



New purposes and goals of ecological and legal culture development in Russia

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ABSTRACT: This paper shows that ecological and legal culture is an integral part of the generic scientific category 'ecological culture', which reveals only partly the relationship between society and nature that falls under the rules of international and national law. Another, no less important, distinguishing feature of the sub-category 'ecological and legal culture' is that it assumes the presence not only of knowledge about the state of nature or its internal interrelationships, but also of skills through legal means to protect nature from negative anthropogenic influence. In the context of the emergence of new environmental threats of the 21st century (e.g. climate change, ozone holes, and the impact on nature of bio- and nanotechnologies), it is necessary to form a new public system of values, knowledge and practical skills for legal (including judicial) environmental protection by the citizens of Russia, which will require the alteration of education, training programs and upbringing.

KEY WORDS: Ecological and legal culture · Law · Enlightenment · Education · Upbringing · Climate · Nature

1. INTRODUCTION

The lasting increase in anthropological pressure on nature sharply raises the issue of new interaction models development, without which life on planet Earth may cease. A number of issues such as deterioration of water and air conditions, ozone hole expansion, pollution of the world's oceans and global climate change trends are causing great concern in the scientific community. But the efforts of the scientific community and public authorities to implement integrated environmental plans and programs will be successful only if they are supported by citizens and legal entities. However, this often causes problems. The task of formation of the appropriate level of environmental and legal culture has been mentioned repeatedly both in normative acts and in various political documents. However, it is clear that the measures taken so far are not sufficient to achieve this goal. In order to solve these problems, it is neces-

sary to continue discussions on new tasks in the field of education, enlightenment and upbringing, one contribution to which is the present article. The concept of ecological and legal culture is studied in the first part of this paper. Typical measures taken for ecological and legal culture development in Russia are discussed in the second part. New modern threats and ways to counteract them, requiring a change in the concept of environmental and legal culture, are dealt with in the third part.

2. CONCEPT OF ECOLOGICAL AND LEGAL CULTURE IN THE LEGAL SCIENCE AND LEGISLATION OF THE RUSSIAN FEDERATION

Generally speaking, ecological culture as a generic term in Russian science is referred to as an integral part of universal culture. It includes a system of social relations, moral values, norms and ways of interaction

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between society and the environment. Ecological culture is successively formed in the public consciousness and behavior of people throughout life and activities of generations by means of continuous environmental education. Such an education contributes to a healthy lifestyle, the spiritual growth of society, sustainable social and economic development, and environmental security of the country as a whole and every individual (Barulina 2010). This definition is static in its structure because it focuses on the formation of public perception and certain values.

Other researchers have paid attention to the activity-related aspect of the category of ecological culture. Yasvin (1999, p. 70) pointed out that 'environmental culture is the ability of people to use their ecological knowledge and skills in practical activities. People who do not possess sufficient ecological culture can have the necessary knowledge, but do not use them effectively. The ecological culture of a person includes environmental consciousness and ecological friendly behavior'. The third concept (cf. those of Barulina 2010 and Yasvin 1999 above) of an environmentally friendly lifestyle unites 3 components in the single system: ecological literacy, ecological values (arising from knowledge), and ecologically sound actions in accordance with these moral values (Rytov 2008).

I share the latter point of view and consider that one of the basic elements of ecological culture is the environmental and legal culture, which partly covers the above-mentioned elements. The fact is that not all environmental knowledge, values or actions are of legal significance or are subject to regulation by public authorities. Moreover, many activities based on ecological values are illegal and can lead to prosecution by law enforcement agencies; for example, attacks by environmental extremists on a laboratory to free experimental animals from 'bad' researchers (Green Radicals¹).

