Rabbi Rebecca Richman
RH Day 2 Sermon - Environmental Racism

The first time I flew into Philadelphia, I looked out the window and saw a mess of smokestacks and industry awfully close to the city. *Isn't that unsafe?* I thought to myself. Of course, it was.

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I studied environmental justice in college and, and when I went to rabbinical school, I was determined to find synchronicity between environmental ethics and Jewish ethics. I have been continually amazed at how clearly Torah, the ancient rabbis, and Jewish legal sources instruct us against environmental harm and discriminatory practices.

One of these instances came up just a few weeks ago, in our annual Torah reading cycle, in which the Israelites anticipate entering the land of Israel. They have been wandering in the desert for decades, on a long journey from enslavement in Egypt to the promise of freedom and sovereignty in their own land. Because Moses will not enter the Promised Land with them, he delivers an extensive speech to his people, our ancestors, before they journey on without him.

Some of his speech is a reminder of the turmoil that they and previous generations had experienced both in the wilderness and in the land of Egypt. Other parts contain commandments for the Israelites to follow for all time. Together, the story and the instructions send a clear message: do not forget the pain of affliction, and do not inflict oppression on others.

In *Parashat Ki Tetzei*, many of the laws Moses delivers in his speech focus on preserving the dignity of every living being, from humans to birds to fledglings. One such commandment seeks to ensure that the place where the Israelites are living is clean. Maintaining a healthy physical living space not only ensures dignity and health for the people living there, but also sanctifies that space.

Deuteronomy chapter 23, verses 13 and 15 read:
There shall be an area for you **מִחוּץ לַמַּחֲנֶה - *outside the camp*** *- where you may relieve yourself...G!d moves about in your camp to protect you...let your camp be holy.*

Why was it so important for the Israelites to do their bodily business outside of the place where they lived? Without sewage systems and technology to clean biohazardous

waste, human excretion was highly dangerous, if not simply gross to have sitting around.

So the community was responsible for maintaining a spot *michutz la'machaneh* - outside the camp, distant from where people were living, for what would otherwise be a major health hazard and a threat to the divine.

Their wisdom echoes to us today: Do not situate yourselves nearby toxins. Let the place you live be holy. Preservation of health is a sacred act.

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The smoke stacks I had seen from the airplane were far from *chutz la'machaneh*, outside the camp. The Philadelphia Energy Solutions refinery sits smack in the middle of the Grays Ferry neighborhood of South Philadelphia. That forest of metal I first encountered from the sky has been a lethal resident for decades. It has been impossible for residents to protect themselves from toxins spewing from the stacks, day after day, year after year.

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As with many cities across America, South Philadelphia was "redlined" in the 1930s, in the wake of the Great Depression. Maps were made - by the federal government and by private corporations - that outlined regions considered unworthy of investment or too risky for banks to offer mortgages. Areas with high densities of minority populations[1] and areas that were proximate to industrial sites were highly susceptible to being drawn off the map with red ink,[2] barred from the potential for economic mobility and a host of other protections.

It should come as no surprise that many of the communities that were proximate to hazardous sites were the same ones that were already home to minority communities. Redlining, though made illegal in 1968 with the passage of the Fair Housing Act,[3] was a major factor in legitimizing our country's living legacy of environmental racism.

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[1] https://nextcity.org/features/view/redlining-race-philadelphia-segregation
[2] https://nextcity.org/features/view/redlining-race-philadelphia-segregation
[3] https://www.phillytrib.com/news/new-exhibit-tackles-the-impact-of-redlining-in-philadelphia/article_d6926f22-e4d6-5c6d-abfb-a2ec9b98e09b.html

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Dr. Robert D. Bullard, often referred to as the “father of environmental justice” defines environmental racism as “any policy, practice, or directive that differentially affects or disadvantages individuals, groups, or communities based on color.”[4] In other words, policies that keep White bodies safe and healthy and that do not do the same for Black bodies - or worse, policies that enable the health and wellness of White people at the expense of People of Color’s health and wellness - that is environmental racism.

As we saw in *parashat Ki Tetzei* with the warning against living close to noxious fumes and biohazards, Torah does not want us to be discriminatory when it comes to environmental protection -- toxins belong *hutz lamachaneh*, distant from **everyone’s** living spaces.

