

**Session 1 :
Japanese Administrative System for Safeguarding ICH**

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Outline

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1. Introduction

In Japan, drama, music and crafts, manners and customs, and folk performing arts have been protected as intangible cultural properties (i.e. intangible cultural heritage: hereinafter referred to as “intangible cultural properties”) since the establishment of the Law for the Protection of Cultural Properties in 1950. In 1975, a system for designation of intangible folk cultural properties was introduced, and the techniques necessary to preserve cultural properties were selected as cultural property preservation technology. Additionally in 2005, folk techniques were newly added as one area of folk cultural properties and have similarly been designated, identified, and selected with other intangible cultural properties. We’ ll briefly take a look at the system of protection here.

2. The scope of intangible cultural properties

Cultural Property is defined in Article 2 of the Law for the Protection of Cultural Property. While *Intangible Cultural Property* is defined in Item (2), Paragraph 1, Article 2 of the Law as “drama, music, applied art, and other intangible cultural products that are of a significant historical or artistic value to Japan (hereinafter referred to as “Intangible Cultural Property),” *Folk Cultural Property* is defined in Item (3) of the same as “manners and customs related to food, clothing, and housing, to occupations, to religious faiths, and to annual festivals; folk performing arts; folk skill; clothes, utensils, houses and other objects used therefor, which are indispensable to the understanding of changes in the mode of life of Japan (hereinafter referred to as “*Folk Cultural Property*”).” Article 147 also stipulates that, “The Minister of Education, Culture, Sports, Science and Technology may designate as *selected (sentei) preservation techniques* those traditional techniques or craftsmanship which are indispensable for the conservation of cultural properties and must be preserved with special measures.”

Like this, the scope of intangible cultural properties includes intangible cultural properties, intangible folk cultural properties, and selected preservation techniques prescribed by the protection law.

What are intangible cultural properties? Intangible cultural properties, intangible folk cultural properties and selected preservation techniques under the protection law include the following.

Important intangible cultural properties: Performing arts

Individual *Nogaku* (*No-shitekata*, *No-wakikata*, *No-hayashikata-kotsuzumi*,
No-hayashikata-otsuzumi, *No-hayashikata-taiko*, *Kyogen*)

Bunraku (*Ningyo-joruri-bunraku-tayu*, *Ningyo-joruri-bunraku-shamisen*,
Ningyo-joruri-bunraku-ningyo)

Kabuki (*Kabuki-tachiyaku*, *Kabuki-onnagata*, *Kabuki-wakiyaku*,
Kabuki-ongaku-nagauta)

Kumi-odori (*Kumiodori-tachikata*, *Kumiodori-ongakuuta-sanshin*)

Music (*Shakuhachi, So-kyoku, Jiuta, Nagauta-uta, Nagauta-shamisen, Nagauta-narimono, Gidayu-bushi-joruri, Gidayu-bushi-shamisen, Icchu-bushi-joruri, Icchu-bushi-shamisen, Miyazono-bushi-joruri, Shinnai-bushi-joruri, Shinnai-bushi-shamisen, Tokiwazu-bushi-joruri, Tokiwazu-bushi-shamisen, Kiyomoto-bushi-joruri, Kiyomoto-bushi-shamisen, Kato-bushi-joruri, Ryukyu classic music*)

Dance (*Kabuki-buyo*)

Dramaticentertainment(Classic *rakugo, Kodan*)

Performing arts: Group *Gagaku, Bunraku, Nogaku, Kabuki, Kumi-odori, Gidayu-bushi, Tokiwazu-bushi, Icchu-bushi, Kato-bushi, Miyazono-bushi, Ogie-bushi*

Crafts

Ceramics (*Iroe-jiki, Saiyu-jiki, Yuri-kinsai, Hakuji, Seiji, Tetsuyu-toki, Mumyo-iyaki, Shino, Bizen-yaki, Hagi-yaki*)

Fabric dyeing (*Yusoku-orimono, Ra, Tatenishiki, Tsumugi-ori, Tsuzure-ori, Saga-nishiki, Seigo-sendaihira, Kenjo-hakataori, Shuri-no-orimono, Basho-fu, Yuzen, Edo-komon, Mokuzanzuri-sarasa, Bingata, Embroidery*)

Japanese lacquer (*Makie, Raden, Chinkin, Kinma, Kyushitsu*)

Metal craft (Metal casting, Tea kettles, Toreiutics, Hammering, Gongs,Japanese swords,Sword wetting)

