

SECOND SEDERUNT

WORSHIP

The preludes for the morning worship were provided by a Knox College choir and New Westminster, Hamilton. The sermon was delivered by the Rev. Dr. Richard Topping, President, Vice-Chancellor and Professor of Studies in the Reformed Tradition at Vancouver School of Theology and others assisted with worship leadership.

ASSEMBLY CONSTITUTED

On Monday, June 7, 2021 at 12:00 p.m. (EDT), the Assembly met pursuant to adjournment. The Moderator constituted the Assembly with prayer.

The Moderator then reflected on the discovery of the unmarked graves of 215 children on the grounds of the Kamloops residential school. He noted that this news confirms what so many Indigenous elders and knowledge keepers have said for years, which is that many Indigenous children never came home from the schools they were forcibly taken to. He said, “The National Indigenous Ministry Council has called the Assembly to a time of silence, confession, prayer and lament to honour the lives of those children whose graves were just found, and for all family, friends and communities who have lost loved ones through the Indian residential school system – for whom this news opens fresh wounds. We need to look within us as well, where schools our own church ran caused harm and continues to cause harm. We have repented, but repentance leads to action. So we also call for a time for reflection, recommitment to reconciliation, a recommitment to work to heal the harm that we caused.” The Moderator led the Assembly in a prayer that called for healing, acknowledged the harmful and complicit actions of the church in running residential schools, expressed repentance, sought forgiveness, pledged recommitment to healing and reconciliation, and sought comfort on all who grieve. He asked the Assembly to sit together in silence for 215 seconds, each second representing a life. The silence was followed by a prayer of confession and reference to the “How long?” cry of Psalm 40.

Additional Motion

R.A.F. DeSandoli moved, duly seconded, that, in consultation with the National Indigenous Ministries Council, the Moderator and immediate past Moderator be asked to write a statement and pastoral letter responding to the discovery of the remains of 215 children at the former Kamloops Indian Residential School. Adopted.

COMMISSIONER ORIENTATION

The Principal Clerk reviewed some of the common PC-Biz procedures.

COMMITTEE ON BUSINESS (cont’d from p. xxx)

Rationale for revised recommendation

Committee convener, J.I.F. Barrett, presented the committee’s rationale for proposing a revised version of Recommendation BUS-006 that had been amended and defeated during the first sederunt.

Recommendation BUS-006-Revised

J.I.F. Barrett moved, duly seconded that the process for gathering commissioner input regarding which items of business shall come before this Assembly be approved and that the resulting omnibus recommendations, based on a two-thirds preference during polling, be considered committee by committee, subject to amendment by majority vote of the Assembly.

Amendment

D.A. Robinson moved, duly seconded, that the words “based on a two-thirds preference during polling” be deleted from Recommendation BUS-006-Revised.

Immediate Vote

Amanda Ross-White moved, duly seconded, that the Assembly take an immediate vote on the amendment. Adopted.

Amendment adopted

The amendment was adopted.

Recommendation BUS-006-Revised – as amended

That the process for gathering commissioner input regarding which items of business shall come before this Assembly be approved and that the resulting omnibus recommendations, be considered committee by committee, subject to amendment by majority vote of the Assembly.

Immediate Vote

C.G. Bablitz duly seconded that the Assembly take an immediate vote on the recommendation as amended. Adopted.

(cont'd on p. XXX)

CUTTING EDGE OF MISSION

The Moderator welcomed the 2021 E.H. Johnson Cutting Edge of Mission Award recipient, Julia Drydyk, Executive Director at the Canadian Centre to End Human Trafficking to the Assembly.

