



Review

Navigating Legal Framework and National Plans in Shaping the Growth of Large-scale Archaeological Sites in China

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Abstract

Archaeological sites are vital carriers of human civilisation, holding immense archaeological research value and profound cultural significance. Ancient sites and tombs provide empirical evidence for China's million-year human history, ten-thousand-year cultural history, and over five-thousand-year civilisation history, making them crucial categories of cultural relics. With the advancement of social and economic development, the understanding of the value of major archaeological sites in China has deepened. Among these, expansive archaeological sites, referred to as "major archaeological sites", receive particular attention. The protection and utilisation of these major sites have increasingly emphasised the recognition of their cultural heritage value, widely acknowledging their significant historical, scientific, and cultural importance. For many years, the Chinese government has prioritised the protection of archaeological sites, establishing a comprehensive legal framework. The development of major archaeological sites in China is closely linked to national planning, administrative regulations, and legal statutes. Recently, the development of major archaeological sites has been further promoted as part of national planning. Based on this background, this research aims to delineate the content and evolution of the legal frameworks and national planning for the development of major archaeological sites in China. The study focuses on these issues and provides specific recommendations from legal and administrative perspectives.

Keywords: large-scale archaeological sites, archaeological site preservation, national plans, culture policies in China, cultural heritage management

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1 INTRODUCTION

Archaeological sites are valuable resources that tell the story of human history and culture, making their preservation and maintenance critically important^[1,2]. In China, numerous archaeological sites have been discovered, necessitating conservation efforts. The perception of these sites as integral carriers of cultural heritage has evolved, deepening with social and economic development^[3]. Large-

scale archaeological sites, in particular, have garnered significant attention due to their expansive nature^[4].

In the 1950s and 1960s, cultural relics in China were often valued primarily for their historical and political significance. Since the Reform and Opening-up, the focus on the protection and utilisation of large-scale archaeological sites has increased, leading to a broader

recognition of their historical, scientific, and cultural importance. In the 21st century, rapid urbanisation has posed new challenges to the preservation of these sites, while their value as cultural and tourism resources has become more widely acknowledged^[5].

The Chinese government has long prioritised the protection of archaeological sites, developing a robust legal framework. The development of large-scale archaeological sites is closely linked to national plans, administrative ordinances, and laws. National Plans provide strategic guidelines, while administrative ordinances establish the legal procedures for site protection and development. Laws clarify the responsibilities and penalties related to the preservation of these sites^[6,7].

Specifically, the National Development and Reform Commission formulates five-year plans, and the National Cultural Heritage Administration develops plans for large-scale national archaeological sites within this framework. These plans are implemented by provincial and regional cultural departments, with the National Cultural Heritage Administration providing budgetary and technical assistance. Administrative ordinances outline the necessary procedures for the development of large-scale archaeological sites, including pre-excavation research and post-excavation restoration. Legislation identifies the responsible parties and penalties for offenses, such as the illegal removal or destruction of cultural relics^[8].

Despite numerous studies on archaeological site protection in China, the relationship between the legal and administrative framework and site preservation development remains underexplored. This paper aims to outline the development of large-scale archaeological site preservation in China since the establishment of the People's Republic of China. By analysing governmental documents and statistical data, it seeks to clarify the impact of legal frameworks and national plans on site preservation, enhance understanding of preservation development, and provide specific recommendations on legal and administrative issues.

1.1 Large-scale Archaeological Site

Decades before the concept of “large-scale archaeological sites” was officially defined, a term with a similar meaning had already been mentioned: in 1964, the Ministry of Culture organised the Symposium on the Protection of Large-scale Archaeological Sites in Yanxia Du, Yishan County, Hebei Province, to develop the “four” tasks of large-scale archaeological sites and discuss plans for archaeological site development and protection over the next few years (Li Xiaodong 2011). In 1983, the Cultural Relics Bureau of the State Ministry of Culture held the “Conference on the Protection of Archaeological Sites” in Qufu City, Shandong Province, to discuss the protection of

