DEMOLITION AND RECONSTRUCTION AS URBAN PRESERVATION IN CHINA: THE CASE OF LIAOCHENG CITY

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Section 1. Introduction

As an ancient civilization, China has a large number of historical and cultural relics. Among them, the relics with the most precious architectural values are historical and cultural cities. Since the 1940s, China has experienced major events such as the Cultural Revolution, the founding of the People's Republic of China, land policy reformation, and reformation and opening up. National policies have undergone dramatic changes in the process, the economy has taken off, and people's thoughts have also changed. With these great changes, whether the famous historical and cultural city as an important witness of Chinese history and culture can be well preserved, and whether the preservation policy is effective is an important question.

Since the establishment of the cultural relics preservation law in China in the 1980s, the preservation of "historical and cultural cities" --which means the cities that are particularly rich in preserved cultural relics and have great historical and cultural value and revolutionary significance-- has been emphasized. The State Council of China is responsible to designate and announce the official list of these famous historical and cultural cities. But during this period, about eleven famous historical cities have experienced large-scale intentional destruction – seemingly antithetical to preservation— and were criticized by the Ministry of Housing and Urban-Rural Development of the Chinese government and the Bureau of Cultural Relics Preservation. Such public criticism is rare and meaningful. In the late 1990s, as much as tens of billions of Yuan were invested to demolish and rebuild ancient cities, a large number of historic buildings of famous historical cities were demolished, the streets were damaged, the ancient city walls were torn down,

and people were forced to move out. In the article "From the Preservation of Historic and Cultural Cities to the Conservation of Built Heritage," Tongji University professor Zhang Song wrote that such a large-scale demolition and reconstruction of the historic cities is intended as "protective destruction"[1] which refers to the improper transformation in the name of preservation or even demolition of real historic heritage and the construction of "fake antiques." Protective destruction is, in other words, an oxymoron. What led to such preservation measures? What are the historical, social, and cultural factors behind it? Has it been influenced by other countries? What impact will be brought about after reconstruction will be an important concern for understanding and finding new development measures for the historic city. This thesis focuses on the large-scale demolition and reconstruction of historical and cultural cities to explore these questions and will take LiaoCheng as an example to analyze how various factors affect the development planning, and preservation of ancient cities.

1.1 Background

Break the old and build the new

After years of war, the Communist Party of China established the New China in 1949, marking a new era in Chinese history. The establishment of New China ended thousands of years of feudalism and erected a socialist country under the people's democratic dictatorship. To get rid of

[1] Song Zhang, "From the Preservation of Historic and Cultural Cities to the Conservation of Built Heritage," *China Ancient city*, no. 05 (2019) 4-11.

the feudal traditions that have bound people's thoughts and actions for thousands of years, the Communist Party of China started the Cultural Revolution and pointed out that the goal of this campaign should be “breaking the four Old” and “establishing the four new”. On June 1, 1966, the People's Daily editorial published an article and forward the slogan “to get rid of the old ideas, old culture, old customs, and old habits." and “to establish the new ideas, culture, customs, and habits”[2]. In this movement, some old feudal customs and ideas were abandoned, such as women's feet binding（Foot binding was a way in feudal times to meet the beauty expectations of women, which left women very painful and incapable of walking）, and some feudal ethics（Some feudal ethics restrict people's desire for freedom and personal desire, and require people to obey the laws of nature and get rid of human desires.）, etc. However, the movement went too far and became uncontrolled. People simplified getting rid of old ideas as the destruction of cultural heritage and regarded cultural heritage as the remnants of old ideas. And according to Xinhua News, from November 9 to December 7, 1966, more than 6,000 cultural relics were destroyed, 2,700 ancient books, 900 scrolls of various calligraphy and paintings were burned, and 1,000 stone tablets of past dynasties were crashed.[3] And the sabotage activities spread from individual temples and statues to large-scale gardens, such as the Yuanmingyuan, causing a great loss of cultural heritage.

The rapid development of economics and urban regeneration

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[2] Libo He, “Absurd Movement to Break the “Four Olds”,” *Party Member Digest,* 6 (2006) 8-9.
[3] "How many precious cultural relics were destroyed in China when the Four Old Times was broken." *Xinhua News* (Beijing, China), August 12, 2013, http://art.people.com.cn/n/2013/0812/c206244-22525449.html.

In 1978, the Third Plenary Session of the Eleventh Central Committee established Reform and Opening-up policy which completely changed China's development strategy. This Committee announced the end of the cultural revolution, changing the focus of the country's development from class struggle and cultural oppression to economic development. After this committee, the economic system of China changed from a single planned economy to a planned economy with market regulation as a supplement; from a single public ownership economy to the coexistence of multiple economic components with the public ownership economy as the main body, which stimulated the rapid development of the economy. The process of urbanization returned to normal after being stagnant during the Cultural Revolution and the cities began expanding drastically with the development of the economy. According to the record of the book *Concrete Dragon: China's Urban Revolution and What It Means for the World*, from the late 1980s to the 2000s, in just about 20 years, the number of Chinese cities has increased from less than 200 to more than 700, and the urban population has surged— until 2007, there were 107 cities with more than one million people. [4]At the same time, the city-constructing movement began. The city-constructing movement is mainly divided into two stages.[5] The first period was from the late 1800s to the mid-1900s, during which time urban regeneration was the most important theme, especially in Beijing and Shanghai. During this period, the government was eager to change the old appearance of cities. The

[4] Thomas J Campanella, *Concrete Dragon: China's Urban Revolution and What It Means for the World,* (New York, United States: Princeton Architectural Press), 2007.

[5] Jicai Feng, "On the Present Regeneration of Chinese Cities", *Universal Human Geography*, no. 17 (2020).

government will invest a lot of money to relocate the residents who lived in the old city centers and demolish and renovate the houses in that area.

Gentrification and "protective destruction"

The second stage of the city-constructing movement started in the late 1900s. During this period, people paid more attention to the image design of the city and began to understand the value of the city's cultural heritage. However, during this period, since a large number of historical buildings and cultural heritage have been destroyed, the blind imitation of foreign buildings and functional planning measures made the city image monotonous and lacked the characteristics of the city. In addition, gentrification became an important feature of this period due to the increasing land value in urban centers and the real estate development frenzy. Developers and governments also started to realize the land value of historic districts. They found that as long as historic buildings were designated as landmarks, or designated as historic districts, or historic cities, the value of the land would go up and conservation-based redevelopment projects can yield high returns on investment. Because of this, the government and developers demolished the old and dilapidated historic buildings and rebuilt some antique buildings to attract tourists. In professor Zhang Song's paper, these activities were described as "protective destruction"[6], which means the historic

[6] Song Zhang, "From the Preservation of Historic and Cultural Cities to the Conservation of Built Heritage," ," *China Ancient city*, no. 05 (2019) 4-11.

heritage was demolished in the name of preservation. Although this "protective destruction" generally seems to be the preservation of historical cities as the so-called historical scenes have been restored. But it demolished existing buildings, destroyed historic street patterns, and drove people who live here from their homes. Such so-called preservation has greatly destroyed the authenticity and integrity of historical heritage, fundamentally turning historical cities and districts into tourist attractions, becoming a model of gentrification, and destruction of historical cities.

Evolution of historic preservation as a professional and policy practice in China

The preservation of historical cities has been through several stages in China. First of all, in the early stage of the People's Republic of China, most of the historical cities and buildings were still in good condition. And after the foundation of the country in 1949, several well-known architects, including Liang Sichen and Chen Zhanxiang proposed a master plan for Beijing, trying to preserve the old city walls as well as the historical center of Beijing City. However, the plan was not taken into consideration by the government. And in the late 1980s, after the massive destruction of historical heritages during the cultural revolution and the policy of Reform and Opening-up, the first preservation system of historic heritages was established in 1982, which is that the historical cities would be designated in a preservation category by the State Council., the Urban Planning Law which was published in 1989, the Cultural Relics Preservation Law published in 2002, and

the Regulations on the Preservation of Famous Historical and Cultural Cities, Towns, and Villages in 2008 have created a basic law system for the preservation of historical cities. [7]

1.2 Research Statement

Main Questions:

This thesis studies the large-scale "oxymoron" projects/policies (demolition and reconstruction activities) that occurred in China, especially in LiaoCheng City to understand the design of the policies/projects, the factors at play, and their effects on preservation efforts in historic Chinese cities. This study shows that large-scale "oxymoron" projects/policies are mainly affected by four aspects. Firstly, how to maintain the authenticity of historical heritage during the preservation process is still controversial due to China's unique cultural background. Secondly, the land finance, the rapid economic development, and the continuous expansion of the cities have made the land value of the historical centers rise rapidly. Governments and developers carried out large-scale demolition and reconstruction of historic cities for profits. In addition, local governments have too much power over the protection of historical cities. The third reason is that China's current preservation legal systems and regulations for historical cities are not complete.

[7] Weijie Lan, Min Hu, and Zhongshu Zhao, "Review, Characteristics, and Prospects of the Protection System of Historical and Cultural Cities," *Urban Planning Forum,* no. 02 (2019).

Fourthly, the awareness of the values of historical heritage is not enough under the influence of the idea of breaking the old and establishing the new in the Cultural Revolution.

Subproblems:

To pursue this main question, the thesis explores several sub-questions:

a) Study the history of the preservation of historic cities in China, including the policies that have been made since the 1940s.

b) Describe and analyze the range and different kinds of large-scale urban preservation strategies

c) Describe and analyze the reasons for demolition and reconstruction activities.

d) Describe and analyze the effects of the demolition and reconstruction activities

e) Study the case of LiaoCheng City as an example of the application of "protective destruction" that has taken similar approaches of demolishing and reconstructing.

1.3 Delimitations

a) The case study of LiaoCheng city will only focus on demolition and reconstruction only in the historical centers, not the whole city, but will evaluate how did these activities affect the whole city.

b) This thesis will only focus on the demolition and reconstruction activity from the 1940s to the 2020s.

c) The thesis will not look at other kinds of Chinese urban preservation policies.

Methodology

A. Theoretical framework

To understand the factors and influence of large-scale demolition and reconstruction activities that happened in China, the methods I am going to use are mainly divided into observation, analysis, and summary. I'll look at historic cities that have gone through the same preservation strategy which is “protective destruction”, collect data on those cities, and lookup records about them. In addition, I will analyze the context of this preservation strategy and the different preservation strategies used by the Chinese government for historic cities at different times.

B. Type of design

The study is designed to be qualitative research as it focuses on observing a specific social phenomenon and explaining it. It takes the form of the case study. To better understand how demolition and reconstruction affect Chinese historical cities in the process of urban renewal, I will focus on the case of LiaoCheng City. Each historical city that has undergone demolition and reconstruction has different specific policy, economic and cultural factors. However, general factors can also be learned from the analysis of a single historical city. This study aims to take the specific factors of demolition and reconstruction of LiaoCheng City as an example and study the general factors on a national scale. This study takes LiaoCheng city as an example because, in November 2012, the Ministry of Housing and Urban-Rural Development of China and the State

Administration of Cultural Heritage issued the "Notice on Announcement and Criticism of LiaoCheng and Other National Historical and Cultural Cities with Inadequate Preservation.", in which the government seriously criticized the preservation strategy used in LiaoCheng city. This notice is the first notice issued by the Ministry of Housing and Urban-Rural Development of the People's Republic of China and the Bureau of Cultural Relics on the issue of demolition and construction of famous historical and cultural cities. In addition, this notice also issued the "Standards for Handling Ineffective Protection of National Famous Historical and Cultural Cities" in the form of an annex, which gives the clear treatment standards for the insufficient preservation of historical cities.

C. Data collection strategies

To understand what has caused the large-scale demolition and reconstruction activities in China, data about economic, social, and political factors should be collected. I will also document the history of these types of policies and the other contexts in which they were used. And to understand the current status of preservation of historical cities in China, it is necessary to investigate the number of demolition and reconstruction cases of relevant historical cities since the 1990s, the amount of investment, and statistics on the on-site area. It is necessary to understand whether the demolition and reconstruction activities continue to occur when the most recent cases occurred when such activities cease, and what new plans are adopted for the preservation of historical cities after the cessation.

1.4 Literature review

There is considerable literature on the topic of urban renewal and demolition activities that happened in China during the urbanization process, especially in Shanghai and Beijing. From 1985 to 1994, lots of researchers focused on introducing the urban renewal theory from the western world and how to improve the living environment. Ye Yongxin is the earliest scholar who introduced the concept of urban renewal and analyzed the social and political context in 1986. From 1995 to 2001, the planning and design strategy of old cities, and the construction methods became one of the main topics. [8]In the book "Rehabilitating the Old City of Beijing" written by a well-known scholar at that time, Wu Liang Yong talked about how to preserve and develop the old neighborhood in Beijing. And in 2007, a book called "Concrete Dragon: China's Urban Revolution and What it Means for the World" by Professor Thomas J. Campanella elaborately explained how the cities in China, especially Beijing have been destructed. The fifth chapter of his book which is named "the city of Chai" described the condition in Beijing as "a conservative estimate is that 40 percent of the Old City was pulverized between 1990 and 2002, eliminating in a decade an urban landscape that had endured 600 years of war, peace, and revolution." In this book, the author has a profound analysis of the rationales for the demolition of Chinese cities. But in this book, very little is concerned with the large-scale reconstruction of historic cities. [9]

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[8] Yao Zhou and Jiang Chang, "Imitation, Reference, and Exploration—Development Path to Urban Renewal in China (1985-2017)," *Urban History Forum* 46, no. 4 (2019). https://doi.org/10.1177/0096144218822803.
[9] Thomas J Campanella, *Concrete Dragon: China's Urban Revolution and What It Means for the World,* (New York, United States: Princeton Architectural Press), 2007.

In another book called “Building Globalization: Transnational Architecture Production in Urban China”, which was published in 2011, the author, Xuefei Ren[10], an assistant professor of sociology and global urban studies at Michigan State University also talked about the demolition of historical cities that happed in China and he stated the background and how did the demolition activities in different periods have influenced the historic cities in China.

In the fourth chapter of the article, the author mentioned that the main threat to historic buildings has changed from anti-urban ideology under socialism, to urban renewal and demolition in the 1990s, and gentrification after 2000. He said that since around 2000, with some conservation-based redevelopment projects achieving high returns on investment, developers and municipalities have suddenly realized the economic potential of historic buildings as a resource to boost tourism, increase property values, and foster community development upgrades. The urban renewal projects have taken place in a large number of historical cities and the gentrification progress was under extremely fast speed. But this article is mainly about architecture and the description of the urban spaces is not that detailed.

