional Change," *The Asia-Pacific Journal*. Volume 11, Issue 28, Number 3. July 14, 2013.

Constitutional amendments in Japan and the U.S are very different. Thus in terms of the significance and the perception of Constitutional amendments, there are also differences between Japan and the U.S.

The Disasters

Aside from the political and systematic factors, the natural disaster itself also has a great impact over both the procedure of disaster relief and the policy reform thereafter. But before going into the analysis of the effect of the two disasters, we first must understand what the two disasters were. This section will produce a general picture of the 3.11 Earthquake in Japan in 2011 and Hurricane Katrina in the U.S in 2005.

At 14:46 on March 11, 2011, the third largest earthquake ever recorded in human history hit the northeast region of Japan.²⁰ The depth of the earthquake was 24 kilometers, and the intensity and the magnitude of the earthquake reached an astonishing level of 7 on Japan Meteorological Agency seismic intensity scale and 9.0 on the Richter magnitude scale. Three prefectures, Iwate, Miyagi, and Fukushima suffered the most severe damage and were also devastated by a tsunami that hit the coastal areas within two hours of the earthquake. 15,866 of deaths were recorded, while 2,946 went missing. More than 130,000 houses were completely destroyed, with 260,000 50% destroyed and 717,000 damaged.²¹

Soon after the earthquake took place, local residents, the local government and the central government all launched their emergency procedures. 346,000 disaster victims either found their way to or were successfully carried to designated evacuation zones. By June of the same year,

²⁰ Emergency Disaster Headquarters 緊急災害対策本部. *Regarding the 2011 Tohoku Earthquake and Tsunami in Japan* 「平成 23 年(2011 年)東北地方太平洋沖地震(東日本大震災)について」. p.1.
<<http://www.kantei.go.jp/saigai/pdf/201206261700jisin.pdf>>

²¹ Ibid. p.2.

53,089 temporary housing were built for the use of disaster victims. With the help of the Police Department, the Fire Department, the Coastal Police, and the Self Defense Force, a total of 27,157 victims were rescued from either their collapsed houses or the sea.²² Aftershocks continued for several months and among them 4 had intensities of 6.0 or higher, but with good management, no significant damage occurred.²³

The most unexpected disaster, indeed not a natural disaster but more a man-made one, was not the earthquake or the tsunami, but the explosion that took place shortly after the tsunami hit the Fukushima Daiichi Nuclear Power Plant which was operated by the Tokyo Electric Power Company (TEPCO).²⁴ As several reactors failed to shut down or cool down, the nuclear power plant was hit by the tsunami. As a result, several reactors melt down and leaked out nuclear radiation. Although not known at that time, the accident was measured Level 7 on the International Nuclear and Radiological Event Scale (INES), the same level as the Chernobyl Disaster. Since the central government had never dealt with such a disaster before, it failed to evacuate people from the affected areas in a timely manner and wasted five days to extend the radius of evacuation zone from an original 3 km to the final 20 km, which very likely caused residents to be exposed to radiation. The central government was severely criticized for its late response, inconsistency, and failure to disclose detailed information about the investigation of and treatment to the disaster.

On the U.S side, a hurricane which formed on August 23, 2005 was named “Katrina” on August 24 and it made its landfall in Florida on August 25.²⁵ It then moved towards the north

²² Ibid. pp. 46-47.

²³ Ibid. p.5.

²⁴ Investigation Committee on the Accident at Fukushima Nuclear Power Stations of Tokyo Electric Power Company. *Reports of the Fukushima Nuclear Power Plant Disaster*. July 23, 2012. <<http://www.cas.go.jp/jp/seisaku/icanps/post-3.html>>

²⁵ Committee on Homeland Security and Governmental Affairs. *Hurricane Katrina: A Nation Still Unprepared--Special Report of the committee On Homeland Security and Governmental Affairs*. 2006.

and affected Alabama, Georgia, Louisiana, and Mississippi and caused a total of 1,577 deaths as of May 2006, a number almost four times the 400 deaths caused by twentieth century's most lethal hurricane, the 1935 "Labor Day Hurricane" in Florida. In terms of the scale of destruction, 90,000 square miles of land area were damaged by the Hurricane Katrina, which was equivalent to the land area of the United Kingdom. 300,000 homes were destroyed or made unlivable, with an estimated economic loss of \$125 to \$150 billion.

Although many states and areas were affected, the state of Louisiana suffered the most damage from the hurricane: around a thousand people lost their lives. According to the Data Center, "the major causes of the death include: drowning (40%), injury and trauma (25%), and heart conditions (11%). Nearly half of all victims were over the age of 74."²⁶ The unemployment rate in Louisiana rose from 5.6 percent in August to 12.1 percent in September. The population of New Orleans, the most affected city, also experienced a sharp decline after the disaster as a result in residents' distrust of the government. With a population of 484,674 before Katrina (as of April 2000), New Orleans only had 230,172 residents after Katrina (as of July 2006). Almost half of the people left, and even with the gradual return of residents, by July of 2015, the population was still only 386,617, which was still only around 80 percent of the original population.

The major cause of the dissatisfaction of the residents of New Orleans was the ineffective evacuation process. Michael Brown, the former Director of FEMA, happened to come into huge disagreement and conflict with Kathleen Blanco, the former Governor of the State of Louisiana, shortly after Hurricane Katrina was detected. Since the Louisiana State was supposed to receive support from FEMA, evacuation was delayed due to lack of transportation and security forces

<<https://www.hSDL.org/?view&did=462746>>

²⁶ Plyer, Allison. "Facts for Features: Katrina Impact." The Data Center. August 26, 2016.

