



Research on Laws and Regulations Related to the Protection of Rural Ancient Buildings in the Context of Rural Revitalization

Hu Changlin

Qianbei Cultural Research Center, Zunyi Normal University, Zunyi, Guizhou, China 563000, China

Corresponding to: Hu Changlin

Abstract: In the context of rural revitalization strategy, the comprehensive value of rural ancient buildings has been gradually excavated, as a non-renewable and irreplaceable valuable resource, it is urgent to speed up the legislative progress, improve relevant laws and regulations, and strengthen its protection and management methods. This paper first analyzes the necessity of legislative protection of rural ancient buildings in the context of rural revitalization, and then analyzes the main problems existing in it, and discusses the improvement of laws and regulations related to the protection of rural ancient buildings from the aspects of legislative content, legislative subject, legislative system, sustainable protection, legislative awareness, etc., in order to clarify the legislative procedures, formulate targeted laws, regulations and management systems, improve the protection of rural ancient buildings, and help rural revitalization and development.

Keywords: Rural Revitalization; Rural Vernacular Ancient Buildings; Building Protection; Relevant Laws And Regulations

1 INTRODUCTION

Historical and cultural heritage is a non-renewable and irreplaceable valuable resource, and protection should always be put first. With the continuous development of civilization, all countries in the world attach great importance to the protection of ancient buildings, and have specially introduced various relevant laws and regulations, in order to enhance people's awareness and means of protection of ancient buildings. However, in the context of rural revitalization in our country, there is an extreme lack of laws and regulations on rural ancient buildings, and it is urgent to explore a series of laws and regulations that are not only in line with the laws of rural development, but also can effectively protect ancient buildings, so as to provide strong support for the rural revitalization strategy.

Ancient buildings mainly refer to public and civil buildings of historical significance built before the founding of the People's Republic of China [1]. our country is a big historical country, a civilized country, a big architectural country, ancient buildings reflect the ideology, social activities, social relations, etc. of human beings in all periods of our country from all aspects, and have a rich cultural heritage of ancient architecture for all mankind.

In recent years, under the background of the rural revitalization strategy, the rural economy has gradually been revitalized, which has led rural people everywhere to begin to pay attention to the construction of beautiful villages and increase the improvement of the rural living environment. Therefore, it is very important to strengthen the legislative protection of rural ancient buildings.

2 THE NECESSITY OF LEGISLATIVE PROTECTION OF RURAL ANCIENT BUILDINGS IN THE CONTEXT OF RURAL REVITALIZATION

3 THE MAIN ISSUES OF LEGISLATIVE PROTECTION OF RURAL ANCIENT BUILDINGS IN THE CONTEXT OF RURAL REVITALIZATION



3.1 THE PROTECTION OF RURAL ANCIENT BUILDINGS IS FACING SEVERE NATURAL FORCE DAMAGE

In the process of preservation, rural vernacular ancient buildings are facing severe natural force damage problems. Damage by natural forces refers to the damage caused by natural forces such as wind and sun, lightning and rain, insects and rats, earthquakes, floods, and fires over the years [2], there will be continuous aging and weathering of materials, which is almost inevitable damage to ancient buildings. Especially in rural areas with limited basic protection facilities, if there is a lack of relevant laws and regulations to protect against illegal use of fire, burning incense and candles, smoking, power failure and other dangerous hazards, the consequences will be unimaginable. For example, the Notre Dame Cathedral fire in Paris, France in 2019 sounded the alarm for the safety of ancient buildings, warning people to protect ancient buildings and eliminate fire hazards.

3.2 PEOPLE'S AWARENESS OF THE PROTECTION OF ANCIENT RURAL BUILDINGS IN RURAL AREAS IS WEAK

In the context of rural revitalization, rural tourism has become a popular form of tourism, while rural vernacular ancient buildings have gradually entered the public eye, welcoming more and more tourists to visit. In this case, man-made destruction has also become the main form of damage to rural vernacular ancient buildings, that is, in the process of contact with rural vernacular ancient buildings, people intentionally or unintentionally have constructive destruction, protective destruction, theft destruction, visiting destruction, etc. Constructive destruction refers to the blind transformation and development of the government or construction workers in the process of rural revitalization, lacking protection means, and destroying the authenticity of ancient buildings; Protective damage refers to the wrong repair methods caused by the lack of professional technology and normative means in the process of protection and restoration of ancient buildings, which in turn damages ancient buildings. Theft and destruction refers to the destruction of integrity caused by criminals stealing components of ancient buildings, such as wood carvings, stone carvings, etc., for personal gain; Visiting damage refers to the damage caused by tourists lacking protection awareness during the visit, touching, depicting, and demolishing ancient buildings at will. These destructive behaviors show that people lack sufficient awareness of the protection of ancient buildings, resulting in insufficient attention to protection in their thoughts and behaviors.

