

## **Even in the darkest days, my hotline to God was never disconnected**

By Michael Kirby March 31, 2004

When did you first meet God? For me, it was in kindergarten: Mrs Church's school attached to the Anglican Church of St Andrew at Strathfield in Sydney. In between the plasticine and interminable concerts, I was introduced to God. Generally speaking, we have been on friendly terms ever since.

In the coloured illustrations Mrs Church showed us, later confirmed in the Arthur Mee's Children's Encyclopaedia, God was portrayed as a Middle Eastern potentate with a beard and a turban. Eventually, when I grew old enough, my parents gave me a Bible which I still have. Many a judicial oath of office I have taken on it which I certainly did not foresee back in the 1940s. I took this Bible (the King James version naturally) to Sunday School at St Andrew's. At Sunday School I learned of Jesus and his love for us all. It was a wonderful discovery. Since then, I have never felt parted from that love. For me, it was a human manifestation of God that was more comprehensible to my understanding. Most of us, brought up in the Christian tradition, have felt the great power of this discovery. God was not, after all, an angry grandfather with a beard. He (and in those days it was certainly a he) was a very loving presence - rather like our parents, actually. It is a blessing of my life that I have always been surrounded by love. I am not in the slightest embarrassed to talk about it.

When I eventually grew old enough to attend Morning Prayer in St Andrew's Church, it was like moving into the Big School. Out of the church hall where the kindergarten had been conducted and Bible stories taught in Sunday School, I moved into the church itself. It was then that I found that, almost certainly, God was an Englishman.

Above the altar (or did we call it that in the Sydney diocese?) hung the Australian flag. But in pride of place was the Union Jack. This, after all, was the Church of England. In the 1940s the word "Anglican" never crossed our lips.

I was not quite sure whether I preferred the somewhat cold and haughty God I found at this stage, to the angry prophet from the desert featured in the Michelangelo plates of Arthur Mee. True, this English God was not so angry. He just seemed to be remote - up there with the King, the Queen, Queen Mary the Queen Mother and all the members of the Royal family for whom we prayed each Sunday. The rector was the Reverend Cecil Dillon. He had been an Army chaplain. In those post-War days, he wore a line of military ribbons in proof of his war service. He was a kind and gentle man. He taught me to understand the power of the beautiful liturgy of the Book of Common Prayer in lifting the mind from pedestrian to spiritual thoughts.

I began to have direct conversations with God. They were helped along enormously by Cramner's beautiful English words. As I came to the church from our home in Concord, I always thought that the Second Collect for Peace was written specially for us at St Andrews:

"Oh God, who are the author of peace and lover of concord, in knowledge of whom standeth our eternal life, whose service is perfect freedom; Defend us thy humble servants in all assaults of our enemies; that we, surely trusting in thy defence, may not fear the power of any adversaries, through the might of Jesus Christ our Lord. Amen".

I so loved the spiritual feeling that came over me in the sung service that I soon joined the church choir. Sadly, my glorious choral career came to a close because I kept fainting in the choir stalls. It was not caused by overwhelming piety so much as inadequate breakfasts.

The talk of "assaults of our enemies" in the Collect had a resonance with the great English hymns that we sang to God. Come back in your minds to those days. England which, with the dominions had stood alone against the

godless fascists and Nazis, had come through the War triumphant. In the words of the hymn, under God, England still had "Dominion over palm and pine".

We were not the first, or the last, to invoke God in war and to create him in our own image. At that time the British Empire still flourished. In the school map, a quarter of the world was coloured red. We felt pretty sure that God looked on British subjects with special favour. White British people had a civilising mission. But we did not really want Asians or black people in White Australia. We wanted to remain pure white - just like the images of God's son shown in the stained glass windows. God was certainly not Asian or black. If he was not an Englishman, at the very least he was white like us.

#### PROTESTANTISM

At about this time I also came to know that there were unfortunate people who lived outside this calm and beautiful English church where God dwelt. Some of them were Roman Catholics. It shocked me to learn that they had a bigger church. Of course, somehow it was always on the top of the hill. At noon and at six o'clock their bell rang out for Angelus. On 2SM, Norman Thomas Cardinal Gilroy intoned the prayers. There was a lot of talk about Mary, described as the "Mother of God". All of this was alien to my beliefs.

So, at about this time, I discovered that God was Protestant. I would return home from school to tell my mother, over the ironing, what I had learned that day. About the Tigris and the Euphrates and the beginnings of civilisation. About all the gods of the ancient world. And then the birth of the notion that there was just one God. And actually, he was not English after all. He was Jewish.

