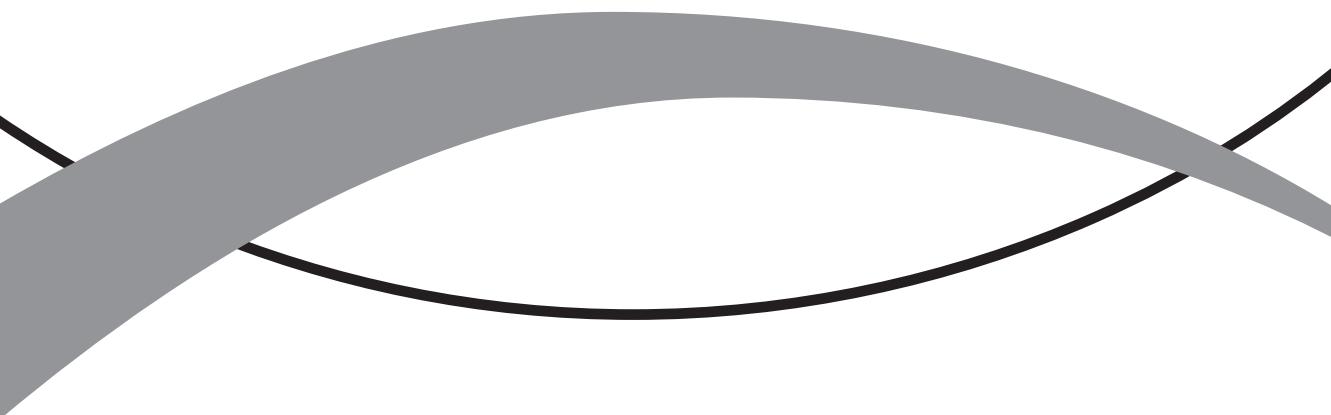


# **UNITING CHURCH STUDIES**

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# Sexuality, UAICC, Polity and the 10<sup>th</sup> Assembly: a personal statement

*Dean Drayton*

## Introduction

The following reflection has been sparked by a claim by Chris Budden in a recent article in this journal about my actions as President during the meeting of the 10<sup>th</sup> Assembly in 2003.<sup>1</sup> The matter concerns whether I prevented the voice of the UAICC being properly heard in the discussions about sexuality and ministry. From my perspective, what transpired in the procedures in dispute requires a full appreciation of the Assembly's consensus approach to discernment and how that played out in this instance. I will also place my response to the specific claim in the context of my other actions as President—beyond the meeting—around these matters. I will draw on the recollections of others involved, my own daily journal and other ad hoc sources.

Certainly, the issue of sexuality and ministry was the dominant issue at the 10<sup>th</sup> Assembly. The issue had been coming to a head for some time. That it should have proved so divisive in the life of the church could not have been foreseen by those who oversaw the pathway into union of the Uniting Church in Australia (UCA). The debate was part of a much wider debate in society and in the global church. It presented the UCA with an important consideration – how might our polity deal with the contentious debate. How might it do so from the perspective of our plurality of cultures – and, in this instance, more precisely to the thinking to be found in the Uniting Aboriginal and Islander Congress (UAICC).

## The presenting issue

In his article, Budden states that the President closed the debate in such a way as to prevent the UAICC presenting its position, ignoring and disrespecting the covenant between the UCA and the UAICC. The key paragraph is as follows.

The Melbourne Assembly in 2003 placed a significant strain on relationships with the Congress. One of the Assembly's central issues was whether gay and lesbian people could exercise leadership in the church. Congress withdrew from the meeting to discuss its position so that it could offer wisdom to the church. Towards the end of the debate Congress returned to the meeting and the Chairperson of Congress joined the line at the microphones to present their position. The Assembly President closed the debate and put the vote before Congress could present its position.

<sup>1</sup> The article in question is Chris Budden, "A Brief History of the Construction of the Preamble," *Uniting Church Studies*, 26. No 1, June 2024, p35-47. Budden during meeting of the 10<sup>th</sup> Assembly was supporting the UAICC.

