

# Environmental Policy in the Soviet Union

by Tatiana R. Zaharchenko

## INTRODUCTION

Environmental policy in the Soviet Union is closely tied to political and socio-cultural factors. Public ecological consciousness permeates Soviet society and guides each member in his or her dealings with land, water, and other natural resources. However, this public ecological consciousness changes with time and can alter the scope and level of legal, administrative, and other means of natural resource protection. Understanding this fluctuation in the public ecological consciousness is key to understanding the formation and development of environmental legislation and policy in the U.S.S.R.

The first period of public ecological consciousness in Soviet Russia occurred after the Great October Revolution. This period, which followed the 1920 civil war, corresponded with the so-called "socialist reconstruction" of the Russian economy. To help explain the public mind-set in Russia during the first half of the twentieth century, I would compare it with the United States at the end of the nineteenth century. This similarity, however, is tempered with the drastic historical, social, cultural, and political differences between Russia and the United States.

Although Russia and the United States have different historical, economic, ideological, and cultural backgrounds, both countries developed quite similar attitudes towards nature. In the United States, the frontier mentality of the American pioneers greatly influenced the country's attitude toward the natural environment. The men who discovered and developed the United States' vast wilderness areas thought that nature's resources were inexhaustible. As an example, in their move to the west, the early American pioneers slaughtered millions of bison without considering the possible extinction of the species. The "yank philosophy" of rapid industrial development reinforced this frontier mentality of the American pioneers.

In Russia, we also believed that nature's resources were inexhaustible. One popular slogan stated, "We can't wait for charity from nature, we must conquer it." This belief in nature's inexhaustibility arose from the overall wave of revolutionary exaltation in Russia. Actually, it is understandable that

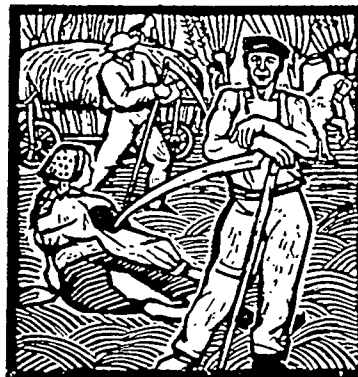
those who overturned the social and economic structures of old Russia should expect to reconstruct nature as well. These revolutionaries considered natural resources merely as building material for "our better future."

Although post-revolutionary Russians considered nature simply as a source of building material, they still respected its beauty. Many scientists and public figures were very concerned about the preservation of natural resources. Even before the revolution, the Russian revolutionary leader V.I. Lenin, in 1919, established the first nature preserve, *Astrakhan Zapovednik*. However, despite the concerned actions of many Russians, the overall attitude in the post-revolutionary years was "consumeristic." Nature was meant to be used, not preserved. This "consumeristic" attitude prevailed in the Soviet Union for many years.

## DEVELOPMENT OF SOVIET ECOLOGICAL LAW

The history of the development of Soviet ecological law is divisible into three periods. First, from the beginning of Soviet Russia to roughly 1956, the year of the XXth Congress of the U.S.S.R. Communist Party, at which time the disclosure of Stalin's crimes began; second, from 1956 to the beginning of *Perestroika* in 1985; and third, from 1985 to the present.

This division into three periods is based on socio-political, rather than strictly legal, classifications. The largest events in the history of Russian (Soviet) society determine the boundaries of these



periods. These large and influential events include the Revolution in 1917, the crash of the Stalinist system in the mid 1950s, and the beginning of *Perestroika* in 1985.

### FIRST PERIOD: 1917-1956

In the early years, separate and distinct laws governed the regulation of nature conservation and protection within the territory of the Russian State. This regulation consisted of restrictions on the rights of landowners and land-users in the interest of protecting specific objects of nature: forests, waters, and wildlife. Even before 1917, Russian law was well-developed along this pathway of treating each resource separately. The pre-Soviet Russian state had separate legal regulations for land, water, mining, forests, hunting, and fishing.