The traditional understanding of ecological and legal culture in science has not yet appeared in Russia. Therefore, Fokin believes that the ecological and legal culture is a set of persistent beliefs, knowledge and representations of the population about the interactions between nature and society. They are implemented in the form of environmentally conscious behavior, promoted by the state and society. The formation of such knowledge and belief is necessary for preserving and restoring nature and com-

plexes (specially protected natural areas) in the interest of the present and future generations (Fokin 2006).

In the opinion of Fokin (2006), the ecological and legal culture has 3 states: the subject's awareness of environmental laws, of activities aimed at legal implementation and of their results. Isachenko's view is that the level of ecological and legal culture is manifested in the preparation for the perception of progressive legal ideas and laws in the system of relationships between man, society and nature, in the behavior within the framework of environmental and legal relationships, and in assessing knowledge, skills and legal norms governing these relationships (Isachenko 2011).

Thus, the supporters of Fokin (2006) place an emphasis on the formation of the environmental and legal culture of the society as a whole, and the followers of Isachenko (2011) stress the formation of an individual culture. A compromise belief indicates that the ecological and legal culture is a state of individual and public consciousness. It is characterized by the compliance of any environmentally significant activity with legal norms. The quality of these standards, as well as public awareness, depends on the level of environmental and legal culture. This affects the understanding and interpretation of law, and the degree of a person's readiness to protect environmental rights by all legal means. This level affects the performance of environmental duties in everyday life and in professional activities (Burkin 2014).

I believe that the ecological and legal culture cannot be reduced only to the presence of a number of static aspects related to compliance with the requirements of environmental legislation. Such requirements are established for conducting economic or other environmentally hazardous activities or at home. Along with compliance with ecological norms, a citizen with a high level of environmental and legal culture is able to use knowledge in the field of law for judicial or administrative protection of the environment or its components. They will also be able to protect individual and collective environmental interests. I will continue to consider the environmental legal culture in this perspective.

3. ROLE OF EDUCATION IN ENVIRONMENTAL AND LEGAL CULTURE DEVELOPMENT

We may act to develop environmental and legal culture in 3 main areas: education, upbringing and enlightenment. Within the scope of education, on the

¹Green Radicals: When the struggle for animal rights turns into terror, 2008. <http://ria.ru/nature/20081008/152818337.html> (accessed 26 July 2019)

one hand, the general ecological and legal culture of the population is developed. On the other hand, there are some specific moments regarding the nature of the formation of environmental and legal culture at school, not just in legal faculties of universities and law departments.

The first ideas of children about nature are developed in the family and nursery schools. Preschoolers learn about plants and animals, learn to recognize and classify them, and conduct weather observations. In elementary school (grades from 1 to 4), the most important role in the process of ecological education is played by the subject 'Elementary Science'. In secondary school (grades 5 to 9), as well as in high school (grades 10 to 11), environmental education is provided by such subjects as 'Chemistry', 'Elementary Science', 'Environmental Studies', 'Biology', 'Health and Safety Training Course' and 'Geography'.

Despite the importance of this stage in the formation of environmental awareness, it should be admitted that Russian schools do not fully develop knowledge and skills in the field of legal protection of nature. Schoolchildren are not familiar with international documents in the field of environmental protection, or the jurisprudence of the European Court of Human Rights. They have little knowledge of the environmental legislation of the Russian Federation and its subjects, or the practice of its application, and they are not taught to draft procedural or other legal documents.

In addition, there is no such training in most university programs. In Russian universities (technical, agricultural, pedagogical), students are taught the course of 'Law', which is expected to form awareness of all legal branches after several classes. At the same time, the teacher has no right to go beyond the curriculum and the state standard in order to draw special attention to the issues of legal knowledge in the field of environmental protection.

