



*Asesorías y Tutorías para la Investigación Científica en la Educación Puig-Salabarría S.C.
José María Pino Suárez 460-2 esq a Lerdo de Tejada, Toluca, Estado de México. 7223898478*

RFC: ATI120618V12

Revista Dilemas Contemporáneos: Educación, Política y Valores.

<http://www.dilemascontemporaneoseduccionpoliticayvalores.com/>

Año: VII Número: 2 Artículo no.:44 Período: 1ro de enero al 30 de abril del 2020.

TÍTULO: La mentoría como método de educación y desarrollo de estudiantes de Facultades de Derecho en términos de la tarea de formar una cosmovisión legal ambiental.

AUTORES:

1. Prof. Aleksey Pavlovich Anisimov.
2. Assoc. Prof. Zhanna Borisovna Ivanova.
3. Prof. Anatoliy Jakovlevich Ryzhenkov.

RESUMEN: En este artículo, los autores estudian una serie de formas de desarrollo de la educación jurídica moderna en Rusia. El énfasis principal se pone en la organización del sistema de mentoría en instituciones de educación superior en derecho en el marco del sistema ruso de capacitación de personal legal. Los autores consideran las tradiciones históricas de mentoría, así como generalizan la experiencia moderna de los mentores y dan recomendaciones sobre la organización del ciclo de conferencias interactivas que promueven la mejora del desarrollo legal ambiental en términos de estudio del informe del Secretario General de la ONU sobre Armonía con la Naturaleza por estudiantes.

PALABRAS CLAVES: Educación Superior, mentor, naturaleza, estudiantes de maestría, derecho ambiental.

TITLE: Mentoring as a method of education and development of students of Law Faculties in terms of the task of forming an Environmental Legal Worldview.

AUTHORS.

1. Prof. Aleksey Pavlovich Anisimov.
2. Assoc. Prof. Zhanna Borisovna Ivanova.
3. Prof. Anatoliy Jakovlevich Ryzhenkov.

ABSTRACT: In this article, the authors study a number of ways of development modern legal education in Russia. The main emphasis is placed on organization of the system of mentoring in institutions of higher education in law within the framework of the Russian system of legal personnel training. The authors consider historical traditions of mentoring as well as generalize the modern experience of mentors, and give recommendations on organization of the cycle of interactive lectures promoting enhancement of environmental legal development in terms of study of the report of the UN Secretary-General on Harmony with Nature by students.

KEY WORDS: Higher Education, mentor, nature, master students, environmental law.

INTRODUCTION.

Today, there is still a high prestige of higher education in law in the Russian Federation. In contrast to many other scientific specialties, student enrollments in law faculties of most private and state institutions of higher education are characterized by stability, and in some of them even by growth. This trend imposes a special responsibility on teaching staff of law faculties, whose tasks must include not only the formal process of knowledge transfer through lectures and seminars but also formation of certain moral beliefs of students, which is achieved through a number of activities of a pedagogical nature among law students.

The system of mentoring is one of such ways to organize pedagogical work in institutions of higher education. This process of development of the oncoming generation has long traditions in Russia.

The first mentions of “nastavnichestvo” (“mentoring” in Russian) can be found in such of its manifestations as “mentorstvo” and “starchestvo”. The word “mentorstvo” came from Ancient Greek mythology. The hero named Mentor was a wise adviser, everyone trusted him, came with questions, for advice and help (Nastavnichestvo (mentorstvo), 2019).

At the moment, this term is considered to be old-fashioned, though previously it meant edifying (mentoring) in tone and behavior (Encyclopedic dictionary, 2009). Starchestvo (eldership) was a special institute of spiritual mentoring. It organically developed in ancient times in the Orthodox Church in the monastic environment (Eldership and modern times, 2012). Eldership meant spiritual guidance over people less experienced in matters of faith, and sometimes even not having basic knowledge about this life (Encyclopedic dictionary, 2009). The first primitive schools (in comparison with current ones) are rooted in these institutions, there students received both new knowledge (memorizing myths, riddles, social rules) and spiritual education (acquiring useful skills necessary to withstand the challenges, gain a sense of self-discipline and male fraternity for boys and an understanding of family duties for girls) from their mentors (Dolgusheva et al, 2013).

Later children of many noblemen had their mentors. Mentoring in noble upbringing of children in Russia from the 18th to mid-19th centuries had its own distinctive features and characteristics. Mentors instilled a sense of honor, dignity, self-control, morality, etc. in noble children. Mentors paid much attention to the appearance of their mentees: their clothes must be simple but elegant, and body hygiene must be maintained. Mentors taught noble children various sciences and foreign languages (Upbringing of noble children, 2019). It should be noted that everybody who was engaged in upbringing of children in noble families was referred to mentors: nannies, governesses, tutors, home teachers, responsible for upbringing and education (Solodyankina, 2008).

In the period of the USSR, the system of mentoring acquired new forms. After the end of World War II, this term covered, for example, pupils who studied working specialties in secondary special educational institutions. A special qualified mentor assigned to them helped to master the working profession (Kalmykov, 2015). In that period of time, this concept was associated with the form of development in terms of which the best members of the working class transferred their labor skills, political, ideological and moral principles to young people.

In recent years, in the Russian and world educational practice, the forms of mentoring have begun to include “peer learning system”¹, “dobrovolchestvo” (Russian synonym for “volunteering”)², “volunteering”³, “coaching”⁴ and a number of other ones. Each of these forms is of considerable research interest, however, of all of them, the peer learning system, which emerged from the end of the 19th to the beginning of the 20th centuries, is the most suitable for law faculties of Russian institutions of higher education. Giving a general description of this system, we should note that it was proposed by priest A. Bell and teacher J. Lancaster independently of each other. Its essence consists in the fact that older students, under the guidance of a teacher, first study the material themselves, and then, after receiving instructions, teach their younger comrades.

