

CZESŁAW WODZIKOWSKI<sup>1</sup>

## The Values and Principles of Sustainable Development in the Policy and Legislation of the Republic of Poland

**Keywords:** sustainable development, principles of sustainable development, recognition and interpretations of sustainable development.

### Summary

Sustainable development can be variously translated and understood. This stems primarily from the fact that this idea is sometimes presented differently in the literature. The article concerns axiological system of sustainable development, how to interpret the idea of development and the principles that lie at its core. Therefore, the idea of sustainable development in Poland has the rank of constitutional principle, its genesis in state politics and in the Polish legislation was also discussed.

### 1. Introduction

The idea of sustainable development (SD) can be viewed from different perspectives depending on the method of translation, and thereby understanding of the expression *sustainable development*. A lot of definitions of sustainable development are derived from the definition of the World Commission on Environment and Development included

---

<sup>1</sup> Kazimierz Wielki University in Bydgoszcz, Institute of Political Sciences, Department of Sustainable Development Policy, ul. ks. J. Poniatowskiego 12, 85-671 Bydgoszcz, Poland, e-mail: wodzikowski123@ukw.edu.pl

in the report *Our Common Future* published in 1987. The authors of the report define sustainable development as “development that meets the current needs without leaving future generations without the ability to meet their own needs” (Piontek 2002: 16). Precisely, this definition is invoked frequently in documents of the UN, the EU, and Poland concerning SD.

Despite the multiplicity of definitions, their common feature, the essence of SD, can be distinguished as the assurance of the improvement of living conditions for both present and future generations through the development of appropriate relationships (balance) between the three orders (dimensions): economic, social, and natural.

Tadeusz Borys gives six interpretations of “SD.” He says that it is understood as

- a feature of sustainability;
- a synonym for sustainability, sustainable, and self-sustaining development;
- a concept equivalent to the concept of sustainable development;
- a synonym for neutrality in relation to the natural environment;
- a broader concept from concepts: sustainable development, the self-sustaining development and eco-development;
- the complementary category of development (Borys 2005: 66-67).

He notes the fact that SD can be interpreted differently. In the narrow interpretation, the roots of which can be found in the concept of sustainability, SD is treated as a reference only to the issues related to environmental protection. It is therefore yet another idea (feature) in the accepted paradigm of development. In a broader interpretation, it is seen as a new development paradigm indicating a new vision of integrated governance (Poskrobko 2005: 35).

Taking Tadeusz Borys’s view that SD is the idea of a new paradigm of development, we have to agree with the statement of Włodzimierz Tyburski that a new development philosophy envisioning the future is taken into this concept (Tyburski 2004: 45). The future in SD is an alternative to the current model of development, and where the issues of economic, cultural, and social development as well as environmental

protection are treated in an integral way, i.e., as: “a closely linked, interdependent and co-conditioning whole” (Tyburski 2004: 46). Therefore, many researchers added a philosophical plane as a basis for discussion and analysis of issues related to the concept of SD.

It is therefore important to define the sphere of axiological SD, which allows us to specify a directory of values connecting environmental and economic policies and this, in turn, to specify the directions of transformations regarding the transformation of lifestyles and consumption patterns (Papuziński 2000: 337).<sup>2</sup>

Analyzing SD in terms of value, bearing in mind the different concepts and recognition of sustainable development, it can be perceived the same way as Zbigniew Hull stated that those concepts take into account such factors as understanding the natural world; the place of a man in it, and his reaction and interaction with nature; understanding a human being and a social world created by him; people’s recognized values, life goals and their adopted ideals and social visions; understanding and evaluation of techniques and technologies as well as their role in shaping the man-biosphere relationship (Hull 2003: 17-18).

So what values are taken in the concept of SD? The answers are provided by, inter alia, Włodzimierz Tyburski and Andrzej Papuziński, pointing to the fact that this issue can be viewed in two complementary approaches. One of them indicates the target, the other one

---

<sup>2</sup> For axiomatic system in this paper I shall consider colloquial understanding of the term. I take the view of A. Papuzinski, who argues that in such a case axiology is a system of values deemed important in the sphere of social life. I accept the fact that the axiology of sustainable development is such a system of values that are recognized and important for the harmonious implementation of this concept in the social, economic, and environmental sphere. As indicated by A. Papuziński: “The definition of” values recognized “is given here a sense in sociology, as taken in the value of distinguishing between a recognized and a perceived value. The values recognized are the values in use in the society, subject to the system of social control, defended by rewards and sanctions, generally present in self-declaration of units. In contrast, the perceived values that may or may not need to be in line with the values of force in a given society-in the latter case – are not subject to public opinion.”

