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Jurisprudential and Meta-jurisprudential Concepts Related to Environmental Sustainability⁵¹

Abstract

The jurisprudential and meta-jurisprudential foundations for the emerging legal premise of environmental sustainability have evolved from an aspiration within environmental policy into a multidimensional legal and normative principle. The ecological protection, intra- and intergenerational justice, and the importance of accounting for intended timeframes in resource allocation are key premises of sustainability, drawing on natural law, legal positivism, and meta-jurisprudence. Natural law provides the moral and philosophical foundation for sustainability through general ideas of the common good, human dignity, and universal moral duties. Legal positivism then translates these ideas into practice through constitutional environmental rights, international treaties, EU law, and judicial reasoning, particularly the case law of the Court of Justice of the European Union, which increasingly acknowledges enforceable environmental interests and deepens access to justice for environmental NGOs. Meta-jurisprudential theory posits the norm of sustainability as another foundational principle that reconstructs justice and the legitimacy of legal frameworks, and extends the timeframe for legal assessments. These three theoretical perspectives also demonstrate sustainability as both a normative intention and a structural principle of modern law.

Keywords: jurisprudence, legal theory, meta-jurisprudence, environment, sustainability, sustainable development, justice, equity, constitutionality

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I. Introduction

Over the past five decades, sustainability has evolved progressively into a central concept in global academic and policy discourse, not only increasingly shaping the natural sciences, but also the social sciences, legal studies, and public administration. As environmental degradation, social inequality, and the limitations of traditional economic growth models become more pronounced, the need for a coherent theoretical and practical legal framework grows stronger. The endpoints are clear: to establish ways of living and governing that meet the needs of people today without compromising the ability to cater to the needs of future generations. Legal regulation plays a decisive role in shaping the conditions under which societies pursue sustainable development and ensure the well-being of future generations. Therefore, this research investigates the legal-theoretical foundations of sustainability through the lenses of natural law, legal positivism, and meta-jurisprudence. It highlights how sustainability – traditionally perceived as an environmental concept – has expanded into a multidimensional legal principle with constitutional, administrative, international, and private-law implications.

I.1. The Analytical Definition for Sustainability

The widely cited *Brundtland Report* – Our Common Future (1987) – named after Gro Harlem Brundtland – defined sustainable development as a “development that meets the needs of the present without compromising the future ability of generations to meet their own needs. It contains within it two key concepts: (i) the concept of *needs*, in particular the essential needs of the world’s poor, to which overriding priority should be given; and (ii) the idea of *limitations* imposed by the state of technology and social organisation on the environment's ability to meet present and future needs.”⁵² Although it has become one of the most frequently used concepts – alongside eco, green, bio, and smart – its meaning and applicability are often interpreted and used differently in different contexts. Based on the definition, *three main dimensions of sustainability* are also commonly mentioned: (i) The *environmental* dimension includes the sustainable and responsible use of natural resources, the protection of ecosystems, the conservation of biodiversity, the reduction of pollution, and the fight against climate change. (ii) The *social* dimension aims at equality, justice, cohesion, the distribution or access to resources, social cohesion, and human rights.⁵³ (iii) The *economic* dimension refers to the long-term viability and stability of economic systems while taking into account environmental constraints and issues of social equality, job creation, and poverty reduction. Another option is the *thematic approach*, see Pieraccini and Novitz’s legal interpretation by locations by trade and companies;⁵⁴ or Mauerhofer, Rupo, Tarquinio’s governance challenges, overconsumption, limits to growth, corporate responsibility, production, human rights, NGOs, biodiversity, biofuels, invasive species, seas, climate and energy, agriculture, food.⁵⁵

⁵² Brundtland Report of the World Commission on Environment and Development: Our Common Future. UN. 1987. Chapter 2: Towards Sustainable Development. Caradonna, Jeremy L.: Sustainability: A history. Oxford University Press, 2022. and the United Nations (UN): Brundtland Report of the World Commission on Environment and Development: Our Common Future. UN, 1987. Chapter 2: Towards Sustainable Development. <https://sustainabledevelopment.un.org/content/documents/5987our-common-future.pdf>

⁵³ Ekardt, Felix: Ethics and Law of Sustainability – Especially of Freedom, Human Rights, Democracy, and Balancing in a Reinterpreted Perspective. Sustainability: Transformation, Governance, Ethics, Law. Cham: Springer International Publishing, 2024, pp. 113-230.

⁵⁴ Pieraccini, Margherita – Novitz Tonia (eds.): Legal perspectives on sustainability. Bristol University Press, Bristol, 2020, p. 87.

⁵⁵ Mauerhofer, Volker – Daniela Rupo – Lara Tarquinio: Correction to: Sustainability and Law. Sustainability and Law: General and Specific Aspects. Cham: Springer International Publishing, 2020, C1-C1.

These dimensions and issues are increasingly intertwined with legal regulation. In order to achieve sustainability goals, it is essential to transform the regulatory framework, which is established through legal instruments. One of these is norm-setting, or law-making, through regulation. Legal norms establish the framework within which economic and social activities are conducted. Many areas of public and administrative law, such as environmental law, nature conservation law, labour law, and consumer protection law, are all areas of law that directly or indirectly serve the cause of sustainability.

1.2. The Role of Law in Structuring Sustainable Development

Legal regulation and administration are indispensable tools for achieving sustainable development. The concept means much more than environmental protection; social and economic areas have also embraced it; see sustainable development goals, sustainability certificates, sustainable use, utilization, sustainable management, sustainable competition, sustainable energy management, sustainable budget, sustainable balance of payments, sustainable price stability, sustainable products and services or even the sustainability graduation exam. Furthermore, sustainability is a dynamic phenomenon that continually poses challenges to legislators and administrators. This is supported by several recent phenomena and developments, including the increasing frequency and intensity of climate change events, as well as increasingly frequent and damaging violent tornadoes, tsunamis, rains, floods, and hot droughts. These require legal frameworks that are flexible enough to adapt to our ever-changing environments at both the local and international levels. Coordinating global and regional legal regulations is also crucial, as sustainability issues encompass cross-cutting problems that cannot be addressed solely at the national level. For instance, to leverage the potential of rapid information technology development, utilizing blockchain to document resource use, emission quota trading, and enhancing supply chains, legal frameworks must adapt to address potential issues related to data security and data governance. When examining the theoretical relationship between sustainability and law, several practical questions also arise.

