
Cultural Policy Structures of Cultural Landscapes in Japan

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abstract

This presentation aims to examine not only the formation processes and structures of Cultural Landscapes, but also some topics on this concept in local communities and civil society, from the viewpoint of cultural policy. The movement to protect Cultural Landscapes has been influenced by the UNESCO World Heritage Convention (1972), which was finally ratified by Japan in 1992. The World Heritage Committee acknowledged in Article 1 of this Convention that Cultural Landscapes represent “the combined works of nature and of man,” in other words, Cultural Landscapes are classified as “cultural heritage,” not “natural heritage.” Aiming at the creation of a more pleasant life in local communities and at the preservation of beautiful scenery in cities and villages, the Landscape Law was enacted in 2004. In the same year, the Law for the Protection of Cultural Properties, enacted in 1950, was also revised and Cultural Landscape was established as a new category of cultural properties, aiming at the protection of important cultural landscape sites.

Introduction

The concept of Cultural Landscapes was established relatively recently, but it is drawing attention in Japan today. This research aims at examining not only the formation process and structures of the Cultural Landscape, especially, its position in the Japanese Law for the Protection of Cultural Properties, but also some topics on this concept in local communities and civil society from the viewpoint of cultural policy.

After the war Japan did not waste time in revising and unifying the various measures for the protection of cultural properties from before the war and by establishing, in 1950, the Law for the Protection of Cultural Properties (the Cultural Properties Protection Act). On the other hand, the UNESCO adopted a convention for the protection of

the World Cultural and Natural Heritage (the UNESCO World Heritage Convention) in 1972.

Back then the presiding country was Japan. Yet, Japan’s actual ratification of the UNESCO World Heritage Convention came as late as 1992, making it the 125th country to have concluded the treaty. Consequently, for a period of twenty years, there was neither any cooperation nor coordination between the Japanese policy concerning cultural properties and the international cultural heritage policy.

But why did Japan, while being an economic superpower, refrain from ratifying the World Heritage Convention for as long as twenty years? This seems to be rather incomprehensible. Although today’s topic does not deal with this problem, I would like to briefly indicate just three points.

(1) The opposition within the Agency for Cultural

Affairs, as expressed in their self-confidence towards the Japanese Law for the Protection of Cultural Properties.

- (2) A tendency for avoidance within the Ministry of Finance when it came to contributions that were fixed in the World Heritage Convention.
- (3) Regard to the United States withdrawal from UNESCO.¹

Out of those three, I would like to direct the attention towards the first problem, namely the fact that the Agency of Cultural Affairs was filled with self-confidence towards the Japanese Law for the Protection of Cultural Properties. Also, because the question of how the category of Cultural Landscapes should be ranked within the Cultural Properties Protection Act became a big subject of discussion, I will elaborate on this problem in the latter half of my paper.

1. Cultural Landscape in the World Heritage Convention UNESCO's

In 1992, when Japan ratified the World Heritage Convention, UNESCO's standards for the registration of World Heritage were modified and the concept of Cultural Landscapes was introduced. In 1995, the Rice Terraces of the Philippine Cordilleras were registered as a Cultural Landscape within the Cultural World Heritage. The registration as rice terraces also had a strong impact on the Japanese policy of cultural spending. UNESCO determines a cultural landscape as follows:

Cultural Landscapes are cultural properties and represent the "combined works of nature and of man" designated in Article 1 of the Convention. They are illustrative of the evolution of human society and settlement over time, under the influence of the physical

constraints and/or opportunities presented by their natural environment and of successive social, economic and cultural forces, both external and internal.²

The UNESCO's Cultural Landscape is defined as the "combined works of nature and of man." However, the Cultural Landscape is categorized as a cultural heritage that is neither a natural nor a mixed heritage. It is a landscape that has been formed by man as he confronts nature.

Cultural Landscape fall into three main categories, namely:³

- (i) The most easily identifiable is the clearly defined landscape designed and created intentionally by man.
- (ii) The second category is the organically evolved landscape. They fall into two sub-categories:
 - a relict (or fossil) landscape
 - a continuing landscape
- (iii) The final category is the associative cultural landscape.

