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Tracing Values through An Interpretative Model —
A Comparative Study on Urban Conservation of Pingyao and Datong in China

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Abstract

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As “values” vary by culture, time, and people, misunderstanding amid international conversation literally makes the localization of the World Heritage Convention a cultural battleground. To support effective cross-cultural conversations between China and UNESCO, this study has sought to understand the stance of China toward its cultural heritage. In this research, interpretation of the texts (20 legal documents) and morphological analysis of the objects (2 historic cities) have been used to examine the intangible meaning of values and tangible vessels of values through China’s urban conservation. A two-case case study has been applied to present a comparative analysis between a World Heritage City (Pingyao) and a non-World Heritage City (Datong) to distinguish their different policies and practice affected by the divergent values.

Reflecting their distinct orientations through diachronic and synchronic comparisons of selected legal documents, Pingyao aims to “conserve,” and Datong aims to “conserve with utilization.” Pingyao emphasizes cultural continuity and Datong emphasizes urban development. As for the morphological analysis, Pingyao has been recognized for its authenticity and integrity in its nearly intact city layout, street network, and linear architectural development from the pre-Ming dynasties to the 1980s; deserves the title of the World Heritage List by meeting three criteria of “Outstanding Universal Value.” The city layout and the grid pattern of the streets of Datong are far away from the “original” due to drastic street modifications and demolition of urban fabric since the 1980s.

Disparate interpretations of the policies by local governments reveal disconnections in values between the locals and the central government. Since the Chinese urban conservation is primarily under the administration of local governments and by the three major ordinances regarding urban agendas, popular principles in the international charters are incorporated but only for reference. More complicated and ambiguous values were observed in the practice of China’s urban Conservation. “Newness value” is embraced as it is associated with improvements and modernization. Self-referentiality justifies the stylish restoration to fulfill the government’s needs of establishing orthodoxy and political rightness. For the cities and their operators, urban heritage is a resource containing economic value and use-value. Therefore, the pragmatic approach to the utilization of urban heritage essentially motivates conservation projects in local areas. Combined with the dream of "the great rejuvenation of the Chinese nation" promoted by President Xi, urban conservation has initiated a platform for national and local imaginations.

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GLOSSARY OF CONSERVATION TERMS

English	Chinese Characters	Pinyin
cultural heritage	文化遗产	wenhua yichan
cultural relics	文物	wenwu
Immovable Cultural Relics	不可移动文物	buke yidong wenwu
Cultural Relics Protection Units; Monuments-sites	文物保护单位	wenwu baohu danwei
National Cultural Relic Protection Unit; National Monument-Site	全国重点文物保护单位	quanguo zhongdian wenu baohu danwei
historic building	历史建筑	lishi jianzhu
Historic-Cultural Cities	历史文化名城	lishi wenhu mingcheng
Historic-Cultural Conservation Zone; Historic District	历史文化保护区	lishi wenhua baohu jiequ
Core Conservation Zone	核心保护区	hexin baohu qu
Construction Control Zone; buffer zone	建设控制区	jianshe kongzhi didai
Surrounding Coordination Zone	环境协调区	huanjing xietiao qu
traditional/historic townscape	传统/历史风貌	chuantong/ lishi fengmao
traditional/historic layout	传统/历史格局	chuantong/ lishi geju
traditional/historic street network	传统/历史街巷	chuantong/ lishi jiexiang
traditional/historic courtyard house	传统/历史院落	chuantong/ lishi yuanluo
traditional residence	传统民居	chuantong/ lishi minju
work-unit	单位	danwei

GLOSSARY OF CONSERVATION TERMS

English	Chinese Characters	Pinyin
addition (construction)	新增	xinzhen
expansion	扩建	kuojian
preservation [1]	保护	baohu
reconstruction [2]	重建	chongjian
rehabilitation [3]	复建	fujian
relocation	迁移	qianyi
removal; dismantle	拆除	chaichu
renovation	改建	gaijian
repair	修缮	xiushan
restoration [4]	修复	xiufu
do not change the original state	不改变原状	bu gaibian yuanzhuang
repair old buildings to their original status	修旧如旧	xiujiu rujiu

According to *The Standards for the Treatment of Historic Properties (1992)*, the followings are the standards for the four treatments. In China, the boundary between rehabilitation and restoration is ambiguous.

[1] Preservation: require retention of the greatest amount of historic fabric, along with the building's historic form, features, and detailing as they have evolved over time.

[2] Rehabilitation: acknowledge the need to alter or add to a historic building to meet continuing or new uses while retaining the building's historic character.

[3] Restoration: allow for the depiction of a building at a particular time in its history by preserving materials from the period of significance and removing materials from other periods.

[4] Reconstruction: establish a limited framework for re-creating a vanished or non-surviving building with new materials, primarily for interpretive purposes.

LIST OF ABBREVIATIONS

Abbreviation	Full Name in English	Chinese Characters
C.C.P.	Chinese Communist Party	中国共产党
GHF	Global Heritage Fund	全球遗产基金
HCCs	Historic-Cultural Cities	历史文化名城
HCCTVs	Historic-Cultural Cities, Towns, and Villages	历史文化名城名鎮名村
HUL	Historic Urban Landscape	
ICOM	International Council of Museums	
ICOMOS	The International Council on Monuments and Sites	
ICCROM	International Centre for the Study of the Preservation and Restoration of Cultural Property	
MCT	Ministry of Culture and Tourism	文化和旅遊部
MoHURD	Ministry of Housing and Urban- Rural Development	住房和城乡建设部
NCHA	National Cultural Heritage Administration (new)	国家文物局
NGOs	Non-governmental organizations	
OUV	Outstanding Universal Value	
P.R.C.	People's Republic of China	中华人民共和国
SACH	State Administration of Cultural Heritage (old)	国家文物局
UNESCO	United Nations Educational, Scientific and Cultural Organization	
WHC	Convention Concerning the Protection of the World Cultural and Natural Heritage (World Heritage Convention)	
WHL	World Heritage List	
WHS	World Heritage Site	世界遗产

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You all share the credit of this dissertation. Now, let's pray for world peace.

DEDICATION

To my father, Ho Shang-shu.

Chapter 1. INTRODUCTION

“Through interpretation, understanding; through understanding, appreciation; through appreciation, protection.” ---Tilden (1997).¹

1.1 MOTIVATION AND TOPICALITY OF STUDY

Back in 2012, I attended a screening event of “The Emperor’s Secret Garden (2010) at Asian Society in New York. The film was made by the World Monuments Fund (WMF), who spent ten years restoring the abandoned studio of Emperor Qianlong of the Qing Dynasty. I was thrilled when I saw the long-time endeavor of the international team and the corporation process for its restoration. Before that, I had an impression that China enthusiastically propelled its economy rather than protecting its historic sites. China has its own value system of heritage conservation, which does not fully comply with the international/UNESCO principles. I was wondering whether the Chinese have changed their attitude towards their cultural heritage, and how the Chinese work with international experts these days?

After China’s acceptance of the World Heritage Convention in 1985, China has become a prominent contributor to the global heritage conservation system by its profound cultural tradition, world heritage, and unique conservation system. Today, China has 56 World Heritage Sites (WHS) within its territory, ranking second in the world.² It also has a “historic-cultural city” system to protect an entire city. Meanwhile, controversial preservation activities were prevailing in China, especially the reconstruction of ancient cities during the past decade. To facilitate effective cross-cultural conversations between China and UNESCO, this study tried to depart from the initial

¹ Tilden, F. (1997). *Interpreting our Heritage*. 3rd ed., Chapel Hill. NC: North Carolina University Press. P.38.

² See “China – UNESCO World Heritage Convention” at <https://whc.unesco.org/en/statesparties/cn>

presumption of China's controversial conservation movements, and sought to clarify China's values and position these values within its context and within the international platform.

1.1.1 *Research Objectives*

“Values” are one's judgment of what is important or the material/ monetary worth of something. “Values” may vary from the time, region, and cultural diversity, may be difficult to illustrate or identify; nevertheless, they are essential motivations for heritage conservation movement. Through a process of situation, questioning, interpretation, and comparisons (diachronic and synchronic dimensions), this research used two externalized indicators, the texts and objects, to describe and position the “values” in the context of urban conservation China.

“Values,” as the intangible meaning of symbols (signified), can be captured through their tangible “vessels” (signifier). To profile conservation values in this study, two expressive forms of values, texts and objects, will be examined. “Texts” are the statements of values, including documents such as national policies, local regulations and codes, international documents on heritage conservation, and so forth. “Objects” are the materialization of values and fusions of contemporary and historical information. Usually shaped by complicated factors, such as political forces and economic concerns, the values revealed through “objects” might be indirect or compromised, therefore, should be treated cautiously.

Due to the researcher's interests and specialty of expertise, the “objects” in this research are confined to the tangible cultural heritage (architecture and cities). The "texts" are major legal documents concerning cultural heritage conservation. This research project involves two entities—China and the international organizations (UNESCO and its advisory bodies, international NGOs). Although UNESCO does not directly conduct preservation projects, it establishes a framework of

heritage conservation and provides universal principles through international conservation documents, academic discourse, and professional training.

1.1.2 *Research Questions and Hypothesis*

Chinese heritage conservation distinguishes itself by its unique value system, which may not be in accord with the international/UNESCO principles. To understand the Chinese values and their position in the international conservation arena, this research applies the methodology of interpretation and comparison to retrieve the conceptual values from the field of China's cultural heritage conservation and explore the following questions:

- *What are the values that direct the heritage conservation practice in China?*
- *How can we identify or describe these values in contemporary China?*
- *To what extent do the Chinese values in conservation comply with international paradigms?*

Even though the underlying “values” in preservation are conceptual and vague, they can be delineated by referring to externalized physical indicators. First of all, it can be argued that the “values” are embedded in the language of the conservation policies and guidelines, hence, the values can be “extracted” or “translated” from these legislative documents. Second, the physical outcomes of conservation projects are the external reflections of specific “values.” Therefore, looking into the physical outcomes of conservation interventions can also discover substantial conservation values. Third, as we compare the texts with the objects in both diachronic and synchronic dimensions, the dynamic values of conservation can be exposed among arguments. Applying these three measures, one can identify and describe the core values of heritage conservation for China (or other countries).

1.2 RESEARCH DESIGN

1.2.1 *Theoretical Framework: Fusion of Horizons*

Gadamer's theory of interpretation-hermeneutics offers the fundamental structure and theoretical basis of interpreting the textual materials for this research. Conzenian morphological analysis is used as a supplementary tool to understand the "objects" of the research.

Primarily, Gadamer's theory is applied to interpret the texts of cultural heritage as well as to undertake inter-cultural and cross-cultural comparisons. In "Truth and Method," Gadamer provides an applicable theoretical model for analysis, "fusion of horizons," which goes through a process beginning with our prejudice to our projection, through interpretation, until accomplishing a true understanding.³ This circular process starts with our presuppositions inherited from the authorities (history, tradition, knowledge). With the presumption, we need to keep "temporal distance" and use "historical consciousness" to verify the existing prejudice. "With the historically-effected consciousness," we can situate ourselves as we obtain a "horizon."⁴ At last, we acquire a "fusion of horizon" by asking questions evoked by the encounters with tradition. As the historical horizon is projected (our interpretations), the presuppositions from the beginning are superseded, and the circular process of presupposition-interpretation-fusion of horizons is completed (Figure 1.1).

As both entities, China and international organizations (UNESCO), have their fore-conceptions to be verified and interpreted, the first stage of "fusion of horizons" can open up

³ Gadamer defines the concept of 'situation' by saying that it represents a standpoint that limits the possibility of vision. Hence essential to the concept of situation is the concept of horizon. To Gadamer, tradition and history are never settled or correctly interpreted but understood by the interpreter's everchanging horizon (Gadamer, 2004).

⁴ Gadamer argued that people have a "historically-effected" consciousness and that they are embedded in the particular history and culture that shaped them. Understanding, for Gadamer, is thus always an 'effect' of history, while hermeneutical 'consciousness' is itself that mode of being that is conscious of its own historical 'being effected' — it is 'historically-effected consciousness' (Malpas, 2016).

possibilities for clarification and accommodating new thinking. In this way, the dialogue between the two entities can lead to the second stage of “fusion of horizons,” which bases on mutual understanding and works out on commonalities to establish a new horizon for inter-cultural collaborations.

Defining “townscape” as the accumulation of man-made forms and their functional interaction with society, Conzenian morphological analysis is applied to examine the urban fabric of the two historic cities. The analysis of urban landscape is conducted through the three basic “form complexities” by Conzen: town plan, the pattern of building form, and the pattern of urban land use (Conzen, 1960). Since the urban morphological analysis is a counterpart of the textual interpretations, the Conzenian methodology is adjusted to reflect the Chinese context and the contents of the texts (see Chapter 5).

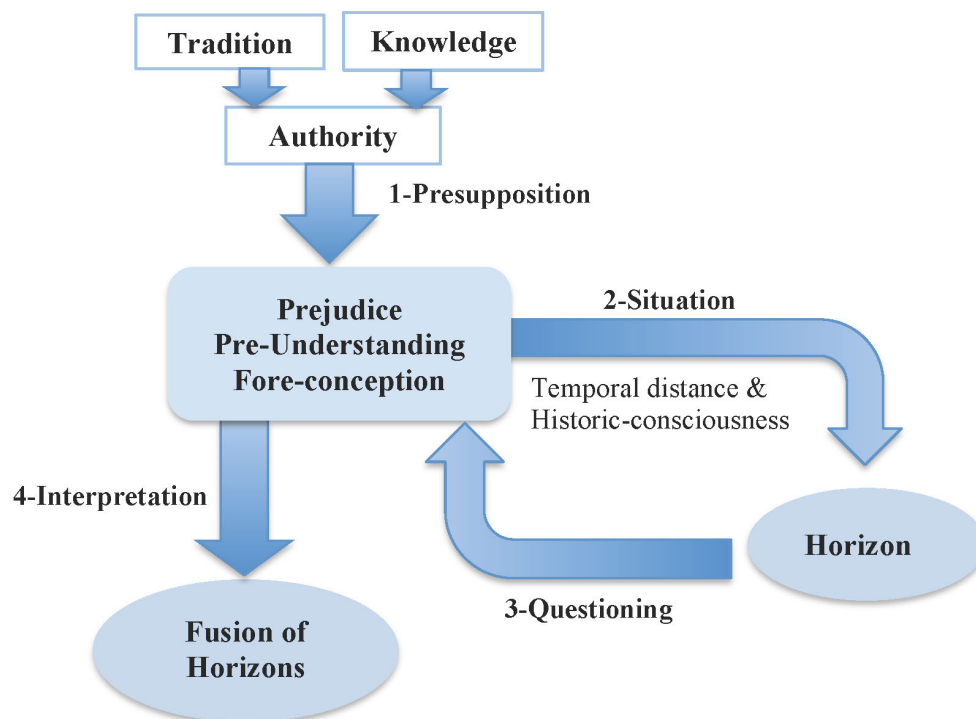


Figure 1.1. Theoretical Framework of Hermeneutic Interpretation (Ho, 2021)

1.2.2 *Research Design: Model of Interpretation*

Based on Gadamer's theory, this research will be conducted in a three phases model: (I) Situation: acquire basic knowledge (pre-understanding) from tradition to build up a horizon; (II) Interpretation: interpret the values through diachronic and synchronic comparisons; and (III) Fusion of Horizons: question and adjust the pre-understanding according to interpretation, and reposition the new understanding within its cultural context (Figure 1.2).

Phase (I) "Situation" comprises the texts and the objects. The "texts" include three groups of major legal documents issued by two competent governmental agencies that direct China's heritage conservation matters. The "objects" for interpretation refer to the existing physical urban fabric after major interventions. In this research, a WHS and a non-WHS (2 case study sites) are selected to be the "objects" for the interpretation.

Phase (II) "Interpretation" gauges the discrepancies of the texts and the objects via two dimensions: (1) diachronically, compares different versions of the major legislation change over time, and the alterations to urban fabrics over major restoration programs; (2) synchronically, compares the current regulations of urban conservation between the two case study sites, and the transmission of values the active legal documents concerning urban heritage between national, provincial and local (county/city) levels.

Phase (III) "Fusion of Horizons" synthesizes the findings from the previous two phases to conclude the core values in urban conservation in contemporary China. Applying both interpretation and comparison approaches, both diachronic and synchronic dimensions, the step of "fusion of horizons" tries to uncover the interrelationship between China's legal statements (texts) and conservation practice (objects). With the describable "values," a conversation between

Chinese values and international values can be conducted to complete the final stage of “fusion of horizons.”

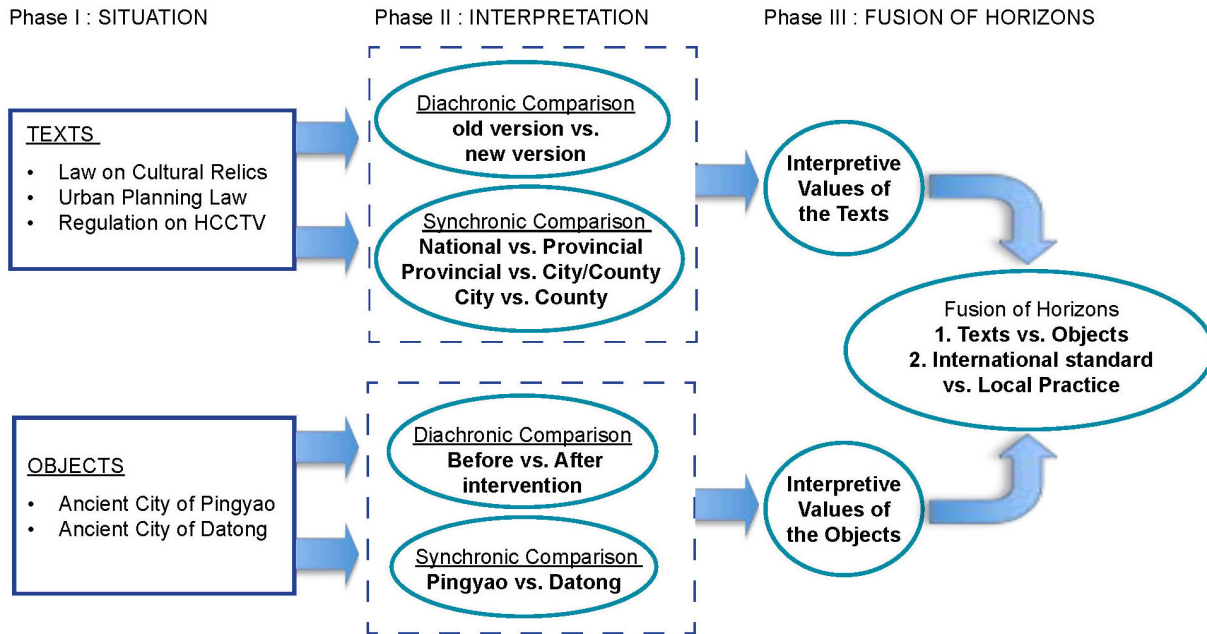


Figure 1.2. Research Design: Model of Interpretation (drawn by Ho)

1.2.3 Outline of the Dissertation

Using the two case study sites, Pingyao and Datong, as the pillars of the scope and theme for the entire discussion. According to the research design, the dissertation is arranged following the process of the hermeneutic interpretation model that consists of situation, interpretation, and fusion of horizon.

Presumptions, or the basis of our value system, were shaped by the existing knowledge and authorities. Before looking into the specific sites, Chapter 2 and Chapter 3 establish the situation of the presuppositions regarding urban conservation in the forms of literature and the historical background. Chapter 2 unfolds the current context of urban conservation in China and UNESCO

and the background of the two case study sites. Beginning with the cultural gap between China and the Western conservation authorities, the historic background of urban conservation and the existing conservation system in China is illustrated. The urban conservation history of the two case study sites, Pingyao and Datong, are also briefed as a prerequisite background for the following analyses. Focusing on values, policies, and gaps in cultural heritage conservation, Chapter 3 includes the literature of the significant value discourse, the framework for the World Cultural Heritage, and for urban conservation.

Chapter 4 and Chapter 5 present synchronic and diachronic comparisons on the two indicators (texts and objects) of the two case study sites for interpreting values of China's urban conservation. Chapter 4 makes a thorough interpretation of values through twenty selected legal documents (texts) from the three categories of legislation regarding urban conservation in China: *Regulations on the Historic-Cultural Cities, Towns, and Villages* is the direct ordinance on protecting such city-type heritage; *Laws on Protection of Cultural Relics* is stipulated specifically for the Monument-Sites; *Urban-Rural Planning Laws* provides a framework encompassing the development of past and the future of historic cities. A synthesis of interpretative values of the twenty legal documents is concluded at the end of this chapter. Chapter 5 introduces the methods of morphological analysis at first, and applies morphological analysis via three "form complexes" (townscape, city layout, and building form) to identify the significant alteration in urban fabrics of the two case study sites before and after their major interventions for heritage protection.⁵

Chapter 6 concludes with the last phase of hermeneutic interpretation, "fusion of horizons." In addition to a summary of the research findings at the beginning, an observation of China's

⁵ The two cities had gone through major restorations and/or reconstructions since 1980s. I compare the changes before and after their "watershed" conservation periods. In Pingyao, the watershed is the nomination of World Heritage Site in 1997; in Datong, the watershed is the Overall Urban Rehabilitation program led by Mayer Geng between 2008-2016.

acceptance and localization of international doctrines is synthesized. At last, the dissertation reflects on the remarked contributions and limitations of this research as well as noting the directions of future research.

1.3 RESEARCH METHODOLOGY

Case studies (1) are the stem of this dissertation which used to validate the contextual coordinates by positioning the current heritage conservation practice at selected sites. Three qualitative methodologies are applied to collect data for each case study site: (2) documents and archival research; (3) interviews; (4) site survey and field observation.

1.3.1 *Case Study: 2-Case Case-Study*

Case Study Design

As physical remains carry historic information and reflect certain values, the case study of this research aimed to select appropriate “objects” to verify the implementation of the conservation policies and to identify the values in the conservation practice of China. According to the hypothesis that there are gaps between the international conservation standard and Chinese conservation canons, the "two-case" case study (Yin, 2013) was applied to make comparisons between a World Heritage Site (WHS) and a Non-WHS in China. Within a manageable scope, the two case study sites have been the foundation for interpretation and comparison.

At first, an existing WHS, which fulfills the following criteria, was selected as the control site. Next, a same-type, Non-WHS, located in the same province as the selected WHS was selected as the treatment site. Then, a historical survey and preliminary review of current conservation policies were undertaken to obtain basic information about the two sites. Following the research design, diachronic and synchronic comparisons were developed respectively on the texts (legal

documents) and the objects (urban fabric before and after interventions) to recognize the changes over time and the gap in values between the two sites. Lastly, the values were redefined after going through the two steps of the hermeneutic interpretation process and arriving at the phase of “fusion of horizons.”

Criteria for Selecting the World Heritage Site

Dispersed among 29 provinces, there were 56 WHS in China by the year 2020 (38 cultural, 14 natural, 4 mixed heritage).⁶ In order to select a qualified example to interpret the values, as well as to verify the different outcomes from multi-level preservation policies, the following criteria were set to filter potential sites among China's existing 56 WHS:

1. Located within the territory of Mainland China

The WHS located in a Special Administrative Region in China were excluded, because the two Special Administrative Regions, Hong Kong, and Macau, operate heritage affairs differently under their autonomous administrative systems.

2. Belongs to Han Ethnic Culture

The Han ethnic group, approximately ninety-two percent of China's population, is the dominant people of China, as well as the major creator of the long-lasting Chinese culture.⁷ Hence, choosing a Han culture-centered WHS was more appropriate for conducting historical surveys and cross-cultural comparisons.

⁶ See UNESCO “World Heritage List” at <https://whc.unesco.org/en/statesparties/cn>

⁷ Han ethnic group is the dominant people in China, as well as the most populated people in the world (1.3 billion, 18%). Statistic record of the Demographics of the Han ethnic Group. See https://en.wikipedia.org/wiki/Han_Chinese

3. Tangible Cultural Heritage

Although intangible and natural heritage attributes great significance to all cultural traditions, the subject of this study focused on tangible cultural heritage only. Intangible and natural heritage were excluded because of the limited resources and capacity of the researcher.

4. Within Urban Setting

Usually, urban areas own more cultural resources than sites in remote areas and trigger more interactions between diverse interest groups and stakeholders. Therefore, a WHS within an urban setting was specified for its complexity and better representation as a stronger case for this study.

5. A Cultural Heritage of Continuity (in Use)

The WHS selected should be in constant use by their local communities to provide authentic historical information derived from their social-cultural context. This kind of human-inhabited heritage grants the communities a sense of identity and allowed consideration of how they continuously adapted their values in response to their environment through time.

6. A Continuous Documentation in History

The ideal WHS for case study offered a long-term documentation from its establishment until the present time. Historical records before the Republic Era (1912) were required to be extant and available for historic surveys of the site.

7. Minimum ten years of World Heritage Inscription (before 2010)

Considering the necessary duration for formulating a preservation plan and executing a conservation/restoration project, it was reasonable to select a WHS that had already been inscribed for more than ten years. This criterion suggested a site has seen interventions to a certain degree and has been managed by preservation agencies for some length of time.

Site Selections for the Case Study

Among the 38 Cultural WHS, only four fulfilled the above criteria: (1) Temple and Cemetery of Confucius and the Kong Family Mansion in Qufu City, Shandong Province (曲阜孔廟)⁸; (2) Ancient City of Pingyao in Pingyao County, Shanxi Province (平遙古城)⁹; (3) Classical Gardens of Suzhou in Suzhou City, Jiangsu Province (蘇州古典園林)¹⁰; (4) Imperial Palaces,¹¹ Summer Palace,¹² and Temple of Heaven in Beijing City¹³ (紫禁城, 圓明園, 天壇). Examination of the Classical Gardens of Suzhou (3) and their preservation values would require intensive knowledge in landscape conservation. The Temple and Cemetery of Confucius and the Kong Family Mansion (1) and the Imperial Palaces (4) are unique isolated examples without parallel sites for comparisons. Therefore, the final selection of the WHS for this research was (2) Ancient City of Pingyao.

World Heritage Site – Ancient City of Pingyao, Shanxi Province

The Ancient City of Pingyao appeared to be a perfect object for this study since it is the only World Heritage City among the above four, and an excellent example of vernacular architecture and a human-inhabited settlement since the 14th century. The Ancient City of Pingyao completely

⁸ Temple and Cemetery of Confucius and the Kong Family Mansion in Qufu. See <https://whc.unesco.org/en/list/704>

⁹ Pingyao is an exceptionally well-preserved example of a traditional Han Chinese city, founded in the 14th century. Its urban fabric shows the evolution of architectural styles and town planning in Imperial China over five centuries. See <https://whc.unesco.org/en/list/812/>

¹⁰ The nine gardens: namely the Humble Administrator's Garden, Lingering Garden, Net Master's Garden, the Mountain Villa with Embracing Beauty, the Canglang Pavilion, the Lion Grove Garden, the Garden of Cultivation, the Couple's Garden Retreat, and the Retreat & Reflection Garden. See <https://whc.unesco.org/en/list/813>.

¹¹ The Imperial Palaces of the Ming and Qing Dynasties in Beijing and Shenyang, inscribed on the World Heritage List in 1987 and 2004 respectively, are two different Palace complexes located in two cities – Beijing and Shenyang. The Forbidden City in Beijing is the biggest palace complex in the world, which covers 72 hectares and consists of 980 buildings. See <https://whc.unesco.org/en/list/439>.

¹² The Summer Palace, restored on its original foundations in 1886, is a masterpiece of Chinese landscape garden design that integrates numerous traditional halls and pavilions by the Qing emperor Qianlong between 1750 and 1764. See <https://whc.unesco.org/en/list/880>.

¹³ Temple of Heaven is a dignified complex of fine cult buildings set in gardens and surrounded by historic pine woods of approximately 215 hectares. See <https://whc.unesco.org/en/list/881>.

fulfilled the above criteria of selection: It is a Han-ethnic settlement located in Shanxi Province (west to Beijing), a continuous human-inhabited urban settlement. Its history dates back 2500 years; its earliest local gazetteer dates back to the Ming dynasty (1620); its inscription as a WHS is over 20-years (since 1997) and its preservation master plan was issued in 1985. As an active city is led by the dynamic of political-economic powers, Pingyao was selected to reveal the trajectory of the values as a WHS (Figure 1.3).

Non-World Heritage Site – Ancient City of Datong, Shanxi Province

The selected control site, the Ancient City of Pingyao, is titled as a “National Historic-Cultural City” (国家历史文化名城) of Shanxi Province (1986) in addition to its WHS title. Hence, the comparison site was selected from the other five standing “National Historic-Cultural Cities” in Shanxi Province: Datong City (大同), Dai County (代县), Taiyuan City (太原), Qi County (祁县), and Xinjiang County (新绛). After preliminary online research and comparisons with the other four National Historic-Cultural Cities in Shanxi Province, Datong Ancient City was considered the most appropriate one. Because the historic cores of Dai County and Qi County are less than 1 km², which is smaller than a half of Pingyao’s area; the scope of Taiyuan city is too large for comparison (9.6 km²), its historic fabric has drastically altered, and was inscribed in 2011; Xinjiang County is incomparable due to its unique organic layout (an irregular quadrilateral) shaped to accommodate its topographical environment.

Datong Ancient City was selected due to its substantial similarities to the Ancient City of Pingyao in terms of topography, history, city layout, and scale.¹⁴ The massive reconstruction

¹⁴ Datong was inscribed as the National Historic & Cultural City in 1982. Its historic core, the Ancient City of Datong, is enclosed in a walled area of 3.28 km² (approximately 300 meters longer than Pingyao’s wall at each

project of the Datong Ancient City led by Mayor Geng since 2008 was a frontrunner of China's trendy "Ancient City Reconstruction Movement" in recent years. It was expected that, through the comparison between an internationally certificated site (Pingyao) and a nationally protected city (Datong), the influence of the international paradigm and the gaps in the values of China's conservation system could be uncovered and analyzed (Figure 1.3).



Figure 1.3. Location map of case study sites (Ho, marked on Map of World Heritage List, https://upload.wikimedia.org/wikipedia/commons/thumb/d/dc/Shanxi_in_China_%28%2Ball_claims_hatched%29.svg/1200px-Shanxi_in_China_%28%2Ball_claims_hatched%29.svg.png)

side). Its existing city walls were restored upon the foundation of the Hongwu period in the Ming Dynasty (1372 C.E.), which dated only two years later than Pingyao's city walls.

1.3.2 *Documents and Archival Research*

This research method has collected literature on urban heritage conservation for preliminary sketches of the background and for further interpretation and comparison. These materials include, but are not limited to the published books and articles regarding the research topics, official legislative documents and evaluation criteria for heritage conservation, local gazetteers, and official urban planning documents and reports of the case studies, online information, and other materials related to heritage conservation.

The main body of the textual interpretation are the official documents of heritage conservation policies from China and cross-referring to the evaluation criteria and international organizations:

(A) Chinese textual materials comprise three categories of legal documents: (1) “*Law on Cultural Relics*” issued by the National Cultural Heritage Administration and its jurisdictional branches, which administrate heritage conservation affairs from WHS to local protected cultural relics. (2) “*Urban-Rural Planning Law*” issued by the Ministry of Housing and Urban-Rural Development and its jurisdictional branches administrate urban planning agendas in cooperation with the conservation departments. (3) The “*Regulation on the Protection of Famous Historic-Cultural Cities, Towns and Villages*” is the principal national-level law stipulated for urban conservation of historic settlements. Lastly, “Principles for the Conservation of Heritage Sites in China” is used as a reference indicator since it is the only professional guideline (not legally binding) from a cross-cultural collaboration with the Australian Heritage Commission and the Getty Conservation Institute.

(B) The international textual materials in this research refer to the Conventions and selective Charters formulated by UNESCO and its advisory bodies, which include: (1) The 1972

Convention Concerning the Protection of the World Cultural and Natural Heritage (1972 Convention) with the Operational Guidelines for the Implementation of the World Heritage Convention (the Operational Guidelines) set up dominant principles for cultural heritage conservation all over the world. The Outstanding Universal Value (OUV), written in the Operational Guidelines, is the evaluation criteria to determine the “World Heritage List.” (2) International documents include some influential milestone charters on cultural heritage conservation, such as the Venice Charter (1964) and the Burra Charter (1999). (3) Some significant charters and recommendations concerning urban conservation will be closely examined, including the Washington Charter (1987), the Charter on Built Vernacular Heritage (1999), and the Recommendation on the Historic Urban Landscape (HUL, 2011).

1.3.3 *Interviews*

As a method of producing qualitative data, interviews can be categorized as “structured,” “semi-structured” and “unstructured” interviews. Semi-structured, open-ended interviews are selected for this research as it encourages the interviewees to talk about their experiences while maintaining some consistency in addressing the concepts.

Because China’s heritage conservation affairs are mostly led by their State power and a group of elites, ideal interviewees are key players in the network of Chinese heritage conservation, especially the insiders of the preservation planning circle for the WHS (Pingyao) and/or the National Historic-Cultural City (Datong). These interviewees belonged to three groups: (A) government officials and/or decision-makers; (B) conservation practitioners; and (C) experts and/or scholars: Most of the time, Chinese scholars are the "experts" who are hired to conduct conservation projects by the governments.

Interviews have been conducted with the individuals who work in the field of conservation in China to gather information regarding their experience related to the two case study sites: (1) what are the most valuable components to be preserved in urban conservation practice; (2) how preservation practice is made to reflect the values; (3) what are their experiences with international preservation organizations. Such interviews have provided profound insights and details about the social-cultural context, the background of the case study sites, and real experiences in the implementation of conservation policies in China.

Survey Questions

Based on the three research questions and the hypothesis of the dissertation, which assumed that the values can be identified through interpreting conservation policies and practice, the questions of China's values in heritage conservation were structured by four levels (Figure 1.4): Sequentially, the questions begin with a variety of conservation values; then proceed to discussions of the values in China's policies and examine how the values are reflected in China's conservation expertise; and, finally compare the values of conservation between China and UNESCO.

Level I (Typology) – Type of values in heritage conservation

Level II-A (Text) – Values in China's conservation policy

Level II-B (Object) – Values in China's conservation practice

Level III (Comparison) – Gaps in Values between China and UNESCO

The survey questions of the interviews focused on obtaining personal insights and work experience in preserving either/or both of the two national designated cultural heritage sites (Level II-B & Level III). In order to obtain comprehensive data and to make cross-reference between the three different types of interviewees, the same set of questions was presented to each interviewee by

level. Considering the duration of an open-ended interview, the priorities were the core questions at each level.

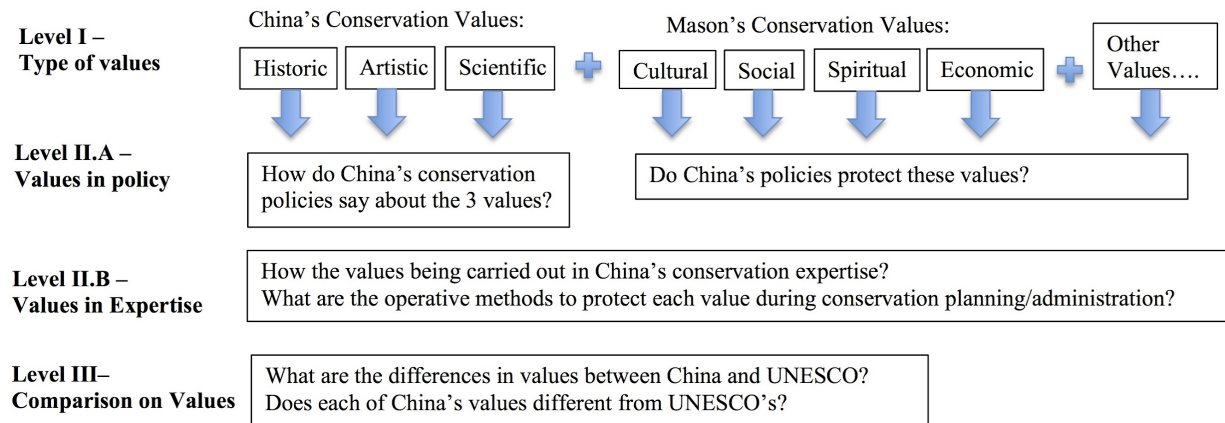


Figure 1.4. Structure of Interview and Core Survey Questions

1.3.4 *Field Survey*

Referring to the Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation and Conzen's urban morphological theories, the content of this field survey was tailored to accommodate this research topic and the current Chinese context. As both selected sites are inscribed "National Historic-Cultural Cities," the field survey started from an overall reconnaissance inspection of "urban fabric" and was followed by an intensive survey of "historic context." The purposes of the field survey have been to verify site information and to update the existing conditions of their "urban fabric" and "historic context." The main tasks of the fieldwork were to collect local archival documents, conduct on-site interviews and field surveys. The data collected through fieldwork has been summarized and used to sustain the case study, and then compared with historic documents, official urban plan drawings, and conservation plans to inform the variation of the current conservation values in China.

Prior to conducting the site survey, two preexisting issues were identified: (1) Since the causality between physical built forms (objects) and conservation policies (texts) is contingent, it can be improper to directly induce values from the survey of the physical forms; (2) Currently, there are no official evaluation system or criteria to assess the “objects” of cultural heritage in China. Similarly, there is no checklist of standardized items to be reviewed for assessment or comparisons. Both issues intensified the complexity of interpreting conservation values through the results of the field survey. Therefore, the fieldwork primarily focused on reviewing the interconnections between the urban fabric and the conservation policies of the cities. Combined with historical records and current planning documents, the resulting data from the field survey has been a useful reference to interpret the values in China.

Survey Process and Methodology

The field survey comprised three sets of activities: pre-survey research, on-site survey, and recording of information. Pre-survey research was conducted before and at the beginning of the fieldwork to set up the necessary background as a preparation for the on-site survey. Based on Conzen’s historico-geographical approach, the field survey traced the character of historic cities according to the urban forms: (1) Town-plan (or plan type areas), referring to ground areas of the street system; (2) Plot pattern and building pattern as plan-units; and (3) Building Fabric (or building type) areas focusing on the 3-dimensional physical form of the building (Kropf, 2009). Incorporating personal observations, descriptions, and interpretations, both phases were conducted by walking, mapping, taking photographs, and recording field notes. Basic survey equipment included cameras and accessories, notebooks, pens and/or recording pens, (laser) tape measure, and so forth. At the final stage, recording and compiling were applied to maintain the field data and to inventory the collected information.

Step #1— Pre-survey Research

Since the survey and research of the two selected sites had been previously prepared by the time of their designations, it was more efficient to conduct pre-survey research before starting fieldwork. By studying contemporary and historical documents associated with the survey areas, pre-survey research allowed the collection of existing information and building survey material. This pre-survey research facilitated on-site surveys by creating basic contexts of the sites, developing survey objectives and strategies, establishing survey priorities and expected results, and noting gaps and/or key elements to be addressed in the field.

Contents of the pre-survey research:

I. Urban Fabric:

- *Planning documents: including master plans, planning reports, and drawings, land use plans, zoning plans, and so on.*
- *Miscellaneous Maps: including topographical maps, regional maps, plan maps, zoning maps, transit maps, land use maps, and so on.*
- *Sources & Bibliography: including books, articles, other documents, and so on.*

II. Historic Context:

- *Inventory of historic resource: including resource's status, type, function, boundaries, significance, conditions, and so on.*
- *Previous historic survey report: a summary of the general physical characteristics, prominent natural and built features, and a discussion of the surrounding environment.*
- *Historical Documents: including historical photographs, survey drawings, and so on.*

- *Sources and Bibliography: books, articles, other documents, and so on.*

Step #2 – Reconnaissance / Urban Fabric Survey

In conjunction with a review of pertinent documents, the reconnaissance survey of the urban fabric established an overall understanding of the physical environment of the city and how various components of its layout fit together. This phase of the survey reviewed the city layout, arterial streets and lanes, and identified historic sources, typical and transformed blocks.

Contents of Reconnaissance /Urban Fabric Survey:

- *City Layout: topography and setting, axes and vistas, Fengshui.*
- *Street System: arterial streets and lanes, nodes, orientations, circulations.*
- *Street Blocks: typical and transformed blocks.*
- *Building Forms: massing, styles.*
- *Historic Background: locations, boundaries.*
- *Land Uses: zoning, public space, open space.*

Methods:

Walking – Following Jane Jacobs’s way to learn about cities from street-level experiences, urban ethnographers have recognized the heuristic value of walking through the city. Since both cities are within a walkable distance, experiencing the two cities on foot was the most appropriate way for this phase of the survey. The reconnaissance survey was a walk-through including all arterial streets and key lanes within the city area. As the distance from the north to the south end of Datong is approximately 2 km/1.4 mile (24 minutes by walk), an initial walk-through inside a quadrant of the city (approximately 0.8 km², which is bigger than Pingyao) were able to completed in 3 hours.

Mapping – Once the appropriate base maps were in hand, the reconnaissance survey started from a walk-through while noting field observations on base maps. Field notes were used to capture a

breadth of information and non-verbal cues that quantitative research cannot record. In this phase, field notes offered substantial narratives of the characteristic urban elements, identification of typical and transformed blocks, and location of the existing historic resources.

Photographic Documentation – When walking through the city areas, digital cameras and equipment were also used to document field observations.

Step # 3: Recording of Information and Outcomes

Using pre-survey research data in combination with a thorough field check, the findings were compiled and adjusted to update the remaining historic fabric of the case study sites. The result of the completed field survey was a summary of the collected data, an inventory of historic resources, accompanied by sorted survey maps, photographs, and field notes.

Chapter 2. THE CONTEXT OF URBAN CONSERVATION

2.1 INTRODUCTION: WORLD HERITAGE CITIES AND THE CULTURAL GAP

China, which is proud of possessing a long-standing culture and abundant heritage, is also an unruly participant of the international cultural heritage circle. Many Western observers doubt whether China's rapid modernization can be integrated with the past, resulting in an authentic continuation of the history, or, turning history into a commodity to suit the taste of the affluent classes, leading to gentrification or the "Disneyfication" of artifacts? (Safford, 2014; M.K. Ng, 2009).

A pair of articles regarding the existing issues of cultural heritage conservation in China – one from a Belgian scholar, W. Derde, the other from C.Y. Zhang, a Professor of Beijing University – represent a cross-cultural academic discourse on authenticity in cultural heritage conservation. Derde notices (2010) that the Chinese often take the form (stylish restoration) to rebuild old buildings, not only add new "historicized" elements but also preserve little that is really "authentic." Derde notes, "heritage is important in contemporary China, but our intellectual framework does not allow us to really explain what is happening." What is the "cultural difference" exactly? Derde rules out external factors and provides an internal factor (or cultural approach) — the different attitude toward the past from the Christian religion, which searches for the historical truth (hermeneutics). Zhang (2013) appreciates that Derde asserts that the attitudinal difference derives from internal cultural factors, but questions that Derde focuses on the construction aspect without providing any cultural roots in China's cultural heritage itself. Lacking explanations of China's internal factors, Zhang suspects, caused Derde's misunderstanding of China's conservation practices. Zhang suggests possible rationales for China's attitude towards its heritage, which are inherently rooted in Chinese thinking modes, value origins, and philosophical

ontologies.¹⁵ Obviously, both the Western and the Chinese scholars are on the way searching for the reasons for China's conservation misconduct.

Cross-cultural communication is essential to perform international conservation engagement and cannot be completed without extensive two-way conversations. Effective interpretation and communication are especially critical in dealing with international conservation efforts, such as the World Heritage List, as they operate under a set of universal values and guidelines. To enable a two-way conversation, the extent of "different attitudes" should be addressed first. Hence, this research starts with understanding the contexts of urban heritage conservation on both sides. As international concepts of heritage conservation originated from the West, the first section explains the existing international mechanism of cultural heritage conservation--UNESCO and international organizations, the World Heritage List and its values, and the evolving international documents on urban conservation. An overview of the Chinese context of urban conservation follows, including a brief history of China's urban conservation, the current legal framework, and the system of urban conservation. The last part of this chapter is an introduction to the two case study sites -- Pingyao and Datong in Shanxi Province, China.

World Heritage Fervor and the Chinese Interpretation

When China embraced the global regime of the World Heritage industry in 1985, its government agreed to adopt international criteria to standardize, certify and legitimize their heritage practices. The Chinese fervor in applying for World Heritage Sites since 2000 indicates the government's desire for official recognition nationally and internationally through the listing. This movement has encouraged Chinese people to understand the selection criteria of World Heritage and to adopt

¹⁵ Respectively, Zhang quotes the research of Cheng (1994) to indicate the different attitudes come from different value systems (divine vs. human); Ji's article (1998) on different thinking modes (synthesis vs. analysis); and Du's article (2004) on different philosophical ontologies (continuity vs. dichotomy).

the international conservation principles in their system. However, the concepts of “authenticity and integrity,” “historical information,” and “minimal intervention” are substantially different from the Chinese experience (Y. Zhu, 2012). Hence, an endless dispute has been triggered ever since their introduction to China in the 1990s, especially the concept of authenticity.

Integrity did not trigger as much controversy in China as authenticity. Literally, the concept of “integrity” speaks the same language as the traditional Chinese philosophy. In other words, natural space and civilization are interdependent, whether from a perspective of Confucianism, Daoism, or Buddhism. It comes naturally that China treats a monument site with its setting, and designates holistic areas as “Historic-Cultural Cities, Towns, and Villages” in 1982 (before joining the World Heritage Convention). The “Historic-Cultural Cities, Towns, and Villages” is a mechanism to protect cities as an organic “integrity,” which aligns with the integrated conservation approach for urban heritage (Li, 2013). In addition, “integrity” is used as an indicator of the Appraisal of National Key Scenic Spots and the Appraisal Guideline System for the “Historic-Cultural Towns/villages” (Zhan, 2014).

Officially, Chinese authorities and professionals often borrow “authenticity” to legitimize their conservation plans for the World Heritage nomination, or reinterpret international principles and apply them to national and local heritage activities (Y. Zhu, 2014). In 1982, the principle of maintaining the original condition of heritage sites was prescribed in the first *Law on Protection of Cultural Relics*. Cooperating with the Getty Foundation and the Australian Heritage Commission, the basic ideas of authenticity and integrity have been reflected in the first professional conservation guidelines, *the Principles for the Conservation of Heritage Sites in China, 2002 (China Principles)* (Y. Zhu, 2012). The China Principles states that “the esthetic value of a site derives from its historic authenticity. Alterations to the historic condition may not

be made for cosmetic purposes or to attain completeness.” The China Principles also mandate that “Heritage sites must be historically authentic,” “Physical remains must be in their historic condition. This includes a site’s condition as it was originally created, its condition after undergoing repeated adaptation throughout history, and its condition as a result of deterioration or damage over a long period” (China Principles, 2002).

Scholarly support and a government-led approach have been the main governance strategy of heritage nomination and management in China. Since 2005, the Ministry of Construction and the State Administration of Cultural Heritage (SACH) have started to apply the criteria of “authenticity and integrity” to choose and publicize Historic-Cultural Cities, Towns, and Villages (Zhan, 2014). These technical guidelines and regulations for managing the Historic-Cultural Cities significantly contributed to the development of a professional system of urban conservation (Chen, 2018). When these international concepts are imposed on local heritage practices by heritage agencies, local communities consume, contest, and negotiate the concepts in various ways (Y. Zhu, 2014). In 2002, the China Cultural Relics News organized a series of discussions on the contradictions between the Venice Charter and the existing practices in China (Chen, 2016). In 2005, senior scholars and engineers approved the Qufu Declaration (曲阜宣言) to express their disagreement with certain conservation methods arising from the new concepts (Y. Zhu, 2012; Chen, 2016). The declaration states that replacement and reconstruction should be a normal measure, not an occasional or exceptional approach. China may need to guard against the demand for very thorough or strict authenticity (Y. Zhu, 2012). When the “global hierarchy of value” in China is competing with local interests, locals bring their own interpretation of authenticity to the heritage discourse and often render it possible through local practices (Y. Zhu, 2014).

Chinese Stylistic Restoration and Urban Regeneration

Compared with Western approaches, the Chinese stylistic restoration is based on different interpretations of “original” and “restoration.” Traditional Chinese architectural practice has constantly emphasized style over authenticity, pursuing gestalt forms, and being flexible toward reconstruction. Such stylistic restoration methods violate the accepted international standards of authenticity (Chang, 2011; Chen, 2016). Compared with the Venice Charter, the Qufu Declaration states that replacement and reconstruction should be a normal measure, not an occasional or exceptional approach (Y. Zhu, 2012). While the China Principles are more aligned with the prevailing international guidelines, they still allow reconstruction when provided with official approval procedures (Qian, 2007). As a result, China's conservation methodology substantially conflicts with the principle that “reconstruction is acceptable only on the basis of complete and detailed documentation and to no extent on conjecture” (Forrest, 2010).

“Chinese Stylistic Restoration” expanded to an urban scale and became a trendy “ancient city reconstruction” movement after 2007. Different from the urban renewal in the 1980s, “ancient city reconstruction” waves the flag of revitalizing traditional culture to bulldoze outdated urban cores and fabricate brand new pseudo-classic style cities. Roughly estimated, there have been more than 30 cities in China planning or undertaking reconstruction projects to rebuild their old cities in historical appearance (B.H. Qian, 2017; Cui, 2018).¹⁶ Mostly located in the mid-west of China, many of them are Historic-Cultural Cities struggling to attract investments and trying to utilize their historic cities as cultural resources to stimulate tourism. Datong is the initiator and a representative of this approach.

¹⁶ Such urban reconstruction program initiated from Datong, and followed by Liaocheng (聊城), Tai'er-zhuang (台儿庄), Hancheng (韩城), Kaifeng (开封), Zhengzhao (郑州), Junxian (浚县), Shangqiu (商丘), Luoyang (洛阳), Fenghuangcheng (凤凰城), Shuozhou (朔州), Zhengding (正定), Tangshan (唐山), and so on (B.H. Qian, 2017).

2.2 INTERNATIONAL PLATFORM FOR URBAN CONSERVATION

The current model of international mandate and authority for the management, preservation, and protection of natural and cultural heritage across the globe has been in practice for more than 100 years. From the 1919 League of Nations to the International Institute of Intellectual Cooperation (IIIC) and its 1926 International Museums Office, to the 1931 Athens Conference on the Protection and Conservation of Monuments of Art and History, there has been a growing international movement for cultural heritage conservation (Meskell, 2014). The second half of the twentieth century has been a period of increasing international collaboration, reflected in the activities of international organizations, such as UNESCO, ICCROM, and ICOMOS, and the definition of charters, recommendations, guidelines, and conventions, as well as promoting awareness campaigns and developing specialized training activities (Jokilehto, 2002). Toward the end of the twentieth century, the world scenario related to the management of heritage resources changed radically, especially due to the rapid growth of tourism and increased communication. The issue of cultural heritage conservation has been applied to an increasingly broad spectrum of properties; at the same time, the policy of sustainability in the development of the built environment has become essential as a part of the survival strategy on earth (Jokilehto, 2002).

To explain the main directions of the development of international historic preservation since 1964, this section begins with the international heritage conservation mechanism, which was conducted by UNESCO through the World Heritage List (WHL). The second section elaborates the values and the criteria applied to the inscription of the World Heritage List. The third section illustrates the conceptual evolution in urban conservation through the most significant international conservation documents, from the 1931 Athens Charter to the 2011 Recommendation on The Historic Urban Landscape.

2.2.1 *International Mechanism of Cultural Heritage Conservation*

International collaboration has built a systematic approach for all involved in World Heritage supporting understanding and improving the state of conservation of internationally significant sites. First, the World Heritage Convention was adopted by UNESCO in 1972. Each State Party, on signing the Convention, pledges to conserve the cultural and natural sites within its borders that are recognized by the Convention as being of outstanding universal value. To define these significant sites, the Convention has established the World Heritage List. In addition, the World Heritage Committee also prepares and publishes a List of World Heritage in Danger, which itemizes the World Heritage Sites threatened with destruction, major alteration, or abandonment for further assistance (ICOMOS, 1993). Through the international-admitted policies, criteria of selection, the World Heritage system affected the way that heritage values were perceived and conservation strategies were formulated (Cameron & Rössler, 2016).

I. International Organizations of Heritage Conservation

United Nations Educational, Scientific and Cultural Organization (UNESCO)

The huge losses in human lives and properties from World War II promoted new efforts to establish an international platform, where potential disputes could be solved before they escalated into open conflicts. Against this background, in 1945, the old League of Nations was re-founded as the Organization of United Nations (UN); the International Committee of Intellectual Cooperation was succeeded by the United Nations Educational, Scientific and Cultural Organization (UNESCO)¹⁷; the International Museums Office was formed into the International Council of Museums (ICOM) in 1946 (Jokilehto, 2002). Created with a constitution for “the conservation and protection of the

¹⁷ UNESCO’s mission stemmed from a specifically European organization called the International Committee on Intellectual Co-operation (ICIC), which operated between 1936 and 1946 (Droit 2005; Hoggart 2011), rather than being a direct offshoot from the United Nations (Meskell, 2013).

world's inheritance of books, works of art and monuments of history and science," UNESCO was a specific agency of the UN that focuses on education, universities, libraries, internationalism, and operates programs concerning cultural heritage (UNESCO, 1945; Meskell, 2013). Although UNESCO was neither the originator, nor sole custodian of the "heritage" and its associated ideas, there is no doubt that it is the indisputable global-level instrument today, which mobilizes resources, reproduces dominant arguments and rationales, establishes program agendas and policies, and dispenses status surrounding the heritage conservation (Askew, 2010).

Other International Organizations (NGOs)

1. The Getty Conservation Institute (GCI)

The Getty Conservation Institute (GCI) located in Los Angeles, California, is a program of the J. Paul Getty Trust that commenced operation in 1985. GCI works internationally to advance conservation practice in the service of the world's cultural heritage in both art conservation and architectural conservation. Within three years after its founding, the GCI entered into an agreement with China for the conservation of the Yungang Grottoes and the Mogao Grottoes. In 1996, the GCI initiated engagement in a project to develop national guidelines, the *Principles for the Conservation of Heritage Sites in China (Hereafter referred to as the China Principles)*. The China Principles were issued by ICOMOS China in 2000. A revision and a bilingual version were completed and published in 2015. In the decade after the initial completion of the China Principles, the key activities of the Chinese CGI were professional training in the purpose and use of the China Principles, applying them to real-life situations, and developing regulations concerning master planning for heritage sites ("The Getty Conservation Institute Enduring Collaborations in China 1989–2016", 2016).

2. World Monuments Fund (WMF)

The World Monuments Fund (WMF), founded in 1965, is a private international organization based in New York. To encourage and support the conservation and preservation of culturally and historically significant works of art and architecture worldwide, WMF works with both public and private-sector partners across geographic, cultural, and national boundaries. Its first large-scale projects involved the restoration of over 25 damaged architectural sites in Venice after the massive floods in 1966. Since then, WMF has undertaken major projects in over 80 countries. Since 1996, the WMF has worked with China and its citizens to raise world visibility, and financial support to protect and restore internationally recognized Chinese cultural heritage sites. In addition to the sites on the World Monuments Watch list, WMF also undertook a special project in the Forbidden City to conserve the Lodge of Retirement and the Qianlong Garden of Emperor Qianlong (completed in 2008)(WHF, World Monuments Fund In China, 2006).

3. Global Heritage Fund (GHF)

Global Heritage Fund (GHF), based in Palo Alto, California, is a registered non-profit international conservancy established in 2002 that aims to preserve endangered World Heritage Sites in developing countries. GHF has invested over \$25 million and secured \$20 million in co-funding for 19 global heritage sites to ensure their sustainable preservation. Over the next 10 years, Global Heritage Fund (GHF) will be working to build a sustainable, nationwide program to save 6 to 8 endangered world heritage and national treasure sites in China's least developed provinces. Completed projects include a four-year program to preserve the Ancient City of Pingyao (2008-2012); an innovative Preservation Incentive Fund through Lijiang's first Master Conservation and Site Management Plan that provides subsidies for low-income households to retain the native Naxi

families (Global Heritage Fund, annual report, 2006). The above two completed projects are the two existing world heritage cities in China.

II. International Corporation on Preserving Cultural Heritage

The World Heritage Convention

Adopted by UNESCO in 1972, the *Convention Concerning the Protection of the World Cultural and Natural Heritage* (hereafter refers to as the *World Heritage Convention*) “seeks to encourage the identification, protection, and preservation of cultural and natural heritage around the world considered to be of outstanding value to humanity” (World Heritage Convention, 1972). Through this instrument, the participating countries have agreed to inventory, recognize and protect unique and irreplaceable properties of universal value. For the first time, the Convention provides a permanent framework—legal, administrative and financial -- for international cooperation in safeguarding mankind's cultural and natural heritage, and introduces the specific notion of a "world heritage" whose importance transcends all political and geographic boundaries (ICOMOS, 1993).¹⁸

The convention includes both natural and cultural heritage, and further provides a three-part definition of cultural heritage: monuments, groups of buildings, and sites. Specific types of valued natural resources include physical and biological, geological and physiographical, and sites with natural beauty (Goetcheus & Mitchell, 2014). Divided up into a number of chapters, most of the Convention addresses the establishment of structures and mechanisms by which the world's heritage might be protected. Chapter I defines the world heritage to be governed by the Convention, while chapter II, arguably the most important chapter, sets out the international obligations of

¹⁸ The term “World Heritage” and the idea of a World Heritage Trust were proposed during the 1965 US White House Conference (Bandarin, 2007; Allais, 2013). “Heritage” is defined by the UNESCO World Heritage Center as a legacy from the past that serves both current and future generations and needs to be identified by official bodies.

States Parties. Chapter III concerns the establishment of the World Heritage Committee, chapter IV the establishment of an international fund for the protection of world heritage, and chapter V the mechanism for obtaining international assistance in the protection of world heritage. An important part of the 1972 Conventional regime is the Operational Guidelines for the Implementation of the World Heritage Convention, adopted by the World Heritage Committee established under the Convention. The Operational Guidelines have been amended on a number of occasions, and effectively allow for a reinterpretation and application of the Convention to contemporary decision-making (Forrest, 2010).

Ratified by 20 nations, the World Heritage Convention became effective in 1977. By the year 2020, the Convention included 194 countries, representing more than three-quarters of the nations of the world. Setting global instruments, networks, and actions in conservation, the significance of the 1972 World Heritage Convention is evident in fostering new dimensions to heritage theory and practice, debating key principles, formulating standards, identifying sites of importance, engaging with the international community, inspiring rapid and effective mobilization in emergencies to mitigate conflictual proposals in major cities and to reconstruct the severely destructed historic townscape and buildings during wartime.

Unexpectedly, the Convention even had the effect of creating a marketing brand by World Heritage List, that has stimulated the focusing of tourism and other development pressures into some of the most fragile heritage sites. At the same time, some troubling issues have been raised, including the structural design of the listing process, inadequate resources for international assistance, inappropriate mass tourism, and creeping politicization (Rodwell, 2012; Yan, 2012; Cameron & Rössler, 2016).

Operational Guidelines for the Implementation of the World Heritage Convention

While the established World Heritage Convention provides a mechanism and breadth in the definition of heritage, the revisable *Operational Guidelines for the Implementation of the World Heritage Convention* (hereafter referred to as the *Operational Guidelines*) were first drafted in 1977 to form the basis for all decisions, including the criteria for inscription (Titchen, 1996). Revised repeatedly by the World Heritage Committee, the *Operational Guidelines* is a flexible working document to accommodate changing concepts about heritage, the values to different groups of people, the assessments of heritage values, and the significance of interactions between people and their environment. The evolution of the *Operational Guidelines* illustrates the changing character of interpretation and the socio-political context of the Convention (Labadi, 2013; Meskell, 2013).

The World Heritage List

The World Heritage List, a shared vision for a selective international list of outstanding cultural and natural sites, is created by the actions of the State Parties that nominate the Sites, the two Advisory Boards which evaluate and propose the Sites for inscription, and the Committee that makes the formal decisions on the List (Frey, 2011). Under the leadership of UNESCO with the advice of IUCN, ICOMOS, and ICCROM, from 1976 to 1980 a rigorous framework was established to guide the development of the World Heritage List. The World Heritage Committee formulated, tested, and adjusted selection criteria to determine “outstanding universal value” as well as the basic requirements for “authenticity and integrity” (Jokilehto, 2008). Furthermore, the ten criteria for inclusion in the World Heritage List were established in the 2005 Operational Guidelines (UNESCO, 2005; Frey, 2011) As of 2021, the World Heritage List comprises 1154

Sites, 897 (77 percent) of which relate to culture, 218 to nature, and 39 are mixed (i.e. combine cultural and natural heritage)(see Figure 2.1).

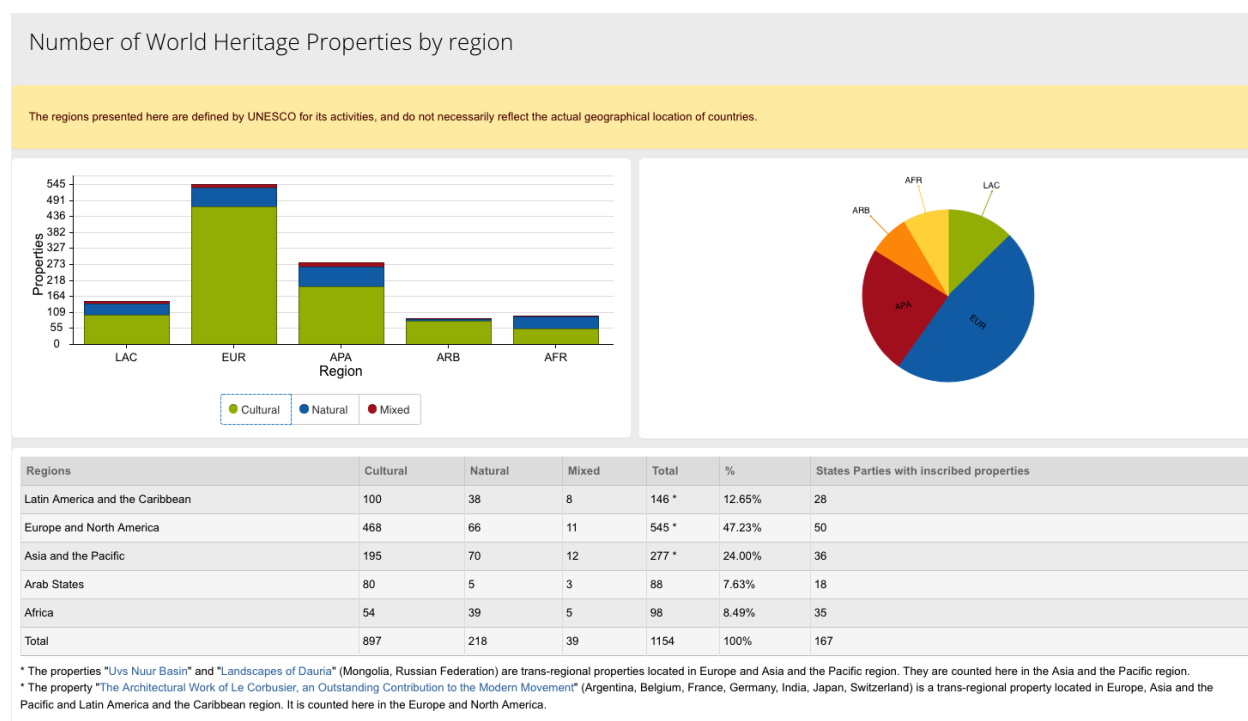


Figure 2.1. Statistics of UNESCO World Heritage Sites by types and regions as for July 2021. ("Number of World Heritage Properties by region" at <https://whc.unesco.org/en/list/stat>)

List of World Heritage in Danger

Compiled by UNESCO through the World Heritage Committee, the List of World Heritage in Danger is designed to inform the international community of conditions threatening to World Heritage Sites, and to request assistance for counteractive measures (the World Heritage Convention, Art. 11.4, 1972). "Dangers" can be specific and proven imminent threats, or potential threats that could have negative effects on a site's World Heritage values.¹⁹

¹⁹ For World Cultural Heritage Sites, imminent dangers can be serious deterioration of materials, structure, ornaments or architectural coherence, urban or rural space, and the loss of historical authenticity or cultural significance. Potential dangers can be development projects, armed conflicts, inappropriate planning or conservation policy, or impacts of climatic, geological, or other environmental factors.

Listing as a World Heritage in Danger should not be considered as a sanction, but as a mechanism efficiently responding to specific conservation needs. Before a property is inscribed on the List in Danger, its condition is assessed. The World Heritage Committee develops and adopts, in consultation with the State Party concerned, a program for corrective measures, and subsequently a process to monitor the situation of the site on a yearly basis. Financial support from the World Heritage Fund may be allocated by the committee for listed properties to restore the site's values. The committee may request additional measures after reviews, delete the property from the list if the threats have ceased, or consider deletion from both the List of World Heritage in Danger and the World Heritage List.²⁰

As of July 2021, there are 52 entries (16 natural, 36 cultural) on the List of World Heritage in Danger. Arranged by the UNESCO regions, 21 of the listed sites are located in the Arab States, 15 in Africa, 6 in Asia and the Pacific, 4 in Europe and North America, and 6 in Latin America and the Caribbean.²¹

2.2.2 *Values and the Criteria of World Heritage List*

To be included on the World Heritage List, nominated sites must be of outstanding universal value and meet at least one of the ten criteria. “Outstanding Universal Value (OUV)” is applied in connection with three comprehensive aspects: uniqueness, historical authenticity, and integrity (World Heritage Convention) (Forrest, 2010; Frey, 2011; Y. Zhu, 2014). Through the development of the Operational Guidelines, the Convention vests the World Heritage Committee with the power to define the criteria by which the outstanding universal value of cultural heritage will be identified.

²⁰ List of World Heritage in Danger. see <https://whc.unesco.org/en/158/>

²¹ List of World Heritage in Danger. See <https://whc.unesco.org/en/danger/> (Retrieved on Sep. 10, 2021).

These criteria are explained in the Operational Guidelines, and they can be amended from time to time as the Committee considers appropriate (Forrest, 2010).

Outstanding Universal Value (OUV)

As a guiding tenet of the World Heritage Convention, “Outstanding Universal Value (OUV)” posits that some sites are so exceptional that they can be equally valued by all people around the world and, therefore, must be protected for mankind as a whole (Operational Guideline, 2019; Labadi 2013).²² World Heritage properties must display Outstanding Universal Value as the basis of any nomination. The criteria are regularly revised by the Committee to reflect the evolution of the World Heritage concept. Before the end of 2004, World Heritage Sites were selected based on six criteria for cultural heritage and four criteria for natural heritage. With the adoption of the revised Operational Guidelines (2005) for the Implementation of the World Heritage Convention, the criteria became a set of ten criteria:²³

(i) to represent a masterpiece of human creative genius;

(ii) to exhibit an important interchange of human values, over a span of time or within a cultural area of the world, on developments in architecture or technology, monumental arts, town-planning or landscape design;

(iii) to bear a unique or at least exceptional testimony to a cultural tradition or to a civilization which is living or which has disappeared;

(iv) to be an outstanding example of a type of building, architectural or technological ensemble or landscape which illustrates (a) significant stage(s) in human history;

(v) to be an outstanding example of a traditional human settlement, land-use, or sea-use which is representative of a culture (or cultures), or human interaction

²² “Outstanding Universal Value means cultural and/or natural significance which is so exceptional as to transcend national boundaries and to be of common importance for present and future generations of all humanity. As such, the permanent protection of this heritage is of the highest importance to the international community as a whole. The Committee defines the criteria for the inscription of properties on the World Heritage List” (Operational Guideline, Paragraph 49, 2019).

²³ The Criteria for Selection, see <https://whc.unesco.org/en/criteria/>

with the environment especially when it has become vulnerable under the impact of irreversible change;

(vi) to be directly or tangibly associated with events or living traditions, with ideas, or with beliefs, with artistic and literary works of outstanding universal significance. (The Committee considers that this criterion should preferably be used in conjunction with other criteria)

(vii) to contain superlative natural phenomena or areas of exceptional natural beauty and aesthetic importance;

(viii) to be outstanding examples representing major stages of earth's history, including the record of life, significant on-going geological processes in the development of landforms, or significant geomorphic or physiographic features;

(ix) to be outstanding examples representing significant on-going ecological and biological processes in the evolution and development of terrestrial, fresh water, coastal and marine ecosystems and communities of plants and animals;

(x) to contain the most important and significant natural habitats for in-situ conservation of biological diversity, including those containing threatened species of outstanding universal value from the point of view of science or conservation.

Authenticity and Integrity

Appearing in the first and subsequent versions of the Operational Guidelines, the “authenticity and integrity” of a site are essential considerations for inscription on the World Heritage List (Labadi, 2010). The two concepts can be seen as complementary, as “authenticity” is related to heritage as a qualifier, while “integrity” is referred to the identification of the functional and historical condition of the site (Jokilehto, 2006). Ideally, the assessment of integrity and authenticity should be integrated so that they sustain each other: one identifying the relevant attributes or elements, the other verifying their truthfulness (Jokilehto, 2008). Through reviewing authenticity and integrity, experts anticipate developing one common approach for the cultural and natural heritage of "outstanding universal value," and may lead to a more coherent interpretation of the World Heritage Convention (Titchen, 1996).

Authenticity in the Operational Guidelines

Listed in the Operational Guidelines as a mandatory criterion of determining World Heritage, the test for authenticity is of great importance to determine the outstanding Universal Value of heritage. (Labadi, 2010). Only when the values of a particular site are reliable or trustworthy, may the cultural heritage be added to the World Heritage List because it actually embodies the values ascribed to it (Forrest, 2010).

The worldwide and overwhelming use of this definition of authenticity from the Operational Guidelines reflects its most common meaning as "genuine and original." This understanding of authenticity as original might also reflect discourses constructed by States Parties to justify the OUV of sites (Labadi, 2010). Offering a Eurocentric understanding of authenticity, "Management Guidelines for World Cultural Heritage Sites" provides one of the most detailed explanations of the four dimensions of authenticity as related to material, workmanship, design, and setting (Feilden & Jokilehto, 1993). These references to "authenticity" can be understood to cover the aesthetic and historical aspects of the site, its physical, social, and historical context, as well as its use and function. Such a variety of references may tend to leave space for different interpretations and even misunderstandings (Jokilehto, 2002).

Integrity in the Operational Guidelines

"Integrity" is critical in the assessment of the property within its overall context, the definition of the core and buffer zones, and the broader landscape context. In reference to the built environment, the issue of integrity is especially relevant to urban and regional planning processes (Jokilehto, 2006). It is also important in the assessment of the social and cultural integrity within a particular area, such as a cultural landscape or a historic urban area, having maintained the continuity of traditional social systems and activities (Jokilehto, 2008). Verification of the condition of integrity

has always been required for natural heritage, but it was not specified for cultural properties until reference was made to the “distinctive character and components” of cultural landscapes in 1994. Although this section is still considered to be in progress, the 2005 *Operational Guidelines* introduced the notion of "integrity" in relation to cultural heritage in the title of section II.E: “integrity and/or authenticity” (Jokilehto, 2008). The condition of integrity is defined (Operational Guidelines, Para. 88, 2005):

“Integrity is a measure of the wholeness and intactness of the natural and/or cultural heritage and its attributes. Examining the conditions of integrity, therefore, requires assessing the extent to which the property: a) includes all elements necessary to express its outstanding universal value; b) is of adequate size to ensure the complete representation of the features and processes which convey the property’s significance; c) suffers from adverse effects of development and/or neglect.

Paragraph 89 insists that the physical fabric of cultural heritage properties should be in good condition and “the impact of deterioration processes controlled. A significant proportion of the elements necessary to convey the totality of the value conveyed by the property should be included” (ibid. Paragraph 89)²⁴ (Jokilehto, 2008; Labadi, 2010).

According to Jokilehto, “integrity” can be identified in the mutual relationship of the elements or attributes and the whole of which they are part. Depending on the issue or themes justifying OUV, 1) it is necessary to identify all the elements that carry such function or related meanings, resulting in the social-functional integrity; 2) Taking into account the historical dimension and the state of conservation of these elements, one can define the historical-structural

²⁴ Integrity, as it relates to cultural heritage requires that: “the physical fabric of the property and/or its significant features should be in good condition and the impact of deterioration processes controlled. A significant proportion of the elements necessary to convey the totality of the value conveyed by the property should be included. Relationships and dynamic functions present in cultural landscapes, historic towns or other living properties essential to their distinctive character should be maintained.” (Operational Guidelines, 2008, para. 89)

integrity of the area eligible for nomination; and 3) Finally, one should consider the visual/aesthetic integrity of the site, taking into account the condition within the nominated area, as well as its relationship with the setting (Jokilehto, 2008).

2.2.3 *International Documents for Urban Conservation*

As the major international organization on protecting the world's cultural heritage, UNESCO neither directly governs its state parties, nor does it possess autocratic legal power over heritage conservation affairs. The bond between UNESCO and the State Parties relies on the mutual agreements in terms of conventions or charters, which the State Parties ratify into the pact, such as the 1972 Convention (Forrest, 2010). Other than the legally binding international documents, non-binding recommendations, and declarations issued by UNESCO and its advisory bodies construct the framework guiding the conservation practice and define the meaning of conservation, heritage value, and significance with its members (UNESCO, 2011).

Collectively, these international documents reflect the main theoretical perceptions and practical experience of the heritage conservation profession at the time of their formation. In general, conventions are the top-level decrees and “subject to ratification, acceptance or accession by States” (Article 31, World Heritage Convention, 1972). They define rules with which the States undertake to comply. Charters, typically adopted at general assemblies of ICOMOS, define the best conservation practices that are intended to be respected internationally. Some nations issued their own charters and guiding documents, such as *Principles for the Conservation of Heritage Sites in China*, 2004. Recommendations and Declarations are similar, which are norms for the Member States to voluntarily apply without formal ratification (Sela Wiener, 2013; Kalman, 2014).

Starting with the 1931 *Athen Charter* and ending with the 2011 *Recommendation of Historic Urban Landscape*, this section looks into the existing UNESCO legal framework covering

urban conservation. Focusing on urban conservation, the concept of urban heritage, the advocacy for urban conservation, and different theoretical approaches will be exemplified below through the evolution of existing international documents of heritage protection during the past seven decades. Here, the World Heritage Conventions, 3 milestone Charters, 2 Recommendations, and 3 international documents have been selected to demonstrate international efforts on the agenda of urban conservation.

I. Unnoticed Urban Heritage

Before the first quarter of the twentieth century, the concept of "urban heritage" was almost non-existent. "Heritage" is acknowledged to "monuments" and great works of art that were to be protected individually without considering their surroundings. Therefore, earlier recognition of urban heritage was only associated with monuments. According to Khalaf (2016), there are three milestones in the long process of recognition of urban heritage: (1) in the 1930s, the recognition of the "surroundings" of monuments; (2) in the 1960s, the "surroundings" started to be considered as part of monuments; (3) in the 1970s, "groups of buildings" were presented as cultural heritage parallel to monuments, not in association with them. Jokilehto also observes a trend of heritage management moving towards an urban scale by the end of the twentieth century. In conservation documents, the urban scale-related terminology has slowly evolved from "sites" (historic towns and settlements) in the 1970s and 1980s, towards "urban areas" in the 1980s, and to "places" and "landscapes" in the 1990s. Later, "urban landscape" (or landscape approach), with increasing management and sustainable development-related terms, emerged in the 2000s (Veldpauw, 2013).

1. ‘Surroundings’ as Parts of Monuments (The Athens Charter, 1931)

Around the 1930s, “surroundings” themselves were not acknowledged as heritage interest or value but were regarded as parts supporting the value of monuments. This is best expressed in section III of the Athens Charter 1931:

In the construction of buildings, the character and external aspect of the cities in which they are to be erected should be respected, especially in the neighborhood of ancient monuments, where the surroundings should be given special consideration. (International Museums Office, 1931)

2. Attachment to Monuments (The Venice Charter, 1964)

In the *International Charter for the Conservation and Restoration of Monuments and Sites* (Venice Charter, 1964), “urban or rural settings” do not bear significance in and of themselves, but rather as an attachment to a monument (Sela Wiener, 2013; Goetcheus & Mitchell, 2014). Based on the concept of authenticity, the Venice Charter sets forth the fundamental conservation principles maintaining the historic monuments and their settings without specific address to historic towns, town centers, or urban areas (Jokilehto, 2007; Bandarin & van Oers, 2012; Sela Wiener, 2013). Article 1 and Article 6 of the Venice Charter are where “surroundings” or “settings” included as part of historic monuments:

“The concept of a historic monument embraces not only the single architectural work but also the urban or rural setting in which is found the evidence of a particular civilization, a significant development, or a historic event. This applies not only to great works of art but also to more modest works of the past which have acquired cultural significance with the passing of time.” (Article 1)

“The conservation of a monument implies preserving a setting which is not out of scale. Wherever the traditional setting exists, it must be kept.” (Article 6)

3. *“Groups of Buildings” as Cultural Heritage (the World Heritage Convention, 1972)*

Adopted at the General Conference of UNESCO in Paris in November 1972, *The World Heritage Convention* provided a three-part definition of “cultural heritage”— monuments, groups of buildings and sites (Goetcheus & Michell, 2014), and consider “historic towns and town centers” under the categories of “groups of buildings” and “sites” (Article 1) (Jokilehto, 2007; Sela Wiener, 2013). Although the 1972 Convention text never makes direct reference to the concept of historic towns and town centers, the Convention did foster the development of methodological approaches in the definition and management of urban heritage (Bandarin & Van Oers, 2012; Sela Wiener, 2013).

As the 1972 Convention separated “groups of buildings” from “monuments” under the definition of “Cultural Heritage,” it marked the very first time that an international policy endorsed “heritage” at an urban scale. According to Article 1 of the 1972 Convention, “groups of buildings” are defined as “groups of separate or connected buildings which, because of their architecture, their homogeneity or their place in the landscape, are of outstanding universal value from the point of view of history, art or science” (UNESCO, 1972); “sites” indicates individual properties or entire areas of “works of man or combined works of nature and man” with OUVs. In this sense, “surroundings” or “settings” are independent assets that possess OUV and worth for protection. Moreover, the dimension of urban heritage was treated as part of urban planning and extended to the community level, as Article 5 of the Convention recommended: each State Party to “adopt a general policy which aims to give the cultural and natural heritage a function in the life of the community and to integrate the protection of that heritage into comprehensive planning programs” (UNESCO, 1972). This broadened definition of urban heritage was reflected in the revision of the 1996 Operational Guidelines, where the term “groups of buildings” was elaborated, and the word

“urban” was added to indicate the new dimensions of this category. In addition, the social aspect has been noted as well, as “inhabited historic towns” became one of the three main categories of “groups of buildings” (paragraph 27, UNESCO, 1996: 8) (Khalaf, 2016).

II. Recognition of Urban Heritage

As early as the same meeting of the 1964 Venice Charter, the agenda of urban conservation was noticed and passed a “motion concerning protection and rehabilitation of historic centers” to “rapidly promote legislation for safeguarding historic centers, which should keep in view the necessity both of safeguarding and improving these historic centers and integrating them with contemporary life” (Jokilehto, 2007; Jokilehto, 2010). After the Venice Charter, there were some major international documents that specifically focused on the conservation of historic towns or historic centers.

1.1967, Norms of Quito: Final Report of the Meeting on the Preservation and Utilization of Monuments and Sites of Artistic and Historical Value

The “Norms of Quito” is the Final Report of the Meeting on the Preservation and Utilization of Monuments and Sites of Artistic and Historical Value held in Quito, the capital city of Ecuador, between 29 November and 2 December 1967 (Conti, 2014).²⁵ The 1967 document declares that “since the idea of space is inseparable from the concept of the monument, the stewardship of the state can and should be extended to the surrounding urban context or natural environment” (Jokilehto, 2007). Hence, a series of concepts were introduced: for example, the idea of “integrated conservation” that appeared in the 1970s as part of urban planning, not only technical aspects but also economic, social, juridical, and administrative (Conti, 2014); the concept of “ensembles of

²⁵ Sponsored by the Organization of American States (OAS), the meeting was to discuss on the preservation and utilization of monuments and sites of artistic and historic values of the Americas, especially those located in Latin America.

environmental interest” that proposes to protect the areas outside the monument, and extending to the surrounding urban context or natural environment. The scope of protection of “monumental heritage” in the “Norms of Quito” encompasses archaeological, historic, and artistic monuments. It recommends a reconciliation of the national and regional levels and provides technical and legal measures to preserve monuments and sites, such as incorporating urban growth with protection, establishing protective zones, and providing tax exemptions for privately restored historic buildings, and the like. (ICCOMOS website; Conti, 2014).

2. Achievements in the second half of the 1970s: European Charter of the Architectural Heritage (1975), Declaration of Amsterdam (1975), Nairobi Recommendations (1976)

“Historic towns and town centres” received greater attention and became an integral part of cultural heritage discourse after the European Architectural Heritage Year in 1975 (Bandarin & Van Oers, 2012; Sela Weiner, 2013). In this year, complemented by the *Declaration of Amsterdam*, the *European Charter of the Architectural Heritage* recognized that the future of Europe’s cultural heritage depended on the weight attached to it within the framework of urban and regional planning (Rodwell, 2018). The ICOMOS Fourth General Assembly dedicated to the “Conservation of Smaller Historic Towns” was held in Rothenburg, Germany (Sela Weiner, 2013). In the following year, the only UNESCO recommendation on urban heritage, the Recommendation concerning the Safeguarding and Contemporary Role of Historic Areas (Nairobi Recommendations, 1976), was issued. All these documents stress the significance of the inherent social value, the role of inhabitants, and the connection between social structure and spatial structure.

1) 1975, European Charter of the Architectural Heritage & Declaration of Amsterdam

Accompanying the Conference Declaration (Amsterdam Declaration), the *European Charter of the Architectural Heritage* was proclaimed at the Congress on the European Architectural Heritage

held in Amsterdam in October 1975 (Pickard, 2001; Mazzarella, 2015). Aiming to set forth the “general principles of the preservation and rehabilitation of the heritage,” the European Charter emphasizes the need for a common European policy and concerted action over the protection of Europe’s architectural heritage and set out an integrated conservation approach based on legal, administrative, financial and technical supports (Stubbs, 2009; Pereira Roders, 2011; Mazzarella, 2015).

The two milestone documents, especially the 1975 *Declaration of Amsterdam*, offer a new and advanced environmental approach to sustainability in the context of historic urban conservation (Bandarin & Van Ores, 2012; Sela Weiner, 2013). The *European Charter* defines architectural heritage as “a capital of irreplaceable spiritual, cultural, social and economic value,” and called for integrated conservation of these assets. This Charter expanded the scope of areas to be protected from “most important monuments” to the “groups of lesser buildings,” which referred to vernacular architecture. It has also resulted in a strong link and a positive interdependency between the conservation of historic urban quarters and their revitalization (Doratli, 2005; Rodwell, 2010). For the first time, the concept of “public participation” and the awareness of avoiding “gentrification” was noted (Jokilehto, 2007). However, the focus here was still more about traditional architecture than about historic towns, even though the aim was to integrate conservation into planning norms (Jokilehto, 2015).

2) 1976, Recommendation concerning the Safeguarding and Contemporary Role of Historic Areas (Nairobi Recommendation)

Summarizing various issues discussed in earlier documents, the 1976 *Nairobi Recommendation* presented a breakthrough that created a solid basis for the conservation of historic urban areas and framed urban heritage issues in a broader context (Sela Weiner, 2013; Jokilehto, 2015; Bandarin,

2019). Specifically targeting “historic towns, old urban quarters, villages, and hamlets” (section 1a), the 1976 *Nairobi Recommendations* states that preservation occurs in conjunction with planning at the urban, local, and regional levels to strengthen urban rehabilitation and social development by establishing institutional and legal frameworks (Jokilehto, 2007). Legal and administrative measures to be taken into account for safeguarding historic areas are listed in this document, including the specific conditions and restrictions for areas identified for protection, conditions for new constructions, technical, economic, and social measures, and relevant surveys and specifications of actions. For the first time, “an additional human dimension” to urban areas is given full attention in the identification and preservation of heritage values and directs the discussion towards their inherent social value (Sela Weiner, 2013; Bandarin, 2019). Moreover, the 1976 Recommendation stresses research, education, and information, as well as international cooperation. This document was the principal reference for the 2005 *Vienna Memorandum*, where the notion of “Historic Urban Landscape” was first defined (Jokilehto, 2015).

III. Milestone International Documents Regarding Urban Conservation

1. 1987, The Washington Charter: Implementation of Integrated Conservation

Originally meant to complement the 1964 Venice Charter, the ICOMOS *Charter for the Conservation of Historic Towns and Urban Areas (the Washington Charter)* is considered as one of the first international documents exclusively dedicated to the conservation of historic towns and urban areas. Continuing the concept of “integrated conservation” proposed by the European Charter of the Architectural Heritage in 1975, the Washington Charter provides principles, objectives, and methods for the conservation of historic towns and urban areas (Bandarin & Van Oers, 2012; Sela Weiner, 2013). It states that the protection of “historic urban areas” comprises “cities, towns and historic centers or quarters together with their natural and man-made

environments” (Preamble). “Authenticity” appears here as the threshold of preservation, and is clearly anchored by the five physical spatial qualities to be preserved (article 2).²⁶ It explains that preservation planning should be done by multidisciplinary studies and following the Venice Charter, as well as the issues of maintenance, adaptive use, traffic, and protection from natural disasters.

Public participation and training are the last two agenda in this document. These two items emphasize the importance of preservation of qualities of historic towns as well as the participation of their inhabitants in preservation. In addition, the charter provides a clear definition of the qualities related to the historic characters of towns and urban areas (Rodwell, 2003; Rifaioglu & Güçhan, 2007). It views conservation as a central part of any urban and regional planning policy, and puts a great emphasis on practical measures, including using a “conservation plan” as an important implementation tool to achieve preservation goals (Sela Weiner, 2013). Mentioning continuing maintenance in article 8, it shows the incipient idea of “sustainability;” and applies “adaptive use” for new functions and activities in historic areas. Emphasizing the importance of “developments and harmonious adaptation to contemporary life” in the conservation of historic townscapes, the Washington Charter laid clear working principles and methods for the implementation of urban conservation, which remain valid until today.

²⁶ Washington Charter, Art. 2 (1987): Qualities to be preserved include the historic character of the town or urban area and all those material and spiritual elements that express this character, especially: a) Urban patterns as defined by lots and streets; b) Relationships between buildings and green and open spaces; c) The formal appearance, interior and exterior, of buildings as defined by scale, size, style, construction, materials, colour and decoration; d) The relationship between the town or urban area and its surrounding setting, both natural and man-made; and e) The various functions that the town or urban area has acquired over time. Any threat to these qualities would compromise the authenticity of the historic town or urban area.

2. 1999, Charter on Built Vernacular Heritage: Looking towards the Ordinary

The *Charter on the Built Vernacular Heritage* (1999), ratified by ICOMOS in its 12th General Assembly, in Mexico, was the first charter exclusively dedicated to vernacular heritage. As part of historic towns, “vernacular heritage” has been commonly placed under the umbrella of urban heritage, historic areas, or historic landscapes (Rodwell, 2007). Suggesting the connection between vernacular heritage, historic urban areas, and cultural landscape(s) and the link between values, community, and maintenance, the 1999 Charter provides six detailed characteristics of recognition,²⁷ conservation principles, and guidelines for the conservation of vernacular heritage in practice (Sela Weiner, 2013). Stressed the involvement and support of the communities to maintain their living traditions, the Charter includes intangible aspects as much as the tangible appearance they might have (Kamel, 2011; Félix, Correia, et al., 2014). Governments and responsible authorities are urged to recognize the right of all communities to maintain their living traditions, to protect them through all available legislative, administrative, and financial means, and to hand them down to future generations (Njuguna, Wahome, & Deisser, 2020).

3. Managing Cities with Changes in the 2000s: The Vienna Memorandum (2005), Recommendation On The Historic Urban Landscape (2011)

1) 2005, The Vienna Memorandum

A major initiative in the field of conservation of urban areas associated with “changes” taking place in the world’s cities, the concept of the Historic Urban Landscape (HUL), was first advocated in the *Vienna Memorandum on World Heritage and Contemporary Architecture—Managing the*

²⁷ Examples of the vernacular may be recognised by: a) A manner of building shared by the community; b) A recognisable local or regional character responsive to the environment; c) Coherence of style, form and appearance, or the use of traditionally established building types; d) Traditional expertise in design and construction which is transmitted informally; e) An effective response to functional, social and environmental constraints; f) The effective application of traditional construction systems and crafts (General Issues, Charter on the Built Vernacular Heritage, 1999).