large-scale sites such as Qufu Road Forbidden City, Handan Zhaowang City, YanXi Du, Inner Mongolia Liao Shangling, Xian, Luoyang and Anyang (Xu Guangji 2016). The term “large-scale archaeological sites” was first used in 1997 in the State Council’s Notice on Strengthening and Improving Cultural Relics Work. This notification used the term “large-scale archaeological sites” for the first time. Based on the experience gained in the preservation and maintenance of various types of archaeological sites, the National Cultural Heritage Administration opened the curtain for large-scale archaeological site improvement projects. In November 2002, the National Cultural Heritage Administration submitted the Tenth Five-Year Plan for the Protection of Large-scale Archaeological Sites to the State Council, and based on the current situation and actual conditions of large-scale archaeological site protection, pilot projects to protect 50 “large-scale archaeological sites” were initiated^[8,9].

In 2005, National Cultural Heritage Administration announced the management regulations on the specialised expenditure for the protection of large-scale archaeological sites, which for the first time defined “Large-scale archaeological sites are large-scale settlements with strong influence and important value that reflect the political, religious, military, technical, industrial, agricultural, architectural, traffic and hydraulic information of the time, at all stages of the development of ancient Chinese history”. They were defined as “large settlements, ruins, palaces, tomb complexes and other archaeological sites, archaeological sites and cultural landscapes^[10]”.

Since then, the National Cultural Heritage Administration has published the General Plan for the Protection of Large-scale Archaeological Sites during the Eleventh Five-Year Plan Period and announced 100 large-scale archaeological sites of significance.

Every five years thereafter, the National Cultural Heritage Administration published a “Special Planning for the Preservation and Use of Large-scale Archaeological Sites” based on the Five-Year National Plan for that period. The latest inventory (2021) was published in the same year. The latest inventory (updated in 2021) lists a total of 150 important large-scale archaeological sites across the country^[11].

2 CURRENT RESEARCH ON THE DEVELOPMENT OF LARGE-SCALE ARCHAEOLOGICAL SITES IN CHINA

2.1 Overall Trend

The 14th Five-Year Plan for the Preservation and Large-scale Archaeological Sites, published in 2021. The latest list of large-scale archaeological sites in the country lists a total of 150 sites, of which 145 are owned by each province or directly-controlled city or autonomous region, and five sites are jointly owned by different provinces or directly-controlled cities or autonomous regions (See [Table 1](#)),

Table 1. Summarises the Number of Large-scale Archaeological Sites Owned by Each Province or Directly-controlled City or Autonomous Region

Province-level Administrative Regions	Amount
Beijing	3
Hebei	7
Shanxi	5
Inner Mongolia	4
Liaoning	3
Jilin	4
Heilongjiang	2
Shanghai	1
Jiangsu	7
Zhejiang	8
Anhui	6
Fujian	4
Jiangxi	5
Shandong	10
Henan	16
Hubei	6
Hunan	4
Guangdong	3
Guangxi	3
Chongqing	1
Sichuan	5
Guizhou	2
Yunan	2
Tibet	3
Shaanxi	15
Gansu	3
Qinghai	2
Ningxia	2
Xinjiang	9

making a total of 150 sites^[12] (See Figure 1).

Statistical data show that the number of registered major archaeological sites owned by Henan and Shaanxi provinces far exceeds that of other provinces.

2.2 Evolution of Large-scale Archaeological Site Preservation Projects

The list of large-scale archaeological sites attached to the Total Plan for the Preservation of Large-scale Archaeological Sites during the Eleventh Five-Year Plan published in 2006 contained only 100 sites, while the list of large-scale archaeological sites attached to The Twelfth Five-Year Plan for the Preservation and Use of Large-scale Archaeological Sites, the number of large-scale archaeological sites registered in the Directory of Large-scale Archaeological Sites has increased to 150. This is considered to reflect the reaffirmation

of archaeological sites in archaeology brought about by the excavation of archaeological sites and the importance the State attaches to the preservation and maintenance of archaeological sites^[13].

