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The Extent of Cultural Properties Preservation and The Problem of Local Administration in Japan

Satoshi Ishida

Summary

Japan has a long history of cultural properties and heritage conservation, particularly in recent years. Cultural heritage and the landscape have been regarded as precious stock of the community. As Japanese society and the economy have matured, and the national demand for a better quality of life has increased. People are seeking their own identity and cultural activities have been integrated into local communities and are considered an important component of a high quality lifestyle. From an urban planning perspective, the focus has shifted to improvement of amenities and quality of life rather than fulfilling minimum requirements.

The range of cultural properties is also expanding as time goes by, especially, after WW II. The government prepared the basis for cultural properties preservation and the policy will is changing against the background of the transition of the Japanese society. Today many local governments are seeking good measures to develop communities through cultural assets, however, the present administrative reforms make it difficult occasionally and almost all municipalities have no good practical ideas. In this paper, I will briefly introduce the Japanese cultural preservation system and history. I will then discuss the present situation of cultural administration policies focusing on cultural property management at the local government level.

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I. The meaning of cultural property

1-1. The origin of the concept of cultural property in Japan

“Cultural property” was used for the first time by the Cultural Properties Preservation Law established in 1950. Before 1950, Japan didn’t have a legally inclusive concept for cultural properties. Before WW II, they were protected by the old law system subdivided into categories like architecture, national treasures, and important fine arts.

The term “cultural property” began to be used in the Taisho-era (1912-1926) as a translation of the German word "kulturgut". Strictly speaking, the time Japan started to adopt the concept of cultural property is not clear, however, the Department of Culture used it until the latter 1930s at the least. Today, some cultural properties e.g. temples and shrines are protected by the government, aristocracy and the rich class as objects of faith, symbols of their authority or collections. There are also many reasons why they are protected from old times.

In addition, protected arts and cultural properties had social significance in the creation of nationalism under the formative period of the modern state. They were considered as boosting national prestige. Under this ideology, cultural properties, which symbolize national power and its legitimacy or national history and its superiority, were regarded as important national cultural property. This included physical heritages that ordinary people understand easily, arts and crafts and intangible heritages and word-of-mouth that symbolizes Japanese myth and tradition for example, “Amanosakaboko” in Takachiho, Kyushu based on an emperor myth.

In 1897, the Old Temples and Shrines Preservation Law was established, with the background of strong nationalism after the victory of the Sino-Japanese war (1894-95). In those days the central government influenced cultural promotion strongly.

In Japanese policy, cultural properties preservation was introduced for the first time at the beginning of the Meiji era. Furthermore a relationship with the historical view that Japan was a country under the eternal reign of a ceaseless line of the "living-God" emperor earmarked many cultural properties related to the Imperial Household. However, their protection was removed by the GHQ leadership.

Soon after WW II, the Japanese cultural policy went through a big change from cultural properties preservation based on nationalism. The government manifested to make a “cultural state” in and out. In 1946, a year after the end of war, one of The Emperor’s speeches stated
"Japanese society longs for cultural progress".

The Constitution of Japan established in 1946 says "All people shall have the right to maintain the minimum standards of wholesome and cultured living." (article.25) Tatsuo Morido, the then Minister of Culture and Education insisted that "we have to aim at a cultural state to make progress for the international society" (The theory of cultural state). As mentioned above, the term "culture" continues to be a key-word for modern Japanese society.

However, on the other hand, governmental support for culture was not as committed as the pre-war situation, so the pre-war policy was dissolved and the government worked out a halfhearted attitude to cultural policy soon after the war and heritage conservation almost completely stopped. Immediately after the war, heritage conservation efforts faced great difficulty because of hyper-inflation, heavy taxes, and the psychological damage from Japan’s defeat, as well as a public loss of interest in tradition. In that situation, Houryuuji-temple, the oldest wooden structure in Japan, which is now included in the UNESCO World Heritage List, burned down in 1949'. This accident induced a strong national sentiment for cultural heritage protection, which led to the enactment of the Cultural Properties Preservation Law (The CPPL) in 1950.

