

Normative Expression of Energy Security from the Perspective of Legislative Coherence

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Abstract: *Under the guidance of the holistic approach to national security and the new energy security strategy of “Four Revolutions and One Cooperation,” China’s energy law construction urgently needs to integrate and optimize its normative system. Based on the theory of legislative coherence, this paper systematically examines the expression and articulation of energy security norms across different legal fields. Although energy security norms are currently scattered across multiple legislations such as the Energy Law and the Ecological Environment Code, they fail to form a cohesive safeguard due to ambiguous positioning, missing mechanisms, and rule conflicts. This paper constructs a normative system for energy security from three dimensions: logical self-consistency, functional complementarity, and practical synergy. It further clarifies the division of normative labor among various sectoral laws, establishes cross-sectoral coordination mechanisms, and refines specific rules for conflict resolution, gap-filling, and liability articulation. Ultimately, it aims to form an internally unified, externally coordinated, and operationally effective legal framework for energy security, providing theoretical support and a pathway reference for the modernization of the energy governance system.*

Keywords: Legislative coherence, Energy security, Normative expression, Energy security law.

1. Introduction

Energy security is a holistic and strategic issue concerning national economic and social development and is an important component of national security. Currently, China has enacted a series of related legislations, such as the National Security Law, the Energy Law, and the Ecological Environment Code, forming a scattered layout of energy security norms. However, due to the planned economic and social management approach shaped by energy security policies and strategic adjustments, the role of “energy rule of law” in ensuring energy security has not been fully recognized or developed. There is no complete theoretical system of energy security law, nor the corresponding mechanisms for legal formation and feedback. Norms in different fields suffer from ambiguous positioning, poor articulation, and even potential conflicts, affecting the effectiveness of energy security safeguards. Under the complex international energy landscape and domestic transition demands, the normative expression of energy security urgently needs to be centered on legislative coherence to address existing difficulties, achieving internal logical consistency, value unity, and practical synergy within the legal system. This is both an inherent requirement of the rule of law and a critical path to ensuring energy security.

2. Core Requirements of Legislative Coherence for the Normative Expression of Energy Security

The coherence of a legal system has degrees of variation and includes three levels: consistency, systemic coherence, and ideological coherence. The core essence is the mutual support and justification among the parts of the legal system. Consistency is the most basic requirement, meaning that there are no direct logical contradictions among legal rules, ensuring that the legal system operates without conflict. Systemic coherence goes a step further, emphasizing that legal rules should not be a mechanical pile but should form an organic network of mutual support and justification, requiring intrinsic connections and derivational relationships among

legal principles, rules, and institutions. The highest level, ideological coherence, requires that the entire legal system and all its components are built upon shared values and principles, achieving overall value unity. Applying this theoretical framework specifically to the energy security field, the construction and articulation of energy security legal norms must also meet three corresponding core requirements to avoid normative conflicts and inefficiencies in governance.

2.1 Logical Self-Consistency: A Conflict-Free Normative System

In jurisprudence, coherence is used mainly in two senses: first, coherence of the legal system, focusing on how to integrate a particular decision into the legal system and align it with all content within the system; second, coherence in legal argumentation, focusing on reasoning in judicial decisions and how to connect arguments. Applied to the legislative level, this theory requires that energy security norms scattered across different fields—energy, environment, economy, and security—must follow unified value guidance and constitutional framework, eliminating internal contradictions and logical conflicts among norms to form a mutually supportive and synergistic organic whole. Specifically, achieving this logical self-consistency requires institutional construction at two key levels: the vertical and horizontal dimensions of power allocation, the legal norms must clearly define the scope of central and local authority in energy security affairs and clarify the boundaries of responsibilities among different functional agencies—energy authorities, environmental regulators, emergency management departments, etc. This prevents both regulatory overreach due to overlapping powers and regulatory gaps or risk loss of control due to ambiguous or missing powers, thereby providing a stable and predictable framework of authority at the organizational law level. At the level of specific application of conduct rules, operational norms in areas such as energy resource development, ecological environmental protection, and safety production control must remain highly coordinated and technically compatible. Through this combination of top-level design and specific rules, potential

conflicts and inconsistencies in the current normative system can be gradually resolved, building a clear-layered, well-structured, internally harmonious, conflict-free normative system. Ultimately, the rule-of-law guarantee for energy security achieves not only formal completeness but also substantive logical self-consistency.

