

The destruction of 'lifecycle' and the human right to landscape: the case of 2011 great disaster in East Japan



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photo: Natori City, Miyagi

The disaster and influences on landscape in Japan

In Japan the nature and landscape strongly influence our psychology. Mountains, hot springs and waterscapes are embedded in our culture.

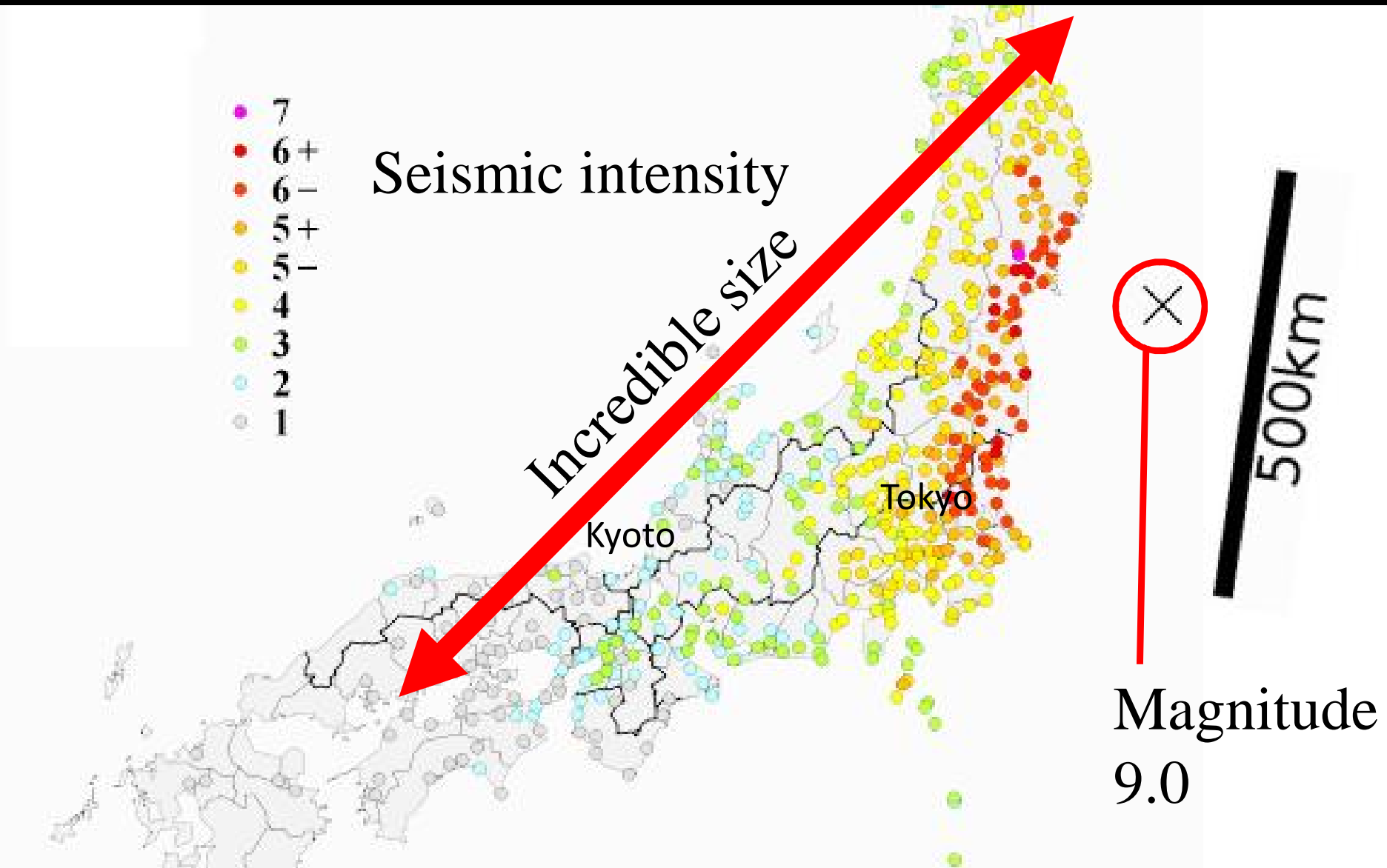
Nature also affects our lives through disasters such as earthquakes, tsunamis and typhoons. We inevitably and sustainably respect nature, considering taking care of nature as a voluntary collaboration for community and safety. We are proud of our landscapes in Japan, not only the outstanding beautiful sites but ordinary as well, ~~hometown landscapes~~ that are often termed ~~lifescape~~.