First, the CPPL defines "cultural properties", integrating pre-war tangible heritages such as artifacts and buildings, and historic sites with the new concept of intangible cultural properties such as stage artsiv. This introduced a more comprehensive concept of "cultural property" in the law system, and made it clear as to what extent to protect. The government put emphasis on objects under the cultural policy.

Secondly, the government policy established "the Committee of Cultural Properties Preservation" made up of specialists.

Thirdly, the role of the local government was made clear. Each municipal board of education acted as a go-between the local government and the central government, and the local government could initiate to commit a particular object for preservation under the cultural policy. For example a local government could establish its own municipal by-laws to save cultural properties. The central government gave plenty of power to the local government in this regard. The establishment of the CPPL affected the decentralization of the cultural policy in no small wayvii.

However, the cultural policy maintained that the basic authority remained with the central government and the central government’s interference remained to some extent. Surely, the local administration could do cultural properties preservation from an independent standpoint.
although the objects they could consider were limited, but in a sense this change was some sort of democratization of the cultural policy of Japan.

1-2. The Concept of Cultural Properties since 1950

After the CPPL, the term “cultural property” spread generally. The law defines "cultural properties" as things which are indispensable to understand Japanese culture and history and can lay the groundwork to develop Japanese society in the future” (article.3), and according to article.4, they are placed as important national properties to be preserved or utilized for public purposes.

The contents of cultural properties established in 1950, covers tangible properties; movable and fixed properties (fine arts, crafts, temples, shrines, and historic buildings etc.), those protected since the pre-war era, like shell mounds, scenic spots (Japanese gardens, beautiful landscape etc), natural treasures (rare animals, plants etc.) The CPPL added a new category of intangible treasures (performing arts, traditional festivals, folk-culture, music, etc.), so the “cultural properties” covered a wide range of objects.

The Japanese categorization of cultural properties is unique as compared with other countries because there is a clear distinction between the man-made and natural properties, for example, Nihon-serow, Iriomote-wildcat and Yaku-cedar, which are rare animals and plants, became objects to be protected as cultural properties. One of the intangible properties, “Waza”, a so-called living national treasure, is a precision traditional performance and socially considered a superior art. The policy treats skilled Waza artists/performers as a living national treasure.

For the Japanese, it is easy to understand intangible cultural properties, but the trend is not so popular internationally. The "Intangible inheritance Agreement", ratified in 2003, was signed by very few countries including Japan and South Korea.

1-3. The Difference with “World Heritage”

According to the World Heritage Treaty, “cultural heritage” is widely used toward “natural heritage”, and refers to immovable properties in principle. However, in the case of Japan, it is a wider concept including natural monuments and intangible properties as mentioned above.

However, The Masterpieces of the Oral and Intangible Heritage of Humanity Treaty, ratified in 2003, extended the range of objects to account for cultural diversity. This includes customs, paintings, performances, knowledge and their tools, processed goods and cultural
space. Therefore, the present international common understanding toward cultural properties is beginning to include both the tangible and intangible fields as a wider concept like the Japanese one.

1-4. The fundamental principle in Japan

According to Tsuneaki Kawamura, a researcher of the cultural properties preservation system, "Things created in our present time must become our past and it is essential to understand now, and it will become the base to create and develop our future in society."

The Constitution of Japan does not have an express provision for cultural affairs, however, the Fundamental Law of Education (1947) clearly showed that building a democratic and cultural state is the fundamental principle of the Japanese constitution. At that time, Tatsuo Morido, the Minister of Culture and Education, said, "To realize a cultural society we must not neglect educational power, so we should have a good educational direction for the creation and development of cultureix."

The Fundamental Law of Culture and Art Promotion (2001) also showed that "creation and acceptance of culture and arts including cultural properties are basic rights and that art and cultural activities raise human creativity. They also make a fertile society where people can communicate, respect and accept diversity interactively. Moreover, according to the preamble, its own sake has inherent value, important significance for each country. At the level of internationalization, culture is the base for one’s identity and makes us respect our own traditions.

1-5. The meaning of "preservation"

Article 1 of the CPPL cultural properties preservation policy states that, "The purpose is to preserve cultural properties and promote their practical use to contribute to people’s cultural living and the world’s development."