J. Masterton, a member of the Dr. E.H. Johnson Memorial Fund Committee, introduced Julia Drydyk.

By videorecording, Julia addressed the court saying, “On behalf of our board, staff and partners, we are sincerely grateful for the recognition we have received for our efforts, to date, on tackling human trafficking in Canada. We graciously accept the Cutting Edge of Mission award. When the Canadian Centre to End Human Trafficking was founded in 2016, our ultimate goal was, and continues to be, to defeat human trafficking and to put an end to this crime in Canada. Human trafficking is a sophisticated, organized crime that requires sophisticated, organized and integrated solutions. The Presbyterian Church in Canada is an invaluable partner in ending human trafficking in Canada. We thank you for your unwavering commitment tackling modern-day slavery in all of its forms.”

Benita Hansraj, Director of Marketing and Communications for Canadian Centre to End Human Trafficking, was welcomed in person on zoom by the Moderator. She spoke to the Assembly on behalf of Julia, who was unavailable, and commented on the centre’s goals and work.

COMMITTEE ON BUSINESS (cont'd from p. XXX)

Recommendation BUS-006-Revised, as amended, was adopted as follows:

That the process for gathering commissioner input regarding which items of business shall come before this Assembly be approved and that the resulting omnibus recommendations, be considered committee by committee, subject to amendment by majority vote of the Assembly.

Dissent with Reasons

Recommendation BUS-006-Revised: S.K. Bell, C.D. Cameron, E.M.W. Charlton, A.M. Cornell, I.B. Cunningham, B.J.W. Ferrier, D. Krunys, S. Kwon, J.T. Read, L.B. Skinner, A.D. Sutherland (p. XXX).

Omnibus Recommendation BUS-OMB, was moved by J.I.F. Barrett, duly seconded.

- BUS-002 – Authorized to make decisions
- BUS-003 – Identifying commissioners
- BUS-004 – Roll and Leave to Withdraw
- BUS-005 – Speaking time limit
- BUS-007 – Sederunts
- BUS-009 – Loyal Addresses
- BUS-010 – Records of the Synods, the Assembly Council and the General Assembly
- BUS-011 – Uncompleted Business
- BUS-012 – Amendments and Additional Motions
- BUS-013 – Committees of this Assembly
- BUS-014 – Leave to Sit
- BUS-015 – Conveners of Committees and Staff
- BUS-016 – Young Adult Representatives and Student Representatives – advisory vote
- BUS-017 – Nominations for Moderator of the General Assembly and Positions

Amendment

D.A. Robinson moved, duly seconded, that Recommendation BUS-008 be removed from the Omnibus Motion BUS-OMB. Adopted.

Amendment

D. Jennings moved, duly seconded, that Recommendation BUS-002 be removed from the Omnibus Motion BUS-OMB. Defeated.

Amendment

D. Jennings moved, duly seconded, that Recommendation BUS-005 be removed from the Omnibus Motion BUS-OMB. Defeated.

Omnibus Recommendation BUS-OMB, as amended, was adopted, thereby approving the following recommendations:

BUS-002 – (p. XXX)	BUS-009 – (p. XXX)	BUS-014 – (p. XXX)
BUS-003 – (p. XXX)	BUS-010 – (p. XXX)	BUS-015 – (p. XXX)
BUS-004 – (p. XXX)	BUS-011 – (p. XXX)	BUS-016 – (p. XXX)
BUS-005 – (p. XXX)	BUS-012 – (p. XXX)	BUS-017 – (p. XXX)
BUS-007 – (p. XXX)	BUS-013 – (p. XXX)	

Dissent with Reasons

Recommendation BUS-OMB: A.M. Douglas, D. Jennings, D. Krunys, L Park (p. XXX).

Recommendation BUS-002: S.K. Bell, E.M.W. Charlton, I.B. Cunningham, B.J.W. Ferrier, D. Jennings, R.A.J. Kennedy (p. XXX).

Recommendation BUS-005: B.J.W. Ferrier, D. Jennings (p. XXX).

Recommendation BUS-007: B.J.W. Ferrier (p. XXX).

Recommendation BUS-008 was moved by J.I.F. Barrett moved, duly seconded.

Amendment

D.M.K. Stanbury moved, duly seconded, that Recommendation BUS-008 be amended by adding “the Committee on Business be directed to place the report of the Committee on Remits (REM) on the agenda for the third sederunt and” to the beginning of the recommendation; inserting “remaining” after “that the”; and “items” after “agenda”. Adopted.

