We will extract the characteristics and problems of cultural properties protection policies by following the stages of the development of the policies after the Meiji Restoration (1868) up to the present date. They are largely classified into 7 headings, which are mostly related to each other.

### Legalism

The National government of Japan has been promoting the protection of cultural properties by Law, since the Meiji Restoration in 1868.

In order to build the base of a modern state with opposing force against great Western powers, the Meiji government promoted prompt transfer of Western systems and culture. At that time, Western nations were tackling to establish the system for the protection of cultural properties and including sites and relics, and such efforts were resulting in the streamlined legal systems. In Japan as well, the efforts were made to protect cultural properties and some principles and legal systems based on the principles were formed steadily. Most of these were uniquely devised and implemented in our country in spite of general Westernization at that time. The legal systems established in this way and the main principles of the system and/or the consciousness of protection have been regulating up to date.

It should be noted that the competent authorities for regal systems have changed depending on the prevailing situation of the times.

<table>
<thead>
<tr>
<th>Year</th>
<th>Law (Office in charge)</th>
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<tbody>
<tr>
<td>1871</td>
<td>Edict for the Preservation of Antiquities (Council of State)</td>
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<tr>
<td>1872</td>
<td>Investigation of treasures began (Ministry of the Interior)</td>
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<tr>
<td>1879</td>
<td>Proposition to preserve shrines, temples and their treasures forever (Ministry of the Interior)</td>
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<tr>
<td>1880</td>
<td>Subsidy for the ancient shrines and temples started (Ministry of the Interior)</td>
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<td>1888</td>
<td>Tentative Bureau for Nation-wide Investigation of Treasures established (Ministry of the Imperial Household)</td>
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<tr>
<td>1897</td>
<td>Law for the Protection of Old Shrines and Temples (Ministry of Home Affairs ∩ 1913 Ministry of Education)</td>
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<tr>
<td>1919</td>
<td>Law for the Protection of Historic Sites, Places of Scenic Beauty, and Natural Monuments (Ministry of Home Affairs ∩ 1928 Ministry of Education)</td>
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<tr>
<td>1929</td>
<td>National Treasures Protection Law (Ministry of Education)</td>
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1933  Law Concerning the Protection of Important Objects of Art, etc.
    (Ministry of Education)
1950  Law for the Protection of Cultural Properties
    (Cultural Properties Protection Committee 1968 Agency for Cultural Affairs)

(1) Reaction to changes after the Meiji Restoration

Following various social changes after the Meiji Restoration, the Japanese government expanded the category for protection of cultural properties. The protection measure was largely taken for illegal overseas drain and natural disasters but it was basically a slow action.

- 1868-70  The anti-Buddhism and Confucianism movement
- 1923  The Great Kanto Earthquake
- 1941-5  The Second World War
- 1949  Fire at the Golden Hall, Horyuji Temple

(2) Categories added by amendments to the Law for the Protection of Cultural Properties

The Law for the Protection of Cultural Properties, enacted in 1950, was frequently revised and each time a new category for cultural properties was provided. In recent year, the registration system was adopted and added to the government designation-based system.

- 1954  Separation of folk cultural properties and buried cultural properties from tangible cultural properties
- 1975  Groups of historic buildings, conservation techniques for cultural properties
- 1996  Registered tangible cultural properties (buildings and other structures)
- 2005  Cultural landscape, folk technology, registered tangible cultural properties (fine arts and crafts), and registered monuments

Cultural landscape: The landscape having been formed in relations between people and nature, i.e. rice terraces and countryside called satoyama with varied ecosystem.

Folk technology: The manufacturing skills having been handed down in the region, i.e. manufacturing of tools and products related to the lives and regular vocations represented by forge and shipbuilding.

(3) General Survey of New Categories Started

Although not being provided for by the Law for the Protection of Cultural Properties, the following surveys have been carried out to widen the scope of review to the pre-modern and modern periods.

- 1966-78  Urgent survey on folk dwellings
- 1977-91  Urgent survey on pre-modern structures of shrines and temples
- 1990-2005  Comprehensive survey on industrial heritages
3. Intention of Exalting National Prestige

The initial purpose was to catch up Western countries, but in and after 1900 Japan became committed to nationalism. The government not only tried to select, reward and protect our cultural properties with the use of state power for the purpose of boosting national prestige, but also strived to spoil neighbor countries of fine and curious articles to become a treasure house of the Eastern art.

