



Study on international environmental justice in the dimension of environmental benefits: An exploration of fair sharing of environmental benefits in the philosophy of environmental law

Jianqing Chen

Law School, Fuzhou University, Fuzhou City, Fujian Province, China

Abstract

Environmental law is a new legal department spawned by the modern environmental crisis, and its historical mission is to deal with the modern environmental crisis faced by human beings. The modern environmental crisis is not the crisis of the environment itself but the crisis of human beings, which is caused by the deterioration of the natural environment. From the point of view of environmental justice, there is no doubt that the direct reason is that human beings armed with modern science and technology unscrupulously develop, plunder and destroy nature. From the national level, the root cause of the problem of international environmental justice is the exploitation of resources by technology economy countries to resource economy countries, the essence of which is the unfair distribution of environmental benefits between developed and developing countries. In view of the problems existing in the fair distribution of environmental benefits in international environmental justice, it is necessary to raise the essence of global environmental problems to the height of the philosophy of environmental law, so as to guide the fair distribution of environmental benefits among different countries through environmental ethics.

Keywords: environmental benefit; fair sharing; international environmental justice; environmental law philosophy

1. Introduction

While it is recognized that law is a societal regulatory and mediation device, the balancing used by the courts is not always the same as ecological balance^[1]. As the benefit base of environmental law and a new kind of benefit under the background of international environmental crisis, environmental benefit is a kind of satisfaction that good natural environment meets the needs of maintaining their own property and security interests among countries, and in the sense of object of interest protected by environmental law, environmental benefit includes good environmental quality. The fair sharing of environmental benefits is essentially a kind of security interests, and the realization of the overall security interests of the global environment under the benefits of the environment, the basic legal path can only be the conscious obligation path of each country^[2]. How to distribute and realize the environmental obligation is one of the core issues that should be paid attention to and solved in the research of environmental law.

Social, political or cultural concerns, grounded in ethics and justice that transcend the notions of safety and survival inherent in the planetary boundaries concept, provide additional grounds for making normative decisions consistent with the rule of ecological law^[3]. How does distributive justice - for short, "equity" - bear on the regulation of health and safety risks^[4]? In the context of the global environmental crisis, there is another external factor that endangers the interests of the person and property that

is the deterioration of the environment caused by environmental pollution and destruction. The deteriorating natural environment directly damages the personal and property interests of citizens of every country. From the national level, the damage caused by environmental factors lies in the plunder of environmental resources in developing countries by developed countries and the unfair distribution of environmental benefits between them. After a long period of adverse reactions, this kind of environmental crisis has caused global environmental issues, and will eventually hurt the developed countries themselves^[5].

1. The significance of Fair Sharing of Environmental Benefits to the Realization of International Environmental Distribution Justice

1.1 The Connotation of Fair Sharing of Environmental Benefits

Environmental benefit is the basic concept of environmental law, and the nature of it is the distinction between environmental benefits. Those environmentally vulnerable countries should get the allocation of inclined benefits, realize the distribution justice of environmental benefit under the background of conflict of interests, shape the form of international justice in the environmental era, enhance the value consensus of equal participation, communication and coordination among national subjects, and then shape the cognitive reconstruction of the relationship between human beings and environmental resources, and improve and perfect the legal system related to environmental resources^[6]. The environmental benefit in environmental law is the beneficial influence and effect of materiality obtained by

¹ Young, G. L. Environmental Law: Perspectives from Human Ecology, 6 *Envtl. L.* 289 1975-1976.

² Liu, W. Environmental Benefits in Environmental Law: Identification, Essence and Significance. *Legal Review*, 2016, 34 (03): 153.

³ Garver, G. The Rule of Ecological Law: The Legal Complement to Degrowth Economics, *Sustainability* 2013, 5, 316-337.

⁴ Adler, M. D. Risk Equity: A New Proposal, 32 *Harv. Envntl. L. Rev.* 1 2008.

⁵ Liu, W. Environmental Benefits in Environmental Law: Identification, Essence and Significance. *Legal Review*, 2016, 34 (03): 153.

⁶ Du, J. Environmental Benefits: A Normative Legal Interpretation. *Chinese Population, Resources and Environment*, 2013, 23 (02): 94-101.

people in the process of developing and utilizing environmental elements and natural resources. The corresponding concept in economics is "environmental public goods", which is ultimately reflected in the economic interests to meet the needs of people's development ^[7]. The pursuit of environmental law value should be based on the maximum value of the environment itself ^[8].