“From the preservation of historical and cultural cities to the preservation of built heritage”[11] by Professor Zhang Song. In this article, Professor Zhang Song reviewed the formation process of China's historical and cultural name system and the main problems currently faced. This article was

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[10] Xuefei Ren, *Building Globalization: Transnational Architecture Production in Urban China*, (Chicago, United States: University of Chicago Press), 2011. http://ebookcentral.proquest.com/lib/upenn-ebooks/detail.action?docID=686261.

[11] Song Zhang, “From the Preservation of Historic and Cultural Cities to the Conservation of Built Heritage,” *China Ancient City*, no. 05 (2019) 4-11.

published in “China Famous City” magazine in 2019. The author mentioned in the article that the damage faced by famous historical and cultural cities in China is mainly divided into two types. One is the “constructive destruction” developed due to the old city renovation movement started in 1980 and the land lease system implemented in the 1990s. The other is “protective destruction” which refers to an improper demolition in the name of preservation, resulting in serious violations of the principles of authenticity and integrity of cultural heritage preservation. Although in the article, Professor Zhang Song mentioned the concept of “protective destruction”, the harm of it, and analyzed the reasons for the destruction of historical and cultural cities, which is the fastest urbanization process and large-scale renovation of old cities, but the specific causes of “protective destruction” are not explained in detail in the text.

Section 2. Preservation of historical Cities

2.1 History overview of preservation of historical cities in China

1940-1980 Early Attempt to Preserve the Historical City

In the early stage of the People's Republic of China, the whole country is striving in the direction of socialism. The Soviet Union at that time was not only an example of the political system and economic policy but also regarded as a teacher by the Chinese government in terms of urban construction. From 1949 to 1959, President Mao has initiated a series of ideological and cultural movements which was called the "Architecture Movement of New China " in the book "Liang Sicheng and his times" by Zhu Tao[12], and during this period, the "One-Sided Policy", that is, all leaders must learn from the Soviet government in terms of their decision-making, construction of cities, and the style of architecture has greatly influenced the development of architectures and cities at that time. The constructivist architecture of the Soviet Union stressed the connection between architecture and politics, emphasizing that the ideas contained in architecture need to be consistent with the ideas of socialist countries. In terms of urban construction, experts from the Soviet Union pointed out that the construction of the city needs to achieve integrity, and the buildings in the city need to be as highly unified as the political ideas of the people of the country.

In September 1949, the new Chinese government invited Soviet architects to Beijing to make plans for Beijing's urban development. Although the city of Beijing at that time experienced a long period of war, important historical sites, such as the Beijing City Wall, are well preserved. However,

[12] Tao Zhu, *Liang Sicheng and his times*, Guangxi Educational University Press (2014).

experts from the Soviet Union believed that the city lack industrial development, and it was necessary to set up industrial zones on both sides of the central axis of the ancient city of Beijing, to be more in line with the concept of a socialist country. The Soviet expert Barannikov made a speech on this issue and he stated:

> "Beijing is the capital, and it should not only become a cultural, scientific and artistic city, but also a large industrial city. The working class of Moscow accounts for the entire city's population. 25%, while Beijing now accounts for only 4%. It is only a consumer city. In the future, industrial construction will be carried out. ".[13]

In the opinion of Soviet experts, Beijing at that time was a consumer city, which meant that the ruling class in Beijing was exploiting the productive class in the countryside, and this view was completely inconsistent with the political direction at that time. To get rid of the status that only the consuming class stayed in the city, adding industrial zones within the city of Beijing and allowing more workers to live in the city is a politically guided planning measure. The opinion of this plan was also approved by the leaders at that time. The top leader, Mao Zedong, commented that "after the victory of the revolution, the focus of the party's work will shift from the countryside to the cities, …, and the cities of consumption should be transformed into cities of production." [14]

However, the famous Chinese architects Liang Sicheng and Chen Zhanxiang raised objections to this plan. They believed that the ancient city of Beijing should be fully protected, and proposed to maintain the appearance of the ancient city and the development center of the city should be

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[13] "Review of Urban Planning in Beijing: Planning Discussion in the Early Stage of the People's Republic of China," (Beijing, China), *Beijing Longjingyuan*, (2018). http://www.bjljy.net/zongtiguihua/2015/0515/5530.html
[14] ibid

transferred to the western suburbs of Beijing. Liang Sicheng also pointed out in “Peking Cultural Relics Must be Organized and Preserved” that “The entire architectural layout of Beiping (Beijing’s old name) City, whether from the perspective of urban planning, history, or art, is a rare treasure in the world, which has long been recognized by ordinary people.”[15] . The plan of Liang and Chen was, sadly, not supported by the government. And frustratingly, people didn't realize the importance of integrity at that time. To build a new socialist China, the development of cities has been given top priority. Some people suggested that the plan by Liang was too conservative. They believed that the main buildings, such as the Forbidden City, could be preserved, but the city walls and some ancient arches and gate towers in the city could be demolished. Take the twin towers of Qingshou Temple as an example, the twin towers were built between 1257 and1258 with a history of more than 800 years. They were not only excellent examples of traditional Chinese architecture but also witnesses to major historical events in the past several dynasties. However, in 1954, although Liang Sicheng, proposed to retain the building and build roads around it, the twin towers of Qingshou Temple were after all demolished under strong suggestions of the traffic engineers saying that they have blocked the traffic. In addition, Beijing Di’anmen, built-in 1420, one of Beijing’s iconic buildings which used to be the place where the emperors went for rituals and praying for blessings was also demolished in 1954 for obstructing traffic. Many buildings like this have been demolished

[15] Kai Wang, “From "Liang-Chen Scheme" to "Multi-center with Two-Axis and Two Belts",” *Beijing Planning and Construction*, 2005(1) 7.

due to traffic development. The renovation plan of Beijing City was developing in the opposite direction of the “Liang Chen Plan”, and it was rapidly spreading out.

Figure 1. The map of the historical city of Beijing
Source: Zhu, Tao, *Liang Sichen and his times*

On the other hand, in terms of historical preservation theory, after Liang Sichen completed his studies at the University of Pennsylvania and Harvard University, and based on his research on Chinese architecture, he proposed the most advanced preservation theory at that time. He mentioned in his book that Chinese wooden buildings were different from Western masonry buildings. He said in the article “Reconstruction and Maintenance of Gossip Cultural Heritage Buildings” in the July 1963 issue of “Relics” magazine, “I still think some restorations of ancient

cultural buildings are like polishing some mirrors from Zhou Dynasty with oil to make them shiny which will seriously damage its historical and artistic value." According to Mr. Liang Sicheng's analysis, the repaired part should be in harmony with the original appearance, and the old and new should be integrated. [16] Liang's theory is also summarized as "repair the old as the old". According to Alois Riegl in the" Modern Cult of the Monument: Its Character and Its Origin ", the value of monuments could be divided into age, historical, use, and newness value. Liang's theory of preservation emphasized the historical value, artistic value, and age value of monuments. Especially for the age value, Liang believed that modern materials could not be used for the repair of monuments. Furthermore, investigation of the historical materials and workmanships should be conducted in detail, and repairments of monuments should be carried out in strict accordance with their materials and workmanship, and ultimately make them look old. Although Liang's conservation theory was very valuable at the time, he also realized that we could not just let monuments deteriorate, and they need to be restored. But the overemphasis on the age value also falls into the cult of monuments mentioned by Alois Riegl, and this cult of monuments is undoubtedly accelerating the destruction of them. In other words, to pursue the artistic value brought by age value, people tend to ignore the authenticity of the monuments and try to falsify them to achieve an artistic pursuit, which is, to some extent, destroying the monuments.[17]

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[16] Di Lu, "Liang Sicheng's "Remaining as Old" and Related Concepts in the West," *Architecture of the Times*, no. 06 (2017) 138–43.
[17] *Ibid.*

1980-2002 foundation of preservation theory and policy on historical cities

After the Reform and Open-up policy, the development of urban areas took off and lots of historical cities are severely damaged during the urbanization process. And the scholars and the government started to pay attention to the preservation of historical cities. Scholars imported the preservation and urban renewal theories from western countries, seeking a road to better develop the historical cities. In 1982, experts including Hou Renzi from Beijing University, Zhen Xiaoxie from the Ministry of Construction, and Dan Shiyuan from the Palace Museum proposed the new concept of "famous historical and cultural cities", which refers to the cities that are particularly rich in preserved cultural relics and has great historical and cultural value and revolutionary significance.[18] And they suggested building up a new preservation system for the historical cities, which is having a category of famous historical and cultural cities designated by the State Council and keeping these cities under preservation.[19] In 1982, the State Council approved and forwarded the "Request for Instructions from the National Construction Commission and other departments on the preservation of famous historical and cultural cities", stated the definition of "famous historical and cultural cities", and published the first category of 24 cities, which established the preservation system of historical cities in China.

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[18] National Cultural Heritage Administration of China, *Law of the People's Republic of China on the Preservation of Cultural Relics (2017 Amendment)*, November 04, 2017, www.ncha.gov.cn/art/2017/11/28/art_2301_42898.html
[19] Weijie Lan, Min Hu, and, Zhongshu Zhao, "Review, Characteristics, and Prospects of the Protection System of Famous Historical and Cultural Cities," *Urban Planning Forum* no. 02 (2019) 30-35.

After this, the preservation policy of famous historical and cultural cities has been greatly improved. In terms of urban planning, the "Urban Planning Law" promulgated in 1989 clarified that urban planning should protect historical and cultural heritage. "Requirements for the Preparation of Famous City Conservation Planning" in 1994 put forward specific requirements for the principles and methods of famous city conservation planning.[20]

At the same time, under the influence of the ever-spreading city-constructing movement, the phenomenon of simplification and homogeneity gradually appeared in the city. High-rise buildings and highways characterize every city. In this context, historic cities are also deeply affected. Some scholars of architecture and urban planning and design tried to explore the methods of urban renewal and old city renovation and introduced the theories of renewal and preservation from European and American countries. In 1999, Professor Wu Liangyong attempted the renewal of traditional streets and architectural forms in Beijing under the threat of urbanization. His book "Rehabilitating the Old City of Beijing: A Project in the Ju'er Hutong Neighborhood" focused on the pilot project in Ju'er Hutong and took it as a theoretical and methodological exercise on regenerating the old neighborhoods. [21]

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[20] *Ibid.*

[21] Liangyong Wu, *Rehabilitating the Old City of Beijing: A Project in the Ju'er Hutong Neighbourhood*, UBC Press, 1999 (Vancouver, Canada), http://ebookcentral.proquest.com/lib/upenn-ebooks/detail.action?docID=3412192.

In addition, it is also during this period that the preservation theory in China made connections to the world. After the Reformation and opening-up, China has been positive to join the international preservation discourse. In 1985, China officially joined the World Heritage Convention and also participated in the preservation affairs led by ICOMOS, UNESCO, and ICCOM. And in 1986, Chinese scholars introduced the Venice Charter which was published in 1964 and was considered the international standard and principles for preservation at that time. Venice Charter stressed the importance of authenticity and integrity which was different from Liang Sicheng's theory. The principles about authenticity in Venice Charter also caused disputes in China as some scholars thought it was a principle that was only suitable in the western world. In 1994, The Nara Document on Authenticity expanded the meaning of authenticity in Venice Charter and stated that "Judgments of authenticity may relate to the value of many sources of information. These sources can include many aspects, such as form and design, material and substance, use and function, tradition and technology, place and context, spirit and emotion, and other internal or external factors". [22] As this statement was more closely related to the cultural context in China, the judgment of authenticity of historical heritages was made by the Cultural Relic Bureau based on this document.

2002-2020 exploration of methods of preservation

[22] ICOMOS, *The NARA document on authenticity (1994)*, https://www.icomos.org/charters/nara-e.pdf.

In 2002, the newly revised “Relics Preservation Law” clarified the concept of famous cities and proposed the concept of historical and cultural districts. And the “Urban Purple Line Management Measures” and “Urban and Rural Planning Law” issued in 2003 and 2007 have further promoted legislation on the preservation of historic cities. After the State Council promulgated the “Regulations on the Preservation of Famous Urban Cultural Cities, Towns and Villages” in 2008, the basic legal system of “two laws and one regulation” for the preservation of famous cities in China was completed.[23]

On the other hand, although the pace of urbanization has never stopped, some scholars and designers began to reflect on the development of the cities. After the blindless imitation of foreign cities, the frenzy of demolition, and the chaotic insert of modern architecture, scholars asked the questions about demolition, reconstruction, gentrification, villages in the urban centers, and how to build a city that belongs to the Chinese culture and provide a comfortable environment for the residents at the same time. As for the historical cities, as the destruction continued, the situation went better under the restrains of the law systems and the shouts of scholars about preserving the historical heritages. The concept of preservation of historical cities has grown stronger than the renovation of old cities, which was closely related to the demolition and reconstruction of these cities. In 2008, Datong city which was of the “famous historical and cultural cities” abolished the

[23] Weijie Lan, Min Hu, and, Zhongshu Zhao, "Review, Characteristics, and Prospects of the Protection System of Famous Historical and Cultural Cities," *Urban Planning Forum*, no. 02 (2019) 30-35.

reconstruction project and changed to the preservation of the cities. The government issued a notice ordering all old city renovation projects within the protected area of the historical city to be suspended. More than 60 development and renovation projects were urgently stopped, and the historical city preservation project was fully launched. [24]

In addition, for a long time, the conservation projects of the ancient city have confused the concepts of cultural falsification and reconstruction. Most of the buildings in China are made of wood. Unlike stone, wood is easily rotted and deformed, making the building no longer strong. And because wooden buildings are prone to fire, many dynasties in China's history will rebuild historical buildings that have experienced fires. Based on this, Chinese architecture has a long tradition of refurbishment and renovation. In many historical biographies in China, many deeds of the renovation of historical buildings are recorded. The renovation and reconstruction of ancient buildings have also caused a lot of controversy in the architectural and preservation field. The Venice Charter stated that "Replacements of missing parts must integrate harmoniously with the whole, but at the same time must be distinguishable from the original so that restoration does not falsify the artistic or historic evidence." [25] This clearly could not apply to all the historical buildings in China. Professor Luo Zhewen once proposed that more than 90% of the existing ancient buildings in China have been repaired, renovated, or reconstructed. If there is no repair and

[24] Yanbo Geng, "From Old City Reconstruction to Ancient City Protection: Getting Out of the Dilemma of Cultural Inheritance and Economic Development," *Cultural Landscape*, no. 04 (2013).
[25] ICOMOS, *International Charter for the conservation and restoration of monuments and sites (The Venice Charter 1964)*, https://www.icomos.org/charters/venice_e.pdf

restoration of the past dynasties, there will be no inheritance of traditional Chinese architecture.[26] Therefore, he proposed a Qufu Manifesto which stated that Chinese ancient buildings have the particularity of using wooden structures, and as long as the restoration is "conscientiously restored and scientifically restored according to the prototype system, raw materials, original structure, and original craftsmanship", then the antique building "still has scientific value, artistic value, and historical value", and should not be considered a "fake antique."[27] On one hand, compared with the Venice Charter, Professor Luo Zhewen's understanding of authenticity takes into account China's unique cultural background and the traditions of the preservation of historical buildings. But his proposal was not advocated by the official Cultural Relics Preservation Bureau. And in some places, the government has packaged the demolition and reconstruction of historical buildings into the protective reconstruction which met the standards of "Four Authenticity" proposed by Professor Luo Zhen. During this period, Chinese scholars of ancient architectural and historical preservation had disputes over the value judgment of historical buildings, and the disputes continue to exist.