2.2 Functional Complementarity: A Division of Normative Labor with Distinct Focuses

How to effectively ensure national energy security, strongly support high-quality national economic and social development, truly keep the “energy bowl” firmly in our own hands, and firmly hold the bottom line of energy security are the main issues that energy security legislation must address. In the system construction of legislative coherence, achieving effective integration of energy security norms does not require complete unification of legal forms. Instead, through core legal texts such as the Energy Law and a possible future Energy Security Law, based on their respective regulatory scopes and objectives, a pattern of functional complementarity and distinct normative focuses should be formed, thereby constructing a layered, synergistic network for energy security assurance. Specifically, as the fundamental law in the energy sector, the Energy Law should focus on systemic security throughout the entire energy industry chain, with its core being the construction of a solid internal foundation for national energy security. This requires it not only to establish the legal authority of energy strategies and plans but also to ensure the stability and reliability of energy supply through specific institutional designs, and to provide basic legal support for the protection of energy infrastructure, the implementation of universal energy services, and independent innovation in key energy technologies. In contrast, the Ecological Environment Code focuses on controlling the external ecological risks arising from energy development and utilization activities, setting insurmountable ecological red lines for energy security, ensuring that energy security is not achieved at the expense of the ecological environment, thereby safeguarding national sustainable development security in the long term and at a fundamental level. As a special legislation, the Energy Security Law should undertake a more precise function of coordination, control, and risk prevention. Its normative function is problem-oriented and focused on emergency management. This law should not simply repeat the content of the Energy Law but should fill regulatory gaps in specific risk areas not fully covered by basic guarantees and ecological constraints, specifically addressing dynamic, non-traditional security threats.

2.3 Practical Synergy: Operable Articulation Mechanisms

To ensure the safe, stable, and reliable supply of energy and enhance energy resilience, the energy rule of law requires legal rules to regulate and limit the exercise of power and strengthen operable articulation mechanisms. From the perspective of legislative coherence, the vitality of energy security norms ultimately depends on their effective operation in practice. This inevitably requires the construction of a set of specific, clear, and operable articulation mechanisms that integrate principles and rules scattered across different sectoral laws into a systematic action plan that guides,

coordinates, and constrains the behavior of various subjects. Specifically, this mechanism should be integrally constructed from three key dimensions: procedural operation, standard integration, and liability enforcement, forming an institutional closed loop. At the procedural level, the top priority is to completely break the fragmented management model in which energy, environment, and safety authorities each act independently and conduct separate approvals. Through legislation or high-level administrative regulations, a “one-stop” collaborative approval process for energy projects should be mandated, clearly placing key procedures such as project initiation, site selection, and environmental impact assessment under a unified acceptance platform and time window, with a lead department organizing joint reviews by relevant parties, and strictly defining information-sharing obligations and processing time limits at each stage. This avoids regulatory lag and project risks caused by disjointed approvals or standard conflicts. Article 50 of the Ecological Environment Code provides a direct legal basis for interdepartmental collaboration in energy project approval by authorizing joint law enforcement by ecological environment authorities with relevant departments, including cross-regional, cross-basin, and cross-sea enforcement. Meanwhile, the Code’s provisions on the record management of environmental impact assessment technical units (Article 99) and full public disclosure of EIA reports (Article 103) also lay an institutional foundation for information sharing and public supervision in energy project approval. At the standard integration level, deepening practical synergy requires the deep fusion of substantive technical norms, focusing on resolving conflicts or normative gaps between current energy security technical standards and ecological environmental protection standards, product quality standards, etc. The Ecological Environment Code’s Chapter 4, “Standards and Monitoring,” has established a systematic institutional framework, providing procedural guarantees for the coordinated integration of energy security technical standards and ecological environmental protection standards. At the liability enforcement level, the ultimate guarantee for practical synergy is the establishment of a unified, authoritative pathway for legal liability that can form a joint force. Currently, when the same illegal act violates multiple laws such as the Energy Law, Ecological Environment Code, and Work Safety Law, there are often practical difficulties such as inconsistent application standards for liability provisions, widely varying penalties, or selective enforcement by authorities. Therefore, through legislation or judicial interpretation, it is necessary to systematically sort out and integrate the legal liabilities for typical illegal acts in the energy security field, clarifying the rules for competition and the order of application among administrative penalties, civil compensation, and even criminal liability provisions in different laws.

