

Original Paper

Research on the Integration of Ecological Environment Space Governance and Rule of Law

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Abstract

Ecological environment protection is an important global issue. With the rapid development of economy and the continuous growth of population, the problem of ecological environment has become increasingly prominent, which has become a key factor restricting the sustainable development of human society. As the world's largest developing country, China has made remarkable achievements in ecological environment protection, but still faces many challenges. In recent years, spatial governance and the rule of law have been widely considered as important means to achieve ecological and environmental protection. Spatial governance improves resource utilization efficiency by optimizing the spatial layout of the ecological environment; the rule of law ensures the effective implementation of ecological and environmental protection measures by regulating human behavior. Therefore, it is of great theoretical and practical significance to study the spatial governance and rule of law mechanism of ecological environment protection.

Keywords

ecological environment, space governance, rule of law

The purpose of this study is to explore the spatial governance and rule of law mechanism of ecological environment protection, and to analyze its role and synergistic effect in ecological environment protection. By systematically combing the relevant research results at home and abroad, combined with specific cases, in-depth analysis of the application of spatial governance and the rule of law in ecological environment protection and its coordination mechanism.

1. Current Situation and Challenges of Ecological Environment Protection

1.1 Global Ecological and Environmental Problems

In recent years, global ecological and environmental problems have become increasingly prominent, such as climate change, biodiversity loss, land degradation and so on. These problems not only affect the survival and development of human beings, but also pose a threat to the stability and sustainability of global ecosystems.

1.2 Progress and Shortcomings of Ecological Environment Protection in China

China has made remarkable progress in ecological environment protection, such as the establishment of a relatively perfect legal system of ecological environment protection and the implementation of a series of ecological protection projects. However, China's ecological environment protection still faces many challenges. For example, environmental pollution is still serious, and the trend of ecosystem degradation has not been fundamentally curbed.

1.3 The Importance of Spatial Governance and Rule of Law in Ecological Environment Protection

Spatial governance and the rule of law are important means to achieve ecological and environmental protection. Spatial governance can improve the carrying capacity and sustainability of the ecological environment by optimizing the spatial layout of the ecological environment. The rule of law can ensure the effective implementation of ecological environment protection by regulating human behavior. Therefore, spatial governance and the rule of law play an important role in ecological environment protection.

2. The Application of Spatial Governance in Ecological Environment Protection

2.1 The Concept and Theoretical Basis of Spatial Governance

Spatial governance refers to the process of rational allocation and effective utilization of space resources through planning, management and regulation. The theoretical basis of spatial governance includes spatial justice, sustainable development and so on. Spatial justice emphasizes that every individual should enjoy equal space rights, and sustainable development requires that the needs of contemporary people be met without compromising the ability of future generations to meet their needs.

2.2 Practical Cases of Space Governance in Ecological Environment Protection

Taking Beijing as an example, in recent years, Beijing has optimized the urban spatial layout and improved the quality of the ecological environment through spatial governance. Specific measures include relieving non-capital functions, strengthening urban greening construction, and promoting sponge city construction. These measures not only improve the ecological environment of the city, but also improve the quality of life of residents.

2.3 Patterns and Strategies of Spatial Governance

The models of space governance include government-led, market-led and social participation. The government-led model emphasizes the leading role of the government in space governance, and guides

the rational allocation of space resources by formulating policies and plans. The market-oriented model relies on the market mechanism to guide the allocation of space resources through price signals. The social participation model emphasizes public participation, and ensures the fairness and effectiveness of space governance through public participation and supervision.

3. The Role of the Rule of Law in the Protection of Ecological Environment

3.1 The Relationship between the Rule of Law and Ecological Environment Protection

The rule of law is an important guarantee for the realization of ecological environment protection. By formulating and improving the laws and regulations of ecological environment protection, human behavior can be standardized and the effective implementation of ecological environment protection can be guaranteed. At the same time, the rule of law can also sanction the illegal acts of the ecological environment through judicial channels to safeguard the public interests of the ecological environment.

3.2 The Current Situation and Problems of the Construction of Ecological Environment Rule of Law in China

China has established a relatively complete system of laws and regulations on ecological environment protection, but there are still some problems in the actual implementation. For example, the operability of some laws and regulations is not strong, the law enforcement is insufficient, and the public's environmental awareness needs to be improved. These problems have affected the effective implementation of the rule of law in the ecological environment and restricted the process of ecological environment protection.

3.3 Ways to Improve the Legal System of Ecological Environment

In order to improve the legal system of ecological environment, we need to start from the following aspects: First, strengthen the formulation and improvement of laws and regulations on ecological environment protection, and improve the operability of laws and regulations; the second is to strengthen the construction of law enforcement team and improve the ability and level of law enforcement; the third is to strengthen environmental education and improve the public's environmental awareness. Through these measures, the effectiveness of the rule of law in the ecological environment can be improved and the process of ecological environment protection can be promoted.

