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Post war land reform and the impact on planning in Japan *

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Introduction

One feature of Japanese urban areas in the 21st century that is bound to strike any Western visitor is the extensive spread of its suburbs with their varied mixing of land-uses. It is almost impossible to pinpoint precisely where the city begins and where it ends. In the suburbs, which extend almost to the centre of most towns, small apartment blocks with footprints barely larger than a few car parking spaces, vie for space with vegetable plots and paddy fields (Berque, 1993: 84, and see Plate 1). During the post-War period, this characteristic pattern of land-use sprawled over the countryside, seemingly unimpeded by planning restrictions.

The problems associated with this sprawl are well known; centrally the inability of planners and politicians to control or restrict the actions of landowners in the public interest is the primary issue and the impacts of such development are environmentally damaging and often require expensive equipping with appropriate infrastructure. Both Hebbert (1994) and Sorensen (2001) describe how landowners are free to construct characteristic sprawl accommodation which often lacks light, facilities, access and adequate links to public transport. Other authors such as Tsuru (1993) note how the strength of landowners' rights has raised the cost of public infrastructure projects such as Tokyo's Metropolitan Loop Road No. 2, which was stalled for several years because of

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the difficulty of financing the purchase of a mere 1,350 meters in central Tokyo. More broadly, the lack of control over land-use and urban development has caused a series of asset bubble and burst cycles because of an overwhelming emphasis on land as a speculative investment or ‘land fetish’ (Hanayama, 1986; and Hall, 2005 for a slightly different take on land as ‘fetish’). It also has also been the reason for long commutes for urban dwellers, the effects of which were dramatically illustrated by the Ageo Riot of 1973¹.



Plate one: Aerial view of suburban Japan showing the ‘sprawl’ of development

The number of studies that highlight the problems of Japanese planning outweighs the research that explores its underlying causes. The following paper aims to partly redress this imbalance by describing a case study of the failed implementation of the green belt around Tokyo and to link this with the Allied Occupation’s postwar land reforms and drafting of a new constitution in the period 1946-1951. In the following research based on archival and secondary sources we highlight the role of landowners in causing the eventual collapse of the green belt around Tokyo (Amati and Yokohari, 2005; Sorensen, 2001). We then argue that the Allied Occupation’s land reform and changes to the constitution between 1946-1951 planted the seeds for effective opposition to coordinated

green belt implementation. The Allied Occupation's aims were to abolish the feudal system of land tenure as a bulwark against the spread of Communism and as part of a process of 'democratization'. Overall, we aim to highlight how the ostensible benefits and aims of a land reform programme can entail substantial disbenefits or unforeseen outcomes in terms of land-use planning.

Tokyo's green belt and development consensus

The first attempt to define urban green space planning took place as a result of the 1924 Amsterdam International City Planning Conference. At this time, the Japanese representatives defined seven principles that were subsequently highly influential on planning in Japan (Horiuchi 1978). These principles reflected Garden City movement ideals and related ideas coming from the UK. One of these was the principle that town areas should be surrounded with 'green belts'.

A participant at the conference, Iinuma Issei then introduced these seven principles to a wider audience through the book *City planning: theory and administration* published in

Table 1: Legislation used to implement the Tokyo green belt

Measure	Year	Purpose	Mechanisms of restraint
Regional Agricultural System	1931	Preservation of farmland	Regulation and zoning
Tokyo green space plan	1939	Preservation of farmland	Compensation or acquisition
Air Defence Law	1937	Military installations	Regulation and zoning
Ad Hoc City Planning Act	1946	“Prevent the coalescence of towns, check the outward growth of towns, enhance health and amenity, improve the welfare of citizens and, in addition, provide them with agricultural land for self-support”	Prohibition of development in the green belt that exceeded 10 percent of a plot’s surface area
National Capital Sphere Redevelopment Act	1958	To plan a series of belts around the central core of the city	Restriction of urban development through zoning

1927 (Iinuma 1927). This work emphasized the necessity of preserving agricultural land within a framework of open space conservation. Iinuma proposed a regulatory “regional agricultural system” for guaranteeing the preservation of open spaces in 1931, emphasising the important role of urban farmland and the need to preserve farmland in general, however the plan did not include any scheme for compensating landowners (Iinuma 1931a; 1931b). The Tokyo Green Space Plan published in April 1939 was influenced by these ideas. The plan included the Tokyo metropolitan area, and the surrounding provinces of Saitama-ken, Chiba-ken and Kanagawa-ken. It was ambitious, aiming to purchase and preserve 289,143 ha of “Scenic parks” (*Keishouchi*); 3,882 km of parkways (*Kouraku douro*); 1,695 ha of urban parks (*Dai kouen*) and 647 ha of inner-city “pocket parks” in addition to a 1-3km wide green belt around Tokyo. Furthermore, the plan classified agricultural land in the urban area as “productive green spaces” and “ordinary agricultural land” aiming to preserve the former (Ishida 1987). A purchasing scheme was clearly preferable to Iinuma’s earlier “regional agriculture system” which would have severely infringed land ownership rights and was never implemented during or after the War.