Landscape contributes to social wellbeing and pleasure.



photo: Cultural landscape, Tokyo

But there can also be negative aspects such as in the case of the destruction of the landscape by the 2011 great disaster in East Japan. The earthquake was at the greatest Magnitude 9.0.



Source: Japan Meteorological Agency

The highest seismic intensity and the highest tsunami have completely transformed the territory.



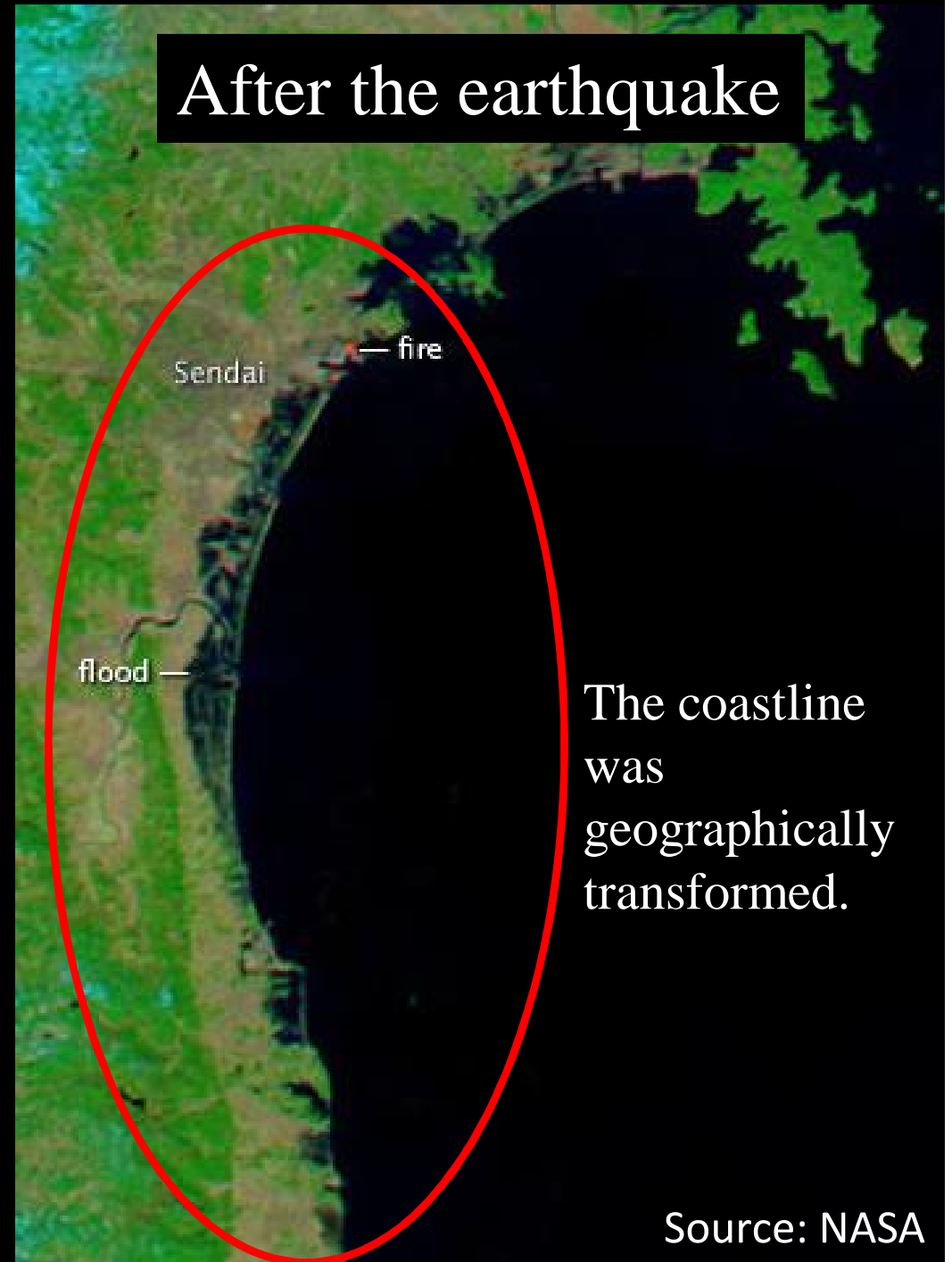
Source: United States Navy

More than 500km of the coastline was flooded and sunk.