<<http://www.datacenterresearch.org/data-resources/katrina/facts-for-impact/>>

necessary to guard the evacuation. As a “last resort,” Blanco and the Mayor of New Orleans, Ray Nagin, decided to open the Super Dome located in the center of the city for those who were unable to evacuate.²⁷ However, because the Super Dome was simply an empty stadium with little or no supplies and space, this “last resort” was largely criticized by the general public. Furthermore, the collapse of the levees built by the government worsened the situation: flood came into the City of New Orleans and caused significant number of deaths of drowning.

There are similarities and differences between these two disasters. Both 3.11 Earthquake and Hurricane Katrina destroyed broad lands and countless houses, and caused numerous deaths. Both required supplies such as water, food, shelter, etc. to be provided to the victims. But there were also differences. Both earthquake and nuclear leakage are unpredictable, while hurricane can be forecasted several days before landfall. For an earthquake, the most important disaster relief action is rescuing victims from the collapsed building. Although evacuation is essential in cases of both nuclear leakage and hurricane, people who fail to evacuate from the radiation zone would inevitably be exposed towards radiation, whereas people who fail to evacuate from hurricane zone could still survive the hurricane if there are well-prepared shelters and strong levees.

Evacuation and Disaster Relief

As indicated in the previous sections, there are four variables that have the capacity to impact governmental decisions during a disaster relief period, which are the three systematic differences—namely 1) the system of government in the central level, 2) the central-local power balance and 3) the distribution of emergency power—and 4) the nature of the natural disasters.

²⁷ Committee on Homeland Security and Governmental Affairs. *Hurricane Katrina: A Nation Still Unprepared--Special Report of the committee On Homeland Security and Governmental Affairs*. 2006. p.12.

This section will examine how these four factors influenced government responses in the disaster relief period and which factors contributed to the governmental failures in this process.

Let us start with the U.S case. Under the presidential system, the U.S president in 2005, George W. Bush, responded quickly after the hurricane was detected. As the timeline in *Hurricane Katrina: A Nation Still Unprepared* indicates, Katrina was first discovered at 4 pm on August 23 as a “tropical depression,” then on August 25 ratified as a hurricane and named Katrina shortly before its landing in Florida at 5:30 pm.²⁸ Within three days, President Bush issued federal emergency declarations for states that were influenced by the hurricane, including Louisiana, Mississippi, and Alabama.²⁹ It was a very unusual step to take because only Louisiana had requested the declaration before he issued it. Later on, President Bush even took the initiative to personally call Governor Blanco to urge a mandatory evacuation.³⁰ Although he did not return to Washington from his Texas ranch to convene his Cabinet until two days after landfall, he still did and was able to take necessary steps to start the emergency procedures.

However, even though the emergency system was activated, due to a poor federal-state relationship during the disaster, the evacuation process in many stricken areas and especially in New Orleans, Louisiana was conducted very poorly with miscommunications in various aspects. Since the central-local relations both in general and in terms of emergency power were balanced out between the federal and state governments in the U.S, the disaster relief could only go on well when FEMA and the states cooperate with each other well. Whenever FEMA and the individual state(s) get in conflict, the disaster relief procedure will stick in a deadlock—and that

²⁸ Ibid. p.67.

²⁹ The White House. “Statement on Federal Emergency Assistance for Louisiana.” August 27, 2005. <<https://georgewbush-whitehouse.archives.gov/news/releases/2005/08/20050827-1.html>>

³⁰ Committee on Homeland Security and Governmental Affairs. *Hurricane Katrina: A Nation Still Unprepared--Special Report of the committee On Homeland Security and Governmental Affairs*. 2006. p.7.

was what happened during Hurricane Katrina. Governor Blanco of Louisiana and Director Brown of FEMA had disagreements on various topics including but not limited to the number of buses, the extent of military support, and the general evacuation plans that were supposed to be given to the state of Louisiana. For example, the argument about buses was noted in *Hurricane Katrina: A Nation Still Unprepared*:

“On Monday, Governor Blanco asked Brown for buses, and Brown assured the state the same day that 500 buses were enroute to assist in the evacuation of New Orleans and would arrive within hours. In spite of Brown’s assurances and the state’s continued requests over the course of the next two days, FEMA did not direct the U.S. Department of Transportation to send buses until very early on Wednesday, two days after landfall. The buses did not begin to arrive until Wednesday evening, and not in significant numbers until Thursday.”³¹

The disagreement in regards to the extent of military support was similar. Governor Blanco claimed that the military support that she had requested from FEMA was delayed for a long time that she had to utilize the small number of National Guards in Louisiana to assist with the evacuation progress, which was not sufficient. However, Director Brown provided a very different if not opposite perspective in his testimony before Congress. In the testimony, he claimed that he “had numerous conversations with Governor Blanco specifically asking about mandatory evacuations...but for whatever reason, Mayor Nagin and Governor Blanco were reticent to order a mandatory evacuation.”³² No one knows who initiated the conflict between Director Brown and Governor Blanco, but it is clear that there were significant miscommunications and misunderstandings involving federal evacuation assistance.

³¹ Ibid. p.15.

³² “Former FEMA Director Testifies Before Congress.” *New York Times*. September 27, 2005. <<http://www.nytimes.com/2005/09/27/national/nationalspecial/former-fema-director-testifies-before-congress.html>>

Indeed, many have argued that it was this delay in initiating the evacuation that caused the greatest number of deaths during Hurricane Katrina. *A Failure of Initiative*, or the *Final Report of the Select Bipartisan Committee to Investigate the Preparation for and Response to Hurricane Katrina* suggests that “the incomplete pre-landfall evacuation led to deaths, thousands of dangerous rescues, and horrible conditions for those who remained.”³³ The report goes on specifying that “hundreds of people [who did not get evacuated] died in their homes or other locations, presumably from drowning.” Given that the total in-state deaths for hurricane Katrina in Louisiana was around a thousand,³⁴ and the total deaths of about 1,200 according to the National Hurricane Center,³⁵ the delayed evacuation process has clearly been one of the most significant causes for deaths during Hurricane Katrina. *A Failure of Initiative* argues that the major cause of the delay in evacuation was that despite the adequate warning which took place 56 hours before landfall, Governor Blanco and Mayor Nagin delayed the order of a mandatory evacuation in New Orleans until 19 hours before landfall.³⁶ But since we are aware of the disagreements between Governor Blanco and Director Brown, we would understand that this delay is not simply a failure on the state’s side, but a result of the ineffective cooperation of both sides.