3. Current Situation and Articulation Difficulties of Energy Security Norms Across Different Legal Fields

In China’s current energy law construction, the main task for legislators in establishing and perfecting the legal system is to create a vertical and horizontal legislative framework that fits actual social conditions, coordinates with social development needs, and aligns with existing or future legal norms. The

complex international energy landscape and risk changes have brought increasing challenges and instability factors to China's energy security. These multidimensional internal and external risks are interwoven and superimposed, requiring us to ensure energy security through legislation. Although China's energy security legislation has achieved certain institutional results, it still faces many legal gaps and institutional obstacles.

3.1 Current Status of Energy Security Legislation

In terms of legislative achievements, China enacted the Energy Law in 2024 as the basic law guiding energy strategy and policy. As China's first fundamental and overarching law in the energy sector, it concentrates on the major policies, fundamental principles, and institutional systems for China's energy work, comprehensively solidifying the legal foundation for high-quality energy development and high-level safety. At the same time, relevant provisions in the Renewable Energy Law, Electric Power Law, Coal Law, Petroleum and Natural Gas Pipeline Protection Law, as well as the Work Safety Law and Ecological Environment Code, have responded to energy security to varying degrees within their respective regulatory scopes. For example, the Renewable Energy Law enhances the diversity of energy supply through guaranteed purchase mechanisms; the Electric Power Law provides basic provisions for grid stability and emergency response; and the Petroleum and Natural Gas Pipeline Protection Law focuses on the safety protection of energy transportation facilities. However, the institutional supply of the above legal norms in the energy security field exhibits obvious fragmentation. Although the Energy Law plays a leading role, its provisions are mostly principled and framework-based, with specific operational norms still scattered across various special laws. Against the background of increasingly complex energy security, overall, the current legislation has not established a systematic and strategic framework for energy security assurance at the macro level.

3.2 Articulation Difficulties of Energy Security Norms

Within the existing legal system framework, legislative norms in fields such as energy, environment, and climate have not yet established effective coordination mechanisms, and the interactive effect between sectoral laws is clearly insufficient. This institutional gap arises mainly due to the following reasons. The primary issue is the ambiguity of legislative positioning, leading to functional overlap between different normative systems. This ambiguity manifests specifically in: during the energy project access stage, construction project safety condition review and environmental impact assessment approval, established respectively under the Work Safety Law and the Ecological Environment Code, have extensive overlapping areas in review content, technical standards, and approval procedures. For instance, inconsistent standards for site safety assessment and ecologically sensitive area assessment for the same facility lead to unclear regulatory boundaries, potentially causing both waste of regulatory resources due to duplicate inspections by multiple departments and regulatory vacuums because each department assumes the other is responsible. More prominently, since energy security technical standards and ecological environmental protection standards are developed

