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THE LEGAL AND PHILOSOPHICAL FOUNDATIONS OF SUSTAINABILITY

OS FUNDAMENTOS JURÍDICOS E FILOSÓFICOS DA SUSTENTABILIDADE¹

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ABSTRACT

The purpose of this study is to explore, through a systematic literature review, the theoretical and normative bases that underpin the concept of sustainability. Using an interdisciplinary approach, the study analyzes how law and philosophy contribute to the construction of an environmental ethic that supports practices and policies aimed at sustainable development. In the philosophical axis, the theories of ecocentrism, biocentrism and weak anthropocentrism are examined, which offer different perspectives on the relationship between human beings and nature. In the legal axis, the principles of environmental law are addressed, such as the polluter-pays, precautionary and intergenerational justice principles, in addition to the role of corporate social responsibility in promoting sustainability. The critical analysis highlights the importance of integrating ethical and normative thinking in the formulation of public policies and business practices that respect ecological balance and ensure the well-being of future generations. It is concluded that sustainability is an ethical and legal imperative for contemporary society, requiring the commitment of all sectors for a fairer and more ecologically balanced future.

Keywords: Sustainability, environmental law, environmental ethics, corporate social responsibility, intergenerational justice.

RESUMO

O presente estudo tem por escopo explorar, por meio de uma revisão sistemática da literatura, as bases teóricas e normativas que fundamentam o conceito de

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sustentabilidade. A partir de uma abordagem interdisciplinar, o estudo analisa como o direito e a filosofia contribuem para a construção de uma ética ambiental que sustente práticas e políticas voltadas para o desenvolvimento sustentável. No eixo filosófico, examinam-se as teorias do ecocentrismo, biocentrismo e antropocentrismo fraco, que oferecem diferentes perspectivas sobre a relação entre o ser humano e a natureza. No eixo jurídico, abordam-se os princípios do direito ambiental, como os princípios do poluidor-pagador, da precaução e da justiça intergeracional, além do papel da responsabilidade social corporativa na promoção da sustentabilidade. A análise crítica destaca a importância de integrar o pensamento ético e normativo na formulação de políticas públicas e práticas empresariais que respeitem o equilíbrio ecológico e garantam o bem-estar das gerações futuras. Conclui-se que a sustentabilidade é um imperativo ético e jurídico para a sociedade contemporânea, exigindo o compromisso de todos os setores para um futuro mais justo e ecologicamente equilibrado.

Palavras-chave: sustentabilidade, direito ambiental, ética ambiental, responsabilidade social corporativa, justiça Intergeracional.

INTRODUCTION

Sustainability has emerged as a pressing issue in the twenty-first century, gaining prominence on the agendas of governments, international organizations, and civil societies, which seek solutions to the environmental and social challenges affecting humanity. The concept of sustainability encompasses different dimensions, including environmental, economic, social, and cultural aspects, reflecting the complexity of the problems we face. Sachs (2007) argues that sustainability is grounded in a development model that respects the limits of ecosystems while ensuring the well-being of present and future generations. This comprehensive approach seeks to harmonize economic and social needs with environmental preservation, recognizing the interdependence among these elements.

The complexity of environmental and social challenges requires an interdisciplinary approach to understanding and addressing sustainability. The interconnection between natural and social systems makes clear the need to integrate different fields of knowledge, such as philosophy and law, in order to



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construct a holistic and comprehensive view of the subject. As Leff (2014) argues, sustainability cannot be understood in isolation, but rather as a multifaceted concept that requires the integration of diverse forms of knowledge. This interdisciplinarity is essential for dealing with the complex interactions between human and natural systems, providing a solid foundation for sustainable policies and practices (Cesar, 2006).

In this context, the objective of this article is to conduct a systematic review of the literature on the legal and philosophical foundations of sustainability, examining the main theoretical currents, key concepts, and epistemological challenges. The research is based on the analysis of contributions from different fields of knowledge, with particular emphasis on the influences of philosophical thought and legal norms that have shaped the contemporary understanding of sustainability. By adopting this critical approach, the article seeks to provide a deeper understanding of the elements that form the foundations of sustainability, emphasizing, as noted, the need for dialogue between philosophical and legal perspectives.