2.2 The Legal system for the preservation of historical cities

National law

A. The framework: Three laws and two regulations

[26] *Ibid.*
[27] Jinze Cui, "Breakthrough—On the Material Reconstruction of Chinese Cultural Relics and Monuments," *Chinese Cultural Heritage*, no. 02 (2017).

Since the Congress of China adopted and announced the implementation of the "Law of the People's Republic of China on the Preservation of Cultural Relics." [28]in 1982, the construction of laws and regulations has improved gradually and the framework of "three laws and two regulations" was formed in 2008. The three laws refer to the "Law of the People's Republic of China on the Preservation of Cultural Relics."[29]("Cultural Relics Preservation Law" in the later description), "Urban and Rural Planning Law of the People's Republic of China."[30]("Urban and Rural Planning Law" in the later description), and "Intangible Cultural Heritage Law of the People's Republic of China"[31]; the two regulations refer to "Regulations on the Preservation of Famous Historical and Cultural Cities, Towns and Villages."[32] and "Implementation Regulations of the Cultural Relics Preservation Law of the People's Republic of China.[33]"[34]

The existing laws and regulations system in China consists of constitutions, laws, regulations, rules, and the legal effects decrease in order. The "Cultural Relics Preservation Law" and the "Urban and Rural Planning Law" are the highest laws in the Historical Heritage Preservation since

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[28] The National Cultural Heritage Administration of the People's Republic of China, *Law of the People's Republic of China on the Protection of Cultural Relics (1982)*, http://www.ncha.gov.cn/art/2017/11/28/art_2301_42898.html.
[29] *Ibid.*
[30] The Central People's Government of the People's Republic of China, *Urban and Rural Planning Law of the People's Republic of China (1989)*, http://www.gov.cn/ziliao/flfg/2007-10/28/content_788494.htm.
[31] The Central People's Government of the People's Republic of China, *Intangible Cultural Heritage Law of the People's Republic of China (2011)*, http://www.gov.cn/flfg/2011-02/25/content_1857449.htm.
[32] The Central People's Government of the People's Republic of China, *Regulations on the Preservation of Famous Historical and Cultural Cities, Towns and Villages,* 2008*,* http://www.gov.cn/flfg/2008-04/29/content_957342.
[33] The Central People's Government of the People's Republic of China, *Implementation Regulations of the Cultural Relics Preservation Law of the People's Republic of China,* 2017*,* http://wwj.beijing.gov.cn/bjww/362690/362731/flfg33/622360/index.html
[34] Long Xu, Hanyu Zhang, and Qin Wang, "Construction Strategy on the Legal System of China Historical and Cultural City Preservation," *Chinese Famous City*, 35, no. 11 (2021).

the founding of the People's Republic of China. The second level is the regulations, which could be divided into administrative regulations and local regulations. Administrative regulations include the "Regulations on the Preservation of Famous Historical and Cultural Cities, Towns and Villages." issued in 2008. Local regulations vary according to different provinces and municipalities. Rules also include departmental rules and local government rules. Departmental rules include "Guiding Opinions on Strengthening the Planning and Preservation of Outstanding Urban Modern Architectures"[35], "Administrative Measures for Urban Purple Lines,"[36] "Measures for Examination and Approval of Preservation Planning for Famous Historical and Cultural Cities, Towns and Villages,"[37], "Administrative Measures for the Preservation of Historical and Cultural Blocks"[38], and "Administrative Measure for the Preservation of Historic and Cultural Towns and Villages".[39]

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[35] The Ministry of Construction of Beijing, *Guiding Opinions on Strengthening the Planning and Preservation of Outstanding Urban Modern Architectures,*2004, http://law168.com.cn/doc/view?id=107158.
[36] The Ministry of Construction of the People's Republic of China, *the Administrative Measures for Urban Purple Lines,*2004, http://www.gov.cn/gongbao/content/2004/content_62888.htm.

[37] The Central People's Government of the People's Republic of China, *Measures for Examination and Approval of Preservation Planning for Famous Historical and Cultural Cities, Towns and Villages,*2015, http://www.gov.cn/gongbao/content/2015/content_2809137.htm.
[38] The Central People's Government of the People's Republic of China, *Administrative Measures for the Preservation of Historical and Cultural Blocks,* 2015, http://www.gov.cn/gongbao/content/2015/content_2809137.htm.
[39] The Central People's Government of the People's Republic of China, *Administrative Measure for the Preservation of Historic and Cultural Towns and Villages,* 2018, http://www.gov.cn/zhengce/2020-12/27/content_5574469.htm.

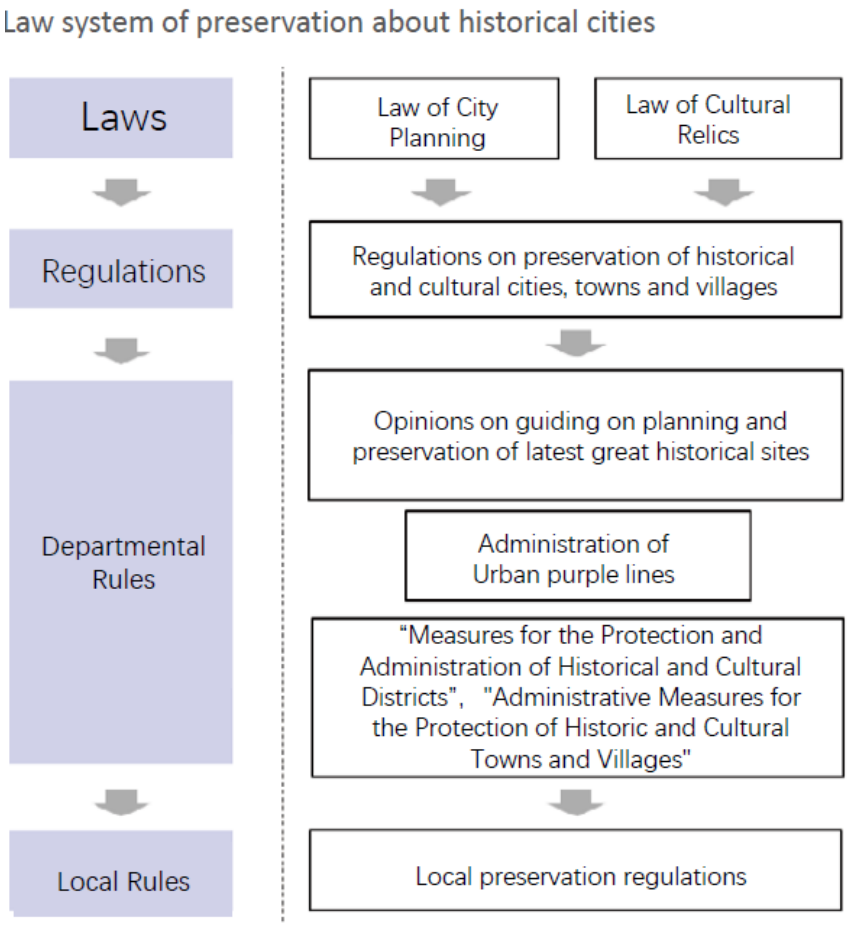

Figure 2. The legal system of preservation of historical cities

Source: Qiu, Baoxing, Situation & Problem of and Counter—Measure for the Conservation of the Historical and Cultural Cities in China, Chinese Famous Cities, 2012(12) 4-9.

B. Foundation: Legal system in the 1980s

In 1982, the "Cultural Relics Preservation Law" was published, which for the first time stated the definition of famous historical and cultural cities which is, cities with historical value and

unusually rich in cultural relics of revolutionary significance. [40]The famous historical and cultural cities are recommended by the State Administration of Culture and the Department of Urban and Rural Construction and Environmental Preservation to the State Council for approval and publication. And in 1983, the State Council announced the first list of 24 national historical and cultural cities, including Beijing, Chengde, Datong, Nanjing, and other cities. However, the scope of definition and preservation methods for historical cities given in the Cultural Relics Preservation Law is too large. Although some cities were on the list the historical and cultural cities, the historical heritage in these cities was still destructed.

In addition to the Cultural Relics Preservation Law, the preservation of historic and cultural cities also relies on the laws and regulations on urban and rural planning. Firstly, in 1983, the Ministry of Urban and Rural Construction and Environmental Preservation issued a notice on strengthening the planning of historical and cultural cities, proposing that the special characteristics of historical and cultural cities should be taken into account in the overall planning in terms of urban form, layout and land use. It is also pointed out in this notice that historic and cultural cities are required to prepare preservation plans, and they need to be submitted together with the general plan of the city for approval. The "Urban Planning Regulations"[41] promulgated in 1984 further proposed that the preservation of famous cities should be an important part of the master plan and

[40] The National Cultural Heritage Administration of the People's Republic of China, *Law of the People's Republic of China on the Protection of Cultural Relics (1982)*, http://www.ncha.gov.cn/art/2017/11/28/art_2301_42898.html.

[41] The Central People's Government of the People's Republic of China, *Urban Planning Regulations*, 1984(2) 5.

that the objects of preservation should be identified and the scope of preservation should be delineated, and preservation measures should be formulated. The Urban Planning Law published in 1989 specifies that the preparation of urban planning should protect historical and cultural heritage.

However, although the Cultural Relics Preservation Law and Urban and Rural Planning Law were already in place in the 1980s, the contents of these laws only emphasized the preservation of historical and cultural heritage but did not propose specific punitive measures, preservation requirements, and specific regulations. In addition, during this period, due to the economic reform in 1984, which led to rapid economic development, urbanization, and acceleration, many cities gave way to development for the preservation of historical cities to improve the urban environment and the living standards of residents. A large number of cities were destroyed, and the Cultural Relics Preservation Law and Urban and Rural Planning Law did not play a corresponding role at that time. Before 1993, only Hancheng and a few famous cities in Xi'an had enacted local regulations on historical preservation.

C. Development: Legal system after the 1980s

The newly revised Cultural Relics Preservation Law[42] in 2002 further clarified the concept of historic cities, formally introduced the name of historic cultural districts (villages and towns), and the preservation of historical heritage in China has formed a system consisting of three levels: cultural relics, historic districts, and famous and cultural cities. In addition, the Cultural Relics Preservation Law provides detailed descriptions of the additions and renovations to cultural relics and sites of historical and cultural value which means the renovation and reconstruction of historical buildings. need the approval of the local government.

In terms of conservation planning, in 1992, the State Administration of Cultural Heritage and the Ministry of Construction issued the "Notice on Further Strengthening the Preservation of Historic and Cultural Cities" to address the problems that emerged in the 1980s, requiring the conservation planning of historic and cultural cities to be incorporated into the master plan, and requiring the preparation of special conservation plans in addition to the special plans of the master plan, in other words, the designation of important conservation areas and construction control areas as the basis for management. [43] In 1994, the Ministry of Construction and the State Administration of Cultural Heritage issued the "Requirements for the Preparation of Historical and Cultural City Planning" based on the 1993 Circular, which implemented the contents mentioned in the 1993

[42] The National Cultural Heritage Administration of the People's Republic of China, *Law of the People's Republic of China on the Protection of Cultural Relics (2002 Amendment),* http://www.ncha.gov.cn/art/2017/11/28/art_2301_42898.html.
[43] The National Cultural Heritage Administration of the People's Republic of China, *Notice of the State Administration of Cultural Heritage on Strengthening the Special Assessment Work for the Protection of National Historic and Cultural Cities*, http://www.gov.cn/zhengce/zhengceku/2021-11/26/content_5653491.htm.

Circular and served as a guide for the subsequent preservation of famous cities. Since then, China has promulgated a series of rules and regulations for the preservation of historic and cultural cities, including the "Measures for the Management of Urban Purple Line" issued in 2003 and the "Guiding Opinions on Strengthening the Planning and Preservation of Outstanding Modern Buildings in Cities" issued in 2004. The Urban and Rural Planning Law, which was revised in 2007, specifies that the preservation of historical and cultural heritage should be a mandatory part of the master plan of a city (town). More specific specifications and requirements have been put forward from the master plan to the detailed plan.

The regulations on the preservation of famous historical and cultural cities and towns and villages issued in 2008 also fill the gap in administrative regulations. This regulation is also the first specific one in the preservation of the famous city. The regulations for the declaration, approval, planning, and preservation of historical and cultural cities and towns, and villages have made specific instructions for local governments to prepare and comply with the requirements of conservation planning.

In addition to conservation planning, China also established a special fund for historic cities in 1996 for the political and environmental preservation of historic districts in famous cities, and local governments have funds specifically for the preservation of famous cities. In addition, a system of urban and rural planning inspectors has been established. Until 2020, the Ministry of

Housing and Construction has sent inspectors to 46 national historic and cultural cities to issue planning inspection letters, aiming to stop irregularities in construction that encroach on historic and cultural districts and destroy the historic features.

