

Analysis on the Development Trend of Social Policy and Legal Norms in the Context of the Belt and Road

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Abstract: In 2013, President Xi Jinping's "One Belt, One Road" initiative was a medium- and long-term strategy for China's foreign relations in the new era. Among them, the international system and organization are the important foundation of the "Belt and Road Initiative" initiative. On February 1, 2015, the "Belt and Road" construction work conference was held in Beijing to arrange and deploy major issues and key tasks for the "Belt and Road" construction in 2015 and in the future. Domestic public opinion generally believes that this concept is in line with the trend of regional development and has bright prospects. But an important fact that cannot be ignored is that the middle ground of the Eurasian continent has been a world economic growth for a long time. This is both an opportunity and a challenge for China. The joint construction of the "Belt and Road" is an initiative of China to neighboring countries. The goal of the realization of the initiative is inseparable from the joint efforts of countries along the route.

Keywords: *Belt and Road, Institutions, Social policies, Legal norms, Development trends*

I. INTRODUCTION

At present, the academic community has different views on whether the "Belt and Road Initiative" needs to be institutionalized. For example, the US Strategy and International Center, Scott Kennedy, and others hold negative or questioning views. They believe that the "Belt and Road Initiative" does not involve free trade zones, nor does it contain binding agreements between countries. As China strives to avoid potential, measurable formal treaties, it increases flexibility by reducing formal arrangements. Therefore, the "Belt and Road Initiative" does not involve the construction of new international institutions. Yuan Shengyu and Wang Weimin believe that China's "One Belt, One Road" initiative in Central Asia is proceeding in a multi-pronged path, without the need to establish supranational institutions and strict rules and mechanisms. Of course, some scholars have a positive attitude towards this. Some researchers believe that the "Belt and Road Initiative" is the process of providing public goods in China, and the key countries and international organizations can obtain common interests from these public products and create common values. The key lies in the distribution and use of public products. System Construction. In economic terms, in order to promote Asian economic cooperation and strengthen economic ties, consideration should be given to establishing the "Asia Five Economic Forums" (G5-Asia) in Kazakhstan, India, Indonesia, Japan and China. Culturally, the use of the coexistence of multiple Asian civilizations has promoted the establishment of a "Asian Civilization Dialogue" mechanism.

After the "One Belt, One Road" strategic initiative was proposed, more than 50 countries expressed support in different forms in more than a year. Among them, the most striking is the Asian Infrastructure Investment Bank proposed by China. As of April 15, 2015, there were 57 finalized intentional member states, covering major countries except the United States, Japan, and Canada. Economically developed countries, as well as most

countries in the Asia-Europe region, have members on five continents. Although the AIIB itself has no direct connection with the "Belt and Road", it is committed to promoting infrastructure construction and interconnection in Asia, including providing services for related infrastructure projects in the ADB member countries along the "Belt and Road". The continuous development of the Belt and Road Initiative will play an important supporting role. At the same time, many specific projects with mutual benefit and win-win results, such as Sino-Russian energy, high-speed rail cooperation, China-Brazil energy, channel projects, etc., are also being carried out and promoted in an orderly manner.

For China, the extensive economic growth model of more than 30 years has become increasingly difficult to maintain, and the country is in a critical period of transformation. From the perspective of opening up to the outside world, the connotation of integrating into the world has far exceeded the scope of introducing foreign capital and exporting goods. Chinese companies need to go abroad and participate in competition and cooperation within the world. To this end, we need new areas and directions for opening up.

II. THE PROPOSED METHODOLOGY

The Meaning of "One Belt, One Road". The core goal of the "Belt and Road Initiative" is to achieve interoperability between China and countries along the route. In April 2015, the Development and Reform Commission, the Ministry of Foreign Affairs and the Ministry of Commerce jointly issued the "Vision and Action for Promoting the Construction of the Silk Road Economic Belt and the 21st Century Maritime Silk Road". China will focus on cooperation between countries and regions along the "Belt and Road" to promote practical cooperation in all aspects and build a community of interests, a community of destiny and a community of responsibility for political mutual trust, economic integration and cultural inclusion.

Facility China Unicom is a priority area for the "Belt and Road" construction. It advocates strengthening the infrastructure construction planning and technical standards system to jointly promote the construction of international backbone channels and gradually form an infrastructure network connecting Asia's sub-regions and between Asia, Africa and Europe. But the "Belt and Road" initiative is not limited to infrastructure construction, but also includes extensive cooperation in politics, investment, trade, finance and culture. For example, jointly provide policy support for pragmatic cooperation and large-scale project implementation, strengthen bilateral investment protection, reduce investment and trade barriers, strengthen customs cooperation, promote Asian monetary stability system, investment and financing system and credit system construction, and jointly promote Asian infrastructure investment banks. Institutional building and promotion of cultural exchanges.

