

An Analysis on the Absence of Chinese Wildlife Conservation Legislation Through the Bear Bile Case and the Comparative Perspective of Canada's Legal Practice

Sophia Zimeng Tu¹, Grace Li Tian^{2*}

1. La Salle College Preparatory, Pasadena CA 91107, USA

Email: zimengtu@hotmail.com

2. John F. Kennedy School of Government 79 John F. Kennedy Street Cambridge, MA 02138, USA

Email: gracetian@hks.harvard.edu

Abstract: This article examines the ethical deficiencies in Chinese wildlife conservation legislation through a critical analysis of the controversial bear bile farming case. By investigating China's current wildlife protection legal framework and its practical implementation, the research reveals a profound disconnect between legislation and effective wildlife conservation. The study identifies three major ethical absences in Chinese wildlife protection laws: the concept of sustainability, the principle of public participation, and animal welfare considerations. These deficiencies, compounded by state-sponsored atheism and an extreme pursuit of economic development, have resulted in a legal system that treats wildlife purely as state-owned resources rather than living beings deserving of protection. The paper argues that China's failure to incorporate comprehensive environmental ethics into its wildlife protection legislation has contributed to its

position as the world's largest wildlife consumption market. Through examining the interplay between law, ethics, and social behavior, this research demonstrates how legislative shortcomings have shaped public attitudes toward wildlife consumption and suggests that meaningful reform of China's wildlife protection regime requires fundamental changes in its underlying environmental ethics. Canada's wildlife conservation laws are deeply rooted in ethical principles that emphasize sustainability, biodiversity protection, and animal welfare, which offers valuable examples for China's wildlife protection law and regulations.

Keywords: Environmental Ethics; Wildlife Conservation Law; Bear Bile Farming; Public Participation; Animal Welfare; Canada Wildlife Act

1 Introduction

The outbreak of COVID-19 in 2020 has once again pushed China's wildlife trafficking to the forefront of the world's attention. This is not the first time China has caused an uproar worldwide because of its illegal wildlife trade. After SARS in

2003, the Chinese government has introduced a series of measures to counter wildlife trafficking and revised the "Wildlife Conservation Law" three times to restrict the trade of wild animals (Wong, 2019). Until today, China is still the world's largest market for wildlife consumption. The amount of wildlife trade in China reached US\$12.6 billion in 2019(Peter, 2020).

What motivated the Chinese people to consume such a large amount of wildlife products? The social behavior of consuming wildlife must be closely related to the environmental ethics of Chinese society (Franks, Hanscomb & Johnston, 2017). Ethical emotions and awareness are the internal conditions for human beings to transform their cognitions into behaviors (Omran, 2014). Therefore, the attitudes to environmental and mainstream environmental ethics have become the core and foundation of environment-related behaviors (such as consuming wild animals) (Hungerford & Volk, 1990). In the mainstream view in China, how exactly do people define their relationships with wildlife? How does Chinese law protect wildlife? The country's environmental ethics are hidden in the relevant wildlife protection laws but how do they impact public awareness of the environment in China?

This paper will start with the case of collecting bile from live bears to untangle how China's wildlife conservations laws and regulations govern and protect wildlife, what kind of environmental ethics they reflect, and the ethical absence in the wildlife protection legislation. Through those discussions, this paper will give suggestions to the Chinese wildlife legislation in terms of environmental ethics, which reduces the consumption of wildlife at its source and solves the problem of illegal wildlife trade in the post-COVID era.

2 The Mainstream animal environmental ethics in China's current society, and the factors that affect Chinese environmental ethics

In the available literature on environmental ethics, the distinction between instrumental value and intrinsic value (in the sense of non-instrumental value) has been of considerable importance. The former is the value of things as means to further some other ends, whereas the latter is the value of things as ends in themselves regardless of whether they are also useful as means to other ends (Zimmerman, 2019). How do humans define the value of wild animals in China's mainstream environmental ethics? Do they put a high valuation on wildlife's value as instruments? Or the intrinsic value of wildlife?

According to the survey conducted by the Wildlife Protection Department of the State Forestry Administration and the China Wildlife Conservation Association in 50 cities of China (2014): 47.1% of citizens have eaten wildlife, and 73% are aware of the Wildlife Protection Law. 3.4% of people have bought wild animal products; 52.1% of people understand that wildlife has ecological value; 84.4% of people believe that the value of animals is to create value for humans, whether they are wild animals or pets(WWF Germany, 2019). According to the results of survey that conducted by the Forestry Department of Guangdong Provincial: 76% of people have eaten wild animals, 12.7% of them eat 1-2 times per month; 26.2% have eaten state-protected wildlife. Regarding the reason for "eating wild animals", 45.4% of the people answered, "can enhance physical function", "medicinal value" accounted for 37%, and "for showing off the wealth and treat guests" accounted for 32%.

