

My Unificationist Memoirs Chapter 27

J. Scharfen
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The reluctance of Archbishop Levada to relinquish direct control over the Catholic Community Foundation, in order to protect the assets of its donors, manifested a deeper problem within the Catholic Church. Canon Law emphasizes the principle of "subsidiarity" or the decentralization of authority. Each entity established by Canon Law, possesses a legal integrity that should allow a degree of independent activity and governance, consistent with the larger ecclesial framework and spiritual mission. Thus, a pastor should possess the freedom of action to run his parish without excessive intrusion by his bishop. A diocesan high school should first and foremost be governed by its president and board of directors, and the corporate and financial integrity of the school should be respected by the diocese. Of course, the duty of the bishop is to ensure that each of these institutions remains authentically "Catholic" and upholds the larger ecclesial mission.

However, most American bishops have consolidated their power over local diocesan entities by adopting the American civil law structure of the "corporate sole," which allocates ownership of all diocesan assets to "solely" the bishop. This civil law structure is inconsistent with Canon Law. It's good to conceptualize the relationship between Canon Law and the civil code, as that between internal and external, or mind and body. What has happened in the Catholic Church is that the body has come to dominate the mind, as the bishops adopted a civil law mindset that disenfranchised the laity, perpetuating an authoritarian structure in the local church at odds with the teaching of Vatican II. The more the clergy had to hide, the less they wanted their laity to be involved.

As Unificationists, we also can see that this centralization of power is at odds with God's providence. Catholicism should be moving to recognize and empower the conscience and agency of each person and each family, as True Parents have done through the Blessing, Home Church, and Tribal Messiahship. The seeds of this providence can be found in Catholic thought, for instance, in the writings of John Henry Newman on the primacy of the conscience, and GK Chesterton on the centrality of marriage and the

original liberty of the family. Newman even recognized how doctrine within Catholic history developed based on the experience of the laity, from the grassroots up, not from the top down. For a moment, we might imagine how the providential history of the 20th Century might have been different if the swelling tide of preference among the Catholic laity for married priests in the wake of sexual scandal and the pedophilia tsunami, had been respected and followed by Pope Paul VI and John Paul II. A major bulwark (and natural ally) against the forces of social and moral decay in our culture would likely not be humiliated and unraveling before our eyes.

Before I left the Catholic Community Foundation, I wrote a memo to Archbishop Levada in which I suggested reconfiguring the legal status of the diocese to make our civil structure consistent with Canon Law. Peter Califano, who practices bankruptcy law in San Francisco, assisted me with framing my argument as a sensible defensive move which would provide another layer of corporate protection for the assets of the diocese. I also consulted with Peter Ross, then residing in St. Helena, about the public relations strategy the diocese should pursue in addressing the unfolding scandal. Peter Ross's advice was pure gold and appreciated by the chancery. The archbishop rejected the suggestion of corporate restructuring. Of this I'm certain, the irony escaped the clergy that three Unificationist lawyers teamed up to provide some of the most sensible legal and PR advice they were to receive in the unfolding crisis.

Once I had satisfactorily put Catholic Community Foundation affairs in order, I left my positions with the diocese. Initially, I put my energies into my continuing work with Hand of Help and the young English missionaries. I began to pray and reflect on my next steps. The scandals and intrigue had left me angry and disillusioned, which I too easily expressed. My wife wisely counseled me to stop criticizing the church in front of our children, as they were too young to distinguish between institutional defects and faith. They would consider the failings of one, as the failings of the other, and jettison both. Having the fresh faces of the young missionaries in our home, revitalized me and renewed my sense of spiritual purpose. I enjoyed counseling them, teaching them, and just being in their company.

I had to make a choice: return to litigation with my old firm in San Francisco or make a new start and at least for a period of time, pursue a path other than the law. As I reflected on my choices, the missionaries organized a fundraiser in conjunction for Hand of Help with the Community Based Service Learning program at Cardinal Newman High School. The interaction put me in renewed contact with the faculty, further opening my heart to the possibility of teaching. Then the principal, Dennis Crandall contacted me and asked if I would be interested in sitting for an interview. A job in the English Department had opened up.

I agreed, we set a date, and I began to prepare.