Historic Urban Landscape at a UNESCO conference in Vienna in May 2005 (Van Oers, 2007; Taylor, 2016). Triggered by the high-rise Wien-Mitte development in Vienna, the Vienna Memorandum promoted an integrated approach to harmonize the relationship between conservation and urban developments to preserve the integrity of the historic urban landscape (Van Oers, 2007; Bandarin & Van Oers, 2012; Rodwell, 2018).

Applying the HUL concept to reinterpret the values of urban heritage, the Vienna Memorandum put forward a working definition of the “historic urban landscape” as “ensembles of any group of buildings, structures, and open spaces, in their natural and ecological context to establish a list of materials to preserve” (Gabrielli, 2010; van Oers, 2010). According to the Memorandum, the “Historic Urban Landscape” “stresses the link between physical forms and social evolution, defining historic cities as a system that integrates natural and man-made elements, in a historical continuum, representing a layering of expressions throughout history” (Bandarin & Van Oers, 2012; Sela Wiener, 2013). Realizing that these cities are “living historic cities,” the memorandum calls for a mutual understanding and careful consideration of all stakeholders that “the emotional connection between human beings and their environment, [create] their sense of place” (Articles 14-16, 18). (Sela Wiener, 2013).

The document is not a charter, it is a transitional document based on the consent of various professional entities, which signals a vision of human ecology and a change towards sustainable development with a broader concept of urban space as a “landscape.” From the definition of “Historic Areas” of the 1976 *Nairobi Recommendation* (Chapter I, 19-21), it forged the basis for the “*Declaration on the Conservation of Historic Urban Landscapes*,” which was adopted by the 15th General Assembly of States Parties to the World Heritage Convention in 2005 (Van Oers, 2007; van Oers, 2010; Sela Wiener, 2013).

2) 2011, *Recommendation on the Historic Urban Landscape*

Advocating new international approaches on urban conservation came to a culmination in 2011 when the UNESCO General Conference presented its *Recommendation on the Historic Urban Landscape (HUL)* and declared it as “the first such instrument on the historic environment issued by UNESCO in 35 years” (UNESCO, 2011; Sela Wiener, 2013; Taylor, 2016). Initiated by the 2005 Vienna Conference (and Memorandum) and the main project of the UNESCO World Heritage Cities Programme, the document calls for a new “management of change” and coordinate an integrated, dynamic approach to the management of all historic cities (Rodwell, 2012; Veldpaus, 2013; Sela Wiener, 2013; Rodwell, 2018).

Comprising six sections following a preamble and introduction,²⁸ the 2011 Recommendation on the HUL is considered a “soft-law” and a proposed management plan for historic cities to be implemented by the Member States voluntarily (Sela Wiener, 2013; Jokilehto, 2015). Intended to be integrated into the existing policies and practices, the new Recommendation identifies with four types of tools: civic engagement, knowledge, and planning, regulatory system, and financial tools. As the HUL approach stresses localism, stating that it should be adapted to local contexts and should require the full participation of local communities (Sela Wiener, 2013; Goetcheus & Mitchell, 2014). This all-level integration is intended to integrate the experience on development, conservation, sustainability, quality of life, and tourism, and “to go to a future of integration” (O'Donnell, Rutgers Conference 2012, Panel 3 Q&A; Sela Wiener, 2013).

This Recommendation defines the HUL as “the result of a historic layering of cultural and natural values and attributes, extending beyond the notion of “historic center” or “ensemble” to include

²⁸ The six sections of the 2011 Recommendation on HUL after Preamble and Introduction are: I. Definition; II. Challenges and opportunities for the historic urban landscape; III. Policies; IV. Tools; V. Capacity-building, research, information and communication; VI. International cooperation.

the broader urban context and its geographical setting”(Article 8, Recommendation on the HUL, 2011). It identifies the tangible and intangible components of urban heritage and heritage’s related topics (authenticity and integrity), as well as recognizes new challenges in terms of historic city management, rapid urbanization in developing regions of the world, market exploitation of heritage, and mass tourism (Rodwell, 2012; Sela Wiener, 2013; Taylor, 2016).

2.3 THE CONTEXT OF URBAN CONSERVATION IN CHINA

2.3.1 *A Brief History of Cultural Heritage Conservation in China*

I. Evolving Concept of Historic Preservation before 1912

Beginning after the mid-twenty century, “historic preservation” or “heritage conservation” was a new concept to the Chinese. China has the longest enduring written documentation of its past and a civilization characterized by a deep fascination with history. Nevertheless, it has shown relatively little interest in preserving its built environment. China's heritage conservation approach was greatly influenced by traditional philosophies and religious beliefs that focused more on intangible heritage than tangible. In Chinese tradition, neither Confucianism nor the philosophy of Buddhism or Taoism had ever taken “preservation” as an agenda. In ancient China, the heritage conservation system encompassed only “cultural relics” or “ancient artifacts or utensils” (Howe & Logan, 2002; Qian, 2007; Z. Cheng, 2015). It was archaeological sites, the textual heritage, and visual arts such as calligraphy that carried greater symbolic weight in the national imaginary than the built heritage (Smith, 2015). Interest in studying the past and its related objects emerged during the Song and Ming dynasties (960–1279 AD) and was intended as a vehicle by which to document proper and improper behavior, identify the just and the unjust, and thereby influence action in the present (Shepherd & Yu, 2012). “Heritage” at that time referred to “drawings, scripts and objects,” which were considered to be the embodiment of the state of being moral or virtual. “Cultural relics” were

originally collected, preserved, and displayed publicly under the belief that these objects link with heavenly power and the ruler's legitimacy (Chang, 1983).

The modern Chinese conservation system can be traced back to the beginning of the 20th century, while the “tipping point” for heritage conservation occurred after the Economic Reform in 1978. “Although there was also no specific article in this policy that dealt with heritage conservation, it opened China's doors to the outside world and promoted social stability and economic development” (Q. Zheng, 2011). Impacted by the concept of preservation and a trend of globalization, the Chinese government began to appreciate the legacy and made great efforts to conserve heritage sites after the ratification of the World Heritage Convention in 1985. As a result, the definition of “heritage” was widely expanded – architecture and buildings are included in the conservation list, subsequently followed by cultural and ecological environment, traditional urban fabrics and vernacular building, and so on.

II. The Republican Era (1912-1949)

Before the establishment of modern China (1912), cultural heritage conservation, defined as preserving historic buildings, streets, or districts, was never part of the national agenda. During the Republican period, due to the turmoil of two civil wars (1911 and 1946) and the long Sino-Japanese war (1931-1945), there was neither a chance for the notion of historic preservation to be explored or developed nor any effective establishment of the administrative and legal system for protecting cultural heritage. However, some regulations and phenomena that showed a burgeoning activity of interest in historic preservation that primarily focused on cultural relics and artifacts. For example, several conservation laws were passed before the outbreak of the Sino-Japanese War, including the first regulations of cultural artifacts, Act on Preservation of Articles of Historical, Cultural and Artistic Value (1930), Tentative Regulations Governing Types and Forms of Articles

of Historical, Cultural and Artistic Importance (1931), Directives on Ban on Shipping of Articles of Historical, Cultural and Artistic Value, and the Statute for Preservation of Scenic Sites, Points of Historical Importance (Gruber, 2007; Z. Cheng, 2015). In addition, there was an emergence of the nascent tourism industry, following the opening of 77 museums, 56 art galleries, and almost 100 conservatories (Z. Cheng, 2015). Unfortunately, this period lacked policy implementation due to the wars.

III. The People's Republic of China Period (1949-Present)

Looking back at the history of “heritage conservation” after the establishment of the People's Republic of China (PRC), there were two watershed moments -- the publication of the *Law on Protection of Cultural Relics* in 1982, and China's Internationalized efforts after 2000. At first, the implementation of the *Law on Protection of Cultural Relic* (1982) began a new era, which led heritage conservation to become a national concern in China. After 2000, the formulation of the Principles for the Conservation of Heritage Sites in China (2002) with Australian ICOMOS and the Getty Conservation Institute put China's heritage on the global stage. However, according to the general socio-economic development of modern China, the background of China's conservation story can be illustrated in three phases: 1) the Socialist Period (1949-1978); 2) the Post-Reform Period (1979-2000); and, 3) the Post-Millennial Period (2000-present).

1. The Socialist Period (1949-1978)

The period between 1949 and 1978 was a chaotic phase of historic preservation because the new communist country went through several painful experimental movements in its transformation. Especially, during the Cultural Revolution (1966-1976), countless cultural heritage sites and relics were deliberately destroyed because there was no legislation framework and law enforcement for heritage protection (Gruber, 2007).

In 1949, the People's Liberation Army requested Professor Liang Sicheng (梁思成) of Tsinghua University to draft a list for the Army to protect the listed heritage, and a National Architectural Heritage List of 450 sites were issued (Q. Zheng, 2011; Shepherd & Yu, 2012). Meanwhile, a special organization, the State Bureau for the Administration of Cultural Relics (Wenwuju 文物局), was set up in November 1949 to promote heritage by legislation, preserve artifacts, develop archaeological sites, and expand the network of museums. Cultural bureaus were established within provincial and municipal governments to implement this policy. Similar to the Republican government, archaeological sites were the leading focus of the Communist effort to preserve the nation's heritage (Smith, S.A., 2015).

In 1961, the country's first formal decree for heritage conservation, the Provisional Regulations on the Protection and Administration of Cultural Relics (wenwu baohu guanli zhanxing tiao li 文物保護管理暫行條例), was issued. In the following year, the National Cultural Relics Bureau within the Ministry of Culture was established to categorize and collect important cultural objects. The Bureau published China's first list of 180 national cultural sites and classified as either "patriotic education bases (aiguo zhuyi jiaoyu jidi 爱国主义教育基地)" or "national protected cultural relics (guojia wenwu baohu danwei 国家文物保护单位)" (Zheng, Q., 2011; Shepherd & Yu, 2012).

However, the progress of heritage conservation was "bumpy" in the new China. During the period of the "Great Leap Forward" (1958-1961) and the Cultural Revolution (1966-1976), thousands of historic sites were destroyed or turned into public buildings (Z. Cheng, 2015).²⁹

²⁹ "Between mid-August and the end of September 1966, at least 4,922 of Beijing's 6,843 listed historical sites were damaged or destroyed." Dahpon David Ho, in *The Chinese Cultural Revolution as History* (Stanford, 2006), 64-5.

Spurred by Mao Zedong's encouragement, the Cultural Revolution is the synonym for the violence and destruction of the Red Guards to attack the “four olds” (old customs, culture, habits, and ideas) (Shepherd & Yu, 2012). In the first twenty years of the PRC, the government only passed *the National Outline for Agricultural Development (1975)* (國家農業發展綱要) and the *Five-Year Plans concerning landscaping* (園林綠化五年規劃) without any article concerning architectural heritage protection in the policy (Q. Zheng, 2011).

After March 1967, the State Council, Central Military Commission, and Party Central Committee issued a joint decree, ordering Red Guards to protect all state property, including cultural relics (Shieh, 2002). In May 1967, the Central Committee issued “*Regarding Several Suggestions on Protecting Cultural Relics and Books during the Great Proletarian Cultural Revolution* (关于无产阶级文化大革命中保护文物图书的几点意见),” which valued China’s long history and reclaimed cultural relics as part of the nation’s glorious revolutionary tradition (Smith, 2015).³⁰ Originally established in 1949 and dissolved in 1966 due to the Cultural Revolution, the State Bureau of Cultural Relics reinstated as the “State Cultural Relics Enterprises Management Bureau (guojia wenwu shiye guanliju 国家文物事业管理局)” in 1973 to oversee the protection of cultural heritage (Q. Zheng, 2011). Basically, the presentation, depiction, and interpretation of China’s past have become a political and pedagogical project since the establishment of the PRC;

³⁰ "Several Opinions on the Protection of Cultural Relics Books in the Proletarian Cultural Revolution" is a document issued by the Central Committee of the Communist Party of China on May 14, 1967. It puts forward seven opinions on the protection of cultural relics, monuments, and historic sites. The three points are related to cultural heritage protection: 1. Revolutionary sites and revolutionary memorial buildings throughout the country must be resolutely protected, and they should be kept in their original condition, and no major demolition or reform should be carried out. 2. Important and typical ancient buildings, ancient cave temples, stone carvings, sculptures, and murals should be protected. 3. The ancient cultural sites and ancient tombs should be protected. The excavation of ancient tombs is strictly forbidden. The underground cultural relics are generally owned by the State, and should be handed over to the local cultural department for safekeeping.

<https://zh.wikipedia.org/wiki/關於無產階級文化大革命中保護文物圖書的幾點意見>

heritage conservation served primarily political purposes for the CCP, with emphasis on an ideological interpretation of the past (Shepherd & Yu, 2012; Z. Cheng, 2015).

2. The Post-Reform Period (1979-2000)

The Economic Reform in 1979 was a turning point in modern China history. In this period, China tried to sustain its national identity and tradition while catching up on par with its international opponents. The issue of cultural heritage conservation stood out as a national concern for the first time in Chinese history. The leading event of this stage was issuing the first preservation law, the *Law of the People's Republic of China on Protection of Cultural Relics* (*zhonghua renmin gongheguo wewu baohufa* 中华人民共和国文物保护法, 1982) (Gruber, 2007; Q. Zheng, 2011).³¹ Three years later, the Chinese government ratified the World Heritage Convention in 1985 and made cultural heritage preservation a part of its national 5-year plans a few years later (Shepherd & Yu, 2012).

Remaining the basis of heritage policies in China, the 1982 Law on cultural relics established guidelines for the categorization of heritage, excavation procedures, and site protection, and it also imposes restrictions on any construction projects and plans that may affect cultural heritage sites. It established the National Cultural Administrative Bureau (renamed the State Administration of Cultural Heritage in 1988) and conservation organizations at provincial, municipal, and local levels. Nevertheless, funding and implementing heritage projects was largely left to local authorities (Gruber, 2007; Sheperd & Yu, 2013). Moreover, following the surveys of vernacular buildings conducted by universities across the country, increased knowledge and initiatives in heritage conservation also expanded the number of heritage resources shown on the

³¹ The Law on Cultural Historic Conservation of the People's Republic of China, was issued in the 25th Meeting of the Standing Committee on November 19th, 1982 (Gruber, 2007; Zheng, Q., 2011).

list of the national protected cultural relics (Z. Cheng, 2015). Nevertheless, with rapid economic growth since the early 1980s, urban development has become a priority of government agenda at all levels (Jin & Zhao, 2003), therefore, heritage conservation primarily served political and pedagogical purposes.

Another important event that happened in 1985 is that China accepted the international principles for heritage conservation and began the connection toward the outside world after participating in the Conference in the International Council on Monuments and Sites (ICOMOS) (G. Zhu, 2012). China's first group of World Heritage Sites were inscribed in 1987, including the Great Wall, Beijing's Forbidden City, the Peking Man archaeological site at Zhoukoudian, the Mausoleum of the first Qin Emperor outside of Xian, the Mogao Grottos in Dunhuang, and Mount Tai (Taishan, a mixed heritage).

As for the urban heritage, the State Infrastructure Commission submitted the *Application for Protecting Historic-Cultural Cities in the Country* to the State Council in late 1981, and also issued an expanded list of nationally protected sites.³² In early 1983, the concept of planning for the Historic-Cultural Cities (HCC) was clarified in “*Some Ideas on Promoting the Protection of Historic-Cultural*” by the Department of Construction and Environment in Urban-Rural Areas. As a result, the designation system of “Historic-Cultural Cities” was proposed specifically for China's urban conservation. A total of 24 cities, including Beijing, Shanghai, and Suzhou, were announced by the central government as the initial group of “Historic-Cultural Cities” in 1986 (G. Zhu, 2012). Furthermore, the 1989 Urban Planning Law stipulated provisions to ensure all cultural heritage located within a jurisdiction are to be incorporated into urban planning (Gruber, 2007).

³² The list of 242 sites included 43 revolutionary sites, 19 grottoes, 13 stone carvings, 26 tombs, 105 buildings, and 36 ancient sites (Liu 1983).

As seen from the list of national protected cultural relics in 1961 to the list of Historic-Cultural Cities in 1982, these efforts in heritage conservation indicated a shift in how the State authority viewed the past. Obviously, the concept of “heritage” has been extended to a greater range of diverse sites. Moreover, the concept of “planned protection in an area” has been identified, and vernacular buildings and streets have been incorporated into the plan (Z. Cheng, 2015). Preserving the past began to link with the communist party’s political objectives of nationalism, socialism, and modernization. Heritage conservation was redefined as an incentive to national consciousness and a reflection of socialist values, which supports material development in the present (Sofield & Li, 1998).

3. The Post-Millennial Period (2000-present)

Starting in 1992, China saw a period of integration with multiple patterns on heritage conservation. Over the past two decades, the Chinese Communist Party has abandoned the core of Maoist socialism and is in favor of neoliberal policies that emphasize personal responsibility, economic efficiency, and the market forces in shaping society (Sheperd & Yu, 2013). Researchers have noticed the emergence of a “new Cultural Revolution” in the P.R.C., including works on World Heritage Sites, national tourism policies, ethnic tourism, and museum display during the late reform period.

Two different levels of the legislation system were implemented in this period: Nationally, the “*Rules for the Implementation of the Cultural Relics Protection Law (1992) (wenwu baohufa shixing xize 文物保护法实施细则)*” was enacted.³³ In addition, there are also countless legal instruments and specific regulations stipulated by local governments and authorities over the years (Gruber, 2007). Internationally, the first national heritage conference was held in Xian. The

³³ The ‘Rules for the Implementation of the Cultural Relics Protection Law of the People's Republic of China.’ <http://www.lawinfochina.com/display.aspx?lib=law&id=697&CGid=>

publication of the “*Principles for the Conservation of Heritage Sites in China (2002) (Zhongguo wenwu guji baohu zhunze 中国文物古迹保护准则, China Principles)*” was a new landmark in the Chinese conservation movement that developed in cooperation with foreign institutions (Qian, 2007; Gruber, 2007). This project not only incorporated these experiences into novel international academic achievements but also introduced China to the world arena (Gruber, 2007; Zhu, G., 2012).³⁴ Moreover, since 2006, the State Administration of Cultural Heritage (SACH) has organized the annually Wuxi Forum on the Conservation of China's Cultural Heritage, weighing in on the new types of heritages, sustainable development of World Heritage Sites, conservation and utilization of cultural heritage, and strengthening the legal system among other topics (Tong, 2016).

For architectural heritage conservation, there are three major regulations introduced by the government: the *Principle for the Conservation of Heritage Sites in China* (hereafter referred to as “*China Principles*”) provided a comprehensive approach to protect and conserve local heritage sites; the “*Law on Protection of Cultural Relics*” and the “*Document of the Ministry of Building Construction.*” These identify integrated heritage conservation systems and prioritize particular types of historical and scientific value within China. Based on the institutional development of several decades, there has been a significant improvement in architectural heritage conservation during this period (Q. Zheng, 2011).

Regarding Historic-Cultural Cities, the Ministry of Construction promulgated the *Specific Requirements on the Planning for Historic-Cultural Cities* in July 2005 to define the concepts relevant to the conservation of these historic cities. A list of requirements was also provided to prescribe the delimitation of the boundaries of conservation areas and development control areas,

³⁴ The Chinese language version of the Principles for the Conservation of Heritage Sites in China was published in 1999, whereas the English language version was published between 2001 and 2002.

transportation arrangement, and criteria for environmental protection (K.Y. Lee, 2014). In 2008, the “*Regulations on the Protection of Famous Historic-Cultural Cities, Towns, and Villages* (*lishiwenhua mingcheng minzhen mincun baohu tiaoli 历史文化名城名镇名村保护条例*)” were promulgated by the State Council. Together, these policy initiatives have created the present-day three-tier conservation framework consisting of Monument-Sites, Historic Districts, and Historic-Cultural Cities (K.Y. Lee, 2014).

The historical narrative used to explain China's past has been reshaped since former socialist ideology no longer explains the current social reality of China, which embraces a growing class divide, a scaling back of State services, and an encouraging focus on mass consumption (Denton, 2005). Given the expanded mobility, incomes, and entertainment choices of many Chinese citizens, the authorities and local actors must wrestle with how the past is presented in a post-Maoist era, and how to attract their audience (Sheperd & Yu, 2013).

2.3.2 *China's Legal Framework for Urban Conservation*

I. Administrative System for Urban Heritage Conservation

China's fragmented mechanism for urban heritage management was described as a “multi-head carriage,” which is led by multiple administrative agencies and regulated by multi-level laws and codes. The three major heads of this system and their differing responsibilities created complexity for China's urban conservation. Based on different legislative foundations, under the unified leadership of the State Council, the principal managerial responsibility of cultural heritage in China is vested in the National Cultural Heritage Administration (NCHA) (國家文物局), which cooperates and coordinates horizontally with the Ministry of Housing and Urban-Rural Development (MoHURD)(住房和城乡建设部) and the Ministry of Culture and Tourism (MCT)

(文化和旅遊部)³⁵ (Gruber, 2007; K.Y. Lee, 2014). Responsible for all national cultural heritage and museum affairs, the National Cultural Heritage Administration (NCHA) also drafts policies and regulations for conservation affairs based on the Law on Protection of Cultural Relics. Abiding by *the Regulation on Protection of Famous Historic-Cultural Cities, Towns, and Villages*, the Ministry of Housing and Urban-Rural Development conserves and manages urban heritage, including World Heritage Sites (Gruber, 2007; K.Y. Lee, 2014) (Figure 2.2).

Although the NCHA plays the leading role in architectural heritage conservation in China, the government-funded system in each city largely supports the practical activities for local heritage conservation. It is clearly stated in Article 8 of the *Law on Protection of Cultural Relics* that it is the responsibility of local governments to protect any cultural resources within their jurisdictions. All institutions established by local governments at various levels for the protection of cultural heritage in their areas are directed by the NCHA. At each administrative level, local governments set up a corresponding “Bureau of Cultural Heritage” within their jurisdiction to fulfill the functions for heritage conservation. In addition, “Cultural Relics Preservation Committees” are organized for those highlighted heritage areas (Gruber, 2007; Shen & Chen, 2010; Yao, 2014). Thus, each city has its own heritage office and a separate funding system to form a network. As they are familiar with the local situations, these regional or lower-level heritage offices are crucial in managing, implementing, and coordinating heritage conservation agendas (Q. Zheng, 2011).

³⁵ There was an administrative reform during late 2018, which reorganized the former governmental structure to a new one. The new executive branch of the central government of the People's Republic of China, the 13th State Council, is currently made up of 26 Constituent Departments of the State Council. https://en.wikipedia.org/wiki/Ministries_of_the_People%27s_Republic_of_China

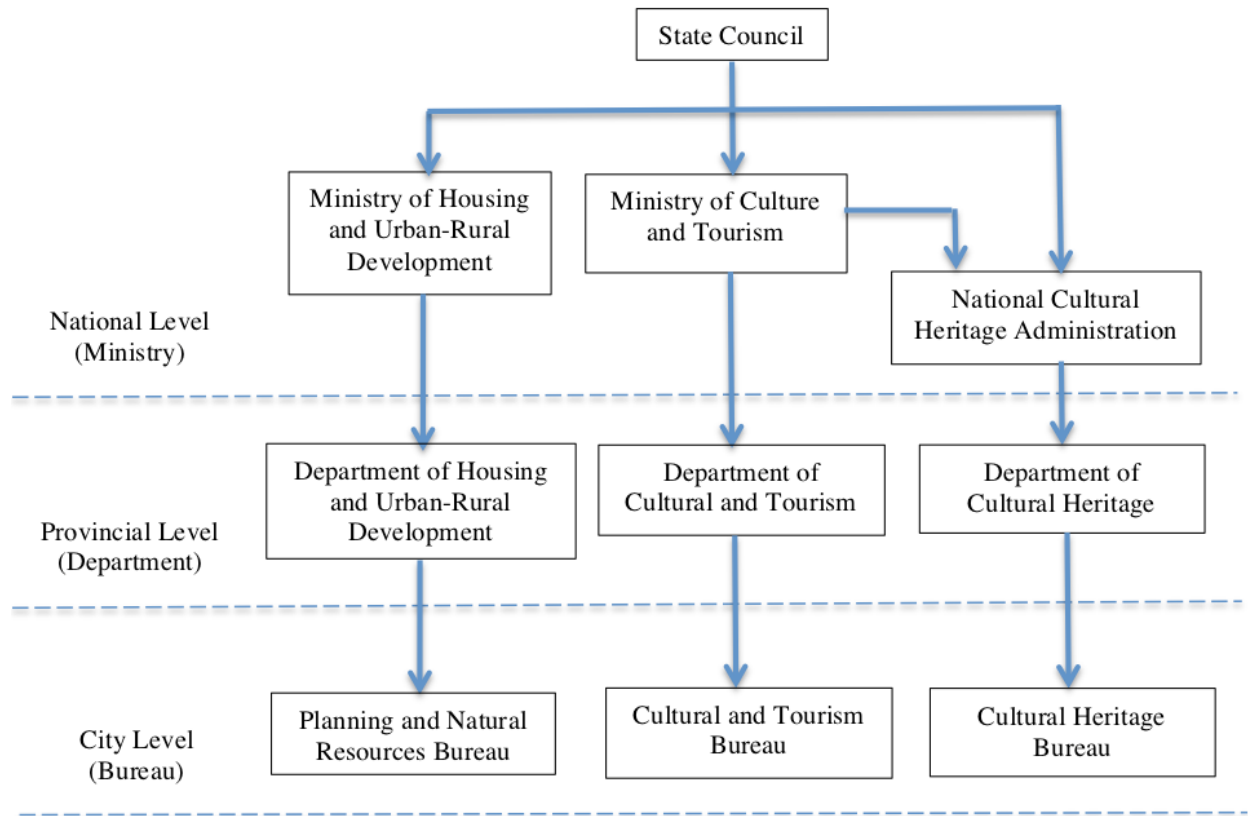


Figure 2.2. Hierarchical administration for cultural heritage in China (Ho, 2021)

1. The Ministry of Housing and Urban-Rural Development (MoHURD) (*zhufang he chengxiang jianshebu* 住房和城乡建设部)

Apart from the Monument-Sites, which are administered by the SACH, China's Urban conservation mainly depends on the administration of the Ministry of Housing and Urban-Rural Development (MoHURD) as it supervises the planning and construction affairs of rural and urban areas in China.³⁶ Specifically, the management of Historic-Cultural Cities, Towns, and Villages is delegated to the Department of Urban-Rural Planning (*chengxiang guihuasi* 城乡规划司); the

³⁶ The Ministry of Housing and Urban-Rural Development has begun to establish archives of the Famous Historic-Cultural Cities. One goal is to collect information, and the other is to provide a reference for future supervision. The MoHURD has carried out dynamic monitoring of 36 cities this year, and one third of them are National Historic-Cultural Cities (Nanjing, Hangzhou, Suzhou, Wuxi, Baoding, Tai'an, etc.) (AJ Sun, 2010).

tasks concerning the World Heritage Sites and national scenic parks are assigned to the Department of Urban Construction (chengshi jianshesi 城市建设司) under the MoHURD.³⁷

Originally a ministry under the State Council, the MoHURD was established in 2008 for administering construction projects in China.³⁸ Following the 2018 Institutional Reform Program,³⁹ the Ministry of Housing and Urban-Rural Development retained administration of urban conservation, while partial responsibilities of nature reserves, scenic parks, natural heritage, and geological parks were allocated to the National Forestry and Grassland Administration (guojia linye he caoyuanju 国家林业和草原局).⁴⁰ At the municipal level, the related department is called “Natural Resources Bureau” (自然资源局) or “Planning and Natural Resources Bureau” (规划和自然资源局) by the city.

2. National Cultural Heritage Administration (NCHA) (guojia wenwuju 国家文物局); former “State Administration of Cultural Heritage” (SACH)

Under the Ministry of Culture and Tourism of the Central Government, the current National Cultural Heritage Administration (NCHA) is directly under the State Council at the vice-ministerial level. Its predecessor, the State Administration of Cultural Relics (SACH), was established in 1988 to replace the State Cultural Relics Enterprises Management Bureau (1973) to be the overall management agency for relics and managing museums in China (Zheng, Q., 2011).⁴¹

³⁷ See MoHURD website for the duties of all subdivisions: <http://www.mohurd.gov.cn/gvjsb/jgig/index.html>

³⁸ Since 1979, the national administration of urban-rural planning in China has been reconstituted several times as the following: 1979 – 1982: State Administration of Urban Construction (国家城市建设总局); 1982 – 1988: Ministry of Urban-Rural Construction and Environmental Protection (城乡建设环境保护部); 1988 – 2008: Ministry of Construction (建设部); 2008 – 2018: Ministry of Housing and Urban-Rural Development (MoHURD 住房和城乡建设部); 2018 – present: Ministry of Natural Resources (MNR, 自然资源部).

³⁹ On March 17, 2018, the first meeting of the 13th National People's Congress approved the "State Council Institutional Reform Program." <https://zh.wikipedia.org/wiki/中華人民共和國自然資源部>

⁴⁰ <https://zh.wikipedia.org/wiki/中华人民共和国住房和城乡建设部>

⁴¹ In 1949, the central government established the Bureau of Cultural Relics under the Ministry of Culture. Although the title changed several times the specialized Department of Cultural Relics administration keep taking

The main functions of the NCHA include the development of museums, coordinating and leading the protection of cultural relics, protecting, regulating, and supervising world cultural heritage and archaeological studies, promoting and improving the public service system of cultural relics and museums, and taking charge of examination, verification, identification and qualification of cultural relics and museums, organizing and offering guidance concerning the promotion of cultural relics, and developing international communications and cooperation (State Council, 2020).⁴² Today, the agency is responsible for over 700,000 registered sites of immovable cultural relics in mainland China.

3. Ministry of Culture and Tourism (MCT) (*wenhua he lvyoubu* 文化和旅遊部); former Ministry of Culture (*wenhuabu* 文化部); and “China National Tourism Administration (CNTA)” (*guojia lvyouju* 国家旅游局)

The Ministry of Culture and Tourism (MCT) is also a newly established agency, which integrates the functions of the former Ministry of Culture and the National Tourism Administration, after the 2018 Institutional Reform Program. The main responsibilities of the MCT are to formulate cultural tourism policies and bills, make overall plans for the development of cultural and tourism affairs, supervise business operations of the culture and tourism markets, manage major national cultural activities, and guide the construction of national cultural facilities, and so forth.⁴³ Among these

charge of the heritage affairs since then (Gruber, 2007). The State Administration of Cultural Relics, re-established in 1973 and placed under the Ministry of Culture, was tasked with responsibility for ensuring that the cultural bureau at the provincial, county and municipal level carried out these duties (Smith, S. A., 2015).

⁴² In addition to the SACH Service Center (国家文物局机关服务中心), its six subordinate institutions, Beijing Lu Xun Museum (北京鲁迅博物馆), Chinese Academy of Cultural Heritage (中国文化遗产研究院), China Relic Information Consultation Center (中国文物信息咨询中心), China Cultural Relics Exchange Center (中国文物交流中心), and the newly established Archaeological Research Center of the State Administration of Cultural Heritage (国家文物局考古研究中心) are sharing different duties with two business units, Cultural Relics Press (文物出版社) and China Cultural Relics News (中国文物报社).

⁴³ <http://www.gov.cn/fuwu/bm/whhlyb/index.htm>
https://www.mct.gov.cn/gywhb/zyzz/201705/t20170502_493564.htm

activities, the administrative responsibility for the National Cultural Heritage Administration and tourist attractions, and the protection of intangible heritage, are most relevant to urban protection. In fact, the MCT is effective in urban protection only when scenic areas are included or overlap with a historic city, or when it comes across cultural tourism matters.

II. Major Legal Documents for Urban Conservation

For heritage conservation, *the Law on the Protection of Cultural Relics (1982) and the Regulation on Protection of Famous Historic-Cultural Cities, Towns, and Villages (2008)* serve as the highest national instructions besides their counterpart, the Urban Planning Law. From 1994 until the present, in addition to the three developed national legislation for conserving cultural heritage, numerous laws, regulations, and implementation guidelines have been introduced at the national and local levels to govern the conservation and development of natural and cultural heritage sites (Sheperd & Yu, 2013).

1. *The Law of the People's Republic of China on the Protection of Cultural Relics (zhonghua zenmin gongheguo wenwu baohufa 中华人民共和国文物保护法)*

Published in 1982, the “Law of the People’s Republic of China on Protection of Cultural Relics” (hereafter referred to as the “Law on Cultural Relics”) remains the foundation of the nation’s heritage conservation system. Comprised of eight chapters, 50 Articles in total, the *Law on Cultural Relics* stipulates that the State should protect the heritage of historical, artistic, and scientific values. To improve the legislation to deal with new issues from the mass construction and urbanization, the Law has been amended five times⁴⁴ (Chan and Ma, 2004; Zhu, G., 2012) with five versions of supplementary “Regulation for the Implementation of the Cultural Relics

⁴⁴ The Law on Cultural Relics has been amended five times in 1991, 2002, 2007, 2013, 2017.

Protection Law.”⁴⁵ Evolution and Interpretation of the Law on Cultural Relics are elucidated in Chapter 4.2.1.

2. Urban-Rural Planning Law of the People's Republic of China (zhonghwa zenmin gongheguo chengshi guihwafa 中华人民共和国城乡规划法)

As early as 1990, the first *Urban Planning Law* passed by the National People’s Congress states that the formulation of urban planning provisions should take into consideration the historical and cultural relics, the city’s traditional style and features, regional characteristics, and natural scenery (Article 15, 1990) (Gruber, 2007; Cao, 2009). With the concerns for urban heritage, the Planning Laws and official documents of the Ministry of Building Construction accompany with the *Law on Cultural Relics* became two official guidelines to identify integrated conservation systems for historic cities within China (Q. Zheng, 2011).

During the three decades of urban development after the Economic Reform (1978), the history of legislation of city planning was clearly divided by a milestone document, the 2008 “Urban-Rural Planning Law.” Before its promulgation, cities and rural areas applied different laws and regulations due to the long-established urban-rural dual division in the PRC. After the 2008 law, China rebuilt a more comprehensive legal system to encompass urban and rural areas. Additionally, the Chinese legal system of urban planning comprises national-level, provincial-level, and municipal-level laws with relevant ordinances at each level. As stipulated in the Urban Planning Law, the urban planning system consists of system plans, master plans, urban district plans, and detailed planning (Tang, 2004). As such, the hierarchical legal framework can coordinate planning, construction, and management with suitable ordinances based on the local situations. Interpretations and revisions of the Planning Law are elucidated in Chapter 4.2.2.

⁴⁵ Regulation for the Implementation of the Cultural Relics Protection Law is published in 2003, and has been revised in 2013, 2016, 2017.

3. The Regulations on Protection of Famous Historic-Cultural Cities, Towns and Villages (lishiwenhwa mincheng minzhen baohu tiaoli 历史文化名城名镇名村保护条例)

Adopted by the State Council of China in 2008, the “*Regulation on Protection of Famous Historic-Cultural Cities, Towns, and Villages*” (hereafter referred to as the *Regulations on HCCTVs*) is the ordinance directly related to urban conservation, specifically formulated for strengthening protection and administration of HCCTVs. Treating a city as an entire entity for protection, the Regulation on HCCTVs acknowledges the values of urban heritage and takes protection measures from the perspective of its integrity. The promulgation of the Regulations on HCCTVs strengthened the public's awareness and appreciation of HCCTVs, established an evaluation system, and proposed feasible protection measures for such historic settlements. Combining relevant requirements of the “Law on Cultural Relics” and the “Urban-Rural Planning Law,” the Regulation has since incorporated the protection of HCCTVs into the national legal framework of heritage conservation. In addition to the Regulation, a more comprehensive framework of urban heritage conservation has been formulated with supporting regulations and technical documents, such as the “*Planning Regulations of Historic-Cultural City Protection (历史文化名城保护规划规范)*,” “*Urban Purple Line Management Measures (城市紫线管理办法)*,” and the evaluation system of historic towns and villages, etc.. Besides this national-level Regulation, various provinces, autonomous regions, and municipalities also formulate relevant, specific, and detailed Regulations on HCCTVs based on local conditions. As a special national law, the Regulation on HCCTVs was amended only once in 2017 after being promulgated in 2008. Interpretation and evolution of the Regulation on HCCTVs are elucidated in Chapter 4.2.3.

III. Professional Guidelines

The Principles for the Conservation of Heritage Sites in China (zhongguo guji baohu zhuenze 中国文物古迹保护准则)

Officially issued by China ICOMOS and approved by SACH in 2000, *the Principles for the Conservation of Heritage Sites in China (the China Principles)*, including an Introduction, the Principles, Commentary, and Glossary, is intended to provide guidelines for preservation approaches, relevant expertise, and decision-making processes specific to the heritage and the sociopolitical context of China. Drafted by a collaborative team composed of the SACH officials, the Getty Conservation Institute (CGI) and the former Australian Heritage Commission (AHC), the China Principles exhibit strong continuity with past conservation practice in China, while accepting new approaches to conservation and management planning developed in the West.⁴⁶ Issued by an officially unrecognized organization and not a formal law, the China Principles have been promulgated throughout the professional heritage sector in China (Bell, 2014).

After years of implementation, the Chinese National Commission for the International Council on Monuments and Sites (ICOMOS) started to revise the China Principle in 2010, and issued a revision in 2015. Compared to the 2000 “*China Principles*,” the revised version emphasizes the Chinese professional’s understanding of the values in cultural heritage, the principles for protection, and the importance of management. Several new genres of cultural heritage (Cultural Landscapes, Heritage Routes, and Canals) and new relics (architectural painting, wall paintings, painted statuary) were also recognized and incorporated into the new China

⁴⁶ The China Principles provided a comprehensive approach to protect and conserve local heritage sites. It has five chapters, namely “general principles”, “the conservation process”, “conservation principles”, “conservation interventions and “additional principles”. Of the five chapters, Chapters One, Two, and Three mention the topic of architectural heritage conservation. They indicate that architectural heritage is a part of the heritage, and restoration is one method to conserve it (Zheng, Q., 2011).

Principles. Through the new China Principles, it is noted that the approach has shifted from short-term to long-term (sustainability), from top-down policy to civil participation, from governance to management, and from preservation to appropriate use. Moreover, the objects of heritage conservation also expanded from artifacts to cultural heritage, from an individual building to an integrated site, from sole to multiple/complex cultures, and from tangible to intangible heritage.

2.3.3 *China's Heritage Conservation System*

I. National Survey

Before carrying out any protection to heritage sites, the first step is to build up an inventory through national surveys. China has conducted three national surveys on cultural relics and heritage during the past four decades. The first nationwide survey (1956-1959) was primarily conducted by cultural relics research teams and the cadres from the subordinate units of the Municipal Bureau of Cultural Affairs. Taking three years from 1981 to 1984, the second survey was deployed by the State Council. The latest survey was conducted from 2007 to 2011. The focuses of this survey are investigating newly discovered immovable cultural relics as well as revisiting nearly 400,000 registered immovable cultural relics. As a result, the number of registered immovable cultural properties increased to 766,722, and the number of state priority protected sites increased from 750 in 2000 to 4,296 (ICOMOS China, 2016).⁴⁷

⁴⁷ See http://www.gov.cn/gzdt/2012-07/24/content_2190563.htm

II. Classifications of Urban Heritage in China

From a spatial perspective, “Monument-Site,” “Historic-Cultural District,” and “Historic-Cultural Cities, Towns, and Villages” compose a three-scale management system for conserving China’s urban heritage, besides World Heritage Sites (Zheng, Q., 2011). From small scale to bigger scale, “Monument-Site” refers to the officially protected individual historic sites, “Historic-Cultural District” indicates historic neighborhoods, and “Historic-Cultural Cities, Towns and Villages” means a conservation area encompassing an entire city, a town, or a village.

1. National Monument-Site, aka. National Cultural Relics Protection Unit (quanguo zhongdian baohu danwei 全国重点文物保护单位)

“Monument-Sites,” or so-called “Cultural Relics Protection Units” (zhongdian wenwu baohu danwei 重点文物保护单位) is the term for the historic sites that are composed of the monument itself and its surroundings under the protection of the Law on Cultural Relics. Before the 1970s, China’s cultural heritage conservation followed an object-centered approach, which solely concentrated on individual Monument-Sites (K.Y. Lee, 2014). Through the national surveys, significant historic sites are selected from the inventory of immovable cultural relics to become officially protected “Monument-Sites.” “National Monument-Sites (quanguo zhongdian wenwu baohu danwei 全国重点文物保护单位),” refers to the heritages that possess highly historic, artistic, and scientific values approved by the State Council, is the highest-level protection for immovable cultural relics.

In 1961, the State Council promulgated the “*Provisional Regulations on Heritage Relics Management*” to delineate the protected types, filing and labeling, restoration measures, and the relevant institutions for relic management, and appended a list of 180 Monument-Sites directly under the Ministry of Culture (SACH, 2009; Smith, 2015). Under the domain of the SACH, the

national Monument-Sites are categorized into six groups: ruins, tombs, historic architecture, cave temples, modern monuments, sculpture and others that reflect the social system, social production, or the life of various nationalities in different historical periods (Law on Cultural Relics, Article 2). During the past 50 years, the SACH had announced eight sets of “National Monument-Sites” by October 2019 (see Table 2.1). The total number of cultural heritage sites increased dramatically after 2000 to almost double. This could be interpreted as changing attitudes and recognition toward historic preservation in China these years.

Table 2.1: Statistic of National Monument-Sites (全国重点文物保护单位)

	1	2	3	4	5	6	7	8
Date	3/4/61	2/23/82	1/13/88	11/20/96	6/25/01	5/25/06	3/5/13	10/16/19
Ruin	26	10	49	56	144	220	516	167
Tomb	19	7	29	22	50	77	186	30
Historic Architecture	77	28	111	110	248	513	795	280
Cave Temple	14	5	11	10	31	63	110	39
Modern Monument	33	10	41	50	40	206	329	234
Carving & Others	11	2	17	2	5	1	7	12
Total	180	62	258	250	518	1080	1943	762

(Statistic Data from NCHA website; created by Ho, 2022.)

2. Historic-Cultural Cities, Towns and Villages (*lishiwenhua mingcheng, mingchen, mingcuen* 历史文化名城, 名镇, 名村)⁴⁸

***National Historic-Cultural Cities (lishi wenhua mingcheng* 历史文化名城)**

Proposed by Hou Ren-zhi (侯仁之) in Beijing University, Zheng Xiao-xie (郑孝燮) in the Ministry of Construction, and Shan Shi-yuan (单士元) in National Palace Museum in 1982, “Historic-Cultural Cities (HCCs)” is a unique classification of China’s conservation system.⁴⁹ Managed under the joint responsibility of the Ministry of Construction and the SACH, each “Historic-Cultural City” is treated as a single entity to conduct protection measures, especially on conserving the “traditional landscape” of a historic city (Wang, 1997; Zhang, 2009; Lee, 2014). Serving as centers of political and economic activity for their populations, Historic cities and towns contain abundant tangible and intangible heritage that carry traditional culture and accumulation of memories related to their significant historical events or famous figures. In the *Law on Protection of Cultural Relics*, “Historic-Cultural Cities” are defined as “cities rich in cultural relics, and with high value and significance in revolutionary history.”⁵⁰

Adding a second dimension to the nation’s heritage conservation framework, the system of “Historic-Cultural Cities” aims to emphasize the characteristics of each listed city and to encourage the creation of conservation plans (Wang, 1997; Zhang, 2009; Li, 2013). After the

⁴⁸ “Famous Historic-Cultural Cities, Towns and Villages” were indicated in The Regulations on Plan Making for Famous Historic-Cultural Cities (2003). Since they are actually three different administrative levels, their lists on SACH website are divided into Cities, Town and Village.

⁴⁹ In early 1983, the concept of planning on the Historic-Cultural Cities was clarified in “*Some Ideas on Promoting the Protection of Historic-Cultural cities*” by the Department of Construction and Environment in Urban-Rural Areas, stating that: The planning of the historical-cultural cities aims to protect the cultural relics, scenic areas, and their environment in urban areas... In the composition, the requirements and measures of protection and control must be based on the historical and aesthetic values of the objects to identify the levels and focuses of the protection. The protection sites and construction control areas include cultural relics, ancient buildings, and architectural complexes, as well as streets and districts, sites of ancient cities, ancient cemeteries, mountains, and rivers (Cheng, 2015). See <https://baike.baidu.com/item/国家历史文化名城>

⁵⁰ Law on Protection of Cultural Relics, art. 8 (1982).

concept of protecting the “Historic-Cultural Cities” was proposed by the State Cultural Relics Enterprises Management Bureau, State Infrastructure Commission, and the State Construction Bureau, the first set of twenty-four Famous “Historic-Cultural Cities” was announced by the State Council in 1982 (SACH official website, 2016). By January 2022, the total number of “National Famous Historic-Cultural Cities” had reached 140, through three sets of designations (1982, 1986, 1994) and a supplementary list from 2001 to 2022⁵¹ (see Table 2.2). Nevertheless, the current official administrative divisions do not exactly match the existing historic cores, a “Historic-Cultural City” is not necessarily a “city”; it can be a “county” or a “district.” There have also been announcements of six sets of “Historic-Cultural Towns and Villages,” which identified 276 villages and 252 towns for protection (see Table 2.3).

According to the functions and characteristics, the “National Famous Historic-Cultural Cities” (HCCs) may fall into the following seven categories: (1) the ancient capital; (2) traditional style; (3) scenic spots; (4) local featured; (5) modern historic; (6) specific function; (7) HCCs with historic sites. The criteria for setting HCC classifications can be targeted according to conservation objectives and can help decide the method of conserving HCCs according to their characteristics, styles, and features (Ruan, et al., 1999). As for the extent of the integrity and conditions of historic urban areas, there are the three following classifications: (1) complete or well protected the ancient cityscape; (2) partial complete ancient cityscape; and (3) barely existing ancient cityscape (Ruan, et al., 1999; Li, 2013).

⁵¹ The first set of 24 cities was published on February 8, 1982, by State Council. The second set of 38 cities was published on December 8, 1986. The third set of 37 cities was published on January 4, 1994. After that, a supplementary list of 36 cities was published from 2001 to 2018. These cities are distributed in 25 provinces and autonomous regions and 4 municipalities. See <https://baike.baidu.com/item/国家历史文化名城>

Table 2.2: Statistic of Historic-Cultural Cities (历史文化名城)

	1	2	3	addition	Total
Date	2/8/1982	12/8/1986	1/4/1994	2001-2022	
Amount	24	38	37	41	140

(Statistic Data from SACH website; Created by Ho, 2021.)

Table 2.3: Statistic of Historic-Cultural Towns and Villages (历史文化名镇名村)

	1	2	3	4	5	6	Total
Village	12	24	36	36	61	107	276
Town	10	34	41	58	38	71	252

(Statistic Data from SACH website (no dates); Created by Ho, 2016.)

3. Historic-Cultural District (*lishiwenhua jiequ* 历史文化街区)

Formalized in the official document of the State Council that listed the second set of Historic-Cultural Cities in 1986, the concept of “Historic-Cultural District” fills the gap between Monument-Sites and Historic-Cultural Cities and formed the three-scale framework for the nation’s cultural heritage conservation program (Abramson, 2007). This three-scale conservation system was implemented from 1994 to the present day. Endorsed by the governments at both city and provincial levels, the designation of a “Historic-Cultural District” is based on the following criteria: (1) a particularly rich collection of cultural relics; and (2) a large-scale cluster of historic buildings located on one site. Differing from the previous consideration of singular monuments detached from their context, the combination of the two criteria helps to create a sense of historical continuity and introduce national precedent for protecting an integrated urban landscape (K.Y. Lee, 2014). Through the recommendation based on the expert reviews, the MoHURD, and the SACH

finally publicized 30 historic neighborhoods as the first set of “Historic-Cultural District” on April 3, 2015.

4. World Heritage Sites (*shijie yichan* 世界遺產)

As a member of UNESCO, China has begun to identify and nominate sites on the World Heritage List (WHL) since 1985 (K.Y. Lee, 2014). Only two years later, China had six sites added to the World Heritage List: the Peking hominid site at Zhoukoudian, the Great Wall, the Forbidden City, the Mausoleum of the First Qin Emperor, the Mogao Grottoes, and Mount Taishan. Succeeding in World Heritage nominations for thirteen consecutive years after 2003, China ranked second in the world by the end of 2020 by having fifty-six sites inscribed on the WHL. Among the 56, 38 are cultural heritage sites, 14 are natural heritage sites, and 4 are cultural and natural mixed sites (UNESCO).⁵² In addition, China has a rich intangible cultural heritage, with 42 items of intangible heritage inscribed on UNESCO's list of Intangible Cultural Heritage of Humanity (UNESCO, 2020).

Due to the incentives for economic growth, China is aggressively preparing potential properties and hoping to obtain more inscriptions on the WHL. Following the criteria of UNESCO, SACH continuously collects outstanding heritages in good condition and management to add on the Tentative List. Furthermore, the list of nominations is expanding rapidly as new types of heritages receive increasing attention in the World Heritage declaration. Nevertheless, World Heritage Sites in China are still managed by the *Law on Cultural Relics* without any specific legislation, except for an obscure ministerial law the “*Administrative Measures for the Protection of World Culture Heritages (2006)*”(Shijie wenhua yichan baohu guanli banfa, 世界文化遗产保

⁵² UNESCO World Heritage Centre official website, <https://whc.unesco.org/en/statesparties/cn>, retrieved on Aug 11, 2021.

护管理办法”⁵³ and two supporting measures, “*China World Cultural Heritage Expert Advisory Management Principles (Zhongguo Shijie wenhua yichan zhuanjia zixun guanli banfa, 中国世界文化遗产专家咨询管理办法)*” and “*China World Cultural Heritage Monitoring And Checking Principles (Zhongguo Shijie wenhua yichan jiance xunshi guanli banfa, 中国世界文化遗产监测巡视管理办法)*.” This condition implies that China intends to use the World Heritage List as an instrument to attract investment in tourism and funding from the upper government (Z. Cheng, 2015).

III. Three-Tier Cultural Heritage Conservation Management System

Heritage management in China is tier-differentiated and jurisdiction-based (K.Y. Lee, 2014). According to their historical, artistic, and scientific values, identified cultural heritage sites are classified under three different levels of protection – national level, provincial level, or city/county level (Gruber, 2007). According to the “*Rules for the Implementation of the Law of the People’s Republic of China on the Protection of Cultural Heritage*” (1992), heritage sites at the county/city level are protected by county/city governments, while provincial and national heritage sites are preserved by provincial governments. Even if all cultural relics are owned by the State, all levels of governments still carry the responsibility for heritage management that falls under their jurisdiction. In particular, the jurisdictional government must ensure that any repair and maintenance performed on any protected heritage sites be kept with their original state. Moreover, newly discovered cultural heritage sites are to be reported to the local cultural heritage department or the local museum, where they are classified or registered (Gruber, 2007). This implies that the

⁵³ The English translation of this measure is “China World Cultural Heritage Management Principles” in the China ICOMOS Website. For some reason, it didn’t choose the legal term “measure” for this translation. http://www.icomoschina.org.cn/content/details57_1414.html

final responsibility of the heritage protection rests with the corresponding county or city government where the site is located, regardless of the level at which it is classified (Chan & Ma, 2004). In addition, the decision about the grade of the historical and cultural values of the sites lies within the authorities at the appropriate levels. In the case of such classification, the heritage sites usually can be placed under a certain level of protection, which only completes registration without providing special protection measures (Gruber, 2007).

2.4 URBAN CONSERVATION IN PINGYAO AND DATONG

2.4.1 *Urban Conservation History of Pingyao*

I. Pingyao, the World Heritage City in Shanxi, China



Figure 2.3. Location map of sites in Shanxi Province

Lying to the southwest of the Taiyuan Basin within Shanxi Province in northern China, Pingyao County is located 616 km southwest of Beijing and 94 km southwest of Shanxi's provincial capital, Taiyuan. Linking Beijing with Shanxi, Sichuan, and Gansu, Pingyao County covers a total area of 1,260 km² (Figure 2.3). Situated in the northwest part of the Pingyao County, the Ancient City of Pingyao sits on the gently sloping plain between the Huiji River (惠济河) and the Liugen River (柳根河). The strategic location of the ancient city made it the capital of Pingyao County in the 5th century and it played a pivotal role in the politics, economy,

culture, and transportation within its region (Pingyao County Gazetteer, 1999; Du, 2002; Whitehand & Gu, 2007; Conzen, Gu, Whitehand, 2012; Zhang, Pan & Wu, 2012) (Figure 2.4).

A roughly square walled area of 2.25 km², the Ancient City of Pingyao is a National Historic-Cultural City as well as one of the two World Heritage Cities in China. The history of the ancient city can be traced back to the Western Zhou dynasty (827-782 BCE.). Apart from numerous intangible heritage, its tangible treasures composed of an ancient city wall, an almost intact urban layout since Ming dynasty (1368-1644), national Monument-Sites, and approximately 3,798 ancient houses (includes 448 well-preserved ones), and more than 220 long-standing shops on the main streets (S.Wang & Gu, 2020; Zhang, Pan, & Wu, 2012; Whitehand & Gu, 2007).



Figure 2.4. Map of Pingyao Ancient City (Google Earth, December, 2020)

II. History of Pingyao

According to five editions of Pingyao's local gazetteers, as well as referring to the divisions by Wang and Gu (2020), Pingyao's history is narrated following the three phases: (I) the Imperial period (pre-1911); (II) the Pre-Industrial period (1911–1949); (III) the P.R.C. period (1949–Present).

Phase I - Pingyao in the Imperial Period (pre-1911)

1. Early Establishments Before the Ming Dynasty (Pre-1368)

Based on Pingyao Gazetteers, Pingyao's origin is “the place of Yao”, where a legendary Emperor Yao was first enthroned, possibly 2600-2100 BCE. It is regarded the initial site of the ancient city was established by General Yin Jifu (尹吉甫) as a military fort for fighting marauding ethnic minorities to the north during the Emperor Xuan's reign (827–782 BCE) in the Western Zhou dynasty (Pingyao Gazetteer, 1883, 1999; Conzen, Gu, Whitehand, 2012; Bell, 2014; Su, 2018). The settlement was called ‘Pingtao’ (平陶) in the Han dynasty and was under the jurisdiction of the Prefecture of Taiyuan. During the Northern Wei dynasty (386-534), ‘Pingtao’ was renamed to ‘Pingyao’ (平遙) in 424 CE., and is remained since the second year of the Daye period of the Sui dynasty (606) till today. As a military post, the Ancient City of Pingyao grew within the city walls, which were reconstructed and strengthened multiple times (Pingyao Gazetteer, 1999; Su, 2018).

2. Ming Dynasty (1368 -1644) and Qing Dynasty (1644 -1911)

Based on a smaller settlement from the Northern Wei dynasty (around 424-448), the existing form of the Ancient City of Pingyao was a later development of the Ming dynasty (14th century). Much of the city layout and historic architecture dates back to the late Ming and early-mid Qing dynasties: the well-preserved ancient city wall was a reconstruction in the third year of Hongwu in the Ming

dynasty (1370); the core of the city was shaped during the Qing dynasty (1644-1911) (Xiong, 2003; Bell, 2014; Wang & Gu, 2020; Su, 2018).

Pingyao County was well-known across the country as the birthplace of Jin commerce in the Ming and Qing dynasties (14th-19th century). At the turn of the Ming to Qing dynasty, the commerce of Pingyao boomed to a zenith with prosperous commodities, such as dyestuff, salt, iron, cotton, silk, and tea. During the reign of Kangxi (1662-1722) of the Qing dynasty, Pingyao was the core of the Jin merchants of Shanxi province. Jin merchants spread out to all major cities across the country by the end of the Jiaqing period (1796–1820). By 1814, there were 585 merchant shops in the city with business connections all over the country. In the 1880s, most of the Jin Merchants even extended their trades overseas to Japan, Singapore, Korea, and Russia, and other countries. Pingyao County Gazetteer, 1999; S.Y. Wang, 2008b; Bell, 2014; S. Wang & Gu, 2020).

Responding to a need for professional financial transactions, the Jin merchants opened piaohao (draft shops, an early type of bank)⁵⁴ to provide remittance services for traders in the mid-Qing Dynasty. Following the opening of the first piaohao “Rishengcheng Draft Bank,” in 1823,⁵⁵ to the early twentieth century, Pingyao became a financial center of China by virtue of Jin merchants and draft shops (Pingyao County Gazetteer, 1999; Xiong, 2003; Bell, 2014; Wang, 2014; Su, 2018; S. Wang & Gu, 2020). Around the 1870s, the number of draft banks in the Ancient City

⁵⁴ By the beginning of the 19th century, the movement of silver currency over long distances became a concern, and Shanxi businessmen began to use their kinship networks to rely on a form of paper notes or drafts (piao) that could be exchanged for silver currency at “draft shops” (piao hao) with branches all over the country. This created the first model of modern banking in China and greatly facilitated the transfer of money over long distances (Cheng 2003; Bell, 2014)

⁵⁵ In the third year of the Daoguang period (1823), a businessman of Pingyao established the Sunrise Draft Bank, the first banking institution of its kind in China. The head office was on Xida Street in Pingyao Town and its branches spread in all the major cities across the country. With the establishment of the draft bank, the banking operation through draft emerged (Pingyao County Gazetteer, 1999: p.15).

of Pingyao had increased to 22. With more than 400 branches in over 70 cities, the city became the largest banking center in China at that time (Pingyao County Gazetteer, 1999; Du 2002; Bell, 2014). Pingyao was sometimes called “Chinese Wall Street” and “Little Beijing” for the sake of its prosperity, extravagant lifestyle, and architectural excellence (Du, 2002; Whitehand & Gu, 2007; S.Y. Wang, 2008b). When the Qing court began to reclaim financial sovereignty from private banking firms around 1895, piaohao in Pingyao shrank in size (Wang, 2014; S. Wang & Gu, 2020). These old draft banks became obsolete at the beginning of the Republic as Western banks entered China. Most draft banks in Pingyao had declared bankruptcy, been reorganized, or simply stopped business by 1921 (Du, 2002; Bell, 2014).

Phase II - Pingyao in the Pre-Industrial Period (1912–1949)

Business and trade in Pingyao badly declined in the Republican period of China (1912-1949) due to the invasions by the imperialist powers, civil wars, and the transformation of the commercial mechanism (Pingyao County Gazetteer, 1999). Furthermore, many historical institutional buildings suffered damage and were repurposed during the 1920s and 1930s (Du, 2002). For example, the Confucius Temple became a modern primary school in 1904; Jifu Temple was occupied by the police service after the 1910s; Qingxu Temple was used for military purposes in 1926 (Du, 2002). More destruction to institutional buildings occurred during the Sino-Japanese War (1937-1945). Notably, Pingyao's railway station, which was built about 0.5 km northwest of the walled city when the railway linking Taiyuan and Jiexiu was completed in 1934 (Pingyao County Gazetteer, 1999).

Phase III – Pingyao in the P.R.C. Period (1949–Present)

1. Pingyao in the Socialist Period (1949-1978)

Greatly affected by the socialist development policy after 1949, Pingyao was transformed into an industrial city specialized in manufacturing textiles and agricultural machinery (Conzen, Whitehand, & Gu, 2012; Su, 2018). Lacking resources to contribute during the Great Leap (1958), the Ancient City of Pingyao was managed as a self-sufficient work unit—“danwei (单位).”⁵⁶ Originated in the Soviet Union, such commune-owned work units prevailed within the walled city and beyond as the main theme of Maoist urban form (S.Y. Wang, 2008b).⁵⁷ Moreover, under the land reform socialism policy after 1949, previous private-owned, one-family courtyard houses in the Ancient City were redistributed to multiple families (S.Y. Wang, 2008b).

Through all this turbulence, the ancient city was able to maintain its integrity for certain reasons. Besides Pingyao’s backward development, Pingyao obtained support from the central government to renovate the main hall of the Confucius Temple as early as 1956. During the Cultural Revolution, Pingyao was also listed on some official documents as one of the protected historic areas by the government (Bell, 2014).⁵⁸ Aligned with Mao’s maxim of “use the past to serve the present,” traditional buildings in Pingyao were turned into socialist infrastructure while the cultural value in the built heritage was reinterpreted (S.Y. Wang, 2008a; S.Y. Wang, 2008b; Su, 2018).

⁵⁶ “Danwei” acted as a “self-contained community of residential quarters, including dormitories, communal eating and recreation places, kindergartens, school and local medical facilities, shopping and other services” (Gu, 2001, p. 132).

⁵⁷ In this period of modernization, the Soviet model of industrialization and the planned economy dominated the direction of city renewals. City development during the period of the First Five-Year Plan (1953-57) was centered on industrial development with financial and technical support from the Soviet Union Urban (Gu, 2001; Wang, S.Y., 2008b). During the Great Leap Forward period from 1958 to 1963, the government focused on the development of rural industries, the so-called “five small industries” - agricultural machinery, chemical fertilizers, cement, coal, and iron and steel (Ma & Hanten, 1981), to support local agriculture (S.Y. Wang, 2008b: 110).

⁵⁸ “Several Opinions on the Protection of Cultural Relics and Books in the Cultural Revolution” is a document issued by the Central Committee of the Communist Party of China on May 14, 1967. It puts forward seven opinions to protect cultural relics and prevent destruction.

<https://zh.wikipedia.org/wiki/关于无产阶级文化大革命中保护文物图书的几点意见>

2. Pingyao in the Post-Reform Period (1978-1997)

Initiated by the then leader of China, Deng Xiaoping (邓小平), the 1978 “Open Door” policy changed the entire country politically, economically, and culturally. Focused on a “socialist market economy,” the ultimate goal for the entire country in the era of “Economic Reform” was economic development.⁵⁹ Characterized by a series of decentralization policies from the central government in the 1980s and 1990s, local governments were expected to stimulate revenue by attracting national and international investments. Such motivation accelerated the transformation, reinterpretation, and destruction of cultural heritage by the local enterprises and governments (S.Y. Wang, 2012; S.Y. Wang, 2008b; Su, 2018).

On one hand, poverty and neglect prevented the city from industrial development of the early socialist period and physical changes associated with the 1980s and 1990s. Hence, Pingyao struggled to receive financial support from the central government and foreign investment (S.Y. Wang, 2011; S.Y. Wang, 2012; Bell, 2014).⁶⁰ On the other hand, conservation legislation at national and local levels during the 1980s and 1990s effectively preserved the physical form of the city. In 1986, the Ancient City of Pingyao was designated as one of the National Historic-Cultural Cities (*lishi wenshua mingcheng*, 历史文化名城) for possessing an intact urban layout and plentiful cultural heritage. These new titles and tourism potential triggered dramatic changes to Pingyao’s urban landscape: in addition to improvements of infrastructure, major restorations and

⁵⁹ The reforms were started by reformists within the Chinese Communist Party—led by Deng Xiaoping—on December 18, 1978, during the “Boluan Fanzheng” period. In 1979, Deng Xiaoping emphasized the goal of “Four Modernizations” and further proposed the idea of “xiaokang”, or “moderately prosperous society. They went into stagnation after the 1989 Tiananmen Square protests, but were revived after Deng Xiaoping’s Southern Tour in 1992. https://en.wikipedia.org/wiki/Chinese_economic_reform

⁶⁰ The dramatic changes in national policies and the emergence of capitalism and privatization after 1978 had wrought significant changes in Pingyao. For example, most government-owned stores in the core of the walled city lost their competitive edge in the 1980s and 90s; they finally were forced to close and dismiss all employees without any compensation. Similarly, most small factories established in the 1950s and 60s were also forced to close because of the transformation of the industrial pattern. (S.Y. Wang, 2008b: 115)

reconstructions of historical buildings were undertaken (Du, 2002; Whitehand & Gu, 2007). The new development also extended roughly a kilometer toward the southwest of the historic city following a mass relocation of governmental offices, schools, businesses, and population in the old town (Bell, 2014).

National Historic-Cultural City (1986)

With an intact townscape and excellent architectural heritage, the Ancient City of Pingyao caught the attention of the central government and was designated as one of the National Historic-Cultural Cities in 1986. In the story of the conservation Ancient City of Pingyao, Professor Ruan Yisan (阮仪三) from Tongji University played a pivotal role. In 1981, Ruan prepared an emergency master plan to prevent large-scale destruction of traditional buildings in Pingyao and became the guardian of Pingyao's status of Historic-Cultural City.⁶¹ Supported by prominent scholars/officials like Zheng Xiaoxie (郑孝燮) and Luo Zhewen (罗哲文), and others,⁶² the master plan for Pingyao was submitted to the MoHURD and the SACH, and quickly approved by the Shanxi and Pingyao governments (Ruan, 2012; Su, 2018; Ho, personal interview, 2019).⁶³ The concept of the 1982 master plan for Pingyao was similar to Liang Sicheng's 1958 scheme for Beijing, which was to preserve the historic city and develop a new area outside the wall (Ruan, 2003; Xiong, 2003;

⁶¹ Professor Yisan Ruan reviewed the new master plan of Pingyao and found out that three vertical and three horizontal broad streets would be developed, the ancient city wall would be torn down. Therefore, he went to Pingyao immediately to halt that plan. With his efforts, the destruction was stopped for one month. Ruan and a planning group formed by 11 of his best students generated a new plan in one month and successfully persuade the people of Pingyao from eradicating their city (Xiong, 2003: 14-15).

Ruan's concepts of conserving Pingyao are to "conserving the Ancient City integrally, completely dividing the new with the old, improving the internal environment, and developing tourism" (Su, 2018).

⁶² According to on-site interviews, then Deputy Director of Department of construction of Shanxi Province, Cao Changzhi (曹昌智), also had a great contribution to Pingyao's conservation because of his work on survey and configuration of city plans for Pingyao (Ho, personal interviews, 2019).

⁶³ Wang, J., Ruan, Y., Wang, L. (1994). *Preservation and Planning of Historical-Cultural City*. Shanghai, China: Tongji University Press. p.14. Ruan, Y. (2000). *The conservation process of historical architecture and cities*. *Time Archit.*, 17, p.11.

Whitehand & Gu, 2007; Su, 2018). Based on the 1982 master plan from Tongji University, the city of Pingyao published the “Conservation Plan for the Ancient City of Pingyao” in 1989.⁶⁴ The 1989 plan is essential for protecting historic sites, as well as forming the basis for stipulating the 1999 *Conservation Regulation for the Ancient City of Pingyao* (S. Wang & Gu, 2020).

After SACH designated the city as a Famous National Historic-Cultural City in 1986, the restoration work in Pingyao started with the public traditional buildings (S.Y. Wang, 2008b). When architects and officials at the central and local levels endorsed the city’s nomination to the World Heritage List, the restoration projects in Pingyao restarted in 1994 (S.Y. Wang, 2012; S.Y. Wang, 2008b). Later on, tourism was determined as the primary function of the old city in the 1996 Master Plan of Pingyao⁶⁵ (S.Y. Wang, 2012; Su, 2018). Accordingly, in addition to preservation and improvement of existing buildings, new public open spaces were proposed; linear green corridors were designed along the city wall, the Liugen River, and the Huiji River. New residential lands were to be expanded to the south and west of the city for relocating some residents to reduce the population living in the old city to less than 22,000 by 2010 (S. Wang & Gu, 2020).⁶⁶ Since 1997, over 100 danweis and more than 20,000 people have been relocated from the old city to the new town.⁶⁷ Hence, the population remaining in the walled city was reduced to

⁶⁴ The Conservation Plan for the Historic-Cultural City of Pingyao was drawn up by Tongji University and Shanxi Research Institute of Urban-Rural Planning and Design in 1989.

⁶⁵ Wang (2012) notes that the 1993 Gazette of the Jinzhong Area indicates Pingyao was planned to be developed for tourism as a cultural and historical town (Bell, 2014: 162).

⁶⁶ The major relocation of the local population happened in two periods: (1) between 1994 and 2000 when the city started to restore traditional public buildings; (2) after 2000 when heritage tourism became the dominant industry in the city center. The former was mostly caused by the relocation of 22 work units, and the latter was a voluntary relocation because daily life had become inconvenient as a result of the city’s development of heritage tourism. (S.Y. Wang, 2012: 11).

⁶⁷ Beginning in 1994, the “Relocation Project” removed 74 government-related organizations and 7 government-owned factories established in Mao’s era to the outside of the walled city. The Pingyao Middle School, located in the Confucius Temple, accommodating approximately 4,900 students and 3,000 staff, was relocated in 2003. The municipal offices, housed in the original Yamen, also relocated to new office buildings in 1997 (S.Y. Wang, 2008b; Su, 2018).

approximately 35,000 in 2001, and dropped to about 21,740 residents by the end of 2011 (10,550 households)⁶⁸ (Whitehand & Gu, 2007; Zhang, Pan, Wu, 2012; Pingyao Gazetteer, 2016).

3. Pingyao in the Contemporary Period (1997-Present)

Inscription as a UNESCO World Heritage Site

Fulfilling criteria (ii) (iii) (iv) of the UNESCO Outstanding Universal Value, the entire Ancient City of Pingyao earned the title of UNESCO World Heritage Site accompanied with Shuanglin Temple (双林寺) and Zhenguo Temple (镇国寺) in 1997. In fact, the government of Pingyao began preparing the World Heritage nomination in 1986 and continued to 1994. A group of experts from the central and the provincial government drafted the application for the World Heritage nomination,⁶⁹ and suggested that the city reduce its density, remove the physical remains of Mao's era, and restore the original functions of traditional buildings (Su, 2018; T.P. Ji, 2022, unpublished book).⁷⁰ Identification with the UNESCO World Heritage List brought significant impacts on the city's preservation and daily life, including the financial support for urban conservation from the central government, and economic benefits by using their cultural resources for developing heritage tourism, and other activities (Whitehand, Conzen, & Gu, 2012; Wang, 2012; Bell, 2014; Su, 2018).

⁶⁸ In 1996, the Pingyao County had 5 townships, 19 boroughs, 350 administrative villages (430 natural villages), and 6 residents' committees with a total population of 472,856 (414,756 agricultural workers) (Pingyao County Gazetteer, 1999: p.9). By the end of 2011, Pingyao occupied 27 km² and had a population of approximately 120,000 (Pingyao Gazetteer, 2016: p.302–304).

⁶⁹ Experts from the central and the provincial government are Zheng Xiaoxie (郑孝燮), Luo Zhewen (罗哲文), Wang Jinghui (王景慧), Fu Shuang (傅爽), Zhen Dehua (詹德华), Ma Yansheng (马燕生), Jing Feng (景峰); from the provincial government are Li Jinsheng (李锦生), Cao Changzhi (曹昌智), Guo Tingru (郭廷儒), Gao Ke (高可)(provided by Ji Taiping).

⁷⁰ In 1992, three experts from the United Nations Center for Human Settlements visited the Ancient City of Pingyao with Zheng Xiaoxie and Luo Zhewen, and suggested that the Pingyao government should guide local residents to relocate, to reduce the population to 15,000–20,000, in order to conserve the Ancient City of Pingyao (Guo, Y. On the development of the tourism market of Pingyao Ancient City and its sustainable development. J. Shanxi Financ. Econ. Univ. 2000, 6, 28–31, in Su, 2018).

As a World Heritage city, Pingyao was transformed from a service agricultural center to a national and increasingly international tourist destination (Wang, 2008). The revenue from tourism increased from 1.08 million RMB (US\$ 134,000) in 1997 to 145 million RMB (US\$ 18 million) in 2011 (Pingyao Gazetteer, 2016).⁷¹ Tourist numbers increased from 142,000 in 1997 to 420,000 in 1999, and to 1,563,700 in 2016. Associated with tourism development, most of the approximately 200 tourist shops are concentrated along the three arterial streets (South, East, West) (S.Wang & Gu, 2020). Hereafter, the buildings in the Ancient City were evaluated by the government in line with their use as tourist facilities and attractions. Some policies were issued rather attract external investors than benefit the local residents (Su, 2018).

Pingyao's Conservation Plans

The 1999 “Master Plan of Pingyao” demarcated a Buffer Zone and a Coordination Zone for the eight historic Monument-Sites in Pingyao (Xiong, 2003). In 2005, the Shanxi Research Institute of Urban-Rural Planning and Design prepared the *Detailed Conservation Plan for the World Heritage City of Pingyao* (平遥世界遗产城市保护详细规划). As assessments of the value and quality of architecture are the primary basis for managing the urban landscape, the key planning methods are essentially the same as in the 1989 plan. Four levels of conservation zones within the walled area are coping with corresponding management policies concerning preserving, renovating, or reconstructing buildings in different categories. Following UNESCO's recommendation, the first required management plan of Pingyao was released in 2009 to specify the responsibilities of local government in urban conservation, establish a heritage database, and propose a funding mechanism for heritage conservation (S.Wang & Gu, 2020).

⁷¹ Ticket revenue from visitors increased from RMB 1.04 million in 1997 to RMB 133.95 million in 2016.

Restoration Projects and Guidelines for Residential Courtyard Houses

In 2012, two pilot projects in Fanjia Jie (范家街) were conducted by the government following the guidelines and requirements of the Pingyao Ancient City conservation program. It is said that most local residents were unaware or dubious about the program, and not even interested in applying for the Preservation Incentive Fund. Gradually, the public began to appreciate the conservation program and was willing to participate after the completion of the pilot projects (Ho, Personal interviews with Li Guang-han, 2019). In the 2012 Progress Report of Global Heritage Fund, 173 courtyard homeowners applied for the “Preservation Incentive Fund,” and 54 were accepted in the same year. 22 of these projects proceeded and were due for completion by June 2013 (Bell, 2014).

To assist with the conservation of the courtyard houses within the old city, initiated by Pingyao County Government and UNESCO, financed by China Cultural Heritage Foundation and Global Heritage Fund (GHF), Tongji University compiled two guidelines—the *Conservation Management Guideline for Traditional Courtyard Houses and Environment in the Ancient City of Pingyao* (2014) and the *Practical Conservation Guidelines for Traditional Courtyard Houses and Environment in the Ancient City of Pingyao* (2015). The former one provides the existing legal framework, standards, principles, and process of conservation work for use by professionals. The latter provides “Do’s and Don’ts” to local residents with a better understanding of living in traditional courtyard houses (Conservation Management Guideline, 2015). According to the guidelines, funding would be available for subsidizing the renovation after the residents submitted construction plans and obtained approval from the Bureau.

2.4.2 *Urban Conservation History of Datong*

I. Datong, the Capital of Coal in Shanxi, China

Datong was the northern key military post since its beginning of 2500 years ago, as it sits 265 km west of Beijing, 352 kilometers north to Taiyuan, at the junction of three provinces of Shanxi, Hebei, and Inner Mongolia⁷² (Figure 2.5). Bordered by Yu River (御河) in the east, Sanggan River (桑干河) flows through from west to east, the urban area of Datong is basically a plain surrounded by mountains of three sides (Zhao, 2006; Li, Sun, Zhai, & Yuan, 2019).⁷³ The Ancient City of Datong belongs to the “Pingcheng District” of the Metropolitan Datong City, is the historic core, the political, economic, technological, and cultural center of the municipality, as well as the transportation hub of railways and roads (Zhao, 2006; Ren, 2014; Audin, 2018; Li, Sun, Zhai, & Yuan, 2019).

Located in the northern region of Shanxi Province, with an area of 14,056 km², a population of 3.4 million during the 2010 census,⁷⁴ Datong City is a prefecture-level and the second-largest city.⁷⁵ Today, the Ancient City of Datong is famous for a dual-identity: (1) one of the nine major historic cities in China, which inherited its significance from being the capital of three different dynasties; and (2) a “coal capital” (mei du 煤都), supported by coal and other heavy industries and being labeled as one of the country’s grittiest cities. Datong is proud of its cultural heritage from its long-lasting history.⁷⁶ As such, the Ancient City of Datong has been listed in the first set of the

⁷² Datong is located at a longitude from 112° 06' to 114° 33' east and a latitude from 39°54' to 40°44' north in the northernmost part of Shanxi province of north China. (Li, Sun, Zhai, & Yuan, 2019: 179)

⁷³ Datong has a mountainous terrain with average altitude between 1,000 and 1,500 m. (Li, Sun, Zhai, & Yuan, 2019: 179)

⁷⁴ In 2018, the number of permanent residents in Datong was 3.44 million, including two-thirds of urban population (2.17 million). Significant increase of urbanization could be recognized as its urban population increased from 39.82 % in 2000 to 61.02 % in 2018 (DSB, 2019).

⁷⁵ See <https://zh.wikipedia.org/wiki/大同市>

⁷⁶ In Datong City, there are 346 cultural historic sites, including one World Cultural Heritage site (the Yungang

“National Historic-Cultural Cities” by the State Council in 1982, and the first group of China’s “National Tourist Attractions” by the National Tourism Administration in 1991 (Fu & Hillier, 2018).⁷⁷

As a prefecture-level city, Datong enjoys an independent legislative power to which Pingyao County is not entitled. Datong had generated multiple versions of urban plans since the 1930s and has continued this practice until the present. Whereas a conservation plan is usually a specified scope of work incorporated into a comprehensive urban master plan, it is worthy to review how historic urban landscape was treated under various urban planning schemes of Datong. In this section, several major urban plans of Datong City will be introduced as a basis for the following textual and morphological analysis during the past eight decades.



Figure 2.5. Map of Datong Ancient City (Google Earth, October, 2020)

Grottoes), 22 National-level Major Monument-Sites, 20 Provincial-level Monument-Sites, and more than 220 county-level historic sites. See <https://zh.wikipedia.org/wiki/大同市>

⁷⁷ See <https://www.newton.com.tw/wiki/%E2%BC%A4%E5%90%8C1/31>

Phase I - Datong in the Imperial Period (Pre-1911)

1. Early Establishments Before the Ming Dynasty (Pre-1368)

As a northern key military post in Chinese history, Datong was a site of conflict and frequently changing ruling regimes between Han People and non-Han Minority People since its beginning. The first urban settlement of Datong, Yun-zhong (云中), was set up over 2300 years ago by the King Wuling of the Zhao States (趙武靈王) during the Warring States Period (476–221 BCE).⁷⁸ In the Qin and Han dynasties, Datong was a border county located in the northwest of the current city, called “Pingcheng (平城).”⁷⁹ In its long-standing history, Datong is notable for the four golden ages: Pingcheng (平城) of the Northern Wei dynasty (386-534); Xi-jing (西京, west capital) of the Liao (915-1125) and Jin (1115-1234) dynasties; and Datong Fu-cheng (大同府城) of the Ming dynasty (1368-1644) Datong City Records, 2000; Cui, 2018).

1) Pingcheng (平城) in the Northern Wei Dynasty (386-534)

Datong became an international metropolis on the crossroad of different cultures as the northern minority Xianbei (鮮卑) grabbed the power and established Datong as a capital in the first year of Jianxing (313) by Tuobayilu (拓跋猗廬) of the Dai State. In the first year of Tianxing of the Northern Wei dynasty (398), Tuobagui (拓跋珪) moved to then Pingcheng (current Datong) as the capital and undertaken a series of large-scale constructions. Throughout the 97 years of the Northern Wei dynasty (seven emperors), Pingcheng was its political, economic, and cultural center

⁷⁸ Historians have claimed that the area of Datong was inhabited as early as 100,000 years ago by the Xujiayao (许家窑) man, as many Paleolithic sites have been discovered in the western Datong City. Several Paleolithic sites have been found at Xiqing Ciyao (西青磁窑), Xiaozhan (小站), Zuoyun Jiajiayao (左云贾家窑), Guangling Ximazhuang (广灵洗马庄) in the western Datong City.

⁷⁹ According to Li, Daoyuan’s “Commentary on the Waterways Classic (shuijing zhu 水經注)” in the late Northern-Wei dynasty (386-534 C.E.),

in northern China. A UNESCO World Heritage Site, the large Buddhist cave Yungang Grottoes (云冈石窟), were mainly built during this period (Datong City Records, 2000).

2) Datong in the Sui and Tang Dynasties (6th – 10th Century)

After the Sui Emperor reunified China in the first year of Kaihuang (581), the area of Datong was the land of Mayi County (麻邑) and Yanmen County (雁門). The Tang dynasty followed the system of the Sui, Yunzhou State was established, which is now the urban area of Datong, and later renamed as Yunzhong County (雲中). During the Kaiyuan period of the Tang dynasty (713-741), the Kaiyuan Temple was built (now Shanhua Temple, 善化寺). At the end of the Tang dynasty, Yunzhou was caught in a long war after the feudal regime was divided. In the third year of Tianfu (938) of the late-Jin dynasty, Yunzhou was ceded to Khitan as part of the Sixteen Yanyun States. Since then, Datong was ruled by Khitan, Jurchen, and Mongolian for 433 years (Datong City Records, 2000).

3) Xi-jing (西京, west capital) in the Liao (915-1125) and Jin (1115-1234) Dynasties

Because of its strategic location, Datong became the “West Capital” of the Liao dynasty (916-1125) in the fifteenth year of Chongxi (1044), and kept the name of “Datong” and the status of capital throughout the entire Jin Dynasty (1115-1234). West Capital (Datong) was built on the former site of Pingcheng from the Northern Wei dynasty. Huayan Temple (華嚴寺), a renowned National Monument-Site inside the historic city, was built during this era in the eighth year of Qingning of the Liao Dynasty (1062) (Datong City Records, 2000; Fu & Hillier, 2018; Cui, 2018).

2. Datong Fu-cheng (大同府城) in the Ming Dynasty (1368-1644)

Under the jurisdiction of Datong Lu, Datong became a key military post to defend against the invasions from the northern tribes since Shanxi province was established in the Yuan dynasty (1279-1368). Datong continued to carry out this duty in the Ming dynasty (1368-1644) as one of

the nine border fortresses along the Great Wall. General Xu Da (徐達) was sent to guard here and rebuild the walled city in the fifth year of the Hongwu period (1372). After the Emperor of the Ming dynasty (朱元璋) assigned his thirteenth son Zhu Gui (朱桂), the Prince of Dai, to Datong in the 24th year of Hongwu period (1391), another round of construction began within the Ancient City Datong. The famous Nine Dragons Screen Wall was originally a symbolic entry element in front of the gate to Prince Dai's Mansion (Datong City Records, 2000). The Guandi Temple (關帝廟) was built on Gulou East Street in the Yuan dynasty with the earliest and most exquisite stage of Datong across the street.

3. Datong in the Qing Dynasty (1644 -1911)

In the early Qing dynasty, Datong was conquered by Emperor Shunzhi (順治) when the Qing entered the central plains. After the rebellion of Jiang Xiang (蔣襄), Prince Dorgon (多爾袞) besieged the city for more than nine months in the sixth year of the Shunzhi period (1649). After the city was defeated, the Qing army slaughtered in the city of Datong and cut down 5 feet of the city wall. Once prosperous Datong city was abolished and became a ghost town. Three years later (1652), the administration was finally restored and immigrants gradually moved back to the old city. After a comprehensive restoration in the thirteenth year of the Shunzhi period (1656), Datong has successively rebuilt, and its temples, pavilions, and streets were consequently constructed in the following two hundred years (Datong City Records, 2000).

Phase II - Datong in the Pre-Industrial Period (1912–1949)

Between the collapse of the Imperial Era and the founding of the Communist People's Republic of China, Datong was under Yanmendao (雁門道) in 1913 and then belonged to Shanxi Province after modification of administrative division in 1927. After Japan's invasion, Datong split into

three portions: one ruled by the Japanese, one by the Chinese Communist Party, one by the Republican government. In this period, the Japanese did the first modern urban planning in Datong City in 1938 (discussed below). After Japan's surrender in August 1945, Datong was ruled by the Yan Xi-shan (閻錫山) of the KMT Party, who restored the original county system. At that time, Datong City contained five districts and eighty-six autonomous villages under the Shanxi province. In 1947, the military and political divisions were separated, Datong became the "Datong Administrative Office of the Shanxi Provincial Government" (Datong City Records, 2000).

In this period, Datong's urbanization was propelled by a great push from the evolutionary industries of the modern era. First, the construction of regional railways opened a new period of development; modern houses and urban facilities were increased near the railway station and outside the old city to its north region (Jiang, 2007).⁸⁰ Second, manufacturing and financial industries transformed the city into an industrial center. By the 1930s, besides the traditional market area outside of the east and south gates, the area outside of the north and west gates was gradually beginning to urbanize (Anon, 1926 in Fu & Hillier, 2018).

1938 Urban Plan (Japanese Occupation, 1937 – 1945)

Following the occupation of Datong in 1937, the Japanese planned to construct a modern industrial city, Daidō, and prepared a modern urban plan with separation of functions by zoning. In 1938, at the request of then Japanese-ruled Jinbei (Northern Shanxi) government and the Land Administration Section of the General Affairs Office, a team of Japanese scholars, including Uchida Yoshikazu (内田祥三), Takayama Eika (高山英华), Sekino Masaru (関野克), Uchida

⁸⁰ Datong is a hub for the Jing-zhang Line (Beijing-Zhangjiakou, started 1914) and later the Ping-sui Line (Beijing-Hohhot, started 1921), that intended to link Mongolia with Beijing.

Yoshikazu (内田祥文), prepared a city plan for Datong City.⁸¹ Inspired by Radburn, New Jersey, and the Detroit garden-city model, the 1938 Plan provided mixed zoning, residential neighborhood units, one or two green belts, traffic segregation, one or two satellite cities, and conservation of the old city (Datong City Records, 2000; Fu & Hillier, 2018; Wang, 2019). Incorporating “the most advanced standards and up-to-date planning concepts,” the 1938 city plan of Datong was widely regarded as one of the most sophisticated master plans of its time (Figure 2.6).

Covering an urban area of 35 square kilometers and 70,000 populations in the old city, this plan set up the area outside of the western city gate be the new urban center, using a fan-shaped, semi-circular radial road network to connect the station area in the north and the traditional business center in the south. A mining area (now Datong Mining Bureau) was to be located 15 kilometers southwest of the old city, and an industrial area was to be located 15 kilometers south of the old city (Datong City Records, 2000; Fu & Hillier, 2018). The Japanese team also formulated detailed legislation including an “Urban Planning Act,” “Building Act,” “Building Order,” and other supporting programs to coordinate with the city plan of Datong. Since this plan was not fully implemented due to the war, only three main roads of the plan were roughly laid (Monkyo Sinbunsha, 1941). In addition, some renovation projects were carried out. For example, the North Gate was reconstructed with a Baroque-style façade during this period (Fu & Hillier, 2018; Wang, 2019).

⁸¹ The planning was assigned to Uchida Yoshikazu from the Imperial University (now the University of Tokyo) in July 1937. He and his assistant, Takayama Eika, made the project part of an academic design studio program in the university and finalized the first version of the plan based on their students’ work. Meanwhile, Sekino Masaru from the Fine Art School (now the Tokyo University of the Arts) prepared reports about Datong’s background information, including geography, history, historical remains, chronicles, maps, and climate. After over a year’s preparation, Yoshikazu, together with his son, Uchida Yosifumi, also a graduate student in the University of Tokyo, and his assistant, Eika, along with Masaru, visited Datong from September to October in 1938. They revised the plan based on their field surveys and finished planning-related legislation ordinances before their return. The final version was finished in February 1939. (Takayama, 1936, in Hein 2003; Lu 2006; Kuan 2013; (Fu & Hillier, 2018).

Phase III – Datong in the P.R.C. Period (1949–Present)

1. Datong in the Socialist Period (1949-1978)

After the founding of the People's Republic of China in 1949, Datong was placed under Chahar Province (察哈尔省),⁸² and then was established as a prefecture-level city under Shanxi Province.⁸³ As required by the first Five-Year Plan (1953–1957), Datong was planned to be a key energy and industrial base in northern China and kept expanding along with the prosperity of heavy industries.⁸⁴ As result, a new urban plan appeared in 1955, which aimed to build a “new industrial city supporting the steel base at Baotou (包头),” so that the centers in the old city could be extended to the Heavy Industry Zone in the southwest (Zhao, 2006). In 1958, the revision of the 1955 plan by the planning department mainly involved the urban road system, the demolition of the old city wall, and the changes in the planned area. However, both versions did not pay attention to the protection of the environment, traditional culture, and the urban landscape of the ancient city (Datong City Records, 2000).