Recommendation BUS-008 as amended, was adopted as follows:

That the Committee on Business be directed to place the report of the Committee on Remits (REM) on the agenda for the third sederunt and the remaining agenda items listed above be approved, subject to changes proposed in further reports of the Committee on Business.

Dissent with Reasons

Recommendation BUS-008: E.M.W. Charlton (p. XXX).

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ADJOURNMENT

The Moderator adjourned the Assembly with prayer, to reconvene on Monday, June 7, 2021 at 4:00 p.m. (EDT), of which public intimation was given.

DISSENTS – SECOND SEDERUNT

Commissioners asked that their dissent be recorded as follows:

Recommendation BUS-006-Revised

S.K. Bell: While this process may seem expedient, it is not in line with the spirit of our polity which allows for every commissioner to have input into the discussion around each issue or recommendation. Even if the voices heard simply reflect a minority opinion, we are all richer for hearing them. It helps us to make a better-informed decision and ensures that all opportunity for the Spirit to speak is available. If we come to an Assembly having already decided exactly what we are going to vote for each recommendation, we surely are not making communal decisions. We are not listening to God's Spirit. We must have opportunity to hear one another and all of the aspects and nuances of an issue in order to do that. A majority opinion is not always right and if we do not allow for debate of important issues, we squelch the voice of the Spirit as well as the voices of our brothers and sisters with whom we may disagree, but with whom we are also called to discern together.

C.D. Cameron: I dissent of the decision of the Assembly to continue with omnibus recommendations based on the pre-Assembly poll. This is a departure from our normal practice that is unwarranted and jeopardizes the right of commissioners to address matters which have properly come before the Assembly.

E.M.W. Charlton: This process has circumvented the agreed upon process of the General Assembly of the Presbyterian Church in Canada. This recommendation is to homologate a process that has limited the voices of the Commissioners to be able to speak both words of support to the recommendation that would help to guide fellow Commissioners, but also to limit the words of disapproval that also would help to guide fellow Commissioners and the General Assembly. Bringing this process in during the Pandemic where many changes have been made has added to confusion. Also, as we were called to meet to discuss passionate, life changing issues we have added to the confusion, and hurt instead of creating and nurturing trust and unity.

A.M. Cornell: The commissioner poll had the effect of removing decision-making power of the court. This is unprecedented and violates Book of Forms section 4.1 which states "It is a fundamental principle of Presbyterian polity that every member of a court has a right to take part in, and is responsible for, the whole business of the court." The fact that the results of the poll were voted on after the court was constituted does not alter the fact that de facto approval had already been given via the poll. BF 4.3 was also violated. A consent agenda would have been in order.

I.B. Cunningham: This motion violates Book of Forms sections 4 and 4.1 that states "It is a fundamental principle of Presbyterian polity that every member of a court has a right to take part in, and is responsible for, the whole business of the court." While General Assembly may decide what business comes before it, it does not have complete freedom on how it deals with it. It must conform to its own polity. This motion effectively silences the voices of presbyters, especially those in the minority. But even a single voice of a presbyter has the right to speak to an issue. While, using the Barrier Act, General Assembly has the ability to change its polity, it cannot simply choose to ignore it. (This was the substance of a point of order which was simply ignored by PC-Biz.)

B.J.W. Ferrier: The use of a poll was out of order and should never be used again. The Kingdom of God is not a democracy and neither is His church. The establishment and use of resulting omnibus recommendations, based on principles of democracy, rather than commissioners listening together to the Spirit of God, contravenes the Book of Forms 4, 4.1 and 4.3 such that a commissioner is deprived of a right to engage with the full measure of business before the court. A means of increasing efficiency in the form of Consent Agendas has been in use for many years, and should have been used - particularly in a year when so much else changed in an online format. Consent agendas protect commissioners rights of 4.1 and 4.3 by allowing a single voice to pull an item from consent approval. That right was denied this court, and it stifled debate by denying a host of items to even come to the floor of Assembly for debate, and thus draws into question the legitimacy of the full work of this court and certainly leaves it incomplete.