In the system of legal education, the situation is better. In Russia, the academic subject 'Environmental Law' is compulsorily taught during undergraduate studies. During this course, the most attention is paid to classical problems of legal protection of the environment, including the system of government bodies and legal responsibility (Khludeneva et al. 2018). At the same time, a specialized graduate program on environmental and natural resource law is provided at a number of higher educational institutions in the country (for example, at the Faculty of Law of the Volgograd Institute of Management) (Chikildina 2013). Specialized legal clinics are set up in some universities, where students conduct free

consultations on issues of environmental protection and the use of natural resources under the guidance of teachers (Golomancuk et al. 2017). However, all of these initiatives have developed unsystematically, almost without the support of the state, just from the enthusiasm of teachers.

This situation is caused by the fact that at the moment, the state authorities do not regard environmental problems (including environmental and legal culture development) as priorities. Therefore, there is no financing for such projects, nor the development of a regulatory framework or at least formation of a general concept of ecological and legal culture of the population.

Ignoring the importance of environmental and legal culture development provokes inefficiency of the norms of the current legislation in terms of raising the level of education of officials. According to Article 73 of the Federal Law 'On Environmental Protection' of 10 January 2002, managers of organizations and specialists responsible for making decisions in the conduct of economic and other activities that have or can have a negative impact on the environment are to have training in the field of environmental protection and environmental safety. However, at least 2 issues remain open at the very least: the lack of a definitive list of categories of such public officials, and the focus of such training. The latter means that environmental knowledge and educational institutions that provide such educational services are not defined either in environmental legislation or in other regulatory and legal acts of the Russian Federation. This implies the need for the Government of Russia to adopt a regulation act that should define the categories of officials who require special environmental and legal training. It should also indicate the level (degree) of their environmental and legal knowledge.

4. ROLE OF ENVIRONMENTAL UPBRINGING AND TRAINING IN FORMING A HIGH-LEVEL ENVIRONMENTAL AND LEGAL CULTURE

Along with environmental education, a large role in the development of environmental and legal culture in Russia belongs to ecological education and upbringing. These types of activities can be broad (general ecological) or narrow (legal), and can be oriented towards the formation of an ecological or ecological and legal culture.

In the latter sense, the role of ecological and legal education is not just the formation of ecologi-

cal views and an environmentally friendly mentality in people. Its task is also the purposeful formation of legal ideas about possible ways of solving environmental problems.

In turn, environmental and legal enlightenment refers to the dissemination of knowledge about the main areas of legal protection of the environment, implementation of environmental rights, and the duties of a person and citizen. Its purpose is the formation of the environmental and legal culture of citizens of the Russian Federation.

At the moment, a huge amount of work on environmental education and upbringing in a broad, general ecological sense is being carried out in Russia. The main driver of this activity is the state, represented by authorized bodies and officials, the church, the media, and commercial and non-profit organizations. In this way, the Russian Orthodox Church notes that all mankind is responsible for the state of nature as the creation of God. Depletion of resources and pollution of the environment, combined with the growing population of the planet, raise the need for the joint efforts of all peoples to preserve the diversity of life and, more importantly, the conscientious use of natural resources and the prevention of environmental disasters provoked by human activities (the position of the Russian Orthodox Church in 2013²).

An important role in the process of environmental education is played by museums and libraries, as well as by environmental advertising (regarding the need to protect rivers, preserve unique natural sites and maintain biological diversity). Such posters and billboards are placed on the busiest streets, although not yet in sufficient numbers (Klimanova 2014).

A large educational function is performed by environmental volunteers, who plant trees, collect batteries and waste paper, and attend to spring and drinking water sources. They hold roundtables and thematic lessons in educational institutions, or organize charity fairs to help homeless animals. The processes of environmental education and upbringing are widely implemented in nature reserves, national and natural parks.

Many activities are being done to ensure that environmental education and training are targeted and focused on specific social groups (employees, managers, students, members of public associations, and

so on). This allows one to take into account the social characteristics associated with the level of education, occupation, place of residence and a number of others, and thereby improve the efficiency of education and enlightenment (Abbasov 2017). Nevertheless, most of these activities are carried out by non-governmental organizations as a measure of enthusiasm of some individuals, and are not coordinated or encouraged by public authorities. At the same time, it should be noted that in most cases such activities do not include a legal component, and thus do not inform citizens' knowledge, skills and awareness in terms of legal protection of the environment, including judicial protection.

