

**STATE ENVIRONMENTAL IDEOLOGY:
FROM TSARIST EMPIRE TO SUSTAINABLE RUSSIA**

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The main approach to the relationship between mankind and the natural environment is sustainable development which has increasingly found its way into the context of environmental legislation. The efficacy and scope of Russian environmental legislation varied during different periods throughout the history of the country and depended to a great extent on the state ideology which at the time shaped public opinion and environmental awareness. Russian environmental ideology has proven to be inconsistent and contradictory, because it is based on a dual historical tradition: a pre-revolutionary and Soviet pattern.

Environmental ideology in its historical perspective has always remained on the periphery of scholarly attention in Russia. This paper is an analysis of the basic domains of the state environmental ideology with the focus on changes that happened in the periods of the Great October Socialist Revolution and the 1990s when the country was transitioning to a new democratic state. The study of the historical peculiarities of the state environmental ideology can contribute to assessing how much Russia has progressed in achieving efficient legal regulation of environmental use and protection.

The hypothesis is that the difficulties in the transition of the Russian Federation to sustainable development are caused by the failure of the state to form a holistic and efficient environmental ideology that can serve as an adequate background for the development and implementation of legal norms.

Keywords: state environmental ideology; Russian environmental legislation; sustainable development.

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Introduction

Environmental problems require immediate and effective solutions based on a deeper understanding of their political, economic and social background. The environmental problems of Russia have deep historical roots based on a “resource” or “consumerist” approach to the economic development of the country. When it comes to the environmental interests of key actors and the political leadership in Russia, it is difficult to evaluate how willing the Russian government is to solve environmental problems, regardless of the recent increased political attention to sustainable development in the country.

Throughout its history, Russian society has been characterized by a specific attitude towards nature that tracked with the arbitrary state policy and regime in power. The geographical size of the country has always bred a strong belief in the abundance of natural resources. This vision of the country’s resources is combined with historical optimism and underpins the confidence in constant progress and technological development instead of the need to change existing patterns of thought.¹ Even recent environmental programs and initiatives, for example, the Environmental Concept initiated in 2009, are well in line with this attitude, and focus mostly on innovation and technological development of the country, not on its sustainable development.

In Russia, most people also believe that natural resources are inexhaustible. One popular slogan stated:

We can’t wait for charity from nature, we must conquer it.

¹ Nina Tynkkynen, *Russia, A Great Ecological Power? On Russian Attitudes to Environmental Politics at Home and Abroad in Understanding Russian Nature: Representations, Values and Concepts* 277 (A. Rosenholm & S. Autio-Sarasma (eds.), Helsinki: Kikumora Publications, 2005).

This belief in nature's inexhaustibility arose from the overall wave of revolutionary exaltation in Russia. The revolutionaries considered natural resources merely as building material for "our better future."²

These attitudes and beliefs are not compatible with the goals and trends of sustainable development which Russia has to comply with according to the Declaration on Environment and Development signed in 1992.

Another typical demeanor of the Russian people is to see environmental issues as a prerogative of the expert community, and not a priority for their own action or participation.³ Traditionally, Russian scholars, writers, and teachers did not have close connections with the public and had little chance to influence the ruling authorities.⁴ Consequently, their awareness and deep affectation about nature and environmental problems had insufficient impact on society's attitude towards nature.

One of the main state functions is political and ideological leverage which shapes public opinion and environmental awareness in the different groups of society. In the course of Russian state history, the ideology varied to a large extent: it reflected public opinion and the opinion of the Russian intelligentsia or contravened it, took various forms, followed world trends or was opposite to them. Environmental ideology in its historical perspective has remained on the periphery of scholarly attention in Russia. The objective of our paper is to examine the content of the state environmental ideology and its influence on the development of environmental legislation throughout the three historical stages: the 11th century to the beginning of the 20th century (before the Soviet period); the Soviet period; the modern period. We will concentrate on the role of the Great October Socialist Revolution in the environmental trajectory of Russian law and society.

We single out and study five domains in the evolution of state environmental ideology within the period of from the 11th to the 20th century:

- 1) interrelation between the Russian state ideology and the global environmental trends;
- 2) ideological key-players;
- 3) influence of environmental scientists involved in the research of nature;
- 4) non-rational perception of nature reflected in the arts; and
- 5) environmental legislation.

² Tatiana R. Zakharchenko, *Environmental Policy in the Soviet Union*, 14(1) Environmental Law and Policy Center 3 (1990).

³ Тихомирова Н. Экологическая обстановка глазами россиян, 4(76) Мониторинг общественного мнения 102 (2005) [Natalia Tikhomirova, *Ecological Situation in the Eyes of Russians*, 4(76) Monitoring of Public Opinion 102 (2005)].

⁴ Бердяев Н.А. Кризис интеллекта и миссия интеллигенции [Nikolay A. Berdyaev, *The Crisis of the Intellect and the Mission of the Intelligentsia*] in Интеллигенция. Власть. Народ: Антология [Intelligentsia. Power. People: Anthology] 281 (Moscow: Nauka, 1993); Милуков П.Н. Интеллигенция и историческая традиция [Pavel N. Milyukov, *Intelligentsia and Historical Tradition*] in Анти-Вехи [Anti-Milestones] 294–382 (Moscow: Astrel, 2007).

We used the hermeneutic method to study cultural phenomena reflecting the state ideology and public opinion, as well as a comparative approach for creating historical and cross-country comparisons.

1. Formation of the State Environmental Ideology Prior to the October Revolution

Prior to the Great October Socialist Revolution, Russian environmental legislation had already had a long history. Russia has its own authentic ideas and traditions forming the ethical basis of its perception of nature. Conventional Russian attitudes towards nature have been rooted in the national consciousness since pagan times when human activity and natural processes coexisted in harmony. Economic activities of society were regaled with unwritten rules. Beginning in the 11th century, the state introduced legal rules restricting the use of certain natural resources. The traditional approach towards regulating the use of nature was related to the legal protection of property and the maintenance of the sanitary condition of natural objects. The priorities of environmental regulation in the 11th–18th centuries were: protection of forest belts, protection of game (animals), protection of fish stocks, and watercourses.⁵

Tsar Peter the Great paid much attention to the state regulation of the use of natural resources. During his reign, more than sixty decrees were enacted in this area, and state management structures were initiated to monitor compliance with the decrees.

Nevertheless, up to the 19th century the state did not work out its ideological instruments to form public environmental awareness. Regulations just limited the use of natural resources and provided for punishment in case of the misuse of nature. More than 20 percent of environmental legislation was of a prohibitive character with punishments varying from fine and confiscation of property to “clipping of the hand” (for illegal fishing, for example) and the death penalty.⁶

It is notable that, for centuries, Russia’s economy has been highly dependent on its rich natural resources. Over the course of four hundred years the territory of the Russian Empire increased thirty-six times, and new natural resources allowed the economy to develop.⁷ In the era of Peter the Great, Siberia and the Russian Far East became military outposts and suppliers of raw materials for the rest of Russia. The abundance of natural resources ended the careful attitude towards their use.

⁵ Краснощеков Г.П. Становление экоправа в России, 2(2) Известия Самарского научного центра Российской академии наук 191 (2000) [Georgy P. Krasnoshchekov, *The Development of Environmental Law in Russia*, 2(2) Bulletin of the Samara Scientific Center of the Russian Academy of Sciences 191 (2000)].

⁶ *Id.*

⁷ Степун Ф.А. Мысли о России, 6 Новый мир 201 (1991) [Fyodor A. Stepun, *Thoughts about Russia*, 6 The New World 201 (1991)].

