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Peace with Creation: Catholic Perspectives on Environmental Law

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KEYNOTE ADDRESS

PEACE WITH CREATION: CATHOLIC PERSPECTIVES ON ENVIRONMENTAL LAW

ARCHBISHOP HARRY J. FLYNN*

Thanks so much, Dean Mengler. I am delighted to be here and delighted to be speaking on this topic. I am also very glad to see a Franciscan sitting here in the front row. I never would have had my degree from college if it had not been for Father Brendon Lynch who taught mathematics at Siena College—we had to have six credits in order to get a degree and I am no mathematician. I haven't balanced my personal checkbook since 1962. He passed me and I really didn't earn it, Brendon Lynch of the Holy Name Prophets. When he died, I wrote to his family to express my condolences and what he meant to me, and that I never would have been a college graduate had it not been for Father Brendon Lynch.

One day Sister Ann Grandly, who was my administrative assistant, came in and she said, "There's a man out here to see you from New York. He said his brother taught you." "Oh," I said, "What's his name?" She said, "Lynch." I said, "I bet it's Father Lynch's brother." Well the man came in and said, "I would like to see the man who never would have gotten out of college had it not been for my brother's mark." So I'm always glad to see a Franciscan and also a Dominican from New York Province who were so very, very good to me when I was rector of the seminary at Mount St. Mary's. They came and taught generously for many years.

I feel as though I am pretty bold to come here and speak on this subject. Last winter or the winter before, when I addressed the legislature on

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this subject, Father Kevin McDonnough said to me, "Where are you going?" I said, "Down to the legislature." "What are you going to speak on?" I said, "Global warming." It was the most bitter-cold day of the whole winter. He said, "Why would you do such a thing today," and I said, "Well, that's the time that they gave me."

I am not a scientist at all. I am not a mathematician—I know very little about that. But I do know something about God's wonderful gifts and that if we are going to treasure those gifts we must keep the conversation going. It does not mean at all that I am right or wrong. But it does mean that in this kind of environment of scholarship and thought and reflection and sharing we need to hear all the sides to this extremely important issue of God's gift to us all. So I thank you today for your presence here and I thank the University of St. Thomas School of Law for this opportunity to address this fine group of scholars on this topic of environmental law. And I certainly appreciate the opportunity to begin this symposium, "Peace with Creation."

In considering the topic of environmental law, it is good and important for us to focus on peace. Because often our society dwells on division and on controversy rather than on peace and unity, and this sets people and things in opposition to each other—often unnecessarily. When I spoke at the legislature on this very topic, I wish that you could have read some of the negative letters that I had received—encouraging me to stay out of politics and "don't get involved with this" and "stay in the church because that's what you know" and "you don't know about these things." Well, I've admitted that. So from there, let's see what the Catholic perspective is.

I am also pleased that in exploring this topic we will be drawing directly from key principles of Catholic social teaching. And the three symposium topics are of stewardship, subsidiarity and preferential option for the poor, and these are critically important to any discussion about our environment. These principles seek to reconcile differences. They are approaches that call us to view and treat each other as children of God and to treat all creation, human and otherwise, as wonderful and beautiful gifts to be treasured and cared for. They are approaches that seek to break down false dichotomies and see peace and unity.

Religion and environmental care are often set in opposition to each other in some kind of false dichotomy. Religion has also been accused of ignoring environmental stewardship, or even worse, promoting environmental degradation. In some instances, this may have been the case, as when God commands as in the book of Genesis to subdue the Earth. This has been interpreted by many to mean that humanity has a blank check to exploit the earth for our own means and we do not have that blank check. This interpretation is unfortunate and narrow. It sets up a false opposition between religion and ecology. Instead, we are called in a positive sense as stewards of the earth, but call in concept of stewardship reconciles human

and environmental needs and further shows them to be inseparable parts of our whole creation.

In his recent World Day message this past New Year's Day, Pope Benedict XVI wrote, and I quote, "Humanity, if it truly desires peace, must be increasingly conscious of the links between natural ecology, or respect for nature, and human ecology." Experience shows that disregard for the environment always harms human coexistence and vice-versa. It becomes more and more evident that there is an inseparable link between peace and creation and peace among all men and women. Both of these predispose peace with God. Benedict's predecessor, Pope John Paul II, once said, "We cannot interfere in one area of the ecosystem without paying due attention both to the consequences of such interference[s] in other areas and [always] to the well-being of future generations." Thus, peace with creation is an allottable and necessary goal we must strive for through stewardship. And stewardship of creation is an important development in our social tradition. I am personally glad that it is now recognized as one of our major principles.

Another false dichotomy our society sets up is between law and government on one side and individual rights on the other. Certainly, law can be perceived as nothing but a set of constraints to individuals or groups at the expense of others, or it can be seen as a set of arbitrary and capricious rules that are ill-conceived and damaging to the individual. Some view the levels of local counties, state and federal government as layer upon layer of control or infertility weighing down upon individuals. But without law and government, where do we find ourselves? Do we otherwise naturally seek to serve the common good? Are we able to salve off selfish interests? Even if we have the desire to do so, do we as individuals have the knowledge and resources and abilities to do so?