4. Contemporary Chinese View of Human Rights

The concept of environmental rights inherits the Marxist concept of all-round development of human beings and the excellent traditional Chinese culture.

Specifically, the environmental right can be summarized from three aspects. One is the right to enjoy the environment. People have the right to breathe fresh air, drink clean water, eat safe food, live in a livable environment, enjoy the beauty of nature, life and life in green hills, and truly feel the real environmental benefits brought by economic development. At the same time, we should adhere to the governance of the mountain-river-forest-farmland-lake-grass-sand system, strengthen ecological

protection and restoration, reduce greenhouse gas emissions, enhance the adaptability to climate change, and build a safe ecological environment barrier for the people. The second is the right to know the environment. The departments and enterprises responsible for ecological environment protection have the obligation to actively disclose ecological environment information to the society. It is necessary to establish a sound corporate environmental information disclosure system according to law, strengthen the mandatory disclosure of environmental information industry management, establish an environmental information sharing mechanism, and effectively protect the public's right to know. The third is the right to environmental participation. Ecological civilization is the cause of the people's common participation in the construction of common enjoyment, everyone has the right to participate in the protection of the ecological environment. It is necessary to continuously stimulate the endogenous power of the whole society to jointly protect the ecological environment, improve the public's right to participate in, supervise and report on the environment, promote the effective participation of the public in environmental decision-making, and ensure the enjoyment of environmental participation rights by all citizens.

5. Spatial Governance and the Rule of Law Coordination Mechanism

5.1 The Theoretical Basis of the Coordination Mechanism of Spatial Governance and Rule of Law

The synergy mechanism of spatial governance and rule of law is constructed based on the theoretical framework of system theory and synergy theory. System theory emphasizes that ecological environment protection is a complex system engineering, involving the interaction between multiple subsystems. The synergy theory focuses on the synergistic effect between these subsystems, and maximizes the overall benefits by optimizing the relationship between the subsystems. In the protection of ecological environment, space governance and the rule of law are two key subsystems, which can effectively improve the effect of ecological environment protection through synergy.

5.2 The Interactive Relationship between Space Governance and the Rule of Law

Spatial governance and the rule of law have an interactive relationship in ecological environment protection. Spatial governance can provide basic conditions for the implementation of the rule of law by optimizing the spatial layout of the ecological environment. The rule of law can ensure the effective implementation of space governance by regulating human behavior. Therefore, spatial governance and the rule of law have a mutually reinforcing role in ecological environmental protection.

5.3 Construction Principles and Framework of Coordination Mechanism

The construction of the coordination mechanism of spatial governance and the rule of law needs to follow the following principles: first, the principle of fairness, to ensure that each individual enjoys equal space rights; second, the principle of efficiency, improve the implementation efficiency of space governance and the rule of law; the third is the principle of sustainability to ensure the sustainability of the ecological environment. The framework of synergy mechanism includes policy synergy, law enforcement synergy and public participation synergy.

5.4 Implementation Strategy and Safeguard Measures of Coordination Mechanism

In order to implement the coordination mechanism of spatial governance and the rule of law, the following strategies need to be adopted: first, to strengthen policy coordination and formulate a unified ecological environment protection policy; second, strengthen law enforcement coordination and establish a joint law enforcement mechanism; third, strengthen public participation and coordination, improve public participation and supervision. At the same time, the following safeguard measures need to be taken: First, strengthen organizational leadership and clarify the responsibilities of various departments; the second is to strengthen financial security and provide necessary financial support; the third is to strengthen technical support and improve the scientific and technological content of space governance and the rule of law.

5.5 The Specific Path of Spatial Governance and Rule of Law Coordination Mechanism

In order to realize the synergy between space governance and the rule of law, it is necessary to build a comprehensive coordination mechanism from the aspects of policy formulation, law enforcement implementation and public participation.

1) Policy coordination

Unified planning: formulate a unified ecological environment protection policy, and incorporate space governance and rule of law construction into the same planning framework. For example, through the preparation of “ecological environment space governance and rule of law construction collaborative planning”, the objectives, tasks and specific measures of space governance and rule of law construction are clarified.

Policy convergence: to ensure the effective convergence of spatial governance policies and ecological environmental protection laws and regulations. For example, in urban planning, space control requirements such as ecological protection red line, permanent basic farmland and urban development boundary are incorporated into laws and regulations, and the implementation of space governance measures is guaranteed by legal means.

2) Law enforcement coordination

Joint law enforcement mechanism: Establish a multi-sectoral joint law enforcement mechanism, integrate the law enforcement forces of ecological environment, natural resources, agriculture and rural areas, and form a joint law enforcement force. For example, Beijing has effectively combated illegal occupation of ecological space and destruction of ecological environment by establishing a joint law enforcement mechanism for ecological environment.

Law enforcement supervision and accountability: to strengthen the supervision and accountability of law enforcement behavior, to ensure the fairness and transparency of law enforcement. Through the establishment of a law enforcement supervision platform, timely acceptance of public reports, and serious accountability for poor law enforcement or illegal law enforcement.

