

Legislative Testimony: Transgender Participation Ballot Issue April 14, 2026

Senator Carney, Representative Kuhn and Honorable Members of the Joint Standing Committee on Judiciary. My name is Matt Kershaw, and I am a resident of Lewiston. I am also a combat veteran of the United States Marine Corps, I have worked as an educator, and I hold a master's degree in theology from Yale Divinity School. I speak in opposition to the proposed ballot measure, LD 2239.

The moral issue here appears intractable, and has inflamed passions on both sides to the point of demonizing and even apocalyptic rhetoric, not unlike the bleachers of many youth sporting events I have attended. It's ripe for both honest disagreement and demagoguery.

I am speaking today as a believing Christian trained in theology.

At the root of Christian outrage at inclusive gender policies is a core belief on the part of some Christians that transgenderism is an aberration within God's creation, transgressive of God's nature, as God created human beings in the image of God, male and female as described in Genesis 1.

It is a foundational doctrine for these Christians that human beings, which bear the image of God, are bifurcated into an incontrovertible gender binary matching the individual's physical sex at birth.

This is not a settled matter of universal orthodoxy. In fact, theologies of sex and gender are currently schismatic issues. In the past half century, schisms within mainline American Protestantism have followed doctrinal differences on matters of gender identity, gender roles, and sexuality. Differences on the nature of God in the Trinity, the person of Jesus Christ, or the mechanisms of salvation, the schismatic issues of past centuries, have faded into irrelevance.

But it is only one side of that schism that holds this view of human nature. I do not, and an established and growing body of theology advocates for broad inclusion of LGBTQ Christians both into the Body of Christ and into society as a whole. Christians are familiar with the term "affirming churches," identifying congregations where they are welcomed into the Body of Christ as they are.

Affirming theology takes a variety of approaches, but it does not rely solely on recent academic trends. Rather, scholarship has uncovered and centered devotional texts of the distant past such as the 14th century Julian of Norwich, who explored the idea of seeing Jesus as a mother, bearing and nurturing the salvation of humanity. And such metaphors are not limited to the medieval mystical tradition: the same metaphor is presented in the Biblical text, where the prophet Isaiah in chapters 42, 49, and 66, speaks for the mother God, problematizing the default male classification usually applied to deity. Such theological framing is one of many bases for policies of broad gender inclusion within affirming churches.

I recognize that substantial emotional heat accompanies issues of schism within the broader Christian faith, and the policy and legal issues that follow such deeply held convictions. It has always been so. However, any law that accepts the premises of one set of religious precepts as the basis of law while ignoring the principles of the others risks violating the establishment clause of the first amendment. Thank you for your time.