D. Krunys: The use of omnibus motions is breaking with our traditions and practice. The bar or 50% is very high. We have seen 90+ commissioners denied the ability to speak to a motion today by virtue of being in an omnibus, with very little room to debate why. This feels like nothing less than suppression the ability of the Holy spirit to speak.

S. Kwon: This motion contravenes the Book of Forms 4.1 and 4.3. The omnibus recommendations serves to effectively silence as many as 80 voices that sought to have discussion or defer certain recommendations. This is a tyranny of the majority with the minority voice not being able to give voice except through this process of dissent. Also the results of the poll were not fully disclosed prior to the Assembly with all the percentages. The average percentage approval of 83% was released and is very misleading. Many of the debatable recommendations were under 70% and means that around 50 people wanted discussion. Furthermore the extraordinary results of having only 5 recommendations not meet the threshold point to the permissive nature of that 50% threshold. The threshold as proposed by the Business Committee of two-thirds should have been adopted. Our polity was ignored, voices were ignored, and I as a commissioner was not able to do the work that is my right and responsibility.

J.T. Read: This motion goes against basic principles of how Presbyterians discern God's will for the Church. The PCC has rejected proxy voting on the basis that discussion and dialogue are an essential part of how the Spirit speaks through the church and decisions are made (*Equipping Elders*, 38). In the interests of expediency, this motion drastically reduces the possibility for discussion, and does not give the court the chance to have its mind changed by the voices of minorities. My particular concern is that this will require minorities and those holding minority positions to ask the permission of the majority just to speak to their concerns – especially as it relates to BOV-010 confession to ethnic contingent of the denomination. The PCC is in the process of repenting of colonialism, and part of that is giving minorities the right to speak without having to ask permission from the majority. Another concern is that this

is a huge change to the practice and polity of the PCC during an online Assembly that is itself an innovation. This may raise questions in the future about the legitimacy of this Assembly and its decisions. This is especially concerning given that we are voting on Remits that change the doctrine and practice of the church. It concerns me that the inclusion of LGBTQI persons in the life and ministry of the PCC could be called into question because the process that we may use to approve the Remits could be deemed invalid by a future Assembly.

L.B. Skinner: The move to an omnibus approach was meant to save time but it ignores proper process and the ability for an assembly to become familiar with a different agenda approach on the fly. A consent agenda would have accomplished essentially the same thing and was already in our polity.

A.D. Sutherland: The court has introduced a new procedure without broad consultation or training. It appears as a method of pushing some business along without consideration to voice which may not have a majority before the issues are before the court.

Recommendation BUS-OMB

A.M. Douglas: I register my dissent in response to BUS-OMB specifically on account of how it contravenes the wording and intent of Section 91 of the Book of Forms. This change concerning our practice for recording dissent was presented as a guideline, when the reality is that it was a predetermined decision – a decision that changed our polity concerning dissent. Further, this request to reconfigure our polity was not requested by any Assembly. By the time this change was brought before the Assembly the format for the Assembly was already set. Despite numerous other changes being made to PC-Biz in order to allow for differences between the American and Canadian systems, recording dissent was chosen not to be among them. A choice was made to change our polity. By the time this recommendation was actually brought before the Assembly, the choice for commissioners was to either accept this change or be seen as attempting to subvert the important business of the Assembly.

D. Jennings: I dissent to BUS-OMB as it is in contravention of Section 4.1 and 4.3 of the Book of Forms insofar as it denies a commissioner the right to deal with all matters that come before the court. Prior to 2011, all matters before General Assembly were debatable. In 2011 consent recommendations were introduced, with the protection that any one commissioner could pull from that recommendation any matter without explanation for later debate, thus preserving the rights in the Book of Forms. This foundational right was denied this year, knowingly by the Principal Clerk (as noted in prior minutes of Assembly Council) and Assembly itself. The overall effect of omnibus resolutions stopping commissioners from dealing with the matters before Assembly, BUS-005 restricting commissioners in providing thoughtful debate, and BUS-002 denying the right of dissent as set out in the Book of Forms all have the hallmarks of oppressive action taken without regard to our polity or procedural fairness.