The situation changed in the 19th century for five reasons. The first reason is the rise of environmental awareness in the European countries and in the United States of America as a result of the rapid development of capitalism and the anthropogenic impact on nature. Russian scientists were well acquainted with the ideas of their Western colleagues, the problems they studied, and their progressive views.

For example, in 1908, Grigory Kozhevnikov, after studying the experiences of European and American national parks, proposed the setting up of territories where pristine nature would be preserved, since otherwise many species would be doomed to extinction. Termed *zapovedniki*, these areas were to be free from human beings, both to protect the species, and to study how the environment operated when civilization was excluded. A few private initiatives followed, Askania-Nova, for example. This effort was soon to be shattered by the revolutions of 1917.⁸

In addition, at the end of the 19th century and the beginning of the 20th century, Russia became a party to many international agreements (for example, the Convention for the Preservation of the Fur Seal and Sea Otter in the North Pacific Ocean and Bering Sea of 6 November 1897) and international environmental events, including the first International Conference on conservation of nature and natural resources held in Bern (17–19 February 1913), thereby confirming its commitment to new trends in relationship to nature.

The second reason was liberalization of public life that occurred after the abolition of serfdom in Russia. State leaders paid more attention to public opinion and considered some public ideas.

For example, the Compassion for Animals Society was created in 1865. The Honorary Chairman of the Society was Prince Alexander Suvorov, and the Empress became its celebrated patroness. Later, the patrons of the Society were tsars Alexander II, Alexander III, Nicholas II and his mother Empress Maria Feodorovna. By the beginning of the 20th century the Society had more than 100 offices in different Russian cities. Newspapers published its announcements for free, popular artists donated money. The famous artist Arkhip Kuindzhi constructed a hospital for birds on the roof of his house.⁹ In 1910, the first Society for Nature Protection was created, within a year similar societies appeared in different areas, including Moscow and St. Petersburg. Under the umbrella of the Imperial Geographic Society, a permanent environmental commission was established. These examples demonstrate the degree of the authorities' involvement in protecting nature.

⁸ Kunal Chattopadhyay, *The Rise and Fall of Environmentalism in the Early Soviet Union*, Climate & Capitalism, 3 November 2014 (Nov. 20, 2017), available at <http://climateandcapitalism.com/2014/11/03/rise-fall-environmentalism-early-soviet-union/>.

⁹ Боре́йко В.Е. История экологической этики в царской России, СССР и на постсоветском пространстве (1865–1998) [Vladimir E. Boreyko, *The History of Environmental Ethics in Tsarist Russia, the USSR and the Post-Soviet Space (1865–1998)*] (Nov. 20, 2017), available at <https://doc4web.ru/ekologiya/istoriya-ekologicheskoy-etiki-v-carskoy-rossii-sssr-i-na-postsov.html>.

The third reason for changing attitudes towards nature was the increased influence of science. The scientific community had a significant influence on the formation of state environmental ideology. V. Boreyko argues that the approach to nature conservation formed in the early 20th century by the Russian biologists G. Kozhevnikov, A. Semyonov-Tyan-Shansky, I. Borodin, and D. Kaigorodov can be called “ethical-aesthetic.” These scientists were familiar with the advanced environmental movements of Europe and the USA, were brought up on the tradition of love for nature patterned in Russian poetry, painting, and music. Their approaches to nature were of charity and admiration, in contrast to the later approach of Soviet Russia foresters and biologists based on the pragmatic use and management of nature.

One more reason for environmental awareness and changing of state environmental ideology was the arts depicting nature. Many pieces of Russian art expressed the greatness, eternal and yet fragile quality of nature. A non-rational approach towards nature was sometimes deeper and more holistic than a scientific one. The proximity of the arts and nature can provide a person with new knowledge and values regarding the surrounding world and force him or her to behave differently. Russian poetry is inconceivable without the world of nature. Russian poets, writers, and artists always associated morality with a sensitive attitude to nature; they admired the grace, majesty, and wisdom of nature and rejected the consumerist attitude to it.

Non-governmental organizations were very active in their regulations on the use of nature and its protection, and they motivated the state environmental ideology greatly in that period. Numerous NGOs made enormous efforts to prepare and adopt environmental bills which became necessary for the period of development of the state’s environmental activities. In 1886, under the pressure of animal protectionists, the Ministry of Internal Affairs approved the rules for dealing with animals. In 1871, punishment for cruel treatment of animals was for the first time introduced in the Charter of Punishments imposed by justices of the peace.¹⁰ The first national bill on hunting was enacted in 1892.

At the turn of the century, before World War I, the imperial government continued to regulate hunting activities. The Nature Protection Committee was created under the auspices of the Russian Geographical Society. The Committee carried out the project on the network of conservation areas in Russia. Russia took part in the First International Conference on nature protection in Bern, Switzerland.¹¹ In 1893, the first forest protection law, the Law “On Preservation of Forests in the Steppe and Forest-

¹⁰ Борејко В.Е., Левина Г.Н. Настольная книга зоозащитника [Vladimir E. Boreyko & Galina N. Levina, *The Zoo Protector’s Handbook*] 6 (Kyiv: Kyiv Ecological and Cultural Center, 2011).

¹¹ Evgeny Gololobov, *Environmental History of the North of Western Siberia: Developing Natural Resources and Nature Protection in Environmental History in Russia: Stages of Development & Promising Research Directions: Materials of the International Scientific Conference (Yelabuga, 13–15 November 2014)* 97 (Yelabuga: Publishing House of Yelabuga Institute of KFU, 2014).

Steppe Zones," was adopted.¹² In the years 1915–1916, under the supervision of the academician Ivan Borodin, the first draft of the Russian law on nature protection was worked out.¹³ Revolution and Civil War retarded this process, but it did not stop. The State Committee for the Protection of Natural Monuments was created in 1920. This organization included scientists and specialists from different spheres of the natural sciences. The Committee passed the Law "On the Protection of Natural Monuments, Gardens and Parks" in 1921.¹⁴ Additional, important laws on nature protection were also passed in the period.

From the end of the 19th century to the early years of the 1930s, regional legislation on nature protection was passed. There were special decrees, which were the normative documents regulating this field of activity. Prior to the 1920s, many issues of legislative regulation of environmental management were raised and discussed at various levels of government.¹⁵

Thus, state environmental ideology developed in tsarist Russia under the influence of world environmental trends and social movements. Academician Ivan Borodin wrote in 1814 that the Americans undoubtedly took the lead in the environmental movement; however, Russian environmental ideology had the same achievements, differing only in time (see Table 1).

Table 1.
Milestones in the Environmental Movement in the USA and Russia

Achievements	USA	Russia
First environmental acts on nature protection	Some states enacted wildlife laws in the 1850s	In 1886, the Ministry of Internal Affairs approved the rules for dealing with animals. In 1871, the Charter of Punishments included articles on punishment for the cruel treatment of animals
The movement for the rights of domestic animals	The first animal protection group in the United States, the American Society for the Prevention of Cruelty to Animals (ASPCA), was founded in April 1866	In 1865, the Russian group Compassion for Animals Society was founded

¹² Krasnoshchekov 2000, at 195.

¹³ Фефелова И.А. История возникновения и развития экологического права, 10 История государства и права 35, 35–37 (2010) [Irina A. Fefelova, *History of the Origin and Development of Environmental Law*, 10 History of State and Law 35, 35–37 (2010)].

¹⁴ Gololobov 2014, at 97.

¹⁵ *Id.* at 96.