However, there are also several failures for which Governor Blanco and Mayor Nagin of New Orleans must take responsibility for: the “last resort” usage of the Superdome, and the

³³ Select Bipartisan Committee to Investigate the Preparation for and Response to Hurricane Katrina. *A Failure of Initiative: Final Report of the Select Bipartisan Committee to Investigate the Preparation for and Response to Hurricane Katrina*. February 15, 2006. <<https://www.gpo.gov/fdsys/pkg/CRPT-109hrpt377/pdf/CRPT-109hrpt377.pdf>>

³⁴ Data varies between sources. According to “Hurricane Claims Victims Far and Wide” on *NOLA.com*, the number is 1094. <http://www.nola.com/katrina/pdf/051906_katrinavictims.pdf>

³⁵ National Hurricane Center. “Hurricanes in History.” <<http://www.nhc.noaa.gov/outreach/history/#katrina>>

³⁶ Select Bipartisan Committee to Investigate the Preparation for and Response to Hurricane Katrina. *A Failure of Initiative: Final Report of the Select Bipartisan Committee to Investigate the Preparation for and Response to Hurricane Katrina*. February 15, 2006. Page 15.

fragility of levees in New Orleans. The New Orleans' Superdome was widely referred to as "last resort" quite literally. Since the evacuation started very late and that the number of buses to carry residents out of the danger zone and the military support to assist the evacuation were insufficient, the government eventually failed to evacuate or assist in the evacuation of more than 70,000 individuals before the landfall.³⁷ As a result, the city government directed all remaining residents to the Superdome which served as a shelter when the hurricane hit. The Superdome had been used as a shelter for Hurricane Georges in 1998, but it nonetheless was extremely unprepared to shelter such a large number of people, both space-wise and resource-wise.³⁸ With insufficient water, food, electricity, medical care, etc., the evacuees in Superdome largely felt that they were "abandoned" by the government.³⁹

The ineffectiveness of levees in New Orleans also led to flooding in the city, which together with the numerous people who were not evacuated, caused numerous deaths. The levees were criticized for various reasons including breaches and overtopping in various locations, design and construction issues, lack of proper oversight, and the geographical subsidence in the metropolitan New Orleans area.⁴⁰ These reasons may seem scattered all reveal one essential problem: that the city of New Orleans was unprepared for emergency responses to floods and hurricanes. Indeed, the problems of levees and the delay in evacuation are both specifically harmful for hurricanes. For a hurricane, if the preparation step of evacuation and construction of levees can be managed effectively, many people and buildings will survive the disaster.

Shifting our focus to Japan, we will now track how Japan responded to the 311 Earthquake

³⁷ Ibid. p.116.

³⁸ Ibid. p.158.

³⁹ Ibid. p.19. Statement made by Patricia Thompson, New Orleans citizen and evacuee during a Select Committee Hearing on December 6, 2005.

⁴⁰ Committee on Homeland Security and Governmental Affairs. *Hurricane Katrina: A Nation Still Unprepared--Special Report of the committee On Homeland Security and Governmental Affairs*. 2006. p.281.

with its parliamentary system, its powerful local governments, its tradition of local communities working together in disaster relief, and the unexpected emergency caused by the Fukushima nuclear leakage. In contrast to the more concentrated power of the president and FEMA in the U.S, the emergency power in Japan for the 311 Earthquake was shared by a temporary emergency committee that was established soon after main shock took place at 14:46 on March 11, 2011. *Disaster Management in Japan* published by Japanese government notes that “according to the level of damage, the government may establish the Headquarters for Major Disaster Management (headed by the Minister of State for Disaster Management) or the Extreme Disaster Management Headquarters (headed by the Prime Minister), to establish the policies for the disaster countermeasures, and to coordinate various emergency measures to be taken by various organizations.”⁴¹ The 3.11 earthquake indeed qualified as high damage and thus, the Extreme Disaster Management Headquarters headed by the Prime Minister was established within 30 minutes at 15:14 on March 11.⁴² According to the agency, twelve meetings were held within one week after the first shock for “mainly coordination and promoting collaboration among relevant organizations,” whereas “actual disaster response operations were conducted by individual ministries or local governments.”⁴³ In general, the headquarter as an ad hoc committee was composed of several officers and politicians in line with the spirit of Japan’s parliamentary system which emphasizes collaborative decision-making rather than unilateral rule.

The major collaboration between the headquarters and the local governments constituted

⁴¹ Cabinet Office, Government of Japan 内閣府. *Disaster Management in Japan* 「日本の災害対応」. March 2015. p.10. <http://www.bousai.go.jp/1info/pdf/saigaipamphlet_je.pdf>

⁴² Emergency Disaster Headquarters 緊急災害対策本部. *Regarding the 2011 Tohoku Earthquake and Tsunami in Japan* 「平成 23 年(2011 年)東北地方太平洋沖地震(東日本大震災)について」. p.8.