D. Krunys: While PC-Biz has facilitated the ability to do some business, the suspension of polity, in particular around dissent is a grievous failure to seek a means to accommodate our traditions and practices as a church. The inability to hear a dissent at the time a vote is taken has had powerful effect on how we prove our desire to truly hear each other. We no longer need to ask the organist to play loudly to drown out the dissent, we no longer have to hear dissent at all.

L. Park: I hereby register my dissent in the way the business and the agenda are being conducted using omnibus motions. The omnibus motion was thought to be an efficient way to do the business of the General Assembly in this new format of online on PCC Biz. The court argued that it was not and an amendment was made - and passed with a good majority - to replace the omnibus motion with a consent agenda. The passing of this amendment shows the Assembly had concerns about the original omnibus motion. However, when it became the motion it was inexplicably defeated. My dissent is that considering business in the omnibus manner is not a fair process as it does not allow for minority voices to be heard. When you need to convince 50% of the commissioners that an individual motion should be discussed, that is not a fair process. As the omnibus polls indicated, there were several items which more than 50 people wanted discussed. Those are significant numbers.

Recommendation BUS-002

S.K. Bell: I strongly dissent to BUS-002. This approach to dissent is in contravention of Section 91 of the Book of Forms. It is problematic that at this Assembly (i) dissent cannot be made public in order that the court see the level of dissent present, (ii) the dissent is not provided immediately after a decision, (iii) written reasons for a dissent are restricted to 250 words unlike any previous practice. It is limiting to express strongly held convictions about decisions about reports that are many pages long, and (iv) reasons for dissent now have deadlines specifically contrary to the Book of Forms. The approach of having omnibus resolutions has hindered the GA from effectively carrying out our business. BUS-005 restricts commissioners in providing thoughtful debate, and BUS-002 denies the right of dissent

as set out in the Book of Forms. All of this has been beyond our control as commissioners and feels oppressive. It supersedes our polity and erases procedural fairness.

E.M.W. Charlton: The Omnibus process is changing our polity. It was introduced prior to being approved for the work of the General Assembly. While the poll was not a vote it has circumvented the accepted and approved method of Consent Agendas. This introduction of the Poll & Omnibus process slowed GA. Also, the new platform PC-Biz does not follow our polity in that it does not allow for dissent, it also slows down the flow of the meeting in that it does not allow for clear points of order to be heard until long after the fact. We essentially have changed our polity without proper consultation and approval. Another aspect is that this online format has taken away from commissioner's ability to be received and heard. The immediate vote button was being used to prevent voices from being heard.

I.B. Cunningham: PC-Biz fails to effectively and visibly record dissent. Instead, presbytery commissioners are invited to send a somewhat anaemic email to the Business Committee. However, dissent is not meant primarily for either the committee or the eventual minutes, but for the Assembly and the Church. How different the 2019 Assembly would have been if dissents were similarly squirrelled away. Also, meeting via Zoom and PC-Biz effectively robs commissioners of one of the greatest gifts of Assembly: presence and community. Often it is the conversations between strangers and adversaries at the dinner table that allow the Holy Spirit to move. Finally, using PC-Biz to approve the use of PC-Biz is a motion only M. C. Esher could love.

