

“Ecological Efficiency” as a Value Criterion of the Sustainable Development Strategy¹

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Abstract

The current legal frameworks of the Russian Federation, which intermediate socio-natural relations, may contradict the course set towards sustainable development due to their dependence on the formerly dominant technocratic view of the world leading to various systemic destructions. Not always do the quantitative indicators contribute to finding the best way of environmental-economic development. In this connection, the issue of a high-quality assessment of the effectiveness of strategies, plans, and other regulatory and legal documents in achieving sustainable development goals is analyzed. This paper considers the “ecological efficiency” assessment of the legislation as a value criterion measuring the relevance of the planning and strategic documents to the essence of sustainable development. The paper aims to expose the essence of the “ecological efficiency” concept and its role in the harmonization mechanism for socio-natural relationships. The dialectical method, which determines interconnections between the values existing earlier and the character of socio-natural development on the one hand, and the emerging environmental ethics-based comprehensive worldview and sustainable development on the other, was used as the primary research instrument. Research results showed the existing potential for the use of “ecological efficiency” as a value criterion to assess the relevance of state plans and strategies to the declared sustainable development goals. “Ecological efficiency” helps to resolve the current contradictions in social development management thus contributing to the formation of the sustainable development legislation relevant to the level of public consciousness and behavior.

Keywords: ecological efficiency, strategic development, sustainable development legislation, sociocultural development factor.

1. Introduction

The concept of legislation’s “ecological efficiency” manifests itself in the relevance of the planning and strategic documents of the state to the essence of sustainable development and contributes to harmonization of the economic interests of the society and environmental conservation.

The assessment of “ecological efficiency” applies to both governance and activities of some enterprises (Korotkov & Trubyanov, 2014). In political theory, “ecological efficiency” determines whether there is a misbalance in the real social relations, as well as measures the efficiency of various approaches and methods of managing socio-natural development. In economic theory “ecological efficiency” is

¹Research on this article is supported by the RFBR grant № 18-311-00296 “Ecologic effectiveness of Strategic development: valuable basis and mechanism of evaluation (a case study of the Baikal region)”.

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associated with reducing possible costs by using competitive advantage of green technologies and cleaner productions.

Orientation toward “ecological efficiency” in various fields of human activity is caused by the need to shift to a green economy due to the shortage of resources and limited ecological capacity of the biosphere. Humankind came to understand its dependence on nature. That is why the vector on taming nature and consumption is changing to a pursuit of harmony and co-evolution (Mantatov, 2013). At the same time, limited human worldview and understanding of the world around make people dependent on the previous development path, when the old order opposes advent of the new one. Dominant ways of thinking and *modus operandi*, typical of the period of personality formation, become a part of the personality itself. They are perceived as the only correct order of things. A strive to change the value foundations of society is understood as a threat to the subjective worldview and, consequently, the very life of an individual.

2. Materials and Methods

This study aims to expose the essence of “ecological efficiency” as a value criterion of the sustainable development strategy.

Due to the multidimensionality of the phenomenon under study, we chose the dialectical method as the key research instrument as it allows establishing the essence of the whole – old and new, economic and political, social and natural – based on the juxtaposition of various parts.

The tendency of modern science toward convergence of various types of scientific knowledge promotes efficient borrowing and application of developments in the related fields of science. It sets the possibility to apply the conceptual and terminological framework, assessment methodologies, and management mechanisms within the frameworks of economic theory to enterprise activity, and political theory to state development, with regard to the analysis of legislation as the chief regulator of the existing relations and the one that forms future relationships. A synthesis of knowledge of certain sciences is the key to the holistic and uncontroversial worldview.

A technical legal method which allows determining the content of “ecological efficiency” as a legal phenomenon plays an important role in this study. Consideration of the law’s properties (normativity, formal definition, willed character, consistency, and a guarantee of coercive state power), its impact mechanism, the very nature and system of law enables to comprehend “ecological efficiency” as a legal phenomenon facilitating the shift to sustainable development.

The analysis of the reasons why the concept of “ecological efficiency” was shaped also allows defining the possibilities of its practical application. In connection with the planning and strategic documents “ecological efficiency” acquires a prognostic meaning, shaping the current social relations in line with the desired ones.