Several *theoretical frameworks* are available for examining the relationship between sustainability and law. For this chapter, (i) natural law, (ii) legal positivism, and (iii) moral philosophy also play an important role in understanding the legal dimension of sustainability. Despite the theoretical and practical challenges, law plays a central role in promoting sustainable development, allowing future generations to create a liveable and healthy environment. In the formulation of *St. Thomas Aquinas*, law (*ius*) is the moral power to possess something that is justly due to us, or to demand, do, or refrain from doing, and to stand up for someone or something, free from the interference of others. Law as act (*lex*) is the order of reason aimed at the common good, some kind of rule or measure of actions that prompts a person to act or restrains him from acting.⁵⁶

⁵⁶ St. Thomas Aquinas: Summa Theologiæ. I-II. Q. 90. a. 1. and I^a- II^{ac} q. 95 a. 2 co. Unde omnis lex humanitus posita intantum habet de ratione legis, inquantum a lege naturae derivatur. Si vero in aliquo, a lege naturali discordet, iam non erit lex sed legis corruptio. [Consequently every human law has just so much of the nature of law, as it is derived from the law of nature. But if in any point it deflects from the law of nature, it is no longer a law but a perversion of law.]

URL: http://www.logicmuseum.com/wiki/Authors/Thomas_Aquinas/Summa_Theologiae/Part_I/a/Q95 (28 October 2025).

II. Natural Law and Its Contemporary Sustainability Extensions

Natural law examines the relationship between morality and law and is based on principles derived from human nature. Therefore, all human actions must be in accordance with natural moral laws. This law is not a human creation but arises from human nature or from a higher power (such as God). *Lex naturalis* (natural law) is close to *ius naturale* (natural right), which is not the right(s) of nature.

Lex Naturalis vs. Ius Naturale

	Lex Naturalis (Natural Law)	Ius Naturale (Natural Right)
Focus	Norms, laws, and duties	Rights and entitlements
Based on	Reason and nature	Human nature and dignity
Main Thinkers	Aquinas, Cicero, Grotius	Locke, Rousseau, and the Enlightenment philosophers
Function	Moral guide for human law	Justification for individual freedoms
Modern Legacy	Basis for legal and ethical theory	Foundation of human rights

Source: Compiled by the author

Lex naturalis refers to the set of moral or legal norms believed to be inherent in human nature and discoverable by reason; therefore, it is a universal and immutable law, not established by humans but found in nature or reason. Natural law is not a formally formulated law, but this does not exclude the possibility of formulation. *Ius naturale* refers to the rights or entitlements that human beings possess by nature, which is more focused on individual freedoms or claims than on duties or laws.

In antiquity, great philosophers such as Socrates, Plato, and Aristotle (the father of natural law) already considered the interdependence between humans and nature. The so-called natural law (*φύσει δίκαιον/physei dikaion* or *δίκαιον φυσικόν/dikaion physikon*) was understood as a truth that can be recognised by human reason, permanent and unchanging. Cicero wrote that the human sense of law, rooted in rational nature, is identical to the recognised and freely followed human natural inclinations (morality), and ignorance of the law leads to more litigation than knowledge of the law.⁵⁷ Christian natural law differs; St. Thomas Aquinas interpreted natural law as a law implanted by God in the human heart. Natural law (*lex naturalis* ≈ *φύσει δίκαιον/physei dikaion*) is the light of reason instilled in us by God, with which we recognise what we should do and what we should avoid. From the perspective of sustainability, it is important that he emphasised man's responsibility for the created world. In the 17th and 18th centuries, Hugo Grotius, Samuel Pufendorf, and Christian Wolff considered natural law to be a set of rational principles recognisable by human reason. From the perspective of sustainability, it is important that these philosophers emphasised universal human rights and the importance of the social contract. In the 20th century, natural law was revived, particularly under the influence of positivist criticism. Gustav Radbruch, John Finnis, Alfred Verdross, and Felix Kaufmann have sought to connect law's positive and natural elements. According to Radbruch's formula (*Radbruchsche Formel*), for example, a legal injustice is so unjust that it cannot be considered valid law. This approach is important from the sustainability perspective because it

⁵⁷ Cicero, Marcus Tullius: De Legibus, 1.18: [...] lex est ratio summa, insita in natura, quae iubet oh which facienda are, prohibet contraria. [... law is the highest reason, ingrafted in nature, which commands what must be done and prohibits the contrary.] Potius ignoratio iuris litigiosa est quam scientia. [ignorance of the law leads to more litigation than knowledge of the law] URL:

<https://www.perseus.tufts.edu/hopper/text?doc=Perseus%3Atext%3A2007.01.0030%3Abook%3D1%3Asection%3D18> (28 October 2025).

draws attention to the fact that positive law must always be in accordance with higher-order principles of justice. Thus, the validity of natural law lies in its conformity with these higher-order laws, norms, and ideas. Today, the term is slightly reinterpreted and emphasised as *rights of nature*.⁵⁸

Natural Law Perspectives on Sustainability

Natural Law Dimension, Core Principle	Relevance to Sustainability	Implications for Legal Theory
Morality / Common Good: Human actions must align with universal moral norms	Environmental stewardship becomes a moral duty; degradation is a moral wrong	Legal systems must reflect ethical obligations toward nature and society
Human Dignity: Rights arise from human nature and rationality	Healthy environment as a precondition of human dignity	Environmental harm may violate inherent human rights
Inter- and intragenerational Responsibility: Duties extend to present and future persons	Protection of natural resources for future generations	Justifies constitutional, environmental provisions on long-term sustainability
Universalism: Norms apply to all persons regardless of context	Sustainability treated as a global, universal obligation	Supports international environmental law harmonisation
Natural Order: Harmony between humans and nature as foundational	Pollution, overuse, imbalance violate the natural order	Positive law must remain consistent with ecological limits
Justice: Fairness as a universal moral requirement	Inter- and intragenerational equity	Enables sustainability-based critiques of unjust laws
Rationality: Human reason discerns natural moral truths	Rational obligation to prevent irreversible harm	Grounds for precautionary principles and long-term legal planning
Limits on Positive Law: Unjust laws are not true laws (<i>lex iniusta non est lex</i>)	Laws enabling environmental destruction lack legitimacy	Opens the way for rights of nature and substantive environmental rights

Source: Compiled by the author

Natural law can also provide values and principles that contribute to sustainability and a sustainable society, a concept that was already acknowledged in the 1990s.⁵⁹ The fundamental human rights and duties stated by natural law could be used to establish an ethical foundation to sustainable development.⁶⁰ The concept and principle of sustainability requires that human activity involving natural resources must not harm natural environments and must also leave opportunities for the preservation of those resources for generations to come. The need to preserve natural environments is also important because we are part of the natural environment; preservation is important to the sustainability of the human species. This line of thinking is not inconsistent with the fundamental values of aspects of natural law, which advise humans not to

⁵⁸ La Follette, Cameron – Maser, Chris: Sustainability and the rights of nature: An introduction. CRC Press, 2017.