2. Cultural Landscape in the Japanese Law for the Protection of Cultural Properties (2004)

Being affected by the UNESCO's prevailing tendency to emphasize Cultural Landscapes as manifested in the World Cultural Heritage, also in Japan studies were set into motion towards the establishment and revision of legislation.

The background for this was constituted by the rise of the movement for the preservation of rice terraces and of human-influenced biospheres on the borders of agricultural domains – the latter being marked in Japan as 里山 *satoyama* – that was brought about in every region in cooperation between the administration and local citizens.⁴

In 2004, the Cultural Properties Protection Act was amended. In this amendment, the term “cultural landscape” was added to the classifications of cultural properties. The Law for the Protection of Cultural Properties (Article 1, Section 5) defines a Cultural Landscape as follows:

Cultural Landscapes are “landscape areas that have developed in association with the modes of life or livelihoods of people and the natural features of the region, which are indispensable for the understanding of our people’s life and livelihoods” (Item 5, Paragraph 1, Article 2 of the Law for the Protection of Cultural Properties).⁵

3. The Landscape Act (2004)

In the 21st century, aiming at creating a more pleasant life in local communities and beautiful sceneries in cities and villages, the “Landscape Act” (景観法 *keikan hō*) was enacted in 2004. NPOs and citizens’ action groups are now encouraged to actively get involved in carrying out the law.

This Landscape Act is managed by the Ministry of Land, Infrastructure and Transport but the Ministry of Agriculture, Forestry and Fisheries and the Ministry of the Environment cooperate as well in the control of the law.

Essentially, sceneries and landscapes are characterized by unspoiled nature. In opposition to this, fundamental implementations of the Landscape Act, in as far as it is a law, rely on control and regulation. However, as it is commonly accepted in culture and the arts: creation should not be regulated. Herein lies a contradiction.

Yet, another peculiarity of the Landscape Act is its bottom-up structure under which local self-governing bodies are in charge of landscape administration associations, set up landscape plans,

and decide upon the contents of regulations (fig. 1).

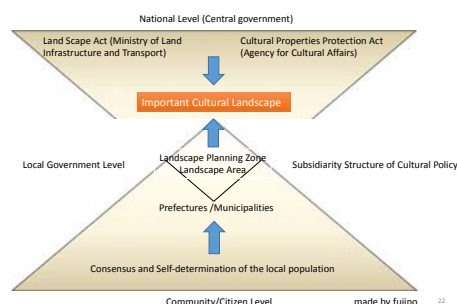


Figure 1. The subsidiarity structure of cultural policy.

Consequently, whereas the Landscape Act is a state law, it offers no definition whatsoever about what a landscape actually is. The acting subject, that is supposed to achieve a consensus about what kind of landscape to preserve or to create, are the citizens of each respective region.

Only on the base of the consensus of the citizens about what landscape to aim at, the local self-governing bodies are empowered to put into effect regulations for the utilization of land. In this sense, the Landscape Act has become a completely decentralized legal system. But first, I would like to introduce the goals of the Landscape Act as follows:

Article 1 (Purpose)

The purpose of this Act is to build a beautiful and dignified land, create an attractive and comfortable living environment and realize vibrant communities with distinct personalities by taking comprehensive measures to develop good urban and rural landscapes such as formulating landscape plans, in order to improve the quality of life of the people of Japan and contribute to the growth of the national economy and sound development of society.⁶

Now, same as the Landscape Act, the Cultural Properties Protection Act was amended in 2004 and the category “Cultural Landscape” added. Further, it

was clearly stipulated that an Important Cultural Landscape was to be selected by unifying it with the “Landscape Planning Zone” or the “Landscape Area.”

If we look at the legislation on a national level, the Landscape Act is under the supervision of the Ministry of Land, Infrastructure and Transport, while the Cultural Properties Protection Act is controlled by the Agency for Cultural Affairs. Yet, concerning the Landscape Planning Zones and their Landscape Plans, it is the prefectures including Tōkyō and Hokkaidō as well as the municipalities who act as landscape administration associations.