With a similar intention however the Air Defence Law was passed in 1937 and this included a planned *Air Defence Belt* around Tokyo. The Law was amended in 1941, with areas to be conserved subsequently designated in March 1943. Ironically, the restrictions on the private rights of landowners that this law introduced were analogous to the restrictions contained in Iinuma’s pre-War “regional agricultural system”. However, the

designated areas were for military rather than agricultural use but nevertheless demonstrated the principle of restricting use – albeit in wartime conditions.

Green spaces at the regional level. The Special City Planning Act (1946)

In the immediate post-War period, Article 3 of the Special City Planning Act (*Tokubetsu Toshi Keikaku Hou*) of 1946 represented the first attempt to create a system for preserving regional green spaces in Japan. The Act was influenced by the 1939 green space plan and zoned large areas of land for green spaces, residential and industrial areas but without granting any of the necessary powers to guide development or enforce standards (Sorensen 2004). The Act left development largely at the discretion of the landowners and permitted a number of developments in the green belt (e.g. shrines and hospitals), which caused this to quickly turn into a low-density suburb.

The discussions of the City's regional planning committee demonstrate that inside Tokyo's 23 wards, the problems of planning the green belt were compounded by pressure from other powerful groups. The regional planning committee was set-up in January 1947 and met for one year and 3 months in order to designate green belt land. During this time, the committee had to contend with a group composed of mainly large landowners that did not wish to relinquish control of their land because they were developing through land re-adjustment scheme². The committee was also pressured by a group composed of smallholders and other landowners who simply wished to have their land released for development and were actively pursuing their aims through agricultural associations.

As well as suffering from weak regulations, the green 'belts' also failed to attract support from other sections of the government. For example, despite the green belt's aim of conserving agricultural land, it was excluded from the Agriculture Ministry's plans to promote agriculture. Similarly, the green belt was not mentioned in the plans to prevent war and disaster damage in Tokyo and 10 other cities. Finally, and fundamentally, the restrictions that the green belt imposed were a reminder of the seemingly arbitrary restrictions imposed on landowners by the military government in the 1937 Air Defence Law. In this sense therefore any demand that planners made to strengthen the law would have fallen foul of the Allied Occupation's aims to purge the government of the pre-War systems of government. The law may also have fallen foul of article 27 in the Meiji

constitution and the soon to be confirmed 1947 constitutional clause on private property rights.

As a result of the weakness of the Act between 1948 and 1955, the green belt's area was *reduced* from 14,015.7ha to 9,870.8ha, a reduction of 30% (Ebato, 1987). In 1954 after the end of the post-War reconstruction period, the 1946 Act was repealed and with it the main bulwark to support regional green space planning. Though the regulations related to the Tokyo green belt were not repealed until the 1968 City Planning Law was passed, in practice the preserved areas had been extensively, if illegally, built upon well before this.

The Suburban Belt: the National Capital Sphere Redevelopment Act (1958)

In 1958, the National Capital Sphere Basic Act incorporated the 1956 National Capital Sphere Redevelopment Act (NCSRA). Its purpose was to designate a series of belts around Tokyo; including one that would protect the most productive agricultural land from development. The plan also laid down provisions for permitting the location of a series of New Towns around Tokyo. The planned area occupied a 160km circumference from the centre of Tokyo. The aspiration was for this to be enforced before 1975 (Miyamoto, 1995).

However, this plan was never realized for which a number of reasons can be cited (Narito, 2000). Firstly, the plan for the suburban belt did not provide any system for compensating landowners. Because of this, the suburban belt's restrictions on urban development met with fierce opposition from farmers and municipalities neighbouring Tokyo. Following the enforcement of the NCSRA, shortly before November 1956 the 16 towns and villages within the 3 main districts of Tama region - West of Tokyo - formed an association to oppose the creation of the suburban belt. Meeting in Hibiya park's open-air auditorium in the centre of Tokyo, they staged a number of demonstrations which they used to effectively gain publicity and prevent the suburban belt being put into place. Secondly, a number of farmers in suburban areas managed to obtain terms that allowed them to develop 20-30% of their holdings, so that the suburban belt became systematically dotted with residential development. Finally, the lack of support from central government was also an important factor. At the time, the central government's policy was to support growth in Tokyo in an attempt to gain agglomeration economies. As Tsubaki (2003) notes the New Residential Town Development Act (1963), sponsored by the Ministry of

Construction had the explicit aim of developing New Towns. As a result of this legislation, Tama New Town was built in the green belt, dealing the concept a final blow: subsequently the suburban belt was omitted in a revision of the NCSRA in 1965. Instead, a “suburban infrastructure belt” which included both land for development and conservation replaced it. Essentially this marked the end of green belts in Japan.

