

THE CENTER MAGAZINE



Freedom

but to bring fulfillment to the public's right to know."

AMENDMENTS TO THE CONSTITUTION.

Art. 1. Congress shall make no law respecting an es

ART. I.

of religion, or prohibiting the free exercise thereof; or

abridging the

Freedom.

freedom of speech, or of the press; or

Religious liberty.

ARTICLE

the right of the people peaceably for a redress of grievances.

assemble,

the First Amendment

our most

IV.

petition the government

precious inheritance.

Fourth Amendment

It gives equal time

Art. 4. The right of

the people to be secure in their persons,

to my opponents as it gives it to me."

ART. V.

Privileges of accused.

papers, and effects, against unreasonable searches

and seizures,

Art. 5. No person shall be held to answer for a

infamous crime, unless on a presentment or indictment of

grand jury

"The right to be let alone

be subject for the same offence to be twice put in jeopardy of

life or limb, nor

beginning of all

freedom

shall be compelled,

in any criminal case,

or property, without due process of law;

civilization now faces

It gives the guarantee that a man's home is his castle beyond invasion

to be a witness

"...due to abuse of the earth,

against himself, nor

the very issue of survival.

N. Dale 1979

be deprived of life, liberty,

JA
1
C4567
v.12
n.2

Special
Collections



LIBRARY
THE UNIVERSITY
OF CALIFORNIA
SANTA BARBARA

FOR THE STUDY OF DEMOCRATIC INSTITUTIONS
THE FUND FOR THE REPUBLIC, INC.

19-1977)

OFFICERS: Maurice Mitchell, President; Peter Tagger, Secretary and Treasurer
Barbara R. Green, Assistant Secretary; Sibyl Holder, Assistant Treasurer

BOARD OF DIRECTORS: Morris L. Levinson, Chairman; Joseph Antonow, Harry S. Ashmore,
Marshall Bennett, Ramsey Clark, James H. Douglas, Jr., Harold C. Fleming, Frank Gibney, Vesta Hutchins,
Albert E. Jenner, Jr., Phillip M. Klutznick, Edward Lamb, Eulah C. Laucks, Frances McAllister,
George A. McAlmon, Maurice Mitchell, Stewart Mott, Paul Newman, Frederick M. Nicholas, Seniel Ostrow,
Bernard Rapoport, Maurine Rothschild, Ralph W. Tyler, Marvin L. Warner, Bernard Weissbourd

ASSOCIATES AND CONSULTANTS: Ruth Adams, Chief S. O. Adebo, Harry S. Ashmore,
Benjamin S. Bloom, Elisabeth Mann Borgese, Silviu Brucan, Walter H. Capps, William Cortelyou,
Donald R. Cresse, Hugh Downs, Paul Ehrlich, Mircea Eliade, Clifton Fadiman, Frank Gibney, Norton Ginsburg,
Robert Gordis, William Gorman, Otis L. Graham, Jr., Bernard Haber, Robert L. Hess, Laurence I. Hewes, Jr.,
Doris B. Holleb, Fred Jackson, Neil H. Jacoby, Bertrand de Jouvenel, Clark Kerr, Alexander King,
Joseph M. Kitagawa, Joseph L. Lyford, Raymond W. Mack, Milton Mayer, Wendell A. Mordy, Aiva Myrdal,
Gunnar Myrdal, Fred Warner Neal, Melville B. Nimmer, Arvid Pardo, Raúl Prebisch, Karl H. Pribram, Isidor I. Rabi,
Lord Ritchie-Calder, Robert Rosen, Nathan Rotenstreich, Adam Schaff, Joseph J. Schwab, Mildred Schwartz,
Lacey Baldwin Smith, Robert Stevens, Rexford G. Tugwell, Ralph W. Tyler, Sander Vanocur,
Carl Friedrich von Weizsäcker, David Wise, Herbert F. York