In the era of post-industrial civilization, injustice based on environmental and resource factors has been strengthened day by day, and international environmental injustice has become more and more serious due to the different possession of environmental benefits. From a global perspective, it seems that pollution has no borders, but the actual impact is different. On the one hand, many types of pollution are caused by the unfair distribution of environmental resources and different economic status; on the other hand, those countries with high economic status will be far away from the environmental disaster area, and can make use of technical resources to get timely and effective relief. All these phenomena are caused by the unfair distribution of environmental benefits. The environmental benefits are differentiated, the dominant areas and the dominant groups enjoy the environmental welfare, while the inferior areas and the inferior groups suffer the environmental deficit, which should be shared and borne by all ^[9].

However, we have to admit that environmental benefits have the characteristics of integrity. Seen from the aspect of security interests, environmental benefits can only be a kind of overall interests, rather than the interests of some individuals. The integrity of environmental benefits is determined by the integrity of the natural environment itself. It is an undeniable objective fact that the natural environment has regional integrity and even global one. In the same natural environment, people have actually been connected by the natural environment into a community, that is, the environmental community. The members of the community share a common destiny with the natural environment in which they live. If the environmental benefits cannot be shared equitably, every state member will be adversely affected by the deterioration of the global environment, and will eventually make the good global environment worse and worse ^[10]. From this perspective, this is exactly what the fair sharing of environmental benefits should mean, and only in this way can international environmental justice, as the concept of environmental law, be realized.

1.2 The Significance of Fair Sharing of Environmental Benefits

All environmental benefits that should be protected by environmental law are the ought-to-be legal interests of environmental law, the environmental benefits that have been regulated by environmental law are the actual legal

Interests of environmental law, and the environmental benefits that have been typed into the form of rights and powers are the positive legal interests of environmental law. Whether or not environmental benefits can be divided into private interests, for human society, first of all, this type of benefits or interests has the characteristics of integrity. Because the environment and its natural resource elements are the material basis for the survival and development of human society and the source of human wealth. "There is only one earth for human" is our inescapable destiny ^[11]. Therefore, it is necessary to view the divisibility and fair sharing of environmental benefits on the basis of its overall characteristics, so as to have the value significance pursued by environmental law. From the perspective of environmental law, people should not only regulate the behaviors that affect the increase and reduction of environmental benefits and make institutional arrangements for the protection of environmental public interests but also balance the differentiated environmental benefits of different subjects and different regions ^[12].

Environmental legal process is an action process of environmental benefits, which is based on the differentiation of environmental benefits, and the expression of the interests of various interest subjects is the basis of the legal process of interests. According to this, the law confirms the interests and selects and positions the list of interests based on the value judgment, so as to increase the total amount of interests through the protection of positive interests and the restriction of negative interests.

The result after the regulating of environmental law is to promote social welfare. Through the legal process of interest recognition, interest protection and restriction, the ultimate foothold is the increase of environmental benefits, which is a balance of correction. Through this balance, negative environmental behavior can be reduced and positive environmental behavior can be increased. The increase of positive environmental behavior means the correction of the imbalance of environmental benefits and the promotion of social interests ^[13]. Therefore, this is the greatest significance of fair sharing of environmental benefits. In the current situation of ecological security challenges and limited reserves of natural resources, and in the complex situation of intertwined environmental and social problems among countries, environmental law should not only coordinate the Benefits of environmental differentiation but also undertake the task of rectifying the benefits of environmental differentiation and increasing environmental benefits.

2. The Basic Situation of International Environmental Benefit Sharing

2.1 Exploitation of Resources by Technology Economy Countries to Resource Economy Countries

A prevailing assumption has been that pollution is a

⁷ Shi, Y. Balance of Ecological interests: principle, Approach and Expansion. Forum on Political Science and Law, 2014, 32 (02): 28-37.

⁸ Wang, C. Negative Protection of Environmental Benefits by Environmental law in China and its reflection. Jinan Journal (Philosophy and Social Sciences), 2013, 35 (06): 81-86.

⁹ Du, J. Environmental Benefits: A Normative Legal Interpretation. Chinese Population, Resources and Environment, 2013, 23 (02): 94-101.