Why Landowners were able to oppose the Greenbelt

Although a number of reasons can be attributed to the failure of Japan’s green belt, the number of landowners and the strength of their rights ensured that any plan that did not favour them was effectively opposed or critically weakened. The following considers how land reform and constitutional change made this situation inevitable.

The characteristics of Japan’s land ownership result from a number of historical and geographical factors. Paddy fields require intensive maintenance and can be highly productive needing proximate residency for the cultivator and bringing a degree of self-sufficiency. Where self-sufficiency was not possible cooperative relationships had developed during the Edo and early Meiji periods to produce food (rice in particular) and other necessary and tradeable goods. Smith (1959) has detailed how land-owning families created a branch family and granted it with a tiny sliver of land, which was usually less than that required for self-sufficiency and which required co-operative working. This process embedded co-operative relationships in the production of food since the branch of the family had an over-supply of labour that could support the main family, who in turn supplied the branch with capital (Sawako 1959). In this context to sell land outside of that co-operative would be seen as social betrayal and an act of familial disloyalty – a taint regarded as unbearable by many Japanese.

The complex inter-relationships between land and people were shaped and restructured by a series of land-reforms undertaken during the Meiji Period (1868-1912). The proponents of these reforms were principally conservative and their primary aim was to increase the productivity of agriculture, rather than to redress social injustices. The reforms at that time can be set within the context of a modern discourse that valorized the farm village as the heart and soul of Japan, placing agriculture as the base of society – *nouhon-shugi*. This discourse developed in reaction to social cleavages and national anxieties attendant on industrialization and as a way of lending prestige to tenant farmers. The changes were

championed by conservative elements who took reform to be a necessary evil in order to consolidate holdings and increase productivity. Others took the more extreme position that productivity could be sacrificed since the existing pattern of small-holdings was more conducive to social control. A large number of farmers on the land was seen as important for other reasons, notably as a source for 'cheap soldiery' (Vlastos 1998; Dore 1959). The variance in the perceived necessity for reform explains the halting steps that the Japanese government made in reforming the system of tenure and in increasing productivity. Between 1867 and 1945 the Japanese government enacted laws to allow greater security of tenure and some government redistribution of land but stopped short of a full-scale land reform programme about which Dore presents no less than seven explanations (Dore 1959, 115-125). Nonetheless, the peasants' lives and the conditions under which they worked undoubtedly improved during this period (Smethurst 1986, 7). By the end of WWII it was left to the Allied Occupying forces (between 1945 and 1952) to carry out an ambitious programme of land reform.

Our conjecture is that one of the most significant reasons why the implementation of the green belt around Tokyo encountered such effective and concerted opposition was because of the Allied Occupation's 1946-1950 land reforms and the way that the constitution of 1947 framed property rights. Japan was undergoing nothing short of a revolutionary series of changes in the years after the surrender, many of which were popular changes. One of the pressing concerns for the Allied powers of occupation was to see the abolition of the feudal land system with the liberation of tenants through a land reform and the drafting of a new constitution for Japan.

The post-WWII land reforms transformed the pattern of ownership with the number of owner-farmers leaping from 32.8% of households to 61.9% between 1946 and 1950. This ushered in fundamental changes to society. On the smaller farms that were not viable, farmers left altogether or opted to become part-time farmers; taking jobs in the city and returning to the land at the weekend and often relying on spouses to maintain home and the land. This exodus also provided the necessary labour for Japan's rapid economic expansion and along with other push factors, such as cheap US loans, a rapid industrialisation and urbanisation process was provoked. This was one of the most rapid rises in urban growth during the 20th Century. For example, in 1920 only 18% of the Japanese population lived in cities. By 1995 this proportion had risen to 78%. Sorensen

(2004, 172) notes that the general population also increased in this period, resulting in a total urban population increase by 95 million over the course of 75 years.

The new constitution, which came into force in 1947, favoured individual freedom of ownership – a reification of possessive individualism (Macpherson 1962). Those owner-farmers remaining in the shadow of urban areas were free to develop their land as they wished and this freedom became jealously protected. Those owner-farmers that were left in rural areas became the mainstay of the Liberal-Democratic Party's majorities whose policies and ideology were rooted to a protection of Japanese agricultural interests through market protection and rural investment in the form of major forestry and infrastructure projects. By 1946 many of the leading politicians such as Tetsu Katayama³ were closely linked to farmers and were determined that their interests would be served in both the constitutional reforms and the land reform process.