Through these survey results, it is obvious that China's wildlife protection law's recognition is not low. However, the Chinese people tend to separate themselves from wildlife, using wild animals as a tool to maintain social relations and physical health. More than 25% of the surveyed people violated the Wildlife Conservation Law and consumed state-protected wildlife.

Why are the Chinese the biggest consumers of wild animals? Many people believe that it is because of China's traditional culture and medicine. However, no matter the "prohibition of killing precept" from Buddhism(Mabry, 2018) or Taoism's "ecocentrism theory", they both advocate the protection of the feelings of animals and their right to survive and reproduce in nature. It is undeniable that Chinese traditional medicine emphasizes the medicinal value of wild animals (Wei, 2018). Still, in fact, the Peoples' Public of China's atheism brainwashing has changed the environmental ethic to a great degree. 92% of the Chinese population are atheists (Lu, 2014); that is, they believe that human beings and all living things are soulless; that life will end when the body dies. Under the guidance of such a life ethic, people become self-centered and money-centered (Lu, 2014). They do not have the motivation to criticize their behavior ethically. They do not think about the meaning of life and nature. Naturally, people tend to separate themselves and the wilderness; they believe that wildlife is part of the wilderness, human beings are not(Cronon,1995,P69-90). Human beings are the controller of nature and wildlife because we are the smartest beings on the planet (Wang, 2014). Most people believe that by eating rare wildlife, they can obtain extra energy from the wilderness and show their wealth and high social status(Eriksson & Clarke, 2015).

On the other hand, the environmental ethics embodied in current Chinese law has a huge and direct influence on Chinese values(Luo, 2019). China's environmental law does not have a separate chapter on wildlife protection; wildlife and ecological protection are governed by the "Wildlife Conservation Law" and other regulations(Luo, 2019). This paper will analyze environmental ethics that reflected by those laws through an environmental law case—the Black Bear Bile Case.

3 The Black Bear Bile Case

Bear bile is a rare and expensive Chinese medicine. The price of it is about 800 CNY (140 Canadian Dollars) per gram(Zeng, 2017). In 2009, a pharmaceutical company, Guizhentang Pharmaceutical Co., Ltd., (Z Company) stated their propose in its IPO fundraising statement: "this year we will use the funds to produce 4000 kilograms of bear bile powder and artificially breed 1200 black bears as the raw material for the production of bear bile powder in the future"(China Securities Regulatory Commission (CSRC), 2012). After the IPO fundraising was announced, the media and the public began to pay attention to the process of black bear bile power production.

It is worth noting that the Asian black bear is in the 2012 Red List of Endangered Species ver 3.1-Vulnerable (VU) of the World Conservation Union and is also a Class II protected wild animal in China (IUCN, 2012). Therefore, Z company's plan was not to kill the black bears to extract their bile. Instead, they were planning to collect the bear bile alive. They lock the black bears into separate cages (around 80 cm wide and 120 cm long), fix the bears limbs (Animals Asia, 2016). The bears have to undergo an invasive surgical procedure where a permanent wound is created in their gallbladder and abdominal wall by the insertion of rubber tubes into the animal's gallbladder. The tube is inserted into the bear's abdomen so that the bile can be extracted daily. Most black bears have no chance to turn around in the cage; a healthy black bear will spend ten or even twenty years in such an environment, 100% of the bears rescued from this process would develop liver cancer(Wrong, 2019).

Chinese people were shocked by this plan; numerous animal protection organizations intervened and proposed investigating and hearing whether extracting bear bile alive was legal (Wikipedia, 2012). Z company's CEO replied: "We will not participate in any form of investigation or hearing. The Ministry of Forestry issued our bear breeding license; to produce bear bile powder as a Chinese medicine was approved by the Ministry of Health in 1995; Extracting bile did no harm to the bears." The spokesperson of the Ministry of Forestry of the People's Republic of China condemned the international media's

unfair reports at the press conference, then confirmed that the breeding and extraction of bear bile owned by Z Company was legal, and announced that there would be no hearing or investigation for this case (Wikipedia, 2012). One Plant (a Chinese animal protection organization) tried to bring an environmental lawsuit in Fujian Province, where the bear breeding farm is located, suing Z Company for ignoring the health and other welfare of black bears, which would affect biodiversity (The primary People's Court of Fengze City, 2012). They got a notice of dismissal of accusation by the court soon thereafter; the judge decided that this case would not be accepted and heard.

