

## AGENDA 2.4.14

# Constitutional changes: Membership

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(See also Agenda 2.3.17)

## PROPOSED MOTION

**BE IT RESOLVED** that **Article 4 Membership** of the Constitution of the Church be amended to include a new clause 4.2 and that the existing clauses 4.2 and 4.3 be renumbered 4.3 and 4.4 as follows:

### ARTICLE 4. MEMBERSHIP

- 4.1 The membership of the Church shall consist of congregations of baptised members. Such congregations shall

- 4.1.1 accept and hold the Confession of the Church;
- 4.1.2 accept the Constitution and By-laws of the Church;
- 4.1.3 submit a Constitution and By-laws acceptable to the Church; and
- 4.1.4 undertake to participate in the work of the Church and to promote its Objects.

Such member-congregations shall be recorded in the official Roll of Congregations and shall exercise their membership rights in accordance with the representation requirements outlined in the following Article 7.3.1.

- 4.2 **In cases where baptised Christians have been accepted by the Church as members of the Church and where they gather together as a body that is not formally constituted, such a body shall be enabled to participate in a similar way as a congregation of the Church provided that it**

- 4.2.1 **engages with and gains the approval of the College of Bishops and the General Church Board by providing to them**

- 4.2.1.1 **an indication in writing that it accepts and holds to the Confession of the Church;**
- 4.2.1.2 **an indication in writing that it accepts the Constitution and By-laws of the Church;**
- 4.2.1.3 **evidence of its situation to indicate the extent to which it functions in a similar way to that of a congregation of the Church while not yet constituted as such; and**
- 4.2.1.4 **such other evidence as may be requested; and then**

- 4.2.2 **be acknowledged by the General Church Board as a member of the Church in a similar way to that of a constituted congregation by entering into a documented agreement.**

**Upon the satisfaction of the requirements in clauses 4.2.1 and 4.2.2, the Church shall accept such a body into membership and the body shall then be recorded in the official Roll of Congregations in a specified category and accorded the membership rights of a congregation of the Church and the relevant District.**

- 4.23 Membership in the Church may be terminated by action of the congregation or by action of the Church as prescribed in the By-laws.

- 4.34 A congregation which terminates its membership, or whose membership is terminated by action of the Church, shall have no claim upon the Church or the property or funds of the Church; but nothing herein contained prevents the Church from giving effect to any decision, award, or recommendation made by any Church tribunal in accordance with the By-laws in consequence of any such termination of membership.

**BE IT FURTHER RESOLVED** that **Article 4 Membership** of the Constitutions of the Districts be amended as follows (words to be deleted – ~~striketrough~~; words to be added – **bold**):

## Article 4. MEMBERSHIP

- 4.1 The membership of the District shall ~~consist of~~**include** congregations of baptised members. Such congregations shall
- 4.1.1 accept and hold the Confession of the Church;
  - 4.1.2 accept the Constitution and By-Laws of the Church and the District;
  - 4.1.3 submit a Constitution and By-Laws acceptable to the Church and the District; and
  - 4.1.4 undertake to participate in the work of the Church and the District and to promote their Objects.
- Such member congregations shall be recorded in the official Roll of Congregations of the District and shall exercise their membership rights in accordance with the representation requirements outlined in the following Article 7.2.1.
- 4.2 The District shall consist of
- 4.2.1** the congregations which are members of the Church in the area of the District; and
  - 4.2.2** **other bodies in the area of the District which are accepted as members of the Church pursuant to Article 4.2 of the Constitution of the Church.**
- 4.3 Membership in the Church may be terminated by action of the congregation or by action of the Church, as prescribed by the By-laws of the Church.
- 4.4 A congregation which terminates its membership, or whose membership is terminated by action of the Church, shall have no claim upon the Church or District or the property or funds of the Church and of the District; but nothing herein contained prevents the Church from giving effect to any decision, award or recommendation made by any Church tribunal in accordance with the By-laws in consequence of any such termination of membership.

## REASONS FOR THE MOTION

It has been recognised for some time that the LCA needs to address the issue of how to grow the full participation of Aboriginal Lutherans in the life and mission of the church, particularly in respect of their representation at a synodical level.

The FRM Board requested the General Church Council (GCC) to consider this matter and a Queensland congregation has submitted a proposal for the 2018 General Convention of Synod to grant Aboriginal pastors and congregations the right to speak and vote at pastors' conferences and synodical conventions.

This issue is not a new one. In 2000, "Guidelines on the relationship of Aboriginal pastors and Aboriginal congregations to the Lutheran Church of Australia" was developed and this was adopted at the 2000 Convention of General Synod. It was prepared as an interim step towards achieving a longer term objective of Aboriginal Lutheran Christians in the various locations where they live formally constituting themselves as congregations.

This objective hasn't been achieved and, because the church consists of member congregations and many Aboriginal Lutherans are not members of a recognised constituted congregation, Aboriginal Lutherans have been significantly under-represented in the church's decision-making forums.

In an effort to address this issue, the Standing Committee on Constitutions (SCoC) has prepared a motion to amend Article 4 "Membership" of the Constitution (and complementary changes to the Model Constitution for a District in the By-laws of the Church). The principle underpinning the proposed amendment to Article 4 is that the church adopts this practice to recognise the context of Aboriginal congregations, while maintaining proper process and good order.

In drafting these additions to the membership clauses, the SCoC has taken account of the guidelines adopted by the 2000 General Convention of Synod mentioned above. The first clause of the guidelines stated that: In addition to Aboriginal Christians who are already

members of constituted LCA congregations, baptised Aboriginals under the pastoral care of or served by pastors called or assigned by an Aboriginal ministry board of the LCA or its District **are members of the LCA** (emphasis added).

The first sentence in the draft new clause 4.2 has implicitly drawn on this 2000 Synod resolution.

That said, the wording has been prepared so that it does not specifically identify any particular group as the subject of the clause, but on the other hand has endeavoured to include sufficient 'checks and balances' to ensure the church's current membership is not broadened so widely as to accept any self-identified worshipping community.

**It is very important to note** that this proposed motion serves only to provide the constitutional mechanism to enable the outcome sought.

During the next synodical term the church will work with and alongside our Aboriginal brothers and sisters through a consultation process to resolve the issues of how the constitutional provision will be applied in practice to turn the principle into a reality. This will include identifying the 'bodies' referred to in the draft clause, determining the basis of their delegate entitlement to General and District Synods, and establishing how best to facilitate their full participation in these forums.

The intention is that, if the General Convention of Synod adopts the proposal in regard to the Reconciliation Action Plan, the process for its development will incorporate discussion about these and other matters that may be identified.