

An Analysis of the Development of International Environmental Law on the Construction of Social Balance in International Relations from the Perspective of Socialism

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ABSTRACT

The construction of the theoretical system of international relations with Chinese characteristics must be made according to the concept of "harmony", with "harmonious coexistence" as the theoretical logic, and the country and society as the unit of analysis, so as to solve practical problems in the construction of the theoretical structure. The construction of China's own international relations theory is of great significance and value. It is implemented in the process of academic theoretic controversy and disciplinary structure adjustment, guiding China's peaceful development path and the international strategy of world powers.

Keywords: Socialism, International environmental law, International relations, International balance.

1. INTRODUCTION

The Chinese model was gradually formed in the 30-year history of reform and opening up. It is a path to socialist modernization with Chinese characteristics and has made a unique contribution to human modernization. The Chinese method is the objective basis of the Chinese model, and the Chinese model is a subjective understanding of the socialist modernization method with Chinese characteristics. The Chinese experience is the subjective basis of the Chinese model, and the Chinese model is a systematic summary of the Chinese experience. Judging from perspective of Chinese model, international socialist movement is an important practical issue.

2. THE DEVELOPMENT TREND OF MODERN SOCIALISM IN THE GLOBALIZATION OF WORLD ECONOMY AND POLITICS

In the 1980s, the development of socialism was more affected than ever before. The socialist countries in Eastern Europe, led by the Soviet Union, experienced a series of reform waves, and finally carried out

peaceful evolution and abandoned socialism. On the contrary, the comprehensive and in-depth reforms carried out by socialist countries such as China and Vietnam not only did not break away from communism, but also enriched the theory of socialism successfully. Especially on the premise of adhering to the socialist road, we have carried out a comprehensive reform of the socialist system and achieved world-renowned achievements. In particular, the success of China's reform and opening up has broken the rumors that socialism has been unsustainable, and rekindled the world's hope for socialism. What's more, the new breakthrough enabled the international communist movement to find a new starting point and create a new socialist construction.



Figure 1. The subjects of international environmental law

Socialist countries have no advantage in number or are completely at a disadvantage. At the same time, several countries have encountered difficulties in getting rid of the development process, but the overall development trend is still positive and stable. The basic system advantages of the socialist system are gradually manifested through self-adjustment and self-improvement in the global economic integration.

First, the market economy should be integrated with socialism to deepen the reform of the economic system. For a certain period of time, the traditional socialist economic development model will continue to be effective, and the influence of the Soviet model cannot be eliminated. Therefore, the modern socialist countries can only continue to deepen their economic system reform, and fundamentally break the chain of the Soviet model, so as to explore economic development methods in line with their own national conditions.

Second, in terms of political system reform, the development trend of modern socialism is to continuously improve the party's leadership level, legal system construction and socialist democratic politics under the structural premise. Modern socialism represented by socialism with Chinese characteristics has begun to establish a leadership system to increase vitality, mobilize various fields and polarization, and finally establish a comprehensive and highly democratic socialist legal system.

Third, in terms of ideological and cultural construction, we must not only pay attention to absorbing the outstanding achievements of Western capitalist countries, but also must always adhere to the guidance of Marxism, which in turn, will promote the peaceful development of capitalism. The spiritual civilization of modern socialism will be an inclusive institutional civilization. The most important feature of its era is to absorb and learn from the outstanding achievements of capitalist civilization on the basis of its own development. Socialism is the highest form of human society, which is an inevitable trend of historical development. What it seeks is the great union of the proletariat of the world and the liberation of all mankind. Therefore, it is inappropriate to realize or not realize socialism in existing countries. This may not be our ultimate goal. The spread of capitalist economic crisis in the global scope is conducive to the formation of external factors that make capitalism transition to modern socialism or peaceful evolution. The final victory and the replacement of capitalism with socialism will still be the inevitable trend of social development.