Consequently, in terms of implementation, the category of Important Cultural Landscape crosses ministries and government offices and has become a unique, complex structure of cultural policy measures in which the state and the provinces must cooperate. This can be characterized as a subsidiarity structure of cultural policy.

So, why is the structure of cultural policy measures concerning Important Cultural Landscapes so special? If we compare it to other cultural property systems, its uniqueness will become clear. Let us first have a look at the “Tangible Cultural Properties.”

Each of these cultural properties are individually discussed by a council of experts that is set up by the Agency for Cultural Affairs. As he receives their report, the Minister of Education, Culture, Sports,

Science and Technology designates and respectively certifies its choices.

In other words, if seen from the viewpoint of the state, it is a top down structure of cultural policy and it is implemented from inside the Agency for Cultural Affairs alone.

In contrast, the special feature in the case of Cultural Landscapes could be explained as a structure of cultural policy that manifests itself in a bottom-up or a cross-ministerial form. On the level

of legislation, the cooperation between the Cultural Properties Protection Act and the Landscape Act is indispensable. Yet, the autonomous and subjective efforts of the municipalities represent the premise for this.

4. Good Landscape and Cultural Landscape

By the way, in stressing the repeated regulation by the Agency for Cultural Affairs, I wanted to draw attention to the difference between the “good landscape” as it appears in the Landscape Act and the “Cultural Landscape” as it appears in the Cultural Properties Protection Act. Let us first have a look at the basic ideas of the Landscape Act.

Article 2 (Basic philosophy)

(1) In view of the fact that good landscapes are essential for building a beautiful and dignified land and creating an attractive and comfortable living environment, every effort shall be made to create and conserve good landscapes so that the present and future generations of people can enjoy the benefits of landscapes as the common property of the people of Japan.

(2) In view of the fact that a good landscape of an area is produced by the harmony between the nature, history and culture of the area and people's lifestyles and economic and other activities, effort shall be made to create and conserve good landscapes so as to promote land uses that help achieve such harmony under proper restraints.⁷

Let us next turn to the selection criteria for Important Cultural Landscapes.

Criteria of the Selection of Important Cultural Landscapes

- (1) Cultural Landscapes associated with agriculture such as rice paddies, farmland, etc.
- (2) Cultural Landscapes associated with manmade grassland or livestock ranching such as hayfields, pastureland, etc.
- (3) Cultural Landscapes associated with forest uses such as timber forests, disaster prevention forests, etc.
- (4) Cultural Landscapes associated with fisheries such as fish cultivation rafts, Nori seaweed cultivation fields, etc.
- (5) Cultural Landscapes associated with water uses such as reservoirs, waterways, harbors, etc.
- (6) Cultural Landscapes associated with mining or industrial manufacturer such as mines, quarries, groups of workshops, etc.
- (7) Cultural Landscapes associated with transportation and communication such as roads, plazas, etc.
- (8) Cultural Landscapes associated with residences and settlements such as stonewalls, hedges, coppices attached to premises, etc.⁸

If we compare both of these selection criteria, a problem with profound implications comes to the surface. In the Landscape Act, this is immanent in the concept of “good landscapes.” The basic idea of the Landscape Act is not only about the preservation of an existing good landscape, but also about a re-creation of a good landscape. Yet, concerning the question of what good landscapes actually are, there is no definition to be found in the Landscape Act.

The subject which has to evaluate a landscape as being good or not good, is not the central government. The reason for this is that the very people who inhabit a given region have formed this region into a characteristic landscape.

Therefore, in order to judge whether it is a good landscape, whether to preserve it, and also whether to create a new landscape, it is necessary to

base it on the consensus of the local population. The formation of a good landscape as it appears in the Landscape Act is, in fact, inseparable from the formation of local governance.

If we set this into contrast to the selection criteria of Important Cultural Landscapes, they mainly get unified in the concept of “Cultural Landscape” associated with agriculture, forestry and fisheries. Now, what does “cultural” in the term “cultural landscape” mean?