Judging from the regional distribution of world economic development, in the process of globalization, the economic

performance of the emerging countries in the third world of Asia, Africa and Latin America is eye-catching, but most small and medium-sized countries still have difficulty getting rid of poverty. Even if they grow, they still perform very well. Unstable. Especially in the middle of the Eurasian continent. The two ends of the region are the two most active poles in the world's economic growth: the EU and the Pacific Rim. In the middle of the two poles, it collapsed. Along with the lack of economic growth, political instability, terrorism and global spread in this region have become major threats to world peace and development. China itself is also the main victim of the prevalence of international terrorism. Therefore, the implementation of the "Belt and Road" concept is not only for the further growth of the national economy, but also for China's contribution to world peace and security.

Institutional Behavioral Logic and Institutional Strategy. The core of the study of international institutions as the mainstream paradigm of contemporary international relations theory is to explain the advantages and potentials of institutions in influencing policies and state behavior. In general, the international system means: "Provisioning the role of the actor, constraining the activity and shaping the expected set of persistent and interrelated (regular or informal) rules". The international system specifically includes: formal intergovernmental or transnational non-governmental organizations, international mechanisms, and international practices. The core elements of international institutional theory are "interdependence", "international cooperation" and "international system", that is, the existence and function of the international system are free and independent, and they are optimistic about the prospects for cooperation and changes in state behavior. . By its very nature, institutionalism seeks to explain how the international system can reconcile the effects of international anarchy by changing the costs and benefits of cooperation.

Institutional participation is a common practice in current international actors. From the perspective of the type of institutional participation, it can be divided into active participation and passive participation, limited participation and deep participation, partial participation and full participation, indirect participation and direct participation. Institutional participation itself helps to improve the legitimacy of the system and the rigor and effectiveness of decision making. Due to the limited space for the transfer of rights in Western countries, emerging economies have questioned the lack of legitimacy and transparency of the international system in order to safeguard the interests of the system participants, and promoted the reform process of the international system. However, the reform of the international system is a neutral, limited process that does not touch on the essential issues. Since the existing leading countries are not willing to carry out substantive reforms, after the actors participate in the international system, the institutional reforms will be the gradual adaptation. The product of sexual adjustment.

Social System Value and Value Analysis. New China promulgated the first constitution, which not only stipulates the broad political and economic rights of citizens, but also stipulates many social welfare rights, such as the right to employment, the right to rest, the right to material assistance, and the right to education. Regrettably, these social welfare rights stipulated in the Constitution have not been specifically protected by law, but have been shelved or abandoned by a series of policies in subsequent political movements. The rural cooperativeization and the people's commune movement are the

fundamental welfare of hundreds of millions of peasants, and are also related to changing the rural economic organization and the political system. Such a major event involves the revision of the Constitution, because the Constitution clearly stipulates that the State protects the ownership of land and other means of production of the peasants in accordance with the law.

In the field of social policy, policy norms prevail, legal norms are excluded, and the impact on citizens' social welfare level is twofold. On the one hand, policy norms are easy to respond flexibly to the needs of social welfare, and they are decisive, rapid and efficient. This can not only be free from the constraints of previous policies, but can even easily break through the shackles of any existing law. On the other hand, policy norms are often transmitted within the bureaucratic system in the form of red-headed documents. Information resources are monopolized by a few people. The subjects who enjoy social welfare, that is, ordinary citizens, have little or no knowledge of policy regulations (this is in rural areas). They are particularly effective. They are completely passive in the face of policy norms. Whether they should enjoy the benefits, what kind of treatment they enjoy, and the extent to which they enjoy the policy executors.

The rule of law in the field of social policy undoubtedly makes the legal norm play a leading role in regulating the rights and obligations of social welfare, but policy norms are not completely useless. Governing the country according to law does not mean completely rejecting the policy, but the policy must obey the law, and the executive power and the will of the chief must be bound by the law. Social policy involves the vital interests of everyone, specific and trivial. It is impossible for the legal norms to make specific provisions for each of these levels and each issue, which leaves room for policy norms to play their roles. In short, in the field of social policy oriented by the rule of law, policy obeys laws, policies and laws play different roles in their respective fields.

