

MINUTES

FORTY THIRD GENERAL ASSEMBLY OF THE UNITARIAN UNIVERSALIST ASSOCIATION HELD IN LONG BEACH, CALIFORNIA

The General Assembly was convened on Friday, June 25, 2004 at 8:30 a.m. by Moderator Gini Courter at the Long Beach Convention Center, Long Beach, California.

The Assembly adopted, by a vote of two thirds or more, Rules of Procedure for the conduct of the meeting.

A list of the congregations entered into membership in the Unitarian Universalist Association during the past year was read: Unitarian Universalist Church of Blanchard Valley, Findlay, Ohio; Aiken Unitarian Universalist Church, Aiken, South Carolina; Seward Unitarian Universalists, Seward, Alaska; Unitarian Universalists of Santa Clarita Valley, Santa Clarita, California; Northwoods Unitarian Universalist Fellowship, Mason, Wisconsin; Unitarian Universalists of Petaluma, Petaluma, California; Florence UU Fellowship, Florence, Oregon; and Open Circle UU, Boulder, Colorado.

The Assembly received written, and in some cases oral, reports from the President, the Moderator, the Executive Vice President, the Treasurer, the Financial Advisor, the Secretary, the Chair of the Finance Committee, the Board of Trustees, the General Assembly Planning Committee, the Commission on Appraisal, the Commission on Social Witness, the Nominating Committee, the Committee on Committees, the Journey Toward Wholeness Transformation Committee, the Unitarian Universalist Service Committee, the Unitarian Universalist United Nations Office, the Unitarian Universalist Women's Federation, Beacon Press, the Unitarian Universalist Washington Center for Advocacy and Witness, the Annual Program Fund Continental Committee, the Committee on Socially Responsible Investing, the Whitney Young Fund, the Ministerial Fellowship Committee, Starr King School for the Ministry, and Meadville/Lombard Theological School.

On the basis of an initial report by the Secretary of the Association, a quorum was declared present from the time the meeting was called to order.

President William G. Sinkford, Moderator Gini Courter, and Burton Carley, Chair of the Distinguished Service Award Committee, announced that the annual Award for Distinguished Service to the Cause of Unitarian Universalism was to be given to the Rev. Dr. Robert Nelson West.

Action on Bylaw and Rule Amendments

VOTE ON ESTABLISHING A RELIGIOUS EDUCATION CREDENTIALING COMMITTEE AND CHANGING THE RESPONSIBILITIES OF THE BOARD OF REVIEW

By a vote of two-thirds or more, the Assembly approved changes to the Bylaws that establish a Religious Education Credentialing Committee and give the Board of Review the same relationship to the Religious Education Credentialing Committee as it has to the Ministerial Fellowship Committee. The amended text is as follows:

ARTICLE VII

Committees of the Board of Trustees

Section 7.1. Committees of the Board of Trustees. The standing committees of the Board of Trustees shall be:

- (a) the Executive Committee;
- (b) the Ministerial Fellowship Committee;
- (c) the Finance Committee;
- (d) the Investment Committee; and
- (e) the Religious Education Credentialing Committee.

Section 7.2. Appointment and Term of Office. Members of the Executive Committee, Finance Committee, Investment Committee, Religious Education Credentialing Committee, and board-appointed members of the Ministerial Fellowship Committee shall be appointed by the Board at its first meeting following the regular General Assembly in each odd-numbered year except as otherwise provided herein. Members of such committees shall serve for terms of two years and until their successors are appointed and qualified.

Section 7.13. Religious Education Credentialing Committee.

The Religious Education Credentialing Committee shall consist of seven members as follows:

- (a) three members, none of whom is a parish minister~ minister of religious education. community minister. a credentialed religious educator. or a director of religious education. appointed by the Board;
- (b) one member who is a parish minister or community minister. appointed by the Board;
- (c) one member who is a minister of religious education. appointed by the Board;
- (d) one member who is a credentialed religious educator-masters level, appointed by the Board; and
- (e) one member nominated by the Board of the Liberal Religious Educators Association and appointed by the Board of Trustees. The committee shall have jurisdiction over religious education credentialing with the Association as provided in Article XII thereof. The Board of Trustees shall designate a

person who is not a member of the committee to be its Executive Secretary and keep its records.

ARTICLE XII

Religious Education Credentialing

Section 12.1. Religious Education Credentialing.

Each member congregation has the exclusive right to employ its own religious educator, but the Association has the exclusive right to confer on religious educators a religious education credentialing status with the Association. No religious educator shall be required to subscribe to any particular creed, belief, or interpretation of religion in order to obtain and hold religious education credentialing status.

Section 12.2. Religious Education Credentialing Committee.

The Religious Education Credentialing Committee shall have exclusive jurisdiction over religious education credentialing except as otherwise provided herein. It shall make rules governing religious education credentialing, subject to the approval of the Board of Trustees.