⁵⁹ Meffe, Gary K.: Sustainability, natural law, and the real world. In The George Wright Forum, Vol. 10, No. 4, George Wright Society, 1993.

⁶⁰ Woods, Kerri: Human rights and environmental sustainability. Human Rights and Environmental Sustainability. Edward Elgar Publishing, 2010.; McGoldrick, Dominic: Sustainable development and human rights: an integrated conception. In International & Comparative Law Quarterly, Vol. 45, No. 4, 1996, pp. 796-818.

control the natural world exclusively, meaning we do not have the autonomy to use the world as a mere resource subject to our will and wants. Thus, natural law demonstrates that sustainability is not merely an economic issue or a technical problem to be solved; it is also closely tied to human values and our moral frameworks.

The moral obligation is central to natural law reasoning. Human beings, as rational beings, have a moral obligation to respect the common good, including, in this case, the integrity of the ecosystem and the health of the environment. A universal moral good finds parallels in sustainability's normative claim to act as stewards of natural resources. The area of inter- and intragenerational justice demonstrates that natural law mandates the protection of the dignity and rights of all persons, including both future and present generations, from both vertical (temporal) and horizontal (e.g., spatial) perspectives. Natural law positions a powerful ethical and legal justification for the long-term goals of sustainability. This is a legal condition that justifies interpreting legal requirements to extend obligations of duty to future generations and beyond current constituencies. Environmental degradation, according to natural law, constitutes a breach of the natural order and the dignity of creation. This philosophical stance will complement the legal requirement of preventing environmental harm by appealing to universal human rights, specifically the rights to life, health, and a clean environment, as fundamental and non-derogable norms.

The aspect of natural law serves to critique positive legal norms that allow behaviours inconsistent with sustainability. Instead, viewed as a whole, the legal norms which purport to establish the legality of harm to the environment, if considered as an empirical or logic-based conceptual artifact, are illegitimate, deficient, or incapable in practice to be executed, as they violate superior moral standards ascertainable through human rationality. The comparisons yield a legal-theoretical base for embedding sustainability into constitutional, statute, and case law (judicial) rationale with reference to issues of fundamental and human rights, dignity, and common good.

III. Positive Law and the Juridification of Sustainability

The roots of positive law can also be found in ancient Greek philosophy, as evidenced by νόμος (*nomos*). In the Middle Ages, in the system of St. Thomas Aquinas, positive law (*lex positiva*) is a “reasonable and proclaimed provision that serves the common good and comes from someone who has the task of taking care of the community.”⁶¹ One part of this is divine law (*lex divina*), which comprises positive laws given by God (Holy Scripture), and human law (*lex humana* ≈ *nomos*), which is man-made and has two subcategories: *ius gentium* (the law of nations, or international law) and *ius civile* (civil law). However, he added that *lex iniusta non est lex*. Hobbes derives it from the will of the sovereign: “law properly, is the word of him [Leviathan], that by right hath command over others, and the authority of a law, it is not the length of time that maketh the authority, but the will of the sovereign signified by his silence.”⁶²

The 19th century saw the rebirth of legal positivism, which views law primarily as a human creation defined and applied by society. Among the legal positivists, it is worth

⁶¹ St. Thomas Aquinas: *Summa Theologiae*. I/II. q. 90. a. 1.

URL: http://www.logicmuseum.com/wiki/Authors/Thomas_Aquinas/Summa_Theologiae/Part_Ia/Q95 (28 October 2025).

⁶² Hobbes, Thomas: *Leviathan or The Matter, Form and Power of a Commonwealth Ecclesiastical and Civil*. 1651, 1668. Book (Part) I. Chap. XV.41.: “Law properly, is the word of him [Leviathan], that by right hath command over others;” Book (Part) II, Chap. XXVI: “auctoritas non veritas facit legem – authority, not truth, makes law” (ed. 1668); “authority of a law, it is not the length of time that maketh the authority, but the will of the sovereign signified by his silence.” URL: <https://www.gutenberg.org/ebooks/3207>; (28 October 2025). <https://www.earlymoderntexts.com/assets/pdfs/hobbes1651part2.pdf> (28 October 2025).

mentioning Jeremy Bentham, John Austin, Paul Laband, Carl Friedrich Wilhelm Gerber, and Max Bergbohm, as well as philosophers and legal scholars. The 20th-century representatives of the school are Hans Kelsen and Herbert Hart. For positivists, the validity of law does not depend on its connection to higher natural laws or moral principles but on whether it complies with formal legislative procedures and the norms of the existing legal system. According to them, law and morality are two separate areas that should not be confused. A law is valid even if it is morally objectionable. The sole source of law is positive law, which refers to the set of norms created and enforced by the state. The only source of the validity of law is that it was created through proper procedure and does not conflict with other, higher-order legal rules. Therefore, the validity of legal norms is based exclusively on other legal norms, e.g., the constitution or the act on law-making.

In the relationship between sustainability and substantive law, the following branches of law and areas of law can be highlighted: (i) international and European Union law, (ii) constitutional and administrative law (primarily environmental and nature conservation law), and (iii) other, such as consumer protection or criminal law, civil law. All of these are permeated by core values, such as fundamental environmental rights (including the rights to a healthy environment, information, and participation, as well as the rights of future generations, sustainability, technology, and innovation rights, and the ‘polluter pays’ principle).⁶³

III.2. International and European Union Legal Frameworks

International sustainability issues need cross-national collaboration and legal regulation. It is these treaties, norms, and agreements that predominantly shape the global harmonisation of norms regarding sustainability. The *United Nations Sustainable Development Goals* (SDGs) establish a global framework that identifies and promotes common ground among human well-being, environmental integrity, and economic growth.⁶⁴ The concept of sustainable development was introduced in the 1987 United Nations Brundtland Commission Report, “Our Common Future.” The principle has guided cooperation in developing global sustainability goals. On June 13, 1992, the *Earth Summit* in Rio de Janeiro (also named, officially, the United Nations Conference on Environment and Development, UNCED) brought together 178 nations to adopt *Agenda 21* (referring to the goal of the 21st century),⁶⁵ which is a non-binding (!) action plan for the achievement of sustainable development targeting one goal across the globe.⁶⁶ The agenda includes the *Kyoto Protocol*, under which developed nations agreed to reduce greenhouse gas emissions by, on average, 5.2% between 2008 and 2012, based on the 1990 baseline year.⁶⁷ The original fifteen member states of the European Union committed themselves to an 8% reduction, but some countries such as Hungary, went a little bigger. The original fifteen member states of the European Union committed themselves to an 8% reduction, but some countries, like Hungary, aimed for a slightly larger reduction of 6%.

⁶³ Harris, Michael Ray: Environmental deliberative democracy and the search for administrative legitimacy: a legal, positivism approach. In *University of Michigan Journal of Law Reform*, Vol. 44, No. 2, 2010, pp. 343-355.