In schools of peer learning students were taught to read religious books, write and count. Advantages of peer learning were that students learned writing, reading and counting skills faster than in common

¹ It is a group learning method in which every student is simultaneously an instructor in relation to other group members, helping them to master those knowledge and skills that he possesses in a better way, which promotes learning efficiency. See: New dictionary of methodical terms and concepts (theory and practice of language teaching) <https://methodological_terms.academic.ru/205> (access date 09.01.2019).

² Doing something of one’s own accord, without coercion, voluntarily. See: Explanatory dictionary / under the editorship of T.F. Efremova <<https://dic.academic.ru/contents.nsf/efremova/>> (access date 24.01.2019).

³ Volunteering is a set of socially useful relations arising in connection with performance of activity by volunteers and social associations (their legal representatives) in the interests of recipients of volunteer’s assistance. With respect to the higher education system, volunteering is voluntary, that is, socially significant and unpaid activity of students in educational institutions of any level.

⁴ Coaching is a method of direct training of a less experienced employee by a more experienced one in the course of work; a form of individual mentoring, counseling. Coaching as a form of mentoring became widespread in the early 90s of the 20th century in the field of business achievements and management. See: Vorobieva et al, 2016.

schools. With a small number of teachers, this allowed organization of mass education (Bell-Lancaster system of peer learning, 2016).

We will pay further attention to the modern appearance of this form of mentoring in our article. Accordingly, in its first part we will study the general trends in development of mentoring in Russian institutions of higher education in law in detail; in the second part we will show the mechanism of formation of moral environmental attitudes among students, which we use in Volgograd and Syktyvkar when working with law students in lectures and seminars in the subject “Environmental Law”; in the third part we will formulate a number of methodological recommendations for organizing interactive lessons during which the UN activities in the field of nature protection are studied.

DEVELOPMENT.

Development of the institute of mentoring in law faculties in modern Russia (in terms of Volgograd and Syktyvkar).

The institute of mentoring is quite common, both in Russian institutions of higher education in law and in many law companies. The Russian term “nastavnichestvo” (“mentoring”) corresponds to “story telling” in English. It means that a mentor (a professor or a practicing lawyer), telling stories from legal practice (law making, judicial or other practice) teaches students, future lawyers, by transferring the accumulated knowledge and experience to them, and it is also possible that graduate students transfer such experience to junior students. A typical example of the latter type of mentoring is joint work of students of all courses in legal clinics created under Russian law faculties and institutions of higher education, within their framework senior students share their experience in legal counseling with first year students.

The main purpose of mentoring is the development of the creative potential of students of the law faculty, that is, a set of actions that promote full unlocking of abilities of modern students. The main elements of the system of development of students, in our opinion, include education, gaining experience and mentoring. In general, we consider mentoring as an informal way to transfer knowledge and skills from a more experienced person to a less experienced one.

The need of students and young specialists to be supported by experienced instructors and colleagues – mentors, who are able to provide the necessary practical help, to improve their theoretical and professional competence, was examined by G. Lewis, D. Clutterbuck and others in their studies (Lapina and Magalnik, 2001; Novoseltseva, 1986); for example, Garrett Lewis believes that mentoring is a system of relations and a range of procedures when one person offers help, guidance, advice and support to another one (Lewis, 1998). David Clutterbuck (2006) defines mentors as people possessing experience and ready to share their knowledge with less experienced people in an atmosphere of mutual trust.

The practical activity of the authors of the article, their theoretical analysis of scientific literature allow speaking about mentoring as a dynamic process. It facilitates personally significant rise of students to the top of future professionalism through their creative activity, internal and external motivating by means of transfer of experience and knowledge by a mentor. In addition, mentoring can be considered a complex systemic phenomenon, characterized by a set of relations between its elements, which remain stable in the process of change and development. These elements of mentoring are as follows (Dudina 2017):

- Subjects of mentoring activity, their features, roles, motives, factors and principles of successful interaction.
- Goals and results of mentoring activity.
- Features of mentoring activity and the main contexts of its implementation.

- Stages of mentoring activity.
- Methods of mentoring activity.

On this basis, we understand the system of mentoring as a set of structure and content related pedagogic components which gradually reveal the diversity of relations and links between them. Mentoring is a long, purposeful process, within its framework students' personality, their professional and universal outlook and spirituality are formed and developed. This step-by-step process promotes increased motivation for the chosen specialty, professional development, emotional awakening, creative self-fulfillment, mutual learning of different generations.

A typical example of mentoring is involvement of master students studying according to a specialized master's degree program in environmental law in lessons for 3rd year bachelor students in the discipline "Environmental Law". The need for this form of creative activity of master students is caused by the fact that master studies are a scientific and creative form of education requiring not only organization of scientific work but also formation of skills of master students in public speaking on environmental legal issues.

Addressing bachelor students, master students note that it is not by chance that today the state of the environment is often referred to as crisis in international and national political and legal documents. Pollution of water bodies, soil and air, reduction of biological diversity, the increasing amount of production and consumption waste have not been excluded from the current international agenda for decades. When organizing such speeches, it is very important to touch upon the visual, figurative and emotional area of perception of bachelor students. This is why master students demonstrate slides showing the catastrophic consequences of destruction of the ozone layer, the need to combat space debris, possible ways to overcome the consequences of global climate change and the threat of environmental terrorism.