The first attempts to justify the ethical and aesthetic value of nature	Henry David Thoreau and Ralph Waldo Emerson expressed a romanticized connection between human beings and nature in their literary works. In 1835, Emerson wrote the essay "Nature." John Muir took a leading role in advocating environmental preservation as an ethical issue	At the beginning of the 20 th century a movement to protect natural monuments appeared in the Russian Empire. Its leaders – biological scientists G. Kozhevnikov, A. Semyonov-Tyan-Shansky, I. Borodin, D. Kaigorodov – theorized an ethical-aesthetic approach to nature (as opposed to scientific or economic approaches)
Protected areas	The park called the "oldest area in the national park system" was founded in 1832, 40 years before Yellowstone became the first national park	In 1881–1891, the first private nature reserves appeared in Russia, for example, "Askania-Nova." In 1916, the first State Nature Reserve "Barguzin" was established at Lake Baikal

The forms of environmental ideological activity of the state in tsarist Russia also corresponded to world environmental trends (see Table 2)

Table 2.
Forms of Environmental Ideological Activity of the State

Forms	Other Countries	Russia
Periodicals	Beginning in 1871, sportsmen's groups used the printing press to circulate newspapers that would bring attention to their cause and shape a coherent agenda	Newsletter of the Russian Compassion for Animals Society was launched in 1867
Fiction	In 1805, Cousin de Grainville wrote "The Last Man," perhaps the first doomsday tale. The French author described the human race dwindling through natural processes to a lonely end	Human proximity to nature is most sufficiently reflected in Russian literature by A. Chekhov, ¹⁶ F. Dostoevsky, ¹⁷ K. Paustovsky, ¹⁸ I. Turgenev, M. Prishvin ¹⁹ and others

¹⁶ Чехов А. Степь [Anton Chekhov, *The Steppe*] (Nov. 20, 2017), available at <http://www.eldritchpress.org/ac/jr/148.htm>.

¹⁷ Достоевский Ф. Сон смешного человека [Fyodor Dostoevsky, *The Dream of a Funny Man*] (Nov. 20, 2017), available at http://az.lib.ru/d/dostoevskij_f_m/text_0330.shtml.

¹⁸ Konstantin Paustovsky, *Short Stories* (Moscow: Foreign Languages Publishing House, 1967).

¹⁹ Mikhail Prishvin, *The Lake and the Woods: Or Nature's Calendar* (Westport, Conn.: Greenwood Press, 1975).

Paintings	In the 1820s, the Hudson River School of painting put nature at the center of emerging American culture	“Peredvizhniki” painted landscapes to explore the beauty of their own country and encourage ordinary people to love and preserve it. It evolved into the Society for Travelling Art Exhibitions in 1870
Laws	In 1830, Saxony adopted a law to prevent cruelty to animals, followed by Prussia (1838), Wurttemberg (1839), and Switzerland (1842)	In 1915–1916, under the supervision of academician Ivan Borodin, a pioneer of environmental research in Russia, the first draft of the Russian Law on Nature Protection was worked out (was not realized)
Public movements	Arthur Broome formed a Society for the Prevention of Cruelty to Animals in London in 1824	In 1882, the departments of the Russian Animal Protection Society gathered in Moscow for their first congress. The slogan of the congress was “A man is a king over animals, but not a tyrant”
Research and popular books	From 1824 onwards, several books were published analyzing animal rights issues, rather than protection alone. Lewis Gompertz (1783/4–1865), one of the men who attended the first meeting of the SPCA, published “Moral Inquiries on the Situation of Man and of Brutes” (1824)	The Russian Compassion for Animals Society and its departments issued several journals and popular brochures in different languages of Russia
Public speeches	On 30 September 1847, U.S. Congressman George Perkins Marsh of Vermont noted the destructive impact of people on the land in a speech to the Agricultural Society of Rutland County, Vermont	Peter Zhukovsky, a speaker of the St. Petersburg Duma, in 1864, spoke at a meeting of the Duma about cruel treatment of horses and other animals, and the poor conditions of livestock transportation. Speaking in 1908 at the All-Russian Acclimatization Congress, Professor of Moscow University Grigory Kozhevnikov discussed the issue “about the right of pristine nature to exist.” It was the first ever such event in Russian history

Books on animals' rights	In 1894, a German judge named Bregenzer issued a book about the legal rights of animals	The book "Man and Animals" was published in 1899 by the St. Petersburg lawyer S. Fisher. In the form of an ethical and legal essay the author spoke about the need to recognize the "legal identity of animals"
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Hence, tsarist Russia took several significant steps in line with advanced environmental trends. The core ideas of the environmental ideology of the state at that time corresponded to those in North America and Europe.

However, the environmental ideological activity of the state was not effective due to the passivity of the tsarist authorities, on the one hand, and the illiteracy of the population, on the other. Not more than 5 to 6 percent of the rural population in Russia was educated, and the rural population was the predominant mass of the population in Russia.²⁰

2. Opposite Vector of the State Environmental Ideology in the Soviet Period

The history of the development of Soviet environmental ideology is interwoven with the socio-political development of the country. The biggest events in the history of Russian (Soviet) society determine the boundaries of the periods when the basic resources- and environment-related laws appeared. These big and influential events include the October Revolution in 1917, the collapse of the Stalinist system in the mid-1950s, and the beginning of "perestroika" in 1985.²¹

After the Bolsheviks came to power, all five domains of state environmental ideology that we identified earlier changed dramatically.

The existing links to world trends in relations towards nature were destroyed. Despite the fact that up to 1926–1927 scientific and cultural networking with Europe and America continued to develop, being politically isolated from the rest of the world, the Soviet Union was not involved in international environmental governance and many reasonable ideas of that time were not brought to life.

The basic trend of the relationship between people and nature in post-revolutionary Russia was to consider nature simply as a source of building materials. The overall attitude in the post-revolutionary years was "consumerist." Nature was to be used, not preserved. This "consumerist" attitude prevailed in the Soviet Union for many years.²²

²⁰ Рашин А.Г. Население России за 100 лет (1813–1913). Статистические очерки [Adolf Rashin, *Population of Russia for 100 Years (1813–1913). Statistical Essays*] (Nov. 20, 2017), available at <http://istmat.info/node/86>.

²¹ Zakharchenko 1990.

²² *Id.*

Civil society remained reluctant to participation in any environmental ideological activities. The political and economic elite completely acquired this function, and they shared the underlying ideas of a discourse in which the environment and abundant natural resources are primarily a source of economic exploitation.²³ Soviet industry intensively exploited the country's precious resources – metals, minerals, fisheries, and timber supplies – and exported these raw materials to the rest of the Soviet republics or abroad.²⁴

This ideology played a major role in the way the Russian environmental bureaucracy was reorganized in the late 1990s: the transfer of environmental jurisdictions under the Ministry of Natural Resources reflected the central ideology of emphasizing economic growth based on the extraction of natural resources.

Although Russia had a rich history of environmental philosophy and science,²⁵ the Soviet regime effectively limited the development of an independent civil society in the USSR because the state controlled virtually all resources, spaces, and media that might have been used by citizens to facilitate collective action. Top-down state mobilization of the public largely substituted for independent activism, and there were few outlets for publicly expressing concern about the environment.²⁶ During the period of Soviet control, there was no opportunity for citizens or NGOs to oppose or protest environmental degradation and the resulting negative consequences for human health.²⁷ Citizens were routinely denied access to environmental information about pollution levels and the information that was available was generally limited to highly selective media coverage and propaganda.²⁸ The exceptions were state-sponsored scientific organizations such as the All-Russian Society for Nature Protection and the Moscow Society of Naturalists.

During the first decade of Soviet power, the views of the scientific intelligentsia continued to influence the state ideology which resulted, for example, in creating more nature reserves in the beginning of 20th century. The Soviet government was the first in the world to listen to its scientific and ecological researchers and implement a policy of setting aside large tracts of land, nature reserves that were completely inviolable to any form of human intervention other than scientific research.²⁹

²³ Tynkkynen 2005.