Congress members felt they had been ignored and completely disrespected. They believed there had been a breach of the covenant, and of the commitment not to make decisions they disagreed with. Outside the meeting leaders expressed the view that they might have to leave the UCA. Internally Congress had a serious conversation about whether they should continue in the Uniting Church or move towards being an independent church (italics added).<sup>2</sup>

Certainly, after the decision had been reached it was clear the Congress was dissatisfied that they had not a chance to make their position clear. The day after, the Chairperson of the Congress commented on this matter to the Assembly. He stated that while he had asked some questions, others in the Congress had not had a chance to speak, before the Assembly put the issue to the vote. He did not state that he was in the queue at the time discussion ended.

## **The issue of Sexuality**

In July 1997 an Assembly Task Group on Sexuality had presented a report to the 8<sup>th</sup> Assembly in July 1997. After the 9<sup>th</sup> Assembly (2000) a series of conferences were held to explore the middle ground between those affirming the need for specific policies about sexuality and those opposed to such an approach. The last Assembly Standing Committee prior to the 10<sup>th</sup> Assembly had received a request from a group, Evangelical Members of the Uniting Church (EMU), that the matter of sexuality be clarified at the Assembly. A representative group was formed that included members of EMU, and produced a proposal that once again called the members of the Church to respect the different attitudes held about this matter.

Proposal 54, as it came to be called, was included in the papers sent to Assembly members before the Assembly. A few weeks before the Assembly, EMU members withdrew from this representative group, and disowned the proposal. Few members of the Assembly were aware that it was EMU's request that had given rise to this specific proposal regarding sexuality. Not surprisingly the contentious issue of sexuality quickly stimulated a wide range of proposals just prior to and at the start of the Assembly. On the third day of the Assembly, when the proposals were to be considered, members woke up to the morning headline in the *Melbourne Age* shouting 'Uniting Church to Ordain Gays' based on a quote from EMU. It was a highly charged atmosphere.

## **The Consensus Process**

It is important to be aware that in 1994 the UCA had committed itself to a consensus building approach as the best way for the church to discern the will of God in a way that is consistent with its Christian character.<sup>3</sup> According to the Basis of Union, "the Uniting Church is governed by a series of inter-related councils. It is the task of every council to wait upon God's Word, and to obey his will in matters of oversight" (BOU, 15). It was a marked change from the debating approach used in previous Assemblies. The role of the President

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<sup>2</sup> Budden, "A Brief History," 37.

<sup>3</sup> The consensus approach is described in the "Manual for Meetings," Basis of Union, Constitution and Regulations, Uniting Church in Australia (Uniting Church in Australia Assembly, 2018). Terence Corkin and Julia Kuhn Wallace describe the consensus decision making process more fully in *The Church Guide for Making Decisions Together* (Abingdon Press, 2017). Terence Corkin was the General Secretary at the 10<sup>th</sup>

is as a chairperson “presiding at meetings in a manner which assists the council to discern the will of God as far as possible in a way that meets the needs and purposes of the council and its members.”<sup>4</sup>

Since the introduction of the consensus process nearly all the proposals considered by subsequent Assemblies have been passed by consensus or agreement. If there is no chance of consensus or agreement, a procedural question is asked as to whether a decision needs to be made and the matter is then decided by formal voting. If at least 75% agree, the decision-making process moves to resolution by formal voting procedures where a simple majority is sufficient to pass the proposal. That has rarely been necessary.