In China, where people only value the black bear as a resource or tools for human beings, people do not have any legal resources to save them (Lin, 2008).

4 Interpretation of China's wildlife protection legislations and environmental ethics from the case of black bear

To identify the governing legislations of wildlife protection and the absence of an environmental ethic of those legislations, we can start from discussion 3 essential questions from the Black Bear Bile case: 1, What laws or regulations govern the artificial breeding and utilization of wild animals in China? 2, Why did the bear bile extraction case that has attracted national attention in China not even make it to court? 3, Why didn't it even deserve a hearing?

First of all, what laws or regulations govern the artificial breeding and utilization of wild animals in China??

In China, the law governing the artificial breeding of wild animals is the "Wildlife Conservation Law". The law states: "For wildlife under national key protection where artificial breeding technologies are mature and stable, after scientific debate on the merits, the wildlife shall be put on the directory of wildlife under national key protection for artificial breeding, which is to be formulated by the wildlife protection departments under the State Council". It also states: "For wildlife and the products thereof listed in the directory, an artificial breeding license may be used to directly obtain the special mark in accordance with the annual breeding volume approved by the provincial, autonomous region, or directly governed municipality people's governments' departments supervising the protection of wildlife, and the special marker may be used to sell and exploit them, ensuring that they are traceable".

According to Article 22 of China's 2012 Wildlife Protection Law, zoos, scientific research institutions and commercial institutions can all obtain this artificial breeding license in China. The black bears bred by Z Company are listed in the Ministry of Forestry and Z company's directory and they had obtained the permit for artificial breeding of black bears in Fujian Province. Therefore, it is entirely legal for Z company to breed black bears artificially.

According to the Wildlife Conservation Law, after obtaining a license, the company have to legally sell bear bile by implanting a chip with a unique number from the government and record the source of the animal product. The Chinese government amended this clause to combat wildlife trafficking, but this regulation establishes a national franchise for the sale of wildlife products to a certain extent. On the one hand, it does combat wildlife trafficking; On the other hand, it treats wild animals as a national resource which are firmly controlled by the state. What's more important, the purpose of the state franchises is not to protect the wildlife and eco-system, but for commercial benefit. In 2018, 87% of artificially bred wild animals were born in commercial breeding organizations (e.g. Z Company), most of whom became the medicines or dishes on the dining table.

It can be seen that the environmental ethics embodied in the provisions on artificial breeding of the Wildlife

Conservation Law is to repeatedly confirm that wild animals are a kind of resource. This resource is not used for public welfare or to protect ecological integrity but to allow the state or the organizations authorized by the state to gain commercial profit from it (Wong, 2019).

Secondly, why did the Ministry of Forestry of China not conduct hearings or investigations on the legality of the black bear bile program?

The response from the Chinese Ministry of Forestry is that since no person or organization reported that Z company's bear bile project violated the provision on artificial breeding in the Wildlife Conservation Law and the "Interim Regulations on the Management and Utilization of Black Bear Artificially Breeding", they would not start any investigation or hearing procedures. Besides the Wildlife Conservation Law, there are one law and one regulation governing the legality of bear bile programs. The first one is the "Pharmaceutical Administration Law of the People's Republic of China", which lists all permitted medicines in its dictionary. This law has recognized bear bile powder as a Chinese medicinal material since 1995. So, producing bear bile and selling it as a medicine is legal. The second one is the "Interim Regulations on the Management and Utilization of Black Bear Artificially Breeding", which promulgated by the Ministry of Forestry of the People's Republic of China in 1999. It regulates the commercial activities in the artificial breeding institutions, such as obtaining the bear furs and meat, medicine production (bile extraction) and the circus performances. According to this regulation, extracting bile from a living bear is legal as long as the subject (the bear) is a healthy black bear and older than 36 months.

This regulation does not have any provisions for public participation. If someone finds that artificial breeding institutions do not comply with the regulations, they can report that to the provincial forestry department; the provincial forestry department should supervise and correct it (Rosen, 2020). Therefore, the Ministry of Forestry is not obliged to start a hearing or investigation even though some people report illegal farming.