²⁴ Michael J. Bradshaw & Nicholas J. Lynn, *Resource-Based Development in the Russian Far East: Problems and Prospects*, 29(4) *Geoforum* 375 (1998); *Geography and Transition in the Post-Soviet Republics* (M.J. Bradshaw (ed.), Chichester: Wiley, 1997).

²⁵ Jonathan D. Oldfield & Denis J.B. Shaw, *The Development of Russian Environmental Thought: Scientific and Geographical Perspectives on the Natural Environment* (Abingdon: Routledge, 2016).

²⁶ Joshua P. Newell & Laura A. Henry, *The State of Environmental Protection in the Russian Federation: A Review of the Post-Soviet Era*, 57(6) *Eurasian Geography and Economics* 779 (2016).

²⁷ Helmut Weidner & Martin Jänicke, *Capacity Building in National Environmental Policy: A Comparative Study of 17 Countries* 409 (H. Weidner & M. Janicke (eds.), Berlin: Springer, 2002).

²⁸ Charles E. Ziegler, *Environmental Policy in the USSR* (Amherst, MA: University of Massachusetts Press, 1987).

²⁹ Chris Williams, *Marxism and the Environment: An Excerpt from the New Ecology and Socialism International*, *International Socialist Review*, July 2010 (Nov. 20, 2017), available at <http://isreview.org/issue/72/marxism-and-environment>.

Soviet scientist Vladimir Vernadsky and his followers developed the ideas of Russian cosmists with the significant role of mankind in the cosmic evolution, and they tried to prove that the interaction of society and nature should be regulated by means of scientific knowledge and global governance.³⁰ Throughout his life, Vernadsky was well acquainted with the advanced scientific achievements in Europe and Russia, and adhered to strict scientific views. In the 1930s V. Vernadsky clearly understood that the human impact on the biosphere should be guided by scientific thought: people “can and must reorganize their lives by their work and thoughts...”³¹ Therefore, he considered it necessary to transit to the “noosphere,” when people realize themselves as a geological planetary force, and base their economic activities on social and scientific understanding of biosphere processes.

In addition, in the first decades of Soviet power, the movement of local historians was supported. They advocated the preservation of the Russian cultural and historical landscape, natural and cultural monuments,³² and involved large numbers of people in their activities with some significant results: in 1921 a governmental Decree “On the Protection of Natural Monuments, Gardens and Parks” was signed.³³ In fact, the protection of natural and cultural monuments and landscapes became an element of the cultural policy of Bolshevism. But during the period of the Stalinist totalitarian society this movement was restrained and suppressed and gradually transformed into a mass project of improving and “gardening” (i.e. landscaping) of cities.

Stalin’s model of industrialization was orientated on a strategy of the “conquering of nature.” Michurin’s “We cannot wait for favors from nature...” became a sort of creed for ideologists of that time.³⁴ In reality the situation was different. Extensive methods of exploitation of natural resources prospered.

In the 1930s, the ecology, genetics, and nature conservation movements were severely criticized; therefore scientists did not have a voice in the state environmental ideology. The utilitarian policy prevailed – all resources were used to serve socialist construction. Scientists were increasingly replaced by party workers.

³⁰ Вернадский В. О коренном материально-энергетическом отличии живых и косных тел биосферы [Vladimir Vernadsky, *On Basic Material and Energy Difference Between Living and Inert Bodies of the Biosphere*] (Moscow; St. Petersburg: Science Academy of USSR Publishing, 1939).

³¹ *Id.* at 131.

³² Шмидт С.О. История, современное состояние и перспективы развития краеведения [Sigurd O. Schmidt, *History, Current State and Prospects for the Development of Local History*] in Краеведение в России: история, современное состояние, перспективы развития [Local Studies in Russia: History, Current Status. Prospects of Development] 11–30 (S.O. Shmidt (ed.), Moscow: ANO Information Center “Moskovedenie,” 2004).

³³ Галева А.М., Курок М.Л. Об охране окружающей среды: Сборник документов партии и правительства, 1917–1985 гг. [Ariadna M. Galeeva & Mikhail L. Kurok, *On the Protection of the Environment: Collection of Party and Government Documents, 1917–1985*] (Moscow: Politizdat, 1986).

³⁴ Гладкий Ю.Н., Доброскок В.А., Семенов В.П. Социально-экономическая география России [Yuriy N. Gladkiy et al., *Social-Economy Geography of Russia*] 674 (Moscow: Gardarika, 2001).

Arts at that time did not have influence on the state environmental ideology either. However, the Russians still respected the beauty of nature. Many scientists and public figures were very concerned about the preservation of natural resources.³⁵

In the first decade after the revolution, new people who shared the ideals of the socialist revolution appeared in the arts. They wielded the basic idea of the Soviet state to conquer and transform nature and mirrored it in their works. Additionally, revolutionary moods demanded new forms of organizing social life and the environment. In those times, the political and cultural leaders hunted for a new cultural symbol, a pattern of a new style of life. The English economist Edward Howard³⁶ actualized this symbol in a “green city” or “a city-garden.” This idea was promoted by writers and poets.³⁷

In the era of Stalin’s totalitarianism, freedom of expression and creativity were extremely limited, so the arts reflected the ideas of the state ideology and did not seek to create its own vision of relations between man and nature. However, some writers were able to avoid the new ideology patterns and to reflect admiration for natural phenomena in their works.³⁸ For example, in “village” literature, moral-philosophical and environmental problems were touched upon.³⁹

In the 1960s, new works by Viktor Astafyev, Sergey Zalygin, and Valentin Rasputin appeared aiming at restoration of the rights of nature and explanation of its meaning to people. Writers and poets were among the first in the USSR warning that intensive economic development of nature could lead to an ecological catastrophe. So, it was Russian writers who appealed to society to oppose the project of diverting the course of Siberian rivers.⁴⁰ It was the scientific and creative intelligentsia that forced the state to turn again to environmental issues and caused society to struggle for its environmental rights. The environmental movement became one of the most significant in the period of “perestroika.”

New legislation played an increasingly important role in the Soviet Union as it helped a young, forming state to fulfill its functions and control the society. Since the Soviet period, the relations towards nature were regulated not by rules of ethics, but by rules of law, with a resource use approach predominating.

³⁵ Zakharchenko 1990.

³⁶ Ebenezer Howard, *The Garden Cities of Tomorrow* (London: Swan Sonnenschein & Co., Ltd., 1902).

³⁷ Маяковский В.В. Рассказ Хренова о Кузнецкстрое и о людях Кузнецка [Vladimir V. Mayakovsky, *Hrenov's Story about Kuznetskstroy and People of Kuznetsk*] (Nov. 20, 2017), available at <http://poesias.ru/rus-stihi/stihi-mayakovskiy/stihi-mayakovskiy10176.shtml>.

³⁸ Пришвин М.М. Лесная капля [Mikhail M. Prishvin, *Drops from the Forest*] (Nov. 20, 2017), available at <http://fanread.ru/book/11931210/?page=85>; Konstantin Paustovsky, *Such a Simple Thing and Other Stories* (Moscow: Foreign Languages Publishing House, 1959).

³⁹ Kathleen F. Parthé, *Russian Village Prose: The Radiant Past* (Princeton: Princeton University Press, 1992).

⁴⁰ Воробьев Д. Когда государство спорит с собой: Дебаты о проекте “поворота рек” [Dmitry Vorobiev, *When the State Argues with Itself: The Debate about the Project of “Turning Rivers”*] (Nov. 20, 2017), available at <http://magazines.russ.ru/nz/2006/2/vo8.html>.