Special attention in the course of these speeches is paid to such a methodological aspect as demonstrating the global nature of environmental issues through clarification of new environmental threats that have not yet been fully perceived by mankind, due to which the national authorities have not created a legal mechanism to combat such threats. A typical example of such incompletely studied consequences for life and health of people are the latest technologies that demonstrate the gaps in modern scientific knowledge about the consequences of using modern biotechnologies (GMOs) and nanotechnologies.

Summing up of the seminar is a very important methodological issue. After summarizing the existing problems in the field of interaction between nature and society, a professor or a master student must lead bachelor students to a very important methodological conclusion: the continuing growth of importance of all environmental issues discussed during the lesson demonstrates impossibility of solving them, either at the international or national levels, by adoption of legal acts on individual issues carried out without changing the very attitude of society to the issue of nature protection, changing the existing views on nature as a source of wealth which can be converted into various forms of consumer egoism.

Role of mentor in formation of an environmental legal worldview of students through study and discussion of the UN documents.

Formation of not just a set of legal knowledge and skills of students but also a moral attitude to nature within the framework of common lessons is not efficient enough, consequently, the role of legal development (and mentor) increases significantly. The need for such work is caused by the fact that just to allocate funds or to tighten sanctions for offenses is not enough for effectiveness of nature protection measures.

There is a need for a radical change in consciousness of people, especially young people, and young law graduates possessing the necessary knowledge in the field of legal protection of nature must be at the forefront of such changes. Without their inner desire and active citizenship all efforts of the world community will be in vain.

Based on this methodological attitude aimed at formation of environmental legal culture of young people, we will try to identify the main methods of development of a new environmental legal worldview that meets the challenges and threats of the 21st century, in terms of the methodology of study of the Report of the UN Secretary-General on Harmony with Nature of July 19, 2017.⁵

The choice of this particular document for lessons with students is caused by the fact that the ways and significance of transition from a human-centred to ecocentric worldview become obvious during analysis of provisions of this Report, which is very important for modern environmental lawyers. It appears that this report is not a routine statement of modern environmental issues, it represents a breakthrough in the ideology of environmental protection and suggests a number of new areas for formation of an environmental worldview of a fundamentally new type, fitting into many philosophical legal concepts that have been discussed by the leading world research centers for many years. This is why discussion of this report is of interest to law students (and not only in Russia). When discussing this report with students, it appears very important to focus their attention on the new terminology suggested in the report. Students must be able to express their own position on such new legal categories mentioned in the Report as “Earth jurisprudence” or “Earth-centred law”.

Special attention of students should be drawn to such a fundamentally new legal structure as “the Earth’s right to a healthy environment” (exactly the Earth but not a person or a state). Discussion of these issues in seminars often leads to disputes about acceptability of the terms and legal procedures

⁵ **Harmony with Nature. Report of the Secretary-General of July 19, 2017** <<https://undocs.org/ru/A/72/175>> (access date 24.01.2019).

suggested by the international organizations for national legal systems (including the Russian Federation), reasonability of acceptance of these innovations that may contradict provisions of national law. Here the main task of the moderating professor is to prevent rejection of unusual legal structures suggested in the Report of the UN Secretary-General. For this purpose, the professor has to explain to students that under the current dominant human-centred paradigm, value systems and lifestyles are two of the most difficult behaviours to alter, as they are deeply embedded in modern society. They are. This causes the need to change these behaviours by creating new collective realities in such areas as law, ethics, economics, education, science and government to implement a new understanding of the world. A mechanism of transition from human-centred thinking to the ideology of respect to Nature and formation of an Earth-centred worldview, in particular, by granting a range of rights to Nature, is suggested in the report in order to solve this task.

Our current human-centred worldview, our laws and our economics have at the core the notion that we live within a planet that is simply full of “resources” to be exploited at will, for the exclusive benefit of our own species. In contrast, an Earth-centred worldview appreciate that humanity’s well-being is derived from the well-being of the Earth, and that living in Harmony with Nature is necessary to sustaining both human well-being and human rights.

Accordingly, human rights in general, as well as environmental rights in the form in which they are enshrined in environmental legislation, are aimed only at ensuring human well-being but not protecting all other forms of animal and plant life.

Meanwhile, consideration of the Earth as a source of raw materials for commercial activity has had a significant impact on the health of the Earth, which is our source of life, and automatically affected well-being of mankind. Growth of poverty, hunger and inequality reflects complex social realities, the intricate interweaving of which has given rise to the current environmental crisis, which in itself reflects poverty of spirit. In order to form a balanced and healthy relationship between human activity

and the Earth, it is absolutely necessary for society to move from the current human-centred worldview to a holistic governance system in which humankind changes its way of perceiving the world of nature and interacting with it. In this new role, humankind recognizes the fact that its well-being depends on the well-being of the Earth and living in harmony with nature is necessary to sustaining human well-being and human rights⁶.

During discussion in seminars and in the course of consultations and disputes with students beyond lessons regarding the above-mentioned provisions of the Report of the UN Secretary-General on Harmony with Nature, we had to repeatedly encounter and try to overcome various manifestations of an archaic conservative worldview; not only the older generation but also many young people in Russia have such a worldview. It was manifested among students in many areas: conviction in firmness of the approach to the role of law in regulating social relations established in Soviet times within the framework of the Marxist-Leninist ideology and excluding recognition of legal personality of other living beings; conviction in the exclusive role of the state in regulation of environmental (and not only environmental) relations and the secondariness of civil society institutions; recognition of the absolute value of human and human interests to the detriment of the interests of other objects of living nature. Within the latter task, we found it useful to follow the advice of J. Hilden to suggest students that they imagine being, for example, a cat, dog, or horse and what the legal system should look like in this situation (Hilden, 2007).