Once again, these two laws confirm the attributes of black bears as products (tools) on an ethical level. The "Pharmaceutical Administration Law of the People's Republic of China" affirms the science behind and the legality of bear bile as a medical material, which encourages the public to believe in and buy bear products (Whitfort, 2019). The four kinds of commercial uses identified in the "Interim Regulations on the Management and Utilization of Black Bear Artificially Breeding" highlight the commodity attributes of wild animals. The requirements of wildlife's commercial use in the laws and regulations are so loose; the public has no right to supervise and question them. On the one hand, it spreads signals to the public that black bears are valuable food, medicine and decoration, encouraging the public to consume bear products. on the other hand, it encourages a vast amount of private capital to venture into wild animal product production (Qin, 2020). Anthropocentrism is fully realized in these laws. The status of the black bear as a secondary resource that serves humankind are firmly implanted into Chinese public awareness because of these laws.

Finally, why did the court dismiss the accusation from One Planet (an animal rights NGO)?

In China, environmental litigations are conducted under the Environmental Protection Law and the Civil Procedure Law. If an ecological lawsuit is filed, there must be one or more damaged public legal interests. The feelings and welfare of animals or wildlife are not regarded as public legal interests in China. Therefore, the court decided not to accept and hear the lawsuit (Qin, 2020).

China does not have an animal rights law. The Wildlife Conservation Law only stipulates that all wildlife belongs to the state and can be rationally used by the states. There are no provisions to protect the feelings and welfare of wild animals.

Some scholars once proposed at the National People's Congress (China's legislature) that an animal welfare chapter should be written in the Wildlife Conservation Law (Whitfort, 2019, P217), recognizing the most basic rights of animals. Such as adequate and clean drinking water and food, appropriate medical treatment and avoiding all kinds of extra suffering to animals. Because as long as a living individual can feel pain, it has the most important feature of being considered equally for individual rights (The primary People's Court of Fengze City, 2012). This proposal was rejected. At a press conference, the National People's Congress declared that the Chinese government was implementing enlightened anthropocentrism, which would be more efficient and realistic for a developing country. Wildlife are national resources, and animal rights cannot be protected as a separate legal interest. Otherwise, animals may become plaintiffs or defendants in court one day, which violates the principle of the legal subject in China (Singer, 2009).

China's legislature has stated in the mass media that animal rights cannot be protected as a separate legal interest, thus embodying narrow anthropocentrism and ethically marking the animals as the subordinates of human beings. Because the law can protect human rights, animal rights can only exist and be protected depending on the people—only when someone claims that they own the animal can advocate for that animal's rights (Singer, 2009). It denies the importance of animals from the perspective of legal rights and weakens animals' moral rights and natural rights, which separates humans from animals in society. It is precisely because of the weakening of the animal's own value and feelings that Chinese consumption of wild animal products is commonplace (Qin, 2020, P333).

In summary, the laws governing the protection of wildlife in China are “The Wildlife Conservation Law”, “The Environmental Law” and various departmental regulations on the artificial breeding of wild animals. On the one hand, those legislations' environmental ethics are human-centered; on the other hand, they exclude the public from the legislative and enforcement process. These legislations make the Chinese public more fearful of China's administrative power and ethically guide the public to separate themselves from wilderness and wildlife, materializing animals as a resource, thus leading people to ignore animal rights and ecological integrity. Therefore, Chinese people generally believe that animals are inferior to human beings; protecting wildlife has become a very limited moral obligation in society.

5 The absence of an environmental ethic in China's wildlife protection laws

Human society always faces problems that bring challenges and impacts to the traditional social order. After these problems appeared, the corresponding new order is always reformed by morality and ethics and finally established by the law. Once politics, commerce, or industrialization expands widely and rapidly, after making changes to the law fulfills people's first need, they will turn to philosophy (Hovel, 2018). The emergence of contemporary environmental issues and their impact on human society put forward changes in the ethics and the rule of law in human society. Compared with other problems faced by humankind in the past, environmental issues seem to have more particularities (Ye, 2006). It is the consensus of most countries to solve environmental problems through legislation, but environmental legislation needs profound environmental ethics to support it (Pound, 1996). In the bear bile case, we see the anthropocentrism environmental ethics embodied in China's wildlife legislation. To improve China's wildlife protection level, we have to find the absence of environmental ethics in relevant environmental legislations. China should inject ecological ethics and values based on these deficiencies when revising its legislation. This paper will focus on the absence of three aspects of environmental ethics in wildlife conservation legislation in China: sustainability concept, public participation principle and the animal rights concept.

A In the purpose of China's wildlife protection legislation, the concept of sustainable development is absent.