5. DISADVANTAGES OF THE EXISTING MODEL OF ECOLOGICAL AND LEGAL CULTURE DEVELOPMENT IN RUSSIA AND WAYS TO ELIMINATE THEM

There are 2 strategic options for solving environmental problems. The first approach is technological reformism, which does not essentially affect social institutions. The second approach requires profound social changes, which implies a change in the value system, a transformation to the global mentality, restructuring consciousness and a 'revolution in minds' (Banckovskaya 1991, p. 45). The implementation of these strategies is possible in 2 ways.

First, the formation of a new level of ecological and legal culture within the framework of traditional ideas about the role and importance of environmental law, which I mentioned above, should be continued. This direction does not imply radical changes in existing approaches to the organization of the educational process. However, within today's traditions, it is necessary to adjust existing curricula in specialized (law faculty) and non-specialized (technical, agricultural, medical) legal courses at universities. In addition, the environmental and legal component of school education should be strengthened. Public authorities should cease to be removed from the coordination of the processes of environmental and legal education and training, focusing not only on biological and medical, but also legal issues of nature protection. This work will draw attention to many environmental problems that are not actively discussed by the public. Among them is the existence of ecologically unfavorable territories, within which millions of people live, but the state authorities do not establish zones of environmental disaster, since this will entail significant budgetary expenses.

²Russian Orthodox Church (2013) The position of the Russian Orthodox Church on topical problems of ecology. The document was adopted by the Bishops' Council of the Russian Orthodox Church 04.02.2013. www.patriarchia.ru/db/text/2775125.html (accessed 26 July 2019)

Second, to complement the traditional approaches used in education, upbringing and education, discussion of fundamentally new threats to the state of the environment and the health of citizens is necessary. In the 21st century, a number of new threats related to environmental terrorism, global climate change, human impact on hydrometeorological processes, biotechnology in food production or the effects of nanotechnology have already appeared. In particular, with regard to the latter, it should be noted that the possible biological effects of the entry of nanomaterials into the human body have not yet been researched thoroughly, although there is already evidence that various substances can significantly change their physical and chemical properties when transferred into the shape of nanoparticles (Dennis 2006). This can negatively affect a person's health during the process of their assimilation into the body. The consequences of this assimilation and of the reaction of nanoparticles with other substances, as well as the environmental consequences of this cumulative effect, are also unexplored. Scientists are especially concerned about the effect of nanoparticles on the state of wildlife such as animals, plants and insects. The risks of the indirect impact of nanotechnology on nature and human health lies in the consequences of exposure of plants and domestic animals to nanopesticides and nano-agrochemicals, as well as human consumer products (Dennis 2006).

I believe that shifting the emphasis from an ecological culture to an environmental and legal culture will result in the development of a more complex ecological consciousness in the public. An ecologically literate person is aware of not only the relationships between natural phenomena, but also the legal regulation of the ecological system as a whole. The legal component of environmental protection processes will allow individuals to form an ability to see both the immediate and long-term consequences of changes made in nature (Sheyafetdinova 2003). At the same time, an important role in solving this problem is played by the exchange of experience between representatives of environmental and legal science of various countries. This will allow not only the exchange of pedagogical and legislative ideas, but also reveal the influence of their specific population's mentality on the perception of environmental and legal information. For example, in the textbooks on environmental law in the Slovak Republic, special paragraphs are devoted to the environmental threats of GMOs, rules for handling waste from packaging, issues of production of environmentally friendly products, protection of the

ozone layer, and climate threats (Cepek 2015). A significant part of this would be useful and relevant for Russian law curricula.

