

# Sustainability as a myth:

Or how to *enliven* the  
concept?

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# Plan

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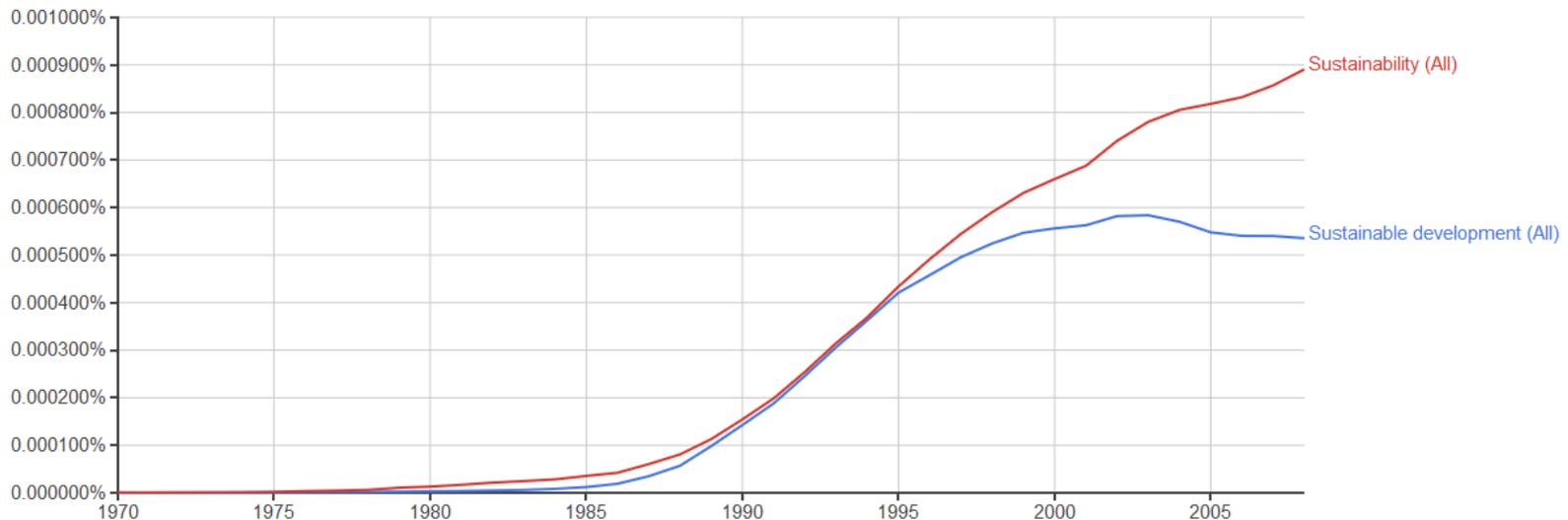
- ❑ Part I – Examples of criticism of sustainability from authors of various fields of expertise
- ❑ Part II – Suggested solutions where to move further
- ❑ Conclusions

# Part I. Criticism

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# Objection 1: There is too much 'sustainability'

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- ❑ Dramatic rise in usage of the term since the late 1970s
- ❑ Called magic word, buzz word, mushrooming of the concept

# Objection 2:

## The word 'sustainability' is not fitting

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- ❑ Understanding differs in various fields of expertise
- ❑ There are several versions of sustainability (weak, strong, sensitive...)
- ❑ It was said that the concept is
  - too weak
  - too boring
  - too vague

*'If a man characterized his relationship with his wife as sustainable, you might well pity them both'* (McDonough and Braungart 2002)

# Objection 3: Sustainability is not ecologically justifiable

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How ecological thinking has developed:

- ❑ Idea of orderliness of nature
- ❑ Climax theory (Frederick Clements)
- ❑ Ecosystem theory
- ❑ Idea of disorderliness of nature (a constant change)



*'Wherever we seek to find constancy in nature we discover change'*

(Daniel Botkin : Discordant Harmonies)

- ❑ **How is this reconcilable with sustainability?**

# Objection 4:

## Sustainability is anthropocentric

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- ❑ The Brundtland Report is strongly anthropocentric, its „our“ refers to humans only, „on every page“
- ❑ “Environmentalism without an environment”, an ecology devoid of living creatures other than human beings
- ❑ Lively world is reduced to the material for meeting “needs”

# Objection 5:

## It is impossible to equilibrate the pillars

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- ❑ Sustainable development is an oxymoron
- ❑ There is no symmetry: „development“ is leading [Mickey mouse version of sustainability...]

*Up to now, the balance among the three pillars of sustainable development has been “clearly on the development / growth side” - it is more “an economic stimulus package with an environmental dimension”*

Jorge Viñuales: *The Rise and Fall of Sustainable Development* (2013)

- ❑ What about the weight of the pillars? *Win-win-win* outcomes are only seldom possible

# Objection 6: Sustainability paradoxically contributed to just opposite results than intended

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- ❑ Psychological impacts of sustainability in the society are examined
- ❑ Call for sustainability brought alarming notes and challenges:
  - Reducing, self-restraint in consumption required
  - References to world's poor and future generations & their pressing needs
  - Ecological boundaries of the planet vs. rise in global population
- ❑ Rich western society: *What will we be expected to give up?*
- ❑ Fear of scarcity leads to an even more intensive consumption

*„After 25 years of sustainable development we have binge development and over-consumption...“*

Ileana Porras: Binge Development In The Age Of Fear: Scarcity, Consumption, Inequality, And The Environmental Crisis.

# Part II.

# Suggested solutions

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# Solution 1:

## Constitutionalizing the concept (L. Kotzé)

Sustainable development should

- ❑ make a part of constitutional law that
  - gives priority in conflicts
  - transcends all other law
  - is hard to amend
  - emanates ethical values
- ❑ work as a mandatory rule in permitting activities (i.e. development)
- ❑ provide a balancing measure to courts

## Solution 2:

# Placing environmental integrity at the core of the concept (Ch. Voigt)

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- ❑ Integration as balancing three „equal“ pillars is incorrect
- ❑ Proper integration needs a clear goal and a proper framework
- ❑ **Environmental integrity** as the non-derogable ecological core of sustainability
  - fully justified: ecosystems must have absolute priority
  - environmental thresholds as important element

# Solution 3:

## Recognizing ecological integrity as *ius cogens* (K. Bosselmann)

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- ❑ Earth as a system with self-regulating capacity determined by biophysical processes
  - Alarming findings about having crossed several planetary boundaries
  - Original central idea of sustainability unsuccessful
- ❑ **Ecological integrity** as the normative top of sustainability
- ❑ Status of *jus cogens* for the ecological integrity

# Solution 4:

## Turning the focus to the 'neo-sustainability' (Farley and Smith)

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Sustainability must not be abandoned but it is necessary to re-interpret it based on three rules:

- There are natural limits to growth.
- Environmental concerns must have priority in any balancing.
- Systems thinking is required.

# Conclusions:

The pillars of sustainability shall not be treated as equal, but the environmental / ecological element shall have priority.

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The sustainability as such shall be elevated to the highest possible level in law (constitutional in national law / Grundnorm in international law).

THANK YOU FOR YOUR ATTENTION!