Philosophy plays a fundamental role in formulating the conceptual bases of sustainability by providing an ethical and ontological perspective on the relationship between human beings and the natural environment. Throughout history, different philosophical currents have reflected on humanity's position in nature, ranging from anthropocentrism, which places humans at the center, to ecocentrism and biocentrism, which attribute intrinsic value to all living beings and to ecosystems as a whole (Leopold, 1949; Norton, 1984). These philosophical debates are essential to the construction of an environmental ethics that supports the development of sustainable policies. In the legal sphere, the concept of sustainability has gained strength in recent decades, influencing the creation of laws and public policies aimed at protecting the environment and promoting sustainable development. Environmental law, for example, has



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consolidated itself as an autonomous field of law, with specific principles such as precaution, prevention, and the polluter-pays principle, which guide the actions of states and corporations (Machado, 2024). These principled norms reflect a collective effort to institutionalize sustainability, providing a regulatory framework that guides decision-making and the implementation of sustainable practices.

It should therefore be noted that the relevance of this research lies in the importance of deepening knowledge of the conceptual bases of sustainability in order to contribute to the formulation of more effective public policies and practices. Understanding the philosophical and legal foundations of sustainability is essential for addressing contemporary global challenges and promoting development that is both just and sustainable. The literature on sustainability has grown significantly in recent years; however, important gaps remain regarding the integration of ethical and legal aspects (Porter & Kramer, 2006). Thus, this article seeks to contribute by offering a critical and interdisciplinary analysis that advances the debate. In this sense, the present study aims to contribute to the field of sustainability by exploring the philosophical justifications and legal foundations that support this concept. The systematic review makes it possible to identify the main theoretical and practical contributions to the development of more robust policies and practices aligned with the principles of environmental and intergenerational justice. As suggested by Hans Jonas (2006), it is our responsibility to guarantee the right to a healthy environment for future generations, as this is a matter of justice that transcends the present and requires an ethical approach that considers the interests of all living beings.

Moreover, interdisciplinarity is a central characteristic of this study, which combines knowledge from various areas to provide a comprehensive view of sustainability. The critical approach adopted allows not only for the identification of the main contributions of philosophy and law to the field of sustainability, but also for highlighting the gaps and challenges that still need to be addressed.



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Thus, the article offers a solid theoretical foundation for the formulation of policies and practices that promote sustainable and just development, benefiting both present and future generations.

Finally, the study emphasizes the importance of philosophical and legal reflection on sustainability that goes beyond technical and purely economic aspects. Sustainability is, ultimately, a moral issue involving human responsibility toward the planet and future generations. By exploring the philosophical and legal foundations of sustainability, this article seeks to contribute to the development of a critical and responsible awareness that inspires concrete actions in favor of a more sustainable and equitable world.

METHODOLOGY

The methodology used in this article is based on a systematic literature review addressing the legal and philosophical foundations of sustainability. This approach made it possible to analyze the main theories and normative frameworks that support the concept of sustainability, emphasizing the interdisciplinarity between law, philosophy, and other social sciences. As highlighted by Gil (2008), a systematic review is appropriate for mapping the accumulated knowledge in a given field, especially when the objective is to identify gaps and propose new directions for the development of the area.

To conduct the systematic review, selection criteria were applied to classical and contemporary works that address the ethical and legal principles fundamental to sustainability. The theoretical foundations were divided into two main axes: the philosophical axis and the legal axis, reflecting the interdisciplinary nature of the study, as suggested by Leff (2014), who states that “sustainability cannot be understood in isolation, but rather as a multifaceted concept that requires the integration of different forms of knowledge, including law, philosophy, sociology, and environmental sciences.”



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The inclusion criteria for the selection of texts considered works that stand out in the fields of environmental law, environmental ethics, and corporate social responsibility. Among the main sources are Leopold (1949), Norton (1984), Feinberg (1974), Sachs (2008), and Machado (2024). The choice of these references was based on their historical relevance and the impact of these authors' contributions to the construction of the contemporary understanding of sustainability. As Feinberg (1974) explains, "sustainability is a matter of justice that transcends the present, requiring an ethical approach that takes into account the interests of all living beings."

The analysis of the data collected during the systematic review was based on a critical hermeneutic approach, which, according to Bardin (2011), is essential for "identifying the main contributions of the literature, as well as the gaps and challenges that still need to be addressed." In this way, it was possible to structure the article into sections that discuss the ethical justifications and legal frameworks underpinning sustainability, aligning them with the principles of intergenerational justice, precaution, and social responsibility.

The philosophical theories were analyzed in terms of their applicability to the development of an environmental ethics, with emphasis on ecocentrism and biocentrism, while the legal foundations were interpreted in light of the principles that guide the application of environmental law, such as the polluter-pays principle and the principle of prevention. These concepts were selected based on their recurrence in the literature and their relevance to the sustainability debate, as noted by Sachs (2008), who argues that "development models must adapt to ecological criteria, which often implies costs for companies and governments."