Land reform: motives and outcomes

Land reform can be interpreted in different ways. At its most narrow, the term can simply mean redistributing land to the landless. It can also be conceived as a comprehensive programme for the transformation of an entire agricultural economy. Tai (1974, 11) identifies several components that are necessary for an effective land reform. The most important of these is the actual re-distribution of land ownership. This step can have profound effects. In terms of the tenure structure in the Japanese case it created owner-occupiers from previously tenant farmers. A further characteristic of land reform is the central role of government. Land reform programmes are distinctly 'public programmes' because a broad alteration of the tenure structure cannot be brought about through the voluntary action of private landowners. Therefore the conditions of possibility for land reform are either brought about through a stable political consensus where reform is portrayed as being in the 'national interest' or as a result of some other 'revolutionary' conditions that allow for the necessary restructuring. Often the former is claimed even when the latter provides the impetus for the reform.

Land reform can also have other unintended or secondary impacts and more or less opaque political motivations. It is our contention that in Japan the post-War programme of land reform was a politicised step as well as an economically motivated reform. This was prompted by Allied and in particular US estimations that the distribution of land would

create a new middle class. As Dore notes, providing such relative self-sufficiency for the new owners was to breed a different political sensibility where individualism was possible. Although in his view this would be tempered by traditional relations and state institutions imposing ‘strict limits to the scope of economic individualism’ (Dore 1959).

A number of works have already investigated aspects of Japanese land-reform. Dore’s frequently cited 1959 work *Land reform in Japan* details the context and implementation of the reforms focussing on the effect on agriculture and farmers. Eric Ward’s (1990) book on the land reforms in the post-War period and the papers of Wolf Ladejinsky (1977), provide valuable insights into its implementation because their authors were partly architects of the reform and provide first-hand accounts along with detailed research. Teruoka (1989) and Tsuru (1993) also provide commentaries on the effect of the land reforms on post-War Japanese capitalism highlighting the effect that this reform had on the speculative land-price bubble during the 1980s. In essence the reforms, made in parallel with the 1947 constitution, placed protection of private property rights as a core freedom of Japanese citizens, as well as realising ownership for a vast number of families. This notion became embedded politically and culturally and played a decisive role in the subsequent difficulties experienced in designing and implementing planning intervention in general and the green belt in particular.

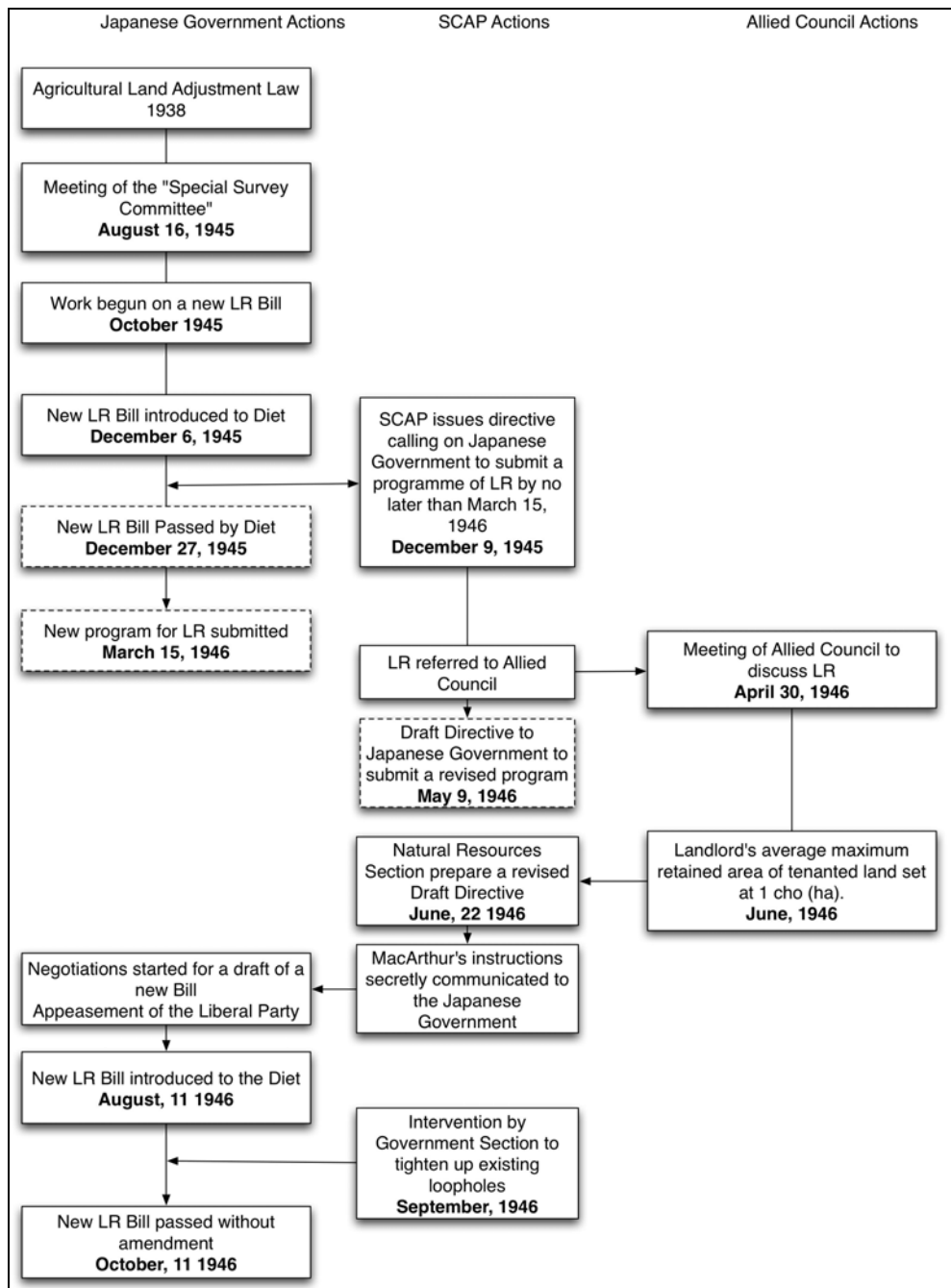
The Allied land reforms (1945-1951)