¹⁰ Liu, W. Environmental Benefits in Environmental Law: Identification, Essence and Significance. Legal Review, 2016, 34 (03): 153.

¹¹ Shi, Y. Environmental Benefits, Environmental Rights and the Hierarchical Construction of Environmental Power-- Thinking based on the Method of Legal Interest Analysis. Studies in Law and Business, 2013, 30 (05): 47-57.

¹² Shi, Y. Environmental Benefits, Environmental Rights and the Hierarchical Construction of Environmental Power-- Thinking based on the Method of Legal Interest Analysis. Studies in Law and Business, 2013, 30 (05): 47-57.

¹³ Du, J. Environmental Benefits: A Normative Legal Interpretation. Chinese Population, Resources and Environment, 2013, 23 (02): 94-101.

problem faced equally by everyone in society^[14]. Under the existing market competition pattern, developed countries transfer high energy consumption and high pollution industries to developing countries. Developing countries mainly export raw materials and other primary products, engage in labor-intensive processing, import capital and technology-intensive manufactured products from developed countries. Developed countries obtain most of the added value by virtue of patent and other advantages, but are unwilling to undertake more obligations for common development. Similarly, developed countries are reluctant to fully respect the interests of developing countries in reducing global carbon emissions. The ethical dimension of the environment has been around for centuries, floating outside the harbor of what has come to be described as environmental law^[15]. On the one hand, the developed countries make the developing countries bear most of the environmental pollution and carbon emissions through industrial transfer, and reduce their own carbon emissions through importing the processed products of developing countries, so as to obtain environmental benefits. On the other hand, developed countries have more advanced low-carbon emission technologies than developing countries, have greater economic affordability, and should make more practical efforts to reduce global carbon emissions. In spite of ethical doubts that have been raised about market-based environmental regulation, such programs deserve closer attention^[16]. Under the current international economic order, the mechanism of coordinating the interest relationship among different countries is highly rigid, and many human factors are intensifying the deep contradiction of interests, which brings obvious adverse impact to the global economic development.

On the whole, the rich natural resources of developing economies and emerging economies provide a realistic guarantee for new industrialization and information technology. The huge population of a developing economy or an emerging economy can provide sufficient labor force and huge domestic market, actively participate in the international division of labor and the international market, seize the opportunity of international industrial transfer, and the development prospect of the national economy in developing economies and emerging economies is very promising. Obviously, in order to achieve the expected development goals, developing countries must have a good international economic order to provide support. However, The impact of the current international economic order on developing countries is asymmetrical and obviously disadvantageous. A narrow focus on distribution neglects a search for causation^[17]. The existing international economic order is still dominated by the developed countries to make rules, and it is operated under the control of the developed countries. The developed countries have become the biggest beneficiaries, resulting in an inherent imbalance in the international economic order. The imbalances and

asymmetries of the existing international economy are reflected in many aspects. Firstly, from the perspective of the international production system, the technological level and financial strength of developed economies are far superior to those of the developing economies. Most of the developing economies are engaged in the production, export and processing of primary products in the international division of labor, mainly using cheap labor or natural resources at the bottom of the international division of labor system. As a result, developed economies have achieved most of the added value gains. Secondly, from the perspective of the international trading system, the unreasonable and unequal international division of labor system has led to the imbalance of the international trading system, the price of primary products continuing to decline, the prices of manufactured goods and services continuing to rise, and the terms of trade faced by developing economies continuing to deteriorate. Finally, from the perspective of the international governance system, in terms of major issues, developed economies objectively have both more actual resources and more discourse power. To date, individuals claiming environmental inequities have exhausted most, if not all, remedial measures to cure alleged environmental injustices^[18]. As a result, developed economies are able to assume more obligations but often shirk their responsibilities, while developing economies are often required to undertake higher obligations beyond their affordability, leading to asymmetries in the rights and obligations of different countries in reality^[19].

The different status of developed countries and developing countries in the international division of labor directly determines their unequal status in international trade relations. Developed countries can rely on their monopoly advantages in technology, capital, etc. to suppress developing countries by increasing the prices of material products and service products and lowering the prices of imported raw materials. The characteristics of this international trade exchange make the trade relations between countries seriously unbalanced, which makes the western developed countries in the international exchange have been in an active and favorable position, while the developing countries have been in a disadvantageous and passive position. Therefore, it is not difficult to find that in all previous economic crises, developed countries always introduced some trade barrier measures, safety standard measures and so on to pass on their domestic economic crises^[20].