⁶⁴ United Nations (UN): *Transforming our world: The 2030 Agenda for Sustainable Development*. 2015. URL: <https://sdgs.un.org/2030agenda> <https://sdgs.un.org/publications> (29 October 2025)

⁶⁵ United Nations Conference on Environment & Development, Rio de Janeiro, Brazil, 3 to 14 June 1992, *AGENDA 21*, <https://sustainabledevelopment.un.org/content/documents/Agenda21.pdf>

⁶⁶ United Nations Conference on Environment & Development, Rio de Janeiro, Brazil, 3 to 14 June 1992, (<https://sustainabledevelopment.un.org/content/documents/Agenda21.pdf>); another is the Rio Convention: *Convention on Biological Diversity*, 1992.

⁶⁷ *Kyoto Protocol on Climate Change*. <https://eur-lex.europa.eu/legal-content/HU/TXT/?uri=legissum:l28060> 2002/358/EC: Council Decision of 25 April 2002 concerning the approval, on behalf of the European Community, of the Kyoto Protocol to the United Nations Framework Convention on Climate Change and the joint fulfilment of commitments thereunder

At the turn of the millennium, the UN Millennium Summit reached a unanimous agreement on the Millennium Declaration, which included eight *Millennium Development Goals* (MDGs) aimed at reducing extreme and severe poverty by 2015.⁶⁸ The 2002 World Summit on Sustainable Development in Johannesburg resulted in both the *Johannesburg Declaration* on Sustainable Development and the Plan of Implementation. These two documents recognised the development goals and made strong references to earlier climate change, poverty, and sustainable consumption issues.⁶⁹ Exactly a decade later, the 2012 *Rio+20 Summit* resulted in *The Future We Want* and focused efforts to redirect sustainable development.⁷⁰ At its 2013 meeting, the UN agreed to set up a thirty-member open working group to develop Sustainable Development Goals. The open working group produced the 2030 Agenda for Sustainable Development, which all UN member states adopted at the 2015 meeting, as a common and joint vision on how to ensure peace, prosperity, and preserve the planet; it articulated 17 *Sustainable Development Goals*.⁷¹

In 2015, three additional main international documents were adopted: the Sendai Framework for Disaster Risk Reduction, the Addis Ababa Action Agenda (AAAA) on Financing for Development, and the Paris Agreement on Climate Change (Accord de Paris) of the United Nations Framework Convention on Climate Change (UNFCCC), which established global objectives for confronting climate change. Thus, the *Paris Agreement* represents a significant step in the fight against climate change, as it legally binds countries to greenhouse gas (GHG) emissions reduction targets. Its text (Article 2) includes three objectives to strengthen the global response to the threat of climate change, in the context of sustainable development and efforts to eradicate poverty, including by holding the increase in the global average temperature to well below 2 °C above pre-industrial levels and pursuing efforts to limit the temperature increase to 1.5 °C above pre-industrial levels, recognising that this would significantly reduce the risks and impacts of climate change.⁷²

The *European Union* has committed to balancing environmental protection, social justice, and economic growth through several legal instruments and initiatives. The founding treaties of the European Union, including the Maastricht Treaty, the Treaty of Rome, and the Treaty of Lisbon, incorporate the principle of sustainable development. The Treaty of Lisbon clearly states that the EU's objective is sustainable development, integrating economic growth,

⁶⁸ Communication from the Commission to the Council, the European Parliament and the European Economic and Social Committee of 12 April 2005 – Accelerating progress towards the Millennium Development Goals – The European Union's contribution [COM(2005) 132 final].

⁶⁹ World Summit on Sustainable Development, 26 August – 4 September 2002, Johannesburg (<https://www.un.org/en/conferences/environment/johannesburg2002>); Political Declaration and Implementation Plan (<https://undocs.org/en/A/CONF.199/20>)

⁷⁰ *The Future We Want* – Declaration of the UN Conference on Sustainable Development, Rio (2012) URL: <https://sustainabledevelopment.un.org/futurewewant.html>; <https://www.eea.europa.eu/policy-documents/the-future-we-want-2013declaration>

⁷¹ Kang and Kim's system reflects to Brundtland: (i) economy: no poverty (SDG 1), zero hunger (SDG 2), good health and well-being (SDG 3), decent work and economic growth (SDG 8), industry, innovation and infrastructure (SDG 9); (ii) social: quality education (SDG 4), gender equality (SDG 5), reduced inequalities (SDG 10), sustainable cities and communities (SDG 11), peace, justice, and strong institutions (SDG 16), and partnerships for the goals (SDG 17); (iii) environment: clean water and sanitation (SDG 6), affordable and clean energy (SDG 7), responsible consumption and production (SDG 12), climate action (SDG 13), life below water (SDG 14), life on land (SDG 15). Kang, Hyewon – Jinho Kim: Analyzing and visualizing text information in corporate sustainability reports using natural language processing methods. In *Applied Sciences*, Vol. 12, No. 11, 2022, 5614, pp 1-20.

⁷² UN General Assembly, 2015 Third UN World Conference on Disaster Risk Reduction (WCDRR); United Nations Framework Convention on Climate Change (UNFCCC). Paris Agreement (Paris Accords, Paris Climate Accords) <http://unfccc.int/resource/docs/2015/cop21/eng/109r01.pdf>
Sendai Framework: Paris Agreement on Climate Change, Addis Ababa Action Agenda on Financing for Development, New Urban Agenda, Sustainable Development Goals

social cohesion, and environmental protection. These efforts were incorporated into the Treaty on European Union and the Treaty on the Functioning of the European Union. For the detailed implementation, the EU has adopted several specific pieces of legislation in various areas of sustainability.

Within *environmental protection* for waste management, the EU sets strict rules for waste prevention, recycling, and incineration. The Waste Framework Directive (2008/98/EC) sets out the waste hierarchy and the treatment requirements for each type of waste. The EU Water Framework Directive (2000/60/EC, WFD) focuses on ensuring good qualitative and quantitative health, i.e., on reducing and removing pollution, and on ensuring that there is sufficient water to support both wildlife and human needs simultaneously. Furthermore, all aquatic ecosystems must be maintained or brought to good status by 2027. The EU also regulates air quality through several directives, including the reduction of emissions of long-range air pollutants to improve ambient air quality and promote cleaner air in Europe (Directive 2008/50/EC, Directive 1999/30/EC). The Natura 2000 network conserves biodiversity through two directives: Directive 92/43/EEC on the conservation of natural habitats of wild fauna and flora (Habitats Directive) and Directive 2009/147/EC on the conservation of wild birds (Birds Directive, previously Directive 79/409/EEC). The regulation 1907/2006 on the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) established a European Chemicals Agency; Regulation 2019/1021 on persistent organic pollutants (POPs).