During the Cultural Revolution (1966-1976), the planning design and the management task force of Datong were paralyzed due to the institutional restructuring that abolished most of the technical personnel and design offices. Thereafter, some polluting and noisy plants began to emerge in urban residential areas in the 1970s. Moreover, the rapid growth of the population of Datong City caused traffic congestion, housing, and land shortages, outdated municipal facilities,

⁸² Chahar Province was abolished in 1952. See <https://zh.wikipedia.org/大同>; 中文百科; 華夏經緯網.

⁸³ See <https://zh.wikipedia.org/大同>; 中文百科; 華夏經緯網.

⁸⁴ “Having restored a viable economic base, the leadership under Mao Zedong, Zhou Enlai, and other revolutionary veterans were prepared to embark on an intensive program of industrial growth and socialization. For this purpose, the administration adopted the Soviet economic model, based on state ownership in the modern sector, large collective units in agriculture, and centralized economic planning. The Soviet approach to economic development was manifested in the First Five-Year Plan (1953–1957).” See https://en.wikipedia.org/wiki/Five-year_plans_of_China

environmental pollution, electricity and water resource issues, and so on (Datong City Records, 2000).

1955, 1958 Urban Plan (First Five-Year Plan, 1953–1957)

After establishing the Datong City Planning Committee in 1952, a “Datong City Master Plan,” which was the first in P.R.C., was formally submitted in 1955 per requirements of the First Five-Year Plan (1953–1957). In this plan, with two outbound main roads, Datong’s downtown was planned outside South Gate, the location of the traditional business area.⁸⁵ Two industrial zones were planned in the western city and the east of Yu River (east of the old city) (Figure 2.7). Although the protection of major historic buildings was proposed, the historic urban landscape was not their concern. Basically, the urban construction in the period was executed mostly per the blueprint.⁸⁶ Following the construction of enterprises and institutions along these new roads, the West Gate became the intersection of the inner and outer of the historic core, as well as the new center and the most active part of the city (Datong City Records, 2000; Wang, 2019).

2. Datong after Economic Reform (1978-2008)

After the Urban Construction Bureau was re-established in 1976, its Planning Design Office successively completed a master plan, detailed plans, and several models. Reported to the Shanxi Provincial Committee in 1980, this urban plan of Datong City was the first one in the province.⁸⁷ This time, the environmental protection plan was listed, and plans for individual National

⁸⁵ In 1955, the Urban Planning Committee of Datong determined the population size and land use scale as following: the short-term planning period is 15-20 years (1954-1972), with a population of 298,253; the long-term planning period is 30-40 years (1973-1992), with a population of 320,000. The long-term development of the built-up area will expand to more than 50 square kilometers (Datong City Records, 2000).

⁸⁶ In 1955, the central square was planned outside the south gate. However, the project was unable to realize, due to the complexity of the topography, the large-scale demolition, the large number of to-be-relocated residents, and lack of funds. Hence, the central square was moved outside the west gate (Datong City Records, 2000).

⁸⁷ In 1979, the overall planning and development scale of Datong City's urban population was controlled at 350,000 from the short term to 1985; in the long term, the population was controlled at 400,000 and the land area was 40 square kilometers (Datong City Records, 2000).

Monument-Sites were provided; nevertheless, a conservation plan for the historic city was still missing (Datong City Records, 2000; Fu & Hillier, 2018). Entering a new period of being a “historic city,” there were two general approaches for Datong: the first refers to historic preservation, which keeps the original urban fabric and townscape through construction controls; the second refers to urban renewal, which demolishes the old and reconstructs in modern styles. At last, Datong city proceeded to a rapid modernization in the 1990s at the cost of losing valuable heritage (Fu & Hillier, 2018).⁸⁸

1985 Master Plan of Datong City

In 1985, a "Master Plan of Datong City" was compiled by Datong City Architectural Planning and Design Institute and officially submitted to the provincial government.⁸⁹ The future development was proposed toward the south and southwest of the city to form a belt from Datong to Kouquan (口泉). Two new industrial zones were planned in the urban area, the four main streets in the old city are still the main commercial districts, the area at the east of Yu River is the land for long-term development (Figure 2.8) (Datong City Records, 2000; Wang, 2019).

Because Datong had received the title of “National Historic-Cultural City” in 1982, a conservation plan was incorporated into the 1985 Master Plan. Following the guidelines in the Law on Protection of Cultural Relics (1982), this conservation plan set up the hierarchical protection zones within the boundaries of the old city, and imposed protection measures on major

⁸⁸ For example, the renovation project in Sipailou, praised as ‘the most iconic and successful reconstruction project of the 1980s’ by the chief secretary of the City Construction Bureau, actually demolished 28000 square meters of historical houses and shops in the most central location of the old city and replaced them with widened roads and a modern commerce quarter with ten large malls (Li, 1995).

⁸⁹ In 1984, Datong City established the Urban-Rural Construction and Environmental Protection Bureau; the planning design office, survey team, and construction committee infrastructure design office merged to the Architectural Planning and Design Institute of Datong City. During this period, the planning projects were applied by the construction entities, and jointly administered by the Architecture Planning and Design Institute, the Planning Management Section of the Urban Construction Bureau, and the Land Office of the Urban Construction Bureau (Datong City Records, 2000).

Monument-Sites, representative historic buildings, and traditional streets.⁹⁰ Key Monument-Sites in the old city were also identified and provided with a specific conservation plan (Datong City Records, 2000; Wang, 2019).

In fact, the most decisive action for the protection of the Ancient City of Datong was the 1998 “*Resolution of the Standing Committee of the People's Congress of Datong City on Protecting the Ancient City of Datong (datongshi renda changweihui guanyu baohu datong gucheng de jueyi 大同市人大常委会关于保护大同古城的决议)*,” which reflected the strong request of the Standing Committee that they suspended the demolition plan until the promulgation of Datong’s conservation plan. Subsequently, the “*Regulations on the Protection of the Ancient City of Datong (datong gucheng baohu guanli tiaoli 大同古城保护管理条例)*” was published in March 2000, which provided detailed regulations for conserving the ancient city, and curtail the rampant development within the city (Ho, personal interview with Mr. An, 2019; Wang, 2019).

2006 Urban Master Plan of Datong (2006–2020)

The municipal government adopted the fourth Urban Master Plan of Datong (2006–2020) in 2006. Adjusted to fulfill the needs of new social conditions, a new development to build the 46 km² Yudong New District (yudong xinqu 御东新区) toward the east and the 37.2 km² Economic and Technological Development District was proposed (Figure 2.9). Aiming to control Datong's urban expansion, the 2006 plan included a conservation plan, which proposed to reconstruct the old city and strengthen the conservation of historic urban landscape encompassing four Historic-Cultural Districts (approximately 30% of the urban core) (Fu & Hillier, 2018). The city walls were planned to be kept as ruins, while the three subordinate forts outside the city were excluded (Cui,

⁹⁰ According to their levels, all historic sites are classified into “general protection” and “special/key protection”. There are three required protection scopes for national and provincial historic architecture sites, named “absolute protection zones,” “environmental impact zones” and “environmental coordination zones.”

2018; Wang, 2019). Datong's urban conservation was gradually transformed from a fragmented approach to a holistic conservation system.

To stimulate economic growth, huge investments in roads, infrastructure, and municipal facilities were inserted into the construction of Yudong New District after approval of the new Master Plan. However, since the proposed industrial structure was still centered on coal mining, the momentum of economic development was lost, and its goals to promote urban development in Datong were not as successful as expected. Moreover, as the 2006 plan failed to integrate urban with rural areas, Datong still retained its mono-centric spatial structure in the historic city (Li, Sun, Zhai, & Yuan, 2019).

3. Datong's Reconstruction Period (2008-2016)

As a coal production center under the Chinese planned economy for over 60 years, Datong contributed 2.5 billion tons of coal for the modernization of the nation but became one of the ugliest, dirtiest, and most polluted cities in China in return (Cui, 2018). When the coal industry was no longer encouraged by the State in the Ninth Five-Year Plan period (1996-2000), the Datong Municipal government configured a new blueprint for the city (2000-2001): Taking advantage of the historic city, nearby mineral resources, and the city's location to construct Datong to be a new industrial processing base, a regional business center, and a northern tourist destination (Zhao, 2001).

Mayor Geng and his Overall Urban Rehabilitation Program (2008-2013)

Under the leadership of Geng Yanbo (耿彦波), during his tenure as the mayor of Datong from 2008 to 2013, the old city became the main body of an ambitious urban makeover plan. Geng claimed this approach, "one axis, two cities" (yizho shuangcheng 一轴双城), fulfills Liang Sicheng's idea of "balance the past and the modern, benefit both the old and the new" (Geng,

2010).⁹¹ Mayor Geng took office in 2008 when the global financial crisis badly hit the coal mining and related industries of Datong,⁹² so he immediately revised the master urban plan to a new scheme of revitalizing the ancient city (Zhang, 2017). Soon, the Municipal People's Congress Standing Committee published the "Decisions Regarding the Conservation and Restoration of the Historic City of Datong" (aka, the 2008 Decision) on June 19, 2008, which announced an integral protection policy to renovate the entire ancient city with the three subordinate forts, recreating long-gone historic sites, and removing all incompatible modern buildings (Geng, 2011; Cui, 2018).

The reconstruction of the ancient city with a 3.28 km² area began in 2008. Following the new city master plan (2006–2020), a series of conservation projects were carried out, including reconstruction of the 7 km city walls and renovation of multiple heritage sites (Fu & Hillier, 2018). Using Yu River (yuhe 御河) as the middle axis, the entire ancient city at the west of the river was reconstructed to a style of the Ming dynasty, while the Yudong New District in the east of the Yu River was undertaken new development (Wang, 2019). Delineated in the Decision (2008), the main conservation zone is the area from Yuhe West Road (御河西路), west to the Weidu Avenue (魏都大道), south to Beidu Street (北都街), and north to the Caochangcheng Street (操场城街), which coincides with the historical core of the Ming-Qing dynasties.⁹³ In the Conservation Plan,

⁹¹ For the protection of the authenticity and integrity of Datong's historic cultural relics, the Municipal Party Committee and the government have decided to adopt the idea of 'one axis, two cities, separate development' for urban construction. [...] The next step is to make plans strictly based on the following principles: logic is greater than being; history is greater than reality; ecology is greater than the economy; planning is greater than rights; integrity is greater than segment; long-term is greater than the present (Geng 2011).

⁹² After China entered the World Trade Organization (WTO) in 2001, Datong's coal industry experienced short-lived prosperity. Coal accounted for more than 80 percent of Datong's industrial output by 2005 (Zhang, 2017). However, under the dual impact of the decline of coal prices and the government's reducing coal-fired power policy, Datong's GDP declined sharply once again. Some previous light industries in Datong also failed and went bankrupt under the market economy post-2000 period. As a result, the city ranked eighth in Shanxi province in 2017, compared to its second position in the past (Cui, 2018; Li, Sun, Zhai, & Yuan, 2019).

⁹³ The scope of the integrated protection zone extends from the east bank of Yu River in the east, west to the Weidu Avenue, south to the Nanhuan Road, and north to the Xuandong Gate, covering an area of approximately 20.1km². (Wang, 2019).

there were two historic-cultural districts demarcated in the ancient city, namely “Gulou East Street Historic-Cultural District (鼓楼东街),”⁹⁴ and “Gulou West Street Historical and Cultural District (鼓楼西街),”⁹⁵ and one “Historical-style District” called Chaishijiao (柴市角)” (Figure 2.10).⁹⁶

Datong’s townscape was reconstructed through referring governmental records, maps and sketches, and photographs from the early 1900s under Mayor Geng’s instructions after 2011 (Li, Sun, Zhai, & Yuan, 2019). Mayor Geng’s conservation approach was controversial, although he halted over 60 modern-style real estate development projects, he also relocated 38,330 households (Tien & Zhao, 2012),⁹⁷ six middle schools, five primary schools, and two large hospitals from the inner city, and demolished more than 71 streets, 790,000 m² of buildings, and 1.4 million m² of built-up area for his 80-some reconstruction projects during the five years (Datong, 2013; Wang, 2016; Fu & Hillier, 2018; Li, Sun, Zhai, & Yuan, 2019). For this mega-program, the Datong government spent nearly ¥10 billion (\$1.6 billion) to restore the city wall,⁹⁸ construct pseudo-

⁹⁴ Gulou East Street Historic-Cultural District covers a total area of 69.77hm², comprise of a 33.3 hm² Core Conservation Zone and a 36.47hm² Construction Control Zone. The grid-pattern District is distinguished with its features of a traditional Lifang system (gated community) and considerably intact traditional city layout and historical-style townscape. representative traditional commercial street, Gulou West Street (Wang, 2019).

⁹⁵ The total area of Gulou West Street Historic-Cultural District is 39.06 hm², comprise of a 28.58 hm² Core Conservation Zone and a 10.48 hm² Construction Control Zone. This District encompasses four significant religious buildings (Huayan Temple, Chunyang Taoist Temple, the Great Mosque, and a Christian Church).

⁹⁶ Chaishijiao (柴市角), located to the east of the Palace of Prince Dai in the northeast quadrant, is designated as a Historical-style District due to failure to fulfill the criteria of Historic-Cultural District. The scope of the Chaishijiao Historical-style District extends east to Heyang Gate Inner Street, south to Heyang Street, west to Palace of Prince Dai, and north to a 35-meter border line north to Xishifu Street, with an area of 24.82 hm². In addition to the famous White Tower of Fahua Temple, most buildings of this District are traditional residential houses. (Wang, 2019).

⁹⁷ Before 2008, about 100,000 people were living in the old city. According to Mayor Geng’s plan, the old city should accommodate 30,000 to 50,000 people. From literature, there are several counts regarding the relocated population. Audin (2018) says, 2,352 families were evicted in 2008, and 6,163 families were evicted in 2009 according to official reports. 50,000 urban population (17,230 households) of the center city were relocated due to demolitions between 2008 and 2013. Kinkel (2018) estimates over 40,000 families. According to personal interviews, the number of relocated people is approximately 50,000 (Ho, 2019).

⁹⁸ It is said that ¥5 billion were the local public investment used to rebuild the 7.4 km-long “ancient” city wall (Audin, 2018).

classic courtyard houses, and rebuilt three disappeared historical landmarks (Wang, 2016; Bruno, 2014; Li, Sun, Zhai, & Yuan, 2019).⁹⁹

Mayor Geng's approach and radical urban regeneration movement were not accepted by most of the conservation professions. In 2009, Mayor Geng was summoned to meet the director general of SACH in Beijing,¹⁰⁰ because he was believed to be violating conservation laws and regulations.¹⁰¹ As a result, the three major national heritage sites—Yungang Grottoes, the Huayan Temple, and the Shanhua Temple—were suspended and required to reapply for authorization. The Datong Rehabilitation Program was only compromised with some minor alterations (Shu, 2013b; Cui, 2018; Li, Sun, Zhai, & Yuan, 2019).

Post-Geng Period (2013-Present)

After Mayor Geng's departure in early 2013, 125 projects were halted due to a lack of funding while the city had accumulated a debt of over RMB 13 billion (Cui, 2018; Kinkel, 2018).¹⁰² Even though the ancient city wall and other major projects were completed by 2016, after the aggressive expansion slowed down, the historic center city was left straddling between half-demolished and

⁹⁹ There are great differences between the number of the total cost of this urban Rehabilitation Program: One says it costs some RMB 50bn (EUR 6.67bn). (Fu & Hillier, 2018: 166). The other say, over RMB 100 billion was spent on the renovation programme with over RMB 70 billion in government investment during Geng's five-year term. Before 2008, the annual amount of urban construction investment had only been RMB 30 million (Shu, 2013a). (Cui, 2018)

¹⁰⁰ SACH dispatched an investigation group as an immediate response. As a response to SACH's intervention, the Datong municipality then fined four architectural firms and one local heritage management office. Eight responsible persons, including the director and vice directors of the Datong Municipal Administration of Cultural Heritage, received administrative sanctions from the municipal government (Zeng, 2013).

¹⁰¹ This had no effect until Science and Technology Daily published a report that received a lot of public attention in August 2009. The circulation of this report on the situation in Datong thus provided a counter-narrative to Geng's vision and showed that Geng was violating laws and regulations (Cui, 2018: 230).

¹⁰² See the news of Nov. 13, 2014, on the People's Net, "125 projects suspended after Geng Yanbo (the former mayor of Datong, Shanxi) was transferred." <http://yuqing.people.com.cn/BIG5/n/2014/1113/c210107-26014002.html>. According to Caijing magazine, this project had pushed the city into debts estimated at £1.6bn, equivalent to Datong's total fiscal revenue for 2011 (Ren, 2014). The central government took new measures to limit the local debt and implement the rationalization of local public finances in 2014 (Clarke and Lu, 2016). Shanxi province also experienced large-scale anti-corruption campaigns and had the party secretary of Datong investigated and detained (Audin, 2018).

half-rebuilt and was badly damaged becoming fragmented “urban jungle.” In July 2013, the new mayor of Datong, Li Jun-ming (李俊明), and the new government team commissioned the China Academy of Urban Planning and Design (中國城市規劃設計研究院) to revise Datong’s urban plans and approved a new conservation plan in April 2015.¹⁰³

Based on the existing conditions of the ancient city, the previous plan was adjusted and made the following major modifications (Figure 2.11): 1) The scope of the two designated Historic-Cultural Districts, “Gulou East Street Districts” and “Gulou West Street Districts,” were reduced due to exclusion of some reconstructions from the 2008 project; 2) Chaishijiao Historic-Cultural District was revoked after demolition during these years; 3) the scope and the protection zones of the National Monument-Sites were enlarged; 4) Prince Dai’s Palace will be completed as a cultural exhibition zone; and 5) the historic layout of the ‘Single-wing Phoenix’ is retained as the three subordinate forts are preserved with the center city. The entire rebuilt fortification system has been identified as heritage (Ho, personal interview with Yang Liang, July 30, 2019; China Academy of Urban Planning and Design, 2015; Cui, 2018).

Revisions of Datong’s Urban Master Plan

The Datong Urban Master Plan (2006–2020) has undergone three revisions in 10 years, and each version has been quite different. Adopting a spatial structure of “one principal, two subordinates, fan-shaped cluster,” the first version Master Plan (2001-2020) used the old city as the core, flanked by Yudong New District and the Kouquan mining area. The protection and renovation of the ancient city was to be simultaneously carried out with the development of the Yuhe New District per the conservation plan (Cao, 2008; Zhao, 2006). The 2015 version was to promote the concept

¹⁰³ According to a personal interview with the principal project planner of Datong’s new urban plan in Beijing, their projects include a new master conservation plan of Datong Historic-Cultural City, detailed plans of the two Historic-Cultural Districts, and an overall plan for urban regeneration. (Ho, personal interview, July 30th, 2019).

of “new urbanization.” Aimed to develop new energy industry and tourism for Datong’s future position, the 2017 plan configured “two rivers and three cities”¹⁰⁴ through developing the same areas of the east (Yudong) and the southwest (Kouquan), meanwhile, compressing the development areas, optimizing and upgrading the old city, controlling the urban population, and reducing industrial land. To promote Datong to be a transportation hub, the construction of high-speed rail lines from Beijing to Datong was planned. Green spaces are set up between these blocks of the two rivers. Per the national policy, Datong also proactively constructed “characteristic towns” outside the ancient city to promote new urbanization and rural revitalization (Figure 2.12) (Li, Sun, Zhai, & Yuan, 2019).

Impacts of the 2008 Program

At the time of this research, the Rehabilitation Program of the old city was stalled at a third of its planned target, and left a big burden for the current Datong government to resolve. To strengthen its economy, Datong has chosen radical measures to compile urban planning and renewal by “land finance,” which promotes real estate and obtains funds from selling lands (Cao, Feng, & Tao, 2008). Such “land finance” was underpinned by the specific State-owned land system in China, with the assistance of the housing reform that stimulated the real estate market in 1998 (Li, Sun, Zhai, & Yuan, 2019). Mayor Geng’s efforts in promoting real estate, commerce, and tourism in Datong inspired the cities all over China, as they are all struggling to revitalize their economy and to keep financial balances. From statistics (dating from 2012), there were more than 30 cities that had adopted the “Datong Model” to raze their outdated urban cores, and to forge brand new

¹⁰⁴ Relying on the orderly organization of the city function of the Yu River and Shili River, the central city of Datong is divided into three comprehensive urban development zones, namely old city, Yudong, and Kouquan.

pseudo-traditional cities (Peng & Zhou, 2012; Cui, 2018) (Figure 2.13).¹⁰⁵ “Mayor Geng’s legacy in Datong is not only a piece of ‘historical fiction,’ but also a new cultural phenomenon” (Cui, 2018).

2.5 SUMMARY

As the awareness of the gaps in heritage conservation between the international paradigm and local expertise was the trigger of this research, an overall review of the existing context of urban heritage conservation on both sides was launched in this chapter to build up a “pre-understanding” for further interpretations. On the international side, a set of international values established by UNESCO was disseminated through the World Heritage List and its criteria (OUV, authenticity, and integrity); the urban conservation agendas were also guided by successively emerging international documents. On the other hand, China has constructed a complicated framework to manage its urban heritage by interdepartmental cooperation of heritage conservation, planning, and tourism agencies through its unique “Historic-Cultural Cities” system. Nevertheless, the local practice cast various outcomes through divergent courses of development, such as Pingyao and Datong. For now, it seems the two entities are running on parallel paths and in need of an in-depth investigation to recognize interrelationships in between.

¹⁰⁵ According to the statistics from Wu Bi-hu in Beijing University and a piece of news in New Business Weekly (新商務周刊), the list of “Ancient City Reconstruction” by 2013 includes Wuhan (武汉), Feng-huang (凤凰城), Tangshan (唐山), Tai’er-zhuang (台儿庄), Liao-cheng (聊城), Dunhuang (敦煌), Huaian (淮安), Qinhuangdao (秦皇岛), Yinchuan (银川), Jinchang (金昌), Zhangjiakou (张家口), Handan (邯郸), Shijiazhuang (石家庄), Suinin (睢宁), Xuchang (许昌), Runan (汝南), Xian (西安), Kaifeng (开封), Jining (济宁), Nanyang (南阳), Loufan (娄烦), Jinhu (金湖), ect. after the “Datong Model.”

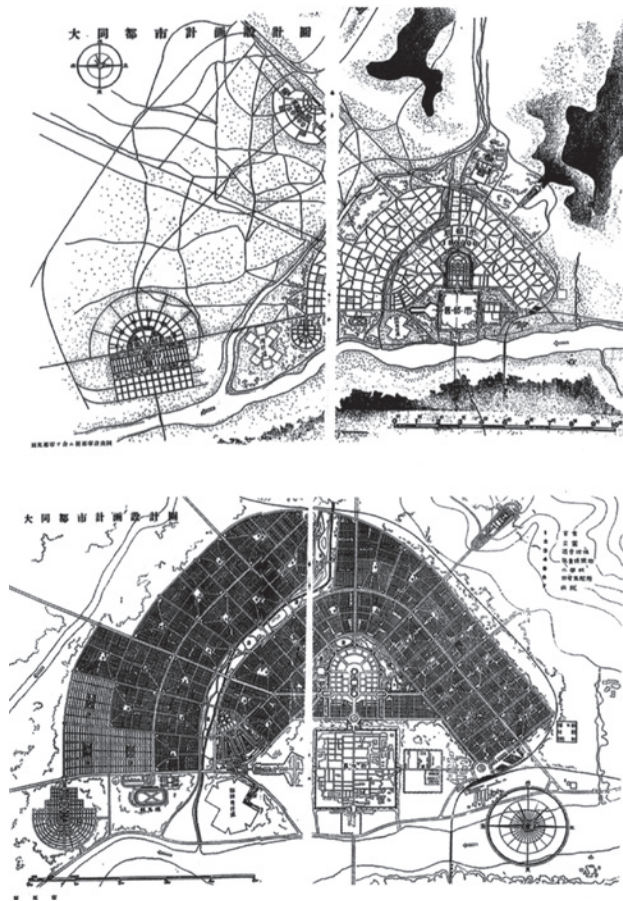


Figure 2.6. Datong Urban Plan, 1938
 (Source: Wang, J. (2019). *City of Datong: the formation of the “Datong model” of city construction.* Fig.2-12 & 2-13)

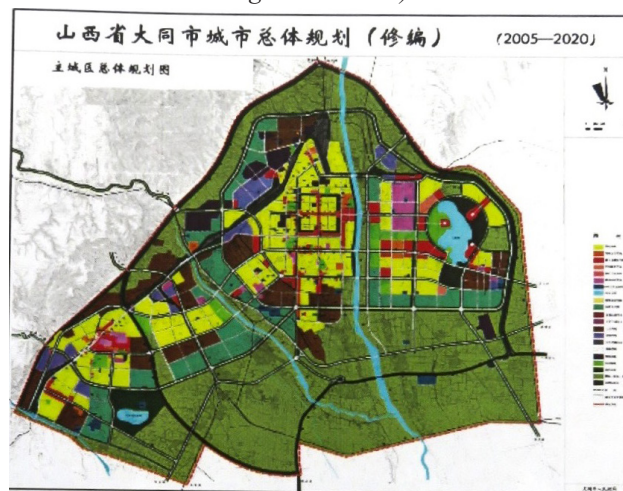


Figure 2.9. Datong urban plan (2006-2020)
 (Source: Cao, C. (2006). *Research on the Strategic Planning of Protection and Development of Datong Historic-Cultural Cityconstruction.* Fig.3-10.)



Figure 2.7. Datong Urban Plans, 1955
 (Source: Datong Urban-Rural Planning Bureau, 1955 Urban Plan)



Figure 2.8. Datong urban plan (1984-2000)
 (Source: Datong Urban-Rural Planning Bureau, 1985 Urban Plan)

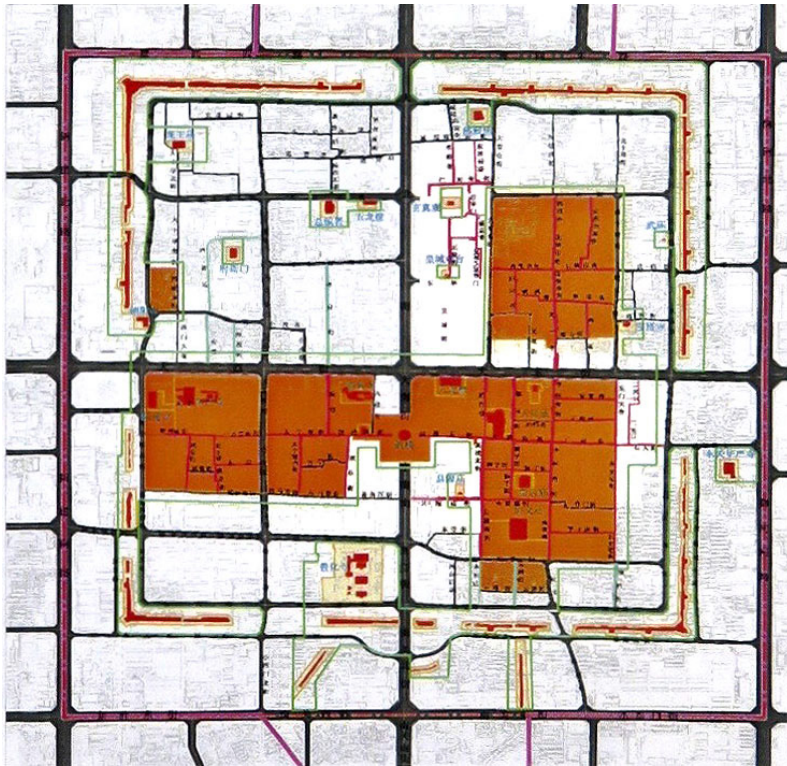


Figure 2.10. Datong conservation plan (2008-2013)
 (Source: Cao, C. (2006). *Research on the Strategic planning of Protection and Development of Datong Historic-Cultural City construction*. Fig. 12-8.)

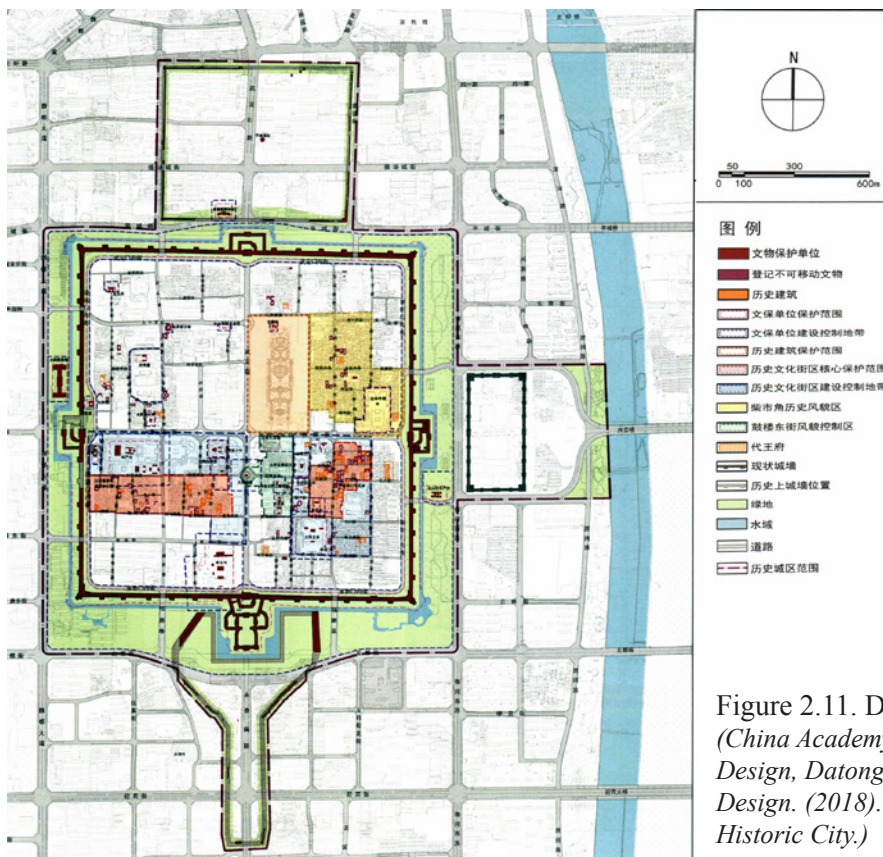


Figure 2.11. Datong conservation plan, 2015.
 (China Academy of Urban Planning & Design, Datong Institute of Urban Planning & Design. (2018). *Conservation Plan For Datong Historic City*.)

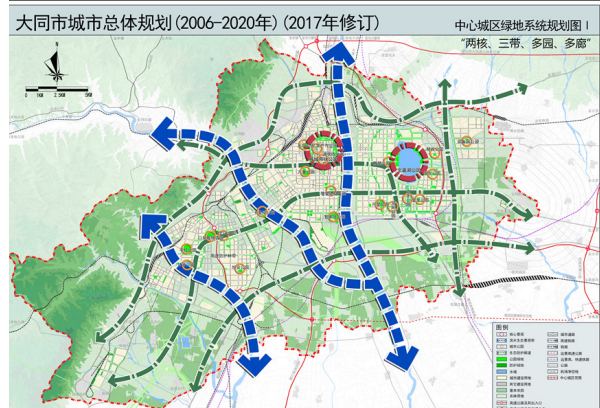
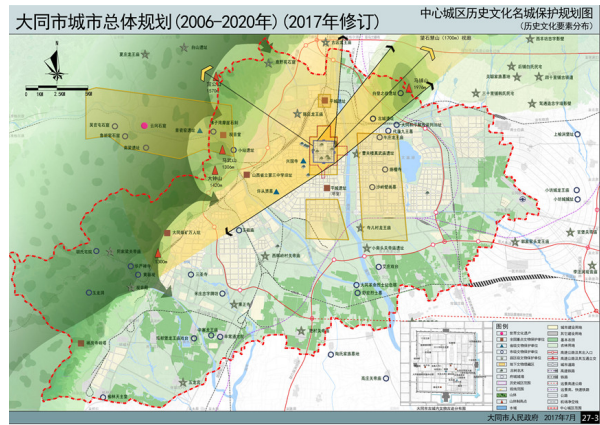
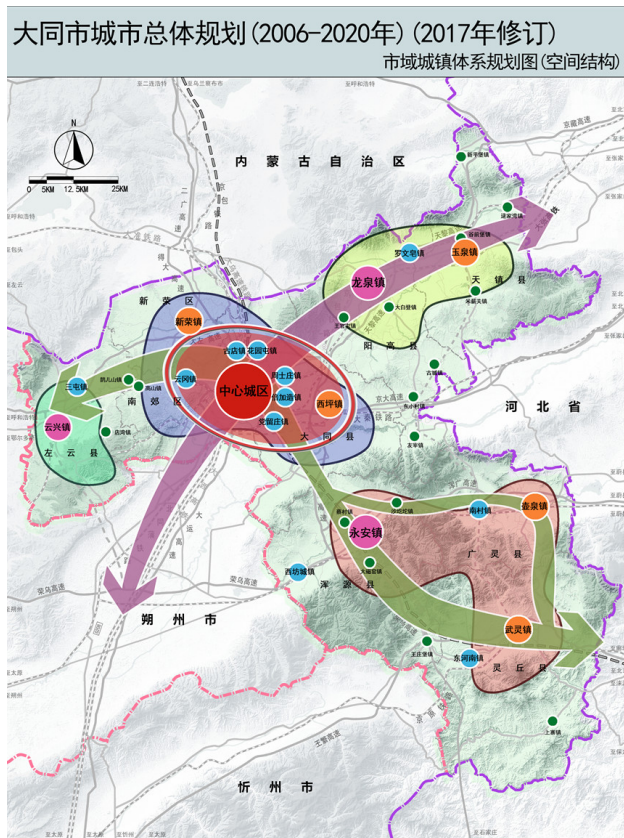


Figure 2.12. Datong master plan (2006-2020)
(Source: Datong Urban-Rural Planning Bureau. (2017). Datong Urban Plan)



Figure 2.13. Ancient city reconstruction in China
(Source: <http://www.cmwo.net/html/xibuyaowen/20121128/5604.html>).

Chapter 3. LITERATURE REVIEW

3.1 INTRODUCTION

According to the literature review on the publications of historic preservation in the United States since the late 1990s by Ryberg-Webster, S., & Kinahan, K. L. (2014), there is a huge gap in the discussion of conservation policies in the literature. In a wide variety of subjects, methods, and frameworks, contemporary urban preservation research is dominated by economic impacts on property values, and supplemented by topics on local power and politics, downtown revitalization, heritage tourism, history of historic preservation, and the inequities from preservation with race and class implications.

As hypothesized, conservation policies are the keys to open the interpretation of heritage values; hence, this literature review concentrates on the research of heritage values and conservation policies. Based on the focus of this work on topics of urban conservation and world heritage and the two entities (Chinese and UNESCO), three sections of literature related to this research are to be discussed to illustrate current scholarship: (2.2) Discourses on heritage values: From Riegl to Mason, the Western conservation circles originated and systemized value theories and the Chinese scholars followed; (2.3) Urban conservation: Internationally, there are numerous charters, and lately, the HUL approach for historic urban conservation. In China, the conservation system of Historic-Cultural Cities is the theme; (2.4) Conservation of World Heritage Cities: World Heritage List is a program of UNESCO; therefore, the literature contains the system, policies, and the criteria for inclusion on the World Heritage List. China follows the rules of UNESCO as a part of the international organization. So the Chinese practice is primarily reflected in the literature on the conservation of Pingyao.

3.2 DISCOURSE ON VALUES: INTERNATIONAL AND CHINA

This template document will be updated as more and more students start to work on Ph.D. dissertations. Please do note that the requirements for MS thesis and Ph.D. dissertation are slightly different. Although this template may also be helpful for writing a MS thesis, it is important to identify the requirement difference and make appropriate changes.

3.2.1 *International Discourse of Values*

I. Construction of Value Theories

The choice of aesthetic, historic, scientific, and social or spiritual values derives from a long history of identifying the values of historic places. Kalman (2014) noted that “Ruskin and Morris both include what we now call historical values (Ruskin’s ‘memory’ and Morris’s ‘historical’) and aesthetic values (‘beauty’ and ‘artistic,’ respectively)” (Kalman, 2014). The guiding principles for architecture were found in John Ruskin’s *Seven Lamps of Architecture* (1849), which are sacrifice, truth, power, beauty, life, memory, and obedience. William Morris (1834 – 1896) also identified five types of “ancient buildings,” artistic, picturesque, historical, antique, and substantial in the *Manifesto of the Society for the Protection of Ancient Buildings* (SPAB, 1877). The philosophical origin of the present value theory, according to Walter (2014), began from Hermann Lotze (1817–1881) and became more significant in the German-speaking philosophical circle from the mid-nineteenth to the mid-twentieth century.¹⁰⁶ Lotze's lineage then extended to Wilhelm Windelband

¹⁰⁶ Value theory began when Hermann Lotze, one of the principal precursors of neo-Kantianism, co-opted the term for philosophy in his *Metaphysik* of 1841 (1887), identifying moral and aesthetic values – “the good” and “the beautiful” (Walter, 2014: 636).

and followed by Heinrich Rickert. When speaking of “values” in the field of heritage conservation, the story always starts with Alois Riegl (1858-1905).¹⁰⁷

II. Riegl and The Modern Cult of Monuments: Its Character and Origin

Riegl's classic essay “*The Modern Cult of Monuments: Its Character and Origin*” (1903) is often cited as the first, and most profound, formulation of values-based preservation. This influential essay is generally seen as the beginning of the modern approach to monuments (Jokilehto 1999; De la Torre, 2013; Pendlebury, 2013; Lamprakos, 2014). Written as the introduction to a preservation law soon after Riegl was appointed the Conservator General of the Austrian State, Riegl’s essay aimed to develop a method to manage the growing body of antiquities in the charge of the State (Starn, 2002; Lamprakos, 2014). Riegl understood the complex relationship of monument-value-significance when he analyzed the field of heritage that existed at the beginning of the 20th century (Araoz, 2008). It can be argued that Riegl did not intend to structure a value system for heritage assessment, but to set guidelines for appropriate treatments to deal with challenges of conservation matters at that time.

In his essay, Riegl identifies a monument’s commemorative value as an integration of age, historical value, and intentional commemorative value, as well as recognizing the conflict between historic preservation and present-day values (use-value and newness-value). According to Riegl, “historical value” is time-specific and documentary; the indices of “age value” include signs of

¹⁰⁷ Alois Riegl was born on 14 January 1858 in Linz. He studied law, then philosophy and history, and finally art history at the University of Vienna, where he was a student of Robert Zimmermann. He was appointed Keeper of Textiles at the Österreichisches Museum für Angewandte Kunst, Vienna in 1887 and Lecturer in Art History at the University of Vienna in 1889. He wrote *Stilfragen: Grundlegen zu einer Geschichte der Ornamentik* (Problems of Style: Foundations for a History of Ornament) in 1893. He was made full professor in 1897 and appointed head of the Art Conservation Commission in 1901. He wrote *Late Roman Art Industry* in 1901, *The Group Portraiture of Holland* in 1902, and *Der modern Denkmalkultus, sein Wesen, seine Entstehung* (The Modern Cult of Monuments: Its Origins and Character) in 1903. He died on 17 January 1905 in Vienna. See <http://homepages.neiu.edu/~wbsieger/Art202/202ReadII/Riegl.pdf>

temporal duration. “Art-value” is not timeless; every age appreciates monuments in light of its aesthetic preferences. “Use-value” entails upkeep and adaptation to the functional requirements of the present. “Newness-value” is a function of the completeness and sheen of the newly made artifact (Starn, 2002; Stubb, 2009; Bell, 2014).

III. Development of Value Systems After Riegl

After Riegl, the next prominent figure contributing to value theory was William Lipe, whose value typology became a cornerstone of evaluation systems globally and followed by other studies based on his work, e.g. Darvill 1993; Carver 1996; Darvill et al. 1987; Startin 1995; Darvill 2005 (Schofield, 2008). *Lipe (1984)* categorized values of cultural resources into "associative/symbolic, informational, aesthetic and economic values." Lipe's "associative/ symbolic value" and "aesthetic value" parallel with Riegl's "commemorative value"; his "informational value" links to Riegl's "historical" and "age" values; and his "economic values" equals Riegl's "present-day values". Lipe's analysis and value system shed light on the utilitarian aspect of cultural heritage, rather than indicating treatments or recognizing relationships between different values as Riegl does.

Studies of heritage values reached a peak when the Getty Conservation Institute (GCI) published three influential research reports in the early 2000s: *Economics and Heritage Conservation (1999)*, *Values and Heritage Conservation (2000)*, and *Assessing the Values of Cultural Heritage (2002)*. The GCI began the development of a multiyear inquiry to explore the values and benefits of cultural heritage conservation around 1995 (Avrami, Mason, de la Torre, 2000). GCI's first report (1999) focused on economic values. The second report (2000) comprised a section of “Report on Research” (a summary of the ideas and overarching themes during GCI's research and meetings) and another section of “Exploratory Essays” (a compendium of papers on specific topics written by scholars). In this report, the authors indicated the rationales for assessing

values in the conservation process. "Why, how, and by whom," are the questions to be asked when we talk about "values". This report also distinguishes "valuing" (appreciating existing value) with "valorizing" (giving added value), and explains how the two processes define the policies of conservation. The third report (2002), focusing on the methods of identifying, articulating, and establishing cultural significance, contains an introduction with five scholarly articles regarding methodologies and tools of value assessment. One of those addresses Mason's influential research of conservation decision-making by value assessment.

Randall Mason participated in the GCI research projects and made outstanding contributions to the value studies in this period. Mason proposed his "provisional typology" of values in two articles: "*Assessing Values in Conservation Planning: Methodological Issues and Choices*" (2002) and "*Assessing Values in Conservation Planning*" (2008). Considering the nature of values, Mason divided his value system into two major categories: (1) "Sociocultural Values," including historical, cultural/symbolic, social, spiritual/ religious, and aesthetic values; (2) "Economic Values," including "Use Value" (market value) and "Non-Use values" (non-market value). Three sub-categories are under the non-use value, which are existence value, option value, and bequest value (see Table 3.1). Mason's division is convincing because the two categories come from entirely different epistemological roots: "Sociocultural Values" relate to qualitative methods; and "Economic Values" relate to quantitative methods. However, "economic and cultural are two alternative ways of understanding and labeling the same, wide range of heritage values" (Mason, 2002). Meanwhile, Mason asserts that "all values attributed to heritage are, in fact, political"; hence, there is no separate category for political value. This provisional typology of values became a basis and promotion vehicle for the later prevailing "value-based approach" in the field of historic preservation.

Table 3.1: A Provisional typology of heritage values (Mason, 2002: 10)

Sociocultural Values	Economic Values
Historical	Use (market) value
Cultural/symbolic	Nonuse (nonmarket) values
Social	Existence
Spiritual/religious	Option
Aesthetic	Bequest

The discourse on value typology and value assessment have been a global agenda and are still lively in debate during the 2000s. For example, aiming to update concepts and criteria of heritage values for conservation practice, the proceedings of the International Conference of ICOMOS, ICCROM in 2007 were bounded into a book *Values and Criteria in Heritage Conservation* (2008) (eight sessions, forty-three articles in total).¹⁰⁸ Among these articles, Guo Zhan presented a first-hand document addressing the current criteria and evaluation system of China's conservation practice. (This article will be discussed in the "evaluation" section later.)

Another book, *Heritage Values in Contemporary Society* (Smith, Messenger, & Soderland, et al., 2010), categorizes its nineteen chapters into two parts: (1) Defining Heritage Values; and (2) Applying Heritage Values. Centering on heritage values, the subjects of the first part examine heritage values in the social context, through management and policy formation. In the second part, the topics focus on applying heritage values related to teaching and learning, local communities and stakeholders, and World Heritage Sites. Without further constructing a new theory or value system, this book is essentially an assemblage of observed issues in conservation practice.

¹⁰⁸ The Proceedings were presented at the second meeting of the International Scientific Committee on Theory and Philosophy of Conservation and Restoration at Florence in March 2007. Its eight sessions are Session 1 - Values of Heritage and Great Religious-Cultural Areas; Session 2 - Evolution of Values and Criteria; Session 3 - Systems of Classification of Cultural Property; Session 4 - Authenticity: Outstanding Italian Philosophy; Session 5 - Values in Restoration; Session 6 - Outstanding Universal Values (OUV)- Aesthetics; Session 7 - Dilemma of Values of Post-Totalitarian Heritage; Session 8 -World Heritage Evaluation Criteria.

It seems that the theoretical explorations of heritage values were exhausted after GCI's intensive endeavor on their three reports. "A variety of schemes of values have been proposed since Riegl, but these have displayed a remarkable unanimity of form and content, across both time and geography" (Walter, 2014). Although the typologies of different scholars and disciplines vary, they each represent a reductionist approach to examining the very complex issue of cultural significance (Avrami, Mason, de la Torre, 2000). The values-based approach has been further developed and advocated largely based on the Burra Charter (ICOMOS Australia, 1999) and through a series of publications by the Getty Conservation Institute (e.g., Sullivan, 1997; Demas, 2002; Mason & Avrami, 2002; Mason, 2002; de la Torre et al., 2005; Poullos, 2010).

IV. Value-based Approach and Critics

Following Mason's provisional value typology, the "value-based approach" is widely accepted as a primary methodology for guiding decision-making for historic preservation. While there is no newly created framework to compete with the dominant methodology, many reviews and criticisms of existing value typologies have emerged in the literature after the millennium. Reviews of value typologies can be found in the book sections of Fairclough & Schofield, et.al. (2008) *The Heritage Reader*; Stubb (2009: 33-49) *Time-Honored: A Global View of Architectural Conservation*; and Kalman (2014: 198-227) *Heritage Planning: Principles and Process*. Nonetheless, some scholars have analyzed heritage values through different perspectives or even provide new alternatives to assess heritage values.

Clark (2010) looks into the existing categories of heritage value in some significant international charters as well as the move towards values-based conservation. A big portion of this article is about the Heritage Lottery Fund's impact and the advocacies following the 2006 conference. From a series of interviews of "civic judges" at the conference, four unprecedented

“key priority values” were induced – knowledge value, identity value, bequest value, distinctiveness value. However, the interpretations of values in this article are in a rudimentary stage. Mixed charters with scholarships, the table of “classification of types of heritage value” is unclear.

To better understand the value-based approach of conservation planning, *De la Torre (2013)* first discussed values typologies from Riegl (1903) to the Burra Charter (1979), and more current international charters including the Nara Document (1994). The author then illustrates the values by their characteristics -- attributed, multiple, mutable, incommensurable, and in conflict. The author punctuates the elusive values and complicates the nature of values, meanwhile, complicates the process of defining values thereby making value assessments almost impossible.

With similar discontents towards the existing value-based approach, *Walter (2014)* proposed a new theoretical framework for conservation practice – the hermeneutic phenomenology shaped by Heidegger, Husserl, and Gadamer. Walter traced the philosophical origins of value studies from Hermann Lotze (1841) to Riegl, and suggests that the current value-based approach is "harmful by its static definition to heritage." Walter states that the hermeneutic approach (interpretation, communication, narrative) will "exchange our fixation with the fragility of the physical fabric for a deeper, more flexible and more nourishing understanding of the resilience of place" (Walter, 2014). Although the article shows brilliant concepts, its randomly arranged philosophical quotations generate more confusion than the value-based approach. Since the author might overlook the flexibility and inclusiveness of the existing methods, the reasons against the "value-based" approach are not eloquent enough to override its precedent. Moreover, since Walter only proclaims seven rationales for using the "narrative approach" without transferring them into any feasible operative guidelines, these statements are merely conceptual slogans.

Suggesting that value typologies often fail to develop satisfactorily detailed understandings of heritage significance, *Fredheim & Khalaf (2016)* made a critical discussion and proposed an assessment framework to replace the popular values-based approach. Their framework is broken into three stages: (1) identification of features of significance (Stephenson's 2008 "Cultural Values Model"); (2) Aspects of value (associative, sensory, evidentiary, or functional); and (3) Qualifiers of value (authenticity, rarity, and condition). This article provides the most comprehensive review of published value typologies (see page 7), a logical theoretical model of value assessment, and effective rationales to reject the values-based approach. Nevertheless, the new framework tries to encompass the full range of "significance" and makes it more complicated than the value-based theory.

V. Values in Multiple Conservation Documents

Aside from the above scholarly structured theories of heritage values, this discourse has been facilitated by multiple international policies promoted by UNESCO and national conservation legislation. Beginning with the *International Charter for the Conservation and Restoration of Monuments and Sites* (The Venice Charter, 1964), *The Convention Concerning the Protection of the World Cultural and Natural Heritage* (the World Heritage Convention, 1972), *The Nara Document On Authenticity* (1994), and *The Australia ICOMOS Charter for the Conservation of Places of Cultural Significance* (The Burra Charter, 1999 revised) are four milestones that anchor the modern "values" for tangible cultural heritage conservation globally.

As the forerunner and the most influential document in contemporary heritage conservation of the world, *The Venice Charter (1964)* declares two leading values – aesthetic and historic values: "the integrity and authenticity of cultural heritage are to be protected because of its *aesthetic, artistic, and/or historic value* from any period in time." In its definition, "heritage"

can either be a single architectural or an urban or rural setting that has “acquired *cultural significance* with the passing of time” (Article 11). The principles of the Venice Charter have been recognized as the basic policy guidelines for the assessment of cultural heritage sites on UNESCO's World Heritage List (Jokilehto, 1998; Labadi, 2010).

Another engine promoting international collaboration in heritage conservation is *The World Heritage Convention (1972)*, which seeks to encourage the identification, protection, and preservation of cultural and natural heritage around the world considered to be of *outstanding universal value* to humanity. Although the Convention itself does not define the “*outstanding value*,” ten criteria for inclusion in the World Heritage List were established and put down in detail in its *Operational Guidelines for the Implementation of the World Heritage Convention* (Frey, 2011). The “*Outstanding Universal Value (OUV)*,” which requires authenticity, integrity, and conservation planning for heritage, was amended on some occasions (Jokilehto, 2008; Forrest, 2010) (see details in 2.2.2). Stimulating the development of models and methodologies for conservation, the Convention and its Operational Guidelines have immense effects in identifying sites of importance and engaging with the international community to safeguard them for future generations (Rodwell, 2012; Yan, 2012; Cameron & Rössler, 2016). The Convention has provided a breadth in the definition of heritage and a mechanism to accommodate new and changing ways of thinking about heritage, such as the value of cultural heritage to different groups of people, and the assessment of heritage values, or significance of interactions between people and their environment (Titchen, 1996) (see details in 2.2.1).

Many people felt that the concept of authenticity underpinning the World Heritage Convention privileged Western, monumental forms of heritage, particularly those constructed with stone. Such approaches have been seriously challenged by the 13-article *Nara*

Document on Authenticity (1994). The major purpose of the Nara Document is “*examining the outstanding universal value of cultural properties proposed for the World Heritage List*” (Article 2), since “*authenticity*” appears as the essential qualifying factor concerning values (Article 10). The Nara Document addresses the need for a broader understanding of cultural diversity and cultural heritage, underscores the importance of the *cultural and social values* of all societies, as well as emphasizes respect for other cultures, other values, and the tangible and intangible expressions of every culture. Ultimately, it shifted the *Operational Guidelines* from a strictly materialistic focus toward intangible criteria of workmanship and other aspects of cultural continuity (Araoz, 2013).

Originally adopted in 1979, ***The Burra Charter (Australia ICOMOS, 1999)*** is an international model for conservation practice, which defines and sets up step-by-step guidelines using “*cultural significance*” as the central feature of conservation policy and action to manage cultural heritage sites (Kwanda, 2009; Clark, 2010; Kalman, 2014). The Charter defines ‘*cultural significance*’ as the “*aesthetic, historic, scientific or social value* for past, present or future generations” (Article 1.2). *Aesthetic value* is essentially the same as architectural value, historic value remains unchanged, and *scientific value* is another way of describing educational value. The important innovation of the Burra Charter is that it formally declares *social or spiritual value* as “the qualities for which a place has become a focus of spiritual, political, national or other cultural sentiments to a majority or minority group” (Australia ICOMOS, 2000: 12). It declares that: “Places may have a range of values for different individuals or groups (Article 1.2)” to imply that values are relative, not absolute (Kalman, 2014). Distinctively, the Charter minimizes the economic values as they are either regarded as derivations of cultural and historic values or simply views from a historic and artistic perspective (Riegl, 1902) (Vecco, 2017).

3.2.2 *Chinese Discourse of Values*

Before China entered the international realm of heritage conservation in 1985, the discussions of values primarily targeted “cultural relics” (movable heritage) in the field of art history, archaeology, or antiquarianism. Especially in China, heritage conservation has long been regarded as a practical subject; therefore, Chinese researchers have gravitated towards more conservation practice and feasible recommendations rather than digging into abstract theories or ideologies of heritage values. Since there are diverse approaches and perspectives in the Chinese literature, the following articles are presented in chronological order to display the linear development of China’s value studies after the millennium.

Starting from the genesis of cultural relics, *Ling’s “An Introduction to the Values of Cultural Relics” (2002)* represents early value discussions on cultural resources in China. Ling (2002) analyzes the nature of the values of cultural relics, lists the conditions for actualizing values as well as the qualitative and quantitative measures of values for cultural relics. Lastly, Ling uses an externalized framework to examine the values of cultural relics, and differentiate the values between the museum and the market. Even though its subject is cultural relics and its explication is loose, this article identifies some key concepts important to heritage values by decoding the relationship between values and the evaluation system. Its philosophical speculations bring up the most fundamental understandings of value itself and build up a tool to adjust values in cultural relics and/or heritage.

Chen, Hu, He’s article (2006) is another early paper on the value system for Chinese “cultural heritage,” which had just replaced “cultural relics” and became the official terminology

after 2005.¹⁰⁹ These authors did not quote or compare with any Western value typology, but they acknowledged the bewilderment in China's conservation practice at that time, and the importance of constructing a value system based on Chinese tradition. The most significant contribution of this paper is their synthesis of traditional values for architectural heritage: (1) pragmatism of architecture – “tao” (ideology) is superior to objects (artifacts); (2) use artifacts to imply personal aspiration – overlapping aesthetic value with historic value; (3) a dichotomy of objects and uses – hand down cultural values through architectural heritage; and (4) the Oriental materialism – full-acceptance of natural vicissitudes. The value discussion in this paper is noteworthy since none of the later research is equivalent. It explains the conflicts between tradition and modernization and between the East and the West essentially stem from different values.

Huang's dissertation (2009) is the watershed, which made the first thorough review of existing international value typologies, evaluation systems, and cross-cultural comparison. Huang ambitiously addressed four research questions: (1) To find out the elements/expressions of the significance of heritage through analyzing the development of heritage concepts; (2) Use anthropology-ethnographic methods to discuss the procedure and tools for heritage evaluation; (3) Explain specific evaluation criteria for the heritage in the USA, in Australia, and the World Heritage List; use case studies (Vancouver, Los Angeles, China, Taiwan) to make comparisons of conservation institutions; and (4) Compare China's domestic regulations and guidelines with the standards in the U.S., to elaborate the principles of documentation relevant to the evaluation. The portion addressing consequential questions of value is relatively thin, as half of the dissertation is occupied by case studies and discussions of “documentation.” This dissertation links existing legislation with the expressions of heritage values and value assessments, without answering the

¹⁰⁹ The term was changed from “cultural relic” to “cultural heritage” in 2005 and the derived unique “cultural relic protection unit” system was sustained in 1961. (Huang, 2009)

question of the relationship between values and their expressions (legal documents and evaluation system). It is a compiled volume of several research topics without a conclusion.

As for physical external expressions of heritage values, *Cai (2010)* gives numerous famous cultural heritage sites as examples to argue that values are not abstract concepts but crystallized instructions for conservation practice. In addition to reiterating the three primary values (historic, aesthetic, and scientific values) manifested in China's *Law on the Protection of Cultural Relics*, Cai adds another two values --- *ideology values* (political ideology, military logic, philosophical thinking) and *economic values* (soliciting investment, transaction values, tourism resource) and explains each value section by section. This article does not refer to any philosophical theory; however, it is a straightforward statement, a concrete demonstration of the linkage between abstract "values" and physical "heritage."

Through a cultural anthropology perspective, *Zhao (2011)* probes heritage values in a very interesting way that reveals the complicated relationship between humankind and heritage. Zhao illuminates how heritage values are judged by people, constructed by people, calculated by people, and endowed by people and nails down the underlying factors and powers that shape and affect contemporary heritage values. This article enlightens the complexity and nature of heritage values and delivers explicit explanations to the causality of how heritage values are defined under the context of social practice.

The two-page article by *Yu (2011)* simply divides heritage values into two categories, calculable and incalculable values, which substantially resemble Mason's "provisional typology of values." Its "incalculable values" derive from the three key values of China's conservation law, adding "emotional value" as an addition. Its "calculable values," comprises "direct use value" and "indirect use value," also transplants from typical economic analytical frameworks. Yu's value

system provides a clear-cut outline to delineate the essences of heritage values. Because it is easier to comprehend, therefore, cited by many.

Teng (2013) lists the articles regarding heritage values in the “China Principles,” and compares them with the “outstanding universal value” of the World Heritage List. Teng then discusses cultural significance in the “*Hoi An Protocols for best conservation practice in Asia*” and in the “*Burra Charter*.” To give suggestions for better practice, this article points out five common mistakes made in China’s value assessment of cultural heritage. Those negative examples of conservation projects vividly portray scenarios caused by misunderstandings of values, at the same time, highlight the importance of value assessment to China’s conservation practice. Its initial interpretation of heritage values through multiple conservation guidelines is a start point for further investigations.

Huang updated her dissertation (2009) in a 2015 article. This article concentrates on the concepts of “heritage” and its evolution in international conservation documents; and then proposes three elements — a value system, tangible forms, and expressive characters — to define “heritage.” On the evolution of China’s heritage conservation, Huang illustrates a trajectory of heritage values by listing the conservation legislation for the concepts, and by describing the heritage typologies and value expressions in the Law on the Protection of Cultural Relics. Through examination and comparison between China’s national conservation law and UNESCO’s World Heritage Convention, Huang distinguishes the discrepancies and defects of China’s official definitions. This research exposes logical issues and inconsistencies of the existing conservation laws, as well as indicates the importance of the legislative definition of “heritage” regarding the form and expression of values.

Su & Zhan (2015) expound on the evolution of heritage values for both European and Chinese conservation practice. Since the temporal dimension spans 5000 years, and the spatial dimension reaches from the East to the West (Europe), this massive content cannot be well-articulated, and the heritage values cannot be addressed. In the end, these authors propose a preliminary evaluation framework, which combines the three key values of China's conservation law with "cultural value" and "use value." Although the history of values is descriptive and lacks academic citations, it is valuable that the key turning points are identified in the long-term development of the value systems. Additionally, the article also provides a useful table/list of relevant legislative documents with their implications/statements of heritage values. This article can be seen as an incipient interpretation of heritage values, and indicates possible directions for further research.

Liu & Duan (2016) primarily illustrates the qualities of heritage through the six aspects: (1) the diversity of heritage typology; (2) the organic relationship between the elements of heritage; (3) multi-level hierarchy of heritage; (4) phasic development for heritage; (5) variation of heritage between different entities; and (6) equality on utilizing cultural heritage. Even though the authors use "value system" in the title, the subject of this article is "cultural heritage" itself, not "value system." Essentially, the six key qualities of "cultural heritage" can sympathize with De la Torre's (2013) characteristics of heritage values, and link to Zhao's (2011) discussion of the relationship between human and heritage.

Lv (2016) uses a practical perspective to discover heritage values by examining China's conservation/restoration practice in the past four decades. In the first half of the article, Lv unearths the underlying heritage values and depicts the changes of conservation practice in contemporary

China through three milestone restoration projects in the 1970s, 1990s, and 2010s.¹¹⁰ The second half of this article describes the evolution of heritage values by reviewing significant value theories (Riegl, Lipe, Mason) and international charters (the Athens Charter, the Venice Charter, the Burra Charter). Since there is no in-depth discussion or comparison between China and international conservation theories, the conclusions seem over-simplified.

Emphasizing “cultural values” of architectural heritage, *Qin’s (2017)* improves the evaluation framework of architectural heritage through a perspective of urban design. Considering “historic contexts” and “place attachment,” the author applies the Analytic Hierarchy Process (AHP) to establish an evaluation system for vernacular architecture in the urban context. Adding indicators of cultural value in urban contexts, this evaluation system combines historical value, attachment/emotional value, social value, and place/context value, which encompasses both tangible and intangible aspects of heritage values. In this paper, the portion addressing international studies on heritage values, including the value typologies by David Throsby, Randall Mason, and Bernard M. Feilden, overlaps with other research.

In the current Chinese literature of heritage conservation, *Xu’s article (2018)* is a peculiar piece, which demonstrates the relationship between factual existence, intrinsic value, and external value for architectural heritage through the lens of philosophy. Based on a comprehensive review of current value typologies in international conservation charters and academic research (China and international), Xu decomposes heritage values into multiple levels and dimensions. In addition to the three key values (historical, artistic, scientific values), Xu adds ecological value, social value, and cultural value to synthesize a system consisting of the six key values. Moreover, Xu explains the use-value of space and the economic value of heritage in the last part of this paper. Through

¹¹⁰ 1970s, the restoration of Nanchan Temple pursues artistic value; 1990s, the restoration of Dule Temple cares about historical value; 2010s, the restoration of Guandi Temple expresses cultural value. (Lv, 2016)

philosophical cognition of values, this article draws a roadmap to understand existing heritage value theories, as well as provides a primary interpretation of the values in conservation documents.

Duan's (2018) article is an update of the new directions in the conservation policy instructed by the incumbent P.R.C. President Xi. Criticizing the limitations and defects in China's archaeological studies, Duan tries to transcend the existing material orientation and retrieve the "core values" from Chinese tradition. Duan suggests the two values, "rituals" and "norms," which governed China's society in the early dynasties. Unfortunately, the discussion of traditional core values neither continues into the modern era nor connects to present-day conservation practice. Without providing solid constructive recommendations, such an exposition sounds hollow. Regardless, this paper still opens up a possibility to justify current heritage value studies by tracing back to Chinese traditional values.

As the content of a lecture course in Beijing University, *Sun (2019)* almost encloses the full spectrum aspect of heritage values: including definitions of values, causes and origins of values, diverse nature of values, value typologies and constitutions, and the functions of value assessment. In particular, Sun elaborates the three key values (historic, aesthetic, scientific values) stipulated in China's *Law on the Protection of Cultural Relics*. Aligning with the value theories of Riegl, Mason, and Joilehto, Sun also cites multiple Chinese publications to justify heritage values in the context of China. Even though each section of the article focuses on an individual topic and looks fragmented, it gives a comprehensive review and the most current updates of exiting value studies both domestically and internationally.

3.3 CONSERVATION OF WORLD CULTURAL HERITAGE

As of July 2019, there were a total of 1,121 World Heritage Sites, located in 167 States Parties.¹¹¹ This massive international program, involving 193 States Parties who ratified the World Heritage Convention, has accumulated an extensive literature with a wide range of disciplinary perspectives and diverse topics contributed by a variety of scholars, including ethnographers, archaeologists, economists, political scientists, legal scholars and so on. Occasionally, there are literature reviews that provide an overview of the literature of the World Heritage, for example, Frey & Steiner (2011) and Meskell & Brumann (2015). Since the stock of articles is immense and the contents encompass a wide spectrum of research fields, this section of the literature review concentrates on several specific aspects related to the dissertation research topic, namely, the system of the World Heritage program, the values and the criteria of the World Heritage List, the legislative framework for the World Heritage, and the conservation of World Heritage Cities. The literature of the World Heritage in China will be discussed in the next section.

3.3.1 *Literature on the Values of World Heritage*

I. Literature on Outstanding Universal Value (OUV)

Outstanding universal value (OUV), one of the central ideas underpinning the World Heritage Convention, is the criterion for inclusion of a heritage site onto the World Heritage List. To define the concept of OUV, different UNESCO experts and scholars have expounded their explanations in succession, from Cleere (1996), Titchen (1996), to Petzet (2008), Jokilehto (2008), and Labadi (2013). The last two are especially significant for this topic.

¹¹¹ See UNESCO website, <https://whc.unesco.org/en/list/>

As an ICOMOS report (2008), compiled by Jokilehto with Christina Cameron, Michel Parent, and Michael Petzet, presents a detailed analysis in the total of seven chapters for defining OUV and illustrate with different types of cases. The main body of this report elucidates the development of the “OUV Concept”, the (i) to (vii) OUV criteria for the cultural heritage, different aspects of using the criteria, and the two critical requirements for inscription: authenticity and integrity. Furthermore, Labadi’s book (2013), “*UNESCO, Cultural Heritage, and Outstanding Universal Value: Value-Based Analyses of the World Heritage and Intangible Cultural Heritage Conventions,*” brings up the new concerns on cultural diversity, sustainable tourism and development, post-authenticity principles, and the intangible cultural heritage, in addition to the history and the theory of OUV.

Besides a discussion of the Statement of OUV and the three requirements for the inscription of the WHL, **Belcher (2014)** incorporates short sections on the values, the management, the legislation, and the administration of world heritage protection with associated political and other tensions in the United Kingdom. Following a 2008 dissertation, **Shi, C. (2012)** divided the revisions of the OUV criteria in the Operational Guidelines during 1978-2012 into four phases, analyzed the major changes of OUV, evaluation criteria, authenticity, and integrity, and reflected on the reasons and significance of the revisions.

II. Literature on Authenticity and Integrity

Authenticity and integrity, stipulated in the first version of the Operational Guidelines, are the two essentials for heritage to be inscribed onto the World Heritage List. Referring to traditional and modern philosophies and international conservation doctrine, **Jokilehto (2006)** explains the notions of authenticity and integrity by examining the relationship of universality and relativity. As the sources of information may vary by culture and time, the notion of truth appears to have

relativity. *Stovel (2007)* recognized the compounded confusion from implementing “authenticity and integrity” in managing nominations for the WHL inscription, and restructured the two concepts to propose a new framework, which is applied to a range of heritage typologies on the WHL. Stovel argues that authenticity may be understood as the ability of a property to convey its significance over time, and integrity is understood as the ability of a property to secure or sustain its significance over time. Considering the operation of the World Heritage Program, Alberts & Hazen (2010) pay particular attention to the tensions when applying the notions of authenticity and integrity in preservation in diverse contexts, especially considering threats from tourism.

Importing the two new international concepts to China, *Zhang Chengyu* (张成渝), a Chinese scholar, contributes multiple papers to delineate the definitions and applications of authenticity and integrity (Zhang & Xie, 2003; Zhang, 2004; Zhang, 2012). Additionally, Zhang compares the meanings between two Chinese translations of authenticity (Zhang, 2010a) and summarizes the two concepts in international documents and in the revisions of the Operational Guidelines, accompanied by a Chinese literature review on authenticity and integrity (Zhang, 2010b).

1. Literature on Authenticity

As it first appeared in the Venice Charter, the concept of authenticity lacked a clear and stable definition; hence, the nature of authenticity has been widely challenged and keeps evolving. Compared with the topic of integrity, the number of papers that tried to clarify the ambiguity of authenticity is overwhelming.

Starn (2002) examines the concept of “authenticity” through its history, from Alois Riegl and Camillo Boito to the ongoing debates, to understand the values, possibilities, and complications of preserving the past. *Rowney (2004)* examines the concept of “authenticity”

through a cross-cultural assessment of international Charters, and promotes a dynamic view of authenticity that links to a great variety of sources of information (context-related form, design, materials, function, traditions, techniques, use, location and spirit). *Stovel (2008)* examines the concept of “authenticity” through the Nara Document on Authenticity (1994), from its origins, influence, to future challenges. *Labadi (2010)* traces the evolution of authenticity’s definitions, from 1977 to the postmodern dimensions of authenticity in World Heritage, as well as analyzes how the States parties have understood and interpreted this concept.

Describing the evolution of architectural conservation theory, *Araoz (2013)* indicates how the Nara Document directly challenged the long-held Euro-centric criteria for the evaluation of heritage authenticity. *Atkinson (2014)* reviews how the perceptions of authenticity and significance can differ between countries and communities. *Kono (2014)* illustrates the path of “authenticity” from the Venice Charter to the Nara Document in the context of the World Heritage Convention, where the Nara Document was accepted in UNESCO’s “Operational Guidelines” in 2005, and introduced into heritage practices. As a result of the socio-cultural perspective, the idea of authenticity will need to be adapted to some new issues.

2. Literature on Integrity

“Integrity” is rarely be discussed without being paired with “authenticity.” *Khalaf (2020)* links continuity and compatibility with integrity and proposes an alternative framework for the nomination, evaluation, protection, and management of the UNESCO World Heritage Convention. Interestingly, after the Cairns Decision,¹¹² *Song, Zhu, & Li (2009)* reviewed and clarify “integrity”

¹¹² Adopted by the 24th session of the Committee (Cairns, Australia, 27 November - 2 December 2000), the "Cairns Decision" limited the number of new nominations to be examined each year by the Committee. Furthermore, the number of nominations to be submitted by each State Party was limited to one, except for those States Parties that had no properties on the World Heritage List who would have the opportunity to propose two or three nominations. See <https://whc.unesco.org/en/cairns/>

with several derived new heritage concepts, including "serial nomination," "transboundary property," "trans-national property," and they offered some recommendations for the objective and strategy for trans-area world heritage nomination. Triggered by several debatable cases and evaluations of the World Heritage Committee, *Sun, Y. (2018)* discusses the concept of integrity specifically through the perspective of visual integrity and its impact on cityscapes.

3. Literature on Authenticity and Integrity in China

In China, the "values" of world heritage are mostly attached to the utilization and economic growth, substantially contradicting the world heritage criteria of authenticity and integrity. As a result, the debate on "values" has become intense in China's conservation field. However, it is unusual to see innovative discussion on the topic of authenticity and integrity in Chinese literature. In general, Chinese scholars either reiterate and defend the principles from the international conservation paradigm, or argue for adopting the criteria to a Chinese model. According to Zhang C.Y. (2010), Chinese research on authenticity and integrity can be grouped in four categories: the theory and concept, heritage typological analysis, case studies, and tourism authenticity.

Approaching authentication as a social process in the heritage discourse, Yujie Zhu (朱煜杰) provides insights in multiple papers: Through the ritual practitioner in Lijiang, China, Zhu, Y. (2012) explores the idea of "performative authenticity" in tourism, and indicates that the dynamic process of "becoming" authentic weaves the interaction between individual agency and reality. Illustrating two cases in China, *Zhu, Y. (2014)* demonstrates how the Western-inspired notion of authenticity is borrowed, interpreted, and practiced in China, then proposes three cultural effects of authentication on local heritage practices: spatial separation, emotional banishment, and value shifting. From Liang Sicheng's Notion to the China Principles, *Zhu, Y. (2017)* exhibits two patterns of authenticity and diversified local practices in the Chinese conservation scene, which

are defined from its restoration history and international principles. The same contents are represented in another Chinese article by **Zhu, Y. (2012)**, “*Authenticity in Heritage Conservation: Conceptual Deduction and Local Practice.*”

Originating from the spiritual perspective of authenticity in Chinese culture, **Chen, S. (2014)** explains the concept of “historical authenticity” and its methodology in the China Principles and compares it with the principles of authenticity in the Venice Charter and the Nara Document on Authenticity. Based on theoretical analysis, historical research, and four case studies in Beijing, the dissertation of **Du (2017)** interprets the complexity of authenticity and reveals the correlation between authenticity and value in the context of Chinese architectural conservation. Two short articles by two Chinese prestigious scholars are compiled in “Revisiting authenticity in the Asian context (G. Wijesuriya & J. Sweet, Eds.): **Guo, Z. (2018)** discusses the theory of authenticity in the Venice Charter and its application in conservation practice in China, as well as the concept of authenticity represented in the Venice Charter and the Nara Document. **Lu. Z. (2018)** looks into the concept of authenticity in the first version (2000) and the revised version (2015) of the China Principles, with a discussion of the similarities and differences from the Venice Charter.

“Authenticity” has been continually debated. Among the various publications, the discrepancies between the theory and practice in architectural conservation has received a lot of attention, mostly focusing on the issues of restoration and reconstruction (Ruan, & Li, 2008; Gao, 2016; Miao, & Yang, 2017). There are also voluminous case studies that probe how the “authenticity” concept is implemented in China: **Zhang, J. (2007)** discusses the internalization issue of "authenticity" within China’s current urban conservation system through the controversial reconstruction project of Leifeng Tower in Hangzhou. From the perspective of semiotics, **Zhang, Ma, Wang, et al. (2008)** conduct a perceptual evaluation of the residents and tourists in two historic

towns (Zhouzhuang and Wuzhen) to demonstrate how pseudo-authenticity is constructed in tourism for promoting the commodification of heritage. *Xu, Wan, Fan (2012)* scrutinized the conservation management plan of Hongcun (a World Heritage Site) to reflect the local interpretation and the impacts of authenticity, which features international, administrative, and elitism, but excluded local voices in the process.

4. Literature on the Values of World Heritage in China

There is no doubt that world heritage is a valuable resource to the Chinese for the sake of international reputation, attractions to funding, tourism, and so on. Taking away the endless debates on authenticity and integrity (see literature review at 2.4.1), the Chinese literature regarding the values of world heritage is thin. To ensure sustainable development and the authenticity and integrity of heritage, *Zhang & Xie (2002)* rephrase the world heritage values with China's three key values (scientific, historic, artistic values) and apply the safe minimum standard (SMS) to evaluate the cableway project of Mount Taishan. As a pioneer and founder of China's modern conservation system, *Zheng, X. (2004)* sees the world heritage from the aspect of traditional culture, which embodies the hierarchical concept and order norms of China's ritual system, and the diversity of China's multiple ethnicities. Zheng expressed his appreciation of China's cultural and natural world heritage in a literary way; however, this article did not clearly identify the essences of their values or establish any theoretical framework for further discussion.

3.3.2 Literature on Policies for the World Heritage

I. Literature on the World Heritage List

The World Heritage List (WHL), which must fulfill the criteria of UNESCO, is a globally recognized title for the applicants of the State parties. As the List is an indispensable contribution to saving human history in the form of cultural monuments and landscapes, it has been under

scrutiny among scholars for its entire existence. *Leask & Fyall (2006)* introduced the concept, the process, and the role of stakeholders of UNESCO World Heritage Site inscription, and described the current profile of the World Heritage List (WHL), as well as identified issues surrounding its designation and management. *Cleere (2012)* reviewed the history and development of the 1972 Convention and noticed that the present situation has become over-politicized; Cleere also noted the new challenges made by the growth of tourism since the 1970s.

Steiner and Frey specifically focused on the issues of the WHL. By examining the distribution of World Heritage Sites by countries and by continents, *Steiner & Frey (2012)* identified the imbalance of the existing WHL and conducted a study on the impact of the 1994 global strategy, which was launched by the World Heritage Committee to build up a balanced, representative, and credible WHL. *Frey, Pamini, & Steiner (2013)* also discussed the imbalance issue of WHL and argued that political and economic factors are the determinants of the WHL. *Frey & Steiner (2011) and Frey & Steiner (2013)* have the same contents that analyze the positive and negative effects of having inscribed on the WHL and provide alternative approaches to which the WHL typically produces detrimental results. *Meskill, Liuzza, & Bertacchini, et.al. (2015)* examines UNESCO's World Heritage Committee meetings, specifically the process of review of the nominations for inscription on the WHL, which raises questions of validity and transparency to the evaluation criteria and process.

II. Literature on the World Heritage Convention, Charters and Laws

An international legislative framework, which composes of international conventions, charters, and recommendations, is the most effective tool to bind all State parties and provide guidance on cultural heritage conservation matters. Based on international law, the legal framework of cultural heritage protection is respectively expounded by Forrest (2010), by the thesis of Ge, Y.N. (2008),

and by Wu, S.H. (2017). Under philosophical, aesthetic, and technical parameters, *Stubbs, J. H. (2009)* elaborates five influential architectural conservation charters and documents that serve as today's operational basis of architectural conservation. *Kalman, H. (2014)* introduces significant UNESCO conventions, ICOMOS charters, secondary documents, recommendations, and regional documents, which provide conservation principles to different administrative levels of the State parties. Addressing Asia, *Taylor (2004)* reviews several key charters, including the Principles for the Conservation of Heritage Sites in China, to define the critical notion of "significance," to assess values, and to offer comments regarding heritage management.

After forty years of implementation of the World Heritage Convention (1972), *Meskill (2013)* identified three critical challenges that the Convention faces, including the challenges to experts' decision-making, the increasing politicization of the World Heritage Committee, and UNESCO's fiscal crisis. There is also another forty-year retrospective of the 1972 Convention in the conclusion of *Labadi's book (2013)*. *Cameron & Rössler (2016b)* assess the strengths and weaknesses of the World Heritage Convention. Positively, the Convention contributed to an extraordinary international dialogue on heritage matters, fostering a new understanding of heritage theory and practice. Negatively, its flaws in the inscription process, insufficient funds, threats from urbanization and mass tourism, and obvious politicization are noted. Similarly, *Lixinski (2013)* lists the dark sides of international heritage law while celebrate major achievements (bright sides) on protecting cultural heritage under UNESCO,¹¹³ at the same time, to reflect the unintended consequences and call for a more self-aware international heritage law.

¹¹³ Six bright sides are: heritage as global governance: a uniform language, unesco's success as an international organization, listing: awareness-raising in heritage matters, promotion of multiculturalism and diversity, promoting the right to culture, heritage economics: heritage as a tool for development. six dark sides are: mandate creep and the authorized heritage discourse, a giant on clay feet, listing as a "one-size-fits-all" answer, authorized diversity, what version of the right to culture, heritage as souvenirs (Lixinski, 2013).

Uniquely, *Kamel, Hale, & Hanks (2007)* interpreted the content and language of the World Heritage charters to examine conflicting factors within the official institutional criteria for World Heritage status. Their paper discussed the questions of “local vs. global” significance in the designation of World Heritage Sites, and “tangible vs. intangible” dimensions by textual analysis of the charters, as well as refer to an ongoing exploration on the methods of interpretation and communication of cultural heritage.

III. An Overview on the Literature of China’s World Heritage

China’s World Heritage fever can be visualized from the overwhelming presence of this topic in the field of heritage conservation. Literature reviews of papers related to world heritage appear almost every year. The range of research subjects of China’s world heritage is broad, and can be categorized but not limited to the followings: conservation and development of World Heritage Sites, values and evaluations of world heritage, the legal framework for world heritage protection, management of World Heritage Sites, world heritage tourism, issues and strategies of world heritage, and countless case studies of World Heritage Sites for specific issues. Since the concerns of this dissertation are heritage values, conservation policies, and the gap in world heritage protection between China and UNESCO, this section of the literature review addresses the three themes and gives an overall description of other topics.

Among the research subjects, the discourse of tourism and management of world heritage attracts the most attention of Chinese researchers, who see tourism as an inseparable part and the ultimate value of World Heritage Sites. According to a literature review on world heritage tourism by Yan & Zhang (2015), the proportion of tourism-related papers was as high as 52% (178 of 343) based on the CKNI database on the Chinese Social Sciences Citation Index between 1986 and 2013.

Regarding the temporal and spatial distributions of the World Heritage in China, these articles give an overview: *Wu, Q. (2010)* analyzes their locations, administrative jurisdictions, heritage types, and time of their inscriptions; *Yu, Tian, & Chen (2015)* illustrate the types and the characteristics of China's World Heritage in the applications during 1987 to 2010, then apply the Google Earth, Excel and GIS to assist their quantitative analysis on the distribution of jurisdictions and regions of China's World Heritage.

IV. Literature on China's World Heritage Legal Protection

After more than three decades since China's ratification of the World Heritage Convention, China's World Heritage has not yet stipulated any specialized national law or gotten a superior status from the ranking of China's cultural relics. Basically, World Heritage is merely one specific category among China's cultural relic protection units (Monument-Sites), and under the protection of its heritage conservation system, which involves the Chinese legislative framework, administrative system, and management strategies. Therefore, there are numerous advocacies for establishing a legalization system and reforming the existing conservation laws for China's world heritage. For example, *Lu, Z. (2006)* indicates the reasons that threaten the existing World Heritage in China, and puts forward his proposed legal countermeasures to strengthen the protection, including promulgating the conservation guidelines, the ownerships, a specific protection authority, and eight operational strategies for China's World Heritage. *Su & Li (2006)* make a comparative study between China's World Heritage and Monument-Sites.

Ren, Z. (2013) reveals the dilemma of China's world heritage protection, followed by analysis through the lens of law to provide two steps to improve the legal system for China's world heritage: (1) a renewal on legislative concepts; and (2) systematic design of conservation legislation for the World Heritage. *Jiang Jinghong (姜敬红)* contributes two articles regarding

the legal aspect of China's world heritage protection: (1) the 2008 paper introduces the characteristics and the existing conditions of the state-level and the local-level legislation for the World Heritages in China; and (2) incorporating intangible heritage, the 2014 paper analyzes the total amount and distributions of the existing conservation laws. Although it concludes that the legislative construction is effective, there are still issues to be solved.

V. Conservation Issues and Suggestions for China's World Heritage

China's World Heritage conservation approach is usually intertwined with utilization and management issues, as world heritage is treated as a valuable cultural resource for multiple uses in China. As many scholars point out challenges and provide suggestions and solutions for dealing with China's world heritage issues, this kind of content is typical and superabundant in the Chinese conservation literature. Readers can tell the pattern from the titles. For example, *Cheng, Y., Zhao, X. (2003), Protection and Utilization of China's World Heritages*, and *Zhang, Q. (2007), Analysis on the Development and Protection of World Heritage Resources in China*, both indicate the current issues on the development and utilization of world heritage and provide management strategies for China's WHS.

As then Director of the NCHA, *Shan Jixiang's (单霁翔)(2005)* recommendations on strengthening the management system, the legal framework, managerial operations, and heritage education are comprehensive and authoritative. Shan not only indicates the real issues in preserving China's World Heritage Sites but also discusses the basic principles of world heritage, including authenticity, integrity.¹¹⁴ Articles by prominent Chinese scholars and officials also carry

¹¹⁴ The issues in the management of WHS in China point out by Shan, J. (2005) are: 1) concerning about WHS inscription, but lacking awareness of protection; 2) concerning development more than management; 3) the tendencies of commodification, artificialization, and urbanization of WHS; 4) a crippled management system operated by multiple leaderships and at low-level; 5) out-contracting resulting in the failure of conservation

equivalent weight on the protection of China's World Heritage, including Lu Zhou (吕舟) (2017); Li Ru-sheng (李如生) (2012); Jiang Jing-hong (姜敬红) and Tan Hui-xu (谭辉旭) (2012); Sun Ke-qin (孙克勤) (2011); and Tong Ming-kang (童明康)(2009). Major subject of these articles is to providing advices on conservation policy while discourse of values is not the focus.

3.3.3 *Literature on Conservation of World Heritage Cities*

I. Literature on World Heritage Cities

World Heritage Cities (or historic centers) is one theme of this research subject. UNESCO has publications on the management of historic urban landscape, such as *Managing Historic Cities (2010)*, *The Economics of Uniqueness: Investing in Historic City Cores and Cultural Heritage Assets for Sustainable Development (2012)*, *New Life for Historic Cities—The Historic Urban Landscape Approach Explained (2013)*, and so forth, in addition to multiple international conventions, charters, and initiatives. Other than UNESCO, there are books addressing some individual world heritage cities by different authors, including, for example, *Urban pride: living and working in a world heritage city (2000)*, *Penang as the world heritage city: from tourists' place experience perspectives (2010)*, *Building a world heritage city: Sanaa, Yemen (2017)*; or books for multiple cities, such as *World Heritage Cities of Spain (2000)*, *World's Cultural Heritage: Mexican Cities (2003)*, *World heritage, urban design and tourism: three cities in the middle east (2016)*, *The politics of memory: urban cultural heritage in Brazil (2020)*, and the dissertation of Shieldhouse, "A jagged path: tourism, planning, and development in Mexican world heritage cities (2011)."

implementations or even damage to the cultural relics; 6) legal system for protection are not effective, either no laws to follow or laws are not followed; 7) shortage of funds.

Pendlebury, Short, & While (2009) discuss the challenge of translating conservation concepts (authenticity, integrity, and cultural value) to the diverse and dynamic urban contexts of World Heritage, and suggest changing the management practices related to urban World Heritage Sites. Introducing the special issue of the journal *Facilities* on “World Heritage cities management,” *Roders & Van Oers (2011)* address outstanding universal value, management challenges, and management practices of World Heritage cities with the five case studies. They aim to offer the opportunity for a broader range of authors to submit articles on their experiences in the challenging field of cultural heritage management.

Leitao’s dissertation (2012) investigates how the existing protection and management policies under the World Heritage Convention contribute to the protection of historic urban settlements and their surroundings. The lengthy research composes six sections, which starts with the concepts and analysis of urban settlements in general (the historic settlements on the WHL, the monitoring mechanisms, the surroundings, and buffer zone), continues to the study of four cities (Angra do Heroísmo in Portugal, Olinda in Brazil, Marrakesh in Morocco and the Kathmandu Valley in Nepal), and brings in the conclusion on reassessing processes and practices for protecting world heritage settlements.

In the form of a SWOT model using the Delphi method, *Dastgerdi & De Luca (2018)* examine the effects on the conservation and sustainable development of historic urban quarters after having been listed on the WHL. Through a mixed methodology that identifies 27 urban development common indicators, *Guzman, Pereira Roders, & Colenbrander (2018)* make an assessment of cultural heritage management affecting the conservation of 69 World Heritage Cities and argue that urban indicators can bridge interdisciplinary and methodological issues between

urban development, heritage conservation, and sustainability, as well as facilitate the understanding of development impacts in cultural heritage conservation.

II. Literature on China's World Heritage Cities

Along with the World Heritage fever after China joined the international conservation arena in 1985, the research on World Heritage City has been prolific. Since Pingyao and Lijiang are the only two World Heritage cities in China, most studies of China's urban world heritage conservation take these two places as examples. Apart from Pingyao, which is discussed in the following section, there are multiple articles using Lijiang as their case study site. For instance, **Su (2010)** discusses China's power structure and funding systems; **Su (2011)** investigates heritage production and urban locational policy; **Cui, Yang, Guo, et al. (2011)** look into the impact of urbanization on the conservation of Lijiang; **Li, Krishnamurthy, Roders, et al. (2021)** observe the community participation for urban heritage management in China. **Tao, Tian, & Wu (2002)** provide a framework of research methodology for urban conservation (empirical research, holistic and systematic research, dynamic research, comparative research) in addition to a literature review of the Ancient City of Lijiang in terms of value analysis, heritage conservation, and development strategy.

On legal protection of urban heritage, **Wang, J. (2009)** analyzes and compares international and domestic conservation documents for urban cultural heritage based on theories and methods of law, and indicates the influence of international documents on China's urban protection laws and practices. Through the three most important international conventions of UNESCO, **Lin, H. (2010)** reflects on the relationship between cultural diversity, world heritage, and historic city, and followed by a comparative study of Paris (France) and Qufu (China). Reviewing the nomination criteria and management plan in the Operational Guidelines, **Dai &**

Que (2012) point out the directions towards the world heritage nomination and provide suggestions of management for China's urban heritage.

Attached to the fame of being included on the World Heritage List, cultural tourism and urban development are highly concerned in China's literature, such as the book *Protection of World Cultural Heritage and Urban Economic Development* (Zhang & Lu, 2013); the book *Study On The Relationship Between Chinese World Heritage Tourism And City Development* (Yan & Zhang, 2017), and the articles on local tourism development (Zhang, Lu, & Huo, 2012), or regarding urban development and construction (Cen, & Tao, 2007).

III. Literature of a World Heritage City in China: Pingyao

As a world heritage City and one of the case study sites for this dissertation, the research topic regarding Pingyao's heritage conservation is diverse, which is categorized into the six blocks of "history and background," "heritage values," "heritage conservation," "urban conservation," "cultural tourism," and "comparative studies."