My mother's father had come to Australia from Belfast in Ulster. He was loyal to his Protestant view of the Christian religion. Prompted by my questions, my mother (somewhat reluctantly I felt) would endeavour to explain the differences between the mistaken beliefs of Roman Catholics and the highly rational approach of us Protestants who had cast superstition and ignorance out of the temple. It is hard to imagine now, but mid-century these were still times of sectarian conflict. We were still a church-going country.

Overwhelmingly, the people were Protestants, like the English themselves: We thought it ignorant to forbid priests and nuns to marry;  
We thought it absurd to conduct church services in the dead language of Latin;

We regarded it as a presumption not to share the cup of the Lord at Communion with the people;

We viewed talk about Papal infallibility as scientific nonsense; and  
We regarded the recently proclaimed doctrine of the Bodily Assumption of Mary as heretical.

At this stage I had not read Foxe's Martyrs, describing how Queen Mary I had burned Crammer and hundreds of other Protestants at the stake for their beliefs. But I was convinced that God was Protestant because the simplicity, rationality and clarity of the reformed religion seemed infinitely superior to one that, sadly, appeared to have strayed from scriptural text, if not worse from commonsense so well beloved of the English.

Strange isn't it how, in the matter of God, we like, even as children, to get into the winning team? We like to look down on those in other teams. The Roman Catholic Church might be the biggest Christian denomination in the world. But it was not so in Australia or most of the settler dominions of the British Crown. With Kipling, we in the Church of England could say: "We have the men, we have the guns, we have the money too".

As a young boy on the brink of my teenage, I was pretty comfortable that I had the inside running in the matter of God. Things were fairly cut and dried. I used to look at the red on the map and feel mildly irritated by

the little section of yellow where Thailand severed the link between Burma and Malaya. No doubt, I thought, an imperial war would, in due course, fix this up. Mr Dillon would go with the troops and, as usual, the British would win the last battle, for truly God was on our side.

Little tiny sparks of doubt were planted in my mind on Sunday nights. On my crystal set I would tune to Dr Rumble, an Anglican turned Catholic priest, explaining the error of Protestant ways. Question. Reply. The authority of Pope Pius XIIth (carried at shoulder-height on the papal throne) was painted as unquestionable. I knew nothing at that time of that Pontiff's omission to respond wholeheartedly to the terrible plight of the Jews and other victims of the Nazis. To me he seemed a remote figure. But neither he nor Dr Rumble could really cast doubt in my belief that my religion had reached a higher form of rationality.

Even as a boy I knew that Protestant truth had given me a hotline direct to God. Ultimately, I did not need the intercession of bishops and priests. I could speak directly to God. He was always with me. There was no confession to a human being. Simply a direct dialogue with God - always there, always listening, always watching. But God was pretty distracted by so many other obligations. Rather like the British Empire, come to think of it. God did not have everyone in his fold. Probably only a quarter of humanity, like the new Queen's dominions. The rest were heathens, communists and members of religions that did not know that belief in Jesus was absolutely essential. It was the needed password to catch God's attention. In those days, Australians never thought about Islam. We knew that there were Hindus in India. But Buddhism and other beliefs were beyond the pale. We were sure that Roman Catholics would one day see the light and embrace the Protestant reforms. Generously, God and I accepted them as Christians, although in an earlier, more primitive, state of development. Little did I realise that the second Vatican Council was just around the corner. And that many of Martin Luther's changes would be embraced by the blessed Pope John XXIII - a Christian leader that could be loved by us all.

For a time, I broke away from the Church of England. I attended the Wesley Methodist Church in Concord. This was no great theological conversion. God did not tell me to become more Protestant or to learn new and better hymns. It was just that Parramatta Road, ever more dangerous, stood between me and Anglicanism. We knew that the Methodists were really Anglicans with more money. But this Wesleyan interval reinforced my view that God was rational. That we humans had been given intelligence to read, think and talk about him. Nowadays, the Wesley Church in Concord is packed with Korean Australians. As in 1950, they sing Wesley's great hymns with fervour and speed.

I returned to the fold of the Church of England at Fort Street High School. That great preacher, Dr Stuart Barton-Babbage, taught Scripture to the huge Anglican class. He presented me for confirmation at St Andrew's Cathedral. That is where my relationship with God might have been arrested. It was a solid, competent, somewhat prideful superiority of mixed racial, cultural and religious beliefs. It was not a bad grounding for a spiritual life. But it kept God in a proper compartment. The English were never obsessively religious and neither was I. In a sense, surrounded by love at home with parents and siblings and close relatives, God was an other-worldly phenomenon of the same type of love extended universally. But then a very strange thing happened to me. I reached puberty.