Before the earthquake

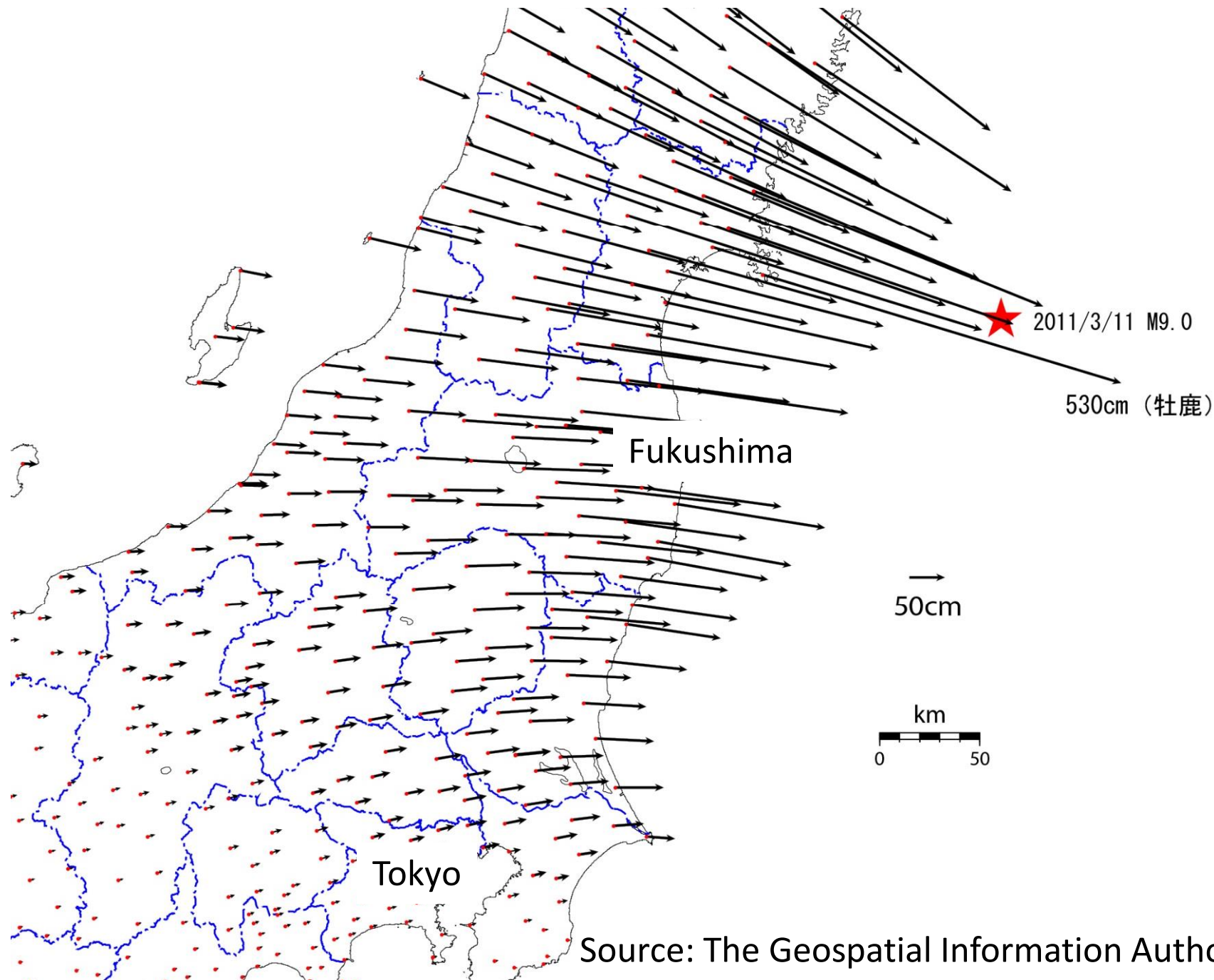


After the earthquake



The coastline was geographically transformed.