The CPPL also refers to "...maintaining things our ancestors preserved and not corrupt them." According to Katsuhiko Wada, a specialist of cultural preservation, the preservation means to protect from artificial damaging effects, to prevent an outflow abroad where the Japanese laws cannot be applied, prevent degradation through time and natural disasters, and restoration of things that are damaged. Basically, it regulates the modification of cultural properties, export, management, repair, financial support, public-ownership system, the training of successors of skilled craftsmen and others. After all, preservation endeavors to pass-on the
Practical use means that we should make good use of cultural properties for education, cultural activities and local development. Concerning this, the government holds exhibitions of properties, provides opportunities to do cultural activities, and financial support.

According to article 3 of the CPPL, both the central government and the local government are in charge of preservation. There are many kinds of cultural properties, so the way of preservation also supposes various measures, for example, fine art, historical materials, archaeological items and folk properties which are kept by museums or libraries etc.

Ⅱ. The Transition of cultural preservation after world war II

2-1. Brief outline until the end of WW II

Before the CPPL, preservation of arts, historic buildings and heritage, took on various measures. In particular, before the Middle Ages (Edo-era), people who managed or had authority over cultural properties such as temples or shrines were the owners, aristocratic class, samurai class, and rich people. The properties were mostly used as their pastime or for the education for their children. This is very different from the modern preservation style, which aims for public benefit.

The modern preservation style for public purposes started since the Japanese modernization after the Meiji-era. The Meiji-government policy directly controlled tangible properties such as fine arts, crafts, buildings and monuments. After Meiji era, the government strongly promoted policies based on Westernization. The atmosphere was to remove and make light of Japanese traditional culture, for example, orders of separation between Shintoism and Buddhism caused an anti-Buddhist movement early in the Meiji-era leading to the removal or destruction of Buddhist icons installed in Shinto shrines, so many high-quality Buddhist art and cultural properties were flown out or destroyed.

The government took measures through "Preservation Measures for Old Goods" (古物保存法, 1871) to deal with that situation. This proclamation insisted the importance of cultural properties in the study of daily life, customs, and systems of each historical period.

After this, saving temples and shrines faced financial difficulties under an anti-Buddhist movement, so the government established "the Old Temples and Shrines Preservation Law" (1897). The laws set limits for things related to old temples or shrines, so there was anxiety that cultural properties would get scattered and lost under the Showa-Financial Panic.
and an uncertain political situation. So the government established the National-Treasure Preservation Law (国宝保存法, 1929), this extended the range of objects or property.

Because important cultural things not protected by these laws continued to be exported out of Japan, it led to the Important Works of Art Preservation Law (重要美術品等保存に関する法律, 1923). The range of objects under this law was wide and now falls under the jurisdiction of the CPPL too, so in principle, we cannot export such objects to foreign countries.

The Act for Ancient Tombs was created to protect ancient tombs and monuments because the rapid modernization being experienced at that time was having bad affects on monuments and the environment. The Meiji-parliament decided to establish "The Heritage, Scenic Spot, and Natural Monuments Preservation Law" (史跡名勝天然記念物保存法, 1911) also, which focused on preserving monuments, rare animals, plants, scenic spots, etc, from environmental destruction.

It was notable that the policies protected both natural and cultural aspects, which was rare amongst cultural properties preservation policies at that time. This style continues up to the present day. After the Meiji era, Japan experienced repeated wars, including WWII, so the focus of preservation shifted to protecting cultural properties from war damage.

2-1. Pre-war period - 1950's (Enactment of the CPPL)

Soon after WWII, preservation was difficult because of economic, political, infrastructural and social devastation. Robbery cases of cultural properties increased rapidly under high inflation, poverty, and general social disorder against the background of defeat. The defeat of WWII caused a loss of national pride and made light of Japanese traditions, as a result, cultural properties preservation lost its importance.

[CPPL Categories of Cultural Properties (1950)]

1) Tangible Cultural Properties

Historical buildings, paintings, arts and crafts, old documents, folk-materials and items that have high artistic quality and items which contribute to research into Japanese history.

2) Intangible Cultural Properties

Performing arts, music, craft skills and others that have high artistic quality, for example, Noh-plays, Kabuki, ceramic art, dyeing, lace work etc. The government approved a group or person who had these skills and their successors as guardians of traditional culture and they are called
"Living National Treasure".