PHILOSOPHICAL FOUNDATIONS OF SUSTAINABILITY

Sustainability, in its multiple dimensions, is grounded in a rich philosophical tradition that addresses the relationship between human beings



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and nature. The history of ideas reveals an evolution in the way humanity understands its role in the natural world, shifting from a dominant and utilitarian perspective to a more integrated view that respects ecological limits (de Oliveira, 2017).

Historically, the relationship between human beings and nature has been shaped by worldviews that have varied significantly over time. In ancient philosophy, thinkers such as Plato and Aristotle viewed nature as an ordered entity endowed with an intrinsic purpose, yet always subordinated to human needs (Bornheim, 1987). This understanding, based on the idea that nature exists to serve human beings, was strongly reinforced in the Judeo-Christian tradition, which assigned humans the position of dominators of the natural world, as expressed in the biblical maxim to “subdue the earth” (Francis, 2015).

During the Middle Ages, the Christian view of nature as divine creation reinforced the idea that human beings had the responsibility to govern it, albeit with a sense of care and stewardship. This perspective began to change with the advent of the Scientific Revolution and the rise of Cartesian rationalism, which separated subject from object and created a distinction between human beings and nature. From this point onward, nature came to be seen as a resource to be exploited through scientific knowledge and technology (Descartes, 2006). This mechanistic conception, which persisted until the early twentieth century, laid the foundations for the intensive exploitation of natural resources, neglecting the ecological consequences of such an approach. However, contemporary philosophy witnessed the emergence of movements that challenged this anthropocentric view and proposed new perspectives on the relationship between human beings and nature. From the 1970s onward, currents such as deep ecology and environmental ethics emerged, advocated by authors such as Arne Naess and Aldo Leopold, who proposed an ecocentric approach in which nature has intrinsic value, regardless of its utility to human beings (Naess, 1973;



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Leopold, 1949). This movement marked a paradigm shift in the history of ideas, bringing to the forefront a vision of sustainability that recognizes the value of all elements of the ecosystem and the need to preserve ecological balance for the survival of future generations.

Environmental ethics is one of the main areas of philosophy that underpin sustainability, presenting different theories that discuss the morality of human actions in relation to nature (Mata, 2002). One such theory is ecocentrism, which attributes intrinsic value to the ecosystem as a whole. According to Leopold (1949), land ethics requires human beings to consider the impact of their actions on soil, water, plants, and animals, recognizing the value of each element as an essential part of a biotic community. By contrast, biocentrism, defended by authors such as Taylor (1986), holds that all living beings have inherent moral value, regardless of their usefulness to human beings. This theory emphasizes the importance of respecting life in all its forms, promoting an inclusive approach to sustainability that goes beyond environmental preservation for human well-being, advocating the protection of every living being as an end in itself.

Weak anthropocentrism, proposed by Norton (1984), offers a more moderate perspective by recognizing the value of nature for human beings while maintaining that this value is compatible with environmental preservation. Unlike traditional anthropocentrism, which views nature merely as a resource, weak anthropocentrism suggests that long-term human interests depend on a healthy ecosystem. Thus, sustainability is seen as a condition for the continuity of human life and society, reinforcing the idea that environmental preservation is essential to human survival itself (Carvalho, 2023).

The philosophical justifications for promoting sustainability are based on different ethical theories, including utilitarianism, deontology, and rights-based approaches. The utilitarian perspective, influenced by philosophers such as Bentham and Mill, argues that sustainability is justified insofar as it promotes



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collective well-being and minimizes suffering. For utilitarians, environmental preservation is morally obligatory because ecological damage has adverse impacts on quality of life, causing suffering for both present and future generations (Singer, 2002). Deontology, in turn, primarily represented by the ideas of Kant, offers a duty-based approach, arguing that human beings have a moral obligation to protect the environment regardless of practical consequences (Tornetto, 2023). From this perspective, sustainability is a moral duty, since environmental destruction violates fundamental ethical principles of respect and responsibility toward the natural world (Kant, 2013).

The rights-based approach proposes that both present and future generations have a right to a healthy and balanced environment. This argument is supported by the principles of intergenerational justice, which hold that natural resources must be preserved to ensure the well-being of future generations. According to Feinberg (1974), the right to a healthy environment is a fundamental right that transcends time, requiring present society to protect natural resources as a matter of justice and equity.