In the *energy sector*, member states are obliged to increase the share of renewable energy sources (such as wind, solar, and hydropower) in the energy mix by 2030 (Directive 2018/2001/EU on the promotion of the use of energy from renewable sources). The EU has several directives aimed at promoting energy efficiency in buildings, households, and industry. Directive 2012/27/EU on energy efficiency to reduce the EU's dependence on imported energy, cut emissions, drive jobs and growth, strengthen consumer rights, and alleviate energy poverty. For *climate protection* and to reduce greenhouse gas emissions, the EU sets binding emission reduction targets for member states in Directive 2003/87/EC on establishing a scheme for greenhouse gas emission allowance trading within the Community (the Greenhouse Gas Emissions Trading Directive, EU ETS). The Union also supports Member States in adapting to the impacts of climate change. In the context of the *circular economy*, the EU supports various initiatives aimed at preventing waste, including reducing packaging waste (Directive 94/62/EC on packaging and packaging waste) and promoting the recycling of materials and the development of a circular economy.

Several decisions of the *Court of Justice of the EU* can be interpreted as supporting the claim that nature already has legal rights that purely utilitarian interests cannot override and that these rights should be recognised and applied by national courts.⁷³ In *Associazione Italia Nostra Onlus*, the Court minimized the significance of Article 37, holding that it does not impose new legal obligations beyond existing Treaty principles.⁷⁴ However, other cases – such as *A and Others* – have relied on Article 37 to support stronger environmental protection standards.⁷⁵ Environmental protection principles in TFEU Article 191 (precautionary, preventive action, rectification at source, and polluter-pays). Thus far, only humans and human collectives (not nature itself) have been recognised as rights-holders. However, the CJEU has strengthened access to justice for environmental NGOs, even when national law restricts it. In the *Slovak Brown Bear case (Lesoochranárske zoskupenie VLK I)*, the Court held that NGOs must have access to challenge biodiversity-related decisions, deriving this requirement from the

⁷³ Epstein, Yaffa – Hendrik Schoukens: A positivist approach to rights of nature in the European Union. In *Journal of Human Rights and the Environment*, Vol. 12, No. 2, 2021, pp. 205-227.

⁷⁴ Case C-444/15 *Associazione Italia Nostra Onlus* (2016) ECLI:EU:C:2016:978, paras 61–3.

⁷⁵ Case C-24/19 *A and others* (2020) ECLI:EU:C:2020:503, para 44.

Aarhus Convention and the EU Habitats Directive.⁷⁶ Although the Court did not recognize rights of species themselves, its reasoning implies that individuals and NGOs derive enforceable rights from EU environmental law – paving the way for a guardianship approach where NGOs act on behalf of protected species. More recent case-law strengthens this trajectory by linking procedural environmental rights to Article 47 of the Charter (the right to an effective remedy). Cases such as *VLK II*, *Protect*, and *Wasserleitungsverband Nördliches Burgenland* confirm that environmental NGOs must be granted standing to enforce EU environmental law. The CJEU has repeatedly held that denying NGOs judicial access would deprive EU environmental rights of their substance. As a result, environmental rights – though still mediated through human or NGO claimants – continue to evolve through litigation-based enforcement.⁷⁷

III.1. Constitutional Relations to Sustainability Principles

Most constitutions include principles that aim at sustainability, and most countries are also implementing constitutional reforms to give climate issues, sustainability, and environmental protection a more prominent place among constitutional rights and obligations.⁷⁸ Based on intergenerational justice, the present generation is entitled to consider its own interests and is obliged to ensure a sustainable life for future generations, and the next generation(s) have the right to do so. Human rights include the right to a healthy environment, decent work, and privacy. A healthy and clean environment is a fundamental prerequisite for upholding human dignity. State responsibility is manifested in the state's ability to promote sustainable development, which includes creating and implementing environmental legislation, sustainable management of natural resources, and international cooperation.

Typology for Constitutional Expression		
	European Examples	Non-European Examples
Stand-alone constitutional right	France, Portugal, Slovenia, Finland, Latvia, Lithuania, Norway	South Africa, Kenya, Tunisia Canada (Quebec Charter), South Korea
Extension from life/dignity	Germany, Hungary, Austria, Czech Republic, Greece	India, Pakistan, Colombia, Nepal USA (some state constitutions), Japan
Rights-of-nature clauses	Spain (Mar Menor), Italy (post-2022 reform), EU discourse	Ecuador, Bolivia, Panama, New Zealand (via statutory), Australia (state-level)

Source: Compiled by the author

The central topic is the *constitutional recognition* of a substantive right to a healthy environment.⁷⁹ This right is usually comprised of a right to a range of entitlements, such as clean and safe air, drinking water, ecological harmony, and unspoiled natural places. Most constitutional rights to a healthy environment are framed legally by either (i) an independent constitutional provision (France, Portugal, Slovenia, Finland, South Africa, Kenya), (ii) an

⁷⁶ Case C-240/09 *Lesoochránárske zoskupenie VLK I* (2011) ECLI:EU:C:2011:125, paras 45–7. and Case C-243/15 *Lesoochránárske zoskupenie VLK II* (2016) ECLI:EU:C:2016:838, para 55.

⁷⁷ Case C-197/18 *Wasserleitungsverband Nördliches Burgenland* (2019) ECLI:EU: C:2019:824, paras 33–4.

⁷⁸ Groppi, Tania: Sustainability and Constitutions: Constitutional Law and the Dilemma of the Future. In *Wroclaw Review of Law, Administration & Economics*, Vol. 13, No. 1, 2023, pp. 44-55.

Jakab, András: An Emerging Key Concept in European Constitutional Law: Sustainability. In *Hungarian Journal of Legal Studies*, Vol. 60, No. 4, 2021, pp. 332-365.

⁷⁹ Cima, Elena: The right to a healthy environment: Reconceptualizing human rights in the face of climate change. In *Review of European, Comparative & International Environmental Law*, Vol. 31, No. 1, 2022, pp. 38-49.

extension of the right to life or dignity (Germany, Hungary, Austria, India, Pakistan), or (iii) a rights of nature provision (Ecuador, Bolivia).