Wood/bamboo crafts (Wood crafts, Bamboo crafts)

Dolls (Costume dolls, *Toso* dolls)

Paper hand making (*Echizen-hosho, Najio-ganpishi, Tosa-tengu-joshi*)

Group *Kakiemon, Ironabeshima, Onta-yaki, Yuki-tsumugi, Ojiya-chijimi/Echigo-jofu, Kurume-gasuri, Kijoka-no-bashofu, Miyako-jofu, Ise-katagami, Kumejima-tsumugi, Wajima-nuri, Hosokawa-gami, Honmino-shi, Sekishu-banshi*

Important intangible folk cultural properties:

Manners and customs (*Climbing-and-Worshiping Event of Mt. Iwaki, Dashi Event at Hachinohe Sansha Festival, Otsunahiki of Kariwano, Karasuyama Yama-age Event, Toba Fire Festival, Gion Festival Yamahoko Events, Ungami at Shioya Bay, etc.*)

Folk performing arts (*Hayachine Kagura, Flower Festival, Narazuhiko Shrine Okina-mai, Mitsukuri Kagura, Takachiho Yokagura, Taketomi Island Sowing Ritual, etc.*)

Folk techniques (*Kazusabori Well-boring, Banked-terrace Salt Production in Noto, etc.*)

Selected preservation techniques

Production and renovation of wind instruments for *Gagaku*, *Hiwada-buki/Kaki-buki*, production of Japanese lacquer brush, techniques to preserve cultural property gardens, and the production and renovation of festival stalls

3. The history of the protection of Japan's cultural properties

Intangible cultural properties prescribed in Article 2, Paragraph 1, Item (2), of the Law for the Protection of Cultural Properties and intangible folk cultural properties, such as manners and customs concerning clothing, food and housing, occupations, religion, and annual events, and folk performing arts and folk techniques prescribed in Paragraph 3 have been protected as described below.

However, folk cultural properties were defined when the law was revised in 2004; before that, there had been two areas of folk cultural properties: manners and customs, and folk performing arts.

Under the initial Law for the Protection of Cultural Properties established in 1950, the current “folk cultural properties” were called “folk materials,” and only tangible folk cultural properties were to be designated as important cultural properties along with works of arts/crafts and buildings. However, no single folk material was designated as important cultural properties. At the same time, intangible cultural properties that are especially high in value and could be lost without protection by the nation were to be protected by implementing the appropriate measures for protection, such as subsidization, rendering of materials, etc. Against this background, in May 1951, the “criteria for selecting intangible cultural properties requiring special measures, such as subsidization” were determined and subsidies were provided until 1953 for intangible cultural properties that were especially high in value and could be lost without protection by the nation, such as the rendering of materials. Those intangible cultural properties selected for special subsidization on this occasion include the following.

Performing arts:

“*Bunraku (Ningyo-joruri-bunraku)*”

“*Lyrics/melodies, songs/dances, festivals, etc. concerning Ainu (Ainu traditional dance)*” “*Enburi (Enburi of Hachinohe),*” “*En-nen (Motsuji Temple)*”

“*Dainichido Bugaku,*” “*Kurokawa-no*”

“*Bugaku of Yachi (Hayashike-bugaku)*” (*Kahoku-cho, Saga City, Yamagata*) “*Nomaoi (Soma-nomaoi)*” (*Minami-soma City*)

“*Toyama Festival (Shimotsuki Festival of Toyama)*”

“*Gion Festival (Kyoto Gion Festival Yamahoko Events)*”

“*On-Matsuri Festival (Kasuga Wakamiya On-Matsuri Festival)*” “*Mibu-dainenbutsu (Mibu-kyogen)*”

“*Hikiyama-kyogen (Hikiyama Event at Nagahama Hikiyama Festival)*”

Crafts:

“*Japanese lacquer: KOUMO, Tozan*”

“*Edo-komon: KOMIYA, Kosuke*”

“*Ojiya-chijimi: Ojiya Chijimi-nuno Technique Preservation Association*”

“*Ise-katagami: ROKUTANI, Kikuo and other*”

“*Ubai: IO, Asajiro*”(Ubai-seizo)

“*Stereotomy: YOSHIDA, Tanejiro*”(modern stereotomy)

“*Bizen-yaki: KANESHIGE, Toyo*”

“*Japanese swords: TAKAHASHI, Kaneichi*” “*Kyo-yuzen:*

TABATA, Kihachi and UENO, Tameji”

As you can see from the above, those intangible cultural properties that were selected included current intangible cultural properties, as well as folk performing arts, festival events, etc., as intangible folk cultural properties, selected preservation techniques, etc. Namely, entire cultural

properties were the target. Also, for these properties, support in the form of grant money for documentation, such as movies and written materials, and subsidies for public exhibition projects including local performing arts events were provided.