Summarizing our little experience, we should note that use of the institute of mentoring (in addition to common lectures and seminars) makes it possible not so much to increase the amount of knowledge on environmental law issues as to change the attitude to nature and its value. We believe that the role of mentors can be implemented not only by professors but also the practicing lawyers (they can see

⁶ Harmony with Nature. Report of the Secretary-General of July 19, 2017 <<https://undocs.org/ru/A/72/175>> (access date 24.01.2019).

various specialized issues of nature protection to which professors may not attach due importance); researchers (are better than common instructors due to their extensive knowledge of narrow environmental legal issues, their ability to use scientific methodology for learning various environmental legal patterns); senior students (who belong to the same youth age group and can convey information in a language more understandable by the student audience).

Participation of students in social environmental activity (their communication with members of environmental social organizations within and beyond the institution of higher education), their participation in scientific life of the institution of higher education, the city and the region and communication with senior students as part of their work in the legal clinic make this work comprehensive.

The first step of a mentor can be to tell students about the need to include Nature's rights into our systems of governance not by protecting its interests within the system of capital as a source of exploited resources but by recognizing the fundamental legal rights of ecosystems and species to existence, flourishing and restoration.

Nature is considered to be the source of the basic "rights of the Earth", and these rights cannot be legally restricted or revoked by human rights. These rights do not contradict human rights: since we are part of Nature, our rights derive from the same rights. Here it will be also necessary to focus the attention of students on the fact that the human right to life does not make sense if there is no legitimate right to existence of ecosystems that give us life. This leads to the need to inspire young people and (not only Russian) society to rethink how they interact with the world of nature in order to strengthen the ethical basis of the relationship between humankind and the Earth in the context of sustainable development. Solution of this task will allow ensuring the right balance between the economic, social and environmental needs of the present and future generations.

Therefore, the mentor's main task in the course of study of provisions of this Report is to convey its central idea to students, that human rights depend on Nature's rights, and implementation of the 2030 Agenda for Sustainable Development⁷ depends on compliance with the principles of living in harmony with Nature. Certainly, the issue of legislative recognition of the inherent rights of Nature immediately transfers discussion of a mentor and students about environmental protection to a different field, where responsibility and legal criteria for sustainability are discussed. However, this should not be feared or avoided.

Specific sets of elements of offenses (or sanctions), as well as discussion of legal criteria for sustainable development, make it possible to provide a "bridge" between somehow abstract philosophical legal issues that are difficult for future lawyers to understand and a more understandable field of combining permissions, prohibitions and restrictions on which Russian science and law system are based. In this case, it is important that a mentor in the course of such discussions can note that the key to preservation and conservation of Nature is the change in its perception: it must be considered not only as legal property but as the holder of legal personality and inherent rights as a healthy natural ecosystem.

Russian students must clearly understand that current environmental law is rooted in modern Western law and originates from religious anthropocentrism, Cartesian dualism, philosophical individualism and ethical utilitarianism, however, in the new environmental era the established point of view is outdated and has become counterproductive, although it still prevails in the process of developing and interpreting environmental legislation, including in Russia.

⁷ Resolution adopted by the General Assembly on 25 September 2015: Transforming our world: the 2030 Agenda for Sustainable Development <<https://undocs.org/ru/A/RES/70/1>> (access date 12.11.2019).

Methodology of organization of interactive lessons on issues regarding implementation of provisions of the Report of the UN Secretary-General.

The following methodology can be suggested for organization of interactive lessons with students for the most complete understanding of the historical roots of current environmental law. A professor preliminarily gives a task for independent work to students of a study group. They need to prepare a single collective presentation on the impact of philosophical doctrines on the content of modern environmental law. Each group member prepares a mini-report on a particular issue (religious anthropocentrism, Cartesian dualism, philosophical individualism and ethical utilitarianism), after which all of them are combined into a single generalizing presentation.

This presentation is demonstrated to the mentor and the professor at the same time during the lesson.

As a result of this work, students:

- Learn to work together by themselves.
- They develop a sense of responsibility for collective work.
- They develop skills in modeling non-standard approaches to solving environmental protection issues.
- Interest in fulfillment of the set scientific task increases.
- They have a possibility to show their creative abilities.

Participation in such a seminar is useful also for the mentor (especially if he is a practicing lawyer, for example, an attorney), since he:

- Has a possibility to assess abilities of students, their scientific and creative potential with the purpose of further employment in the environmental organization in which he performs his labor function.
- Draws conclusions for himself about further work as a mentor.
- Fills gaps in his environmental knowledge.

After listening to the consolidated presentation report, the professor obtains a certain useful result as well:

- Draws conclusions about effectiveness of the educational process with involvement of an experienced mentor, practicing lawyer.
- Assesses the level of theoretical and practical environmental legal knowledge of students, as well as their moral maturity.
- Gets a new look at students from the other side.
- Compares students with each other from the point of view of identifying gaps in their theoretical knowledge and skills.

Moreover, it is necessary to note that in the process of training of bachelor and master students in jurisprudence use of materials of judicial practice is a prerequisite for their high-quality and practice-oriented education. It is the court that is the platform on the basis of which professional competences of lawyers are implemented to the fullest and most effective extent. Use of judicial practice in the educational process eloquently shows that only transfer of knowledge to students is not sufficient. Just examples of judicial practice analyzed with students will help to form their complete idea about the discipline being studied. It is known that modern social economic reality requires revision of the system of higher education in the direction of increasing its practical orientation.