2.2 The Dominant Position of the U.S. Dollar Aggravates the Unfair Distribution of International Environmental Benefits

The current international financial system is based on unequal international economic and social relations, so it is fundamentally unbalanced. Most developing countries have weak economic foundation, lack of support points for

¹⁴ Mohai, P. & Bryant, B. Environmental Injustice: Weighing Race and Class as Factors in the Distribution of Environmental Hazards, 63 U. Colo. L. Rev. 921.

¹⁵ Olson, J. M. Shifting the Burden of Proof: How the Common Law Can Safeguard Nature and Promote an Earth Ethic. 20 *Envtl. L.* 891.

¹⁶ Rose, C. M. Scientific Innovation and Environmental Protection: Some Ethical Considerations. 32 *Envtl. L.* 755.

¹⁷ Foster, S. Justice from the Ground up: Distributive Inequities, Grassroots Resistance, and the Transformative Politics of the Environmental Justice Movement. 86 *Cal. L. Rev.* 775.

¹⁸ Tripolsky, M. A New Nepa to Take a Bite Out of Environmental Injustice. 23 *B.U. Pub. Int. L.J.* 313.

¹⁹ Chen, F. & Lu, B. Speed up the Renewal of the International Economic Order. *International Trade*, 2015 (06): 4 -10.

²⁰ He, X. On the Imbalance and Reconstruction of the Current International Economic Order. *Economic Review Journal*, 2012 (06): 22-25.

Economic development, slow economic development, financial constraints and serious shortage of funds, which prevent them from accumulating the necessary financial resources for their own economic development. If developing countries want to achieve all-round economic development, it is not enough to rely on their own limited export earnings, and it is even more undesirable to trade for economic development at the expense of resources and environment. To solve this problem, most developing countries integrate themselves into the financial system formulated by developed countries, and obtain funds through attracting foreign investment, borrowing from developed countries and receiving economic assistance from developed countries. There are a number of reasons why choices may differ from the decisions predicted by the narrow version of rational choice theory^[21]. On the face of it, this approach can indeed alleviate the financial pressure on the economic development of developing countries for a period of time, but in essence, as the current international financial markets are almost completely manipulated by developed countries, developing countries can easily fall into a disadvantageous position. From the perspective of developed countries, they expect more opportunities to enter the economic field of developing countries. By transferring funds to developing countries, making use of interests and profits and other forms to seek a large number of benefits, they control the policy-making and even the development direction of developing countries with financial capital.

The Bretton Woods system established after World War II made the U.S. dollar dominant and monopolistic in the international currency. The United States can influence the economies of developing countries by controlling U.S. dollar circulation and changing exchange rates, and can even pass on the economic crisis to developing countries. After the collapse of the Bretton Woods system, the U.S. dollar and the currencies of other major western developed countries adopted a floating exchange rate system. Although the international monetary system is pegged to the U.S. dollar alone, the financial system of developing countries is still unable to break away from the control of developed countries. Because these currencies have the functions of international settlement and foreign exchange reserves, and the small exchange rate fluctuations of developed country currencies against the U.S. dollar will have a great impact on the financial systems of developing countries. As a result, developing countries are only subordinate in this international monetary system, unable to prevent the risks posed by exchange rate fluctuations or, in turn, to affect exchange rates. Throughout the international financial system after World War II, it is not difficult to find that many economic crises in the capitalist world in the decades after the war have had a profound impact on developing countries^[22].

3. The Ways to Realize the Fairness of International Environmental Benefit Sharing

3.1 Fair Sharing of International Environmental Benefits Requires the Guidance of Philosophy of Environmental Law

The phenomenon of law reflects the relationship between

justice and interests. The phenomenon of law is a tool to regulate various interest relations in order to realize social justice. Law also conducts an open-ended search for understanding but demands a definite finding of facts at a given point in time^[23]. The law in the sense of "ought to be" and the law in the sense of "reality" have different relations with justice and interests. As a claim, law contains the subjective freedom and rights of the subject, which originates from the social and economic relations and represents the concept of justice based on the economy. As a rule or system, law is an objective rule to judge people's interests and behaviors. As a standard to judge whether the law is in line with justice, the law regulates the interest relations under the guidance of law. The phenomenon of law is a tool to regulate various interest relations in order to realize social justice^[24]. The question remains as to how society can accurately account for the value of nature in a world where consumption, expansion, and progression often stifle the cries of the natural world^[25].