After the October Revolution of 1917, the use of a variety of natural resources – air, water, forests, fisheries, etc. – was regulated by separate legislative acts which were not correlated. In addition, public health issues were in the focus of environmental regulations. Nature was not a separate object of legal protection; just a few natural areas were specially protected.⁴¹ For example, in 1927, Russian subsoil came under the regulations of the “Subsoil Statute of the USSR.” In 1928, Russia enacted the “Fundamental Principles for Land Use and Land Tenure.”⁴²

The federalization of the country presupposed the active participation of the USSR republics in the development and implementation of environmental ideology. Thus, the Formation of Modern Regional Environmental Legal Framework has its origins in 1992, with the signing of the Federal Treaty “On the Delimitation of Powers Between the Federal Bodies of State Power of the Russian Federation and the Authorities of the Autonomous Region, Autonomous Regions Within the Russian Federation.” Paragraph 4 of Art. 3 secured the powers of autonomous regions in the fundamental question of the use of the resource base of the region:

...ownership, use and disposal of land, subsoil, water, forest and other natural resources [are secured in] regulatory framework legislation, codes, laws of the Russian Federation and the legislation of the autonomous region, autonomous regions in the Russian Federation.⁴³

Later, environmental laws were enacted on two levels: USSR and Soviet republics, for example, Fundamentals of Land Legislation of the USSR and Union Republics, which were confirmed in 1968 by the USSR; the Supreme Soviet: Fundamentals of the USSR and Union Republics of Water Legislation, adopted in 1970; Fundamentals of the USSR and Union Republics of Forestry Legislation, adopted in 1977; Fundamentals of the USSR and Union Republics of Legislation on Minerals, adopted in 1975; Law on the Protection and Utilization of Fauna, enacted in 1980; Law on the Protection of the Atmosphere, enacted the same year. According to this legislation, every Union Republic had codes covering land, water, minerals, and forestry regulations.

Environmental protection in Russia was clearly a marginal concern from the time of the October Revolution to the late 1950s. The laws did not aim at preservation for preservation's sake. Although a large number of decrees and resolutions were passed during this period, they were only environmental in the broadest sense. Instead, the laws were inspired by the philosophy of “conservation.” In this context, “conservation”

⁴¹ Экологическое право [*Environmental Law*] (S. Bogolyubov (ed.), Moscow: Yurait, 2011).

⁴² Zakharchenko 1990.

⁴³ Черносивитов П.Ю. Освоение Крайнего Севера: Опыт имитативного моделирования по материалам археологии [Pavel Yu. Chernosvitov, *Development of the Far North: Experience Imitative Modeling Based on Archeology*] (Moscow: Russian Research Institute of Cultural and Natural Heritage, 1994).

implies the economic concept of preserving scarce natural resources (timber, land, minerals, and water) for purposes of future exploitation. In contrast to “conservation,” “environmental protection” is a broader concept. Environmental protection implies not only conserving natural resources, but also maintaining certain levels of air and water purity, preserving the ecological balance, and other related goals.⁴⁴

In 1949, the USSR Council of Ministers finally passed a comprehensive Resolution “On Measures of Protecting the Atmosphere from Pollution and on Improving the Sanitary Conditions of Populated Areas.” This law prohibited the construction or renovation of an entire range of industries that emitted insufficiently purified waste gases. The Resolution also set up a State Sanitary Inspection Department attached to the USSR Ministry of Health. The State Sanitary Inspection Department’s goal was to monitor harmful industrial emissions.⁴⁵

The years 1960–1985 were a time of increasing interest in environmental protection and expanding legislative activity in this area. In contrast to separate regulation of resources, a comprehensive environmental policy appeared in the Soviet Union in this period. All of the Union Republics emphasized the need for an integrated approach to the natural environment.

Still, the state ideology of that time ignored the basic principles of rational nature management and supported the idea of conquering nature, which led to the deterioration of the environment in the USSR. The Soviet consumerist attitude towards nature gave rise to a horrible environmental situation.⁴⁶ The most serious issue was, perhaps, the widespread mismanagement of water resources across the Soviet Union. For instance, Lake Baikal, the world’s deepest freshwater lake and a UNESCO World Heritage site, filled with crystal clear water and home to hundreds of species that live nowhere else on earth, had been turned into a dump site for a pulp and paper mill.⁴⁷ Equally alarming was the destruction of the Aral Sea, an inland lake on the border between Uzbekistan and Kazakhstan. Although the Aral Sea had once been an important fishery and generated one-sixth of the Soviet Union’s catch in the 1930s, its feeder rivers were diverted to irrigate cotton beginning in the late 1940s, and the sea began to evaporate.⁴⁸ An estimated 800 species of endemic wildlife disappeared as the ecology of the lake changed. The trend only continued in the 21st century, as the rivers remain diverted and the lake shrunk to 10 percent of its former size, the exposed soil saturated with toxic agricultural chemicals. The more prosaic but widespread problem of the Soviet period was water pollution near population centers throughout

⁴⁴ Zakharchenko 1990.

⁴⁵ *Id.*

⁴⁶ Murray Feshbach, *Ecological Disaster: Cleaning Up the Hidden Legacy of the Soviet Regime* (New York: Twentieth Century Fund Press, 1995).

⁴⁷ Douglas R. Weiner, *A Little Corner of Freedom* (Berkeley: University of California Press, 1999).

⁴⁸ Zakharchenko 1990.

the country, the result of unenforced environmental laws owing to the fact that the Soviet state could not effectively police itself.⁴⁹

The biggest ideological collision of that time was a fundamental conflict of interest that derived from the state's duty to enforce environmental laws and at the same time to expand economic growth.

To summarize, during the Soviet period a philosophy of "conquering nature" prevailed with the most popular slogan "We cannot wait for charity from nature." During this period, the Soviet people carried out large-scale projects of "reconstructing nature."⁵⁰ However, the consequences of these extensive transformations were disastrous for nature. In the evolution of state environmental ideology the tendencies of development of the international environmental movement were not taken into account, and initiatives of civil society and scientific intelligentsia were suppressed. Only in the 1960s, in connection with the aggravation of environmental problems, were these initiatives encouraged again.

3. Ideology of Sustainable Development of the Modern Period

In the middle of the 20th century a new approach – sustainable development – dramatically changed the relationship between mankind and the environment.⁵¹ Sustainability refers to a moral way of acting, and ideally habitual, in which a person or a group intends to avoid deleterious effects on the environmental, social, and economic domains, and which is consistent with a harmonious relationship with those domains that is conducive to a flourishing life.⁵²

Sustainability and ideological principles are intertwined because sustainability concepts cannot be applied without strong ideology.⁵³ Commitment to sustainable development agendas should therefore be a rational choice based on ideological reasoning, with the understanding that ethical behavior is closely connected to the welfare of society as a whole, because rational behavior is much more than rational

⁴⁹ Stephen Brain, *The Environmental History of Russia*, Oxford Research Encyclopedia of Environmental Science, November 2016 (Nov. 20, 2017), available at <http://environmentalscience.oxfordre.com/view/10.1093/acrefore/9780199389414.001.0001/acrefore-9780199389414-e-355>.

⁵⁰ Zakharchenko 1990.

⁵¹ Gololobov 2014.

⁵² Alexis J. Bañón-Gomis et al., *Rethinking the Concept of Sustainability*, 116(2) *Business and Society Review* 171 (2011).