1. Literature on Pingyao's History and Background

An overall introduction of the World Heritage city of Pingyao is offered by the historical and background survey by local historians. Except for the four editions of official local *Pingyao Gazetteer* (pingyao xian zhi, 平遙縣志) from the Ming and Qing dynasties, the 1999 edition local gazetteer and the city profile of Pingyao by *Du, L. (2002)* is the basis for many later researchers, where they can get information about historic sites, famous streets, and lanes, outstanding commerce and industries, tradition and customs, conservation overview, and so on. *Shi & An (1998)* compiled key scholarly papers after Pingyao was inscribed on the World Heritage List in 1997. Consisting of six chapters, their book values Pingyao in terms of its well-preserved condition, prosperous commerce during the Ming and Qing dynasties, rich in heritage, a big cluster of

vernacular architecture, a long-standing tradition, and potential of international tourism. Two key players and major conservators of Pingyao also contributed to the literature. A famous scholar and a consultant of Pingyao County, **Cao Canzhi (曹昌智)** wrote the book of *The Ancient City of Pingyao in Illustration* (2010). Another legendary figure for saving Pingyao from destruction in the 1980s, **Ruan Yisan (阮仪三)**, a prominent professor at Tongji University, has multiple publications regarding his experience in China's urban conservation, especially in Pingyao. Literally, Ruan's articles (**Ruan, 1998; Ruan, 2011**), books, and memoirs (**Ruan, 2005; Ruan, 2013; Ruan, 2016**) have become part of the narrative of Pingyao's conservation history. The thesis of **Xiong, W. (2003, in English)** introduces the history and characteristics of Pingyao and its preservation and tourism development.

2. Literature on Conservation Values and Disciplines

1) Studies of Pingyao's Heritage Values

Among the Pingyao studies, value discussion, value assessment, and authenticity issues are few. Titled on sustainable urban development, **Ruan & Wu (2001)** develop urban strategies for Pingyao through the aspects of the cultural economy with an elaboration of the city's cultural context and heritage values. Commissioned by the Pingyao County as part of their innovative strategy research, **Wu, X. (2015)** tries to construct an urban-rural cultural heritage network system of Pingyao through the study and analysis of cultural origins and values in his thesis. After introducing the traditional ritual of the city layout and the evolution of function for Pingyao, **Li, & Li (2017)** identify its heritage values through city walls, urban layout, historic sites, and traditional residence as the basis for conservation.

2) Authenticity Debates of Pingyao

In Chinese literature, “authenticity” for Pingyao is not a conceptual subject matter, but a practical criterion to be installed in context. **Wang, S.Y. (2011)** argues that authenticity is challenged by the tourist setting of Pingyao, hence, it is critical to revisit the principle and maintain the cultural value that reflects the sense of place, collective memory in the form of traditional anchor elements. With specific reference to tourism development in Pingyao, **Su, X. (2018)** examines the implementation of the 1972 UNESCO World Heritage Convention in the context of China. Applying Giddens’s theories to explore the interaction between heritage authorization and tourism-related commodification, this author found that the reconstruction of “traditional-style” has promoted the transformation of the local community.

Based on the concept of authenticity for “world cultural heritage,” **Gao, X. (2006)** points out several conservation issues in Pingyao, including maintaining the existing authenticity, keeping a settled population of the city, rationally utilizing the cultural resources, and maintaining stable social development. Redefining the concept of authenticity by the dimensions of time and space, the thesis of **Zhang, J. (2014)** adopts the Analytic Hierarchy Process (AHP) to conduct empirical research, which evaluates the specific status and protection experience of the authenticity of Pingyao. Using big data of the tourist comments captured from the TripAdvisor website,

3. Literature on Pingyao’s Conservation Policies

Significantly, the subject of the legal framework is generally ignored in Pingyao research. As the only article under this category, **Liu, Yang, Hu, et al. (2017)** looks into the existing legal issues in Pingyao’s conservation management and provides four suggestions on improving its legislative system.

4. Literature on Pingyao's Urban Conservation

1) Pingyao's Architectural Studies

As World Heritage, well-preserved vernacular architecture and historic sites are the pride and the name card of Pingyao as well as key research subjects. For Pingyao's Monument-Sites, **Ma, C. (2012)** tests the conditions of Pingyao's nearly intact city walls with non-destructive testing technologies and provides data for future repair and reinforcement. Combining local chronicles and existing academic research, **Qiu's thesis (2015)** conducts an in-depth morphological study on architecture and layouts of the Confucian Temple in Pingyao. **Yan, S. (2018)** examines the location, configuration, and functions of the City Tower of Pingyao, compares it with other city towers in the middle Shanxi Province area, and identifies the relationship between the City Tower and Pingyao's urban space. Based on the theory of phenomenology and genius loci, the thesis by the same author (2016) summarizes the traditional architectural construction methods of Pingyao through recognition of the sense of place, identity, and belonging of the ancient city. Through three levels of macroscopic, mesoscopic, and microscopic perspectives, **Shi, Jing, & Zhang, et al. (2019)** explores the historical and cultural connotations and the characteristics of the religious architectural spaces in Pingyao to formulate a possible model for cultural continuity.

Specific to Pingyao's traditional courtyard houses, **Tao, Ho, & Jiang (2014)** investigate the evolution, types, and morphological characteristics of traditional courtyards through the Fengshui theory. **Lu, H. (2004)** inspects the relationship and application of the Fengshui principles within Pingyao's architecture and city layouts. Similar to this article, Gao, Zhang, & Kinoshita (2007) study their space organizations and characteristics.

2) Pingyao's Urban Morphological Studies

Because of the intact traditional ritual-dominated city layout, the urban form of Pingyao has been a focus for morphological studies, especially the Conzenian scholars. *Whitehand & Gu (2007)* apply Conzen's method of plan analysis to the components and stages in the genesis of Pingyao's city layout, which can be understood in terms of fixation lines, consequent and occupation streets, fringe belts, present, and former axial streets, recurrence of an ancient street-grid module, rectilinear street systems, the influence of Fengshui, varying plot metamorphosis and repletion [reconfirm this term], and the incidence of communal residential work units. Taking Pingyao, China, and Como, Italy as case studies, *Conzen, Gu, & Whitehand (2012)* used the "fringe-belt" concept and comparative urban morphology to identify historical characteristics and developments of urban forms in different geographical regions. Responding to the 2011 UNESCO Recommendation on the Historic Urban Landscape, *Wang, S. & Gu (2020)* conducted an urban morphological investigation of Pingyao to create historically sensitive and community-based urban development-conservation plans for sustainable heritage management.

The dissertation of *Wang, S.Y. (2008)* links Pingyao's traditional anchor elements with communal memory and recognizes that Pingyao's place identity persists in these traditional anchor elements, which cultivate local culture, a sense of place, and serve as a repository of collective memory among local residents. More recently, *Li & Yan (2016)* apply the method of "space syntax" to analyze space characteristics and view spots reachability [reconfirm the term] of the street spaces in Pingyao, and make some suggestions to Pingyao's tourism development.

On the other hand, different research inspired by the morphology study is presented in the Chinese literature. The thesis of *Shi, Y. (2007)* explains the changes of Pingyao's urban landscape under tourism development and conducts surveys of stakeholders' attitudes and perceptions. From

the aspect of the cultural landscape, the thesis of *Zhang, H. (2007)* analyzes the changes under the impact of tourism development of Pingyao. Following this Conzenian research, *Tao & Jiang (2012)* compares Chinese and Western morphological research addressing Pingyao and identifies the differences in terms of topics, analytical methods, and research findings. Based on the measured terrain data and historical records, *Xie, P. (2015)* analyzes and divides the development process of Pingyao's urban space into five phases from pre-Ming dynasty (14th century) to the Qing dynasty, and explains the morphological characteristics of street layouts and block patterns respectively. The thesis of *Yu, Z. (2019)* analyzes the spatial characteristics and the evolution of Pingyao's urban space from ancient times to the present, and summarizes a holistic mechanism through a comparative analysis of the five factors (policy implementation, economic effects, urban planning, regional transportation, and public participation).

3) Pingyao's Urban Conservation

For Pingyao's conservation, *Wang, S.Y. (2008)* conducted field surveys to understand the relationship between urban conservation and cultural tourism, as well as the conflict among local stakeholders during Pingyao's tourism development since its inscription on the World Heritage list in 1997. Referring to the concept "authorized heritage discourse" (Smith, 2006), another article by *Wang, S.Y. (2012)* investigates the socio-cultural impact of historic preservation and development via Pingyao's transformation from a traditional-living city to a historic-tourist city, such as displacement of the local population and public services, and elimination of local activities from traditional living context. Taking Pingyao and Beijing as case studies, the dissertation of *Bell (2014)* identifies the multiple social, political, and economic factors that contribute to the conservation of these neighborhoods, while especially focusing on the residents' perspective regarding the value of their neighborhoods and their willingness to participate in preservation

decision-making. Both cases indicate the need for an integrated and inclusive planning process.

Liu, Y. (2015) proposes planning suggestions for the protection and development of the ancient city through analyzing the historical-cultural context of Pingyao from the lens of the cultural landscape, and its spatial conditions from the lens of human geography theories.

4) Pingyao's Conservation Planning

A large number of Chinese papers contribute to the topic of Pingyao's conservation, especially in providing practical planning measures for conserving its historic urban landscape. As early as the 1990s, a key official, *Li, J. (1992)* has provided ideas and specific renovation schemes for generating integrated conservation plans for Pingyao. *Zhang, S. (1999)* discusses the purpose and the principles of urban conservation, including authenticity, and put forward specific suggestions for protecting Pingyao. Regarding the utilization of Pingyao as a cultural resource, *Lu & Huang (2008)* provide measures after analyzing the impact of world heritage tourism in Pingyao. Ma, R. (2008) concentrates on Pingyao's commercial streets and provides innovative strategies after studies of the current conditions of its traditional commercial district. *Mei, G. (2009)* evaluates the existing conservation plans, outlines the administrative system and the role of the local government for Pingyao's conservation.

Promoting sustainable concepts and methods, *Bian, B. (2009)* uses “continuous innovations” and “reasonable utilization” to properly manage the relationship between conservation and development. *Qi & Li (2014)* introduces appropriate rehabilitation and adaptive reuse projects supported by the Global Heritage Fund (GHF) as examples to discuss the deterioration and current conservation issues of Pingyao's traditional courtyard houses. Selecting the major “土-shape” commercial streets in Pingyao as the study area, *Li & Wang (2015)* analyze

the characteristics, spatial distributions, and the origins of the five-type renovations of the street facades, and interpret the factors of facade renovations and put forward some planning suggestions. As Pingyao's conservation planning consultant, Professor Shao from Tongji University provides her insights in two articles: *Shao & Zhang (2015)* introduces the contents and significance of the “*Practical Conservation Guidelines for Traditional Courtyard Houses and Environment in the Ancient City of Pingyao*” by Tongji University. Based on the analysis of the characteristics and value of inhabited World Heritage, *Shao, Hu, Zhao, & Chen (2016)* explores new conservation planning principles and corresponding safeguard mechanisms for Pingyao's conservation plans and in the context of China, including value re-interpretation, integrated conservation framework, conservation and monitoring system, and the principle of “resident-centered.”

3.4 URBAN CONSERVATION AND WORLD HERITAGE CITIES

With increasing complexity in urban areas, expanding circles of stakeholders, and wider divergence of interests, research on preservation in urban areas encompasses sustainability, urban history, urban morphology, public policy, climate-resilience, heritage values, community engagement, and so on. Even under such an all-inclusive condition, it is noted that most publications of urban heritage policies in the 21st century have addressed urban planning and geography, while the amount published in cultural heritage journals is very limited (Raposinho, 2019). Compared with the overwhelming number of HUL-related articles, the discourse on the values of historic cities or urban conservation policies is surprisingly thin. Pertinent to this research, this section of literature review focuses on the two specific areas: one is the literature on the values of historic cities; the other is the policy of the “Historic-Cultural Cities” in China and international initiatives for urban conservation, including the Historic Urban Landscape (HUL) approach and related international charters from UNESCO.

3.4.1 *Urban Conservation: International*

I. Literature on the Values of Historic Cities

Negussie (2004) explores the significance of people's values and ideas in shaping the built environment based in the Irish urban context of Dublin through a cultural geography approach. As value judgments on what is considered worth conserving are political decisions and have been reflected in the policies, it reviews the conservation legislation, national inventory system, and specialization of conservation to reveal the value judgments on heritage changes over time. The hypothesis and methodology in this article are the closest ones to my dissertation.

Martokusumo (2016) raises a question on “to what extent that the authenticity plays a role in urban heritage conservation?” From the perspective of urban planning, Martokusumo reiterates the concepts of authenticity, sustainability, urban experiences, and sense of place in urban heritage conservation, and uses Kota Tua Jakarta as an example of current urban conservation efforts. This text argues that urban conservation is too often creating pleasant urban experiences with a historical identity than simple retention of authentic urban fabrics. Such an approach may be approved by urban designers but substantially contradict the core values of heritage conservation. Considering the criteria of Outstanding Universal Value (OUV) for World Heritage cities, *Sanjibod, Hermans, Reijnders, and Veldpaus (2016)* apply document analysis with fieldwork to locate the selected attributes of the Amsterdam Canal Zone, and provide some recommendations to integrate them into a wider sustainable urban management framework. In this paper, the authors merely transfer the abstract “values,” OUV, into physical “attributes” without any discussion regarding heritage values or the HUL Recommendation.

Ginzarly, Pereira Roders, and Teller (2018) present innovative research that built up a three-dimension model, consisting of (1) tangible and intangible attributes, (2) heritage values, and

(3) stakeholders, to assess cultural values of the historic urban landscape. They uncover two types of heritage values: one is associated with aesthetic values, the other is reflected in ordinary landscapes and everyday practices. This paper provides an insight into the different interpretations and meanings of the HUL throughout the city.

Ballarat and Cuenca are two excellent sites for studying the HUL application. *Rey-Pérez, and González Martínez (2018)* review the different methodologies the two cities used for the implementation of the HUL Recommendation. The authors not only discuss the positive and negative aspects of HUL application but also devote a section to the matter of “authenticity” where the definition of authenticity recovers its core position within the framework of HUL Recommendation.

Using the same inventory of the history of conservation theories, with a chronological comparison of the literature, source texts, and analyses of graphic materials, *Bardzinska-Bonenberg & Baczkowska (2019)* link value judgment with urban conservation agendas. Through the criteria of “artistic value” (or beauty of a city), these authors illustrate an evolving rationale of town planning over the last two centuries, beginning from the ancient cities of Greece and Rome to the 2011 HUL. This article looks into historic urban centers via a unique aspect, yet, the expanding scope and holistic approach towards historic urban landscape are hard to be evaluated with a single lens of “artistic value” or aesthetic experience.

II. Literature on International Charters for Urban Conservation

Birabi (2007) is drawn to appraise whether international urban conservation charters are catalytic or passive tools of urban conservation practices in developing countries (mostly in Africa). This paper discusses the types of obstacles as well as the best means to access relevant information and knowledge among developing countries. It concludes with the sort of measures that governments

need to implement to ensure their compliance with international charters. There is a section regarding the history of urban conservation and a table listing urban heritage-related international charters since the 1900s. The author not only presents a long-term effort on preserving urban heritage from the international community but also reveals the reality and difficulties for implementation.

Started with Hague Convention (1954), *Jokilehto (2007)*¹¹⁵ illustrates the trajectory of urban conservation through international charters from a group of buildings, to conservation areas, historicized urban fabric, and the historic urban landscape. Combined with practical examples in various countries, these policy documents have all contributed to broadening the concepts of what is urban heritage and its integrated conservation. In addition to multiple international charters, Jokilehto offers a lot on the etymological explanations of the terms (city, town, village, metropolitan, suburban), and definitions of historic, settings, cultural landscape, urban landscape, and historic urban landscape. Moreover, he also relates the urban landscape to universal values in world heritage, which makes the already complicated concepts more difficult to understand.

As one chapter of the book *The historic urban landscape: managing heritage in an urban century*, *Bandarin & van Oers (2012)* present a chronological description of the most significant international charters and regional documents concerning the historic city. From the Venice Charter to the HUL, this chapter illustrates how today's urban conservation was developed after World War II. It also includes the agendas of the new paradigm, including values, authenticity and integrity, layers of significance, management of change, social and economic development, and sustainability. It is not only a background survey for introducing the new urban conservation tool,

¹¹⁵ Another article of the same author provides similar content to this one. See Jokilehto, J. (2010). Reflection on historic urban landscapes as a tool for conservation. WHC-World Heritage Papers n°, 53-63.

HUL, it is essentially a textbook telling the “ins and outs” of international endeavors on urban conservation.

Tracing the contribution of the Venice Charter to the practice of urban conservation, *Rojas (2014)* aims to identify the current conceptual and practical challenges in the field. While recognizing the established principles for preservation and restoration in the Venice Charter, under the expanding size and complexity of the urban heritage preservation, Rojas argues that a sustainable process should be the new management approach to complement the urban heritage preservation of the Venice Charter.

Similar to Rojas (2014), *Sadowski (2017)* looks into international laws on the protection of urban cultural heritage and tries to establish sustainability management for conserving the urban cultural heritage in the 21st century. There are five parts in this paper: (1) introducing the concept of the urban cultural heritage; (2) examining the two main UNESCO conventions, the 1972 World Heritage Convention and the 2003 Convention for the Intangible Cultural Heritage; (3) analyzing the 2011 Recommendation on the Historic Urban Landscape (HUL) and reviewing its effects through successful and unsuccessful cases; (4) establishing effective governance through sustainable urban development; and (5) searching for an answer to the question whether a new UNESCO convention is needed.

III. Historic Urban Landscape (HUL) Approach

It was a long journey for the international community before formulating the 2011 Recommendation of Historic Urban Landscape (HUL) on the issue of urban conservation. Publications referencing the Historic Urban Landscape (HUL) approach increased considerably over the last eight years since its publication in 2011. Two books by *Bandarin and van Oers: The historic urban landscape: Managing heritage in an urban century (2012)* and *Reconnecting the*

City: The Historic Urban Landscape Approach and the Future of Urban Heritage (2015) are especially important to explain the HUL concept and corresponding management approach related to the 2011 Recommendation. The 2012 book provides an evolution of the landscape approach in urban conservation; and the 2015 book concerns the application of this landscape approach across a range of disciplines and themes (Veldpaus, 2015). In addition, there were two systematic analyses published in three years regarding the HUL approach:

Ginzarly, M., Houbart, C., & Teller, J. (2018) analyzed 103 publications from January 2010 to March 2018 to provide a systematic review of the literature on HUL. In addition, the authors also introduce the evolution of historic urban landscape and the three key dimensions of a landscape approach to heritage conservation, which is a holistic, integrative, and value-based approach. This research can be a great introduction to the subject of HUL and give a comprehensive list of literature to understand the current academic trends.

Rey-Pérez, J., & Pereira Roders, A. (2020) differs from the previous review by using another set of literature (39 duplicate articles) to determine how well the UNESCO HUL approach is understood by the academic community today. This paper presents and discusses the results of a systematic review of 140 peer-reviewed publications, published in international academic journals between 2009 and 2019 and available in databases such as WoS and Scopus. Taking the six-step process as its theoretical framework, the article explored how well the six proposed steps are being considered when implementing the HUL approach. Through this analysis, the gaps in the HUL concept and approach are identified, such as incorporating citizens in decision-making; creating a framework for urban development which integrates gathered information in steps 1, 2, and 3, and establishing local partnerships to make urban heritage management more participatory and inclusive.

3.4.2 *Urban Conservation in China: the Historic-Cultural Cities System*

I. An Overall Review on Chinese Literature of Urban Conservation

Research addressing China's urban conservation can be roughly categorized into four groups: heritage values, heritage conservation, heritage tourism, and heritage management.¹¹⁶ In large part, China's scholarship of urban heritage overwhelmingly weighs in on cultural tourism and civic engagement,¹¹⁷ which diverge from the subjects of this research. Chinese urban heritage and Chinese conservation system and policy for the National Famous Historic-Cultural Cities (HCCs) are the focus of this section which is paired with the previous review of international urban conservation policy and the subjects of value discourse.

English literature on Chinese urban conservation is rare, and there are few Western researchers who are on top of this. Most urban research topics concern China's urbanization, urban development and regeneration, or city planning, such as Li Zhang's book *China's Limited Urbanization* (2004), McGee and Lin's book *China's Urban Space* (2007), Fulong Wu, Jiang Xu and Anthony Yeh's book *Urban Development in Post Reform China* (2007), and so forth. As for urban conservation, one can find one chapter in Samuel Y. Liang's *Remaking China's Great Cities* (2014), or a chapter of Beijing case study in Yue Zhang's *The fragmented politics of urban preservation: Beijing Chicago and Paris* (2013), or a piece in Jing Xie & Tim Heath's *Heritage-led Urban Regeneration in China* (2018).

Eliminating the duplicate papers from search results from the subjects of "China urban heritage conservation," and "China" with "historic urban landscape," there are about 17 English papers found under this filter. Probably due to the weakness in "civic engagement" of China's

¹¹⁶ Zhao, J.C. (2011). A Review of the Research on Chinese Urban Heritage. *Journal of Xianyang Normal University*: 2.

¹¹⁷ Ji, Xian, Shao, Long, & Du, Yu. (2020).

conservation system, many of them address the community's role or public participation in urban conservation, such as *Ji, Shao, & Du (2020)*; *Fan, Li (2014)*; *Wang, Xue, & Aoki, Nobuo (2019)*, and so forth.

II. Literature on China's Urban Conservation

For the most part, Chinese publications on urban conservation are written by prominent preservation experts in China (especially scholars from Tongji University, Tsinghua University, and Beijing University). Examples include Ruan Yi-san's "*Theory on Urban Heritage Conservation (2005)*," Shan Ji-xiang's "*Cultural Heritage Conservation and Urban Cultural Construction (2008)*," Zhang Jie and Lu Zhou's "*World Cultural Heritage Conservation and Urban Economic Development (2013)*" and others.

Most of the English publications regarding Chinese urban conservation are later than 2010 and contributed by Chinese authors or co-written with Chinese researchers. On sustainable conservation, *Zhu & Goethert (2010)* explain three urban conservation approaches, demolition (D), renovation (R), and participation (P), along with three corresponding examples of historic cities in China—Xin Tian Di of Shanghai (DR Model), Lijiang of Yunnan Province (RR Model), and Yangzhou of Jiangsu Province (RP Model). Using Beijing and Pingyao as case studies, *Bell (2014)* is the only sole Western writer, who tries to identify the multiple social, political, and economic factors in China's preservation movements, and to capture the perspective of residential communities on the value of their neighborhoods and their capacity in preservation decision-making. A thesis by *Shao (2014)* compares Shanghai's rehabilitation cases with Hongcun's tourism development to outline the property right and preservation policy between city and village. In conclusion, the thesis recommends a public-private partnership model for the preservation management method.

Two new articles interestingly echo each other, both providing a historical trajectory of urban conservation in China, as one introduces the current urban heritage conservation in the context of China, and the other positions China's urban conservation on the international platform. *Geng & Jones (2020)* illustrates a clear picture of China's governance on urban conservation through the three-tier legislative framework and eight key roles in this system, which are registration, research, governments, and related departments, the intent of conservation policy, specific conservation regulations, public and NGO, the review system, and tourism development. Through an international comparative perspective, *Xie, Gu, & Zhang (2020)* discuss urban conservation in both China and international context, while recognizing the distinctive philosophical-cultural traditions and the political-economic conditions of China. Importantly, the paper identifies the differences and links between urban conservation in China and that being in the West and tries to bring improvements to both in the field of urban conservation.

III. Literature on the Values of China's Urban Heritage

Although China promulgated its first set of Historic-Cultural Cities in 1982 and used the system as the spine of China's urban conservation, the discussion of "values" is an obvious void in the file of Chinese research. Nevertheless, there are multiple arguments regarding "authenticity"—a debatable concept from World Heritage criteria. The following articles are a few discussions about the values of historic cities.

Through the concept of "collective memory," *Li, N. (2010)* discusses the understanding of authenticity between insiders and outsiders, and argues that a culturally sensitive narrative approach should be incorporated into urban preservation. *Chen, S. (2014)* explains the idea of "historic authenticity" with China's traditional spiritual values and how the concept affects Chinese expertise in the conservation of urban areas. Using the Historic District in Nanjing as a

case study, the paper introduces Building Classification Systems that are based on the principles of historic authenticity.

Two Chinese articles explore the issue of authenticity in the context of China's historic cities. *Xia, Wang, & Li (2008)* search for the meaning of authenticity through an aspect of everyday life and the unity of the physical and psychic world. Following the new interpretation, the authors suggest that preservation of Historic Districts should base on the living needs of local residents and be undertaken on small scale and in progression. After a retrospective presentation of the issues of the Historic-Cultural Cities system during the past thirty years, *Zhang, B. (2011)* recognize that urban conservation problems, which were caused by misinterpretation of urban heritage values, have changed from “constructive destruction” to “conservation destruction” and challenged the principle of authenticity. Although there are no final solutions, it is noted that China's urban conservation needs to employ “authenticity” as a social process and respond to the country's policy for sustainable development.

IV. Literature on China's Urban Conservation System

Regarding the literature on the policy and system for urban conservation in China, the work and research of **Wang Jing-hui (王景慧, 1940-2013)**, a leading scholar and an officer, can be a mirror to reflect the development of China's urban conservation system. As there were ambiguities within the Historic-Cultural Cities system in its early stage, Wang established the outlines and structures for China's urban conservation and led the discussion in the field. *Wang (1994)* expounds on the developing concept of Historic-Cultural Cities and makes an international comparative study (UK, Japan, World Heritage cities) through the lens of each country's legal framework. Two years later, *Wang (1996)* explicates the four-layer contents of China's Historic-Cultural Cities, which already

comprises tangible heritage (Monument-Sites, Historic block, Historic City) and intangible heritage (traditional culture).

In addition, Wang categorizes four types of Historic-Cultural Cities for stipulating conservation measures according to their integrity and condition. Similarly, *Wang (1998)* applies the same structure to illuminate the concept of “Historic Block,” when the term has not yet been formalized as “Historic District.” After a short global history in conserving historic blocks and China’s evolution, Wang identifies the difference between historic blocks and “buffer zone,” and provides three criteria of designation with three principles and methods for the protection of Historic Blocks. Finally, Wang co-authored a book with Ruan Yi-san and Wang Lin, “*Conservation Theory and Planning of The Famous Historic-Cultural Cities (1999)*,” which includes one chapter of “conservation planning” and one chapter of eleven case studies.

Research topics on China’s urban conservation were repeated after 2000.

However, in the 2001 paper regarding conservation policies and methods for Historic Districts, *Wang (2001)* not only formally used the term “Historic District” but also promoted international criteria of “historical authenticity” and “integrity of townscape.” To answer the questions of the “what” and “how” of urban conservation, based on recognition of the “values,” Wang wrote another significant paper (2002) to elaborate the three-layer hierarchical Historic-Cultural Cities system with conservation methods. As the value-based approach was a new concept to then-China, the “values” in Wang’s theoretical framework indicate merely the physical elements of the urban context without mentioning civic engagement. The same themes and the hierarchical framework of China’s urban conservation of the 2001 article were reiterated in *Wang (2004)* while adding a relatively comprehensive timeline of urban conservation for China and several leading countries. All these above-mentioned concepts and contents from Wang’s theory of the Historic-

Cultural Cities system were the foundation for formulating the official conservation document of “*Regulation on Protection of Famous Historic-Cultural Cities, Towns, and Villages (2008)*.” Again, after reviewing the newly promulgated legal document of HCC with the three batches designated Historic-Cultural Cities, **Wang (2011)** re-interpreted the origins, the scopes, and the objectives of the Historic-Cultural City system. The added-on new section of “conservation planning of Historic-Cultural City” also corresponded with the existing planning laws and evaluation criteria.

Similarly, **Ruan Yi-san (阮仪三)** is a prolific scholar who plays a key role in China’s urban conservation, especially in preserving the Ancient City of Pingyao and the Historic-Cultural Towns in the regions south of the Yangtze River. Different from Wang, **Ruan’s paper (1991)** is about technical-oriented planning measures for Historic-Cultural Cities, which provides four indicators to determine the scope for a three-level protection system and five conditions of height control. **Luo Zhe-wen (罗哲文, 1924-2012)**, one of the founders for China’s urban conservation, also had a paper **(1996)**, which describes the eight main types of Chinese Historic-Cultural Cities and the criteria of declaration, as well as the methods for conservation and utilization of such heritage. While Wang endeavored to address the theoretical and legal frameworks, Luo viewed cultural heritage as a great resource for propaganda also benefiting social-economic development and tourism.

Lastly, considering public participation as the guidance to accomplish urban conservation planning, the well-structured thesis of **Li, L. (2013)** presents an update for the previous researches. Through a case study of Beijing, Li indicates the gap between the stakeholder groups and the promulgated conservation plans of HCCs, and improvements on transparency and democracy for civic engagement may help to achieve better urban conservation for China. Notably, this topic has

received attention in China's scholarship in these years and it has started to change the typical top-down mode of urban conservation.

V. Literature on the Framework of China's Historic-Cultural Cities

Many Chinese scholars have tried to elaborate the concept or the theoretical framework for "Historic-Cultural Cities." Starting with a comparative analysis of three key international charters on urban conservation, *Zhao, Z.S. (2001)* explains the evolutionary concepts of international conservation doctrines over time. Zhao explains China's three-tier urban conservation system in terms of conservation principles and methods.

As a prominent scholar in urban heritage conservation, *Cao, Chang-Zhi (曹昌智)* contributes three articles on Historic-Cultural Cities in China. (1) *Bian & Cao (2009)* criticizes China's problematic urban conservation approach, which separates the heritage from its context. Hence, the co-authors promote three measures to unify the objective with its context, and explore four methods to rationally utilize urban heritage. (2) To clarify the concepts of "Historic Architecture" and "Historic District," *Cao (2012)* pinpoints the ambiguities in regulations and technical specifications misled the conservation of Historic-Cultural Cities. For solutions, Cao calls for judicial interpretation, formulating departmental regulations, or revising the current "Regulations for the Protection of Historic-Cultural Cities." (3) *Cao (2012)* proposes ten subject matters regarding Historic-Cultural Cities for in-depth analysis and research, including legal definition, key attributes, and characteristics, the relationship between heritage protection and economic development, urban renewal in the historic core, progressive renovation, protection of ancient city and development of new district, inheritance and integration heritage with its context, rational utilization of heritage, represent historic and cultural landscapes, and the supervision systems for Historic-Cultural Cities.

VI. Literature on the System and Laws of Historic-Cultural Cities (HCCs)

Some Chinese scholars have purely focused on the legal aspect of the Historic-Cultural City system. Among them, comparative research on the legal theme is common. For example, *Qui (2003)* compares China with Japan and UK and indicates the common ground in the contents and principles of urban conservation, while the difference exists in terms of administrative management, legal systems, and funding assurance. A thesis by *Yuan (2008)* can be viewed as an extensive version of Qui's research (2003): they both provide a general introduction of China's HCCs system and a comparative study of the conservation legal system with foreign countries. Yuan (2008) compares China's conservation legal system with England, Japan, France, and other countries to advocate a sustainable development approach for HCCs. On the other hand, the thesis of *Li, J. (2005)* delineates the establishment and evolution of China's HCCs system referring to the influence of international conservation activities for world cultural heritage, analyzing the contents and pointing out issues of the current legal system, and providing recommendations to improve the system.

Two years after the promulgation of the *Regulation on Protection of the Famous Historic-Cultural Cities, Towns, and Villages*, the paper of *Sun (2010)* simply reviews the occurring situations, issues after its implementation, and provides solutions to enhance law enforcement. *Zhang Song (张松)* also has many publications covering the topic of urban conservation laws. Here list three of his articles regarding China's HCCs system: *Zhang, S. (2011)* reviews the promulgation process of the protection system for the Historic-Cultural Cities at both national and regional levels, compares with integrated conservation planning practices in UK and Italy, and suggests improving the urban-rural planning regulations for accommodating holistic conservation methods for the HCCs. There are two articles in 2012: One article (*Zhang, S., 2012a*) analyzes the

characteristics and challenges of the conservation mechanism for Historic-Cultural Cities. Refined from previous papers, the other article (*Zhang, S., 2012b*)” clearly divides China’s legal construction history of cultural heritage conservation into three phases, and respectively reviews the three layers of the legal framework for the HCCs (Historic-Cultural Cities, Historic District, Historic Architecture).

Different from the views of preservation experts, *Dai (2014)* clarifies the capacity, jurisdiction, and contents of local regulations (provincial and municipal levels) through the lens of law, and confirms the local law’s functions that substantially interpret and implement the national laws. The author uses the municipal Regulation on Protection of Historic-Cultural Cities as an example to compare with the State laws, to address its issues, and understand its significance in urban conservation.

3.5 SUMMARY

Internationally, the value theories on heritage conservation in the modern period primarily structured by Riegl, Lipe, and Mason with the research reports of the Getty Conservation Institute, and accompanied by multiple significant international conservation documents, including the World Heritage Convention, the Venice Charter, the Nara Document, and the Burra Charter. Even though some complementary theories were proposed after 2010, such as Poullos’s “living heritage approach” and Walter’s hermeneutic approach, there is no dominant value typology or new theory that can shake the dominance of the “value-based” approach after it has been widely accepted after the 2010s. These value theories are not only the pillars establishing the current international framework for cultural heritage conservation, including the World Heritage system and the guidelines for urban conservation but also the leading force to expand our horizons towards future challenges in conservation.

As for China, its value studies have been substantially imported from the existing foundation of the Western theories after entering into an international conservation partnership in 1985. After 2009, most value discussions in the Chinese literature follow the trajectory of western movements and align with the international mainstream. Overall, there was no inspiring value theory constructed in the Chinese circle these years. Except for Wu Zongjie, who uses classic literature and local gazetteers on restoration projects, some scholars tried to relate their value studies to traditional culture but were still underdeveloped.

Embracing the World Heritage industry, China also managed to abide by the international criteria and comply with the Western evaluation system (OUV, authenticity, and integrity). Research topics regarding World Heritage are overwhelming in China's conservation circle, especially on the tourism and management of WHS. But, the Chinese literature regarding the values of World Heritage is insignificant as the "values" of WHS are mostly attached to the utilization and economic growth in China. Many Chinese scholars reiterate and defend the principles from the international conservation paradigm, including Chen, S. (2014), Guo (2018), and Lu. Z. (2018). A certain resistance also existed in defining "authenticity" in the context of "Chinese restoration," such as Du (2017) and Zhang, J. (2007). There are also voluminous case studies that probe how the "authenticity" concept is adopted into a Chinese model. For example, Zhu, Y. (2012) and Zhu, Y. (2017) explore the idea of "performative authenticity" in local practices for tourism purposes.

Numerous publications addressed China's urban conservation issue after the promulgation of the watershed document the Regulation on HCCTVs in 2008, especially on the development of the system and legal framework for the Chinese Historic-Cultural City. Despite the excessive emphasis on the subjects of cultural tourism and civil engagement, the overall discourse on China's

urban conservation is enriched by the comprehensive research of knowledgeable insiders. However, discussion on the “values” is still uncommon; the interpretation of legal documents is literally absent in the field of China’s urban conservation. Further, it is observed that most Chinese papers follow a template of similar structure with stereo viewpoints, which are very generic, descriptive, practice-oriented, and seek practical solutions rather than providing innovative theoretical concepts. Moreover, the academic circle concerning China’s Historic-Cultural City lacks cross-cultural communication, as this topic is highly restrictive to outsiders.

“Values” could be a neutral word or a generalized terminology, which can be applied universally to evaluate all heritages in the world. However, in the post-Nara era, “values” have become a representation of multiple dimensions of socially-constructed significance. After this review, it is found that China's conservation agendas lack self-identification and need to reconsider what “cultural significance” means in the field of Chinese historic preservation and make efforts to link traditional cultural values to the discourse of heritage values.

Chapter 4. INTERPRETATION THROUGH TEXTS

4.1 INTRODUCTION: URBAN CONSERVATION SYSTEM AND RELATED POLICIES

To figure out the implications /connotations of heritage values, the most effective way is to look into official statements, particularly legal documents. Through the two case study sites (a World Heritage City and a Historic-Cultural City), this chapter involved collecting twenty major legal documents from three legislative aspects as a basis for interpretation and comparison to inform the embedded core values in preserving the two historic cities (see Table 4.1).

Table 4.1: Selected Major Urban Conservation-related Laws

	(W) Laws on Cultural Relics 文保法	(G) Planning Laws 规划法	(L) Regulations for Historic Cities 历史名城法
National-Level 国家	<p>W1 - 中华人民共和国文物保护法 (1982) <i>Law of the People's Republic of China on Protection of Cultural Relics, 1982</i></p> <p>W2 - 中华人民共和国文物保护法 (2002) <i>Law of the People's Republic of China on Protection of Cultural Relics, 2002</i></p> <p>W3 - 中华人民共和国文物保护法 (2017) <i>Law of the People's Republic of China on Protection of Cultural Relics, 2017</i></p>	<p>G1 - 中华人民共和国城市规划法 (1990) <i>Urban Planning Law of the People's Republic of China, 1990</i></p> <p>G2 - 中华人民共和国城乡规划法 (2008) <i>Urban-Rural Planning Law of the People's Republic of China, 2008</i></p> <p>G3 - 中华人民共和国城乡规划法 (2019) <i>Urban-Rural Planning Law of the People's Republic of China, 2019</i></p>	<p>L1 - 历史文化名城名镇名村保护条例 (2008) <i>Regulation on Protection of Famous Historic-Cultural Cities, Towns, and Villages, 2008</i></p> <p>L2 - 历史文化名城名镇名村保护条例 (2017) <i>Regulation on Protection of Famous Historic-Cultural Cities, Towns, and Villages, 2017</i></p>
Provincial-Level 省级	<p>W4 - 山西省实施“中华人民共和国文物保护法”办法 (1993) <i>Shanxi Provincial Measure for Implementation of the Law of the People's Republic of China on Protection of Cultural Relics, 1993</i></p> <p>W5 - 山西省实施“中华人民共和国文物保护法”办法 (2006) <i>Shanxi Provincial Measure for Implementation of the Law of the People's Republic of China on Protection of Cultural Relics, 2006</i></p>	<p>G4 - 山西省实施“中华人民共和国城市规划法”办法 (1991) <i>Shanxi Provincial Measure for Implementation of the Urban Planning Law of the People's Republic of China, 1991</i></p> <p>G5 - 山西省城乡规划条例 (2010) <i>Shanxi Provincial Regulation on Urban-Rural Planning, 2010</i></p> <p>G6 - 山西省城乡规划条例 (2019) <i>Shanxi Provincial Regulation on Urban-Rural Planning, 2019</i></p>	<p>L3 - 山西省历史文化名城名镇名村保护条例 (2018) <i>Shanxi Provincial Regulation on Protection of Famous Historic-Cultural Cities, Towns, and Villages, 2018</i></p>
Municipal-Level 市级	N/A	<p>G7 - 大同市城市规划管理办法 (1992) <i>Administrative Measure on Urban Planning of Datong City, 1992</i></p> <p>G8 - 大同市城乡规划条例 (2011) <i>Regulation on Urban-Rural Planning of Datong City, 2011</i></p>	<p>L4 - 大同古城保护管理条例 (2000) <i>Regulation on Conservation and Management for the Ancient City of Datong, 2000</i></p> <p>L5 - 大同古城保护条例 (2020) <i>Conservation Regulation for the Ancient City of Datong, 2020</i></p>
County-Level 县级	N/A	N/A	<p>L6 - 山西省平遥古城保护条例 (1999) <i>Conservation Regulation for the Ancient City of Pingyao, Shanxi Province, 1999</i></p> <p>L7 - 山西省平遥古城保护条例 (2018) <i>Conservation Regulation for the Ancient City of Pingyao, Shanxi Province, 2018</i></p>

China's urban heritage management was led by three major administrative agencies and four levels of legislation (see Chapter 2.3.2) : (1a) city planning is directed by the MoHURD with the Urban Planning Law; (1b) urban conservation is also administered by the MoHURD with the Regulations on Protection of Famous HCCTVs; (2) Monument-Sites in the cities are guarded by the NCHA with the Law on Protection of Cultural Relics; and (3) specific scenic attractions are supervised by the Ministry of Culture and Tourism with the Regulations on Scenic and Historic Areas. Because these scenic sites often overlap with the protected Monument-Sites, most of its contents are also covered by the three legislative dimensions, this portion of laws was omitted in this exercise of interpretation.

In addition to the three top administrative departments at the national level, China's conservation system is constructed by the four legislative hierarchies. The highest level is the Constitution (1982); the next level consists of laws passed by the National People's Congress and its Standing Committee, and international conventions that the Standing Committee approved as a State Party; regulations, orders, and decisions by the State Council are the third level; those of provinces, autonomous regions, and municipalities are the fourth level (Shao, 2014; Gruber, 2007). According to the legislative levels, the provincial-level and city/county-level branches under the three central ministries take charge of the formulation and implementation of conservation affairs in local areas. Such administrative divisions multiply the complexity of China's conservation system, which is the three administrative heads multiply the three levels of laws (The Constitution doesn't count).

The next section introduced the context of each law under the three orientations at the national and provincial levels, describing its common goals, its contents, and the articles concerning urban conservation. In addition, diachronic comparisons were made between different versions to

illustrate the evolution of conservation concepts; diachronic comparisons were made between administrative levels to check the transmission of values. Vitally related to urban conservation, the Regulation on Protection of HCCTVs is the only legislation that covers from national-level to the local-levels, and the only indicator to identify the diverge values of the two ancient cities. Therefore, the second section of this chapter is the synchronic comparison of the Regulations on HCCTVs between the two cities. Finally, the last section of this chapter provided an overall analysis and interpretation that reveal the goals, the objects, the principles, and methods frame-up by these laws for China's urban conservation, as well as the different values on the local perspectives.

4.2 COMMON LEGISLATION ON URBAN CONSERVATION

4.2.1 *Laws on Protection of Cultural Relics*

I. Background

Protecting cultural relics is a long-standing Chinese tradition that has been conducted much earlier than protecting urban heritage. Therefore, Chinese laws regarding the protection of cultural relics were formulated as early as the 1930s. The 1982 *Law of the People's Republic of China on Protection of Cultural Relics* (*zhonghua renmin gonheguo wenwu baohufa 中华人民共和国文物保护法*, hereafter referred as *Law on Cultural Relics*) is the first contemporary national-level law on cultural relic conservation affairs and remained the backbone of the nation's heritage conservation system (Chan and Ma, 2004, in Lee, 2014). Defined by the Law on Cultural Relics, "Historic-Cultural Cities" are "cities rich in cultural relics, and with high value and significance in revolutionary history." As such, cultural relics/heritage (single historic site), "historic district," and

“historic-cultural cities” constitute the existing three-scale framework of urban conservation in China.

Adopted by the Standing Committee of the National People’s Congress in 1982, the Law on Cultural Relics was amended five times in 1991, 2002, 2007, 2013, and 2017. The first amendment of the Law on Cultural Relics in 1991 only revised Article 30 and Article 31, adding extra administrative penalties and criminal accountabilities to increased violations (Bell, 2014). The 2002 Amendment is a milestone document, which changed the definitions of cultural relics and expanded the total number of articles from 33 to 80 (eight chapters) as well as closed some loopholes to hold officials responsible for the destruction of heritage sites (Bell, 2014). The latest version (2017) still maintains the structure and most of the contents of the 2002 amendment. For implementing the national law, the “*Regulation for the Implementation of the Law on Protection of Cultural Relics (zhonghua renmin gongheguo wenwu baohufa shishi tiaoli 中华人民共和国文物保护法实施条例)*” was promulgated by the State Council in 2003, and amended in 2013, 2016, and 2017. Each province also needs to formulate its local legislation on the implementation of this law. Following the revisions of the Law on Cultural Relics (1991 and 2002), Shanxi province formulated its provincial document Shanxi Provincial Measure for the Implementation of the Law on Protection of Cultural Relics (Shanxi Measure on Cultural Relics) in 1993 and 2006.

II. Urban Conservation Related Contents

Stipulated for protecting cultural relics of historical, artistic, or scientific value, the 1982 Law on Cultural Relics uses eight chapters, 33 articles to safeguard movable and immovable cultural relics

in China (Article 2, 1982).¹¹⁸ Among the articles, Article 8 of the 1982 document is the only one that defines historic cultural cities. Among the eight chapters, the only chapter that overlapped with urban conservation subjects is Chapter II, “Protected Monuments-sites (wenwu baohu danwei 文物保护单位)”, while the other chapters do not have direct relevance to the research topics (Chapter III “Archaeological Excavations,” Chapter IV “Museum Collections”, Chapter V “Private Collections,” Chapter VI “Import & Export of Cultural Relics”). For this reason, only three chapters will be reviewed in the following section – Chapter I “General Provisions,” Chapter II, “Protected Monuments and Sites,” and Chapter VII “Legal Liabilities.”

As the earliest legislative document on heritage conservation in contemporary China, several key concepts and methods of preserving Historic-Cultural Cities (HCCs) are noted in the 1982 Law on Cultural Relics. Immediately following the first article, the objectives protected by the law are identified as “cultural relics of historical, artistic and scientific value are protected by the State.” Among them, only the first two of the five categories are related subjects to this research: (1) Ancient cultural sites, ancient tombs, historic buildings, grotto temples, and stone carvings of historical, artistic, and scientific value; (2) Buildings, sites, and objects of great commemorative and educational significance, and historical value, which is related to major historical events, revolutionary movements or famous figures (Article 2, 1982). Other than that, the definition of “Historic-Cultural Cities” can be found in the two articles: 1) In the 1982 Law on Cultural Relics, “cities with abundant cultural relics, great historical value, or revolutionary significance” can be promulgated as “Historic-Cultural Cities” (Article 8).¹¹⁹ 2) In the 2002 Amendment, this definition

¹¹⁸ In Law on Cultural Relics, Article 2 (1982), protecting cultural relics include ancient architectural structures, cave temples, buildings, handicraft articles, old manuscripts and books; and typical material objects reflecting the social system, social production or the life of various nationalities in different historical periods.

¹¹⁹ Law on Cultural Relics, Art. 8 (1982): State Administration of Culture, in conjunction with the departments of environmental conservation of urban and rural construction shall suggest cities with abundant cultural relics, great

was changed to “cities with abundant protected Monument-Sites, with important historical value, or major revolutionary commemorative significance”. New definitions of “Historic District, Town or Village” and the requirement of integrating conservation plan into the urban plan were incorporated into Article 14 of the amendment.¹²⁰ All listed architectural heritage are officially protected “Monument-Sites,” but vernacular buildings are excluded from the Law on Cultural Relics.

For protecting these “Monument-Sites,” classification and conservation measures are provided in Chapter II of the 1982 Law on Cultural Relics. The three-level protection (county-level, provincial-level, and national-level) of “Monument-Sites” is determined by their historical, artistic, and scientific values (Article 7). “Do not change the original status” of cultural relics is the controversial core principle, which stipulates primary measures on how to preserve the “Monument-Sites.”¹²¹ Except for limited their uses as museums, depositories, or tourist attractions (Article 15), “construction projects are prohibited within the protection area of protected Monument-Sites (Article 11).” “New constructions and structures in buffer zones shall not damage the settings (Article 12).” Protected Monument-Sites “shall not be damaged, altered, added or demolished (Article 15),” “relocation or demolition of the National-level Protected Monument-Sites shall be reported to the State Council for resolutions (Article 13).” As the main focuses of

historical value, or revolutionary significance to the State Council for approval and promulgation as “Historic Cultural Cities.”

¹²⁰ Law on Cultural Relics, Art. 14 (2002): “Cities with abundant protected Monument-Sites and important historical value or major revolutionary commemorative significance shall be ratified and promulgated by the State Council as a Historic-Cultural City. A town, street, or village with abundant protected Monument-Sites and important historical value or major revolutionary commemorative significance shall be ratified and promulgated as a Historic District, Town, or Village, by the local governments of provinces autonomous regions, or municipalities, and shall be submitted to the State Council for filing. The local governments at or above the county-level of the place where the historic cities, districts, villages, and towns are located, shall formulate specific conservation plans for protecting those cities, districts, villages, and towns as well as incorporate them into the master urban plan. Measures for the conservation of cities, districts, villages, and towns shall be stipulated by the State Council.”

¹²¹ Law on Cultural Relics, Art.14, Art.15 (1982).

this law are movable cultural relics, the only sentence in this law to hold accountability on the violations of immovable heritage protection is (3) of Article 31 “deliberately destroying precious cultural relics, or scenic spots and historical monuments protected by the State.”¹²²

III. Values Change Over Time (Diachronic Comparison)

I. Law on Cultural Relics, 1982 (W1) vs. Law on Cultural Relics, 2002 (W2)

Twenty years apart, the 2002 amendment enlarged the scope of its 1982 origin and exhibit advanced concepts in heritage conservation. The 2002 amendment was not merely a minor adjustment, since its 80 articles were more than double of the old version (33 articles). Chapter VII “Legal Liabilities” changed drastically with the addition of thirteen new articles. Chapter IV “Museum Collections” also got twelve additions. Although the eight-chapter structure is the same, the titles of three chapters have changed from “Monument-Sites (文物保护单位)” to “Immovable Cultural Relics (buke yidong wenwu 不可移动文物)” (Chapter II); from “Export of Cultural Relics (文物出境)” to “Import and Export of Cultural Relics (文物出境进境)” (Chapter VI); from “Rewards and Penalties (奖励与惩罚)” to “Legal Liabilities (法律责任)” (Chapter VII). Even though the articles of the 2002 amendment are substantially increased, the focuses of the Law on Cultural Relics are still on monuments and historic sites. The only chapter related to urban conservation subjects is Chapter II, “Immovable Cultural Relics.”

1) New Types of Cultural Relics

Several new types of heritages emerge in the 2002 amendment, including “murals, important modern and contemporary historic sites and typical buildings (壁画、近代现代重要史迹和代表

¹²² All the three administrative penalties in Article 30 and Article 31 of the Law on Cultural Relics (1982) are against the misconducts to movable cultural relics, which do not directly concern the subject matter of this research.

性建筑等),”¹²³ “historic district, town, village (历史文化街区、村镇),”¹²⁴ and even the “pending-approval immovable cultural relics (尚未核定公布为文物保护单位的不可移动文物).”¹²⁵ Except for the above new types of heritage, the protected subject changed from a single title of “Monument-Site/Cultural Relics Protection Unit (文物保护单位)” to an integrated group of “Immovable Cultural Relics (不可移动文物),” which may range from single historic buildings to towns, villages, and cities.

2) Establishment of New Conservation Principles and Measures

Significantly, that major conservation principles and measures for cultural relics are established in the 2002 Amendment. First of all, the instruction to the work of heritage conservation is “giving priority to the protection, salvage first, to rationally utilize and strengthen management” (Article 4). Next, a three-grade classification system is set for the designation of the Monument-Sites and the valuable cultural relics depending on their historical, artistic, and scientific value (Article 3).¹²⁶ The key principles of “protection in-situ” and the rejection of reconstruction of cultural relics are also provided in the 2002 Amendment for the very first time. Article 22 states that the ruins shall be protected and may not be rebuilt on the original site when they are fully damaged. The wording in the 1982 Law was softer on “protection in-situ,” as it allowed Monument-Sites to be relocated or dismantled “due to the special needs of construction projects,” and requested the provincial-level government report the situation to the State Council for resolutions (Article 13, 1982).

¹²³ Law on Cultural Relics, Art. 3 (2002).

¹²⁴ Ibid. Art.14, Art. 69 (2002).

¹²⁵ Law on Cultural Relics, Art.13, Art.15, Art. 23 (2002).

¹²⁶ Law on Cultural Relics, Art.13, (2002): Depending on their historical, artistic and scientific value, Monument-Sites may be designated respectively at the national level, the provincial level, and the city or county level...the valuable cultural relics shall be subdivided into the first grade, the second grade, and the third grade cultural relics.

Importantly, the 2002 Amendment states that “the National Monument-Sites should not be dismantled” (Article 20).

Furthermore, two new measures are proposed concerning the safety of Monument-Sites. First, it is prohibited to construct polluting facilities or conduct dangerous activities within the Core Conservation Zone and Construction Control Zone of the Monument-Sites (Article 19). Second, the power to the local government for investigation or removal of buildings or structures that threaten the safety of Monument-Sites is given (Article 26). All these new measures and principles of the 2002 Law build up a rigid framework for the protection and restoration of China’s cultural relics.

3) Raising Awareness and Importance of Heritage Conservation

The importance of cultural heritage was highlighted in the 2002 document in several aspects. First, it realizes that cultural heritage is a non-renewable cultural resource and the State shall strengthen the civilian awareness on heritage conservation (Article 11). As the cultural resource is so precious, the 2002 Amendment overly emphasizes the legitimacy and permanent status of the State ownership of all cultural relics within its jurisdiction (Article 5). It also prohibits transfer or mortgage and their use for business operation of the State-owned cultural properties (Article 24). Second, heritage conservation agendas are upgraded to the same level as economic-social development and used as the guidelines for infrastructure construction and tourism development (Article 9, 2002). The “operating expenditure” for cultural relic protection (Article 6, 1982) also becomes the local budget for the “enterprises of heritage conservation” developed by the State, and to be incorporated into their own plans for national economic and social development (Article 10).

4) Increased Legal Liabilities

Entirely re-structured Chapter VII exhibits the necessity to beat incremental criminal behaviors over the past two decades. While the three articles of Chapter VII of the 1982 document are composed of rewarding, administrative sanctions, and criminal accountabilities, Chapter VII of the 2002 Amendment was changed to “Legal Liabilities (法律责任)” as it was specifically made against the violations to heritage conservation. Article 69 is the only critical regulation regarding “Historic-Cultural Cities, District, Town, and Village,” which withdraws the inscription of HCCTVs when their layouts, environments, and/or historic features are severely damaged.

Among the 16 articles, three penalties concern the protection of immovable heritage.¹²⁷ Following the principle of “do not change the original state,” Article 66 imposes rectification, fines, or revocation of license to punish misconducts to Monument-Sites,¹²⁸ Article 67 is to protect Monument-Sites from contamination facilities. Article 68 imposes penalties on illegal transfer, mortgage, operation, or, change in uses of the state-owned immovable cultural relics, and against transferring non-state-owned immovable cultural relics to foreigners.

2. Law on Cultural Relics, 2002 (W2) vs. Law on Cultural Relics, 2017 (W3)

Although the updated 2017 version is almost identical to the 2002 Amendment, the following modifications are noticeable:

1) Adjusted Administrative Management for Construction Projects

While the construction within a Monument-Site is tightened, the procedures of reconstructing immovable cultural relics in-situ are loosened in the 2017 Revision. The 2002 amendment requires

¹²⁷ Law on Cultural Relics, Art. 66, 67, 68, Art.75, Item 1~3 (2002).

¹²⁸ Misconducts to Monument-Sites refer to undertaking construction, demolition by an explosion, drilling or excavation, construction without the approvals, relocate or dismantle immovable cultural relics, unauthorized repair or reconstruct fully-destroyed immovable monuments, or scratching, smearing and damaging cultural relics.

that conservation measures be incorporated into their feasible study or design project proposal where cultural heritage is protected in-situ (Article 20).¹²⁹ Even though the 2017 revision states: “construction project shall not be commenced without approval” (Article 20), it also gives the authority to the provincial-level governments in the case of reconstruction of immovable cultural relics in-situ due to special circumstances, and no longer requires approval from the State Council except for the National Monument-Sites (Article 22). A request of report and approval from the corresponding administrative Department of Cultural Relics when repairing the Monument-Sites and pending-designation immovable heritage is also deleted in the 2017 version (Article 21).¹³⁰

2) Flexibility on the Use of Heritage

Compared with the wording in 2002 “if must use them for other purposes,” (Article 23, 2002), the use of a state-owned Monument-Site is more flexible in the 2017 version. It says: “(Monument-Sites) is used for other purposes other than a museum, a conservation institute, or a tourist attraction,” it should be approved by the upper-level administrative Department of the Cultural Heritage of the government (Article 23, 2017). Here, we can attend a tendency on expanding the utilization of cultural relics these years.

III. Comparisons between Administrative Hierarchies (Synchronic Comparison)

Shanxi Measure on Cultural Relics, 2006 (W5) vs. Law on Cultural Relics, 2002 (W2)

In this section, the 2006 Shanxi Provincial Measure (2006) will be the counterpart to make a comparison with the Law on Cultural Relics (2002) to identify the difference between local and national laws. There is a principal-and-subordinate relationship between the two legal documents

¹²⁹ Law on Cultural Relics, Art. 20 (2002): “the construction entity shall verify the protective measures in advance, and submit the measures to the corresponding protected Monument-Sites administrative department for permission, according to the conservation level of the cultural relics.”

¹³⁰ Law on Cultural Relics, Art. 21 (2002).

since the Provincial Measure was formulated following the *Law on Cultural Relics (2002)* and adapting actual situations of the province.¹³¹ As a supplementary document, the Provincial Measure does not repeat the *Law on Cultural Relics (2002)* but replenish specific subject matters to fill in the gaps. Keeping the same 8-chapter skeleton, with only 48 articles, the Provincial Measure promulgates two unprecedented chapters, Chapter V “Security of Cultural Relics” and Chapter VI “Circulation and Utilization of Cultural Relics,” which display a utilitarianism mindset in heritage conservation.

1) Converse Conservation Principles into Operational Procedures

Inheriting the ethos from the *Law on Cultural Relics* as it claims, the Provincial Measure provides more practical guidelines for local conservation works. The brand new Chapter V “Security of Cultural Relics” can shed light on how the Provincial Measure serves the purpose. This chapter calls for security system (Article 30), ban fire and electricity use (Article 32), high-voltage transmission and transform facilities within protected Monument-Sites (Article 33), as well as control tourist numbers or suspend visitation at the historic sites that have potential security risks (Article 34).

Being a local legal document, the Provincial Measure also gives detailed operative procedures to certain conditions. For the management of HCCTVs, and Historic Districts, local governments shall confirm competent agencies or assign specific managerial personnel (Article 10). Construction projects of heritage conservation require a process of tender, bid, and supervision by law, and fully execute the approved design and construction schemes (Article 17). For the unsafe non-heritage buildings and structures within the Conservation Zone of any protected

¹³¹ Shanxi Provincial Measure, Art. 1 (2006).

Monument-Site, the Provincial Measure imposes the accountability entity for the cost of relocation and renovation.¹³²

2) Additional Articles Specified for Provincial Needs

Some articles are drafted specifically for Shanxi Province, which is a region that has the largest collection of cultural relics and underground treasures but is backward in the economy. Most of these articles are not directly related to urban heritage, such as preserved valuable underground cultural relics or ancient cultural sites in-situ (Article 9); not be exploited underground mines within Protected Monument-Sites (Article 19), and so on. Furthermore, the provincial government prescribes specific measures of heritage conservation to solicit private investments (Article 7).

3) Additional Protection Measures on Immovable Heritages

Some innovative practices, which had never been proposed by the Law on Cultural Relics, are found in the Provincial Measure. Two precautionary measures try to salvage those vulnerable immovable heritages before they get a formal designation. First, to those pending immovable cultural relics, the Department of Cultural Relics shall register, publicize, establish archives as well as formulate and implement conservation measures for them (Article 11). Another feasible policy allows the governments to negotiate with owners of non-state-owned immovable cultural relics so that the governments can exchange or purchase the cultural property (Article 14).

4) Administrative Functions from the State to the Province

The national Law on Cultural Relics authorizes administrative power to the provincial governments for dealing with heritage conservation affairs within their jurisdictions.¹³³ Echo to the national instruction, the Provincial Measure stipulates their correspondent duties for

¹³² Shanxi Measure on Cultural Relics, Art. 13, (2006).

¹³³ Law on Cultural Relics, Art. 8, 9, 10 (2002).

implementing the heritage conservation tasks within their administrative regions, including organizing and coordinating relevant departments to resolve major conservation issues, incorporating cultural relics conservation into their national economic and social development plans, and including conservation funds in their fiscal budget (Article 3). Moreover, conservation-related duties are delegated to relevant departments respectively.¹³⁴ As such, all the duties of the State specified in the Law on Cultural Relics are omitted in the provincial document.¹³⁵

4.2.2 *Urban-Rural Planning Laws*

I. Background, Contents, and Significance

Urban conservation planning has been part of urban planning in China since the early 1980s (Whitehand & Gu, 2007). The earliest legislation on the urban planning of the People's Republic of China is the “*Measure for the Preparation of Urban Planning (chengshi guihua bianzhi banfa 城市规划编制办法)*” in 1954. The current legal system for urban planning is based on the first national-level law “*Urban Planning Law (chengshi guihuafa 城市规划法)*” in 1990. Both legal pieces mainly focus on the existing built areas of cities, especially historic cores or slums (Ma & Zhou, 2006; Wang, 2008).

In order to integrate rural and urban development, the revolutionary document, “*Urban-Rural Planning Law of the People's Republic of China (zhonghua renmin gongheguo chengxiang guihuafa 中华人民共和国城乡规划法, 2008)*,” replaced the old “Urban Planning

¹³⁴ Conservation-related departments refer to the administrative department of cultural relics, public security, industry, and commerce administration, the customs, the administrative departments of religion, landscape, education, healthcare, and real estate (Shanxi Measure on Cultural Relics, Art. 5, 2006) The advocacy and education activities are assigned to the department of cultural relics, education, radio and television, press and publication, etc. (Shanxi Measure on Cultural Relics, Art. 6, 2006).

¹³⁵ Articles in the Law on Cultural Relics regarding the administrative authority throughout the country (Article 8), power to develop enterprises on heritage protection (Article 10), the stipulation of criteria for the Monument-Sites (Article 2), and the statements of the State-ownership (Article 5, 6) are not mentioned in the Provincial Law.

Law” and promulgated two amendments in 2015 and 2019. In provincial level, Shanxi Province promulgated the “*Shanxi Planning Measure for Implementation of the Urban Planning Law (山西省实施“中华人民共和国城市规划法”办法)*” in 1991 for implementing the first phase of national urban planning law (1990). Under the new urban-rural scheme (2008), two versions of “*Shanxi Planning Regulation on Urban-Rural Planning (shanxisheng chengxiang guihua tiaoli 山西省城乡规划条例)*” were published in 2010 and 2019. As a municipal level city, Datong used its legislative power to formulate the “*Administrative Measure on Urban Planning of Datong City (datongshi chengshi guihua guanli banfa 大同市城市规划管理办法, 1992)*” and the “*Regulation on Urban-Rural Planning of Datong City (datongshi chengxiang guihua tiaoli 大同市城乡规划条例, 2011)*” during the two phases of China's urban planning legislative history. Pingyao is under county-level, which does not have its own regulations on urban planning.

Providing a framework to the protection measures of Historic-Cultural Cities, the purposes and contents of these urban planning laws and regulations do not always directly connect to urban conservation. Therefore, the following section focuses on an overall introduction of the “Urban-Rural Planning Law (2008),” the articles related to urban conservation, and the values they contribute to the conservation of Historic-Cultural Cities.

(G2) “Urban-Rural Planning Law of the People's Republic of China (中华人民共和国城乡规划法, 2008),” (hereafter referred to as “Urban-Rural Planning Law”)

“Urban-Rural Planning Law of the People's Republic of China (中华人民共和国城乡规划法, 2008),” consists of seven chapters, seventy articles. Chapter I “General Provisions” states the purposes of this Law, the scope of urban-rural planning, the formulation and implementation of urban-rural planning principles, as well as the department responsible for urban-rural planning

management. Chapter II “The formulation of urban-rural planning” stipulates the preparation and approval procedures for different phases and formats of the planning document, including “national urban system plans,” “provincial urban system plans,” “urban master plans,” “town master plans,” “township and village plans,” as well as “regulatory detailed plans,” and “construction detailed plans.” Chapter III “Implementation of Urban-Rural Plans” provides principles and precautions for the implementation of urban-rural planning. Chapter IV “Modification of Urban-Rural Planning” regulates the authority and procedures for various types of planning amendments. Chapter V “Supervision and Inspection” assigns the duties and roles on supervision and inspection to the local governments, their competent Departments of Urban-Rural Planning, and the people's congresses. Chapter VI “Legal Liabilities” specified penalties to the violations of the Urban-Rural Planning Law, including violations from the authorities with the administrative power. The last Chapter (Article 70) notes the effective date of the law.

As the goals of the Urban-Rural Planning Law are to “strengthen urban-rural planning administration, harmonize urban and rural spatial layout, improve people’s living environment, and promote integrated sustainable development” (Article 1), it only requests that urban conservation be incorporated into urban planning. To balance new development and conservation of historic cores, the Urban-Rural Planning Law advocates “proper management of the relationship between new development and regeneration of historic areas” (Article 29). Article 31 is the only specific article for the protection of HCCTVs. In addition to appealing that maintenance and use of protected buildings shall comply with related laws, it also regulates that historic-cultural heritage and traditional style shall be protected during urban regeneration by properly confining the scale of demolition and construction, strategically regenerating the areas of dilapidated houses, and outdated infrastructure (Urban-Rural Planning Law, Art. 31, 2008).

II. Values Change Over Time (Diachronic Comparison)

The shift from “city planning” to “urban-rural planning” is noticeable and will be revealed in the comparison of the two documents of national planning laws. As the “Shanxi Planning Measure” (1991 and 2010) are respectively formulated after the two national planning laws (1990 “Urban Planning Law” and 2008 “Urban-Rural Planning Law”), the comparison of the latter pair will be made to identify the gaps between national and local legislation. Since the 2019 amendment of “Shanxi Planning Regulation” is mostly on administrative management, hence, only basic explanations for modifications are provided. The comparison between the “Urban Planning Law (1990)” and “Shanxi Planning Measure (1991)” will be omitted as they are outdated and detached from current situations.

A. National Level

1. Urban Planning Law, 1990 (G1) vs. Urban-Rural Planning Law, 2008 (G2)

The concept shift from “city planning” in the 1990s’ toward “urban-rural planning” in 2008 is a great leap. Therefore, there was a radical structural change brought to the later versions. First of all, six chapters and 46 articles (1990) became seven chapters and 70 articles (2008); and the general term was changed from “urban planning” to “urban-rural planning” to indicate a broader scope of the law. New chapters, Chapter IV “Modification of Urban-rural Planning” and Chapter V “Supervision and Inspection,” were added on to set up stricter rules for revising urban plans as well as to strengthen governmental supervision power. Chapter III “New Development and Urban Renewal” in the 1990 law was deleted as it originally only focused on inner city.

Compare with the old urban planning law, the 2008 Urban-Rural Planning Law highlights the public policy nature of urban-rural planning, emphasizes the functions of comprehensive control through urban-rural planning, establishes a new urban-rural planning system. From the

administrative aspect, the Urban-Rural Planning Law tightens the procedures on revising urban plans, improves the review system, supervises and restricts administrative power, imposes new requirements to planning entities, strengthens legal responsibilities, and establishes a more effective legal system through legal authorization.

Nevertheless, the attitude and the measures for urban conservation do not display great disparities in the two phases of China's urban planning. Despite the previous scope concerned city areas and intended to "strictly control the scale of large cities, appropriately develop medium and small-size cities (Article 4, 1990)," their planning principles are identical — "protect historic and cultural heritage, urban traditional features, local characteristics, and natural landscapes" (Article 14, 1990). Same with Article 31 of the 2008 Urban-Rural Planning Law, Chapter III of the 1990 document "Urban Development and Regeneration" is specially formulated for historic cores. In this chapter, Article 25 (1990) stipulates that "urban development should avoid underground mineral deposits, cultural relics, or monuments"; Article 27 (1990) states that "urban regeneration shall gradually strengthen maintenance, rationally utilize and adjust layouts to integrate planning and implement in phases, as well as gradually improve living and transportation conditions, strengthen infrastructure and public facilities to upgrade overall functions of the city."

2. Urban-Rural Planning Law, 2008 (G2) vs. Urban-Rural Planning Law, 2019 (G3)

Except for two minor changes in Article 24, the 2019 Amendment does not modify any essential contents of the 2008 Law.

B. Provincial Level

1. Shanxi Planning Measure, 1991 (G4) vs. Shanxi Planning Regulation, 2010 (G5)

The disparities of these two provincial documents are similar to their national-level precedents: most of the changes are administrative-wise, but with considerable structural modifications. In

addition to the fundamental change to their scopes and restructured chapters from six chapters (35 articles) to seven chapters (69 articles), the 2010 Shanxi Planning Regulation subdivided five sections under Chapter III “Implementation of Urban-rural Planning” to stipulate rules for planning management, on-site selections, construction lands, and construction projects.

In the 1991 Shanxi Planning Measure, despite the historic urban core is highlighted in Chapter II “New Development and Urban Renewal” (Article 13-16), only two of the thirty-five articles are directly related to urban conservation: Article 4, “Preserving historic and cultural heritage with the natural landscape” is listed as one of the planning principles. Article 15 requires “incompatible buildings and structures are not allowed to be constructed in the areas of traditional features and local characteristics defined by the scope of urban planning.” Nevertheless, both rules have become iron disciplines for urban conservation to present.

Due to the increasing awareness of historic preservation, the 2010 Shanxi Provincial Regulation shows more attention to urban conservation compared with the 1991 version. In the new Regulation, “Protecting historic-cultural heritage and natural resource,” “maintaining local characteristics and traditional features” are not only continues as the principles of urban planning (Article 3) and urban renewal (Article 24) but also mandatory in the urban system plans and master plans (Article 17). Moreover, the construction codes and the regulations for historic cultural heritage conservation, and the boundaries of protection zones are required in regulatory detailed plans (Article 19).

Following the definition in the 2008 Regulation on HCCTVs, “historic architecture” is newly defined as a conservation objective (Article 68) together with “Historic-Cultural Cities, Towns, Villages, Historic Districts, protection zones” (Article 13). Conservation plans are required to “safeguard authenticity and integrity of the historic and cultural heritage,” and to “maintain and

continue traditional layouts and historical features.” Incorporating measures for Historic-Cultural Cities with formal administrative procedures of promulgation of all kinds of heritage (Article 13), and coordinating the assignment of governmental agencies (Article 9), this legal document constructs a relatively comprehensive framework for Shanxi’s urban conservation as well as presenting its globalization progress on a par with these international paradigms.

2. Shanxi Planning Regulation, 2010 (G5) vs. Shanxi Planning Regulation, 2019 (G6)

There are some minor changes related to planning administration between the two versions of Shanxi Planning Regulations, however, these modifications are irrelevant to urban conservation.

Comparisons between Administrative Hierarchies (Synchronic Comparison)

3. Urban-Rural Planning Law, 2008 (G2) vs. Shanxi Planning Regulation, 2010 (G5)

Shanxi Planning Regulation (2010) is formulated after its national-level template, the Urban-Rural Planning Law (2008), and has seven identical titles of the chapters as the national law. Except for the five new subdivisions under Chapter III “Implementation of Urban-rural Planning,” Shanxi Planning Regulation has only one less article than the national laws’ seventy articles. Shanxi Planning Regulation. Since the planning laws are mostly for administrative purposes and do not specifically address urban conservation issues, their separate roles are observed through four folds: (1) master versus subordinate; (2) principles versus implementations; (3) general versus specific; (4) planning versus conservation planning.

1) Principal versus Subordinate

At a lower-hierarchy of administrative ranking, the Shanxi Planning Regulation carries out the principles and guidelines stipulated in the 2008 Urban-Rural Planning Law. This relationship is noted in the Shanxi Planning Regulation that “the Regulations are formulated per the Urban-rural Planning Law (Article 1).” While following or copying some definitions and major guidelines

from the 2008 Urban-Rural Planning Law, the Shanxi Planning Regulation provides proper agencies at the provincial level, supplementary measures, and detailed descriptions of duties and procedures.

2) Policies versus Implementations

Comparing the two documents, the 2008 Urban-Rural Planning Law mostly depicts fundamental policies, and, the Provincial Regulation makes more efforts on practical administrative measures for implementation. The implementation-oriented purpose of the Provincial Regulation is demonstrated on the five subdivisions in Chapter III “Implementation of Urban-rural Planning,” which is stipulated to explain the required permits, procedures, and responsive agencies on site selection, construction land, and construction project management. On the contrary, the same chapter of the Urban-Rural Planning Law only has 18 articles of general guidelines without any subdivision.

3) General versus Specific

Serving as a national-wide law, the 2008 Urban-Rural Planning Law uses general guidelines to cope with the diverse conditions of each province. Differently, the Provincial Regulation clearly stated in Article 1 that “the Regulations are formulated under actual situations of the province.” Shanxi Province enjoys the prestige of profound historic sites and mineral fields, these provincial traits reflect in the article for “construction of industrial and mining towns” (Article 25), and multiple articles concerning HCCTVs, Historic Districts, protection zones, and historic architecture.

4) Planning versus Conservation Planning

More than 90 percent of articles in “Urban-Rural Planning Law” deal with administering urban planning; the efforts to incorporate preservation matters into planning are found in merely three

articles (Article 4, Article 17, Article 31). Significantly, the protection of historic-cultural heritage and the traditional townscape of HCCTVs were regarded during urban renewal (Article 31). In addition, protecting natural and historic-cultural heritage has become part of the mandatory items as a part of urban planning (Article 17), not simply a guideline (Article 4).

In the Provincial Regulation, following the template of the 2008 “Urban-Rural Planning Law, “protection of natural and historic-cultural heritage, maintain local characteristics and traditional features” is a part of urban planning (Article 3) and urban renewal (Article 24) as well as mandatory in urban system plans (Article 16) and master plans (Article 17).” Moreover, construction codes, regulations for historic-cultural heritage conservation, and the boundaries of protection zones are required in regulatory detailed plans (Article 19).

Affected by the Regulation on Protection of HCCTVs (2008),” the term and related measures regarding “Historic-Cultural Cities, Towns, and Villages” appear twice in the Shanxi Regulation (2010): 1) Article 13 is specified for HCCTVs, which requires conservation plans “to maintain and continue traditional layouts with historical features, and to safeguard authenticity and integrity of the historic-cultural heritage,” and delegates the duty of promulgation of these protection zones to the local governments. 2) Article 9 mentions the review procedures of master plans for Historic-Cultural Cities. The weight of heritage conservation in Shanxi Province is well-informed through the articles in the Provincial Regulation.

4.2.3 *Regulations on the Protection of Historic Cities*

I. Background and Context

The “*Regulation on Protection of Famous Historic-Cultural Cities, Towns, and Villages*“ (*lishi wenhua mingcheng mingzhen mingcun baohu tiaoli 历史文化名城名镇名村保护条例*; hereafter referred to as *Regulation on HCCTVs*) was promulgated by the State Council in 2008 as formal extension legislation of the “*Specific Requirements on the Planning for Historically and Culturally Renowned Cities (2005)*” (*lishi wenhua mingcheng baohu guihua guifan 历史文化名城保护规划规范*), which initiated the concept of conserving historic cities (Lee, 2014; Shao, 2014).¹³⁶ Corresponding with the Nairobi Recommendation (1976) and the Washington Charter (1987), the Regulation of HCCTVs is the Chinese counterpart specifically for historic cities rather than just protecting individual buildings or Monument-Site. Its appearance anchored China’s existing three-category conservation system, which comprises Monument-Sites, Historic Districts, and Historic-Cultural Cities.

Apart from this national-level law, the Shanxi Province, in which the two case study sites are located, formulated its provincial-level law – *Shanxi Provincial Regulation on Protection of Famous Historic-Cultural Cities, Towns, and Villages* (*Shanxisheng lishiwenhua mingcheng mingzheng mingcun baohu tiaoli 山西省历史文化名城名镇名村保护条例*, 2018).¹³⁷ Under the provincial-level, Datong city (one of the case study sites) has its municipal-level law— *the Regulation on Conservation and Management for the Ancient City of Datong* (*Datong gucheng*

¹³⁶ By the decree of the state council of the People’s Republic of China No. 524, the Regulation was effective as of July 1, 2008.

¹³⁷ Many cities and provinces have set up their preservation policies to protect their minority cultural relics or abundant heritage before publishing the Regulation on HCCTVs, such as Yunnan Province and Shanxi Province (Shao, 2014).

baohu guanli tiaoli 大同古城保护管理条例, 2000). The Ancient City of Pingyao, the other case study site, also promulgated its county-level law – the *Conservation Regulation for the Ancient City of Pingyao, Shanxi Province* (*Shanxisheng pingyao gucheng baohu tiaoli* 山西省平遥古城保护条例, 1999 & 2018). Urban conservation in the four-level administrative hierarchy of China has been fully covered by the Regulation on HCCTVs.

II. Goals, Contents, and Significance

To strengthen the protection and administration of Famous HCCTVs, the *Regulation on HCCTVs* was composed of six chapters/forty-eight articles and adopted at the 3rd Executive Meeting of the State Council of the People’s Republic of China on April 2, 2008. Once approved and announced, local governments have been obligated to edit their Conservation Planning of Historic-Cultural Areas within one year limit after the date of its promulgation. Legally authorized conservation plan of each area is tailored for adapting local conditions, and the detailed regulations should follow the general rules in the Regulation on HCCTVs (He, 2013).

As the Regulation applies to the application, approval, planning, and protection for famous HCCTVs, half of the forty-eight articles are counted for administrative procedures for the management of HCCs, including Chapter II (Article 7~12) “Declaration and Approval,” and Chapter III (Article 13~20) “Conservation Planning.” While Chapter I (Article 1~6) “General Provisions” put forward the purposes and goals of the Regulation, Chapter IV (Article 21~36) “Conservation Measures” provides specific requirements for the conservation works. Mirroring the requirements in the previous chapter, Chapter V (Article 37~46) “Legal Liabilities” provide penalties to an entity or individual who violates the provisions of the Regulation, or causes damage or destruction to the cultural relics in any historic-cultural city, town, or village. The last two

articles (Article 47~48) in the last Chapter “Additional Provisions” define the terms of “historic architecture” and “historic cultural district,” and the effective date of the law.

Interpretive Values from the Texts

As presumptions, certain values are embedded in the texts of the legal documents and recognizable in the statement of the goals, the criteria of application and approval of HCCs, the specified subjects of conservation planning for HCCs, and the conservation measures of the Regulation. Legal accountabilities, mostly corresponding to the guiding principles or forbidden activities, also reflect the same values. First, certain values are written in the national Regulation. At the beginning of the Regulation (Article 1), it states that the purpose of the law is for “strengthening the protection and administration of the Famous Historic-Cultural Cities, Towns, and Villages” and “inheriting the outstanding historical and cultural heritage of the Chinese nation.” Several significant elements are listed as the criteria for HCCs’ application (Article 7, Article 47):

(1) particularly rich cultural relics are preserved there;

(2) there are clusters of historical buildings;

(3) the traditional layout and historical-style and features are preserved there;

(4) it has once served as a political, economic, cultural, or communications center, or a place of strategic importance in history, or it has witnessed important historical events, or its traditional industries or major projects built in history have ever exerted an important influence on the development of the place, or it gives a concentrated picture of the cultural or ethnic features of the local buildings.

(5) Within the area of protection of a city to be nominated as a famous historic-cultural city, there shall be two historic-cultural blocks at least.

The criteria imply the major values: (1) “Historic values,” as a place related to history and has historical impacts; (2) “Scientific values,” a place that shows influence in industries or development; (3) “Cultural values,” where a place can reflect the cultural or ethnic characteristics

of the local architecture. Furthermore, specific physical elements are indicated in multiple articles in the 2008 Regulation for protection:

1. *“Traditional layout, historical features and scale” is the most frequent requirement by the law: They are the listed items to be protected in guiding principles¹³⁸; damage to them is not allowed.¹³⁹ Certain activities are constrained to protect them,¹⁴⁰ otherwise, there are penalties to hold legal liabilities.¹⁴¹*

2. *“Historic architecture”: this is a fundamental component of traditional layout and historical features. Original heights, volumes, appearances, and color schemes are to be maintained (Article 27). Historic architecture cannot be damaged, relocated, or dismantled;¹⁴² their appearances and uses shall not be altered.¹⁴³ There are penalties for violating these provisions.¹⁴⁴*

3. *Safeguard “authenticity and integrity” of historical and cultural heritage (Article 3); damage to them is not allowed (Article 23).*

4. *A certain amount of preserved objects: the Regulation requires an HCC has “abundant” cultural relics, “aggregated” historic buildings, and at least two “historic districts.”*

5. *Settings: HCCs and their interdependent natural landscape and environment shall not be changed. (Article 21).*

¹³⁸ The Regulation on HCCTVs, Art. 3, Art. 7, Art. 14, Art. 21 (2008).

¹³⁹ Ibid, Art. 23, and Art. 24.

¹⁴⁰ Ibid, Art. 25, Art. 28.

¹⁴¹ Ibid, Art. 39, Art. 41, Art. 43.

¹⁴² The Regulation on HCCTVs, Art. 24, and Art. 33 (2008).

¹⁴³ Ibid, Art. 25 and Art. 35.

¹⁴⁴ Ibid, Art. 41 to Art. 44.

Key principles of urban conservation are noted in several articles:

1. “Scientific planning and protection” to “properly manage the relationship between economic, social development and heritage protection” (Article 3);
2. Integrated protection: Famous HCCTVs shall be protected as a whole; their traditional layout, historical features, and scale should be maintained; their interdependent natural landscape and environment shall not be changed (Article 21).
3. Classification: shall apply corresponding measures to implement classified protection According to respective situations (Article 27).
4. In-Situ: cultural heritage shall be protected in-situ by all means. (Article 34).

II. Values Change Over Time (Diachronic Comparison)

Regulation on HCCTVs (2008)(L1) vs. Regulation on HCCTVs (2017) (L2)

The amendment published in 2017 is the only modification since the publication of the *Regulation on HCCTVs* 12 years ago. In the 2017 version, only the three articles (Article 25, Article 39, Article 43) related to administrative procedures were revised.¹⁴⁵ Since there has been no significant change in the later version, the two documents may be considered as the same and the updated version (2017) can be used for making comparisons.

¹⁴⁵ The Regulation on HCCTVs, Art. 25 (2017) – deleted one sentence “which shall be subject to approval by the competent Urban-Rural Planning Department of the people’s government of the city or county jointly with the competent cultural relics department at the same level, ...”

The Regulation on HCCTVs, Art. 39 – deleted “Article 25”

The Regulation on HCCTVs, Art. 43 – deleted item (1) changing the natural conditions of the gardens, green land, river or lake water system, etc.; (2) conducting film or television production or holding large-scale mass activities; (5) carrying out other activities that may affect the traditional layout, historical style, and features, or historical buildings; revised “Where a unit or individual carries out the aforementioned activities with approval,” to “Where a unit or individual carries out the activities stipulated in Article 25 of these Regulations, or shall, with approval, carry out the activities stipulated in the first paragraph of these Regulations.”

II. Comparisons between Administrative Hierarchies (Synchronic Comparison)

Shanxi Provincial Regulation on HCCTVs, 2018 (L3) vs. Regulation on HCCTVs, 2017 (L2)

Strikingly, the provincial-level law, “(L3) Shanxi Provincial Regulation on Protection of Famous Historic-Cultural Cities, Towns, and Villages (*The Provincial Regulation, 2018*)” shows a considerable disparity with its origin, the “*Regulation on HCCTVs (2008, 2017)*.” First, the Provincial Regulation has seven chapters, while the Regulation on HCCTVs has only six. Comparing the number of articles, the total of the provincial Regulation is 54, six articles exceeding the national Regulation (48 articles). Chapters V “Supervision and Inspection” of the Provincial Regulation, an addition to the original, reflects necessary measures for current conservation enforcement. Moreover, the title of Chapter II changed from “Application and Approval” of the Regulation on HCCTVs to “Application and Designation”; the title of Chapter IV changed from “Conservation Measures” to “Conservation and Utilization.” The new titles reveal that the provincial policy leans towards the utilization of heritage over preserving heritage. Except for the two chapters, the other chapters retain the same titles.

It is interesting to see the additions as they illustrate the evolutionary concepts on heritage conservation unfolding in the last decade. These concepts can be identified through the two sets of texts and be categorized in several aspects discussed below.

1) Different Attitudes and Goals of Conservation between the State and the Province

The subject matter of the national Regulation that applies to the “application, approval, planning and protection for HCCTVs” (Article 2, Regulation on HCCTVs) was changed in the Provincial version of “conservation utilization, supervision and inspection for HCCTVs, Historic Districts, and Historic Architectures” (Article 2, Shanxi Regulation). The two short sentences show that (1) the purpose of the provincial Regulation shifted from neutral functional duties to a top-down

administrative manner; (2) from altruism (simply protection) to utilitarian thinking (conservation utilization).

Substituting for the chapter on “conservation planning” in the Regulation on HCCTVs, the entire Chapter IV of the Provincial Regulation is specifically for “conservation and utilization” and encourages making use of heritage. Its advocacy includes providing guidelines for rectifying buildings with inconsistent styles in construction activities (Article 28), encouraging integrated conservation and utilization of traditional residential courtyards (Article 34), establishing an archive of conservation projects for coordinating cultural resources for development and utilization (Article 40), strengthening the protection of sites directly related intangible cultural heritage (Article 41), and encouraging public participation in conservation utilization through investments (Article 43). In total, the wording for utilization (*liyong* 利用) is repeated 10 times in the 2018 Provincial document: from the subject matter of conservation (Article 2) to conservation principles (Article 3). In Article 22, construction lands of HCCTVs, and Historic Districts may be increased according to actual conditions for conservation and utilization. This kind of conservation plan opens a door for manipulating land use for further development.

2) New Concepts and Types of Heritage in the Provincial Law

From Article 2 of the Provincial Regulation, “Historic District” and “Historic Architectures” appear as two new types of heritage other than “historic cities, towns, and villages.” The criteria for “Provincial-level Historic District” are listed in Article 11; the criteria for “Historic Architecture” are listed in Article 15. In addition, the definition of “Historic Cultural Conservation Zone,” which is located in towns or villages, is described in Article 17; the definition of “Traditional Village” is described in Article 18. Except for these kinds of tangible heritage, “intangible heritage” is mentioned for the very first time (Article 12), and again, with more specific

descriptions as one of the formal subjects for protection in HCCs, in Article 27 and Article 41. Because of these new heritage types, new articles regarding their conservation and management are added to the Provincial Regulation to encompass the new scope: including updated international conservation principles and keeping historical information to reflect authenticity for historic buildings (Article 28).¹⁴⁶

3) New Measures and Approaches toward Conservation at the Provincial Level

In dealing with conservation matters, the Provincial Regulation also exhibits aggressive approaches and new concepts for the local government regarding how to implement the national Regulation. In addition to funding for protecting historic architecture and training in traditional craftsmanship (Article 6), there are multiple new measures on promoting public participation mechanism for the conservation of HCCs (Article 7): for example, encouraging integrated conservation and utilization of traditional residential courtyards (Article 34); encouraging local residents to live in, and participate in the protection, utilization, development of HCCs through different forms of investments (Article 43), or through organizing volunteer service teams (Article 44). The most innovative idea is to solicit financial institutions to improve financial services and provide financial support to the development and conservation of HCCs (Article 42). Besides those encouraging measures, the Provincial Regulation urges governments at all levels to promote the conservation of HCCs and educate the general public (Article 8). Scientific evaluation and classification are not new in China's conservation documents; however, the Provincial Regulation put forward more practical schemes, including conservation management system, technical commissioners' system, roster, and technical consultation system of traditional building craftsmen

¹⁴⁶ Shanxi Provincial Regulation on HCCTVs, Art. 28 (2018): Activities of repair shall protect historical information to reflect authenticity of historic buildings, and shall not change its interdependent natural and cultural environments.

(Article 29), suitable construction technology standards for local needs (Article 30), and an archive to coordinate historical cultural resources (Article 40).

4) Provincial Government's Role of Supervision and Inspection

As mentioned above, Chapter V “Supervision and Inspection” is a new addition of the 2018 Provincial Regulation as an expansion of Article 20 in the National Regulation, which requests the local governments to strengthen supervision and inspection on the implementation of conservation plans within their respective administrative areas to rectify and address the discovered problems. Besides the originally assigned administrative duties (review and approve conservation plans, inspection, and evaluation of the implementation of conservation plans), a warning and removal mechanism is proposed (Article 45), which sets up an endangered list to review and revoke the title of the HCCs. Further supervision measures are provided to audit the execution and utilization of the budget of the responsible officers by the Auditing agency (Article 48), and, to allow entities or individuals to report damaging activities (Article 49).

5) Delegated Competent Agencies and Duties by Administrative Levels

One major disparity between the two documents is their respective governmental agency—one is the local provincial people's government, the other is the State Council representing the Central government. Therefore, the State Council's role (or “the State”) is substituted for appropriate administrative agencies and their assigned conservation duties in the Provincial Regulation.¹⁴⁷ For example, regarding conservation funding, the National Regulation rules that the State provides national financial support for the conservation of HCCs, and the local governments of the HCCs shall arrange funds for protection (Article 4). In the Provincial Regulation (Article 6), this fiscal arrangement of each level governmental agency (governments above county-level, township

¹⁴⁷ Shanxi Provincial Regulation on HCCTVs, Art. 4, 5, 6, 9, 20 (2018).

governments, village committees) is specifically addressed. The duties of each department and cross-agency cooperation for conservation administration are also well-described in the Provincial Regulation (Article 5).