#### HOMOSEXUALITY

When I realised that my sexual attraction was to people of the same gender, and did not change, I knew that this was not looked on as a good thing. My knowledge did not come from the Reverend Dillon. If ever he read the passage from Leviticus, I must have missed it and all the other strange injunctions appearing there. Nor did it come from my family. But at school, the occasional denunciation of "poofters" led me to know that I

should treat my sexual orientation as something very, very bad. The newspapers would occasionally report on famous people entrapped by the police and tried for crimes. The Police Commissioner, Mr Delaney, was always going on about it. At first, I shed a few tears. I felt embarrassed and ashamed about myself. But I got on with my studies; kept speaking to God; and continued with life in a state of denial.

This, presumably, is what was expected of me by religious people. So far as I knew, my own Church said nothing about the subject. Perhaps that was because, in an English type of way, a former Supreme Governor, King George V, had declared: "I thought people like that shot themselves".

But other churches were not so reticent.

The Catechism of the Catholic Church declared:

"Basing itself on Sacred Scripture, which presents homosexual acts as acts of grave depravity, tradition has always declared that 'homosexual acts are intrinsically disordered'. They are contrary to the natural law Under no circumstances can they be approved".

The world's Roman Catholic Bishops were later to add to their castigation even celibate homosexuals. Not just acts but beings. They were to declare that violence against them, in some circumstances, should not cause any surprise :

"Although the particular inclination of the homosexual person is not a sin, it is a more or less strong tendency ordered towards an intrinsic moral evil; and thus the inclination itself must be seen as an objective disorder The Church is really concerned about those who may have been tempted to believe [the] deceitful propaganda [of the pro-homosexual movement] When homosexual activity is condoned neither the Church nor society at large should be surprised when irrational and violent reactions increase".

As to relations between homosexual people in loving partnerships, this was absolutely forbidden :

"De facto unions between homosexuals are a deplorable distortion of what should be a communion of love and life between a man and a woman The bond between two men or two women cannot constitute a real family [M]aking de facto unions equivalent to the family is an evil for persons, families and societies".

Back in my first days of discovery, such thoughts were furthest from my mind. The late Cardinal Winning of Scotland, before his death, reminded an audience of those far off days :

" [T]he threat to the Christian family is very real. I would ask you to cast your mind back to the dark days of World War II. The parallels with today are striking. In place of bombs of fifty years ago you find yourself bombarded with images, values and ideas [of an active and militant homosexual lobby] which are utterly alien".

Not to be outdone by the Roman Church, Evangelical Christians increasingly became more noisy as I was growing up. Take this later instance from a Christian Evangelist, diverting his teaching from the loving message of Jesus of the New Covenant into language that has become sadly common in the charismatic churches :

"You don't have to go out into the world to find homosexual devils. They're in the Church Demon possessed, a homosexual. I know you don't like to hear it! They don't like me to air this But I don't care what they like! I am not politically correct! Homosexuality is not another lifestyle. It's a demon spirit. In the beginning God made Adam and Eve. He didn't make Adam and Steve. The devil has come in and he's thwarted the program of God".

It was not all that surprising that some interpreters of God from the Jewish religion should join in this denunciation. After all, the passage in Leviticus appeared in the Holy Book they had shared with other religions. A former Chief Rabbi of England, Lord Jakobovits, described an ultra-orthodox Jewish view of God's will to the House of Lords :

"'Gay', 'partner' and 'homophobia' are all terms to whitewash what is

morally unacceptable to the vast majority of the citizens of this country and elsewhere. We should not aid and abet this use of language. [A] tiny dissident minority of under 5 per cent - perhaps under 1 per cent - cannot demand that the other 95 per cent or 99 per cent must accept and treat as equal violations of the moral code which, after all, has distinguished civilised life for millennia [V]iolations of the laws of God cannot endure in the long run".