This can be understood as Cultural Landscape in the sense of a landscape that has been formed by adding the human undertakings of everyday life and work, that is: human agency. So, it can be stated that it is indispensable to preserve and keep up such landscapes in order to understand the everyday life and work of the Japanese people.

Seen from this perspective, “cultural” basically means “artificial” (in the sense of “created by human agency”). Furthermore, it could be said that to understand the everyday life and work of the Japanese by means of the cultural landscape, also represents a cultural act. “Cultural” is linked to the two aspects of “human agency” and “awareness.”

But strangely enough, the landscape in its visual beauty as a beautiful sight, is not included in the definition of the cultural landscape. While a distinction is drawn between the cultural value and the aesthetic value, the aesthetic value in the Cultural Landscape is not regulated.

5. Cultural Landscapes in a narrow sense(A) and in a wider sense(B)

There is one more point that needs our attention. The use of the English term “landscape” in its pure form in Japanese occurred for the first time during the “Land Formation Plan” (*Kokudo keisei keikaku* 国土形成計画) that was decided upon in 2008. In this plan, it was defined as

follows:” ‘Landscape’ means an area, as perceived by people, whose character is the result of the action and interaction of natural and/or human factors.”⁹

This definition is based on the preface of the European Landscape Convention and represents a widely defined concept that includes climate and landscape as well as vistas. A UNESCO’s definition of Cultural Landscape was “a collaborative work of nature and man”, but in the European Landscape Convention and the Japanese “Land Formation Plan” this becomes a spatial expanse that people are aware of as a collaborative work of nature and man.

By nature, the concept of Cultural Landscapes cuts across various fields and also demands cooperation on the fields of cultural policy between ministries and government offices. In this respect, the Cultural Landscape covers a wide territory. Yet, as a matter of fact, the concept of the Cultural Landscape, as it is regulated by the Agency for Cultural Affairs, is rather limited.

This becomes clear when compared to the UNESCO’s classification of Cultural Landscapes. Among UNESCO’s three types of Cultural Landscapes the one that is classified as “organically evolved landscape” corresponds with the Cultural Landscape determined by the Agency for Cultural Affairs. And the above-mentioned selection criteria are an aspect that rather seems to make a point of “continuing landscapes” than of “relict landscapes”.

But why has the Agency for Cultural Affairs limited the range of Cultural Landscapes? The reason for this might be found in the fact that the concept of Cultural Landscapes within the system of the Cultural Properties Protection Act was attached from the rear end. What is likely to become a problem, is the habitat segregation between monuments and Cultural Landscapes.

Monuments are classified as “historical sites,” “place of scenic beauty” and “natural monument,” but what is especially troublesome is the

differentiation between places of scenic beauty and Cultural Landscapes. Places of scenic beauty signify sites or areas considered as of high value, either because of their artistic execution or their general esteem such as gardens, parks, bridges, canyons, seashores, mountains etc. (fig. 2).

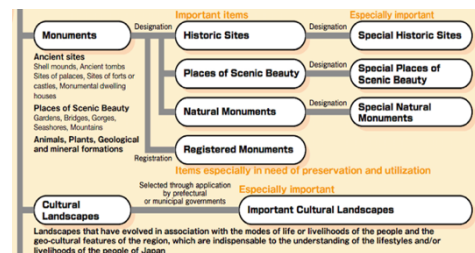


Figure 2. Problem of the habitat segregation between Monuments and Cultural Landscapes within the system of the Cultural Properties Protection Act. (http://www.bunka.go.jp/english/policy/cultural_properties/introduction/overview/).

Let us compare this to UNESCO’s three categories of Cultural Landscapes. Under the system of the Cultural Properties Protection Act “Designed landscapes” and “associative landscapes” might be classified as “places of scenic beauty” or “historical sites.” Consequently, the territory remaining for the newly introduced Cultural Landscape is limited to the “organically evolved landscape.”

As mentioned earlier, the regulations for Cultural Landscapes do not include aesthetic or artistic values. Here, “Cultural” means the formation of landscape by the everyday life and work of people. The reasons for this might be found in the ranking specified in the Cultural Properties Protection Act.