The role of judicial practice in organization of the considered type of lessons with students is difficult to overestimate. Consequently, modern educational technologies, implemented on the basis of materials summarizing judicial practice in the process of teaching special legal disciplines, must begin to play a significant role in training of bachelor and master students in jurisprudence.

This is why a mentor, as an experienced practitioner, can quite successfully give specific examples contained in the report, from judicial practice and legislation of a number of foreign countries which have already taken the first step towards the transition to this new philosophical environmental

concept; for example, on November 10, 2016, the Constitutional Court of Colombia recognized the Atrato River and its basin and tributaries as having rights. The Atrato River, which is in the Chocó region of Colombia, has suffered from illegal mining that has led to both environmental and humanitarian crises and to litigation to defend the rights of the river and of Tierra Digna-supported local communities.

In Ecuador, the nation's Constitution was amended to include rights of Nature in 2008. Judicial decisions in at least five cases have recognized those rights and a number of regulatory actions have enforced that provision. The Plurinational State of Bolivia has enacted two national laws that address the rights of Nature, and Argentina and Brazil also have trends in that regard.

In the United States of America, municipalities throughout the country have also recognized the rights of Nature through local laws. Moreover, in 2010, Pittsburgh became the first major city to adopt an ordinance recognizing the legally binding rights of Nature, and in 2013, Santa Monica became the first city on the west coast to recognize the inherent rights of Nature to exist and flourish, as well as the related right of people to a healthy environment, including the right to a sustainable climate. Municipalities in many other states, including Colorado, Maine, Maryland, New Hampshire, New Mexico, New York, Ohio, Pennsylvania and Virginia, have also passed local laws recognizing the inherent rights of Nature⁸.

In order students could understand and remember this information that is very unusual for them, it is necessary to make (master) students coauthors of the “rules of the game”. It is extremely important because the process of education implies direct interaction between professors and students. A strong psychological and emotional contact between a mentor (lecturer, professor) and the audience is necessary for a successful lesson. Therefore, each student should be given the possibility to feel that

⁸ **Harmony with Nature. Report of the Secretary-General of July 19, 2017** <<https://undocs.org/ru/A/72/175>> (access date 12.10.2019).

he or she is a subject of what is happening, at the epicenter of the topic under discussion, that is, is involved in discussion of its problematic points. For this purpose, students should be given the possibility to express their position, which will be certainly considered and will receive objective assessment, as well as the right to ask clarifying questions related to the presented material.

The ability of the professor to react promptly and correctly to changes in behavior of students in the classroom, to provide methodological assistance to a practicing lawyer or a mentor student in time will be a positive effect. For this purpose, he needs to work out (by himself or in terms of help to another mentor) the strategy of behavior in advance – think over reasoning, emotional arguments, estimate the rate of presentation of educational material. Emergence of the self-regulating system “professor – audience” is a striking example of manifestation of such interaction (Bessonov 2016). Consequently, the professor must automatically, on a subconscious level, interpret information received from the audience and adjust his work during feedback in the lesson. This can be done, for example, in the course of presenting the following most well-known and discussed philosophical legal concepts to students:

1) In 1972, Christopher D. Stone published his work titled “Should Trees Have Standing? Toward Legal Rights for Natural Objects” (Stone, 1972), in which he notes that expansion of the “circle of problems” of society led to recognition of legitimate rights of women, children, the North American Indians and Blacks. C. Stone states that growing public concern over nature protection issues will lead to recognition of Nature’s rights, which would allow filing lawsuits on behalf of trees and other “natural objects”, including claiming compensation for damages that could be recovered in favor of such objects.

2) In a 2002 article entitled “Nature’s Rights”, Chilean lawyer Godofredo Stutzin noted that the development of law had reached a crucial moment, and that the idea and the ideal of justice had to acquire a new universality comprising the entire biosphere, adding not only new objects, but also new

subjects to the legal establishment. In his article, G. Stutzin argued that recognizing the rights of Nature would constitute an act of justice by which the law, advancing in its process of development, would confirm the distinctive values inherent in the natural world, leaving behind the indefensible anthropocentric vision of Earth according to which the planet and all that exists upon it are but the environment of humankind, with no value other than their usefulness to the human species⁹.

These concepts can be discussed according to the following methodology. It is necessary to ask (master) students to reply to the professor's questions at the end of the lesson in an interactive format, similar to playing handball. For this purpose, in the course of organization of the interactive lesson with a mentor, the professor should print questions for students, each on a separate A4 sheet (for example, what is the procedure for compensation for damage caused to nature within the scientific concept of C. Stone?). Then sheets with printed questions are crumpled (text inside) in the form of a ball. Sometime before the end of the mentor's lecture, the professor checks the gained knowledge in the form of handball.

He purposefully throws such a paper ball to a particular student. The student who catches "the ball" removes the first sheet from it, reads aloud the question, gives an answer, and then throws the "ball" to the next player, another student. The game goes on in this way until the question sheets run out. This methodical technique allows finding out the level of retention of the lecture material, to revitalize the educational process, to ease tension of lessons in a relaxed way, as well as provides a kind of rest in the form of a little physical warm-up. Students, knowing the "rules of the game", will try to understand the lecture material because everyone wants to look sensible and competent before fellow students (Forms of audience feedback, 2017). This game can be organized in a similar way also regarding the issue of protection of animal rights.

⁹ Harmony with Nature. Note by the Secretary-General of August 1, 2016 <<https://undocs.org/ru/A/71/266>> (access date 12.11.2019).