During the years of the Great Depression of the early 1930s, the number of tenancy disputes had increased in Japan. The Government, dominated by the military sought to prevent the disruption of food supplies by appeasing the disputes and associated protests. The result of this was the Agricultural Land Adjustment Law (1938). The law followed the previous policy trend of ensuring a stable and adequate supply of food. One purpose of the Act lay in establishing owner-farmers. The government could “propose” to a landowner the purchase of a portion of his land. If this was not accepted then the government could compulsorily purchase uncultivated land or land suitable for reclamation. The Act also provided for a slightly reinforced protection for tenants. For example a landlord could not refuse to renew a lease of agricultural land unless the tenant had committed an act of bad faith. The landlord also had to notify the tenant 6 months to 12 months before terminating a lease, depending on the season/crop cycle.

The occupation had started with the aim to eradicate the roots of Japan's past militaristic tendencies. The post-War aftermath saw the rebirth of democratic shoots that had been ruthlessly squashed in the 1920s and 30s and many small political parties (re)emerged in this period. The major reforms of the Allied powers were in the area of large conglomerate or *Zaibatsu* dissolution, land reform and labour reform (Tsuru 1993, 22). In addition, the occupation undertook to reform the civil service and the education system while absolving itself of any responsibility to support Japan directly, aiming instead to implement reforms that would aid reconstruction by the Japanese people. Therefore, the objectives of the Allied Occupation can be broadly divided into two camps: the 'reformists' who were concerned with sweeping social reform and preventing the resurgence of Japanese militarism; and the 'producers' who were concerned with rebuilding the country and eventually to providing a bulwark against Communism during the latter part of the occupation. Their objectives were not always but often mutually reinforcing.

Inevitably conflicts did arise between the objectives of the 'reformists' and those of the 'producers'. The Agriculture Division of SCAP (Supreme Command Allied Powers, under MacArthur), who were eventually charged with the land reform programme, was also concerned with raising food production - land reform was initially seen by some as an unnecessary and time consuming distraction in achieving this objective, particularly as people were literally starving on the streets of the Japanese cities in late 1945 (Ward, 1990: 47; Dower, 1999: 93). Furthermore, there was also some initial reluctance to undertake radical social reforms of any sort. During the first six months of the occupation a steady stream of directives were issued from headquarters, written by civil servants (who could be viewed as 'New Dealers' after 14 years of Democratic administration in the US). MacArthur and the military administration were not only against Roosevelt and the New Deal but were also violently anti-Communist.

Figure 1: Steps in the Japanese land reform



However by August 1945 MacArthur directed, in a typically vague way, that agriculture should be 'reorganised on a democratic basis' conceding that land reform would be necessary (Dore, 1959: 130). However SCAP felt that any attempt to disrupt Japan's stability might open the way to the left (Dore, 1959: 55). As Gayn (1981: 247) notes the Land Reform bill was held up because it 'smacked of Communism', and a general staff officer on reading a version of the land reform bill commented flamboyantly that 'This is Communism, rank Communism' (cited in Gayn 1981: 238).