⁴³ Suzuki, Itoko, and Yuko Kaneko. *How Was 3.11 Managed*. New York: Springer Science & Business Media, 2013. p.39.

rescuing survivors. Soon after the main shock, the local governments appointed and collaborated with policemen, fire fighters, the coast guard and the Self-Defense Forces to engage in rescue operations. Aside from these forces, the national headquarters and neighboring prefectures also played important roles. Itoko Suzuki, author of the book *How Was 3.11 Managed*, writes that “inland municipal fire headquarters near the disaster areas dispatched their personnel to rescue and relief operations based on the firefighting mutual support agreements,” and “a gross total force of approximately 389,000 officers and Inter-Prefectural Emergency Rescue Units (IERUs) from across the nation were dispatched to support Iwate, Miyagi, and Fukushima.”⁴⁴ According to the final report by the headquarters, 27,157 people were rescued in total, with 3,749 rescued by the Police Department, 5,064 by Fire Fighters, 360 by Japan Coast Guard, and 19,286 by the Self Defense Forces.⁴⁵ It was very impressive that so many people were successfully rescued from the collapsed buildings or picked up from the sea. The huge success in rescue has to give its credits towards the collaboration between the central headquarter and the local governments.

In addition to the cooperation between different regions and levels of government, the non-government organizations and volunteers also played important roles in disaster relief following the 3.11 Earthquake. According to the Japan National Council for Social Welfare, within 6 months of the earthquake, 785,100 volunteers engaged in disaster relief and post-disaster reconstruction activities in the Iwate, Miyagi and Fukushima, the three prefectures that suffered most from the disaster.⁴⁶ Up to July 2016, a total of around 1.5 million volunteers have

⁴⁴ Ibid. p.41.

⁴⁵ Emergency Disaster Headquarters 緊急災害対策本部. *Regarding the 2011 Tohoku Earthquake and Tsunami in Japan* 「平成 23 年(2011 年)東北地方太平洋沖地震(東日本大震災)について」. p.47.

⁴⁶ Japan National Council of Social Welfare 全国社会福祉協議会. “Change of Number of Volunteers reported by the Center of Volunteers during Disasters 災害ボランティアセンターで受け付けたボランティア活動者数の推移.” <<http://www.saigaivc.com/%E3%83%9C%E3%83%A9%E3%83%B3%E3%83%86%E3%82%A3%E3%82%A2%E6%B4%BB%E5%8B%95%E8%80%85%E6%95%B0%E3%81%AE%E6%8E%A8%E7%A7%BB/>>

supported the disaster-affected areas. Many NGOs also engaged actively in collecting donations from all over the country. The Red Cross, for example, has distributed 338, 099, 054, 472 yen to the disaster-affected areas for usage of disaster relief activities.⁴⁷ As early as March 12, an announcement for fundraising led by a group of NPOs was published on *Asahi Shinbun*, one of the leading newspapers in Japan, in order to support the disaster-affected areas.⁴⁸ In general, a large number of people were mobilized, and numerous supplies were collected from all over the country. This shows that in addition to the effort of central and local governments, local citizens also played important roles in disaster relief effort.

In general, both the central government and the local governments did a decent job during the disaster relief period following the procedures designated by law. Indeed, the most troublesome and controversial aspect of the government's response towards 3.11 Earthquake was something extremely unexpected and unusual for an earthquake: the Fukushima Daiichi nuclear disaster. The failure of the central government to disclose critical information created significant doubt and panic among citizens, especially those who lived in Fukushima. Due to the unsuccessful cooling down of the nuclear reactors and the destruction of the facility by the tsunami, several explosions took place at the nuclear power plant that caused significant nuclear leakage which was later ranked a level 7 on the International Nuclear Event Scale, equivalent to the Chernobyl disaster and considered as the most dangerous level.⁴⁹ Several hours after the nuclear leakage took place, Prime Minister Kan Naoto declared a nuclear emergency in

⁴⁷ Japanese Red Cross Society 日本赤十字社. *Report on Donations towards Tohoku Earthquake and Tsunami in Japan* 「東日本大震災義援金の受付および送金状況のご報告」. <<http://www.jrc.or.jp/contribute/help/cat612/>>

⁴⁸ The Asahi Shimbun Company 朝日新聞社. *Special edition of Asahi Newspaper in March 2011*. 『朝日新聞縮刷版 2011.3』. p.654.

⁴⁹ Nuclear Emergency Response Headquarters 原子力災害対策本部. *Report on Nuclear Safety by the Nuclear Emergency Response Headquarters* 「原子力安全に関する IAEA 閣僚会議に対する日本国政府の報告書について」. June 7, 2011. <http://www.kantei.go.jp/jp/topics/2011/iaea_houkokusho.html>

Fukushima at 7:03pm, acknowledging the disaster but still telling people in Fukushima to remain at home and follow the TV and radio news for further instruction. He urged people not to evacuate and to remain calm because “no radioactivity was leaking from the power plant.”⁵⁰ Itoko Suzuki points out that the Governor of Fukushima, regardless of the declaration, instructed the two Towns within 2 km of the Fukushima Daiichi Nuclear Power Station to evacuate at 8:50pm. At 9:23pm, the Prime Minister withdrew his earlier statement and instructed those residing within 3 km to evacuate, but still ordered those residing within 10 km to remain at home. On March 12 at 5:44am, the Prime Minister made another speech and urged those who lived within 10 km radius to evacuate. The evacuation zone was later extended to 20 km on March 13, and three days later on March 15 at 11:00am, the Prime Minister extended the evacuation zone the last time and instructed residents of 20-30 km to take indoor refuge.⁵¹

Since explosions continued to occur between March 12 and March 15, and that the investigation was still going on, it was understandable for the government to extend the evacuation zone over and over again.⁵² However, the major medias, TV stations and radios who received minimal information from the government and the Tokyo Electric Power Company (TEPCO) were not able to disclose critical information about the influence of the disaster due to the lack of transparency of the investigation process.⁵³ What was published on newspapers by March 15 were simply the updated instructions to evacuate further, the speculation of the situation, and the prediction of “a disastrous impact”—there wasn’t any detailed, confirmed

⁵⁰ Cabinet Office, Government of Japan 内閣府. “Declaration of Nuclear Emergency 原子力緊急事態宣言.” March 11, 2011. <<http://www.kantei.go.jp/saigai/pdf/kinkyujitaisengen.pdf>>

⁵¹ Suzuki, Itoko, and Yuko Kaneko. *How Was 3.11 Managed*. New York: Springer Science & Business Media, 2013. p.54.