3. The Essence of “Ecological Efficiency” as a Value Criterion of the Sustainable Development Strategy

3.1 The need for quality reference points of sustainable development

Unlike gradual evolution of a social system, public administration allows a more rapid shift from the old model of socio-natural relations driving the system to an overall chronic crisis, to a new one, which harmonizes interests of nature, humankind, and future generations. Conservation of fresh air, sources of drinking water, and biodiversity are the mandatory conditions for human survival on Earth. Therefore, care for nature is care for the humans themselves.

At the same time, a shift to a new path of social development faces the problem of dependence on the current way of thinking and *modus operandi*. It is when the planned transformations lose their original innovative nature in the course of implementation, being limited by a well-established worldview. As a result, the implemented reforms do not produce expected results. “Path dependence” correlates with the idea of “sociocultural economy” as the impact of the institutional environment on the economic development’s character. According to A. Ausan, development of the same institutions produces different results depending on a sociocultural background (Ausan, 2017). Also, though culture is not the only factor defining future societal development its influence is significant. In the case when values and behavioral patterns correspond to the essence of the planned transformations, the risks of possible destructions are significantly reduced while the implementation efficiency of the adopted strategy increases.

In this connection strategic planning requires taking into account traditions, regional historical peculiarities, the current legal system, dominant values, and other components of the actual institutional environment of the planned transformations, but not solely regional economic indicators. The strategy should be integrated into nature. Hence, to be shaped it requires a comprehensive analysis. Due to the complexity of this task and as a quintessence of socio-culture, which promotes universality, systemacity, and consistency of state policy, the value foundations of the society must be considered. It is in their pursuit that the development of the whole system occurs, and it is them which determine the character of social and socio-natural interaction.

Shrinking of biodiversity on Earth, exploitative attitude to non-human life forms, environmental degradation, inequality, famine and poverty – all these negative tendencies demonstrate a contradiction between the encouraged developmental waymarks (overconsumption, technocratization, denial of the inherent value of nature) and the real interests of the humanity, such as the aspirations to life and harmony. At the same time, public consciousness formed in compliance with the value orientations of the crisis civilization opposes greening as the principal step in the evolution of the sustainable development legislation and the making of environmental justice (as equality in the realization of environmental rights of various categories of subjects, and as the acknowledgement of the inherent value of nature).

Thus, to achieve the planned results one requires consideration of the existing institutional environment and clear understanding of the desired result (to avoid false interpretation of the meaning). There is a need to rely on quality criteria, which can

distinguish the programme-strategic provisions and regulatory-legal acts stemming from the old development paradigm from those which promote the shift to a new system of harmonious development.

3.2 The role of value foundations in the development

Opportunistic behavior of a narrow social stratum which receives surplus revenues from the possession of the national natural resources and their will to keep the current order intact lead to the emergence of the development-related destructions, such as corruption, social apathy, aggravating environmental problems, outflow of people of working age from the regions and the country, and other negative processes (Wick & Bulte, 2009). All that affects the economic performance of the regions leading to their underdevelopment, low competitiveness of the state in the hi-tech sphere, the emergence of multiple administrative obstacles, high production and transaction costs for innovative business.

It is not enough to merely define the preference of innovative development at the level of legislation. It is necessary to form an appropriate institutional environment, i.e., a combination of economic, cultural, and legal factors which support further independent development of the system. To make an offer one needs market demand. For the implementation of innovative developments, one requires highly qualified specialists. To make a profitable enterprise one must minimize transaction costs.

The process of shifting to the new development quality requires consideration of some factors which entails a risk of differing comprehension of the final result depending on the personal sociocultural emphases. As A.G. Antipiev and K.A. Antipiev note, nowadays at work in Russia, there is “a magnitude of loosely connected state concepts and programs” (Antipiev & Antipiev, 2014). Despite direct references to interconnections with the sustainable development concept the programme and strategic documents are often aimed at sustaining the stagnating order based on the resource rent. Orientation toward the qualitative transformation of public consciousness, consolidation of sustainable development as a national idea, and aiming at the relevant values become a way out of the vicious circle of dependence.