4.3 LOCAL REGULATIONS ON THE PROTECTION OF HISTORIC CITIES

4.3.1 *Regulations on the Protection of Pingyao*

I. Background and Context

Designated as a national Historic-Cultural City in 1986 and subsequently inscribed on the “World Heritage List” in 1997, for its special status, Pingyao had drafted the earliest legal document of urban conservation in 1999. Promulgated nine years before the Regulation on Protection of Famous HCCTVs (2008), the Conservation Regulation for the Ancient City of Pingyao, Shanxi Province (1999, aka, Pingyao Regulation) was completed under a condition of “groping for stones to cross the river” due to lack of precedents for reference.¹⁴⁸ Coming after the tourism boom resulting from being a renowned heritage site after 2000,¹⁴⁹ spanning an entire twenty-year term of a general urban plan, the preliminary *Conservation Regulation of Pingyao* was no longer effective as a result of some contradictions and problems. After efforts of local agencies on modifications for a decade, the revision of the Pingyao Conservation Regulation was finally published on September 30, 2018.¹⁵⁰ As the lowest-hierarchy of the governmental system, Pingyao County does not possess legislative power. Therefore, the configuration of the Conservation Regulation was passed to the People's Congress of Shanxi Province. With the newly established

¹⁴⁸ Ji, Tai-ping. Personal Interview by Ho. On September, 19th and 27th, 2019. At Ji's office of the Elderly Center of Pingyao County.

¹⁴⁹ Li, Hung-Zheng. Personal Interview by Ho. On September, 25th, 2019. At the office of Pingyao Ancient City Conservation and Management Committee.

¹⁵⁰ The preparation of the amendment started in 2004. Li, Hung-Zheng. Personal Interview by Ho. On September, 25th, 2019. At the office of Pingyao Ancient City Conservation and Management Committee.

Conservation and Management Committee as a unified agency¹⁵¹ and a long experience of operation and the assistance from a diversity of consultants, the county government was able to rewrite the law into a relatively comprehensive conservation document.

II. Goals, Contents, and Significance

1. Conservation Regulation for the Ancient City of Pingyao, Shanxi Province, 1999 (山西省平遥古城保护条例, 1999; Pingyao Regulation, 1999) (L6)

Because of the dual inscriptions of the Ancient City of Pingyao, the Conservation Regulation of Pingyao is an exemplary model for other Historic-Cultural Cities in China as well as a significant indicator to show the international influence of the conservation field. Neither similar to the *Law on Protection of Cultural Relics (1982)* nor to the *Urban Planning Law (1990)*, the *1999 Pingyao Conservation Regulation* presents a new scope with an urban agenda that differs from the two precedent legal documents. Composed of six chapters and forty-one articles, the *Pingyao Conservation Regulation* specifies three major subject matters of “conservation,” “management,” and “utilization” for urban conservation affairs, in addition to “general provisions,” “legal liabilities,” and “additional provisions” at the end of other general legislative documents. Conservation measures (Chapter II) of the 1999 Regulation were relatively simple. Besides the standards of the nine protection zones, there were only three articles, which regulate classification conservation for traditional residential architecture (Article 13), gradually landscaping vacant lots

¹⁵¹ The “Pingyao Ancient City Conservation and Management Committee” was the administrative body for the conservation of Pingyao. Its original duty was about the management of admission to the city. Learned from the conservation system of the Ancient City of Lijiang, this agency was upgraded to a permanent administrative organ in 2012 to coordinate multiple governmental agencies involved in the conservation of Pingyao. Li, Hung-Zheng. Personal Interview by Ho. On September, 25th, 2019. At the office of Pingyao Ancient City Conservation and Management Committee.

and evacuated sites and banning felling old trees (Article 14), and requesting safety measures to prevent fire, burglar, earthquake, and flood for the ancient city (Article 15).

2. Conservation Regulation for the Ancient City of Pingyao, Shanxi Province, 2018 (山西省平遥古城保护条例, 2018; Pingyao Conservation Regulation, 2018) (L7)

Compared with the initial version, the new 2018 version of Pingyao Conservation Regulation is more flexible, adjustable, and requires inter-department measures for its implementation. According to Li, Hung-zheng (the Vice-Director of the Pingyao Ancient City Conservation and Management Committee), the Ancient City of Pingyao has been suffering from the problems of chaotic construction activities, outdated infrastructure, and rampant business operations since the 2000s. The new legislation successfully addresses the previous issues by three aspects: (1) it treats the entire ancient city as a holistic entity for integrated conservation; (2) it clarifies the contents and scope of the conservation areas; (3) it establishes a review-approval mechanism for conservation of Pingyao. Moreover, the amendment helps Pingyao County to obtain financial support from the province and the municipality.¹⁵²

Most of the conservation measures in the 2018 Pingyao Regulation are additions to its precedent. The following are innovative measures from the articles: its fire safety program is mandatory (Article 16) accompanied by four prohibited activities for fire safety (Article 17); landscaping is not an independent urban improvement but a part of the entire infrastructure with pipeline projects and public service facilities (Article 11); in addition to principles of repair, financial subsidies, and technical support for historic architecture (Article 12), the conservation

¹⁵² Li, Hung-Zheng. Personal Interview by Ho. On September, 25th, 2019. At the office of Pingyao Ancient City Conservation and Management Committee.

guidelines for “Construction Control Zone” (Article 22) and “Surrounding Coordination Zone”(Article 23) are newly provided.

Other than the above measures, new systems are proposed, including an inventory of traditional construction craftsmen, the mentorship of renovation technology for historical buildings, conservation and maintenance archives of historical buildings and old walls, and the conservation inventory of the ancient city (Article 24). Specific conservation plans for the Zhenguo Temple and the Shuanglin Temple are required as well (Article 25). Meanwhile, the 2018 Regulation delegates duties to the newly-established “conservation management authority of the ancient city,” which shall be fully consulted in regard to heritage conservation affairs.¹⁵³

II. Values Change over Time (Diachronic Comparison)

Pingyao Regulation, 1999 (L6) vs. Pingyao Conservation Regulation, 2018 (L7)

Both versions comprise six chapters with similar titles – the new Pingyao Conservation Regulation changed the titles of Chapter II from “conservation” to “Planning and Conservation”; changed “Management (Chapter III in 1999)” to “Supervision and Management (Chapter IV)”; and changed “Utilization (Chapter IV in 1999)” to “Inheritance and Utilization (Chapter III).” In Chapter II of both legal documents, the responsibility of preparing conservation plans is delegated to the county governments. Yet, “regulatory detailed plans” and “annual implementation plans” are added in the 2018 version (Article 8) to supplement the single “conservation plan for the Ancient City of Pingyao” in the 1999 version.

¹⁵³ In Pingyao Conservation Regulation (2018), the duties of the “conservation management authority” includes its consultation role during the formulation of the conservation systems and measures, review-approval process, issuing permits, and establishments of scenic parks or attractions (Article 41), formulate the management measures for tourism-related services (Article 42), and emergency plans for tourism safety, management plans for scenic parks and large-scale events (Article 43).

1) Changes of Scope, Contents, and Protection Systems

Importantly, the descriptions for the scope, contents of conservation, and the protection systems in the two Regulations are totally different. The concretely four-side boundaries for the three protection zones demarcated in the 2018 Regulation (Article 9) were absent in the 1999 Regulation; the nine itemized protected objects in the 2018 Regulation (Article 10) were also missed by the 1999 Regulation. That is to say, the 1999 Pingyao Conservation Regulation was incomplete as it failed to identify the key elements and scope of the conservation entities, even though the 1999 version provided a complicated conservation system combining three zonings with three levels (Article 12).¹⁵⁴

2) New Policies, New Mechanisms, and A New Agency

Establishing a new mechanism and system of conservation for inter-departmental cooperation, the “Supervision and Management (Chapter IV)” of the 2018 Pingyao Regulation weighs on the supervision role of the government in a macro perspective. Abandoning the old measures on townscape control, the 2018 Pingyao Regulation generates new policies, new mechanisms, and even a new agency to construct an effective framework for the conservation of Pingyao today. The sporadic bans to stop inappropriate activities in the “Management (Chapter III)” of the 1999 version were upgraded from superficial appearance controls to a holistic policy level. The former requirement on compliance to historic style for street advertisements (Article 25, 1999) now extends to business-related fixtures, including store plaques, storefronts, lamp styles, and lighting colors (Article 30, 2018). The former preemption for the Pingyao County government to purchase

¹⁵⁴ Pingyao Conservation Regulation, Art. 12 (1999). There are nine standards for the nine different zones: absolute protection zone; protection zone level-I, level-II, level-III; buffer zone Level-I, level-II; protection street Level-I, level-II, level-III.

private-owned traditional buildings is revised to management measures for transferring and leasing historic buildings (Article 39, 2018).

3) From Sanitary Control to City Management

Some old bans were expanded or elaborated by the new 2018 Regulation that adopts a systematic mode of city management. It seems the picture of a dirty, smoky, air-polluted city of Pingyao reflected by the 1999 Regulation no longer exists; hence, some targeted measures in the 1999 Pingyao Regulation were obsolete and omitted from the 2018 Regulation. For example, the ban on piling manure on the street (Article 23, 1999) is encompassed in environmental health management measures dealing with garbage disposal, debris stacking, sewage discharge, pet-keeping, and out-of-store operations issues (Article 40, 2018). With only two exceptions of promoting clean energy for environmental protection and traffic control within the ancient city, the conservation measures of the two documents do not really overlap with each other.¹⁵⁵

4) Restructured Legal Liabilities for Urban Conservation

Chapter V “Legal Liabilities” sections in the two documents do not share too much in common, except for the penalties for unauthorized advertisements and commercial signs,¹⁵⁶ and one violation of unauthorized occupation of street space.¹⁵⁷ Other penalties imposed on unauthorized renovation or dismantling of traditional architecture (Article 35, 1999) can be referred to as the eight kinds of violations listed in the 2018 Pingyao Regulation (Article 45 and Article 46).¹⁵⁸

¹⁵⁵ Ibid, Art. 28 (1999) and Art. 18 (2018).

¹⁵⁶ Ibid, Art. 39 (1999) and Art. 47 (2018).

¹⁵⁷ Ibid, Art. 40 (1999) and Art. 46 (2018).

¹⁵⁸ Violations are remodeled or expanded buildings above two stories and underground space (violations of Article 13); reconstruction, alteration, repair buildings (violations of Article 15); demolition or destruction of historic buildings, Changing the structure of traditional courtyards and traditional residential buildings, or opening doors and windows on walls along the street (violations of Article 14); demolition of structures other than historical buildings, demolition of building components, remodel or decorate street facades, or occupying public spaces (violations of Article 15).

Similar to the “management” chapter, the new Regulation fixes the above-mentioned problematic construction activities and controls high-noise equipment from tourism in the ancient city (Article 48), rather than imposing penalties against the environmental violations.¹⁵⁹

II. Comparisons between Administrative Hierarchies (Synchronic Comparison)

Pingyao Regulation, 2018 vs. (L7) Regulation on HCCTVs, 2017 (L2) and Shanxi Regulation, 2018 (L3)

1) Disparities from Administrative Hierarchies

Due to the governmental hierarchy, the Pingyao Regulation is a subordinate local law under national and provincial laws. This explains why the Pingyao Regulation does not have a chapter of “Application and Approval” as found in the two upper-level laws. In contrast, national and provincial laws do not have a chapter of “Supervision and Management,” which is stipulated for the implementation of conservation measures as part of the local government’s duties. Therefore, the two chapters of the three different level laws are distinct.

Differences among the responsible governments are written in the chapters of “General Provisions”: (1) the objective of the Pingyao Regulation is limited to the Ancient City of Pingyao, while the other two documents are specified for the protection of Famous HCCTVs, either nationwide or under Shanxi provincial jurisdictions; (2) the key authority of the Pingyao Regulation is the County government, while the Regulation on HCCTVs is the State Council, and the Shanxi Regulation is the Shanxi Provincial Government; therefore, (3) conservation duties are delegated to competent governmental agencies according to their levels.¹⁶⁰ As a result, the local

¹⁵⁹ Penalties in the 1999 Pingyao Regulation are imposed on the damage to the protection signs (Article 34), burning raw coal by outdoor catering business (Article 36), accumulation of manure on streets (Article 37), and burn substances that produce toxic, harmful smoke, and odorous gases (Article 38).

¹⁶⁰ Pingyao Regulation, Art. 5 (2018); Regulation on HCCTVs, Art. 5 (2008); Shanxi Regulation, Art. 4 (2018).

law of Pingyao is applied to living, visiting, producing and business operations, and conservation or construction within the Ancient City of Pingyao;¹⁶¹ the national law is applied to application, approval, planning, and conservation;¹⁶² the provincial law is applied to conservation, utilization, supervision and management for Famous HCCTVs, districts, and historic architectures (Shanxi Regulation, Art. 2, 2018).

2) Consistent Goals in Heritage Conservation

The contents of “General Provisions” are the most consistent subject among the three documents: their purposes are to “strengthen conservation management for inheriting and continuing Chinese outstanding historical and cultural heritage” (Article 1, 3); their conservation principles are “scientific planning, integrated conservation” (Article 3), and “rational utilization” to maintain historical authenticity, landscape integrity, and cultural continuity¹⁶³; conservation planning shall be incorporated into an economic and social development plan, and conservation expenditure shall be included in the fiscal budget.¹⁶⁴ They all encourage public participation,¹⁶⁵ and reward whoever makes outstanding contributions to protection.¹⁶⁶ Propaganda and educational events are necessary,¹⁶⁷ and volunteer services are encouraged.¹⁶⁸

3) Local Planning Complies with Upper-level Conservation Planning System

Turning to “Conservation Planning,” the three-level Regulations use a unified term of “conservation” plus “planning” to indicate an official approach of the integrated conservation

¹⁶¹ Pingyao Regulation, Art. 2 (2018).

¹⁶² Regulation on HCCTVs, Art. 2 (2008).

¹⁶³ Pingyao Regulation, Art. 3 (2018); Regulation on HCCTVs, Art. 3 (2008).

¹⁶⁴ Pingyao Regulation, Art. 4 (2018); Regulation on HCCTVs, Art. 4, (2008); Shanxi Regulation, Art. 6 & Art. 26 (2018).

¹⁶⁵ Pingyao Regulation, Art. 6 (2018); Regulation on HCCTVs, Art. 4, (2008); Shanxi Regulation, Art. 7 (2018).

¹⁶⁶ Pingyao Regulation, Art. 7 (2018); Regulation on HCCTVs, Art. 6, (2008); Shanxi Regulation, Art. 8 (2018).

¹⁶⁷ Pingyao Regulation, Art. 6 (2018); Shanxi Regulation, Art. 8 (2018).

¹⁶⁸ Pingyao Regulation, Art. 6 (2018); Shanxi Regulation, Art. 44 (2018).

strategy. Following the instructions of the *National Regulation on HCCTVs*, the duty of formulating conservation plans is delegated to the local governments (Article 8). Hence, the Pingyao Regulation indicates that the County government is responsible for the configuration of the conservation plan of the Ancient City of Pingyao, along with additional “regulatory detailed plans” and annual implementation plans (Article 8).

The required contents of the conservation plan of the Regulation on HCCTVs are the following: (1) principles, content and scope of conservation; (2) conservation measures, development scale, and construction codes; (3) conservation requirements of traditional layouts and historical townscape; (4) Core Conservation Zones and buffer zones; and (5) phased implementation scheme for conservation plan (Article 14). Pingyao’s three conservation zones (Core Conservation Zone, construction restricted zone, surrounding coordination zone) are identical with the zones specified in the Shanxi Regulation (Article 21); the itemized conservation objectives also follow the lead of the Shanxi Regulation (Article 27).¹⁶⁹ With the administrative order of the Regulation on HCCTVs (Article 22), the Pingyao County government is responsible for the construction of infrastructure, public service facilities, and improving living conditions per conservation plans (Article 11). To fulfill these requirements, the Pingyao Regulation (2018) provides nine key objectives as the conservation content of the ancient city (Article 10), and demarcates three conservation zones with clear boundaries as its conservation scope (Article 9).

¹⁶⁹ “(4) Undesignated immovable cultural relics” in Article 10 of the Pingyao Regulation (2018) is equivalent to “(3) Buildings with conservation value” in Shanxi Provincial Regulation (2018); (6) Names of Historic places, historic building, and time-honored commercial brands” are associated with “(4) historical memory, evolution of historical space.” But “(6) supporting facilities for residents' living and community basic services” in the ancient city” are different from “(5) Production tools and daily necessities with conservation value.”

4) Local Measures Correspond to Upper-level Conservation Policies

Because of the traditional urban setting and the stock of homogeneous architecture in the Ancient City of Pingyao, the Pingyao Regulation pays attention to detailing bans to protect its historic buildings and the townscape inside the city walls. To safeguard the authenticity and integrity and retain its historic townscape, the Pingyao Regulation lists ten corresponding conservation measures for its Core Conservation Zone (the walled area of the ancient city).¹⁷⁰ Slightly different conservation strategies are applied to the “Construction Control Zone” and the “Surrounding Coordination Zone.” Article 22 and Article 23 in the Pingyao Regulation (2018), strengthen protection of the “historical-humanism environment, pastoral landscape, ecological system, and vistas,” echoes the ethos of “integrated conservation, maintain the traditional layout, historic townscape, and spatial scale, interdependent natural landscape, and environment settings” in the Regulation on HCCTVs (Article 21).¹⁷¹

While the Regulation on HCCTVs only requires to “maintain the original height, volume, exterior and colors” in the restoration of historic architecture (Article 27), the Pingyao Regulation sticks to the golden rule of “do not change the original condition” from the Law on Protection of Cultural Relics (1982) (Article 14),¹⁷² and the requirements to use “traditional processes, traditional crafts, traditional practices, and traditional materials” for restoration of historic architecture (Article 12) from the China Principles (Article #). Construction controls on historic

¹⁷⁰ Listed from Article 12 to #21 in the Pingyao Regulation (2018), including renovation guidelines for historic architecture, restrictions of building expansions, forbidden activities that changes the townscape or damage historic architecture, providing fire safety plan and ban activities that might causes fires, ban groundwater exploitation, ban noisy equipment in town, implementing traffic controls, and promoting clean energy uses.

¹⁷¹ The most significant guidelines for construction activities from the Regulation on HCCTVs are (1) “shall not damage the authenticity and integrity of the historic-cultural heritage”, and (2) “shall not impose destructive impacts on the traditional layouts and historic townscape” (Article 23, Regulation on HCCTVs).

¹⁷² Law on Protection of Cultural Relics, Art. 21 (2017): Repair, maintenance, and relocation of immovable protected Monument-Sites must comply with the principle of “do not change the original state of the cultural relics.”

architecture in the Pingyao Regulation in (Article 14 and 15) mostly conform to the Regulation on HCCTVs, which needs approval procedures for exterior repair, restoration, additions, change structures, or uses (Article 35). The restrictions on new construction, expansion of underground space, or above two stories (Article 13) play the same rules of the Regulation on HCCTVs (Article 28).¹⁷³ These measures are especially meticulous in protecting the elements of historic architecture and prevent them from fire damage.¹⁷⁴ Among them, traffic controls and promoting clean energy uses are adopted from the *Urban-Planning Laws (Article #, 2000?)*; bans of noisy equipment and groundwater exploitation are particular items of the Pingyao Regulation.

5) Different Ideologies and Approached in Conservation Utilization

A huge gap between the three is the weight on “utilization” of heritage: the content related to “utilization” occupies a large portion of the provincial and local regulations, but it does not appear in the national-level Regulation on HCCTVs at all. Utilization of heritage is probably a task for local authorities and beyond the scope of the State agency. In particular, the entire Chapter IV in the Shanxi Provincial Regulation is “Conservation and Utilization” (Article 26~44); and Chapter III in the Pingyao Regulation (Article 26~35) is called “Inheritance and Utilization.”

Most of the articles regarding “utilization” in the Pingyao Regulation correspond to the administrative order from the Shanxi Regulation. For example, establishing an archive of historical-cultural conservation and development projects to develop the historical and cultural resources of the Ancient City of Pingyao (Article 26) is a duty assigned to the local governments above county-level in the Shanxi Regulation (Article 40). “Organize and carry out historical research, cultural exchanges, technological innovation, professional training” in the Pingyao

¹⁷³ Regulation on HCCTVs, Art. 28 (2008, 2017): “New construction or expansion are not allowed within the core protection areas of Historic Districts, Towns, and Villages, except for necessary infrastructure and public facilities.”

¹⁷⁴ The fire safety plan (Article 16) and fireproofing countermeasures (Article 17) stipulated in the Pingyao Regulation are in accord with Article 31 of the Regulation on HCCTVs and Article 30 of the Shanxi Regulation.

Regulation (Article 27) is also the responsibility of improving the conservation management system and strengthening the cultivation of traditional construction craftsmen in the Shanxi Regulation (Article 29). The policies of “formulating utilization measures of cultural heritages to support activation reuse” (Article 28), “publishing a classified catalog of business lines to develop a rational distribution of commercial activities” (Article 29), and the guidelines of business operations in the ancient city (Article 30) in the Pingyao Regulation are the “conservation management system” required by the Shanxi Regulation (Article 29).

Utilization and transmission of intangible heritage¹⁷⁵ and utilization of residential buildings are highly encouraged by both.¹⁷⁶ Same on both, the first step is to encourage local residents to live in the city and participate in conservation.¹⁷⁷ Yet, the tone of Shanxi Regulation is purely profit-oriented, which suggests “investment through housing, stocks, funding, etc. to enjoy fair returns from participating conservation utilization and development of historic-cultural towns and villages” (Article 43), while Pingyao merely intends to “display traditional local productions with lifestyle, and carry out folk cultural activities” (Article 32).

As supporting measures of utilizing residence, the Pingyao Regulation releases the use right to those who invest in restoration or conservation of immovable heritage (Article 31). But, the Shanxi Provincial Regulation only provides design schemes and construction technical guidance for free (Article 34) because it imposes the obligation of maintenance to the owners and users (Article 32). While Pingyao is encouraging cultural-creative industries to benefit its heritage conservation (Article 35), the Shanxi Regulation presents a strong utilitarianism motivation through two unusual articles: the governments may acquire historic properties through monetary

¹⁷⁵ Pingyao Regulation, Art. 34 (2018); Shanxi Regulation, Art. 41 (2018).

¹⁷⁶ Pingyao Regulation, Art. 33 (2018); Shanxi Regulation, Art. 34 (2018).

¹⁷⁷ Pingyao Regulation, Art. 32 (2018); Shanxi Regulation, Art. 43 (2018).

compensation or exchange property rights (Article 33), and encourage financial institutions to innovate financial products, improve financial services, and provide financial support for conserving and developing Famous Historic-cultural City (Article 42).

6) Conservation Management vs. Supervision and Inspection

Diverging from the inspection-orientation of Chapter V “Supervision and Inspection” in the Shanxi Regulation (2018), Chapter IV “Supervision and Management” of the Pingyao Regulation (2018) concern management more than supervision. Pingyao’s focus on management is evident since the entire Chapter IV is full of unprecedented proposals of conservation systems, conservation measures, and the functions of the newly established conservation management authority. For example, Originally, a simple instruction of installing conservation signage and establishing inventories of historic architecture in the Regulation on HCCTVs (Article 32), later on, “facilities of conservation advocacy” was added to the Shanxi Regulation (Article 35). In the Pingyao Regulation, this article is expanded to a new system that includes a conservation expert committee, a management inventory of traditional construction craftsmen, a renovation technology mentorship for historical building, conservation and maintenance archives for historic architecture and old walls, and a conservation inventory of the ancient city (Article 24).

Regarding “Supervision and Inspection,” there are five articles of Chapter V in the Shanxi Regulation that talk about the administrative duties of the provincial government on inspection, review, and evaluation of HCCTVs (Article 45-49). Two articles among them are noteworthy: A warning and revocation mechanism that put ill-preserved Historic-cultural Cities onto the endangered list (Article 45) and the request of auditing on the execution of the budget of the responsible officers of Historic-cultural City and towns (Article 48). Such a law meant to prevent

inappropriate conservation treatments and potential corruption or misuse of conservation funding is precedent as well.

7) *Uncomparable Legal Liabilities*

Matching different restrictions of each ordinance, the Chapter of “Legal Liabilities” of the three legal documents are not comparable. Being a lower-hierarchy law, the Provincial Regulation and the Pingyao Regulation both put that “any violation of the Regulation shall abide by the legal liabilities already stipulated by the existing laws and administrative regulations” at the beginning of this chapter to fully cover its legal liabilities (Article 44, Pingyao 2018; Article 50, Shanxi Provincial Regulation 2018). The article to punish unauthorized construction activities (relocation, demolition, renovation, etc.) in conservation zones shares a common ground among the three legal documents, which try to keep off devastating impact to the existing historic layout and townscape.¹⁷⁸

4.3.2 *Regulations on the Protection of Datong*

A. Urban-Rural Planning Laws of Datong City

I. Background and Contents

Under national Urban Planning Law and Shanxi Provincial Regulation, following the two stages of “urban planning” and “urban-rural planning,” Datong City formulated its “*Administrative Measure on Urban Planning of Datong City* (大同市城市规划管理办法)” in 1992 and “*Regulation on Urban-Rural Planning of Datong City* (大同市城乡规划条例)” in 2011.¹⁷⁹ The

¹⁷⁸ Article 45 and 46 of Pingyao’s Regulation are to restrain expansions above second stories and underground and make changes to the made by vernacular buildings. Article 43 and 44 of the Regulation on HCCTVs imposes penalties on unauthorized changes to historic architecture, vernacular buildings, and natural environments, etc. Article 52 of the Shanxi Provincial Regulation combines violations of the above two.

¹⁷⁹ As a Prefecture-level city (dijishi 地级市), Datong City enjoys legislative power, which allows its People’s Congress of Datong to stipulate municipal laws independently. “Prefecture-level city” is one of the administrative

case study site, Ancient City of Datong, is currently under Pingcheng District of Datong Municipality (established in 2018), which encompasses the walled Ancient City of Datong with three surrounding townships.¹⁸⁰ Conservation of this historic city is under the administrative regulations of the above-mentioned laws.

1. The Planning Measure on Urban Planning of Datong City (datong chengshi guihua guanli banfa 大同市城市规划管理办法; Datong Planning Measure) (1992) (G7)

Formulated per the “*Urban Planning Law (1990)*” and the “*Shanxi Provincial Measure for Implementation of the Urban Planning Law (1991)*” in light of actual situations of the City. *The Planning Measure on Urban Planning of Datong City* composed of forty-four articles without a clear structure or divided chapters. The Planning Measure was not an official law, but administrative rules for planning management.

Similar to the 1991 “Urban Planning Law”, the Planning Measure provides three articles regarding urban conservation: First of all, “preserving historic city with new development, protecting cultural relics and monuments, maintaining traditional architectural features and local characteristics” are the principles for composing conservation plans of Historic-Cultural Cities (Article 6). Demarcating protection zones and setting up height restrictions to maintain the characteristics of neighborhoods when conducting urban renewal (Article 10). Vertical floors, new constructions, and temporary buildings within the Protected Monument-Sites are under control

divisions of China. The administrative status is the same as that of the region, the autonomous region, and the League, a city parallel with a region and is under the jurisdiction of the province or autonomous region. The term of administrative division has been fixed statistically in the national administration since 5 November 1983. <https://baike.baidu.com/item/%E5%9C%B0%E7%BA%A7%E5%B8%82>

¹⁸⁰ According to the "Approval of the State Council on the Adjustment of Some Administrative Divisions of Datong City in Shanxi Province" (Guo Han [2018] No. 22): The urban area of Datong City was renamed Pingcheng District, 22 villages in Majunying Township (马军营乡), 25 villages in Shuibosi Township (水泊寺乡), 13 villages of the Xinwang township (新旺乡) are incorporated into Pingcheng District (平城区). <https://www.pingcheng.gov.cn/detailType?typeId=f9e4a968b96347f98a2dc09fa2b004de>

and shall be reviewed and approved by the municipal administration Department of Cultural Relics (Article 11). Generally speaking, these measures do not go beyond the 1991 “Urban Planning Law” while providing some specific objectives (height control and restrictions to industrial projects and new constructions) with associated penalties in practice (Article 38).

2. Regulation on Urban-Rural Planning of Datong City, 2011 (datong chengshi guihua guanli banfa 大同市城乡规划条例; Datong Planning Regulation) (G8)

Literally, the Regulations on Urban-Rural Planning of Datong City (2011) copied the structure of the 2008 “Urban-Rural Planning Law” with identical chapters, but has ninety-one articles in total. Its strong intention to maintain the historic-cultural tradition of Datong City is shown through a great number of articles concerning the protection of the ancient city and incorporating urban conservation with urban planning. Conservation planning and the concept of safeguarding “authenticity and integrity” of the traditional layouts and townscape are anchored into the urban-rural planning system as required by Datong’s Urban-Rural Planning Regulation. Conservation plans are required for HCCTVs, Historic Districts, protection zones, and Historic Architecture (Article 17). Urban design guidelines shall be formulated for Datong Ancient City, Historic District, and scenic attractions (Article 14). Revising regulatory detailed plans for the core areas of the Ancient City of Datong, historic-cultural conservation zones, and scenic attractions are under control (Article 62).¹⁸¹

Articles 27 to 29 are specified for preserving the Ancient City of Datong: Article 27 provides conservation principles for the Ancient City of Datong are “integrated protection, focal

¹⁸¹ Datong Planning Regulation, Art. 62 (2011): The following situations are counted as a revision of the regulatory detailed plans: (5) adjustment the limits of the building height in the following important areas of cities: 1. The Ancient City of Datong and 200 meters range along its perimeter; 2. Historic-cultural conservation zones, scenic attractions...

restoration, scientific planning, and progressive implementation,” and specified the protected elements as “cultural relics and monuments, the unique streets and alleys, the historic walled-community pattern, the spatial scale, and the historical features” (Article 27). Article 28 imposes restrictions on construction activities in the ancient city (Article 28).¹⁸² Article 29 requires Coordination Zones for cultural heritages (including the Historic-Cultural City of Datong, Historic-Cultural Conservation Districts, Historic Districts, and protected Monument-Sites, etc.) and set up restrictions to construction projects within the Coordination Zones (building height, massing, color, and style)(Article 29).

“Conservation of historic-cultural heritage” is not only being incorporated into the urban-rural planning scheme of Datong City, “protecting historic-cultural heritage with the historic environment to transfer traditional styles” are applied to urban renewal as well (Article 26). For better control, construction permits are required for renovation and reconstruction in the center city. Furthermore, the original location, nature, number of stories, footprint, height, shape, and color of the buildings shall not be changed; the surroundings and the spatial landscape shall not be affected by the construction (Article 49). Changing uses of historic-cultural conservation zones without authorization are also prohibited in the Regulation (Article 33).

II. Values Change over Time (Planning Laws)

Datong Measure, 1992 vs. (G7) Datong Planning Regulation, 2011 (G8)

Due to revolutionary planning concepts and methodologies generated during the past twenty years, it is hard to find similarities between the two versions of Datong’s urban planning documents in

¹⁸² Datong Planning Regulation, Art. 28 (2011): The construction activities under restrictions include new construction, expansion, alteration, and reconstruction; facade renovation; installation of store plaques or outdoor advertising facilities, and other constructions affecting the overall environment and traditional style of the Ancient City of Datong.

terms of planning principles, conservation measures, and administrative structures. Through the two legal documents, we can see drastic structural modifications that display a holistic scope of urban-rural planning, integrated urban planning with conservation planning, and reconstruction of administrative systems in addition to expansion or rephrase of existing rules.

1) A Holistic Scope of Urban-Rural Planning

The space-time background and the foundations of the two legal documents are different, thus the two versions represent a great disparity in their basic planning concepts. Derived from the 1990 Urban planning Law and the 1991 Shanxi Provincial Measure on Implementation of the Urban Planning Law, the 1992 Datong Administrative Measure (G7) only focuses on the existing “municipality” and “urban districts” (Article 3-5, 1992). Derived from the 2008 Urban-rural planning Law and the 2010 Shanxi Provincial Regulation on Urban-Rural Planning, the 2011 Datong Regulation (G8) encompass urban areas with counties, townships, and villages.

Due to the expansion of planning scope, the old planning system composed of master plans, professional plans, detailed plans, and zoning plans were abandoned (Article 5, 1992). The 2011 Datong Regulations not only rearranged its planning system, changing the term from “urban planning” to “urban-rural planning, but also adding regulations for town planning, township planning, and village planning, which are unseen in the 1992 version.¹⁸³ To reflect the expanding scope of planning, the 2011 Datong Regulation classifies the scope of planning into two camps: one for the center city (Ancient City of Datong), the other for the township, counties, villages

¹⁸³ The 2011 Datong Regulations adds the following articles stipulated for town planning, township planning and village planning: Article 4, 6, 7, 10, 11, 12, 17, 20, 30, 54, 83. And, listing the above-mentioned planning types with existing urban planning rules in Article 3, 18, 21, 26, 31, 44, 45, 48, 50, 51, 59, 60, 61, 62, 66, 70, 82.

(Article 3, 2011). Consists of multiple levels and types, the new planning system, becomes a more complicated and comprehensive planning system¹⁸⁴ (see diagram below).

Urban –rural planning | 城乡规划

- Urban system planning | 城镇体系规划
 - Urban system plans of the municipality | 市域城镇体系规划
 - Urban system plans of the counties | 县域城镇体系规划
- Urban planning | 城市规划
 - Master plans | 总体规划
 - Detailed plans | 详细规划
 - Regulatory detailed plans | 控制性详细规划
 - Construction detailed plans | 修建性详细规划
- Town planning | 镇规划
 - Master plans | 总体规划
 - Detailed plans | 详细规划
- Township planning | 乡规划
- Village planning | 村庄规划

2) Integrated Urban Planning with Conservation Planning

Both 1992 and 2011 planning documents made efforts to incorporate urban conservation into urban planning. Since the 1992 Datong Planning Measure is managing the city areas of Datong, its strategies for urban conservation are straightforward – a combination of protecting the old city and developing new urban areas (Article 6). It requires demarcations of protection zones in the historic city (Article 10) and set up restrictions on new constructions within the protection zones of Monument-Sites (Article 11). Its protection measures for maintaining the traditional streetscape and local characteristics are merely putting restrictions on building heights and industrial constructions.

¹⁸⁴ Datong Planning Regulation, Art. 7 (2011): “Urban-rural planning comprises urban system plans, urban plans, town plans, township plans, and village plans. The urban system planning comprises the urban system plans of the city and the urban system plans of the county. Urban planning and town planning comprise master plans and detailed plans. Detailed planning comprises regulatory detailed plans and construction detailed plans.”

In the larger scope, the historic core only occupies part of the entire urban-rural system. However, the key role of the center city is noted and interwoven into the urban planning system from the beginning of the 2011 Datong Regulation: “one axis with two cities, separate developments, continuity of the cultural context, and create characteristics,” to support constructing a charming city that is suitable, conducive and delightful for a living (Article 3). Separating the new development from the historic center city can be viewed as a continuation of the 1992 Datong Planning Measure.

More new concepts and subjects of urban conservation were brought up after the publication of the Regulations of HCCTVs (2008). HCCTVs, Historic District, urban villages, and historic architectures are identified as components of the planning scheme of the new 2011 Datong Regulation, and being put under protection in addition to “Monument-Sites.” Crowned with the title of “National Historic-Cultural City”, the Ancient City of Datong is treated as a protected entity and equipped with required conservation plans,¹⁸⁵ design guidelines,¹⁸⁶ and Coordination Zones,¹⁸⁷ as well as imposed new restrictions on construction activities¹⁸⁸ and residential renovations (Article 49). In addition to conservation principles for the Historic City,¹⁸⁹ changes to the functions of Historic Districts,¹⁹⁰ the original location, nature, massing, exterior, color, and neighborhood relations of housing are forbidden (Article 49).

¹⁸⁵ Datong Planning Regulation, Art. 17 (2011).

¹⁸⁶ Ibid, Art. 14.

¹⁸⁷ Ibid, Art. 29.

¹⁸⁸ Ibid, Art. 28

¹⁸⁹ Ibid, Art. 27, 28, 29.

¹⁹⁰ Ibid, Art. 33.

3) Public Participation as a Required Planning Process

A trend of civic engagement and its influence on the urban planning process can be observed in the two planning documents if we look into the difference between their planning procedures. In the 1992 Datong Planning Measure, the urban planning process is a top-down model, which formulates a one-way governmental supervision mechanism without any public engagement. However, the 2011 Datong Regulation rewrote the rules of the civic affair. For “respect the will of the public” (Article 24), this entire process shall be started with a certain period of public notifications, soliciting opinions from experts and the public, incorporating the collective decisions into planning schemes, then goes to the local governments.¹⁹¹ Outcomes of supervision and inspection shall be publicized and accept oversights from the public (Article 69). Public notification is also mandatory for modification of planning codes (Article 55).

4) Update Obsolete Planning Measures

Twenty years after the formulation of the 1992 Datong Planning Measures, great social-economic changes made plenty of articles outdated. Hence, some are revised, some are deleted in the 2011 Datong Regulation. For example, the land expropriation in urban planned areas has changed, so the new ways and applications to obtaining state-owned lands, by “transfer”¹⁹² or “allocation,”¹⁹³ replaced the old regulations.¹⁹⁴ Hence, the relevant Article 22 on merging multiple construction lands for construction is eliminated. Instructions of the 1992 Measure on the orientation of the

¹⁹¹ In the Datong Planning Regulation (2011), consulting with parties of interest through public meetings or hearings applied to the configuration of urban plans (Article 22), before submitting urban-rural plans for approval (Article 21), before issue permits (Article 36), modification of floor area ratio (Article 56), evaluation on implementations of urban plans (Article 59), modifications of regulatory detailed plans (Article 62, 63), modifications of construction detailed plans and master plans (Article 67), change planned uses of completed buildings (Article 68).

¹⁹² Datong Planning Regulation, Art. 42 (2011).

¹⁹³ Ibid, Art. 45 (2011).

¹⁹⁴ Datong Administrative Measure, Art. 20, Art. 21 (1992).

pipelines (Article 30), the requirement of underground layouts (Article 31), be incorporated into road projects (Article 32), and comply with relevant planning regulations (Article 33) are simplified into a request of building permit (Article 50, 2011).

Several old restrictions on the constructions projects in urban planned areas no longer exist in the 2011 Datong Regulation, such as the concerns of traffic, public sanitation, fire prevention, drainage systems, ventilation and lighting (Article 12), and the bans on unsightly facilities, changing uses of street facades, and the regulations on the distance between buildings and outdoor municipal structures (Article 25). In the 2011 Datong Regulation, the heating program is not mandatory (Article 26); building setback (Article 27) and building separation (Article 28) are not required; the conditions for revocation of Land Use Permits are canceled as well (Article 35).

5) Expansion or Rephrase of the Existing Rules

Many articles of the 2011 Datong Regulation originated from the 1992 Datong Planning Measure were rephrased or expanded in the new version. For example, the administrative procedures for modification of urban master plan (Article 7, 1992) were expanded to an entire Chapter IV “Modifications of Urban-rural Planning” of 10 articles in the 2011 version. The duties of inspection and supervision (Article 4, 1992) are redefined and explained to become another Chapter V “Supervision and Inspection” in the 2011 version. Four simple instructions to obtain required permits for urban planning reviews and approvals (permission notes for location, Land Use Permits of construction lands, building permit, the certificate for completion)¹⁹⁵ are substantially rearranged and expounded into three subdivisions under Chapter III “Implementation of Urban-rural Planning” of the 2011 Datong Regulation.¹⁹⁶ The requirement of planning

¹⁹⁵ Datong Administrative Measure, Art. 15, Art. 16, Art. 17, Art. 23 (1992).

¹⁹⁶ The three subdivisions under Chapter III of the 2011 Datong Regulation are Section II - Planning Management of Construction Sites; Section III - Planning Management of Construction Land; Section IV - Planning Management of Construction Project.

qualifications of the 1992 document (Article 13) is repeated in the 2011 version (Article 8) with additional application to new professional roles on the planning review process (Article 22) and formulation of planning documents (Article 37). Such kind of reiteration and elucidation of previous articles in 1992 document also applied to the rules for temporary constructions and lands,¹⁹⁷ layout survey and inspection of boundary lines,¹⁹⁸ and multiple articles of legal liabilities.¹⁹⁹ Nevertheless, these are all administrative adjustments and do not directly affect the real conservation work.

6) Reconstruction of Administrative Systems and Management Procedures

According to the enlarged scope and restructure of governmental systems, the competent administrative agencies of urban planning and conservation are reassigned as well. The two-level government of municipal and district governments that dominated the city areas (Article 3, 1992) is replaced with the current four-level-hierarchy governmental system of municipal, county, district, town, and township governments (Article 6, 2011). Such rearrangement also affected the administrative procedures for urban planning, so that the rules for applications, reviews, and approvals are modified accordingly and changes are made all over the new version. This is also another cause of the huge gap between these two documents. Additionally, an article that gives the power of interpreting laws to the Datong government (Article 43, 1992) disappeared in the 2011 Regulation. The right to appeal against the penalties imposed for violations in the 1992 Measure is withdrawn as well (Article 41, 1992).

¹⁹⁷ Datong Administrative Measure, Art. 19 (1992).

¹⁹⁸ Ibid, Art. 24 (1992).

¹⁹⁹ Ibid, Art. 38, Art. 42 (1992).

III. Comparisons Planning Laws between Administrative Hierarchies (Synchronic)

Urban-Rural Planning Law, 2008 (G2) vs. Datong Planning Regulation, 2011 (G8)

The 2011 Datong Planning Regulation is tightly connected with the mega Rehabilitation Program promoted by Mayor Geng, therefore, the certain ambition of the future urban environment is reflected in this document. Among the planning laws and regulations, the Datong Planning Regulation contains the most numerous articles (91), extra four subdivisions under Chapter III for planning management, and an unusually long list of legal liabilities in Chapter VI. Except for some major characteristics summarized above, including its application of integrated planning and civic engagement measures, the most distinguish disparities between the national law and the municipal regulation are listed below:

1) General Principles vs. Specific Operative Details

Different from the general application of the national law, the 2011 Datong Planning Regulation provides explanations with specific conditions for the implementation of planning rules. These detailed descriptions are displayed in the three subdivisions of Chapter III “Implementation of Urban-rural Planning” and Chapter IV “Modifications of Urban-rural Planning.” The original one article on the Proposal of Location (Article 36) becomes three (Article 41-43), extra conditions, required paperwork, and procedures are added to the regulations for the Land Use Permit of Construction Land (Article 44-47), and the Building Permit (Article 48). Same additions are applied to the modification procedure: A simple “modification of regulatory detailed plan” in the Urban-Rural Planning Law (Article 48, 2008) is categorized into three different procedures

(revision, adjustment, and amendment of regulatory detailed plan)²⁰⁰ with respective conditions.²⁰¹

Even operative administrative processes are made for the implementation of the Regulation, such complicated rules do not expedite any planning effectiveness.

2) Separate Tracks for the Old and the New

Derived from the general guidelines of urban-rural planning in the national law (Article 4, 2008),²⁰² the Datong Regulation develops its urban strategies of “one axis with two cities, separate developments, continuity of the cultural context, and uncover uniqueness” (Article 3). One axis refers to the Yu River, which separates the historic walled city at the west bank from the new Yu-dong New Area at the east bank. As a result, the construction of the New Yu-dong Area follows the requirements of an ecological modernized new city (Article 25), the urban regeneration in the historic city aims to protect historic and cultural heritage and the historical environment (Article 26), and the urban villages shall be unified planned, centralized altered, and progressive implemented (Article 32). The double-track development model perfectly coincides with the conservation theory “separate the old and the new” of Liang Sicheng.

3) A Hybrid Product of Planning and Conservation

Articles for the Historic-Cultural City do not exist in the Urban-Rural Planning Law, although “protect farmland, natural resource, and cultural heritages, maintain local characteristics, ethnic features, and traditions” are the planning principles (Article 4, 2008) and the protection of natural

²⁰⁰ Datong Planning Regulation, Art. 61 (2011).

²⁰¹ In Datong Planning Regulation (2011), five conditions for revision of regulatory detailed plan (Article 62); four conditions for adjustment of the regulatory detailed plan (Article 63); nine conditions for amendment of the regulatory detailed plan (Article 64).

²⁰² Urban-Rural Planning Law, Art. 4 (2008): “Urban-rural planning shall be worked out and implemented by following the principles of planning the urban and rural areas as a whole, reasonable layout, saving the land, intensive growth and planning before constructing to improve the ecological environment, enhance the conservation and comprehensive utilization of resources and energy, protect farmland, natural resource, and cultural heritages, maintain local features, ethnic features, and traditions, prevent pollution and other public nuisance and satisfy the needs of regional population development, national defense construction, disaster prevention, and alleviation, public health, and public safety.”

and historical-cultural heritages are also mandatory (Article 17, 2008). On the contrary, urban heritage plays a key role in the 2011 Datong Planning Regulation as six articles concerning the Historic-Cultural City are mostly copied from the Conservation Regulations. Significantly, a declaration on protecting “the authenticity and integrity of historic and cultural heritage” that is on par with the international standard appears in the Regulation (Article 17).²⁰³ Furthermore, conservation plans and design guidelines of the Historic-Cultural City, towns, villages, districts, protection zones, and historic buildings are required in the Datong Planning Regulation.²⁰⁴ Conservation principles and valuable elements are specified for protecting the ancient city (Article 27).²⁰⁵ Four construction activities that affect the integrity of historic townscape are prohibited without authorization (Article 28).²⁰⁶ Surrounding Coordination Zones with associated restrictions are also regulated for the protection of all kinds of urban heritages in Datong (Article 29). The rules of “do not change the original location, nature, number of stories, footprint, height, shape, and color of the buildings” are also applied to the house renovation within the city core (Article 49). Incorporating conservation measures into urban planning rules in the Datong Planning Regulation is an inspiring combination of holistic planning and integrated conservation.

²⁰³ Datong Planning Regulation, Art. 17 (2011): “Historic-Cultural Cities, towns, villages, districts, protection zones, and historic buildings shall be provided with conservation plans to maintain and continue the traditional layouts and historical styles, and to protect the authenticity and integrity of historic and cultural heritage” (Article 17).

²⁰⁴ Datong Planning Regulation, Art. 10, Art. 14, Art.17 (2011).

²⁰⁵ Datong Planning Regulation, Art. 27 (2011): Conservation principles for the Ancient City of Datong should be insist on integrated protection, focal restoration, scientific planning, and progressive implementation, in accordance with the conservation plan of the historic and cultural city of Datong, to protect the cultural relics and monuments, the unique streets and alleys, the historic walled-community pattern, the spatial scale and the historical styles of the Datong Ancient City.

²⁰⁶ Datong Planning Regulation, Art. 28 (2011): The following constructions are prohibited without authorization in the Ancient City of Datong: (1) new construction, expansion, alteration and reconstruction of buildings; (2) undertake facade renovation of buildings; (3) install store plaques or outdoor advertising facilities; (4) other constructions affecting the overall environment and traditional style of the Ancient City of Datong.

4) Innovative Planning Tools

For implementing the urban-rural planning law in the local areas, some innovative planning tools, which have never been seen in the *Urban-Rural Planning Law*, are formulated in the *Datong Planning Regulation*. For example, it requires design guidelines for the Ancient City, Historic Districts, and scenic attractions (Article 14), master plans for the economic and technological development zones (Article 16), specific plans for urban heritage (Article 19), and annual plans for the implementation (Article 31). Additionally, there are mechanisms to improve the urban management in the *Datong Planning Regulation*, such as establishing urban-rural planning committees for decision-making (Article 4), conducting technical reviews of planning after the completion of urban plans (Article 38), laying the boundary lines before commencing construction projects (Article 53), and make lists of required materials for the permit applications. It even orders to cut water and power supply to suspended construction projects if the contractor fails to comply with the suspension (Article 88). With a strong inclination in urban conservation, all these additional plans and implementation measures in the *Datong Planning Regulation* are to supplement the regular city plan system for making better urban conservation.

B. Conservation Regulation for Datong City

I. Background and Context

Datong had gone through destructive renovations before the prevailing urban renewal movement during the 1990s. Its survival from demolition mostly attributes to then the President of the People's Congress, Mr. An Da-jun (安大钧), who decided to preserve the old city and push forward the promulgation of the *Regulation on Conservation and Management for the Ancient*

City of Datong (datong gucheng baohu guanli tiaoli 大同古城保护管理条例) in 2000.²⁰⁷

Following the regular urban planning timeline, the new version of the *Conservation Regulation for the Ancient City of Datong (datong gucheng baohu tiaoli 大同古城保护条例, 2020)* was formulated twenty years after the first document.

II. Goals, Contents, and Significance

1. Regulation on Conservation and Management for the Ancient City of Datong (大同古城保护管理条例, 2000; Datong Regulation, 2000) (L4)

Compose of five chapters, forty articles, the 2000 Datong Regulation intended to use this legal piece to salvage the endangered historic urban core, prioritize protection for effective utilization (Article 3), and “strengthen protection and management of the Ancient City of Datong” (Article 1). Three major parts of this document are Chapter II “Conservation Management,” Chapter III “Development and Utilization,” and Chapter VI “Legal Liabilities.”

Although urban conservation was burgeoning, the 2000 document didn’t have a thorough conservation plan. A complicated zoning scheme with a set of bans was provided for dealing with urban conservation issues at that time. This classification of protection combines two major conservation districts: “Historic City District/the Key protection zones” and “Ancient City Archaeological Site/the Restriction zone.”²⁰⁸ Encompassing the old city core expanded in the Ming dynasty and the areas within 12 meters outside the city walls, the “Historic City District/Key protection zone” is categorized into the first, second, and third levels (Article 11). In the Key Protection Zone, the traditional city layout, architectural style, and settings shall be maintained

²⁰⁷ An Da-Jun (the President of the People’s Congress from 1998-2008). Interview by Ho. Datong City, Shanxi Province, China: August 7, 2019.

²⁰⁸ Datong Regulation, Art.11 (2000). “Restriction zones” are the physical remains of Pingcheng in the Northern-Wei dynasty, the city of Sui, Tang, Liao, and Jin dynasties.

(Article 14), and corresponding measures were provided to the three-level protection zones (Article 16). In addition, the ancient city wall with its ruins and related cultural relics (Article 17), Monument-Sites (Article 19), major traditional residence (Article 15), old trees, or famous trees (Article 18) are all under protection by the regulation.

Prohibited activities in this 2000 Datong Regulations are the true reflections of the living conditions and urban issues of Datong City before the millennium. For example, due to rampant vandalization to the city walls, the Regulations prohibit demolition, occupation of the ancient city walls, or irrelevant new constructions within 12 meters of both sides of the ancient city walls (Article 17). Because air pollution was grave at that time, construction of new industrial plants (Article 22) and burning raw coals is forbidden (Article 23). Management of garbage and cleaning work (Article 24) was critical to their public sanitation. Policy on out-migrate work units and population from the city areas (Article 26) was an attempt at reducing the population of the city after the expansion.

In 2000, the imagination of how to utilize historic resources was limited to tourism. As a result, Chapter III “Development and Utilization” encourages investments in conservation development to promote tourism (Article 27), traditional architecture open to the public for tourism (Article 28), and establishment of conservation archives to research the development and utilization of the ancient city (Article 30).

Penalties on violations corresponding to these bans were stipulated in Chapter IV “Legal Liabilities,” in addition to three articles regarding appeals for administrative reconsideration (Article 37), administrative and civil accountability to governmental staffs (Article 38), and criminal penalties (Article 39).

2. Conservation Regulation for the Ancient City of Datong, 2020 (大同古城保护条例, 2020) (Datong Conservation Regulation, 2020) (L5)

Consist of six chapters, forty-three articles, the Datong Conservation Regulation was approved by the 19th meeting of the Standing Committee of the 13th People's Congress of Shanxi Province and put into effect on October 1, 2020.²⁰⁹ As a local law, the Datong Regulations carries out basic principles and core values from the national law (the Regulation on HCCTVs) as well as keep the same ethos of “scientific planning”, “integrated conservation”, “maintain historical authenticity, integrity, and cultural continuity” (Article 4, 2020). In addition to the standardized “general provision,” “additional provisions,” and “legal liabilities,” the main body is Chapter II “Conservation Planning,” Chapter III “Conservation Measures,” and Chapter IV “Reasonable Utilization.” In general, the goals and principles of the 2020 Conservation Regulations inherit the 2000 version.

Accompanied by new categories of conservation, such as “Historic District,” “Historic Architecture,” and “intangible heritage,” the newly formulated chapters of “Conservation Planning” and “Conservation Measures” provides a different scope and approach to the urban conservation of the Ancient City of Datong. Chapter IV “Reasonable Utilization” tries to integrate cultural resources and expand the former single tourism-oriented target into multi-facet heritage enterprises. Chapter V “Legal Liabilities” is simply a supplementary piece of other associated conservation and planning laws. It only says that the penalties shall abide by the laws without imposing specific articles to each violation of the forbidden activities in the 2020 Regulations.

²⁰⁹ See https://www.ccmapp.cn/news/detail?id=8e188c38-5046-4475-8d1e78dc0ebc3ec8&categoryid=&categoryname=最新资讯_

III. Values Change over Time (Diachronic Comparison)

Datong Regulation, 2000 (L4) vs. Datong Conservation Regulation, 2020 (L5)

Similar to the disparity between its urban planning documents, the two urban conservation documents for Datong City present a huge gap based on different national laws. Adopting the content of the 2008 “Regulation on Protection of Famous HCCTVs” instead of the former 1990 “Urban Planning Law,” the 2020 Datong Conservation Regulations are closely aligned with current international urban conservation trends. The 2020 version provides appropriate descriptions of the scope of conservation as well as clearer definitions of conservation subjects accompanied by new conservation approaches, such as public participation and the safeguard of authenticity and integrity. On the contrary, most articles of the earlier version were short and general without detailed indications. Moreover, the 2000 Regulation presents a top-down management style, that the urban conservation affairs are mostly led by the governments without civil engagement, and supported through governmental fiscal revenues. However, it was an important document to advocate for the urban conservation of Datong in the development-oriented era of China.

The followings are the keynotes to explain the changes over time:

1) Redefine the Scope, Subjects, and Key Elements of Urban Conservation

Encompassing the same two protection areas (the archaeological sites of ancient cities and the walled city of Datong), the redefinition of the protection zone in the 2020 Conservation Regulation shows a new concept of a “holistic conservation” approach. Eliminating the previous three-level protection zones, the 2020 Conservation Regulation designates the entire historic city as a holistic entity within a clear outline and a total acreage (Article 3, 2020), and demarcates three protection

zones²¹⁰-- Core Conservation Zones, Construction Control Zones, and Surrounding Coordination Zones (Article 13, 2020). Usually, the conservation zones are confirmed by historic research and site surveys. As the new law allows demarcation of the conservation zones under the actual situations, the new regulation gives the flexibility to make adjustments. Moreover, the terms for protected elements, “traditional street layout, architectural style, and environmental setting” in the old version (Article 14, 2000) were rephrased and expounded into “city’s plan form, symmetrical central axis, cross streets, grid pattern, gated community system, diverse architectural styles of different dynasties, traditional neighborhoods and residential buildings of North Jin area, and the visual catchments.”²¹¹

The 2020 Regulation has a long list of protection subjects, which include the features of the historic city, immovable cultural relics, historic district, historic architecture, traditional residence, ruins of cities from previous dynasties, famous ancient trees, and other cultural relics, important historical sites, intangible cultural heritage, etc.²¹² Nevertheless, conservation subjects are sparse among the 2000 Regulations. Besides the Protection Control Zone, the Major Protection Zone (the historic city) means to preserve the walled ancient city (Article 11) with Monument-Sites (Article 13, 19), traditional architectures (Article 15), residence and shops (Article 19) inside this walled area (Article 16), the city walls with relevant relics (Article 17), ancient trees and famous woods (Article 18). It is unclear whether the protection entity, “key traditional residence,” in the 2000 Regulation is equal to the “historic architecture” in the 2020 version.

Being a symbolic icon of the Ancient City of Datong, the reconstruction of the ancient city wall has been a controversial issue in the field of heritage conservation since 2008. Changes

²¹⁰ Datong Regulation, Art. 11 and Art. 16 (2000).

²¹¹ Datong Conservation Regulation, Art. 12 (2020).

²¹² Datong Conservation Regulation, Art. 18 (2020).

regarding this subject matter are also reflected in the two statutory documents: The 2000 Regulations tried to stop previous problematic activities to salvage the remaining walls, such as stop demolishing or occupying the city wall and its ruins, ban constructions attached to the wall, and gradually remove those unauthorized structures while establishing protective signage around the ancient city wall (Article 17, 2000). These phased tasks of cleanup and rebuilding of the damaged city wall were completed in 2016, so the municipal government only needs to strengthen the protection and management of the reconstructed ancient city walls, the moats, and the new belt parks (Article 27, 2020).

2) New Concepts and New Approaches in Conservation Planning

Article 20 of the 2020 Regulations can be viewed as the ultimate instruction for the conservation of the ancient city, as the internationally accepted paradigm, “authenticity and integrity,” are implanted into Chinese local statutory format for the very first time. To do so, it requires that all construction within the historic city comply with conservation plans, follows the protection classifications; respect the traditional layout, historical features, and spatial scale of the ancient city, and shall not damage the authenticity and integrity of the historic cultural heritage (Article 20, 2020). Even though the concept is copied from the 2008 *Regulations on HCCTV*, “authenticity and integrity” have become the core values and the base of conservation measures of this document.

Another improvement is a new procedure, public participation, required in the process of conservation planning. Twenty years ago, the governments did not care about civic engagement, as experts’ review was the only requirement for formulating conservation plans (Article 16, 2000). Today, experts’ review is still mandatory in the process of issue planning permissions, for repair, restoration, remodel within the ancient city, and formulation of reuse program.²¹³ Public

²¹³ Datong Conservation Regulation, Art. 15, Art. 21, Art. 37 (2020).

participation, which comprises scientific demonstration, experts' review, media publicity, and soliciting public opinions, has become a standard procedure of urban planning after promulgations of the 2008 Urban-rural Planning Law (Article 14, 2020). Additional rigid requirements of review-approval procedures are also imposed on the construction projects within the ancient city in the 2020 Regulations. Surveys or explorations of cultural relics and approval from the cultural heritage bureau are not sufficient.²¹⁴ The new Regulations request that immovable cultural relics and historic architecture be preserved in situ, and apply traditional craftsmanship, traditional materials, and traditional forms, to repair historic architecture as it is (Article 25, 2020).

3) New Goals and Expanding Scale of Conservation Utilization

Twenty years apart, the principles of conservation of these two documents are basically consistent, both aim to strengthen management to achieve effective protection for reasonable utilization. However, the 2020 version promotes “scientific planning”, “integrated conservation,” and values “historical authenticity, integrity, and cultural continuity” (Article 4, 2020), which is more sophisticated than the simple goal to salvage cultural relics in 2000 (Article 3, 2000), and is relatively aligned with its international counterparts. Hence, we see that the application of the law was specified to the conservation and management, livelihood, business operation, construction, and tourism development of the Datong Ancient City in the 2020 Regulations (Article 2, 2020) from general “activities” (Article 4, 2000).²¹⁵

Two decades ago, the imaginations of utilizing heritage and the ancient city were single-minded, as the 2000 Regulations only encourage “protection developments” on tourism-correlated

²¹⁴ Datong Regulation, Art. 12 (2000), and Datong Conservation Regulation, Art. 15, Art. 21 (2020).

²¹⁵ Datong Regulation, Art. 4 (2000): “All active organizations and individuals within the scope of the ancient city shall abide by these regulations.”

industries (Article 27, 2000),²¹⁶ and recommending open qualified traditional residences to the public for tourism (Article 28, 2000). Currently, the new “reasonable utilization” program is more ambitious and diverse, which integrates cultural resources to guide industrial distributions and promote the ancient city's culture, tourism, and trade developments (Article 33). Promoting business operation at traditional dwellings is only a small portion of this scheme (Article 39), the 2020 Regulation encourages all local creative cultural industries, traditional performing arts, intangible heritages, exclusive tours, and the establishment of theme museums, exhibition halls, trade venues, operation local guesthouses and home-stays, foods, products, folk artifacts, and tourist souvenirs, etc. (Article 36). In addition to the use of vernacular buildings (Article 39), there are pertinent guidelines associated with the utilization of each type of cultural heritage in Datong, including the utilization of Historic Districts, historical-style districts (Article 37), and historical architecture (Article 38).

4) Different Measures for Urban Conservation

Following the advances in preservation knowledge, China's conservation planning has become more comprehensive than 20 years ago. Same as the newly established system in the urban-rural planning laws, the 2020 Conservation Regulations of Datong not only requires master plans but also special conservation plans for each type of protection entity to address issues respectively (Article 11, 2020).²¹⁷ A series of systematic planning measures are provided to deal with Datong's

²¹⁶ Datong Regulation, Art. 27 (2000): “Encourage domestic and foreign investors to conduct conservation development and utilization the resources of the Datong Ancient City as well as develop tourism and other related industries.”

²¹⁷ Datong Conservation Regulation, Art. 11 (2020): The municipal government shall organize the relevant departments to formulate conservation plans for the Historic-cultural city of Datong, and conservation plans of historic-cultural districts. Municipal natural resources and planning, cultural heritage, and other departments shall organize to formulate special conservation plans for Monument-Sites, historic cities, historical style districts, and historical architecture, and so on.

conservation in Article 20 of the 2020 Regulation.²¹⁸ A long list of thirteen forbidden activities is generated to safeguard “the authenticity and integrity” of the ancient city by protecting “the traditional layout, historical features, and spatial scale” (Article 19, 2020).²¹⁹

Moreover, the new Regulation gives the power to rectify or remove buildings or structures, which have potential safety issues or are incompatible with the traditional layout or the historic style of the ancient city (Article 22). Besides buildings, all street furniture and public facilities should comply with the traditional architectural forms and materials of the ancient city (Article 30). Such control of streetscape is more comprehensive than the 2000’s only restriction on the location of advertisements (Article 21, 2000). In addition, advanced concepts of the walkable city are applied to the 2020 Conservation Regulations to create a pedestrian-friendly environment and prioritize public transportation through encouraging slow traffic and by foot (Article 31).

A change was made to the construction control in the protection zones. Before, new construction, repair, renovation, or reconstruction buildings in the Core Conservation Zones are required to “comply with surrounding traditional streetscapes” (Article 14, 2000). Now, all those construction activities are prohibited in the Conservation Zones with exception of necessary urban

²¹⁸ Datong Conservation Regulation, Art. 20 (2020): Construction activities within the protected area of the ancient city shall comply with the requirements of its conservation plan; adhere to the principles of protection classifications, and work in a gradual and orderly approach; respect the traditional layout, historic townscapes, and spatial scale of the ancient city, and shall not damage the authenticity and integrity of the historic cultural heritage.

²¹⁹ Datong Conservation Regulation, Art. 19 (2020): The following activities are prohibited within the protected areas of the Datong Ancient City: (1) excavation or blasting activities that cause damage to the traditional city layout and style; (2) occupy the reserved areas of the conservation plans, such as gardens, green spaces, river systems, and roads, etc.; (3) construct factories or warehouses for produce or store explosive, flammable, radioactive, toxic, and corrosive items, etc.; (4) unauthorized installing, relocating, rewording, or damage protection signs of historic-cultural districts; (5) smearing, scoring, randomly constructing on cultural relics, old trees, or historic architecture; (6) damage or unauthorized relocating or demolishing immovable cultural relics or historical architectures; (7) unauthorized occupy, remove or destroy ancient city ruins, ancient wells, ancient memorial archways, or ancient stone carving; (8) unauthorized cutting or relocating famous ancient trees; (9) unauthorized widening, or straightening existing streets and roads; (10) excavating underground space or adding stories of buildings without authorization; (11) unauthorized changing traditional courtyard layout, building facade, roof shape, or gateway pavillion; (12) burning fire, setting off fireworks and firecrackers, flying hot air balloons or kongming lanterns; (13) other activities that damage the traditional layout and historic townscapes of the ancient city.

infrastructure and public service facilities.²²⁰ Moreover, it also clarifies that the composition, height, massing, shape, and color shall not interfere with the spatial layout and traditional style of the ancient city.²²¹ These are crystal-clear statements regarding the valuable elements in the ancient city that these Regulations aim to preserve.

Some things have not changed through time, for example, the missions of the local government to improve the municipal and public facilities,²²² and lower the population density in the city.²²³ The old policy of relocating existing industrial plants and banning new industrial constructions (Article 22, 2000) has created available lands and properties, and can be upgraded to prioritize reuse programs for tourism development, education, medical and associated infrastructure now (Article 35, 2020). But, many planning measures stipulated to resolve the urban issues in the 1990s are outdated (not existing), such as promoting low-pollution combustion technology to reduce environmental pollution (Article 23) and strengthening garbage management and cleaning work to improve public sanitation (Article 24).

A sustainability-related concern of losing the local population after the mass relocation before 2008 results in a new policy: the governments strongly encourage residents to live in the ancient city and participate in city constructions (Article 34). Since 2000, conservation of the ancient city has been incorporated into the municipal economic and social development plan, and its protection and maintenance costs are also included in the fiscal budget (Article 6, 2000). Although the policy remains, financial support for urban conservation through donations, grants, investments, etc. from the non-government parties is encouraged (Article 6, 2020).

²²⁰ Necessary urban infrastructure and public service facilities allowed in the Control Zone and Coordination Zone, subject to compliance with the traditional streetscapes. (Datong Conservation Regulation, Art. 14, 2020).

²²¹ Datong Conservation Regulation, Art. 24 (2020).

²²² Datong Regulation, Art. 25 (2000) and Datong Conservation Regulation, Art. 28 (2020).

²²³ Datong Regulation, Art. 26 (2000) and Datong Conservation Regulation, Art. 28 (2020).

5) *Adjustments of Duties after 2018 Administration Reform*

The 2018 Administration Reform restructured the governmental agencies and affected the already fragmented system. In 2000, conservation management is a cooperative responsibility of the municipal government and its subordinate units, mainly by the planning development and cultural administrative departments (Article 5, 2000). In 2020, the duty fall on the Municipal Departments of Planning and Nature Resources, Cultural Heritage, Cultural and Tourism, the Urban Administration Bureau, and the Pingcheng District government (Article 5, 2020). All related articles in the 2020 version are revised according to the new administrative system.

IV. Comparisons between Administrative Hierarchies (Synchronic Comparison)

Datong Conservation Regulation, 2020 (L5) vs. Regulation on HCCTVs, 2017 (L2) and Shanxi Regulation, 2018 (L3)

Because of the bureaucratic role of supervision, the Regulation on HCCTVs and the Shanxi Provincial Regulation both provide general guidelines and universal administrative procedures for all HCCTVs, while the local laws are adjusted to fit regional conditions. In this section, I will compare the Datong Regulations (2020) with its two newly updated upper-level laws.

1) Corresponding Conservation Measures

To a large extent, the measures of conservation planning in the Datong Conservation Regulation are consistent with its national and provincial precedents. Some are responses to the instructions of the upper level:

(1) Following the instructions in the Regulation on HCCTVs and the Shanxi Provincial Regulation,²²⁴ the Datong Conservation Regulation requests the formulation of conservation plans

²²⁴ It is required that “the government of the city shall formulate conservation master plan for the Famous Historical-cultural City after promulgation.”(Regulation on HCCTVs, Art.13, 2017; Shanxi Regulation, Art.19, 2018)

for the Historic-cultural City and historic-cultural districts, and special conservation plans for Monument-Sites, the ancient city, historical style districts, and historical architecture (Article 11). Formulation of technical specifications for the protection and repair (Article 16) responds to Article 30 of the Shanxi Provincial Regulation.

(2) The classification system that delineates Core Conservation Zones, Construction Control Zones, and Surrounding Coordination Zones in the historic city (Article 13) is the same as the Shanxi Provincial Regulation (Article 21). According to the three zones, the Datong Regulation provides guidelines for construction activities respectively (Article 24), which abide by the Regulation on HCCTVs (Article 27 & 28) “apply corresponding measures to implement conservation tasks per classifications and respective situations.”

(3) For preparing conservation plans (Article 14 & 15) and for renovation or repair (Article 21), the required procedure of scientific demonstration, expert review, media publicity, and widely soliciting opinions is a synthesis of the Shanxi Provincial Regulation (Article 23, 24) and the Regulation on HCCTVs (Article 16, 18, 29).

(4) Protection measures in the Datong Regulation also echoed the national and provincial laws. For example, (1) the list of protected objects in the Ancient City of Datong (Article 18) follows the required items in the Shanxi Provincial Regulation (Article 27).²²⁵

(5) The long list of thirteen forbidden activities in the ancient city (Article 19) is a combination of the Regulation on HCCTVs (Article 24) with the Shanxi Provincial Regulation

²²⁵ Protected objects on the list are the overall historic spatial environment (traditional layouts, historical features, natural landscapes, and the environment, etc.); historical districts, cultural relics, historic sites, and historical buildings, valuable buildings, structures, famous ancient trees, water systems, and landforms, intangible cultural heritage (historical memory, the evolution of historical space, traditional literature and arts, handicrafts, industries, folk customs, etc.) and other possess values for conservation.

(Article 36 & 37). In addition, seven extra bans justified by local situations are in accord with the protected objects.

2) Specific Subjects and Measures for Datong's Historic Townscape

Some of the articles are specified for the Ancient City of Datong, including the tangible part includes the demarcated boundaries and the acreage of the protection areas (Article 3),²²⁶ the most characteristics subject matters (Article 12),²²⁷ and the components (Article 18)²²⁸ to be preserved in the ancient city and the reconstructed city walls with its belt parks (Article 27). Intangible heritage from Datong's traditional culture is not only included in the protected subjects²²⁹ but also itemized and highly encouraged as an integrated part of Datong's branding (Article 36).²³⁰ Besides

²²⁶ Datong Conservation Regulation, Art. 3 (2020): "The protection areas of Datong Ancient City include the historic urban core and the ancient city ruins of Qin, Han, Northern-Wei, Sui, Tang, Liao, and Jin Dynasties. The historic city refers to the center city of Datong which was expanded in the Ming Dynasty, and the Eastern, Southern, and Northern cities. The outline of the protected areas is east to the Yuhe West Road, west to the Weidu Avenue, south to the Beidu Street, north to the Pingcheng Street; as well as 30 meters outside the historic sites of the Eastern, Southern, and Northern Cities. Its total area is 686.98 hectares.

²²⁷ Datong Conservation Regulation, Art. 12 (2020): "Formulation of conservation plan should highlight Datong Ancient City's plan form, symmetrical central axes, cross streets, grid pattern, and gated community system with its diverse architectural styles since the Liao and Jin Dynasties, its traditional neighborhoods and residential buildings of North Jin area, and maintain the visual catchments formed by the spatial relationship and dominating high points of the ancient city."

²²⁸ Datong Conservation Regulation, Art. 18 (2020): "The objects to be protected in the Ancient City of Datong include: (1) the traditional city layout, historic townscape s, spatial scale, and its interdependent natural landscape and ecological environment; (2) immovable cultural relics and historic architectures, such as Huayan Temple and the city walls, etc.; (3) Historic District, and Historical-Style District; (4) the ruins of the ancient cities from previous dynasties, traditional residences, ancient wells, ancient memorial gateways, ancient seals, and famous ancient trees; (5) important historical sites, objects, and representative buildings related to historical events and famous historical figures; (6) intangible cultural heritage such as traditional culture and folk customs; (7) other objects in need of protection.

²²⁹ Datong Conservation Regulation, Art. 18, item 6 (2020): The objects to be protected in the Ancient City of Datong include: (6) intangible cultural heritage such as traditional culture and folk customs....

²³⁰ Datong Conservation Regulation, Art. 36 (2020): "The following activities that abide by the law are encouraged in the historic city: (1) establishing bases for film production, arts, calligraphy, etc., to develop creative cultural industries; (2) organizing traditional performing arts, such as Beilubangzi, Guangling Yangge, Datong Shulaibao, and other cultural festivals, such as the Lantern Festival in the ancient city; (3) launch collection, sorting, and research of intangible heritages, such as the Guangling Yangge, Jinbei Guchuei, Guangling paper-cutting, and the Datong bronze wares; (4) designing special tours, such as ancient city tours or cultural tours; (5) establishing theme museums, exhibition halls, and trade venues for arts and private collections; (6) operating local guesthouses and home-stays, local foods, and traditional catering; (7) producing, marketing, and displaying Datong's famous local products, folk artifacts, and tourist souvenirs;(8) other activities that utilize the resources of the ancient city to pass down the culture and history.

these Datong specific items, there are particular conservation measures in the Datong Regulation: Base on the unique principle of “protecting the overall city layout and improve the living environment” (Article 23), the Datong Regulation tries to put all visible pipeline facilities (Article 29)²³¹ and street furniture (Article 30)²³² under a unified “ancient city feature/style,” or even to “rectify or dismantle buildings or facilities that do not comply with the traditional layout or the historic style” (Article 22). However, such kind of ubiquitous “appearance control” is just to fulfill the imagination of an ancient city, not a universal conservation standard.

3) Datong's Innovative Approaches in Conservation Utilization

“Utilization” of heritage is a critical portion of the Datong Regulation. In addition to a “comprehensive reuse program” for Historic Districts and Historical-style Districts (Article 37), encouraging the uses of historic architecture (Article 38)²³³ and traditional residence (Article 39),²³⁴ the Datong Regulation proposes some outstanding ideas to sustain its heritage with modern uses. Datong's innovative measures include a unique plan of “historical-cultural exhibition system” (Article 17), promoting “walking city” and slow traffic (Article 31), and “function adjustment programs” of evacuated lands to prioritize cultural tourism, education, and medical infrastructures (Article 35).

²³¹ Datong Conservation Regulation, Art. 29 (2020): “Facilities for supplying water, power, gas, heat, communication, and cable television, etc., in the historic city area, shall be planned and implemented with roadworks and be buried underground. The form and color of the facilities above ground should be in harmony with the style of the ancient city.”

²³² Datong Conservation Regulation, Art. 30 (2020): “The paving of squares, sidewalks, and traditional streets and alleys in the historic city shall adopt architectural forms and materials that reflect the traditional style. Constructing public facilities in the historic city, such as towers, pavilions, public restrooms, garbage cans, etc., or installing outdoor signages, store plaques, display boards, lightboxes, and other facilities, etc. shall comply with the townscape.”

²³³ Datong Conservation Regulation, Art. 38 (2020): “Under the premise of maintaining the main architectural structure, style, and safety, historic architecture can be operated as museums, exhibition halls, memorials, and traditional stores, etc.”

²³⁴ Datong Conservation Regulation, Art. 39 (2020): “It is encouraged that utilization of traditional dwellings to operate the business by law that is compatible with ancient city protection to display the traditional living and folklore of the ancient city.”

Since historic architecture is appreciated as one kind of cultural heritage In the Datong Regulation (Article 18), its conservation principles (Article 25), protection measures (Article 11, 19), and utilizations (Article 38) are recommended; the guidelines for its utilization (Article 39) and maintenance (Article 26) are also provided. Nevertheless, it was confusing whether the “traditional residence” equals the “historic architecture” in the laws. Abiding by the Regulation on HCCTVs (Article 33),²³⁵ the responsibilities of maintenance and repair of historic architecture are imposed on the owners, but there is no clarification on the accountabilities for “traditional residence” and/or “historic architecture” in the Datong Regulations.

4) Difference in Principles of Urban Conservation

The most important conservation ethos written in the Datong Regulation (Article 20) — “respect the traditional layout, historical features, and spatial scale of the ancient city, should not damage the authenticity and integrity of historic-cultural heritage”— are coherent with the Regulation on HCCTVs (Article 21 & 23). Interestingly, in the Shanxi Provincial Regulation, the “protection of historical information to reflect the authenticity of historic buildings” during renovation is emphasized without mentioning “integrity” (Article 28). Another critical concept for heritage conservation, “preserve in-situ,” is noted in the Regulation on HCCTVs (Article 34) as well as in the Datong Regulation (Article 25). Although extra descriptions for the renovation of the historic building are provided in the Datong Conservation Regulation,²³⁶ it fails to stipulate the supervision

²³⁵ Regulation on HCCTVs, Art. 33 (2017): “Owners of historic architectures shall be responsible for the maintenance and repair of the historic architecture and abide by the requirements of the conservation plan.... If a historic building is in danger and its owner is incapable of maintaining or repairing it, the local government shall impose measures to protect it. It is not allowed to damage, relocate or demolish historic architecture without authorization.”

²³⁶ Datong Conservation Regulation, Art. 25 (2020): “Repair of historic architecture should apply traditional craftsmanship, traditional materials and traditional forms, and repair as it is.”

process for those situations of “cannot be protected in-situ and must be relocated or dismantled.”

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5) Disparities from different Administrative Hierarchies

At first, a noteworthy discrepancy occurs in the structures of the chapters between the two legal documents. Representing the ultimate guidance and supervision role of statewide urban conservation, the national-level law provides universal administrative procedures (Chapter II), guidelines of conservation planning (Chapter III), and conservation measures (Chapter IV) that apply to all cities in the country. The three chapters of the Regulation on HCCTVs are stipulated by the State Council for local governments to follow. Therefore, the entire Chapter II “Application and Approval,” and the requirements regarding the contents (Article 14), the term (Article 15), the review approval agencies (Article 17), the modifications of conservation plans (Article 19), and the supervision and inspection duties (Article 20) do not appear in the two Regulations of Datong.

Another gap are the applicable ranges caused by the different administrative hierarchy of the two laws: (1) the Regulation on HCCTVs and the Shanxi Provincial Regulation were stipulated for all HCCTVs; the local Regulations are formulated only for the Ancient City of Datong; (2) the national and provincial laws focus on setting rules for the application, approval, planning and protection of Famous HCCTVs (Article 2); the Datong Regulations cope with routine tasks of conservation, management for the local area, including livelihood, business operation, construction, and tourism development (Article 4); (3) the State Council applies the Regulation on HCCTVs for its statewide supervision and administrative responsibilities (Article 5); the Shanxi Provincial Regulation is for the supervision and administration of that province (Article 2); the Datong Regulations deal with local conservation affairs by the Datong Municipal government with

²³⁷ Such a situation is listed in the Regulation on HCCTVs (Article 34) and in the Shanxi Provincial Regulation (Article 39).

its subordinate governmental agencies (Departments of Planning and Nature Resources, Cultural Heritage, Cultural and Tourism, the Urban Administration Bureau, the Pingcheng District government, and the management agency of Datong Ancient City) (Article 5).

4.3.3 *Comparison on Regulations of the Two Cities*

Pingyao Conservation Regulation (2018) (L7) vs. Datong Conservation Regulation (2020) (L5)

At the local level, the most direct and effective provision to protect Historic-Cultural Cities is the Conservation Regulation for the Ancient Cities, which is tailored for local situations and promulgated by the local governments. Datong and Pingyao, the two case study sites of this research, are two Ancient Cities with similar physical configurations located in the same Province. They both comply with the same national and provincial laws on urban-rural planning and cultural relics conservation. Although Datong belongs to a higher administrative level of municipality, both Conservation Regulations are stipulated for conserving the Ancient City and implemented within the walled areas.

Both Pingyao and Datong have two versions of Conservation Regulation. Pingyao released its first Conservation Regulation in 1999, which was one of the earliest local provisions on urban conservation before the promulgation of National-level “Regulation on Protection of Famous HCCTVs” (2008). The Amendment of Pingyao Regulation was adopted in 2018. Two versions of the Datong Conservation Regulation were published in 2000 and 2020. Since the changes between the two versions of each site have been explained in the previous sections, this section compares the updated versions of the Conservation Regulation for the two cities.

Structurally speaking, the two Regulations are almost legislation twins, created for the same purpose, for two similar size ancient cities in the same provincial jurisdiction, and promulgated only two years apart. They both have six chapters (50 articles for Pingyao, and 43

articles for Datong) and provide mandatory regulatory content on the conservation of their historic city, including General Provisions, Planning and Conservation, Utilization, and Legal Liabilities. Even though both Regulations are composed of six chapters, the Datong Regulation has seven articles fewer than the Pingyao Regulation, and it does not cover the content of Chapter IV “Supervision and Management” of the 2018 Pingyao Regulation.

1) Disparities in Administrative Hierarchies and Government’s Roles

Fundamentally, Pingyao and Datong are situated at different levels of China’s administrative system; one is a prefectural municipality and the other is a county. The prefectural status allows Datong Municipality to stipulate its legislation, while Pingyao needs to rely on its provincial lawmakers. As a result, the leadership in these two legal documents are different: Datong’s Regulation is administered by the prefectural-level Datong Municipality government at large; Pingyao’s Regulation is under the collaborative supervision of Shanxi Province, Jinzhong City (晉中市), Pingyao County, and Gutao Town (古陶鎮). This difference in administrative bodies of the two ancient cities consistently appears throughout the two Regulations.

The different ideologies between the two cities can be observed from the most innovative and unique chapter of Pingyao’s Regulation, Chapter IV “Supervision, and Management (Articles 36 to 43),” which stipulates unprecedented managerial measures other than regular governmental supervision and inspection. Using policy as a tool for management can be observed throughout this chapter, as it proposes to establish a joint committee system, a routine inspection mechanism, management measures for transfer and lease of historical properties, environmental health management measures, management measures for tourism-related business, scenic parks, and mega-events, and emergency plans for tourist safety. Adding these new management policies contributes to a better management system for implementing the Regulation to daily operation, as

well as improving its entire administrative effectiveness. In particular, the last three articles of the chapter specify the duties for its conservation managerial authority (Articles 41 to 43).²³⁸ Providing these comprehensive managerial measures, the Pingyao County government shows an intention of structuring a supportive legislative system to transform previous fragmented leadership into a unified operative mechanism for urban conservation.

As the Pingyao County government endeavors to take charge of their urban conservation, the role of the prefectural government of Datong seems ambiguous and attaches to the conservative top-down mode on this matter. Datong's Regulation not only fails to provide a "Supervision and Management" chapter but also fails to specify responsible agencies for certain duties in its provisions. Such a situation occurs in multiple articles in Datong's Regulation: For example, Datong's Regulation (Article 22) does not identify any responsible entity for the rectification or dismantling of the inconsistent buildings in the city, while the Pingyao Conservation Regulation (Article 38) clearly assigns "the County Government" as the agency.

2) Different Identities and Aspirations of the Two Cities

To honor its outstanding status as a "World Heritage" site, the 2018 Pingyao Regulation puts the title at the first sentence of Article 1 of Chapter I "general provisions." Even though the Ancient City of Pingyao belongs to the lowest level in China's administrative system, this declaration virtually highlights Pingyao's importance and promotes the city to a higher level. As a National Historic-Cultural City, the identification of Datong is quite different from that of Pingyao when it comes to the goals and direction to the future. As Datong aims to be a "livable, business-friendly,

²³⁸ The newly established conservation managerial authority shall be consulted on formulating the conservation management and evaluation mechanism for tourism-related business (Article42), work with relevant departments to formulate emergency plans for travel safety, management programs for scenic parks, and large-scale events (Article43), as well as formulating conservation measures, review-approval process, and establishing any scenic park or attraction in the ancient city (Article41).

and tourist-friendly Historic-Cultural City” (Article 4), Pingyao plans to establish an “ecological ancient city suitable for living and for working” (Article 11).

The different aspirations of the two cities are also revealed in the two documents: Pingyao tries to promote research, cultural exchanges, technological innovation, and professional training to continue their Jin-business culture (Article 27); Datong prioritizes the development of cultural tourism, education, medical facilities, and infrastructure at evacuated and available urban lands (Article 35). From in-person interviews with the persons in charge of the Pingyao Conservation Authority, the goodwill of making a better livelihood for local residents has been reflected in Pingyao’s revised Conservation Regulation (2018). For example, supporting facilities for basic community services are listed as protected items (Article 10, item 9), improvements on infrastructure, community services, living environment, and public open space are required (Article 11). With differing emphases, one on cultural continuity and the other on urban development, the differing regulations plainly reveal the basis for the divergent trajectories of the two cities.

3) Mixed Conservation Principles of International Criteria and Chinese Theories

Both international standards and Chinese expertise in conservation are adopted in the two local regulations. “Authenticity and integrity” appear in Article 4 and Article 20 in Datong’s Regulation and Article 3 in Pingyao’s. The pair of new criteria only appeared in official Chinese conservation documents after the 2008 Regulation on HCCTVs. Additionally, the old Chinese conservation principle, “do not change the original condition” from the Law on Cultural Relics (1982), and the restoration guidelines, “Four Originals,” are written into the Conservation Regulations of the two cities.²³⁹ Moreover, President Xi’s 2018 instructions on heritage conservation were also

²³⁹ Pingyao Conservation Regulation, Art. 12 (2018); Datong Conservation Regulation, Art. 16, Art. 25 (2020).

transferred to Datong's legal document,²⁴⁰ which encourages subtle, gradual, and meticulous manners in conservation against the rampant demolition and mass-reconstructions nowadays.

Other than the principles of restoration, most conservation measures for the two cities are set forward under the criteria of “coordination with the historic style of the city” to maintain historic city layout, townscape, and architectural style. The principle of “coordination” applies to the store plaques, storefronts, lamp styles, and lighting colors in Pingyao (Article 30); and to the paving of public spaces, traditional streets and alleys, and public facilities (towers, pavilions, public restrooms, garbage cans, outdoor signage, store plaques, display boards, lightboxes, etc.) in Datong (Article 30).

4) Deviations on Conservation and Utilization

Although the conservation principles of the two cities are identical – both declare “scientific planning, integrated conservation, rational utilization, and unified management to maintain historical authenticity, landscape integrity, and cultural continuity”— certain deviations on urban conservation are observed in the wording of the two regulations. In general, the keyword of Pingyao Regulation is “conservation,” and the keyword of Datong Regulation is “conservation with utilization” (Article 5). A majority of policies in “Utilization (Chapter IV)” of the Datong Regulation and “Inheritance and Utilization” (Chapter III)” are alike. Both Regulations aim to integrate historical-cultural resources for utilization in the city,²⁴¹ and encourage native residents to live inside the walled city and participate in the city's conservation.²⁴²

²⁴⁰ “城市规划和建设要高度重视历史文化保护。不急功近利,不大拆大建。要突出地方特色,注重人居环境改善,更多采用微改造这种绣花功夫,注重文明传承、文化延续,让城市留下记忆,让人们记住乡愁。” (Xi Jin-ping, 2018). Refers to Datong Conservation Regulation, Art. 20, Art. 23 (2020).

²⁴¹ Pingyao Conservation Regulation, Art. 26 (2018); Datong Conservation Regulation, Art. 33 (2020).

²⁴² Pingyao Conservation Regulation, Art. 32 (2018); Datong Conservation Regulation, Art. 34 (2020).

Regarding the distribution of commercial activities in the ancient city, Datong promotes the differentiation strategy in the development of culture, tourism, and trade (Article 33), and uses all cultural resources as commercial products to program its business distribution and economic development.²⁴³ Similarly, Pingyao proposes a catalog of classified business lines and gives support to the encouraged projects (Article 29). The Datong Regulation has guidelines for utilization of historic architecture (Article 38) as well as the use, repair, and renovation for the traditional residence (Article 26); the Pingyao Regulation upgrades the guidelines to a policy of activation reuse (Article 28) and release use rights as the incentive for investments in conservation and repair of cultural heritage (Article 31).

The eight activities encouraged by the Datong Regulation (Article 36) are a combination of Article 33 in the 2018 Pingyao Regulation on promoting characteristic tourism, intangible cultural heritage, and cultural-creative industries. Although Pingyao encourages the utilization of intangible heritage (Article 34, 35), traditional village and dwellings to develop exclusive tours (Article 33), and gives legislative and financial support to those appropriate business types (Article 29), it makes an extra effort to provide a better system for enhancing cultural continuity. Such an aspiration is revealed in several articles of Chapter III “Inheritance and Utilization” of Pingyao’s Regulation, including establishing an archive of conservation projects to regularly study and solve major conservation issues (Article 26), as well as organizing and carrying out historical research, cultural exchanges, technological innovation, and professional training (Article 27), and formulating measures to promote adaptive reuse (Article 28).