One of the best examples can be found in the Americas, Ecuador's 2008 Constitution Preamble breaks with anthropocentric constitutionalism altogether by recognising the rights of nature (*Pacha Mama*), giving ecosystems legal personhood: *We women and men, the sovereign people of Ecuador CELEBRATING nature, the Pacha Mama (Mother Earth), of which we are a part and which is vital to our existence...*⁸⁰ Bolivia also amended its Constitution and recognised indigenous cosmologies like *Vivir Bien* in 2009, officially recognising 'Mother Earth' as a living entity, and protections for it (her) were enshrined in the Constitution. These efforts represented significant steps away from Western anthropocentrism and invoked a post-human legal consciousness as a part of our constitutional structures. Sustainability has been woven into the *Hungarian constitutionalism* through the Fundamental Law (2011), but these three times instead of related to environment rather focus on other issues: (i) article N establishes sustainable budget management; while (ii) Article Q establishes the goal of Hungary's international cooperation to be peaceful co-existence, and indeed sustainable development of humanity; finally (iii) in relation to labour market the, employees and employers cooperate for the sustainability of the national economy. Article P and Article XXI envision the nation's natural resources and biodiversity as a national ecological heritage held in common by the nation; therefore, a healthy environment is protected.⁸¹

As the practical aspect of the constitutional provisions, *administrative law* is directly involved in implementing sustainability goals, protecting natural resources, minimizing environmental impacts, and ensuring social justice, whether at the central or local government level, for environmental protection, regional development, waste management, energy efficiency, transportation, and water resource management.⁸² In a narrower sense, the *environmental protection and nature conservation law* aim to protect natural resources, preserve biodiversity, and prevent pollution.⁸³ Environmental law aims to strengthen the harmonious relationship between humans and their environment, ensuring a high level of coordinated protection of the environment as a whole and its elements and processes, thereby promoting sustainable development. It is worth mentioning that the Spanish landmark law 19/2022 granted the Mar Menor lagoon and its surrounding basin legal personhood, thereby conferring rights to existence, evolution, protection, conservation, and restoration. It is the first time an ecosystem in Europe has been granted such rights, establishing a precedent for Rights of Nature in the European Union.

⁸⁰ 2008 Constitution of Ecuador URL: https://www.constituteproject.org/constitution/Ecuador_2021 (29 October 2025).

⁸¹ Fundamental Law of Hungary: Article P) (1) Natural resources, in particular arable land, forests and the reserves of water; biodiversity, in particular native plant and animal species; and cultural artefacts, shall form the common heritage of the nation, it shall be the obligation of the State and everyone to protect and maintain them, and to preserve them for future generations. Article XXI (1) Hungary shall recognise and endorse the right of everyone to a healthy environment. (2) Anyone who causes damage to the environment shall be obliged to restore it or to bear the costs of restoration, as provided for by an Act. (3) The transport of pollutant waste into the territory of Hungary for the purpose of disposal shall be prohibited

⁸² Marques, Isabel, et al.: Public administration and values oriented to sustainability: A systematic approach to the literature. In *Sustainability*, Vol. 13, No. 5, 2021: 2566.; Trondal, Jarle: Public administration sustainability and its organizational basis. In *International Review of Administrative Sciences*, Vol. 87, No. 2, 2021, pp. 399-415.; Fiorino, Daniel J.: Sustainability as a conceptual focus for public administration. In *Public administration review*, Vol. 70, 2010, pp. 78-88.

⁸³ Mehta, Raul: Environmental Law and Sustainability: Legal Approaches to Addressing Climate Change and Protect Natural Resources. In *Indian Journal of Law*, Vol. 2, No. 3, 2024, pp. 21-26.; Wood, Stepan – J. Richardson, Benjamin: *Environmental law for sustainability*. Osgoode Hall Law School of York University, 2006.

III.3. Other Sectoral Legal Domains Relevant to Sustainability

Sustainable consumption is a prominent aspect of *consumer protection law*, as it ensures that consumers have access to information regarding sustainable products and services. Legislation requires that product labeling and marketing be transparent, allowing consumers to make informed choices in favor of more sustainable products. Campaigns to encourage sustainable consumption and promote green products and services are important parts of consumer law frameworks.

Sustainability issues are also receiving increasing attention in the field of *criminal law*; the EU adopted a proposal in this regard in 2021.⁸⁴ Environmental pollution, illegal waste disposal, and violations of environmental regulations are among the punishable acts. Usually, the following may be listed under the crimes against the environment and nature: environmental or nature damage, animal cruelty, poaching, organising a prohibited animal fight, violation of the waste management regulations, misuse of ozone-depleting and radioactive substances; furthermore, for the average people placing a poor-quality product on the market, false certification of conformity, deception of consumers concerning sustainable production or sources.

In the system of *financial law*, tax policy and tax legislation can incorporate various sustainability incentives.⁸⁵ Governments are increasingly introducing environmental taxes to mitigate harmful environmental impacts and promote the adoption of environmentally friendly technologies. These taxes follow the ‘polluter pays’ principle, i.e., companies or individuals that cause significant environmental pollution face higher tax burdens (carbon dioxide tax, contribution), based on the concept of Arthur Pigou on negative externalities. Another tool is the provision of green tax incentives, which encourage companies and individuals to make sustainable investments, use environmentally friendly technologies, and implement energy-saving developments (renewable energy sources, solar or wind energy projects). The recently introduced mandatory corporate sustainability reports also fall under this category. Companies are required to submit reports under the *Corporate Sustainability Reporting Directive (CSRD)* from 2024, in line with mandatory EU sustainability reporting standards.⁸⁶ (However, SMEs will be exempted from the mandatory application of the Directive until 2028, if they can justify it.)

The *civil law* is indirectly related to sustainability; the legislator does not explicitly refer to this concept, but due to its dispositive nature, contract law may include clauses that promote sustainable practices.⁸⁷ In relation to liability for damage resulting from environmental pollution or other sustainability issues, injured parties may be compensated if another party’s environmental violation caused the damage. Public service providers (water, energy, and waste)

⁸⁴ Proposal for a Directive of the European Parliament and of the Council on the protection of the environment through criminal law and replacing Directive 2008/99/EC; the directive with amendments still in force as Directive 2008/99/EC of the European Parliament and of the Council of 19 November 2008 on the protection of the environment through criminal law.

(https://commission.europa.eu/document/950a9dd4-84ce-4163-8c0d-8357ccbaf9d_en)

⁸⁵ Vence, Xavier – Sugey de Jesus López Pérez: Taxation for a circular economy: New instruments, reforms, and architectural changes in the fiscal system. In *Sustainability*, Vol. 13, No. 8, 2021, 4581, 1-19.; Ullah, Sami – Rundong Luo – Tomiwa Sunday Adebayo – Mustafa Tevfik Kartal: Dynamics between environmental taxes and ecological sustainability: evidence from top-seven green economies by novel quantile approaches. In *Sustainable Development*, Vol. 31, No. 2, 2023, pp. 825-839.

⁸⁶ Directive (EU) 2022/2464 of the European Parliament and of the Council of 14 December 2022 amending Regulation (EU) No 537/2014, Directive 2004/109/EC, Directive 2006/43/EC and Directive 2013/34/EU, as regards corporate sustainability reporting.