The size of the influenced territory was the largest recorded in the past millennial disasters. All territory was sifted to east.



Source: The Geospatial Information Authority of Japan (GSI)

Landscape before the Tsunami on 11 March 2011 at 15:15



Source: Town of Minamisanriku, Miyagi

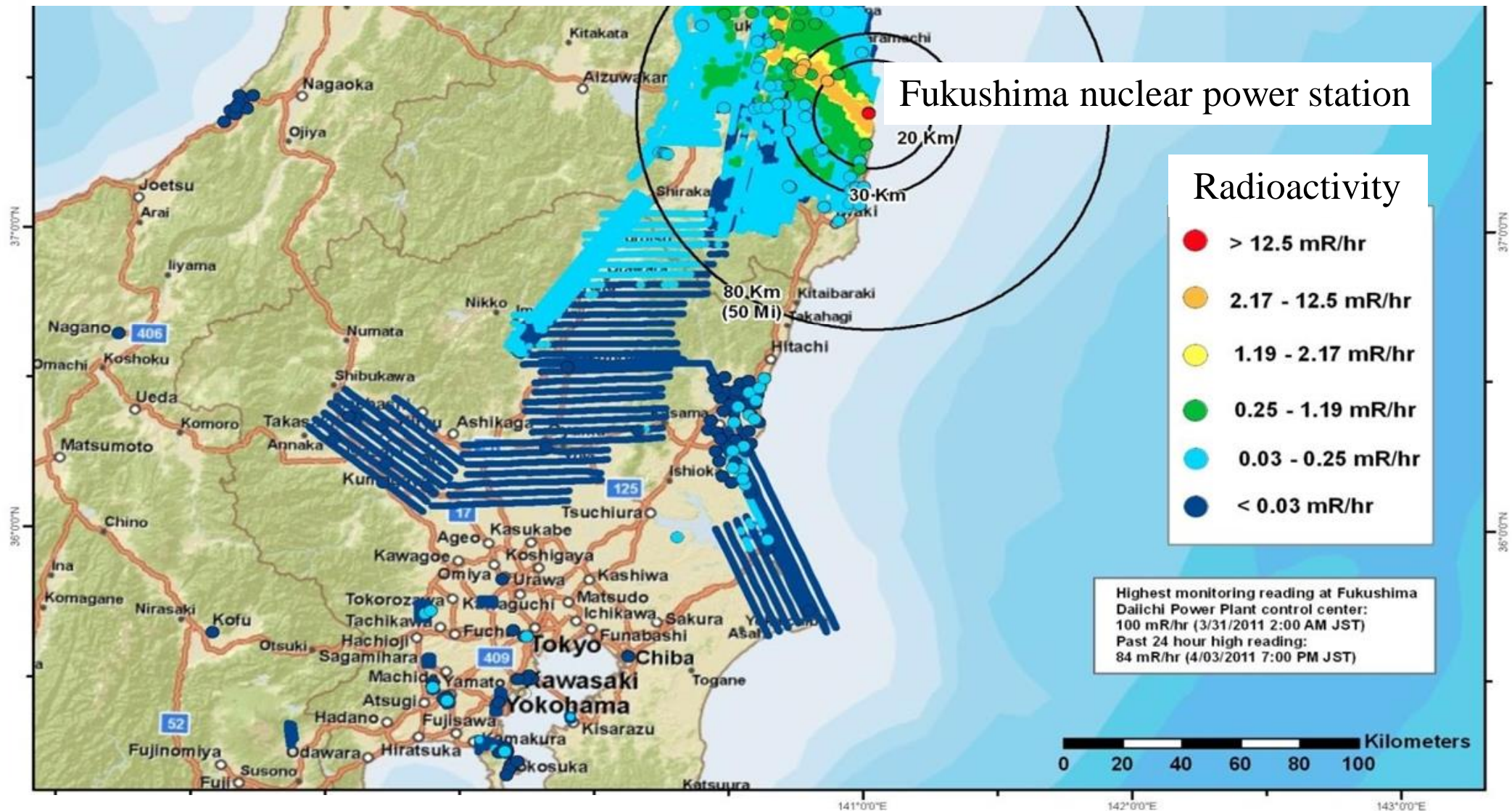
The Tsunami on the 11 March 2011 at 15:35



Source: Town of Minamisanriku, Miyagi

The destruction of 'lifescape' in Fukushima

Presently general reconstruction projects are being carried out and their society and economy are being rebuilt, but the reconstruction from the Fukushima nuclear accident continues to have many problems.



