

## My Unificationist Memoirs Chapter 97

J. Scharfen  
October 13, 2021



### Hard Cases Make Bad Law

I had cause to cite an old jurisprudential adage, "hard cases make bad law," in a recent dinner table conversation among close friends and colleagues of my wife, Cindy. It was the perfect comment for the topic at hand, except for the fact I had been forbidden by Cindy to discuss politics at this gathering. It is truly amazing how a momentary collapse of restraint to satisfy an intellectual urge can cascade into an evening of domestic suffering. Fortunately, my wife has deeply embraced the ethic of forgiveness... after submitting me to a trial by fire, of course.

We live in Sonoma County, the beautiful Wine Country of Northern California. Our town, Santa Rosa, used to be the home of rugged Italian immigrants and Mexican Americans--stonecutters, loggers, ranchers, and farmers--whose universe of values reflected their hard work and sacrifice. Our Lady of Guadalupe and Saint Rose of Lima stood atop the pantheon of Catholic Saints standing watch over the community. A smattering of Protestant denominations could be found in the valley but definitely a smaller slice of the overall population than the Catholics. There were even fewer Jews, enough for one synagogue, and Buddhists, a faith that arrived with the Chinese and Japanese settlers going back to the 19th Century. Santa Rosa also has long had its own mosque. The most alarming new arrivals in our broader Northern California community landed not in Sonoma County but in Mendocino and Napa Counties. These were the "Moonies," whose isolated rural retreat centers became the source of endless gossip and rumor, most of it untrue and all of it exaggerated for effect. I'm sure that among my readers, there are many who cherish their memories of Camp K and Booneville. Having joined in Washington, DC, I never had the good fortune to experience those workshop sites.

For generations, like much of the country, no matter which of the two major parties were politically ascendant, Sonoma County remained a family-oriented, socially conservative community. I cannot reliably state when that began to shift or how much it has shifted, but the change has been significant enough to make discussion of sexual preferences the third rail of polite dinner table conversation.

Thus, when my friend, a fellow conservative and supporter of the Hoover Institute, asked the simple question of why gender was mutable and race was not (an entirely reasonable inquiry), I couldn't restrain myself and to drive home his point, I jumped in to declare that I was Japanese--a patently absurd assertion made by one of only two Caucasians at a table of Asians. One of the younger doctors, an MD PhD, then asserted in response that gender was a matter of brain chemistry. At this point, as my wife surreptitiously and repeatedly kicked me, I spoke up, and pronounced (with lawyerly authority) "Hard cases make bad law!" I followed this declamation with the explanation that privileging the legal interests of those suffering from various dysphorias relative to the heteronormative, would create social disorder.

By "hard cases" the adage refers not to issues that require complicated legal analysis, but to circumstances that evoke sympathy for one of the parties, and might lead one to outcome based reasoning that violated solid and tested legal principles. I tried to find some common ground by attaching the caveat that we should behave compassionately towards those who suffer.

Of course, I was right. And while the moment blew over, causing no lasting damage, I was wrong in trying to be right.

Our example carries more force than our words. Not that we shouldn't speak, we should. But timing is everything. At the table that night, I sacrificed the example of our couple's harmony to make a legal and political point that would change no minds and even aggravate a few. In this age of profound sexual confusion, when the environment roils with emotional charge and words alienate, the most powerful witness will be the harmony and happiness exhibited by couples who live their lives centered on hearts dedicated to God. Every human being is seeking happiness. People will want what we have if we manifest the goodness and holiness flowing from God's Blessing.

For instance, I have a close friend whose daughter announced that she was "Non Binary Bi-Sexual" and preferred to be referred to in the third person as "they." While I know the mother to be unsettled by this, my path to her heart is not through words, at least not yet. If she had been sitting at the table the other evening, I very easily could have become an obstacle in her course of restoration--very likely out of maternal instinct, she would have come to her daughter's defense and hardened her position and heart.

I understand this as the parent of a gay son. There is so much I want to say but cannot. At least, not yet. I very much embrace True Parents' teaching--emphatically emphasized by Dr. Yong--that a perfect plus attracts a perfect minus. I clearly have not yet attained such an attractive power of true love in relation to my son. We have healed many past hurts. Our give and take is loving and our exchanges, sincere. He knows what I believe, but still, I cannot direct him. It is my absolute conviction that if my wife and I faithfully continue on this course of restoration and growth, we will become the embodiment of God's heart and love--we will evaporate my son's resistance like the sun on the morning dew. I know this as well: in the long history of humankind, and in particular monasticism, men and women have struggled with disordered love and sexual attraction. Through my son, I have been assigned the task of liberating the heart of heaven and taking responsibility for the confused and broken circumstances of many of my brothers and sisters, both on earth and in the spiritual world. In order to liberate God, the spiritual world, and humanity, I will always witness... and sometimes use words.