a route to this goal (Tyburski 2007: 41-46). W. Tyburski distinguishes between the autotelic and instrumental values here. Regarding the former, he distinguishes values such as life, health, and justice. While taking into account the way to achieve these goals, it should be borne in mind that life, health, and justice are not empty slogans. They should protect and enhance a human, harmonize his relations with nature, and justify a rational form of economic development. From this point of view, W. Tyburski points to such values as responsibility, a self-restraint-moderate attitude, and community-solidarity (Tyburski 2007: 48).

A. Papuziński widely considers the issue, who distinguishes four value groups comprising a system of values SD. He singled out a common group to all spheres (orders), and a value group respectively for the environmental, social, and economic sphere (order). In the first group there are values common for all orders of the superordinate importance, i.e., satisfying the demand for a function integrating all the orders. Over here, there are both: values understood as goals and as well as values understood as means (Papuziński 2007: 35).<sup>3</sup> The second group contains all those values that relate to the environmental order and are used to sustain a human life, taking into account both his health and the degree of fulfilling his consumer needs. A. Papuziński includes a high level of environmental protection to such values. The third group contains all the values that are associated with the social order. They relate primarily to fundamental political, social, and cultural rights and are inextricably linked to the propagation and strengthening the structures of civil society. There are such values as a high level of social environment, building a stable and efficient social system based on democratic principles, poverty reduction,

---

<sup>3</sup> In values-purposes A. Papuziński includes those that are related to the principles of justice both within and between generations. He lists equal access to the environment and environmental efficiency perceived as a condition for fulfilling human needs and place for run-off for the side effects of the economic process. In values- measures whereas he includes integration of orders, prevention, precaution, legal, ecological and technological effectiveness, economic efficiency, and a high level of protection of cultural heritage sphere.

gender equality, reducing child and infant mortality, society health improvement, applying the principle of subsidiarity and regional attitude in decision-making processes, social participation, and public-private partnership. The fourth group contains values belonging to the economic order. They are very important because it is the economy that is this sphere which binds society with the natural conditions of its existence. The complementarity of social and economic values as well as economic and ecological ones arises from it. The author points out again (as values) the high level of protection of the social environment, poverty reduction, and a high level of environmental protection (Papuziński 2007: 34-35).

When considering the concept of SD, we should also pay attention to the social circumstances. Z. Hull rightly points out that SD is “a real social process” (Hull 2008: 27). If so, it will depend upon a variety of factors, which will be present in the social sphere and as a result they will be able to stop, change, or stimulate SD.

Social determinants of sustainable development are therefore an essential component of the concept of SD. This is due to the fact that SD – as noted by R. Paczuski – “must be regarded as one of the basic directions of activities in each country, especially if it belongs to and wants to continue to belong to the family of the United Nations and keep pace with global environmental protection strategy set out in the specific documents of UN” (Paczuski 2000: 179). The SD principle also serves as “an important teleological function in today’s society. It regulates the market, shapes the social sphere, is the guardian of nature” (Papuziński 2005: 37).

If so, the concept of SD should fulfill the role of “a controller” or “a guardian” of accepted norms and values prevailing in a specific social system. First of all, it is a one of the fundamental principles that concerns the consistency of interests over the long term (Sztumski 2006: 74).

Sustainable development should also introduce an integrated order. This order is simply organizing elements of the social system, in which “the (harmonious) functioning of its components is possible in such a way that the system as a whole could effectively pursue

its objective function and perform a task, which it was formed for” (Sztumski 2006: 74) (Durbin 2008: 5). It can be assumed that “order is subject to the primary purpose of the society, but in the first place the hierarchy of values accepted by this society decide about this goal” (Sztumski 2006: 74). C. C. Nieto relates similarly to the issues of a concept of sustainable development and indicates in his definition of sustainable development that the best approach is “an integrated, holistic concept of sustainability, which combines all the social relations, human-nature relationships, and the whole axiological and ideological superstructure, which the concept would be based on.” (Durbin 2008: 5).