⁵³ Ibrahim U. Hussaini et al., *Sustainable Development and the Ethical Issue of Human Morality*, Medinanet, 11 December 2014 (Nov. 20, 2017), available at <https://medinanet.org/2014/12/sustainable-development-and-the-ethical-issue-of-human-morality-an-overview>; Christina Voigt, *Sustainable Development as a Principle of International Law: Resolving Conflicts Between Climate Measures and WTO Law* 50–51 (The Hague: Martinus Nijhoff Publishers, 2008); Charles J. Kibert et al., *The Ethics of Sustainability* (Nov. 20, 2017), available at <http://www.freetextbooklist.com/the-ethics-of-sustainability>.

self-interest, where rationality requires us to consider the interests of others as well as ourselves.⁵⁴

Principle 1 of the Rio Declaration on Environment and Development puts forward this position by affirming that human beings are at the center of concerns for sustainable development. People are entitled to a healthy and productive life in harmony with nature.⁵⁵ Therefore, the present period is characterized by a new public ecological consciousness and a new chapter in the environmental ideology of the country.⁵⁶ As the result, the last twenty years yielded the enactment of a whole range of new laws and decrees designed to protect nature.

In the beginning of the post-Soviet period Russia was actively involved in international environmental movements. In 1992 Russia, together with 178 other states at the United Nations Conference on Environment and Development in Rio de Janeiro, signed a number of program documents establishing the agreed policy of all the countries of the world for ensuring sustainable development and preserving the Earth's ecosystem.⁵⁷ Since that time Russia has become a party to other multilateral agreements on the conservation of nature (conventions on climate change, biological diversity, protection of the ozone layer, etc.), which are based on the sustainable approach.⁵⁸ Russia is also a fully-fledged participant in the activities of international organizations, whose programs of work include tackling the environmental and sustainable development problems. Ideological principles are borrowed from international environmental law with its emerging trends and concepts (ecocentrism, adaptive management, sustainable development). Unfortunately, international environmental rules and principles included in Russian legislation are fragmented, and sound merely declarative.

The state environmental ideology of the post-Soviet period is in tune with international environmental trends. International environmental law regulates relations with nature within the framework of two ethical positions. One of them is, for centuries, the established anthropocentrism with a whole set of accompanying attributes: hierarchy, humanism, etc. The other is ecocentrism, which has been forming for over a century, with its attempt to focus attention on the interests of

⁵⁴ John Hooker, *Business Ethics as Rational Choice* (New Jersey: Prentice Hall, 2011).

⁵⁵ Rio Declaration on Environment and Development, adopted by the UN Conference on Environment and Development (UNCED) at Rio de Janeiro, 13 June 1992 (Nov. 20, 2017), available at <http://www.un.org/documents/ga/conf151/aconf15126-1annex1>.

⁵⁶ Zakharchenko 1990.

⁵⁷ Внешняя политика и безопасность современной России. 1991–2002. Т. 2 [*Foreign Policy and Security of Modern Russia. 1991–2002. Vol. 2*] (Т. Shakleina et al. (eds.), Moscow: Moscow State Institute of International Relations; Information. Science. Education, 2002).

⁵⁸ Russian Federation: Country Profile: Implementation of Agenda 21: Review of Progress Made since the United Nations Conference on Environment and Development, 1992 (Nov. 20, 2017), available at <http://www.un.org/esa/earthsummit/rusia-cp.htm>.

natural communities. The interaction between these positions has recently been brilliantly examined in the work of Vito De Lucia "Competing Narratives and Complex Genealogies: The Ecosystem Approach in International Environmental Law." De Lucia⁵⁹ convincingly shows how the emphasis in European and international law shifts from the normative tradition of anthropocentrism to ecocentrism. In other words, the scope of legal regulation is expanding due to the inclusion of objects of animate and inanimate nature, and the ecosystem way of existence of these objects, the conditions ensuring their interaction, cyclicity, and dynamic equilibrium is protected. The second trend has resulted in a special field of study – the ecosystem approach. The approach focuses not on the separate objects but on the processes of exchange of substances, energy, and information between objects.⁶⁰

In the 1990s, a new tendency of enhancing the legal capacity of stakeholders for participation in environmental ideology and regulating environmental issues became palatable. Present environmental legislation allows a wider range of persons to participate in environmental decision-making and have an active social and ethical position. These stakeholders include populations living in a certain territory, NGOs, local self-governments, and indigenous peoples who have a deeper understanding of nature and behave according to natural laws.

Presently, the state environmental ideology is inspired by public opinion. The diversity of actors involved in environmental policy and governance in Russia is extensive. First of all, state actors, such as the government and different administrations, play a key role. In addition to agencies specifically devoted to the environment, other administrative branches significantly influence environmental policymaking, especially those related to the economy, energy, housing, transport and, industry. The key authorities responsible for formulating and implementing environmental policy and law at the federal level are the Ministry of Natural Resources and Environment, and the Federal Environmental, Industrial and Nuclear Supervision Service. The former coordinates and supervises the activities of the Federal Service for Hydrometeorology and Environmental Monitoring, the Federal Service for Supervision of Natural Resource Management, the Federal Agency for Water Resources, the Federal Forest Agency, and the Federal Agency for Subsoil Management. The latter carries out functions regarding the adoption of environmental regulations, monitoring and supervision, reporting directly to the government. Moreover, environmental functions have been assigned to many line ministries, among them the Ministry of Health and Social Development, the Ministry of Economic Development, and the Ministry of Industry and Trade.

The rapid development of environmental ethics in the 20th century has made the protection of nature a popular matter of public interest. Environmental concerns have

⁵⁹ Vito De Lucia, *Competing Narratives and Complex Genealogies: The Ecosystem Approach in International Environmental Law*, 27(1) *Journal of Environmental Law* 91 (2015).

⁶⁰ William Howarth, *The Progression Towards Ecological Quality Standards*, 18(1) *Journal of Environmental Law* 3 (2006).

become one of the main political issues in this period because of the liberalization of political and social life in the post-Soviet country. It has resulted in the rise of a grassroots environmental movement, non-existent in the USSR before 1985.⁶¹ Beginning in the late 1980s, Gorbachev's policy of "glasnost" (openness) allowed public discussion of environmental issues and resulted in the emergence of citizens' associations known as "informals," some focused on environmental conditions. In the wake of the 1986 Chernobyl nuclear disaster, anti-nuclear movements mobilized to oppose the construction of new atomic energy stations and the continued operation of existing facilities.⁶² Environmental activists served as influential critics of the Soviet regime, and in Ukraine, the Baltic republics, and Georgia activists embraced "eco-nationalism," movements that combined environmentalism with demands for autonomy from the Soviet state.⁶³ However, once the fifteen Soviet republics achieved independence, they became absorbed in transforming their political and economic institutions, so much of this environmental activism sharply diminished.⁶⁴

The Russian environmental movement, which blossomed during Gorbachev's reforms in the late 1980s, struggled in the 1990s to mobilize the broader public due to economic hardship and political instability.⁶⁵

During Gorbachev's reforms in the late 1980s, environmental concern fueled a mass movement in Russia and other Soviet republics. However, economic hardship and political instability in the 1990s drove many citizens away from activism. The largest environmental NGOs survived the 1990s, in many cases by relying on funding from foreign governments and foundations in order to continue their work; small grass-roots groups also persisted, working on local issues.⁶⁶

Nevertheless, public concern over the environment has remained relatively high from the late Soviet period to today. A number of non-governmental environmental organizations working on these issues exist in Russia, although they do not attract broad participation.

The fall of the environmental movement happened a few years ago with the Putin administration labeling many environmental groups "anti-Russian" and through their use of aggressive tactics such as raiding NGO offices, intimidating journalists, and instituting severe legislative measures to quash advocacy and dissent.⁶⁷

⁶¹ Zakharchenko 1990.

⁶² Newell & Henry 2016.

⁶³ Jane I. Dawson, *Eco-Nationalism: Anti-Nuclear Activism and National Identity in Russia, Lithuania, and Ukraine* (Durham: Duke University Press, 1996).