3) Heritage and Natural Monuments

Japanese Heritage under the CPPL includes shell-mounds, ancient tombs and old castles, scenic spots such as beautiful mountain landscape, seascape and Japanese gardens. "Natural monuments" covers rare wild animals, plants and minerals. The policy classifies these monuments, with the most important being treated as special-cultural properties. Since the CPPL, the contents became clearer and made the preservation system easier. At that time, however, there were some disputes regarding how to classify or at which level to place certain monuments and as a result, a team of experts was selected to make the final decisions.

In 1954, almost all the categories of preservation appeared legally like the current ones. Of course, the CPPL experienced many revisions to reach that stage. The 50s' policy aimed to reinforce the preservation system. Before WW II, many expert associations in each field contributed and after the war, the central government established the Committee of Cultural Properties Preservation, which approved and promoted important properties. However, this approval had some administrative bias due to the influence of the central government. In addition, the CPPL took over the role of the local government. Under the old law, the local governments had limited control over some heritages and natural monuments but they could not participate in the decision making for important cultural things such as those with national treasure status.

The national government selects and designates the most important cultural properties and imposes restrictions in areas such as alterations, repairs, and exports. The government also takes a range of measures for preservation and utilization. Unlike the pre-war era when only the national government could designate national treasures, the prefectural and municipal governments could also designate and protect additional cultural properties of local or regional interest through municipal by-laws which the local governments established themselves. This was a positive move by the CPPL and it contributed to the decentralization and democratization of the cultural administration policy.

2-2. 1960's-1970's The preservation of historic surroundings

In the 1960s and 70s, when Japan experienced rapid economic growth, serious social problems occurred such as disorderly development, public nuisance, excessive centralization and depopulation of rural areas. Drastic changes in industry and economic development
destroyed historic old towns and buried cultural properties, and the environment surrounding traditional buildings deteriorated. Due to urbanization and the modernization of life styles, performing arts, folk arts and traditional customs were lost.

Cultural properties preservation also made rapid progress during this period. According to Eizo Inagaki, who is a famous architect; “Historic surroundings are an assembly of the natural environment, buildings, furniture, folk-customs and lifestyle, which symbolize the distinct culture of a region.” In short, his thinking does not focus on the individual value of each aspect, but their collective value.

In addition, Naomi Okawa, who is a specialist of Japanese architectural history, said, in a broad sense, “All historical things around us are historical surroundings.” This thinking attached great importance to the creation of a town which has a comfortable harmony between the people’s history, historical products, lifestyle and the natural environment. Both opinions focus on the value of the assembly of cultural products in understanding the historical surroundings firstly. Secondly, they put emphasis on the living environment.

In the midst of the rapid economic development, the environment and historic surroundings were destroyed. However, almost all local municipalities were swamped with public works and financial policies focused on city planning, so the local governments had nothing to spare on the protection of the environment.

To counter the effects of rapid economic growth, the government established the Pollution Counter-measures Basic Law (1967). In 1970, the Japanese Assembly, through the so called “Pollution Assembly” prepared policies to respond to pollution caused by the rapid industrial and infrastructural development. Immediately after this, the Natural Environment Preservation Law and the Forest Law were enacted at the same time and nature protection gradually became active.

In the 60’s, the National Development Project was established to promote historic surroundings and cultural properties preservation for tourism with not much emphasis on their cultural value.

The controversy over the Kyoto Tower construction (1964) against the preservation of the old town landscape or the 1965 building development of land in the backyard of the famous Tsurugaoka-Hachimangu Shrine in the heart of Kamakura, a city near Yokohama, aroused a keen nationwide civic movement for the protection of not only historic buildings but also historic landscapes, with support from the mass media.

This led to the enactment of a new law, Ancient Cities Preservation
Law in 1966. However, this law applied only to ancient national capitals in terms of politics and culture, such as Kamakura, Kyoto, Nara, and several other cities. So other local governments and residents began a campaign against the ordinance. Many local governments started to enact regulations to protect historic landscapes, re-evaluating historic landscapes and seeking a better quality living environment, which were lost due to rapid development.