Section 12.3. Achievement of Religious Education Credentialing Status.

A religious educator may achieve a religious education credentialing status by action of the Religious Education Credentialing Committee, upon complying with the requirements of these Bylaws and the rules of the committee.

Section 12.4.

Religious Education Credentialing Levels. The Religious Education Credentialing Committee shall adopt rules related to levels of religious education credentialing as follows: religious education credentialing includes credentialed religious educator-associate level status, credentialed religious educator status, and credentialed religious educator-masters level status as determined by action of the Religious Education Credentialing Committee.

Section 12.5. Religious Education Credentialing Records.

The Executive Secretary of the Religious Education Credentialing Committee shall maintain up-to-date records of all religious educators who have achieved a status as a religious educator as described in Section 12.4 of these bylaws. Such records shall be available only to members of the committee, persons designated by the Committee, and, in cases of appeals, the Board of Review.

Section 12.6. Suspension or Termination of Religious Education Credentialing Status.

The religious education credentialing status of a religious educator may be suspended or terminated by the Religious Education Credentialing Committee for unbecoming conduct or other specified cause. Credentialing status may be suspended or terminated only after notice and opportunity for a hearing before the Committee at which the religious educator shall have the right to be represented by counsel, to introduce evidence, to have any relevant and material evidence in the possession of the Association produced, and to cross-examine and rebut adverse evidence.

Section 12.7. Reinstatement of Religious Education Credentialing Status.

The Religious Education Credentialing Committee may reinstate in or readmit to religious education credentialing status a religious educator who has previously resigned

from religious education credentialing status or whose religious education credentialing status has lapsed. been suspended or terminated.

Section 12.8. Appeal.

A religious educator with a religious education credentialing status whose status is terminated may appeal the determination of the Religious Education Credentialing Committee to the Board of Review. The Board of Review shall have exclusive jurisdiction to hear and decide such appeals. No other appeal shall be allowed from any decision of the Religious Education Credentialing Committee.

Section 12.9. Procedure on Appeal.

An appeal to the Board of Review shall be heard by a panel of the Board selected as provided in its rules. The panel hearing an appeal shall not try the case de novo but shall only review the record made before the Religious Education Credentialing Committee. except that the Board of Review by rules may permit the introduction of newly discovered evidence. These Bylaws and the rules of the Religious Education Credentialing Committee shall be binding upon the panel. The panel shall uphold the decision of the Religious Education Credentialing Committee if it can be sustained by a reasonable view of the record. The panel may set aside the decision of the Religious Education Credentialing Committee only where necessary to correct or prevent manifest injustice. The panel may remand the case in whole or part to the Religious Education Credentialing Committee or take such other action as may be just. The decision of the panel. which shall be the decision of the Board. shall set forth its finding and conclusions and shall be served upon the affected religious educator and the Religious Education Credentialing Committee. The decision shall be entered in the religious education credentialing records and shall be final and binding upon all parties. No appeal shall be allowed from the decision of the Board of Review. The Board of Review shall make rules to carry out the intent of this section.

[Additionally, existing Articles XII, XIII and XIV shall be re-numbered accordingly.]

Section 5.1. Committees of the Association.

The standing committees of the Association shall be:

- (a) the Nominating Committee;
- (b) the General Assembly Planning Committee;
- (c) the Commission on Appraisal;
- (d) the Commission on Social Witness; and
- (e) the Board of Review.

Section 5.10. Board of Review.

- (a) Members. The Board of Review shall consist of eight members as follows:
 - (1) Three members who are ministers, each of whom at the time of election is in full ministerial fellowship with the Association and has held such fellowship continuously for the preceding seven years; and
 - (2) One member who is a credentialed religious educator-masters level; and
 - (3) Four members who are not ministers or credentialed religious educators, each of whom at the time of election is a member of a certified member congregation and has been a member of one or more such congregations for not less than three years as an officer or a member of the governing bodies of one or more such congregations.
- (b) Election and Term. At each regular General Assembly held in an odd.

- numbered year one person who is neither a minister nor a credentialed religious educator shall be elected and shall serve for a term of eight years and until a successor is elected and qualified. At each regular General Assembly held in an odd-numbered year there shall be elected either a minister, as described in subsection (a)(1) above, or a credentialed religious educator-masters level as described in subsection (a)(2) above, who shall serve for a term of eight years and until a successor is elected and qualified. In the first election in an odd-numbered year following the adoption of the amendment to this subsection (b) as stated above, the election shall be of a credentialed religious educator, and this sentence shall thereafter be deleted from this subsection.
- (c) Qualifications. No member of the Board of Review shall during the term of office be a member of the Ministerial Fellowship Committee, the Religious Education Credentialing Committee, or hold any salaried position in the Association.
- (d) Removal. A member of the Board of Review may be removed without hearing by the vote of six other members.

Section 8.9. President.

