

Responsibility Rosh Hashanah Morning 5771

“No oil has flowed into the Gulf for weeks, but it is just the beginning of our work. BP has taken full responsibility for the cleanup in the Gulf...BP is going to be here until the oil is gone.” Thus begins the latest in a series of commercials that British Petroleum has put out since the April 20 Deepwater Horizon drilling rig explosion which killed eleven workers and injured seventeen others. Between April 20 and July 15 an estimated 205.8 million gallons of oil flowed into the Gulf, starting at about 62000 barrels per day and ending with 53000 just before the well was capped. The numbers are difficult to comprehend but roughly this amount of oil would fill the area of Burke Lake to a depth of three feet.

The extent of the damage will not be able to be assessed for many years to come and while some authorities are optimistic, others warn of longer term consequences and a much slower recovery. But the good thing is that BP will be there until all the oil is gone!

It is a very clever and carefully constructed commercial. Notice how BP is taking full responsibility for the clean up. This is indeed very commendable and positive, and the millions of dollars paid out so far to those affected, as well as the 20 billion set aside in a special fund to meet further claims, both of which are mentioned later in the commercial, at least make us feel that BP is doing its best to help the recovery. All evidence that BP is indeed following through on its “taking responsibility” for the cleanup.

So what is the problem?

Who is taking responsibility for causing the disaster in the first place? No-one! BP blames Halliburton, the engineering company whose job it was to pour the concrete and build out the wellhead with all its back up and safety features. Halliburton blames BP and Transocean, the owners of the rig and equipment like the blowout preventer. Transocean, of course, blames BP and Halliburton. And everyone points a finger at the Minerals Management Service whose job apparently was to be the regulatory enforcer.

Reports from recent hearings of the investigation committee, which is a joint operation by the Coast Guard and the Bureau of Ocean Energy Management, Regulation and Enforcement, indicate just how determined each of the players is to shift the responsibility to one of the other parties. Not altogether surprising when one considers both the criminal and civil court cases that will follow.

But it is equally unsurprising because this is the nature of our society. We don't particularly like taking responsibility for anything that goes wrong and will go as far as we can to avoid it using age old techniques, all of which are probably familiar to most of us - not because we use them, but because, no doubt, we have seen others use them!

The first is “disowning the problem”. When the Israelites build the golden calf in the desert our very angry God tells Moses “Go down, your people, whom you have brought out of Egypt, have corrupted themselves!” Just five verses later, Moses asks, “Why does your anger burn hot against

Your people who You brought forth out of the land of Egypt with great power and a mighty hand?"

Anyone not familiar with the oh so subtle change in ownership pronouns that occurs whenever we are confronted with bad behavior of our children or siblings?

Then there is "deflection." An almost always futile attempt to redirect the responsibility by deflecting the question or issue. When God asks Cain "Where is Abel, your brother?" Cain's answer is "I don't know, am I my brother's keeper?"

A more recent example - BP has taken full responsibility for the cleanup...

Then there is "denial". When Sarah hears the angel tell Abraham that the two of them will have a son she laughs, saying to herself "I am withered, will I have pleasure, with my my husband, who is so old?" But when confronted, she emphatically denies that she had laughed!

And just how many times have we all heard "It wasn't me!"

That is normally followed by the last of the devices - blame. In the garden of Eden, after both Adam and Eve have eaten of the fruit of the Tree of Knowledge, God confronts Adam with the words, "Who told you that you were naked? Did you eat of fruit of the Tree that I forbade you to eat?" Adam replies, "The woman whom You gave me, she gave me the fruit of the tree, so I ate." God then said to the woman, "What is this that you have done?" And she answers, "the serpent tricked me into eating it!"

Again, we only have to look at BP, Halliburton and Transocean to get a contemporary example of the blame game. But it is not only them, every facet of our society also operates in the same mode. It is always someone else's fault, someone else is responsible.

In corporate America, whenever something goes wrong, the CEO or equivalent is usually scapegoated and fired and that is supposed to make things right. Too bad that the culture of the company remains toxic, too bad that in fact nothing really has changed, but in having vested blame in an individual and then firing that person, the Board of Directors can take credit for have acted in the best interests of the Company.

I don't think that it is necessary to bring examples of how this shifting of responsibility plays out in the political arena, all one has to do in read the newspaper or watch the news on TV. However, our politicians too have become masters of taking credit for "being responsible for the solution" (if it is working), but never being to blame for causing the problem in the first place.

Why is our world and particularly America like this? It stems, I think, from our reluctance to hold individuals and corporations accountable for their actions. It is only when a serious problem emerges or when we are confronted with the consequences of disaster that we begin to search around for someone to blame, someone or some entity upon which we can pour out our anger and in any way exact punishment. It happens time after time, and time after time, nothing or very little changes.

After vengeance has been sought, after the fines are levied and those who shouldered the blame removed, we move on and all too soon forget the lessons that should have been learned.

In March 1989 the Exxon Valdez hit the Bligh Reef in Prince William Sound, Alaska, causing the worst oil spill in history to that date.

Cleanup efforts that persisted from April 1989 through to 1991. In 2009, according to the Trustee Council's 20th Anniversary report only 10 of the 31 injured resources and services that they monitor has recovered. Tens of thousands of gallons of oil still remain in Prince William Sound, and they estimate that the remaining oil will take decades and possibly centuries to disappear entirely.

An Alaskan jury ordered ExxonMobil to pay 5 billion dollars in punitive damages. In 2006 the 9th US Circuit Court cut this amount in half and in June of 2008 the US Supreme Court reduced the amount to \$500 million. The 32000 Alaskan plaintiffs, who have been waiting for their money since the 1994 award will now get 1/10 of their original award.