3.3 THE LEGAL AND REGULATORY SYSTEM FOR THE PROTECTION OF RURAL ANCIENT BUILDINGS IS NOT PERFECT

In the face of the new situation of social and economic development, the protection of rural ancient buildings in our country is facing unprecedented challenges, and our country does not have a unified ancient building protection law, only the cultural relics law. For example, the Cultural Relics Bureau only

has a small management authority, and it is difficult to regulate the development and protection of ancient buildings by local governments in regional economic development, which ultimately leads to unsatisfactory protection of ancient buildings.

4 IMPROVEMENT OF LAWS AND REGULATIONS RELATED TO THE PROTECTION OF RURAL ANCIENT BUILDINGS IN THE CONTEXT OF RURAL REVITALIZATION

4.1 CLARIFY THE PROTECTION CONNOTATION OF LOCAL LAWS AND REGULATIONS ON ANCIENT BUILDINGS AND ENRICH THE CONTENT OF LOCAL LEGISLATION

Therefore, the improvement of laws and regulations on ancient buildings must be based on local characteristics, adhere to the "problem-oriented", conduct an in-depth analysis of the actual local situation, and then adopt more targeted laws and regulations, formulate separate regulations, improve the protection system according to local conditions, and improve the feasibility, flexibility and practicability of protection. The first is to clarify the protection connotation of ancient buildings. Include ancient buildings in the legislative scope of local protection, and in the language of laws and regulations, become a separate article to formulate a series of effective protection measures. The second is to clarify the protection content and methods of ancient buildings. Through field research on ancient buildings, the structure, style, road, culture, etc. of each ancient building are comprehensively considered, and their comprehensive value, such as historical value, artistic value, scientific value, social value, and economic value are dug deep [3], conduct legislative evaluation, clarify protection methods, and enhance public awareness of protection through vigorous popularization and publicity. The third is to formulate reasonable protective measures. Specific measures for the protection of ancient buildings should be added to local regulations, such as protection responsibilities, protection plans, repair standards, financial support, technical guidance, and regular testing, to improve the standardization of protection work. Fourth, vandalism is expressly prohibited. The act of destroying ancient buildings is clearly listed in laws and regulations, and prohibited by laws and regulations, and legal liability for destroying ancient buildings is stipulated, including administrative penalties, civil compensation and criminal liability.

4.2 STRENGTHEN THE RESPONSIBILITY OF ALL RURAL SUBJECTS FOR THE PROTECTION OF ANCIENT BUILDINGS AND PROMOTE PEOPLE'S PARTICIPATION IN LEGISLATION

In the context of rural revitalization, ancient buildings are no longer a simple residential problem, but have been developed



more economic value such as tourism and entertainment to serve rural revitalization, for example, the government in urban planning, to make an overall construction plan for ancient buildings, then the protection of ancient buildings has become a complex protection project involving multi-link subjects, which requires the participation of culture, cultural relics, housing and construction, tourism and other government departments, as well as ancient building owners, ancient building users and the public. It can be seen that the protection subjects of rural ancient buildings are relatively diverse, so in the legislative protection, various subjects should be encouraged to participate in it, and attention should be paid to the coordination of the interests of all parties [3], standardize their protection rights and obligations, and solve problems such as unclear division of labor, shirking responsibility, and mutual inaction among protection subjects. First, the owners and users of ancient buildings are the first responsible persons for the protection of ancient buildings, and their obligations for the daily protection and repair of ancient buildings are clearly stipulated. The second is to give full play to the government's leading responsibility for supervision, establish and improve the legislative procedures for the protection of rural ancient buildings in accordance with the Regulations on the Protection of Historical and Cultural Cities, Towns and Villages (State Council Order No. 524), and promulgate laws and regulations related to the development and protection of ancient villages, as well as scientific regulations on the protection and planning of ancient villages [4], provide financial support, and organize professional repair and protection, law enforcement supervision, publicity and education and other actions. The third is to strengthen the public's participation in protection. In legislative protection, grassroots legislative contact points are widely set up, through publicity and education, widely collect opinions and suggestions from all aspects of the public, let people's congress deputies participate in the legislative process, combine the interests of all parties, balance the relationship between protection and development, let the public vigorously participate in the protection of ancient buildings, help the government to base itself on reality, according to public supervision and feedback, formulate more reasonable and perfect laws and regulations on the protection of ancient buildings, and encourage everyone to conscientiously study, know, abide by and protect the law, and form a government, society, A good situation for villagers to participate together.