Under such a situation, the Law for the Protection of Cultural Properties was partly revised in 1954, starting afresh with the selection of intangible cultural properties requiring special measures of subsidization and requiring us to actively implement protective measures for those with high historical and artistic value, even if they were not likely to be lost, as well as to designate them as important intangible cultural properties and certify their practitioners. Since then, important intangible cultural properties have been designated and certified almost annually until today. In addition, the current revision to the law also introduced the selection system for intangible cultural properties requiring special measures, such as the creation of records.

Tangible folk materials were separated from tangible cultural properties and a system to designate them, not as important cultural properties but independently as important folk materials, was established. At the same time, intangible folk materials became the target of protection by establishing a system to select intangible folk materials requiring special measures, such as the creation of records, and the selection criteria were developed. The criteria are as follows.

Criteria for selecting intangible folk materials requiring special measures, such as the creation of records

1. Among the following intangible folk materials, those that show the characteristics of Japanese people's basic life and culture in their origin, contents, etc., and are typical.

(1) Those concerning clothing, food, and housing: e.g., clothing, dietary and housing folk manners and customs

(2) Those concerning production and occupation: e.g., manners and customs concerning farming, fishery, manufacturing, spinning/weaving, etc.

(3) Those concerning transportation, transit and communication: e.g., manners and customs concerning travel

(4) Those concerning trading: e.g., manners and customs such as markets, peddling, sitting-vending, currency exchange, pawn-broking, etc.

(5) Those concerning social life: e.g., manners and customs of social rites, youth groups, elderly groups, collaborative works, etc.

(6) Those concerning oral traditions: e.g., legends, old tales, etc.

(7) Those concerning religion: e.g., religious services, Buddhist mass, ancestor-worshipping, worshipping of rice-field gods, Shamanism, spirit possession, etc.

(8) Those concerning folk knowledge: e.g., calendar, taboos, fortune-telling, healthcare, education, etc.

(9) Those concerning folk performing arts, entertainment, games, hobbies: e.g., festival events, contests, children's plays

(10) Those concerning people's life: e.g., birth, child rearing, celebrations of longevity, wedding, funeral, grave system, etc.

(11) Those concerning annual events: e.g., New Year, *setsubun*, *sekku*, *bon*, etc.

2. Among intangible folk materials, those that are not applicable to the above but are especially necessary for understanding the characteristics of important folk materials.

3. Among intangible folk materials prescribed in the above two items concerning other ethnic groups, those that are especially necessary in relation to Japanese people's lives and culture.

Looking at the above criteria, you will know that intangible folk materials cover all lifestyles.

Let's compare these with the "criteria for selecting intangible cultural properties requiring special measures, such as subsidization" established in May 1951 and the "criteria for selecting intangible cultural properties requiring special measures, such as the creation of records" established in December 1954.

- Criteria for selecting intangible cultural properties requiring special measures, such as subsidization (May 10, 1951)

Among the following, those that represent the essence of Japanese culture and are high in artistic value as classic cultural properties or those that are rooted in the lives of Japanese people, are characteristic of our culture, and have historical significance.

(1) Performing arts Music, dance, drama, etc: *Gagaku, Bugaku, Shomyo, Nogaku, Kyogen, Ningyo-shibai, Kabuki, Biwa, Shakuhachi, Joruri, Jiuta, Sankyoku, Nagauta, Hauta, Min-yo, Kagura*, local performing arts, folk traditions/events, etc.

(2) Crafts Japanese lacquer, metal craft, wood/bamboo craft, fabric-dyeing, ceramics, architecture, etc:

e.g., *Makie, Kyushoku, Zogan, Dokyo, Kacchu*, Japanese swords, accouterment/swords, *Kirikane, Sunago, Mokuga*, industrial tools, Japan paper, block print, *Karagumi*, Japanese dyeing, dolls, toys, *Rokuro, Yuyaku, Uwaetsuke, Shippo*, stereotomy, etc.

- Criteria for selecting intangible cultural properties requiring special measures, such as the creation of records

[Performing arts]

Among the technologies that are important for music, dance, drama, and other performing arts, as well as their development and structure and the skills and techniques essential for the existence of these performing arts and technologies, those that are valuable for understanding the transition processes of Japanese performing arts, excluding those designated as important intangible cultural properties.