The consensus process has four stages to help facilitate decision making. They are described as follows:

1. Community Building. A great deal of time is spent building quality relationships and openness to shared faith and values through worship, fellowship and Bible study. These steps lay the foundation for community discernment.
2. The Information Stage. Each proposer speaks to their proposal and responds to questions for clarification.
3. The Deliberative Stage. In this stage the issues and options for changes are explored and attempts are made to build consensus. For this set of proposals, the members of the Assembly divided into community working groups of about ten people to assess each of the proposals. This assessment is given to a Facilitation Group that brings to the Assembly a proposal that best sums up the work of all of the community groups for the deliberation of the Assembly itself.
4. The Decision Stage. After the deliberative has progressed to the point where consensus has been reached, or the people still opposed are willing to stand aside, then the proposal is put for determination. The outcome is recorded as consensus or agreement. If no resolution by consensus or agreement is possible, the procedural question is asked. “That the Council needs to resolve the question now”. If at least 75% agree, the decision-making process moves to resolution by formal voting procedures where a simple majority is sufficient to pass the proposal.

The Business Committee elected by the Assembly monitors the process, with the President chairing the Assembly meeting. The President’s role is to keep reading the mind of the meeting to help facilitate decision-making. In the 10<sup>th</sup> Assembly this four-stage process took place over four days; from Monday 14<sup>th</sup> July to Thursday 17<sup>th</sup> July.

## **Congress participation in the Consensus Process in relation to Proposal 54/Resolution 84**

Both the Information Stage 2 and the Deliberative Stage 3 took place on Monday afternoon. During Tuesday the Facilitation Committee considered the input from the community working groups. In a lunch time Business Committee meeting on the Tuesday, the Facilitation Committee indicated that most groups supported Proposal 54. The Decision Stage 4 began on Wednesday morning with the report of the Facilitation

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<sup>4</sup> *Manual of Meetings*. (Sydney: Uniting Church Press, 2008), 20.

Committee. The original Proposal 54 with some minor changes had become Proposal 84. The TV and print media were there.

I asked people to line up at two microphones on either side of the hall, alternating speakers from each queue. Each person was given 3 minutes to speak. There were long lines. As soon as I moved to focus on the core of the proposal, namely Section 1 on the faith of the Church, Sealin Garlett, the Chairperson of the UAICC asked to make a statement from the Congress. In it he declared:

From the perspective of our own spirituality, our cultural heritage and Christian understandings, we do not believe that homosexual relationships and practices are right or Godly. We are unable to find in the Bible or in our own law any justification for homosexuality.

We are therefore opposed to any decision of the Assembly or any other council of the church that condones such relationships or practices. We cannot agree with this standard of behaviour.

For cultural reasons it is difficult for many of us even to discuss such matters in public and mixed gender settings. The debate the church is now conducting is one that is very difficult for us to participate in.<sup>5</sup>

Soon after this statement, the members of Congress retired from the Assembly to discuss this matter nearby. Later, during the session, the Rev Robert Johnson requested that some Assembly leaders meet with the UAICC. Meanwhile the consensus process continued. Every so often I would stop and ask for a showing of cards about the proposal. It was clear that an overwhelming number of the speakers were in favour of Proposal 84. Some speakers continued to state they would never agree to the proposal. By the end of the session on Wednesday morning, I had asked whether we were ready to move to the procedural proposal, “That the Assembly needs to resolve the question now”. At that point the session was adjourned on the showing of cards.

The Business Committee met during lunch time and had a number of concerns. Was the UAICC ‘in’ or ‘out’ of the Assembly? The sexuality proposal was already taking a lot of Agenda time. The Business Committee recommended that if the procedural question was required and was passed, as was seeming likely, that the Proposal be moved *en bloc* to expedite the Agenda. That would mean John Mavor as the mover would be given the right of reply and the motion put for decision without further discussion. The next Business Committee would not be until lunch time on the Thursday. As it turned out the decision had been made by then.