Local Law

At present, the historical preservation laws of various provinces and cities in China are uneven. According to the research of the China Academy of Urban Planning and Design, until September 2021, 17 provinces have laws and regulations related to the preservation of famous historical cities, towns, and villages in mainland China, accounting for 55%, nearly half of the provinces do not recognize the importance of the preservation of famous cities and formulate relevant laws and regulations. [44]

During the same period, some regions have formed a rather complete legal system, while some regions are still in the initial stage of law formulation. Taking Shanghai and LiaoCheng as examples, Shanghai has realized the importance of historical and cultural cities since 1990, and in 2002 promulgated the "Regulations on the Preservation of Shanghai Historic and Cultural Areas and Excellent Historic Buildings".[45] After the demolition and reconstruction of LiaoCheng City which

[44] Long Xu, Hanyu Zhang, Qin Wang, "Strategies for the Construction of Legal System for the Protection of Famous Historical and Cultural Cities in China," *Chinese Famous Cities*, 2021,35(11) 4-79.
[45] the People's Congress of Shanghai, *Regulations on the Protection of Historic Districts and Excellent Historic Buildings in Shanghai*, October 11, 2019.
https://cgzf.sh.gov.cn/cmsres/2f/2f73566467ea4ff5859ee83adefcd225/0d61bcf8176e776300082f6ab4997607.pdf.

began in 2011, it took ten years before it finally passed the “LiaoCheng City Cultural Relics Preservation and Management Regulations”.[46]

Analysis of the Legal system

In general, China has made great progress in the preservation of historical cities since the 1990s. The preservation of historical cities in China mainly relies on the Cultural Relics Preservation Law and the Urban Planning Law, and the regulations specifically on historical and cultural cities issued in 2008. On the one hand, these laws and regulations establish the basis for the preservation of historical cities and prescribe the preservation laws of historic cities from a planning perspective. However, there are still many shortcomings in the current preservation laws of historical and cultural cities.

First of all， the legal system is incomplete. Although there have been some advances in laws and regulations regarding the preservation of historic cities in recent years, there is still a lack of the preservation of historic cities in the highest-level constitution. In addition, although the regulations specific to the preservation of historical and cultural cities were issued in 2008, the binding force is not as strong as the laws. And the preservation of historic cities at the law level is still missing.

[46] Jianmin Guo, “Report of the Standing Committee of the People's Congress of LiaoCheng City on the application for approval of the "Regulations on the Protection of Cultural Relics in LiaoCheng City",” the People's Congress of Shandong Province, 2021(04) 713.

Secondly, the law has a relatively weak binding force on the local government. The local government is mainly responsible for the preservation and management of local historical buildings and districts. It has the right to designate cultural relics units, and historical blocks and punish illegal acts. As a result, local governments often have rights above the law which could cause illegal acts not to be investigated, and law enforcement is lax. For example, in the Cultural Relics Preservation Law, it is mentioned that "repairment of cultural relics preservation units shall be reported to the corresponding administrative department for approval according to the level of the preservation units." The local government has the right to approve or deny the repair of cultural relics that are on the local level, so when the government itself carries out unreasonable renovations, it is also easier to obtain its approval.

Thirdly, the penalties for destroying cultural relics and historical buildings are not severe. According to Article 66 of the Cultural Relics Law: The administrative department of cultural relics of the government at or above the county level shall order the destructive behavior to make corrections, and if serious consequences are caused, a fine of not less than 50,000 yuan but not more than 500,000 yuan shall be imposed. [47]According to a report in 2015, a historical building in Shanghai which is classified as a second-class cultural relic preservation unit was repainted by the building's developers without any approval from the local government. [48]But the developer was only fined 500,000 yuan. It is common that because the punishment for such violations is not strong

[47] The National Cultural Heritage Administration of the People's Republic of China, *Law of the People's Republic of China on the Protection of Cultural Relics*, 1982, http://www.ncha.gov.cn/art/2017/11/28/art_2301_42898.html.
[48] Hanfu He, "A century-old building in Shanghai was brutally "faced"," *Guangzhou Daily*, June 10, 2015.

enough, enterprises and developers in pursuit of interests could earn more income and profits by carrying out renovation and reconstruction of historical buildings than the fine.

Finally, various laws and regulations focus on the preservation of historical buildings, but there are no specific suggestions and regulations for other preservation methods. For example, in the United States, the national park service divides interventions for historic buildings into four levels, such as preservation, rehabilitation, restoration, and reconstruction.[49] In China, there is no classification of these methods, and no specific regulations are made in each aspect. Regarding the reconstruction, it only mentioned the need to report to the local government and the State Council for approval but did not mention the principles and suggestions that should be followed in the reconstruction process.

[49] National Park Service of United States, *Four Approaches to the Treatment of Historic Properties*, https://www.nps.gov/tps/standards/four-treatments.htm#:~:text=There%20are%20Standards%20for%20four,rehabilitation%2C%20restoration%2C%20and%20reconstruction.

Section 3. The Oxymoron of "protective destruction"

3.1 oxymoron of demolition and reconstruction

Since the late 1990s, there has been large-scale demolition and reconstruction happening all over the country. According to a report conducted by professor Wu Bihu from Beijing University in 2012, it states that more than 30 historical cities are under reconstruction, billions of Yuan were invested to demolish and rebuild ancient cities, and a large number of historic buildings of famous historical cities were demolished, the streets were damaged, the ancient city walls were torn down, and people were forced to move out. [50]

Figure 3. Selected cities that are planning to rebuild or are rebuilding their ancient areas

Source: Peng Liguo, Zhou Qiongyuan

[50] Liguo Peng, Qiongyuan Zhou, "More than 30 ancient Chinese cities want to rebuild, demolish old antiques and accelerate the stage", *Southern Weekend*, November 16, 2012.

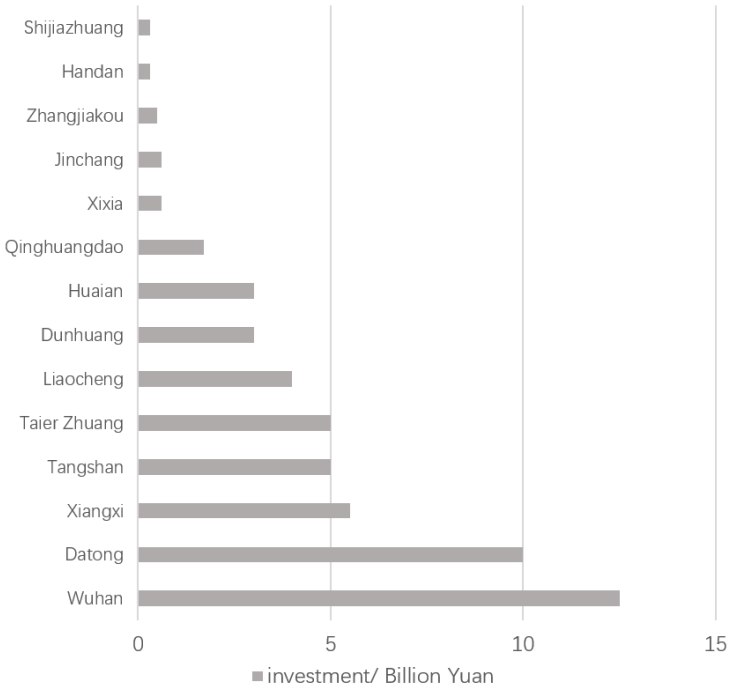

Figure 4. Incomplete statistics of billion-RMB rebuilding projects in historic cities

Source： Peng Liguo, Zhou Qiongyuan

In 2012, Qiu Baoxing, vice-minister of the Ministry of Housing and Urban-Rural Development, gave a speech titled "The Protection Situation, Problems and Countermeasures of Famous Historical and Cultural Cities in China".[51] In his speech, he mentioned that one of the problems faced by famous historical and cultural cities in China is demolishing real relics and building fake antiques. He took LiaoCheng as an example, and stated that LiaoCheng had demolished the historical blocks which were formed over a long history, and built new buildings that looked old. In the same year, the Ministry of Housing and Urban-Rural Development and the

[51] Baoxing Qiu, "Situation & Problem of and Countermeasure for the Conservation of the Historical and Cultural Cities in China," *Chinese Famous Cities*, 2012(12) 4-9.

State Administration of Cultural Relics issued a notice criticizing several cities with poor preservation of historical and cultural cities, namely LiaoCheng City in Shandong Province, Handan City in Hebei Province, Suizhou City in Hubei Province, Shou County in Anhui Province, Jun County in Henan Province, Yueyang City in Hunan Province, Liuzhou City in Guangxi Zhuang Autonomous Region, Dali City in Yunnan Province and other national historical and cultural cities.[52] Among them, the situation in Liaocheng is the most serious. These two departments also gave these cities a deadline to rectify the situation. If the rectification is not proper, these departments will request the State Council to revoke the title of Historical and Cultural City. However, none of the cities were moved out of the category of famous historical and cultural cities, in the end, even some cities continued the demolition and reconstruction of historical districts.

Among them, Luoyang City which was nominated as a national historical and cultural city in 1982, has a history that could be traced back to the Western Zhou Dynasty. The historical blocks in the southeast and southwest corners are the most important part of the old city of Luoyang. And Wenfeng Tower, a nine-story blue brick pagoda with a history of more than a thousand years stands in the southwest corner.

In 2013, the Luoyang Government issued a document to expropriate the houses within the planning area of the historical blocks in the name of preserving the history and improving the living standards of people. A total of more than 9,000 households and nearly 20,000 residents were

[52] The National Cultural Heritage Administration of the People's Republic of China, *Notice of the Ministry of Housing and Urban-Rural Development and the State Administration of Cultural Heritage on Partially Inadequate Protection of National Famous Historical and Cultural Cities*, December 1, 2012, http://www.ncha.gov.cn/art/2021/12/1/art_722_172130.html

relocated from the historical district of the old city of Luoyang city.[53] However, after the relocation of the original residents, the Luoyang government demolish all the original streets and old buildings in the block for the actual purpose of commercial development, and built courtyard houses that imitate the buildings of the Ming and Qing Dynasties and sold them at a high price. The resettlement houses promised to residents who moved from the neighborhood five years ago by the government were still under construction in 2016. Neither the style nor the layout of the new buildings could fit into the texture and context of the historic district. In particular, the large pit that was dug out as a temporary playground on the north side of the old city has damaged the pattern of some blocks of the ruins of Luoyang City in the Sui and Tang Dynasties.

The original residents in the historical districts decided to file an administrative lawsuit with the Luoyang Intermediate People's Court and eventually won. However, this "victorious" lawsuit did not change the expropriation decision of the Luoyang government because of the huge amount of money already invested in the early stage of eviction and relocation. At the end of 2014, the developers still demolished a plot of about 160 acres in the southeast corner of the historical districts and built an antique tourist street without considering the planning regulation of famous historical and cultural cities and districts.[54]

Datong City is another city that has been demolished and reconstructed. The reconstruction of Datong City is described by Professor Tongheng of Tsinghua University as the starting point of a

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[53] Shimeng Liu, "70-day rectification versus five-year large-scale demolition and construction, can Luoyang retain the halo of "historical and cultural city"," *China Times*, 2019, https://www.chinatimes.net.cn/article/87044.html.
[54] Rui Liu, "How did 5 famous historical and cultural cities violate the rules", *People's Daily,* June 17, 2019, http://guancha.china.com.cn/2019-06/17/content_40788680.html.

series of demolition and reconstruction of the historical cities since 2010[55], and it is also an example of city renewal that many cities follow. Since 2008, the star mayor of Datong, Geng Yanbo, has presided over a series of renovations and restoration of ancient buildings, streets, and districts. In just three years from 2008 to 2010, 37,000 houses were demolished, and the ancient city walls and Huayan Temple were rebuilt. The urban renewal project he has led has been praised by residents on the one hand, as it has brought a new look to formerly dilapidated streets and houses. On the other hand, it has been criticized by historical preservation scholars. Ruan Yisan, a well-known scholar and expert in the planning and preservation of ancient towns, disagreed with Geng Yanbo's method of preservation. He believed that it was "destroying real cultural relics in the name of reconstruction and restoration", "it was a fallacy and a crooked trend", and "our ancient city cannot be preserved if all the leaders demolish the real antiques and made the fake antiques."[56] And Zhang Jin, deputy chief engineer of the Heritage Center of Tsinghua Tongheng Planning and Design Institute, pointed out, "The common people think that Mayor Geng is good because he understands his original intention. This original intention has indeed been realized in one way. But to improve the living environment of people, in addition to reconstructing the ancient city, there are other ways to achieve this goal."

From 2017 to 2018, the Ministry of Housing and Urban-Rural Development and the State Administration of Cultural Heritage conducted an assessment and inspection of the protection of

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[55] Shimeng Liu, "70-day rectification VS five-year large-scale demolition and construction, can Luoyang retain the halo of "historical and cultural city"," *China Times*, 2019, https://www.chinatimes.net.cn/article/87044.html.
[56] Yisan Ruan, Zongshu Lv, "Ruan Yisan, "We Can't Find Our Way Home"," *Southern Weekend*, 2013(9) 84-86. http://www.infzm.com/contents/92068.

national historical and cultural cities, towns, and villages in China and criticized five cities ich that is not well preserved, including LiaoCheng City in Shandong Province, Datong City in Shanxi Province, Luoyang City in Henan Province, Hancheng City in Shaanxi Province, and Harbin City in Heilongjiang Province. [57]

In addition, the Ministry of Housing and Urban-Rural Development has also issued the "Standards for Handling Ineffective Protection of National Historical and Cultural Cities (Trial)". For the improper protection of historical and cultural cities, there are three types of treatment standards, including "can be notified and criticized" "can be listed as endangered." and "can revoke the title of its famous city". The "Standard" also details the circumstances in which the title of a famous city will be revoked.[58]

Under such circumstances, various historical and cultural cities actively began to reflect on themselves, trying to correct the practice of large demolition and construction. For example, on December 20, 2021, the Shandong Provincial Department of Housing and Urban-Rural Development and the Shandong Provincial Department of Culture and Tourism jointly issued the "Notice on Carrying out the Special Assessment Work for the Protection of Famous Historical and Cultural Cities". And 10 national historical and cultural cities in Shandong province will carry out

[57] The Ministry of Housing and Urban-Rural Development of the People's Republic of China, *Notice of the State Administration of Cultural Heritage of the Ministry of Housing and Urban-Rural Development on some under-protected national historical and cultural cities*, 2019(7)1, http://www.chinajsb.cn/html/201903/21/1911.html.
[58] Jing Wan, "Demolition and construction of famous historical and cultural cities will be "delisted"," *Legal Daily*, 004, December 17, 2021.

a self-assessment every year, and timely discover and stop the wrong practices of large-scale demolition and construction from 2022.[59]

3.2 Rationale

1) Disputes about the authenticity of heritages.