by different lead authorities, there is often insufficient coordination during standard-setting, resulting in disconnected or even conflicting technical parameters. A typical example is when an energy facility meets emission concentration standards but has major safety hazards due to insufficient safety redundancy—phenomena of “meeting standards but unsafe” and “safe but not meeting standards” profoundly reflect the internal contradictions between the standard systems. Secondly, the fragmentation of the normative system has become increasingly prominent due to the lack of coordination arrangements at the top level. China has not yet enacted a special Energy Security Law, resulting in energy security norms being scattered across more than ten laws and regulations, including the Energy Law, Electric Power Law, and Ecological Environment Code. Each of these legislations, based on its specific regulatory scope and value orientation, has formed a pattern of “each minding their own business.” When facing comprehensive decisions that require coordinated consideration of supply security and ecological protection during the energy transition, the existing legal system lacks effective articulation rules and coordination mechanisms, making it difficult to address increasingly complex composite energy security risks. Finally, the systemic absence of implementation mechanisms makes it difficult for normative articulation to be realized in practice. The implementation mechanisms established by different legal departments often form their own systems, lacking necessary coordination procedures and interactive arrangements. Taking energy emergency management as an example, the activation and operation of energy reserve systems and ecological environment emergency response mechanisms are respectively based on different laws and regulations. In sudden energy crisis events, there is a lack of clear operational guidance and articulation procedures regarding when and how to coordinate the use of strategic petroleum reserves and the activation of regional environmental emergency responses, potentially leading to delayed emergency responses or conflicting measures. Equally serious is the inconsistency in legal liability mechanisms. For the same illegal act, such as an energy enterprise causing major environmental pollution due to improper operations while endangering energy supply security, the Energy Law, Ecological Environment Code, and Work Safety Law respectively provide different elements for liability and penalty standards. In practice, this easily leads to selective enforcement and inconsistent penalties, affecting not only the fairness of law application but also the authority and enforceability of legal norms.

4. Pathways for Articulating Energy Security Norms from the Perspective of Legislative Coherence

Energy is a basic support for economic development, and its development and utilization are increasingly related to the rule of law. Traditional models of energy development and utilization are clearly no longer suitable for current economic and social development needs, while the rise of new energy can provide certain momentum for the transformation and upgrading of the energy industry. However, the development of new energy also faces severe challenges and must be normatively guided by legal methods. Under the strategic guidance of the holistic approach to national security,

development and security are placed in equally important positions, forming a dialectical unity: security creates a stable environment for development, and development provides the material foundation for security. This concept deeply influences the institutional construction in various fields of national governance, among which energy security, as a key link related to the national economy and people's livelihood, has become a core value that must be prioritized by specialized legislation in the energy field, such as the Energy Law. Based on the inherent requirements of legislative coherence, achieving organic articulation of energy security norms across different legal departments requires the construction of systematic implementation pathways:

4.1 Clarifying the Normative Positioning and Functional Boundaries of Each Sectoral Law

The normative expression of energy security should closely integrate the national energy security strategy, especially the core concepts of the "Four Revolutions and One Cooperation" strategy. Specifically, energy security legislation should implement this strategy from the following aspects: First, the energy production and consumption revolutions require legislation to promote the optimization and transformation of the energy structure. In terms of energy production, the driving force for China's energy production development is accelerating the shift from traditional energy to new energy, and the structure is rapidly shifting from coal-dominated to diversified and clean. According to data from the Statistical Bulletin of the People's Republic of China on National Economic and Social Development for 2025, the installed capacity of clean energy power generation in China further increased in 2025, with significant results in the green and low-carbon transformation of the energy structure. In terms of energy consumption, China is deeply promoting the energy consumption revolution, accelerating the transformation of energy use patterns, solidly carrying out coal consumption reduction and substitution in key areas, accelerating the large-scale, efficient, and scientific utilization of natural gas in urban gas, industrial fuel, gas power generation, transportation, and other fields, and vigorously developing non-fossil energy. The optimization of the energy consumption structure has achieved notable results. In 2025, coal consumption accounted for 51.4% of total energy consumption, down 1.8 percentage points from the previous year; clean energy consumption such as natural gas, hydropower, nuclear power, wind power, and solar power accounted for 30.4% of total energy consumption, up 1.8 percentage points. The normative expression of energy security should encourage the development of green and low-carbon energy, promote the diversification of the energy structure, and particularly provide legal guarantees for the development and utilization of clean energy. In line with the requirements of legislative coherence, the Energy Law should focus on supply security and market security, improving the basic safety systems for energy production, storage, transportation, consumption, and other links, clarify the safety obligations of energy market entities, build the core framework for energy security, and provide a basic basis for norms in other fields. The already promulgated Ecological Environment Code focuses on ecological security constraints, systematically providing for energy conservation and the green and low-carbon transformation of energy through its