Sustainable development ethics is an ethical concept that pursues the overall development of harmony and unity between man and nature based on acknowledging the inherent value of nature (Ye, 2006). The Chinese government emphasizes that they seek sustainable development through environmental and wildlife conservation legislation, but the related legislation lacks sustainable development considerations. Article 1 of the "Environmental Protection Law" is clearly stated that the purpose of this law is to "protect human health" and "promote the development of socialist modernization." (Tarlock, 1995) Article 1 of the Wildlife Conservation Law also indicates that the purpose of the legislation is to "make better use of wild animal resources." (Patra, 2014, P3) The first article of the "Interim Regulations on the Management and Utilization of Black Bear Artificially Breeding" pointed out that the purpose of this regulation is to give better priority to economic development and rational use of wild animal resources. This series of legislation highlights the status of human beings and gives humans a value higher than the environment and wildlife. China's environmental legislation's tone stays with anthropocentrism environmental ethics, and the entire legal norms lack recognition of natural and ecological values.

From the perspective of ethics, value and rights are related. Life and nature have their rights because they have intrinsic value. To realize its value, that is, it must have/enjoy certain rights for its survival and development. All animals, plants, and other beings in nature deserve a right to exist in a natural state without being disturbed by humans and other creatures (Qin, 2020, P331). For long-term joint development, humans must respect the other creatures' natural rights (Shafer-Landau, 2020). However, this is what general absent in Chinese environmental ethics. Second, China's ambitions for economic development have impacted the legislations. Economic reasoning has always provided us with a choice between preferences (what we want) (Qin, 2020, P331). Chinese environmental legislation tends to obtain more medicinal value and benefits from wild animals (e.g. black bears) and ignoring their natural value and intrinsic value, not to mention taking care of the overall ecological benefits and the right of future generations to enjoy complete nature.

In brief, the sustainability concept is an essential absence in China's wildlife protection legislation's ethics. Without the insight of sustainability, a country can hardly balance development and nature. I believe that China should take sustainable development into consideration when they were making the wildlife conservation laws.

B The public participation principle is absent in the Chinese Wildlife Conservation Law.

It has become a consensus that China's environmental conservation does not welcome public participation. Chinese legal scholars have repeatedly declared that they are a developing country, adopting enlightened anthropocentrism, and pursuing environmental fairness between countries, regions, and generations (Wang, 2014). Enlightened anthropocentrism focuses on protecting citizens' environmental rights, and the right to public participation is precisely the core of environmental rights (Fluker, 2014). In the black bear case, which aroused national attention, a hearing or any other form of public participation are still not allowed, which shows the extremely low public participation in environmental protection in China. Throughout all environmental legislation in China, except the Environmental Protection Law (2014) stated the principle of public participation, no laws or regulations incorporate public participation into legal principles. There are no specific provisions to guide the public on participating in environmental assessment and wildlife protection in China either.

In China, a country with the most significant global consumption of wild animals, the public participation in environmental issues is the key to protecting wild animals and reducing wildlife consumption (Cai, 2018). One of the most important reasons that the Chinese government didn't bring the public to participate in their schedule is the poor

environmental awareness of the Chinese people, the government worried that ordinary people do not have sufficient knowledge to understand environmental issues. Indeed, if we want the public to consciously protect wildlife and nature, the public's environmental knowledge must improve as an indispensable condition (Keulartz, 2012).

All ethical values are based on this quality. Quality is the basis because the actual way of moral life exists in the possibility of quality predetermined. Quality itself is the object of ethical evaluation, and it is also the standard by which people themselves are defined as good or bad (William, 1987). The poor public participation system in China prevents the public from participating in environmental assessments and wildlife protections. The public have no opportunity to understand the situation of wild animals or the demands of the natural balance from their social life (Ye, 2006). The public can barely realize the value and identity of wild animals except for as the instruments that serve humans. Therefore, they have no way to develop the sufficient qualities to participate in environmental issues (Shafer-Landau, 2020).

Environmental rights are an essential part of human rights (Shafer-Landau, 2020); public participation is an important measure to excise environmental rights. China's wildlife protection legislations completely keep the public out of the process, which violates human rights because they are denied their environmental rights to know or participate. Therefore, allowing the public to participate in environmental procedures can not only improve wildlife conservation by raising public awareness, it would also be an advancement of human rights in China.

C Animal welfare is deliberately ignored in the ethics of China's wildlife protection legislation.

The recognition and protection of animal rights is an advancement in environmental law (Shafer-Landau, 2020). China's current wildlife/animal protection legal system seems to ignore this theme, lacking attention to animal welfare completely. As the only departmental law for wildlife protection, the Wildlife Conservation Law never mentioned animal rights, not even in the amended Wildlife Conservation Law after the COVID-19. The "Interim Regulations on the Management and Utilization of Black Bear Artificially Breeding" and the "Regulations on the Management of Laboratory Animals" have only simple provisions that do not allow animal cruelty. As for the legal consequences of abusing animals, none of those laws provides a remedy or answer. In short, because animals are completely defined as natural resource, China's animal protection legal system lacks any ethical thinking about animal rights (Cullet, 1995).