According to the relationship between the whole and the local, there are overall interests and local interests. There are contradictions and conflicts between the interests of different subjects, so the law becomes necessary. As a means of social control, law must stipulate the distribution of various interests and balance all kinds of interests, sometimes the law is the product of mutual balance and compromise of different interests, and the law must also regulate the actual interests of society. As it ought to be, law should have justice, otherwise it is "evil law". Justice, also known as fairness, equity and rationality, is the ideal that human beings yearn for^[26].

In order to deal with the relationship between short-term interests and long-term interests, from the perspective of environmental law philosophy, all subjects are required to have a long-term vision and foresight. They should not only be able to evaluate and compare the various kinds of synchronic interests but also be able to analyze and judge the diachronic interest situation, so as to assess the situation according to the present situation and development trend of various interests in social life, and they should choose the best interest pattern, determine the best interest plan and obtain the best legal effect based on the present situation and the future. Therefore, with a profound understanding of environmental issues, only by sublating them into environmental law philosophy can we promote the generation of environmental ethics. Under the correct guidance of environmental ethics, it in turn will promote the realization of fair sharing of environmental benefits among countries^[27].

3.2 Change the Existing Division of Labor Pattern of the World Economy

It must be noted that the problems that have been exposed in the existing international economic order are deep-seated contradictions, serious functional deficiencies and structural

²¹ Green, A. You Can't Pay Them Enough: Subsidies, Environmental Law, and Social Norms. 30 Harv. Envtl. L. Rev. 407.

²² He, X. On the Imbalance and Reconstruction of the Current International Economic Order. Economic Review Journal, 2012 (06): 22-25.

²³ Deborah M. Brosnan, D. M. Science, Law, and the Environment: The Making of a Modern Discipline, 37 Envtl. L. 987.

²⁴ Gong, P. Jurisprudence (2nd Edition). Shanghai: Fudan University Press, 2008:45.

²⁵ Mitchell, M. Cries from the Cafos: A Case for Environmental Ethics. 39 J. Legal Prof. 67.

²⁶ Gong, P. Jurisprudence (2nd Edition). Shanghai: Fudan University Press, 2008:45.

²⁷ Fu, Z. Progress in Jurisprudence (4th Edition). Beijing: Law Press, 2013: 46.

disorders. If the international community turns a blind eye to this and even avoid solving problems, it will only accumulate more and more problems and ultimately harm the interests of all international members. It is time to take early action to reform and update the international economic order. The more they delay, the greater the cost will be. Only by eliminating the malpractices can they better promote the development of the global economy in the future.

The international economic order should pay more attention to and respond to the needs of developing countries. In terms of population size, geographical area and resources, developing countries undoubtedly account for the vast majority of the world. In this sense, the real international economic order is the one that can satisfy the international economic order of developing countries. Developing countries represent the future of global economic development. Without the effective development of developing countries, there will be no progress in the global economy, and there will be no future for the global economy. In a modern society with a highly open economy, the economic development of various countries is highly interdependent. The economic growth of developing countries is not only related to their own progress but also closely related to the economic operation of developed countries. Without the resources and markets provided by developing countries, export trade and foreign investment in developed countries cannot be carried out normally^[28]. Distributive justice may give innocent victims a right to compensation, because a well-ordered society is one in which down-side risks are shared by all^[29]. Therefore, it can be said that the more the international economic order can better respond to the demands of developing countries, the more it can truly perform its due roles and functions, and the more it can provide good support for global economic development.

It is an indisputable fact that the original intention of the United States in building the international economic order was the maximization and persistence of its own interests, and the enlightened spirit and just attitude it once had were being eroded more and more seriously over time. In fact, it is not difficult to observe that the United States is very headstrong on many occasions and is making more and more use of its special position for its own interests, regardless of the economic development and stability of other countries. For its own self-interest, the United States is always trying to obstruct the renewal and reconstruction of the international economic order, and always gives priority to maintaining its hegemonic position. As a result, the existing international economic order is obviously not conducive to the economic growth of emerging countries, which in turn hinders the development of the global economy^[30].