After lunch on the Wednesday three people met with the UAICC. The Congress gave a report on this meeting during its UAICC report session on the Friday night:

A meeting was held on that afternoon and an undertaking was given that Congress would have an opportunity to give voice to its views further in the discussion on the following day. We

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<sup>5</sup> Uniting Church in Australia, Tenth Assembly Log, Wednesday 16<sup>th</sup> July, 2003 “Statement by the UAICC” delivered by Sealin Garlett DVD [Disk 2 (of 4) 00:6:20 – 00:9:00]

also understood there would also be an opportunity for the outcomes of the discussions to be reported back to the Assembly.<sup>6</sup>

I have no record of receiving a report from the three-person committee. I telephoned two of these visitors to the UAIIC while writing this article<sup>7</sup>. Each said independently that the Congress was divided in what it wanted to do and say, and did not have a particular statement. A few wanted to leave the Uniting Church, most wanted to stay. Neither could remember whether any undertakings were given with regard to reporting to the Assembly.

The Decision Stage continued the next day, Thursday, after morning tea. The procedural question as to whether a decision needed to be made was before the Assembly. I believed it vital that people be given as much opportunity as possible to make their point. Once more, people queued at the microphones to speak. At least two members of Congress spoke during the next forty-five minutes or so. I continued to check whether the Assembly wanted to keep discussing the procedural motion or move to a vote. There was at least one extension of time given. When this time was up, I sought approval to put the procedural question, a vote by ballot – “Does the Assembly require to resolve the question now?”

I have since checked with the then General Secretary of the Assembly, who was as per custom seated next to me, as to whether any members of the Congress were standing in the queues at the microphones when the extension of time the Assembly had given for discussion ended. He said that “he has no recollection of any member of Congress waiting to speak at the time of the decision to end discussion and would have been surprised if this would have been done.”<sup>8</sup> It was a confusing time for the Congress to have rejoined the meeting that morning, only to have found that a procedural motion was being discussed.

All members of the Assembly were seated as the ballot for the procedural question was taken. After a few minutes a note was handed to me by the scrutineer – over 80% had voted for the need to make a decision, when a minimum 75% was needed.<sup>9</sup> We moved immediately to formal procedures. As recommended by the Business Committee, Proposal 84 was read, John Mavor gave his right of reply, and a ballot was taken. It was passed overwhelmingly. After the Business Committee at lunch time, I walked out to a media scrum. In passing Proposal 84 The Assembly had refused to change the regulations that it is the Presbytery which selects candidates and ordains. The Assembly had refused to adopt any proposals concerning the sexuality of applicants.

## After the decision

There was also a proposal before the Assembly that, if a vote was taken then the decision should be referred to other Councils of the Church for their approval, a possibility under Clause 39 of the Constitution. After

<sup>6</sup> *UCA – Main Assembly Catalogue: U-1-1 Meetings of the Assembly, Box 25, File 6, 10th Assembly, 2003* (Statement by the UAIIC in relation to the Church’s decision to ordain homosexual clergy, Friday 18th July, 2003).

<sup>7</sup> Former President John Mavor, Tuesday 21st June, 2025, at 5:00pm, Rev Dr Jione Havea, Thursday 23rd June at 10:00 am, 2025.

<sup>8</sup> Email from Terence Corkin 20/7/2025

<sup>9</sup> Prior to the matter being discussed it seemed likely that we would have to come to this procedural motion to determine whether a decision should be made. It all depended upon the actual vote.

another hour or so of vigorous discussion, the vote to refer the decision to other Councils was put, but did not get a two-thirds majority. It had been a tumultuous day.

The next day (Friday), in the UAIIC report to the Assembly, the chairperson Sealin Garlett shared how the Congress had found the process both confusing and disempowering.

Apart from me asking several questions other Congress members were not given an opportunity to do so. The Assembly moved to put the issue to a vote and further discussion was prevented. This process has been both confusing and disempowering for us.<sup>10</sup>

The Congress members had returned to the Assembly meeting on Thursday morning to find a procedural motion was being discussed rather than the actual Proposal. Some Congress members did ask questions. There was no claim someone was in the queue waiting to speak when the procedural issue was put to the vote. And, then, in the move to formal voting there was no chance for the Congress or anyone else to make a statement. Sealin Garlett's statement correctly identifies that it is the Assembly that moved to put the issue to the vote. The President's role in the consensus process is to read what the Assembly is saying.