special part on "Green and Low-Carbon Development" (Part IV). A special energy security law could focus on "coordination and special prevention and control," serving as the articulation core between different sectoral laws: clarifying the definition, basic principles, and coordination mechanisms of energy security; refining specialized systems for risk prevention and control, supply chain security, cross-border security, and emergency response; and establishing articulation rules for norms from different sectoral laws, such as coordination mechanisms between safety standards and ecological standards, and consolidation procedures for different approval processes, to solve the problem of normative fragmentation.

4.2 Establishing Cross-Sectoral Coordination and Articulation Mechanisms

Energy security, as an important component of the holistic approach to national security, is a core value that must be prioritized in the construction of China's energy legislative system. This value orientation determines that the institutional design of energy law must transcend traditional sectoral law limitations and, from the perspective of legislative coherence, construct systematic cross-sectoral coordination and articulation mechanisms. Current practice shows that the construction of such coordination mechanisms needs to be systematically advanced on three interrelated levels: At the level of overall coordination, by improving legislative planning mechanisms and recordation review procedures, the Energy Law, Ecological Environment Code, Work Safety Law, and related legislations should be promoted to form an internal unity of the normative system under the value guidance of energy security. At the same time, at the administrative law enforcement level, regular interdepartmental coordination mechanisms should be established, with energy authorities taking the lead, jointly with ecological environment, emergency management, market supervision, and other departments, to build information sharing platforms and joint law enforcement systems, effectively solving the problems of regulatory overlap or gaps caused by overlapping responsibilities. At the standard articulation level, a unified and coordinated technical standard system needs to be established. This work should be coordinated by the National Standardization Administration, organizing experts from energy, environment, safety, and other fields to jointly develop a coordinated standard system covering the entire energy industry chain. At the procedural articulation level, efforts need to focus on optimizing and integrating the administrative approval process and coordinating emergency response mechanisms. For energy project approval, a "one-stop" collaborative processing platform should be built, integrating originally dispersed approval items such as project initiation, site selection, environmental impact assessment, safety condition review, and social stability risk assessment into a unified process, clearly defining articulation nodes, processing time limits, and responsible entities at each stage, achieving a transformation from fragmented approval to holistic governance. In energy emergency management, priority should be given to improving emergency response procedures for sudden energy crises, detailing the activation conditions, response sequences, and coordination requirements among different emergency mechanisms such as the use of strategic energy reserves,

ecological environment emergency measures, and work safety accident handling, ensuring that all departments can quickly form a joint response in crisis situations. These three levels of mechanism construction are interdependent and mutually reinforcing, together forming a three-dimensional pathway for the cross-sectoral articulation of energy security norms. They can provide solid institutional guarantees for the realization of the concept of legislative coherence in the energy security field, ultimately promoting the formation of a unified, efficient, and harmoniously operating rule-of-law system for energy security.

4.3 Refining Specific Rules for Normative Articulation

Energy is the driving force for economic and social development and is also related to the national economy and people's livelihood as well as national security. Facing increasingly complex international and domestic situations, promoting high-quality development in the energy sector and ensuring energy security have become crucial contemporary issues. Within the theoretical framework of legislative coherence, to transform energy security norms from scattered textual expressions into systematic governance practices, in-depth and meticulous refinement at the rule level is needed, focusing on systematic institutional arrangements around three key dimensions: conflict resolution, gap-filling, and liability articulation. First, establishing clear and operable conflict resolution rules is the primary prerequisite for ensuring the internal consistency of the normative system. Although traditional legal principles such as "special law prevails over general law" and "later law prevails over earlier law" provide basic guidance for resolving normative conflicts, in the complex field of energy security involving intersections between multiple sectoral laws, relying only on these principles often makes it difficult to address the novel forms of conflict that continuously emerge in practice. Therefore, it is necessary to include special conflict coordination clauses in a future Energy Security Law, constructing a normalized mechanism for identifying and resolving normative conflicts. Second, constructing systematic and comprehensive gap-filling rules is an important guarantee for addressing emerging risks in energy security. With the acceleration of the energy transition and changes in the geopolitical landscape, new forms of risk are constantly emerging in the energy security field, such as critical mineral supply chain security and cross-border power grid system risks. Existing legislation often has regulatory gaps in these emerging areas. This requires the Energy Security Law to undertake a forward-looking legislative function, making basic provisions for these gap areas and clearly defining their order of application and articulation relationships with relevant legislation such as the Energy Law and Foreign Trade Law. At the same time, for the numerous principled and declaratory provisions in current sectoral laws, it is urgent to transform them into specific norms with clear behavioral guidance and operability through the formulation of supporting implementation rules, departmental regulations, or the issuance of authoritative judicial interpretations. Finally, designing coordinated and unified liability articulation rules is key to strengthening the enforcement of energy security norms. Currently, illegal acts in the energy security field often have composite characteristics, with one illegal act potentially violating multiple laws such as energy management,