3. THE WAY TO SOLVE IT -- FOLLOW THE THINKING MODE OF ECOLOGICAL SOCIALISM

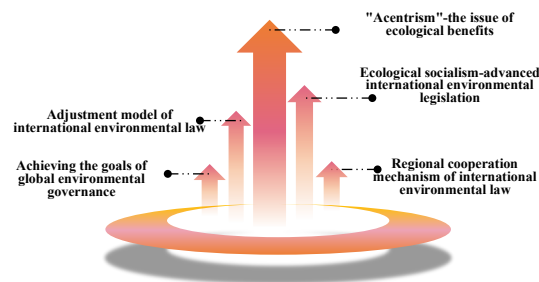


Figure 2. Ecological socialist thinking

3.1. "Acentrism"-the issue of ecological benefits

Regarding traditional law, its philosophy and methodology are based on the moral values of human interest-centrism. In the value relationship between man and natural objects, it only emphasizes the intrinsic value and the value of natural objects to man. Therefore, the ultimate goal of traditional law is to protect human rights. Under the guidance of this legal concept, although the past environmental legislation talked about environmental protection, its fundamental purpose is only to protect the interests of mankind in the use of the environment and nature, ignoring the fair and coordinated relationship. Humans and natural objects should exist in the earth's ecosystem, and we ignore the intrinsic value of natural objects independent of humans. Environmental benefits are the existence of traditional sector rights that can only be indirectly protected by law to reflect human interests. In the process of ecological socialism, humans should reflect on the limitations of environmental protection through traditional laws and gradually revise traditional international environmental laws. The value concept highlights the protection of ecological interests in legislation. The earth and mankind share common interests. Important international environmental protection treaties reflect important concepts of international environmental law, such as protecting the common interests and common heritage of mankind. The result is to seek the sustainable development of human society under ecological socialism.

3.2. Ecological socialism-advanced international environmental legislation

The focus of traditional international law is to codify the existing international customary law and international law conventions as principles of international law. The formation of this system often goes through a long process of understanding international laws and regulations. For example, the

territorial sea system has experienced a century of practice from its proposal to its formation. As ecological imperialism and colonialism intensify global plunder, some countries will experience high consumption and high pollution. Labor-intensive companies, raw material warehouses and even garbage dumps are moved to developing countries, plundering their land, labor, natural resources, clean air and water. "The quality of the environment is related to social material. The richness of wealth is closely related to poverty: Western capitalist countries maintain and improve their own environment by plundering third world countries. It is during this social transition period that international environmental legislation should be further developed and provide legal support for ecological socialism to eventually replace ecological imperialism." International environmental law conventions reflect the advanced practices of international environmental law, such as "the Basel Convention on the Control of Transboundary Movement of Hazardous Wastes and Their Disposal", and "the Protection of Biological The Convention on Diversity", "the United Nations Framework Convention on Climate Change", "the Antarctic Environmental Protection Protocol", "the Convention on Long-distance Transboundary Air Pollution", etc., but these laws seem to be far from enough. The joint efforts of the international environmental law community should be made to resist the naked exploitation of capitalism in the form of international law.

3.3. Adjustment model of international environmental law

International treaties and customs are the main source of traditional international law, but this situation is gradually changing in the international legal system when solving international environmental problems. Since the sustainable development of an ecological society cannot distinguish between countries, political systems and social ideologies, countries tend to implement international measures to achieve international environmental protection. The soft law model based on framework conventions is different from coercive force, and its traditional legal model behind is completely different, which is also a unique response of international environmental law to the particularity and complexity of international environmental issues. Although the soft law norms in the treaty system are not binding in each country, their influence on the development of international environmental law is extensive and profound. Many international environmental soft law documents, such as the "Human Environment Declaration", "Human Environment Action Plan", "Nairobi Declaration", "Rio Declaration", "Agenda of the Century", and "Declaration of Principles on Forest Issues", are available in the world with a high degree of

authorization. According to the basic principles of international environmental law recognized by all countries in the world, the development of environmental law and international environmental law determines the direction of ecological socialism.

3.4. Regional cooperation mechanism of international environmental law

We should improve the content of international environmental law and promote the expansion of principles to make them more detailed and operational. The most distinctive feature of international environmental problems is their territoriality, which makes international environmental law full of contradictions. International environmental law must take into account the differences in the level of development of countries in the world and the level of generally acceptable environmental protection measures, so the specific content should have more principles and more comprehensive content. On the contrary, it is easier to reach regional agreements between countries in the same region, which are more detailed and easier to implement effectively. Today, the legislative procedures for some environmental issues of universal importance usually include the formulation of conventions or declarations, resolutions, declarations, etc. The international community should pay more attention to this problem before seeking a solution. Relevant international environmental laws, regional treaties and global agreements signed through inter-regional cooperation mechanisms constitute the legal guarantee of an ecological society.