3) In world philosophical and legal science, the issue about legal rights of natural objects was first raised in relation to animals. Many eminent philosophers of the world (I. Kant, T. Hobbes, R. Descartes and others) as well as many lawyers expressed their opinions about it. There are a considerable number of both international instruments (including the EU directives) and national laws regulating certain animal rights. Russia is not an exception in this trend, where animal rights are not officially recognized, however, among many current regulatory acts, it is possible to grade somehow rights of wild and domestic animals as well as to classify them within each group.

The right to humane treatment is the universal right for all species of animals (it is exercised through the system of prohibitions of cruelty to animals, Art. 245 of the Criminal Code of the Russian Federation). However, having brought the classification of animals into wild and domestic ones, possessing a different scope of legal rights, to the attention of students, the professor can draw a comparative table on a blackboard and try to complete it together with students. In this table, various types of wild and domestic animals will be presented vertically, and types of their legal rights – horizontally. Completing this table, students usually note that for domestic animals the scope of their rights is different for companion animals, agricultural animals, circus, zoo, laboratory, service and other categories.

The difference will be observed regarding the right to life (companion animals, zoo and circus animals are not eaten and not killed for other purposes; the situation with agricultural and experimental animals is exactly the opposite). Students draw a conclusion also about particular animal rights in the field of health (veterinary care), to transfer by means of transport, to good treatment (Art. 241 of the Civil Code of the Russian Federation), to choose an owner (Art. 230-231 of the Civil Code of the Russian Federation), even the right to a name. In a similar way, there is a significant difference between rights of wild animals listed in the Red Data Book and those referred to the category of game animals (in terms of guarantees of the right to life).

The concept of animal rights can be studied also according to the method of incentive questions. For this purpose, before an interactive lecture, a mentor professor should tell students that they can and have to ask questions both in the course of the lecture and after it. Bonus points will be given to the authors of the most interesting questions. It is well known that in order to ask a question, one should carefully listen to the lecturer and analyze the received information. Moreover, the ability to formulate questions correctly and ask them in a timely manner activates the cognitive activity of students, promotes development of their logical thinking. The most interesting student question is selected at the end of each lecture, which adds an element of competition and increases the motivation of students to work actively in the lecture (Forms of audience feedback, 2017).

In the course of such a lecture, having proven that animals possess a certain scope of legal rights, and having asked a number of issue-related questions for the seminar (for example, about classification of animal rights by analogy with classification of human rights), the mentor professor in the course of lectures or extracurricular activities (for example, an open lesson during a “legal week”¹⁰) can try to provide a “bridge” between the idea of animal rights (which are an object of environmental law) and the idea of the need to recognize man as not only a subject but also an object of environmental law within the new philosophical concept of the UN.

4) N.S. Makarevich (1973) is one of the first to raise this question. He proposed to solve positively the issue “on recognizing man as an object of protection of the nature protection legislation, while taking into account that the concept “man” includes both social and biological aspects”. M.M. Brinchuk (2005) stated that recognizing man as an object of environmental law has both theoretical and practical significance. In addition to “restoration of natural justice, objective reflection of the natural

¹⁰ For many years Russian institutions of higher education have had a tradition of organizing a “week of the faculty”, during which professors organize various open activities (lectures, contests, concerts, etc.) that everyone interested, both colleagues and students of other faculties and future applicants, can attend as audience.

essence of things in the legislation, establishing man as an object of environmental relations will enhance the potential of environmental law.

There are also many opponents of this concept. For example, O.S. Kolbasov (1999) notes that, if man is part of nature, man does not need law. Environmental law is not needed either. Nature does not live under law. In nature, everything happens according to objective rules of the material world. As the saying goes, a Tambov wolf is also part of nature but it is above the law. During discussion of this purely legal issue (who is the subject and what is the object in law), the most attentive student will certainly say that in this discussion there is a contradiction between two not so much legal as philosophical doctrines: the human-centred concept traditional for Russia (superiority of man in nature) and ecocentric (man is part of nature, therefore, man needs protection like other biological species). This student received the highest bonus point, which we have already mentioned.

5) Discussing the Report of the UN Secretary-General, we often refer to one of the aspects of implementation of its provisions, which is quite common in European countries, it is connected with introduction of the concept of circular economy. For this purpose, such a methodical technique as appeal to the audience for a “hint” can be used. With its help, students’ knowledge is updated and the interdisciplinary approach is implemented; for example, considering this concept as a guarantee for implementation of the Report of the UN, lecturers bring opinions of its supporters to the attention of students. They speak about the need to create a fundamentally new mechanism for management of materials of biological origin, which could return to the biosphere as raw materials (so-called biological nutrients, for example, forest products), as well as technical products, which do not decompose and enter the biosphere (so-called technological nutrients, for example, plastics). Both of them must be further reused in production cycles. As a result, non-renewable natural resources will be saved, they will not be extracted and processed due to the increased service life of produced goods and manufacture of new products from the remains of old ones (Bicket M. et al, 2014).

One of the factors that will promote the transition to circular economy is development of renewable energy sources, as well as energy efficiency, since it will lead to reduction of consumption of fossil fuels and reduction of greenhouse gas emissions (Taranic et al, 2016). The very possibility of implementing this concept arose due to the revolution in the area of technology and materials, which opened entirely new prospects for us. Supporters of this concept pay much attention to consideration of the interrelation of human, social, natural and economic capital.

Studying shortcomings of the modern economic model, they draw parallels with life of the forest, where we can observe effective interaction of water, energy, plants, animals, bacteria and fungi. Waste of one biological species become food of a second one, and waste of a second one is food for a third one, and, therefore, the forest ecosystem not only survives but also flourishes. This is why linear economy has no future. Circular economy based on another system of values has it (Webster, 2013). Having set forth these arguments, the lector must pose a number of questions.