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The ancient rabbis and scholars throughout Jewish history reiterate that proximity to waste material, smoke, and soiled water is dangerous and should never be inflicted on another.

The Shulchan Aruch (a major law codex from which we draw much of our contemporary practice) instructs us: מרחיקין מהעיר *Keep at a distance from the city: carcasses, graves, tanneries, kilns, and beehives* (Shulchan Arukh, Chosen Mishpat 155:23). Such facilities and sites belong, so says the *halakha*, in a part of town where winds will blow the smells and smoke out of the town, away from the people.

The Rambam, a medieval Jewish philosopher also known as Maimonides, instructs: *One who does work that raises dust and particles and the like that go out and harm a person’s neighbor -- the one working with those materials must distance themself so they do not harm by dust or by smell...*(Mishneh Torah, Neighbors 11:1). In other words, if an industrial practice is going to stir up or release materials that could affect others nearby, pick a site that will keep people out of the zone of impact.

So Torah is **not** saying that we shouldn’t have technologies that produce smoke or smells that could, in fact, harm people. The instruction is simply to situate these sites far enough away that they will not cause harm.

[4] Dumping in Dixie, p. 98

Of course, now we know more about the kinds of damage that particulate matter can cause, and we know that we need to be mindful about the materials we are emitting, no matter where a facility is located.

But the point here is that *if* we need technologies that could be damaging, Jewish tradition tells us to keep them *hutz lamachaneh* (outside the camp), *marchikin mi'ha'ir* (at a distance from the city), כְּדֵי שֶׁלֹּא יַגִּיעוּ וְלֹא יַזִּיקוּ (so that they do not arrive to another person and cause damage).

What if damage occurs?

The Rambam instructs: *One who pours water into the public domain and another person is injured by it, [the one who poured out the water]*
חַיָּב בְּנִזָּקָיו *is liable for the damages they caused* (Mishneh Torah, Hilchot Nizkei Mamon 13:12).

Source after source, it is straightforward: don't put a dangerous thing near people, and don't dump something in a public space that could hurt someone. If you do, and you cause damage, you are responsible - you cannot hurt someone and do nothing.

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A recent article published in the New York Times Magazine, which some of you may have read, tells the story of Kilynn Johnson, a Black woman who grew up in Grays Ferry. Her neighborhood was given a "D" rating during redlining in the 1930s, in large part because of its proximity to the refinery.

Ms. Johnson lives just two miles away from my home in West Philly, but her neighborhood is home to what has been dubbed the 'South Philly postnasal drip,' and to cancer clusters. Just two miles away, her reality is completely different than mine.

At 46, Johnson was diagnosed with gallbladder cancer, and she knows dozens of others who have been diagnosed with and died from cancer. They all live right near the refinery, which had been allowing benzene, a known carcinogen, to be emitted far beyond the federal limit for decades, clearly not without impact.

The refinery is far more *hutz l'machaneh*, outside *my* neighborhood than it is for Johnson and the place she calls home. Although all of us in Philadelphia have been affected by the toxins emitted by the refinery, none have been as plagued as the people

living right up against the site. Johnson's neighborhood has been, for decades, populated largely by Black residents, immigrants, and other minority groups. They have borne the brunt of the mess.

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You may have heard this Talmudic teaching from Hillel: *That which is hateful to you do not do to another;* זוֹ הִיא כָּל הַתּוֹרָה כּוּלָּהּ - *that is the entire Torah, and the rest is its interpretation.* (Babylonian Talmud, Masechet Shabbat 31a).

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None of us want smokestacks in our backyard, refineries across the street. But, over the course of American history, government policy has repeatedly done what is hateful, placing hazardous sites within and up against communities with less power, less privilege, less access to resources. It is hateful to take away the capacity to breathe. And so, as Hillel teaches in the Talmud, we are wrong for inflicting that harm on others.

But Kilynn Johnson of Grays Ferry is just one of the many victims of environmental racism in our country.

A 2017 study found that "more than 1 million African Americans live **within a half mile** of existing natural gas facilities" and that "many African American communities face an **elevated risk of cancer** due to air toxics emissions"[5] The temperature in Communities of Color is significantly higher than in White neighborhoods,[6] which increases the risk of heat-related illnesses. Black children are two times as likely as White children to be asthmatic, ten times more likely to die of asthma-related complications.[7]

Why are we inflicting such pain? Why has our society done what is hateful, threatening the health of our citizens, our neighbors, our family and our friends?