According to The 13th Five-Year Plan for the Specialised Protection and Large-scale Archaeological Sites published in 2016, the State’s initial plans during the 12th Five-Year Plan period included the Six Fragments (Xi’an, Luoyang, Zhengzhou, Qufu, Chengdu and Jingzhou, the six The State has formed a pattern of protecting large-scale archaeological sites based on the core of the “Six Pieces” (the six famous historical cities of Xi’an, Luoyang, Zhengzhou, Qufu, Chengdu and Jingzhou), the “Four Lines” (the Silk Road, the Great Wall, the Grand Canal and the Old Tea Horse Road) and the “One Circle” (the land and sea border), and is supporting 150 large-scale archaeological sites that are important for the project. Archaeological work has been carried out at the large-scale archaeological sites, and the scope of distribution and conservation of many sites has been mastered. Effective protection of the large-scale archaeological sites has been carried out, the pressure to protect archaeological sites has been eased, 24 national archaeological parks and many archaeological museums have been built, the level of protection and display of the large-scale archaeological sites has been improved and the inclusion of the Yuan Dynasty Capital, Grand Canal, Silk Road and Tusi sites on the World Heritage List has been facilitated. The protection and maintenance of the large-scale archaeological sites has fully demonstrated its role in promoting the economic and social development of the region^[14].

3 LEGAL FRAMEWORK AND NATIONAL PLANS FOR THE PROTECTION OF ARCHAEOLOGICAL SITES

3.1 The Impact of China’s Five-Year Plan on the Preservation of Large-scale Archaeological Sites

3.1.1 China’s Five-Year Plan

In 2005, the Ministry of Finance and the State Administration of Cultural Heritage jointly issued the “Special Fund Management Measures for the Protection of Major Sites”, formally initiating the major site protection project. With support from the departments of development and reform, finance, and natural resources (formerly land), the State Administration of Cultural Heritage has continuously formulated and implemented special plans for the protection of major sites during the 11th, 12th, and 13th Five-Year Plans. These plans have persistently guided archaeological research, cultural relic protection, display and utilisation, and cultural heritage transmission of major sites across the country. The full title “Outline of the Five-Year Plan for the National Economic and Social Development of the People’s Republic of China. Author’s translation”, China’s Five-Year Plan is a long-term development plan formulated by the Chinese Government every five years to promote the development of the domestic economy and society in general. It is a long-term plan that mainly covers the planning

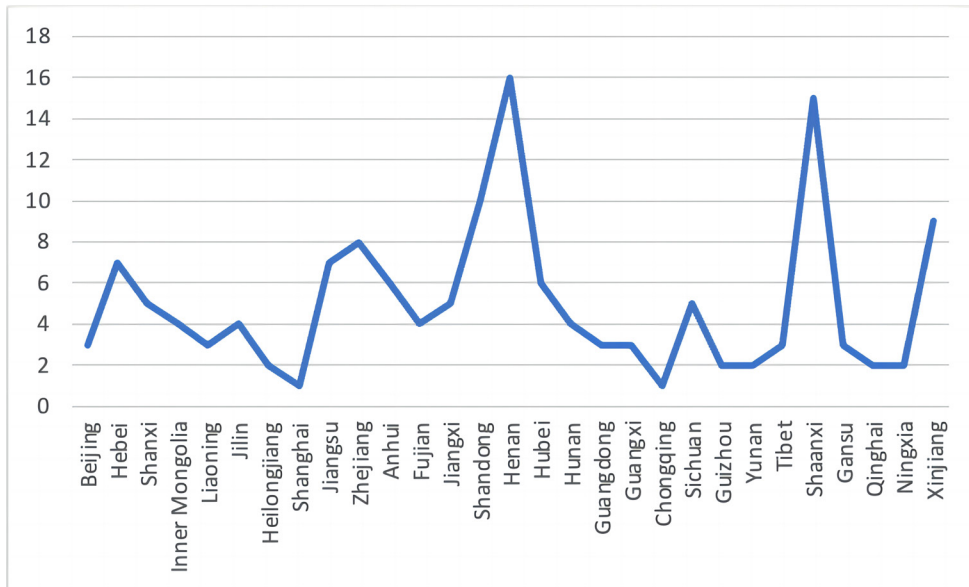


Figure 1. Number of large-scale archaeological sites owned by each province or directly-controlled city or autonomous region. Chart © Data collected and published by the National Bureau of Statistics of China, sorted and organised by the author. Line chart designed and illustrated by the author.

of major national construction projects, the distribution of productive forces and important proportionality in the national economy, and sets out the goals and direction of the long-term development of the national economy. As China’s Five-Year Plan initially focuses on economic development, its goals for cultural development are more modest than those of other policies. However, a certain amount of attention has also been paid to cultural development. In recent years, it can be seen that more and more emphasis has been placed on the development of society and culture in general^[15].

