

# Research on the Dilemma of the Protection of Rural Historical Buildings

Yulong Chen<sup>1,2</sup>

<sup>1</sup>Faculty of Architecture and Art, Zhejiang College of Construction, Hangzhou, China

<sup>2</sup>Faculty of Innovation and Design, City University of Macau, Macau, China

## Email address:

180148@zjjs.edu.cn

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**Abstract:** With the rapid increase of urbanization rate, historical buildings are slowly being replaced by new buildings. In the face of this unavoidable reality, the protection of historical buildings has gradually been paid attention to, and formed a set of procedures for the protection of historical buildings. The use of this set of processes for historical buildings in urban areas can well achieve the purpose of protecting and activating the use of historical buildings. However, due to the different willingness of property owners to protect historical buildings in rural areas, it is difficult to guarantee the protection funds, and the low enthusiasm of public participation, the original process will face different difficulties, resulting in the failure to achieve the purpose of effective protection. This paper attempts to start from the dilemma, analyze its causes, and combined with domestic and foreign research, put forward solutions: establish a scientific evaluation system, implement a monitoring and early warning system, build a clear behavior boundary of property owners, establish and improve legal systems to supervise and urge the performance of protection obligations, expand more sources of funds and incentive mechanisms, and build a bottom-up proactive protection system, Improve the rationality and operability of the protection of rural historical buildings.

**Keywords:** Rural Historical Buildings, Protection Dilemma, Solutions

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## 1. Introduction

With the rapid development of urbanization in China, more and more historical and cultural blocks and buildings are squeezed by urban development and renewal, and even die out [1]. Since the 1930s, the first generation of protectors led by Mr. Liang Sicheng have taken practical actions in the protection of historical and cultural heritage in China [2]. From mapping and filing to restoration projects, they have attracted the attention of the elite.

With the promotion of urban renewal, most old urban areas have taken the form of large-scale demolition and construction in order to maximize land finance. Cities are gradually losing their historical memory with the demolition. The rash behavior in the process of urban renewal has made cities lose their own characteristics, resulting in a lack of characteristics in one side of a thousand cities [3]. After entering the 21st century, historical buildings have been paid more and more attention by the elite and the government, and

the protection of historical buildings has also been carried out [4]. From the confirmation of the list of historical buildings, the filing, the preparation of protection plans and the implementation of protection projects, they have been carried out in various places. Due to the high degree of attention paid to the historical buildings in urban areas, public participation and all aspects of protection can be guaranteed. However, the historical buildings in rural areas will face difficulties and be shelved in the specific implementation process of each step due to various problems, such as the low enthusiasm of property owners, the lack of public participation and the difficulty in ensuring the protection funds. This study puts forward solutions to the six dilemmas to explore the protection of rural historical buildings.

## 2. Concept Analysis

### 2.1. Definition of Historical Buildings

The concept of "historical buildings" first appeared in

China in 2005. The definition of "historical buildings" in the code for planning of famous historical and cultural cities is the crystallization of local historical features and the reflection of local characteristics. It has certain historical, technological and artistic values [5]. With the continuous deepening of China's research on historical buildings, the Ministry of housing and urban rural development issued the standard for the determination of historical buildings in 2016, which further refined the criteria for the evaluation of historical buildings, and established historical buildings as buildings with outstanding historical and cultural values, high artistic and aesthetic values, and certain scientific and technological values and other characteristic values. [6]

The protection of historical buildings is the protection of cultural relics after dimensionality reduction. Therefore, its protection requirements are not as strict as those of cultural relics protection, and there are all deficiencies in the protection system, financial guarantee, public attention and other aspects. But the significance of its protection is different. First, the protection of historical buildings around cultural relics is the restoration of historical reality. The requirements of the cultural relics protection project are as follows: "comprehensively preserve and continue the real historical information and value of cultural relics, and protect the cultural relics and their related historical, cultural and natural environment." It can be seen from this requirement

that cultural relics must be protected together with the surrounding environment, otherwise the cultural relics will become a cultural Island, incompatible with the surrounding modern buildings, and their context will not be fully protected [7]. Second, historical buildings are the basis for local declaration of cultural preservation sites, famous historical and cultural cities, famous towns and villages, and historical and cultural blocks. Well preserved historical buildings are expected to be declared as cultural preservation sites in the next step. Centralized protection of historical buildings is also a prerequisite for declaration of historical and cultural blocks.