At 3:00pm on the Friday afternoon, aware of the UAIIC's sense of disempowerment, I asked to meet with five or six leaders of the UAIIC. I was told that in terms of Aboriginal Covenant Law this decision was wrong and left the UCA with a "fuzzy" gospel. I was told by one leader that the Congress was considering leaving the UCA. Others affirmed the Congress was part of the "body of Christ." In difficult matters such as this sort of issue, some pushed for more of a "campfire space" at the Assembly. One elder affirmed that the UCA was acting like a honey ant, with a big head, but very small eyes. I offered to bring a statement to the Assembly from the UAIIC but there was no agreement as to what it would be. I offered to visit the Northern Territory and Queensland to sit with Aboriginal groups as soon as possible after the Assembly. It was clear the UAIIC leaders had felt they were not listened to, were not used to the process, and felt disempowered.

That Friday night on the Assembly Agenda, the chair Sealin Garlett read a document called "Statement by the UAIIC in relation the Church's decision to ordain homosexual clergy."

The UAIIC made its position clear.

Whilst part of the church insists there is one standard that says celibacy in singleness and faithfulness in marriage, the acceptance of homosexual relationships seems to us to make the church have a double standard – a double standard that we find hard to accept....It appears to us that the empowerment of one group has been at the expense of disempowering the other. For the Congress, this simply reinforces our sense of marginality in the church and in the Australian society generally. We continue to be dominated by the values, economy and political power of western society....The UAIIC refuses to accept that the ordination of people living in homosexual relationships is right.<sup>11</sup>

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<sup>10</sup> UCA – Main Assembly Catalogue.

<sup>11</sup> UCA – Main Assembly Catalogue.

There was one further shock with regard to Proposal 84. On the last day of the Assembly (Saturday), a proposal was put that Proposal 84 should be re-opened on the basis of new information from the UAIICC. The claim from the UAIICC was that that the Assembly had not been informed that the UAIICC would have to review its covenantal relationship with the UCA because of the passing of this proposal. No such statement had been received by the Business Committee or the President. The Assembly disagreed that the matter should be re-opened. The newly elected President-Elect, the Rev Gregor Henderson, with others, then convened a meeting with members of the UAIICC over morning tea. It led to the following proposal which was accepted in the last session of the Assembly.

That the Assembly

1. Apologise to the UAIICC for the hurt caused by the Assembly's failure to listen adequately to the UAIICC's voice in the Assembly's consideration of Proposal 84
2. assures the UAIICC of the strong desire of the UCA to continue to live under God in the covenantal relationship between the indigenous and non-indigenous members of the church.
3. request the President to ensure that steps are taken as soon as possible to participate with the UAIICC in response to their and our concerns for the future of the covenantal relationship.
4. request the Standing Committee to consider ways in which the Assembly's decision-making procedures may become more culturally sensitive and more informed by our cultural diversity.

## Post Assembly

Within two weeks of the Assembly EMU had circulated a petition claiming that the Assembly Resolution 84 was in contravention of Paragraph 5 of the Basis of Union (Biblical Witnesses) thereby placing the Uniting Church outside the One Holy Catholic and Apostolic Church.<sup>12</sup> It demanded the President and General Secretary recall the Assembly to refer Resolution 84 to Congregations for concurrence, and engage the Assembly in a service of repentance. It expressed dismay that the leadership of the Church had misled the Assembly. EMU held a series of public meetings Australia-wide and sent letters to the Assembly and other councils, in which leaders of the Assembly were condemned for their actions and given an ultimatum that unless the Assembly was recalled by the end of the year, members and congregations would leave the UCA.

How would the members of the Congress respond to the petition, given that after the Assembly decision, they had declared “the UAIICC refuses to accept that the ordination of people living in homosexual relationships is right?”<sup>13</sup> On the Friday of the Assembly, the day after the Assembly decision, I had made a promise to members of the Congress to visit them soon in the Northern Territory. The arrangements for this meeting were in place before the petition surfaced.