When considering issues of social factors determining SD, I accept Z. Hull’s point that they may have a positive or negative impact on the implementation of this concept, and as well, that their nature can have both a local and global dimension (Hull 2008: 30). I include among the most important social factors reducing areas of social inequality, introduction of ecological mechanisms regulating the sphere of the market economy, shaping and strengthening civil society, a change of educational systems into such ones that will include more environmental education contributing to the growth of environmental awareness, and disparities in the use of the environment between social groups (Hull 2008: 30-31).

## **2. The principles of sustainable development**

The most important document defining the principles of SD is the *Rio Declaration on Environment and Development*. It contains 27 rules defining the essence of SD, which are guidelines for the practical implementation of this concept by individual countries.

They speak mainly about the right of human beings for a healthy and productive life in harmony with nature, which can only be achieved through the implementation of a new global partnership, that will lead to the preservation and restoration of the integrity of the



ecosystem of the Earth (Papuziński 2006: 333).<sup>4</sup> SD rules apply to all countries and peoples and to each individual citizen of our planet. According to this, it should be implemented on a global scale, national, regional, and local.

It may be noted that SD is “a principle relating to the processes, objectives and actions for the environment and the broad socio-economic projects” (Lisowska 2005: 232). The implementation of the concept of SD at the regional and local levels should be based on the implementation of appropriate strategies developed for both the regions and local communities (Kozłowski 2000: 118-119).

The literature also indicates other sources, including the principle of SD, such as *World Card of Nature* (5 principles), the European Union documents (seven main principles), *II State Environmental Policy* (12 principles) and the documents of the European network of cities for sustainable development (6 principles) (Borys 2003: 11). The rules set out in these documents detail the directory of sustainable development principles contained in the *Rio Declaration*.

Generally it can be assumed that these rules relate to

1. Respecting environmental protection requirements (including wildlife) in any current or future activities.
2. Integrity of the environment, which very well reflects the nature of the term related to the objectives of Agenda 21 at the local level: think globally, act locally.

---

<sup>4</sup> Issues in the implementation of the principles of partnership were highlighted during the Second Earth Summit, where one of the participants, the then Minister of Environment Czesław Śledziak, mentioned: “During the summit, the active participation of business organizations was very important, representatives of the private sector of the international corporations, due to their capital, having a significant impact on the direction of the global economy development. Noteworthy is the change in attitude of the private sector, which pays more attention to the practical application of the principles of sustainable development. (...) It will be a practical implementation of Public-Private Partnership. (...) Since the historical process of breaking down institutional and psychological barriers, existing so far between the three main actors in the process of sustainable development, namely governments, private sectors and non-governmental organizations, has started.”

3. Economic Efficiency (economization), which represents such an activity that the intended effect associated with the environmental sphere was achieved at the lowest cost, and in particular, issues related to incurring costs for environmental pollution, responsibility, leveling, choosing the right priorities, and the integration of environmental protection requirements in planning.
4. Prevention, actions so that the pollution is eliminated at its source.
5. Response to existing environmental threats.
6. Public participation and cooperation through the engagement of local communities in resolving conflicts which are of ecological basis.
7. Regionalization, which should include the ability to customize the protection requirements to regional and local conditions, where the local authorities should have the possibility to choose the tools of protection.
8. Rule of law, which relates primarily to the implementation of the provisions contained in the regulations.
9. Compliance of intergenerational ecological justice, which should be implemented with the general protective measures for the environment, moral pressure, the implementation of the postulate of not exceeding the assimilative capacity of the environment, and the licensing rights to use the environment for the present generation (Lisicka 2002: 29).

Synthesizing the principles of the concept of SD introduced, I will refer to the position of T. Boris, who indicates that all of these rules can be divided into sustainable principles which refer to high environmental standards and other rules included in the aforementioned documents that make these earlier mentioned more specific and enable the achievement of an integrated order (Borys 2005: 70).

Putting the principles of SD in the documents which are both political declarations as well as regulatory documents make it possible to claim that it is a concept that the state should realize during the course of its development in civilization. I assume that, since the



rules of SD are regarded as the bases of the environmental policy led by Poland, this concept is reflected in national legal documents and political ones.