## 2.2. Historical Building Protection Process

At present, the protection of historical buildings in China is roughly divided into two parts. The first part is the list of historical buildings. The process is roughly as follows (table 1): the proposal of the preliminary list - the evaluation of various departments and experts - the preparation of the recommended list - the submission to the government for approval and publication; The second part is the implementation of historical building protection. The process is roughly as follows (table 2): preparation of protection plans - review of protection plans - Application for funds - Implementation of protection schemes.

*Table 1. Protection process of historical buildings - protection directory.*

PROCESS	CONTENT
Preliminary directory	The municipal urban and rural planning administrative department shall put forward a preliminary list of historical buildings according to the general survey.
Evaluation opinions	The municipal administrative department of urban and rural planning shall organize experts in planning, culture (cultural relics), real estate, architecture, history, archives, etc. to put forward evaluation opinions according to the recognition standards of historical buildings.
Recommended directory	The municipal urban and rural planning administrative department shall draw up a recommended list of historical buildings according to the expert evaluation opinions.
Determine directory	The proposed list of historical buildings shall be submitted to the municipal government for approval and publication after being examined and approved by the Municipal Committee of famous historical and cultural cities, and signs shall be made.

*Table 2. Process of historic building protection - specific implementation.*

PROCESS	CONTENT
Plan preparation	The competent planning department entrusts a professional design team (planning, ancient buildings, surveying and mapping, etc.) to prepare protection plans for historical buildings.
Plan review	After the plan is prepared, it shall be submitted to the Department and expert review meeting organized by the municipal planning department for review, and then submitted to the municipal government for approval and publication.
Fund plan	The municipal department in charge of cultural relics shall repair and protect the historical buildings in the list according to the repair and protection fund plan.
Plan implementation	The protection and repair plan shall be submitted to the township and municipal planning authorities for approval, and then a qualified team shall be entrusted to carry out the repair work.

## 3. Historical Building Protection Dilemma

### 3.1. Loss of Theory in Directory Value Evaluation

It is too subjective to rely only on experts in planning, architecture, cultural protection and history to evaluate the resources after the census according to the recognition

standards of historical buildings. In reality, the experience and preferences of experts often have an extreme impact on the evaluation work.

### 3.2. Lack of Timeliness of the List of Historical Buildings

The census of rural historical buildings is generally completed by the cultural staff of the township cultural station through years of visiting records. However, in practice, the census work needs to be dynamically adjusted

due to the transfer of responsible personnel, the damage caused by years' erosion, and the damage caused by extreme disasters. Rural historical buildings are basically scattered, especially in mountainous villages, which are not updated in time, and the timeliness of the list is not strong.

### ***3.3. Conflicts of Property Owners of Private Historical Buildings***

Most of the historical buildings in villages (especially folk houses) are private property rights. According to the property law, the owner of the house has the most important right to dispose of the historical buildings [8]. However, from the perspective of protection requirements, it must follow the principle of "who uses who maintains", forming a "paradox" of ownership and maintenance obligations. Private property rights and low level of protection make the huge investment in maintenance and repair can only be undertaken by individuals. The contrast between investment and individual income makes property owners flinch. For the property owner who has only one residence, the cultural significance of the historical building to the property owner is far less than its residential significance as the only residence, and can even be ignored. Compared with the superficial glory and incidental trouble brought by being designated as a historical building, it is far less realistic to be able to freely dispose of their own real estate and participate in the transformation. More studies have found that the use efficiency of buildings with more property rights is lower, and the difficulty of transformation and protection is higher, involving transaction costs and users' lack of daily maintenance ability [9].