[Crafts]

Among techniques of renovation, reproduction, and fabrication of ceramics, fabric-dyeing, Japanese lacquer, metal craft, and other crafts, as well as tangible cultural properties, architectural techniques, including stereotomy and other techniques concerning arts, those that are valuable for understanding the transition processes of techniques of Japanese crafts or arts, excluding those designated as important intangible cultural properties.

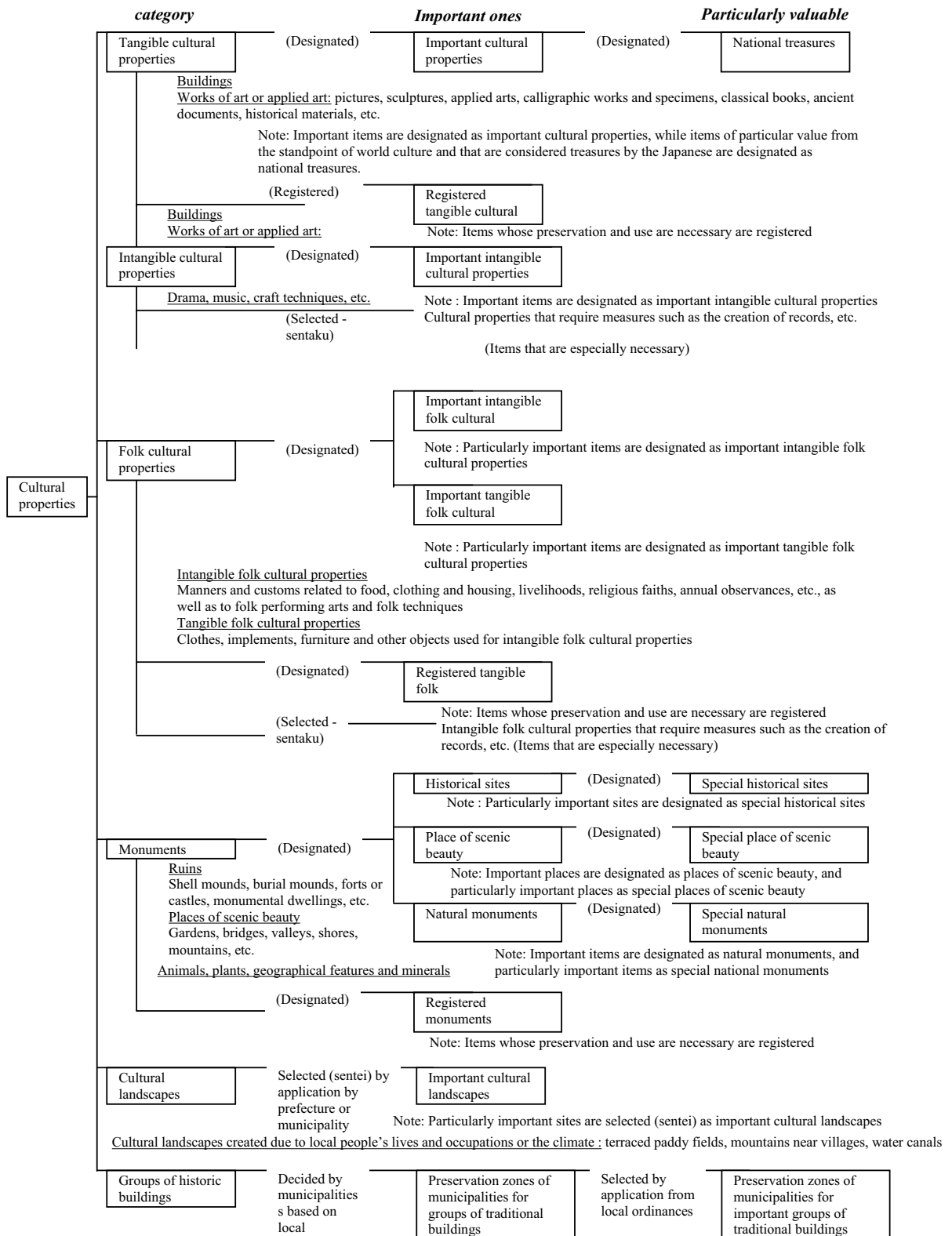
According to the above, although *Min-yo, Kagura* and local performing arts were included in the performing arts of the "criteria for selecting intangible cultural properties requiring special measures, such as subsidization," such exemplification as local performing arts, *Min-yo, Kagura*, etc., was omitted in the "criteria for selecting intangible cultural properties requiring special measures, such as the creation of records" established in 1954. Instead, they were defined as performing arts of intangible cultural properties by prescribing "Among techniques that are important for music, dance, drama, and other performing arts, as well as their development and structure, and skills and technologies essential for the existence of these performing arts and techniques, those that are valuable for understanding the transition processes of Japanese performing arts, excluding those designated as important intangible cultural properties." And folk performing arts were exemplified in the "criteria for selecting intangible folk materials requiring special measures, such as the creation of records," which was established at the same time. Folk performing arts tend to be understood as belonging to folk materials, but in actuality, the first time when the selection of folk performing arts requiring special measures, such as the creation of records, was conducted was June 8, 1970. Needless to say, this selection was conducted as