It might seem strange to hear a Jewish leader talk in such percentiles. After all, the Jews had been but 2 per cent of Hitler's Germany. But for the good Lord Rabbi, God had spoken; and that was that. We have it on the authority of Miranda Devine in The Sydney Morning Herald that Osama bin Laden's "Letter to the American People", published in 2002, demands conversion of Islam. But also to putting a stop to "homosexuality, intoxicants, gambling and trading with interest". In the holy Koran, homosexuality is linked with the biblical story of Lot and is mentioned on five occasions. Homosexuals are included amongst those who specifically incur the wrath of God. It is therefore wholly unsurprising that the Criminal Code of countries like Iran provide for the death penalty for homosexuality. Indeed, it is not so long ago that we had severe punishments in our legal system. More people were hanged in London in 1834 for homosexual offences than for murder. When I reached law school I learned of the stern punishments meted out for "the abominable crime". For an adolescent, full of hope and spirit, these were very frightening times. Especially because you were frightened into silence about your deepest feelings even with those family members closest to you. Do not think that these times have passed in sunny Australia in a new millennium. Violence against people for reasons of their race, gender and sexuality are daily occurrences. Youth suicide is extremely high, especially amongst boys and young men. Last week I learned of the funeral of a highly talented young man, rejected by his Italian Australian family because of his sexuality, driven to suicide. At his funeral, after all the prayers and the music, all that could be heard was muttering: "It doesn't matter. He was just a poofster".

#### **GETTING THROUGH LIFE WITH GOD**

So how did my relationship with God survive this experience of self-discovery?

First, I never doubted for an instant the surrounding love of my parents, my brothers and sister. I knew, in my heart, that they would always love me as I was. For years we did not confront the subject verbally. We did not really need to do so. When we did, it was exactly as I expected. No big deal. Not everyone is so lucky.

Secondly, I was greatly blessed by having many loving friends and companions, homosexual and heterosexual. Especially in finding a loving partner, Johan. He is not here tonight. He has very little time for religion and churches. He has often said to me: "I don't understand how such an intelligent person can take seriously religions that all oppress women, people of colour and gays". He prefers to be out there helping his Ankali. He volunteers to clean and cook and scrub the toilet-bowl for a patient living with HIV. That is his "religion". He has utter contempt for what he calls "the Bishops in their frocks, spouting words of hate". For thirty-five years, despite the impediments of the world, we have been together. Not everyone is blessed with such relationships. Not everyone wants them. But they are not evil or disordered - just loving, kind, loyal and mutually supportive. To deny humans such love is truly disordered, unnatural, some may even say evil.

Thirdly, I was lucky with the timing of my life. My life has coincided with the great advance of science in the study of human sexuality. At the same time as Commissioner Delaney and the odd Bishop or two were having

their say, the press in Australia was bringing reports of the research of Alfred Kinsey and all of his successors who researched human sexual diversity. We were living through a great age of science. We knew we were in the atomic era. We saw Sputnik in the sky. We witnessed the advent of jumbo-jets, the computer, the human genome. We knew that the churches had modified their beliefs about the Creation story following Darwin's revelations. My generation had complete confidence that science would reveal more truths. One of them concerned a minority of human beings with a sexual attraction to their own sex. We knew that if this reality existed everywhere in nature it could not be "evil". It had a purpose. Ultimately, as in the past, the most Sacred Scriptures would need to be re-examined. New interpretations would need to be found. Lawyers know that this has to be done all the time with ancient words. New generations see the words in a new light.

Truth is a tremendous weapon. It is the truth that sets us free. First, a small group, then more, and eventually most citizens came to know the truth that some people are homosexual. To deny them love and companionship is just plain cruel. To deny them equality as citizens is unjust. To punish them for private adult conduct is oppressive. I was fortunate to live through a time when these truths became gradually, increasingly and overwhelmingly accepted in Australia and other civilised countries. Remnants of the old disordered view linger on, including in God's churches. Doubtless in some places they will last longer than others. But in the end, scientific truth will prevail.

Fourthly, I was greatly strengthened in my approach to these issues by my religious upbringing. The Anglican Church in Sydney its has faults. As we all have. But it is part of a denomination that grew out of the Elizabethan settlement in England. After the terrors against Catholics of Edward VI and against Protestants of Mary I, it was imperative to establish a Church of many mansions. Thus, in Sydney to this day, we have the Cathedral, the Church of St James and Christ Church St Lawrence. They represent the low, middle and high church traditions. There is always a space for diverse opinions.

It is not, I think, coincidental that it is the Anglican Communion that has witnessed not only the worldwide move to the ordination of women (an absurd exclusion from the ministry of God). But also the ordination of openly homosexual priests and the consecration of Bishop Gene Robinson as elected Episcopal Bishop of New Hampshire. The Uniting Church in Australia has also played a part in this gradual movement. So have other religious groups. It will not happen overnight. There will be storms ahead. With Osama bin Laden as an enemy, we cannot be entirely relaxed and comfortable. But out of the essential diversity of these temperate beliefs, committed to rationality, has come gradual progress towards enlightenment. Eventually, if our species survives, rationality will embrace all religions everywhere. Rationality, truth and science must be the modern companions of spiritual belief. They cannot be the enemies for, if they are, science will trump religion every time.