STAFF: Peter Tagger, Director, Membership/Publications Program

The Center Magazine: Donald McDonald, Editor
Patricia Garvin Cathcart, Editorial Associate
Gene Schrader, Editorial Assistant

Audio Tapes: Patricia Douglas, Editorial Coordinator

Program Coordinator: Nancy Andon

THE CENTER: 2056 Eucalyptus Hill Road, Santa Barbara, California 93108

Mailing Address: Box 4068, Santa Barbara, California 93103

Telephone: (805) 969-3281

New York Office: Suite 1015, 527 Madison Avenue, New York, New York 10022

THE CENTER MAGAZINE

A Publication of the Center for the Study of Democratic Institutions

Editor — Donald McDonald

Editorial Associate — Patricia Garvin Cathcart

Editorial Assistant — Gene Schrader

A recent decision by the administration of the Center to bring international concerns closer to the mainspring of our activities and publications means that *World Issues* has been discontinued. It was originally conceived as part of a joint project which was launched at the time of *Pacem in Terris IV* in 1975.

Recent emphasis on issues of an international nature at the Center has made us feel that most of the material in *World Issues* really belonged in *The Center Magazine* itself. Many issues of an international character are now so interwoven with domestic concerns as to make it difficult to separate them. This is certainly true in the area of illegal immigration, for example, where relationships with Mexico, Cuba, Haiti, and the nations of Southeast Asia must be considered along with domestic employment and human rights policies. Our national concerns in such matters as energy, population control, poverty, and disarmament are, quite obviously, also global in character.

We will deal with world problems, in future issues of *The Center Magazine* and other Center publications, in a manner that will continue to appeal to those with special interest in international matters while also broadening the concern for these matters in the balance of our membership.

MAURICE MITCHELL
President

MARCH / APRIL 1979

Thomas Merton's Legacy <i>Walter H. Capps</i>	2
The Douglas Convocation on the State of Individual Freedom	6
Freedom for Whom? For What? <i>Abe Fortas, Ramsey Clark, Jr., Leonard Boudin, Barbara Jordan, Harry S. Ashmore</i>	7
Discussion	10
Freedom and the Federal Criminal Code <i>Ronald L. Gainer, Vern Countryman, Louis B. Schwartz, Alan Dershowitz, Steven B. Duke, John H. F. Shattuck, Edward M. Kennedy</i>	12
Freedom, the Courts, and the Media <i>Robert H. Bork, Floyd Abrams, Fred Graham, Anthony Lewis, Sander Vanocur, L. A. Scot Powe, Jr., Abe Fortas</i>	28
Freedom and the Intelligence Function <i>Thomas I. Emerson, Stansfeld Turner, John Hotis, Mitchell Rogovin, Morton Halperin, Richard D. Hongisto, William E. Colby</i>	45
An Exchange	59
Freedom and the "New Property" <i>Robert Sinsheimer, Maurice Abravanel, Kenneth S. Tollett, Theodore Kheel, Eugene J. McCarthy</i>	61
The Spell of War <i>Liane Ellison Norman</i>	72
Letters	79
Cover <i>William Dole</i>	
Design <i>Barbara Smith</i>	

Thomas Merton's Legacy

It is ten years since the death of the Trappist monk, Thomas Merton. No one could have known in December, 1968, when Merton died in Bangkok, Thailand, that the next ten years would see the arrival of a new contemplative era in religion.

In religious circles, the emphasis before 1968, at least among Christians, and primarily among Protestants, had been on the revised "social gospel." The emphasis was on the need to establish the Kingdom of God (the theological equivalent of the "Great Society") on earth. The Catholic world was living in the aftermath of Vatican Council II. The shift to a process orientation, to change, and to experimentation as distinct from acceptance of doctrine, was growing. In the churches, baroque organ music was being replaced by a laid-back, syncopated beat of Spanish guitars. Priests and nuns, sometimes together, were leaving the religious orders and seeking release from their vows. Theologians were counseling their hearers and readers to "support the social and political unrest wherever you find it."