The first Five-Year Plan was launched in 1953, followed by the second Five-Year Plan period from 1958. However, due to the impact of the “Great Leap Forward” policy in the same period, the plans were not achieved and became a notoriety. The Third Five-Year Plan was therefore launched three years later, in 1966^[16].

The history of the formulation and implementation of China’s Five-Year Plan can be divided into three main stages.

(i) Five-Year Plans under the planned economy system (from the First Five-Year Plan to the Fifth Five-Year Plan). During this period, China formulated and implemented the Five-Year Plans, laid the foundation for China’s industrialisation and modernisation, formed a basically independent and relatively complete industrial system and national economic system, and accumulated experience in the development of socialist construction.

(ii) Five-Year Plans during the transition from a planned economy to a socialist market economy (from the Sixth Five-Year Plan to the Ninth Five-Year Plan). During this period, China formulated and implemented four Five-Year

Plans, first establishing the basic framework of the socialist market economy system, basically solving the people’s livelihood problems and achieving the strategic goal of overall prosperity.

(iii) The Five-Year Plans after the basic establishment of the socialist market economy system (from the Tenth Five-Year Plan to the Thirteenth Five-Year Plan). During this period, China has formulated and implemented four Five-Year Plans to achieve the goal of building a moderately prosperous society and to lay a solid foundation for the new journey of building a modern socialist state.

3.1.2 Five-Year Plans and Archaeological Site Preservation

China’s Five-Year Plan includes policies and initiatives on the protection of archaeological sites. Relevant institutions, such as the National Development and Reform Commission, the National Cultural Heritage Administration and the Ministry of Culture and Tourism, have formulated and implemented plans and policies on the preservation of archaeological sites.

From the author’s perspective, it can be summarised that the recognition and emphasis on the preservation of archaeological sites in China’s Five-Year Plan has developed in four stages as follows.

In particular, the main contents relating to the protection of archaeological sites in each planning period of the modern phase, which is the period of focus needs to be on, are summarised below.

3.2 Tenth Five-Year Plan (2001-2005)

During this period, two important legal frameworks -

the Tenth Five-Year Plan for the Protection of Large-scale Archaeological Sites in 2002 and the Management Regulations on the Specialised Expenditure for the Protection of Large-scale Archaeological Sites in 2005 - were expected to strengthen the legal guarantees for cultural heritage preservation. It was expected that the legal guarantees for cultural heritage preservation would be strengthened with the development of these two important legal frameworks.

Based on the current situation and reality of the protection of large-scale archaeological sites, 50 pilot projects for the protection of “large-scale archaeological sites” were initiated and “large-scale archaeological sites” were clearly defined for the first time.

During the Tenth Five-Year Plan period, the concept of cultural relics protection was also becoming more open and diversified, as China’s protection and maintenance of Large-scale Archaeological Sites really began in a meaningful sense and developed steadily, and examples of Japanese historic sites and parks also attracted attention in the increasingly frequent international exchange and cooperation^[17].

3.3 Eleventh Five-Year Plan (2006-2010)

China’s Eleventh Five-Year Plan (2006-2010) focused on cultural heritage protection and included the following on the protection of archaeological sites.

Cultural heritage protection was stressed as an integral part of the development of the national cultural industry.

First, the construction and development of archaeological site parks was promoted: in 2009, the *National Archaeological Site Parks Management Measures (Provisional)* was developed, and in 2010, the National Cultural Heritage Administration announced the first batch of 12 national-level archaeological site parks. Specifically, these include the formulation and implementation of development plans for archaeological site parks, the improvement and expansion of facilities related to archaeological site parks, and the establishment of a management system for archaeological site parks.