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5 https://www.naacp.org/wp-content/uploads/2017/11/Fumes-Across-the-Fence-Line_NAACP-and-CATF-Study.pdf

6 https://www.vice.com/en_us/article/m7q8v4/racist-housing-policies-have-created-dangerous-heat-islands-in-portland-denver

7 https://www.npr.org/sections/health-shots/2016/06/07/481092103/scientsts-seek-genetic-clues-to-why-asthma-is-deadlier-in-blacks

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In a Talmudic discussion about harming others, Reish Lakish says: *One who raises their hand to strike another, even if they ultimately do not strike them, is called wicked* (Babylonian Talmud, Masechet Sanhedrin 58b).

Policies and practices that put and keep People of Color in proximity to known environmental hazards with disproportionately limited access to jobs and healthcare -- these are our raised hands, wicked as they hover in the air alongside particulate matter that we know clogs lungs, lodges tumors, and suffocates our neighbors.

As a society, we are not living up to Reish Lakish's teaching. Not only have the hands of toxins been striking Communities of Color for decades, but we have created and left undisturbed systems that perpetuate vulnerability. In other words, environmental racism is our collective hand risen in the air, looming over the heads of some and ready to strike. That is wrong.

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But it's not all about policy. In a section of the Torah often referred to as the "Holiness Code," G!d instructs the Israelites: וְאָהַבְתָּ לְרֵעֲךָ כָּמוֹךָ - *you shall love your neighbor as yourself* (Leviticus 19:18). Nachmanides, a medieval Jewish philosopher, taught that this verse means that we *should wish upon our neighbor the same benefits that we wish upon ourselves*, and *we should place no limitations on our love* (Ramban on Levticus 19:18).

Torah teaches that ethical, holy living is about **both** system-level policy **and** individual-level relationships. It's not just that we need policies that ensure ethical practices - we actually need to exhibit care for each other. Without that loving care, the policies and laws will crumble.

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If we were all together in the sanctuary right now, I'd ask you to raise your hand if you desire clean air, if you wish to breathe easily. I'm pretty sure that our palms would fill the room. What Torah is saying to us is: If your hand is in the air because you want to breathe with ease, keep your hand up as a testament to your commitment to making sure that you and your siblings love one another enough to fight for the other's ease of breath.

So from policy to the thoughts we harbor about who deserves to breathe, Jewish tradition calls on us as to alleviate environmental racism.

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This summer, on Tish'ah b'Av, we commemorated the destruction of the ancient Temples in Jerusalem. By candlelight, we read the book of Eicha, Lamentations, which recalls grave ills and total desperation.

This year, midst a global pandemic and our nation's reckoning with the loss of Black lives in the hands of police officers, so many of the verses of Eicha struck me as prophetic wails:

See, Oh LORD, the distress I am in! My heart is in anguish...Outside the sword deals death; Indoors, the plague (Lamentations 1:20).

Outside, the sword deals death: **guns shoot**, knees suffocate; *inside, the plague*: COVID, a novel coronavirus but nothing novel to Black and Brown people who are all too familiar with disproportionate health impacts.

There have been numerous studies published that show linkages between exposure to environmental hazards and increased risk for severity of symptoms (and death) from COVID-19. Dr. Anthony Fauci explained, "When you look at the predisposing conditions that lead to a bad outcome with coronavirus...**they are just those very comorbidities that are...disproportionately prevalent in the African American population**."[8] Decades of exposure to toxic hazards, causing acute and chronic illness have left minority communities all the more vulnerable.[9]

In other words, environmental racism is a matter of life and death.

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In Bereshit, the first book of Torah, we read:
וַיִּיצֶר יְהוָה אֱלֹהִים אֶת־הָאָדָם עָפָר מִן־הָאֲדָמָה
G!d formed the first human being from the dust of the earth (Genesis 2:7).

[8] https://www.vice.com/en_us/article/k7ev93/coronavirus-death-rates-environmental-racism
[9] https://www.vice.com/en_us/article/k7ev93/coronavirus-death-rates-environmental-racism

The word *Adam*, which Torah uses to name the first human being, shares a root with the word *adamah*, earth. We are tied to this earth. Environmental protection is not only about trees, water, animals and ecosystems; it's about protection for *all* living things, humans included.