Source: 30 March-03 April 2011, NNSA, USA

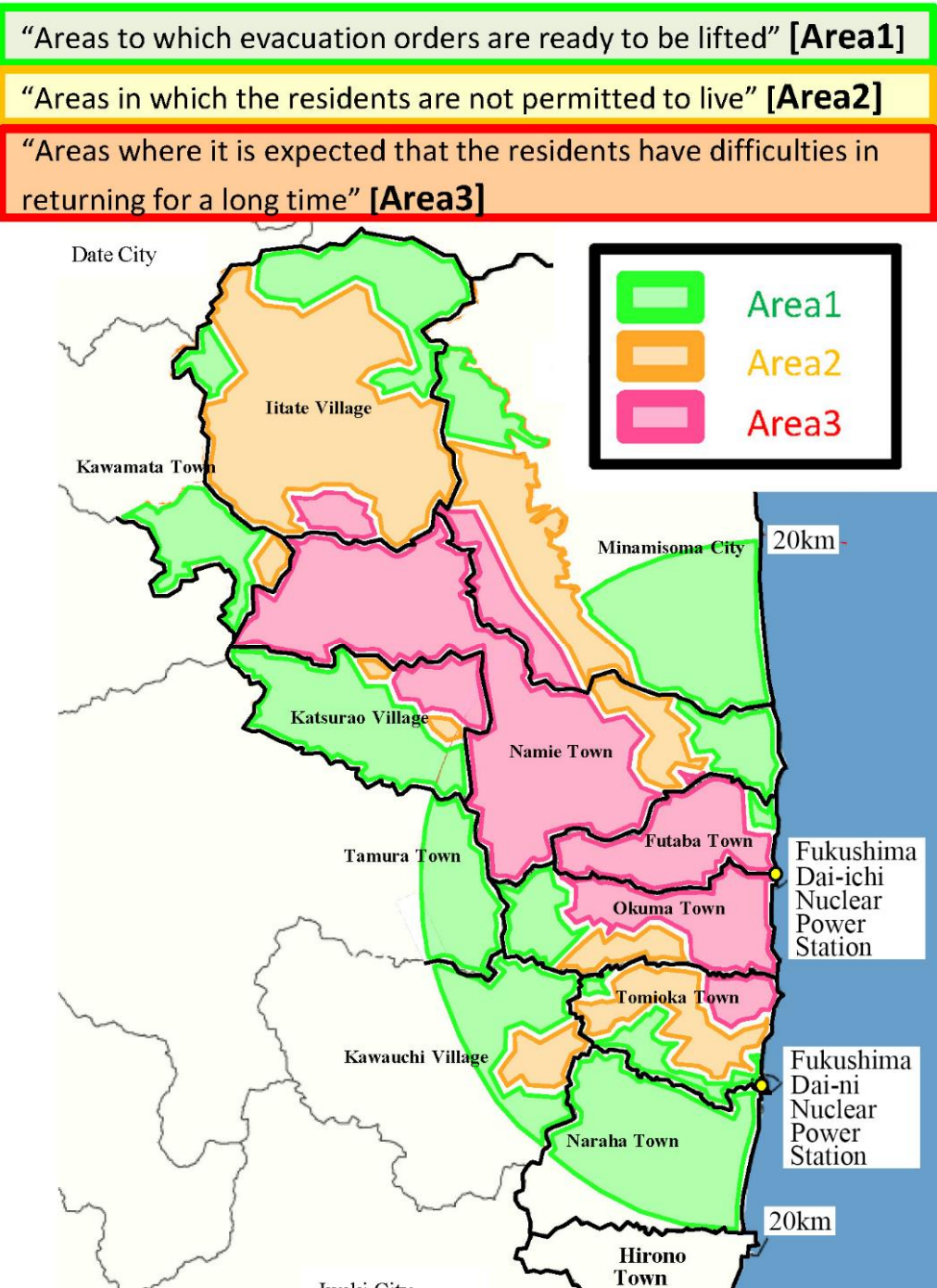
The number of all escaped inhabitants by the earthquake remains over **250,000**, including people who had found refuge in the temporary public housing. **120,000** inhabitants were dislocated by the nuclear accident. **80,000** inhabitants of the evacuation area cannot return to their original homes because of the danger of higher radioactivity. **45,000** inhabitants have relocated from Fukushima Prefecture to other regions. They have lost their hometown landscapes.