It was planned to promote the conservation and study of archaeological sites through archaeological excavation and research. It was planned to identify archaeological sites that need priority protection, increase funding for implementing archaeological site development projects in priority areas and strengthen the establishment and management of cultural relic preservation zones. It was planned to promote research and development of archaeological site preservation techniques and to improve preservation techniques. It was planned to balance the development of archaeological site tourism and heritage preservation, and to coordinate archaeological site preservation and

archaeological site tourism development in a unified manner. Promoting public participation in cultural heritage preservation was advocated.

Finally, it was also planned to promote international heritage preservation cooperation and improve the level of international heritage preservation.

3.4 Twelfth Five-Year Plan (2011-2015)

The main goal of the planning period was to establish a new pattern of large-scale archaeological site protection, centred on “Six Pieces (the six famous historical cities of Xi’an, Luoyang, Zhengzhou, Qufu, Chengdu and Jingzhou), Four Lines (the Silk Road, Great Wall, Grand Canal and Old Tea Horse Road) and One Circle (land and sea borders)”, and supporting 150 large-scale archaeological sites, based on the construction of a model and important large-scale archaeological site park.

By using the special expenditure, the Government strengthened the capacity building of the protection and maintenance of large-scale archaeological sites, improve the level of protection and display of large-scale archaeological sites, enhance the social value of large-scale archaeological sites, realise the close integration of protection of large-scale archaeological sites with natural environment protection and economic construction, harmonise social and economic benefits, and ensure that major assets become a harmonious development of local economy and society and a become a positive force for promoting the harmonious development of the local economy and society, and enable the public to benefit from the large-scale archaeological sites. The protection of the large-scale archaeological sites will contribute more to efforts to explore and innovate the development path of cultural heritage in line with China’s national conditions and build a strong cultural heritage state.

The following main demands were set:

Strengthen archaeological research on large-scale archaeological sites, complete the mapping of 50 new important large-scale archaeological sites, compile a database of information on large-scale archaeological sites and build an information platform for large-scale archaeological sites.

Strategic plans for the protection, maintenance and development of large-scale archaeological sites and area plans for the protection of large-scale archaeological sites were prepared, and the completion rate of protection plans for 150 sites reached 90%.

Deepen the overall protection of Xi’an and Luoyang areas, focus on the protection of archaeological sites in Jingzhou, Qufu, Zhengzhou and Chengdu areas, continue the protection of the Great Wall, the Grand Canal and the

Silk Road, and form a scale and link effect.

Implement large-scale archaeological site maintenance projects: implement 150 large-scale archaeological site maintenance projects and 25 important model exhibitions, including the ruins of Wuheliang, Liangzhu, Tongguan Kiln, Yangzhou City, Imperial Kiln, Qin Xianyang City, Southern Song Lin'an City, Laozi City, Old Shu Country, Xixia Royal Mausoleum and other sites. Complete the archaeological site development project.

Construct 15 model archaeological site parks with typical roles and demonstrative significance for the protection, maintenance and exhibition of large-scale archaeological sites, and a number of characteristic archaeological site museums with a high level of exhibition.

Build security facilities in the maintenance of large-scale archaeological sites.

Innovate management mechanisms and improve networks for the protection of major heritage sites. Establish and improve various management systems, technical specifications and monitoring mechanisms for the protection of large-scale archaeological sites. Strengthen interdisciplinary and cross-industry cooperation in the protection and maintenance of large-scale archaeological sites and improve the technical level in the protection and display of large-scale archaeological sites^[18].

3.5 Thirteenth Five-Year Plan (2016-2020)

This planning period is aimed at basically realising the safety of the large-scale archaeological site itself and the surrounding environment, improving the protection and maintenance planning and management system of the large-scale archaeological site, strengthening the construction of utilisation facilities, fully publicising the large-scale archaeological site, continuing to promote the construction of national heritage parks, effectively raising the level of protection and maintenance, exhibition and utilisation of the large-scale archaeological site, and effectively enhancing the excellent Chinese. The main objective was to ensure that the role of inheriting historical culture is fully played.

The following main requirements were set:

To basically complete the archaeological survey and mapping of the major archaeological sites included in the Large-scale Archaeological Site Development Project Catalogue.

100% completion of the conservation plan for the large-scale archaeological sites included in the large-scale archaeological site development project nominal record.

Basic public access to the archaeological sites included

in the archaeological project inventory.

