

# Optimized Path of Coordinated Development of Ecological Environment and Economy under the Perspective of Environmental Law

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**Abstract:** In the new socialist era, China's economy continues to develop. Economic development usually consumes a large amount of energy, and causes pollution to the ecological environment to a certain extent. In general, ecological balance and economic development are negatively correlated. In recent years, more and more attention has been paid to environmental protection and economic development, and the exchange of environment for economic development is no longer advocated. Therefore, in this context, the relationship between ecological environment and economic development is a problem that must be faced and solved in the process of social development. And the basic foundation of environmental law is the coordinated development of the two. This paper also makes an in-depth exploration of this, hoping to promote the simultaneous improvement and development of the ecological environment and economic development.

## 1. Introduction

In order to promote the coordinated development of ecological environment and economy, we need to do more in-depth work. The following will specifically analyze the main contents of the balanced economic and ecological development and their relationships with environmental law, also analyze the status quo and development goals of our country, as well as explore and analyze the methods and strategies of environmental law to promote the balanced economic and ecological development.

## 2. Balance between ecological environmental protection and economic development

### 2.1 Balancing the strength between protection and development

Ecological environmental protection and economic development has always been two contradictory aspects. And ecological interests and economic interests are mutually competitive, also the competitive strength between them determines the balance of social development. However, in terms of the current development in China, our economy is in a period of medium-high speed development, while the situation of ecological environment is very serious. Therefore, we should protect the ecological environment interests properly, and also improve the competitive strength of the ecological environment interests.

### 2.2 Strengthening the integration of the two and maximizing the benefits

Balancing the nature of ecological environmental protection and economic development is a dynamic process, what is, on the basis of respecting and utilizing the unity of opposites, the disordered, antagonistic and competitive relationship between the two will be gradually transformed into the direction of rational treatment and seeking opportunities for their integration, so as to achieve orderly cooperation and balance as well as win-win results. Aiming at ecological environmental protection and economic development, China has gradually changed from the initial principle of sustainable development to the development of circular economy and green economy, which also reflects that the two are contradictory and integrated with each other to maximize the interests of the majority of people.

### **2.3 Independent ecological and environmental benefits**

The integration of ecological environmental protection and economic development means that ecological and environmental interests are equally important as economic interests, instead of only paying attention to the dominant position of economic interests. At the beginning of the industrial development, our country attached great importance to economic benefits and has also done the events of “prioritizing the development of the economy and then managing the environment”, but the fact showed that although the approach could effectively promote the rapid development of economy, there was no guarantee that the sustainable development of economy, also the increasing deterioration of the ecological environment hindered the pace of economic development too.

### **3. The correlation analysis of environmental law and balanced economic and ecological development**

Institutional economics holds that institutional structures and changes are important factors affecting economic efficiency and development. It is generally believed that the root cause of environmental problems is system failure, which is manifested as market failure and government failure. The so-called market failure refers to the existence of some obstacles in the market mechanism, resulting in low efficiency in the allocation of environmental resources, while the so-called government failure means that the government, as the head of environmental protection, cannot effectively prevent market failure, what makes the allocation of environmental resources more inefficient and fair, mainly in the policy mistakes and management failures.

### **4. Transformation of environmental law based on the concept of coordinated development of ecological environment and economy**

Harmonious development of ecological environment and economy requires both economic development and ecological environment. This is also the overall goal pursued by China's legal system. As a result of this, environmental law, with the specific purpose of environmental protection, is dedicated to environmental protection "responsibilities" to preserve and increase the value of the ecological environment. Therefore, the concept of coordinated development of ecological environment and economy has different implications for environmental law from the traditional law, which should be reflected in the following aspects.

Firstly, changing the legislative purpose of environmental law so that it can achieve environmental protection goals under the overall goal of pursuing sustainable economic and social development, but we should still take specific environmental protection goals as the core. Whether the preservation and appreciation of ecological environment or economic development, it is only the concrete embodiment of sustainable economic and social development. Therefore, the sustainable development of economic society has become the common goal of all departments under the concept of coordinated development of ecological environment and economy.

Secondly, paying attention to the priority principle of environmental protection. On the whole, the legal goal under the concept of coordinated development of ecological environment and economy is to achieve a win-win situation for economic development and environmental harmony. However, due to the different division of labor in various departmental laws, the focus of their specific tasks should not be the same. As far as environmental law is concerned, the focus of its specific task should undoubtedly be to protect the environment. Environmental law should give priority to environmental protection as one of its basic principles. When economic construction conflicts with environmental protection, environmental law should propose that environmental protection takes precedence over economic construction.

Thirdly, adopting the aggregate thinking, as well as paying attention to the environmental carrying capacity as the hard constraint of economic development, and setting the boundary for economic activities. The modern environmental crisis has shattered the myth that the human economy can grow indefinitely. The natural environment can only contain a limited amount of pollutants and provide a

limited amount of wealth within specific space and time. Although the economic development with high input, high consumption, high pollution and low efficiency can maintain the rapid economic development in a certain period of time, the resource and environmental costs are huge, and even the ultimate consequence can only be more than the gain. Therefore, we should adopt extreme thinking and strictly limit the economic development within the bearing capacity of resources and environment. Environmental law takes good ecological environment as its direct target. Under the precondition that resources and environments are objectively limited, the environmental law must scientifically allocate the total amount of resources and environments and set the maximum limit for economic development to achieve its goal.

Fourthly, encouraging investment in the ecological environment and increasing its value. Under the concept of coordinated development of ecological environment and economy, environmental law should not only limit the total amount of resources and environment that can be utilized by economic development under specific time and space conditions, but also find ways to improve the total amount of resources and environment so as to provide more resources and environment that can be utilized for economic development. Moreover, environmental law should not only take a negative attitude to strictly limit the total utilization of resources and environment, but also take a positive attitude to find ways to preserve the ecological environment and promote the increase of the total amount of resources and environment. Therefore, through a series of system designs, environmental law should encourage all kinds of subjects to actively invest in the conservation of ecological environment and promote the appreciation of ecological environment.

Fifthly, in the relationships of right, power, obligation and responsibility, obligation comes first, power dominates, and right and responsibility cooperate actively. In the framework of environmental law under the concept of coordinated development of ecological environment and economy, environmental obligations must go first, environmental rights take the lead, and environmental rights and legal responsibilities should actively cooperate with environmental obligations and legal responsibilities to achieve a good ecological environment. Only when the obligation of environmental protection comes first can good ecological environment be shared. As the main provider of social public interests, the government plays a leading role in environmental protection and should assume the main environmental protection obligations. Although the public bears a wide range of environmental protection obligations and cannot enjoy substantive rights to a good ecological environment, it does not mean that the public does not enjoy any rights related to environmental protection.

## 5. Conclusion

The harmonious development of ecological environment and economy needs a reasonable system of environmental protection. A balanced economy is a way to properly protect resources, energy and economic development that benefits human health. China should seize the opportunities and change the existing non-sustainable economy, with serious consumption and environmental pollution, as well as establish and improve the ecological economic development system, and give full play to the positive role of environmental law in the balanced development of the environmental economy.

## References

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