These different ethical approaches contribute to an understanding of the philosophical foundations of sustainability, providing a theoretical basis for justifying the importance of environmental preservation and sustainable development. On this basis, law and public policies can be guided by principles that ensure environmental protection and promote environmental justice, demonstrating the lasting impact of philosophical theories on the formulation of sustainable practices and the construction of a more just and responsible society.

LEGAL FOUNDATIONS OF SUSTAINABILITY

Sustainability, as a legal principle and a social objective, is strongly grounded in the foundations of environmental law and is deeply connected to the defense of human rights and the promotion of corporate social responsibility



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(Cunha, 2014). In the legal context, this approach involves an intersection of legal norms, ethical commitments, and principles that seek to ensure a balance between economic development and environmental preservation, thereby contributing to a more just and responsible society. As Kosopo (2018) argues, “sustainability, as incorporated into the Brazilian legal system, must be considered not only as a structuring value of the legal order, but also as an interpretative framework aimed at materializing the fundamental objectives of the Republic.”

Environmental law, at both international and national levels, has evolved significantly in recent decades, with a growing set of principles and normative instruments that promote sustainability. The 1972 Stockholm Conference, for example, was a milestone in the consolidation of international environmental law by establishing the Stockholm Declaration, which reinforced the need to preserve the environment for the benefit of future generations (UN, 1972). This conference fostered the creation of legal instruments aimed at environmental conservation and encouraged the emergence of environmental legislation in various countries.

In Brazil, the 1988 Federal Constitution enshrined environmental protection as a duty of both the State and society, establishing in Article 225 that “everyone has the right to an ecologically balanced environment,” and that it is the responsibility of present generations to preserve this balance for future generations (Brazil, 1988). Based on this premise, a normative framework was developed that includes laws such as the National Environmental Policy Act (Law No. 6,938/1981) and the Environmental Crimes Act (Law No. 9,605/1998), which reinforce the commitment to sustainability and impose sanctions for environmental degradation.

Principles such as the polluter-pays principle and the principle of prevention have become fundamental to the application of environmental law. The polluter-pays principle, present in the National Environmental Policy, for



instance, holds agents who cause environmental damage accountable, requiring them to bear the costs of environmental restoration (Milaré, 2013). The principle of prevention, in turn, guides the adoption of anticipatory measures to avoid environmental degradation, promoting a more preventive and proactive approach to law (Fiorillo, 2022).

The relationship between human rights and sustainability has been increasingly recognized, with emphasis on environmental and intergenerational justice. The notion that a healthy environment is a fundamental human right has gained prominence in international documents such as the 1992 Rio Declaration on Environment and Development, which affirms that human rights are essential to sustainable development (UN, 1992). Thus, environmental protection is not merely a matter of preserving natural resources, but also of promoting human dignity and ensuring adequate living conditions.

Intergenerational justice, in this context, is a central concept, emphasizing that responsibility for sustainability is not limited to the present generation. According to Brown Weiss (1990), intergenerational justice presupposes that present generations have an obligation to preserve the environment and natural resources in a manner that does not compromise the needs of future generations. This principle finds support in international law, especially in treaties such as the United Nations Framework Convention on Climate Change, which seeks to balance economic development with climate change mitigation for the well-being of future generations.

The human right to a healthy environment is expanding to encompass not only the protection of natural resources, but also equity in access to those resources. Authors such as Martinez-Alier (2002) emphasize that environmental justice involves protecting vulnerable communities that are often more affected by environmental degradation yet have fewer resources to cope with these



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impacts. Thus, sustainability implies a commitment to social equity, promoting a fair distribution of environmental benefits and burdens.

Corporate social responsibility (CSR) is one of the pillars of promoting sustainability in the private sector, integrating environmental, social, and governance issues into business operations. CSR reflects a paradigm shift in the role of companies, which are increasingly viewed not merely as economic entities, but as social agents with ethical and environmental duties. According to Carroll (1991), CSR should encompass not only profit maximization, but also consideration of the social and environmental impacts of business activities.

In Brazil, legislation on corporate social responsibility is still incipient; however, initiatives such as the Corporations Act (Law No. 6,404/1976), which began to require the disclosure of socio-environmental information, encourage companies to adopt more transparent and sustainable practices. Moreover, CSR practices are increasingly encouraged by the market and civil society, which demand greater corporate accountability for the environmental impacts of business activities (Sen, 1999). The effective implementation of CSR, however, faces significant challenges, such as the lack of uniform regulation and the difficulty of standardizing the measurement of corporate environmental impacts. As Elkington (1999) observes, an effective CSR approach requires the integration of sustainability into corporate strategic decisions through instruments such as environmental accounting and the triple bottom line, which measures business performance in terms of people, planet, and profit.