²⁴³ Chapter IV of Datong Conservation Regulation includes using available lands and houses from relocated institutions or enterprises and existing industrial or storage lands (Article 35), historic districts, and historical-style districts (Article 37), historic architecture (Article 38), and traditional dwellings (Article 26, 39), and intangible heritage (Article 36).

Some measures in Pingyao's Regulation express an entirely different attitude toward the conservation of cultural heritage. For example, Pingyao releases the right of use (usufruct) to encourage those who voluntarily invest in the conservation and repair of Monument-Sites, immovable cultural relics, or historic buildings (Article 31). The Pingyao Regulation also provides funding for the repair of historic buildings (Article 12) and encourages the public to provide financial support through donations, investments, and the establishment of public welfare funds (Article 6). The Datong Regulation does not mention any funding; instead, it puts the obligation of protection Datong City on all by conferring the rights of stopping and reporting inappropriate activities (Article 10). Although the channels for public participation of the two are about the same, the encouragement given in the Datong Regulation is devoted to its "conservation utilization" (Article 7). Particularly, the unique "Historical-Cultural Exhibition System for the Ancient City of Datong" is specified in the Datong Regulation (Article 17) in accord with its ambition for being a cultural tourism center.

5) Respective Conservation Planning for Urban Heritage

In addition to the Ancient City of Pingyao, the scope of protection for the inscribed "World Heritage Site" comprises two temples outside the city—Shuanglin Temple and Zhenguo Temple (not included in this research).²⁴⁴ As for Datong, a National Historic-Cultural City, its scope of protection consists of the Ancient City of Datong and the ruins of ancient cities from previous dynasties.²⁴⁵ As for the main conservation area, both ancient cities apply the three-classification system of Conservation Zones, Construction Control Zones, and Surrounding Coordination Zones for effectively conducting suitable protection measures.²⁴⁶ For those historic sites outside the two

²⁴⁴ Pingyao Conservation Regulation, Art. 9 (2018).

²⁴⁵ Datong, Conservation Regulation, Art. 3 (2020).

²⁴⁶ Pingyao Conservation Regulation, Art. 9 (2018) and Datong Conservation Regulation, Art. 13 (2020).

walled ancient cities, both Conservation Regulations require the formulation of specific programs for protection.²⁴⁷

Regarding conservation planning, the two local governments provide different types of plans to protect their cities: Pingyao formulates conservation plans with regulatory detailed plans and annual implementation plans (Article 8); Datong formulates conservation plans for the Historic-cultural city of Datong and its historic-cultural districts with specific plans for Monument-Sites, the historic city, historical style districts and historical architecture (Article 11).

After the demarcation of protection zones, the essential conservation subjects are identified in Articles 10 of Pingyao's Regulation (2018), and Article 18 of Datong's Regulation (2020). Although there are many components in common,²⁴⁸ interestingly, there are unique proposed items by Pingyao: including pending-designation immovable cultural relics, historical names of places, historic architecture, and time-honored brands, significant representative buildings of modern industries, and supporting facilities for basic residential and community services in the ancient city. Again, Pingyao reflects its advanced thoughts on preserving a broader range of valuables that were neglected by Datong, in particular, on protecting the non-heritage facilities that actually maintain people's normal life in the old city.

6) Planning Measures on Common Urban Issues

Several articles deal with urban issues. Since the rapid industrialization after the 1970s, the two ancient cities have always suffered from the problem of overpopulation. Pingyao had applied natural relocation strategies along with the outgoing public facilities to purge its urban population. As a result, the population in the Ancient City of Pingyao reduced to approximately 35,000 in

²⁴⁷ Pingyao Conservation Regulation, Art. 25 (2018) and Datong Conservation Regulation, Art. 27 (2020).

²⁴⁸ Common elements are the overall historic townscape, traditional layouts, and spatial scales, traditional streets and courtyard houses, protected Monument-Sites, immovable cultural relics, historic architecture, and representative architecture, and intangible heritage.

2001.²⁴⁹ Datong's overpopulation situation was altered by the mass relocation of Mayor Geng's overall Rehabilitation Program.²⁵⁰ Now, both cities are eager to keep enough local residents living in town to carry out cultural activities and participate in preserving the ancient cities.²⁵¹ Nevertheless, density control of the population is still on the list of Datong's governmental tasks with zoning demarcation (Article 28).

On the matter of traffic control, Pingyao requires traffic management plans and improve public transportation facilities to provide convenient transportation services for its users.²⁵² Differently, Datong tries to create a cozy walkable city by promoting "slow traffic", in addition, to prioritize public transportation, formulate traffic control measures, and arranging appropriate parking facilities.²⁵³ Responding to environmental protection agendas, clean energy is suggested for public transportation and sightseeing vehicles in Datong (Article 31); smoke purification facilities are promoted in Pingyao Ancient City (Article 20).

7) Preventive Measures and Bans for Protecting Historic Fabric

To protect the ancient cities, certain activities are banned to prevent damages to the historic fabric besides instructional guidelines of the two Regulations. Both cities forbid demolishing or destructing of historic buildings, changing structure or appearance of traditional courtyards and residential buildings, new construction, remodel or expansion (underground space or above two stories); widening, intercepting, or straightening streets and roads.²⁵⁴ These restrictions follow

²⁴⁹ In 1996, Pingyao County had a total population of 472, 856 (414,756 agricultural workers) (Pingyao County Gazetteer, 1999). More than 20,000 people were moved out from the ancient city since 1997, and the population was reduced to approximately 35,000 in 2001 (Whitehand & Gu, 2007; Zhang, Pan, & Wu, 2012).

²⁵⁰ The urban population of the city center was massively evicted: 2,352 families were evicted in 2008, and 6,163 families were evicted in 2009 according to official reports (Audin, 2018).

²⁵¹ Pingyao Conservation Regulation, Art. 32 (2018) and Datong Conservation Regulation, Art. 34 (2020).

²⁵² Pingyao Conservation Regulation, Art. 18 (2018).

²⁵³ Datong Conservation Regulation, Art. 31 (2020).

²⁵⁴ Pingyao Conservation Regulation, Art. 13, 14, 15 (2018); Datong Conservation Regulation, Art. 19 (2020).

their common template, the Regulation on Protection of HCCTV.²⁵⁵ Some particular prohibited activities in Datong Regulation are derived from the Law on Cultural Relics, including the bans on installing, relocating, rewording, or damaging protection signs of historic-cultural districts; occupying or destructing historic ruins, ancient wells, archways, and stone inscriptions; cutting or relocating famous ancient trees (Article 19, Datong Regulation).

Fire safety is a prime concern in the protection of ancient cities. Both cities require fire safety programs and a responsibility system for implementation. Pingyao Regulation even lists six items for the fire safety programs (Article 16) and bans four fire hazard activities (Article 17).²⁵⁶ In Article 19 of Datong Regulation, there are also two prohibited activities concerning fire safety.²⁵⁷

Despite these preventive measures in common, Pingyao has its distinctive rules on conserving underground water (Article 19) and noise control (Article 21). Certain activities are also not allowed without authorization in Pingyao, including stacking items or using reflective materials on roofs (Article 14), demolishing structures or other non-historic architecture, installing advertisements, signs, facilities, and equipment, access to municipal infrastructure and public service facilities, establishing scenic spots and attractions, and manufacturing (Article 15).

²⁵⁵ Datong, 2020, Article 19.

²⁵⁶ Pingyao Conservation Regulation, Art. 17 (2018): “The following acts with fire safety hazards are prohibited in the ancient city area: (1) raising and setting off kongming lights and setting off fireworks and firecrackers; (2) producing, operating, transporting and storing inflammable and explosive articles that are not necessary for life; (3) failure to lay electrical wiring following technical standards and regulations, and use electrical equipment that exceeds the design load of the circuit and presents fire safety hazards; (4) Other activities affecting fire safety.”

²⁵⁷ Datong Conservation Regulation, Art. 19 (2020): (3) construct factories or warehouses to produce or store explosive, flammable, radioactive, toxic, and corrosive items, etc.; (12) burning fire, setting off fireworks and firecrackers, flying hot air balloons, or kongming lanterns.

8) *Disparate Concerns in Legal Liabilities*

Responding to those bans, Chapter V “Legal Liabilities” of these two Regulations do not share too much in common except for administrative-related contents: (1) any violation of the Regulation shall abide by the legal liabilities already stipulated by laws and administrative regulations;²⁵⁸ and (2) imposing penalties for misconduct of the staff of governments.²⁵⁹ The Pingyao Regulation punishes more on the activities that change the existing historic layout and townscape (Article 45~48).²⁶⁰ On the contrary, the 2020 Datong Regulation emphasizes its administrative management rather than keep out violations in conservation, as adding only one penalty on “unauthorized installation, relocation, alteration or destruction of the historic-cultural district signage” (Article 41). Other than the legal liabilities, two distinct articles in the Datong Regulation uncover particular concerns of Datong: first, launching propaganda and educational activities of the ancient city conservation to improve knowledge of conservation and enhance public awareness of protection (Article 9); meanwhile, imposing the obligation of protecting the Ancient City of Datong to everyone and give the rights to dissuade and report any damaging activity (Article 10). Apparently, the low conservation awareness and the potential destructive behaviors to urban heritage worried the lawmakers of Datong.

²⁵⁸ Pingyao Conservation Regulation, Art. 44 (2018); Datong Conservation Regulation, Art. 40 (2020).

²⁵⁹ Pingyao Conservation Regulation, Art. 49 (2018); Datong Conservation Regulation, Art. 42 (2020).

²⁶⁰ Penalties in Pingyao Conservation Regulation (2018) include the restrictions on additions above two stories and underground space (Article 13), alterations or destruction of historic buildings and street layouts (Article 14), reconstruction, alteration or repair of buildings, installing street fixtures, business operations, establish scenic parks (Article 15), and the annoying noise from mass-tourism (Article 21).

4.4 SUMMARY: INTERPRETING VALUES THROUGH THE TEXTS

After reviewing different versions of the three major laws, a textual interpretation of the twenty legal documents related to China's urban conservation has been conducted using a coding software "Atlas.ti." The coding identifies the criteria of heritage, conservation principles, objects under protection, and conservation measures (encouragements, forbidden activities, and penalties) and makes cross-reference between these laws. To interpret the values embedded in these urban conservation-related laws, this dissertation reviews the language of these texts through three aspects: why do they preserve heritage, what heritage do they try to preserve, and how do they try to preserve the heritage they specified. The question of "who are they preserving heritage for" is excluded from this section since there are no relevant references to this question in these texts.

4.4.1 *Why does the Government Preserve?*

Despite the administrative function of all legislation, the purposes of the Law on Cultural Relics and the Regulations on HCCTVs at each level share a common ground, which aims to inherit and protect China's outstanding historic-cultural heritage²⁶¹ and balance the relations between economic-social development and conservation.²⁶² As historic cities are the engine and the resources that propel cultural tourism and associated industries, urban conservation helps them to reshape their historic core to be a place "good for living, working,"²⁶³ and become either a tourism hub (L5, Art. 4, 2020) or an ecological historic city (L7, Art. 11, 2018). Except for the Pingyao Conservation Regulation, the other Regulations on HCCTVs offer more principles for "reasonable utilization" rather than supporting articles for cultural agendas. This indicates that the advocacy

²⁶¹ W1, W2, W3, Art.1 (1982, 2002, 2017); L1, L2, Art.1 (2008, 2017); L3, Art.1, (2018); L4, L5, Art.1, (2000, 2020); L7, Art.1 (2018).

²⁶² W1, W2, W3, Art.9 (2002, 2017); L1, Art.3 (2008).

²⁶³ L5, Art. 4, (2020) and L7, Art. 11 (2018).

on “education of patriotism and tradition of revolution, the spiritual and material civilization of socialism” (W1, Art.1, 1982) is a slogan; economic-social development is the key.²⁶⁴

Diverging from the above two conservation laws, the purposes of the Planning Laws are to “strengthening the administration of urban-rural planning, balancing the organization of urban and rural spaces, improving living conditions, and promoting a comprehensive sustainable social-economic development for urban and rural areas.”²⁶⁵ Although historic cities, districts, and all historic-cultural heritages are concerned and become the mandatory parts of comprehensive urban plans, the intentions of the Planning Laws focus on improvements of living conditions and the development of urban and rural areas, which might contradict the essence of urban conservation from time to time.

4.4.2 *What does the Government Preserve?*

As an accumulation of time and an aggregation of multiple spatial complexes, the preservation of historic cities has been distributed to the three major laws according to their respective goals and targets. The Planning Law instructs the future development of an entire city; the Regulation on HCCTVs guides settlements of historical significance within a certain area; the Law on Cultural Relics safeguards individual Monument-Sites under legal protection. Aiming to “strengthen the protection and administration of the HCCTVs, and to inherit the outstanding historic-cultural heritage of the Chinese nation,”²⁶⁶ the Regulation on HCCTVs is the most direct and effective tool for urban conservation among the three. All the seven pieces of the Regulation on HCCTVs are

²⁶⁴ L5, Art. 34, (2020); L6, Art. 6, Art. 29(1999).

²⁶⁵ G1, Art.1 (1990); G2 & G3, Art.1 (2008, 2019).

²⁶⁶ L2 & L2, Art.1 (2008, 2017); L3, Art.1 (2018); L4, Art.1 (2000); L5, Art.1 (2020); L7, Art.1 (2018).

consistent on the same statement, which focuses purely on safeguarding the physical substance of historic cities through overwhelmingly administrative measures.

I. Major Values in the Laws

Notably, the three key values (historical, artistic, and scientific values) provide the ultimate guidance for selecting Monument-Sites in China and can be found in each version of the Law on Cultural Relics, except for the 2006 Shanxi Provincial Measure on Cultural Relics (W5) and the Planning Laws. These three key values are also applied to the nomination of National HCCTVs (L1 & L2, Art.11). Other values, such as cultural values and social values, are relatively insignificant.

“*Historical Value*” is the primary evaluation criterion that filters cultural relics by their ages and by historical significance, which are places of “historical political, economic, cultural, transportation hub or key military post, or an arena of important historical events,”²⁶⁷ or “associated with significant historical events, revolutionary movements or famous figures of modern and contemporary periods.”²⁶⁸ Since there are no quantitative indicators associated with “historical,” one cannot justify heritage value only by its age. It is more likely that the importance of a place in history is the key.

“*Artistic Value*” refers to those outstanding arts and crafts of history,²⁶⁹ or a historic building that “reflects a typical architectural style of a certain period, contains a certain architectural artistic value in its architectural form or details” (L3, Art.15). Ambiguously, this criterion only indicates physical forms without any explanation of the meaning of “artistic.”

²⁶⁷ L1 & L2, Art. 7; L3, Art. 10, Art. 15; L4, Art. 15.

²⁶⁸ W1, W2, W3, W4, Art. 2.

²⁶⁹ Ibid.

In general, “*Scientific Value*” is not an independent proposition and is mostly listed with the other two major values. It is brought up in two occasions: (1) when a place contains traditional industries and major construction projects that had a significant impact on its regional development,²⁷⁰ or a building contains materials, structure, and construction technology that reflect the level of construction technology or scientific achievement, or innovative scheme or spatial layout that reflects a certain scientific and technological value from its period (L3, Art.15); (2) when it refers to ancient plant fossils, and fossils of paleo vertebrates and paleo anthropoids.²⁷¹

Other than the “three major values,” there are several obscure criteria that point towards “*cultural values*” and “*social values*.” For example, “typical artifacts which reflect the social system, the social production, or the social life of various minority ethnics in different periods,”²⁷² a city can “represent the cultural or ethnic characteristics of local architecture,”²⁷³ and a neighborhood that “keeps the continuity of traditional living (L3, Art. 11).”

“*Authenticity and Integrity*” are imperative qualities and international standards for historic sites, but not adopted by the Law on Cultural Relics. In connection with “traditional layouts and historical townscape” in the Regulation of HCCTV, the two criteria constitute the standardized statement of urban conservation plan: “to maintain and continue traditional layouts and historical townscape, safeguard authenticity and integrity of historic-cultural heritage.”²⁷⁴ In the legal documents of the two ancient cities, the language changes to “maintain the authenticity of history, the integrity of townscape, and the continuity of culture.”²⁷⁵ In addition, the words are

²⁷⁰ L1, L2, Art. 7; L3, Art. 10.

²⁷¹ W1, W2, W3, W4, W5, Art. 2.

²⁷² W1, W2, W3, Art. 11; W4, Art. 2.

²⁷³ L1 & L2, Art. 7.

²⁷⁴ L1 & L2, Art. 3; G5 & G6, Art. 13; G8, Art. 17.

²⁷⁵ L5, Art. 4; L7, Art. 3.

presented in a warning tone that any activities “shall not damage the authenticity and integrity of a historic-cultural heritage, and shall not impose destructive impacts on the traditional layouts and historic townscape.”²⁷⁶ Furthermore, it is prohibited to conduct unfounded restoration or reconstruction. This suggested that any restoration shall protect historical information to reflect the authenticity of historic buildings, and shall not change its interdependent natural and cultural environments (L3, Art.28).

II. Categories and Criteria of Urban Heritage

As explained in the section on the Chinese heritage conservation system, the definitions and the categories of cultural heritage are not clear-cut when it comes to the subject of urban conservation. In the palette of urban conservation, there is tangible and intangible cultural heritage; the tangible cultural heritage is divided into immovable and moveable cultural heritage. Confined to the tangible immovable cultural heritage in the urban area, the subjects of urban conservation, from big to small in general, are constituted by *historic-cultural cities, historic districts, Monument-Sites, historic architecture (registered), and traditional buildings (listed)* according to the three-layer system proposed by Jinghui Wang.²⁷⁷

No matter what their scales are, these heritages fulfill several qualifications:²⁷⁸

- (1) *there are particularly abundant cultural relics;*
- (2) *existing historic architecture are clustered as a group;*
- (3) *traditional layouts and historic townscape are well-maintained;*
- (4) *contain historical, artistic, or scientific values.*²⁷⁹

²⁷⁶ L1 & L2, Art. 23; L5, Art. 20.

²⁷⁷ Since “Historic-Cultural Cities” and “Historic Districts” are not demarcated by administrative regions, the sizes of the two may vary, depending on how they are designated. Usually, a historic-cultural city is bigger, as two historic districts are required with a historic-cultural city.

²⁷⁸ L2, Art. 7 (2017).

²⁷⁹ The criteria written on the Law on Cultural Relics are simpler, it only requires that a city contains abundant cultural relics and significant historical value or a commemorative site of revolution. See W1, Art. 8 (1982); W2 & W3, Art. 14 (2002, 2017).

In addition, the declaration of a Historic-Cultural City requires two or more Historical Districts within its protected areas. “*Historic District*” is a newly-generated category, whose criteria identically repeat the first three conditions for a Historic-Cultural City with an additional requirement of “a certain scale.”²⁸⁰ The “a certain scale” is set to be larger than 10,000 square meters in the Shanxi Provincial Regulation on HCCTVs.²⁸¹ Besides the fulfillment of any condition in the fourth requirement of a Historic-Cultural City, two conditions are added (“preserving plentiful intangible cultural heritage and sites” and “a continuity of traditional living”). Referring to buildings without official status, “Historic Architecture” also shares the same criteria of “reflecting historical townscapes and local characteristics” as the above two types of heritage.²⁸²

A more comprehensive description closely related to the criteria of Monument-Sites as well as applies to Historic-Cultural Cities and Districts is written in the Shanxi Regulation on HCCTVs:²⁸³

(1) it associates with significant historical events or figures, and contains outstanding historical or cultural values of being a representative in the history of urban development, city construction, or any specific industry;

(2) it reflects a typical architectural style of a certain period, contains a certain architectural artistic value in its architectural form or details;

(3) its building materials, structure, and construction technology reflect the level of construction technology or scientific achievement; its scheme or spatial layout was innovative and reflects a certain scientific and technological value of its period;

(4) it contains other historical values and characteristics.

²⁸⁰ L1 & L2, Art. 47 (2008, 2017).

²⁸¹ L3, Art. 11 (2018).

²⁸² L1 & L2, Art. 47 (2008, 2017); G5 & G6, Art. 68 (2010, 2019).

²⁸³ L3, Art. 15 (2018).

Literally, the first three criteria can be easily translated into the “three major values” derived from the Law on Cultural Relics: the first is “historical value”, the second is “artistic value,” and the third is “scientific value.” In different versions of the Law on Cultural Relics, the three major values of heritage were reiterated in the standard statement specified for designating Monument-Sites among types of immovable heritage.²⁸⁴

III. Protected Elements of Urban Heritage

Apart from the above-mentioned indicators of protection associated with urban conservation, there are descriptions regarding substantial elements of these objects (that is, the contents for protection) in the twenty legal documents. Matching the result of coding, these protected elements are listed in the legislation as below (Figure 4.1):²⁸⁵

- (1) the overall historic spatial environment, including traditional layouts, historic townscapes, natural landscapes, and the environment, etc.;
- (2) historic blocks, cultural relics, historic sites, and historic architecture;
- (3) buildings, structures, famous ancient trees, water systems, landforms, etc. which contain values for protection;
- (4) intangible cultural heritage, such as historical memory, the evolution of historical space, traditional literature and arts, handicrafts, industries, folk customs, etc.;
- (5) tools of production and daily necessities, etc., which contain values for protection.

²⁸⁴ “Determined by their historical, artistic, or scientific values, immovable cultural relics, such as ancient ruins, ancient tombs, ancient architecture, cave temples, stone carvings, murals, important modern and contemporary sites, and representative architecture, etc., can be designated as the Monuments-sites of national-level, provincial-level, and city or the county-levels.” See W1, Art.7 (1982); W4, Art. 7 (1993); W2 & W3, Art. 3, Art.13 (2002 & 2017).

²⁸⁵ L3, Art. 27 (2018).

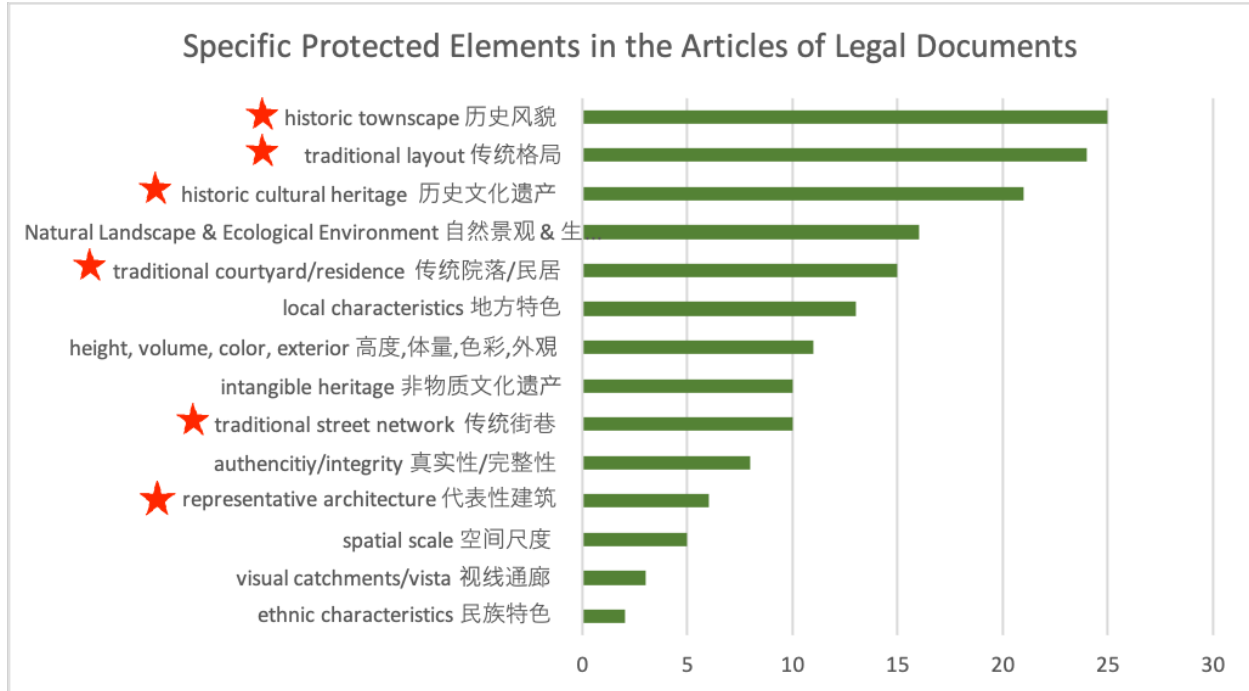


Figure 4.1: Protected elements in legal documents (drawn by Ho, 2022)

4.4.3 *How does the Government Preserve?*

After a review of protected subjects and elements, it is now possible to sort out the principles of urban conservation in these legal documents (Figure 4.2). Most of these principles are shared between different categories of urban heritage; however, some of them are originated from and are specified for Monument-Sites.

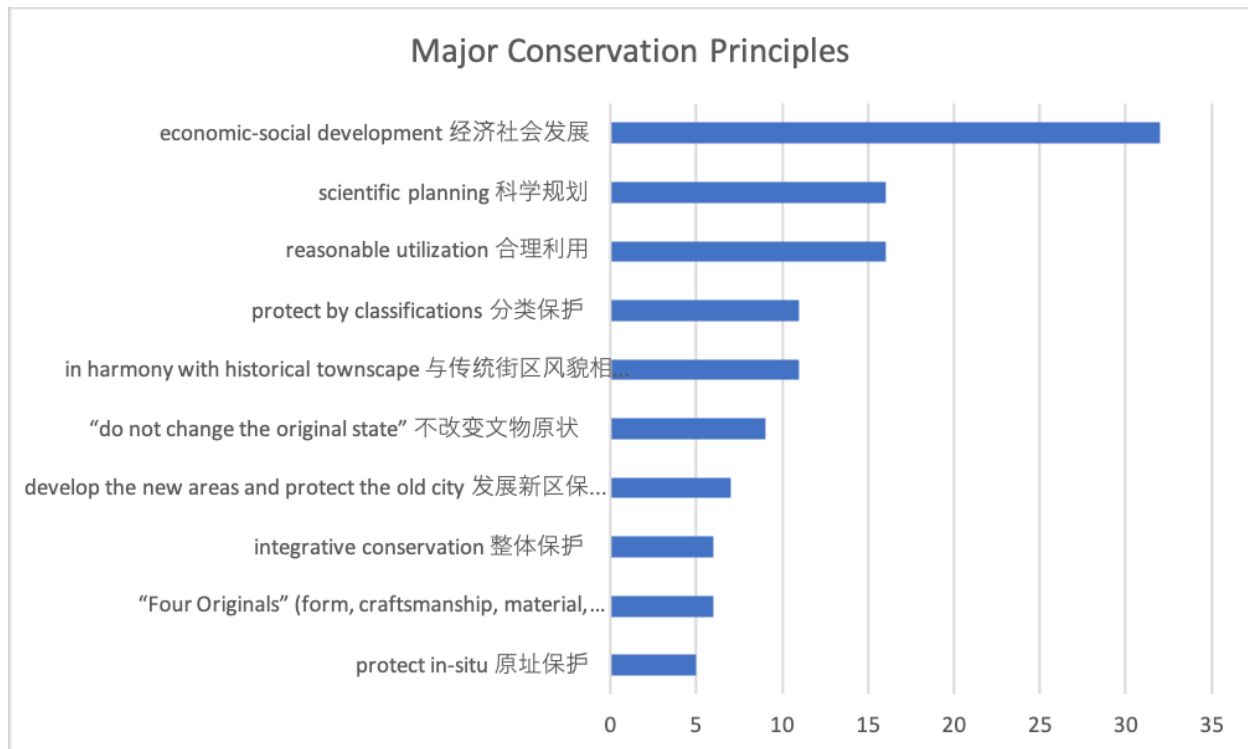


Figure 4.2: Major Conservation Principles in legal documents (drawn by Ho, 2022)

Principles of Urban Conservation

1) Conservation Plan vs. Economic-Social Development (经济社会发展)

Interestingly, “economic and social development” is the most frequently used phrase among the legal documents, no matter whether the law is for conserving historic cities or cultural relics, or for city planning. Configuration or adjustment of city plans are to be based on the national socio-economic development plan,²⁸⁶ because propelling “(integrated, harmonious and sustainable) socio-economic development for urban-rural areas” is the purpose of city planning.²⁸⁷ It is also described in the laws that infrastructure determined in urban plans, conservation plans of Historic Districts and Historic Architecture, and cultural relic protection shall be incorporated into the

²⁸⁶ G1, Art. 6, Art. 22; G2, Art. 5, Art. 34; G3, Art. 2, Art. 5; G5 & G6, Art. 3; G8, Art. 30.

²⁸⁷ G1, Art. 1; G3, Art. 1; G2 & G3, Art. 29.

national socio-economic development plan.²⁸⁸ Governments are to progressively boost urbanization and promote integrated socio-economic development for urban-rural areas.²⁸⁹ Although the lawmakers indicate the necessity to “properly balance the relationship between economic, social development and heritage protection,”²⁹⁰ urban conservation emphasizes developing new areas while conserving and rationally utilizing the resources of the ancient cities for boosting the economy (L6, Art. 29).

2) Development of New Areas and Protection of Old Cities (开发新区保护古城)

According to the laws, the relation between the development of new areas and the old city shall be properly handled²⁹¹; however, planners and conservators have different manners of dealing with the tension between the two. In the Regulation of Historic-Cultural Cities, the resolution is to separate the two: developing new areas while conserving and utilizing the old city (开发新区保护古城).²⁹² Nevertheless, the Planning Laws uphold “new development and urban regeneration (新区开发和旧区改建)” as one holistic agenda, intended to undertake integrative planning, comprehensive development, with auxiliary construction.²⁹³

3) Scientific Planning (科学规划)

Adopting advanced scientific technologies to improve the scientificity and efficiency of implementation, supervision, and administration of urban-rural planning is highly desired.²⁹⁴ Combined with other principles, this scientific planning methodology also guides urban

²⁸⁸ G1, Art. 6 G1; L3, Art. 26; L4 & L5, Art. 6; L6 & L7, Art. 4; W2 & W3, Art. 10; W5, Art. 3.

²⁸⁹ G5 & G6, Art. 23; G8, Art. 1; G2 & G3, Art. 28; G8, Art. 24.

²⁹⁰ L1 & L2, Art. 3; W2 & W3, Art. 9.

²⁹¹ G2 & G3, Art. 29.

²⁹² G8, Art. 3; L6, Art. 29.

²⁹³ G1, Art. 23; G4, Art. 13, Art. 14.

²⁹⁴ G1, Art. 8 & 13; G2 & G3, Art. 10; G5, Art. 6; G5, G6, G8, Art. 4.

conservation in multiple Regulations on Protection of HCCTVs.²⁹⁵ Scientific assessment and classification are recommended for the protection of historic buildings (L3, Art. 28). Reconnaissance surveys and panel discussions among experts are also required as a scientific and reasonable process for repair, restoration, and remodel projects within the ancient city (L5, Art. 21).

4) *Rational Utilization* (合理利用)

Adequate utilization is probably the vital motivation in China's urban conservation; therefore, "rational utilization" is not only applied to new development and urban regeneration,²⁹⁶ famous scenery resources,²⁹⁷ and cultural relics²⁹⁸ but also reiterated in the Regulations on HCCTVs as one of the primary principles.²⁹⁹ In the early phase of Pingyao's conservation, utilization was tightly connected to urban development and for boosting the economy (L6, Art.29). Lately, this principle has been co-listed with scientific planning, integrated conservation, and strict management of protection (L7, Art.3).

5) *Integrative Conservation* (整体保护)

"Integrative conservation" is proposed specifically for urban conservation and listed with other primary principles in the Regulations on HCCTV.³⁰⁰ As explained in two Articles, this term treats the protection of the HCCTVs as a holistic entity encompassing "traditional layout, historic townscape, spatial scale, and the interdependent natural landscape and environmental setting,"³⁰¹

²⁹⁵ L1, L2, L3, Art. 3; G8, Art. 27; L5, Art. 4; L7, Art. 3.

²⁹⁶ G1, Art. 26, Art. 27.

²⁹⁷ G2 & G3, Art. 32.

²⁹⁸ W2 & W3, Art. 4.

²⁹⁹ L3, Art. 3; L4, Art. 3; L5, Art. 4; L6, Art. 29; L7, Art. 3.

³⁰⁰ L5, Art. 4; L7, Art. 3; G8, Art. 27.

³⁰¹ L1 & L2, Art. 21.

or “the natural and cultural environments comprised of the natural landscape, rural features, ecological environment, viewshed, and skyline” of a historic city (L3, Art. 38).

6) *Protect by Classifications (分类保护)*

“Classification” is an effective method to preserve cultural heritage with corresponding measures according to specific situations of individual properties. Classifying cultural heritage per historical, artistic, and scientific values begins with the Law on Cultural Relics (1982).³⁰² Such criteria then apply to urban conservation on historic cities,³⁰³ buildings and structures within the protected areas,³⁰⁴ historic architecture,³⁰⁵ and traditional residences.³⁰⁶ Similar to the three-level system of Monuments-sites (national, provincial, and city or the county-levels), Pingyao and Datong stipulate their urban conservation zoning systems from the previous three-grade system (first to third grade)³⁰⁷ to a three-zone system (Core Conservation Zone, Construction Control Zone, and Surrounding Coordination Zone).³⁰⁸

7) *“Do Not Change the Original State” (不改变原状)*

Aiming to preserve the “original state” of immovable cultural heritage, this principle is mandatory for use, repair, maintenance, and relocation for immovable cultural heritage and Monument-Sites.³⁰⁹ This statement has been at the center of debates for a long time since “original state” can be interpreted as either “existing condition” or “original condition.” Hence, there is still no concrete definition in Chinese conservation circles. As required by the Law on Cultural Relics, the

³⁰² W1, Art. 7; W2 & W3, Art. 3; L6, Art. 17.

³⁰³ L6, Art. 6.

³⁰⁴ L1 & L2, Art. 27.

³⁰⁵ L3, Art. 28.

³⁰⁶ L6, Art. 13.

³⁰⁷ L4, Art. 16; L6, Art. 11 & 12.

³⁰⁸ L5, Art. 13; L7, Art. 9.

³⁰⁹ W1, Art. 14 & 15; W2 & W3, Art. 21 & 26; W4, Art. 14.

best information provided through the texts is to “keep the integrity and safety of the existing buildings; do not damage, demolish, alter, or expand.”³¹⁰

8) *Maintain the “Four Originals” (四原)*

Differing from the debatable standard in the Law on Cultural Relics, the principle of “do not change the original state” has relatively concrete explanations in the Regulations on HCCTV. In the 1999 Conservation Regulation of Pingyao, the principle of “do not change” includes group layouts, forms, spatial features, materials and colors of traditional buildings in the first-grade conservation zone; and the form, color, and building materials of the street façade in the first-grade streets (L6, Art.12). After the modification of conservation zoning, “maintain the original height, volume, exterior form, and colors” became the prerequisites of restoration and conservation of the traditional buildings within historic cities.³¹¹ Proposed in the China Principles, the “four originals” became the golden rules for building restoration, which is to “maintain the original height, volume, exterior form, and colors, adopt traditional processes, traditional crafts, traditional practices, and traditional materials” (L7, Art.12).

9) *In Harmony with Historical Townscape (与古城风貌相协调)*

“Harmony,” or being in accordance with the surrounding traditional townscape and architectural style, is the universal guideline to all the new infill in historic cities. This rule applies from new construction, repair, renovation or reconstruction,³¹² above-ground equipment sheds and wires,³¹³ paving and sidewalks, public facilities, to outdoor signs and advertisements, store plaques, display boards, lightboxes, or storefront, lamp style and lighting colors within the ancient cities.³¹⁴ This

³¹⁰ W1, Art. 15; W2 & W3, Art. 26; W4, Art. 14.

³¹¹ L1 & L2, Art. 27; L6, Art. 12; L7, Art. 12.

³¹² L4, Art. 14; L5, Art. 24; L6, Art. 12; L7, Art. 22.

³¹³ L5, Art. 29.

³¹⁴ L7, Art. 30.

principle even becomes the criterion of rectification: buildings or facilities which do not comply with the traditional style or the townscape of the ancient city are to be modified or removed.³¹⁵ New construction within the buffer zone of Monument-Sites is required to match the main body of Monument-Sites as well (W4, Art.9).

10) Protect In-Situ (原址保护)

Originated from archeological principles, immovable cultural heritage shall be preserved in its original location. To protect immovable cultural heritage and historic architecture from possible relocation or demolition caused by construction projects, the principle of protection “in-situ” is stipulated both in the Law on Cultural Relics and the Regulations on HCCTV.³¹⁶ In case a protected Monument-Site cannot be protected in-situ and must be relocated or dismantled due to public interests, the associated authorities (urban-rural planning and conservation authorities) shall report to their upper-level authority for approval (L1 & L2, Art. 34).

4.4.4 Synthesis of Synchronic and Diachronic Comparisons

The task of textual interpretation synthesizes a comprehensive analysis of the twenty legal documents with the findings of key values, categories and criteria, major protected elements, and conservation principles and measures for urban conservation. To proceed with textual interpretation, the goals, contents, and articles of preserving historic cities of the three orientations of laws are introduced first, followed by comparative studies made by synchronic and diachronic dimensions. Synchronically, the comparison is made between the laws at different administrative levels stipulated in approximate time. Diachronically, the conceptual evolution of each orientation of law is outlined between the initial version and later amendments.

³¹⁵ L3, Art. 28, Art. 34; L5, Art. 22; L7, Art. 22.

³¹⁶ L1 & L2, Art. 34; L5, Art. 25.

I. Comparisons between Administrative Hierarchies (Synchronic Comparison)

To illustrate the transmission of conservation principles among governmental hierarchies, three groups for synchronic comparisons were made 1) between the national and provincial levels of the three aspects of laws; 2) between the local regulations and their upper-level laws; and 3) the Regulations on HCCTVs between Datong and Pingyao.

1. Synchronic Comparison Between National and Provincial Levels

Compared to the three categories of the national laws, the provincial-level laws share several distinguishing traits. First, the provincial laws are subordinates to the national laws and carry out the duties of implementing major conservation planning principles as enumerated in the national laws. For this purpose, general principles and policies of the State are transferred into operational guidelines and administrative procedures at the provincial level, which are more specific and practical to meet local conditions and needs. The guiding and supervising role of the central government is delegated to the provincial governments and their associated departments and transformed into the roles of administration, supervision, and inspection.

Specific for urban conservation, the Shanxi Provincial Regulation on HCCTVs (2018) makes great disparities in three aspects compared to the State law. In regard to the purpose of conservation, the Provincial Regulation expresses strong utilitarian thinking through providing extensive instructions on heritage utilization (spending an entire chapter with the wording “utilization” occurring ten times). In the contents of urban conservation, “Historic Districts” and “Historic Architectures” are two new categories of urban heritage that are officially specified in the Provincial Regulation. Also, “intangible heritage” was listed on the protected inventory for the very first time in the newer regulation. In the aspect of public policy, the Provincial Regulation

provides multiple new measures and practical schemes to encourage integrated conservation, utilization, and development of historic cities.

2. Synchronic Comparison Between Local Regulations and Their Upper-Level Laws

As the two case study sites are both under the jurisdiction of Shanxi province, theoretically, urban conservation of the two historic cities should abide by a consistent value system, which is set from the national level and transferred to the provincial level and the local levels. Indeed, the conservation measures of the two cities are consistent with their national and provincial precedents to a large extent, in terms of the principles and goals of urban conservation, conservation planning and classification system, administrative procedures, restrictions, and corresponding measures. The common conservation principles are “scientific planning, integrated conservation” and “rational utilization” to maintain historical authenticity, landscape integrity, and cultural continuity. Conservation planning is a part of a comprehensive urban planning system, and is required to be incorporated into the economic-social development plan, and so on.

Nevertheless, differences are evident in the details of the wording of these ordinances. The first disparity is that the national law and the Provincial Regulation provide general guidelines and universal administrative procedures for all, but the two regional regulations specify applicable scope under their jurisdiction and provide more detailed, operational measures suitable for their local conditions. In the name of “protecting the overall city layout and improving the living environment,” the Datong Regulation has some particular conservation measures that show a strong intention of “appearance control” to unify all visible structures under a “historic city style.” Different from the supervising manner of the Provincial Regulation, the Pingyao Regulation (2018) stands out by its well-structured proposals for conservation management, providing an operative mechanism with innovative supporting measures.

Interestingly, the concept of “utilization” of urban heritage of the local regulations totally diverges from the State law, which does not mention conservation utilization in its wording. Although both local regulations favor “conservation utilization,” the Regulations of Shanxi Province and Datong reveal a stronger motivation toward the utilization of heritage. The Datong Regulation aggressively proposes ideas for utilization, including its “comprehensive reuse program” of Historic Districts and historical-style districts, “historical-cultural exhibition system,” and “function adjustment programs” for evacuated lands and buildings, and the like. Mostly echo to the administrative orders from the Shanxi Regulation, Pingyao has been inclined to promote cultural industries for propelling its conservation agendas and transmitting its tradition.

3. Synchronic Comparison of the Regulations between Datong and Pingyao

Both of the Ancient Cities, Pingyao and Datong, are under the jurisdiction of Shanxi Province: Pingyao is a county-level settlement that displays its global importance as a significant World Heritage Site; Datong is a prefectural-level city that tries to reclaim its historical glory to create a “livable, business-friendly, and tourist-friendly” Historic-Cultural City. Pingyao’s Regulation conveys relatively democratic thinking through its conservation management approach and inclusive consideration regarding urban conservation when compared with the ambiguous role and conservative top-down mode of the Datong government. Reflecting their distinct orientations at large: Pingyao aims to “conserve,” emphasizing cultural continuity by advocating research, cultural exchanges, technological innovation, and professional training. Datong aims to “conserve with utilization,” emphasizing urban development by using available cultural resources to prioritize cultural tourism and economic growth.

Under the same goal of protecting historic urban fabrics, the international paradigm and Chinese conservation theories are seamlessly merged into the language of the two local

Regulations. Hence, “authenticity and integrity” are written alongside Chinese guidelines, “do not change the original condition,” the “four originals,” and President Xi’s latest instructions. For the sustainability and long-term development concerns, the local regulations now strongly encourage local residents to live in town and participate in heritage preservation. Also, they both provide traffic control and management plans to improve congestion conditions in the ancient cities. Datong’s ideas of “walkable city” and “slow traffic” are appropriate and match the popular concepts of “New Urbanism” from abroad.

To prevent potential damage to the historic fabric of the cities, both cities have adopted restrictions derived from the Regulation on HCCTVs or the Law on Cultural Relics, such as the prohibition on demolishing, destructing, changing structure or appearance of traditional buildings; widening, intercepting, or straightening streets and roads; and bans of new construction, remodeling or expansion, and so on. Fire safety is also a prime preventive measure in the Regulations, especially in Pingyao. The legal liabilities linked to the restrictions and forbidden activities in the two Regulations are not comparable. However, it is noted that the penalties in the Pingyao Regulation are against the violations that change the existing historic layout and townscape; Datong uses its Regulation to strengthen governmental control through following administrative rules and procedures. All these disparities between the lines of the legal documents imply the different values and the corresponding behavior of the two cities.

Although both ancient cities apply the three-classification system of conservation zones and provide different types of conservation plans to protect their cities, the Pingyao Regulation still proves its excellence by an all-encompassing conservation scheme that pays attention to pending-designation immovable cultural relics, historical names of places, and time-honored brands, modern industries buildings, and supporting facilities in the ancient city.

II. Values Change Over Time (Diachronic Comparison)

Diachronic comparisons are made between different versions of the legal documents to delineate how the concepts of heritage conservation have changed over time. Besides rearranging governmental duties as required by administrative reforms, the major modifications of the Regulations for the two cities have been made for improving city management and conservation and can be recognized as the following aspects:

1. New Concepts, New Approaches in Conservation Planning

The evolution of the legislation of urban conservation in China aligns with the international trajectory and responds to new international concepts and approaches. “Authenticity and integrity” have been adopted in the Regulations on HCCTVs (2008) and copied by the Datong Conservation Regulation (2020) as the conservation guidelines. Following the new development of international advocacy in planning, “scientific planning,” and “integrated conservation” are applied to a more comprehensive planning system; “public participation” is now a mandatory planning process in the Regulations on HCCTVs and the Urban-Rural Planning Laws. Furthermore, the former single-focused planning ideology in urban areas has changed to more inclusive and holistic urban-rural planning.³¹⁷ Considering sustainability and long-term development of historic cities, the governments now strongly encourage residents to live in the ancient city and participate in city constructions.³¹⁸

2. New Mechanism, New Agency, and New Policies

The Pingyao Conservation Regulation (2018) is one of the leading examples, as it advanced previous top-down governance to a city management mode with systematic new measures.³¹⁹ The

³¹⁷ Datong Planning Regulations (2011).

³¹⁸ Datong Conservation Regulation (2020), and Pingyao Conservation Regulation (2018).

³¹⁹ See “Chapter IV: Supervision and Management” in the 2018 Pingyao Regulation.

new Conservation Regulation of Pingyao (2018) restructured Pingyao's conservation system by establishing a new agency with an inter-departmental cooperation mechanism for better implementation of new policies, as well as transforming the government from a supervisor to a macro perspective managerial role.

3. Changes of Scope, Contents, and Protection Systems

The revisions of the Regulations on HCCTVs for Pingyao and Datong both redefined the scope of their protected areas. The three protection zones (Core Conservation Zone, Construction Control Zone, and Surrounding Coordination Zone) replaced the previous three-grade system (I, II, III) to classify conservation levels. Such explicit demarcation of the scope indicates that the cities have logical criteria to evaluate and target the valuable heritages to be preserved. Former ambiguous outlines are clarified with clear boundaries; and key elements are itemized on a list of protection, including the features of the historic city, immovable cultural relics, historic district, historic architecture, traditional residence, ruins of cities from previous dynasties, famous ancient trees, and other cultural relics, important historical sites, intangible cultural heritage, and so on.

4. Update or Refine Obsolete Measures

Conservation and planning measures imply there were such urban issues to be resolved by the time the law was stipulated. As the socio-economic condition of both cities has proceeded from the industrial era to the new economic period, those regulations concerning environmental health and public sanitary have become outdated and replaced by the new articles on clean energy and traffic control. Additionally, the two historic cities have set up more restrictions and measures on construction and hazardous activities to protect “the traditional layout, historical features, and spatial scale” and safeguard the authenticity and integrity of the ancient city.

5. All-encompassing Conservation Utilization

Conservation utilization is an important agenda and occupied one chapter in the Conservation Regulation of both cities. Since cultural tourism and associated cultural industries have prospered in recent years, the utilization of cultural resources in historic cities has become all-encompassing as a means of economic development. In the new Regulations, the so-called “conservation developments” and “reasonable utilization” program not only promotes tourism but also extended to business operations, traditional arts and crafts, intangible heritage, and other cultural creative industries.

6. Restructured or Expanding Legal Liabilities

Corresponding to the newly generated conservation measures, the legal liabilities in the Conservation Regulations for the two cities have been substantially modified: The Datong Conservation Regulation (2020) copied the articles from the Regulation on HCCTVs (2008) for better urban conservation; the Pingyao Conservation Regulation rewrote the entire chapter, adding new penalties to manage its new city problems. Interestingly, articles against administrative misconduct by the public officials appeared in the amendments while the penalties in the old versions were formulated only for supervising the general populace. These changes remark a strengthened civil power and add to the weight placed on urban heritage protection.

4.4.5 Conservation Measures

I. Encouragements

Numerous policies are proposed in these legal documents to facilitate urban conservation, including financial support, awards, and encouragement of public participation from the governments. Public funds are the most effective and direct support to conservation affairs, such as national funds, local financial budgets, conservation funds, revenue from heritage entities, or

construction budgets, and the like. Moreover, citizens, corporations, and/or other organizations are encouraged to provide financial support through donations, grants, investments, and other financial means.³²⁰ Private funds are welcome for establishing social funds for conservation, as well as investing in “conservation development” to renovate traditional buildings or other cultural resources to support developing tourism and the economy.

Civic engagement is another popular tool to propel urban conservation, no matter it comes through financial support, volunteer services of technology, consultation, advocacy, or other channels.³²¹ In particular, local residents are encouraged to keep living in town for the sustainable development of the ancient cities.³²² Furthermore, the governments promote “conservation utilization” that allows entities and individuals to repair cultural properties for reuse.³²³ Such adaptive reuse favors culture-related activities that display the traditional living and folklore of the ancient cities, especially for creative cultural industries, traditional performing arts, cultural festivals, intangible heritages, theme museums, exhibition halls, and ancient-city-oriented tourism.³²⁴

Lastly, awards are made to those who have made outstanding contributions to the protection of HCCTVs³²⁵ or cultural heritage protection.³²⁶ Using commendation and recognizing people through awards is probably a typical approach of China's top-down system to urge the general public to take action toward urban heritage conservation.

³²⁰ L5, Art. 7; L7, Art. 6; W2 & W3, Art. 10.

³²¹ L1 & L2, Art. 4; L3, Art. 7, Art. 44; L5, Art. 7; L7, Art. 6.

³²² L5, Art. 34; L7, Art. 32.

³²³ L3, Art. 34; L4, Art. 27; L6, Art. 13; L7, Art. 33.

³²⁴ L5, Art. 36, Art. 39; L6, Art. 31; L7, Art. 34, Art. 35.

³²⁵ L1 & L2, Art. 6; L3, L4, L5, Art. 8; L6, Art. 9; L7, Art. 7.

³²⁶ W1, Art. 29; W2 & W3, Art. 12; W4, Art. 34.

II. Forbidden Activities and Penalties

To protect the urban heritage, certain activities are prohibited in historic cities and listed in these legal documents. Not to “damage the authenticity and integrity of the historic-cultural heritage,” not to “impose destructive impacts on the traditional layouts and historic townscape,” and, not to “change the interdependent natural landscape and environmental setting”³²⁷ are shared guidelines for all kinds of urban heritage. More specifically, the group layout, forms, spatial features, materials, and colors of traditional buildings in the protection zones shall not be changed (L6, Art.12). Demolition, new construction, expansion, addition, and renovation are not allowed in historic cities.³²⁸ Especially, reconstruction is not allowed without verification within the historic cities (L3, Art.28). New industrial projects are prohibited in major protection areas as well.³²⁹

According to the severity and scale of damage, these forbidden destructive activities can be categorized as the following: (1) some devastating activities that cause damage to the traditional city layout and townscape,³³⁰ unauthorized widening, or straightening existing streets and roads³³¹; (2) causing damage to cultural relics or historic sites,³³² remodeling or decorating the street facades (L7, Art.15), or damaging or relocating protected ancient trees³³³; (3) illegal conduct within historic cities, such as illegal production or business operations, establishing scenic parks and tourism spots,³³⁴ and vandalizing municipal infrastructure and public service facilities (L7, Art.15);

³²⁷ L1 & L2, Art. 21, Art. 23; L5, Art. 20; L6, Art. 12; G8, Art. 28.

³²⁸ L1 & L2, Art. 28; L3, Art. 36; L5, Art. 10, Art. 19, Art. 24; L6, Art. 14, Art. 18; L7, Art. 13, Art. 15; G8, Art. 28.

³²⁹ L4, Art. 22; L5, Art. 35; L6, Art. 21.

³³⁰ Devastating activities include excavation or blasting during cutting in mountains, quarrying, mining, and underground water exploitation. See L1 & L2, Art. 24; L3, Art. 36; L5, Art. 19; L7, Art.19.

³³¹ L5, Art. 19; L7, Art. 14.

³³² Damage to cultural relics or historic sites (L7, Art.22), unauthorized relocating or demolishing immovable cultural properties (L5, Art.19); changing traditional courtyard layout, street building facade, roof shape, or archway, etc. (L7, Art.14).

³³³ L4, Art. 28; L5, Art. 19; L6, Art. 14.

³³⁴ L3, Art. 36; L7, Art. 15.

(4) illegal occupation in cultural properties,³³⁵ city walls, and ruins (L4, Art.17), the reserved areas specified in the conservation plans (gardens, green spaces, river systems, and roads),³³⁶ or public spaces³³⁷; (5) conducting dangerous activities to the environment or public safety,³³⁸ or installing electrical wiring or use electrical equipment that is overloaded or potentially produces fire safety issues (L7, Art.17); burning coals or other substances that produce toxic, harmful smoke, and odorous gases.³³⁹; (6) unauthorized reversible exterior installations,³⁴⁰ minor damages to cultural relics;³⁴¹ or relocating, rewording, damage signage of any officially protected sites³⁴²; (7) using noisy facilities and equipment, and performing public tour guide services (L7, Art.21).

The above protection measures also apply to the Monument-Sites and their settings and are even stricter.³⁴³ With great values, it is stated that National Monument-Sites shall not be dismantled,³⁴⁴ renovated, expanded, or damaged.³⁴⁵ Unrelated construction projects and any underground exploitation are not allowed within a Monument-Site.³⁴⁶ Within the protection zones and buffer zones of Monument-Sites, any facility and activity that triggers environmental

³³⁵ L4, Art. 13; L5, Art. 19.

³³⁶ L1 & L2, Art. 24; L3, Art. 36; L5, Art. 19.

³³⁷ L6, Art. 26; L7, Art. 15.

³³⁸ L1 & L2, Art. 24; L3, Art. 36; L5, Art. 19; L7, Art. 17. Dangerous conducts include producing, operating, transporting, and storing inflammable, explosive, radioactive, toxic, and corrosive items; burning fire, fireworks, firecrackers, flying hot air balloons or lanterns.

³³⁹ L4, Art. 23; L6, Art. 22, Art. 24.

³⁴⁰ The reversible exterior installation refers to façade renovations, store plaques, advertisements, signs, facilities, and equipment. See G8, Art. 28; L6, Art. 25; L6, Art. 25.

³⁴¹ Minor damage to cultural relics refers to smearing, scoring, or constructing on cultural relics, old trees, or historic architecture. See L5, Art. 19; L6, Art. 25.

³⁴² L1 & L2, Art. 30; L5, Art. 19; L6, Art. 16.

³⁴³ W1, Art. 12; W2 & W3, Art. 18; W4, Art. 9.

³⁴⁴ W2 & W3, Art. 20.

³⁴⁵ W1, Art. 15; W4, Art. 9.

³⁴⁶ W1, Art. 11 & 15; W2 & W3, Art. 17; W4, Art. 9, Art. 11; W5, Art. 19.

concerns³⁴⁷ or causes potential fire safety³⁴⁸ and public safety problems are banned.³⁴⁹ In Shanxi Province, special authorization is required for the establishment of religious venues (W5, Art.16) and for activities of commercial filming or hosting exhibitions and sports within Monument-Sites.³⁵⁰

Immovable cultural heritage includes sites without official status; however, their integrity and original states are also under protection. They shall not be removed, renovated, expanded, or damaged,³⁵¹ shall not be reconstructed after being destroyed.³⁵² The ownership of Immovable Heritage shall not be transferred or mortgaged. The operation and uses of immovable heritage are also under control.³⁵³ As for historic architecture, some specific prohibitions are applied besides the restrictions on the protection of their authenticity and integrity (L3, Art.28): (1) unauthorized demolition or relocation³⁵⁴; (2) causing severe damage (change structure, layout, façade, form)³⁵⁵; (3) illegal dismantling or transferring components³⁵⁶; (4) unauthorized repairing, decorating, adding facilities (L3, Art.37); and (5) scribing or smearing on historic buildings.³⁵⁷

³⁴⁷ W2 & W3, Art. 19; W4, Art. 10.

³⁴⁸ W4, Art. 9; W5, Art. 32; W5, Art. 33.

³⁴⁹ W5, Art. 31; W5, Art. 34.

³⁵⁰ W4, Art. 32; W5, Art. 39.

³⁵¹ W2 & W3, Art. 26; W4, Art. 14.

³⁵² W2 & W3, Art. 22.

³⁵³ W2 & W3, Art. 24 & 25.

³⁵⁴ L1 & L2, Art. 33; L3, Art. 37; L7, Art. 14.

³⁵⁵ L7, Art. 14; L5, Art. 19; L6, Art. 13.

³⁵⁶ L3, Art. 37; L5, Art. 26; L7, Art. 15.

³⁵⁷ L3, Art. 37; L5, Art. 19.

Chapter 5. INTERPRETATION THROUGH OBJECTS

5.1 INTRODUCTION: MORPHOLOGICAL ANALYSIS OF THE TWO CITIES

A historical townscape is a reflection of the organic evolutionary process of intertwining social, economic, and cultural aspects in a built environment. Inspired by Conzen's methodological theories,³⁵⁸ combining Chinese context and conservation policies with available information, this chapter discusses the urban morphology of the two ancient cities as a fact-check of the values in the urban conservation associated policies. Corresponding to the textual interpretation, this urban morphological analysis is adjusted to examine the five most significant components emphasized in the legal documents under three urban "form complexes" – townscape, city layout (traditional layout and street system), and building forms (including Monument-Sites and traditional courtyard houses). The three major form complexes are intertwined with time to configure historical layers of a historic townscape.

Considering the urban form of the two historic cities has been accumulating throughout thousands of years and keeps evolving, this morphological analysis is simplified and specifically addresses their turning points "before and after" their major conservation movements. Datong's urban form was reshaped during the period of Mayor Geng (2008-2013). Without such an expansive and drastic transformation as Datong had, the turning point in Pingyao's urban landscape took place around 1997, when a substantial renovation movement was conducted to repackage the city for the nomination to the World Heritage List.

³⁵⁸ The most progressive contribution Conzen has made toward urban morphology is to divide the urban landscape into three basic form complexities: town plan, the pattern of building form, and the pattern of urban land use (Conzen, 1960). The center of Conzen's concept of historical townscapes is the evolution of the interaction between function and form. He notes that the creation of a townscape was originally purpose-oriented. The townscape that has continued to the present day is the accumulation of man-made forms and their functional interaction with society (Conzen, 1981b).

In this chapter, the methods and primary sources of morphological analysis related to the changes of the urban fabric of the two cities were introduced at first. The followings were morphological analyses of the three major form complexes of the two cities. Morphological comparisons on the three form complexes between the two ancient cities were synthesized in the end.

Methods of Morphological Analysis

Urban morphologists treat a city as an ecological system that changes through time. To define how contemporary interventions altered traditional townscapes inherited from imperial China, two groups of historic maps (before and after P.R.C.) are used as the primary resource to identify the city layout, street system, and building forms. Mostly came from local gazetteers since the late Ming dynasty and contain information largely related to the period (approximately from 1500 to 1949), the first group includes the historic maps generated during China's imperial period to the modern era. The second group includes the maps created after the establishment of the P.R.C. (after 1949).

Arguably, major Conzenian scholars (Whitehand & Gu, and others) thought those primitive maps found in the historical local gazetteers were not reliable materials for morphological analysis because they lack detail and accuracy in terms of scale and measurement.³⁵⁹ From the trace of the townscape change over time, these maps can be used as primary documents for the following reasons: First, these maps are accountable since they are government publications with official

³⁵⁹ “Part of the explanation for the weakness of analytical, especially genetic, urban morphology in China is to be found in Chinese culture and, inseparable from this, the nature of Chinese historical records....Apart from the limited parts of cities mapped by Western surveyors from the mid-nineteenth century onward, cartographic records, so important in research on the historical development of urban form in the West, generally contain little planimetric information. Historical maps of Chinese urban areas generally show little more than street patterns and landmark structures, such as city walls, administrative buildings, palaces, temples, and parks.” (Whitehand & Gu, 2007). In light of the limitations of Chinese sources for this type of research, it is probably unrealistic to expect historico-morphological studies of traditional Chinese cities to match the standard set by Conzen (Whitehand & Gu, 2007)

approvals. Second, the information on maps can be verified by cross-reference to the text of local gazetteers and other related historical documents. In fact, these maps provide useful clues to 1) determine the traditional ritual arrangement of the cities; 2) identify the existence of historic sites in different periods; and 3) verify street systems as they were drawn on maps.

Historic sites are the key indicators of the morphological analysis for the two sites.³⁶⁰ Each historic site on the selected maps of different periods was counted and labeled to provide a basis for statistics showing the change of these sites over time. After identifying the historic sites existing at that time on the maps, the most significant traditional public buildings on these maps were also identified. With their relative locations to the city, it has been possible to cast an overall city layout and reconfirm its arrangement according to traditional planning principles. To recognize the street system, major streets in the two cities were categorized into three hierarchies and marked with three colors: Level I, Arterial Avenue (the four major streets); Level II, Secondary Street; Level III, Neighborhood Lanes. For building form, it has been possible to analyze the architectural styles of the two cities by comparing photographs at some specific spots before and after the major conservation projects to demonstrate an overall impression of the townscape, the changes in typical building forms, and the relationship between the buildings and the street space.

Primary Sources for Morphological Analysis (see Appendix A & Appendix B)

The following analysis of the urban morphology of Pingyao and Datong was based on the existing historical documents. Although Pingyao has very limited documentary records of its historic-morphological development, some local gazetteers and geographical encyclopedias providing major historical records are significant repositories of old maps of Pingyao. Currently,

³⁶⁰ “Historic sites” refer to the major historic compounds noted on the historic maps. They are not those official “Monument-Sites” as some of them had disappeared or not been designated by the system.

only four versions of Pingyao's local gazetteers were found: they were compiled in the 48th year of Wanli in the Ming dynasty (1620), and the 12th year of Kangxi (1673), the 46th year of Kangxi (1707), the 8th year of Guangxu (1882) in the Qing Dynasty (Whitehand & Gu, 2007).³⁶¹ Additionally, two new editions were published after the establishment of P.R.C.: one in 1999 and the other in 2016.

For the analysis of the urban morphology of Datong, two groups of maps were used to identify the changes of the historic sites in the ancient city. Dated from 1515 to 1830, three of the four historic maps in the first group collected from Datong local gazetteers were used as the indicators (the date of one map is unknown³⁶²): (1) the 10th year of Zhengde period in the Ming dynasty (1515); (2) the 46th year of Qianlong Period in the Qing dynasty (1776); and (3) the 10th year of Daoguang period in the Qing dynasty (1830). The second group of maps are selected from relatively reliable sources dated 1976 (by the Shanxi Provincial People's Military Headquarter), 1995 (by Tongji University),³⁶³ 2006 (by Cao Changzhi),³⁶⁴ and 2017 (the Guide Map of Datong Ancient City).³⁶⁵

³⁶¹ The date of the four gazetteer editions written in the article was not correct. They are reviewed and modified according to the original texts and reference to the common eras.

³⁶² This map has no exact date. According to the total amount of its historic sites, which is similar to the Qing dynasty, it is estimated that this map is created in the late Ming dynasty.

³⁶³ 阮仪三, 中国历史文化名城保护与规划; 上海: 同济大学出版社, 1996.

³⁶⁴ 曹昌智, 2006_大同历史文化名城保护與發展戰略规划研究; P.048.

³⁶⁵ Three maps dated 1938, 1943 made by the Japanese team, and the 1951 map drawn by Zhang Chengfu provided detailed street systems to scale. However, since they do not include information of historic sites other than the street system, it was impossible to be used for the analysis of historic sites.

5.2 TOWNSCAPE: PINGYAO AND DATONG

It is very important to keep the consistency of the reference database file in the writing process, especially when you work on multiple computers.

5.2.1 *Townscape of Pingyao*

Pingyao's preservation over recent development is blessed by its tourism associated with its official status as a World Heritage Site and National Historic-Cultural city. One vital factor is that Pingyao's historic city center and its city wall have remained nearly intact since the establishment of the new China in 1949. In addition to the city layout and street system, a large number of private courtyard houses, draft bank compounds, and institutional complexes, the extraordinary quality of the traditional buildings inside the wall are the essence of the attraction. It contains 199 streets and lanes, 3,797 traditional courtyards, 220 some shophouses within the 2.25 km² enclosed by the city wall (Pingyao County Gazetteer, 2016).

I. Townscape of Pingyao in the Imperial Period (Before 1911)

The history of Pingyao is about 2700 years. To make the long story short, the five phases of Pingyao's imperial period can be summarized to explain Pingyao's urban formation process during the imperial period of China (Xie, 2015): Phase I: Built as a northern military post in the Western Zhou dynasty (1045- 771 BCE), and then, expanded as "Pingtao County" in the Western Han dynasty (1st century). The basic urban form of the county was completed by the Song dynasty (12th century); Phase II: the "T-shaped" core centered at the county government took shape; Phase III: Pingyao's "cross-shaped" main street was formed during the Hongwu period of the Ming dynasty (14th century). When the south district and the main streets were put into order, the city began to expand toward the west and the north; Phase IV: In the late-Ming dynasty (17th century),

the “干”-shaped arterial system was formed by five streets (East, West Street, South Street, Yadao Street, and Chenghuangmiao Street), in addition to small lanes and roads took shape in the neighborhoods; Phase V: the city expanded from the center to the fringe and the density becomes high. The southwest quadrant of the city took shape; the northern fringe of the city was growing with some undeveloped lands (Figure 5.1) (Xie, 2015).

II. Townscape of Pingyao in the Republican Period (1911-1949)

Except for functional conversions of some major public compounds, most of Pingyao's Monument-Sites did not change too much between 1912 and 1948 (S.Y. Wang, 2008). A few conversions to accommodate new institutional purposes (with associated damage) happened during the country's civil wars and the Sino-Pacific war (the 1920s and 1930s), as the New Cultural Movement was prevailing. For example, the Temple of Confucius became a modern primary school in 1904, and then became a military base under the Japanese occupation; Jifu Temple was occupied by the police service from the 1910s; Qingxu Temple was used for military purposes in 1926 (Du, 2002; Pingyao County Gazetteer, 2016).

III. Townscape of Pingyao in the P.R.C. Era (Post-1949)

1. Townscape of Pingyao in the Socialist Period (1949-1978)

Although the traditional layout of the Ancient City of Pingyao remained largely intact between the 1950s and 1990s, many local temples were torn down and replaced with factories or new modern buildings. Large shops and family compounds were modified to become institutional offices or warehouses. The townscape of Pingyao transformed from a monotonous traditional style to a traditional and modern mixture (Whitehand & Gu, 2007; S.Y. Wang, 2008b)(Figure 5.2).

A signature of the new age are the modern-style structures on the fringe of the city constructed during the Socialist Period (1949-1978) (Knapp, 2005; S.Y. Wang, 2011; S.Y. Wang, 2012; Bell, 2014). Primarily, these are public buildings, factories, and work unit compounds (danwei 单位), or danwei-focused structures with clusters of housing around factories, which were usually distributed to vacant and rundown plots in the fringe of the city (S.Y. Wang, 2008b; Su, 2018). In particular, the northwest quadrant of the city (the original location of the Jifu Temple, currently a cultural park “Movie Palace”) was redeveloped into a diesel engine plant after 1949 and occupied by industrial buildings (Whitehand & Gu, 2007). To the south and east of the present walled city, a mixture of quasi-agricultural plots, large institutions, and factories were formed (S.Y. Wang, 2012). Meanwhile, the original religious use of public buildings was eliminated and endowed with a new function of public services. Even though their main structure remained, their original spaces were remodeled to adapt to new needs; their architectural form, elements, and decoration also disappeared from inconsiderate expansion and demolition.

2. Townscape of Pingyao in the Post-Reform Period (1980s—1990s)

Although the restoration of traditional public buildings in the city began after designation as the “National Historic-Cultural City” in 1986, Pingyao had been affected by the rising private enterprises after the 1978 Economic Reform. During the three decades of the Socialist Period, the cityscape was substantially changed by illegal temporary constructions associated with multi-occupation of courtyard houses, and the redevelopment of traditional sites for work units. Spurred by the new economic force of tourism development, this phase of urban regeneration focused on the renovation of the buildings on the main streets, especially storefronts in the core of the commercial area. Many historical buildings were demolished. In 1981, 180 meters at the western end of West Street was widened for modernization. Several large-scale modern buildings were

built within the walled area in 1986, such as the Guest House of Pingyao and the High School of Pingyao (Ruan, 2003; S.Wang & Gu, 2020)(Figure 5.3).

3. Townscape of Pingyao After 1997

After 1997, touristic commodification after the World Heritage designation and local implementation of the World Heritage Convention was the engine of spatial transformation in the Ancient City of Pingyao. Major reconstruction projects had been started in 1994 for preparing the nomination to the World Heritage List. In addition to the new infrastructure in the historic core, the priority was to restore the traditional form and style of the historic sites to maximize tourism and economic gains (S.Y. Wang, 2012; Su, 2018).

While most of the 3,739 traditional courtyard houses and other public buildings in the Ancient City of Pingyao are still in use, a series of large-scale urban redevelopments and restoration projects were initiated on former danwei sites (Conservation Management Guideline, 2015). The Reconstruction Projects in Pingyao during this period consisted of (1) rehabilitation of South Street to become a historical-style main street of the Ming and Qing dynasties;³⁶⁶ (2) reconstruction of some modern buildings (mostly between 1949 and 1978) in a pseudo-Qing-style; (3) visible electric wires and posts were removed or relocated underground; associated facilities were reconstructed in traditional features (S. Y. Wang, 2011; S.Y. Wang, 2012; Su, 2018). Local authorities tended to preserve only a few monuments and substitute other historical sites with pseudo-historical structures (S.Wang & Gu, 2020). As most documents and craftsmanship of traditional architecture were destroyed during the Cultural Revolution, the restorations of these

³⁶⁶ Most courtyards along the South Street, which had transferred to local governments and become public spaces in Mao's era, were converted to traditional-style stores, inns, and restaurants as tourist facilities.

traditional monuments were mostly completed through reconstruction without verified documentation (S.Y. Wang, 2012).

Today, the old city and its architectural legacy from the Qing era appear largely intact as the traditional city layout remains and most streets have not been widened. However, the entire historic city center is tourism-oriented. For example, the townscape of Pingyao was re-interpreted to the Jin Merchant period for the tourists (S.Y. Wang, 2008b; Su, 2018); major historic sites are access-controlled to privileging tourists over residents (S.Y. Wang, 2011); and the main streets of the ancient city are overrun with guesthouses, bars, and tourist businesses. In 2007, ninety percent of these stores and shops on South Street became souvenir stores or other tourist facilities (Su, 2018) (Figure 5.4).

5.2.2 *Townscape of Datong*

The site and spatial form of Datong's historic core have gone through numerous changes along with its nearly 2400-year history. Surviving from the Ming dynasty (14th Century), the existing Ancient City of Datong was called the "City of Phoenix," which comprised a rectangular main city and three auxiliary fortresses connected to the east, the south, and the north.

I. Townscape of Datong in the Imperial Period (Pre-1911)

As mentioned in Datong's historical context, Datong's urban development is based on the three notable phases: (1) Pingcheng (平城) of the Northern Wei dynasty (386-534); (2) Xi-jing (西京, west capital) of the Liao (915-1125) and Jin (1115-1234) dynasties; and (3) Datong Fu-cheng (大同府城) of the Ming dynasty (1368-1644). A diagrammatic summary by Cao (2006) helps explain the changes of Datong's historic core in the different periods in history (Figure 5.5).

1. Ping-cheng (平城) in the Northern Wei dynasty (386-534)

Over a period of 97 years, the Northern Wei dynasty constructed Datong City (Pingcheng) to be a town of 40-li perimeter,³⁶⁷ comprising a palace town, an outer town, and a fortress town. The palace town (West Palaces and the East Palaces) was in the north portion of the city and belonged to the emperor; the outer perimeter of the town was 24-li, occupied mostly by the members of the aristocracy. Located south to the outer town, the 32-li perimeter fortress town was the living area of the common people, with ceremonial hall (Mingtang 明堂) and circular alter (Yuanqiu 圆丘) (Cao, 2008; Zhao, 2006). Mostly copied from the blueprint of the Ye City (鄴城) in the East Han dynasty (213), Pingcheng was an irregular square, opening through three gates for three roads at each side of the wall and forming a nine by nine grid in the city. The streets in the city extended to all directions, with areas divided into residential “fang (坊),” handcrafts’ “li (里)” and commercial “shi (市)” (Cao, 2008). At that time, there were more than 1 million residents in the city (Tien, 2017). Distinctively, its palace was located in the north of the city and its market in the south of the city, which reversed the two in a typical traditional city layout. Sui and Tang dynasties inherited the format from their predecessor, kept the center axis and symmetrical layout with the li-fang neighborhood system (Cao, 2008; Zhao, 2006).

2. Xi-jing (西京, west capital) in the Liao and Jin dynasties (915-1234)

Approximately at the same site on the south of Pingcheng’s palace, Datong City then served as the “West Capital” of the Liao and Jin dynasties. Following the old format from the Tang dynasty, its military and political center sat in the northern town, the palace of the West Capital stood in the western town, and a national school was located in the southeast quadrant (Cao, 2008; Zhao, 2006).

³⁶⁷ “Li (里),” an ancient unit, approximately 300 steps, or 500 meters.

Retaining the city layout of Northern-Wei of “four main avenues, eight lanes, and cross-road neighborhoods,” this typical “Li-fang” system was continued to subsequent Jin, Yuan, and Ming dynasties (Zhang, 2009; Tien, 2017).

3. Datong Fu-cheng (大同府城) in the Ming dynasty (1368-1644)

In the Ming dynasty, the overall layout of the city was deeply influenced by the urban form and the Li-fang system of previous dynasties. The north-south axis and the east-west axis form a big cross, connecting to the four gates. Four wooden archways (sipailou) were built at the intersection of the four main streets. From the north to the south along the central axis, Xuandong Gate Tower (宣東門), Daxia Gate Tower (大夏門), North Gate Tower (北門), Kuixing Tower (魁星樓), Sipailou (四牌樓), Drum Tower (鼓樓), South Gate Tower (南門), Wenchang Pavilion (文昌閣), and Yonghe Gate Tower (永和門) were lined up along an avenue. Outside the main city, there are three auxiliary cities attached to its east, south, and north (Cao, 2008; Zhao, 2006).³⁶⁸

4. Townscape of Datong in the Qing Dynasty (1644 -1911)

Except for the destruction of Prince Dai’s palace (northeast quadrant) during the Shunzhi period,³⁶⁹ Datong inherited the old system from the Ming dynasty without making major changes to its urban functions in the Qing dynasty. At that time, the city walls of Datong were cut down by five feet, five general’s offices were destroyed and later turned into five residential areas, including Taiping Street (太平街), Youshabodong (油沙泊洞), Xidachangmian (西大場面) and so on (Tien, 2017). Interestingly, the demographics of each quadrant also differed according to its architectural

³⁶⁸ The north small town, which was also called Caochang City (操場城), was built by the governor, Nian Fu, during the Ming Jingtai reign (1450-1457). Governor Han Yong built the east and the south small towns during the Tienshun period of the Ming dynasty (1457-1464) (Zhao, 2006).

³⁶⁹ In the fifth year of Shunzhi period (1648), Jiang Rang’s (姜壤), the commander of Datong, revolt resulted in a nine-month war and massacre led by Prince Dorgon.

arrangement at that time: The northwest quadrant was the residential area for the officials since it is near the military headquarter and the prefectural government. The southeast quadrant was a neighborhood of literati and scholars as the county government and the prefectural school were there. The southwest quadrant, which accommodated Huayan Temple, Shanhua Temple, and some commercial streets, was mostly occupied by monks and merchants. The northeast corner was the Palace of Prince Dai (Cao, 2008; Zhao, 2006). Nevertheless, from the Datong city map drawn in the late Qing dynasty (1830), it was noted that the four flanking platforms at the four corners of the city wall were demolished, Kuixing Pavilion had disappeared on the central axis. The Examination Hall (gongyuan 贡院) at the east of sipailou was a new addition during this period (Ciao, 2006; Zhao, 2006) (Appendix C.9 & C.10).

II. Townscape of Datong in the Republic Era (1912 -1949)

Entering the era of the Republic of China, the original single-core spatial structure of Datong City based on the Ming and Qing dynasties was extended towards the south, east, and north. In the 1940s, the city walls were largely intact, the north small town, the east small town, and the south small town still existed (Figure 5.6). The urban population of Datong City was concentrated in the center city and the three small auxiliary towns. Notably, new residential areas emerged around the Datong Railway Station (north outside the ancient city), which were privileged by convenient transportation and a high volume of people passing through (Wang, 2019).

III. Townscape of Datong in the P.R.C Era (Post -1949)

1. Townscape of Datong in the Socialist Period (1949-1978)

From the “Detailed Map of Datong City Streets” drawn by the People’s Government of Datong City in the early 1950s, a city layout formed by a seven-vertical and seven-horizontal grid was still

recognizable, which has three vertical and three horizontal main roads penetrating the city wall, extending toward the four directions. The eastern part of the ancient city looked more intact than the western part, particularly the southeast part (Figure 5.7 & Figure 5.8).

During the first “Five-Year Plan (1953–1957),” the municipal government demolished Bell Tower, West Gate Tower, Gate, and outer fortresses, East Gate Tower, Gate, and outer fortresses, and the Four Archways (sipailou) to improve the traffic capacity of the east-west direction (Wang, 2019). The People’s Committee of Datong City even issued the “Plan on Demolition of City Walls” in July 1955. Although the city wall remained, eight gaps were made in the wall by removing half of the rammed soil as an attempt at resolving traffic congestion (Datong Gazetteer, 2000; Wang, 2019). While the 1958 city plan was not fully realized due to high cost, four main roads parallel to the city wall, the children’s park, a stadium, new housing, municipal enterprises, and institutions were built along the main roads on the west side (Fu & Hillier, 2018). In the 1970s, the Cultural Revolution brought more damage to the city. The outer fortresses, gate towers, turrets, watchtowers, the Bell Tower, and the Sipailou were demolished one after another. Fortunately, the urban form and the city wall were largely retained, and most buildings in the city also kept their traditional historical features (Cao, 2008; Zhao, 2006).

2. Townscape of Datong after the Economic Reform (1978-2008)

Under the impact of the Reform, the economic boom of Datong City in the early 1980s spurred construction expansion in the ancient city and surrounding areas, and further strengthened its single-core spatial structure.³⁷⁰ Although the Ancient City of Datong was entitled to National Historic-Cultural cities in 1982, Datong people did not care about the protection of the historic

³⁷⁰ Since the Economic Reform, three vigorous economic developments were shown in the urban area of Datong: First, the leading economy dominated by coal mining and export was booming. Second, light industries, construction, and service industries were prosperous, and the construction of infrastructure was strengthened. Third, the non-public economy was flourishing (Zhao, 2006; p.5).

city. To solve traffic issues and improve the living conditions of the historic city, the Datong government began to widen roads and demolish and relocate neighborhoods for mass construction. Consequently, the original scale of traditional main streets was substantially altered and the traditional townscape and vernacular buildings were at risk (Figure 5.9 & Figure 5.10).

Datong had become a well-known industrial city focused on coal production in China in the 1990s. Accelerating economic development brought even greater changes to the ancient city. When urban renewal and real estate development took place in 1992, an extraordinarily large amount of the traditional houses in the old city were demolished and replaced with six-story residential blocks. Large public buildings, such as hotels, commercial buildings, and shopping centers, were built successively, resulting in serious deformation to the historic spatial form of the ancient city (Cao, 2008; Zhao, 2006). As residents relocated from the old city, the municipal government developed large-scale residential areas to accommodate the relocated population. As a result, real estate and infrastructure construction began to surge in Datong in 2000; polluting manufacturers were also moved out. Danwei system (work unit) from the Mao Era was also gradually replaced by regular residential communities (Li, Sun, Zhai, & Yuan, 2019).

3. Townscape of Datong Post-2008

Mayor Geng's ambitious Rehabilitation Program (2008-2013) upended the historic townscape of the Ancient City of Datong. Nearly an area of 10 million m² of buildings within the conservation zones was demolished due to being "incompatible with the historical townscape." Almost all existing Monument-Sites and public street buildings were reconstructed during the period.³⁷¹ The "Ten Major Restoration Projects" were specified for those representative monuments from the

³⁷¹ Four Archways, which had disappeared from Datong's life for more than 60 years, were finally rebuilt. Kuixing Tower was rebuilt while renovating Wuding Street (the Northern Street) in 2012. Bell Tower and Taiping Tower were also rebuilt by 2016 (Tien, 2017).

imperial periods.³⁷² Successively, the government proceeded to rebuild the bygone Palace of Prince Dai, Sipailou, Bell Tower, Kuixing Tower, Taiping Tower, and remodel Gulou East and West Historic Districts, Huayan Temple Commercial Plaza, and the Mosque Commercial Square, Fahua Temple Commercial Street. Yunlu Street and Xiasipo Street were rebuilt as part of the 2008 program as well. Moreover, the city walls, gates, gate towers, outer fortresses, moon cities, arrow towers, watchtowers, turrets, flanking towers, and other structures, were all reconstructed to the Ming-Qing-style (Wang, 2019).³⁷³ Listed as key elements for official protection, traditional dwellings of Datong were developed as an important tourism resource. The well-preserved historic houses concentrated in the eleven streets (Damiao Street, Lihuaijiao, Lion Street, Fuxuemen Street, Yunlu Street, Dijun Temple Street, Xianlou Nanbei Street, etc.) have been restored and remain in use. Historical features of the traditional courtyard are exhibited from Gulou East Street to Dusi Street (Hao, Yang, et.al, 2012; Tien & Zhao, 2012) (Figure 5.11).

Since the Overall Rehabilitation Program has not been completed yet, the entire Ancient City of Datong still looked like a colossal construction site by the time of site surveys in the summer of 2019. While the quadrangle courtyard on Gulou West Street is still under construction, the areas north of Gulou East Street and Chaishijiao in the northeast area are still in limbo. There were all kinds of abandoned buildings and vacant lots, collapsing courtyard houses, half-constructed pseudo-traditional buildings near the north city wall, in the northeast corner of the city,

³⁷² The “Ten Major Restoration Projects” including East City Wall, Huayan Temple, Shanhua Temple, Prefectural Confucian Temple, Guandi Temple, the Mosque, Chunyang Temple, Fahua Temple, Dijun Temple, and Huayan Temple Square.

³⁷³ The major restoration projects and were proceeded phases. The first phase is to spend 3-5 years on the restoration of Huayan Temple, Shanhua Temple, Prefectural Confucian Temple, Guandi Temple, Dijun Temple, and the second-phase of Yungang Grottoes’s surrounding area. The second phase is to complete restoration of the city walls, gate towers and outer fortresses at the east, south, and north sides, Palace of Prince Dai, and the traditional residential courtyards in the Historic District of eastern half city. The third phase is to restore the west city wall, west gate tower, Bell Tower, the prefectural government compound, and the General’s Headquarter, Yunzhong Academy, Gulou West Street Historic-Cultural District and its traditional residential courtyards (Wang, 2019).

in the area south to East Street, and the area south of the Huayan Temple (Figure 5.12). Except for the renovated grand city walls and the four main streets, most areas were fenced. Behind the fences, some sites were occupied by cranes and contractors, some sites were covered with rubble and debris and became “no-man’s land.” Newly built restaurants and stores were prosperous along the commercial corridors; however, the few remaining residential areas were dilapidated and backward (Figure 5.13). Datong is a ghost town during the night, even though countless spotlights illuminate the magnificent 7 km city wall.

5.3 CITY LAYOUT: TRADITIONAL LAYOUT AND STREET SYSTEMS

5.3.1 *Traditional Layout of Pingyao*

Generally speaking, the planning paradigm for Chinese cities is a mixture of ritual norms, cosmic principles, and Fengshui (See Appendix B). Due to its administrative level, the orientation of Pingyao is guided by Fengshui theory and topographic rules; the arrangement of significant public buildings in the city was determined by Chinese ritual canons. Located at the southern end of the Jinzhong Plain, having a river that runs at its northwest, Pingyao was erected at the location of a “dragon backbone.” This defect of its location was supplemented by establishing the city on the yang side (sun), the northern bank of the Zhong Du River (renamed to Liugen River), and tilting 15 degrees toward the northeast. Since the southern side of the city wall meanders along the historic course of the Zhongdu River, the other three sides of the wall are straight, the shape of the city resembles a turtle, which is a symbol of “longevity and tenacity” in China (S.Y. Wang, 2008b; Pingyao County Gazetteer, 2016).³⁷⁴

³⁷⁴ Because Pingyao made six gates in the wall (one in the north and the south, and two in the east and west) with two auxiliary outposts (barbican) extended from the east and west gates, which looks like a tortoise with one head, one tail and four legs. The streets layout in the city also resembles the pattern of turtleback. See <https://zh.wikipedia.org/wiki/%E5%B9%B3%E9%81%A5%E5%8F%A4%E5%9F%8E>

Pingyao largely preserves the urban form, spatial organization elements of circulation, scale and volume of built form from the Ming and Qing dynasties. Under the rigid Chinese feudal hierarchical system, the entire city was divided into four quadrants by the four major streets, its landmark buildings in the core of each quadrant abide by the orientations of the Eight Diagrams (bagua 八卦). South Street is the central axis of the bilaterally symmetrical layout, where landmark buildings with opposite meanings were arranged in pairs at different quadrants to reach a balance of the two natural forces, yin and yang (Pingyao County Gazetteer, 2016). Looking south from City Tower (shilou 市楼) on South Street, the tallest building and the center of the city, the city layout follows the principles of “the government at the front, the market at the back (qianchao hoshi 前朝後市),” “Yin on the left, Yang on the right (zuoyin yoyang 左陰右陽),” “civil on the left, martial on the right (zuowen yowu 左文右武),” and “Taoism on the left, Buddhism on the right (zuowen yowu 左道右佛)” (Shi, 2019).

As shown on the 3D diagram (Figure 5.14), the local administrative compound (xianya #28) in the southwest quadrant is located on the same line with the Temple of City God (chenghuangmiao #19) in the southeast quadrant, where the west governs the secular world and the east rules the sacred world. The Temple of Confucius (wenmiao #24) and Temple of War God (wumiao #31) are another pair, where the east blesses the city’s culture and the west blesses warfare. As for religious sites, a Taoist Temple (Qinxu Temple #12) is located in the northeast quadrant, and a Buddhist Temple (Jifu Temple #38) is in the northwest of the city (S.Y. Wang, 2008b).

These spatial sequences and symmetrical layout not only provided a representation of the hierarchical feudal system but also expressed profound cultural significance, that aimed to achieve the harmony of Taoism, Buddhism, and Confucianism, and the unity of people, heaven and earth

(S.Y. Wang, 2008b). Most of the monument sites remain on their original seats. The only vanished key element in the current layout is the Jifu Temple (Buddhist Temple), which was destroyed in the war in 1945. Hence, the Ancient City of Pingyao is praised as a perfect example of traditional urban planning concepts that align with Chinese traditional culture (Liu, 2015; Pingyao County Gazetteer, 2016; Su, 2018).

City Wall of Pingyao and its Restoration

Listed on the third set of “National Monument-Sites” in 1988, and included as part of the World Heritage Site in 1997, Pingyao's city wall is praised as one of the largest-scale, earlier, and the best-preserved ancient city walls in China (Figure 5.15). Surrounded by a moat (4-meter wide, 4-meter deep), enclosing a walkable area of 2.25 km², the city wall of Pingyao is just over 10 m high, 8 to 12 m wide at the base, and 3 to 6 m wide at the top. With a circumference of 6.2 kilometers (approximately 1.5 kilometers on each side), there are 6 gates and gate towers, four turrets located on the four corners, 72 watchtowers, 3000 merlons. 72 horse-faces (an extruding platform) accompanied with a watchtower are distributed every 50 meters to serve their defense function. It is said that the numbers resemble the seventy-two saints and three thousand disciples under Confucius (Pingyao County Gazetteer, 1999, 2016; Du, 2002).