⁶⁴ Michael J. Bradshaw & Richard Connolly, *Russia's Natural Resources in the World Economy: History, Review and Reassessment*, 57(6) *Eurasian Geography and Economics* 700 (2016).

⁶⁵ Newell & Henry 2016.

⁶⁶ *Id.*

⁶⁷ *Id.*

The growth of scientific knowledge has allowed Russian society to talk about the relationship with nature in a more rational way. In the Soviet Union, the scientific community was needed to counsel and support projects undertaken by the government to create energy, extract raw materials or utilize natural resources.⁶⁸ In contemporary Russia, the scientific community has been replaced by the participation of different interest groups, including business elites, especially those involved in extractive industries. The role of the scientific community in environmental policymaking has weakened also because of the decreased state funding for scientific work. Accordingly, Russia currently suffers from a lack of environmental experts: there are not enough ecologists or other specialists who work on issues related to ecology and development at-large.⁶⁹

At the end of the 20th century we witnessed a tendency to reduce the role of the arts in shaping attitudes towards nature. Modern and postmodern art has gone farther away from the theme of nature and from environmental ideology. The aesthetic perception of nature is now the matter of philosophy and aesthetics. And the practice of perception of nature in the arts is limited to pictures and digital images.

Generally, the state ideology contributes significantly to the creation of the rules of law. This happened in the 1970s–1980s when pressure groups and factors of degradation of natural systems brought the government to the necessity of environmental legislation revision. Some new rules limiting the devastating economic activities and establishing responsibility for pollution appeared.⁷⁰ However, no changes in the principles of the use of nature and its protection were introduced, and therefore the legislation was developing in the same direction.

Some amendments to the legislation were introduced during the period from 1992 to the present day.⁷¹ Russian environmental laws currently include almost all of the fundamental elements of modern environmental legislation. The basic environmental laws, acts on water and air protection, waste management, forest and mining law, laws on indigenous peoples, along with subsidiary laws have been enacted. Russian legal acts incorporate norms of international environmental law. The most important international environmental agreements are ratified by Russia. The Russian Constitution establishes the direct application of international obligations

⁶⁸ David Ostergren & Peter Jacques, *A Political Economy of Russian Nature Conservation Policy: Why Scientists Have Taken a Back Seat*, 2(4) *Global Environmental Politics* 102 (2002).

⁶⁹ Захарова Л.Н., Мареева-Королева С.С. Проблемы экологической направленности государственной политики Российской Федерации, 1 *Общество: политика, экономика, право* 1 (2014) [Lina N. Zakharova & Svetlana S. Mareeva-Koroleva, *Problems of the Environmental Dimension of the State Policy in the Russian Federation*, 1 *Society: Politics, Economics, Law* 1 (2014)].

⁷⁰ Калинин И. Природоресурсное право. Основные положения [Igor Kalinin, *Nature and Resources Law. Fundamentals*] (Tomsk: Tomsk State University, 2000).

⁷¹ Яо Л.М. Социальная экология: Учебное пособие [Lyubov M. Yao, *Social Ecology: Textbook*] (Kazan: Kazan State Technological University Publishing House, 2007).

in domestic matters without necessitating their incorporation into legislation. According to Art. 15, part 4 of the Constitution of the Russian Federation,

The universally-recognized norms of international law and international treaties of the Russian Federation shall be a component part of its legal system.⁷²

This constitutional principle is not only incorporated into laws and regulations, but also in law-enforcement practice.⁷³

Transitioning towards sustainable development, Russia has signed all international documents based on the principles of sustainability.⁷⁴ Compliance with environmental interests is seen in Art. 9, part 1 of the Constitution, which stipulates that the land and other natural resources are used and protected in the Russian Federation on the basis of the life and activity of the populations living in that territory.⁷⁵ Environmental rights of citizens are fixed in Art. 42 of the Constitution.⁷⁶ These constitutional norms are the frameworks for the legal regulation of natural resources and environmental protection.⁷⁷

Russia possesses a comprehensive body of environmental legislation. The Russian Constitution proclaims (Art. 42):

Everyone shall have the right to a favorable environment, reliable information about its state and restitution for damage inflicted to health and property from ecological transgressions.⁷⁸

One of the first laws passed by the newly independent Russian Federation was the 1991 Federal Act on the Protection of the Natural Environment. Russia's major environmental legislation mandates a high level of environmental protection and

⁷² Constitution of the Russian Federation (Nov. 20, 2017), available at <http://www.constitution.ru/en/10003000-01.htm>.

⁷³ Викут М., Афанасьев С. К вопросу о реализации части 4 статьи 15 Конституции РФ в сфере российского гражданского судопроизводства: проблемы теории и практики применения, 3 Арбитражный и гражданский процесс 36 (2005) [Margarita Vikut & Sergei Afanasiev, *The Problem of Implementation of Part 4 of Article 15 of the Constitution of the Russian Federation in the Sphere of Russian Civil Proceedings: Theory and Practice*, 3 Arbitration and Civil Procedure 36 (2005)].

⁷⁴ Моисеев Н.Н. "Устойчивое развитие", или стратегия переходного периода [Nikita N. Moiseev, "Sustainable Development" or Transition Strategy] in План действий "Устойчивые Нидерланды" [Action Plan "Sustainable Netherlands"] 3 (Moscow: Ekopress-ZM, 1995); Россия на пути к устойчивому развитию [Russia on the Path to Sustainable Development] (Moscow: REFIA, 1996); *Encyclopedia of Area Studies (Regional Sustainable Development Reviews): Russia. Vol. II* (N.P. Laverov (ed.), EOLSS Publications, 2009).

⁷⁵ Constitution of the Russian Federation, *supra* note 72.

⁷⁶ *Id.*

⁷⁷ *Id.*

⁷⁸ *Id.*

asserts the country's commitment to sustainable development.⁷⁹ Environmental laws and regulations now address most of the priority environmental issues. The Law "On Environmental Protection," passed in 2002, is the basis for the entire system of environmental legislation. It covers general issues of the use of resources and environmental protection, and regulates sources of negative impacts on the environment and human health. The federal laws "On Environmental Impact Assessment," "On Sanitary and Epidemiological Welfare of the Population," and "On Consumption of Wastes" regulate the major aspects of the economic activities in the state.⁸⁰

Despite a solid legal foundation, critics charge that environmental law and regulations often are not specific, lack mechanisms for their implementation, and are not enforced in practice.⁸¹ For example, many programs designed to achieve sustainable development have suffered from "inadequate finance and weak coordination."⁸² In 2010, Russian ex-President and current Prime Minister Dmitry Medvedev acknowledged that Russia's strict environmental laws are often fragmented and contradictory, resulting in "unsolved problems, unfulfilled instructions and unaccomplished tasks."⁸³ Russia has experimented with the recentralization of authority in environmental protection previously devolved to the regions, a trend that at least some regional leaders found objectionable due to "crisscrossing jurisdictions and emphasis on raising revenues."⁸⁴ These problems continue to limit environmental protection in Russia.

Environmental legislation has been seen as one of the major constraints for Russia's ecological modernization since observers evaluate Russia's environmental laws as isolated and contradictory.

Two consistent themes characterize Russia's approach to environmental protection in the post-Soviet period. First, the law tends to be prescriptive and

⁷⁹ Laura A. Henry, *Thinking Globally, Limited Locally: The Russian Environmental Movement and Sustainable Development in Environmental Justice and Sustainability in the Former Soviet Union* 47–69 (J. Agyeman & Y. Ogneva-Himmelberger (eds.), Cambridge: Cambridge University Press, 2009); Jonathan D. Oldfield & Denis J.B. Shaw, *Revisiting Sustainable Development: Russian Cultural and Scientific Traditions and the Concept of Sustainable Development*, 34(2) *Area* 391 (2002).