⁵² International Atomic Energy Agency. “Fukushima Nuclear Accident Update Log.” <<https://www.iaea.org/newscenter/news/fukushima-nuclear-accident-update-log-21>>

⁵³ Suzuki, Itoko, and Yuko Kaneko. *How Was 3.11 Managed*. New York: Springer Science & Business Media, 2013. p.50.

information on how the investigation went.⁵⁴ The information confused citizens to a great extent and generated panic in the Japanese society. This accident, in general, revealed how a central government with great control over critical information could cause huge problems during natural disasters. Public trust in the central government also dropped significantly after this accident.⁵⁵

Political Reforms

Roughly one year after the natural disasters took place, both the Japanese and American governments finished their investigation and analysis of their failure in the disaster relief period. In response to these failures, the two governments introduced several policy reforms to either revise the previous laws, or create new methods in dealing with natural disasters. In this section, we will analyze the reforms carried out or proposed in the two countries, and how different factors have influenced such decisions.

First of all, we need to get an overview of all the reforms that either took place or were proposed after the disaster relief period. The Japanese government carried out two major reforms in June and September 2012⁵⁶: 1) the amendment of the Disaster Countermeasures Basic Act,⁵⁷ and 2) the promulgation of Establishment Act of Nuclear Regulatory Commission.⁵⁸ Besides these laws enacted by the DPJ government, the LDP also proposed the *Draft Amendment to the*

⁵⁴ The Asahi Shimbun Company 朝日新聞社. *Special Edition of Asahi Newspaper on 3.11 Earthquake* 『朝日新聞縮刷版 (東日本大震災 3.11-4.12)』 .

⁵⁵ Samuels, Richard J. *3.11: Disaster and Change in Japan*. Cornell University Press, 2013. p.158.

⁵⁶ Cabinet Office, Government of Japan 内閣府. *White Paper Disaster Management in Japan 2015* (Summary). July 2015. <<http://www.bousai.go.jp/taisaku/keikaku/kihon.html>>

⁵⁷ Cabinet Office, Government of Japan 内閣府. “Summary of Partial Amendment to the Disaster Countermeasure Basic Act 「災害対策基本法の一部を改正する法律の概要①」 .” June 24, 2012. <http://www.bousai.go.jp/kaigirep/chuobou/suishinkaigi/11/pdf/2_2.pdf>

⁵⁸ House of Representatives 衆議院. Establishment Act of Nuclear Regulatory Commission 原子力規制委員会設置法. June 27, 2012. <<http://law.e-gov.go.jp/htmldata/H24/H24HO047.html>>

Constitution of Japan in April 2012 which illustrated how they believed the government should change based on the lessons learnt.⁵⁹ Although the Draft Amendment has not been passed yet, since its victory in December 2012 election, the LDP has been continuously propagating for it in campaigns. In the U.S, the central government enacted the Post-Katrina Emergency Management Reform Act in August 2006 in response to their failures during the evacuation and disaster relief periods.⁶⁰ The Act brought about three major changes: 1) a higher qualification requirement for the Administrator of FEMA, 2) establishment of Directors for Preparedness and Response, and 3) the strengthened authority of the President in case of emergency.

After recognizing the reforms, the second step is to identify the causes of these changes. Just like in the previous section, the nature of the natural disasters influenced the political reforms greatly. Besides that, as we have discussed in the background section, there are another three contingent factors that largely influenced the decision-making process for policy reforms: public opinion and criticism, dynamics of political parties, and political interest of political parties. The following analysis will focus on how these four factors have influenced the reforms that took place in Japan and the U.S.

In both the U.S and Japan, several policy changes were made explicitly to address the specific type(s) of disasters that occurred. In the U.S, the establishment of a Director for Preparedness and a Director for Response and Recovery in FEMA is clearly a response due to the nature of a disaster precipitated by a hurricane. One of the special features of a hurricane is that it is highly predictable. According to the timeline from the governmental report, Katrina was

⁵⁹ The Liberal Democratic Party 自由民主党. *Draft Amendment to the Constitution of Japan* 「日本国憲法改正草案」. April 27, 2012. <https://jimin.ness.nifty.com/pdf/news/policy/130250_1.pdf>

⁶⁰ 109th Congress. S.3721 - Post-Katrina Emergency Management Reform Act of 2006. August 3, 2006. <<https://www.congress.gov/bill/109th-congress/senate-bill/3721>>; FEMA website also has a summary of the act. <<https://emilms.fema.gov/IS230c/FEM0101200.htm>>

already discovered by the meteorological agencies on August 23 as a tropical storm two days before its landfall in Florida. Three hours before landfall on August 25, its status was elevated to the level of a hurricane. Almost the same time as Hurricane made its landfall in Florida, it's possibility to hit neighboring states including Louisiana became almost certain.⁶¹ This was still four days before it made the real landfall in Louisiana on August 29. Apparently, there was a long interval between the announcement or forecast of the hurricane and the moment that it makes its final landfall, which allowed the government to prepare by evacuating people, building levees, and providing shelters. Due to the government's failure in preparation, one of the major parts of the Post-Katrina Emergency Management Reform Act focused on the aspect of preparedness and the efficiency of evacuation. Two additional divisions of FEMA were created, with two divisional directors to exclusively "coordinate and support precautionary evacuations and recovery efforts"⁶² including "providing transportation assistance for relocating and returning individuals displaced from their residences in a major disaster,"⁶³ an apparently direct response to the deficient of preparation for Hurricane Katrina. In this case, the central government's power is strengthened.