### **3. The political and legal empowerment of the concept of sustainable development in Poland**

The outline of the concept of SD can be traced in the subject of the “Round Table” conversations. The Committee for the Environment and Natural Resources under the leadership of S. Kozłowski established within the Civic Committee with the Chairman of the independent self-governing trade union “Solidarity” was held in 1989 (as part of the assembly for ecology) for eight meetings. S. Kozłowski recalls: “The agreed program required the necessity of moving away from an economic technocracy period so as to get to the sustainable development through the stage of stabilization” (Kozłowski 2005: 432). The adopted arrangements included environmentally friendly economic activities, legal, economic and administrative regulations, international cooperation, creating the social system of environmental protection and emergency cases. In total, there were 28 demands accepted, which were to be implemented by the end of the year 1990 (Kozłowski 2005: 432).

Problems requiring urgent solution included the extinction of forests, massive water and air pollution, poisoning the soil, and food contamination. It has been indicated that these phenomena include more and more areas of the country, causing a deepening ecological crisis. It was considered that they are a threat for the existence of the nation and it is necessary to change the main objectives of further socio-economic development. As a result, the concept of sustainable development and eco-policy were adopted for the formulation of strategic plans concerning the country’s economic structure (Kozłowski 2005: 432-433).

The Polish Parliament also held the position towards the concept of SD. For the first time the position of the Parliament reflected in

the Resolution of the Parliament from the 10 May 1991 on the environmental policy (A). We find there a note: “The Polish Parliament considers the environmental protection as a matter of utmost importance, which must be diligently and with great determination undertaken by the whole society. ... Environmental policy should lead to the formulation of the social and economic political targets ..., in accordance with the objectives of sustainable development, namely sustainable development,”

H. Lisicka rightly points out, the main premise of this new concept of environmental protection was to move away from its previous model (a narrow understanding of the environment), in favor of subordination of the needs and aspirations of the state and society to the opportunities offered by the environment. Thereby achieving the benefits in the social, economic, and environmental spheres has been subordinated to the implementation of the concept of sustainable development (Lisicka 2005: 249). It is worth emphasizing that the *National Environmental Policy*, which was approved to be implemented, was the first of its kind in Poland and the countries of Central and Eastern Europe. It was also one of the first documents in the world treating environmental protection as an important element of an integrated order (Borys 2005: 60).

The Polish Parliament returned to the concept of SD on 19 January 1995 by approving a resolution on sustainable development policy. The main theses of this resolution are:

1. Confirmation of the will of the Polish Parliament that it is obligatory to improve the legal and economic systems, so that the existing environmental policy should serve the sustainable development of the whole economy;
2. Recognition of the concept of SD as the basis for functioning of civilization, and the need to implement it as a duty of all countries gathered in the United Nations. It has been indicated that development based on the principles of sustainable development is a fundamental aspiration of the Republic of Poland;
3. The order for the government of the Republic of Poland to improve interdisciplinary and multilateral efforts in economic and

foreign policy so that the concept of sustainable development would not be violated;<sup>5</sup>

4. Acknowledgement by the Polish Parliament the fact of the creation of the Commission on Sustainable Development, which was established in accordance with the recommendations of the Earth Summit in Rio de Janeiro in 1992 and recognizing this fact as a very important factor supporting civic, government, and parliamentary actions, in matters relating to the implementation of this concept in Poland;
5. Approving the task of implementing a broad education of the society as particularly important, especially for the younger generation, in order to make them aware of the sense and the need for universal application of principles of sustainable development by the Polish Parliament.

The development of the concept of SD is found in the Resolution of the Polish Parliament dated 2 March 1999. SD is defined as the pattern of development in which meeting the present needs and the needs of future generations will be treated equitably and care to preserve the connection between the nation's cultural heritage and the progress of civilization, which will be the contribution of all the social groups.

The concept of SD is also present in *II National Environmental Policy* (approved by the government in 2000 and by the parliament in 2001). It was stated there that this II National Environmental Policy has the biggest importance in shaping environmental protection policy of the state. It was also claimed that its basic premise implemented in Poland is the equal treatment of social, economic, and environmental rights. This implies the need to integrate the issues of environmental protection with the policy implemented in the various sectors of the economy and social policy.

---

<sup>5</sup> The Polish Parliament pointed out therefore that the concept of sustainable development is not only treated as relating to the environment and thus its implementation lies not only in the department of environmental protection, but applies to all central organs of state administration.