The first question for students consists in the fact that they must say how this concept meets provisions of the Report of the UN Secretary-General, which were studied earlier. Students usually note that it defends the concept of “an economics for Earth” based on the notion of planetary limits and recognition that we are members of the Earth community, not masters of it. This is why the main objective is the mutual enhancement of human/Earth relationship and fairness between human generations. In the authors’ opinion, such questions based on the facts studied earlier and already known to students promote a more complete systematization of knowledge and increase the strength of memorization of the material.

At the same time, appealing to the audience for a “hint” focuses students on analysis, comparison of scientific facts, develops scientific thinking. This is facilitated by the study of provisions of the Report of the Secretary-General, which not only fit into the available political legal and philosophical

doctrines discussed by various scientific schools but also represent a new program for their further development and enhancement.

Introduction of the proposed interactive methods ensures strengthening of the practice-oriented component in training of future lawyers, and, ultimately, improvement of the quality of legal education. Practice orientation requires activating activity of lawyer educators in applying traditional and developing new own interactive forms of lessons. In this regard, communication with students often raises the question that, even if provisions of the Report of the UN Secretary-General are recognized as important and justified, it is still unclear how they should be practically implemented by adopting laws into the legal system of Russia (or another country of the world). When discussing this issue with students, it should be noted, that undoubtedly, the concept of rights of Nature must have only the implementation mechanism that meets the environmental worldview of citizens established in a certain state and fit into the parameters of the existing legal system.

In this sense, direct borrowing of ideas of this Report in Russia is impossible. Meanwhile, the Report makes one think about what interim measures it is possible to adopt now to take at least a small step towards ensuring harmony of man and nature. When discussing this issue, we used the following methodical techniques:

- 1) Students were asked to refer to foreign experience of legislative regulation of animal rights as well as to monitor the Russian legislation governing individual legal rights of animals. Students managed to find laws on protection of animal rights in many foreign countries (for example, in Switzerland) and to set forth their main provisions in a seminar. As already noted above, some animal rights have been already fragmentarily enshrined in the Russian legislation, and at the height of one of our discussions in Russia Federal Law of December 27, 2018 No. 498-FZ “On Responsible Treatment of Animals and on Introduction of Alterations to Individual Legislative Acts of the Russian Federation”

was adopted; this law has become the most reliable argument in favor of the position of the mentor that Russia is on the right track.

2) When discussing the model of Russia's transition to the concept of circular economy, we asked students to formulate a package of measures which could ensure a gradual transition of Russia to standards of waste-free or low-waste production and consumption. As a result of the wide discussion, the winner was the point of view of one of the student teams that the first step towards implementation of such a concept in Russia could be creation of a system of separate collection and recycling of waste successfully implemented in many European countries. Experiments repeatedly conducted in Russia have shown that this idea itself does not cause rejection among citizens, although it encounters a number of difficulties due to the low level of environmental legal culture and the world outlook of the population. In its turn, the second team made quite interesting judgments about the ways and means of improving the level of environmental legal culture as a guarantee of this process.

CONCLUSIONS.

Russia must not stay out of world discussions about the ways of achieving harmony with nature, which are proposed in reports and resolutions of the UN General Assembly. However, it appears doubtless that forms and methods of implementation of these recommendations must be of a pronounced national nature in order not to be perceived negatively by the political authorities, the expert community and ordinary citizens. In this regard, social sciences (mainly law, economics and philosophy) in Russia should receive a new objective associated with adaptation of international recommendations on a national basis with proposal of particular regulatory phrases.

At the same time, along with enhancement of the legislation, improvement of environmental legal culture is also very important, it will allow moving from the human-centred to ecocentric consciousness. Within the latter objective, the main role and responsibility is imposed on educational

institutions, especially those, which train law students. For this purpose, it is necessary to develop new educational technologies aimed at formation of new standards of moral attitude of young people to nature and related to strengthening of the role of the institute of mentoring and application of interactive methodologies.

These mentors can include professors, practicing lawyers and, most importantly, final-year students who have accumulated some experience during practical training in legal clinics, etc., that is, are ready to share the experience that they have acquired directly during their work. Mentors are selected among the abovementioned persons, who have a high level of training, communication skills, flexibility in communication, skills and experience in listening to others and answering their questions.

During mentoring, mentors themselves gain certain experience in public speaking, while showing sociability, patience, a sense of humor, openness, responsibility, respect for younger colleagues and competence. The subject of mentoring is professional and personal competencies of students, which promote involvement of students in scientific activity, culture of generalization and presentation of material on a given topic.

Mentors must know the shared subject well, improve themselves constantly and be able to transfer correctly their environmental legal knowledge. For this purpose, they must be kind, friendly to the students, interested in the result of their work, have a healthy sense of humor, observe reasonable limits in everything. As one of the possible measures, we can propose development of a local regulatory act, the Regulation on Mentoring, governing work of the mentoring system, in institutions of higher education in law, with its discussion in a meeting of the methodological board of the institution of higher education.

BIBLIOGRAPHIC REFERENCES.