As for historical preservation, authenticity is one of the most important principles. The authenticity of the heritage was emphasized in the original Athens Charter, as well as in the Venice Charter. The principle of recognizability is also mentioned in the Venice Charter, that the restored part needs to be clearly distinguished from the historical architectural part. However, as the cultural background, building materials, and philosophies of building houses are different in China; the principle of authenticity generated in the context of Western culture has caused many debates in China, which indirectly led to the large-scale demolition and reconstruction after the 1940s.

First of all, authenticity is closely related to the value of historical heritage. In 1903, Alois Riegl published a seminal article titled The Modern Cult of the Monument: Its Character and Its Origin, describing the different values of historical sites, such as historical value, age value, use value, and artistic value. Based on the understanding of the value of historical relics, there are different theories and methods of historical preservation. One of the theories was represented by John Ruskin (1819-1900) in England, who emphasizes the age value and historical value of

[59] Yan Nan, "The state will inspect the protection of historical and cultural cities, and those with poor protection may be revoked," *Urban Planning Newsletter,* 2000(04) 4-4.

historical heritage. He believes that reconstruction is a lie and that the restoration of historical heritage should preserve the original appearance of the ruins. Another theory was represented by Eugene Violet-le-Duc in France, he emphasizes the artistic value of heritage, and he believes that the perfect state of the heritage is the original state, not the objects we see at that time, but the creator's original idea of the object. So, to restore a building is not to preserve it, repair it, or rebuild it, but to restore it to a complete state. In addition, Cesare Brandi believed that the authenticity of relics is the most important principle in the restoration process and the recognizability of the material should be emphasized.[60] Based on these theories, the World Heritage Committee elaborated on authenticity in the first edition of the Operational Guidelines for the Implementation of the Convention for the Protection of the World Cultural and Natural Heritage in 1977: "Heritage should satisfy authenticity in terms of design, materials, workmanship, and environment; authenticity is not limited to original form and structure, it should also include all ongoing alterations and additions that constitute its artistic and historical value over time. ".[61] Also, the Venice chapter strengthens the principle of authenticity.

However, the principles and standards of authenticity in the Venice Charter could not be applied exclusively to Asian architectural culture. In Asia, taking China as an example, buildings are mostly wooden structures, which are prone to decay and deformation, and are vulnerable to fire and earthquakes. If they are not repaired regularly, the buildings will have the risk of collapse. As

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[60] Wei Li, "Reflections on the Theory of Cultural Relics Restoration and Cultural Heritage Value System," *Heritage and Protection Research*, 2018,3(11) 39-4.
[61]UESCO, *The Operational Guidelines for the Implementation of the World Heritage Convention*, July 31, 2021, https://whc.unesco.org/en/guidelines/.

a result, most of the buildings in Asia do not meet the criteria of authenticity which emphasize the use of original materials. In 1993, UNESCO mentioned Ise Shrine in Japan, which is an important shrine of Japanese Shintoism and is regularly rebuilt, and stated that although such architecture does not reflect the authenticity of the material, it truly showed the philosophy and aesthetic value of Japanese architectural. It proposed a different standard of authenticity other than the Venetian Charter. During the Nara Conference in 1994, the Japan Agency for Cultural Affairs, the Nara Silk Road Expo Commemorative International Exchange Foundation, the International Center for Cultural Conservation and Restoration Research (ICCROM), the International Council on Monuments and Sites (ICOMOS), the UNESCO World Heritage Center, The Norwegian and Canadian cultural heritage authorities jointly hosted the "Nara Authenticity Conference Related to the World Heritage Convention" in Nara, Japan, to discuss issues such as "authenticity". It is mentioned in the Nara Documents: "Conservation of cultural heritage in all its forms and historical periods is rooted in the values attributed to the heritage."[62] The concept of authenticity has expanded from the original four criteria to the form and design, materials and texture, purpose and function, tradition and craftsmanship, location and setting, spirit and emotion, and other internal and external factors.

In China, there are two main theories on the restoration and preservation of historical buildings. One is the "like for like repair" advocated by Liang Sicheng, and the other is the Four Principles of authenticity proposed by Professor Luo Zhewen. Liang Sicheng believes that the restoration of

[62] ICOMOS, *The NARA Document on authenticity,* 1994, https://www.icomos.org/charters/nara-e.pdf.

historical buildings needs to preserve the original structure and form and to achieve visual harmony by selecting the old materials of the original structure and the original structure of the part to be repaired. [63]This method was later criticized as artificial fraud. Professor Luo Zhewen believes that ancient buildings have three values: “historical value”, “artistic value” and “scientific value”. If the building itself does not exist, all the values will not exist. In 2005, Professor Luo Zhewen led 33 other experts in the protection of ancient buildings to jointly release the “Consensus on the Theory and Practice of the Protection and Maintenance of Cultural Relics and Ancient Buildings with Chinese Characteristics - Qufu Declaration”.[64] The declaration pointed out that Chinese ancient buildings were special for the use of wooden structures. As long as the restoration “retains the original shape, the original structure, the original materials, and the original craftsmanship”, the result “still has scientific value, artistic value, and historical value” and should not be considered a “fake antique”. In 2004, the Chinese government, in cooperation with the Getty Institute of the United States, compiled the “Guidelines for the Protection of Cultural Relics and Monuments in China”[65] based on the “Venice Charter” and the “Barra Charter”, which differed from the Qufu Declaration and proposed that

“the original site must be protected, the intervention should be minimized, the routine maintenance should be carried out regularly, the existing physical condition and historical information should be protected, and the aesthetic standard must be correctly grasped, the cultural relic environment must be protected, and the buildings that no longer exist should not be rebuilt."

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[63] Zihua Yu, "Repair the old as the old" and "Like-For-Like" Repair,” *Natural and Cultural Heritage Research*, 2019, 4(12) 4.
[64] Bingjian Ma, “Luo Zhewen's thought and practice of protection of cultural relics and ancient buildings,” *Ancient Architecture and Garden Technology*, 2012(3) 3.
[65] ICOMOS Chinese National Committee, *Guidelines for the Protection of Cultural Relics and Monuments in China*, 2002, www.icomoschina.org.cn/uploads/download/20141113_chanshu.pdf.

Until today, there are still disputes over the authenticity of ancient Chinese buildings and the preservation methods.

In the practice of preservation, theories about authenticity have also been challenged. For example, the Venice Charter emphasizes minimizing alterations to the building, trying to preserve its original state, and the additions and alterations need to be differentiated from the original building part. But this principle did not apply during the reconstruction of the historic center of Warsaw. The historic center of Warsaw is the urban district in Warsaw, Poland, founded in the 13th century. During World War II, 85% of the old city was razed to the ground due to bombing and air raids by the Nazi Germans in 1994. After World War II, the Polish people spent more than 20 years from 1945 to 1966 restoring and rebuilding the old city. In the reconstruction process, the architects mainly used the building materials left over at that time, tried their best to restore the architectural appearance of the old city of Warsaw in the Middle Ages before it became ruins, and reconstructed the old streets and plazas in the old city of Warsaw with accurate pre-war surveying drawings and photos. The façades of the old town were accurately rebuilt, while the interiors were redesigned according to new functional requirements.

Although some experts believed that its reconstruction did not conform to the principle of authenticity mentioned in the Venetian Charter and was a replica when evaluating the authenticity of the historic center of Warsaw at that time, it was designated on the World Heritage List by

UNESCO in 2011 and has been hailed as "an outstanding example of a near-total reconstruction of a span of history covering the 13th to the 20th century."

According to the statement of UNESCO, the authenticity of the historic center of Warsaw was mainly shown in the process of reconstruction, not the rebuilt city because the process of reconstruction reflects the national spirit of the Polish people to protect their culture after suffering the disasters. [66]

Two typical examples of reconstruction in China include the Yellow Crane Tower and Shanghai Xintiandi. These two reconstructed historic sites represent the reconstructed historic buildings and historic districts in China, and the authenticity of these two projects is still controversial. "Yellow Crane Tower" is one of the most three famous buildings in the south of the Yangtze River and the main landmark building in Wuhan city. It was firstly built in the Three Kingdoms period (223 AD), and gradually became a famous scenic spot in the Tang Dynasty and the subject of many poems and praises. But because its building material is mainly wood, it has undergone many reconstructions and restorations over years, and its architectural form will be partially changed after each restoration. According to historical data, before 1980, the Yellow Crane Tower had undergone 27 reconstructions. The last Yellow Crane Tower was built in the Qing Dynasty (1868 AD) and was destroyed in 1884, and has not been rebuilt for nearly a hundred years since then. In May 1978, Hubei Province restarted the reconstruction of the Yellow Crane Tower, and the design plan submitted by Zhongnan Architectural Design Institute was adopted. Based on

[66] UNESCO, "Historic center of Warsaw," June 1, 2021, https://whc.unesco.org/en/list/30.

the architectural drawings of the Qing Dynasty, the design plan raised the height of the stairs of the Yellow Crane Tower and adopted the traditional roof shape. [67]In 1985, the reconstructed Yellow Crane Tower was completed. Its architectural form and building materials were different from those of the Qing Dynasty, but it re-showed to the public the majestic image of the Yellow Crane Tower that survived in poetry. Some people think that the reconstruction of the Yellow Crane Tower has seriously damaged the authenticity of the materials and cannot become a qualified historical building. However, during the reconstruction process, although the historical value and age value of the Yellow Crane Tower have been abandoned, its cultural value has been brought up and it showed great historical and cultural significance.

The renovation of Shanghai Xintiandi includes several blocks of the district, which is different from the Yellow Crane Tower. On the original site of Shanghai Xintiandi, there were small alleys formed by the buildings which were described as lilong by Shanghai people and the building type is Shikumen, which combines characteristics of both Chinese and Western architecture. The buildings and the streets are memories of home for Shanghai people. But there are also various problems with the lilong building, including difficult access for fire engines and termite infestation. In response to these problems, the local government launched the Shanghai Xintiandi project in 1999, retaining some of the Shikumen buildings, demolishing most of the residential houses, rebuilding them into commercial stores, and introducing investment. Although on the one hand, the reconstruction project of Shanghai Xintiandi has retained the original lilong pattern and some

[67] Wu Zhang, "Rebuilding the Yellow Crane Tower," *Wuhan Construction*, 2015(2)1.

historical buildings, and its use value has been brought into play, its most important value, the collective memory has been destroyed. For the residents here, this is no longer a home, but a shopping place after capitalization and gentrification.[68]

In general, there is some controversy, both in theory and in practice, about the authenticity of the reconstruction of historic buildings. Even if some theories are approved by the majority of scholars, there will be some cases that cannot fully meet the requirements of the theory in the practice of reconstruction, but meet the requirements of authenticity in other aspects. Therefore, the Chinese government and developers can easily confuse the definition of the authenticity of reconstruction in the process of renovating and rebuilding historic districts and buildings. In the process of urban renewal on a larger scale, the authenticity of historical places is more likely to be disputed.

2) economical

<u>land finance</u>

After the Third Plenary Session of the Eleventh Central Committee, China's economic policy took a turn. In the 1980s, land and housing policies also underwent fundamental changes. Unlike the situation before the 1980s when all the lands belonged to the state, the Land Administration Law, issued in 1988, separated land ownership and use rights.[69] The Land Administration Law

[68] Shiling Zheng, "Building a Harmonious and Sustainable Urban Space: On Shanghai's Urban Space Planning," *Journal of Architecture*, 1998(10) 4.
[69] Zhu Rongji, "Regulations for the Implementation of the Land Administration Law of the People's Republic of China," *China Founder Press,* 2003.

stated that land in urban areas is owned by the state while land in rural areas and urban suburbs, except for the state-owned land stipulated by law, is collectively owned by rural residents. In cities, commercial, industrial and residential property owners can use the land by purchasing. This land policy also enables real estate companies to buy land and sell it after development. Although the land is still state-owned or collectively owned, the land became more and more private as it is purchasable. At the same time, since the central government no longer provides financial subsidies to local governments, local governments need to figure out how to increase the revenue themselves. In China, taxes can be divided into central taxes, local taxes, and shared taxes between central and local governments. Among them, the central tax includes consumption tax, customs duty, vehicle purchase tax, etc., the local tax mainly includes land value-added tax, real estate tax, urban land use tax, etc., and the central and local shared tax includes value-added tax. In other words, the most important local fiscal revenue comes from the sale of land-use rights. The government obtains fiscal revenue by leasing land use rights. At the same time, developers and foreign investors buy land at lower prices and sell houses at higher prices after development, thereby making huge profits. [70] So, the government always cooperates with local real estate developers and foreign investors to develop land in the planning process in order to increase local fiscal revenue, which makes the land value soar rapidly. And urban renewal became a major theme in the 1900s as a result of housing marketization, fiscal decentralization, land reform, and foreign investment.[71]

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[70] Kang Jia, Wei Liu, "An Analysis of "Land Finance"——Constructing a Reasonable, Standardized, and Sustainable Local "Land to Generate Money" Mechanism in Deepening Fiscal and Taxation Reforms," *Economics Dynamics*, 2012(01) 11- 18.

[71] L Ye, "Urban regeneration in China: Policy, development, and issues," *Local Economy*, 2011, 26(5) 337-347.

Furthermore, the local government's fiscal revenue is overly dependent on the income from the transfer of land use rights. According to the Speech at the National Land and Resources Conference by Xu Shaoshi, Minister of Land and Resources on January 7, 2011, from 2007 to 2010, the national land-use rights transfer revenue exceeded 7 trillion yuan, and all of them were included in local fiscal revenue, which accounted for a quarter of the total local fiscal revenue. [72]This also shows that the fiscal revenue of local governments became reliable on the real estate development investment of local and foreign capital. Scholars from Cardiff university conducted a study in 2006 and stated, " real estate developments acquired an irreplaceable place in the urban economy and provide the major driving force for urban redevelopment."[73], and the author describes urban renewal and old city renovation as "property-led redevelopment".

One of the consequences of over-reliance on real estate development to obtain fiscal revenue is that local governments and investors put their interests first, and in the process of urban renewal and reconstruction, it is easy to ignore the age and historical value of historical cities. And the large-scale demolition and reconstruction of historic cities are also one of the phenomena of "property-led redevelopment".