We can look back at our environmental track record of our nation and access this situation in the absence of environmental laws. In the early twentieth century, the Mississippi flowing through the Twin Cities was essentially an open sewer with floating mats of algae and sewage devoid of fish and rife with disease due to discharge of human waste and collateral waste from saw mills and slaughter houses. In the mid-twentieth century, businesses often disposed of hazardous waste by dumping it into state waters or burying it into the ground, resulting in severe environmental contamination of the soil and the ground water. And it is the same for that beautiful Hudson River that runs from upstate New York in the mountains down into the mouth of the Atlantic Ocean. But then in the later twentieth century, the use of DDT as an agricultural pesticide endangered the existence of majestic prey like the bald eagle and the falcon.

The negative consequences of these actions may not have been intended, but occurred out of some combination of ignorance; haste; inheritance to pure market forces; and, of course in human situation, in some cases, greed. With the application of government and law in combination

with the cooperation and assistance of individuals and business interest, all of these situations have improved greatly. The Mississippi River in the Twin Cities is now a world-class bass fishery. And dozens of cities around our states contaminated with hazardous waste have been cleaned up and redeveloped for beneficial uses and eagles and falcons continue to thrive. In fact, Minnesota now boasts the largest bald eagle population in the lower forty-eight states. How did this happen—through the application of fine laws. Again, it is not a choice between no government and law on the one hand and total government control on the other hand, but it is about the proper application of government and law in order to ensure the common good and survival of the planet. Subsidiarity calls for this proper application of the appropriate amount and the degree of law by the right level of government—all the while preserving individual rights and responsibilities; and that, of course demands, a delicate balance, doesn't it?

Minnesota currently has several initiatives under way that are working to find this balance. On the issues of global climate change and energy production, the state legislature's last session passed the "Next Generation" energy bill, which targets the reduction of greenhouse gas emissions by eighty percent by the year 2050. It also passed the state renewable energy standard, calling for twenty-five percent of our state's energy coming from renewable sources by 2025. Governor Pawlenty has set up a Minnesota Climate Change Advisory Group made up of representatives from faith communities, various businesses and industry sectors, cities' environmental advocacy groups, tribes, energy producers, transportation, agriculture, tourism and others. They are coming together to develop a plan to reduce Minnesota's emission of greenhouse gases. On the issue of protecting and restoring water quality in the land of sky blue waters, in 2006 the legislature passed the "Clean Water Legacy Act." The act was crafted as a result of an environmental summit that the Governor had called for about five years ago. Similar to the Climate Change Advisory Group, this group was made up of representatives of multiple diverse stakeholders all with differing issues and priorities and reasons for caring about water quality, but all with a common goal of leaving a legacy of clean water to the future generations.

If any of you have ever visited any of the countries in Africa and visited any of the villages, some of which have no water, you would have the incentive to do anything you could to protect that gift that God has given to us and also what those other people have a right to in other countries. Calling all these people together from various sectors to work toward a common goal, toward the common good, is an attempt to find the proper application of law regulation's incentives and rights and needs of individuals and groups. Finding the balance between government regulation and private responsibility will probably secure the best results in the long run.

As society falsely pits the individual against the government, it also often pits individuals against other individuals and nations against nations.

Society often takes for granted that there must be winners or losers, rich and poor. Yet the preferential option for the poor calls us to work to level the playing field and to care for those with our discussions—to care for those living in poverty. We cannot forget the poorest members of the human family who often bear the greatest hardship of environmental degradation. Environmental justice advocates call for care in where hazardous waste facilities and industrial sources of pollution will be put—that they be put in areas that do not impact negatively our poor communities or do not impact in a disproportionate way the poor communities. With an eye to the not too distant future, scientists predict that global warming will induce a greater incidence of extreme weather and violent storms. Poor people in nations do not have the resources to cope with these. Within our own nation, Hurricane Katrina taught us with fearful clarity that it is the poor who suffer. It is the poor who are so easily left behind when weather catastrophes occur. The human family, you and I, have a moral responsibility to do whatever is humanly possible to prevent such calamities and to respond immediately whenever the dignity of the poor and the vulnerable is placed at risk.

My friends, as you continue this dialogue today on “Peace with Creation,” I would like to leave you with the words I spoke to the state legislature last January, the coldest day of the winter, at a hearing on “Global Climate Change” to help frame our conversations. And I quote,

Care for creation is a key principle of Catholic social teaching. Rooted in scripture, the Catholic tradition asserts that the earth and its goods are gifts from God. God looked at everything He had made and He found it very, very good. These gifts are intended by God for the benefit of everyone and humankind has a responsibility to care for these goods as stewards, not as mere consumers and users. How we treat the environment is a measure of our stewardship and it is a sign of our respect for the Creator who has given gifts to us.

Thank you for your attention this morning to me and thank you more especially for your attention to this extremely important topic. Let’s keep it on the table and we can learn from one another and do everything we can to care for the beauty of God’s earth. Thank you so very much.