Photo: Fukushima Daiichi, Source: GSI

The public access is limited in the higher radioactive areas. Some areas will be decontaminated in these years. But others will be impossible to decontaminate for a long time.

The lifescapes of Fukushima public were destroyed by the accident. The evacuation area is very large - about 1,150 km². Their residents have difficulties in returning for a long time.



Source: the Cabinet of Japan

the evacuation area of 2014

The decontamination projects were taken on, and the surfaces were removed from the fields and the housing areas.



Source: Ministry of the Environment

But conflicts over the location of the waste disposal site are on-going.

Negative influence of the Fukushima nuclear accident has affected all aspects of life and economy in the territory.

All of agriculture, forestry, fishery, industry and services have been damaged by the **invisible** radioactivity.



Photo Source: Japanese Red Cross Society in Fukushima



Photo Source: Japanese Red Cross Society in Fukushima

Conflicts of the human right to environment

People cannot live happily without hometown landscapes. Lawsuits by inhabitants were filed against the Tokyo Electric Power Company (TEPCO). But many inhabitants hesitated to sue during their difficult situations. So the central government have established the Alternative Dispute Resolution Center for the accident of Fukushima (ADRC) under the Ministry of Education, Culture, Sport, Science and Technology in cooperation with Japan Federation Bar Associations.

The Committee of central government admitted the compensation for the mental pain only for inhabitants who lived in the very limited area, because they have been forced to go out for a long time. TEPCO is starting to pay the compensation, but it is much less than what the victims deserve. Moreover more victims had to escape from their hometowns that are contaminated by radioactive materials and stay away from home for a long period. The ADRC many times requested to include their compensation for the mental pain of the lost hometown, but TEPCO rejected these claims in 2014.

A large crowd of people, mostly elderly, is gathered for an anti-nuclear power plant rally. Many are wearing hats, and some are holding signs. The background shows a city street with buildings and trees.

Photo: Anti-Nuclear Power Plant Rally on 19 September 2011 at Meiji Shrine



Photo: Anti-Nuclear Power Plant Rally on 19 September 2011 at Meiji Shrine

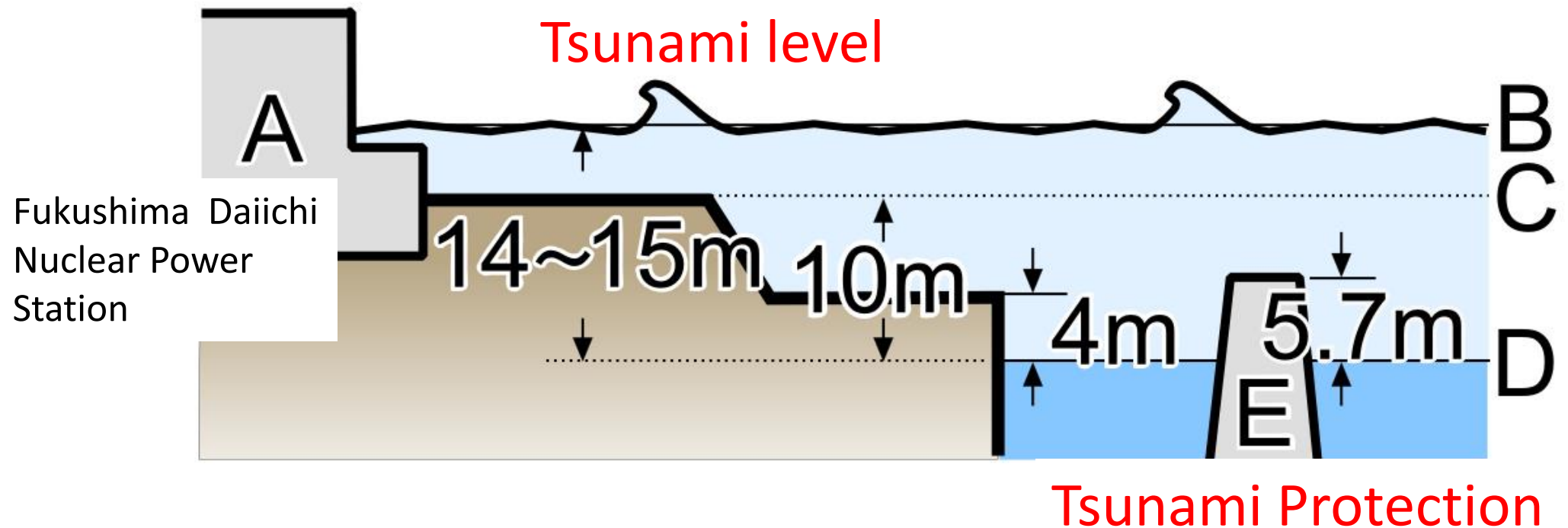
The conflicts have emerged from the lack of the responsibility the polluters have taken for the victims' mental pain over their lost hometowns.