After the Great October Socialist Revolution of 1917, the Russian state continued to promulgate separate laws for land, minerals, water forests, hunting, and fishing. For example, in 1927, Russian mines came under the regulations of the *Mining Statute of the USSR*. In 1928, Russia enacted the *Fundamental Principles for Land Use and Land Tenure*. Other Union Republics enacted a number of land codes that played an important role in this first period of Soviet ecological law. The Byelorussian SSR enacted the Water Conservation Code, and the Uzbek and Turkmen Republics each enacted land and water codes. Russia, Ukraine, and Byelorussia also enacted forest codes. Although the Soviet Union attempted to codify water and forest regulations, the Union Republics could not reach agreement at the all-Union level.

In 1949, the U.S.S.R. Council of Ministers finally passed a comprehensive resolution: *On Measures in the Struggle Against Pollution of the Atmosphere 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 U.S.S.R. Ministry of Health. The State Sanitary Inspection Department's goal was to monitor harmful industrial emissions.

Another area of comprehensive environmental concern was the establishment of the "*zapovedniki*," or state nature preserves. Soviet



"*zapovedniki*" are large tracts of land, set aside for preservation and scientific research. Legally, hunting, fishing and all forms of commercial exploitation are forbidden within these tracts. Lenin's 1919 decree established the first Soviet *zapovednik* near the town of *Astrakhan* in the Volga delta (the Volga is the biggest river in European Russia). By 1952 the number of preserves had reached 40.

Despite the environmental activity outlined above, environmental protection in Russia was clearly a marginal concern from the time of the October Revolution to the late 1950s. Virtually all laws and regulations passed during this period were aimed primarily at more complete and efficient exploitation of the Soviet Union's natural resources. 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," which was very similar to the philosophy of the American Progressive Era at the turn of the century.

In this context, "conservation" 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.

To summarize, during this first period of Soviet ecological law, a philosophy prevailed of "conquering nature." Along with the slogan of "we cannot wait for charity from nature," another popular slogan (in fact, words from a popular song) stated: "We are born to turn fairy tales into reality." During this first period, the Soviet people built large "nature reconstruction" projects. The large size of these projects indicated their popularity and great value to the people. Some ex-

amples of these “conservationist projects include the construction of the White Sea - Baltic Sea Canal (early 1930s) and the Great Stalin plan for the Transformation of Nature in the U.S.S.R. in the late 1940s. A main part of the Great Stalin Plan was to reverse the flow of some northern rivers southward to the arid regions of Central Asia. This plan outlived its creator and was abandoned only recently. A central theme of this first period of Soviet ecological law was to resolve all economic and environmental conflicts to the advantage of economics.

## SECOND PERIOD: 1956-1985

The Second Period of Soviet Ecological law was a time of increasing interest in environmental protection and more legislative activity in this area. In contrast to the first period’s separate treatment of resources, an overall environmental policy first appeared in the Soviet Union in this second period.

In this second period of Soviet ecological law, all of the Union Republics emphasized the need for an integrated approach to the natural environment. The Republics attempted to resolve the conflict between using and protecting nature. The separate bodies of law to regulate the use of land, water, mining, forest, fauna, and the atmosphere were codified at the all-Union level. The Union Republics adopted codes and laws in accordance with these all-Union acts. The following all-Union laws were enacted:

- 1) *Fundamentals of Land Legislation of the U.S.S.R. and Union Republics*, which were confirmed in 1968 by the U.S.S.R. Supreme Soviet;
- 2) *The Fundamentals of the U.S.S.R. and Union Republics of Water Legislation*, adopted in 1970;
- 3) *The Fundamentals of the U.S.S.R. and Union Republics of Forestry Legislation*, adopted in 1977;
- 4) *The Fundamentals of the U.S.S.R. and Union Republics of Legislation of Minerals*, adopted in 1975;
- 5) *The Law for the Protection and Utilization of Fauna*, enacted in 1980;
- 6) *The Law for the Protection of the Atmosphere*, also enacted in 1980.