Without attempting to cover the rest of the spectrum of possible areas of cooperation, I will draw attention to the following possible solutions. Firstly, establishment of ecologically friendly settlements, which are positioned by the ideologists as a completely new type of cohabitation of people, will help to accumulate the necessary experience for humanity to live in harmony with nature. In Europe, there are now about 3000 more-or-less sustainable eco-settlements, and more than 40,000 globally. They take different forms, from communes, artists' villages and clan estates to settlements organized on a religious basis. However, the commonality among them is that they are trying to adopt a new lifestyle that is an alternative to modern technogenic civilization (Mukhlynkina 2015). At the same time, although there may be a legal basis for their activities in many other countries, in Russia this happens without a clear legal regulation.

Secondly, the formation of a high level of environmental and legal culture can lead to an increased personal contribution of each citizen, for example, a reduction of personal greenhouse gas emissions. Citizens can also stop using plastic bags for food; Americans use 100 billion plastic bags annually, which requires millions of barrels of oil for their production. Citizens can also install small household solar panels, or buy locally produced foods grown in their region, which will reduce the cost of delivery and emissions from road transport. In fact, people will also benefit from this economically (Brown 2010).

Thirdly, the transition to a new model of environmental and legal culture in Russia requires the familiarization (through the experience of foreign lawyers) of the legal profession with filing lawsuits against companies that make greenhouse gas emissions (Boutrous & Lanza 2008). Knowledge of the main provisions of the concept of sustainable development, the concept of a circular economy and other modern theories should be acquired in university coursework or while watching televised cultural and educational programs. For example, the concept of the 'circular economy' was introduced in scientific discussions in 2010, and was supported by several scientific schools. Its author notes that various industrial products and materials can be reused by repair and restoration, thereby reducing the amount of waste. This will achieve the goal of economic growth while maintaining sufficient environment quality (Webster 2013).

If such steps are not taken, there is a danger that environmental changes will seriously damage people's habitual way of life, and their attitude to the environment and measures for its protection will change. The environmental changes taking place globally can destroy some established human relationships with the environment, which make environmental campaigns even more important. Disasters exacerbated by climate change, hurricanes, floods and water supply disruption can transform the public perception of environment from admiration and the desire to protect it, to a hostile attitude towards it from a position of strength (Zinn 2007).

6. CONCLUSIONS

Ecological and legal culture is an integral part of the generic scientific category 'ecological culture', which reflects only that part of the relationship between society and nature that falls under the rules of international and national law. Another no-less-important distinguishing feature of the sub-category 'ecological and legal culture' is that it assumes not only the awareness of the state of nature or its internal interrelationships, but it also provides for the possession of legal means (appeals to authorities and suits) aimed at the protection of nature from negative anthropogenic phenomena.

At the moment, the fundamental problem of ecological culture development is the overcoming of anthropocentrism. This form of perception of natural objects and phenomena implies the need to preserve the transforming activities of man; the opposition of man to nature is declared and the use of nature to meet human needs is proclaimed as the highest value. In turn, eco-centric consciousness as a form of perception of natural objects and phenomena and their interrelationships implies the perception of nature not only as a source of economic wealth, but also as an ethical value, thanks to which life on Earth continues. Relationships with nature should be based on the principles of equality based on ethical norms and rules. The role of law in this process is to explain to citizens the possibility of using mechanisms of state environmental protection and direct public participation in solving environmental issues (e.g. public environmental control, participation in environmental impact assessment procedures). At the same time, despite the importance of the traditional approach to the formation of ecological culture (spring cleaning, planting trees, excursions to reserves), it is time to

make a qualitative breakthrough and to reach a new level of understanding of the goals and objectives of environmental protection. And here, a considerable role can be played by a change in educational programs and training curricula, and the active participation of representatives of the scientific community and environmental protection bodies in the environmental education of citizens. In addition, environmental knowledge should be included in the qualification requirements of lawyers, judges, prosecutors and other officials.

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