These movements by citizens and local governments led to the revision of the CPPL in 1975. In addition to several important changes and revisions at that time, a new category of cultural properties, “Important Preservation Districts for Groups of Historic Buildings” was introduced.

In these districts, it became possible to protect not only each designated building but also historic buildings, where people still lived. The exteriors of the buildings were the main areas to be protected, as opposed to designated cultural properties where both the exterior and interior are preserved. It is the responsibility of local governments to determine these districts based on a consensus of the residents. The national government selects districts with extremely high value from among those locally determined, and covers part of the expenses for protection. Thus, regional development and urban planning fell in line with heritage conservation.

In addition, the 1975 revision of the CPPL introduced another new category “Important Intangible Ethno-cultural Assets.” Until then only instruments of folk culture were protected under the category of tangible properties. After 1975, folk art itself became an intangible ethnocultural property. The 1975 CPPL states that, “Folk culture and arts are the essence to understanding the transition of Japanese ordinary life.” From this thinking, the idea of preserving the lifestyle from the old days became popular, but it faced the challenges of modern development.

A famous folklorist Kunio Yanagida pointed out that folk culture like Kabuki and Noh-play were originally people’s source of livelihood but were made light of by pre-war Japanese cultural policy which focused on modern development and nationalism.

In 1996, the CPPL was revised to include a registration system for cultural assets. This was not entirely new but was broader based.

In Japan, the concept of historic surroundings gained attention after the 1970s. There are two streams in Japanese historic surroundings preservation. One is the basic preservation of Japanese heritage or monuments and another one is a more recent movement for the improvement of living conditions, like Machizukuri (literally translated, “Town Making”), based on local people.
2-3. 1980’s-1990’s The relationship with local communities

Until the 70s, the preservation system tended to be very strict and it prohibited changes to the status quo. This was called “frozen preservation” or “cold sleep”. However, the rise of people’s needs awareness of culture and the environment quickened the transition to more practical uses of cultural properties. In the late 70s, some local governments professed “the age of regionalism” and “the age of culture” and some advanced municipalities included cultural aspects in their development plans.115

The civic movement in Kamakura, fighting against housing construction on the land around the Tsurugaoka Hachiman Shrine, aroused interest in historic surroundings preservation. People began to recognize that cultural properties contribute to local cultural assets, so cultural administration policies promoted the practical use of heritages. This spread to include natural landscapes, historical streets, seascapes, etc.

Naofumi Oda, a researcher of cultural policy, defines “Machizukuri” as “The relationship between the people (residents, administration, private companies, NPOs and outsiders like tourists, etc.) and the community (Machi) as they develop their capability and quality of life”.

Since the 1980’s and 90’s, “culture” and “region” increasingly became key words for all aspects of life, and people gradually recognized cultural properties as stock for regional development. Many local governments took action to preserve the historic surroundings of each area and utilize historic sites. Various entities emerged and became actively involved in the protection of cultural properties.116 In addition, people started to recognize the importance of heritage and cultural properties as a resource for tourism, commerce and industry. In 1992, a new law was enacted to promote regional industries and businesses utilizing traditional performing arts and other related activities.

After Japan signed the UNESCO World Heritage Treaty in 1992, a number of heritage sites in Japan have been added onto the World Heritage List. The public has become increasingly aware of the importance of heritage conservation, and governments are undertaking various measures to protect not only the heritage sites but also creating buffer zones around them.

Today, cultural or environmental assets are getting more attention in tourism, and eco-museums117 are becoming more popular. Tourism and businesses involved in cultural resources have a huge potential of economically benefiting local communities. For example, according to the records of the Cultural Agency, Miyajima, a world heritage site in
Hiroshima prefecture, received 2.4million tourists in 2004, realizing more than 40 billion yen for Hiroshima prefecture, and the ripple effects for related industries was about 60 billion yen. More than 6000 jobs were created. World heritage status reinforces the domestic and international fame of cultural affairs, particular heritages and cultural properties, as shown in the case of Miyajima. Nowadays, more local governments promote the practical use of such heritages like old railways, factories or architecture, which contributed to the modernization of Japan, for example, Usui-mountain Road Railway Institution in Gunma prefecture, approved as a modern national heritage in 1993. It comprises not only the Railroad Bridge and tunnel but other peripheral institutions as objects for heritage preservation.