### ***3.4. Game Between Historical Protection and Rural Development***

When the identification of historical buildings conflicts with the actual development of the countryside, such as blocking the only planned motorway in the village, and planning the development of large industrial parks around, the historical buildings with low protection level seem to be very insignificant, and the livelihood projects or industrial plans related to most villagers seem to occupy the commanding height of rationality. In this game, the attitude of local leaders to historical buildings is particularly important.

### ***3.5. Gap Between Repair Funds and Maintenance Funds***

According to the provisions of the law on the protection of cultural relics, the owner is responsible for the repair and maintenance of non-state-owned and immovable cultural relics, and the expenses shall be borne by the owner. However, in the face of numerous cultural relics and historic sites, the capital investment of our government is quite limited [10]. According to the principle of "repairing the old as the old", the cost of materials and processes for repairing historical buildings does directly restrict the owners of rural historical buildings with average economic and financial resources from undertaking their repair responsibilities.

### ***3.6. Blindness of Top-Down Movement***

At present, the protection of historical buildings has basically adopted a top-down movement mode, that is, the government organizes to determine the list - expert departments will hold a meeting to evaluate - delimit the protection body and transition zone - and form a formal document for filing. In this process, there is a lack of public participation and the initiative of relevant stakeholders. The lack of funds and systems makes this historic building protection action seem blind and powerless.

## **4. Solutions to Difficulties**

### ***4.1. Establish a Value Evaluation System for Scientific Historical Buildings***

The value evaluation of historical buildings is the basis for the publication, maintenance and improvement of historical buildings. A series of quantitative and weighted indicators are the scientific basis for the evaluation. There are many methods to weight the evaluation indicators of historical buildings. Scholars at home and abroad have carried out a lot of research in this area. These methods can be divided into two categories: subjective weight method and objective weight method [11].

Subjective weighting method is based on experts' direct judgment on the importance of historical building evaluation indicators. Analytic hierarchy process (AHP) is one of the widely used subjective weighting methods, which has been applied to the weighting of historical building evaluation indicators for many times. For example, kutut et al. used AHP to assign quantitative weights to the evaluation indicators of historical buildings; Zhoutiejun et al. used Delphi method and AHP method to assign quantitative weights to the protection and evaluation indicators of historical and cultural villages and towns in Southwest China.

The objective weighting method is based on the evaluation results of historical buildings, and extracts the index weights from the statistical data laws of the evaluation results. Tongqiaohui et al. used structural equation model to determine the weight of historical building evaluation indicators; Laiminghua et al. Assigned weights to the evaluation indexes of historical buildings based on the orthogonal design theory; Zhang Jun and others used the radar chart method and entropy method to assign weights to the evaluation indicators of architectural heritage value; Songgang et al. Combined subjective weighting method with objective weighting method, and determined the weight of each sub index in the value evaluation of modern architectural heritage by using the analytic hierarchy process and entropy method with a weighted average of 3:1.

Tai Huixin proposed an index weight distribution method based on AHP and expert ranking and weighting, which reduced the influence of extreme preference experts on index weighting and increased the scientificity of evaluation and collective decision-making [11].

#### **4.2. Establish Clear Behavior Boundary of Property Owner**

Monitoring is one of the core contents of the world heritage protection and management mechanism, and the monitoring and early warning system provides a technical means for monitoring. According to the needs of the actual work, the historical buildings can monitor and warn the changes in the overall pattern of the historical buildings, the building body, the body and carrier diseases, construction control, tourism and tourist management, daily management, education and publicity, intangible cultural heritage and sustainable development. The monitoring and early warning system of Macao can be used for reference. The internationally leading monitoring cloud mobile collection system, which is divided into professional version, research version and public participation version, not only greatly facilitates the real-time collection of monitoring data, but also improves the public participation in heritage protection [12].