The President shall be the chief executive officer of the Association and shall be a member, ex-officio, without vote, of all standing committees of the Association, except the Nominating Committee and the Board of Review, and of all standing committees of the Board except the Ministerial Fellowship Committee.

Section 11.5. Fellowship Records.

The Executive Secretary of the Ministerial Fellowship Committee shall maintain up-to-date records of all ministers in fellowship with the Association. Such records shall be available only to members of the committee, persons designated by the Committee, and, in cases of appeals, the Board of Review.

Section 11.8. Appeal.

A minister in final ministerial fellowship whose fellowship is terminated may appeal the determination of the Ministerial Fellowship Committee to the Board of Review. The Board of Review shall have exclusive jurisdiction to hear and decide such appeals. No other appeal shall be allowed from any decision of the Ministerial Fellowship Committee.

Section 11.9. Procedure on Appeal.

An appeal to the Board of Review shall be heard by a panel of the Board selected as provided in its rules. The panel hearing an appeal shall not try the case de novo but shall only review the record made before the Ministerial Fellowship Committee, except that the Board of Review by rules may permit the introduction of newly discovered evidence. These Bylaws, the rules of the Ministerial Fellowship Committee, and the rules of the Religious Education Credentialing Committee shall be binding upon the panel. The panel shall uphold the decision of the Ministerial Fellowship Committee or the Religious Education Credentialing

Committee if it can be sustained by a reasonable view of the record. The panel may set aside the decision of the Fellowship Committee or the Religious Education Credentialing Committee only where necessary to correct or prevent manifest injustice. The panel may remand the case in whole or in part to the Committee or take such other action as may be just. The decision of the panel, which shall be the decision of the Board, shall set forth its finding and conclusions and shall be served upon the affected minister and the Ministerial Fellowship Committee or the affected religious educator and the Religious Education Credentialing Committee. The decision shall be entered in the appropriate records and shall be final and binding upon all parties. No appeal shall be allowed from the decision of the Board of Review. The Board of Review shall make rules to carry out the intent of this section.

VOTE ON DEMOCRATIC PROCESS

By a vote of two-thirds or more, the Assembly voted an addition to Rule G-2 that sets requirements in matters of UUA governance. The new text is as follows:

Rule G-2.1. Democratic Process.

Because the Association is committed to the use of the democratic process, because its governing institutions are accountable to our congregations, because accessibility is critical to countering systemic and institutional oppression, and because openness and trust are characteristics of a healthy religious community, the UU A Board shall establish policies to allow for the maximum transparency of its proceedings and of the proceedings of all UUA committees, commissions, and task forces, consistent with their effective functioning. These policies shall include:

- (a) providing advance notice of dates and locations of regular business meetings and making agendas, reports, and minutes available promptly;
- (b) providing avenues for comment on issues on the meetings' agendas;
- (c) accommodating observers at regular business meetings, with the exception of executive sessions.

Implementing this rule shall be the responsibility of the Board of Trustees. The Board shall designate a specific person or committee to whom comments about adherence to this rule may be addressed. The Board shall report to the General Assembly annually for the next three years on its implementation.

VOTE ON CAMPAIGNS FOR ELECTION

By a vote of two-thirds or more, the Assembly approved changes to Rule G-9 that provide for greater clarity regarding the actions of candidates for election and provide for greater authority for the Election Campaign Practices Committee. The amended text is as follows:

Rule G-9.12.6. Campaigns for Elective Office.

- (a) Each candidate for an at-large elective position may submit to the Association a campaign statement or flyer on a paper measuring 8-1/2

by 11 inches. The Association will print and compile a packet made up of the statements of all candidates to be distributed to the congregations with the absentee ballots and to the delegates as a part of the final agenda.

- (b) Each candidate for an at-large elective position shall be given an opportunity to address the General Assembly delegates at a time when no other events are scheduled. All candidates for the same position shall be given the same amount of time to speak, in the same meeting as all other candidates for that position.
- (c) Candidates for at-large election positions are expected to conduct their campaigns, both privately and publicly, according to the highest standards of decorum and mutual respect.

Rule G-9.12.7. Length of Campaigns for President and Moderator.

- (a) Campaigns for President and Moderator may appropriately begin with small campaign committee organizational meetings and mass mailing letters no earlier than November 1 of the second year preceding the election.
- (b) Active campaigning and solicitation of endorsements shall not begin prior to January 1 of the year preceding these elections.
- (c) No electioneering (defined as publicly announced meetings, rallies or exploratory events) of any sort shall occur at the General Assembly two years preceding the elections for President and Moderator. Private meetings about campaign organization that take place outside of General Assembly-booked meeting spaces are permissible.

Rule G-9.12.8 Campaign Finances Disclosure.