⁸⁰ See for more details in Elena Gladun & Gennady Chebotarev, *Legal Measures for Efficient Environmental Regulations of Oil and Gas Industry in Western Siberia*, VII *Yearbook of Polar Law* 352 (2015).

⁸¹ Vladimir Kotov & Elena Nikitina, *Reorganisation of Environmental Policy in Russia: The Decade of Success and Failures in Implementation and Perspective Quests* (Nov. 20, 2017), available at https://papers.ssrn.com/sol3/papers.cfm?abstract_id=318685; Ivan Potravnyi & Ulrich Weissenburger, *Russia in National Environmental Policies: A Comparative Study of Capacity-Building* 288 (M. Jänicke & H. Weidner (eds.), New York: Springer, 1997).

⁸² Jonathan D. Oldfield, *Russian Nature: Exploring the Environmental Consequences of Societal Change* 75 (Burlington: Ashgate, 2005).

⁸³ President of Russia, *Consolidated State Policy is Needed to Address Environmental Problems* (Nov. 20, 2017), available at <http://eng.kremlin.ru/news/273>.

⁸⁴ *Id.*

complex, articulating relatively high standards, but they are often not effectively implemented and enforced. Second, there has been a high degree of instability with respect to which state agencies have the authority over the environment.⁸⁵

In the Russian Federation, the political and economic reforms of the last twenty years have had a dramatic impact on citizen's attitudes towards the environment.⁸⁶ The evolution of Russian environmental ideology inevitably reflects the more general societal changes, economic conditions, and political reforms that have unfolded in Russia since the collapse of the Soviet Union.⁸⁷ A significant reorganization of the Russian environmental administration has taken place during the past two decades. After the turbulence of the past years, the institutional framework of environmental management in Russia is gradually approaching a more stable situation.⁸⁸ At the federal level, the administrative reform in 2004 clarified the mandates for environmental administration, and separating the policymaking, regulatory, compliance-monitoring, and service-provision functions of government authorities. Such changes have created a social climate in which sustainable development and environmental education are second only to economic stability and concern over falling living standards.⁸⁹

One of the main constraints of environmental ideology in Russia is that the majority of the citizens lack "environmental literacy": they do not fully grasp the effects of their own behavior on the environment. Combined with the cynicism that the general public feels about politics in general and environmental policymaking in particular, there is no public pressure to adopt more effective environmental policies.

A further constraining factor is that Russians, including scientists and experts, do not enthusiastically favor – and often oppose – empowering the average citizen to have a consultative role with government agencies on environmental matters.⁹⁰ In practice this implies, for example, that there is no real access for the population to

⁸⁵ Newell & Henry 2016.

⁸⁶ Andrew M. Farmer & Alma A. Farmer, *Developing Sustainability: Environmental Non-Governmental Organizations in Former Soviet Central Asia*, 9(3) *Sustainable Development* 136 (2001); Sonya K. Huffman & Marian Rizov, *The Rise of Obesity in Transition Economies: Theory and Evidence from Russia*, 46(3) *Journal of Development Studies* 1 (2010).

⁸⁷ Аксенова О.В. Социально-экологические последствия политического реформирования: от централизации к локализации экологической политики России [Olga V. Aksenova, *Socio-Ecological Consequences of Political Reform: From Centralization to the Localization of Russia's Environmental Policy*] in Россия реформирующаяся: Ежегодник – 2005 [*Russia Reformed: Yearbook – 2005*] 296 (N.M. Drobizhev (ed.), Moscow: Institute of Sociology of the Russian Academy of Sciences, 2005).

⁸⁸ Nina Tynkkynen, *Prospects for Ecological Modernization in Russia: Analysis of the Policy Environment*, 22(4) *Demokratizatsiya* 575 (2014).

⁸⁹ Jo Crotty & Sarah Marie Hall, *Environmental Awareness and Sustainable Development in the Russian Federation*, 22(5) *Sustainable Development* 311 (2014); Laura A. Henry, *Red to Green: Environmental Activism in Post-Soviet Russia* (Ithaca, NY: Cornell University Press, 2010).

⁹⁰ David Lewis Feldman & Ivan Blokov, *The Politics of Environmental Policy in Russia* (Cheltenham: Edward Elgar Publishing, 2012).

environmental information, environmental education, and enlightenment, although the capacity of citizens to gather independent information would be an important precondition for public participation.

Russia's economic resurgence under President Vladimir Putin is perhaps responsible for the emergence of a new explanation for Russian and Soviet environmental failures: that Russian culture itself contains an anti-environmental component. Recent environmental histories of Russia describe a continuity between Soviet and post-Soviet environmental policies, implying that Russian attitudes toward nature and development patterns, and not communist ideology or Soviet politics, are the operative factors for environmental degradation in Russia.⁹¹

The legacy of the Soviet Union is still highly apparent in the values and orientations of many citizens in Russia. While citizens tend to express high levels of concern for environmental issues, there has been reluctance on the part of citizens to participate in efforts to shape environmental policy, to join environmental NGOs, or to participate in environmental-oriented political parties.⁹²

Conclusion

Environmental ideology, being the global trend, is considered to be one of the most effective instruments inspiring efficient lawmaking activity of the state, social environmental awareness, and sustainable development. The historical traditions of Russia and international environmental experience are good preconditions for possessing an effective environmental ideology in Russia. In the paper we have shown that Russia has had an adequate experience in developing an environmental ideology that reflects social attitudes, scientific views, and a non-rational perception of nature, expressed in the arts and relevant legal norms.

We examined five domains in the evolution of the state environmental ideology from the 11th to the 21st century in Russia and focused on the role of the Great October Socialist Revolution in changing the trajectory of this ideology:

- the October Revolution caused the political isolation of Russia, its exclusion from international networking and environmental agreements, and the rejection of international environmental ideas;
- despite the creation of natural reserves, after the October Revolution there was a transition to a new model for natural resources use in Russia, which excluded the ecosystem approach;

⁹¹ This approach is most clearly discernible in the environmental histories written by Paul Josephson, including the *Conquest of the Russian Arctic* and a volume edited by Josephson and a group of Russian scientists. For more details see Paul R. Josephson, *The Conquest of the Russian Arctic* (Cambridge: Harvard University Press, 2014); Paul R. Josephson et al., *An Environmental History of Russia* (Cambridge: Cambridge University Press, 2013).

⁹² Regina S. Axelrod, *Democracy and Nuclear Power in the Czech Republic in The Global Environment: Institutions, Law, and Policy* 279 (N.J. Vig & R.S. Axelrod (eds.), Washington: CQ Press, 1999).

- after the October Revolution, public organizations and scientific intelligentsia avoided participation in the formation of the state environmental ideology;
- the environmental legislation in the course of Russian history has developed chaotically and inefficiently and does not reflect the content of environmental ideology, since it was not clearly formulated.

Presently, the environmental “come back” and turning to international trends is a difficult process for Russia. The negative impacts of the Soviet period are the fragmentation and ineffectiveness of environmental legislation, mere declarative commitment to sustainable development goals, society’s passivity towards environmental movements, lack of authentic environmental ideas among the scientific intelligentsia, misuse of natural resources, etc. These factors complicate the transition of the Russian Federation to sustainable development.

The state environmental ideology is a systematized set of ideas related to nature which are the background of people’s activities in the natural environment. In the Russian Federation, environmental ideology is inconsistent, because it is based on a dual historical tradition: pre-revolutionary and Soviet patterns. To make environmental legislation more effective, it is necessary to take into account the abovementioned contradiction, and form the state environmental ideology clearly and more consistently.

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