3.5. Achieving the goals of global environmental governance

Theories of global environmental governance include: first, the value of global environmental governance is the ideal goal that global environmental governance should achieve on a global scale. Second, the rules of global environmental governance, that is, to maintain the normal order of the global environment and solve good environmental problems, is the rule system to realize the universal value of mankind. Third, the main body of global environmental governance is the organization that formulates and implements the international environmental system. Global environmental governance is a kind of management involving the participation of multiple subjects. In this process, multiple subjects pursue public interests and form a Confucian interactive relationship. Global environmental governance issues include sovereign states, international intergovernmental organizations, transnational corporations, civil society and NGOs. Fourth, the goal of global environmental governance is mainly environmental issues that threaten mankind. Due to the permeability and scalability of global

environmental issues, the objects of global environmental governance also include environmental-related security issues and human rights issues that have penetrated into the global environment. Fifth, the effect of global environmental governance is the evaluation of the performance of global environmental governance. Realizing ecological socialism and the goal of global environmental governance will surely become the gospel of human development history.

4. THE CONSTRUCTION OF THE THEORETICAL SYSTEM OF INTERNATIONAL RELATIONS WITH CHINESE CHARACTERISTICS

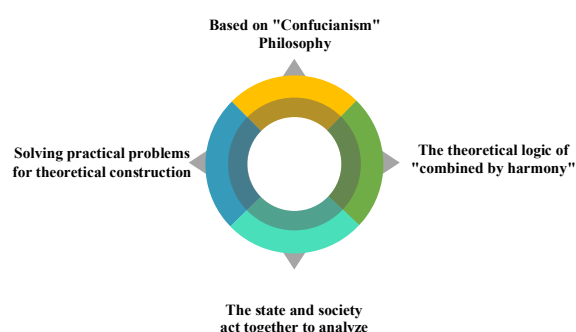


Figure 3. Theoretical system of international relations with Chinese characteristics

4.1. Based on "Confucianism" Philosophy

The "Confucianism" thought in Chinese traditional culture should become the philosophical foundation of a theoretical system of international relations with Chinese characteristics. Western culture pursues a monistic view of truth. The mainstream Western philosophy believes that a thing can only have one true truth and cannot tolerate differentiated values. Therefore, Western thought tends to establish universal values to eliminate differences, participate in cultural hegemonism or hegemonic theoretical monologues, and deny the theoretical framework of independent knowledge of international relations by other countries and non-civilized countries. Westerner Winter believes that there are "three cultures" in people's understanding of international relations: the first is the Hobbes culture, people only see enemies in their eyes; the second is the Locke culture, people replace war with competition; the third is the Kantian culture, people ally with friends. The first two are typical fighting cultures. Although Kantian culture is well-intentioned, it only forms alliances with friends, and essentially lacks the principles and abilities that are compatible with dissidents.

The "harmony" defended by Confucianism is compatible universalism, and its ideological basis is

Chinese-style ontology: coexistence precedes existence, "the world is not a human world, but the world is the world. Whoever benefits from the world gets the world." "Those who are good in the world will lose the world. In addition to the connotation of coexistence, "Confucianism without difference" is the dialectical unity of mankind. The international relations theories of all countries in the world have some points in common. In fact, each country has its own requirements and expressions of special interests, which require certain ideas and mechanisms to respect. The ubiquitous "Confucian" philosophical concept believes that coexistence is superior to individual survival, so it has enough tension to tolerate heterogeneous and even heretical cultures, and is inherently compatible with other cultures. The democratization of today's diverse world structure, the equalization of international relations and the exchange of diverse participation topics require the existence and communication methods of "undifferentiated Confucianism". The concept of "Confucianism" transcends the Western world system dominated by the balance of power or hegemony, and it will surely produce a new world structure.

Table 1. Descriptive statistics of socialist core values (2016)

Values	Frequency of independent presentation (Times)	Weighted average score	Weighted standard deviation
Development	641	8.51	1.75
Prosperous	845	8.24	1.84
Harmonious	1026	8.22	2.01
Charity	357	8.14	1.98
Free	395	8.13	2.02
Humanism	221	8.06	1.97
Mutual aid	304	8.04	2.04
Civilization	473	7.97	2.12
Democratic	624	7.82	2.24
Justice	206	7.75	2.25
Equality	729	7.72	2.41
Share	105	7.63	2.18

4.2. The theoretical logic of "combined by harmony"

The premise of building a theoretical system of international relations with Chinese characteristics is "harmony", and the basic logic is "harmony because of Confucianism." Western philosophy adheres to the principle of subjectivity, and takes the individual as

basic object of analysis. In addition, the assumption of human nature is the theory of evil. Therefore, the logical starting point of many Western theories is the assumption of rational economic man. The idea of constructing Western international relations theory is also an extension of this logic. Therefore, the consciousness of "imaginary enemy" is produced, thinking that the world is in a Hobbesian state of anarchy, and everyone is fighting against everyone. In this state of anarchy, the country struggles around various interests. In order to regulate the "evil" in human nature and prevent war and mutual destruction, countries must reach various contracts and agreements to maintain stability and peace and resolve disputes. Based on this assumption and logic, a theoretical system of Western international relations has been established.