⁸⁷ Zoll, Fryderyk – Południak-Gierz, Katarzyna – Bańczyk, Wojciech: Towards an environment-friendly law of obligations. In *The Future of European Private Law*. Nomos Verlagsgesellschaft GmbH & Co. KG. 2023.

are obligated under their contractual relations to consider sustainability principles when providing their services, as this is a requirement imposed by public law and administrative rules.

IV. Meta-jurisprudential Perspectives on Sustainability

Meta-jurisprudence deals with the philosophical and theoretical examination of the foundations of law, examining the general, fundamental principles of law, as well as the philosophical and ethical foundations of justice, validity, and law's effectiveness. As a discipline aimed at a higher-order understanding of legal thinking, it can help examine how the concept and principle of sustainability can be incorporated into the deeper structure of the legal system.⁸⁸ In meta-legal analysis, sustainability can appear as a principle, the observance of which ensures the balance between human civilisation and the natural environment in the long term. Sustainability as a legal principle is already enshrined in numerous legal documents and international treaties, and it is increasingly being integrated into national legal systems. However, meta-legalism not only deals with the application and/or applicability of existing laws but also examines the philosophical basis of legal principles in more depth.

The meta-legal approach to sustainability raises the following questions: why should sustainability be considered a fundamental legal principle? Sustainability is not just a technical issue, a legal requirement, but also a moral obligation, the basis of which is the protection of future generations and ensuring environmental justice. Another question: how can sustainability be guaranteed in legal systems without being undermined by short-term economic interests? Here, meta-legal studies help ensure that justice and equality operate within legislation and law enforcement, ensuring a fair distribution of resources between present and future generations. Meta-jurisprudence also examines how law could respond more effectively to the global problems of sustainability: (i) preserving legal systems and resources, (ii) reconciling public and individual interests, (iii) reinterpreting the relationship between law and justice in intergenerational relations, and (iv) understanding law not only as a static set of rules but also as a dynamic, evolving system. Sustainability necessitates the development of new legal paradigms that account for complexity, uncertainty, and long-term consequences.

In this extra-legal perspective, three main themes can be examined: (i) justice and intergenerational equality, (ii) predictability and fair burden-sharing, and (iii) corporate social responsibility.

IV.1. Justice, Intergenerational Equity, and Environmental Rights

In the system of social justices five basic relations can be distinguished: (i) legal justice (*iustitia legalis*), (ii) contributive justice (*iustitia contributiva*), (iii) distributive justice (*iustitia distributiva*), (iv) commutative justice (*iustitia commutativa*), and (v) corrective justice (*iustitia correctiva*). Rawls's concept of distributive justice, grounded in the fair allocation of primary goods, provides a normative foundation for environmental sustainability by requiring that ecological resources and environmental risks be distributed so that the least advantaged – both present and future generations – are not disproportionately burdened.⁸⁹

⁸⁸ Hermawan, Anis Wahyu – Barus, Leo B.: Meta-Jurisprudence of Legal Naturalism: A Construction Based on Western Philosophy. In *Philosophy and Paradigm Review*, Vol. 1, No. 1, 2022, pp. 1-3. and Conry, E. J. – Beck, D. – Caryn, L. (1996). Meta- jurisprudence: The paradigm for legally studies. In *American Business Law Journal*, Vol. 33, No. 4, 1996, pp. 691-755.

⁸⁹ Rawls, John: *A Theory of Justice*. Harvard University Press – Belknap Press, 1971.

Forms of Justice and Their Relation to Environmental Sustainability		
Justice	Core Meaning	Relevance to Environmental Sustainability
Legal justice <i>iustitia legalis</i>	Duties owed to the community; alignment with the common good	<ul style="list-style-type: none"> • Adoption and enforcement of robust environmental legislation • Constitutional protection of a healthy environment • Integration of sustainability into public decision-making • Legality with long-term ecological integrity
Contributive justice <i>iustitia contributiva</i>	Obligations of individuals toward the community	<ul style="list-style-type: none"> • Individual and corporate responsibility for sustainable behaviour • Societal participation in environmental governance • Climate-friendly lifestyles and consumption patterns • Civic duties in ecological stewardship
Distributive justice <i>iustitia distributiva</i>	Fair allocation of burdens and benefits across society	<ul style="list-style-type: none"> • Central to climate justice and fair resource allocation • Vulnerable groups are not disproportionately harmed • Equitable distribution of environmental risks and protections • Fair access to clean air, water, and natural resources
Commutative (Mutual) justice <i>iustitia commutativa</i>	Fairness in exchanges between individuals	<ul style="list-style-type: none"> • Sustainable and transparent economic transactions • Fair-trade and ecologically conscious markets • Green procurement and responsible supply chains • Ecological externalities in commercial relations
Corrective justice <i>iustitia correctiva</i>	Rectification of harm caused by wrongful acts	<ul style="list-style-type: none"> • Environmental liability and remediation • Polluter-pays principle and compensation mechanisms • Judicial remedies for ecological harm • Restoration of damaged ecosystems

Source: Compiled by the author

For a comprehensive approach, we can incorporate temporal justice, as well as spatial or territorial justice. These dimensions can be easily employed for sustainability, especially in relation to intra- and intergenerational equity, fundamental morality, and responsibility for the long-term well-being of human society; they aim at the long-term sustainability of social, economic, and environmental development. For the legislator, these can be transformed into sustainable legal standards like (i) long-term consequences, (ii) the protection of natural resources and the prevention of environmental damage, (iii) the reduction of inequalities and the provision of equal opportunities, (iv) the development of economic systems, and (v) the solution of global challenges and cooperation at the international level.

One of the core documents of environmental justice is the *Convention on Biological Diversity*, formally known as the Rio Convention, which was adopted in 1992 within the context of the United Nations.⁹⁰ It recognises the right to development that meets the needs of the present generation without compromising the ability of future generations to meet their own needs: this is a principle of intergenerational equity which may be the essential framework within which we can develop a legal understanding of sustainability. The objectives of the Convention, to be pursued in accordance with its relevant provisions, are the conservation of biological diversity, the sustainable use of its components and the fair and equitable sharing of

⁹⁰ UN Convention on Biological Diversity. (<https://www.cbd.int/convention/text>) Act LXXXI of 1995 on the Promulgation of the Convention on Biological Diversity.

the benefits arising out of the utilization of genetic resources, including by appropriate access to genetic resources and by appropriate transfer of relevant technologies, taking into account all rights over those resources and to technologies, and by appropriate funding (Article 1). Each Contracting Party shall take (i) legislative, administrative or policy measures, as appropriate, to provide for the effective participation in biotechnological research activities, and (ii) all practicable measures to promote and advance priority access on a fair and equitable basis by Contracting Parties, especially developing countries, to the results and benefits arising from biotechnologies based upon genetic resources provided by those Contracting Parties. Such access shall be on mutually agreed terms (Article 19).