The promotion of sustainable practices in the corporate sector is also associated with international standards, such as the United Nations Sustainable Development Goals (SDGs) and the guidelines of the Global Reporting Initiative (GRI), which encourage companies to report their environmental, social, and governance practices. These instruments are fundamental for aligning business



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activities with global sustainability objectives, contributing to a more resilient and inclusive economy.

The legal foundations of sustainability represent a significant advance in the construction of a development model that respects the environment, promotes social justice, and guarantees human rights (Cunha, 2014). Environmental law provides the normative structure for the preservation of natural resources, while human rights and corporate social responsibility broaden the understanding of sustainability by incorporating aspects of equity and intergenerational justice. These elements reinforce the understanding that sustainability is a collective duty, requiring the commitment of governments, companies, and individuals to the construction of a more sustainable future (Peralta, 2014).

The analysis of the legal foundations of sustainability therefore reveals a growing incorporation of ethical and social values into law, fostering the development of public policies and business practices that respect ecological balance and ensure the well-being of future generations.

SUSTAINABILITY AS A LEGAL PRINCIPLE

According to Canotilho (2010), sustainability has become established as a fundamental legal principle, reflecting the need for development that balances economic growth, social justice, and environmental protection. Its incorporation into national and international legal systems demonstrates society's response to a reality of increasing pressure on natural resources and on populations most vulnerable to environmental impacts.

The inclusion of sustainability in national and international legal orders represents a transformative movement in law, which is now oriented toward a more comprehensive conception of the protection of natural and social assets (Bueno, 2011). At the international level, the Stockholm Conference in 1972 and,



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subsequently, the Rio de Janeiro Conference in 1992 were milestones that consolidated the idea of a global environmental law (UN, 1992). These events reinforced the principle that natural resources must be used responsibly to meet present needs without compromising those of future generations (WCED, 1987).

In Brazil, the 1988 Federal Constitution was pioneering in enshrining sustainability as a fundamental principle in Article 225, which affirms the need for an “ecologically balanced environment” as a right of all (Brazil, 1988). This provision imposes on both the public authorities and the community the duty to defend and preserve the environment for future generations. As Fiorillo (2022) observes, the inclusion of this principle in the Brazilian Constitution highlights the country’s commitment to sustainable development, positioning sustainability as a guiding criterion for public policies and private activities.

The incorporation of sustainability is also evident in instruments such as the Paris Agreement, which establishes global commitments to mitigate climate change. In this context, signatory countries commit to adopting measures that limit global warming, which implies strengthening national laws to promote sustainability (UN, 2015). This approach reflects a growing trend toward the harmonization of environmental legislation on a global scale, reinforcing sustainability as an essential legal principle.

The effective implementation of the principle of sustainability faces several obstacles, mainly due to the need to balance economic, environmental, and social interests. One of the main challenges lies in reconciling economic growth with the preservation of natural resources. As Sachs (2008) points out, sustainability requires development models to adapt to ecological criteria, which often entails costs for companies and governments. This challenge is even more evident in developing countries, where economic growth is a priority.

The complexity of environmental issues is another obstacle to the effective realization of the principle of sustainability. Problems such as climate



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change and biodiversity loss involve global and local factors that require integrated solutions and often encounter political and economic resistance. The precautionary principle, for example, still faces difficulties in practical application due to the scientific uncertainty that often accompanies environmental problems (Sunstein, 2005). Furthermore, the fragmentation of environmental norms and the lack of integration among different levels of government hinder the implementation of sustainable policies. In Brazil, the absence of a uniform regulatory framework and the overlap of competencies among federal, state, and municipal bodies undermine the effectiveness of sustainability policies. This scenario highlights the need for institutional improvement and greater coordination among the various actors involved in environmental governance.

Perspectives for the development of environmental law and sustainability indicate a growing trend toward strengthening environmental regulations and governance mechanisms. One of the most promising trends is the advancement of legislation that adopts the concept of the “rights of nature,” recognizing ecosystems as subjects of rights. This concept, already applied in countries such as Ecuador and Bolivia, represents a new paradigm in environmental law that goes beyond anthropocentric protection and confers a broader ethical and legal dimension on the environment (Acosta, 2016).