Social ethics will be projected into legal ethics, and legal ethics will shape social ethics and vice versa (Roesler, 2012). The ethical ideas embodied in the Chinese Wildlife Conservation legal system are, to some extent, the epitome of Chinese social values. The nationwide atheism in the People's Public of China brings an extreme pursuit of money; Chinese people won't feel shame if they sacrifice the feelings and benefits of animals to try and obtain fortunes (Qin, 2020,P337). As long as they are affluent enough, butchers can also wear laurels. In the bear bile case, although the animal protection organizations and individuals strongly condemned Z company and their program, the Z Company's CEO was elected to be a representative of the National People's Congress and is highly respected in the local area. Therefore, in the situation where protecting the rights and interests of animals cannot become the universal moral consensus of Chinese society, China has a long way to go to before writing animal welfare into the law (Shafer-Landau,2020,P25).

6 Comparative Perspective: Canada's Legal Practice in Wildlife Conservation

6.1 Legal Framework and Ethical Foundations

Canada's wildlife conservation laws are deeply rooted in ethical principles that emphasize sustainability, biodiversity

protection, and animal welfare. Key legislation includes the Species at Risk Act (SARA), the Canada Wildlife Act, and provincial laws such as British Columbia's Wildlife Act. These laws reflect a commitment to conservation, acknowledging that wildlife has intrinsic value beyond economic utility.

Insight for China: Incorporating ethical principles into wildlife protection laws, similar to Canada's approach, can provide a framework that prioritizes biodiversity and the intrinsic value of wildlife, shifting away from a purely resource-based perspective.

6.2 Integration of Sustainability Principles

Canada's wildlife laws emphasize sustainability by protecting critical habitats and regulating hunting and trade to ensure species survival. For instance, the SARA mandates recovery strategies for endangered species and habitat conservation plans that involve scientific, indigenous, and community stakeholders.

Recommendation for China: Including sustainability as a core principle in China's wildlife conservation legislation can create a balance between development and ecological preservation, promoting long-term biodiversity goals.

6.3 Animal Welfare Considerations

While Canada does not have a federal animal welfare law specifically targeting wildlife, animal welfare is addressed indirectly through wildlife conservation measures and provincial regulations. For example, practices such as hunting are regulated to minimize cruelty, and certain provinces ban activities like bear bile farming, emphasizing humane treatment.

Recommendation for China: Adopting stronger animal welfare protections within wildlife laws, inspired by Canada's humane hunting and anti-cruelty measures, can address the ethical deficiencies in China's legal framework.

6.4 Public Participation and Indigenous Involvement

Canada's wildlife conservation regime integrates public participation and Indigenous knowledge into decision-making. Indigenous communities play a significant role in co-management of wildlife resources, as seen in the Nunavut Land Claims Agreement, which provides for joint governance of wildlife and land use.

Recommendation for China: Expanding public participation and incorporating local and traditional knowledge into conservation efforts can strengthen the effectiveness of wildlife protection laws in China.

6.5 Regulation of Wildlife Trade

Canada's implementation of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) is robust, with strict controls on the import, export, and trade of wildlife species. Enforcement mechanisms include fines, inspections, and collaboration with international organizations.

Recommendation for China: Strengthening the regulation of wildlife trade by aligning with CITES standards, as practiced in Canada, can help address illegal wildlife trade and reduce demand for endangered species.

6.6 Public Awareness and Ethical Campaigns

Canadian governments and non-governmental organizations frequently engage in public awareness campaigns to promote wildlife conservation and ethical treatment of animals. Campaigns such as those for the conservation of polar bears and whales emphasize the importance of coexistence and ethical responsibility toward wildlife.

Recommendation for China: Launching nationwide public awareness campaigns to promote the ethical treatment of

wildlife and reduce consumption of wildlife products can reshape public attitudes and complement legislative reform.

6.7 Enforcement and Inter-Agency Coordination

Canada's approach to enforcement involves collaboration between federal, provincial, and local governments. Agencies like Environment and Climate Change Canada, Fisheries and Oceans Canada, and provincial wildlife authorities work together to enforce wildlife protection laws.

Recommendation for China: Establishing a multi-level enforcement framework and improving inter-agency coordination can enhance the implementation and effectiveness of wildlife protection laws in China.