Urbanization

[72] Kang Jia, Wei Liu, “An Analysis of "Land Finance"——Constructing a Reasonable, Standardized, and Sustainable Local "Land to Generate Money" Mechanism in Deepening Fiscal and Taxation Reforms,” Economics Dynamics, 2012(01) 11- 18.
[73] S He, F Wu, “Socio-spatial impacts of property-led redevelopment on China’s urban neighborhoods,” *Cities*, 2007, 24(3) 194-208.

On the other hand, since the establishment of the Reform and Opening-up policy in 1978, China's economy has developed dramatically. In 1978, China's GDP was only 364.5 billion yuan. In 2007, China's GDP soared to 24,661.9 billion yuan, which increased by 67 times in 30 years. A large number of rural people move into cities because of the development of industries, and the urban population has surged. The original urban infrastructure could not meet the living needs of the urban population, and new towns were in urgent need of construction. In response to such demand, the Chinese government has invested a lot of money to promote the construction of new towns. In the countryside, the government has expropriated a large amount of rural land to build new towns or satellite cities. In the city, the New Town Movement is mainly reflected in the reconstruction of the city. The establishment of new towns in China requires land and more capital. Demolition and reconstruction of historical urban centers are one of the most economical and affordable methods. Compared with carefully preserving the historical city and improving living standards, demolishing most of the buildings, and developing commerce, tourism can generate more profits. In response to this phenomenon, Professor Ruan Yisan said that "demolition of old houses to build new houses will generate GDP and real estate income while repairing old houses will cost money and no income."[74] In addition, the rapid development of urbanization has also led to a rapid increase in the value of land in urban centers. Land in the city center is a huge asset for real estate businessmen. On the one hand, the government can improve its political performance by

[74] Yisan Ruan, Fei Yuan, Jianli Xiao, "Interpretation and Suggestions on the Current Trend of "Rebuilding the Ancient City"," *Urban Planning Journal*, 2014(1) 4.

carrying out large-scale demolition and large-scale construction together with developers., it could also, on the other hand, obtain more benefits.

Housing pressure from the population boom

According to the data from China National Data Network, China's population has grown from 542 million in 1949 to 987 million in 1980 and 1.4 billion in 2019. The urbanization rate of the population is also growing rapidly. The seventh national census data shows that the proportion of the floating population flowing to cities and towns is still increasing. In 2020, the number of populations flowing to cities and towns nationwide was 331 million, accounting for 88.12% of the total flowing population, an increase of 3.85 percentage points compared with 2010. Among them, the population flow from rural to urban areas was 249 million, an increase of 106 million people compared with 2010[75]. These figures show that large numbers of people move into cities and live in urban centers. An increase in the number of people also means an increase in housing pressure. Most of the ancient cities in the urban center are one- and two-story houses, which cannot provide enough housing for the rapidly increasing population. This is one of the reasons why the government hopes to build high-rise apartments on the original land of the ancient towns and cities.

Economic benefits of tourism development

[75] Guixin Wang, "An investigation on the new trends of population mobility and urbanization in China: A preliminary interpretation based on the data released by the seventh census," *Population and Economy*, 2021(5) 20.

Another reason the ancient city was demolished and rebuilt was to engage in tourism. Most of the ancient cities did not have any industrial foundation. In order to improve people's living standards and promote local economic development, tourism has become a pillar industry in many historical cities. However, many ancient cities and towns only see the economic benefits brought by the development of tourism, but they do not see the reasons behind it. The development of tourism could not be generated by newly built fake antiques, but historical value, and age value of historical districts, and cities.

After the rise of tourism in the first group of famous historical and cultural cities, Lijiang, Pingyao, and Wuzhen, more historical cities hope to learn the path of their tourism development but ignore the investment in the preservation of historical buildings in the ancient towns.

Take LiaoCheng as an example. In 2012, the LiaoCheng government’s investment promotion document showed that the investment in the restoration and reconstruction of historical and cultural cities was about 178 million yuan. The annual passenger flow was about 300,000, and the income was about 100 million yuan after completion. According to the public benefit forecast of the LiaoCheng city government, the investment to get rid of the old shanty houses in the ancient city

is about 1.687 billion yuan, and the residential buildings can be built at about 480,000 square meters. The estimated sales revenue is about 2.88 billion yuan.[76]

3) political

Insufficient law system

The current legal system for historic city preservation in China established the basis for the preservation of historical cities, but still has some shortcomings and needs further improvement. According to the analysis of the legal system for the preservation of historical cities in section two. There are mainly 4 insufficiencies.

First of all, the legal system is incomplete. The highest law, the constitution has always been missing relevant regulations on the protection of historical heritage. Secondly, the law has a relatively weak binding force on the local government. The local government has too much power over the management of historical relics and lacks supervision policies for the destruction of historical relics by the local government. As a result, local governments often have rights above the law which could cause illegal acts not to be investigated. Thirdly, the penalties for destroying cultural relics and historical buildings are not severe. The maximum penalty for damage to historic sites is only a fine of 50,000 to 500,000 yuan. Finally, various laws and regulations focus on the

[76]"Phoenix Ancient City ranks third in the cost of rebuilding the ancient city", Legal Daily, November 17, 2012, http://www.wenming.cn/wmzh_pd/fw/201211/t20121119_941563.shtml.

preservation of historical buildings, but there are no specific suggestions and regulations for other preservation methods.

The political power of local governments

Compared with the central government, local governments have greater rights over historical sites, which means that the decisions of local officials have a decisive role in the management of historical sites. Although the central government will propose more advanced preservation theories and policies, local governments may misunderstand these when conveying ideas. In addition, when local officials exercise political power, they do not know much about the preservation of historical heritage, which makes it easy for them to ignore the protection of historical cities in the process of urban renewal. In addition, through the demolition and reconstruction of historical cities, it is easier for local officials to obtain seemingly excellent political achievements, thereby achieving personal prestige.

4) social (cultural)

Insufficient awareness of preservation

Today, there are still many people who do not understand why it is necessary to protect historic houses. People instinctively pursue a more comfortable and comfortable life and put personal living standards first, and they cannot recognize the value of historical buildings, nor understand the necessity of preservation of historical buildings. Furthermore, at the beginning of the 20th century,

due to the huge wealth gap between China and Western countries, some Chinese people are crazy about foreign things and obsequious to foreigners, thinking that Western architecture is better, and Gothic architecture is more refined than Chinese architecture. This lack of cultural confidence was also reflected in the process of urban construction. In 2001, Shanghai released the "Opinions on the Pilot Program for Promotion of Urban Development in Shanghai" which mentioned that Shanghai should focus on the development of "one city and nine towns". [77]Nine of these towns have copied the styles of architecture and the pattern of streets from different cities around the world. For instance, Songjiang New Town has been built into a British-style new town; Anting Town has been built into a German-style town; Pujiang Town is characterized by Italian-style buildings combined with an American town style; Gaoqiao Town has been built as a modern Dutch town with French and Australian flair. In terms of rural construction, a large number of characteristic rural agricultural bureaus have been converted into small European-style houses, and many people even hope that the government can expropriate their own houses so that they can receive a large number of demolition funds and buy apartments in the city.

Stereotypes from the cultural revolution

There is a saying in traditional Chinese culture that one cannot build a new one without breaking the old one. Throughout the thousands of years of history, each dynasty's changes have

[77] Shanghai Municipal People's Government, *Opinions on the Pilot Program for Promotion of Urban Development in Shanghai*, January 5, 2001, https://hd.ghzyj.sh.gov.cn/zcfg/tdgl/200812/t20081223_152001.html.

been built based on the defeat of the previous one. At the beginning of the founding of the country, the new China was eager to get rid of the ties with the Qing government and the Republican government, and it needed to throw away the old ideas and inject a whole new force into the country. Therefore, in the subsequent cultural revolution, the national leaders have been emphasizing the need to get rid of the old culture. Due to the influence of this ideological trend of negating tradition, people consciously or unintentionally lack due respect for tradition and ancestors. Some people think the historical heritage is a burden to the society which restricted the development of the economy and the improvement of living standards. Some would consider the historical buildings as old and shabby which do not worth preserving. Some only consider the buildings or districts which are on the list of official categories of historical relics as heritage that should be preserved. Some could not differentiate the new-built fake antiques and the real historical buildings; and think the new-built antique represent the history of the country. In general, the public awareness of the value of historical sites still needs to be improved.

Section 4. The Oxymoron of "Protective Demolition" in LiaoCheng City

4.1 History

The formation of LiaoCheng City

LiaoCheng, which locates in the west of Shandong Province, had a long history and was first built in the Spring and Autumn Period. According to "Shi chj", a chronological history book written by a historian, Sima Qian, of the Western Han Dynasty, it was called "Liao" and "Liaoyi", an important city in the western part of ancient Qi country at that time, and it got its name because of its proximity to Liao River. And in Qin Dynasty, the government set up a county for LiaoCheng, under the East Prefecture. In the Tang Dynasty, LiaoCheng was the county of the Bozhou administration, and in the Song Dynasty, it belonged to Boping County. In the Yuan Dynasty, LiaoCheng belonged to the administrative office of Dongchang Road. In the Ming Dynasty, the Dongchang administration was set up by the Shandong Provincial Commissioner, and LiaoCheng was the seat of the Dongchang administration until the Qing Dynasty. [78]

The formation of LiaoCheng is closely related to the JingHang Canal（part of the Grand Canal）. At the beginning of the fifth century BC, to facilitate the transportation of troops by ships, King Fuchai of Wu built Xincheng and excavated a canal to connect the Jianghuai river and Huaihe

[78] Guijie Wang, Jinwen Li, and Shicai Cui, "Conservation and Renewal of Old City during Urbanization——Investigation and Study on the Conservation and Renewal of Old City in LiaoCheng," *Huazhong Architecture*, no. 04 (2007).

River. This canal was subsequently expanded during the Sui Dynasty and became the original part of the Grand Canal. （Orange Line）[79]

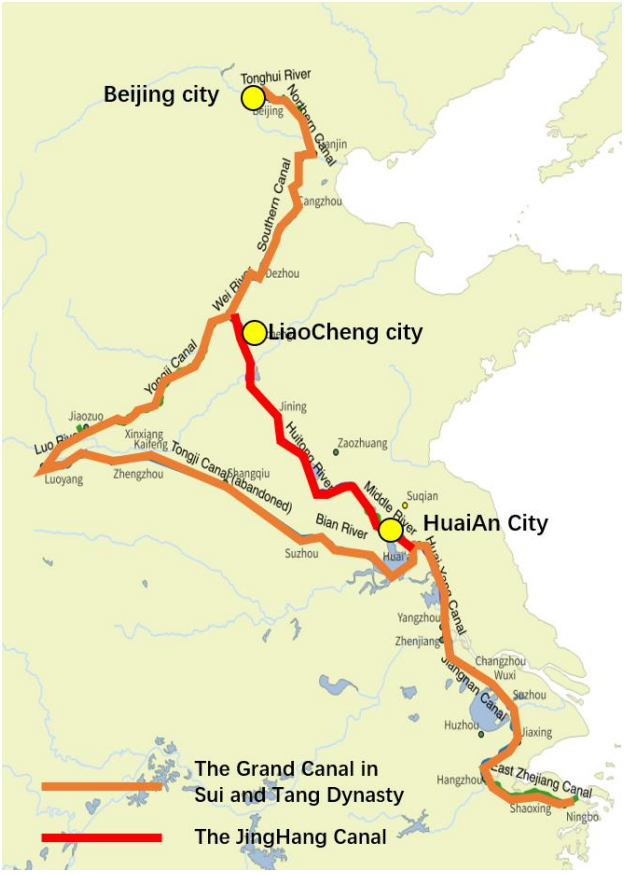

Figure 5. The Grand Canal

(base map source: www. wikipedia.com)

After the Yuan Dynasty, the capital was moved to Dadu (the old name of Beijing), and the original water transportation network could no longer meet the transportation needs of supplying a large number of materials for the capital, so a new JingHang canal (red line) was conducted to

[79] Wei Dong, "Research on the Protection and Renewal Strategies of the Historical and Cultural District of Mishi Street in Liaocheng City," *Beijing University of Architecture*, 2018.

connect the Tonghui River near Dadu to the water near Shichahai area and the Grand Canal was formed.

In the late period of the Yuan and early period of the Ming Dynasty, the LiaoCheng area was once very desolate. It prospered rapidly after the construction of the JingHang Canal as the trade activities along the canal and population gathering from the south to the north drove the construction of residential houses, wharves, post stations, shops, restaurants, inns in LiaoCheng city. And since then, it has become an important town in the east of the country and continued to prosper until the end of the Qing Dynasty.

At the end of the Qing Dynasty, due to the corruption of the government of LiaoCheng, water conservancy facilities fell were in disrepair, and water transportation was often paralyzed. Also, at the end of the Qing Dynasty, the demand for water transportation became low with the development of railroad transportation, and LiaoCheng gradually declined. [80]

[80] *Ibid.*

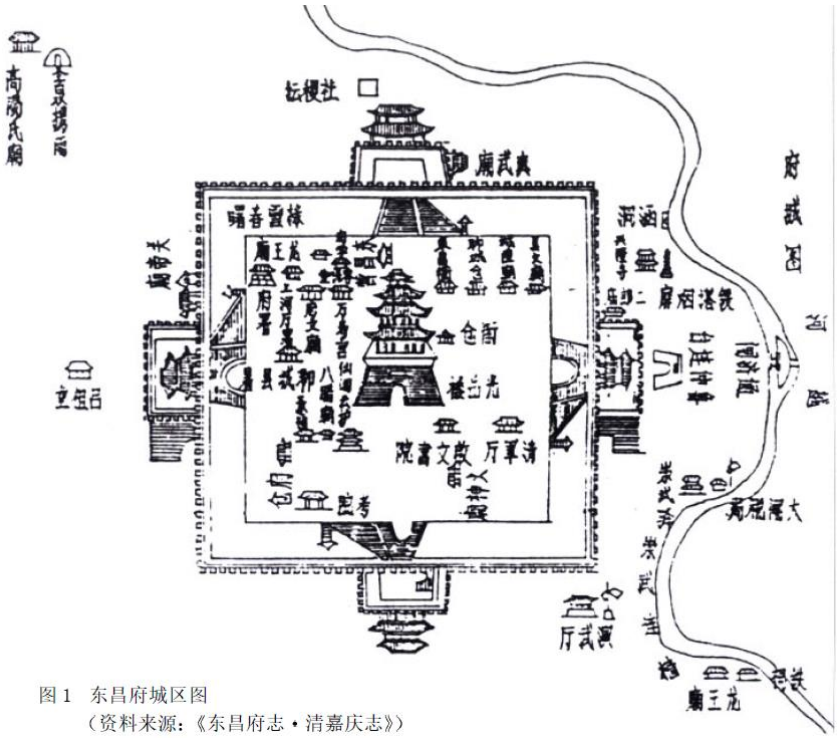

图 1　东昌府城区图
（资料来源：《东昌府志·清嘉庆志》）

Figure 6.The map of Dongchang administration.
(Source: The Chronicle of Dongchang administration)

The relocation of LiaoCheng City

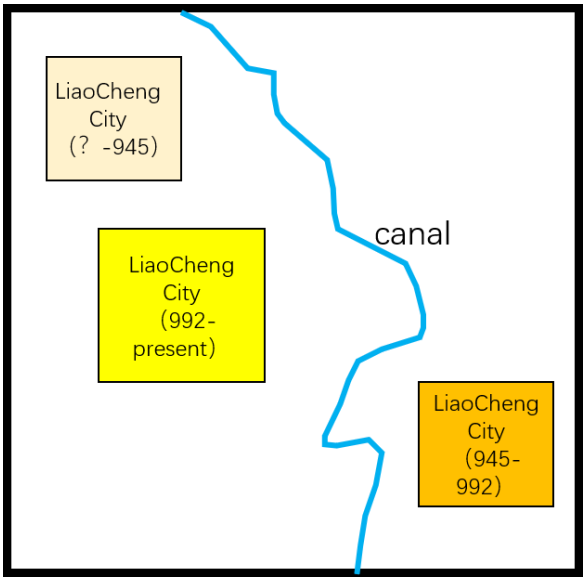

Figure 7. The location change of Liaocheng City over time.