#### **4.3. Implementation of Historical Building Monitoring and Early Warning System**

A clear property right boundary includes not only a clear property right, that is, a definite property right ownership, but also a clear behavior boundary of the property owner, which is determined by the property right itself. However, the current understanding of private property owners for property rights is more about the ownership and use right of property rights, often ignoring the obligations brought by property rights. Bazel believes that defining the responsibilities and rights of each right subject and effectively restricting the acts of all parties do not necessarily reduce the rights, but on the contrary, they may increase the rights [13]. Property right has the function of encouragement and restriction. The binding function of property right is not only to clarify the interests of the property owner, but also to clarify the responsibilities of the property owner, so that the property owner can establish a correct concept of property right, and actively carry out daily management and protection of ancient buildings, fire prevention and theft prevention, etc. For the problem of high repair costs, property owners should also actively seek effective ways to protect them, and can seek help from the government, society and the market. They should not be constrained by funds without assuming their due obligations [10].

#### **4.4. Establish and Improve Legal System to Urge the Fulfillment of Protection Obligations**

At the legal system level, we should pay attention to the formulation of local laws, form more detailed and practical legal provisions, and supervise all parties to actively fulfill their obligations to protect historical buildings. The recent regulations of Huangshan City on the protection of Huizhou ancient buildings came into effect on January 18, 2018, which clearly stipulates the protection, rational utilization, continuation and inheritance of Huizhou ancient buildings and the punishment for acts of destruction and damage, and is a major exploration of local protection of ancient

buildings. In addition, compared with foreign countries, China's current laws still lack more strict punishment provisions for the property owner's default. In the UK, there is a clear law that any act of rebuilding, expanding and demolishing a registered building without consent is a criminal offence. Therefore, in the future, it is necessary to strengthen the cooperation between laws, link up with other laws such as the criminal law, and build a complete legal system conducive to the protection of private ancient buildings [10].

#### **4.5. Expand More Sources of Funds and Incentive Mechanisms**

Expand the sources of funds for the protection of historical buildings, especially the bottom-up fund-raising methods, such as Internet crowdfunding, donations from non-governmental organizations, etc. From the perspective of local legislation, the fund-raising from bottom to top should be legally guaranteed [10].

Obtaining benefits through a variety of tax policies is called "piggybacking" by western scholars. Historical renewal income tax deduction, property tax deduction, easement tax deduction and low-income deduction, as well as related gift tax and inheritance tax comprehensive tax deduction, can be used in combination, so that people can enjoy the benefits brought by protecting old houses, not to bear the financial burden due to property maintenance, and skillfully realize the leverage of incentive policies [14].

#### **4.6. Building a Bottom-up Proactive Protection System**

The establishment of a complete registration system is different from the top-down protection. The registration system gives full play to the initiative of various stakeholders. Only through certification can the owners of historical buildings enjoy the transformation funds and technologies provided by the government, and the individuals and organizations that provide funds and technologies. In order to enjoy preferential measures such as tax reduction and exemption, effective investment must be made after landing and certification to meet the technical requirements specified by the government. This protection mechanism that imitates the United States (the U.S. national registration system) [15] can not only stimulate the enthusiasm of all parties, but also play the dual role of economic lever and management lever of preferential tax policies.

## **5. Conclusion**

The protection and utilization of historical buildings are still in the initial stage in our country, but with the development of society and the decline of historical buildings, the protection work is urgent. The protection directory of rural historical buildings should scientifically introduce the evaluation system, key buildings should be subject to electronic dynamic monitoring, build a clear behavior boundary of property owners, improve the legal system,

supervise and urge the fulfillment of protection obligations, actively expand a variety of financing channels, and actively build a bottom-up protection system. Taking effective measures is the basis to ensure the protection and utilization of rural historical buildings, so as to give full play to the comprehensive value of rural historical buildings and continue the rural historical context.

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