Substantially, the main body of the existing city wall was constructed in the third year of Hongwu in the Ming dynasty (1370) and was “renovated 26 times during the Ming and Qing dynasties” (Du, 2002). Undertaking regular repairs, it has been kept in good condition, except for a section of the south wall that collapsed in 2004 (Bell, 2014; Pingyao County Gazetteer, 2016). As early as 1965, Pingyao’s City Wall was designated as a Provincial Monument-Site and put under protection. The wall was badly damaged by the 1977 flood and continuing destruction afterward. Hence, the State has started comprehensive protection of the city wall and had four

kilometers of the 6.2 km-long wall repaired at a cost of over 10 million RMB since 1979 (Du, 2002; Bell, 2014).³⁷⁵ Following its designation as a National Monument-Site in 1988, the restoration of the city wall became one of the major projects in Pingyao's Urban Conservation Plans (1989, 2003, 2005), and was repaired 12 times between 1980 and 1993 (Pingyao Gazetteer, 1999; S.Y. Wang, 2012). Spending approximately another 18 years of repair from 1993 to 2011, the ancient city wall was substantially restored and preserved to its original form (Pingyao County Gazetteer, 2016).³⁷⁶

5.3.2 *Traditional Layout of Datong*

I. Traditional Layout of Datong Pre-2008

Built next to a river, the layout of the ancient city also stuck to the Chinese ritual rules, where Temple of Confucius, Temple of City God, Temple of the War God, and Goose Pagoda were located in the east city (left side of the central axis looking south); the Prefectural government, Drill field, the Military Headquarter, Huayan Temple, Shanhua Temple, and Baiyi Temple, were arranged in the west city (on the right side of the central axis). Since the east-west axis is not at the centerline of the city, Datong city's northern half is larger than the southern half: the most typical southeast quadrant is 17.6 hectares, and the two quadrants in the northern half are about 20 hectares (Zhang, 2009).³⁷⁷ Each quadrant is roughly a grid of "three longitudes and three latitudes"

³⁷⁵ The three Monument-Sites had received preservation funding of 230,000 RMB from the central government in 1979-1980, and 1.9 million RMB from 1981 to 1986. After their designation in 1988, the central government allocated 8.4 million RMB over ten years for conserving the city walls and the two temples (Du, 2002; Bell, 2014).

³⁷⁶ In 1993, the city wall, 71 enemy towers, Kuixing Towers, and three barbicans were gradually restored. The last northern barbican and gate tower were rebuilt in 1997. In 1998, two turrets and the Lower West Gate were rebuilt. In 2002, South Gate Tower and barbican were restored (Pingyao County Gazetteer, 2016).

³⁷⁷ From the detailed map and topographical map, it is noted that the Four Archway (Sipailou, the intersection of four main streets) is not the true center of the city. This intersection is 63.25 meters south of the real center. The distance from the center point of Sipailou to the North Gate is 965 meters, to the South Gate is 874.5 meters. There is a difference of 90.5 meters. The center point of Sipailou to West Gate is 890.2 meters and 886.3 meters to East Gate. Although there is a difference of 3.9 meters, literally speaking, the vertical axis is in the middle (Zhang, 2009).

formed by streets, with some variations in the northern half. As the two north quadrants are in the two highest areas of the city, the northern half city was occupied by governmental compounds and the palace for the advantage of showing authority and controlling power of the imperial government (Cao, 2008). Originally, the Palace of Prince Dai was positioned at the upper left side of the central axis. The four different quadrants have specific characteristics: the southeastern quadrant was the main residential area; the southwest quadrant was the religious temple area; the northwest quadrant was the governmental zone; the northeast quadrant was the palace and warehouses. (Figure 5.16).

Before the 2008 mass reconstruction, the layout of the Historic Districts in Datong Ancient City was nearly intact. Lion Street (狮子街) and Yunlu Street (云路街) are the most typical ones among the existing 14 neighborhoods featured with obvious “Fang” (gated community) characteristics (Figure 5.17). Such a well-preserved traditional street blocks from the Ming-Qing dynasties is extremely rare across the country and worth overall protection (Wang, 2019).

City wall of Datong

Adding exterior bricks to most of the rammed earth remains of the previous site, the existing Datong city wall was rebuilt on the foundation constructed by General Xu Da (徐達) in the fifth year of the Hongwu period in the Ming dynasty (1372 AD). A 7.2 km-perimeter square-shaped wall, approximately 1.8 km on each side, encloses a core area of 3.28 km². At each of the four sides of the city wall, there is one gate tower over fortified double gates. Each of the four corners has a flanking tower and a corresponding defensive platform. Along the wall, there are 54 large watchtowers, and 580 crenels in total. Surrounded by a moat, the city wall is approximately 14 meters high, 12-18 meters thick. Outside the four gates, there are outer fortresses with suspension bridges. To strengthen the defensive function, there are three auxiliary cities connected to the

center city, known as East Small City (東小城), South Small City (南小城), and North Small City (北小城), which is similar to the shape of a phoenix (Datong City Record, 2000).

Due to large-scale increased population, road construction, and urban expansion, Datong's city wall suffered severe man-made damage from the 1950s. Eight gaps in the city wall were cut through to make space for traffic flow; countless bricks of the wall were stripped for illegal construction along the wall. According to field surveys conducted by the Ancient Construction Institute of Datong Cultural Relics Bureau from 2004 to 2005, 5,103.7 meters of the original 7,240 meters perimeter of the main city wall remains, which accounts for more than 70% of the total length. The four corner areas (northwest, southwest, northeast, southeast) are kept in a relatively fair condition (Figure 5.18).³⁷⁸

II. City Layout of Datong Post-2008

Mayor Geng's new "ancient" city of Datong is a geometric shell (the city wall) made up of the left-over rammed soil with poured concrete covered by layered bricks. Its four-quadrant layout divided by the four main axes remains. Consistently, the four main streets, Qingyuan Street (former West Street), Heyang Street (former East Street), Wuding Street (former North Street), and Yongtai Street (former South Street), have retained their roles as the main commercial area of the city. Nevertheless, its inner-city was gutted and filled in with temple complexes, plazas, and buildings in Chinese traditional style (Bruno, 2014),³⁷⁹ while government-led recreation projects

³⁷⁸ The original circumference of the city wall is 7207.7 meters, but the remaining wall in 2006 was about 55% of the original length: the east wall is 1,771.4 m (1,429.4 m remaining), the south is 1,872.7 m (1,253.2 m remaining), the west is 1,783 m (1,095.5 m remaining), the north is 1,843.6 m (1,325.6 m remaining) (Cao, 2008, pp. 80). According to Wang's estimation by April of 2009, the original length of the wall was different: east wall was 1,839 m; the original south wall was 1,776 m; the original length west wall was 1,842 m; the original length of the north wall was 1,783 m. But the existing lengths of the four sides are the same (Wang, 2019).

³⁷⁹ Dai Yue, who works on historic preservation in Beijing for the Dongcheng Historic-Cultural Preservation Office and has visited Datong to investigate the city's renovation process (Bruno, 2018).

were undertaken to imitate the style of the Ming dynasty (Datong, 2013). National Monument-Sites from other periods, such as Huayan temple and Yungang Grottoes (outside the city), were renovated to their so-called “original states” and facilitated with expansive new plazas and tourist services (Fu & Hillier, 2018; Cui, 2018).

Reconstruction of the Datong City Wall (2009–2016)

As part of a series of plans to “reproduce an integrated townscape of Datong city in the Ming dynasty,” the Datong government spent four years and five months (from May 2009 to November 2016) to restore the city wall. To reconstruct the wall, the existing historical layers of the city were scratched out, and all buildings within the planned area were demolished.³⁸⁰ Even the symbolic Hongqi Square (紅旗廣場) outside the west wall was removed to make space for reproducing the West Gate. Covering the original rammed earth layers with new bricks, the new city wall is a full-scale replica of the original (39 feet high and 60 feet wide at the base).³⁸¹ Completely new watchtowers at intervals have been constructed, while there are gateways for traffic to pass through (Figure 5.19) (Fu & Hillier, 2018).

³⁸⁰ The Wei-du Avenue was historically formed based on the Japanese plan. The settlements in between Wei-du Avenue and the city wall, including modern residences, offices, and Hongqi Square were formed based on the plan from the 1950s to the 1970s. The inner side of the city wall includes the Li-Fang neighborhoods shaped in the Tang dynasty and the old houses constructed in the Ming and Qing dynasties before modernization. The city wall of the Northern Wei dynasty was reformed in the Ming dynasty, and then, half-lowered and partially removed during the 1950s.

³⁸¹ Wang (2019) calculated the following data by comparing high-resolution satellite images before and after the restoration of the ancient city in the past six years: the original 7,240 m circumference city wall of Datong still has 5,078 m (70%) remaining earth wall. The existing southern wall is 1,359 m, the north wall is 1,330 m, the east wall is 1,289 m, and the west wall is 1,100 m. 13 defensive platforms are in a good condition, 8 defensive platforms are partial remain, and 1 defensive platform is damaged. Repair of the city wall consumed approximately 15.08 million bricks, 6,630 m stone, 35,290 m timbers, and 1.1 million tiles (Wang, 2019).

5.3.3 *Street System in Pingyao*

Most of the Ming-dynasty streets and plot patterns have been retained in the Ancient City of Pingyao. It is said that the ancient city has “four avenues, eight streets, and seventy-two lanes.” According to Xie’s (2015) five phases of Pingyao’s city formation history, Pingyao’s main street system was developed from a “T-shaped (12th century),” to a “cross-shape (14th century),” then to a “干-shaped (18th century).” The current “干-shaped” street system comprises two offset vertical axis (North Street and South Street), one horizontal cut-through (East Street and West Street), and two horizontal secondary streets (Yamen Street and Chenghuangmiao Street) south to the East-West Streets³⁸² (Figure 5.20).

In fact, its existing streets and lanes are 199 in total, in which the changes were less than 20 during the several hundred years (Pingyao County Gazetteer, 1999, 2016). Four major streets (East, West, South, and North Streets) connect to the four major City Gates in the four directions. For defensive function, the eight secondary streets in the walled city were laid out according to the pattern of a tortoiseshell (zig-zag and crisscross) instead of a grid (S.Y. Wang, 2008b). South, East, and West Streets retain their business functions and serve as the major shopping area for people in the city. Major changes are the widened west end of West Street in 1981 (Ruan, 2003), and a paved continuous ring road along the inside of the city wall by April 2007 (Whitehand & Gu, 2007; Pingyao County Gazetteer, 2016).

Street plans in the older parts of the city are predominantly either square grids or quasi-rectilinear, while rectangular street blocks (long strips) are adjacent to the northern and western stretches of the city wall. Square grids of 184 m by 184 m street blocks (with a variation in street

³⁸² The present north and south gates are not connected by a single straight axial street. The asymmetry in the street plan associated with this is another common feature in Chinese cities (Chang, 1970, p. 78). (Whitehand & Gu, 2007: 98)

spacing of up to 14 m) are typical in most of the central part of the city, particularly in the case of north-south streets.³⁸³ These nearly-square street blocks are possible remnants of the Li-Fang system which has been the basic administrative unit in Pingyao until the Qing dynasty (1636 - 1912). Slender rectangular street/blocks are represented by Bijingbao (壁景堡) in the northeastern corner,³⁸⁴ and the modern work unit area Beihai West Streets (北海西街) in the northwestern corner of the city. Originally gated at the ends, the characteristic of Bijingbao was arranged for the agricultural villages in the vicinity of the city, which still contains agricultural plots (Pingyao Gazetteer, 1999; Whitehand & Gu, 2007).

The “T-shaped” main axial streets of the ancient core (Xihujing Street – Zhengfu Street and Zhaobinanjie) meet immediately south of the centrally-located administrative offices (xianya), which is one of the most common street patterns in Chinese cities in accords with the planning principles described in Kaogong Ji. Primarily on the east side of north-south streets, numerous “culs-de-sac” (pouch) are also a unique feature in the Ancient City of Pingyao. For the reason of Fengshui or defensive purposes, such staggered junctions create a dead-end, where at the corner of the hit-wall is either a stele inscribed “Taishan shigandang (泰山石敢當)” or a stone lion (Du, 2002; Whitehand & Gu, 2007).

Other than the typical straight lines, irregular streets are only a few besides the winding road along the south wall. They are East Geduo Lanes (东圪垛巷) in the northeastern area; Xiaochayuan Street (小察院街)—Huanyuan Street (花园街), Zhaojuren Street (赵举人街), and Peijia Lane (裴家巷) in the southeastern area; Hemu Lane (合木巷), north end of Maquan Lane

³⁸³ In the ancient core, south of Xiguojiexiang, and for a distance of two street blocks north of West-East Streets.

³⁸⁴ Bijingbao area consists of three parallel rectilinear north-south streets (West-bijingbao, Central-bijingbao and East-bijingbao) with an east-west street at the southern side (Baowai Street 堡外街). Nearly all the east-west orientated plots have either west-or east-facing entrances.

(马圈巷) and Shaxiang Street (沙巷街), and Huludu Lane (葫芦肚巷) in the south-central area; two small lanes of Leijia Lane (雷家巷) and Songmenghuai Lane (宋梦槐巷) in the southwestern area (Ho, site survey, 2019). It is speculated that such irregularities may reflect the layouts of earlier, rural settlements incorporated within Pingyao (Whitehand & Gu, 2007).

5.3.4 *Street System in Datong*

I. Street System in Datong Pre-2008

As early as the 14th century (the Hongwu period of the Ming dynasty) the street system of the Ancient City of Datong was built to its current scope, which is commonly known as “four main streets, eight lanes, and seventy-two alleys.” In Datong, streets and lanes in the urban area are mostly parallel or perpendicular to each other which made most of the plot patterns rectangular. Nevertheless, to facilitate defense and management functions, the regular “cross-shape” streets were modified to “T-shaped” in front of official sites to create a dead-end that makes a detour (cannot cross through). As a result, the street layout of the northern half was quite different from the southern half (Zhao, 2006).

Datong's streets and lanes had significant increments during the three periods: from the late Ming to the early Qing dynasties (17th century), after the founding of New China (the 1950s), and during the 2008 Rehabilitation Program.³⁸⁵ According to the Datong County Chronicles in the 10th year of the Daoguang period in the Qing dynasty (1830), the number of streets and lanes in the city was 136. The total number increased to 188 in the early 1950s (Zhang, 2009; Tien, 2017).

³⁸⁵ During archival research in Shanxi Provincial Library and Datong Municipal Library, I found multiple publications regarding Datong City, including Cio's research (2006) on a conservation development plan, Zhao's local chronicles of Datong (2006), Zhang's book (2009) of Datong's urban history and traditional residential buildings, Tien's documentation (2017) on Datong's streets and lanes before the overall demolition, Tien and Zhao's record of Mayor Geng's Rehabilitation Program (2017), and Wang's book (2019) on Datong's urban construction.

Currently, the streets and lanes in the city are 208 and keep increasing (Tien, 2017). There are four hierarchies of the streets in the ancient city: 3 meters and under, 3 to 6 meters, 6 to 12 meters, and wider than 12 meters. While most streets in the city are 6-meters-wide, some streets have been widened to fulfill the need for urban construction in recent years. For example, Qingyuan Street (West Street) and Wuding Street (North Street) are 36-meters-wide; Heyang Street (East Street), Yongtai Street (South Street), Big-Cross Street, and Jiaochang Street have been widened to 24 meters; most streets are 12 to 18 meters (Cao, 2008)(Figure 5.21).

II. Street System in Datong Post-2008

Before Mayor Geng launched his Rehabilitation Program in 2008, Datong's continuous city wall had been cut into 14 sections for facilitating daily commute: two gaps in the north wall, four in the south wall, three in the east wall, and two in the west wall. Since the four city gates were closed after the restoration of the city wall, two gateways were added on both sides of each city gate to make access to the ancient city. Meanwhile, a modern belt road system was built to make a loop inside the wall to connect these eight gateways. They are Heyang Gate Inner Street (和阳内街) on the east, Wuding Gate Inner Street (武定内街) on the north, and Qingyuan Gate Inner Street (清远内街) on the west, and Yongtai Gate Inner Street (永泰内街) on the south (Tien, 2017) (Figure 5.22).

The second comprehensive renovation of four main streets was undertaken in 2010, which renovated the pavements, separated pedestrians from vehicles, and installed streetlights, planting, and underground pipelines. While repairing Guandi Temple, Dijun Temple, Temple of Confucius, Chunyang Taoist Temple, and the Mosque (2010-2012), sixteen major streets were renovated as well, including the most representative Gulou East Street, Gulou West Street, Yunlu Street, Dusi Street, and Fuxuemen Street, Xianlou North and South Streets, Dijun Temple Street, Lion Street,

Jiuluo Lane, Yuan Lane, and others. Similar to other projects, all the old residences along the streets were demolished for widening the roads and rebuilding with new courtyard houses (Tien, 2017) (Figure 5.23).

5.4 BUILDING FORMS

After reviewing the urban development trajectory of the two cities, the building forms can be categorized into six styles: (1) traditional public buildings and Monument-Sites from the imperial period; (2) traditional courtyard house from the Ming and Qing dynasties; (3) Western-style buildings from the Republican era; (4) early modern structures from the Socialist period; (5) modern buildings after the 1980s; (6) post-modern pseudo-classic buildings. Monument-Sites and traditional courtyard houses are the two key categories for protection identified in the legislation of urban conservation through the text interpretation.

5.4.1 *Building Forms in Pingyao*

To reflect the architectural appearance of Pingyao's townscape, other than Monument-Sites and landmark buildings, there are nearly 4,000 traditional courtyard houses from the Ming and Qing dynasties, Western-style buildings from the Republican Era, and early modern housing (danwei) and factories from the Socialist period.

I. Pingyao: Landmark Buildings and Monument-Sites

At present, there are 7 National-level Monument-Sites, 6 Provincial-level, 2 Municipal-level, and 21 County-level within the Ancient City of Pingyao. The nomination to the World Heritage List includes the seven National-level Monument-Sites – ancient city wall (古城墙), Dacheng Hall of the Confucius Temple (文庙大成殿), Original Site of Rishengchang Draft Bank (日升昌旧址),

Qingxu Temple (清虚观), Temple of City God (chenghuanmiao 城隍庙), City Tower (shilou 市楼), and Residence of Leilutai (雷履泰旧居). These national treasures compose the unique historical townscape of Pingyao along with other landmark buildings (Bureau of Cultural Heritage of Pingyao County, 2020) (Figure 5.24).³⁸⁶

Except for the Temple of War God,³⁸⁷ most of these monument buildings were restored or reconstructed to their original form and style for tourism purposes in the 1990s (S. Y. Wang, 2008b). As “an outstanding example of Han cities in the Ming and Qing dynasties,” Pingyao is proud of the “integrity and authenticity” of its townscape.³⁸⁸ Nevertheless, there was not too much left in place in terms of “original” historic sites. The current list of Monument-Sites under protection in Pingyao, such as several sites of previous draft banks and some re-packaged house museums, are newly established cultural icons and tourist attractions through rehabilitation/reuse. The surviving sites have all gone through the different extents of modification for adaptive reuse. Dacheng Hall (Dacheng dian 大成殿) in the compound of the Confucius Temple, reconstructed in Dading Period of the Jin dynasty (1163), is the only intact structure and was designated as National Monument-Site in 2001. The Confucius Temple had been used as a primary school since the 1910s and turned into Pingyao Middle School after 1949 (Xiong, 2003). Most parts of the compound were destroyed

³⁸⁶ Other historical sites include the Censorate Department (xiaochayuan 小察院), Erlang Temple (erlangmiao 二郎廟), Jixiang Temple (jixiangsi 吉祥寺), the County Government Compound (xianzhi 縣治), Temple of Fire God (huoshenmiao 火神廟), and the Temple of War God (wumiao 武廟), etc.

³⁸⁷ The Temple of War God (wumiao 武廟) was under construction during the site survey in September 2019.

³⁸⁸ In the brief of outstanding universal value from UNESCO, Pingyao full fill the World Heritage Criteria as follows: Criterion (ii): The townscape of Ancient City of Ping Yao excellently reflects the evolution of architectural styles and town planning in Imperial China over five centuries with contributions from different ethnicities and other parts of China.

Criterion (iii): The Ancient City of Pingyao was a financial center in China from the 19th century to the early 20th century. The business shops and traditional dwellings in the city are historical witnesses to the economic prosperity of the Ancient City of Ping Yao in this period.

Criterion (iv): The Ancient City of Ping Yao is an outstanding example of the Han Chinese city of the Ming and Qing Dynasties (14th-20th centuries) that has retained all its features to an exceptional degree.

See <https://whc.unesco.org/en/list/812/>

in 1956 to make room for the classrooms and administration offices for the school. The Temple of the War God was also renovated to accommodate classrooms and served as the Fifth Elementary School in the 1960s. Temple of the City God became the office and club of the workers' Union of Pingyao County after 1949. As its major structure was dismantled during the Cultural Revolution, its wooden materials were reused in constructing the Government Hall in 1977. The Temple of Taoism became the Department of Food Provision. Alterations and additions were made to fit modern use as office space after 1949, the County Government Compound (yamen 衙门) retained its function as an administrative office until the 1990s. The Temple of Wealth, located northwest of the Wenmaio, became a movie theater in the 1950s, and later served the performance of Jin-style opera (S.Y. Wang, 2008b).

According to the first group of historic maps (pre-1911)(Appendix C), Pingyao was maintained nearly intact during the imperial era from the 17th century to the late 19th century (1620-1882). In the latest map in the Qing dynasty (1882), only 5 of the 43 (13%) historic sites were gone during the past two hundred years. Except for the relocated Drill Field outside the walled city and the disappeared Granary, most of them were small pavilions or tiny temples. But this stable condition appears to have been drastically changed from the modernization movement (1960s) and after the Economic Reform (1979). It is recognizable on Ruan's 1989 survey Map (hand-made and lack of building labels),³⁸⁹ that approximately 10 of the 46 (22%) sites were lost at that time. The destruction of historic sites did not stop even though Pingyao has been one of the two "World Heritage" cities in China since 1997. In the comprehensive survey map (2009) made by Shanghai Tongji Urban Planning & Design Institute, almost all those previous active monument

³⁸⁹ Professor Ruan Yi-san was the first prominent conservation scholar who came to conduct a series of site surveys, planning, and research projects in Pingyao in the early 1980s.

sites had become ruins (circles marked on the map). 25 among the total 36 (69%) historic monuments have vanished. The only survivors are the City Wall, City Tower, Qingxu Temple, Temple of City God, Temple of Confucius, and Temple of War God (wumiao 武廟). Using the disappearing ratio of historic sites divided by the duration between the map records, it shows the yearly rate of the disappearing historic sites (metabolism rate). Connecting the yearly ratio derived from the six selected maps, it configured a line chart that clearly illustrated the vicissitudes of historic sites over the past six hundred years. In Pingyao, the drastic peak of demolishing historic sites happened between the years 1960 and 2000. After 2000, no more loss in heritage in Pingyao (Figure 5.25).

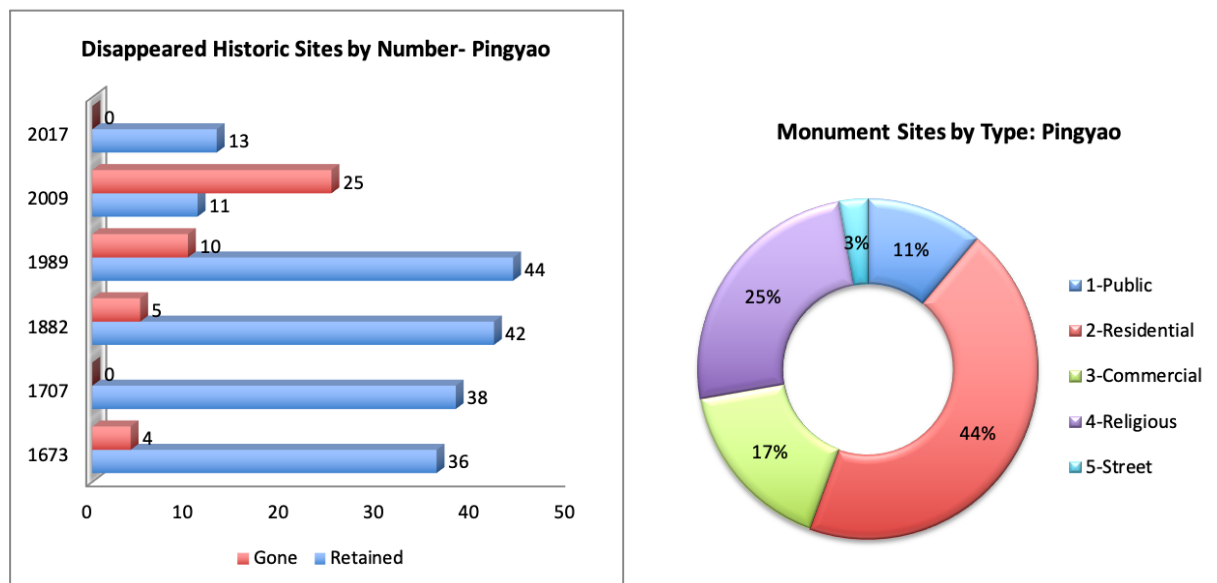


Figure 5.25a (Left): Statistic of disappeared historic sites in Pingyao by Number.

Figure 5.25b (Right): Monument-Sites in Pingyao by type (drawn by Ho, 2021)

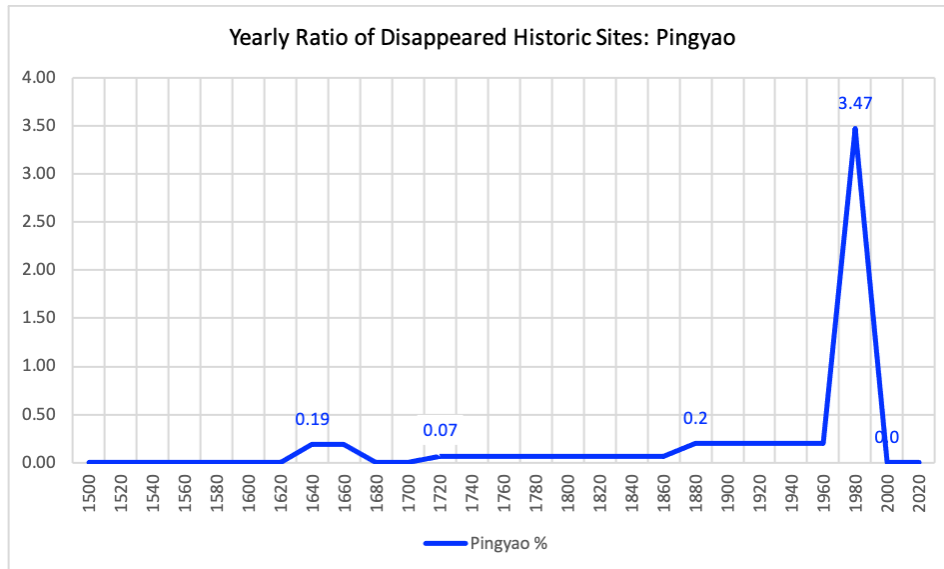


Figure 5.25c. Yearly Ratio of disappeared historic sites in Pingyao (drawn by Ho, 2021)

II. Pingyao: Vernacular Buildings from the Ming and Qing Dynasties

Playing a key role in the field of heritage conservation in China, Pingyao is mostly valued for its urban layout and the remaining 4000 traditional residences rather than its surviving major historic sites.

1. Pingyao: Traditional courtyard house

The traditional courtyard house, the legacy of the Jin Merchants during their heydays (late 19th century), is the predominant building type in Pingyao. There are still approximately 387 well-preserved courtyard houses among the 3,797 existing traditional building compounds (Xiong, 2003; Conservation Guidelines, 2014 & 2015; Pingyao County Gazetteer, 2016).³⁹⁰ East-west orientated courtyards are mostly located in the three principal north-south streets, Shaxiang Street (沙巷街), South Street, and Leijiayuan Street (雷家院街) –An Street (安街). In general, these one or two-

³⁹⁰ Among the approximately 4000 courtyard houses, 395 are county-level Monuments, 14 are Monument-Sites. 145 are under first-level protection, 117 are under second-level protection, 119 are under three-level protections. Most of the residential buildings were built in the Qing dynasty; a few were built in the Ming dynasty or even the Yuan dynasty. They basically maintained their original style with minor renovations (Pingyao County Gazetteer, 2016).

story brick compounds have symmetrical layouts along the main axis. There is a spatial sequence composed of the main gate, dao zuo (倒座), central yard, wing house, and principal house. Typically surrounding a narrow yard and covered with inner pitching sloped-roofs, these traditional houses install a screen wall (or shrine) decorated with stone or wooden carvings to block the view from the street (Fig. 4.20a). An unusual feature is the vault structure (yaodong 窑洞) of their principal house that imitates the cave dwellings of the plateau in the Shanxi Province (Fig. 4.20b).

2. Pingyao: Traditional Shophouse and Workshop Courtyard House

Based on its function, traditional courtyard building serves as residential, commercial, or workshop. The commercial courtyard house (shophouse) combines its store in the front with the residential area in the back. Usually, the store is directly open to the street, while the entrance to the residential area is hidden in a side alley. Most shophouses are along the main streets and mixed with draft banks or workshop courtyard houses. Sharing some characteristics with shophouses, workshop courtyard houses use their principal house as the living space and the wing houses and dao zuo as workshop and storage areas. No matter what function these courtyard houses perform, their style, materials, elements, and decorations are similar, creating a homogeneous townscape of the city (S.Y. Wang, 2008b; Conservation Guidelines, 2014 & 2015).

III. Pingyao: Western-style Buildings from the Republican Era

Western-style buildings are mostly overlooked by people since they are only a few and are scattered among the abundant courtyard houses in Pingyao. Most of these Republican buildings (1911-1949) are clustered on the north section of South Street near City Tower (Liu, 2015). Examples of single Republican buildings can also be found on East Street, West Street, Yamen Street, and Chenghuanmiao Street. Other than those shophouses in commercial areas, there are

two examples of residential building: one is a three-story mixed style building within the wealthy Ma's Mansion in Ma's Lane (马家巷); the other is an independent two-story house in the Zhaojuren Lane (赵举人巷). They all have a flat roof, arched doors or windows, topped with stone railings, and interestingly decorated with Chinese motifs on their facades (Figure 5.26).

IV. Pingyao: Built Form from the Socialist Period

1. Pingyao: Public buildings of the Socialist Period

To represent the new socialist culture and pursue modernization, new modern-style buildings built of brick with cement mortar replaced those traditional buildings as public infrastructure. These public buildings were mostly located along the urban fringe and became new landmarks at the end of the main and secondary streets, such as the Chinese People's Bank, the People's Courthouse, the Pingyao Hotel, the theater, the auditorium, the assembly hall, the post office, the jail, and the local police stations. These new structures were facilities for hosting activities during national holidays, and providing general services for the local community or danwei (S.Y. Wang, 2008b; Su, 2018) (Figure 5.27).

2. Pingyao: Work Unit Compounds (danwei 单位)

For the constitution of a new life of socialism, industrial or institutional public-owned work units (danweis) were created in Pingyao from 1949 to 1978 (Pingyao Gazetteer, 1999; Whitehand & Gu, 2007). "Danwei" is a self-contained community, generally, a walled compound of a workplace, accommodations and social facilities for workers, containing dormitories, communal eating and recreation places, school and local medical facilities, shopping, and other services (Gu, 2001; S.Y. Wang, 2008b; S.Wang & Gu, 2020). Locations of danwei are often close to factories, especially in the newly developed area along the outer ring of the city, the fringe belts in the west, and south

areas inside the city wall (S.Y. Wang, 2008b). Today, the danwei of the former diesel plant, transformed to be the “Movie Palace” cultural park, still occupies the northwest corner of the city. Another remaining danwei, the four-story dormitory for the Secondary Knitting Factory, is at the south of Bijingbao near the northeast wall. (Figure 5.28).

3. Pingyao: Factories of the Socialist Period

Built during the Great Leap Forward period (1958-1962), the newly built factories in Pingyao were arranged on the low-density areas, such as vacant lots or farmlands in the fringes at the northwest corner, or in the east and southeast areas of the city, including a cotton textile-spinning and weaving mill and an agricultural machinery plant. The new factories in Pingyao are one to four-story modern-style buildings that represented the ideological modernization of the society (S.Y. Wang, 2008b; Su, 2018). Per the plans for Pingyao’s World Heritage application and the first edition of the “*Conservation Regulation for the Ancient City of Pingyao (1999)*,” the factories within the city should be relocated outside, and the vacant lots and spaces converted for cultural or tourism purposes. The Four China Lacquer Sales Exhibition Center at the southern side of East Street near the wall, probably the only survivor, is currently operating as a creative cultural park for promoting Pingyao’s famous lacquerware (Figure 5.29).

5.4.2 Building Forms in Datong

With the fame of “capital of three dynasties,” Datong has incomparable National-level heritage sites that represent the unique cultural inheritance of the place. Unfortunately, the industrialization of Datong in the 1990s brought intense modification to its townscape, most architecture from the Republican Era and the Socialist Period didn’t survive, and a big portion of the remaining courtyard houses are in bad condition.

I. Datong: Monument-Sites and Landmark Buildings

1. *Datong's Monument-Sites Pre-2008*

Currently, there are 346 cultural historic sites under the jurisdiction of Municipal Datong,³⁹¹ including 25 key Monument-Sites (5 National Monument-Sites, 10 Provincial-level Monument-Sites, and 10 Municipal-County-level historic sites) inside the walled area.³⁹² Among these sites, Huayan Temple (华严寺), Shanhua Temple (善化寺), Nine-dragon Screen wall (jiulongbi 九龙壁), Main Hall of Temple of Guandi (guandimiao 关帝庙) and Drum Tower (gulou 鼓楼) are the five national treasures (Figure 5.30).

Through a series of analyses of six selected historic maps, a great portion of historic sites in the Ancient City of Datong was lost in the early Qing dynasty: 13 of the 29 (45%) disappeared by 1776. Matching the record in written history, this huge loss was caused by the destructive invasion of the Qing army, who demolished the government buildings and the Palace of Dai Prince then. Later, the number of historic sites increased to approximately 38 in the Qing dynasty. After 1949, according to four relatively reliable maps, it is found that the losses in the modern era were even greater than the sum of Qing dynasty. According to the bar chart (Figure 5.31a), the disappeared historic sites after P.R.C. were more than the loss during the previous 300 years (1515-1830): 17 of the 38 (45%) were gone before 1976. After that, 12 of the 23 (52%) were gone by 1995; 2 of the 15 (13%) were gone by 2006. Evidently, more than half of Datong's historic sites existing in the Qing dynasty already had vanished before Mayor Geng started his Rehabilitation

³⁹¹ The total amount of Monument-Sites (wenwu baohu danwei 文物保护单位) in Datong City now reaches 425, including 2 World Cultural Heritage sites, 27 national Monument-Sites, 17 provincial-level, 98 municipal-level, and 283 county-level Monument-Sites.

³⁹² Updated information from website:

<https://zh.wikipedia.org/wiki/%E5%A4%A7%E5%90%8C%E5%B8%82%E6%96%87%E7%89%A9%E4%BF%9D%E6%8A%A4%E5%8D%95%E4%BD%8D>

Program in 2008. However, the damage led by the 2008 program is also shown on the map: 8 of the 21 sites (38%) were demolished between 2008 and 2017. Through the statistic table, it is found that some vanished historic sites in Datong were reconstructed: there are 7 sites that reappear on the 2006 map; 11 sites on the 2017 map. Similar to Pingyao, the steepest slope on the line chart (Figure 5.31c) indicated that the period after the 1960s brought the most severe damage to the city’s historic sites in the five hundred years of urban evolution.

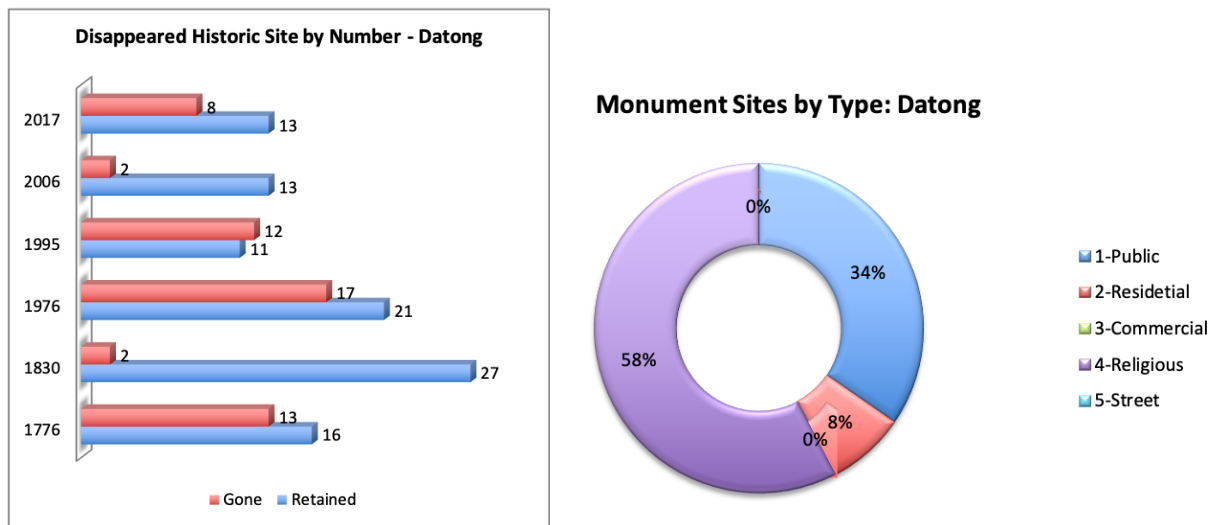


Figure 5.31a (left): Statistic of disappeared historic sites in Datong.

Figure 5.31b (right): Monument-Sites in Datong by type (drawn by Ho, 2022)

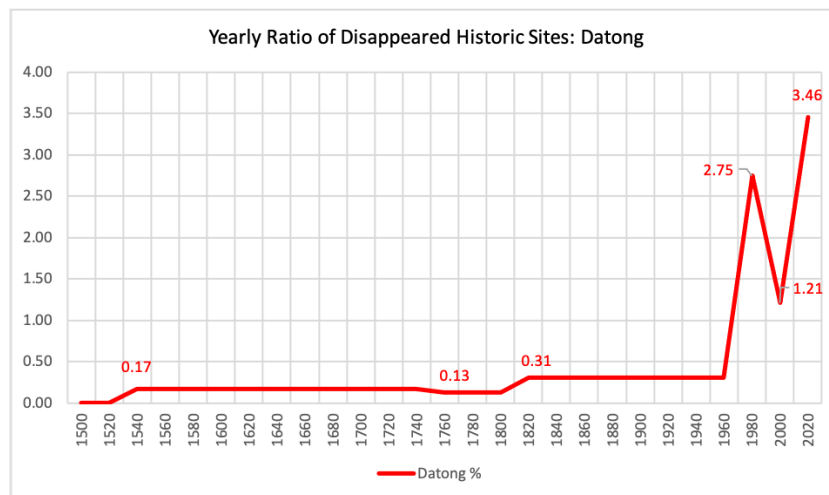


Figure 5.31c: Yearly Ratio of disappeared historic sites in Datong (drawn by Ho, 2022)

2. Datong's Monument-Sites Post-2008

The updated map after the 2008 program shows that 31 historic sites had been demolished before 2006, and the remaining 27 sites were either renovated or reconstructed during the period of the mega project. Furthermore, the decision-making and the treatments applied to these heritage sites throughout Mayor Geng's program have been highly controversial, as these reconstruction projects significantly distorted Datong's original historic townscape:

1) The recreation of the Palace of Prince Dai (Figure 5.32a) was problematic since it was based on very few textual descriptions and ambiguous historic maps. The original palace was destroyed before 1776 without leaving any verifiable documentation. Today, the location of the reconstructed Palace was planned 10-20 meters to the east of the original axis to leave space to build a commercial street on the west side. As a result, the original central axis of the compound was offset while the northern post (Xuanzheng Taoist Temple) and the southern post (the Nine-dragon Screen wall) are still in place. The height of its central roofs was questioned because any built roof should not be higher than the Palace in Beijing (a symbol of subordination to the emperor's power in the ritual system) (Ho, personal interview with Yang Liang, July 30, 2019).

2) Huayan Temple,³⁹³ the most prestigious National Monument-Site, originally was two separate temples, called Upper Temple (#40) and Lower Temple (#41). Through the 2008 project, the two temples were merged into one huge attraction site six times larger than its previous size (from 9,600 square meters to 60,000 square meters) (Figure 5.32b). A gigantic square was added outside its eastern gate and caused a great loss of vernacular houses in surrounding historic neighborhoods. It is estimated that 45 historic residential courtyards, five modern commercial

³⁹³ The Huayansi temple is a national heritage site (nominated 1961) established in the Liao dynasty (907–1125). The temple has been reconstructed several times, however, after being demolished by war and thus includes architecture from the Liao, Jin, Ming, and Qing dynasties.

buildings, and three historic streets were removed to create this square (Fu & Hillier, 2018; Cui, 2018).³⁹⁴

3) Standing on the southeast side of the renovated city wall, the current 35-meter Goose Pagoda (#38) was constructed more than double of its original height. The authentic pagoda, which was built in 1624 and relocated to the Confucian Temple in 2010, was only 14.8-meter-high (Cui, 2018) (Figure 5.32c).

4) Originally facing the Nine Dragons Screen Wall as a part of the Palace of Prince Dai, the Imperial City Stage Pavilion (#47) was dismantled, relocated, and re-assembled to the current location in front of the south entrance of Guandi Temple (Cui, 2018) (Figure 5.32d).

5) There were heated debates regarding how to reconstruct the entire city wall since the ancient wall was already fragmented in the 1990s. The government decided to connect the 70% leftover wall by covering up the damaged rammed earth with new exterior bricks, and buttressing the hollow areas to fill in the gaps (Figure 5.32e). Although this treatment was unacceptable to many conservationists and scholars, it has been appreciated by most people of Datong, including the general public and heritage-related professionals, as a great achievement of Mayor Geng (Ho, personal communications with Datong residents, 2019).

3. Datong: Traditional Landmark Buildings

The Ancient City of Datong in the Ming dynasty was not only considered prestigious for its monuments but also highlighted by numerous sequential street landmark buildings. Except for the Four Archways (sipailou) at the intersection of the four main streets (the center of the city), which was built by General Xu Da to commemorate the establishment of the city in the Ming dynasty,

³⁹⁴ The new square is surrounded by a business gallery on its three sides, with an underground parking facility and a 'Liao-Jin style' gallery for exhibitions. It was planned to be a luxury shopping space but ended up as a cheap hardware store (Cui, 2018: 227).

there were four important pavilions along the city's axes on the streets: Kuixing Tower (魁星楼) on North Street, Taiping Tower (太平楼) on East Street, Bell Tower (zhong-lou 钟楼) on West Street, and Drum Tower (gu-lou 鼓楼) on South Street. There were also many pavilions inside the lanes of the city, including Qinglong Pavilion (qing-long ge 青龙阁) in the southwest, the pavilions of county government (xian lou 县楼) and Zhuyi Pavilion (zhuyi ge 朱衣阁) in the southeast quadrant (Figure 5.33). According to multiple records from local gazetteers, there were also a great number of archways dispersed on the streets of Datong. The number of archways in the Ming dynasty was increased from 60 (Datong Prefecture Gazetteer, 1505) to 92 (Yunzhong County Gazetteer, 1652). In the 1830 Datong County Gazetteer, there were 136 streets and at least 110 archways in Datong City. Almost every street or lane had an archway.

Unfortunately, the only 17 remaining archways by 1949 were torn down one by one afterward (Zhao, 2006; Tien, 2017). In the 1930s, the Prefectural Government and East Gate were damaged, towers had collapsed, beams and columns were exposed. While South Gate was in a fair condition, the West Gate was well-preserved with some remaining arrow towers (Wang, 2019). The Drum Tower was the only survivor among the four street pavilions. Kuixing Tower was likely the first demolished building, as it had disappeared in the record of the 1830 Datong County Gazetteer. Taiping Tower was torn down by the Datong General (Zhang Han-jie) in 1934 for the reason of obstructing traffic. The bell tower was demolished in 1951. Sipailou was demolished in 1954 (Zhang, 2009; Tien, 2017). In addition, four small street pavilions were demolished as well, which were the pavilions of county government, the Qinglong pavilion, the Zhuyi pavilion, and the Cifuan pavilion (cifuan ge 赐福庵阁) (Tien, 2017).

II. Datong: Traditional Vernacular Buildings

Traditional dwelling in Datong was dominated by quadrangle, or courtyard houses (siheyuan 四合院), which were built after the Shunzhi period of the Qing dynasty (17th Century) and the early Republic Era (Cao, 2008). Due to its special geographical conditions and the strategic frontier location, the residential dwellings of Datong were made in a simple rustic style: small-scaled courtyard, lower houses, gentle-sloped roofs, shallow in depths, and fewer decorations. However, the overall setting, spatial organization, house layout, and three-dimensional forms were attached to Chinese Fengshui theories and traditional common knowledge. Centered on the courtyard, the courtyard houses were symmetrically built in four directions. Doors and windows faced toward the center yard, which provided lighting and ventilation for living. The configurations of the courtyard include simple “east-west long courtyard,” triple courtyards, quadrangular courtyards, and multiple-courtyard compounds. In general, a courtyard house comprises a front gate, a shadow wall, a secondary gate, backward seat (dao zuo 倒座), a courtyard, main hall, wing house, and penthouse (erfang 耳房)(Wang, 2019). The overall color of courtyard buildings is gray; regional carvings of brick, wood, and stone can be found in every courtyard, accenting on the eaves, roof ridges, doors, and windows (Figure 5.34).

At the beginning of the P.R.C., there were more than 5,000 courtyards in Datong City (Tien & Zhao, 2012). During the Cultural Revolution, a great number of historic houses in the ancient city were destroyed and reconstructed. Afterward, a great number of courtyards were demolished during the road widening projects and the old housing refurbishing programs in the old city. In the 2006 survey, the remaining neighborhoods and residential buildings were mainly concentrated in the southern half of the city, the key residences were mostly in the southeast quadrant (the south of East Street and the east of South Street). There were 1,519 traditional courtyards in the ancient

city, 311 single courtyards were intact (23% of the total).³⁹⁵ Most of these traditional houses were in bad condition after becoming dilapidated for a long time, lacking water, gas, heating supply, drainage, and sanitation facilities. Deterioration has been significant when the construction quality was poor (made with adobe blocks with exterior bricks, covered with roofs supported by slender wooden rafters). Moreover, due to the increasing population within the walled city, former single-family courtyard houses have become multi-family tenements (Cao, 2008; Tien & Zhao, 2012).

III. Datong: Western-style Buildings from the Republican Era

The Western architectural style was popular in Datong during the Republic Era. Yet, there are almost no traces left today, as most of them had been replaced by modern buildings after the 1980s, or hidden within institutional complexes. According to historical surveys, the testing ground for new Western-style architecture was along North Street. For example, North Gate Tower was rebuilt into a two-story, seven-bay, Western-style building in 1917 after the original Chinese-style tower was destroyed by artillery fire. The European-style Datong railway station was built outside Xuandong Gate in 1914, then demolished in 1939 (Wang, 2019). At present, the only survivors in the ancient city are the remodeled office building of Datong Christian Committee (1905)³⁹⁶ and some residential entrance gates (Liu, 2013) (Figure 5.35). A building in the former Fertile Virgin

³⁹⁵ 1,375 were single courtyards, accounting for 91% of the total; 144 were compound courtyards, accounting for 9% of the total. There were 340 intact courtyards among the single courtyards, accounting for 25% of the single courtyards. 724 were incomplete courtyards, accounting for 52% of the total. Those traditional courtyards contained a total of 14,819 houses, of which 1,175 were in good condition, 3,961 were in better condition, 6,377 were in fair condition, and 3,324 are in relatively poor condition. Those traditional courtyards contained a total of 14,819 houses, of which 1,175 are in good condition (Cao, 2008).

³⁹⁶ No. 15, Qipan Street (棋盘街) in the southwest corner of Datong City. The original building of Datong Christian West Church was demolished in 1905. A two-story brick-wood structure at the north side of the courtyard was preserved. In 1951, Datong Christian Three-Self Patriotic Association was established and used this building as its office (Liu, 2013). This building has been designated as a city-level Monument-Site.

School (1903) is also gone.³⁹⁷ The street scenes of the Republican style shown in historic photographs no longer exist.

IV. Datong: Structures from the Socialist Period

Almost all structures from the socialist period have disappeared in the ancient city. However, there are remaining danwei buildings inside Shanhua Temple in the southwest quadrant buildings (currently the offices of the Datong City Ancient Buildings and Cultural Relics Depository, 大同市古建筑文物保管所), and perhaps some in the military headquarter in the northwest quadrant.³⁹⁸

V. Datong: Modern Buildings in Datong from the 1980s

A certain scale of urban renewal came along with the rapid socio-economic development in the 1980s and 1990s. Since then, large commercial buildings, hotels, and restaurants, constructed with modern materials and decorations, were built along the arterial streets of the ancient city. Large in number and volume, these modern buildings swallowed up the cultural environment and historic districts, dividing and wrapping key monuments within them, in the case of Shanhua Temple, Nine Dragon Wall, and Drum Tower. In the northwest and southwest corner areas of the ancient city, taller than the city wall, the large six-story residential compounds were built with flat roofs, tile exterior walls, aluminum openings, and various paints, besieged the few remaining traditional houses and completely altered the historic townscape (Cao, 2008) (Figure 5.36).

³⁹⁷ No. 7 Jiaojia Alley (焦家巷), Datong City. Originally, it was the Fertile Virgin Girls' School. In 1950, the government took over and changed it to Taiping Primary School, later changed to the 12th Primary School in the City District. Then, it was occupied by the special education center from 1997 to present (Liu, 2013).

³⁹⁸ Since the military headquarter is not accessible, this information was provided by Mr. Song in the Research Association for the Protection and Restoration of Datong Ancient City without verification.

VI. Datong: Post-2008 Pseudo-classic Buildings

Following the demolition of the 2008 urban projects, numerous pseudo-classic buildings were constructed around the major Monument-Sites and in the two renovated Historic Districts. Without solid historic evidence for verification, they are claimed to be the Liao-style or the so-called Ming-Qing style (Figure 5.37).

5.5 SUMMARY: MORPHOLOGICAL COMPARISONS BETWEEN THE TWO CITIES

Comparisons in this section focus on the synchronic dimension of the two cities, which is the period after their major city Rehabilitation Programs. The analysis focuses on the five key physical elements under the three lenses of townscape, city layout, and building form.

5.5.1 *Comparison on History and Background*

Similarities on History and Background (Figure 5.38)

Besides the prerequisite of the same-Province location, physical similarities of the two cities are the reasons for pairing the two: while both are located in Shanxi province, Pingyao is in the central part and Datong is in the northern part of the province; while both sites are located in flat terrain, Pingyao is at the southwest of the Taiyuan Basin and Datong is at the center of Datong Basin; while both are walled cities, Pingyao encloses an area of 2.25 km² and Datong encloses an area of 3.28 km². They also have a similar history of development: while both have a long development history over 2500 years, Pingyao was first established during the Western Zhou dynasty (827-782 BCE.) and Datong was set up during the Warring States Period (476-221 BCE.); both existing urban fabrics are based on the foundation of the Ming dynasty (14th Century), only two years apart.

Disparities on History and Background

Although the two cities are similar in physical and historical backgrounds, their city identities are quite different: Datong is a higher-ranking city than Pingyao in terms of historical status and administrative level. Historically, Datong was a northern key military post and the capital of three dynasties. Pingyao is called “China’s Wall Street,” which is the birthplace of China’s draft banking system in the late Qing dynasty (19th Century). Contemporarily, Datong is famous for being the “capital of coal” and heavy industries, while Pingyao is a poor county with backward development. As for their administrative level, Datong is a Prefectural-level city, but Pingyao has long been served as a town-level administrative center under Pingyao County. As for heritage status, both sites are the National Historic-Cultural Cities in Shanxi province, Pingyao is entitled with UNESCO “World Heritage Site,” but Datong does not have such global recognition.

5.5.2 Comparison on City Layout

City walls defined the areas and the geometric shape of the two cities as well as defined the identities of traditional Chinese cities. Hence, the comparisons on city layout start with their city walls and then to their arrangement of landmark buildings.

I. Comparisons of City Walls and City Outlines (Figure 5.39)

Similarities in City Walls and City Outlines

Both walls are constructed in the Hongwu period of the Ming dynasty: the city wall of Pingyao was built in the 3rd year (1370) and the city wall of Datong was in the 5th year (1372). Both cities had similar historic scales and are enclosed by traditional city walls with barbicans (wengcheng 瓮城) and surrounded by a moat (rebuilt). Both city walls enclosed a square-like main area of a similar size: Pingyao is 2.25 km² with about 1.5 km long on each side; Datong is 3.28 km² with

about 1.8 km long on each side. The two walls only have a difference of 300 meters on each side, and a difference of 1 km in perimeter (Pingyao is 6.2 km, and Datong is 7.2 km).

Disparities in City Walls and City Outlines

Although the main areas of the two cities are close to a square shape, each city is an imitation of a specific animal. The shape of Pingyao Ancient City resembles a turtle, where its southern side meanders along the historic course of the Zhongdu River and has six gates to represent the head, tail, and four legs of a turtle. The shape of Datong Ancient City recalls the image of a phoenix, as its main square body connected with three outer fortresses that mimic the wings and tail (the slender southern small city) of a phoenix.

Being a key military post along the Great Wall in the Ming dynasty, the city wall of Datong (14 m high, 12-18 m thick) is taller and thicker than Pingyao's (10 m height, 8-12 thick). It is said that the 580 crenels along the walls of Datong represent the total number of the villages under Datong's jurisdiction. On the contrary, the city wall of Pingyao expresses the strong influence of Confucianism as its 72 watchtowers and 3000 crenels along the walls are the symbol of the 3000 disciples and 72 saints of Confucius. Reviewing the existing conditions of the two city walls, the city wall of Pingyao has been carefully restored, consolidated with rammed earth inside and bricks outside. Rebuilt between 2008-2016, the wall of Datong is a newly constructed full-scale replica, which reconnects the originally segmented rammed earth by filled-in concrete frameworks and is covered with exterior bricks.³⁹⁹

³⁹⁹ See <https://baike.baidu.com/item/大同城墙>

II. Comparison of City Layouts (Figure 5.40)

Similarities in City Layout

Both cities inherit the traditional model of an urban plan to reflect Chinese cultural connotations that mix ritual norms, cosmic principles, and Fengshui theory. They abide by the rule of “yin on the left, yang on the right,” “civilian on the left, martial on the right,” “Taoism on the left, Buddhism on the right,” and place each symbolic building on corresponding locations. Both cities use a symmetrical layout to arrange their landmark buildings by pair.

Disparities in City Layouts

As a higher-ranking city since its establishment, Datong’s city layout was more complicated than Pingyao as Datong accommodated both prefecture-level and county-level public buildings, and it even had a palace compound for the emperor’s son. While the city of Pingyao was constructed under a relatively orthodox Confucius feudal hierarchical system, the city of Datong was a variant originated by its minority founders of Xianbei (鲜卑) people in the 4th Century. In general, the urban layout of Datong still follows the Chinese ritual arrangement and orientation of yin-yang energy theory with an exception of locating its market (south) and government (north). This arrangement was strategic as the northwest quadrant was the highest area in the city, and the imperial status was higher than the local government. Moreover, the orientation of Huayan Temple is uncommonly facing the east per Khitanian custom (Y. Wang, 1999).⁴⁰⁰

⁴⁰⁰ Both main halls in Huayan Temple are facing the east. It has nothing to do with its geographical condition but follows the Khitanian custom favoring the east and praying towards the Sun (Y. Wang, 1999).

5.5.3 Comparison on Street System (Figure 5.41)

Similarities in Street System

Historically, the old saying on describing their street networks is the same: “four avenues, eight streets, and seventy-two alleys.” Also, “T-shaped” street, where an axial street ends at the south entrance of an official complex, is common in both cities. In Pingyao, this happens in front of the County Government Compound (xianya) and the Temple of Confucius. In Datong, this happens in front of the Palace of Prince Dai, Military Headquarter, the Prefectural Government Complex, and the Temple of Confucius. Both cities have remains of the “Li-fang” system from the Tang dynasty as seen, for example, in the northeast corner in Pingyao (Bijingbao), and in the southeast quadrant in Datong (Shizijie). Following traditional custom, South Street is the most prosperous commercial area of both cities and this continues to the present day. For improving the traffic, both cities built circular roads along the inner-city walls.

Disparities in Street System

Although both cities have a nearly square outline, the configurations of their main streets are different. Pingyao is a “干” shape comprised of five main streets; Datong is a “cross” shape made by an east-west axis and a north-south axis. Such a cross-shape street network is common in major military cities. Therefore, Datong is divided into four quadrants by the four arterial streets and roughly maintains a 3x3 grid system in each quadrant with some variations in the northern half of town. Since the existing walled area of Pingyao was an expansion of an older, smaller settlement, it has a mixed grid system of square-grid and quasi-rectilinear.

Another significant difference is the historical scale of their street networks: Pingyao's streets and lanes (199 in total) did not change too much (less than 20 streets),⁴⁰¹ but Datong's streets and lanes (208 in total) were substantially modified by 2017 (51.4%).⁴⁰² While Pingyao keeps most of its streets in original width under 5 meters with rigid traffic controls, Datong widened multiple main roads to 24-36 meters and made the city more vehicle-friendly (Figure 5.42). These modifications have completely altered the historic scale of street system of Datong and significantly twisted the relationship with the street buildings. For example, the original passages under buildings were changed to roundabouts bypassing these buildings (Figure 5.43).

5.5.4 *Comparison on Building Form (Figure 5.44)*

Interestingly, both cities do not contain the full spectrum of building forms. The townscape of the Datong Ancient City is dominated by the bulky modern buildings and their flat roofs. Western-style buildings of the Republican era and the structures of the 1950s are hardly seen in Datong. In contrast, traditional buildings and their pitched roofs prevail all over the skyline of Pingyao without the late modern buildings from the 1980s.

I. Traditional Public Buildings and Monument-Sites (Figure 5.45)

Speaking of traditional landmark buildings, their fates of disappearing from history in the two cities were on the same track—the greatest loss happened after the P.R.C., especially during the period between the 1950s and 1990s. Although landmark buildings in Pingyao were kept nearly intact from the 17th century to the late 19th century, the city lost 76% of them before 2009 due to modernization movements after the 1950s. Although Datong's landmarks were severely damaged

⁴⁰¹ According to the information of the Pingyao County Gazetteer (2016).

⁴⁰² According to the site survey of the street system by Tien (2017), the renovated streets are 107, which is about 51.4% of the total amount of 208 streets and lanes.

at the beginning of the Qing dynasty, the greatest loss also happened after the P.R.C. and is continuing. As a result, Pingyao has only 12 survivors in terms of original historic sites (been recorded on the historic maps). Datong has 13 remaining historic sites, which were either remodeled or reconstructed during the 2008 Rehabilitation Program. According to the line chart (Figure 5.45), the urban metabolism of Pingyao was faster than Datong (2.75%) in the 1980s at an average yearly ratio of 3.47%. While Pingyao had stop-loss after 2000, Datong's landmark buildings are still diminishing: at a rate of 1.21% by 2000, and 3.47% by 2020.

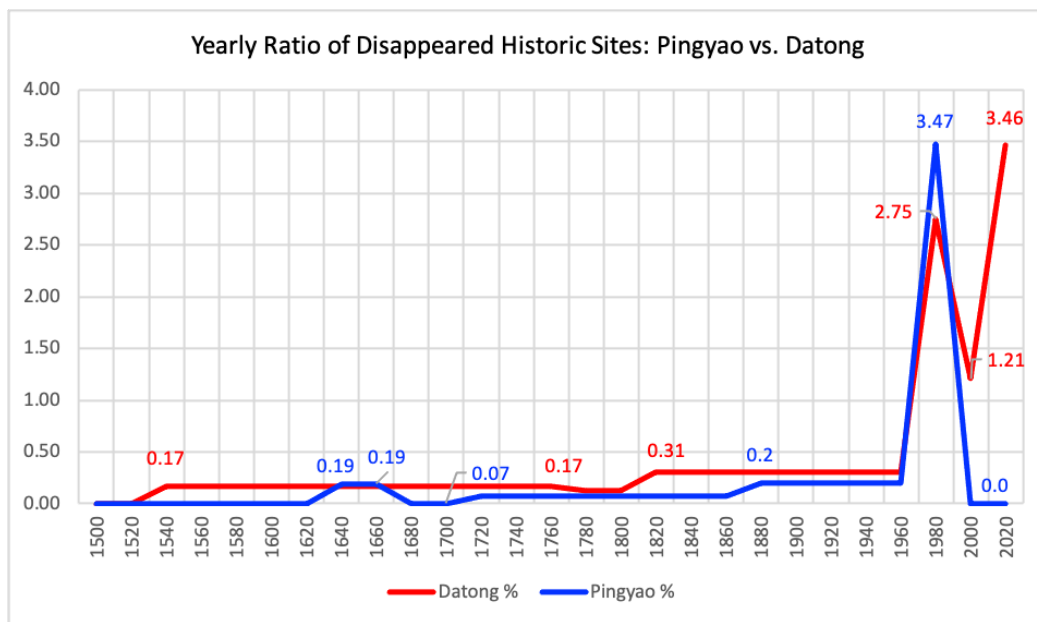


Figure 5.45: Comparison of disappeared historic sites between Pingyao and Datong (drawn by Ho, 2022)

II. Traditional Courtyard House

From historical surveys and multiple personal interviews, it is apparent that the weight of private residence differs greatly between the two cities in terms of their quantity and quality. Quantitatively, Traditional courtyard houses are the most compelling form in the composition of Pingyao's city fabric, which makes Pingyao an exceptional example of a traditional Han Chinese city. Sadly, most of the vernacular fabric of Datong has been demolished since 1949, and the

existing courtyards are concentrated in the southeast quadrant. Statistically, there are 3,797 homes in Pingyao. Among them, 387 are historically significant and under national-level protection.⁴⁰³ Datong has approximately 1,500 traditional courtyards; 311 single courtyards were intact. As of the quality, the courtyard houses in Pingyao date from 1840 to 1911; they were carefully built with solid materials, such as bricks, stones, and vault structures. Furthermore, Pingyao's courtyard houses have a specific feature, which uses a vault structure (yaodong 窑洞) in their principal house that imitates the cave dwellings of the plateau in the Shanxi Province. Most of Datong's courtyards were built after the early Qing dynasty (17th century) and were constructed with unstable adobe blocks and covered with exterior brick tiles. Therefore, these surviving houses are in bad conditions. It has been said that such an indifferent attitude over vernacular architecture in Datong reflects its frontier culture, which originated from the "trauma of wars" throughout its history. Hence, Datong people would rather spend on immediate needs than consider long-term investments or pass down their properties to the future generations (Cao, 2008; Ho, personal conversations with Datong residents, Official Li, August 2019).

III. Western-style Buildings from the Republican Era

The Republican Era (1911-1949) is a short-lived and turbulent period in China's history. It is hard to find buildings of this time in both cities. However, Pingyao retains some more interesting examples of this period on its five main streets while the Republican buildings have almost disappeared in Datong.

⁴⁰³ See "Conservation Management Guidelines for Traditional Courtyard Houses and Environment in the Ancient City of Pingyao." (2014). China Today. January 8, 2003. "Pingyao Relocates Its Dwellers to Conserve World Cultural Heritage." <http://www.china.org.cn/english/travel/53066.htm>

IV. Early Modern Structures from the Socialist Period

In Datong, one can hardly see any socialist architecture inside the wall. Contrarily, Pingyao still keeps the early modern buildings and genres from the socialist period (1949-1978), including all kinds of public buildings, commercial buildings, danweis, and factories. Fortunately, these early modern buildings did not affect the traditional skyline of Pingyao as they are lower than the city wall, scattered at the fringe areas, or enclosed in a private zone and invisible from the streets.

V. Modern Buildings after the 1980s

In Datong, bulky modern commercial buildings are overwhelming in appearance along the arterial streets; groups of six-story residential towers developed in the 1980s and 1990s are clustered in the northwest and southwest corners. Their massive volumes, appalling appearance, and conspicuous locations overwhelmed the last trace of the historical image of the city. In contrast, modern buildings of the 1980s were developed outside the Ancient City of Pingyao, especially in the west and the south areas outside the wall, so they had no effect on the townscape of the ancient city.

VI. Post-Modern Pseudo-classic Buildings

Most vernacular fabric in the Ancient City of Datong has been demolished and replaced with pseudo-classic buildings in the style of the Ming or the Qing dynasties. Mayor Geng even reconstructed Huayan Square with pseudo-Liao style pavilions. As nearly a quarter of the city is still under construction, this kind of post-modern Pseudo-classic building is increasing. Pingyao also has a limited number of examples of pseudo-classic buildings, which use this style to match its surrounding historic townscape.

5.5.5 *Synthesis of Interpretation of Objects*

In accord with the highlighted contents in the selected urban conservation-related ordinances, this morphological analysis reviews the five elements under three substantial “form complexes” of the urban form – townscape, city layout (traditional layout and street system), and building form (including Monument-Sites and traditional courtyard houses). Diachronically, the morphology examines the townscapes of the two cities “before and after” of the major conservation interventions. Synchronically, the morphology compares the current townscape of the two cities after their significant urban rehabilitation projects. However, the most significant physical changes to the townscapes of the two cities cannot be directly associated with their Regulations on HCCTV, because the restoration of Pingyao was earlier than the promulgation of its Conservation Regulation (1999), and Datong’s mega Rehabilitation Program was apparently skirting the laws.

I. A Synthesis of City Layout

In general, both city layouts copied the Chinese traditional model and followed the ritual norms, but the values reflected through the current city layouts are quite different.

With authenticity and integrity in its intact city layout, Pingyao has been recognized with the title of World Heritage by meeting three criteria of “Outstanding Universal Value.”⁴⁰⁴ As it “well-retains the historic form of the county-level cities of the Han people in Central China from the 14th to 20th century,” Pingyao’s layout “reflects perfectly the developments in architectural

⁴⁰⁴ Criterion (ii): to exhibit an important interchange of human values, over a span of time or within a cultural area of the world, on developments in architecture or technology, monumental arts, town planning or landscape design; Criterion (iii): to bear a unique or at least exceptional testimony to a cultural tradition or to a civilization which is living or which has disappeared; and Criterion (iv): to be an outstanding example of a type of building, architectural or technological ensemble or landscape which illustrates (a) significant stage(s) in human history. See <https://whc.unesco.org/en/list/812/>

style and urban planning of the Han cities over more than five centuries.”⁴⁰⁵ Simply speaking, historical value, scientific value, artistic value, and cultural value are kept in its city layout.

Datong exhibits its military importance and minority cultural influence through its substantial city wall, strategic location, high-ranking governmental compounds, and particular arrangement of key monuments. Although most of the key monuments still exist on-site, and the grid pattern of the streets is recognizable, the city layout of Datong is far away from the “original.” As the historical scale of its street system has been expanded, the sizes of historic sites have been modified, enlarged, or merged, and the monuments and their relationship with the city have been reconstructed, “authenticity and integrity,” historical and scientific values have been disregarded and often lost.

II. A Synthesis of Street System

The street system is another indispensable component of Pingyao’s integrative city layout. “Authenticity and integrity” are reflected through the well-maintained mixed grid system of square-grid and quasi-rectilinear, the “干” shape main street system, the traditional “T-shaped” streets, featured cul-de-sac and the historical scale (street width, building height, and the relationship between them). Nevertheless, Pingyao was criticized for its traffic controls that installed guardrails to stop cars from entering the city. This kind of operation reveals that the economic value is influential here, if not yet fully suppressing the historic and artistic values.

Due to its drastic road modifications (more than 50%), the street system of Datong is substantially divergent from Pingyao’s, and from its own past history, particularly with regard to historical scale. While Pingyao has kept its streets and lanes under 5-meter wide, Datong had

⁴⁰⁵ <https://whc.unesco.org/en/list/812/>

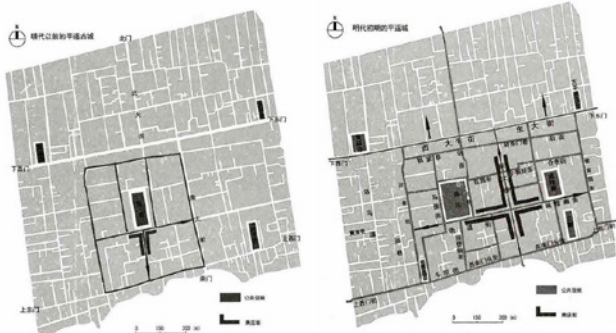
widened its arterial roads to 24-36 meters. These street modifications have totally transformed Datong from a defensive post into a vehicle-oriented, relatively open modern city. The historically closely interacting relationship between the street towers and the streets has disappeared, as the current design does not allow pedestrians to walk around or pass through under these buildings. Even as pseudo-classic buildings have been constructed along the main street in the Historic Districts, the configuration of four-lane streets with tree lines entirely loses the historical scale, character, and atmosphere. Modernization and pragmatism took down historic, artistic, and scientific values in these parts of Datong.

III. A Synthesis of Building Form

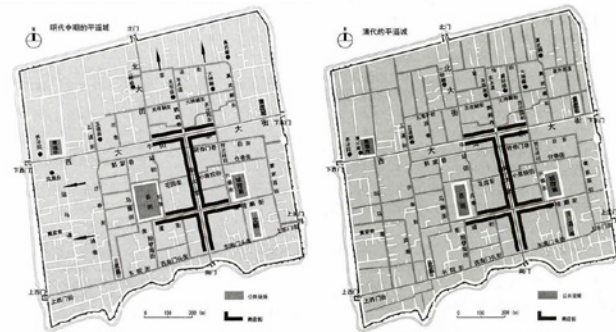
Two different combinations of building forms constituted the two strikingly distinct townscapes of Datong and Pingyao: Datong is now dominated by the massive modern buildings and their flat roofs, empty lots, and construction sites; Pingyao is nearly fully covered by mono-tone traditional courtyards with pitched roofs. Looking into the six phases of the existing architectural styles in the two cities, Pingyao displays a linear architectural development through its four architectural styles prior to the 1980s – from the Monument-Sites of the imperial periods, to the traditional courtyard houses from the late-Ming and the Qing dynasties, to Western-style buildings from the republican era, and the modern structures of the socialist period. With the continuous historical layers of diverse building forms, Pingyao illustrates the organic evolution of a city for us to appreciate its historic, scientific, artistic, and cultural values.

The building form of Datong is a mixture of the earliest styles with the modern styles. Besides the traditional Monument-Sites, there is a large area of multi-level modern buildings, newly constructed pseudo-classic buildings, and some remaining courtyard houses in the two Historic Districts. There are voids in Datong's architectural history from the Republican era to the

Reform period (approximately 1900-1980). Missing features in the chain of building form of Datong was caused by the modernization movements and urban regeneration projects since the 1980s. Although such irreversible losses prior to 2008 cannot blame on the Rehabilitation Program, this program is accountable for the destruction of the existing vernacular urban fabric and reconfiguration of major Monument-Sites. As the 2008 Program upended the entire city for land speculation and tourism development, the current patchy, dilapidated appearance of Datong demonstrates the consequence of mass relocation and construction that favors economic value, use value, and newness value over other values.



4.13a: Pingyao street system before Ming dynasty
4.13b: Pingyao street system in early Ming dynasty



4.13c: Pingyao street system in mid-Ming dynasty
4.13d: Pingyao street system in Qing dynasty

Figure 5.1: Pingyao city development, 12th -18th Century. (Source: Xie, P. (2015). *Re-analysis on the Evolution of the Spatial Pattern of Pingyao Ancient City. Fig.2-4.*)



Figure 5.2: Pingyao Townscape, 1956-58. (Source: *Collection of Beijing Institute of Ancient Architecture*).



Figure 5.3: Pingyao Townscape, 1999. (Source: *Pingyao County Gazetteer. (1999).*)



Figure 5.4: Pingyao Townscape. (Ho, 2019).

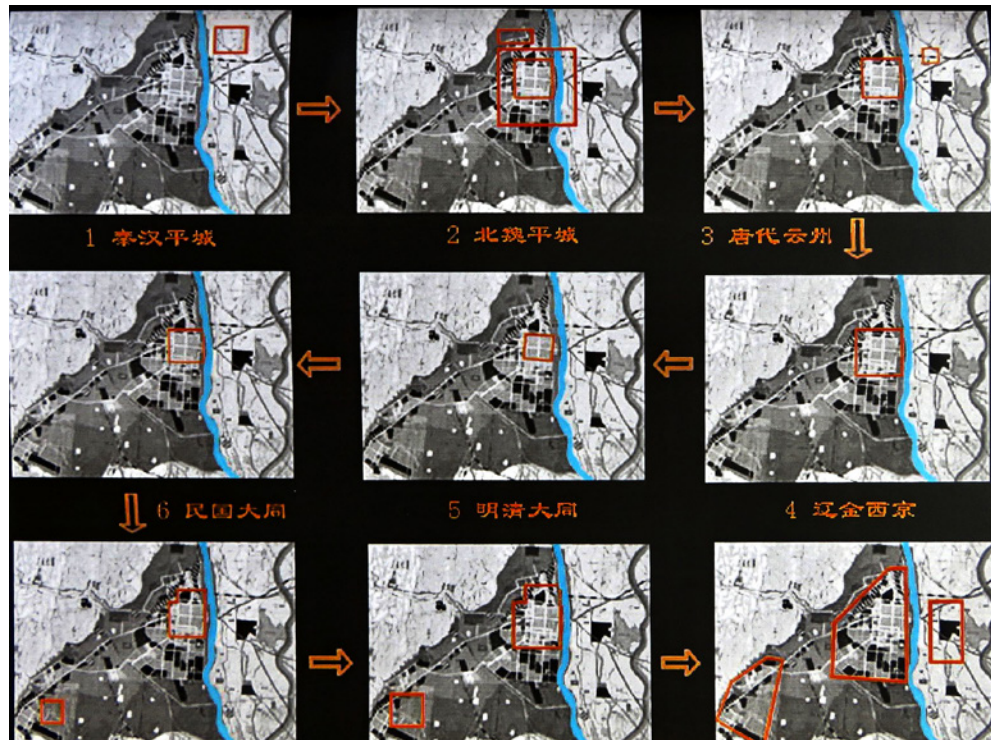


Figure 5.5: Evolution of Datong's historic core (Source: Cao, C. (2006). *Research on the Strategic Planning of Protection and Development of Datong Historic-Cultural City construction*. p.48.)



Figure 5.6: Datong City Aerial View, 1946. (Source: Wang, J. (2019). *City of Datong: the formation of the "Datong model" of city construction*. Fig.2-9.)

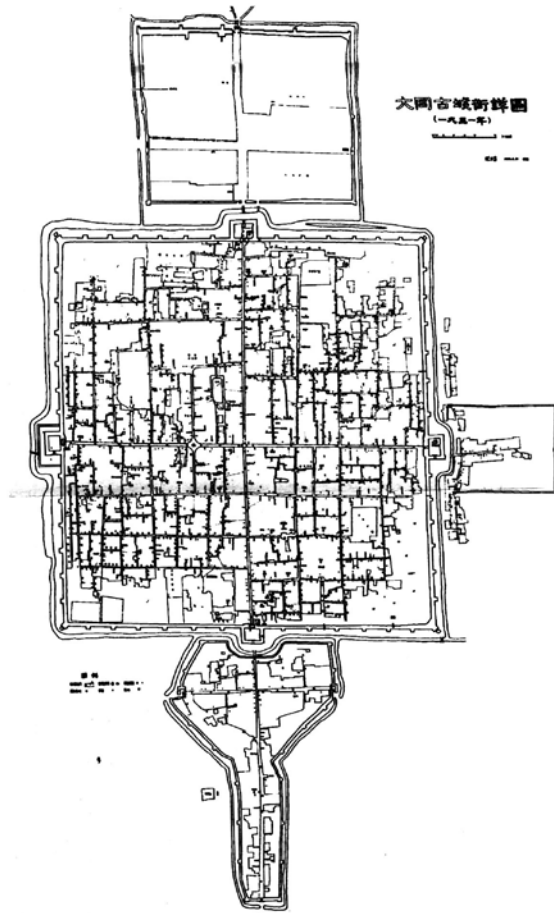


Figure 5.7: Datong Map, 1951
(Source: Zhang, C. (2009). *Datong Ancient City and vernacular dwellings*. p.4.)



Figure 5.8: Datong Townscape, South St., 1950s
(Source: Zhang, C. (2009). *Datong Ancient City and vernacular dwellings*. Fig.58.)



Figure 5.9: Datong Townscape, 1980s
(Source: Wang, J. (2019). *City of Datong: the formation of the "Datong model" of city construction*. Fig.2-19.)



Figure 5.10: Datong Townscape, 1970-80s. (Source: Wang, J. (2019). *City of Datong: the formation of the "Datong model" of city construction*. Fig.2-18.)



Figure 5.11: Area around Drum Tower before and after 2008.

(Source: <http://thepaper-prod-oldimagefromnfs.oss-cn-shanghai.aliyuncs.com/image/29/148/17.jpg>)



Figure 5.12: Southwest quadrant (south of Huayan Temple), 2017 and 2019.

(Source: <https://zhuanlan.zhihu.com/p/103032120>)



Figure 5.13: (left) Gulou E St. before 2008. (Source: <http://thepaper-prod-oldimagefromnfs.oss-cn-shanghai.aliyuncs.com/image/29/148/17.jpg>); (right) after 2008 Rehabilitation program. (Ho, 2019).

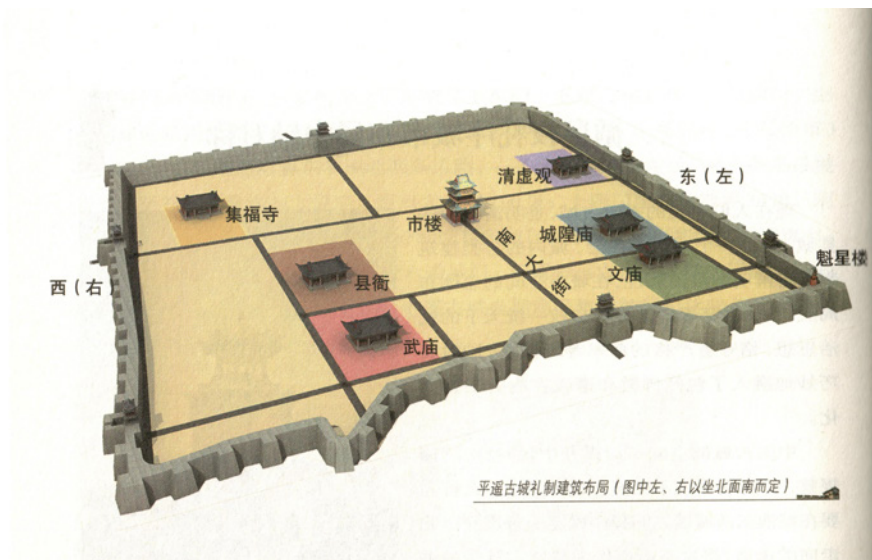


Figure 5.14: Traditional city arrangement of Pingyao
 (Source: Cao, C. (2010). *The Ancient City of Pingyao in Illustration*. p. 22)



Figure 5.15: Pingyao City Wall. (Ho, 2019).



Figure 5.16a: Datong traditional residential areas (Source: Wang, J. (2019). *City of Datong: the formation of the “Datong model” of city construction. Fig.2-12.*)



Figure 5.16b: Datong traditional residential next to north city wall (Source: Tien, J. & Zhao, T. (2012). *Protection and restoration of the ancient city of Datong, p.343*)

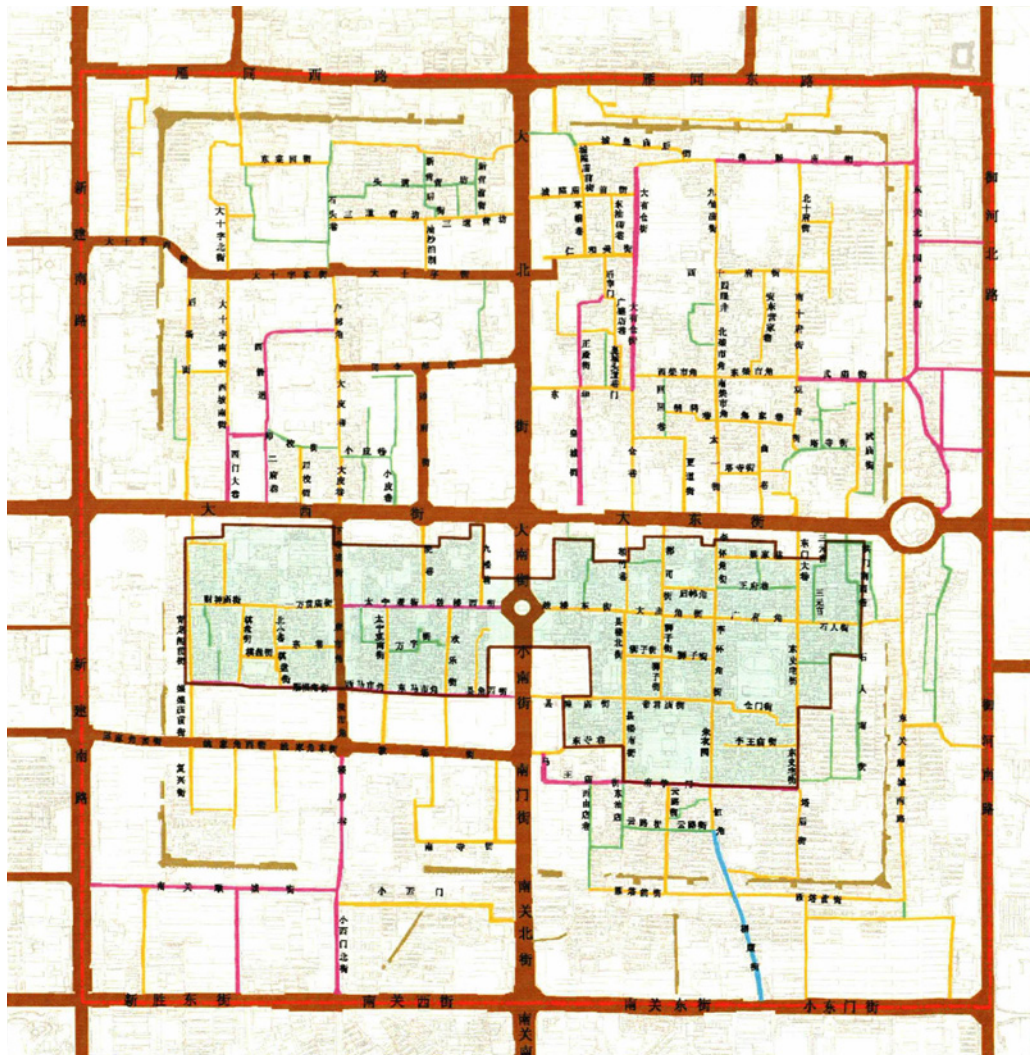


Figure 5.17: Datong City Map, 2005 (Source: Datong Institute of City Planning and Design. (2005). *Conservation Plan for Historic Districts in Datong Ancient City.*)



Figure 5.18: Datong City Wall before restoration
 (Source: Research Association for the Protection and Restoration of Datong Ancient City).



Figure 5.19: (left) West City Gate and Tower, 1937 (Source: Zhang, C. (2009). *Datong Ancient City and vernacular dwellings*. Fig.14.); (right) after restoration (Ho, 2019).

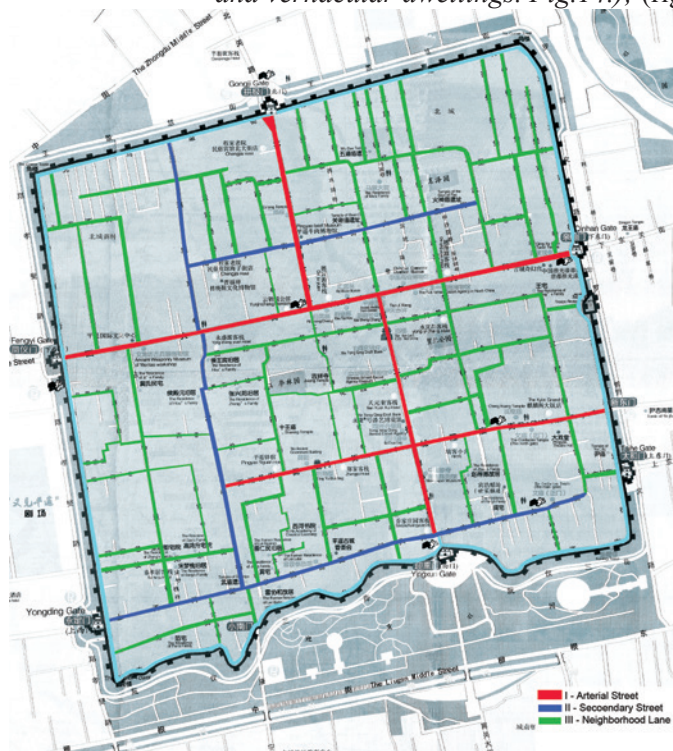


Figure 5.20a: Pingyao Street System (Ho, 2021).



Figure 5.20b: Main/Commercial Street in Pingyao. (Source: Cao, C. (2010). *The Ancient City of Pingyao in Illustration*. p.141).

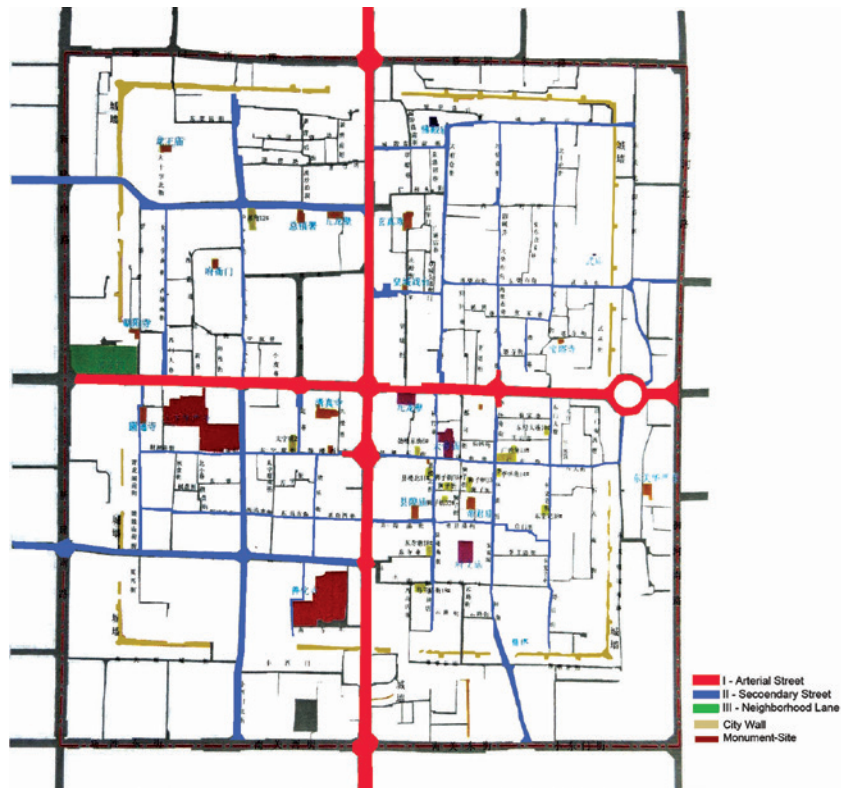


Figure 5.21: Datong Street System, 2006 (Source: Cao, C. (2006). *Research on the Strategic Planning of Protection and Development of Datong Historic-Cultural City construction*. p.78.) ; rendered by Ho).

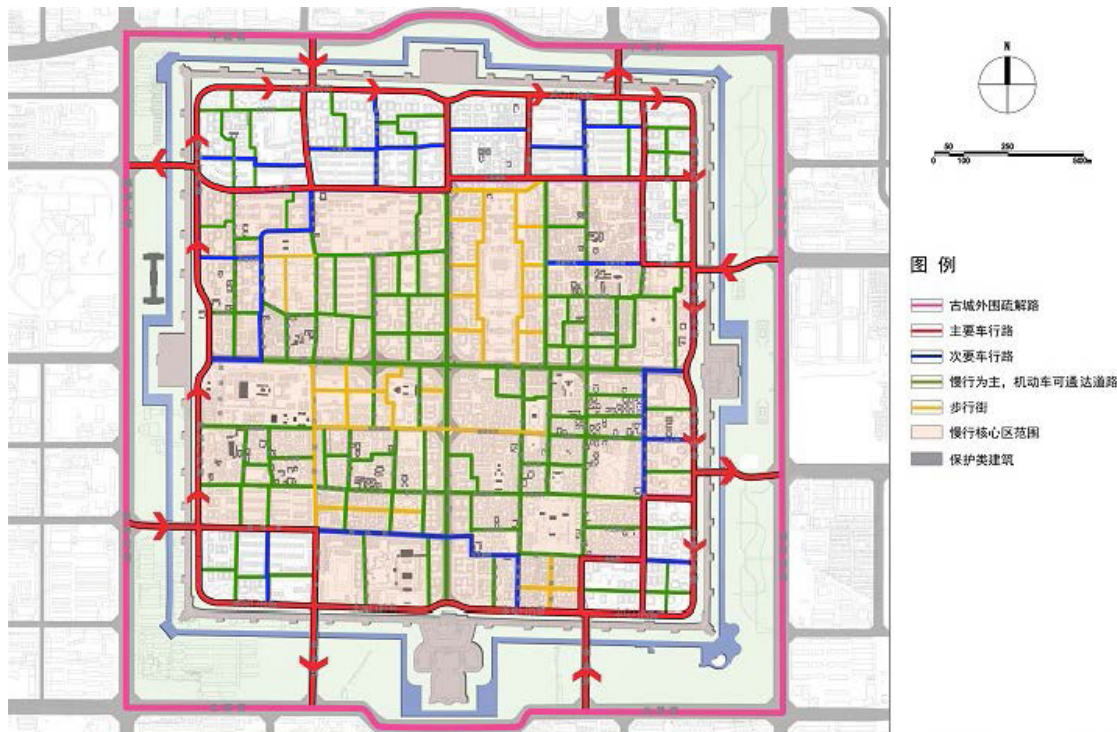


Figure 5.22: Datong street system. (Source: Datong City Urban-Rural Planning Bureau. (2016). *Datong Ancient City Regeneration and Construction Guidelines*.)