In 2000 another strategic document was accepted: *Polish Sustainable Development Strategy by 2025*. It defines the conditions of implementation of the concept of sustainable development in Poland by 2025. It was also determined that the strategy should include intermediary two stages. The first one is a period of mutual balancing of the socio-economic and environmental phenomena, being the consequences of the development process of the country. The other calls for the maintenance of a balance achieved between the key components of the development processes, in particular economic and social development and widely understood sphere of environmental protection.

The concept of SD – noticed by T. Borys – also had a major impact on the shape of the National Development Plan for the years 2007-2013.

In light of these documents, I assume that the key assumptions of the SD concept implemented in Poland are accepting the environment as a value, implementation of the principle of justice in relation to all groups of society and future generations, and the extension of the time horizon of the concept of sustainable development beyond the current generation (Wodzikowski 2005: 206).

Apart from them, the most important principles of the concept of SD having theoretically influence on the implementation of the Polish environmental protection policy I consider:

1. The principle of socialization, which is the active participation of citizens and social organizations expressed primarily in diverse forms of social control in the field of environmental protection, universal law to assert claims for failure or limitation of actions against the environment, and the universal right for information about the state of the environment and ways of its protection.
2. The principle of comprehensiveness, according to which the protection of the natural elements should be executed with regard to the protection of neighboring elements.
3. The “polluter pays” principle, which imposes costs on polluter related to restoring the previous status and obligates the issuer to incur the potential costs of pollution prevention.

4. The principle of precaution, which says that actions can be taken only after the diagnosis of their consequences for the environment and undertaking any precautionary measures.

At this point I would like to emphasize that not only strategic documents at the central level, but also local government documents relate to the principles of sustainable development. There were established, *inter alia*, sixteen provincial development strategies and a very large number of development strategies of counties, municipalities and cities.

#### **4. Legitimacy of the concept of sustainable development**

The concept of SD is difficult to define precisely by way of the legal standards. This stems primarily from the fact that this is not the sectoral concept but the holistic one with a very wide scope of matters, engaging the entire relationships between society, the economy, and the environment. As a new concept in the development of civilization, SD also includes a very wide scope of matters, as it relates to current and future generations. Jerzy Sommer writes that “it is difficult to include it in the system of standards, or orders for a specific behavior addressed to specific recipients” (Sommer 2005: 80).

In the literature, there is a concurring opinion that the most important piece of legislation that contains a reference to SD in Poland is the Constitution, which states in Article 5: “The Republic of Poland shall safeguard the independence and integrity of its territory and ensure the freedom and rights of a man and a citizen and security of the citizens, safeguards the national heritage and protects the environment, guided by the principle of sustainable development.” Although the Constitution does not directly define the notion of SD, its content is based on international documents and national legislation. Attention should be paid to the fact that the Constitution includes terms referring to certain principles of the concept of SD such as the principles of social justice (Article 2 of the Constitution), stating that the Republic of Poland is a country implementing the principles of social justice; a principle concerning ecological security

(Article 74, paragraph 1 of the Constitution), which creates environmental conditions necessary for the people by imposing the obligation on public authorities to provide such safety and imposes a duty to prevent environmental degradation leading to endangering human health (Article 68, paragraph 4 of the Constitution); and the principle of proportionality (Article 31. 3 of the Constitution) which concerns determining the criteria of resolving conflicts between subjective rights and the public interest, particularly in cases involving restricting the rights of property and economic activity.

One more aspect related to the concept of placing the SD in the Constitution should be noted, i.e., it was granted the dimension of a constitutional value. Inter alia, W. Radecki, interprets the provisions of the Constitution this way, emphasizing that the legislator has placed sustainable development alongside such fundamental constitutional values as national independence and integrity. This is undoubtedly the recognition of the concept of SD as one of the constitutional foundations of the state (Piontek 2002: 35-36).<sup>6</sup>

The concept of SD was also included in ordinary legislation. The most important legal acts in this category are:

1. The Act of 7 July 1994 on spatial planning. It is the oldest act in which a notion of sustainable development appeared.<sup>7</sup>
2. The Act of 31 January 1980 on Environmental Protection and Management (amended in 1997). It contains a definition of sustainable development, which was introduced through the amendment of 29 August 1997 and defines actions (and

---

<sup>6</sup> For the sake of it, it should be noted that not all constitutionalists and lawyers specializing in environmental protection recognize the concept of sustainable development as a constitutional principle. Some of them completely ignore it or indicate that it refers only to protection of the environment treated as a function of the state.