The initial draft land reform bill introduced by the Japanese in August 1945 was considered to be insufficient by MacArthur and his advisors and SCAP pushed through a much tighter measure on the advice of the Allied Council. This, combined with the intervention of Government Section, who had also drafted the constitution, eventually resulted in a near abolition of tenancy. There is a trend traceable - from a willingness to consider a variety of options towards focusing on the amount of land that had to be handed over to former tenants and the proportion of tenanted land in the country. This closing in on one particular issue (also under sustained pressure from the Soviet representative on the Allied Council) caused the other aspects of land reform (e.g. the consolidation of land holdings) to be ignored. Further details on the steps involved in the land reform are shown in Figure 1 and are given in Ward (1990: 125). After almost a year of discussion and revision legislation acceptable to the occupation authorities was finally enacted by the Japanese government which vested land from landlords and redistributed it via local committees to tenant farmers.

The reform was a daunting exercise: it involved changes in the property rights of some 6 million families of whom over 2 million were landowners and had every motive for trying to obstruct the land reform, particularly as they would lose land in the process. Despite the scale of the task, by 1950 the transfer of land was practically complete although many conflicts and local differences were recorded at the time. Between 1941 and 1950 the percentage of tenanted upland dropped from 37.2% to 8.5% and the percentage of tenanted rice land had dropped from 53.1% to 10.9%. The land reform also brought about significant changes in society. In 1941, peasant proprietors only consisted of 28% of all farm households, by 1949 this number had leapt to 55%, ensuring a broad stratum within Japanese society that were most likely to support US / SCAP policies, the Japanese Liberal Democratic Party and the private property system as a whole. The political climate had been transformed through what all parties (bar the pre-war landowners) saw as 'a healthy reform' that had been necessary and perhaps overdue (Dore, 1959: 147).

The amount of land broken-up under the reforms (around 33% of the national total of farmland) is similar to the amount of land that was bought and sold in the UK during the inter-War period (amounting to 27% over a 10 year period). However, the significant effect in Japan was that all the leased-out land of cultivating landlords above 1 cho (approximately 1 hectare) was bought by the government and resold to tenants.

Furthermore, all owner-cultivated land above 3 cho was bought and redistributed. This set an upper limit on the amount of land any one farmer could hold. Therefore the land ownership structure was passed through a sieve which effectively ensured the creation of a large number of small landowners.

Constitutional changes: motives and outcomes

At the same time as implementing land reform, SCAP made profound changes to the nature of landownership and the idea of private rights through the drafting of a new constitution. This was promulgated on the 3rd of November, 1946 (the constitution actually came into effect on May 3rd 1947 and included an article (eventually article 29) on the right to own land, as follows: ‘The right to own or hold property is inviolable, but property rights shall be defined by law, in conformity with the public welfare. Private property may be taken for public use upon just compensation therefor’. This article resembles the Meiji constitution’s article 27 on property rights: “The right of property of every Japanese subject shall remain inviolate. Measures necessary to be taken for the public benefit shall be provided for by law.” The final sentence of article 29 is a significant addition to the earlier clause and, of course, the distribution of land was being radically altered which transformed the applicability and meaningfulness of the clause to the general populus.

Tsuru notes that the article on property rights in the 1947 constitution was inserted at the insistence of the conservative Prime Minister Yoshida Shigeru, who had been brought to power in April 1946 under the first general election. This wording was included in later drafts instead of a rather weaker version as first promulgated by the ‘unofficial’ SCAP drafters (Dower, 1999: 67 and 364). This had stated that owning property also carries obligations along with rights and that the ‘ultimate fee to the land and to all natural resources reposes in the State as the collective representative of the people. Land and other natural resources are subject to the right of the State upon just compensation therefore, for the purpose of securing and promoting the conservation, development, utilization and control thereof’ (Tsuru, 1993: 27).

Considering that the Japanese government was forced to accept so many parts of the MacArthur initiated first draft of the constitution, which was radically different from the Meiji constitution, the question arises; how is it that the Conservatives were able to redraft

article 29 and allow it to resemble the Meiji constitution so faithfully? The minutes of the Constitutional Amendments Committee, August 24th 1946, record that the committee was convened to examine the 'Revision Draft' i.e. the draft of the constitution based on the SCAP version. The article on property rights was situated within "Chapter III, Rights and Duties of the People", whose contents concerned the "safeguarding of fundamental human rights" (Ashida, 1946: 38).

The 'inviolable' right to own property was seen as a bulwark against the arbitrary actions and power of *Zaibatsu* and the military government. These institutions were known to be characteristic of pre-War Japanese capitalism and a central concern of post-War reformers was to prevent their resurgence. A constitutional guarantee of property could therefore be seen as protection against what was understood to be 'capitalism' in a pre-War Japanese sense, while paradoxically, ensuring the entrenchment of a 'Western' version during the post-War period. In fact, there were calls that property rights should be 'impregnated by still more progressive ideas' – i.e. an even more explicit guarantee that property rights should be protected *from* the state, with the possible addition of a right of tillage. The positioning of an inviolable right of property with other fundamental human rights is a cause that would have been treated sympathetically by SCAP; it was a consistent concern of the American legislators to reassert the dignity of tenant farmers and redress the social injustices wrought by centuries of feudalism. Arguing that the Meiji Constitution's text was commensurate with this aim was a secure and ultimately successful way of ensuring the survival of this article.