The Rio Convention and the UN SDGs also refer to social justice (see 1. and 2. Reduce poverty and hunger, 5. Gender equality, and 17. Peace, justice, and strong institutions), as well as an approach to equity and equality between generations. Similar to this is the European Green Deal, announced in 2019 and adopted in 2020, a series of policy initiatives developed by the European Commission with the overall goal of making the European Union climate neutral by 2050. The package of proposals aims to provide a coherent and balanced framework for achieving the EU's climate policy objectives that: (i) ensures a just and socially equitable transition; (ii) maintains and strengthens innovation and the competitiveness of EU industry, while creating a level playing field with economic operators from third countries; (iii) supports the EU's leadership in the global fight against climate change.⁹¹

Additionally, another important aspect is the consideration of ethical principles, including justice, equity, and intergenerational equity, in legal decision-making to support sustainable development (so-called justice-based approaches). Further, there can be, among others, environmental (fundamental) rights and the 'polluter pays' principle. The consideration of intergenerational equity ensures that current decisions and actions do not adversely affect future generations in meeting their own needs. This can mean considering the long-term implications of laws and policies on sustainability. Public participation encompasses stakeholders such as citizens, businesses, and non-governmental organisations, who can be involved in the development and implementation of environmental laws and policies.

IV.2. Predictability, Equitable Burden-Sharing and Voluntarism

The principles of predictability and fair burden-sharing are frequently referred to, allowing for the proper structure of enforcing constitutional rights in a well-functioning environment. In terms of sustainability, this can be understood as the predictability of environmental, economic, and social processes from a long-term perspective, and their equitable distribution across different social groups. By being equitable, environmental burdens, resource usage, and development costs are distributed equally, allowing all generations today and in the future to access and use resources without burdening the environment. When we make sustainability predictable, we first make it stable; thus, social, economic, and environmental processes can be predictable and reliable, supporting long-term and meaningful planning.⁹² Fair or equitable burden-sharing means that the burdens of sustainability should be

⁹¹ Green Deal Policies URL: <https://www.consilium.europa.eu/hu/policies/green-deal/> (28 October 2025).

⁹² Rajesh, Rajagopal: Predicting environmental sustainability performances of firms using trigonometric grey prediction model. In *Environmental Development*, Vol. 45, 2023, 100830.; Antonakakis, Nikolaos – Vassilios Babalos – Kyei, Clement: Predictability of sustainable investments and the role of uncertainty: Evidence from a non-parametric causality in quantiles test. In *Applied Economics*, Vol. 48, No. 48, 2016, pp. 4655-4665.

spread among different groups in society, so that those who benefit more from the current state of affairs should contribute more to create a sustainable future.⁹³

The two principles can be viewed as complementary to each other. For example, in a predictable environment, we can achieve fair burden sharing because people and businesses are aware of their responsibilities and are willing to cooperate toward sustainable goals. Fair burden-sharing also contributes to predictability because people will perceive changes as fair if they are applied equally to everyone. Within this framework, legislation and law enforcement should promote the reduction and restoration of environmental pressures; the protection of human health and the improvement of the quality of life; the sustainable use of natural resources; the coordination of state tasks with environmental protection; international environmental cooperation; the active participation of the population in environmental protection; the adaptation of the economy to environmental requirements; the establishment and development of the environmental protection institutional system and public administration. The means of fair burden sharing can be (i) a progressive tax system: those who earn more should contribute a greater proportion to the public good; (ii) higher taxation of polluting products, sharing of environmental costs; (iii) developed countries have a greater responsibility in combating climate change, and therefore should support developing countries.

Voluntary involvement is of paramount importance regarding sustainability at all three levels: individual (activists), group (movements), and company. One of the most evolved and universal forms of this practice is *corporate social responsibility* (CSR).⁹⁴ In this instance, companies not only pursue profit maximization, but also consider the welfare of society, the environment, and the economy. Integrating CSR into the corporate agenda may enhance the reputation, competitiveness, and brand image of the company over the long-term; they can solidify the bond with consumers and enhance the sustainability of the business not only economically but also socially (donation, volunteerism, education, workplace diversity), environmentally (reducing waste, recycling, energy conservation, developing environmentally friendly products) or ethically (anti-corruption, fair trade, respecting human rights). The relationship between CSR's and sustainability is becoming more important as a business imperative in the contemporary economy. At a societal level, for example, consumers, investors, and employees are increasingly beginning to expect responsible companies.

V. Conclusion

The theoretical foundations of environmental sustainability lie not in a single doctrinal branch of law but in the convergence of jurisprudential traditions, constitutional developments, international commitments, and emerging meta-jurisprudential insights. The multidimensional nature of sustainability – environmental, social, and economic aspects – necessitates a corresponding multidimensional legal response. From a natural law perspective, sustainability acquires ethical force: the principles of the common good, human dignity, intergenerational responsibility, and the moral limits of human action collectively articulate a duty to safeguard the integrity of the natural world. From a legal positivist perspective, sustainability makes sense through legally binding mechanisms, including constitutional environmental rights, EU directives, international or regional treaties, administrative processes, and sectoral regulations.

⁹³ Zagonari, Fabio: Only religious ethics can help achieve equal burden sharing of global environmental sustainability. In *International Journal of Environmental Studies*, Vol. 80, No. 3, 2023, pp. 807-830.; Davidson, Marc David: How fairness principles in the climate debate relate to theories of distributive justice. In *Sustainability*, Vol. 13, No. 13, 2021, 7302.

⁹⁴ Christensen, Hans B. – Hail, Luzi – Leuz, Christian: Mandatory CSR and sustainability reporting: Economic analysis and literature review. In *Review of accounting studies*, Vol. 26, No. 3, 2021, pp. 1176-1248.

The Court of Justice of the European Union has gradually established environmental protection as a legally cognisable sphere of rights and responsibilities, which is significant even without acknowledging nature itself as a metaphorical rights holder. This also links with meta-jurisprudence where sustainability has emerged as a legal principle that, amongst other differentiators of justice, addresses the allocation of environmental burdens and the legitimacy of state action, and forms part of a long-term continuity of the legal order. It also brings to the fore new modes of interpretation, related to time, space, predictability, and equitable distribution of burdens that do not rest on an anthropocentric temporality. These three levels have established that sustainability is no longer simply an environmental policy goal but an emerging jurisprudential and/or meta-legal emergent. Sustainability makes and remakes constitutional commitments, can be relied upon when drafting legislation, informs principles of adjudication, and requires legal systems to internalize long-term ecological limits as normative. The development of sustainability principles in legal theory and practice will be crucial to revitalizing the viability of the global human and environmental systems.

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