Chinese philosophy believes that it defends the principle. The basic object of analysis is relations, and the hypothesis of human nature is a theory of good faith. Therefore, there is no imaginary enemy consciousness in Chinese culture, because it is assumed that there is a difference in the degree of development between people and between nations. The culture can coexist with Confucianism, and advanced civilization should also bear the responsibility. Other backward civilizations were produced on the basis of this culture that emphasized human nature and interpersonal relationships. This theory has a strong moral and ethical color.

The prerequisite for building a theoretical system of international relations with Chinese characteristics is that all countries in the world can coexist with Confucianism. The reason for all kinds of contradictions and conflicts is that it is difficult to find proper relation apart from inherent hostility and irreconcilable contradictions. The reason for establishing an international order is to find a cooperative relationship in which Confucian coexistence between countries can achieve "peace (Confucian)" and produce various "cooperation" among all countries. For example, China has always insisted on peaceful dialogue to resolve the South China Sea issue and advocated "stranding disputes and developing together". These are all realistic examples. At the same time, for theoretical construction, we should focus on interests and moral factors, attach importance to political ethics and international ethics, and build China into a responsible power.

4.3. The state and society act together to analyze

In today's theory of international relations, nation-states are the most important unit of analysis. There is no doubt about the country's status as the subject of international relations. However, the construction of a theoretical system of international relations with Chinese characteristics must pay attention to the

analysis and research of society. The political concept of China is society rather than nation. Chinese traditional politics focuses on the social conditions of common happiness, not the national conditions of individual freedom. In addition, the purpose of China's traditional policy is to build an orderly "society", not a state. "Country" in the Western sense is not a nation-state in a specific modern sense. In addition, the theoretical orientation of Marxism is also based on society. The social unity of the proletariat will break through the borders of the state and eventually realize a communist society, rather than establishing a communist state. Therefore, both ancient Chinese theories and socialist construction theories are based on social foundations. Only in modern times does the concept of nation-state emerge.

With the development of the times, the state has gradually changed its identity established under the Westphalian system through many transfers of state power and state functions, and has integrated into the global society, global market and global civil society. Various actors have established a network of global authority and common governance to achieve global cooperation in multilateralism to meet the requirements of all countries in the world and the universal development of mankind.

Therefore, the construction of the theoretical system of international relations with Chinese characteristics should be based on China's national conditions. We should keep pace with the times, and conduct forward-looking studies on the status and role of society in international relations.

4.4. Solving practical problems for theoretical construction

The theory of international relations with Chinese characteristics must be able to describe the current development of international relations, explain the reasons behind the reality, and regulate behavior in international relations, thereby internalizing them into international value orientations and values. When participating in international activities, the state should consciously abide by the code of conduct and be able to foresee the future development trend of international relations on the basis of understanding the law. The construction of any theory comes from the study of problems. Only when there is a problem, can we consider solving the problem, and then we can construct a theoretical system. The construction of the theory of international relations with Chinese characteristics should focus on solving certain problems. According to the current situation of China's foreign relations, the following problems need to be solved.

First, how can China avoid a peaceful rise due to the imbalance of international power and confrontation with other countries.

Second, how does China carry out inclusive development so that as China develops, it is also beneficial to the development of other countries.

Third, on the basis of development, how can China increase its responsibilities as its hard power grows? With the development of soft power, Chinese culture and ideas have become internationally recognized universal values.

Fourth, how to solve problems, maintain world peace and realize the integration of Confucian "harmony" concept among countries.

In the process of resolving the above-mentioned problems, the theoretical system of international relations with Chinese characteristics will naturally accompany rather than divorce from reality. Practice is the only standard to prove facts. If the description of the theory of international relations with Chinese characteristics is self-consistent and consistent with the facts, it must be tested in reality. We have to know that whether the description of international relations is close to substance and law; whether the prediction of the development trend of international relations can be confirmed; whether the value of the protected concept is generally accepted and adopted, etc.

5. CONCLUSION

The Chinese model was gradually formed in the 30-year history of reform and opening up. It is a path of socialist modernization with Chinese characteristics and has made a unique contribution to the modernization of all mankind. The connotation of the "China Model" refers to multi-level and multi-field reform and development on a pragmatic basis, that is, the spirit of "seeking truth from facts" or "learning by experience". As today's socialist development has undergone tremendous adjustments and changes, new trends and innovations have emerged in the process of global economic and political globalization. Judging from the socialist movement from the perspective of the Chinese model, we can draw some new perspectives.

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