It was December, 1968, and the safer, surer, more majestic and predictable worlds of the Karl Barths,

Paul Tillich, and Reinhold Niebuhrs seemed to have passed from the scene.

But also in December, 1968, on a gentle hillside a short distance from the walls of the chapel of Gethsemani Abbey, near Louisville, Kentucky, a community of Trappist monks gathered to lay the body of Thomas Merton ("Father Louie," as they called him) to rest. He had gone to Asia to participate in a number of conferences on religious renewal. He went there to learn from the Asian monks, because in these matters, as he had said, they were ahead of their counterparts in the Western world. As he had left the airport in San Francisco, he had written in his diary, *The Asian Journal of Thomas Merton*, "I am going home, to the home where I have never been in this body." He referred to "being at last on my true way after years of waiting and wondering and fooling around." Then he had prayed, "May I not come back without having settled the great affair."

Before leaving the United States, Thomas Merton had come to the Center for the Study of Democratic Institutions where he gave a brief piece on the



THOMAS MERTON

theme, "the monk as marginal man." Here he had identified with those on the edges of society (poets, students, hippies) who were raising critical questions, and he stressed the need to develop a universal consciousness. "We are not going to solve the social problems of community," Merton said at the Center, "unless we solve them in universal terms."

Then, after spending some days in retreat in Redwoods Monastery, in northern California, he had gone on to India, Tibet, Sri Lanka, and Thailand. In Bangkok, on December 10, following a lecture in which he elaborated upon the remarks he had made at the Center earlier in the fall, Merton was accidentally electrocuted. His body was returned to the United States by an American military plane from Vietnam. The funeral service was held at the Abbey on December 17, 1968.

Something of the importance of Thomas Merton's life was recognized immediately. More than any other individual, he had been responsible for giving

contemporary monasticism a basis for self-evaluation. He had developed a rationale for interpreting and thereby defending the monastic vocation in something other than self-referential terms. He wrote books about the propriety of the monastic calling. He knew how and why that form of life fit the needs of the modern world. He was able to articulate a monastic sense of things in terms of a larger context, a context that included sensitivity to the dynamics of social change, resonance with the worlds of art and literature, and an acute awareness of the practical implications of dominant political orientations. He was in communication with these worlds in addition to those to which monks claim disciplined (if not privileged) access.

All of this was known about Thomas Merton in 1968. He had gained a large readership ever since the publication of his autobiographical *The Seven Storey Mountain* in 1948. But what was not known, and could not have been known, is the remarkable complementarity between his interests (and the subjects he illuminated) and the marked tendencies of the religious climate that has come into prominence in the ten years since his death. That period has been marked by the turn to contemplative religion. Previously, the dominant tendency was to construe religion, in the main, in sociopolitical terms, to look at it as a transforming and regenerating force within a society experiencing profound social and political change. But the new era called for a renewal of the classic spiritual disciplines, including prayer and meditation, and has woven these into a mode through which life itself is approached and addressed.

From certain vantage points, the shift appears as a complete turnabout. But lest we extend the distinction into a radical contrast, we should keep in mind that Merton understood monasticism to be an instrument for social reform. It is evident, too, that he refused to pit action and contemplation against each other as competing dispositions. He recognized that there are large areas of overlap, subtle similarities, and a persistent and necessary complementarity. In his view, contemplation finds expression in action, and action is always fed, directed, and enriched by contemplation.