Another future perspective is the greater integration of the United Nations Sustainable Development Goals (SDGs) into national policies, creating a more solid normative basis for achieving sustainability targets. The SDGs, established in 2015, provide a comprehensive framework for addressing global challenges and serve as a reference for countries to guide their legislation and policies toward sustainable development (UN, 2015). This integration is essential to ensure that commitments undertaken at the international level are translated into effective practices within each country.



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In the business sector, the advancement of corporate social responsibility and ESG (Environmental, Social, and Governance) regulations represents a significant change in how companies relate to the environment. This trend, driven by market and civil society demands, suggests that sustainability will not only be a legal obligation but also a determining factor for corporate competitiveness and survival in the future (Porter & Kramer, 2011).

Sustainability as a legal principle is consolidating as a central element in national and international legislation, reflecting a structured response to contemporary environmental challenges. Its implementation faces significant barriers, particularly with regard to policy integration and the overcoming of conflicting interests. Nevertheless, future perspectives point to the strengthening of environmental law, with the expansion of the rights of nature and the incorporation of the SDGs into legislation, promoting more robust environmental governance.

This analysis demonstrates that sustainability is not only an ethical ideal but also a fundamental legal requirement to ensure the continuity of life and the well-being of future generations. Commitment to sustainability therefore requires the constant adaptation of legal systems to address new challenges and to promote development that respects the planet's limits and humanity's needs.

FINAL CONSIDERATIONS

The analysis of the legal and philosophical foundations of sustainability reveals the depth and complexity of this topic, which is essential for contemporary society and for the construction of a viable future for humanity. This article reviewed the main philosophical theories and currents that underpin sustainability, starting from ethical and historical conceptions that have shaped the relationship between human beings and nature, and moving through the various moral and legal justifications that support sustainable practices. It was



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observed that the principles of ecocentrism, biocentrism, and weak anthropocentrism provide fundamental perspectives for integrating sustainability into an environmental ethics committed to the preservation of ecosystems (Sachs, 2008; Acosta, 2016).

In the legal field, sustainability has become established as a principle that guides the development of environmental legislation at both national and international levels. Legal milestones such as Brazil's 1988 Federal Constitution and international agreements, including the Paris Agreement, highlight the global commitment to the responsible use of natural resources, reflecting the growing incorporation of sustainability into legal systems (Brazil, 1988; UN, 2015). These theoretical and normative foundations underscore sustainability as an essential guideline for the formulation of public policies and practices, reinforcing its importance as a structuring element for social and environmental justice.

However, this research presents limitations that must be acknowledged. First, sustainability is an interdisciplinary field in constant transformation, which means that some of the theoretical approaches analyzed here may evolve as new studies emerge and scientific knowledge on environmental and social issues advances. Moreover, the analysis covered a limited number of philosophical theories and approaches, focusing on those that currently stand out, while recognizing that other paradigms may also offer relevant contributions to the topic. In light of these limitations, future research is suggested to explore, in greater depth, other perspectives, such as new approaches to the rights of nature and emerging theories of deep ecology.

The practical implications of this study are significant, as they point to pathways for strengthening sustainability policies, especially in the context of public policymaking and the actions of various social actors, such as governments, companies, and civil society. The analysis shows that an understanding of the philosophical and legal foundations of sustainability is



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crucial for policies not only to have legal backing but also to achieve the practical effectiveness necessary to address contemporary challenges. For sustainability to be effectively implemented, it is essential that policymakers understand these conceptual bases and apply them with coherence and consistency (Porter & Kramer, 2011).

The conclusions of this article highlight that the private sector plays a decisive role in promoting sustainability, particularly through corporate social responsibility and ESG (Environmental, Social, and Governance) practices. As noted, social pressure and market demands lead companies to adopt sustainable policies, which must be supported by legislation that encourages such practices and ensures their transparency and effectiveness. In this way, sustainability transcends the legal domain, influencing organizational behavior and competitiveness (Porter & Kramer, 2011).

From a future perspective, it is expected that the concept of sustainability will expand, incorporating new rights, such as the rights of nature and intergenerational justice. These advances reflect a more comprehensive worldview that recognizes the interdependence between human beings and the environment and promotes a holistic approach to sustainable development. Thus, sustainability is consolidated as a guiding principle not only of law, but of an ethical and social model committed to the maintenance of life and the guarantee of the rights of future generations (Acosta, 2016).

In conclusion, sustainability represents one of the greatest ethical and legal challenges of our time, requiring continuous commitment and constant review of legal systems and social practices.

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