It is very important to note, although it was a consequence of the disaster, was described as the ~~manmade~~ disaster in the national report.

The Fukushima Nuclear Accident Independent Investigation Commission of National Diet of Japan have concluded that ~~the accident was clearly manmade~~.

The accident was the result of collusion between the government, the regulators and TEPCO, and the lack of governance by said parties. They effectively betrayed the ~~nation's right to be safe~~ from nuclear accidents. (the official report of National Diet of Japan, 2012).

The source of the accident was the negligence of TEPCO in providing protection against tsunamis, though they had officially claimed to have enough protection before the disaster.



The further problem after the disaster is the lack of the **human right to environment**.

Although the human right to life, liberty and the pursuit of happiness (article 13) of the Japanese Constitution (1946) was referred in the National Diet, it has no effect since the human right to environment was never added into the constitution and the legislation in Japan.

Environmental problems had already appeared in the 1960s, for example, Minamata disease, unfortunately the human right to environment and information were not established after the experiences of the environmental pollution in Japan.

I believe that TEPCO should not reject requests of the ADRC. They should recognise the responsibility they have for damaging the **hometown landscape** and **lifestyle** for all inhabitants.



photo: Moss, Kyoto

What is the landscape?

The new Japanese landscape law of 2004 doesn't define landscape by the central government, but rather allows that local authorities can freely define their local landscapes by the bottom up way.

On the other hand the modified Law for the Protection of Cultural Properties (2004) defines "Cultural Landscapes are landscape areas that have developed in association with the modes of life or livelihoods of the people and the natural features of the region, which are indispensable for understanding of our people's modes of life and livelihoods". This definition says there is a strong relationship between **life** and **landscape**.



photo: Terraces, Uwajima

We worry that victims of Fukushima have lost their fundamental right to live in their hometown landscape. I think this is a human right to landscape.