The earthquake in Japan, in contrast, provided no time for preparation before its occurrence. Because of that, in preparation for earthquakes, the government must focus on building stronger houses, educating the public, and strengthening the rescuing procedures. Indeed, since Japan has countless earthquakes, it has built a considerably well-functioning system in all of these areas. The distinction of the 3.11 Earthquake, however, was not just the earthquake itself, but the tsunami and then the Fukushima nuclear crisis. To deal with an explosion in a nuclear power

⁶¹ Committee on Homeland Security and Governmental Affairs. *Hurricane Katrina: A Nation Still Unprepared--Special Report of the committee On Homeland Security and Governmental Affairs*. p.67.

⁶² See FEMA's website. <<https://emilms.fema.gov/IS230c/FEM0101200.htm>>

⁶³ 109th Congress. S.3721 - Post-Katrina Emergency Management Reform Act of 2006. August 3, 2006.

plant, a government needs skillful engineers to cool down the reactor and experts to measure and estimate the damage of the nuclear radiation in order to mandate the radius of evacuation zone. Thus in order to manage disaster relief after nuclear power plant explosions, on June 27, 2012, the Japanese government established the Nuclear Regulatory Commission, a committee that works exclusively on nuclear crisis. According to the *White Paper of Disaster Management in Japan, 2015 (Summary)*, the government later revised two relevant Acts in September of the same year on nuclear power,⁶⁴ which “resulted in the construction of a new government framework for nuclear disaster management.”⁶⁵ In general, the Japanese government also paid close attention to the special features of their disaster, and placed the solution to the problems caused by such aspects a top priority when they reformed the past system.

Besides the features of the disasters, criticism from the public also triggered many reforms and revisions of laws. In the U.S, because of the miscommunication between FEMA and the state of Louisiana and the inefficiency of evacuation and preparation caused by such miscommunication, both the head of FEMA and the governor of the state faced significant criticism. The former Director of FEMA, Michael Brown, ended up resigning on September 12, 2005 and his ability and qualification as the Director of FEMA came under heavy scrutiny.⁶⁶ According to a CNN poll published on September 13, “a majority of respondents (54 percent) had an unfavorable view of former FEMA Director Michael Brown, compared to 19 percent who had a favorable opinion and 27 percent who were unsure.”⁶⁷ One of the major reforms of

⁶⁴ Atomic Energy Basic Act (Act No. 186, 1955) and the Act on Special Measures Concerning Nuclear Emergency Preparedness (Act No. 156, 2009).

⁶⁵ Cabinet Office, Government of Japan 内閣府. *White Paper Disaster Management in Japan 2015 (Summary)*. July 2015. p.36.

⁶⁶ "Bush chooses new FEMA director." *NBCNEWS.com*. September 13, 2005.
<<http://www.nbcnews.com/id/9315184/>>

⁶⁷ "Poll: Respondents dissatisfied with Katrina response." *CNN.com*. September 13, 2005.
<<http://www.cnn.com/2005/POLITICS/09/12/katrina.poll/>>

FEMA, the higher qualification requirement for the Director, was an obvious response to Brown's performance. The Post-Katrina Emergency Management Act specified a series of qualifications such as "having no less than five years of executive leadership and management experience" as well as responsibilities including but not limited to reporting routinely and in timely fashion to designated officials including the president.⁶⁸ What is more, the last major reform included in the Post-Katrina Emergency Management Reform Act, the amendment of Stafford Act which strengthened the president's power, was also in response to the failure of FEMA's Director. The amendment to the Stafford Act allowed the president to "(1) authorize precautionary evacuations; and (2) provide accelerated federal support in the absence of a specific request and expanded assistance to state and local governments in recovery."⁶⁹

Although the amendment may seem to be unrelated to FEMA, it indeed served as a backup plan in case FEMA and individual state(s) go into the deadlock again. Generally, the U.S government decided to strengthen the central power in response to the criticism.

In Japan, the criticism was largely directed towards the governmental response towards the Fukushima Nuclear Crisis. The delay of the evacuation caused by the orders of the central government, the concealing of inspection progress, and the failure to provide enough information and data to the general public which created panic in the first 5 days of the disaster were all targets of critiques. According to Richard J. Samuels, "in an August 2011 survey, nearly 60 percent identified the central government as the least reliable source of information after a disaster—up more than 22 percent from a survey taken before 3.11—and more than one-fifth identified prefectures and municipalities as the most reliable sources of disaster information."⁷⁰

⁶⁸ 109th Congress. S.3721 - Post-Katrina Emergency Management Reform Act of 2006. August 3, 2006.

⁶⁹ Ibid.

⁷⁰ Samuels, Richard J. *3.11: Disaster and Change in Japan*. Cornell University Press, 2013. p.158.

The government realized its failure and followed the public demand by making reforms accordingly. On June 27, 2012, the government published an amendment to the Disaster Countermeasures Basic Act, which focused on three main reforms: “strengthening responsiveness to large-scale disasters,” “improving response to victims in large-scale wide area disasters,” and “improving disaster prevention education and enhance regional disaster prevention capabilities.”⁷¹ The main functions of these three reforms, in brief, are to grant the local government more power to collect critical information after a disaster, to strengthen a local government’s ability to receive relief goods after the disaster, and to educate local people with localized knowledge in order to enhance the local residents’ capability for mutual assistance in case of a natural disaster. Clearly, all of these reforms aimed to strengthen the local government in order to prevent the central government from harming the local communities through wrong instructions. This is a perfect match with the demand of the general public.