Part of the reason the new era came on with such force is Merton's own catalytic influence. Significantly, he himself did not intend to function as either a religious reformer or a social revolutionary. His intention was to live as a monk. And the end of his life found him seeking for a greater solitude and solitariness than he had ever known. He was thinking about moving to Alaska, for example. And he was

Photograph by John Howard Griffin from *A Hidden Wholeness* by Thomas Merton and John Howard Griffin. © 1970 by John Howard Griffin. © by the Trustees of the Merton Legacy Trust. Reproduced by courtesy of the Merton Legacy Trust, John Howard Griffin, and Houghton Mifflin, Boston.

wondering about establishing something more remote at Redwoods Monastery in northern California. He did not appear to be interested in any additional programmatic possibilities. To be sure, he worked from within the monastery for changes. He was encouraged by the Vatican to engage in these efforts as well as to interpret the monastic form of religious life to persons outside the cloisters. In pursuing all of this, he had found interested readers and commentators. His interpretive work was convincing.

We may be too close to the situation, even today, to understand how it happened that what was designed to revivify the monastery from within was transmitted beyond and transposed into a basis for a dramatic general change in religious attitudes and aspirations. The larger issue is more difficult to penetrate: How did it happen that a religious viewpoint — very monastic in origin and orientation — became attractive to people who are not formally associated with any particular religion?

Erik Erikson's interpretive category "cultural work" comes to mind in this respect. Thomas Merton was engaged in primary cultural work. He helped to delineate an orientation to life with which others could identify. They, in turn, regarded him as a pioneer in an effort in which they themselves were also engaged. He helped bring the new situation into focus and articulateness. Through his writings he helped to make it intelligible. He gave it delineation. It is not simply that Merton recognized the new circumstance when it occurred; he also helped to bring it to pass.

In Erikson's view, primary cultural work is appropriate when the prevailing ideology no longer functions effectively or when it loses its resonance. Until the reconstructive work is effected, people have difficulty finding appropriate connectedness. In seeking a basis for understanding himself and his place, the cultural worker also functions as a representative. Others come to accept the correspondences he re-constructs and the resonances he re-establishes. Because he was a person of uncommon intuitive sensitivity and creative ability, Merton's efforts assume more extensive application and broader social and cultural ramifications.

In seeking monastic reform from within, Thomas Merton tapped into ideological dynamics beyond monastic life. He pioneered a viewpoint that, among other things, focused less on religion as an instrument of social and political reform and more on religion as a means of interior awareness and psychological self-disclosure. Merton was preoccupied with the

definition of the ego, and he claimed that monasticism offered an "alternative way of being." He was fascinated with the Marxist critique of society and with the Buddhist religion, as he concentrated on understanding the nature of the human being.

All of this was behind Merton's desire to visit Asia. It is implicit in the frequent statements in his *Journal* that, in Asia, he had found what he had been looking for. The most striking of these statements is the observation he made after viewing the Buddhist wood sculpture figures at Polonnaruwa in Sri Lanka:

"Looking at these figures, I was suddenly — almost forcibly — jerked clean out of the habitual, half-tied vision of things, and an inner clearness, clarity, as if exploding from the rocks themselves became evident and obvious. . . . The thing about all this is that there is no puzzle, no problem, and really no 'mystery.' All problems are resolved and everything is clear, simply because what matters is clear. The rock, all matter, all life . . . everything is emptiness and everything is compassion."

Then follows an exclamation:

"I don't know when in my life I have ever had such a sense of beauty and spiritual validity running together in one aesthetic illumination. Surely, my Asian pilgrimage has come clear and purified itself. I mean, I know and have seen what I was obscurely looking for. I don't know what else remains, but I have now seen and have pierced through the surface and have got beyond the shadow and the disguise. . . . It says everything; it needs nothing. And because it needs nothing it can afford to be silent, unnoticed, undiscovered."

This describes the deeper vision he sought, a basis which the various religious traditions share, as well as his convictions about the need for a universal consciousness as he expressed them in his remarks at the Center.



It is understandable why there should be an attempt to find social, cultural, and religious alternatives. But why should a fundamentally monastic perspective become attractive outside the monastery? And why should such shifts redirect attention to the components of a twelfth-century medieval world view? Why should the vantage point of the monks find resonance in a world grown tired and suspicious of

the claims of the problem-solving orientation to human life?