Cultural asset and historic surroundings preservation: involves two approaches. The first one is preservation in the original state and the other involves restoration or reproduction of historical sites using original materials or materials as closely related to the originals as possible"."

2-4. The present legal framework

Today's local governments are enforced to reform since the Decentralization Promotion Law was enacted in 1999. In that law, the agency which delegated affairs from the central to local governments was abolished and the authority of the central government was revised down. The CPPL was also revised to correspond to the decentralization. In 2001, the Fundamental Law for the Promotion of Culture and Arts was enacted. This law reflects a broad social consensus on the importance of culture. It adopts a broad and inclusive definition of culture, and also makes provisions for the support of cultural activities by local governments, non-governmental organizations, companies, and individuals. In 2004, the Act of Scenery was enacted, aiming to create "pleasant and beautiful scenery" in rural and urban areas. It is the first law that refers to the importance of the "beauty" of the cities and villages, and stipulates that the national government is responsible for extending public support through zoning, and if necessary, restriction of private rights of land owners for the above purpose, with active participation of citizens, NPOs, and NGOs as required. At the same time, a new category of "cultural landscape" was added to the concept of cultural properties.
III. The New Phase of Cultural Properties Preservation-Cultural Landscape

3-1. The Act of Scenery

Recently, Japan has been experiencing depopulation and social divisions in rural areas and many people warn of the decline of local communities. In that situation, people are paying more attention to the landscape or environment as communal resources. In 2004, the government enacted the Act of Scenery in order to shift from urbanization and a materialistic economy, and to respond to people’s needs for superior landscape preservation. This law was the first comprehensive law to make the responsibility for government, private companies and residents clear, and it prepared the legal framework to strengthen the local governments.

Article.1 of the act says “... to promote an excellent landscape in the cities, rural areas, fishing villages, etc ... . The creation of a rich life environment, with the formation and enriching of a country where a distinctive beautiful character exists, is a unique realization of vibrant local communities.”, and “It aims to contribute to the healthy development of the national economy and the local society”.

The standard of “excellent landscape” is different according to each region so the law esteems the individuality of each place without putting the precise definition, and entrusts it to the resident's judgment. The local governments, not only protect fine landscapes, but can regulate the creation and alteration of landscapes if necessary.

3-2. Cultural landscape

The CPPL was revised again in 2004 and it introduced “cultural landscape” as a new category in cultural properties preservation. It defines the cultural landscape as “The climate created by the people living in a region and it is a prerequisite to understand those people’s occupation.”. The policy emphasizes the importance of traditional rice fields, hill terracing in rural areas, etc, which have been rapidly lost in recent years. It is thought that these were created in harmony with nature, and are a remnant of a regional culture from the old days. Recently, the protection system of cultural landscapes overlaps with the system in the Act of Scenery.

In the World Heritage Site system, purely natural heritages are few and there was recognition to consider the outstanding universal value possessed by the coexistence of man and nature. At the World Heritage conference held in Santa Fe in 1992, this issue was discussed and the
registration standards of world cultural heritage was changed, and the concept "Cultural Landscape" was introduced. This was symbolized by the World Heritage registration of the Cordilleras Terrace Paddy Fields in the Philippines. In Japan, the "Historic Villages of Shirakawa-go and Gokayama" in Nagano Prefecture were added to the World Heritage list in 1995.

The direction of the World Heritage policy is changing gradually because it has proved difficult to strictly separate nature and culture. In 1999, Obasute Terrace paddy Fields of Nagano prefecture were selected as an important cultural landscape area; in line with the international trend in recent years. Many local governments expect that cultural landscape protection can be the basis for world heritage registration.

In Japan, the cultural landscape protection under the CPPL pays special attention to rural mountains, terraced paddy fields, and riverside districts. Landscape issues are becoming more important these days because of urbanization and development in rural areas.

Emiko Kakiuchi, a researcher who is trying to establish the valuation methods for landscape, said that the difference between pure natural landscape, cityscape, traffic-scape, and industrial-scape is complex because, even though the origin of cultural landscape is the relationship between nature and people’s ordinary life and customs, many factors are involved in the change of cultural landscape, including nature, economic activities etc.