All candidates for at-large elective positions shall keep detailed and accurate records of:

- (a) their campaign expenses (stated in United States dollars) by categories of travel, postage, telephone, printing and other such categories as seem appropriate;
- (b) the number of contributors to their campaigns, including the number of contributors in each of the following categories:
 - (1) under \$50.00,
 - (2) \$50.00 to \$100.00,
 - (3) \$101.00 to \$250.00,
 - (4) \$251.00 to \$500.00, and
 - (5) over \$500.00, and
- (c) the number of contributions and the total amount of contributions received from each group or organization supporting the campaign.

No candidate for any elective position shall solicit or knowingly accept any contribution that is given through a tax-exempt entity with the purpose of conferring tax-exempt status to the contribution to which it would not otherwise be entitled. Such exempt entities include but are not limited to member congregations, associate member organizations and independent UUA affiliates.

The names of contributors shall be disclosed. Each such report shall identify by name any member congregation, associate member organization or independent affiliate of the Association and any other tax exempt organization (including specifically, but without limitation to, any minister's discretionary fund or similar account) that has made any contribution to the campaign and shall state the amount of each such contribution. Such reports shall be filed with the Secretary of the Association. A preliminary report shall be due at the close of the first day of the regular General Assembly at which the election occurs. A final report shall be due 60 days thereafter. The Secretary shall upon written request from a member of a member congregation furnish such information from these reports as requested. These reports shall be made available for inspection by any member of a member congregation at the principal offices of the Association and shall be brought by the Secretary to the next General Assembly and made available for inspection there by any delegate.

Rule G-9.12.9. Separation of Campaigns from Conduct of Official Business.

- (a) When running for office, candidates shall be prohibited from engaging in any electioneering or campaigning during the conduct of official business of the Unitarian Universalist Association.
- (b) Financial accounting and bookkeeping procedures shall be established which make it explicit that no monies of the Association were used in the financing of a candidate's campaigning or electioneering activities.

Rule G-9.12.10 Election Campaign Practices Committee.

- (a) An Election Campaign Practices Committee is hereby established and shall consist of three persons to be appointed by the Board of Trustees at its October meeting following those regular General Assemblies at which elections occur. Two members of the Committee shall be members of the Board of Trustees at the time of their appointment and one shall be a non-Board member. The non-Board member shall be the chair of the Committee.
- (b) The duties of the Election Campaign Practices Committee shall be:
 - (1) to distribute the campaign practices guidelines and financial disclosure rules to candidates for at-large elective positions not later than thirty days after nomination by the nominating committee or receipt of petition;
 - (2) to receive and consider written complaints of alleged violations of such guidelines or rules; if the committee finds probable cause to establish that a violation exists, to notify a candidate or a number of candidates how they may voluntarily comply with guidelines or rules and how long they have to do so; to attempt to mediate disputes arising from such complaints; and, if no satisfactory resolution of a complaint is achieved, to adjudicate the dispute and report the adjudication in writing to the candidates affected;
 - (3) to hold such hearings as may, at the Committee's discretion,

be necessary or desirable to carry out the intent of subsection 2 above; and

(4) to report on its activities and any recommendations it may have to the Board of Trustees at its October meeting following the elections.

(c) If compliance to an adjudicated decision is not implemented by the stated deadline, the Committee is authorized to block or remove Association-subsidized privileges from the candidate's campaign.

Candidates adjudicated to be in serious violation of Rule G-9.12.6(c) may have their names removed from the ballot. Any such action pursuant to Rule G-9.12.10(c) shall be reported to the Board and the General Assembly. Such an adjudication by the ECPC would be subject to automatic review by the Board Executive Committee according to the provisions of Rule G-9.12.10.(d).

(d) Any candidate aggrieved by the Committee's adjudication may, within ten days of the mailing of the adjudication, appeal in writing to the Executive Committee of the Board of Trustees, which shall have exclusive jurisdiction to hear and determine such an appeal. The Executive Committee shall report its decision on the appeal in writing to the affected candidates as expeditiously as feasible. The Executive Committee of the Board of Trustees is authorized to issue any order or ruling it deems appropriate in connection with such a decision.

(e) Any member of the Executive Committee of the Board of Trustees who is a candidate for UUA elective office shall not participate in any manner in the determination of any appeal from an adjudication of the Election Campaign Practices Committee

VOTE ON LANGUAGE OF NON-DISCRIMINATION

By a vote of two-thirds or more, the Assembly gave second-year and final approval to amendments to Section C-2.3 that changes non-discrimination language to conform to more recent understandings from the Association's anti-oppression work. The amended text is as follows:

Section C-2.3. Non-discrimination.

The Association declares and affirms its special responsibility, and that of its member congregations and organizations, to promote the full participation of persons in all of its and their activities and in the full range of human endeavor without regard to race, ethnicity, gender, disability, affectional or sexual orientation, age, language, citizenship status, economic status, or national origin and without requiring adherence to any particular interpretation of religion or to any particular religious belief or creed.