The first two factors, the nature of disaster and the public opinion, are in most cases reasonable and justifiable reasons to stimulate reforms. The other two factors, dynamics and political interest of political parties, could also produce certain political outcomes that are not as justifiable. There is one proposed reform in Japan that fell into the latter category: the *Draft Amendment to the Constitution of Japan* proposed by the Liberal Democratic Party (LDP) in April 2012 which is still yet to pass. It included a crucial amendment to the Constitution to grant emergency power to the Prime Minister and the Cabinet: Article 99(1) suggests that in case of emergency, the Cabinet Orders would have the same effect as laws.⁷² Clearly, this is contradictory to the opinion poll of Japanese people which suggested that they would like to

⁷¹ Cabinet Office, Government of Japan 内閣府. “Summary of Partial Amendment to the Disaster Countermeasure Basic Act 「災害対策基本法の一部を改正する法律の概要①」.” June 24, 2012.

⁷² The Liberal Democratic Party 自由民主党. *Draft Amendment to the Constitution of Japan* 「日本国憲法改正草案」. April 27, 2012.

reduce the central government's power.

How does a revision of Japanese Constitution serve to the benefit of the LDP's political interest? As we have touched on already, the Japanese Constitution has never been amended 70 years after its establishment. However, it has always been the LDP's political goal to revise the Constitution. According to Lawrence Repeta, one of the leading scholars in the study of Constitutional amendments in Japan, the Liberal Democratic Party has been advocating for fundamental revision of Japan's Constitution since its founding in 1955, and the reason was that the LDP leaders felt humiliated by the fact that the country is governed under a constitution largely drafted by foreign military officers.⁷³ As a conservative and nationalist party, it has been constantly striving for a "real Japanese Constitution" that would allow them to establish a sense of "real independence" as Japanese.

The next puzzle to solve is why the LDP choose that specific time after 3.11 Earthquake to propose the Draft Amendment. For the past decades, the LDP had never been able to secure two thirds of the seats in both houses in order to push forward such institutional changes. However, with the 3.11 Earthquake, their chance came.

In the U.S, the Democratic Party and the Republic Party generally take turns in capturing the presidency and controlling the Congress. Since both parties have abundant political experiences as well as numerous failures, even if one party fails once, it is unlikely to suddenly lose completely in the next election. However, the relationship between parties in Japan is very different. 2011 was only the starting of the second year after the DPJ eventually became the first single party to defeat the LDP's monopoly in politics in the postwar Japanese history. Just as we have discussed above, the DPJ and the central government was facing extremely strong criticism

⁷³ Repeta, Lawrence. "Japan's Democracy at Risk – The LDP's Ten Most Dangerous Proposals for Constitutional Change," *The Asia-Pacific Journal*. Volume 11, Issue 28, Number 3. July 14, 2013.

after the 3.11 Earthquake. Even though the former Prime Minister, Kan Naoto, took several decisive actions to reduce nuclear power and had made his public appearances very much against the usage of nuclear power, he still wasn't able to manage to recover the loss of popularity for both him and his party as a whole.⁷⁴ Since there was not really a third choice in Japanese politics, and that the LDP has always been considered as the more experienced and almost the “default” ruling party, it was natural for the LDP to benefit from the unpopularity of DPJ in the 2012 general election. In fact, the LDP won a landslide in the 2012 general elections even with a decrease in votes for their party.⁷⁵ They purely benefited from the fact that a large number of people who previously supported the DPJ did not vote in the 2012 election. It was exactly the unpopularity of the DPJ which encouraged the LDP to propose the Draft Amendment. Since the DPJ was losing power significantly, it was the best moment for the LDP to propose something that would not likely to be supported by the majority of the general public.

Conclusion

Following the analyses throughout the paper, we were able to identify a total of seven factors that played important roles in determining the disaster relief procedures and political reforms in response to the governmental failures: 1) system of government on the central level, 2) central-local power balance and 3) distribution of emergency power influenced the former; 4) public opinion and criticism, 5) dynamics of political parties, and 6) political interest of political parties influenced the latter; whereas 7) the nature of the disasters had an impact on both. This section will first evaluate the most influential factors that caused governmental failures in the disaster

⁷⁴ Pekkanen, R., Reed, S., Scheiner, E., Eds. *Japan Decides 2012*. Palgrave Macmillan, 2013. p.13

⁷⁵ Ministry of Internal Affairs and Communications 総務省. Data for 2012:

<http://www.soumu.go.jp/senkyo/senkyo_s/data/shugiin46/>

Data for 2009: <http://www.soumu.go.jp/senkyo/senkyo_s/data/shugiin45/>.

relief period, then make a judgement on the factors that drove political leaders to pursue certain policy reforms. The current political situation in Japan in regards to these reforms will also be touched upon at the end.

For the disaster relief period, although factors 1, 2, 3 and 7 were all influential, not all of them were responsible for the governmental failures. In the U.S, factors 2, 3 and 7 all contributed to the governmental failures, whereas in Japan factor 7 had the largest damage on the reputation of the Japanese government.

Factor 1, system of government on the central level, though being fundamental for a political system, has little influence on the failure of governmental response in both countries. In the U.S case, President Bush quickly responded to Hurricane Katrina by approving or announcing declarations of emergency of state in several states that suffered from Hurricane Katrina. In Japan, the collective decision-making process in a parliamentary system would theoretically delay the response towards natural disasters, but with abundant experiences, the central government of Japan established the temporary emergency headquarters and started disaster relief procedures very quickly.

For factor 2, the balance of power between local and central governments, the conflict between Governor Blanco and Director Brown revealed the central-local conflict in the U.S. This conflict caused the evacuation process to be largely delayed, which was one of the most significant failures of the U.S government during the disaster relief period of Hurricane Katrina. In the Japanese case, the stable collaboration between local and central government on the disaster relief period for the earthquake went on fairly well, at least for the response towards the earthquake. Similarly, factor 3, the distribution of emergency power, has also been balanced out between the federal and state governments in the U.S. When the federal and state governments

had conflicts, it also undermined the evacuation process in the state of Louisiana. In Japan, however, the burden of disaster relief lies on the local governments. During the disaster relief period, local governments and volunteers as well as non-profit organizations worked together closely as a collective force and thus the disaster relief procedure went on very well. In general, a combination of factor 2 and factor 3 played very critical roles in causing the governmental failure in the U.S.