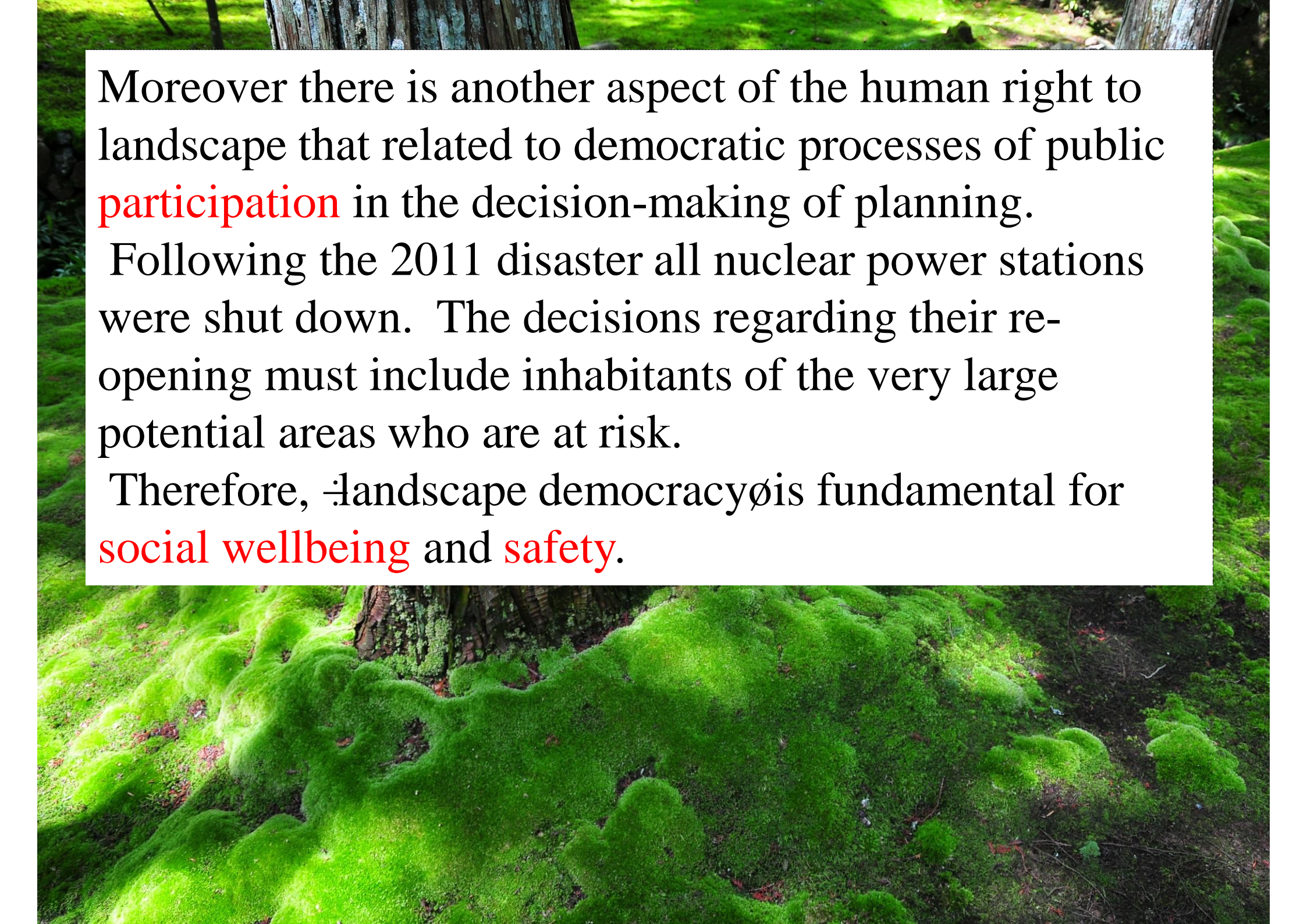
Some of them died during the transfer from their hometown after the disaster, although they survived during the 2011 disaster itself.

Research from the Japan Federation Bar Associations are clarifying the components of mental pains of victims of Fukushima as following deprivation; **place, family, community, culture, works, education, local festival, local food and local music** Life and place are strongly connected to the human right to landscape and the definition of landscape.

The lost hometown landscape and the way of the destruction of the landscape affect social wellbeing larger than other ways of perception of the landscape. All victims' mental pains of the lost hometown landscape should be compensated by the polluters. There should be a human right to landscape for the access to **Justice** in this case.



Pine of Miracle



Moreover there is another aspect of the human right to landscape that related to democratic processes of public **participation** in the decision-making of planning.

Following the 2011 disaster all nuclear power stations were shut down. The decisions regarding their re-opening must include inhabitants of the very large potential areas who are at risk.

Therefore, landscape democracy is fundamental for **social wellbeing** and **safety**.

A photograph of a moss-covered forest floor. In the foreground, a large, textured tree trunk stands on a thick carpet of vibrant green moss. The moss is uneven, with some areas appearing more lush and others more sparse. In the background, a low stone wall runs across the frame, and another tree trunk is visible on the right. Sunlight filters through the trees, creating dappled light on the moss.

Thank you / Merci

photo: Moss Temple, Kyoto