

Daily Meditation 05/07/2022

Originalism and Today's Supreme Court

Good morning.

In today's meditation, I'm sharing with you the very thoughtful and provocative video from Peter Gabel about originalism, which dominates in today's Supreme Court. And it really is about our understanding of the universe.

There's history in 1789, where some justices want to park themselves forever, which is, well, both laughable and tragic. And 2022, where we live, and believe it or not, there's a different worldview going on!

So 1789 was, of course before Darwin, so evolution was not in the air. And it was Newton's universe that these people were working under: these people being the Framers of our Constitution. And of course, Newton felt the universe is pretty much fixed in its state, and it was only our galaxy. And needless to say, we've grown a bit since then, I hope. Maybe the Supreme Court justices, the six of them, who love originalism, want to live in 1789. Maybe that would be easier for all of us!

Anyway, in my book on *The Reinvention of Work*, I set the whole book in the context of exactly this issue: namely, that we all, in all of our professions, including religion, education, everything else, and law, have to reset our consciousness in 21st-century physics and astronomy, and cosmology.

And I'm not alone in this; any wisdom teacher would tell you this. Here's a great poet, Rainer Maria Rilke.

For somewhere there is an ancient enmity between our daily life and the Great Work. Help me, in saying it, to understand it.

The Great Work, as Rilke saw it, was the ongoing of the universe, and what is in connection between our daily life, including our daily work, and the universe.

The Bhagavad Gita:

All actions take place in time by the interweaving of the forces of Nature.

Well, certainly the forces of nature include the 13.8 billion years that have brought us here, right? And "here" is 2 trillion galaxies, each with hundreds of billions of stars, according to today's science.

The Bhagavad Gita continues:

...but the person lost in selfish delusion thinks that he himself is the actor.

...selfish delusion. How much selfish delusion is there among these legal professionals who want to park themselves in 1789, with the slave owners being majority writers of our Constitution, it's -- to me, it's beyond the pale. Let's keep going.

Thomas Aquinas:

God works at the heart of all activity.

God works at the heart of all activity. So this is another way of saying that the spirit of creation is co-creating with us as we do our work. And this is the same spirit, as Aquinas says elsewhere,

...who hovers over the mind of the artist at work. That is the same spirit who hovered over the waters of the beginning of creation --

...or what we would say, given our creation story today, hovered over the fireball at the beginning of creation. But again, what's being talked about is the relationship of our work -- and that includes law, and judges -- our work to the whole.

And so what is most shifted, as Peter Gabel points out in today's essay and his video, is this, the cosmology, our worldview, and it incorporates evolution, because that's a 19th-century awareness and it incorporates the new science that in fact is replicating or echoing the ancient mystical teaching that all things are connected.

And this is the basis of mysticism; it is the basis of what Hildegard said in the 12th century: that Creation is a web of life; we live in a web with all these other networks, all these other creatures. And of course, as an interdependent web, we need their gifts for us to survive.

So I do think there's a very great connection between my work on the reinvention of work, and everything that Peter is saying in his essay or video today, and what originalism as a philosophy is not saying, it seems to me.

It is back in the 18th century, a frozen fixed sense of eternal law, and no sound of evolution, no sound of advancement, in terms of the moral arc of the universe, and the powers of love and energy that drove the union movement, that drove the women's movement, that drove the civil rights movement, that drives the Eco movement today, and the gay and lesbian movement -- no comfort at all for these originalists when the world is unfolding and growing and expanding.

Thank you. We'll see you tomorrow.