(Source: Dong, Wei. Research on the Protection and Renewal Strategies of the Historical and Cultural District of Mishi Street in Liaocheng City)

The location of LiaoCheng City has changed twice over time. At first, the city was located on the west north of the Grand Canal during the Epoch of Warring States. The “Ancient LiaoCheng Site” with “Lu Zhonglian's Tomb” inside is the earliest site before the Later Jin Dynasty. The location of the county changed after the first rupture of the river in LiaoCheng (945). Lastly, in the Song dynasty (992), the river of LiaoCheng burst again and the city wall was washed away. Laiocheng moved to the west of the river and has stayed there until today.

Historic heritage within LiaoCheng city

There are many cultural relics preservation units (the official registered categories of cultural relics in China) at all levels in the ancient city, including 2 national key cultural relics preservation units (Guangyue Tower, Shanshan Guild Hall) and 2 provincial key cultural relics preservation units (Longxing Temple Tower, Haiyuan Pavilion Library), more than 10 city-level units (Fu's Ancestral Hall, Fan Gong Ancestral Hall, the ruins of the ancient city wall, Dongchang Lake, etc.). The well-preserved historic district is located in the southern part of the ancient city, extending northward along Lounan Street to the east and west streets of Guangyue Tower. And the traditional street system is still there, and the traditional features such as Guanqian Street, Taoyuan Street, Shixian Hutong, Zhuangyuan Street, Huoshen Street, Taoist Street, and Guandi Temple Street are well preserved.

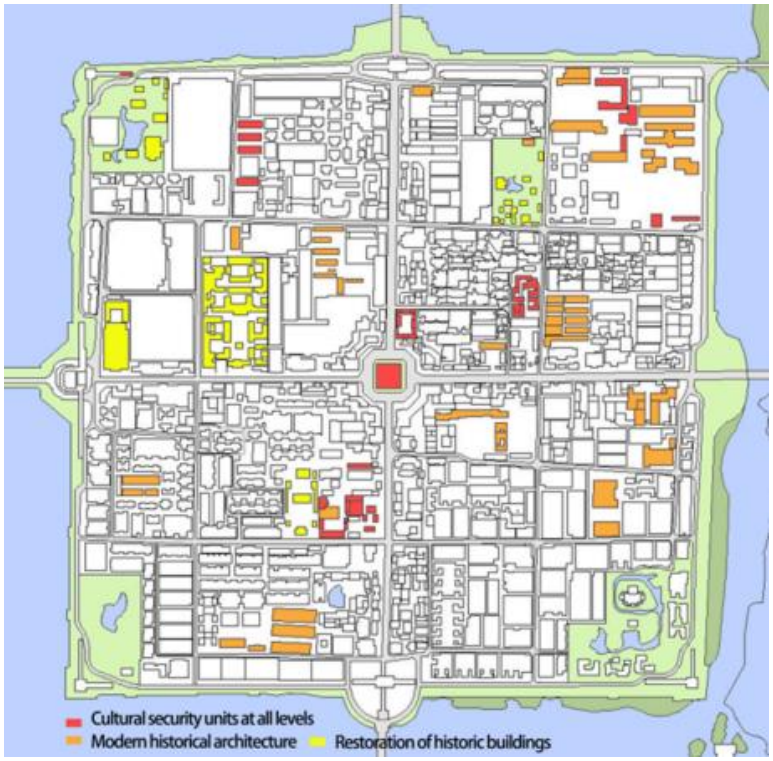

Figure 8. Current situation of architectural space in LiaoCheng city. 2021
(Source: Lang X, Wei G. Research on the Stratification Process and Influencing Factors of Liaocheng Ancient City Based on the Translation of Historical Map[C]//IOP Conference Series: Earth and Environmental Science. IOP Publishing, 2021, 787(1): 012082.)

In LiaoCheng, cultural relics of the Neolithic era have also been discovered. The ancient building Guangyue Tower in LiaoCheng was listed as a key cultural relic preservation unit in 1956. The city was announced as a historical and cultural city by the State Council in 1944.[81]

Guangyue Tower was built in the early Ming Dynasty, when the commander Chen Yong built this 33-meter-high tower in order to defend against Mongolian invasion. It is located in the center of the city and can be used as a clock tower to tell the time or a defensive tower to transmit

[81] Yangyang Wang, "Research on the revival of the ancient city after demolition the real and building the fake——Taking the ancient city of Liaocheng as an example," *Smart City* 4, no. 22 (2018).

information when an enemy invades. The main building of Guangyue is a wooden structure. According to historical inscriptions and records in Liaocheng County Chronicle and Dongchang County Chronicle, Guangyue Tower was repaired 11 times during the Ming, Qing and Republic of China periods.

After the founding of the People's Republic of China, the government has repeatedly repaired the Guangyue Building. Among them, there were two large-scale repairs. From May 1984 to December 1985, the main building of Guangyue was fully repaired at a cost of 450,000 yuan.[82]

During several restorations of Guangyue Tower, the architectural form and appearance of Guangyue Tower have kept the same as that of Song and Yuan Dynasties. In the subsequent restoration, in order to reinforce the building, the preservationists used cement to reinforce the base and repainted the bricks and tiles.

[82] Yuna Pei, Yabin Wen, "Superficial Discussion on Renovation and Cultural Heritage Protection of the Guangyue Tower," *Housing Technology*, 2012, 32(5) 4.

Figure 9. Guangyue Tower
(Source: www.baidu.com)

Another National key cultural relic is LiaoCheng Shanshan Guild Hall, commonly known as Guandi Temple, which is located in the south of LiaoCheng City, on the west bank of the canal. The hall is 77 meters long from east to west and 43 meters wide from north to south, covering an area of 3311 square meters.

The Shanshan Guild Hall is an ancient building complex combining the temples and commercial halls which were built by Shanshan and Shaanxi merchants in 1743. The existence of Shanshan Guild Hall showed the history when the economy was most prosperous along the JingHang Canal. In 1977, the Shandong Provincial People's Government listed it as a provincial

key cultural relics protection unit. In 1988, it was listed as the third batch of national key cultural relics protection units by the State Council. [83]

Figure 10. Shanshan Guild Hall
(Source: www.baidu.com)

4.2 Evolution

A. Spatial Evolution

[83] Weiming Li, Tao Wu, "Research on the Conservation Strategy of Yangzhou Shanshan Guild Hall under Gradient Theory," *Architecture and Culture*, 2021(12) 55-56.

Figure 11. The built-up area of LiaoCheng city over time, 2021

(Source：Lang X, Wei G. Research on the Stratification Process and Influencing Factors of Liaocheng Ancient City Based on the Translation of Historical Map[C]//IOP Conference Series: Earth and Environmental Science. IOP Publishing, 2021, 787(1): 012082.)

According to the Historical Map of LiaoCheng historical city (figure 11), the red blocks represent the built-up area in LiaoCheng city. This map shows how the LiaoCheng city was built up step by step under different dynasties. During Song and Yuan Dynasty, only a small part of the city was built. During the Ming Dynasty, the city developed rapidly due to the establishment of the JingHang Canal.[84] And in the Ming Dynasty, the city wall began to be built, creating a square city form, and the Guangyue Tower in the middle of the city was also established as the command center during the war time. According to historical records, LiaoCheng was built for military purposes in the Ming Dynasty. Guangyue Tower is located in the center of the ancient city's Cross Street. The

[84] Xiaoxia Lang, Guanyu Wei, "Research on the Stratification Process and Influencing Factors of LiaoCheng Ancient City Based on the Translation of Historical Map," *Earth and Environmental Science*, 787 (2021) 012082.

commander of the city could stand on the heights of the whole city to get information about the enemy's situation and transmit military information. The Guangyue tower was also the place where the time is reported throughout the city. Until the early days of the founding of the People's Republic of China, most of the historically built areas remained unchanged, and the city continued to develop following the original pattern. However, after 2011, that is, after the demolition and reconstruction of LiaoCheng city, the historical built area decreased rapidly. Except for the Guangyue Tower in the middle and a small part of historical sites, most of the city area was occupied by new buildings.

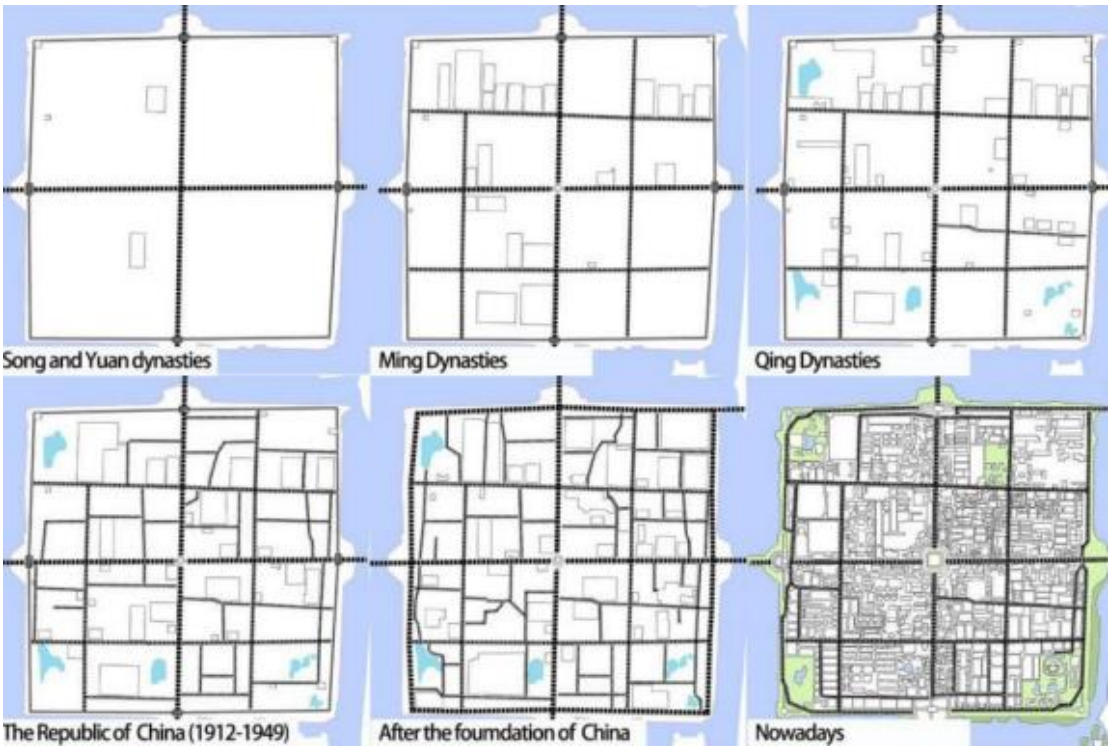

Figure 12.The streets and roads of LiaoCheng city over time, 2021

(Source: Lang X, Wei G. Research on the Stratification Process and Influencing Factors of Liaocheng Ancient City Based on the Translation of Historical Map[C]//IOP Conference Series: Earth and Environmental Science. IOP Publishing, 2021, 787(1): 012082.)

In addition, the spatial pattern of LiaoCheng was also formed during the Ming and Qing dynasties. In addition, the spatial pattern of LiaoCheng was also formed during the Ming and Qing dynasties. The streets in the city have distributed the pattern of a checkerboard. The north-south and the east-west axis in the middle predominant the shape of the city. There are four gates at the intersection of the axis and the outer wall of the city, which correspond to four gates (Chunximen on the east side, Qingyuanmen on the west side, Zhengdemen on the south side, and Xuanwumen on the north side.) During the period of the Republic of China and the early days of the founding of the People's Republic of China, the street space did not change much, and even multi-level streets were formed based on the original street space, making the city more accessible and easier to walk. And in the last picture, it can be seen that the overall street pattern of the landscape still exists, but the alley space formed in 1912 was no longer there.