<sup>12</sup> UCA – Main Assembly Catalogue: U-1-4 Secretariat, Boxes 50 – 52, “Petitions from members and attendees of the Uniting Church in Australia expressing deep spiritual and emotional dismay and concern over the decision of the 10<sup>th</sup> Assembly to pass proposal 84 (Comb-bound volumes 1-16),” 3 August 2003, – 4 May 2004.

<sup>13</sup> UCA – Main Assembly Catalogue

Three days later I flew to Millingimbi in Arnhem Land to attend a meeting of the newly formed Arnhem Land Area Association. After dinner, I was invited to a funeral ceremony of an Aboriginal leader from Millingimbi. That night was one of the unexpected high points of being President.

I was sitting cross legged on a mat with some of these leaders as the Millingimbi Aboriginal community met in grief at the death of one of their most respected members. A ceremonial dance called 'The Tower of Babel' was underway. It had been created in this area after the great charismatic renewal in 1979. Many dancers were milling about in the open area on the sand. Then as they formed up into two columns of dancers in the shape of a cross, the Elder in Millingimbi took my hand and helped me stand. "Don't worry, just stand here. Nothing will happen to you." he mouthed quietly as he led me ten or so spaces to stand at the head of one of those columns. "What did he mean, nothing would happen to me," I wondered.

The energetic dance went on and I began to move with the music. Then suddenly in a heart-beat every dancer stopped. After a brief intense silence, two warriors, one from each end of the arm of the cross, rushed at me, shouting, waving spears, which as they ran, were used to jab toward me again and again. Then they stepped back, and the dance had ended.

In a daze I walked back and sat in the sand, my mind reeling. What had just happened? As the leader of the Uniting Church had I just been ritually killed on the cross? I sat trying to come to terms with what had just occurred, hardly present to what followed as the funeral ceremony continued.

Then a second Aboriginal dance to an Old Testament theme began. This one was called "Noah's Ark". Just after the dance had started the Elder leaned across again and whispered, "In a little while will you come with me, and together we will stand and become the door into the ark?" Cautiously I nodded assent. The dancers gradually formed into a circle. We stood, walked together into the line of the circle, then stepped apart and faced each other. I followed his lead and held up my hand over my head. We formed a door into the enclosed circle. I am not sure who said it, but the announcement was made, "All in the community and the land are invited into the ark." And that is what happened. Those who had been standing or sitting under the huge Tamarind trees and on the edge of the sandy open area, came dancing, walking and running toward this human door of the Ark, passing between us and into the inside of the circle. When all had entered the dance ended.

Apart from the directions given me that night, no other words were offered in explanation of what happened or questions asked re the sexual issues. What was clear was that in less than a quarter of an hour, I had first been identified with Christ, then called to be part of the doorway into the life God offers. The more I thought about these events it seemed to me as if this was the way another culture acknowledged we were one in Christ in the Church even if we did not agree with each other all the time. I still tremble when I think about that night. Here in the oldest continuous culture on the face of the planet, our aboriginal Christian brothers and sisters

had in the language of dance brought the gospel to life in the midst of grief and difference on a northern Australian beach.<sup>14</sup>

It was so different to the vilification we as leaders were by then receiving from some groups within the Church.

The next day I was given a Yolngu name. When I checked my journal,<sup>15</sup> later in the meeting there was some discussion about Resolution 84, seeking greater clarification from me in the light of comments that came from sources other than the Assembly.

## Concluding reflections

I believe that it is vital to place my action as President as stated in the article 'A Brief History of the Preamble' in the wider setting of the 2003 Assembly and the dynamics of an Assembly. The President does not chair a debate. The President's role is to discern what the Assembly is saying. Together the members of the Assembly made a vital decision about the diversity of the Uniting Church. It was not an easy time for the Uniting Church in Australia. In the midst of the Assembly addressing one of the most divisive issues in the 21<sup>st</sup> century church, it was evident that procedures, cultural expectations, and different views of the Bible were all involved. The use of the consensus process helped find a way through, and at the same time, was found to be confusing and disempowering for some groups, including the Congress. However, just before the end of the Assembly, further proposals opened the way for the UCA to find ways of being more culturally sensitive in how it made decisions. Further, it gave an impetus to a process that eventually led to the development of a Preamble to the Constitution.