Fifthly, I have never been cut off from God. Never in the darkest days of secrets, fear and alienation have I felt removed from the loving presence of God. Not for an instant did I feel cast out of the temple. It may be a presumption, but I never felt myself "intrinsically evil". I never felt guilty of "grave depravity". Never. I knew that this was just the way that God and nature meant me to be. It had a purpose. Perhaps it can be seen tonight. We are not at the movies. Johan is out there cleaning a toilet-bowl. I am here speaking with you.

To be brought up in a spiritual belief with a personal God is a mighty comfort. It helps you get through the problems of life. God was with me in bereavement and in moments of pain and of success. To be brought up in a Church of Jesus is specially comforting for minorities. As Bishop Spang

said from this pulpit, Jesus was actually a revolutionary. The universality of his church was a new message for religion to that time. His instruction to love one another, to forgive enemies and to seek reconciliation is one specially relevant to the dangerous contemporary world. His New Covenant undoubtedly extends to gays, lesbians, bisexuals, transgender, intersex and all queer minorities. In fact, it extends to everyone. But many in the world, including many still in error in his Church, are not listening.

To those who think that God has been superseded, indeed replaced, by science, I commend the program Testing God recently shown on the ABC Compass series on Sunday nights. The first program reviewed the question whether science had killed the Creator. The second, the impact of Darwin on the divine. Of course, these programs reveal that many scientists reject theology. The need to postulate a God is less pressing to them now we know more and more about how the universe and matter first came into existence, evolved and are still evolving and decaying. Yet there are other great scientific minds who think that God is not just a human invention. They ask the deepest questions of life and death. How and why did the Big Bang happen in the first place? What (or who) caused it to bang? What (or who), if anyone, was there before the bang? Are we alone as sentient, intelligent beings in the Universe of such enormity? Why do we have this relatively brief existence? Why is there such human evil in the world? Why are people - including so many people of religion - so cruel to each other?

Thinking about God in the current age, cannot be divorced from scientific knowledge. Staring at the endless universe, looking at the twinkling stars and pondering the infinitesimally tiny atom of matter or the gene that makes us up, helps to put issues of religion in true perspective. My notion of God has little if anything to do with Osama bin Laden's opinions. Nor, for that matter, with those of Cardinal Winning, Rabbi Lord Jakobovits or others of like opinion. Their anthropomorphic, contorted, nasty little view of God is totally incompatible with my notion of the enormity of God's presence, as the universal being. It is humans that stamp on God their own petty conceptions. It is humans that try to reduce God to their own paltry and often mean imagination. The notion of God as a bearded prophet or as an Englishman or as a Protestant or Catholic or as an Islamic, Hindu or other human possession is, frankly, absurd. But the notion that around us, "immortal, invisible and divine" is a loving God is one that millions of humans cling to and believe in. It is a notion that is not incompatible with science. It is unproved. But it still exists. Certainly, that notion is incompatible with cruelty and unkindness to one another. There has been altogether too much of this in the name of God.

For centuries people of all religions just accepted a contemptible, little view of God. But now, in our age, a new and larger vision is emerging. As this vision gains strength, many of the human cruelties of the past will be seen for what they were. Then Jesus' injunction to "love one another" will take on a new meaning. The trivial doctrines will be discarded. We will all be closer to God, not just to some creation that humans have fashioned in the image of our own prejudices and selfish conceptions. I honour those in all churches and faiths who reach out in love and inclusiveness to all people. Tonight I specially honour those who reach out to sexual minorities. Those minorities have been cruelly and wrongly abused in the name of God and often still are. In the millennial year 2000, the Pope prayed: "Let us ask pardon for the violence some have used in the service of the truth and for the distrustful and hostile attitude sometimes taken towards the followers of other religions". To that prayer, I would say Amen. But I would add, "Let us ask pardon for the violence some have used in the service of the truth and for the distrustful and

hostile attitudes sometimes taken towards women, towards people who are different from ourselves and towards sexual minorities" who are a full part of God's creation. That prayer will come one day. Of that there can be no doubt.

And when it comes, let us all be ready to say, Amen.

Michael Kirby is a Justice of the High Court. This is the full text of an address given to the Pitt Street Uniting Church last week.