Institutional Reconstruction and Transfer System Strategy. In general, countries often use existing international systems. This is because the trading system of the existing system is relatively simple and can reduce transaction costs, and the new establishment of an international system will inevitably increase transaction costs. However, inconsistent with the theoretical discussion, the current wave of new institutional construction in the international community is constantly emerging. In this regard, the University of Columbia, Johannes Urpelainen, and the University of Ghent, Thijs Van de Graaf, believe that when the existing system is challenged by the challengers, new When the expectations of the system and the pressure of domestic political factors to force the abandonment of the existing system arise, new international institutional initiatives and institutional development will emerge. In the view of the world society theory, national policies are influenced by normative pressures of the international community, reflecting the gap between ideas and practices in governance systems. M. Patrick Cottrell believes that the agency slack in international organizations leads to the loss of legal legitimacy, which in turn leads to the establishment of new institutions or the replacement of old ones.

In the Chinese social policy system, except for a few laws and regulations such as the Labor Insurance Regulations, which have strict legal nature, most of the policies are issued in the form of documents in the name of notice or regulation by the relevant ministries, commissions and bureaus of the State Council. The legal level and level of policy are low. Some even

the ministries, commissions, and bureaus use the form of notice or reply as the policy basis for social welfare.

Procedures in the field of social policy include application procedures, litigation procedures, administrative review procedures, and labor arbitration procedures, which have two values. The first is the tool value of the program specification. Logically speaking, the substantive law that directly stipulates the rights and obligations of social welfare cannot be automatically implemented. Only after a certain procedural process can the rights and obligations of social welfare be realized in a real sense.

As far as the basic nature of the current international society is concerned, the "One Belt, One Road" strategic initiative has a certain advanced nature. It is a major practice of the new international relations advocated by China. "One Belt, One Road" is a strategic initiative covering a wide geographical range, involving a wide range of fields and content, and having a profound impact on the international community. However, it is not carried out in a very ideal international environment. All the way to the construction process, there will inevitably be such problems, and they will also face risks from different aspects. These risks, challenges and problems need to be studied and overcome in a targeted manner. A full and open analysis and discussion of risks and issues represents a positive attitude towards how to better build a "One Belt, One Road" approach, rather than a negative expression.

The "Belt and Road" construction will significantly improve the infrastructure conditions in the central and western regions of China, and promote interoperability between China and neighboring countries while promoting interoperability between domestic and international regions. In the process of "westward opening", the role of the central and western regions will be transformed from an open interior to an open front, which will help increase the attractiveness of the central and western regions to undertake industrial transfer in the eastern and developed countries, and promote the central and western regions. With trade development and economic growth, the development gap between China's regions will also narrow. From a national perspective, the implementation of the "Belt and Road Initiative" has the dual effect of expanding short-term demand and improving long-term supply capacity. The "Belt and Road" construction will promote the division of labor between countries and regions along the line, thus forming a new economic growth point.

China's social policy norms are still in transition. At present, the proportion of legal norms of social welfare is too small. Many social welfare policies have a low level of effectiveness, and the authority of legal norms sometimes does not depend on their own effectiveness, but depends on policies. movement. The balance of power and rights in social welfare policy norms does not mean that power and rights are balanced. In some cases, the dominant position of power still exists. For example, the Unemployment Insurance Regulations stipulates penalties for individuals to defraud insurance money. However, if individual

rights are ignored or violated by the administrative organs, no corresponding provisions are made. There is a big gap between legal rights and real rights, and there is no procedural guarantee for legal rights. For example, in 2002, China's national courts received 3,587 "labor and social security" cases, with an average of less than 120 cases per province. This is extremely incompatible with China's huge population base and broad welfare rights. The existing social welfare procedures are low-level and not systematic, and the link of the relevant procedures is still lacking. The understanding of legal procedures is quite procedurally instrumental, overemphasizing the meaning of the program to the entity, and thus neglecting the value of the program itself and procedural justice.

CONCLUSION

At present, China's rapid development provides opportunities for China's international institutional strategy, as well as geopolitical changes and US "Asia-Pacific rebalancing" challenges. In order to better implement a slightly better diplomatic strategy and actively build a common, integrated, cooperative and sustainable Asian security concept, China needs a more systematic, hierarchical and targeted international institutional strategy. The proposal of the "Belt and Road Initiative" will undoubtedly become an important guide for China to fully participate in the global governance system in the new era, promote the improvement of the global governance system, and realize the mutual benefit and long-term prosperity of China and the world.

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