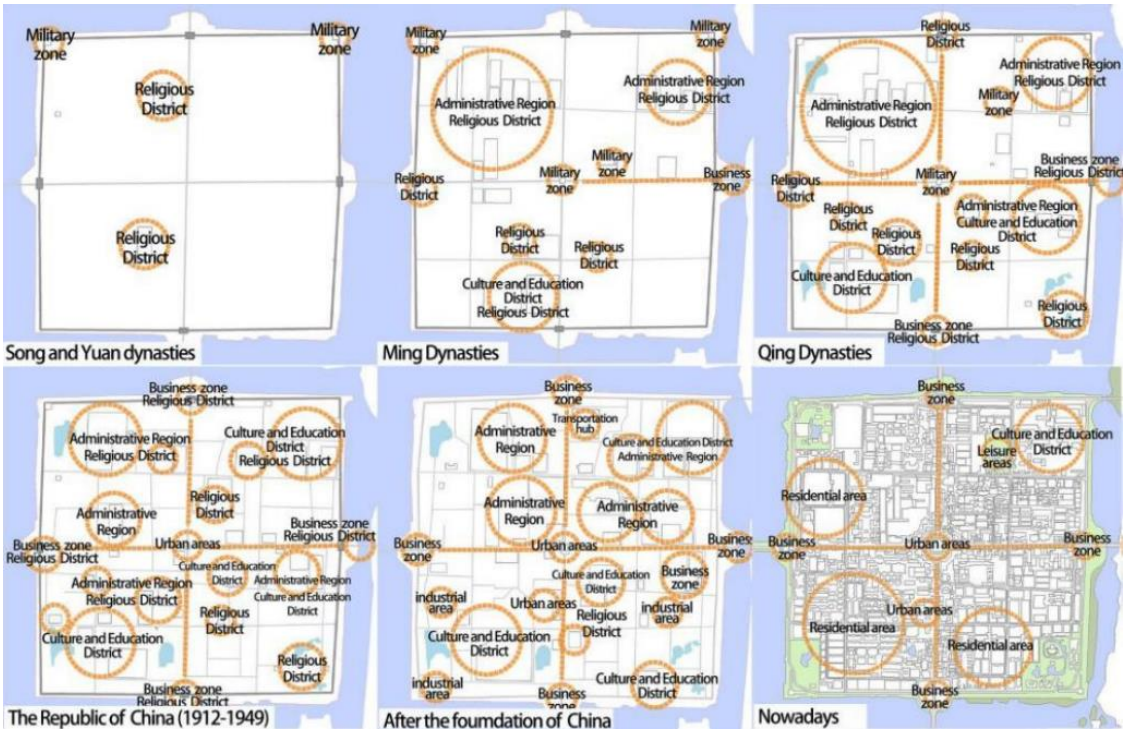

Figure 13. Functional spatial stratigraphic analysis diagram of LiaoCheng ancient city , 2021
(Source：Lang X, Wei G. Research on the Stratification Process and Influencing Factors of Liaocheng Ancient City Based on the Translation of Historical Map[C]//IOP Conference Series: Earth and Environmental Science. IOP Publishing, 2021, 787(1): 012082.)

Finally, in terms of functional zones within the city of LiaoCheng, the administrative groups formed in the northwest and northeast corners of the city during the Ming and Qing Dynasties gradually became smaller, until they disappeared after the demolition and reconstruction of LiaoCheng. The cultural and educational area that has been associated with the southwest corner also no longer existed after the reconstruction of LiaoCheng. Different from the scattered groups before, the LiaoCheng city after reconstruction has a single structure, most of which are residential and commercial areas, and lacks other functional zones.\

B. The demolition and reconstruction in LiaoCheng city Since 2009

Figure 14.LiaoCheng City, 2004 (Source: Google earth.)

Figure 15. LiaoCheng City, 2011 (Source: Google earth.)

Figure 16. LiaoCheng City, 2019 (Source: Google earth.)

Since 2009, LiaoCheng has begun demolition and reconstruction. In this project, only the main cultural relics such as Guangyue Tower and Haiyuan Pavilion were retained and other buildings were almost completely demolished. More than 4,000 households and 26 enterprises and institutions were relocated. The demolition area is about 648,000 square meters, and the total cost of this project was about $5 billion. The reconstruction of the buildings did not go through any archaeological investigation, and the original materials were also abandoned while brand-new materials were adopted. The architectural form, design, and texture were all imitated by the architects of the common ancient architectural forms. In addition, the reconstruction of the ancient city also added many types of buildings that did not exist before, such as the government office,

the warehouse, the stage, the academy, and other facilities, and they were only used for performances on large-scale festivals.

In addition, nearly 15,000 residents moved away, the original residential buildings were changed to commercial buildings, the original farmlands were also occupied, and the form of the building was completely different, separating the residents from their past lives. Instead, various shops and souvenir shops flooded into the city in the form of ancient buildings, trying to create an illusion of life in the past, but no one has any emotional connection with it.

C. Architectural evolution

Because LiaoCheng is an important north-south transportation hub since the Ming and Qing dynasties, people from all over the world come to live here. As a result, the architectural style is more diverse there. In addition, the architecture is also influenced by Qilu culture.

Qilu culture is a unique culture that exists in Shandong area. Qi State and Lu State were two vassal states located in Shandong during the Spring and Autumn Period and the Warring States Period. The main idea of Qi state is Taoism, which advocates innovation and free atmosphere, while Lu state is based on Confucianism, advocates traditional etiquette, and has strict rules. Under the influence of these two cultures, the architectural forms of Shandong province are also different. Some of the traditional residences in Liaocheng shows a normal and orderly state under the influence of Confucian culture. Another form of traditional residences is more diverse in the layout

of the buildings and materials, which was influenced by Taoism and southern architectural forms spread through commercial exchanges.

There are different types of buildings in LiaoCheng, including temples, arches, guild halls, and towers. Take the Confucian Temple as an example, it is a place to worship Confucius and try Confucian education. The Confucian Temple in LiaoCheng has been destroyed and is currently being rebuilt. As for the building of the guildhall, the Shanshan guildhall is well preserved, and the rest of the guildhalls no longer exist due to the war.

Figure 17. Confucian Temple under reconstruction, 2019 (Source: www.baidu.com)

In addition to the historical buildings, there are also vernacular architectures. One of the most representative architectural styles is the red brick dwellings. Most of the residential buildings in

LiaoCheng are red brick buildings, and most of them have slope brick roofs. [85]Although the value of red brick buildings is not very high, they are made of local building materials in the LiaoCheng area and represent the most common type of building. However, most of these buildings were also demolished in 2009.

Figure 18. Red bricks buildings in Liaocheng city, 2018
(Source: Dong, Wei. Research on the Protection and Renewal Strategies of the Historical and Cultural District of Mishi Street in Liaocheng City)

[85] Wei Dong, "Research on the Protection and Renewal Strategies of the Historical and Cultural District of Mishi Street in Liaocheng City," *Beijing University of Architecture*, 2018.

After the reconstruction of LiaoCheng, all the buildings in LiaoCheng use the same building materials, and the traditional vernacular residential type no longer exists. Although the pattern of the original street and alley still exists, the original sense of space of the streets no longer exists due to the renovation of the building facade and the entry of shops.

Figure 19. Current situation of Liaocheng city, looking from south to the north
(Source: www.baidu.com)

4.3 Analysis and takeaways

Before the reconstruction of LiaoCheng, some problems that cannot be ignored existed in the old city: The first problem is that the old houses in the historical city have not been properly maintained

for a long time. The residential houses in LiaoCheng were still old houses before 2008, and the living standards of the residents could not be improved. The second is the poor infrastructure in the ancient city. The municipal construction in LiaoCheng city has been stagnant for a long time, and the sewers used in many streets and alleys were still open ditches on the ground. Most of the residential houses in the ancient city did not have perfect drainage and central heating. The third is economic decline. The New Town in the west of LiaoCheng attracted people to the historical district, which directly led to the economic decline of the old town of LiaoCheng. In addition, there was no set of effective protection measures for some historical buildings in the national historical and cultural city. Many historic buildings were submerged in residential areas and were threatened by fire.

In order to solve the urban and economic problems of LiaoCheng at that time, the LiaoCheng government started the urban renewal project of demolition and reconstruction, but the economic benefits brought by the large-scale demolition and construction did not last long. On the contrary, due to the large demolition and construction, the historical buildings no longer exist, and their historical value and age value have also disappeared.

The ancient city of LiaoCheng experienced a period of prosperity at the beginning of its reconstruction, but the development of tourism was relatively slow and the passenger flow was small.

The tourism industry of the ancient city of LiaoCheng is mainly based on ancient city sightseeing. The insufficient, exploration of the ancient city's culture and the low-level industrial

development have weakened the attractiveness of the future development of the ancient city and the competitiveness of the ancient city is not as good as before.

The ancient city attracted a large number of new and old merchants in the early stage of its reconstruction. But with the slow development of the ancient city, the attraction became insufficient. As a result, the passenger flow became scarce, and the merchants began to withdraw from the ancient city one after another because they could not afford the high rents.

Section 5. Conclusion

The oxymoron of protective destruction that happened in LiaoCheng (and nationwide) was the result of a series of reasons, including historical preservation theory, and economic, political and cultural influence.

Historic Preservation Theory

At present, China's official historic preservation theory mainly leans towards the national historical protection theory. In 2004, “Guidelines for the Protection of Cultural Relics and Monuments in China” published by the Chinese government, in cooperation with the Getty Institute of the United States, emphasized the principle of identifiability as the Venice Charter, which means that the restored part of historical buildings needs to be clearly distinguished from the original part. The guidelines also emphasized that in the process of renovation of historical buildings, the original

site must be protected and the intervention should be minimized. However, in practice, the circumstantiates of preserving historical buildings could not meet the standards most of the time. In China, because traditional buildings are mostly wooden structures, which are prone to decay and deformation, and are vulnerable to fire and earthquakes, most of historic buildings underwent renovations and reconstructions in different historical periods. And in the process of conservation, it is inevitable to change the building materials in order to strengthen the structure or building.

In addition to this guiding principle, there are two main theories of preservation in China, namely the “like for like repair” theory advocated by Liang Sicheng, and the the Four Principles of authenticity proposed by Professor Luo Zhewen. Liang Sicheng believed that the restoration of historical buildings should focus on preserving the old appearance of the historical buildings using the original structure, form and materials. While Professor Luo Zhewen stated that as long as the restoration meet the four principles of “retaining the original shape, the original structure, the original materials, and the original craftsmanship”, the scientific value, artistic value, and historical value of the historical buildings were not lost. These two theories are different from the “Guidelines for the Protection of Cultural Relics and Monuments in China,” as they do not focus on the existing status of historic buildings, but wish to restore historic buildings to their original state. These theories also make many historical cities have a theoretical excuse for large scale demolition and reconstruction. More specifically, many historical cities, including Liaocheng, can achieve the so-called "original state" during the reconstruction process as the new-built buildings look old. Both theories meant to propose a theory can be applied to the protection of most Chinese historical

buildings by formulating new protection principles according to the characteristics of Chinese architecture. However, these two theories also tend to make historical buildings lose their authenticity in the process of preservation.

On the base of these theories and the particularity of Chinese architecture, there are still some disputes on how to properly protect Chinese architecture. This also makes the local government wrap its profit-oriented demolition and reconstruction behaviors in to preservation methods of historical districts or building and cause the oxymoron of “protective destruction”.

Economic

The economic influences behind protective destruction mainly comes from four aspects, the first is land finance, the second is the rapid urbanization caused by economic development, the third is the housing pressure caused by urban population growth and the fourth is the great benefits generated by tourism.

First and foremost is the land finance. The Land Administration Law of 1988 completely changed China's land policy, which transferred from completely state-owned land to separation of use rights and ownership. Although the land is still state-owned or collectively owned, commercial, industrial and residential property owners can use the land by purchasing. This also means that land use rights can be privatized. In addition, since the central government no longer provides financial subsidies to local governments, local governments need to figure out how to increase the revenue themselves. And China's tax-sharing system enables local governments to obtain most of the fiscal

revenue through the transfer of land use rights. As a result, local finance became too depends on the fiscal revenue through the transfer of land use rights. At the same time, local and foreign developers, investors discovered the huge value of the land in China, bought land from the government in large quantities, exploited it and sold it in high prices. Land values soared after development. Under the combined influence of housing commercialization, fiscal decentralization, land reform, and foreign investment, urban renewal has become an inevitable theme. Furthermore, because of the dependence of local governments on land transfer taxes and the enthusiasm of real estate developers, real estate developments acquired an irreplaceable place in the urban economy and provide the major driving force for urban redevelopment, which cause the phenomenon of "property-led redevelopment." The upsurge of urban renewal has caused the government to begin to renovate the old historical city center, and under the influence of "property-led redevelopment," the pursuit of interests by the government and developers far exceeds the demand for the preservation of historical buildings and districts.

The second economical reason is that since the establishment of the Reform and Opening-up policy in 1978, China's economy has developed dramatically. A large number of rural people move into cities because of the development of industries, and the urban population has surged, causing the high pressure of housing. And because of the growth of population, the inadequate supply of urban housing and infrastructure, the needs to build modern cities become increasingly prominent. Many decision makers instinctively center on the renovation of ancient cities. However, due to the

lack of preparation for modern urban development theories to support material preservation and the single, powerful urban development model, many historical cities under renovation went through the process of demolition and reconstruction, during which the historic value was lost.

Lastly, because most of the ancient cities did not have any industrial foundation, tourism is the most proper industry for them in order to improve people's living standards and promote local economic development. However, many ancient cities and towns only see the economic benefits brought by the development of tourism, but they do not see the reasons behind it. In order to vigorously develop tourism, the old buildings in the city were demolished and new antiques that looked old were built.

1. Political

The political reasons behind the protective destruction mainly include two aspects.

In term of the legal system, it is still incomplete as the law about preservation of historical heritage on the highest level is still missing. And the law has a relatively weak binding force on the local government because the local government has too much power over the management of historical relics and lacks supervision policies for the destruction of historical relics by the local government. As a result, local governments often have rights above the law which could cause illegal acts not to be investigated. Thirdly, the penalties for destroying cultural relics and historical buildings are not severe. The maximum penalty for damage to historic sites is only a fine of 50,000 to 500,000 yuan, which is not enough to influence decisions toward preservation. Finally, various

laws and regulations focus on the preservation of historical buildings, but there are no specific suggestions and regulations for other preservation methods.

In addition, because local governments have great power over the identification, designation, and preservation of historical and cultural relics and famous historical and cultural cities, there is an opportunity for a small number of local governments to shirk their legal duties. Some government officials will give up the preservation of historical sites in pursuit of higher interests. Furthermore, it is easier for local officials to obtain political achievements, achieve personal prestige through the demolition and reconstruction of historical cities as the land values in historic areas will increase rapidly, and so will fiscal revenue.

Social (Cultural)

Cultural and social factors behind protective destruction mainly includes two aspects. The first is the lack of awareness of the protection of historical and cultural heritage. People still generally pursue better, newer and more modern buildings, and lack of understanding of the value of historical buildings. In some areas, people are willing to move out of their old houses because of the high compensation they can get after demolition. And People consciously or unintentionally lack respect for tradition and ancestors due to the influence of the ideological trend of negating tradition left by the Cultural Revolution, thinking the historical heritage as a burden to the society which restricted the development of the economy and the improvement of living standards.

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