UUA Statement of Conscience

By a vote of two-thirds or more, the Assembly adopted the following Statement of Conscience:

CIVIL LIBERTIES

PREAMBLE:

Liberty is at the core of our Unitarian Universalist faith. Civil liberties are at the heart of our American experiment in democracy. Those civil liberties guaranteed by the Bill of Rights, Amendments I through X to the Constitution of the United States of America, are as fundamental to our practice of democracy as freedom of conscience is to our actions of faith.

Civil liberties carry a history of conflict and struggle between rights for all and privilege for some, between individual liberty and general security, between personal need and the common good, between the aspiration to reason and tolerance and the inclination to scapegoat and punish. Our democracy has the ability to balance these competing claims. Democratic process is at the heart of Unitarian Universalism. Our Unitarian Universalist Principles are grounded in freedom, reason, and tolerance. Ours is a tradition that has sought to uphold the sanctity of the individual voice. We have affirmed that human beings need not adhere to the same beliefs or draw upon the same sources of meaning to discern the common good.

BACKGROUND:

As Unitarian Universalists, we look to American history, the history of our faith movement, and our shared Principles and Purposes to help us determine the appropriate balance between freedom and security. Prophetic people of all faiths have been instrumental in defending liberty throughout history. We stand on the shoulders of those who have fought to uphold civil liberties. Civil liberties are also essential to the free expression and practice of our faith tradition and to the diversity of faith traditions in America. They are further essential to our ability as citizens to fully engage the political process and hold our leaders accountable.

Unitarian Universalists are gravely concerned with the current erosion of American civil liberties. Our criminal justice system has seen increases in police brutality, harsher sentencing, racial profiling, and a call by our leaders for quicker resort to the death penalty. The “War on Drugs” has given the United States the dubious distinction of having the highest incarceration rate among economically advanced nations. Federal funding for faith-based initiatives has threatened religious liberty by compromising the independence and equality of different religious groups.

The attacks of September 11, 2001, created a climate of fear that has escalated these threats to our liberties and made possible an ill-defined “War on Terrorism.” The message from our government is that the United States cannot be both safe and free. Building on a pre-September 11 current of diminished civil liberties, the USA PATRIOT Act was signed into law on October 26, 2001. This Act permits the unlimited detention and deportation of foreign nationals on the basis of suspicion and without due process of

law. It redefines the scope of terrorism law to include domestic associations, rendering citizen organizations, including communities of faith, subject to secret surveillance and investigation. It allows the FBI to investigate American citizens without probable cause if the agents consider it for “intelligence purposes.” It permits law enforcement agencies to conduct secret searches, including phone and Internet surveillance, and grants access to medical, banking, employment, library, and other personal records with fewer considerations of due process.

Dissent has been branded as unpatriotic and tantamount to aiding and abetting terrorism. Emboldened by the passage of the USA PATRIOT Act, the administration of President George W. Bush has interrogated thousands of Arab and South Asian immigrants, incarcerated hundreds in the United States on minor immigration charges or material witness claims, and detained over 1,200 foreign nationals in Guantanamo Bay, Cuba, without due process or compliance with the Geneva Convention. Military tribunals have been empowered to convict suspected terrorists on the basis of hearsay and secret evidence and without independent judicial review. Individuals have been denied the ability to travel by airplane because they are on a government no-fly list. All this has happened in an oppressive political climate in which Unitarian Universalists and others have too frequently failed to raise voices of reason and forbearance. This failure is evidenced by the hundreds of people who have been arrested and subjected to excessive force and the denial of due process for exercising their constitutionally protected freedoms through lawful protests, rallies, vigils, and signage. Because so many of our global neighbors look to the United States as a model of democracy, the erosion of American civil liberties gives permission to governments elsewhere to similarly erode civil liberties.

Freedom sacrificed for safety is no longer freedom. Americans discovered this in the aftermath of the Alien and Sedition Acts of 1798, the infamous Palmer raids of 1920, the internment of 120,000 Japanese Americans following the bombing of Pearl Harbor, and the McCarthy hearings of the 1950s. We are discovering it today.

CALL TO ACTION:

As people of faith, and as Americans, we are called to action. We are called to reclaim our heritage as Unitarian Universalists and become vigilant stewards of our democracy. We are called as individuals, as congregations, and as an association of congregations to let our leaders know that some current policies are unacceptable. Therefore:

- We hold public officials accountable and insist that they refrain from supporting policies and legislation that further limit civil liberties.
- We demand that Attorney General John Ashcroft be held fully accountable for his advocacy of policies that have eroded civil liberties, including the refusal to provide constitutionally guaranteed legal representation to detained individuals, American citizens and non-citizens alike.