Of course, the concept of culture as it manifests itself in the Cultural Landscape is something of the utmost fundamental importance to human beings. Yet, as far as the Japanese cultural policy is concerned, the territories for Cultural Landscapes have become something extremely limited.

But when the concept of Cultural Landscape was still in the phase of being studied, its meaning

was defined rather widely. If we refer to the report of the “Investigative Commission for studies concerning the preservation, maintenance and use of Cultural Landscapes in relation to agricultural, forest and fishing industries,” the term Cultural Landscape was divided into a concept (B) encompassing a wider sense, and a concept (A) of a narrower sense (fig. 3).

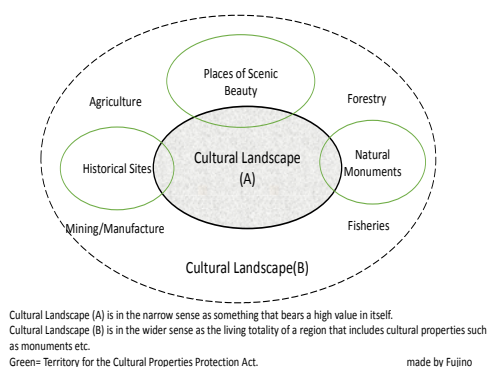


Figure 3. Cultural Landscape in a narrow sense (A) and in a wider sense (B).

Cultural Landscapes reflect the characteristic history and culture of rural agricultural, mountain and fishing regions, forming in their region the unique characteristics of climate and natural features. Such a Cultural Landscape is something extremely familiar to the people who were born, raised and are living in this region.

For them, the Cultural Landscape is actually their “home,” and it is the landscape that their heart is attached to from the time of their birth on. A Cultural Landscape is also a spiritual and emotional foundation for the people who live there.

Consequently, a Cultural Landscape is first of all “a spatial expanse which is perceived by people from the region in such a way.” Those who are to find value in the cultural landscape, those who preserve it and re-create it, are—and always will be—the people from the region. Essentially, a Cultural Landscape cannot define nor regulate this constellation. But in order to protect Cultural Landscapes from collapsing, some kind of legislative framework is necessary.

In this sense, we must think about Cultural Landscapes in the wider sense (B). And this is the totality of life in a certain region. It will also include its historical sites, places of scenic beauty, natural monuments etc. as mentioned in the Cultural Properties Protection Act.

But there is more to it than that. Only through the merger of the landscape formed by everyday work and life with historical sites, places of scenic beauty and natural monuments, the Cultural Landscape of a region will gain its value.

In reality, we sometimes may encounter the problem that the inhabitants of a region themselves are not sufficiently aware of the value of the Cultural Landscape they are living in. In this case, the task would be, how to make inhabitants of the region aware of the value of their cultural landscape.

The citizens in question must be provided with sufficient autonomy. The empowerment for the formation of this kind of local governance is a topic of great importance in the cultural policy of today’s Japan, but I will talk about this point in depth at another occasion.

What then is the meaning of the Cultural Landscape in the narrow sense (A). It is defined as “something that bears a high value in itself”, but its criteria of judgement are not easy to grasp. To easily introduce a hierarchy of values into a country’s cultural legislation is something dangerous.

In this respect, the “Investigative Commission for studies concerning the preservation, maintenance, and use of Cultural Landscapes in relation to agricultural, forest and fishing industries” has made a proposal to expand the categories of historical sites, places of scenic beauty and natural monuments.

This can be seen as the attempt to define the Cultural Landscape in the narrow sense by supplementing concepts that until now have not been incorporated into the Cultural Properties Protection Act. In other words, the role that the agricultural,

forest and fishing industries have to accomplish, is emphasized.

6. Limit and merit of revising laws

Now, let us remember the criteria for Important Cultural Landscapes that I have presented before. Then, let us compare these to the redefinition of monuments etc. by the “Investigative Commission for studies concerning the preservation, maintenance and use of Cultural Landscapes in relation to agricultural, forest and fishing industries.” From these expanded criteria the preexisting definition of the Cultural Properties Protection Act was subtracted, and the remainder are the criteria for Important Cultural Landscapes (fig. 4).