1. Bell-Lancaster system of peer learning (2016) <<https://mydocx.ru/12-19844.html>> (access date 12.11.2019).
2. Bessonov K.A. (2016) Technique of effective feedback in classrooms <<http://www.vipstd.ru/index.php/серия-гуманитарные-науки/серия-гуманитарные-науки-2016/гуманитарные-науки-2016-март/206-a-16>> (access date 12.11.2019).
3. Bicket M. et al. (2014) Scoping study to identify potential circular economy actions, priority sectors, material flows & value chains. Study prepared for the EU Commission (DG Environment).
4. Brinchuk M.M. (2005) *Man as an object of environmental relations*, Environmental law, 3: 2-4.
5. Clutterbuck D. (2006) Everyone needs a mentor: fostering talent in your organization (London, CIPD).
6. Dolgusheva A.N., Kadnevsky V.M., Sergienko E.I. (2013) Mentoring as a pedagogical phenomenon: history and modern times <<https://cyberleninka.ru/article/n/nastavnichestvo-kak-pedagogicheskiy-fenomen-istoriya-i-sovremennost>> (access date 12.11.2019).
7. Dudina E.A. (2017) Mentoring as a special type of pedagogical activity: essential features and structure <<https://cyberleninka.ru/article/n/nastavnichestvo-kak-osobyi-vid-pedagogicheskoy-deyatelnosti-suschnostnye-harakteristiki-i-struktura>> (access date 12.11.2019).
8. Eldership and modern times (2012) <<http://www.orthedu.ru/news/5474-starchestvo-i-sovremennost.html>> (access date: 12.11.2019).
9. Encyclopedic dictionary (2009) <<https://dic.academic.ru/dic.nsf/es/112651>> (access date 12.11.2019).
10. Explanatory dictionary / under the editorship of T.F. Efremova <<https://dic.academic.ru/contents.nsf/efremova/>> (access date 12.11.2019).
11. Forms of audience feedback (2017) <<https://helpiks.org/9-15274.html>> (access date 12.11.2019).

12. Harmony with Nature. Report of the Secretary-General of July 19, 2017 <<https://undocs.org/ru/A/72/175>> (access date 12.11.2019).
13. Hilden J. (2007) *A Contractarian view of animal rights: insuring against the possibility of being a non-human animal*, *Animal Law*, 14: 10-15.
14. Kalmykov N. (2015) System of mentoring in Russia – from tsar mentors up to the present time <<http://kalmykovnn.ru/bez-rubriki/sistema-nastavnichestva-v-rossii-ot-tsarskih-nastavnikov-do-nastoyashhego-vremeni>> (access date 12.11.2019).
15. Kolbasov O.S. (1999) *Terminological wandering in ecology*, *State and law*, 10: 34-35.
16. Lapina O.A., Magalnik L.A. (2001) *Mentoring: Option of career management of the head of an educational institution*, *School technologies*, 6: 39-60.
17. Lewis G. (1998) *Mentoring manager. Strategies for fostering talent and spreading knowledge* / Translation from English. (Moscow: Amalfeya) 288 p.
18. Makarevich N.S. (1973) *Legal regulation of social relations in nature protection in the USSR: thesis abstract of candidate of legal sciences* (Saratov, Saratov Law Institute) 16.
19. *Nastavnichestvo (mentorstvo)* (2019) <<https://www.mental-skills.ru/dict/nastavnichestvo-mentorstvo>> (access date: 12.11.2019).
20. *New dictionary of methodical terms and concepts (theory and practice of language teaching)* (2019) <https://methodological_terms.academic.ru/205> (access date 12.11.2019).
21. Novoseltseva V.A. (1986) *Formation and development of mentoring in the USSR: abstract of the thesis of doctor of historical sciences* (Moscow, Academy of Social Sciences) 47 p.
22. Solodyankina O.Yu. (2008) *Foreign mentors in noble home upbringing in Russia (second half of the 18th - first half of the 19th centuries): abstract of the thesis of doctor of historical sciences* (Moscow, Moscow State Regional University) <<http://cheloveknauka.com/inostrannye-nastavniki-v-dvoryanskom-domashnem-vospitanii-v-rossii>> (access date 12.11.2019).

23. Stone C.D. (1972) *Should Trees Have Standing? Toward Legal Rights for Natural Objects*, Southern California Law Review, 45: 450-501.
24. Taranic I., Behrens A., Topi C. (2016) *Understanding the Circular Economy in Europe, from Resource Efficiency to Sharing Platforms: The CEPS Framework*, CEPS Special Report, 143: 2-5.
25. Upbringing of noble children (2019) <<https://nello.ru/vospitanie/pedagogu/vospitanie-dvoryan-skih-detej-2/>> (access date: 12.11.2019).
26. Webster K. (2013) *What might we say about a circular economy? Some temptations to avoid if possible*, World Futures, 69: 542-554.
- 27 Vorobieva E.V., Razumenko V.A., Semenova N.K. (2016) *Comparative analysis of coaching and mentoring of organization staff, their features*, Young scientist, 12: 1193-1196.

DATOS DE LOS AUTORES.

1. Aleksey Pavlovich Anisimov. Professor of the Department of Constitutional and Administrative Law of the Volgograd Institute of Management - branch of the Russian Academy of National Economy and Public Administration under the President of the Russian Federation, doctor of juridical sciences, 400131, Volgograd, Gagarina street, 8, e-mail: anisimpvap@mail.ru
2. Zhanna Borisovna Ivanova. Associate Professor of Department of Civil Law and Procedure, Komi Republican Academy of Public Administration and Management, candidate of juridical sciences, 167000 г. Сыктывкар, Коммунистическая Ст., 11, e-mail: mgb-pravo@yandex.ru
3. Anatoliy Jakovlevich Ryzhenkov. Professor of Department of Civil Law and Procedure, Kalmyk State University, Doctor of Juridical Sciences, 358000, Republic of Kalmykia, Elista, Pushkina St., 11. E-mail: 4077778@list.ru

RECIBIDO: 7 de diciembre del 2019.

APROBADO: 21 de diciembre del 2019.