intangible cultural properties requiring special measures, such as the creation of records, not as intangible folk materials.

Subsequently, another amendment was made to the Law for the Protection of Cultural Properties in 1975 which called for “folk materials” to be renamed “folk cultural properties”, and under which a new system for designating intangible folk materials was adopted. Based on this, what until then were known as “important folk materials” were now renamed “important tangible folk cultural properties”, and at the same time a system for designating important intangible folk cultural properties was begun. Due to this amendment manners and customs as well as folk performing arts were to be treated as intangible folk cultural properties. This amendment also brought preservation techniques for cultural properties, which are invaluable for the preservation of both tangible and intangible cultural properties, under the protection of the law. As a result, techniques for producing Japanese lacquer and for making the special brushes to apply it were chosen as selected preservation techniques. Assistance was now to be given to projects designed to preserve such selected preservation techniques. This meant that in addition to preserving intangible cultural properties themselves, broad-ranging steps would also be taken to preserve the techniques that serve as their foundation.

Furthermore, under the amendment to the Law for the Protection of Cultural Properties dated May 28, 2004, the area of “folk techniques” was adopted as a new category of folk cultural properties, and together with manners/customs and folk performing arts, these three categories make up today’s folk cultural properties.

Structure of Cultural Property Preservation Measures



*Note: Sites that are of particular value in and for the country are selected (*sentei*) as preservation zones for important groups of traditional buildings

Groups of historic buildings of high value which form a certain historic beauty in combination with their surroundings Inn towns, castle towns, agricultural or fishing villages, etc.

Preservation techniques
for cultural properties

(selected
sentei)

Selected preservation
techniques

Techniques indispensable for
producing materials for or
restoring cultural properties

Note: those that are indispensable for preservation
are specified as selected preservation techniques

Buried cultural
properties

4. Systems for protecting cultural properties

As I stated previously, it is possible to designate intangible cultural properties of particular import as important intangible cultural properties. When designating, it is necessary to recognize the holder(s) or holder group (a holder group here is one comprising mainly of holders of the intangible cultural property and that has stipulations regarding the representative of said group) of the relevant important intangible cultural property. Furthermore, there are also stipulations that make it possible to select (*sentaku*) a particularly necessary intangible cultural property that has been not designated an important intangible cultural property, create records yourself, preserve it, or make such available to the public.

It is also possible to designate intangible folk cultural properties of particular import as important intangible folk cultural properties, and intangible folk cultural properties that have been not designated as important intangible folk cultural properties are selected (*sentaku*) as intangible folk cultural properties that require measures such as the creation of records, etc.

It is also possible to specify selected preservation techniques as such for cultural properties that require special preservation measures. The protection of these techniques is aided by recognizing holders or holder groups (a holder group here is a group [including juridical foundations] whose purpose is the preservation of selected preservation techniques and that has stipulations regarding a representative or administrator of said group).

The current state of designations, recognitions, selections (*sentei*) and selections (*sentaku*) is as follows:

(as of 1 June 2009)

1. Important intangible cultural properties	<i>Recognition of Individuals</i>		<i>Recognition of Groups</i>	
	No. of designations	No. of holders	No. of designations	No. of holders
Performing arts	39	58(58)	12	12
Applied arts	42	55(54)	14	14
Total	81	113(112)	26	26

*Note: The number in parentheses refers to the actual number of persons recognized as “holders” (in these cases, the same person is counted twice as he/she holds two techniques).