Transition of jurisdiction over the National Museums gives evidence of this intention.

1871-73 Ministry of Education, Department of Museum
1873-75 Council of State, Exposition Secretariate
1875-81 Ministry of the Interior, Museum
1881-86 Ministry of Agriculture and Commerce, Museum
1886-89 Ministry of Imperial Household, Museum
1889-1900 Ministry of Imperial Household, State Museum(Tokyo, Kyoto, Nara)
1900-47 Ministry of Imperial Household, Imperial Museum(Tokyo, Kyoto, Nara)
(1938 Kyoto Imperial Museum was given to Kyoto Municipality)
1947-52 Ministry of Education, Tokyo National Museum(Nara annex)
1952-67 Cultural Properties Protection Committee, National Museum(Tokyo, Kyoto, Nara)
1967- Agency for Cultural Affairs, National Museum
2005- Kyushu National Museum newly established

Besides that, around the time Sino-Japanese War(1894-95) and Russo-Japanese War(1904-05), capitalism developed remarkably and national land was exposed to fast and furious changes. Noted persons who worried about breaking of archaeological sites by development construction established Japanese Imperial Investigation Committees on Places of Historical Interest in 1900 and Preservation Association of Historic Sites, Places of Scenic Beauty and Natural Monument in 1911. These are the first private protection organization. But the Great Kanto Earthquake in 1923 led such private activities requesting for the protection of sites and monuments to extinguish. Then our country went more deeply into nationalism.

4. Policies Based on the Selection of Cultural Properties of Importance

First of all, cultural properties of importance are selected and protected. Those unselected come out of protection. Also, selection criteria varied across the ages. For example, designation of sacred spots of Meiji Emperor's visit, historical places of Kenmu-no-chuko and sacred spots of successive Emperor's visits as historical sites in 1933, 1934 and 1937 respectively groundless.
(1) Designation-based system

Under this system, the objects are designated/selected and protected in a uniform manner. Based on "The Proposal of Permanent Protection of Shrines, Temples and National Treasures" (1879), ideas of selection and management by the national government as well as the fundamental methodology were formed. In the following year, delivery of subsidies to conserve old shrines and temples started. "Law for the Protection of Old Shrines and Temples" provides for the buildings subject to special protection and the allocation of subsidies for the designation of national treasures and the maintenance and repairs. Additionally, the protection of arts and crafts as well as cultural properties owned by religious organizations was decided to be subject to aid by the national government. Law for the Protection of Old Shrines and Temples applied only to the properties owned by shrines and temples. While "National Treasures Protection Law", that replaced Law for the Protection of Old Shrines and Temples, applies to the wider scope of properties owned by the nation, public organizations and individuals as well. Besides, the properties designated separately as special buildings and national treasures were integrated into national treasures. To prevent outward flows of not only national treasures but also other properties, "Law for Protection of Important Art Treasures" went into effect. In accelerating modernization where relics and local cultural properties were threatened with extinction in various regions, "Law for the Protection of Historic Sites, Scenic Beauty and Natural Monuments" was issued. The ideas of protection and the fundamental methodology are not so different from those for national treasures and others.

(2) Ledger system

Under this system, properties registered comprehensively in the ledger are to be protected as appropriate in line with the times. This idea can be traced back to the system advocated by Katsumi Kuroita as early as 1910. Taking advantage of the nationwide study of distribution of buried cultural properties that had been conducted for 3 years from 1962, the ledger with relics map was prepared and consequently the registration system for protection was made into reality. However, the protection of buried cultural properties also carries through the principles of designation-based policy.