To put this in perspective - in 2009 Exxon Mobil's profit fell to \$19.4 billion from its 2008 high of \$44 billion. Even at the lower figure the Supreme Court award would take less than 10 days of profit to pay and this after a delay of twenty years.

By the way, the Gulf spill was the equivalent of one Exxon Valdez spill every 3.5 days, in other words about 16 of them.

My point - most of us were genuinely upset at the Prince William Sound disaster. Some of us even boycotted Exxon for a while. But, after the cleanup faded from news and no more pictures of oil soaked birds and marine life flashed onto our TV screens, after the initial award of damages...the memory dimmed, the anger diminished, life went on as usual, for us, but certainly not for the tens of thousands of people, birds, fish, mammals and mollusks that live in and around Prince William Sound.

More importantly where is the accountability? Has the oil industry learned a lesson? In a small, specific way, because double-hulled oil tankers are now mandated in US waters from 2015 onwards. Have we as a country learned lessons about how to protect our natural resources especially those that we depend upon for food and peoples' livelihood?

We initially instituted regulatory bodies and legislation that were supposed to ensure the safety of these resources, but over time those institutions and that legislation have been eroded by pressure from the very industries they were supposed to hold accountable.

For example in 2008, it emerged that the Minerals Management Service, the agency that oversees our off-shore resources which includes collecting oil and gas royalties as well as enforcing regulations, had an extremely close relationship with the energy industry. This led to an embarrassing scandal which included according to the New York Times "allegations of financial self-dealing, accepting gifts from energy companies, cocaine use and sexual misconduct... One report said that the culture of the organization "appeared to be devoid of both

the ethical standards and internal controls sufficient to protect the integrity of this vital revenue-producing program.”. The new director of the Minerals Management Service, Randall Luthi, said in a conference call with reporters that the officials implicated in the reports had violated the public’s trust.”

Those employees were fired and prosecuted and other changes have been made including changing the name of the agency to the Bureau of Ocean Energy Management, Regulation and Enforcement. Yes, that’s the organization, which along with the Coast Guard, is in charge of the investigation into the causes of the Gulf oil spill.

The scandal emerged because of a whistleblower, not because of proper oversight Department of the Interior under whose jurisdiction it falls.

Was the Department of the Interior held accountable for this scandal? No! Was Congress held accountable for allowing the weakening of those minimal protections that were put in place after Exxon Valdez? No! Will these experiences change our culture of a lack accountability? Unfortunately, I very, very much doubt it.

Taking responsibility of course only comes into play after the event was occurred. But what about before? How about avoiding the problem by acting responsibly?

Our Torah commands that we build a parapet or fence around the roof of a house to prevent someone from falling off. The Talmud decrees that abandoned pits and wells be closed up or covered, not only to protect humans but to ensure that animals too are kept safe. It legislates the provision of green space around a city and where polluting industries like tanning and dyeing may be situated so that they do not contaminate a town’s water supply.

Prior to the spill in the Gulf, a Halliburton engineer notified BP that there where problems with the way the well was being constructed and that it needed more internal support. In fact the additional material was brought to the rig but was never installed because of the delay and cost increase it would have caused. The blowout protector, a Transocean piece of equipment, was found not to be working properly and was left hooked up in test mode rather than being properly installed on the wellhead. The ongoing investigation has revealed that time and again, in the days leading up to the disastrous explosion, the tragedy could have been averted if anyone of more than a dozen individuals had acted responsibly.

But then again, acting responsibly is antithetical to the way our society functions. For some strange reason we seem to prefer to deal with punitive consequences than to do what we can to mitigate them through prevention. All too often the attitude is that it is “they” who should act responsibly, not “me”.

“They” all are easy targets but they often maintain in their own defense that we almost always have a choice. And indeed we do, but it would mean that we have to act responsibly too!

This sacred period of time, set aside within our Jewish calendar year is dedicated to taking responsibility for everything we have done. We are urged time and again to examine our deeds,

admit our mistakes and most importantly, which is a mark of truly taking responsibility, make amends where ever possible.

There is no doubt that there great wisdom in this exercise, even if it is only for the brief period of ten days once a year. Merely the fact that we are commanded to focus on *teshuva*, repentance, is critical to restoring balance to our lives.

And the rest of the year? For the other 355 or 6 days we are bidden to act responsibly! Indeed, what we do and the choices we make during the year determine the burden we have to deal with during these holy days. As important as they are, these days are the directional correction and not the path of life upon which we should travel.

Our tradition provides the roadmap, the wisdom and the guidance of how to act responsibly and emphasizes our obligation to do so.

Ecclesiastes Rabbah tells us that in the Garden of Eden, God instructed the first couple “See My works, how beautiful and praiseworthy they are. Everything I have created has been created for your sake. Think of this and do not corrupt or destroy My world; for if you do there will be no one to set it right after you.”

In Mishnah Sanhedrin we find “...anyone who destroys a single life is as though he destroys the entire world; anyone who preserves a single life is as though he preserved an entire world.”

Each of these is a sermon in itself but in them we sense part of the accumulated experience of our tradition and are bidden to find within it the tools we need to learn how to act responsibly and ethically. And while our choices may not always be the right ones, if at least we know we tried, *teshuva* becomes just a little easier.

If we want our society to act more responsibly, we have to begin right here. Ghandi, quoting his grandfather said, “Be the change you wish to see in the world” It is our responsibility, let us individually and together act like it!

Amen.

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