The retrenchment of land reform by the Japanese Government

The Japanese government entrenched the structure of land ownership when the Yoshida government passed the Agricultural Land Law in July 1952 to incorporate the existing provisions into one comprehensive law. This laid the basis for governmental support of farmer's and necessarily landowners' interests in the post-War period.

It is certain that the land reforms helped transform Japanese politics and impacted on efforts to restructure the economy and society in the aftermath of the Second World War. Inevitably, constitutional arguments flared up as landed interests and conservative factions sought to struggle and resist such radical changes to the distribution of land and power in Japan. Here however the outcomes of the reforms are most interesting. After legal

challenges had been repulsed the 1947 constitution was finally accepted in Supreme Court rulings made in the early 1950s and the land reforms were worked out relatively smoothly. The outcome was a highly fragmented land ownership structure and a strong private ownership legal frame. This was accompanied by a strong cultural and political environment that looked at private land ownership as sacrosanct and as a protection against state hegemony.

Land reform and the failure of Japanese planning

The following discussion aims to identify which aspects of the Allied Occupation's land reform contributed to the failure of the Tokyo green belt and more widely the 'failure' of planning in Japan. We present evidence to identify a clear link between the fate of the green belt and the Allied Occupation's land reform. We first discuss how the land reform altered the structure and rights of land ownership and governmental support for planning and conclude with avenues for future research on this important topic.

Landowners in Japan did not cooperate with the green belt for the following reasons. Firstly they had a clear incentive to develop their land because of the high demand for physical development particularly around Japan's major cities. Secondly, landowners felt cheated because the green belt plan simply restricted building instead of providing a compensation system. Thirdly, the green belt restrictions were also thought to affect the long-term viability of farmers' livelihoods; a line of argument effectively carried to the Liberal Democratic party. Finally, the release of green belt land for the development of large municipal apartment complexes in the green belt was seen to be unfair as it favoured some landowners (i.e. the local state) over others and set a precedent that placed the planning laws in some legal doubt.

The successful implementation of a large regional planning scheme, such as a green belt, inevitably involves interfering with landowners' private rights. By strengthening landowners' rights and increasing their number the land reform created resistance for such intervention by planners. In Japan this was then further reinforced by the re-iteration of the strong private property rights enshrined in the Meiji constitution, and which represented a considerable obstacle to planning in general.

The Allied Occupation's reforms significantly increased the possibility that physical development would occur because of its zeal for 'abolishing feudalism', which in practice meant limiting tenancy at the same time as abolishing absentee landowning. By virtually abolishing tenancy the Allied Occupation inevitably reduced background levels of resistance because it reduced the number of people that relied on a given plot of land. An amount of such residual resistance to development exists in any society, for example a farmer may resist development because it means the loss of livelihood by the loss of part of the co-operative farm. Where the landowner wishes to sell for development, but the tenant wishes to continue farming, then the tenant can resist development, especially if tenant rights are strong.

The reforms concomitantly empowered new owners to develop their land. The extent to which this was a desired outcome of land reform, rather than a side-effect remains a topic for future investigation. Without the Allied Occupation reform, it is possible that had the land been subjected to the same growth pressures as it was during the high economic growth years of the 1950s and 1960s, then a great deal of unrest would have been created as tenants resisted their loss of livelihood. Although SCAP pushed the land reform through because of a fear of communism, it ignored the relationship between land reform and economic growth, anticipating that the Japanese economy was to be based principally on agriculture and was destined to be 'a second rate economy' (Dower, 1999: 536). Therefore on this basis and the speed at which the changes were wrought, we can almost certainly assume that the shift in the likelihood of development was an unintended consequence of the land reforms.

The strengthening of landowner rights was to also create ideal conditions for land speculation. In a society where farming is the main source of income it is essential that the right to the utilization of land is protected. In such a situation the right of utilization can easily overlap with the property right. Teruoka (1989: 86) has noted how the occupation's concept of democracy was similar to that of an independent Jeffersonian farmer – in such a situation granting property rights could have been seen as akin to granting use rights. The occupation did not anticipate that society would become more urbanized and a speculative or absentee land ownership would prevail, which led to the creation of a non-subsistence property right. Tsuru (1993) notes that this right that exists in addition to a property right and a right to the utilization of land should be subjected to restraints in the

interests of public welfare and contends that the holders of this right benefit at the expense of society as a whole.

Throughout the post-War period planning in Japan has remained a central government activity. This meant that it was vulnerable to attacks from other ministries, in particular the Ministry of Construction. On the one hand the government promotes stronger planning, while on the other hand allowing loopholes and looser regulation⁴. Again the Tokyo green belt provides a case that illustrates this; on the one hand the central government promoted the green belt, on the other it encouraged agglomeration economies in Tokyo. This Janus-faced attitude to planning is not surprising considering the political force that landowners (farmers) have represented during this period. To gain an idea of the importance of this force we can consider that despite decades of awareness of the problems of sprawl (Sorensen, 2004: 108) no equivalent of the attacks on landowners in England in the 1920s have emerged in Japan (e.g. Williams-Ellis, 1928).

The lack of control of development in the green belt can be seen as part of the Japanese government's wider struggle in managing their environment, as demonstrated in the *Ashio* copper mine case (Shoji and Sugai, 1992) and other notable examples such as *Minamata*). In a political situation the Japanese government has seemingly failed to reconcile its free-market capitalist ideology with the polluting effects of industrial capital, largely because of the overwhelming strength of the industrial interests in Japan and their links to political parties. Similarly, the strength of the farming lobby and the government's tackling of planning problems in the political arena have created a number of tensions in the planning system. Sorensen (2001) and others have noted how the farmers' resistance to regulation led to a critical weakening of the 1968 City Planning Law. Many owners have developed sites even if in designated 'zones of restraint' and the system of regulation is weak.

Conclusion

The objective of this study was to focus on the interaction between the Allied-Occupation's land reform as a principal cause of the lack of land-use and development control in Japan. Despite a history of fragmented land ownership and strong landowner's rights, the Allied Occupation's reforms had a substantial impact on the ability of the Japanese government to regulate land use. This has been amply demonstrated by the chequered history of the green belt around Tokyo.

The Allied Occupation's land reform increased the number of landowners who were able to resist planning intervention. The reforms also removed a layer of resistance to change in the land-use by effectively abolishing tenancy. Finally, these changes were exacerbated by a re-confirmation of the strong landowners' rights that had been enjoyed since the Meiji constitution – but at that time by the already powerful feudal lords and a small number of favoured individuals. It is our tentative conclusion that these outcomes were unanticipated consequences of the Allied Reforms. This points towards directions for future historical research on the Japanese land reforms; specifically, the extent that the occupation understood that ensuring the sanctity of private rights conflicted with providing safeguards and regulation to plan effectively in the national interest. A second aspect is how the US occupation authorities defined democratisation and how this concept was employed to enable the land reform to progress. The land reform would also have impacted on other land-use policies apart from the green belt, further research would need to be undertaken to identify and understand these. Finally, studying the 'failure' of Japanese planning and its causes is a useful reminder for countries such as the UK with more restrictive planning systems, as it illustrates the danger of the relaxation of such planning controls – a temptation that periodically appears on the policy agenda in the UK.

An element that does require further unpacking is the restoration of a residual level of *resistance to development*. The Allied Occupation's zeal for abolishing feudalism under the banner of 'democratization' entailed abolishing tenancy and dramatically altering the social structures in the countryside. By abolishing tenancy the Allies took a decisive step in a steady restructuring of the relationship between land and people in Japan. Reducing the number of people reliant on a piece of land made development more likely. It meant that regional schemes to control land-use, such as the green belt were more likely to fail. As yet however, no historical research has attempted to investigate empirically whether, on the few farms with tenant farmers, the likelihood of development was indeed reduced. Furthermore, no research has proposed how the residual resistance to development that existed prior to the land reform can be restored in Japan and there is a need to address this gap.

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¹ The Ageo Riot took place when commuters, angered by delayed trains and inadequate responses from station staff smashed train cars and facilities and started a fire. High land prices had forced the Japan Housing Corporation and private developers to build housing beyond the stations served by a frequent commuter service. "Thus Ageo, which is two stops beyond Omiya station, became the focal point of contradiction in residential developments without any means of commuter transportation." See Ishida, Y. (1992).

² Land re-adjustment is a technique used to develop land. A number of landowners owning small plots of land in an area will come to an agreement to aggregate their land and develop it for, typically, housing. Some land will be given up for roads and other infrastructure. The loss that landowners suffer by giving up land should be adequately compensated for by the rise in land value once the land is developed. See Sorensen, A. (1999).

³ Katayama was called upon to form a government over the conservatives led by Ichiro Hatayama in the first week of May 1946. He was recorded as being a 'socialist and former organiser of the Farmers' Union in Japan before the war' (National archive file: AIR 40/1433)

⁴ One of the most egregious of these, is the *mini-kaihatsu* as noted by Sorensen (2004, 238). Land under 1000 square metres is not subject to development control in Japan. Yet the traditional land unit, the *tan*, is 991.7 metres. As Sorensen asks forlornly: “why was the system designed so that the majority of the development could avoid its provisions?”