- We urge Congressional oversight committees publicly to monitor federal law enforcement and intelligence agencies, including the Foreign Intelligence Surveillance Court, to ensure that the excesses of the past do not become the norms of the future.
- We demand repeal of the USA PATRIOT Act and call upon local officials to adopt resolutions urging its repeal and declaring their intention not to enforce its onerous provisions.
- We oppose the proposed Domestic Security Enhancement Act (PATRIOT II), whether proposed as a separate legislative act or as parts of other legislation.
- We oppose implementation of the “total information awareness” data-mining program of the Department of Defense; efforts to revive the Terrorism Information and Prevention System (“TIPS”) program of the Department of Justice, which sought to recruit Americans to spy on other Americans; and profiling based on nationality, ethnicity, or religion.
- We oppose nominees to the federal appeals courts or the Supreme Court whose records demonstrate insensitivity to the protection of civil liberties.

We affirm the right of foreign nationals to due process and the presumption of innocence, and we oppose unwarranted tracking and reporting requirements that abridge those rights.

- We appeal to public officials and the media to support constitutional protections enshrined in the Bill of Rights. We encourage adult education classes focused on the guarantees of the Bill of Rights and urge public and private schools to include this focus in their regular curricula.
- We support the civil liberties activity of such organizations as the American Civil Liberties Union, Americans United for Separation of Church and State, Amnesty International USA, Bill of Rights Defense Committee, Center for Public Integrity, The Electronic Frontier Foundation, Human Rights First, The Interfaith Alliance, People for the American Way, the Unitarian Universalist Service Committee, and the Unitarian Universalist United Nations Office.

CONCLUSION:

Nearly every generation faces grave challenges to the liberties for which so many men and women have fought—the liberties for which many of our ancestors placed themselves in peril so that future generations could live in freedom. Balancing freedom and security is our challenge. Let us heed the words of Benjamin Franklin engraved on the base of the Statue of Liberty, “They that give up essential liberty to obtain a little temporary safety deserve neither liberty nor safety.”

The ultimate test of democracy is the will to protect the rights of whomever we deem “the other.” It is what matters most in a nation struggling to realize the promise of liberty and justice for all. It is a matter of conscience and faith.

Background: This Unitarian Universalist Association Statement of Conscience (SOC) builds upon previous social witness statements on civil liberties adopted in 1963 (Support for the Bill of Rights) and in 2002 (Support for the International Criminal Court). In June 2002, the General Assembly of the UUA selected “Civil Liberties” as the issue suggested to congregations for two years of study, action, and reflection. The Commission on Social Witness (CSW) received initial reports from congregations and districts in March 2003. In June 2003, the CSW held a workshop on this issue at General Assembly. A draft Statement of Conscience was distributed to all congregations and districts for comment in the fall of 2003. Comments were reviewed by the CSW at its March 2004 meeting. A mini-assembly was held on Friday, June 25, 2004, for amendments – many of which were incorporated into the final version. Delegates of the 2004 General Assembly voted, by overwhelming majority, to adopt this SOC. The text of other UUA Statements of Conscience can be found at the UUA website (www.uua.org/actions) and the CSW website (www.uua.org/csw).

Study/Action Issue for Social Justice

The following Study/Action Issue for Social Justice on the Threat of Global Warming received a majority vote of the Assembly and was referred for study in accordance with Bylaw Section 4.12(c):

THREAT OF GLOBAL WARMING

Issue: What can Unitarian Universalists do to promote individual and collective changes in the way we live and work in order to slow and ultimately reverse global warming?

Actions of Immediate Witness

The Assembly adopted by a vote of two-thirds or more the following five Actions of Immediate Witness:

The Alien Tort Claims Act and Accountability For Multinational Corporations

The Alien Tort Claims Act is the only United States law permitting multinational corporations with significant assets in the United States to be held accountable for their unethical behavior elsewhere in the world. Passed in 1789 by the First Congress of the United States, it enables victims of torture, slavery, ethnic cleansing, and other crimes against humanity to put the corporations that are responsible on trial in American courts. In recent history, plaintiffs have used it to sue government officials involved in human rights violations, such as former Philippine dictator Ferdinand Marcos and former Serbian war leader Radovan Karadzic.

Most recently, the Alien Tort Claims Act has been used to file suits against multinational corporations complicit in egregious human rights abuses. For example:

- Burmese villagers have sued Unocal, whose corporate headquarters is just outside Long Beach, California, on charges that its partner—the Burmese military—murdered and raped villagers and forced them to work while assisting with Unocal’s pipeline project.
- Nigerian villagers sued Chevron Texaco for its complicity in murders at peaceful protests at a Chevron oil platform and the related destruction of two villages.
- Eleven Indonesian villagers are suing Exxon Mobil for human rights abuses committed by its security forces.
- Subcontractors in Iraq involved in the torture and mistreatment of prisoners are being held accountable under the legal authority of the Alien Tort Claims Act.

Although none of these cases has yet arrived at final adjudication, the corporate defendants are worried they will no longer enjoy immunity for their behavior abroad. Many influential business associations have sought to repeal, amend, or otherwise eviscerate the act. In addition, the administration of President George W. Bush has opposed the application of the Alien Tort Claims Act in numerous cases and has called for the law’s immediate repeal. Attorney General John Ashcroft has recently asked the United States Supreme Court to overturn this centuries-old law.