(3) Registration system

This system is not so comprehensive as the ledger system, and falls somewhere between the ledger system and the designation-based system where properties are selected and rewarded. The buildings selected and designated as registered tangible cultural properties by the national government are booked, and in case of the change of the present state by which to alter the appearance significantly, a prior notification is required. The government may instruct, advise and recommend as appropriate.
5. Integration of the Artificial and the Natural

The protection system is classified into 4 categories:

- Intangible cultural properties and folk cultural properties in which living people are mainly involved
- Artificial places of scenic beauty that are the products of past human activities such as relics, buildings and gardens
- Cultural landscape having been formed in relations between people and nature
- Natural monuments and places of scenic beauty such as Mt. Fuji

Interpreting favorably, this classification has the direction toward general protection of both natural environment and historical environment. Preservation Districts for Groups of Historic Buildings were newly adopted as cultural properties by amendment of the Law for the Protection of Cultural Properties in 1975. It is not intended to protect the buildings themselves. What is certified as elements composed of cultural properties is the atmosphere created by a group of buildings forming historical landscape integral with the surrounding environment.

6. Respect for Intangible Cultural Properties and Buried Cultural Properties

The Law for the Protection of Cultural Properties considered those under the prewar National Treasures Protection Law as tangible cultural properties and unified those under Law for the Protection of Historic Sites, Places of Scenic Beauty and Natural Monuments. On this point, it is not so different from former laws. However, it is a feature that the categories of intangible cultural properties and folk cultural properties are newly established, and buried cultural properties came under the Law. Cultural properties existed from the very beginning of formulation challenged the values from artistic, historic and scientific points of view, and the importance of such values was just the basis to recognize as cultural properties. However, newly established folk cultural properties are subject to protection because they do not challenge such values but follow changing lifestyles of people. It should also be noted that techniques of manufacturing, repairs and restoration necessary for the protection of cultural properties are to be selected as well.

7. Mostly religious

It may be another feature that designated tangible cultural properties are concerned mostly with religious facilities. Religious facilities including temple and shrine buildings account for 2/3 of the total number of buildings in the modern and older times that were designated as important cultural properties, that is 3,505 all told. Besides that, the number of arts and crafts owned by temples and shrines such as Buddha statues account for 60% of total 10,120 pieces.

We do not question the substantial aid to religious organizations provided by the national government in name of cultural properties protection, and the religious organizations do not hesitate to get the aid at all.
Schematic Diagram of Cultural Properties

**Cultural Properties**

- **Tangible Cultural Properties**
  - Buildings and other structures
  - Fine and applied arts: paintings, sculptures, applied arts, calligraphy, classical books, ancient manuscripts, archaeological artifacts, historical materials
  - Important Cultural Properties (Designation)
  - National Treasures
  - Great need for preservation & use
  - Registered Tangible Cultural Properties (Registration)

- **Intangible Cultural Properties**
  - Stage arts, music, applied art techniques, etc.
  - Important Intangible Cultural Properties (Designation)

- **Folk Cultural Properties**
  - Tangible Folk Cultural Properties: clothing, implements, and furniture, etc., used for intangible cultural properties
  - Intangible Folk Cultural Properties: folk performing arts, mantras and customs related to food, clothing, shelter, education, religious beliefs, annual events, etc.
  - Important Intangible Folk Cultural Properties (Designation)
  - Important Tangible Folk Cultural Properties
  - Registered Tangible Folk Cultural Properties (Registration)

- **Monuments**
  - Historic Sites: historic mounds, ancient burial mounds, ancient capital ruins, former residences, etc.
  - Places of Scenic Beauty: rivers, bridges, rivers, beaches, mountains, etc.
  - Natural Monuments: rare, fine, and geological minerals
  - Important Historic Sites (Designation)
  - Special Historic Sites
  - Important Places of Scenic Beauty (Designation)
  - Special Places of Scenic Beauty
  - Important Natural Monuments (Designation)
  - Special Natural Monuments
  - Great need for preservation & use
  - Registered Monuments (Registration)

- **Cultural Scenery**
  - Important Cultural Landscape

- **Groups of Historic Buildings**
  - Post towns, castle towns, farming and fishing villages, etc.
  - Preservation Districts for Groups of Historic Buildings (Selection)
  - Important Preservation Districts for Groups of Important Historic Buildings

- **Conservation Techniques for Cultural Properties**
  - Techniques necessary for the production of materials, repair, and restoration
  - Selected Conservation Techniques (Selection)

- **Buried Cultural Properties**
  - Required to be preserved with positive measures

Source of this figure: