131 The Philosophy and Reality of the City Planning Law

1. Introduction

The current new City Planning Law was enacted by the 58th Diet on May 17, 1968, promulgated as Law No. 100 on June 15, 1968, and came into effect on June 14, 1969. This year marks exactly 10 years since the law went into effect. The law has been in effect since June 14, 1944, and this year marks the tenth anniversary of the law's enactment. Since it has become the basis of city planning as an existing law, it can be said that its problems and evaluations have to a certain extent been settled. With the enactment of the new postwar Constitution, various types of democratic legislation were enacted, and the format was changed from the katakana form to the softer hiragana form, a major change from the prewar legal format. During this period, there were many legislative acts and amendments related to town development, including the "Building Standards Law" in 1950, which completely revised the Urban Building Law; the new "Road Law" in 1953; the "Land Readjustment Law" in 1954; the "Urban Park Law" in 1956; the "Sewerage Law" in 1958; and other important acts one after another.

Nevertheless, the "City Planning Law" was only enacted in 1946 as a "Special City Planning Law" for reconstruction from the war, and was only fully revised 23 years after the war. The fact that the "City Planning Law," which should have been the basis for town development, was most overdue for revision can be said to indicate the complexity and difficulty of urban planning. However, a more in-depth examination of the reasons why the old law with its strong government-regulated character survived for 23 years after the war reveals, first, that the local autonomy recognized by the new Constitution had not substantially matured, and second, that the old City Planning Law, while purporting to have a wide range of objectives, actually had a large portion of its content captured in other laws and projects. Secondly, the old City Planning Law, while purporting to be broad in scope, was in fact largely covered by other laws and projects, and was limited to procedural legal aspects and lacking in substantive city planning content. This shows the fragility of urban planning in Japan.

2. The Actual State of the Old City Planning Law

Before looking at the enactment of the new law, let us examine the philosophy and reality of the old law.

The old City Planning Law was enacted in 1919 and went into effect the following year, 1920. The Tokyo City and District Revision Ordinance enacted in 1888 was intended for the development of the imperial capital, but it was already being applied to the surrounding areas of Tokyo and other large cities as well. In response to the rapid urbanization of the time,

Minister of Home Affairs Shinpei Goto stressed the need for more general city planning, and in 1918, the City Planning Commission was established and the law was enacted the following year.

However, despite the efforts of the pioneers, things did not always go as expected from the beginning. Originally, city planning was created in order to function and organize the city in a more organic and comprehensive manner, overcoming the sectionalism of each administrative body and the private egoism that clings to individual interests. However, such comprehensive science was not well understood, and even within the Public Works Bureau of the Ministry of the Interior, there were voices saying that there was no need for city planning because the respective laws for rivers, canals, roads, and water and sewage systems were already in place, and each had its own job to do. The Ministry of Finance, which was in charge of financial resources, was extremely unaware of the importance of the bill.

Even on the crucial issue of financial resources, important parts of the bill were left out. In other words, the law that allowed public bodies to levy land value-increase tax, improvement tax, and interregional land tax in order to implement city planning projects, and to levy taxes beyond the scope of local tax restrictions, was largely deleted or revised, resulting in the loss of independent financial resources. In particular, the city lost the chance to rationally solve the problem of urban planning and land price increases by taxing the increase in land prices. Furthermore, government subsidies for urban planning projects were also stove-piped, with the government simply saying that it was sufficient to subsidize individual roads, ports, water supply and sewage systems, etc., and that "urban planning is planning, not implementation. The City Planning Law is the basic law for urban development. The City Planning Law was not positioned as a basic law for urban development, but was merely a law that was concurrent with other construction-related laws.

More importantly, who decides urban planning? Article 3 of the former law stated, "City planning, city planning projects, and city planning projects to be executed annually shall be decided by the competent minister after deliberation by the City Planning Council and approved by the Cabinet.

The city was not allowed to participate in the planning process at all, but was merely entrusted with the role of executing the decided projects as a subcontractor for the national government. The planners of the time, while recognizing the need for comprehensive planning, also believed that if the planning was left to the local governments, the plans would fluctuate and permanence could not be maintained, thus limiting the autonomous function of the national government.

This was astutely pointed out by Beard, who was invited to Japan by Shinpei Goto, mayor of Tokyo, immediately after the Great Kanto Earthquake (1923). He pointed out that "the

authority to make plans and implement them is in the hands of other agencies. The Minister of the Interior has full decision-making authority. According to the law, the mayor must implement a plan that he did not participate in making, even if he disagrees with it or does not think it is a wise plan. (1) Far more important, the framers of the law apparently did not like to give the city government broad authority over city planning. Either they did not trust the city authorities, or they wanted to keep municipal authority in the hands of the central government. In the end, they were caught in a dilemma and ended up without a bee in their bonnet. 2).

Furthermore, Beard states, "Within the current city limits of Tokyo, there are at least seven administrative bodies that perform important administrative functions. In addition, any minister of the central government who wishes to build a structure within the city limits may do so without the permission of the City of Tokyo" (3). (3). In fact, this situation has continued to the present day, even after the war, making comprehensive city planning impossible. Even the Minister of the Interior, who has the authority to make decisions, is not really in charge of product city planning. The authority is scattered, and the city planning committee, which is supposed to unify the planning process, is completely ineffective.

Since the functions of the local government were hardly recognized, there was no room for the citizens, who should be the protagonists of the city, to make an appearance.

3. Philosophy of the New City Planning Law

The old City Planning Law, as it was, could not be used to plan city development in an organic and unified manner. Even after the war, local autonomy was recognized in the Constitution, new democratic local governments were born, and individual laws were created for town planning. From the 1950s onward, each municipality began to formulate comprehensive plans and long-term plans as comprehensive plans, without being bound by the limited framework of city planning under the City Planning Law. Although these comprehensive and long-term plans were not necessarily effective in many respects, they were at least relatively constricting to the previously ineffective city planning under the City Planning Law, and the city planning department became more like a vertically divided department that was responsible for other areas such as land readjustment projects.

However, the rapid growth of the 1950s brought about a new wave of rapid urbanization, which resulted in many urban problems such as confusion over land use and underdevelopment of urban facilities. In response, the issue of a complete revision of the City Planning Law was finally raised, and the law was passed in 1968.

The basic motivation for the new City Planning Law was to establish land use planning in urban areas and to redistribute authority between the national and local governments. In

particular, the establishment of land use planning was in response to the 6th Report of the Housing Land Council (March 24, 1967)5) , which sharply addressed the problems of skyrocketing land prices, land use confusion, and the deterioration of the urban environment due to unregulated urbanization. In order to counter the phenomenon of sprawl caused by one-off development, the report called for the establishment of a land use plan, "not just a master plan, but a plan with legal regulatory power to improve urban space in the actual urban area. The report also called for the establishment of a development permit system and the establishment of a program for the development of urban facilities and the principle of responsibility sharing, in order to correct the social injustice that most of the development benefits associated with the development of urban facilities belong to the landowner. The report also calls for the correction of the social inequity that most of the development benefits associated with urban facilities belong to land owners.

In response to this report, the four regional classifications were simplified into two, urbanization zones and urbanization control zones, but the so-called "demarcation" of these zones and the introduction of a development permit system were epoch-making events in land use planning in Japan. This system stopped unregulated development that was based on arbitrary and uncontrolled plans, and made possible the orderly formation of cities and the improvement of urban environments.

Regarding the distribution of administrative affairs, another pillar of the city planning system, it is said that "there is a latent strategic theory that gives substance to the formal autonomy of municipalities and makes them the opportunity to become a true municipality. The New City Planning Law "reallocated authority to two levels, prefectures and municipalities, with the aim of simultaneously satisfying both the essentials of municipal autonomy and the essentials of wide-area city planning" 8). 8).

Compared to the former law, which was extremely abstract, difficult to understand, and lacking in specifics, the new law is an epoch-making revision. In particular, Article 2 of the Basic Principles states that "rational use of upper land should be promoted under appropriate restrictions "9) as a concrete means of realizing these principles, while also calling for harmony with agriculture and forestry, healthy and cultural urban life, and a functional urban lifestyle. This is a significant, albeit frightening, step forward in focusing on land use and seeking an effective means of city planning.

In addition, "In practice, even under the old law, the municipalities would formulate a draft plan and the Minister of Construction would make a decision based on the proposal or informal offer of the plan, and the national government would provide wide-area coordination and technical guidance in response. This is reasonable from a practical standpoint. This is another major step forward in bringing responsible urban planning closer to the citizens in a

comprehensive manner.

4. Problems with the New City Planning Law at the Legislative Stage

Although the New City Planning Law contains some fundamental changes as mentioned above, the fatal flaws that have plagued Japanese urban planning since the old law remain.

The first of these is the problem of comprehensiveness, which should naturally be the essence of the original city planning philosophy. It is necessary to view the city as an organism, and to add appropriate measures at each point in time, while looking to the future. The plan must be effective. In reality, however, as has already been pointed out, the power of local governments, which should be responsible for substantive comprehensive planning, is weak, and city planning has so far been understood only as an abstract idea, or as a legal procedure for something that has already been decided on in other areas.

Compared to the former law, the new law is certainly more systematically organized, and the contents of the plan are more concrete. In addition, the full introduction of specific adjustment measures, such as the establishment of urbanization control zones and development permits, was a major reform.

For example, in terms of systematization, the new law only states that "If an area or district is to be designated, changed, or abolished in accordance with the Building Standards Law within a city planning area, it shall be done so as a city planning facility. The New Law specifically enumerates the names of the city planning regional district system. In addition to the regional districts under the Building Standards Law, the former law only allowed for the designation of scenic areas and harbor areas, while the new law includes traditional buildings preservation districts under the Cultural Properties Protection Law, special historic preservation districts under the Ancient Capital Preservation Law, and green spaces under the Greenery Production Land Law. However, even though the names are systematically listed, no one is fully responsible for integrating them, and in practice, they are only defined vertically by the corresponding organizations of each ministry and agency, and only through the formality of city planning decisions as a procedure. While the law may have formal consistency, it still lacks the substantive comprehensiveness of city planning.

Furthermore, for cities, the establishment of industrial zones under the Metropolitan Industrial Limitation Law and the establishment of relocation promotion and guidance zones under the Industrial Reallocation Law are completely separate from city planning decisions and do not adequately reflect the opinions of city governments, which are the essence of city planning. This means that they are determined on a completely different level from city planning decisions, without fully reflecting the opinions of the local governments.

Furthermore, at the project stage, the method, content, and timing of projects are determined

individually by the ministries and bureaus that hold the subsidies, and some entities, such as national railways, have direct budgets to carry out projects.

In the end, rather than being a comprehensive basic law that serves as the basis for town development, it remains, in effect, a law of the Urban Development Bureau of the Ministry of Construction, which is in charge of urban planning, just like other laws. Nevertheless, it can be said that the formal systematics, if not the effectiveness, of the law was well integrated into the laws of the various ministries and agencies. In addition, compared to the planners of the old law, who made considerable efforts to provide public bodies with financial resources for voluntary city planning projects, although they did not achieve this, the new law leaves the financial resources for projects to the existing individual subsidy system, and seems to have given up on the financial resources for comprehensive projects for the region from the very beginning. It seems as if they have given up on the financial resources to carry out comprehensive projects for the region from the very beginning. In 1968, when the New City Planning Law was enacted, the government responded at a meeting of the House of Representatives Construction Committee: "At present, there are five-year plans for roads, rivers, and sewers, but...if we consider the growth of the current five-year plans as it is, public investment in such major urban areas will be limited. If we consider the growth of the current five-year plan as it is, we can almost cover the public investment in the urbanization area from a macro perspective," he says.12) He admits from the outset that individual plans are necessary. Comprehensive urban planning projects require schools, parks, daycare centers, waste disposal facilities, railroads, buses, and many other things, but they are not planned by individual ministries and bureaus, and the investment must be made at the appropriate time for each district, which naturally requires funding according to local plans. In addition, the idea of allocating land value-added tax to city planning projects, as in the former bill, is not only a matter of financial resources, but also includes the idea of returning individual profits to the public for the creation of an external economy through city planning projects, which is a rational system to utilize the profits from city planning for environmental improvement. The new law, however, does not discuss these issues at all.

The government, however, states, "In order to accomplish this project, it is necessary to secure a considerable amount of financial resources, and we are determined to make our best efforts to move forward with this project. Therefore, as to what specific financial resources we should immediately provide, I must confess that I do not have any concrete ideas...but I will do my best. The answer was extremely abstract and vague, and at last the idea of a financial resource for comprehensive city planning projects did not come up at all. If the financial resources are controlled by individual ministries and bureaus, they will not be adequate and timely, nor will they be able to be used for comprehensive projects such as the creation of a new environment

by combining various projects.

5. The Philosophy of the City Planning Law and Real-Life Problems

Although the law itself is already deficient in terms of its essential comprehensiveness, the rationalization of land use and the decentralization of planning authority to the municipal level can be evaluated as an attempt to provide a means for rationalization and comprehensive town planning at the municipal level through the means of land use. However, in reality, this is not the case. In reality, however, the plan has not been implemented according to the plan's philosophy due to various problems.

1) Problems with Planning Decision Makers and Planning Entities

The new law designates prefectural governors and municipalities as decision makers (Article 15). This was an extremely important reform from the standpoint of making city planning an inherently autonomous task and ensuring the comprehensive nature of the region. Here, for the first time, a major shift was made from city planning as a national task to city planning for cities.

However, a careful reading of the law reveals that most of the important areas, including urbanization zones and urbanization control zones, are determined by prefectural governors. The governor also determines the zoning of almost all urban areas, including metropolitan areas, new industrial cities, industrial special zones, and cities with more than 250,000 inhabitants. Almost all facilities, including general national roads, prefectural roads, and roads over 16 meters in length, are determined by the governor as wide-area or fundamental urban facilities, and most of the lesser facilities are minor ones that do not need to go through the process of city planning decisions.

In addition, Article 3 of the Supplementary Provisions stipulates that, notwithstanding this Cabinet Order, those over 1 hectare in area are, for the time being, to be regarded as fundamental urban facilities. In other words, it is a decision of the governor. In this case, the municipalities' decisions are meaningless, and it would be safe to say that all decisions are made by the governor. The municipalities, which are the basic local governments, have the most direct relationship with the citizens, understand specific circumstances, and should be able to demonstrate their comprehensiveness, are actually at the center of planning14) . Furthermore, the governor, who is the decision-maker, is explicitly mentioned in the National Diet in his answers to the Diet as an organ of the national government, so in effect, it is still a decision of the national government.

The distrust of local governments does not end here. While Article 15 of the law makes the governor and municipalities the decision-making bodies, Article 18, Paragraph 3 of the law

states that certain items must be approved by the Minister of Construction. The scope of the decision was left to a Cabinet order, which may not have been clear enough at the stage of the deliberation of the bill, but the Cabinet order issued covers almost all cities in Japan: established urban areas, suburban development areas, urban development areas, new industrial city areas, special industrial development areas, and cities with populations of 100,000 or more in the Tokyo metropolitan area, Kinki area, and Chubu area. However, these areas must be approved in advance by the Minister of Construction. In the deliberations at the Diet, there were comments such as, "Since this is an issue that covers all prefectures, it requires the approval of the minister. The purpose of this project is to avoid imposing the will of the national government as much as possible" (16). (16).

In reality, however, the process is exactly the same as it was under the old law, with even the most minute details having to be checked and agreed upon in advance by the Ministry of Construction officials, and in the end, the project is finally approved on a rotating basis, subject to the opinions of various divisions within the Ministry. In addition, since the government holds all business licenses and subsidies, municipalities are obliged to obtain the full approval of the government, which is something they have been accustomed to since the days of the old law. However, this is not a realization of the principles of the new law. If the governor is responsible for making decisions and the Ministry of Construction has actual authority, only the responsibility is transferred to the local governments. This was not the original intent.

There may be various reasons for this, such as the fact that the new law has just been enacted and local governments are not yet accustomed to it, or that they lack sufficient knowledge and wisdom. However, with the Local Autonomy Law 30 years old and the new City Planning Law 10 years old, the original philosophy should be brought closer. The government's permission should be limited to a passive check, and the municipalities, especially the municipalities, as the original planning entities, should be nurtured. The process may have already become too entrenched as a procedure, so it is necessary to return to the original principles in practice.

The most difficult part of the decision-making process is the relationship with citizens. In order to solve this problem, the municipalities closest to the city must function as responsible planning and coordinating entities, or effective urban planning will become difficult.

2) The Problem of Drawing Lines

The so-called "delineation" of urbanization zones and urbanization control zones based on the report of the Housing Land Council was an epoch-making event in the history of land use in Japan. Until then, land use was governed by various laws, but in principle, land development and land use were free, and sprawl was carried out arbitrarily by individuals and

companies. This system can be said to be the first to aim at effective land use in earnest.
This system is essentially effective when policies related to basic urban structure, land policy including taxation and land prices, agricultural policy, and the unification of planning bodies and financial resources for the development of urban facilities are developed concurrently and comprehensively. If these are not integrated and clearly different from one ministry to the next, it will be very difficult to make full use of the law.
However, it is certainly an epoch-making system compared to previous land use laws. If so, it can be used quite effectively if it is focused on orderly land use to prevent sprawl, which is clearly the purpose of the law. In the case of Yokohama City, the City Planning Law was utilized with this intention clearly stated from the beginning, as stated in the report of the Housing Land Council. The City of Yokohama has adopted a policy of restricting the expansion of urbanization zones and, in principle, designating all other areas as zones for adjustment, with the exception of existing urban areas, areas already under residential development, and areas currently undergoing planned urban development. In addition, the city has made it clear that it will utilize the system of development permits for planned urbanization in the zoning districts.
This froze areas where sprawl was already partially underway and prevented further progression, and also gave more positive effects to the zones by establishing various systems such as citizens' forests, natural forest preservation, and citizens' farms, in addition to agricultural zones. On the other hand, Kohoku New Town, for example, has been systematically urbanized, with rivers, streets, railroads, and other key facilities being developed.
However, nationwide, the expansion of urbanization zones has been done in a rather haphazard manner. If there were no differences in taxation, landowners would naturally prefer to own land in an urbanized area. However, the issue of taxation was clearly considered separately, and appropriate measures for agriculture were not added to the zones for adjustment. In other words, the policy of the Ministry of Construction alone, no matter how excellent, is not sufficient as a tool for delineation.
In the process of deliberation on the bill, the government had already stated that the taxation of agricultural land in an urbanization zone would not be levied immediately after the land became an urbanization zone, as if it were a residential area. In 1973, the local taxation system was revised in a regressive manner so that farmland in urbanized areas in metropolitan areas would be taxed at the same level as residential land, and in 1976, the Local Tax Law was partially revised to allow for a reduction in taxation on farmland in urbanized areas. In addition, the Local Tax Law was partially revised in 1951 to allow for a reduction in taxation on residential land. In addition, the Local Tax Law was partially revised in 1951 to allow for a

reduction in the taxation on the same level as residential land. In parallel with this, from 1948 onward, each municipality developed its own system for the preservation of agricultural land in response to the gradual implementation process, and most agricultural land was spared from being taxed like residential land in effect.

In the absence of planned urban area development, the implementation of residential land taxation may lead to the deterioration of the urban environment, such as the progression of mini-development and sprawl. However, in practice, the conditions for taxation should be clarified from the beginning of the delineation, and if they vary too much depending on various conditions, it would lack fairness and credibility.

From the beginning of the delineation process, the Ministry of Construction's policy has been to define areas with a population density of 40 persons/ha or higher and a population of 5,000 or higher, areas with more than ⅓ of adjacent residences, schools, city parks, offices, factories, etc., and areas surrounded by less than one such area as already urbanized areas. (iii) An area surrounded by less than 1 is regarded as an area that has already been urbanized, and an area adjacent to such an area is regarded as an area that is currently being urbanized, and where more than 3 houses/ha have been newly built or more than 10% of the land has been converted to residential land during the past 3 years.17)

In addition to the above, there are many other requirements for the area to be systematically urbanized. This means that the entire city of Yokohama is an urbanization zone. In particular, "areas that are currently undergoing urbanization" are clearly in the process of sprawl and should be frozen to somehow stop the ongoing cancer, and among "urbanized areas," areas such as iii) are places where such sprawl should be stopped.

In other words, although urbanization zones are, in principle, zones where urbanization is planned and urban facilities are developed, in reality they are zones where sprawl will occur because the land can be used freely. Therefore, it is precisely in such areas that sprawl must be prevented, but the Ministry of Construction's policy rather allows sprawl to occur.

Except for completely built-up areas, development zones with development permission, and completely protected natural areas, all other areas should have been designated as urbanization control zones, and the development permit system that has been established should have been utilized to control sprawl while considering planned development. From this point of view, policies such as "the regulation zone with a hole in it must be 20 hectares or more" and "the development permit for the regulation zone must be 20 hectares or more" are also problematic. In urban sprawl areas, which have already progressed like a cancer, development permits should be granted if the regulated areas with small holes are set up freely and, in some cases, if sufficient conditions are given for planned urbanization. In addition, the fact that many development permits were granted at the time of the delineation, distorting

the delineation, will have many negative repercussions later.

3) Problems with Development Permits

It has already been mentioned that line-drawing and development permits should be utilized as an integral part. The term "land" essentially has a completely different meaning from the term "raw land" and the term "residential land" incorporated into an urban area. In order to obtain citizenship as an urbanized area, the development permit system should have been fully utilized.

The reality is that the law in the urbanization zone has allowed those with less than 1 ha to go unchecked, thus intensifying the sprawl of mini-development in the urban area. In addition, many things, such as state institutions, are exempted from the development permit system, but in order to preserve the overall environment in the area, even the state or equivalent legal entities would not be an exception. It is one-sided to say that private residential areas require a permit, but public institutions do not. Public organizations are no different from private organizations in that they cannot have a comprehensive perspective or policies on urban development.

Furthermore, the law makes a number of exceptions for development permission in the regulated area, and Article 34, Item 10 (b) in particular allows development "that is not likely to promote urbanization in the development area and that is deemed difficult or extremely inappropriate to be carried out in the urbanization area" to be permitted after the Development Review Committee has deliberated on the matter. The abstract wording of this provision is not clear. This abstract expression is actually neither a government ordinance nor a ministerial ordinance, but a permit policy, which includes housing for the second and third sons of farmers who are splitting up their families. This may be a kind of compromise, but in reality, it will lead to sprawl even in the zoning districts, which may have a negative impact on the future, and it also raises issues of fairness.

In addition to this, building restrictions have been added in the zoning districts, but under the 1975 amendment, "land is restricted to land that is adjacent to or in close proximity to an urbanization zone, and that is recognized as constituting a daily living area that is integrated with the urbanization zone in terms of natural and social conditions, and is generally located in an area with 50 or more buildings in close proximity to each other" (18). The amendment allows for the lifting of building restrictions on "land in an area that is recognized as constituting a daily living area integrated with the urbanization area and is generally comprised of a series of 50 or more buildings, based on the natural and social conditions. Simply put, this is based on the theory that it is strange that one cannot build in a similar area while one can freely build in an urbanized area right next to it, and that they should be the

same.
However, in this seemingly innocuous amendment, there is in fact a divergence between the fundamental philosophy of land use and reality. It is often argued that it is strange to have restrictions on building and development across a single road, but land use is a system based on the spirit of creating high-density residential areas on one side and completely unbuilt open space or farmland on the other, separated by a single road or abstract line on a drawing. This is the spirit of the system. This allows for a rational arrangement of the upper land by utilizing it once and for all. If we try to make it the same as the one next to it, we will end up with an unending sprawl.
Land use means to make a clear distinction between the right and the left. This is how the land as a whole can be utilized in a viable manner. However, this should be accompanied by a coherent land policy, including a tax system, and, as I have mentioned, land use must be a comprehensive policy, and in this respect, the new City Planning Law, despite its planners' willingness, has not received significant support.

6. Conclusion: Problems of Municipalities and Citizens

We have already pointed out that the principles of the New City Planning Law have not always been applied in reality in several respects. There are many points that need to be mentioned again, such as the issue of citizen participation, but since there is not enough space, please refer to the separate article.19) In any case, the City Planning Law has been ineffective.
In any case, in order for the City Planning Law to be effective, it is necessary to create a better urban environment by making full use of comprehensive means, including land use, centered on local governments that are led by citizens.
This requires comprehensive planning and its effective implementation at all costs. The legal and operational shortcomings to achieve this have already been mentioned, but it is not enough to just lay all the responsibility on these shortcomings.
In fact, we have made a certain amount of progress in terms of the principles, and while it is necessary to make efforts to make use of these principles in the future, it is also necessary for local governments to have the will and the reality to create an urban environment by ensuring such effective comprehensiveness. Urban planning is an important task for city governments, and in the end, as a comprehensive plan rooted in the local community, there is no one else who can do it better than the city governments themselves. If this is the case, the local governments themselves should first wake up and do what they can to restore comprehensiveness, and from there, they should bring reality closer to the ideals of the law and enhance its content. Citizens should also consider land use and town planning as mutual rules from the standpoint of creating their own environment under the joint responsibility of

all citizens, rather than merely making demands20).

1) C. A. Beard, Tokyo Metropolitan Government Research Institute, "Administration and Politics in Tokyo," Tokyo Metropolitan Government Research Institute, 1964, p. 44.
2) C. A. Beard, above, p. 45.
3) C. A. Beard, above-mentioned book, p. 58.
4) For more information on the former City Planning Law, see Suruki Akagi, "Toshi Keikaku no Keikaku-sei" ("Urban Structure and Urban Problems"), Tokyo Metropolitan University Urban Research Group, ed. 1968. Other works include Shosaku Takagi, "Toshi Keikaku Hoho" ("Toshi Keikaku Hoho" in "Nihon Kindai Hoho Kaihatsu Shi" Vol. 9, 1960), and Uzo Nishiyama and Shoji Yoshino, "Toshi Jichi Rirondo Shoryo Shi" ("Toshi Jichi Rirondo Shoryo Shi" in "Toshi Jichi Rirondo Shi Kakusetsu" Tokyo Shi Seisaku Chosa Kai, 1972).
5) "Report on Measures for Rationalization of Land Use in Urban Areas" (March 24, 1967, Ministry of Construction, Building Lots Council, No. 13), the sixth report of the Building Lots Council.
6) The above, the 6th Report of the Housing Lots Council.
7) Tadao Kobayashi, "Basic Background of the Enactment of the New City Planning Law" ("Article-by-Article Explanation of the New City Planning Law," City Planning Association).
8) Tadao Kobayashi, above.
9) "City Planning Law," Article 2.
10) Michio Miyazawa, "Various Problems after the Enforcement of the New City Planning Law" ("Kenchiku Zasshi, Kenchiku Nenpo '69," Architectural Institute of Japan)
11) "Old City Planning Law," Article 10
12) Answer by Commissioner Takeuchi of the Government (House of Representatives, Committee on Construction, March 27, 1943)
13)Answer by Minister of State Yasutoshi (House of Representatives, Committee on Construction, S43. 4. 3).
14) Answer by Mr. Takeuchi, Member of the Government Committee: "The question is who is responsible for making decisions on urban planning. As you have just mentioned, basically, municipalities are responsible for city planning. However, under the new City Planning Law, the city planning is basically done by the municipalities. The new city planning law aims at wide-area city planning, so the governor is supposed to decide on wide-area city planning in an area where several municipalities are grouped together. (House of Representatives, Committee on Construction, May 9, 1943).
15) Answer by Mr. Takeuchi, Member of the Government Committee (Committee on

Construction, House of Representatives, May 9, 1943).
16)Answer by Minister of State Yasutoshi (aforementioned committee, April 3, 1943).
17)City Planning Division, Urban Planning Bureau, Ministry of Construction, "Enforcement of the New City Planning Law. S44. 2).
18) Article 43, Paragraph 1, Item 6 (a) of the City Planning Law.
19) Akira Tamura, "Citizen Participation in Planning Administration" (City Planning, 1972. 9. Japan City Planning Association).
20) Akira Tamura, "Municipalities and Urban Planning" (Bessatsu - Keizai Hyoron," 70 yen, Nihon Hyoronsha). 1972), "Land Use Planning and Citizen Participation," Land Problems Lecture 4, Kajima Publishing Co.