We single out “ecological efficiency” as one of the leading value foundations of strategic development which determines the balancing of the socio-natural development manifesting itself in economic and legal development. Understanding the sustainability of development may have a rather ambiguous character due to the path dependence problem. On the contrary, ecological efficiency has a rather determined content. It presupposes equitable and harmonious distribution of the priorities of social development.

3.3 The essence of the “ecological efficiency” concept in the context of sustainable development

The structure of the “ecological efficiency” concepts encompasses an economic and a political aspect. The former is connected with taking into account the environmental factors of enterprise activity, whereas the latter considers the efficiency of state (regional) management of socio-natural development.

In the context of state policy, the "ecological efficiency" concept allows conducting a comparative success analysis of various approaches to the resolution of the problems of environmental pollution and deterioration of the living standards of people (Environmental Performance Index Report, 2018). Undoubtedly, the quantitative indicators under development represent a comfortable format for the efficiency assessment of state policy aimed at the improvement of environmental quality (for maintaining the human health and preservation of ecosystem viability).

The problem of uncertainty, characterized by the insufficient understanding of the essence of the environmental issue is tackled by introducing the quantitative indicators of environmental condition in 24 categories (Environmental Performance Index Report, 2018). It is this uncertainty that produces a situation when the declared goals and development ideals are filled with malicious content. In that situation the extraction of raw materials intensifies in the name of sustainable development, the socio-ecological indicators are sacrificed in favor of the economic indicators, and short-term goals become more important than the long-term ones.

The second interconnected element of the concept is ecological efficiency. It is addressed to economic entities as it stimulates environmentally responsible business (ecosystem conservation, waste minimization, and energy savings during production, struggle against pollution, using fewer natural resources) (World business council for sustainable development, 1996). Ecological efficiency-oriented enterprises are more competitive on the market because they manufacture innovative hi-tech and green products, fully compliant with the needs of people. The assessment of ecological efficiency motivates the companies to take part in the implementation of the global goal of sustainable development.

An increase in the production capacity of the state is usually associated with an increase in the living standards of the population and a higher level of well-being (Bondarenko, 2017). However, the orientation on economic indicators alone, without regard to environmental and social indicators, turns consumption from a way to satisfy the human needs into the end in itself (Fromm, 2007). Such economic model faces the problems of limited natural resources, environmental pollution, and spiritual crisis. The zero-growth concept put forward as a valid alternative to the growing production and consumption rates aggravating environmental problems and, in doing so, decreasing the living standards, is only a delay of a social and environmental catastrophe of the technocratic civilization (Shishkin, 2013).

A shift in the economic orientations toward ecological efficiency is required where commercial attractiveness combines with the implementation of the sustainable development goals: from the sales of material benefits to the sales of intangible benefits, and from the sales of natural resources to the sales of knowledge and production technologies. The development of innovative branches of the economy provides economic growth using fewer natural resources.

At the same time, self-regulating capacities of the market are limited. As the main problems, Thomas Sterner points out natural resource monopolies and oligopolies, the absence of competition, asymmetrical information, collective benefits' effect (for instance, air belongs to all inhabitants of Earth, but it is rather difficult to protect

individual rights to air) (Sterner, 2003). Collective property without personal responsibility entails the development of environmental injustice.

That is why the transition to the model of ecological efficiency requires mutual efforts of the state and business, where the endless chain of innovations driven by healthy competition aims at the common goal of sustainable development. The use of the ecological efficiency criteria limits the chances of destructive decision-making by state authorities, while the limitation of the monopoly on natural resources stimulates transfer of the economy to the path of innovation.

3.4 Ecological efficiency of legislation

The legislation is one of the main instruments with which the state manages social development. Legal regulation is aimed at defining or fixation of a particular order of social relations formed in connection with satisfying social needs (realized in a community). Being regulated by law, the relationships become not only stable and predictable but also acquire a modelable character. It allows forming the required institutional aspects for reaching the goals of strategic development. The system of regulatory and legal acts relevant to the concept of sustainable development promotes harmonization of socio-natural relations and the building of a just, hi-tech, and highly moral society. In this connection ecological efficiency of governance is viewed in this paper as the ecological efficiency of legislation.