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**Dean Drayton** is a minister of the Uniting Church in Australia and was National President of the Uniting Church in Australia for the 10th Assembly and the Triennium 2003-2006. He is the author of *Pilgrim in the Cosmos* (1996), *Which Gospel?* (2005), *Apocalyptic Good News* (2019), and *The Ultimate Surprise* (2024). He is an Associate Professor of Charles Sturt University.

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<sup>14</sup> R Dean Drayton, *Apocalyptic Good News*, (Wipf and Stock, 2019), 166. The events of that night had been presented in written form during the Triennium to the President's Table.

<sup>15</sup> I have kept a daily journal since 1983, about an A4 page a day. The pages for the Assembly, July 12th-July 19<sup>th</sup>, and later meetings with the UICC representatives, Aug 5<sup>th</sup> – 8<sup>th</sup>, have been lodged with the UCA Archives.

# About Uniting Church Studies

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## **Abbreviations**

### **Documents**

Hyperlinks are embedded in the full name and provide access to the full documents.

<i>AssMin</i>	Assembly Minutes
<i>BOU</i>	Basis of Union
<i>CS</i>	Covenanting Statement
<i>RP</i>	Revised Preamble
<i>UCMC</i>	The Uniting Church is a Multicultural Church
<i>UCAConst</i>	Uniting Church Constitution
<i>UCARegs2025</i>	Uniting Church Regulations 2025
<i>UIW2</i>	Uniting in Worship 2

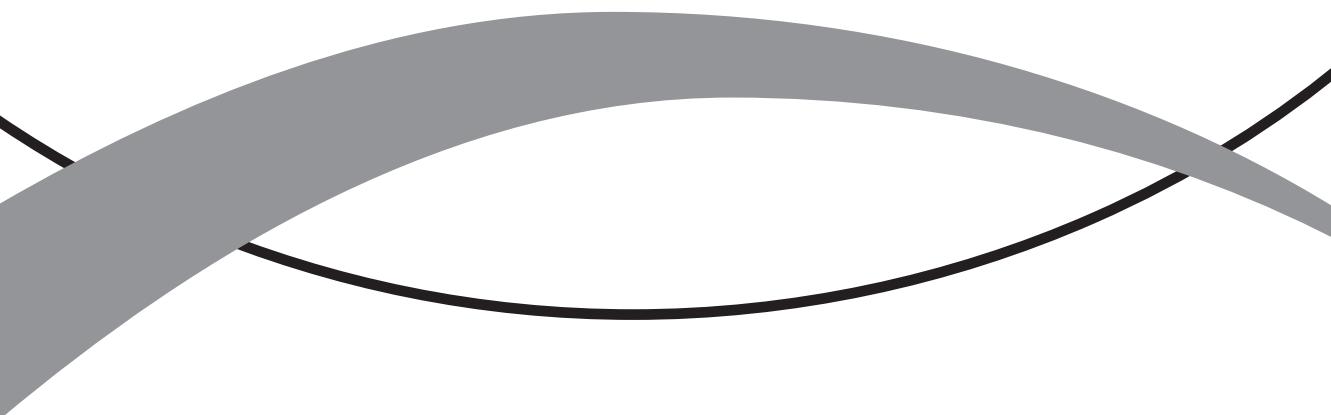
### **Institutions and Organisations**

<i>UCA</i>	Uniting Church in Australia
<i>UAICC</i>	Uniting Aboriginal and Islander Christian Congress
<i>WCC</i>	World Council of Churches
<i>ASC</i>	Assembly Standing Committee

### **This journal**

This abbreviation can be used in bibliographical references to articles published in this Journal.

<i>UCS</i>	Uniting Church Studies
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