3-3. The extent of cultural protection

Akira Negi, a specialist of cultural policy history, said that the recent concept of cultural policies has two sides; the extent of categories and the comprehensive meaning beyond the usual fields. The extent of cultural properties is regulated according to the "Era which the cultural asset belongs to" and "range of pattern of the cultural asset."
In 2004, cultural properties designated, selected, and registered by the national government included the various categories shown in Table 1 below. Tangible cultural properties such as artifacts and buildings (about 12,430 designations, including about 2,260 designated buildings, and 4,140 registered buildings), intangible cultural properties such as theatrical performances (about 110 designations), folk-cultural properties such as clothing, housing, and customs (about 430 designations), monuments such as historic sites, places of scenic beauty and natural monuments (about 2,710 designations), important preservation districts for groups of historic buildings (about 60 selections), and cultural properties conservation techniques (about 70 selections) and buried cultural properties.

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The new category of cultural landscape introduced in 2004 aimed to protect the significant cultural landscape sites such as rice terraces (including such things as the water supply and intangible assets like their management system) and coppice woodlands etc. Cultural heritage is really a much bigger concept, not only buildings and monuments, but also, intangible cultural assets such as festivals and traditional customs, artifacts and conservation techniques.

An advisory panel on cultural policy was set up to map out the future plans for: (1) the protection measures, (2) the protection system for traditional life culture, (3) the cultural heritages of the modern age, (4) modern art promotion, and (5) intangible cultural assets.

3-4. Problems with the concept of cultural assets

Last year (2006), The Agency of Hokkaido Development carried out a survey on the Act of Scenery amongst public officers dealing with cultural affairs, residents, and NPOs. They discovered that there was a general lack of understanding of the concrete operational methods and the roles of the government or the people amongst almost half of the
respondents. Almost all municipalities replied that they still did not understand well the cultural landscape system.

This problem can be linked to the law itself, in that, originally, the CPPL did not clearly define the meaning of culture. Moreover, the recent merger of cities has thrown more problems into the selection of cultural properties for preservation. Generally, cultural properties approved in communities before merger tend to be carried over to the new cities. However, some municipalities changed the standards or did not have a consensus in a new cultural administration system.

From an administration point of view, the mergers also brought restructuring, reduction of specialists of cultural affairs, deficit cutting and a lot of (or lack of) documents or paperwork, putting a lot of pressure on officers.

-Conclusion-

In Japan, the range of cultural properties is expanding. The current cultural protection system includes targeting those things not picked up in past policies or by the old standards.

Identification as a cultural property in the protection policy is an important step towards being preserved and used as a cultural resource.

Up to now, the specification, selection, and registration of cultural assets has been performed by category. However, the preservation of cultural landscape has created a new field that combines some cultural assets causing problems with the traditional categorization system. Many local governments have few ideas and the know-how to deal with such problems.

Today, cultural properties preservation has shifted from the "frozen" preservation standards of old, to a more flexible system which is more open to the public. The range has also diversified in correlation to that.

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In July 1947, the prime minister, Tetsu Katayama said, “a democracy is an idea to raise cultural awareness ... and we should regard education as important.” And the Minister of culture and education Tatsuo Morido declared the importance of financial support for cultural policies and education in making a cultural state. The government then considered formally taking the building of a cultural state through education as the root of democracy.

The National Arts Festival started from 1946. This is the first positive policy by the government for performing-arts disregarded during WW II. For the superior artists, this was a chance to get national prizes (the Japan Art Academy Prize, the cultural medal etc.)

After this incident, the House of Councilors decided to create the CPPL by legislation through the Diet.
Today, we can research about specified cultural properties by the central government on the website of The Agency of Cultural Affairs.


The CPPL provided the establishment of a cultural committee as an administrative arm. Some researchers seem to think that this is one style of Japanese Arm’s Length (See Kawamura.2002)

By law, the range of objects was expanded, however the procedure of decision-making was limited to central government discretion. One researcher Akira Negi, once said that the central government always intervened strongly through the Agency of Cultural Affairs in the selection of objects proposed by the Administration. (Negi.,2002,.p27)

See the Fundamental Law of Education (the preamble and article.2)

These monuments were mostly things bearing a close relationship to the ground such as plants.