100% establishment rate of specialised management bodies for the large-scale archaeological sites included in the large-scale archaeological site development project nominal record.

Construction of 10-20 specialised archaeological research centres (stations).

Establishment of 20-30 new archaeological site museums.

Completion of the construction of 10-15 national archaeological site parks.

Establishing 8-10 large-scale archaeological site protection and maintenance areas.

To produce numerous theoretical and scientific results on the conservation and maintenance of large-scale archaeological sites.

3.6 Fourteenth Five-Year Plan (2021-2025)

During this planning period, by 2025, the overall pattern of protection, maintenance and utilisation of the large-scale archaeological sites will be basically formed, cultural relics and the surrounding environment will be generally safe, important achievements will be made in archaeological research, protection and maintenance, display and utilisation, education and entertainment, heritage innovation, dissemination and communication, etc., and China's The challenge is to make the theory and institutional system for the protection, maintenance and utilisation of large-scale archaeological sites with special characteristics more sound, enhance the nation's cultural soft power, inherit outstanding traditional Chinese culture, play an important role in promoting high-quality economic and social development, and highlight its important role in building a community of human destiny.

The following main requirements were set:

Strengthen archaeological work on large-scale archaeological sites: thoroughly promote research on the origins of Chinese civilisation and large-scale academic projects of "archaeological China"; support medium and long-term archaeological research programmes at important large-scale archaeological sites; systematic and continuous archaeological mapping, survey, exploration, excavation and basic information on large-scale archaeological sites; and This includes the establishment of a national platform.

Improving measures to manage the spatial use of large-scale archaeological sites: improving and perfecting the planning system for large-scale archaeological sites under

the territorial spatial planning system, and improving the 14th Five-Year Plan for the Protection and Use of the Large-scale Archaeological Sites, emphasising its leading role. Publish the compilation (revision) of the cultural heritage protection plan for the large-scale archaeological sites, incorporate the mandatory contents of the protection plan into the corresponding overall territorial and spatial plans and detailed plans, and give full play to the guiding and binding role of the plan.

Deepening theoretical and institutional research and scientific and technological application: focus on theoretical research and system design on value criteria, preventive protection, rights and interests distribution, as well as the identification system of Chinese civilisation, cultural heritage compensation and the linkage between land increase and decrease, and gradually form a theoretical system for the protection and utilisation of key heritage sites with Chinese characteristics.

Implementing comprehensive protection projects for large-scale archaeological sites: in line with national development strategies and urban and rural construction needs, coordinate projects for the rescue and protection of archaeological sites, comprehensive improvement of the surrounding environment of archaeological sites and the construction of cultural heritage safety protection facilities, to realise the comprehensive protection of cultural heritage and surrounding environment of large-scale archaeological sites.

Raising the level of display and utilisation of large-scale archaeological sites: actively promote preparatory projects for the World Heritage listing of Xixia Mausoleum, Erlitou Site, Sanxingdui Site, Diaoyucheng Site, etc., and work to ensure that the achievements and practical experience in the protection, maintenance and utilisation of China's large-scale archaeological sites are demonstrated in all aspects.

Promote quality development of national archaeological heritage parks: improve the institutional design of national archaeological heritage parks and improve the mechanisms of annual monitoring, comprehensive evaluation and social participation. Complete the third operational evaluation of national archaeological heritage parks and revitalise the relevant heritage parks^[19].

Establish a new pattern of protection, maintenance and utilisation of large-scale archaeological sites in the new era: coordinated development of Beijing, Tianjin and Hebei, development of the Yangtze River Economic Belt, construction of the Guangdong, Hong Kong and Macau Dawan District, comprehensive development of the Yangtze River Delta, ecological protection and quality development of the Yellow River basin, construction of the

Chengdu and Chongqing economic zones, development of Western Regions, Northeast. The construction of the Chinese civilisation identification system based on large-scale archaeological sites, the formation of large-scale archaeological sites, national cultural heritage routes and the protection and conservation of large-scale archaeological sites, in line with key regional strategies such as the comprehensive revitalisation of the region, the rise of the central region and the pioneering development of the eastern part of the country. The new pattern of protection and utilisation of large-scale archaeological sites aims to be represented by a combination of “dots, lines and planes”. Focus on building national cultural heritage routes such as Silk Road, Qinzhidao, Shu Road, Wanli Tea Trail, Hexi Corridor, etc., and build areas for the protection and utilisation of large-scale archaeological sites in Xi'an, Luoyang, Zhengzhou, Qufu, Jingzhou and Chengdu to outline the longitude and latitude of civilisation and continue the Chinese cultural lineage.