Generally speaking, with the continuous progress of economic globalization and the deepening of the interdependence of economic development in various countries, the international economic order has objectively

Become an important public product, which should fully reflect the requirements of the common development of all countries in the world and adapt to the dynamic changes of the world economic pattern. From the legal point of view, the only criterion to judge whether the international economic order is reasonable or not can only be the interests of most countries. The authority of rules originates from the recognition of the majority, and the validity of the rules depends on the compliance of the majority. It is necessary to change the traditional pattern in which the current international economic order is too biased towards the interests of a small number of developed countries, and to form a pattern that is more conducive to the common economic growth of most countries. Environmental values have taken shape around clusters of ethical issues that they share with other, non-environmental questions^[31]. The existing international economic order cannot and should not be artificially ossified but should keep pace with the times and strive to build a space more conducive to the development and progress of human society and economy^[32].

3.3 Change the U.S. Dollar-Dominated Monetary Policy

The current international monetary system is essentially a U.S. dollar standard system, in which the U.S. dollar has a dual identity of both a sovereign currency and an international currency, and its international supply is directly determined by the situation of balance of payments of the United States. But ultimately, together with domestic supply, it depends on the economic policies of the United States, which lacks both spontaneous adjustment mechanism and international restraint and coordination mechanism, which can easily lead to international economic imbalances and sharp fluctuations of international exchange rates^[33]. The international monetary system dominated by the U.S. dollar determines the global industrial division of labor system, trade pattern and financial operation rules. The United States dominates the economic resources of the whole world and affects the economic and financial stability of other countries by virtue of the U.S. dollar. Therefore, currently, countries all over the world are seeking the reform of the international financial system^[34].

In order to mitigate the possible adverse impact of international economic adjustment on the economies of developing countries, effective measures must be taken. The U.S. dollar standard has led to the failure of China's exchange rate policy to a certain extent. China needs to increase the adjustment effect of exchange rate policy by improving the international status of RMB, continue to promote the internationalization of RMB, and increase the proportion of RMB in international pricing and settlement. In recent years, the circulation of RMB in the surrounding areas of China is becoming more and more common, and many countries are willing to use RMB directly for trade settlement. Especially in Southeast Asia, RMB has become the most important foreign currency after the U.S. dollar,

²⁸ Chen, F. & Lu, B. Speed up the Renewal of the International Economic Order. *International Trade*, 2015 (06): 4 -10.

²⁹ Hurd, H. M. Correcting Injustice to Corrective Justice. *67 Notre Dame L. Rev.* 51.

³⁰ Chen, F. & Lu, B. Speed up the Renewal of the International Economic Order. *International Trade*, 2015 (06): 4 -10.

³¹ Purdy, J. Our Place in the World: A New Relationship for Environmental Ethics and Law. *44 Envtl. L. Rep. News & Analysis* 10687.

³² Chen, F. & Lu, B. Speed up the Renewal of the International Economic Order. *International Trade*, 2015 (06): 4 -10.

³³ Zhang, C. Dollar Standard, Dollar Circulation and Dollar Trap. *International Financial Research*, 2008 (06): 4-13.

³⁴ Xiang, W. & Liu, X. The Problem of Dollar Standard and its Sustainability. *International Financial Research*, 2009 (04): 32-39.

euro and yen. China should make full use of the trend of RMB internationalization and formulate various policies and measures conducive to RMB internationalization^[35]. Although changing norms is a slow process that faces many barriers, once norm change starts it is equally hard to reverse^[36].

It is of great significance to promote the reform of the international monetary system to solve the problem of global economic imbalance. In order to change the position of U.S. dollar as the international standard currency and solve the current imbalance of international capital flow, it is necessary to adjust and reform the existing international monetary system. Currently, one of the feasible ways is to establish regional currencies to counter and weaken the status of the U.S. dollar. The launch of the euro is an effective attempt. Although the euro area is facing many difficulties and challenges, it has taken an important step to rebuild the international monetary system. However, in order to break the status of the U.S. dollar, as things stand, the euro alone may not achieve the expected effect, and more regional currencies are needed in the future. The regional currencies are used for international settlement in the region, such as the formation of monetary union between trading partners, which can reduce the dependence on the U.S. dollar, and the issuance of the U.S. dollar will be restricted to a certain extent. For China, the opportunity should be seized to speed up the process of RMB internationalization. At present, the international status of RMB is not commensurate with the international status of China's economy. The main work now is to expand the scale of financial assets denominated in RMB and promote the settlement of RMB in international trade, which will effectively change the distribution pattern of the existing reserve currency^[37].