3) Public participation collaboration

Public participation mechanism: Establish and improve the public participation mechanism, and encourage the public to participate in the spatial governance and rule of law construction of ecological environment protection. For example, through public participation activities, such as ecological environmental protection volunteer action, community environmental governance, etc., to increase public participation and supervision.

Environmental education and publicity: strengthen environmental education and publicity, and raise public awareness of the environment and the concept of the rule of law. Through school education, community publicity, media communication and other channels, popularize the knowledge of ecological environment protection and laws and regulations.

6. Case Verification of Spatial Governance and Rule of Law Coordination Mechanism

In order to verify the effectiveness of the coordination mechanism of spatial governance and rule of law, this study selected Beijing and Shanghai as cases to analyze their specific practices and achievements in ecological environment protection.

6.1 Case Study of Beijing

Spatial governance measures: Beijing has effectively improved the urban ecological environment by relieving non-capital functions, optimizing urban spatial layout, strengthening urban greening construction, and promoting sponge city construction.

Measures for the construction of the rule of law: Beijing has established a relatively perfect legal and regulatory system for ecological and environmental protection. Through the joint law enforcement mechanism, it has severely cracked down on illegal acts of the ecological environment and ensured the effective implementation of ecological and environmental protection measures.

The effect of coordination mechanism: through the coordination of spatial governance and rule of law, Beijing not only improves the quality of ecological environment, but also improves the quality of life of residents, and realizes the benign interaction between economic development and ecological environment protection.

6.2 Case Analysis of Shanghai

The spatial governance measures: Shanghai has effectively protected the urban ecosystem by delimiting the ecological protection red line, optimizing the urban spatial layout, strengthening the construction of ecological corridors, and promoting ecological restoration projects.

Measures for the construction of the rule of law: Shanghai has strengthened the construction of law enforcement teams, improved the ability and level of law enforcement, and ensured the effective implementation of ecological environmental protection measures by formulating and implementing a series of laws and regulations on ecological environmental protection.

The effectiveness of the coordination mechanism: through the coordination of spatial governance and the rule of law, Shanghai has achieved remarkable results in the protection of ecological environment, the quality of urban ecological environment has been continuously improved, and the stability and sustainability of the ecosystem have been improved.

7. Suggestions on the Optimization of the Coordination Mechanism between Spatial Governance and Rule of Law

7.1 Suggestions for Optimizing Policy Coordination

Improve the policy system: further improve the ecological environment protection policy system to ensure the effective convergence of space governance policies and ecological environment protection laws and regulations. For example, by formulating the “detailed rules for the coordinated implementation of ecological environment space governance and rule of law construction”, the responsibilities and tasks of various departments are clarified.

Dynamic adjustment mechanism: establish a policy dynamic adjustment mechanism, according to the actual situation of ecological environment protection, timely adjust and optimize the policy content. For example, regularly evaluate the implementation effect of ecological environmental protection policies, and make policy adjustments based on the evaluation results.

7.2 Optimization Suggestions to Strengthen Law Enforcement Coordination

Strengthen law enforcement supervision: further strengthen the law enforcement supervision mechanism to ensure the fairness and transparency of law enforcement. For example, through the establishment of law enforcement supervision platform, timely acceptance of public reports, serious accountability for poor law enforcement or illegal law enforcement.

Improve law enforcement ability: strengthen the construction of law enforcement team, improve the professional quality and law enforcement ability of law enforcement personnel. For example, through the development of law enforcement training and assessment, improve the business level of law enforcement personnel.

7.3 Suggestions on Optimizing the Coordination of Public Participation

Improve the public participation mechanism: further improve the public participation mechanism and encourage the public to actively participate in the spatial governance and rule of law construction of ecological environment protection. For example, through public participation activities, such as ecological environmental protection volunteer action, community environmental governance, etc., to increase public participation and supervision.

Strengthen environmental education: further strengthen environmental education and publicity, and raise public environmental awareness and the concept of the rule of law. For example, through school education, community publicity, media communication and other channels, the popularization of ecological environment protection knowledge and laws and regulations.

8. Conclusion

This study deeply discusses the spatial governance and rule of law mechanism of ecological environment protection, and analyzes its role and synergistic effect in ecological environment protection. By constructing a collaborative mechanism of space governance and the rule of law, the effect of ecological environment protection can be effectively improved. The research results show that space governance and the rule of law play an important role in ecological environment protection, and the sustainable development of ecological environment protection can be realized through the implementation of collaborative mechanisms.

Although this study has made some achievements in theoretical analysis and case verification, there are still some shortcomings. For example, in terms of case analysis, the scope of research is relatively narrow. In the future, the scope of research can be further expanded and more comparative analysis of domestic and foreign cases can be added. In addition, with the continuous development of science and technology, the application of space governance and rule of law in ecological environment protection needs continuous exploration and innovation. In the future, we can further study how to use new technical means to improve the synergistic effect of space governance and rule of law.

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