Innovate institutional mechanisms for the protection and utilisation of large-scale archaeological sites: strengthen central leadership and interaction between the central government and local authorities, support the incorporation of large-scale archaeological sites into national cultural parks and national parks, explore cooperation between the central government and local authorities and jointly build large-scale archaeological site protection and utilisation zones. Promote the classification and management of large-scale archaeological sites, set up comprehensive management bodies and multi-sectoral coordination and management mechanisms for large-scale archaeological sites according to local conditions, and foster and develop councils to enhance the protection and management capacity of large-scale archaeological sites. Promote the integration of the security of large-scale archaeological sites into the framework of building a regional social security preventive management system^[20].

4 HISTORICAL EVOLUTION OF THE LEGAL FRAMEWORK FOR THE PROTECTION OF ARCHAEOLOGICAL SITES IN CHINA

The legal framework for archaeological site development in China has historically taken a long time to develop. Key laws, regulations and administrative ordinances on the maintenance of archaeological sites include the following.

From ancient times to the present day, many cultural heritage sites have been preserved in China. However, it is also a fact that over the course of its long history, many archaeological sites have been lost due to theft and destruction. In response to this situation, a legal framework for the protection of archaeological sites has been developed.

The Chinese Government has established the National

Cultural Heritage Administration to promote the protection of archaeological sites at the national level. As the department in charge of cultural heritage protection, it is responsible for cultural relics protection, cultural relics archaeology and cultural relics restoration.

From the time of the founding of the administration until the 1980s, the protection of cultural relics was managed simultaneously by the Department of Social Work and Cultural Management, including libraries, and in 1988, the National Cultural Heritage Administration was established to protect, research, excavate, preserve, restore, exhibit and study archaeological sites. The National Cultural Heritage Administration functions as an institution that sets basic policies on the protection of cultural relics and carries out conservation, research and excavation of archaeological sites.

The current legal framework for the protection of archaeological sites in China is structured around the Law on the Protection of Cultural Relics. Prior to the enactment of the Law on the Protection of Cultural Relics, the legal framework for the protection of archaeological sites was not adequate.

4.1 Law on the Protection of Cultural Monuments

The Law on the Protection of Cultural Monuments is the basic law for the protection of cultural heritage, enacted in 1982. The Act lays down the basic principles for the protection of cultural heritage and establishes standards for the excavation, conservation, restoration and management of archaeological sites. The law establishes the National Cultural Relics Protection and Management Committee, which is empowered to make policy decisions on the protection of archaeological sites. This law has become an important law for the protection of cultural relics in China. It contains provisions on the classification, protection measures, restoration, research, excavation and management of cultural relics. In addition, the law furthermore strictly enforces criminal acts against cultural heritage. Penalties are imposed for theft, destruction, damage, forgery, export and pilferage of cultural heritage^[21].

In addition, the Law on the Protection of Cultural Heritage was amended five times in 2002, 2007, 2013, 2015 and 2017 to tighten the responsibilities of cultural heritage protection and improve the organisational system for cultural heritage protection.

5 POLICY CONSIDERATIONS FOR EFFECTIVE CONSERVATION AND UTILISATION OF LARGE ARCHAEOLOGICAL SITES

5.1 Clarification of Relevant Policies for Conservation and Utilisation

To address the complex issues involving population, land, resettlement, environment, and industrial restructuring related to the conservation of large archaeological sites, it