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| 2. Important intangible folk cultural properties | 264 |
| ┌ Manners and customs | 103 |
| └ Folk performing arts | 151 |
| └ Folk techniques | 10 |
| 3. Intangible cultural properties requiring special measures such as the creation of records: | 90 |
| 4. Intangible folk cultural properties requiring special measures such as the creation of records: | 585 |

5. Selected (*sentei*) preservation techniques

No. of selected techniques	No. of holders		No. of preservation groups	
	No. of techniques	No. of holders	No. of techniques	No. of groups
70	48	53	29	31 (29)

*Note: The number in parentheses indicates the actual number of groups, as there are overlaps in preservation groups recognized.

In designating, recognizing, or selecting properties, it is first necessary to conduct an examination of the intangible cultural property itself. Examinations include those conducted by examiners sent to the relevant locations in addition to surveys of trends in the academic community and of existing research literature. To take examinations of intangible folk cultural properties as an example, there are examinations done for the purpose of creating records directly under the administration of the Agency for Cultural Affairs as well as examinations conducted as assistance projects, such as examinations of festivals. Subjects whose value as cultural properties has been verified through these studies are then designated.

5. Steps taken for protection

In order to preserve designated or selected (*sentei*) intangible cultural properties, the government issues grants-in-aid and subsidies. To preserve designated intangible cultural properties, “holders” who have been officially recognized are disbursed a Special Grant for the Preservation of Important Intangible Cultural Properties yearly, which is for the purpose of improving or broadening their own skills and for the training of potential successors. Holder groups and groups related to a specific property for which all practitioners have been officially recognized has holders are disbursed financial aid every year in accordance with the details and scale of projects designed to pass down designated techniques to future generations.

For intangible folk cultural properties, grants are issued on an as-needed basis to survey projects to create records and the projects to create and repair facilities and tools for important intangible folk cultural properties, train successors, make those properties available to the public in the relevant locales, make related presentations, and create visual materials. These grants are not awarded annually on a regular basis, but rather provided on an as-needed basis when preservation groups implement their projects.

For selected preservation techniques, recognized individual holders receive a fixed amount annually, whereas groups recognized as preservation groups receive yearly grants in amounts deemed necessary.

To give a few examples, the following is an outline of assistance projects dealing with intangible folk cultural properties.

(1) State-funded supplementary aid for folk cultural properties studies

1) Purpose

To provide supplementary aid for expenses for studies contributing to the protection of tangible folk cultural properties and intangible folk cultural properties related thereto

2) Qualifications for project coordinators

Those parties deemed by local public agencies or the Commissioner of the Agency for Cultural Affairs to be qualified to conduct studies of folk cultural properties

3) Target projects

Investigative projects involving folk cultural properties of our nation whose importance for

the understanding of the culture are nation is recognized that are also in danger of dissipating, disappearing or substantive alteration, or that had been passed down over a wide area in the past but due to rapid social changes are now in terms of succession limited to only certain areas,

(2) Projects for the succession and/or utilization of folk cultural properties (certain important tangible folk cultural properties are admissible)

1) Purpose

To provide supplementary aid for expenses necessary for projects involving the succession and/or utilization of folk cultural properties

2) Qualifications for project coordinators

Local public agencies, owners, protection groups (preservation associations, etc) or similar;

for projects to which category A-e below apply, museums or archives with custodianship over the designated cultural property or local public agencies where the former is located

3) Target projects

A. Projects to build foundations for the succession of important tangible and intangible folk cultural properties

a. Projects to repair or protect against disaster those facilities for important intangible or intangible folk cultural properties

b. Projects for the repair or fabrication of tools for important intangible folk cultural properties

c. Projects to restore tools or facilities for important intangible folk cultural properties damaged by disasters

d. Projects to train successors to important intangible folk cultural properties

e. Projects to restore or study the uses of important tangible folk cultural properties

f. Projects to make publicly available important intangible folk cultural properties or intangible folk cultural properties requiring the creation of records and similar steps

B. Successor projects for intangible folk cultural properties

a. Information dissemination projects involving intangible folk cultural properties

b. Projects for holding successor training classes, lectures or presentations involving intangible folk cultural properties

C. Projects to utilize intangible folk cultural properties

a. Projects for the creation of records based on documents, photographs, or transcribed materials or the publication thereof

b. Projects to create audio or visual records

Note: Projects falling under A-d and A-f are mainly limited to those in which local public agencies supplement expenses for projects carried out by protection groups (preservation associations, etc), and projects in B and C are mainly limited those carried out by local public agencies themselves.