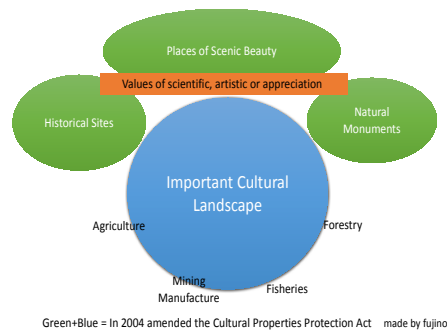


Figure 4. Limit and merit of revising laws.

Consequently, in the chart above (fig. 3), Cultural Landscape (A) and historical sites, places of scenic beauty and natural monuments overlap while they exclude each other on the legislative level. In this sense, the traditional monuments etc. and the Important Cultural Landscapes are positioned in a mutually exclusive relation.

This is a regulation that is far apart from the living facts of a Cultural Landscape. Compared to the UNESCO definition of “combined works of nature and of man,” it is also extremely restricting. This demonstrates the limits of revising laws.

Yet, to date, within the frame of the Cultural Properties Protection Act, a section responsible for

Cultural Landscapes was newly established by inserting a Cultural Landscape category, also in the division for monuments in the department for cultural property at the Agency for Cultural Affairs. This section selects Important Cultural Landscapes on the base of criteria that are different from the ones for monuments and provides subsidiary funds for preservation and maintenance work and for its popularization and promotion among the local population and their enlightenment.

Conclusion

In conclusion, I would like to reconfirm: Cultural Landscapes formed by people’s livelihood or work in a given region and by the climate of this region are indispensable for understanding the livelihood and work of the Japanese people. Monuments, on the other hand, are represented by the following generic names for cultural properties:

- (1) Objects of highly historical or scientific value to our country such as kitchen midden, kofun tombs, remains of citadel style castles, and ruins of former residences.
- (2) Objects of highly artistic value or appreciation value to our country that consist of places of scenic beauty such as gardens, bridges, canyons, seashores, mountains.
- (3) Objects that are of highly scientific value to our country by their animals, plants or geological minerals.¹⁰

From the comparison above, the difference between the definitions of a monument and a Cultural Landscape should have become clear. The important aspect about monuments is that they are scientifically or artistically highly valued or

appreciated.

On the other hand, the important aspect about the cultural landscape is that it is a picturesque scenery that is formed by the livelihood, work, climate and natural features of the respective region.

But strangely enough, although it may be a picturesque scenery, scientific or artistic values or values of appreciation are no selection criteria. Where do those selection criteria have their roots? In such an area there are active agricultural, forest and fishing industries or mining industries and by such working activities this region's picturesque sceneries have been formed.

Let me repeat: the concept of "cultural" in the term "cultural landscape" does not – or at least not primarily – incorporate scientific or artistic values or that of appreciation. "Cultural" refers primarily to the people's work and livelihood, and only a landscape influenced and formed by such human activity is a "cultural landscape."

If we assume, that within the structure of the Japanese cultural policy there is to be found a chance for civic autonomy and community revitalization, what would be the best means and methods for its realization? This will be a task my further research.

Notes

- 1) Tanaka 2012, pp. 61–65.
- 2) Intergovernmental Committee For the Protection of the World Cultural and Natural Heritage 2008, p. 14.
- 3) Ibid., p. 86.
- 4) Okada, 2008, pp. 11–18.
- 5) Agency for Cultural Affairs, *Our Treasure Cultural Landscapes to future generation, Cultural Landscape Protection in Japan*, 2016, p. 4.
- 6) Landscape Act 2006, p. 3.
- 7) Ibid.
- 8) Agency for Cultural Affairs, *Our Treasure Cultural Landscapes to future generation, Cultural Landscape Protection in Japan*, 2016, p. 4.

- 9) Ministry of Land, Infrastructure, Transport and Tourism, *Land Formation Plan*, 2008, p. 113.
- 10) Agency for Cultural Affairs. 2016, p. 45.

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