Factor 7 of fundamental difference between disasters was responsible for most of the governmental failures in Japan's case, since the unprecedented nuclear crisis was completely out of the capacity of the regular disaster relief procedures. As a result, the central government failed to evacuate residents and handle the investigation in a timely manner. In the U.S, the feature of the hurricane was also partly responsible for the governmental failure. For a hurricane, even if some residents are not evacuated, they could still survive with adequate shelter and supplies. However, due to the governmental failures including the collapse of the levees and inadequate shelter, tremendous deaths were caused.

For the policy reform period, 4) public opinion and criticism, 5) dynamics of political parties, 6) political interest of political parties, and 7) the nature of the disasters all played important roles in determining some of the established or proposed policy reforms. Among these, factors 4 and 7 influenced political reforms in both countries, and those reforms were lessons that almost anyone could take from the experience. On the other hand, factors 5 and 6 only influenced the LDP's proposed reform in Japan, which is a conclusion that depended on contingent and particular political configurations.

Factor 4, the public opinion and criticism, was responsible for many reforms in both countries. In the U.S, FEMA's higher qualification requirement and the strengthened power of

the President both responded to the public criticism of the ineffectiveness of FEMA and the deadlock between federal and state governments during the disaster. In Japan, the DPJ government established amendments to previous laws and yielded more autonomy for the local governments in case of natural disasters in response to the criticism for the central government holding too much power while dealing with the nuclear crisis.

Factor 7, difference between disasters, also played important roles in determining the types and focuses of the reform. In the U.S, FEMA was rearranged to add directors of preparedness, response, recovery respectively, since evacuation before the hurricane's landfall is the major focus of government response towards a hurricane. In Japan, a Nuclear Regulatory Commission was established to exclusively deal with nuclear crisis from then on.

A combination of factors 5 and 6 explains the real reason for why the LDP demands for a constitutional change, and why it chose to do it at the certain time: with the LDP's political goal to amend the Constitution, and the fact that it would inevitably benefit from the unpopularity of DPJ after the 3.11 Earthquake and win the 2012 General Election, it found April 2012 the best time to propose its *Draft Amendment to the Constitution of Japan* which demanded for more power given to the central government.

Now the original question is answered: the DPJ was making judgements and decisions based on careful investigation of the governmental failures during the 3.11 Earthquake, whereas the LDP was indeed making its statement based on its own political interest. Based on different political factors and the overall differences in the natural disasters, it is indeed logical for Japan and the U.S to come to different conclusions: that the U.S has to strengthen the central government, and Japan has to weaken its central government. However, though not a justifiable conclusion of the lessons learnt from the 3.11 Earthquake, the Draft Amendment proposed by the

LDP is still within governmental consideration today under the LDP government. It has been doing really well in the past four years since the 2012 General Election.

The LDP won the election in 2012 regardless of the fact that it actually gained less votes than in 2009. Since then, the party led by Prime Minister Abe Shinzo had been constantly fighting for the chance for their amendment to come true. In fact, even though the LDP prevailed the 2012 General Election and achieved a two-third majority in the lower house, it still had to gain a majority in the upper house in order to push the Draft Amendment towards the next step: a national referendum. In the upper house election in 2013, LDP continued its influence and gained a large amount of seats, but still didn't reach the two-third majority, since only half of the Councillors would face election in each three years. As a result, it waited another three years until another upper house election took place this year in July. This time, with the help of the coalition consisting of Kōmeitō, Osaka Ishin no Kai, and a small party named Kokoro, the LDP eventually managed to get only one above the number of Councillors that it needs for a Constitutional Amendment⁷⁶. Though the Draft Amendment contained many controversial articles besides the emergency clause, a journal article from *Japan Time*⁷⁷s, for example, argued that “rather than targeting the Constitution’s pacifist Article 9, it seems the LDP will focus instead on an emergency powers amendment.” Another journal article from *Mainichi Shinbun*⁷⁸ also indicates that since the other amendments are either too hard to achieve or not powerful enough, the emergency clause would very likely be Abe’s target to start his Constitutional Amendment.

⁷⁶ Digital News of Asahi Newspaper 朝日新聞デジタル. 2016 House of Councilors election 「2016 参院選」 . July 2016. <<http://www.asahi.com/senkyo/senkyo2016/>>

⁷⁷ Mie, Ayako. “Ruling bloc may push emergency powers amendment to Constitution after Sunday’s poll.” *The Japan Times*. July 8, 2016. <<http://www.japantimes.co.jp/news/2016/07/08/national/politics-diplomacy/ruling-bloc-may-push-emergency-powers-amendment-constitution-sundays-poll/#.WCV6aygrKUk>>

⁷⁸ Mainichi Japan. “Abe gov't looks to add emergency clause for major disasters to Constitution.” *The Mainichi*. January 1, 2016. <<http://mainichi.jp/english/articles/20160101/p2a/00m/0na/010000c>>

By far, the LDP has already gotten enough seats for pushing forward its Draft Amendment. No actions have been taken by Abe yet since he has time until the re-election of the lower house in December 2018. What he and the LDP will do remains unknown. Though polls have indicated that a slight majority of people are against any radical revisions, whether this amendment of emergency clause will be passed with the political dynamics of the continuing unpopularity of the DPJ, or get rejected with a logical conclusion from the disasters that took place also is still hard to predict. This will be left for the future to decide.

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