<sup>7</sup> To be precise, it should be noted that in the records of this law the concept of “sustainable development” functioned. Due to the fact that at that time these terms were used interchangeably in both legislation and policy documents, I also qualify that law to the legislation relating to the concept of sustainable development.



inactions) which make up the concept of environmental protection.<sup>8</sup>

3. The Act of 27 April 2001 environmental law (B), which is the basic legal act concerning the protection of the environment in Poland. Zbigniew Bukowski calls this law “The basic act of Polish environmental law” (Bukowski 2005: 112). It contains a definition of sustainable development. Here you can distinguish the normative content, manifested in determining that the SD is a specific socio-economic development, with a particular purpose and nature (this indicates its anthropocentric nature, because the activities undertaken in the area of nature protection are to protect it as an environment to meet human needs, and not for the value of the nature itself)<sup>9</sup>.
4. The Act of 27 March 2003 – Planning and Spatial Development (C). It is one of the most the relevant legal acts using the concept of SD. Its significance is primarily that, in contrast to the previously mentioned laws, this applies not only to issues of environmental protection and spatial planning, but it also contains provisions relating to economic and social activity (Sommer 2005: 170). The most important is the provision of Article 47, which states that the concept of spatial development of the country has taken into account the principle of SD which are to be specified on the basis of natural, cultural, social, and economic conditions.

Such a definition of SD, where are indicated its component parts (elements of natural, cultural, social, and economic), according to Z. Bukowski is consistent with the understanding of the concept of

---

<sup>8</sup> This Act no longer applies. It was approved in it that the concept of sustainable development is the desire to regenerate the natural resources; rational management of natural resources and taking actions to replace them with substitutes; limitation of activities harmful to the environment and not crossing limits of its immunity; preservation of biodiversity; ensuring ecological security to citizens and to create conditions for fair competition in the access to the environment.

<sup>9</sup> The basic natural requirements according to the law in question are preservation of natural balance and sustainability of basic natural processes.

sustainable development in international law (Bukowski 2005: 116). The adoption of the thesis that a concept of national spatial planning is meant to define conditions, objectives, and directions for the sustainable development of Polish situates this law as the most important legal act, which is now of fundamental importance in relation to this issue.

In addition to the above-mentioned laws the concept of SD is also found in other laws, such as the Act of 18 July 2001 – Water Act (D), which refers to the principles of sustainable water management and a guideline on issues that relate to the design, execution, and maintenance of water devices and the Act of 27 April 2001 – waste (E), where the SD defines the principles of dealing with waste in a manner that protects human life and health and environmental protection. This concept also appears in the Act of 16 April, 2004 – for the protection of nature, where there is an element that defines the landscape park. SD is a term that has been used also in such acts as: the Act of 20 April 2004 – National Development Plan (F); Act of 5 June 1998 on Regional Government (G), where in the art. 11 paragraph. 2, point 5 is stated that one of the elements of the development policy of the voivodship is the rational use of natural resources and development of the environment in accordance with the principle of SD;<sup>10</sup> the Act of 12 January 1991 on the State Committee for Scientific Research (H). The provisions of the Act indicate that the task of the SCSR include determining directions of scientific research and development works particularly important for the progress of civilization, science and technology and national economy and the health of society as well as culture, defense and security, taking into account the concept of SD; Act of 10 April 1997 – Energy Law (I), in which sustainable development is a condition to the assumptions of the Polish energy policy.

In addition to specifying sustainable development, very often in the legislation the term sustainability is used in relation to very different issues: the Law of Nature Protection mentions the use of resources

---

<sup>10</sup> The concept of sustainable development does not occur in other laws relating to the regulation of public administration tasks, ie in the Law on the local government of 5 June 1998, and the Local Government Act of 8 March 1990.

and wildlife components, the use of biological diversity, and the use of agricultural land and forestry. In these cases I accept Z. Bukowski's interpretation that these concepts are not identical with the concept of SD having their own substantive concept (Bukowski 2005: 115).