environmental protection, and work safety. To this end, a unified liability enforcement mechanism must be established, the core of which is to clarify the conditions for the competition of liability provisions from different legal departments and the articulation rules. Specifically, a special chapter on liability articulation could be included in the Energy Security Law, clearly providing that when the same act simultaneously violates liability provisions from multiple legal departments, liability should in principle be cumulative, while establishing cross-departmental joint investigation and evidence mutual recognition mechanisms to ensure the comprehensiveness and coordination of liability enforcement, constructing a dense network of liability enforcement.

The effective guarantee of energy security cannot be achieved without the coordination and cooperation of multiple legal departments. Legislative coherence is the core principle for achieving conflict-free articulation of norms across different fields. On the basis of China's existing extensive energy security legislation, the key to ensuring energy security lies in clarifying the functional positioning of each sectoral law, establishing cross-sectoral coordination mechanisms, and refining articulation rules, so that the Energy Law, Ecological Environment Code, and a future energy security law form a systematic pattern of "distinct focuses, mutual support, and seamless articulation." Only in this way can the problems of normative fragmentation and conflict be solved, allowing scattered legal norms to form a joint guarantee force, providing stable, efficient, and comprehensive rule-of-law support for national energy security.

References

- [1] He, Y. (2010). Countermeasures for Improving China's Energy Security Legislation. *Safety and Environmental Engineering*, 17(03), 117-120.
- [2] Lei, L. (2012). Coherence and the Construction of Legal System: Also on the Coherence of Contemporary Chinese Legal System. *Jurist*, (02), 1-16+176.
- [3] Soriano, M. L. (2003). A Modest Notion of Coherence in Legal Reasoning. A Model for the European Court of Justice. *Ratio Juris*, 16(03), 296-323.
- [4] Zhang, Q., & Zhang, Z. (2023). Logical Anchoring and Normative Bearing of Energy Legal Response under the "Dual Carbon" Goals. *Journal of China University of Geosciences (Social Science Edition)*, 23(03), 51-63.
- [5] Wang, M. (2025). Rational Basis and System Construction of China's Energy Law Norms. *Journal of China University of Petroleum (Social Science Edition)*, 41(04), 31-42.
- [6] Xiao, G. (2007). Several Issues to Consider in the Drafting of China's Energy Law. *Jurisprudence*, (02), 111-115.
- [7] Wang, J., & Zong, T. (2025). On the Normative Continuation of the Energy Law. *Journal of China University of Petroleum (Social Science Edition)*, 41(04), 43-49.
- [8] Anonymous. (2025). Research on the Mechanism and Realization Path of Energy Rule of Law Enabling High-Quality Development. *Legal Person*, (10), 72-75.
- [9] National Bureau of Statistics. (2026). *Statistical Bulletin of the People's Republic of China on National Economic*

and Social Development for 2025. People's Daily, 2026-03-01(004).

- [10] Hou, M. F., Li, L. M., Yang, Y. X., et al. (2025). Practice results of China's new energy security strategy and countermeasures for energy revolution. Natural Gas Industry, 45(08), 150-161.