According to this legislation, every Union Republic has codes covering land, water, minerals, and forestry. In addition, each Republic has its own laws regarding use of animal resources and the protection of nature and the atmosphere. Thus, although the

second period of Soviet ecological law did not yield a uniform set of ecological laws, each republic addressed the issue of nature more in ecological terms rather than in conservation terms.

## THIRD PERIOD: PERESTROIKA, 1985 TO THE PRESENT

The third, and present, period of Soviet ecological law is the real beginning of a new public ecological consciousness and a new chapter in Soviet environmental policy.

Environmental concerns have become one of the main political issues in this period because of the liberalization of political and social life in the Soviet Union and the awakening of energy and activity in the people. The last five years witnessed the rise of a grassroots environmental movement, non-existent in the U.S.S.R. before 1985. In addition, the last five years yielded the enactment of a whole range of new laws and decrees designed to protect nature.

One of the most important of these new laws was a November 1989 decree from the Supreme Soviet of the U.S.S.R. entitled *About the Urgent Measures for the Country’s Ecological Recovery*. For the first time, the Supreme Soviet openly recognized the Soviet Union’s grave ecological situation. This important decree also required for the first time that the local Soviet of People’s Deputies disclose environmental information to the public. In addition to requiring disclosure, the 1989 decree outlined directions for future environmental legislation, including the development of all-Union laws concerning specially protected lands, the protection of flora, and the use of atomic power and nuclear safety. Thus, the 1989 decree represented a shift away from traditional treatment of environmental concerns.

Another very important change in Soviet environmental law also resulted from *Perestroika*. Now, the public may lease natural resources, such as land, water,



and forests. Formerly, such leases were illegal, whether made by an individual or by an enterprise. Whoever took land in their lease, in addition to the threat of criminal punishment, had to return everything raised on the land (or its cost) to the government. But in December of 1989, the new leasing law was enacted allowing persons or entities to lease land and other natural resources for a term of five years or more.

The next step towards private leasing of public lands was made in 1990 by the new *Fundamentals of Legislation of the U.S.S.R. and Soviet Republics about Land*. Among other things, these new leasing laws provided more detailed conditions for land leases. These new laws treat private leases of public lands as a very important and useful method for the use of natural resources. However, the lease provisions have room for even further development.

In addition to the legalization of private leases, a new executive government agency was organized in January of 1988 -- the State Committee for Nature Protection of the U.S.S.R. or *Goskompriroda*. *Goskompriroda* is similar in some respects to the United States Environmental Protection Agency. *Goskompriroda* has the role of orchestrating the new power of environmental protection laws.

## CONCLUSION

Currently in the U.S.S.R. we have both an active grassroots ecological movement and a slowly changing governmental policy. The grassroots movement has diverse interests, ranging from neighborhood factory pollution to all-Union ecological concerns. Our changing governmental policy now seems to be more active than in the past two periods of Soviet Ecological law. Soviet governmental policy now appears ready to create legal and administrative mechanisms to protect natural resources.

Despite the changing governmental policy, the public ecological consciousness is still heterogeneous. The official ecological consciousness still remains essentially "conservationist." The government has made major changes since 1985, but governmental policy typically changes slowly. The economic troubles in our country since 1985 contribute to this slow pace of change in the government's ecological consciousness. In contrast, the informal ecological consciousness of the grassroots movement has blossomed in this third period of Soviet ecological law. This grass roots movement has embraced environ-

mental protection. The Russian people love their native land and are striving to preserve it. Our hope is that this kind of public ecological consciousness will eventually become dominant and will determine all future environmental policy in our country.

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*Tatiana R. Zaharchenko is a candidate of Legal Science, Associate Professor, and Chairperson of the Ecological Law Department at the Kharkov Law Institute in the Soviet Union. She recently spent several months in the United States working with attorneys practicing environmental law.*