An anti-Buddhist movement early in the Meiji-era led to the removal or destruction of Buddhist icons installed in Shinto shrines. In addition, the movement enforced to change the status of priests from secular people.

The first law treated intangible cultural properties preservation in Meiji-era, this treated intangible properties except immovable whichever Japanese-made and foreign-made.

The panic was caused by world crises in 1930. It was the worst crisis in prewar Japan.

On the protection of historic sites, buried cultural properties, and natural monuments, botanist, Miyoshi’s, appeal was considered and it formed the basis of protection activities since there was no systematic protection till then.

Strictly speaking, the Living National Treasure is a person who has skills of arts and crafts. The approval system has two types: the authorization a field and a personal holder, however, to the latter is often criticized that this praise focus only expert. In Japan, this tendency is strong in particular Kabuki, Noh-plays, gagaku (ancient court music) because these fields are some strong associations.

See Shina (1997)

The National Income Doubling Plan, and the Comprehensive National Development Plan were put into effect in 1960 and 1962. In 1964 the Shinkan-sen (bullet train) service was inaugurated, and the Olympic Games were held in Tokyo.

Fizo Inagaki “How people succeed cultural heritages.” (Sansei-do, 1984,p.129)

Naoya Okawa “The Urban History and Machidukuri” (Gakugei-publishing.1995 pp.3-4)

In 1993, this law merged with the Basic Environment Law.

In 1971, the government established the Ministry of Environment which started countermeasures towards pollutions.

In 1965, a local residents protest campaign, was set up "Kamakura Scenic Beauty Preservation Association" (鎌倉風致保存協会), and developed to become the first
The city of Kanazawa was the first case to enact such an ordinance in 1968, aiming to prevent destruction of the traditional environment of the city, preserve the form of the traditional environment in coordination with modern city planning, and pass it on to succeeding generations, through a zoning system for the traditional landscape, extending subsidies, and other related measures, trying to create a livable city and attain endogenous development.

The Preservation of Ancient Cities Preservation Law already existed as the category "Important Preservation Districts for Groups of Historic Buildings" in 1966.

These days, some advanced municipalities have unique cultural administration policies. For example, the "one percent for cultural affairs system" where the local government must spend one percent of their budget on cultural affairs. Some municipalities involved artists and novel architects in the design of public places like schools or parks.

Atsushi Ikehama, "A Primer of Cultural Policy" (Maruzen.2002)

Under a new law to promote specified non-profit activities in 1998.

The idea of ecomuseums was put forward in 1971 by Robert Pujat, a minister of environment, and Hugues de Varine, the chairperson of ICOM (International Council of Museums) during the Pompidou era in France. "It is a museum that can contribute to local communities and people and is based on the harmony between the natural environment and cultural assets through their preservation, promotion and exhibition."

In Japan, Jyuzo Arai introduced it in 1995, and he insists on the concept of a "Life and environment museum." After that, many local governments started to use these terms in municipal planning because of the impact of words like "eco" or "museum" to the Japanese, for example, Asahi town in Yamagata, has a catch sentence, "A town is a big museum and all residents are curators". (See website of Asahi-Ecomuseum; http://www12.ocn.ne.jp/~a-ecom)

The condition of ruins and the weathering of cultural assets has been a cause of concern in recent years, for instance, Hashima, the so-called "Warship Island" in Nagasaki prefecture. There are movements to try to preserve ruins as they are, but at the same time, there are also fiscal concerns about the costs if such properties are to maintain or express their true atmosphere.

This system instructs governors, heads of cities, towns, and villages, what work they should do as proxy for the government. However, it considered the local government to be a "Branch office in the country", and was abolished in 2000 for the purposes of expanding provincial discretion powers.

Negi pp.200-201

Ibid. p.215

Kawamura pp.216—247

In 2005, the government enacted the exemption law for the merger of municipalities in order to promote decentralization, deficit cutting and an integrated government administration of a multi-municipal area. But a lot of municipalities that merged could not establish an efficient administrative management after merger, and have received a lot of criticism.