7 Conclusion

Canada's wildlife conservation legal framework provides valuable lessons for China in addressing ethical deficiencies in its wildlife protection laws. By integrating sustainability, animal welfare, public participation, and robust enforcement mechanisms, China can reform its wildlife conservation regime to align with global ethical standards and improve public attitudes toward wildlife. This comparative perspective highlights the importance of adopting a holistic approach that balances development with environmental ethics and biodiversity conservation.

In summary, the position of wildlife in mainstream Chinese ethics had been tremendously changed in the past few centuries. From moderate ecocentrism in ancient China to anthropocentrism in current society, the Chinese people not only experienced the impact of Chinese medicine but also experienced brainwashing from the Chinese Communist Party. In China, people are strongly encouraged not to have faith in any religion other than communism but still they become extremely selfish and money-centered. Therefore, most people tend to lose the motivation for moral criticism. When they face environmental problems, they tend to separate nature, animals, and humans and absorb energy from the wilderness by eating wildlife. The bear bile case is a significant example.

It can be found through the bear bile case that the laws governing the protection of wildlife in China are "The Wildlife Conservation Law", "The Environmental Law" and various departmental regulations on the artificial breeding of wild animals. Those legislations' environmental ethics are human-centered, at the same time they exclude the public from the legislative and enforcement process. Chinese people tend to believe that animals are inferior to human beings, when humans need to pursue their own interests, the animals' feelings and benefits can be ignored, which embodies narrow anthropocentrism into public awareness and separates humans from wildlife and the wilderness. It is challenging for the Chinese public to realize the value of keeping the integrity of the ecology and the intrinsic value of wild animals with such a legal ethics so the Chinese public tend to lack awe for something irreducibly nonhuman, something profoundly other than themselves.

In China's wildlife protection legislation ethics, the concept of sustainable development, the awareness of animal benefits and public participation principle are absent. Many countries are critical of the tremendous level of wildlife trafficking in China, which is because of these ethical absences. It is undeniable that the development of Chinese environmental law is relatively late, and China has a 1.4 billion population. It is fair enough for the Chinese government trying to feed the vast population with wildlife resources. However, if China wants to solve the wildlife trafficking problem and have a sustainable development, the environmental ethics problem cannot be ignored. A strong environmental ethic is the internal support of wildlife conservation legislation and implementation, just as different bones support the human body. Only by adequately

implanting proper ethical concepts into China's wildlife protection legislation, then through legislation and performance to raise public awareness and environmental ethics, can the wildlife trafficking problem in China could be solved at its source.

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References

- Cullet, P. (1995). Definition of an environmental right in a human rights context. *Netherlands Quarterly of Human Rights*, 13(1), 25-42.
- Cronon, W. (1995). The trouble with wilderness; or, getting back to the wrong nature. In W. Cronon (Ed.), *Uncommon ground: Rethinking the human place in nature* (pp. 69-90). New York, NY: W.W. Norton & Company. Retrieved from https://www.williamcronon.net/writing/Cronon_Trouble_with_Wilderness_1995.pdf.
- China Securities Regulatory Commission (CSRC). (February 2, 2012). Prospectus of Guizhentang Co., Ltd. Retrieved from <http://www.csrc.gov.cn/pub/newsite/xxpl/>.
- Eriksson, H., & Clarke, S. (2015). Chinese market responses to overexploitation of sharks and sea cucumbers. *Biological Conservation*, 184, 166-173. Retrieved from <https://doi.org/10.1016/j.biocon.2015.01.019>.
- Fluker, S. (January 17, 2014). The curious case of the greater sage grouse in Alberta [Blog post]. ABlawg. Retrieved from <https://ablawg.ca/2014/01/17/the-curious-case-of-the-greater-sage-grouse-in-alberta/>.
- Franks, B., Hanscomb, S., & Johnston, S. F. (2017). *Environmental ethics and behavioural change* (1st ed.). Routledge.
- Hungerford, H. R., & Volk, T. L. (1990). Changing learner behavior through environmental education. *The Journal of Environmental Education*, 21(4), 8-21.
- Hovel, H. (2018). The connection between animal abuse and human violence. New York State Humane Association. Retrieved from http://www.nyshumane.org/wp-content/uploads/2016/02/ConnectionAnimal_And_Human_Abuse.pdf.
- IUCN. (December 17, 2012). The IUCN red list of threatened species. IUCNREDLIST. Retrieved from <https://www.iucnredlist.org/>.
- Keulartz, J. (2012). The emergence of enlightened anthropocentrism in ecological restoration. *Nature and Culture*, 7(3), 48-71. Retrieved from https://www.researchgate.net/publication/254898222_The_Emergence_of_Enlightened_Anthropocentrism_in_Ecological_Restoration.
- Lin, C. (2008). *Theory and practice of international environmental law* (2nd ed.). Intellectual Property Public House.
- Lu, Y. (2014). Report on the current state of religion in China based on CFPS (2012) survey data (Working Paper No. 11). Peking University.
- Luo, G. (2019). Public awareness and normative reflection on the criminal law protection of animals (Working