Our call for justice, equity, and compassion in human relations demands our support for the Alien Tort Claims Act. We must speak out for the oppressed, the victims of torture, and the exploited and against the abuses of multinational corporations. We must stand for human rights and oppose overturning the Alien Tort Claims Act.

Electronic Voting

WHEREAS the Unitarian Universalist Association’s fifth Principle affirms the use of the democratic process in society at large;

WHEREAS democracy depends on fairly counted votes and public confidence that votes have been fairly counted;

WHEREAS an estimated thirty percent of those voting in November 2004 will use the new Direct Recording Electronic voting machines (DREs) that remove ballot recording and vote counting from public oversight, contrary to democratic principles;

WHEREAS state and local boards of election often have neither the means to independently audit the computer systems they use nor the financial or technical resources for doing so;

WHEREAS lack of an independent audit means that voters must accept election tallies for which there can be no independent recount, even after malfunction, crash, lost ballots, highly suspicious results, or machines that will not register votes for some candidates or that fail to show some contests;

WHEREAS smaller manufacturers are offering certified voting systems that produce voter-verifiable paper ballots, and certified, free, open-source software for voting systems is expected to be available by 2005;

THEREFORE, BE IT RESOLVED by the 2004 General Assembly of the Unitarian Universalist Association that Unitarian Universalists should work for state and federal laws that require electronic voting systems to produce a voter-verified paper audit trail (VVPAT). A VVPAT is an unalterable paper record of each ballot that the voter can verify before leaving the booth. It is kept in a secure ballot box and used only for conducting independent audits and recounts.

BE IT FURTHER RESOLVED that the 2004 General Assembly endorses the Voter Confidence and Increased Accessibility Act of 2003, introduced in the United States Senate by Sen. Bob Graham (S. 1980) and in the United States House of Representatives by Rep. Rush Holt (H.R. 2239). This bill would require VVPAT and accessibility for persons with disabilities and would ban electronic voting systems that employ wireless technology.

BE IT FURTHER RESOLVED that Unitarian Universalists should work for additional state and federal laws that require voting machines and verification mechanisms to be accessible to persons with physical disabilities.

BE IT FURTHER RESOLVED that Unitarian Universalist congregations are encouraged to inform legislators and state and local election officials about the problems associated with electronic voting systems and about accessible and more secure alternatives.

BE IT FINALLY RESOLVED that the UUA Office for Advocacy and Witness should keep congregations informed on this issue and legislation addressing it so that Unitarian Universalists may share their concerns with their elected officials.

Iraq: Sovereignty, the United Nations, and Human Rights

WHEREAS Unitarian Universalists have long supported human rights, the United Nations, and international law;

WHEREAS the Unitarian Universalist Association has worked within interfaith groups to urge the United States government not to invade Iraq without the concurrence of the Security Council of the United Nations;

WHEREAS human rights abuses at Abu Ghraib and elsewhere violate the 1949 Geneva Conventions, and legalistic rationalizations of torture by the administration of President George W. Bush are morally unacceptable; and

WHEREAS the opportunity to have influence and impact on the political decisions made for Iraq is at a critical juncture;

THEREFORE BE IT RESOLVED that the delegates of the 2004 General Assembly of the Unitarian Universalist Association support the United Nations process and hold the United States government accountable for its commitments under the recently passed United Nations Security Council Resolution 1546 to transition from occupation to the complete restoration of Iraqi sovereignty. This includes a) respecting the end date for a multinational force in Iraq of no later than December 31, 2005, when a newly elected permanent Iraqi government is to be established, and b) terminating that mandate earlier if requested by Iraqi authorities. In addition, we urge the replacement of current multinational forces where possible by United Nations--authorized peacekeepers gathered from smaller nations with no conflicting interests in Iraq;

BE IT FURTHER RESOLVED that delegates urge the Unitarian Universalist Association and its Office for Advocacy and Witness to:

- Support a truly sovereign Iraq that controls all sectors of its economy, including oil, and the broad internationalization of the reconstruction of Iraq with continued help from not only the United States but also the entire international community;
- Urge that the United States adequately compensate families of innocent civilians seriously injured or killed in the war;
- Call for the United States to comply fully with the Geneva Conventions and all conventions mandating the humane treatment of prisoners of war, enemy combatants, and detainees;

- Support efforts in Congress to make public the documents and processes involved in prisoner of war and torture decisions and to hold accountable government officials at all levels;
- Join with the Unitarian Universalist Service Committee's new campaign against torture and work with our congregations to educate our members about the urgency of abolishing torture; and
- Urge full cooperation with tribunals held according to international standards to establish accountability for war crimes and violations in Iraq of international occupation law.