After forming Adam, *G!d blew into Adam's nostrils the breath of life*
וַיְהִי הָאָדָם לְנֶפֶשׁ חַיָּה
and thus became a living being (Genesis 2:7).

Breath enables life. Failing to protect a community from hardness of breath threatens to destroy G!d's sacred creations. Limiting the capacity for people to breathe not only threatens a person's life and humanity; it also threatens a person's capacity to praise. It is on us to protect the breath we have been gifted. Without it, we cannot be.

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Maimonides teaches that, *anyone who can save and does not save transgresses* the biblical commandment, לֹא תַעֲמֹד עַל־דַּם רֵעֶךָ, *'do not stand by the blood of your neighbor'* (Leviticus 19:16). But our nation has stood by as factories pollute residential streets and keep people trapped in a cycle of exposure. We have a Jewish obligation not to let this happen. And, so says the great teacher Hillel:
בְּמָקוֹם שֶׁאֵין אֲנָשִׁים, הִשְׁתַּדֵּל לִהְיוֹת אִישׁ
In a place where there are no people, make an effort to be a person (Pirkei Avot 2:5).

When nobody else seems to be stepping up, rise to the task yourself.

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On this second day of Rosh Hashanah, the Torah reading tells the story of the binding of Isaac, who ultimately is spared. But while Abraham and Isaac are away, Sarah (Isaac's mother) is home, alone. The next we hear of Sarah is that her life *came to one hundred and twenty-seven years* (Genesis 23:1), and she died.

Pirkei DeRabbi Eliezer (32:8), a midrash, tries to fill in the missing piece of the story - why did Sarah die? According to the midrash, the angel Sammael was angry when he saw Abraham returning from Mt. Moriah with Isaac, for he had desired that sacrifice.

He went and said to Sarah: Didn't you hear what happened?

She said, "No."
Sammael told her, "*Your husband, Abraham, took your son Isaac and slaid him and offered him up as a burnt offering upon the altar," whereupon Sarah began to weep and cry aloud three times, corresponding to the three sustained notes and the three disconnected notes [of the shofar], and her soul fled, and she died*.

As a mother, this midrash is almost too much to bear. No mother should have to worry that their child is being sacrificed. No parent should worry that their child may die. The midrash infuses the sound of the shofar on Rosh Hashanah with a deep, primal, grief-stricken call from Sarah and all the mothers, all the caregivers, who have feared their children's death. Their cries echo through the sounds of the shofar, begging generations to come to protect our children. Let not our children suffer from asthma, from an inability to breathe with ease. Let them grow up in communities where cancer does not take away parents, aunts, uncles, teachers, cousins, neighbors, and friends. When we hear the shofar today, this is the call I am hearing.

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So, what to do with this mess?

As a start, find out about the environmental history of the place you live in - not just the country or the city, but the actual neighborhood where you live. I live just a couple miles away from the now bankrupt refinery, which has been sold to a new company for redevelopment. And so, this year, I am committing to helping make sure that the redevelopment efforts benefit the local community, still so much affected by and grieving from the environmental harm.

Start there, with learning the history of your place, of the people whose stories are buried beneath racist environmental policies and practices. But don't forget to root in love -- v'ahavta l'reacha kamocha -- love your neighbor as yourself (Leviticus 19:18). Wish upon yourself and upon your neighbor the clean air we all need; extend your love.

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What's at stake?

According to a midrash, *When the Blessed Holy One created the first human, G!d led Adam around all the trees of the Garden of Eden and said, "Look at My works, how*

beautiful and praiseworthy they are!...Pay attention that you do not corrupt and destroy My world:

שֶׁאִם קִלְקַלְתָּ אֵין מִי שֶׁיְתַקֵּן אַחֲרֶיךָ

For if you spoil it, there is no one to repair it after you (Kolelet Rabbah 7:13:1).

Our earth, our people, our neighbors, our whole world -- it is all at stake.

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Hayom harat olam - today the world is born - we say on Rosh Hashanah.

Let this re-birth, this new year, mark real newness, real growth and transformation for us, our city, our society, and our planet.

May the blasts of the shofar **sound the cry** of new life, of restored breath.

And may we, **awakened by that call**, merit and enable life, health, ease of breath, and sweetness in this new year.

Shanah tovah u'metukah - A good and sweet year.