Conclusion

The subject of "environmental justice" has attracted considerable attention in recent years^[38]. The fair sharing of environmental benefits can not only bring the balance of economic interests among countries but also bring the balance of ecological interests^[39]. It can bring both material and spiritual benefits to mankind, and it can bring both private and public interests. There are some contradictions and conflicts in this series of interests or benefits. The essence of the global ecological crisis is the conflict of interests, which is due to the limitation of human cognition level. It only pays attention to the economic and private interests brought by the environment, while neglecting the immaterial and public ecological interests brought by the environment to human beings. Blindly sacrificing the economic interests of developing countries to meet the

economic interests of developed countries will undoubtedly cause the overall damage to the interests of the global ecological environment, and the result will inevitably be poverty and injustice, which will aggravate the damage to the global environment.

The principle of "common but differentiated responsibilities" was put forward, to some extent, because of the considering of the different historical responsibilities of developed and developing countries for the increase of atmospheric carbon dioxide concentration, as well as the differences in the development stage and emission reduction capacity. Citizens of developed countries currently enjoy the fruits of past greenhouse gas emissions, it is only fair to require those nations to bear a greater burden in solving the climate change problem^[40]. It has become a consensus of all countries to link the issue of climate change with the promotion of global sustainable development. It is recognized by the international community to treat carbon emission as a kind of development rights and interests^[41]. Environmental justice seeks to "make environmental protection more democratic"^[42]. From the perspective of fair sharing of environmental benefits, the international community should tend to give more carbon emission rights to developing countries, vulnerable groups of climate change and the poor, which requires developed countries to change their extravagant and wasteful lifestyles to reduce carbon emissions. All of these need to be sublimated into the philosophy of environmental law, so that the guidance of environmental ethics can become a consensus among strong and weak countries to consciously protect the global environment and distribute environmental benefits fairly on the basis of the global environmental integrity characteristics.

Author Information

Jianqing Chen

Law School, Fuzhou University, Fuzhou, Fujian, China

E-mail: aaronpower@foxmail.com

References

1. Young GL. Environmental Law: Perspectives from Human Ecology, 6 *Envtl. L.*, 289, 1975-1976.
2. Liu W. Environmental Benefits in Environmental Law: Identification, Essence and Significance. *Legal Review*. 2016; 34(03):153.
3. Garver G. The Rule of Ecological Law: The Legal Complement to Degrowth Economics, *Sustainability*. 2013; 5:316-337.
4. Adler MD. Risk Equity: A New Proposal, 32 *Harv. Env'tl. L. Rev.*, 2008, 1.
5. Du J. Environmental Benefits: A Normative Legal Interpretation. *Chinese Population, Resources and Environment*. 2013; 23(02):94-101.
6. Shi Y. Balance of Ecological interests: principle, Approach and Expansion. *Forum on Political Science and Law*. 2014; 32(02):28-37.
7. Wang C. Negative Protection of Environmental

³⁵ He, G. & Chang, X. The Mystery of the Dollar Standard and the Trade Surplus between China and the United States. *World Economic Research*, 2012 (01): 33-38+88.

³⁶ Babcock, H. M. Putting a Price on Whales to Save Them: What do Morals Have to Do with It?. 43 *Env'tl. L.* 1.

³⁷ Hu, X. & Guo, X. Dollar Standard, American Economic Virtualization and International Capital Flow: A New Explanation of Today's Global Economic Imbalance. *Journal of the Central University of Finance and Economics*, 2015(01):77-86+91.

³⁸ Kevin, D. "Environmental Racism" and Locally Undesirable Land Uses: A Critique of Environmental Justice Theories and Remedies, 8 *Vill. Env'tl. L.J.* 121.

³⁹ Deng, H. & Han, W. Identification and Orientation of Ecological Interests in the Pedigree of Legal Interests. *Legal Review*, 2013, 31 (05): 109-115.

⁴⁰ Bortscheller, M. J. Equitable but Ineffective: How the Principle of Common but Differentiated Responsibilities Hobbles the Global Fight against Climate Change, 2010 *Sustainable Dev. L. & Pol'y* 49.