B.J.W. Ferrier: The PC-Biz was woefully lacking in its ability to conform with PCC Book of Forms legislation, in particular the inability to register dissent in the immediate aftermath of a vote as per Book of Forms 91, imposed a change in our polity without the approval of General Assembly and our Barrier Act. I also wish to record my dissent regarding the restrictions imposed by an a priori decision on the manner in which dissents could be recorded, taking them out of the public eye by not allowing a verbal dissent at the time of the vote. There were ways, even with the PC-Biz restrictions, to allow that. I also object to the limitation of the length of written dissents to 250 words. Both of these measures are unprecedented. The length limitation seems arbitrary, since the A&P is primarily accessed in an electronic format and additional length of the document due to the inclusion of dissents seems immaterial in terms of the denomination incurring additional costs to include a full set of dissents.

D. Jennings: I dissent to BUS-002 as it is in contravention of Section 91 of the Book of Forms as it relates to the handling of dissents, insofar at this Assembly (i) dissent cannot be made public, (ii) the dissent is not provided immediately after a decision, (iii) written reasons for a dissent are restricted to 250 words, despite the reports upon which such dissents arise often exceed 100 pages, and (iv) reasons for dissent now have deadlines specifically contrary to the Book of Forms. The overall effect of omnibus resolutions stopping commissioners from dealing with the matters before Assembly, BUS-005 restricting commissioners in providing thoughtful debate, and BUS-002 denying the right of dissent as set out in the Book of Forms all have the hallmarks of oppressive action taken without regard to our polity or procedural fairness.

R.A.J. Kennedy: I am very disappointed and frustrated with the Assembly's disregard to the Book of Forms as to the manner in which we are permitted to provide dissents this year. The commissioners have been "muted" with respect to doing public dissents. I dissent to BUS-002 as it is in contravention of Section 91 of the Book of Forms as it relates to the handling of dissents, insofar at this Assembly (i) dissent cannot be made public, (ii) the dissent is not provided immediately after a decision, (iii) written reasons for a dissent are restricted to 250 words, despite the reports upon which such dissents arise often exceed 100 pages, and (iv) reasons for dissent now have deadlines specifically contrary to the Book of Forms. The overall effect of omnibus resolutions stopping commissioners from dealing with the matters before Assembly, BUS-005 restricting commissioners in providing thoughtful debate, and BUS-002 denying the right of dissent as set out in the Book of Forms all have the hallmarks of oppressive action taken without regard to our polity or procedural fairness.

Recommendation BUS-005

B.J.W. Ferrier: In an Assembly with so many weighty matters before it, greater latitude on speaking length should have been provided to put before the Assembly key information relevant to the decisions to be made.

D. Jennings: I dissent to BUS-005 that mandatorily limits the time to speak on the very few (7!) recommendations to which commissioners are now permitted to speak. The Committee on Business stated that the recommendation was intended to be a guideline but that is not its wording and provides no discretion to the Moderator. It certainly does not allow enough time for debate rather than pre-rehearsed, quickly stated slogans and jingoisms. This has eroded the ability of the Assembly to decide wisely. The overall effect of omnibus resolutions stopping commissioners from dealing with the matters before Assembly, BUS-005 restricting commissioners in providing thoughtful debate, and

BUS-002 denying the right of dissent as set out in the Book of Forms all have the hallmarks of oppressive action taken without regard to our polity or procedural fairness.

Recommendation BUS-007

B.J.W. Ferrier: Not nearly enough time was allotted to a General Assembly which was attempting to handle two year's business in two short sederunts per day. It was irresponsible to set up a context that was bound to gloss over issues of tremendous importance to the denomination. Since we were online, the denomination was spared expense of transporting, housing and feeding commissioners, it was absolutely appropriate to plan from the outset at least two additional days of meetings. It is disrespectful of commissioners' extensive preparation time that so much business of the court was left to be sent off to committee rather than being dealt with by commissioners. Clearly Assembly Council is overloaded, given that they have met more frequently since Covid began, and yet have been unable to provide answers on matters it was charged to address since 2015 (Gracious Dismissal) and 2018 (theologically separate structures). So it was irresponsible to not structure GA to provide the time to actually do the business before us.

Recommendation BUS-008

E.M.W. Charlton: I register my dissent because Motions, Questions, and Points of Process were not being acknowledged or dealt with.