

**Hearing before
Maryland General Assembly
Judicial Proceedings Committee
and
Education, Health and Environmental Affairs Committee
March 9, 2022
Constitutional Amendment – Environmental Rights (SB 783)
Position: Favorable**

**Testimony of J. Stephen Cleghorn
Baltimore Coordinator of Maryland Catholics for Our Common Home**

Dear Chair Smith, Chair Pinsky, and members of the Committees:

As a member of Maryland Catholics for Our Common Home, a group of lay and religious Maryland Catholics who are advocating for care of the Earth, our common home, which also means care for the poor who are harmed most and first by environmental degradation and climate change, I am registering a “FAVORABLE” opinion on SB 783, *Constitutional Amendment - Environmental Rights* (SB 783). I say that backed up by more than 500 Catholics statewide who have signed a petition for passage of this bill. You have from Bob Simon of St Camillus Parish, and member of Maryland Catholics for Our Common Home, a full accounting of the groundswell of support from Maryland Catholics, so please look at that.

The language of SB 783 echoes key themes in Catholic social teachings and is in harmony with various elements of Pope Francis’s encyclical *Laudato Si’: On Care for Our Common Home* (LS). That is why the Maryland Catholic Conference, representing all Maryland Catholics in three dioceses, recommends a favorable report to get this bill passed. Its emphasis on an “inalienable right” to a healthy environment fits squarely with Catholic social teaching on the dignity of the human person and our responsibilities for future generations. Its description of “natural resources” echoes the Church’s teaching that the “gifts of the earth belong to everyone” (LS, p. 71). Likewise, the Amendment addresses the important issue of accountability (LS, p. 61) by ensuring that matters of environmental justice can be legally addressed by all of Maryland’s diverse citizenry.

As I am sure you know, environmental pollution and degradation, with their attendant poor health outcomes, have been inequitably concentrated in communities of color and low-income neighborhoods across Maryland. This is precisely the matter of social justice that Pope Francis has in mind when he couples his plea to “hear the cry of the Earth” with his plea to “hear the cry of the poor.”

So, you have my prayers to be of good courage in passing this bill, as it may be a heavy lift politically, given that those who are despoiling our environment and degrading our climate, and who thus are stealing the future from our children (sadly even their own children), are short-sighted but powerful people. They will oppose this Amendment with spurious arguments that it will open the floodgates to litigation or be bad for business and the economy. It will not. Such amendments in other states have not had that impact. Opponents of the Amendment can nevertheless be expected to resist yielding power to the people being harmed by their industries.

Therefore, the people of Maryland must count on their legislators to stand up for them. It is only you who can put this before the voters. Maryland citizens must be afforded the opportunity by their legislators to go to the polls in November to codify in law a right they already possess as human beings, as creatures made in the image and likeness of God. We need to create a constitutional check on the raw power of those who are despoiling our air and water, laying waste to our natural resources, and making Marylanders sick, in some cases sending them to an early grave, all for private profit. The polluters have historically had an unfair advantage in shaping the laws to legalize the harms they cause and put the burden of (especially the costs of) remediation on Maryland citizens and taxpayers. They have more time and money available to push for their economic interests. They are happy to deal and trade in piecemeal regulations that amount to a permission to pollute rather than being confronted with the proposition that all human beings possess an inalienable right to clean air, clean water and the protection of the climate and ecosystems that sustain their lives. Any worthy legislation that truly cares for our common home must be rooted in this fundamental human right.

For human rights to be codified in law always entails struggle, and it is no different as we finally get around to declaring that all humans have an inalienable, inalienable right to clean air, clean water, and a sustainable, healthy climate. We are finally getting around to codifying what faith-based people call a “right relation” between humankind and Nature which sustains us, which we believe is also in “right relation” to our Creator God.

Industry representatives you have heard in this hearing and on the House side, those representing CAFO poultry operations, trash burning incinerators for energy, and agribusiness monoculture grain farming, really have no good reason to oppose this Environmental Rights constitutional amendment if what they are doing does not pollute the air and water, nor produce a major portion of greenhouse gases warming the planet, or toxic emissions sickening the people. Do they not believe, as the Amendment states, that Maryland persons have an inalienable right to clean air, clean water, and a sustainable, healthful climate? Who can really be against that? Who can be against codifying in law a right we already possess as human beings, having been endowed with this right by God our Creator? *Would Amendment opponents dare to say out loud that their constituents do not have such a right?* If they affirm such rights, then they should not object to them being codified in law and should commit themselves to upholding them. They really have nothing to worry about if they are not causing environmental and climate harms, right?

Let me close with this piece of wisdom from farmer-poet Wendell Berry, which applies here: “Whether we and our politicians know it or not, Nature is party to all our deals and decisions, and she has more votes, a longer memory, and a sterner sense of justice than we do.”

Thank you for reading, and may God bless all your efforts to care for the only home we have.

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