Oppose Federal Marriage Amendment

WHEREAS the Unitarian Universalist Association has made strong public announcements that "Civil Marriage is a Civil Right" ;

WHEREAS several prominent national political leaders have proposed an amendment to the United States Constitution that would deny the rights and privileges of civil marriage to same-gender couples;

WHEREAS The Defense of Marriage Act (DOMA) of 1996 stipulates that marriage is between a man and a woman;

WHEREAS the Supreme Judicial Court of Massachusetts ruled that same-sex and opposite-sex couples must be given equal civil marriage rights, effective May 17, 2004;

WHEREAS half of the plaintiffs in the Supreme Judicial Court of Massachusetts ruling were Unitarian Universalists;

WHEREAS a coalition of twenty religious groups is opposed to this amendment, including the Unitarian Universalist Association, the Episcopal Church USA, the Evangelical Lutheran Church of America, and the Union for Reform Judaism;

WHEREAS the amendment denying marriage equality for same-gender couples is currently being considered by the Congress of the United States and is scheduled for consideration by the Senate during the week of July 12, 2004; and

WHEREAS this would be the only amendment to the Constitution that denies rights to any group and therefore undermines the intent of that great document;

BE IT RESOLVED that the members and congregations of the Unitarian Universalist Association urge their legislators to vote against the proposed “Federal Marriage Amendment” (H.R. Res. 56); and

BE IT FURTHER RESOLVED that the UUA Office of Advocacy and Witness take appropriate action to advocate against any attempt to deny civil marriage rights to same-gender couples.

Renew the Assault Weapons Ban

The 1994 Assault Weapons Ban Law expires on September 13, 2004. This law outlaws nineteen specific semi-automatic and other weapons. Some of these weapons can fire over 120 bullets per minute. These weapons can be spray-fired from the hip. They have high-capacity ammunition magazines and shooters can fire them over a wide area without aiming. These weapons have no practical use in sports such as hunting or target shooting. Their sole purpose is to assault and kill human beings.

This law is not perfect in its present form. Existing assault weapons were grandfathered and the manufacturers’ practice of changing the names and identities of weapons to allow new ones has rendered the law ineffectual. Semi-automatic weapons have been used in several tragic multiple shootings, such as those at Columbine High School in 1999, sniper attacks in Washington, DC, in 2002, and shootings at Case Western Reserve University in 2003.

Despite its imperfections, the existing ban on assault weapons has been shown to decrease the number of assault weapon-linked crimes by 67 percent compared to all gun-related crimes.

If the Assault Weapons Ban is not renewed, AK-47s and Uzis will be legally manufactured and sold in the United States.

President Ronald Reagan supported the original ban. Presidents Gerald R. Ford, Jimmy Carter, and William Jefferson Clinton all endorse banning assault weapons. President George W. Bush has expressed support for renewal of the Assault Weapons Ban but has yet to take any action.

Seventy-seven percent of United States citizens and 66 percent of gun owners favor renewal of this ban. Many organizations and individuals have supported renewal, including the mayors and police chiefs of major cities, most law enforcement agencies,

the National Council of Churches, the League of Women Voters, and Physicians for Social Responsibility.

Unitarian Universalist Association General Assemblies have passed a number of resolutions supporting gun control in general and banning assault weapons, including those passed in 1972, 1976, and 1991. Based on these resolutions, the UUA Office for Advocacy and Witness has issued alerts on renewing the Assault Weapons Ban.

Now more needs to be done. Congress has not yet acted. Time is growing short. Less than three weeks remain for legislative action.

Therefore the delegates to the 2004 General Assembly call upon the member congregations of the Unitarian Universalist Association, their individual members and friends, and affiliated organizations to immediately contact their representatives in Congress and demand that they introduce and pass legislation to renew and strengthen the Assault Weapons Ban.

Responsive Resolution

A resolution in response to the reports of officers was passed by a vote of two-thirds or more:

Torture

The delegates of the 2004 General Assembly of the Unitarian Universalist Association of Congregations hereby condemn the use of torture by any individual, any group, any organization, or any nation and call on all people of conscience to take action (1) to expose and halt the use of torture whenever and wherever it occurs and (2) to hold accountable any individual, group, organization, or nation that conducts, authorizes, condones, funds, or covers up the use of torture.

Credentials Report

The final credentials report of the Secretary of the Association was as follows: accredited and attending the 42nd General Assembly of the Unitarian Universalist Association were 1595 member delegates, 347 ministerial delegates, 3 associate member delegates, 26 members of the Board of Trustees (not included as registered delegates from congregations), and 10 delegates representing the Church of the Larger Fellowship for a total of 1971 delegates representing 580 congregations, 50 states, the District of Columbia, and 2 Canadian provinces. Total registration for the Assembly was 4444, including 348 youth and 106 children.

Closing

The Assembly then voted to adjourn *sine die*.

Respectfully submitted,

/s/ Kathleen Montgomery
Recording Secretary