One should also note the fact that there is no concept of SD in the basic legal acts related to the conduct of business and the sphere of social activities of the State. I mean the law of 19 November 1999. Business Law (J) and the Act of 12 March 2004 on social assistance (K). Discussing the legitimacy of the concept of sustainable development, I would like to draw attention to a certain regularity in the existence of the concept of SD in the legislation in Poland. This concept is known in the acts regulating the sphere concerning the environment and is basically completely ignored in areas that are considered to be other areas of sustainable development, namely the economic and social. You can agree with Z. Bukowski, that such a situation "indicates an imbalance between the specific elements of sustainable development" (Bukowski 2005: 118). This is particularly troubling when environmental policy has a relatively small importance compared with other policies pursued by the Polish authorities. This applies not only to government policy, but also the participation of local government, where the concept of sustainable development is generally unknown. To summarize reflections, it is concluded that both the genesis of the concept of sustainable development and its evolution has led to a situation in which SD can now be understood in two ways:

1. The old way, that is as sustainable development, where every human action is subordinated to the achievement of environmental objectives.
2. The new way, i.e., as sustainable development within the meaning of the concept of the three orders: environmental, economic, and social development.

But, regardless of how we understand this concept, it is worth noting that it is presented as a new paradigm of global development. Therefore, in addition to representatives of economic, social, law, and natural sciences, it makes philosophers interested in it, especially in matters of determining its axiological sphere.

## References

### Literature:

- Borys T. (red.) 2003, *„Zarządzanie zrównoważonym rozwojem. Agenda 21 w Polsce-10 lat po Rio”*, Wyd. Ekonomia i Środowisko, Białystok.
- Borys T., 2005, *Wąskie i szerokie interpretacje zrównoważonego rozwoju oraz konsekwencje wyboru*, w: Papuziński A. (red.), *„Zrównoważony rozwój. Od utopii do praw człowieka”*, Oficyna Wydawnicza BRANTA, 64-75.
- Borys T., 2005, *Zrównoważony rozwój jako przedmiot pomiaru wskaźnikowego*, w: Borys T. (red.), *„Wskaźniki zrównoważonego rozwoju”*, Wyd. Ekonomia i Środowisko, Warszawa-Białystok, 22-60.
- Bukowski Z., 2005, *Pojęcie zrównoważonego rozwoju w prawie polskim*, w: Papuziński A. (red.), *„Zrównoważony rozwój. Od utopii do praw człowieka”*, Oficyna Wydawnicza BRANTA, 104-118.
- Durbin P. T., 2008, *Czy istnieje idealna etyka zrównoważonego rozwoju?*, *Problemy Ekorozwoju*, Vol. 3 Nr 2, 5-14.
- Hull Z., 2003, *Filozofia zrównoważonego rozwoju*, w: Pawłowski A. (red.), *„Filozoficzne i społeczne uwarunkowania zrównoważonego rozwoju”*, Wyd. Drukarnia LIBER, Lublin, 15-25.
- Hull Z., 2008, *Filozoficzne i społeczne uwarunkowania zrównoważonego rozwoju*, *Problemy Ekorozwoju* Vol. 3, Nr 1, 27-31.
- Kozłowski S., 2000, *Ekorozwój. Wyzwanie XXI wieku*, Wyd. PWN, Warszawa.
- Kozłowski S., 2005, *Przyszłość ekorozwoju*, Wyd. KUL, Lublin.
- Lisicka H., 2002, *Polityka ochrony środowiska w Polsce*, w: Alberski R., Lisicka H., Sommer J. (red.), *„Polityka ochrony środowiska”*, Wyd. Uniwersytetu Wrocławskiego, Wrocław, 9-60.
- Lisicka H., 2005, *Zasada zrównoważonego rozwoju w polityce państwa*, w: Papuziński A. (red.), *„Zrównoważony rozwój. Od utopii do praw człowieka”*, Oficyna Wydawnicza BRANTA, 246-259.
- Lisowska A., 2005, *Zrównoważony rozwój i subsydiarność jako podstawowe zasady polityki ochrony środowiska Unii Europejskiej*, w:

- Papuziński A. (red.), „Zrównoważony rozwój. Od utopii do praw człowieka”, Oficyna Wydawnicza BRANTA, 230-245.
- Paczuski R., 2000, *Zrównoważony rozwój jako zadanie współczesnego państwa oraz rola polityki i prawa w jego realizacji*, w: Papuziński A. (red.), „Polityka, ekologia, kultura. Społeczne przesłanki i przejawy kryzysu ekologicznego”, Wyd. Uczelniane WSP, Bydgoszcz, 169-184.
- Papuziński A., 2000, *Polityka edukacyjna na rzecz zrównoważonego rozwoju w Polsce w świetle aksjologii zrównoważonego rozwoju*, w: Kalka K., Papuziński A. (red.), „Etyka wobec współczesnych dylematów”, Wyd. Uniwersytetu Kazimierza Wielkiego, Bydgoszcz, 331-355.
- Papuziński A., 2005, *Zrównoważony rozwój a współczesny problem ekologiczny: ontologia polityki ochrony środowiska*, w: Papuziński A. (red.), „Zrównoważony rozwój. Od utopii do praw człowieka”, Oficyna Wydawnicza BRANTA, 30-51.
- Papuziński A., 2007, *Filozofia zrównoważonego rozwoju jako subdyscyplina badań filozoficznych*, w: *Problemy Ekorozwoju*, Vol. 2 Nr 2, 27-40.
- Piontek B., 2002, *Koncepcja rozwoju zrównoważonego i trwałego Polski*, Wyd. PWN, Warszawa.
- Poskrobko B., 2005, *Cykliczność, trwałość i równoważenie rozwoju*, w: Poskrobko B., Kozłowski S. (red.), „Zrównoważony rozwój. Wybrane problemy teoretyczne i implementacja w świetle dokumentów Unii Europejskiej. Studia nad zrównoważonym rozwojem-Tom I”, Białystok-Warszawa, 19-36.
- Sommer J., 2005, *Unijne i krajowe uwarunkowania prawne kształtowania zrównoważonego rozwoju*, w: Poskrobko B., Kozłowski S. (red.), „Zrównoważony rozwój. Wybrane problemy teoretyczne i implementacja w świetle dokumentów Unii Europejskiej. Studia nad zrównoważonym rozwojem-Tom I”, Białystok-Warszawa, 147-171.
- Sztumski W., 2006, *Idea zrównoważonego rozwoju a możliwości jej urzeczywistnienia*, *Problemy ekorozwoju*, Vol. 2 Nr 1, 73-76.
- Tyburski W., 2004, *O niektórych aksjologicznych przesłankach zrównoważonego rozwoju*, w: Pawłowski A. (red.), „Filozoficzne, społeczne

i ekonomiczne uwarunkowania zrównoważonego rozwoju”, Wyd. Drukarnia LIBER, Lublin, 45-50.

Tyburski W., 2007, *Etyczne założenia edukacji dla zrównoważonego rozwoju*, Problemy ekorozwoju, Vol. 2, Nr 1, 41-47.

Wodzikowski C., 2005, *Zrównoważony rozwój w służbie rozwiązywania konfliktów społecznych na tle konserwatorskiej polityki ochrony środowiska*, w: Papuziński A. (red.), „Zrównoważony rozwój. Od utopii do praw człowieka”, Oficyna Wydawnicza BRANTA, 201-215.

### **Legislation:**

- (A): Uchwała Sejmu z dnia 10 maja 1991 roku w sprawie polityki ekologicznej (M. P. Nr 18, poz. 118).
- (B): Ustawa z 27 kwietnia 2001 roku prawo ochrony środowiska (Dz. U. Nr 62, poz. 627).
- (C): Ustawa z dnia 27 marca 2003 roku o planowaniu i zagospodarowaniu przestrzennym (Dz. U. Nr 80, poz. 717 ze zm.).
- (D): Ustawa z dnia 18 lipca 2001 roku – prawo wodne (Dz. U. Nr 115, poz. 1229 ze zm.).
- (E): Ustawa z 27 kwietnia 2001 o odpadach (Dz. U. Nr 62, poz. 628 ze zm.).
- (F): Ustawa z dnia 20 kwietnia 2004 roku o Narodowym Planie Rozwoju (Dz. U. Nr 116, poz. 1206).
- (G): Ustawa z dnia 5 czerwca 1998 roku o samorządzie województwa (Dz. U. Nr 142. Poz. 1590 ze zm.).
- (H): Ustawa z dnia 12 stycznia 1991 roku o Komitecie Badań Naukowych (Dz. U. Nr 33, poz. 389 ze zm.).
- (I): Ustawa z 10 kwietnia 1997 roku prawo energetyczne (Dz. U. Nr 153, poz. 1504).
- (J): Ustawa z 19 listopada 1999 roku Prawo działalności gospodarczej (Dz. U. Nr 101, poz. 1178 ze zm.).
- (K): Ustawa z 12 marca 2004 roku o pomocy społecznej (Dz. U. Nr. 64, poz. 593.).