is crucial to establish specialised national-level policies. These should cover aspects such as dedicated migration and resettlement, land use, financial investments, and approval processes. Specifically, policies should include compensation for land related to archaeological protection, land acquisition and resettlement compensation policies, industrial structure optimisation policies, and related tax incentives. These measures will provide operational policy guidelines for various social governance issues in archaeological site conservation. It is recommended to formulate and implement regulations for the conservation and utilisation of large archaeological sites, promptly delineate conservation areas and development control zones, and define the cultural attributes of related lands. This allows for the separation of ownership, management, and operating rights of archaeological sites within specific ranges or periods, fundamentally resolving contradictions in the size and use of conservation areas. At the national level, standards and norms for social participation in the conservation and utilisation of large archaeological sites should be introduced to encourage local governments to reasonably guide private enterprises to participate in the development, management, and cultural tourism activities of large archaeological sites under the premise of grasping protection principles. It should be emphasised that heritage units engaged in heritage tourism operations should focus on the exhibition of heritage within heritage areas, and related tourism services (food, transportation, accommodation, shopping, entertainment, etc.) can be operated for profit by local governments and social capital.

5.2 Broadening Funding Channels for Conservation and Utilisation of Large Archaeological Sites

Encourage the extensive absorption of international funds, long-term low-interest loans and grants, and various types of private funds domestically for the maintenance and restoration of cultural relics and directly related special project construction. Formulate and improve policies and measures related to social donations and sponsorships to stimulate the enthusiasm of social groups, enterprises, and individuals to participate in the protection of cultural heritage.

5.3 Enhancement of the “National Archaeological Site Park” Platform

The National Archaeological Site Park is a relatively good systemic platform for solving the problems of conservation and utilisation of large archaeological sites, and has actively explored aspects such as heritage protection and cultural inheritance. However, as it is a system led by the cultural relics department, it has certain limitations and cannot solve many policy issues. Problems such as land use conversion, industrial methods, environmental protection requirements, especially the utilisation methods of conservation and construction control areas, all face bottlenecks that are difficult to resolve. For

example, the protection area of the Han Chang'an City site covers 75.02 square kilometers, with over 80% of the area comprising underground relics, while surface lands are mainly basic farmland, villages, factories, warehouses, educational facilities, and water conservancy structures, owned by different entities including the state, collectives, and individuals. Currently, the integration of "multiple planning into one" in national spatial planning is difficult to implement, and the long-standing confusion between the protection of cultural relics and the division of construction control zones is a prominent issue that has perplexed localities for a long time, urgently needing a systemic solution to the contradictions between protection and utilisation from the national level. Therefore, the author suggests establishing a platform for the conservation and utilisation of large archaeological sites from the perspective of national institutional arrangements, enhancing and improving the "National Archaeological Site Park", and promoting the construction of national "historical and cultural relic parks". This initiative should include a variety of types such as ancient sites, tombs, ancient buildings, and cave temples, rich in cultural connotations and distributed along mature tourist routes or with conditions for external opening. The focus should be on the conservation and utilisation of large archaeological sites, revitalising heritage and cultural inheritance. Seize the current opportunities to create national cultural parks, demonstration areas for the utilisation of cultural relics, and innovate overall strategies and new methods for the conservation of large archaeological sites.

6 CONCLUSION

This paper explores how guiding legal frameworks and national planning promote the development of large-scale archaeological sites in China. By analysing existing legal texts, policy documents, and national planning, several key findings are revealed:

Firstly, the Chinese government has established robust legal frameworks and national planning to protect and foster the development of large-scale archaeological sites. These regulations not only standardise the protection measures for sites but also promote the inheritance and utilisation of cultural heritage.

Secondly, the protection and development of large-scale archaeological sites involve a complex interdisciplinary process, encompassing policy implementation, social engagement, and balancing multiple interests. To effectively implement these policies, further enhancement of social participation and public education is necessary to strengthen public understanding and support for cultural heritage protection.

Lastly, future research and practice should focus on several areas: expanding interdisciplinary research,

particularly in economics, sociology, and cultural studies; strengthening supervision and evaluation mechanisms for legal implementation; optimising management models for large-scale archaeological sites to enhance the sustainable development of cultural heritage.

In conclusion, through further theoretical exploration and empirical analysis, the refinement of legal frameworks and national planning can further promote the protection and development of large-scale archaeological sites in China, injecting new vitality and momentum into the inheritance and innovation of Chinese civilisation.

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Conflicts of Interest

The author declared no conflict of interest.

Author Contribution

Shi Y was responsible for writing the original draft. She also reviewed and edited the manuscript.

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