4.3 FORMULATE DIFFERENT TYPES OF ANCIENT BUILDING PROTECTION LAWS AND REGULATIONS, AND IMPROVE THE SYSTEM CONSTRUCTION SYSTEM

Rural ancient buildings have certain commonalities, but due to the differences in regional characteristics and comprehensive value, the formulation of laws and regulations on rural ancient buildings should include basic regulations, special regulations and local regulations, improve the protection system of ancient buildings, enhance protection and effective management. Basic regulations refer to the general protection regulations formulated for all rural ancient buildings, including the protection objects, scope, principles, main

responsibilities and specific measures of ancient buildings. Special regulations are special regulations formulated for specific ancient buildings with different values, different types and different needs, including ancient building types, hierarchical protection systems, special protection plans, special protection funds, special protection technologies, etc. Local regulations refer to regulations and policies formulated for local ancient buildings in a certain area, including local ancient architectural culture, style, policy support, etc. For example, the "Regulations on the Protection and Development of Traditional Villages in Guizhou Province" implemented in 2017 is a special regulation, mainly for the protection of traditional villages and their ancient buildings in Guizhou Province, and the "Regulations on the Protection of Cultural Relics in Guizhou Province" in 2018 is a basic regulation, which is applicable to the protection of cultural relics (including ancient buildings) in the province and provides general protection measures, while the "Regulations on the Protection of Zhenyuan Historical and Cultural Cities in Qiandongnan Miao and Dong Autonomous Prefecture" is a local protection regulation. The protection of Zhenyuan's famous historical and cultural city and its ancient buildings has further refined the local protection measures, so that they have been effectively protected and rationally utilized.

4.4 PROMOTE THE REVITALIZATION AND UTILIZATION OF ANCIENT BUILDINGS IN THE CONTEXT OF RURAL REVITALIZATION, AND PROMOTE SUSTAINABLE PROTECTION AND DEVELOPMENT

In the context of rural revitalization, how to rationally develop and utilize ancient building resources, integrate them with local economic development, inject new vitality into the countryside, and realize the sustainable protection of ancient buildings is an important problem that needs to be solved urgently. At present, the utilization of rural ancient buildings mainly includes two aspects, one is to create ancient building tourist attractions, use surrounding resources for commercial construction, such as the construction of characteristic homestays, snack streets, etc., to develop the tourism economy, and the other is to develop ancient architectural cultural products and services, transform some ancient buildings into art exhibition halls, literary and art studios, cultural and artistic activity centers, etc., and carry out cultural and creative industries. It can be seen that the revitalization and utilization of some ancient buildings is related to the interests of all parties, involving a large number of ancient buildings repair, transformation, reuse and other work, and it is urgent to formulate corresponding laws and regulations to promote the sustainable development of ancient buildings while effectively protecting ancient buildings and the ecological environment. For example, the Regulations on the Protection of Famous Historical and Cultural Cities in Zhenyuan, Qiandongnan Miao and Dong Autonomous Prefecture, clearly points out in Article 4 of Chapter 1 that the protection and management of famous cities "should follow the principles of scientific planning, strict protection, rational utilization, and coordinated development, correctly handle the relationship between high-quality economic and social development and



historical and cultural protection, inheritance and utilization, and maintain and continue the authenticity and integrity of the history and culture of famous cities." It can be seen that in the context of rural revitalization, the government should accelerate the formulation of local regulations or policy documents specifically for the revitalization and utilization of ancient buildings, establish a supervision and evaluation mechanism for the revitalization and utilization of ancient buildings, and promote the coordinated development of the protection and utilization of ancient buildings and rural revitalization.

4.5 BUILD VILLAGE RULES AND REGULATIONS FOR RURAL RESIDENTS TO PROTECT ANCIENT BUILDINGS AND ENHANCE PEOPLE'S AWARENESS OF PROTECTION

However, at present, many villagers are extremely lacking in the awareness of the protection of ancient buildings, not only have a lack of understanding of the comprehensive value of ancient buildings, but also have little understanding of the laws and regulations of ancient buildings, and often appear arbitrary demolition and renovation for short-term interests. At the same time, under the premise of legality, according to the actual situation, widely solicit the opinions of villagers, formulate reasonable village rules and regulations, and stipulate the villagers' responsibilities for the protection of ancient buildings, such as following the principle of "repairing the old as the old", strengthening daily maintenance and repair obligations, prohibiting unauthorized demolition, reconstruction or destruction of ancient buildings, etc., so as to enhance the villagers' awareness of the protection of ancient buildings and fill the legal gap in the protection of ancient buildings. For example, the village rules and regulations of Gualing Village in Guangzhou clearly stipulate that the construction of houses in the protected area is strictly controlled, and villagers are not allowed to demolish ancient buildings by themselves. In order to protect the Zhuang stilt buildings, Liduo Village in Yunnan Province has formulated village rules and regulations, requiring villagers to build Zhuang stilt buildings in the protection area, otherwise they will be severely punished in accordance with the "Traditional Village Protection and Management System".

5 CONCLUSION

In the context of rural revitalization, it is of great significance to protect rural ancient buildings. For the protection of rural ancient buildings, it is an effective protection measure to improve the legislative process, enrich the legislative content, build multiple protection subjects, improve the construction of the institutional system, enhance people's awareness of protection, and promote sustainable protection and development.

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