- Paper No. 2019/168). Xinjiang University.
- Mabry, J. (2018). *A Christian walks in the footsteps of the Buddha* (1st ed.). The Apocryphile Press.
- Omran, M. S. (2014). The effect of educating environmental ethics on behavior and attitude to environment protection. *Journal Title, Volume (Issue), page range*. Retrieved from <https://www.semanticscholar.org/paper/The-Effect-of-Educating-Environmental-Ethics-on-and-Omran/04c4cf90900a9b2d82faecf2117e7e385205cfea>
- Pound, R. (1996). *Social control through law* (1st ed.). London: Routledge.
- Patra, R. T. (2014). Environmental sustainability: Ethical issues. *International Journal of Humanities Social Sciences and Education (IJHSSE)*, 1(8), 35-40. Retrieved from https://www.researchgate.net/publication/308325209_Environmental_Sustainability_Ethical_Issues.
- Peter Collier. (2020). *Counter Wildlife Trafficking Digest: Southeast Asia and China* [Report]. Retrieved from <https://www.usaidwildlifeasia.org/resources/reports/inbox/usaidwildlifeasia-cwtdigestii-3march2019.pdf>.
- Qin, H. (2020). Analysis and review of animal protection ideas under non-anthropocentric environmental ethics. *Chinese Journal of Wildlife*, 41(LJ), 232-239.
- Roesler, S. M. (2012). The nature of the environmental right to know. *Ecology Law Quarterly*, 39(4), 989-1024.
- Rosen, T. (2020). The evolving war on illegal wildlife trade. *Earth negotiation bulletin*. Retrieved from <https://www.iisd.org/system/files/2020-10/still-one-earth-wildlife-trade.pdf>
- Singer, P. (2009). *Animal liberation: The definitive classic of the animal movement*. Harper Perennial.
- Shafer-Landau, R. (2020). *The fundamentals of ethics* (5th ed.). Oxford University Press.
- Tarlock, A. D. (1995). *Environmental law: Ethics or science?* (p. 24). Retrieved from <https://core.ac.uk/download/pdf/62547135.pdf>.
- The Primary People's Court of Fengze City. (June 11, 2012). *One Plant v. Guizhentang Pharmaceutical Company*. *China Law and Practice*, 702.
- William B, (1987). *Education and values: The Richard Peters lectures*. London: Institute of Education, University of London.
- Wikipedia. (2012, March 5). *Bear bile farming*. Wikipedia. Retrieved from https://en.wikipedia.org/wiki/Guizhentang_Pharmaceutical_Company.
- Wang, K. (2014). *The social mentality of wildlife resource utilization* (Working Paper No. 2014/07). Beijing Forestry University.
- Wei, D. (2018). Medicine or food? Chinese wildlife conservation policy. *Journal of Southwest Law*, 20, 96-105.
- Whitfort, A. (2019). Wildlife crime and animal victims: Improving access to environmental justice in Hong Kong. *Journal of International Wildlife Law & Policy*, 22(2), 203-230.
- WWF Germany. (2019). *Societal biodiversity awareness in Brazil, China, Colombia, India, Indonesia, Kenya, Mexico, Peru, South Africa, and Vietnam*. Convention on Biological Diversity. Retrieved from <https://www.cbd.int/cepa/doc/wwf-awareness-2019.pdf>.
- Wong, R. W. Y. (2019). *The illegal wildlife trade in China: Understanding the distribution networks* (1st ed.). Palgrave Macmillan.
- Ye, P. (2006). *The philosophy and ethics of the environment*. Peking: China Social Sciences Press.
- Zeng, M. (April 9, 2017). *The price of bear bile*. Agriculture Information. Retrieved from <https://www.bowenwang.com.cn/cj/27843.html>.
- Zimmerman, M. J. (January 9, 2019). *Intrinsic vs. extrinsic value*. Stanford Encyclopedia of Philosophy. Retrieved from <https://plato.stanford.edu/entries/value-intrinsic-extrinsic/>.