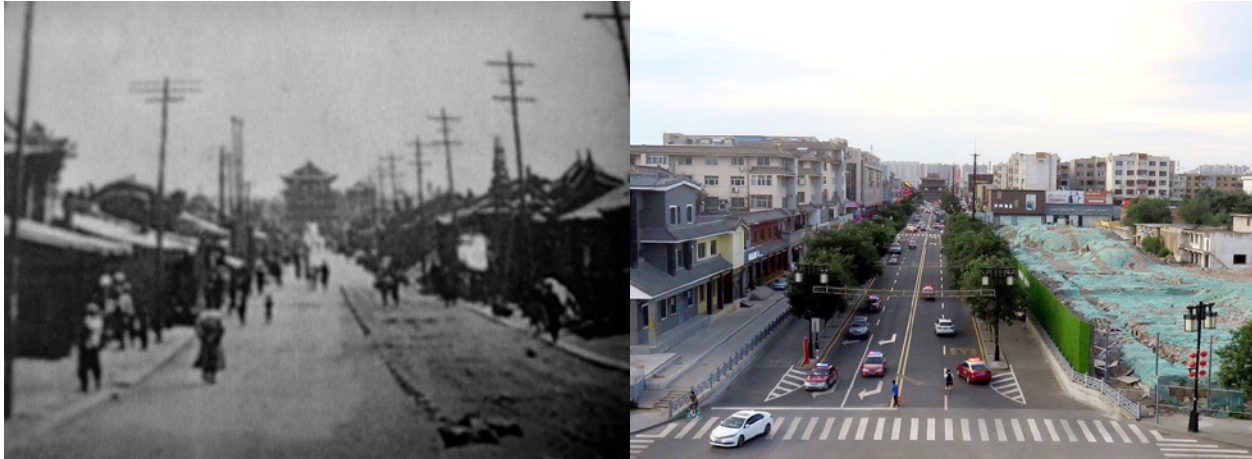


Figure 5.23a: (left) South Street, 1950s. (Source: Tien, J. (2017). *Documentation of the Streets and Lanes in Ancient City of Datong*); (right) South Street (Yontai St.) (Ho, 2019).



Figure 5.23b: (left) West Street, 1970s. (Source: Tien, J. (2017). *Documentation of the Streets and Lanes in Ancient City of Datong*); (right) Qingyuan Street (West St.) (Ho, 2019).



Figure 5.23c: (left) Gulou West Street before 2008. (Source: Tien, J. (2017). *Documentation of the Streets and Lanes in Ancient City of Datong*); (right) Gulou West Street (Ho, 2019).

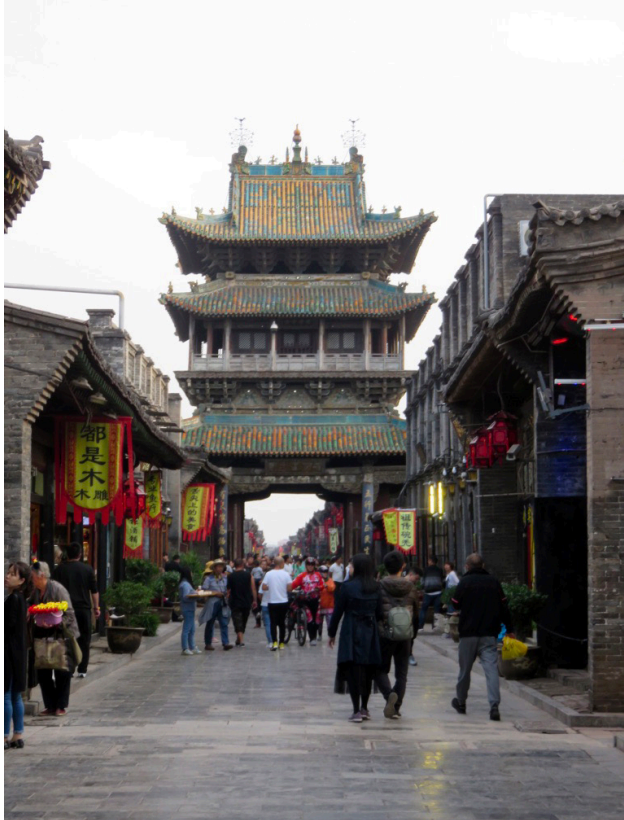


Figure 5.24a: City Tower, Pingyao (Ho, 2019).



Figure 5.24b: Qingxu Temple, Pingyao (Ho, 2018).



Figure 5.24c: Temple of City God, Pingyao (Ho, 2018).



Figure 5.24d: Temple of Confucius, Pingyao (Ho, 2019).



Figure 5.24e: Rishenchang Bank, Pingyao (Ho, 2019).



Figure 5.24f: Residence of Lei Lu-tai, Pingyao (Ho, 2019).



Figure 5.26: (left) Republican Building in South St.; (right) Residence, Zhaojuren Street, Pingyao (Ho, 2019).



Figure 5.27: (left) Socialist Period Modern theater, South St.; (right) Southeast Mentao St., Pingyao (Ho, 2019).



Figure 5.28: (left) Danwei, Second Textile Factory; (right) Danwei, Diesel Engine Plant, Pingyao (*Ho*, 2019).



Figure 5.29a: Factory, Diesel Engine Plant, Pingyao (*Ho*, 2019).



Figure 5.29b: Liqueurware factory, East Street, Pingyao (*Ho*,



Figure 5.30a: Huayan Temple, Datong (Ho, 2019).



Figure 5.30b: Guandi Temple (Ho, 2019).



Figure 5.30c: Drum Tower (Ho, 2019).



Figure 5.30d: Shanhua Temple, 2020 (http://p1.itc.cn/q_70/images03/20200915/15ac3e5a41164e4b93b69228eab67c0b.jpeg).



Figure 5.30e: Nine-Dragon Screen Wall (Ho, 2018).

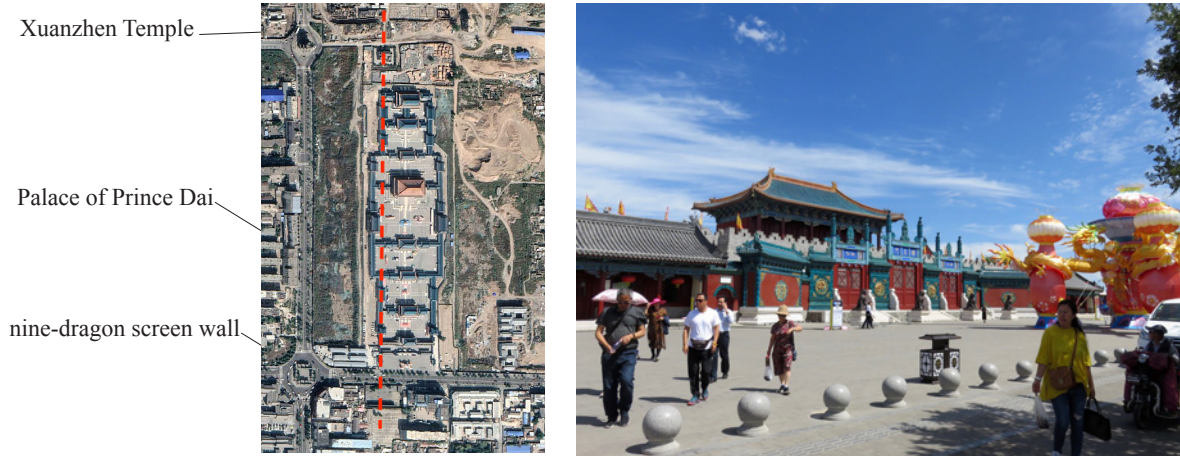
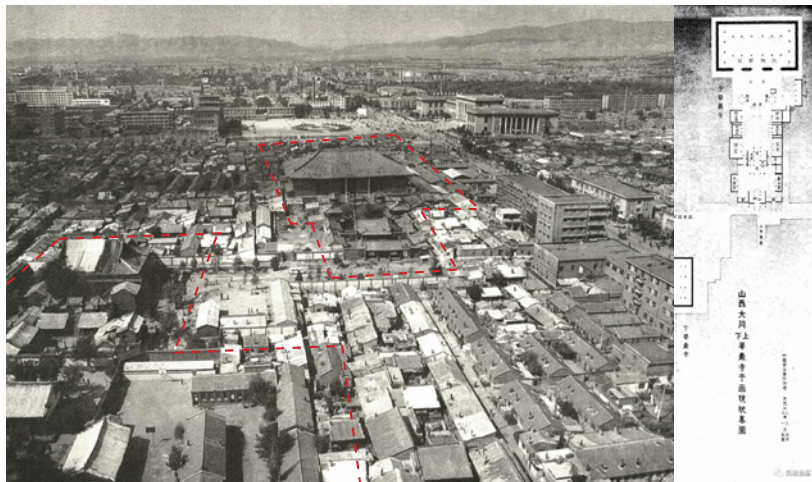


Figure 5.32a: (left) Plan with an offset axis. (Google Earth, 2020); (right) Reconstruction Palace of Prince Dai. (Ho, 2019).



(Left) Huayan Temple before 2008. (Source: Wang, J. (2019). City of Datong Fig.2-19.); (right): Society for Research in Chinese Architecture, 1933)

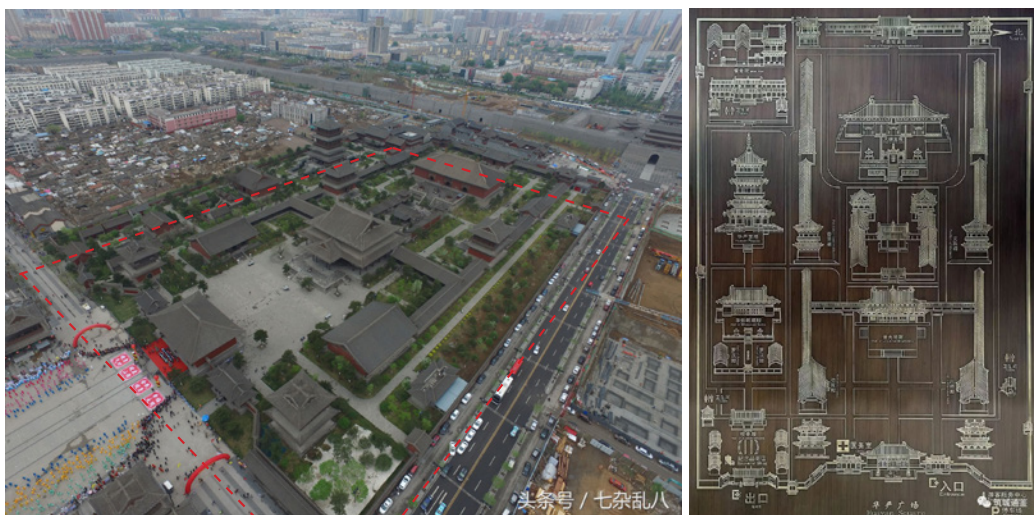


Figure 5.32b: (left) Huayan Temple, 2017. (<https://www.twoeggz.com/picture/3555637.html>); (right) site plan after renovation. (Huayan Temple signage).



Figure 5.32c: (left) Goose Tower, 2010. (Source: Research Association for the Protection and Restoration of Datong Ancient City); (right) Goose Tower (Ho, 2019).



Figure 5.32d: Imperial Stage after relocation (Ho, 2019)..



Figure 5.32e: (left) Concrete framework for reconstructing City wall. (Source: https://pic2.zhimg.com/41d7214ad6193d3cf6d4965c4f1aacbd_b.jpg); (right) Reconstruction of city wall, Datong, 2010. (Source: Sun, G. (2011). *Love in Datong*.)



Figure 5.33a: (left) Sipailou, undated. (Source: Research Association for the Protection and Restoration of Datong Ancient City); (right) Sipailou after reconstruction (Ho, 2019).



Figure 5.33b: (left) Drum Tower, 1907 (E. Chavannes) (Source: Zhang, C. (2009). *Datong Ancient City and vernacular dwellings*. Fig.4); (right) Drum Tower after restoration (Ho, 2019).



Figure 5.33c: (left) Taiping Tower, 1907 (E. Chavannes) (Source: Wang, J. (2019). *City of Datong* Fig.3-10.); (right) Taiping Tower after restoration (Ho, 2019).

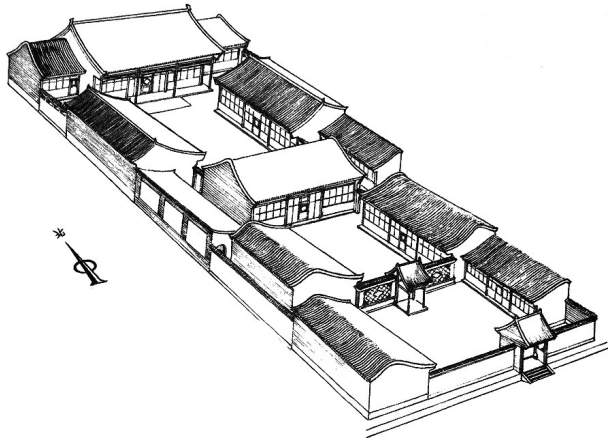


Figure 5.34a: Traditional courtyard house, Datong.
(Source: Datong Gazetteer Office, 2013).



Figure 5.34b: Courtyard house in Shizi Street, Datong (Ho, 2019).

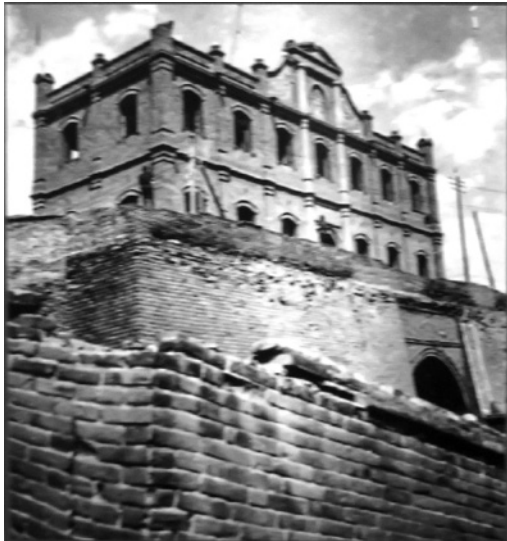


Figure 5.35a: Renovated North Gate Tower, Datong. (Source: Datong City Wall Exhibition Hall Collection).



Figure 5.35b: North St., Datong, 1930s.
(Source: Zhang, C. (2009). *Datong Ancient City and vernacular dwellings*. p.11.)



Figure 5.35c: Church, Qipan St., Datong (Ho, 2019).



Figure 5.35d: Remaining gate of a church, Guangfujiao, Datong (Ho, 2019).



Figure 5.36a: Modern residential buildings, SW quadrant (Ho, 2019).



Figure 5.36b: Modern commercial buildings, Jiaochang St., Datong (Ho, 2019).



Figure 5.36c: Modern residential buildings, Dashizi St., Datong (Ho, 2019).



Figure 5.36d: Modern commercial buildings, South St., Datong (Ho, 2019).



Figure 5.37a: Qingyuan St., Datong (Ho, 2019).



Figure 5.37b: Gulou West St., Datong (Ho, 2019).



Figure 5.37c: Pseudo-classic Buildings, Qingyuan St. (West St), Datong (Ho, 2019).



City Profile	Pingyao	Datong
		
Location	Pingyao County, Shanxi Province (Middle)	Datong City, Shanxi Province (North)
Coordinate	112°12' ~ 112°31' E, 37°12' ~ 37°21' N	112°34' ~ 114°33' E, 39°03' ~ 40°44' N
Inscription Status	National Historic-Cultural City (1986) World Heritage List (1997)	National Historic-Cultural City (1982)
City Identity	19th Century financial center	Northern Military Post; Capital of the Northern Wei dynasty (386-534), the Liao dynasty (915-1125), the Jin dynasty (1115-1234); Capital of Coal (in the PRC era).
City History	approx. 2500 years (the Western Zhou dynasty, 827-782 BCE)	approx. 2800 years (the Warring States Period, 476-221 BCE)
Geography	southwest of the Taiyuan Basin; Slope from southeast to northwest; with an average altitude is 1,349m.	center of Datong Basin; surrounded by mountains on three sides; slope from northwest to southeast, with an average altitude about 1,000m.
Rivers	Zhongdu River (Now Liugen River) at south; Huiji River at east	Yu River at east, Shili River at southwest

Figure 5.38: Comparison of city background (Ho, 2021).



City Wall	Pingyao	Datong
		
Date of Construction	the 3rd year of Hongwu in Ming Dynasty (1370)	the 5th year of Hongwu in Ming Dynasty (1372)
Walled Area	2.25 km ²	3.28 km ²
Perimeter	6.2 km (6,163 meters) = 20,341 feet	7.2 km (7207.7 meters) = 23,622 feet
Side Length	approx. 1.5 km (4,921') each side; south is curvy and longer;	approx. 1.8 km (5,906') each side;
Wall Height	6-10 m (20'-33')	14 m (46')
Thickness	8-12 m (26'-39') at base, 3-5 m (10'-16') on top	12-18 m (39'-59')
Moat	3.3 m wide, surrounding 4 sides	surrounding 4 sides
City Gates	7 gates (2 gates at east, west, and south walls) & 4 towers	4 double-gates (1 gate at each side) & 4 towers
watchtowers	72	54
crenels	3000	580

Figure 5.39: Comparisons of city walls and city outlines (Ho, 2021).


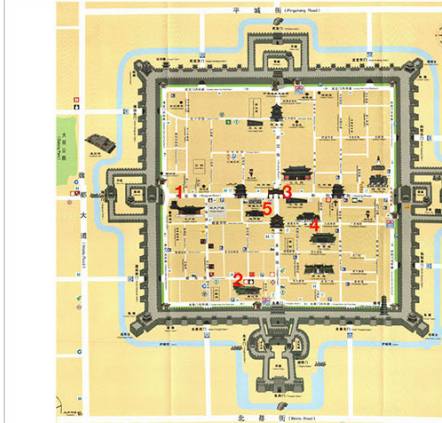
City Layout	Pingyao	Datong
		
Center of City	City Tower (Shilou 市楼)	Four Archways (Sipailao 四牌楼)
Plan Principle	typical ritual norms, cosmic principles, and fengshui	variant of Chinese ritual rules
government	government to the front, market at the back	palace at north, market at south city
civil & martial	civil on the left, martial on the right	follow
Religious	Taoism on the left, Buddhism on the right	follow
Monuments	7 National-level ; 6 Provincial-level; 2 Municipal-level; 21 County-level.	4 National-level; 4 Provincial-level; 17 Municipal-County-level.
National Monument-sites	1.City wall; 2.Dacheng Hall of the Confucius Temple; 3.City Tower; 4.Qingxu Temple; 5.Temple of City God; 6.Residence of Leilutai; 7.Rishengchang Draft Bank.	1.Huayan Temple; 2.Shanhua Temple; 3.Nine-dragon Screen wall; 4.Main Hall of Temple of Guandi; 5.Drum Tower.

Figure 5.40: Comparison of city layout (Ho, 2021).


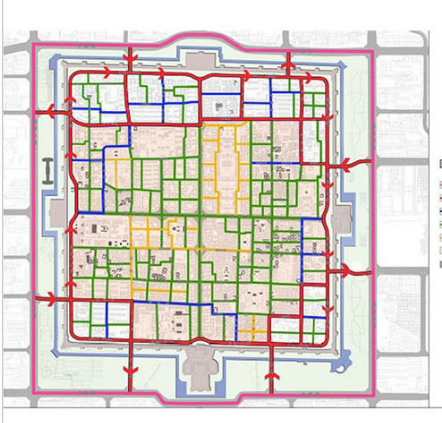
Street System	Pingyao	Datong
		
Main Streets	“干 shape” (5 main streets)	“Cross-shape” (4 main streets)
Main Streets	South Street; West Street; East Street; Chenghuangmiao Street; Government Street.	South Street (yontai jie); West Street (qingyuan jie); East Street (heyang jie); North Street (wuding jie)
Road System	mixed grid system (square-grid and quasi-rectilinear)	3x3 grid system in each quadrant
Street System	199 existing streets and lanes	208 existing streets and lanes
Street Hierarchy	Level I (Main Street): 5m Level II (Secondary Street): 3m Level III (Neighborhood Lane): 1m	Level I (Main Street): 12-36 m Level II (Secondary Street): 6-12m Level III (Neighborhood Lane): 3-6m Level IV (Neighborhood alley): <3m
Changes	less than 20 streets	more than 50%

Figure 5.41: Comparison of street system (Ho, 2021).



Figure 5.42a: Level I Street in Datong -Yontai Street, 36 meters wide (Ho, 2019).



Figure 5.42b: (left) Widest street in Pingyao -- West St. (approx. 9.5 meters wide); (right) Level II Street in Datong--Big Cross St., Datong. 24 meters wide (Ho, 2019).



Figure 5.42c: (left) Arterial road in Pingyao-South St.(approx. 6-meter wide); (right) Level III Street in Datong- Xianlou S. St., Datong. 7.5 meters wide (Ho, 2019).



Figure 5.42d: (left) Residential lane in Pingyao-Zhongbijingbao (approx. 4-meter wide); (right) Level IV Street in Datong-Shizi St., Datong. 4.5~6 meter wide (Ho, 2019).



Figure 5.43a: City Tower, Pingyao (Ho, 2019).



Figure 5.43b: Drum Tower, Datong (Ho, 2019).



Figure 5.43c: Archway at Temple of Warfare, Pingyao (Ho, 2019).



Figure 5.43d: Four Archways, Datong (Ho, 2019).



Figure 5.43e: Yinge Lane Archway, Pingyao (Ho, 2019).



Figure 5.43f: Gulou W. St. Archway, south square of Chunyang Temple, Datong (Ho, 2019).



Building Form	Pingyao	Datong
		
Monuments	7 National-level ; 6 Provincial-level; 2 Municipal-level; 21 County-level.	5 National-level; 10 Provincial-level; 10 Municipal-County-level.
Courtyards	3,797 existing shops and traditional dwellings (dated 1840-1911), 387 are well-preserved.	clustered in the SE quadrant, most are in bad condition. existing 1,519 traditional courtyards, 311 were intact.
Republican	North Section of South Street; some at East Street, West Street, Yamen Street, and Chenghuanmiao Street; Ma's Mansion in Ma's Lane; two-story house in the Zhaojuren	only several survivors: an office building of Datong Christian Committee, and some residential gates.
Socialist	(danwei) at northwest corner; south of Bijingbao; (factory) at the southern side of East Street.	mostly disappeared, only several danwei buildings in the NW and SW quadrants.
Modern Buildings	outside the walled area	commercial buildings along the 4 main streets; six-story residential towers at the NW and SW corners of the city.
pseudo-classic	only several examples	replacing most demolished courtyards in NE, SW quadrants, around Huayan Square and along reconstructed historic streets (Gulou East and West Streets, Xianlou South and North Streets, Dusi Street); many are under construction

Figure 5.44: Comparison on Building Forms (Ho, 2021).

Chapter 6. CONCLUSION: FUSION OF HORIZONS

6.1 SUMMARY OF THE STUDY

As “values” vary by culture, time, and people, misunderstanding amid international conversation literally makes the localization of the World Heritage Convention a cultural battleground. The inscription of historic sites on the World Heritage List fulfills China’s eagerness for international recognition and national identity while imposing international standards to accommodate the authorized cultural heritage system to China. Nevertheless, China’s controversial conservation practices and chaotic activities in reconstructing historic cities perplex most professionals and scholars.

To support effective cross-cultural conversations between China and UNESCO, this study has sought to understand the stance of China toward its cultural heritage. What exactly are the values underpinning the conservation movement in China? Can these values be identified and described? Interpretation of the texts (legal documents) and morphological analysis of the objects (historic cities) have been used in this research to examine the intangible meaning of values (signified) and tangible vessels of values (signifier) of China’s cultural heritage conservation. A two-case case study has been applied to present a comparative analysis between a World Heritage City and a non-World Heritage City to distinguish whether the outcomes of conservation projects diverge affected by the different criteria. Applying the hermeneutic methodology, the seeking of values has gone through four steps: (1) pre-assumptions – an impression of China’s inconsistent conservation practice and its miscellaneous violations on international paradigm; (2) understanding – a review and clarification of the origins and the existing mechanism of urban conservation both in China and internationally; (3) interpretation – an investigation of the values with historic-consciousness through the texts and the objects (in this case two heritage cities); (4)

fusion of horizons – make a critical justification of the pre-assumptions to accomplish a true definition of the values.

In this chapter, the two major empirical findings from the textual interpretation and the morphological analysis are summarized; and the theoretical and policy implications of the study are discussed as well. In the end, there is a restatement of the major limitations of this research, an explanation of how this research contributes to the current literature, and a conclusion with possible future research directions.

6.1.1 *Interpretive Values through the Texts*

Legislative documents of heritage conservation are official statements of values, which define what is valued and how these values should be preserved. Interpretation of the legal documents allowed extraction of the values of those in authority regarding heritage conservation. In total, twenty major pieces of legislation closely related to urban conservation containing three orientations (city planning, cultural heritage protection, and historic city conservation) on four administrative levels (national, provincial, municipal to county levels), have been used for interpretation and comparison (see Table 4.1).

I. Why, what, and how do government protect urban heritage

1. Why the Government Preserves?

Officially speaking, “inherit and protect China's outstanding historic-cultural heritage” is the goal. In fact, urban conservation in China is more shaped by regional economic-social development. It is evident from the wording and the chapters guiding “reasonable utilization” of urban heritage in the Regulations on HCCTV, as well as from multiple interviews with local conservation experts

and officials. China says: we protect what we can use. They are protected because they can be utilized. (Ho, Personal Interview with Mr. An, Aug. 7, 2019)

2. What does the Government Preserve?

In China, the three key values (historical, artistic, and scientific values) are the universal criteria for selecting Monument-Sites and the nomination of National HCCTVs, while cultural values and social values are unattended. “Authenticity and integrity” are incorporated into the statement of urban conservation plan referring to “maintain and continue traditional layouts and historical townscape” in the context of urban conservation.

Apart from intangible heritage, the existing categories of tangible immovable cultural heritage under governmental protection in China are Historic-Cultural Cities, Historic Districts, Monument-Sites, Historic Architecture (registered), and traditional buildings (listed). As defined by the Regulations, qualified Historic-Cultural Cities or Historic Districts contain (1) abundant cultural relics, (2) clustered historic architecture, (3) well-maintained traditional layouts and historic townscape, and (4) historical, artistic, or scientific values.

Through coding of the twenty selected legal documents, the most mentioned six physical elements of urban heritage in order are (1) historic townscape, (2) traditional layout, (3) historic-cultural heritage, (4) traditional courtyard houses (residence), (5) traditional street network, and (6) representative architecture. These featured elements in the three-layer system of Historic-Cultural Cities are the focus of what is to be preserved (see Figure 4.2).

3. How does the Government Preserve?

Conservation guidelines, encouraging policies, and penalties against violations provided by the laws and regulations are the major tools to safeguard the urban heritage in China. According to statistics from analyzing the texts of the twenty pieces of legislation, the followings are the ten

major principles (or keywords) for urban conservation in order of frequency: economic-social development, scientific planning, reasonable utilization, protect by classifications, in harmony with historical townscape, “do not change the original state,” develop the new areas and protect the old city, integrative conservation, maintain the “Four Originals,” and “protect in-situ.” Although the quantitative result cannot be directly translated into “values,” it somehow reveals the mindset and the most regarded agendas in governmental statements.

With the first top three terms, a theory of urban conservation in current China has emerged as *“highly concerned with economic-social development, applying scientific planning to achieve reasonable utilization.”* The following terms are the most prevailing guidelines for heritage conservation: “Protect by Classification” is to categorize heritage according to their values and adopt appropriate measures. “In Harmony with historical townscape” is used as a universal standard for all constructions and the justification of the rectification within a historic area. “Do Not Change the Original State,” originated from the Law on Cultural Relics, is the primitive principle that mandates to “keep integrity and safety of the existing buildings; do not damage, demolish, alter, or expand” for Monument-Site. “Integrative Conservation” requires protecting historic-cultural cities, towns, or villages as a holistic entity. “Four Originals” is to maintain the original height, volume, exterior form, and colors, and to adopt traditional processes, traditional crafts, traditional practices, and traditional materials. “Protect In-Situ” is to preserve immovable cultural heritage in their original locations. With the theory and these principles, a contemporary Chinese model is substantially established for urban conservation.

II. Disparities between Administrative Hierarchies (Synchronic Comparison)

Through three groups of synchronic comparisons, the discrepancies of key values in the ordinances between different administrative levels were uncovered. With different statuses and functions, the regulations stipulated by the local governments display their strength in practical operation and utilization of urban conservation.

1. National laws vs. Provincial level law

Compare with national laws, the provincial-level laws carry out the duties of implementation and transferred national principles into specific and operational guidelines and administrative procedures to meet local conditions and needs. Strong utilitarian and the local priorities reflected in the extensive instructions on the utilization of urban heritage, integrated conservation and development of historic cities are unseen in the national-level laws.

2. Local regulations vs. Upper-level laws

Under the jurisdiction of Shanxi province, the local laws of the two cities are consistent with their national and provincial ordinance in terms of the principles and goals of urban conservation, conservation planning and classification system, administrative procedures, restrictions, and corresponding measures. Scientific planning, integrated conservation, and rational utilization are common guidelines to maintain historical authenticity, landscape integrity, and cultural continuity. Diverging from the conventional State law, the Regulations of Province and Datong reveal a stronger motivation in utilizing urban heritage through stipulating multiple programs and ideas in the ordinance. Further, the Datong Regulation presents a strong intention in creating a townscape in accordance with its “historic city style.” Following the Provincial Regulation, the Pingyao Regulation is noticeable by proposing innovative supporting measures and its effort to establish a conservation management system to promote cultural industries for urban conservation.

3. Regulations on HCCTVs between Datong and Pingyao

Although Pingyao is a county-level settlement, it keeps up with international standards as a significant World Heritage Site. Datong tries to create a “livable, business-friendly, and tourist-friendly” Historic-Cultural City. Departure from different identities and goals, Pingyao aims to “conserve” through promoting cultural continuity; Datong aims to “conserve with utilization” through using available cultural resources for urban development. Both Regulations adopted international paradigms with Chinese conservation theories as guidelines for urban conservation, including the principles of “authenticity and integrity,” “do not change the original condition,” the “four originals,” community engagement, and so on. However, compared with the top-down model in the Datong Regulation, the Pingyao Regulation applies a relatively democratic approach that manages urban heritage by coordination through a holistic conservation agency, and considers a wide range of unnoticed heritage types.

III. Values toward urban conservation change over time (Diachronic Comparison)

Amendments to the Regulations made for the two cities indicate certain values had changed over time. Through the diachronic comparison, these changing values are unfolded as followings:

1. New Concepts, New Approaches: Corresponding to international movements, new concepts, new approaches, were incorporated into the legislation of urban conservation, such as “authenticity and integrity” in the 2008 Regulations on HCCTV; “scientific planning,” “integrated conservation,” “public participation,” and sustainable development.

2. New Mechanism, New Agency, and New Policies: Applying the city management approach, which is different than the old top-down fashion, the 2018 Pingyao Regulation established a new agency with an inter-departmental cooperation mechanism to deal with its urban conservation agendas.

3. Changes of Scope, Contents, and Protection Systems: New Regulations of both cities applied a new system of three protection zones (Core Conservation Zone, Construction Control Zone, and Surrounding Coordination Zone) to replace the previous three-grade system (I, II, III) for classification of urban conservation. With evaluation criteria, former ambiguous outlines were able to be clarified with clear boundaries; and key elements were able to be itemized for protection.

4. Update or Refine Obsolete Measures: As the socio-economic condition moved into an open economic era, the outdated regulations concerning environmental health and public sanitary are replaced by advanced planning measures, such as clean energy and traffic control, and alike.

5. All-encompassing Conservation Utilization: Following the prosperous cultural activities these years, utilization of cultural resources in historic cities was expanding from tourism to all-encompassing business operations, especially to cultural creative industries.

6. Restructured or Expanding Legal Liabilities: Legal liabilities in the two Conservation Regulations were substantially modified for complying with the newly promulgated conservation laws, adding new penalties to prevent emerging city problems for better urban conservation. Articles against administrative misconduct by public officials that appeared in the new Conservation Regulation indicate a growing civil power and rising awareness of heritage protection.

6.1.2 *Morphological Analysis of the Objects*

Morphological analysis of the two historic cities is a way to validate the transmission of the values from the governmental statements to the outcomes of implementation. The morphological analysis in Chapter 5 reviewed the five elements under three substantial “form complexes” of the urban form – townscape, city layout (traditional layout and street system), and building form (including Monument-Sites and traditional courtyard houses).

In general, both city layouts followed the ritual norms from the Chinese traditional model. With authenticity and integrity in its intact city layout from the 14th to 20th century, Pingyao keeps the historical value, scientific value, artistic value, and cultural values in its city layout. On contrary, the city layout of Datong has lost its “authenticity and integrity.” Its historical and scientific values have been disregarded as the historical scale of its street system has been expanded, the sizes of historic sites have been modified, enlarged, or merged, and the monuments and their relationship with the city have been reconstructed.

“Authenticity and integrity” of the street system in Pingyao are reflected through its “干” shape main street system, mixed grid system, the traditional “T-shaped” streets, featured cul-de-sac, and the historical scale. However, the tourist orientation management measures show a strong impact of economic value here. The street system of Datong had been substantially modified (more than 50%) since the 1980s in terms of historical scale and the relationship between the street and the street landmark buildings. Widened arterial roads (24-36 meters) and newly installed roundabouts at street landmarks had totally deprived the historic, artistic, and scientific values of Datong's street system.

The building forms of the two cities constituted entirely distinct townscapes of Datong and Pingyao: Datong is dominated by the massive modern buildings and their flat roofs; Pingyao is covered by pitched roofs of the traditional courtyard houses. Pingyao illustrates historic, scientific, artistic, and cultural values through its four architectural styles from the imperial to the socialist period that represent a linear development in the organic urban evolution. Datong's building form is a mixture of the earliest style with the late modern styles. The voids from the Republican era to the Reform period in the architectural inventory of Datong were brought by the modernization and urban regeneration projects since the 1980s. Furthermore, for pursuing economic value, use value,

newness value, and mixing with a complex of nostalgia and Nationalism, the 2008 Program aggravated the damage to its surviving urban form.

6.2 FUSION OF HORIZONS: THE CHINESE MODEL

To answer the questions of what are the contemporary values of urban heritage in China, the long journey of hermeneutic interpretation has gone through the processes of presumption, understanding, interpretation, and comes to the final stage of “fusion of horizons.” Through synchronic and diachronic comparisons between the texts and the objects, a new comprehension regarding the values in urban conservation has emerged. Obviously, dual tracks exist in urban conservation in contemporary China: (1) closely following international and national guidelines or (2) interpreting and localizing them. Tracing the changing values of the two case study sites, gaps are evident between UNESCO and China, between the top-down central leadership and an arbitrary local administration, between the governmental policies and local practice. Tugging between internationalization and localization, a new Chinese model of urban conservation is gradually taking shape through the process of cultural integration. What determines the extent and degree of conservation is the relative assessment of different values, a kind of “social calculus” that evaluates both principles and utilities, material and symbolic dimensions of urban culture (Chung, 2009).

I. Chinese Model: Interwoven Values in Urban Conservation Policy

Apart from controversial urban reconstruction practices, it is evident that international concepts of urban heritage conservation have been penetrating China’s official statements and merging with Chinese orthodox planning thoughts. “Authenticity and integrity” became the criteria for protecting Historic-Cultural Cities since they were adopted in the Regulation on HCCTVs (2008).

Before that, the two words were merged with Liang Si-cheng's conservation theory and transformed into two principles. The first principle, "do not change the original status" in the Law on Protection of Cultural Relics (1982) was derived from Liang's "repair the old as the old (xiujiu ruijiu 修旧如旧)." The second principle "four originals," which requires using traditional forms, processes, craftsmanship, and materials during restoration, was advocated by Luo Zhi-wen (Liang's student). As a result, the two principles were written into the *China Principles (2002)* and the Conservation Regulations of the two cities as guidelines and technical specifications for repair and renovation. The dual-core planning mode to develop the new areas and protect the old city is also the planning scheme of the "Liang Chen Proposal (1950)" that was designed for Beijing by Liang Si-cheng and Chen Zhan-xiang. Moreover, President Xi's latest instructions on heritage conservation were also transferred to Datong's legal document, which encourages subtle, gradual, and meticulous renovation against the rampant demolition and mass-constructions nowadays. This methodology for treatment also aligns with the international paradigm.

In addition to conservation theories, popular city planning approaches were also copied into the ordinance of urban conservation in China. Originating from the West, these methods include "integrative conservation" that incorporates conservation planning into the comprehensive planning package, keeping locals living in old cities for long-term development (sustainability), "public participation" as a mandatory procedure during planning, promoting traffic control, slow traffic, and "walkable city" in historic districts (New Urbanism). "Protect in-situ," usually referring to conserving an archaeological asset in its original location, is stipulated in the Law of Cultural Relics (1982) and transplanted to the protection of cultural relics within historic cities.

II. Chinese Model: Unspoken Values in Practice

In the current urban conservation practice, disparate interpretations of the policies by local governments reveal disconnections in values between the locals and the central government. To the central government, the preservation of traditional culture is an immediate task for its high cultural capital and its enhancement of national unity and international identity (Sofield & Li, 1998). To the locals, the potential of tourism development in heritage conservation can bring economic enhancement to their community (S.Y. Wang, 2008b). Principles in the international charters are only for reference as the Chinese urban conservation system is under the administration of its local governments and is mainly controlled by the Conservation Regulation of HCCTVs (Ho, personal interviews with officials, 2019).

Even though Pingyao offers the world an outstanding example of a Chinese ancient city and largely keeps up with international standards, the urban conservation policy and management for Pingyao intend to freeze its history for practical applications and tourism development. Since most of the monuments have gone through numerous conversions and contentious reconstructions, the authenticity and integrity of these survivors may be debated. For tourism, all traditional monuments are well-maintained with access controlled. Some old draft banks and traditional courtyard houses have been re-interpreted to join Pingyao's "Monument club" and packaged as part of the wholesale tourist attractions. Such an operation had gutted out the significance of this cultural heritage, broken the tie with the local communities, and challenged the original purpose of urban conservation in national and international treaties (S.Y. Wang, 2011; S.Wang & Gu, 2020).

Majorly dominated by Mayor Geng, the reconstruction of Datong City is derailed from the existing legal framework as it neither preserved those valuable components nor abided by the

conservation principles instructed in the laws. Based on this research analysis, the historical townscape, traditional layout, street system, and building form in Datong have nearly disappeared. Suffering from the devastating demolition of the urban fabric, relocation of residents, modifications of Monument-Sites, and reconstruction of imagined historical styles, the 2008 mega-project has been condemned by conservation experts as “demolish the authentic to construct the fake” (Ruan Yisan and many). In particular, the controversial reconstruction of the city wall reconnected the broken rammed earth wall by fill-in concrete skeletons and covered with exterior bricks. Through interviews with local officials, lawmakers, and professionals, the rationale for applying this method was that it is reversible and protective. Also, it can improve local living conditions from dirt pollution and become an icon of the city for tourism. Far beyond the official languages, the dilemma of the mega-program exposed a complex motivation—that intends to embrace economic value, use value, newness value, social and cultural values.

Pragmatism: Economic Value, Use Value and Newness Value

Throughout the thousand-year of urban development history, the Chinese demolished and reconstructed cities periodically for reuse because the historic value was ignored when dealing with the containers of daily life. For the cities and their operators, urban heritage is a resource containing economic value and use value. Suppressing other values, the pragmatic approach to utilization (and reuse) of urban heritage actually underpins the legislation and motivates essential conservation projects in local areas. As shown in the extractions of the legal documents, the governments develop the new areas and protect the old city through scientific planning to achieve reasonable utilization of the cultural resource with high concern for economic-social development. Utilization as the purpose of urban conservation is consistent in the texts and in the practice of both cities.

“Newness value” is another unnoticed concept in the pragmatism regarding Chinese urban heritage. In Chinese ideology, old buildings are usually associated with poverty and backwardness. Since the beginning of the establishment of the P.R.C., “modernization” has been a tool to save the country from poverty and backwardness (Zhou Enlai, 1954).⁴⁰⁶ The values of the old cannot overcome the newness value when associated with improvements and modernization, since “everything new is better” (Safford, 2013). As such, the loss of historic significance in the case of Datong does not bother the general public or stop them from appreciating a new grand city wall (Ho, personal conversations with residents, 2019).

Value Complex: Social Values, Nationalism, Nostalgia, Self-Referentiality

Fu & Hillier (2017) tell the renovation stories of Datong by demonstrating its operative logic of progress, modernization, harmony, and self-referentiality. “Self-referentiality,” an intention to connect the present with the exemplary past (a form of nostalgia), explains why almost all the ancient Chinese cities are claimed to have been arranged by the principles in the Rites of Zhou, including Pingyao and Datong. Also, self-referentiality justifies the stylish restoration choice of the Ming dynasty was to fulfill the government’s needs of establishing orthodoxy and political rightness (during a period of Han domination). Combined with the dream of “the great rejuvenation of the Chinese nation” promoted by President Xi, conservation of urban heritage has initiated a platform for national and local imaginations. Although such social value mixed with self-referentiality, nostalgia, and nationalism does not match modern Western-based heritage epistemology, the local people's gratitude toward Mayor Geng and the wide diffusion of the “Datong Model” over the country have told it all.

⁴⁰⁶ The “Four Modernizations” (Industrial, agricultural, national defense, and science and technology) was proposed by the Communist Party of China as the national strategy from the 1950s to the 1960s and continued by Deng Xiaoping until the 1990s.

6.3 CONCLUDING REMARKS

I. Contributions

Discourses on the nomination of the World Heritage List, conservation development of historic urban areas, and cultural tourism are the hot topics and high concerns in Chinese heritage scholarship. But the “values” behind these phenomena have not yet been identified in the current publications. While the theoretical framework and economic approach have been the mainstream of international discussions on “values,” the perspective of policy is a more appropriate way to read the connotation of values in an authoritarian country like China. Therefore, this study has not only provided a new perspective through policy analysis but has also applied interdisciplinary themes to broaden the values discourse.

Chinese conservation practice has been controversial and caused confusion within the circle of preservation professionals. Without a true understanding of the values, it is hard to make improvements or justifications to the situation. In the literature, there are many articles that sorted out the values of international cultural heritage conservation from the contents and evolution of international documents through the past five decades. In contrast, the Chinese legal pieces of heritage conservation have neither been the subject of analysis nor have they been cross-referenced to any values discussion. This research will fill in a gap in the literature and propose a model constituted by two specific dimensions, the texts and the objects (the built environment), to examine the dynamic values of urban conservation today. In addition, the statistics method of tracing the metabolism rate of historic sites can be used as an indicator and reference for managing urban heritage with HUL application.

As mentioned above, the clarification and interpretation of the existing values in heritage conservation are the fundamental information/knowledge for further cross-cultural conversations.

Hopefully, the serviceable interpretive framework (hermeneutic) of this thesis can provide an accessible tool to describe and evaluate the values under different cultural contexts as well as to improve the mechanism of global collaboration in the future.

II. Limitations

Concerning urban conservation, physical, spatial, and social elements are the three interrelated objectives of major concerns (Orbasli, 2003). Yet, based on the expertise and specialties of this researcher and the capacity of this dissertation, the focus here concentrated on the physical and spatial urban fabric while the social dimension and intangible heritage were excluded. For the same reasons, the comparative analysis also relied on the twenty national laws without conducting a cross-cultural comparison between Chinese laws and international guidelines. Additional limitations may arise from the data itself. Since the descriptions and maps from collected local gazetteers are mostly vague, the location of monuments and street systems have been estimated without accurate dimensions. Regarding the research methodology, there are also some ambiguous zones in interpreting the texts because the words cannot be directly transferred to values. As such, this study offers a mixed methodology of qualitative and quantitative; the provided statistics do not indicate precise values but an approximate estimation to explain the phenomenon.

Externally, there were some barriers during the site surveys, including access denied at multiple Chinese institutes and governmental archives, restrictions on releasing information regarding urban schemes to outsiders, and the like. Due to China's social control and strict surveillance system, many interviewees prefer to stay anonymous and keep certain information confidential, or only provided superficial bureaucratic information. In addition, although Pingyao and Datong are considered representative of the divergence in Chinese heritage practices, they are only two cities; and examination of additional cities may lead to some changes in the analysis and

interpretation; still, it is believed that the basic findings and interpretations will not change significantly.

III. Future Research

From the evolution of UNESCO's documents over the past half-century, urban landscape protection has expanded from material-oriented urban areas to intangible heritage that encompasses traditional culture. Therefore, the understanding of urban landscape from the morphological analysis presented in this research document is one-sided and does not conform to the all-encompassing urban preservation strategy supported by international preservation today. A more inclusive research project that would allow for documentation, analysis, and interpretation that considers intangible heritage and social factors (public participation, residents' perceptions and behaviors, and so on) is necessary, especially for the sustainable development of historic cities. The interpretation of values and the localization of international paradigms in this research is an initial foundation supporting international cooperation. In the future, additional research should fill in the gaps in the process of "fusion of horizons." These topics include seeking the causes and cultural roots of the traditional values to explain the internal logic of the current situation. After accomplishing the "fusion of horizons," a comparative study should be made between the Chinese legislation and international documents on urban conservation. With the understanding and positioning of the local values, a compatible set of interpretive values shall be provided and used as a justification to create an appropriate cooperative mechanism for the evaluation and implementation of urban conservation on a global scale.

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APPENDIX A

Historic Sites of Pingyao on Maps

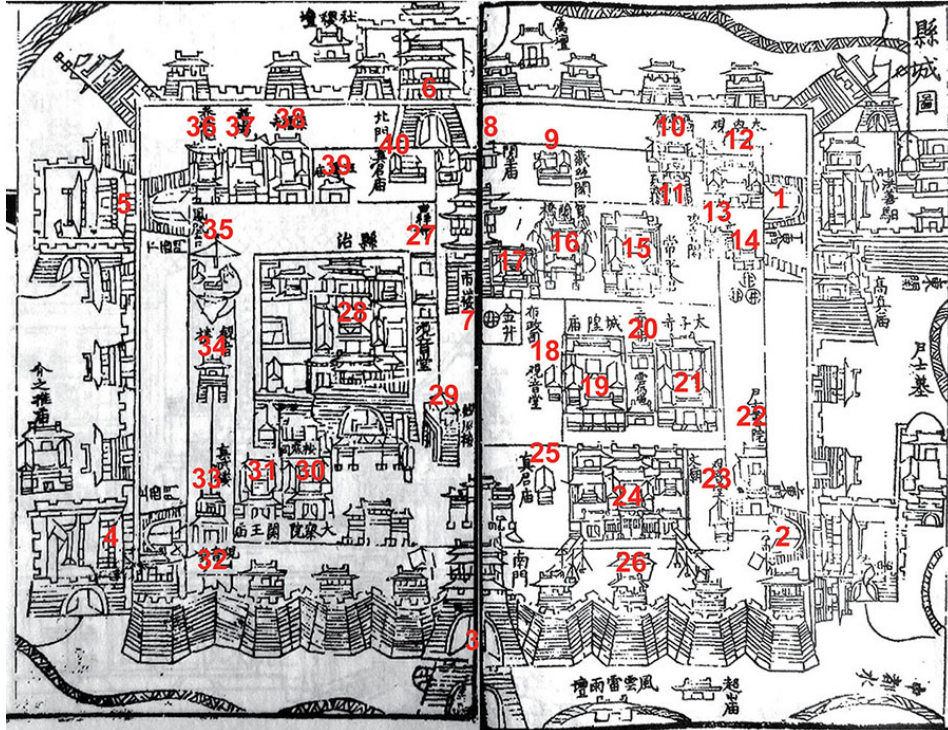


Figure A.1: Pingyao Map, 1620. (Source: Pingyao County Gazetteer, 1620)

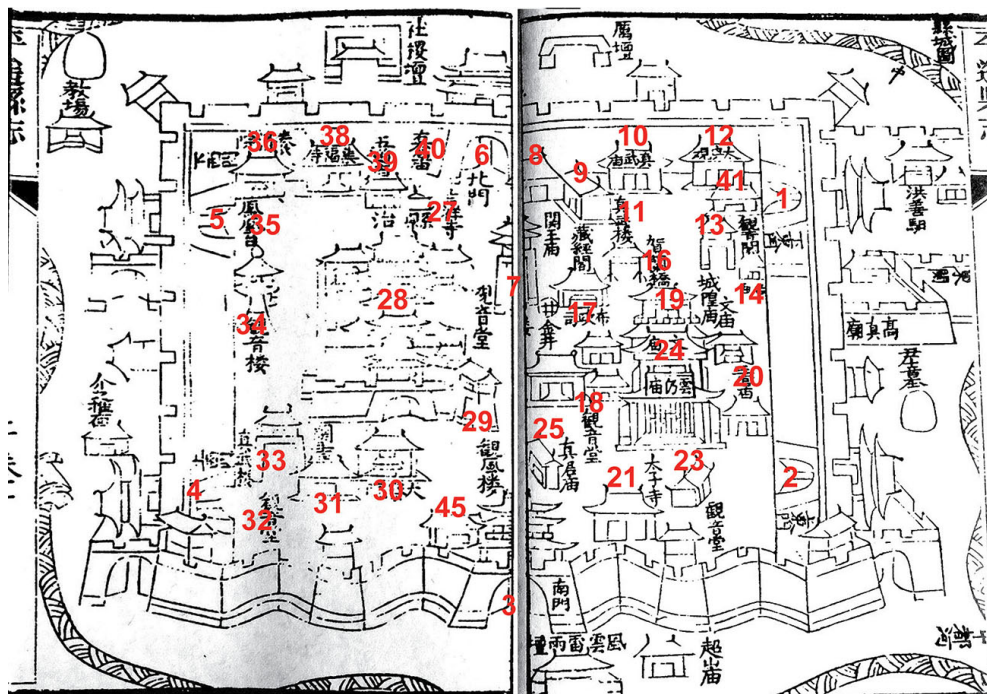


Figure A.2: Pingyao Map, 1673. (Source: Pingyao County Gazetteer, 1673)

APPENDIX A

Historic Sites of Pingyao on Maps

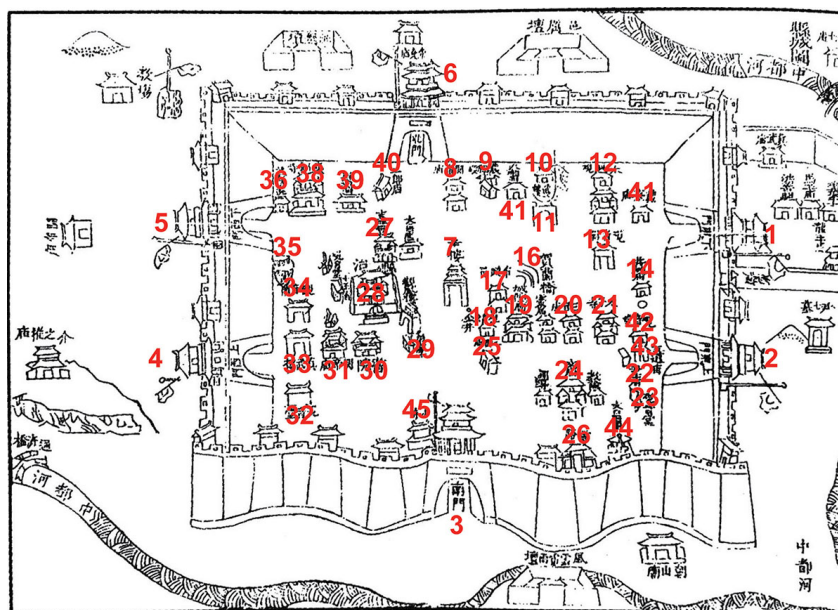


Figure A.3: Pingyao Map, 1707. (Source: Pingyao County Gazetteer, 1707)

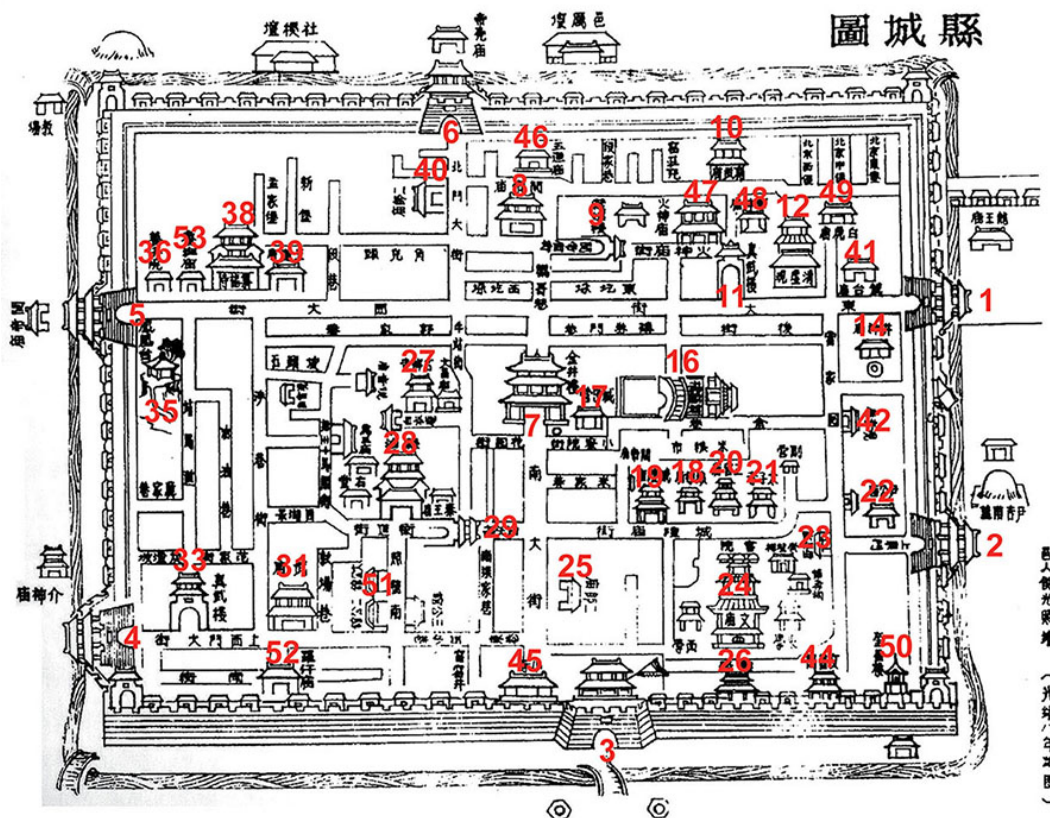


Figure A.4: Pingyao Historic Map, 1882. (Source: Pingyao County Gazetteer, 1882)

APPENDIX A

Historic Sites of Pingyao on Maps

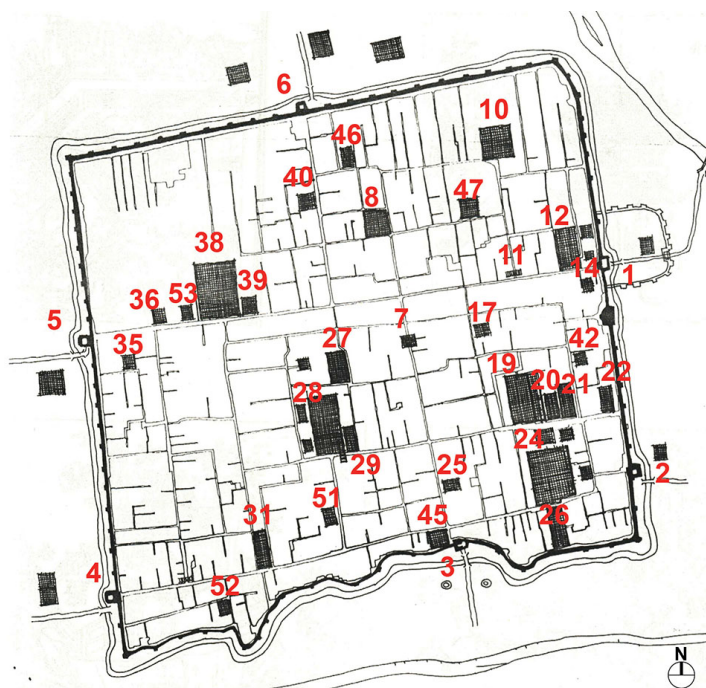


Figure A.5: Pingyao Historic Site Map, 1989. (Source: Shanxi Provincial Institute of City Planning & Design. (1989). Conservation Plan for Ancient City of Pingyao)

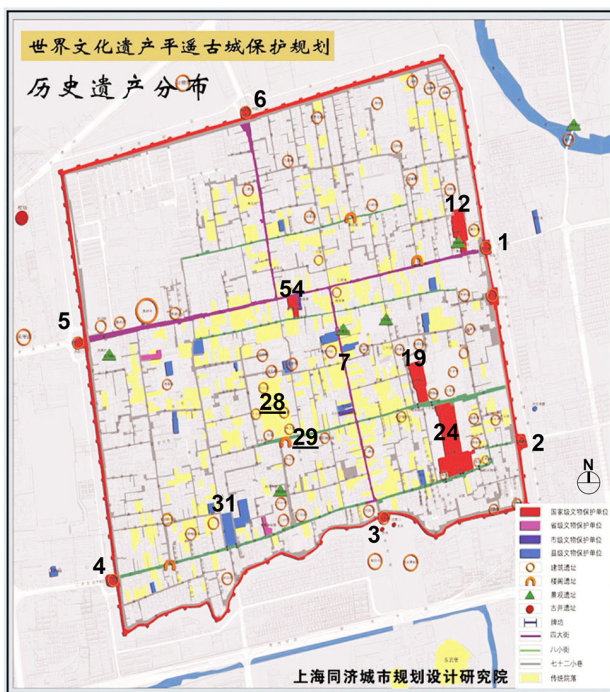


Figure A.6: Pingyao Cultural Heritage Map, 2008. (Source: Tongji University. (2008) Conservation Plan for Ancient City of Pingyao, the World Heritage.)

APPENDIX A

Historic Sites of Pingyao on Maps



Figure A.7: Pingyao Map, 2017.

(Source: Shanxi Province Measure Drawing Archive. (2017). Guide Map of Pingyao Ancient City)

APPENDIX A

Statistics of Historic Sites in Pingyao on Maps

Status	Name of Historic Sites	1620	1673	1707	1882	1989	2009	2017
National	1 – Lower East Gate (dongmen 下東門)	1	1	1	1	1	1	1
National	2 – Upper East Gate (dongmen 上東門)	1	1	1	1	1	1	1
National	3 – South Gate (nanmen 南門)	1	1	1	1	1	1	1
National	4 – Upper West Gate (ximen 上西門)	1	1	1	1	1	1	1
National	5 – Lower West Gate (ximen 下西門)	1	1	1	1	1	1	1
National	6 – North Gate (beimen 北門)	1	1	1	1	1	1	1
National	7 – City Tower (jinjingshilou 金井市樓)	1	1	1	1	1	1	1
	8 – Temple of Guan (guanwangmiao 關王廟) NE	1	1	1	1	1	0	0
	9 – Sutra Depository (cangjingge 藏經閣) Tripitaka Library	1	1	1	1	0	0	0
	10 – Zhengwu Temple (zhengwumiao 真武廟)	1	1	1	1	1	0	0
	11 – Zhengwu Pavilion (zhengwulou 真武樓)	1	1	1	1	1	0	0
National	12 – Taixing Taoist Temple (taixingguan 太興觀)	1	1	1	1	1	1	1
	13 – Guanyin Pavilion (guanyingge 觀音閣) NE	1	1	1	0	0	0	0
	14 – Temple of the Well God (jingshenmiao 井神廟)	1	1	1	1	1	0	0
	15 – Changing Granary (changing cang 常平倉)	1	0	0	0	0	0	0
	16 – Helan Bridge (helanqiao 賀蘭橋)	1	1	1	1	0	0	0
	17 – Office of Chief Secretary (buzhengsi 布政司) — City Guard	1	1	1	1	1	0	0
	18 – Hall of Guanyin (guanyintang 觀音堂) SE#1	1	1	1	1	0	0	0
National	19 – Temple of City God (chenghuangmiao 城隍廟)	1	1	1	1	1	1	1
	20 – Taoist Temple of Three Divines (sanguanmiao 三官廟)	1	1	1	1	1	0	0
	21 – Prince Temple (taizisi 太子寺)	1	1	1	1	1	0	0
Provincial	22 – Yingshi School (yingshi 尹士書院)	1	0	1	1	1	0	1
	23 – Hall of Guanyin (guanyintang 觀音堂) SE#2	1	1	1	1	0	0	0
National	24 – Confucian Temple (wenmiao 文廟)	1	1	1	1	1	1	1
	25 – Zhengjun Temple (zhengjunmiao 真君廟) NE	1	1	1	1	1	0	0
	26 – Cloud Road (yunlufang 雲路坊)	1	0	1	1	1	0	0
Provincial	27 – Jixiang Temple (jixiangsi 吉祥寺)	1	1	1	1	1	0	1
Provincial	28 – County Government Compound (xianzhi 縣治)	1	1	1	1	1	0	1
	29 – Wind Observing Pagoda (guanfenglou 觀風樓)	1	1	1	1	1	0	1
	30 – The Grand Censorate Department (dachanyuan 大察院) —	1	1	1	0	0	0	0
Provincial	31 – Temple of Guan (guanwangmiao 關王廟/guandimiao 關帝廟)	1	1	1	1	1	1	1
	32 – Hall of Guanyin (guanyintang 觀音堂) SW	1	1	1	0	0	0	0
	33 – Zhenwu Pavilion (zhengwulou 真武樓)	1	1	1	1	0	0	0
	34 – Guanyin Pavilion (guanyinlou 觀音樓/guanyingge 觀音閣) NV	1	1	1	0	0	0	0
	35 – Phoenix Pavilion (fenghuangtai 鳳凰台)	1	1	1	1	1	0	0
	36 – The Shelter (yangjiyuan 養濟院)	1	1	1	1	1	0	0
	37 – Drill Field (jiaochang 教場)	1	0	0	0	0	0	0
	38 – Jifu Temple (jifusi 集福寺)	1	1	1	1	1	0	0
	39 – Taoist Temple of Wudao General (wudaomiao 五道廟) NW	1	1	1	1	1	0	0
	40 – Zhengjun Temple (zhengjunmiao 真君廟)	1	1	1	1	1	0	1
	41 – Lutai Temple (lutaimiao 麓臺廟)		1	1	1	0	0	0
	42 – Guanyin Hall (guanyintang 觀音) SE			1	1	1	0	0
	43 – Taoist Temple of Wudao General (wudaomiao 五道廟) SE			1	0	0	0	0
	44 – Temple of the Literature God (wenchangmiao 文昌廟)			1	1	0	0	0
	45 – Small Temple (xiaosi 小寺)			1	1	1	0	0
	46 – Taoist Temple of Wudao General (wudaomiao 五道廟) NE				1	1	0	0
Provincial	47 – Temple of Fire God (huoshenmiao 火神廟)				1	1	0	1
	48 – Temple of Thunder God (leishenmiao 雷神廟)				1	0	0	0
	49 – White Tiger Temple (baihumiao 白虎廟)				1	0	0	0
National	50 – Kuixing Tower (kuixinglou 奎星樓)				1	0	0	1
	51 – Residence of Wife and second-wife (dagongguan & ergongguan 大公館&二公館)				1	1	0	0
	52 – Arhat Temple (louhanmiao 羅漢廟)				1	1	0	0
	53 – Luban Temple (lubanmiao 魯班廟)				1	1	0	0
National	54 – Sunrise Draft Bank (rishengchang 日昇昌)						1	1
	Total Sites	40	37	43	46	36	12	19
	Disappeared Sites (0)	0	4	0	5	10	25	0
	Retained Sites (1)	40	36	38	42	44	11	13
	Additional Sites	0	1	4	8	0	1	0
	Retored Sites	0	0	2	0	0	0	7

APPENDIX B

Historic Sites of Datong on Maps

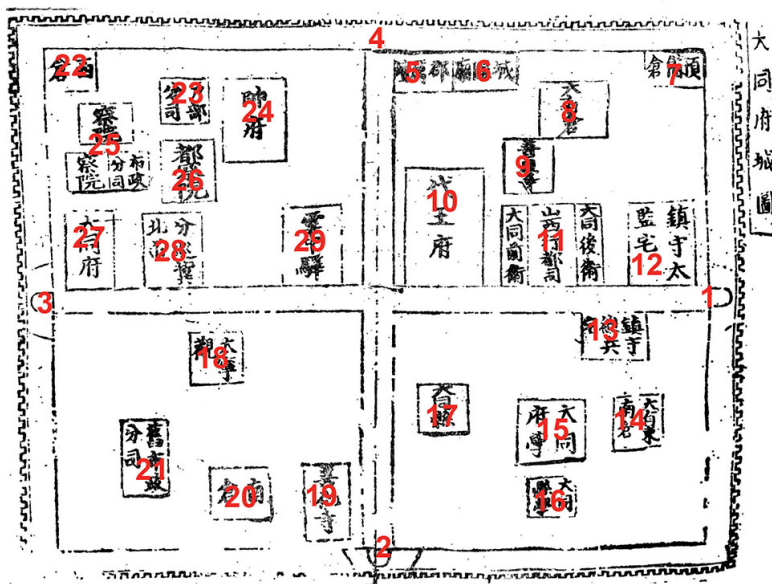


Figure B.1: Datong Map, 1515. (Source: Zhang Q. (1515). Datong Prefecture Gazetteer.)

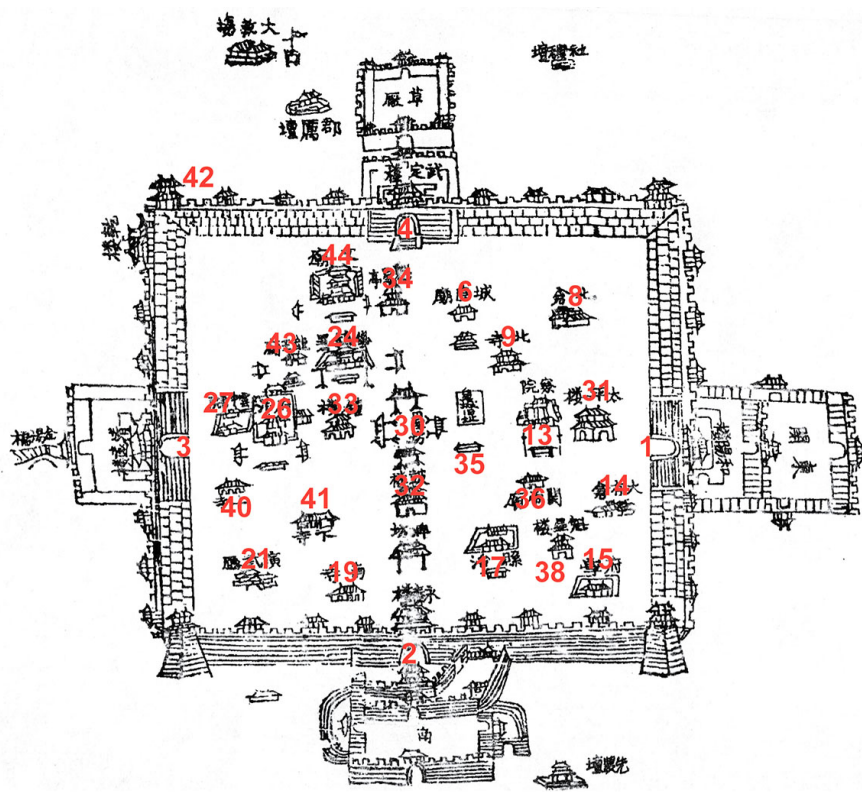


Figure B.2: Datong Map, 1776. (Source: Wu, F. (1776). Datong Prefecture Gazetteer.)

APPENDIX B

Historic Sites of Datong on Maps

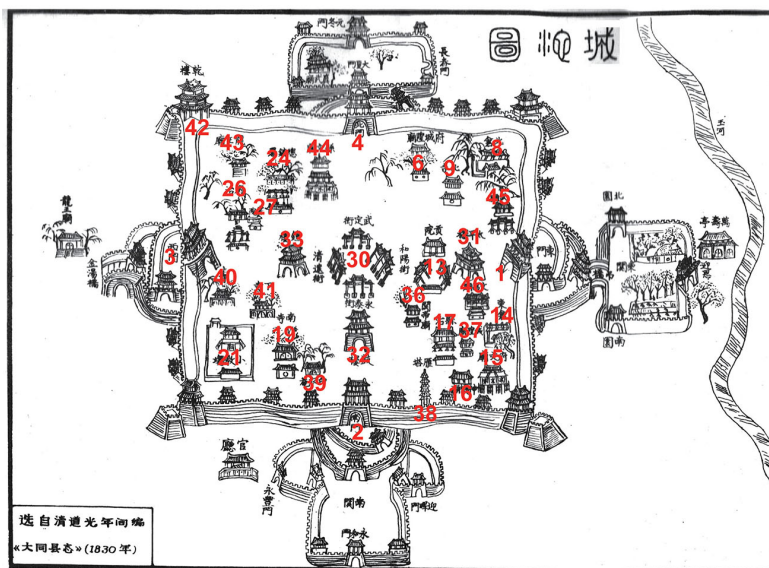


Figure B3: Datong Map, 1830. (Source: Li, Z. (1830). *Datong County Gazetteer*)

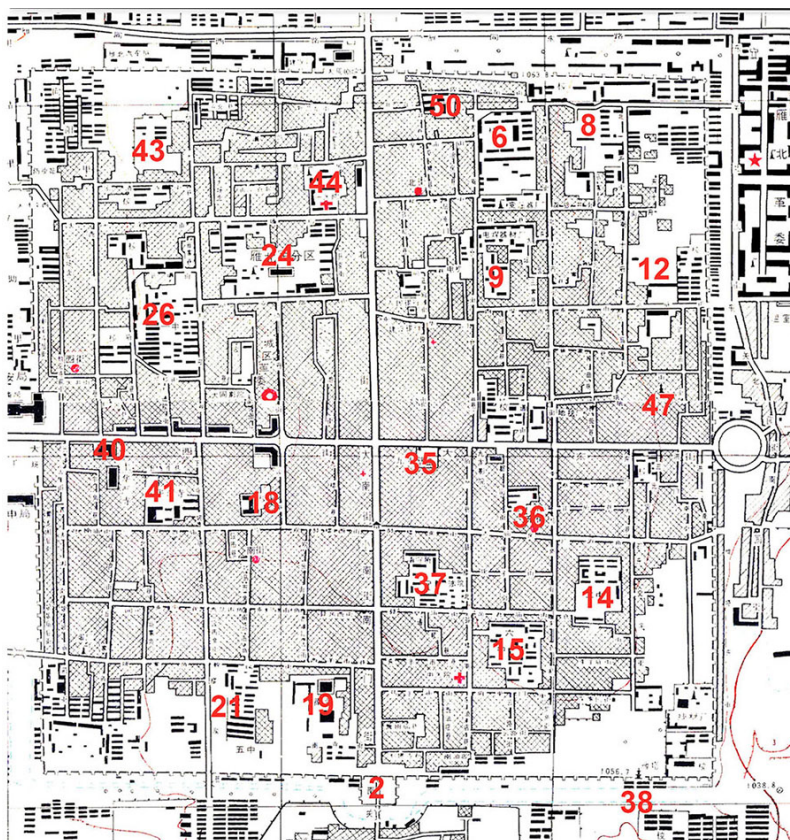


Figure B.4: Datong Maps, 1976. (Source: Datong City People's Military Headquarters. (1976). Shanxi Provincial Library Collection)

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Historic Sites of Datong on Maps

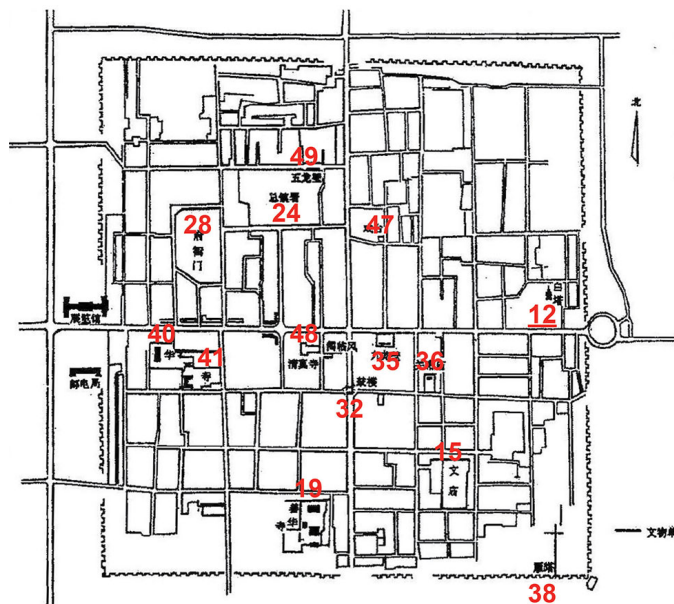


Figure B.5: Datong Conservation Plan, 1995. (Source: Ruan, Y. (1995). *Conservation and Planning for China's Historic-Cultural Cities*. Shanghai: Tongji University Press.)

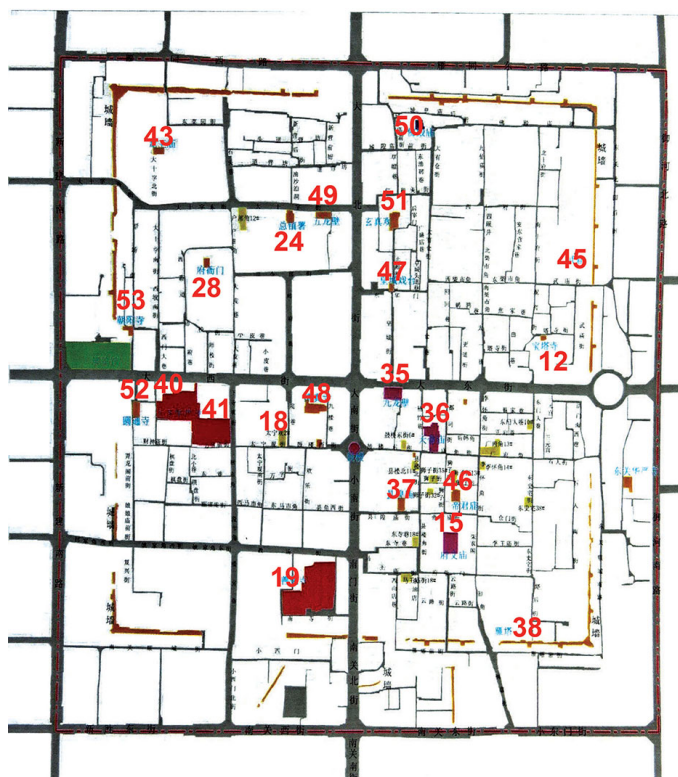


Figure B.6: Datong Maps, 2006. (Source: Cao, C. (2006). *Research on the Strategic Planning of Protection and Development of Datong Historic-Cultural City construction*. P.78.)

APPENDIX B

Historic Sites of Datong on Maps

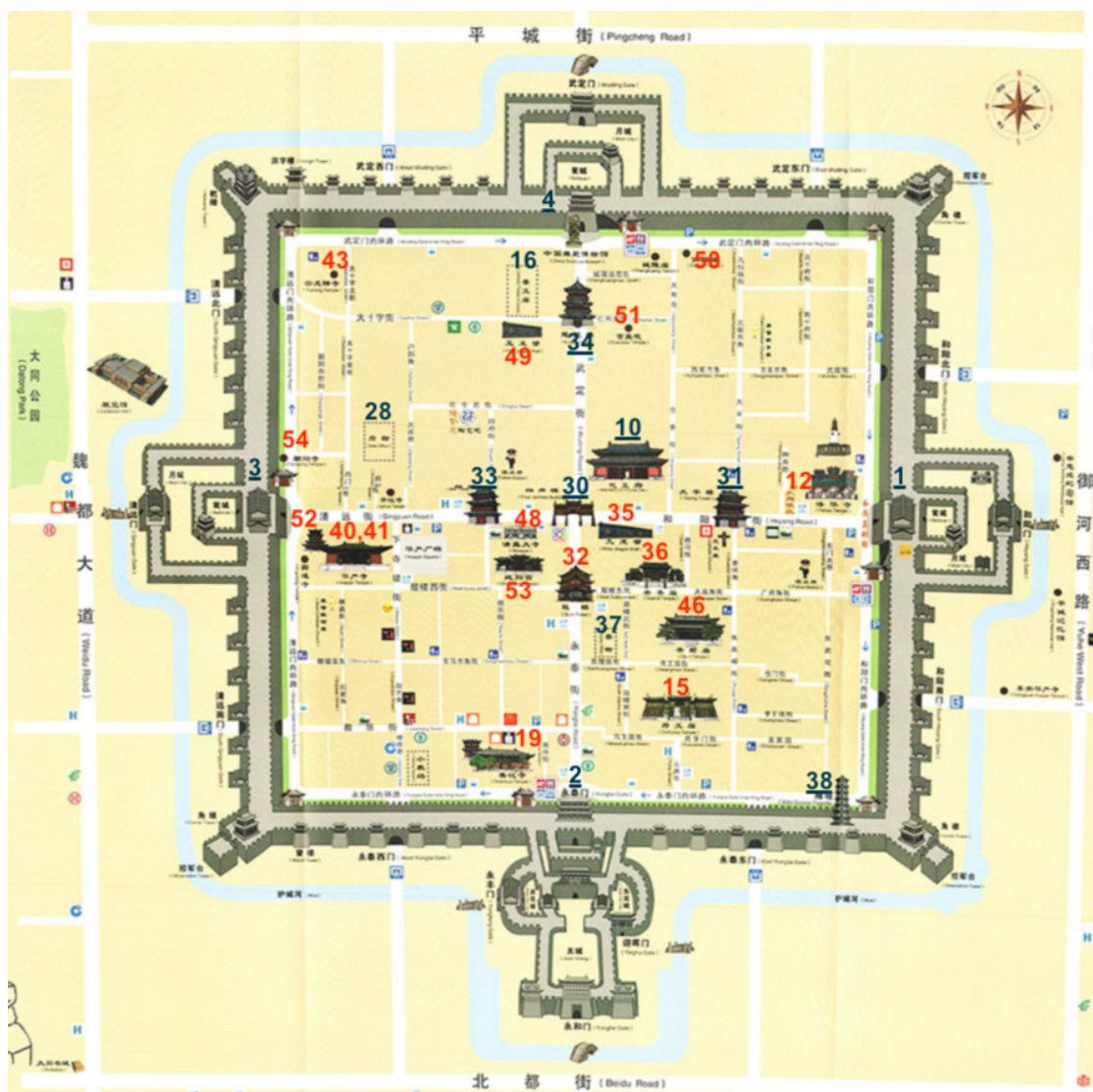


Figure B.7: Datong Maps, 2017.

(Source: Datong Sculpture Museum. (2017). *Ancient City of Datong Guide Map*.)

APPENDIX B

Statistics of Historic Sites in Datong on Maps

Level	Name of Historic Sites	1515	1776	1830	1976	1995	2006	2017
Provincial	1 – East Gate (dongmen 東門)	1	1	1	0	0	0	1
	2 – South Gate (nanmen 南門)	1	1	1	1	0	0	1
	3 – West Gate (ximen 西門)	1	1	1	0	0	0	1
	4 – North Gate (beimen 北門)	1	1	1	0	0	0	1
	5 – Alter for the Anonymous (junlitan 郡厲壇)	1	0	0	0	0	0	0
	6 – Temple of City God (fuchenghuangmiao 府城隍廟)	1	1	1	1	0	0	0
	7 – Reserve Granary (yubaicang 預備倉)	1	0	0	0	0	0	0
	8 – North Granary (tianfucang 天府倉 / beicang 北倉)	1	1	1	1	0	0	0
	9 – North Temple (putisi 菩提寺 ? / beisi 北寺)	1	1	1	1	0	0	0
	10 – Palace of Princess Dai (daiwangfu 代王府)	1	0	0	0	0	0	1
	11 – Military Headquarter of Shanxi Provincial (shanxi xing)	1	0	0	0	0	1	0
Provincial	12 – Residence of Guarding Enoch (zhengsho taijianzhai 鍾	1	0	1	1	1	1	0
	13 – Residence of Commander-in-Chief (zhengsho zongbi)	1	1	1	0	0	1	1
	14 – Southeast Granary (dayou dongnancang 大有東南倉 /	1	1	1	1	0	0	0
Provincial	15 – Datong Prefectural School (datong fuxue 大同府學)	1	1	1	1	1	1	1
	16 – Datong County School (datong xianxue 大同縣學)	1	0	1	0	0	0	0
Municipal	17 – Datong County Government (datong xianzhi 大同縣治	1	1	1	1	0	0	0
	18 – Taining Taoist Temple (tainingguan 太寧觀)	1	0	0	1	0	1	0
National	19 – South Temple (nansi 南寺)	1	1	1	1	1	1	1
	20 – South Granary (nancang 南倉)	1	0	0	0	0	0	0
	21 – Old Branch Office of Chief Secretary (jiu buzhenfeng)	1	1	1	1	0	0	0
	22 – West Granary (xicang 西倉)	1	0	0	0	0	0	0
	23 – Branch Office of Ministry of Revenue (hubufensi 戶部	1	0	0	0	0	0	0
	24 – Residence of the General (shuaifu 帥府) /	1	1	1	1	1	1	0
	25 – Censorate's Branch Office of Chief Secretary (chayu	1	0	0	0	0	0	0
	26 – Censorate Department (duchanyuan 都察院)--Prefe	1	1	1	1	1	0	0
	27 – Academy (shuyuan 書院)	1	1	1	0	0	1	0
	28 – Censor-in-Chief of Jibeidao (fenshun jibeidao 分巡	1	0	0	0	0	0	0
	29 – Yunzhong Post (yunzhongyi 雲中驛)	1	0	0	0	0	0	0
	30 – Four Archways (sipailou 四牌樓)		1	1	0	0	0	1
	31 – Taiping Tower (taipinglou 太平樓)		1	1	0	0	0	1
National	32 – Drum Tower (gulou 鼓樓)		1	1	0	1	0	1
	33 – Bell Tower (zhonglou 鐘樓)		1	1	0	0	0	1
	34 – Kuixing Tower (kuixinglou 魁星樓)		1	0	0	0	0	1
National	35 – Nine-dragon Screen wall (jiulongbi 九龍壁)		1	0	1	1	1	1
National	36 – Temple of Guan (guandimiao 關帝廟)		1	1	1	1	1	1
	37 – Temple of City God (chenghuangmiao 城隍廟)			1	1	0	1	0
Municipal	38 – Goose Tower (yanta 雁塔)		1	1	1	1	1	1
Municipal	39 – White Coat Convent (baiyian 白衣菴)			1	0	0	0	0
National	40 – Upper Temple (shangsi 上寺)		1	1	1	1	1	1
National	41 – Lower Temple (xiasi 下寺)		1	1	1	1	1	1
	42 – Guarding Tower (zhenglou 鎮樓)		1	1	0	0	0	1
Municipal	43 – Temple of Dragon God (longwangmiao 龍王廟)		1	1	1	0	1	1
	44 – County Confucian Temple (xianwenmiao 縣文廟)		1	1	1	0	0	0
Municipal	45 – Temple of the War God (wumiao 武廟)			1	0	0	0	0
	46 – Wenchang Temple (wenchangmiao 文昌廟)			1	0	1	1	0
Municipal	47 – The Palace Stage (huangcheng xitai 皇城戲台)			1	1	1	1	1
Provincial	48 – The Grand Mosque (qingzhengdasi 清真大寺)			1	0	1	1	1
Provincial	49 – Five-dragon Screen wall (wulongbi 五龍壁)			1	0	1	1	1
Municipal	50 – Temple of Buddha (fodianmiao 佛殿廟)		1	1	1	0	1	0
Provincial	51 – Xuanzheng Taoist Temple (xuanzheng guan 玄真觀)			1	0	0	1	1
Municipal	52 – Yuantong Temple (Yuantongsi 圓通寺)							1
Provincial	53 – Chunyang Taoist Temple (chunyang gong 純陽宮)							1
Municipal	54 – Chaoyang Temple (chaoyang gong 朝陽宮)							1
	Total Sites	29	29	38	23	15	21	27
	Disappeared Sites (0)	0	13	2	17	12	2	8
	Retained Sites (1)	29	16	27	21	11	13	13
	Additional Sites	0	13	7	0	0	0	3
	Restored Sites	0	0	2	0	0	7	11

VITA

HSIN-YI (MIA) HO 何心怡

EDUCATION

PhD in Built Environment, University of Washington, USA. 2018.

Major field: Historic Preservation.

Research Interests: conservation policy and practice of cultural heritage, world heritage, urbanization in Asia China, preservation of historic cities, streetscape and façade restoration, adaptive reuse.

Dissertation: Tracing Values through Interpretative Model — A Comparative Study on Urban Conservation of Pingyao and Datong in China

M.S. in Historic Preservation, University of Pennsylvania, USA. 2004

Thesis: A Proposal for Preserving and Restoring the Streetscape of Jewelers Row, City of Philadelphia, USA

M.A. in Art History, National Taiwan University, TAIWAN.

Thesis: A Research of Townhouse Facades: Ta-xi, San-xia, Ta-tao-cheng, in Japanese Occupied Period (1895-1945)

B.A in Architecture, Tamkang University, TAIWAN.

PUBLICATION

Contributor (research & recreating floor plans)

Andrew Alpern, “The Dakota: A History of the World's Best-Known Apartment Building”, New York: Princeton Architectural Press, 2015.

Book Chapters

“Creative Programming in Reuse of Spaces: An international Perspective”, with Jui-Mao Huang, Margret Shui, Mali Wu, Lulu Hou, and Meng-Yin Yao; Taiwan: Council for Cultural Affairs Executive Yuan, 2002.

RESEARCH PROJECTS

Project Manager & Researcher

Department of Architecture Tam-Kang University, Taipei, Taiwan.

Project: Creative Programming in Reuse of Spaces: An international Perspective

Commission: Council for Cultural Affairs Executive Yuan, Taiwan

Full-Time Assistant & Researcher

Graduate School of Applied Arts, National Chiao-Tung University, Hsin-Chu, Taiwan.

Project: Inventory of the Heritages in Hsin-Chu City (documentation)

COLLEGE TEACHING EXPERIENCE

Instructor Or Teaching Assistant

University of Washington, USA. 2016-2022.

Architectural Design and Representation I (Instructor), Modern Architecture, The Urban Form, Communication and Analysis, Planning Studio Prep, General Urban Planning Laboratory, Landscape History.

Lecturer

Department of Architecture, Ming-Chuan University, Taiwan. 1995-2002.

Introduction to Architecture, Introduction to Fine Arts, Western Art and Architecture, Introduction to Chinese Art.

WORK EXPERIENCE

Preservation Technician/Architect

Walter B. Melvin Architects, New York. 2007 – 2015.

Architectural Designer

Stephen Tilly, Architect, Dobbs Ferry, New York. 2005 – 2007.

Architectural Designer (Intern)

Historic Building Architects, LLC, Trenton, New Jersey. 2005.