⁴¹ Pan, J. & Zheng, Y. Carbon Emissions and Development Rights and Interests. *World Environment*, 2008 (04): 58-63.

⁴² Bullard, R. D. Environmental Justice for All. *Unequal Protection: Environmental Justice and Communities of Color* 3, 11.

- Benefits by Environmental law in China and its reflection. *Jinan Journal (Philosophy and Social Sciences)*. 2013; 35(06):81-86.
8. Shi Y. Environmental Benefits, Environmental Rights and the Hierarchical Construction of Environmental Power-- Thinking based on the Method of Legal Interest Analysis. *Studies in Law and Business*. 2013; 30(05):47-57.
 9. Mohai P, Bryant B. Environmental Injustice: Weighing Race and Class as Factors in the Distribution of Environmental Hazards, 63, 921.
 10. Olson JM. Shifting the Burden of Proof: How the Common Law Can Safeguard Nature and Promote an Earth Ethic, 20, 891.
 11. Rose CM. Scientific Innovation and Environmental Protection: Some Ethical Considerations, 32, 755.
 12. Foster S. Justice from the Ground up: Distributive Inequities, Grassroots Resistance, and the Transformative Politics of the Environmental Justice Movement, 86, 775.
 13. Tripolsky MA. New Nepa to Take a Bite Out of Environmental Injustice, 23 B.U. Pub. Int. L.J, 313.
 14. Chen F, Lu B. Speed up the Renewal of the International Economic Order. *International Trade*. 2015; (06):4-10.
 15. He X. On the Imbalance and Reconstruction of the Current International Economic Order. *Economic Review Journal*. 2012; (06):22-25.
 16. Green A. You Can't Pay Them Enough: Subsidies, Environmental Law, and Social Norms. 30 *Harv. Envtl. L. Rev*, 407.
 17. Deborah M, Brosnan DM. Science, Law, and the Environment: The Making of a Modern Discipline, 37, 987.
 18. Gong P. *Jurisprudence (2nd Edition)*. Shanghai: Fudan University Press, 2008, 45.
 19. Mitchell M. Cries from the Cafos: A Case for Environmental Ethics. 39 *J. Legal Prof*, 67.
 20. Fu Z. *Progress in Jurisprudence (4th Edition)*. Beijing: Law Press, 2013, 46.
 21. Hurd HM. Correcting Injustice to Corrective Justice. 67 *Notre Dame L. Rev*, 51.
 22. Purdy J. Our Place in the World: A New Relationship for Environmental Ethics and Law. 44 *Envtl. L. Rep. News & Analysis*, 10687.
 23. Zhang C. Dollar Standard, Dollar Circulation and Dollar Trap. *International Financial Research*. 2008; (06):4-13.
 24. Xiang W, Liu X. The Problem of Dollar Standard and its Sustainability. *International Financial Research*. 2009; (04):32-39.
 25. He G, Chang X. The Mystery of the Dollar Standard and the Trade Surplus between China and the United States. *World Economic Research*. 2012; (01):33-38+88.
 26. Babcock HM. Putting a Price on Whales to Save Them: What do Morals Have to Do with It?. 43 *Envtl. L*, 1.
 27. Hu X, Guo X. Dollar Standard, American Economic Virtualization and International Capital Flow: A New Explanation of Today's Global Economic Imbalance. *Journal of the Central University of Finance and Economics*. 2015; (01):77-86+91.
 28. Kevin D. "Environmental Racism" and Locally Undesirable Land Uses: A Critique of Environmental Justice Theories and Remedies, 8 *Vill. Envtl. L.J*, 121.
 29. Deng H, Han W. Identification and Orientation of Ecological Interests in the Pedigree of Legal Interests. *Legal Review*. 2013; 31(05):109-115.
 30. Bortscheller MJ. Equitable but Ineffective: How the Principle of Common but Differentiated Responsibilities Hobbles the Global Fight against Climate Change. *Sustainable Dev. L. & Pol'y*, 2010, 49.
 31. Pan J, Zheng Y. Carbon Emissions and Development Rights and Interests. *World Environment*. 2008; (04):58-63.
 32. Bullard RD. Environmental Justice for All. *Unequal Protection: Environmental Justice and Communities of Color*, 3, 11.