Certainly the response has to do with ways in which reality is nuanced. It implies that some significant perceptual realignments are taking place. A unique set of vectors is being given new status. And, if the viewpoint of Bernard of Clairvaux is to be the model, we can expect the substance of things to be approached more as if it were heart than mind. There will be increased interest in the passions and reasons of the heart, the first clear example of which is John Dunne's magnificent book, *The Reasons of the Heart*, subtitled *A Journey into Solitude and Back Again into the Human Circle*. Dunne's is a plea for gentleness, a more delicate mediation of the nature of things, as distinct from critical and analytical probing. And it may also be seen as the quest for a lost or disguised form of authority. In short, the dominant instrumentalist approach to all of life has been severely challenged, first by the events of the past decade, next by significant shifts in our sense of values.

The monks seem to welcome all of this, of course. And some of them understand their task today to be similar to the sociocultural role they have traditionally carried out. Monasticism has always had a stake in the transmission of culture. Monks were the ones most responsible for transmitting the world of classical antiquity into medieval form. Today, the traffic is not from classical Greece and Rome to medieval Europe, but between Eastern and Western cultures. Almost all of the monasteries in the West have been distinctively affected by Asian religions. The forms of religion practiced in the monasteries are being guided and nourished in self-conscious recognition of the power of the Asian visions. Thus, as before, the monks are involved in sorting out the significant cross-cultural currents. They are functioning as stewards and as ministers of exchange. They approach this work with the sense of responsibility that has been tutored through the long centuries of practicing the spiritual disciplines.

But this time, the lines of transmission have become extraordinarily complicated. It is not simply that East is meeting West and West is meeting East. It is also that in the meeting of East and West, the West is learning to face the West, as it were, from the East. All of this is occurring in keen awareness of the findings of depth psychology, and in a world in which the contentions of psychoanalysis have been accepted as shared experience.

In the contemplative tradition, the identification of the stages of interior prayer as well as the distinct

moments and periods in the life of the soul have been central. The writings of Teresa of Avila and John of the Cross are vivid examples of this sensitivity. Such efforts have found Biblical sanction in such statements as "In my father's house are many rooms" (or, in some versions, "mansions"). Now, some of the same distinctions are being correlated with a conception of soul, via "topos-analysis" (a word coined by Gaston Bachelard), that embellishes the house imagery, and frequently employs the insights of C. G. Jung in his *Contributions to Analytical Psychology*:

"We have to describe and to explain a building the upper story of which was erected in the nineteenth century; the ground floor dates from the sixteenth century; and careful examination of the masonry discloses the fact that it was reconstructed from a dwelling tower of the eleventh century. In the cellar we discover Roman foundation walls, and under the cellar a filled-in cave, in the floor of which stone tools are found and remnants of glacial fauna in the layers below. That would be a sort of picture of our mental structure."

East meets West, and West meets East, and West faces the West from the East, while corporate memory is at work from both sides, intuitive capacities are being made reflexive, and archetypal awarenesses are being probed in myth, dream, and ritual.

As if this were not enough, a new dimension has been added lately: there has been a subtle, but growing, claim that the basis upon which these careful exchanges can be effected requires the recovery of a twelfth-century Cistercian monastic viewpoint. The recovery is necessary not for theological reasons, first of all, but because of the dictates of the nature of things. The correspondences between knowing and loving are closer than the modern world suspects. If one is to know, one must realize one's likeness to that which one is approaching. This temper harmonizes with some current ecological and environmental sensitivities. It opposes some of the requirements and promises of the scientific method. And appropriately, it is a temper that has emerged after some of the claims of the Enlightenment — and the assumptions upon which they are based — have been found wanting.

Walter Capps is a Professor of Religion and Director of the Institute of Religious Studies at the University of California at Santa Barbara, and a Center Associate.