Unlike the economic contents of “efficiency” manifested in achieving best results at the smallest costs, in scientific literature the efficiency of legislation is understood as a correlation between the goals of adopting certain legal norms and their results (Tikhomirov, 2015). With this in mind, the very issue of the correlation between the goals and results in legal theory is debatable (Pashkov & Yavich, 1970; Samoshchenko et.al., 1971; Nikitinsky, 1971).

In her study of the “legal norms’ efficiency” content O.S. Lustova stresses that the efficiency is not an inherent quality of legal norms, but a “certain aspect of their application which manifests itself exactly in the impact on the unlawful phenomena, on the actual relationships of people” (Lustova, 2004). Thus, the efficiency of legal norms is manifested not only in their observance but also in their impact on public and individual consciousness and behavior. Though sociocultural emphases to a great extent define the motives of human activity, law, thanks to its coercive power, is among the most potent instruments capable of influencing the character of social relations. Not only does law reflect social realities, but also forms the desired individual mindset. Possessing such potential, law forms future relationships (Ursul, 2013) being an essential part of the mechanism for overcoming path dependence.

Ecologically efficient legislation in the context of sustainable development should have the following properties: usefulness of the result, adequacy of the means used, smallest possible costs, impact on public consciousness (to be capable of overcoming destructive mindsets, ways of thinking and acting given that they generally correspond to the institutional environment). These properties are the criteria, according to which it is possible to define the degree of ecological efficiency of strategic development.

Interconnected and interdependent as they are, however, the ecological efficiency of legislation is primarily aimed at the greening of both the law and all spheres of human life by way of legal regulation. In our view, the ecological efficiency of law is interconnected with environmental justice and acknowledgment of the inherent value of nature. These are juxtaposed to the problems of social development (inequitable distribution of profits and responsibilities from the exploitation of natural resources, consumerist attitude to nature and humans, and the pursuit of high economic indicators by any means regardless of the long-term perspectives).

“Ecological efficiency” as a fitting criterion of the regulatory and legal acts and the adopted course toward sustainable development possess the quality of legal certainty and universality and may, therefore, be considered a principle of the sustainable development legislation.

4. Conclusion

Attempts to shift to the sustainable model of social development without regard to the sociocultural factor, the way of thinking, *modus operandi*, goals, and values forming the base of social development, causing problems and contradictions of modern society turn out to be inefficient. Values of the technocratic civilization lead to the predatory and consumer character of interaction between people and nature, people and society, and the destructive attitude of man to his future. Coping with the destructive ways of thinking and acting through self-organization of the social system is possible. However, it requires much time and effort to overcome various obstacles and try out false paths. At the same time, the need for reorientation is rather acute because overfilling the ecological capacity of the biosphere can lead to the environmental catastrophe.

Law as a regulator of social relations with the coercive power possesses a considerable potential in overcoming path dependence and in shaping public consciousness relevant to sustainable development.

The adopted and actual regulatory, legal acts may be prone to the influence of the formerly dominant philosophical paradigm. In this connection, there is a need for a universal criterion capable of determining the relevance of the legal norms to the essence of sustainable development.

The use of ecological efficiency as a fitting criterion of state strategies, plans, and legislation in general and the essence of sustainable development promotes regulation of not only the established social relationships but also shapes the relations and legal system of the future. In this capacity, the concept of “ecological efficiency” will foster integrated and consistent resolution of economic, social, environmental and other problems of society and state.

Ecological efficiency presupposes equitable distribution of profit and responsibility, respectful attitude to nature and man (which is associated with spiritual development) and, therefore, helps reduce the man-made impact on natural environment. In doing so, it brings forth the development of innovative hi-tech branches (saving resources while retaining the capability to get high profits).

Ecological efficiency contributes to the formation of systemic thinking and a comprehensive picture of the world. It strengthens understanding of the interconnection between the public and the natural, suggests cooperation between business and state, enables us to realize possible ways of economic development in the pursuit of high environmental indicators. Eco-efficiency indexes of enterprises and ecological efficiency indicators of state management are becoming a clear reflection of state and business efforts. In this connection, the concept of "ecological efficiency" should be studied further.

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