

Submission to the inquiry on the Marriage Equality Amendment Bill 2010

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Attention:

Committee Secretary
Senate Legal and Constitutional Committee
PO Box 6100
Parliament House
Canberra ACT 2600
Australia
Email: legcon.sen@aph.gov.au

Dear Committee Secretary,

Enclosed please find my submission to the current inquiry into the marriage equality amendment bill 2010.

My submission first appeared as an opinion piece in Eureka Street in September 2011.

Via email

The Hon. Kristina Keneally

Submission to the Legal and Constitutional Affairs Senate Committee
Into the Marriage Equality Amendment Bill 2010

I didn't hear the word lesbian until I went to university. In my childhood, homosexuality was not discussed: not at home, not at church, not at school.

I'm sure there were homosexual people in my classroom or community. Possibly even in my extended family. But they were not 'out'. Even the prevailing culture did not engage with homosexuality: growing up in middle America in the '70s and '80s was still far more *Happy Days* than *Glee*.

To say I grew up in a Catholic enclave wouldn't be far wrong. I went to Catholic primary school, where my mother also taught. My dad was a Eucharistic minister in our parish. After attending an all-girls Catholic high school, I earned a BA in political science at a Catholic university, then spent a gap year teaching at a Catholic primary school.

I met my husband at World Youth Day '91. Before we married, I headed back to university for a masters degree in theology and got my first proper job working as the NSW state youth coordinator for the Society of St Vincent de Paul.

As a legislator, I have voted for and promoted legislation that accords rights, such as adoption, to homosexual people. I have publicly stated that I don't agree with the Church's teaching on homosexuality. How did such a good Catholic girl arrive at what appears to be a non-Catholic position on this issue?

The first people I knew who acknowledged their homosexuality were fellow Catholics at university, living away from home for the first time, struggling with a very real question of who they were and how they should live.

My lack of knowledge about homosexuality meant I had very few presuppositions to confront. I came to the questions of how to respond to homosexual people armed not with Vatican teachings and cultural assumptions, but simply with the Gospel message of 'love one another as I have loved you'.

What I witnessed were people who suffered greatly because of the judgement of their family and community; friends who were more acquainted with loneliness than with romantic relationships; devout Catholics, some with a true call to vocation, grieving because their own church had no place for them. I realised no one would choose an orientation that brought such misery.

In time I came to ask what the Church taught on homosexuality, and why. Richard P. McBrien's seminal tome, *Catholicism*, explained the Vatican teachings

acknowledging the validity of homosexual orientation while condemning homosexual activity.

McBrien also outlined other theological points of view, including the argument that homosexual acts are morally neutral, because the morality of a sexual act depends on the quality of the relationship of the people involved; or that homosexual acts are preferable to living a life where one can never give expression to one's sexuality.

Another significant influence on my thinking also came from my studies of Catholic doctrine: the inviolability of conscience.

Conscience is a tricky area when one wants to claim it as a basis for disagreeing with the Church's official teaching. It often leads to accusations of being a 'cafeteria Catholic', choosing only the parts of Church teaching you want to agree with.

(I find this ironic, given that the Church has never explicitly claimed infallibility on a moral teaching, and has altered its own views over the years in response to cultural changes, e.g., on usury.)

The Second Vatican Council declares we are bound to follow our conscience faithfully; that one cannot be forced to act in a manner contrary to their conscience. But a conscience must be properly formed. Conscience is not a feeling; it is a decision to act based on thorough consideration.

A Catholic conscience must give attention and respect to Church teachings, but is also bound to consider science, reason, human experience, scripture and other theological reflection.

This is how I came to the views I have espoused in the Parliament and in public debate: by thoroughly forming my conscience.

Science affirms the Church's view that homosexual orientation is genuine, but if we are all made in the likeness of God, how can that natural orientation turn sinful when it is given expression through physical acts of love?

If we accept that heterosexual people who are physically unable to have children are able to express themselves in physical acts, why then aren't people who God created with a homosexual orientation able to do the same?

Scripture isn't a great deal of help in this area, though perhaps its relative silence is instructive. As the American Jim Wallis points out, there are 3000 references in the

Bible to alleviating poverty, but very few on homosexuality. The Australian Christian Lobby's Jim Wallace acknowledges there is no place where Jesus taught one way or another about same sex marriage.

But Jesus did have a lot to say about self-sacrifice, laying down one's life for another, and loving one another as he loved us. When I see homosexual couples in mutually loving relationships, or giving self-sacrificing love to a child, how can I not but see a mirror of Jesus' love for us?

Taking a contrary view to Church teaching is not a position I come to lightly. It is formed by prayer, reading, and reflection. It gives me no relish to be at odds with my Church. But it also gives me no joy to see people who are created in God's image unable to fully express their humanity, or live with the rights and dignity that heterosexual people are afforded.

I act in good conscience — as a Catholic, I can do nothing else.