

**RESOLVED**, that the statements of policy set forth below are hereby approved, and the delegates to the Constituting Convention are directed to approve such statements as the policies of the Church:

**a. Privileged Communication with Clergypersons**

The Evangelical Lutheran Church in America affirms that its pastors are obligated not to divulge any confidential disclosure made to them in the course of their pastoral ministry, nor to testify concerning conduct observed by them while working in a pastoral capacity, except with the express permission of the person who has confided in them or was observed, or if the person intends great harm to self or others.

**b. Chaplaincies Supported by Government**

The Evangelical Lutheran Church in America affirms that chaplaincies supported by the government must be granted the right to provide ministry according to the faith and practice of the ecclesiastical traditions from which the chaplains come.

**c. Civil Disobedience**

The Evangelical Lutheran Church in America asserts its commitment to the rule of law as an expression of the will of God for human societies. Nevertheless, it is recognized that laws may be enacted, or social customs may exist, which are believed to be in basic conflict with the moral law of God or the constitutional law of the land. When the means of legal recourse have not brought relief, Christians may then choose to serve the cause of justice by disobeying a law that clearly involves the violation of their obligations as believers, so long as the disobedience is done (1) only as a last resort; (2) only by nonviolent means after earnestly seeking the counsel of other Christians and the will of God in prayer; (3) always for the sake of the larger community; (4) always with respect for the consciences of those who disagree; (5) always with willingness to accept the legal penalty for their action. The ELCA affirms as normative the teaching of the church in Article XVI of the Augsburg Confession: "Christians are obliged to be subject to civil authority and obey its commands and law in all that can be done without sin. But when commands of the civil authority cannot be obeyed without sin, we must obey God rather than [human authority] (Acts 5:29)."

**d. The Bearing of Arms**

The Evangelical Lutheran Church in America supports those of its members who conscientiously object to bearing arms in military service at any time, those who in conscience object to participation in a particular war or military activity (such as the refusal to use weapons of mass destruction in combat), and those who in conscience choose to participate in armed service.

## 12. Social Statements

WHEREAS, the Commission for a New Lutheran Church has had staff persons of the Uniting Churches review the various social statements adopted by the Uniting Churches to determine if such statements were held in common; and

WHEREAS, the Commission for a New Lutheran Church has determined that the social statements of the Uniting Churches are not sufficiently similar to provide social statements for adoption by the Constituting Conventions;

NOW, THEREFORE, it is hereby,

**RESOLVED**, that the Constituting Convention of the Evangelical Lutheran Church in America:

- a. receive the social statements of the existing churches as historical documents of the predecessor bodies; and
- b. instruct the Commission for Church in Society to set priorities in regard to the issues to be studied.

## 13. Office Site

WHEREAS, extensive study, evaluation and consideration have been given to the location of church offices by task forces and committees appointed by the Commission for a New Lutheran Church and by the Commission itself; and

WHEREAS, to inform the discussions, data have been gathered by a consulting organization as well as by other groups and individuals and, after much discussion, the Commission has approved recommendations for consideration by the Uniting Churches relating to office sites, and has reviewed and revised them in preparing its final report;

NOW, THEREFORE, it is hereby

**RESOLVED**, that the church bodies and the Constituting Convention approve the recommendation of CNLC:

- a. that Chicago be designated as the main offices for the new church;
- b. that Governmental Affairs and Service to Military Personnel be located in Washington, D.C.;
- c. that the Board of Pensions be located in Minneapolis;
- d. that the ELCA Publishing House be located in Minneapolis and Philadelphia; and

#### 14. Pension and Other Benefits

##### *a. For The Association of Evangelical Lutheran Churches Delegate Meeting*

WHEREAS, it is desirable for the Church to have pension and other benefits plans for its employees; and

WHEREAS, the needs and costs of such plans have been studied by representatives of the Uniting Churches and appropriate consultants;

NOW, THEREFORE, it is hereby

**RESOLVED, that the Constituting Convention adopt church pension and other benefits plans, consistent with the descriptive material presented to and approved by this Delegate Meeting of the AELC.**

##### *b. For The American Lutheran Church General Convention*

WHEREAS, it is desirable for the Church to have pension and other benefits plans for its employees; and

WHEREAS, the needs and costs of such plans have been studied by representatives of the Uniting Churches and appropriate consultants;

NOW, THEREFORE, it is hereby

**RESOLVED, that the Constituting Convention adopt church pension and other benefits plans, consistent with the descriptive material presented to and approved by this General Convention of the ALC.**

##### *c. For the Lutheran Church in America Convention*

WHEREAS, it is desirable for the Church to have pension and other benefits plans for its employees; and

WHEREAS, the needs and costs of such plans have been studied by representatives of the Uniting Churches and appropriate consultants;

NOW, THEREFORE, it is hereby

**RESOLVED, that the Constituting Convention adopt church pension and other benefits plans, consistent with the descriptive material presented to and approved by this Convention of the LCA.**



## 15. Agreement and Plan of Merger

### *a. For The Association of Evangelical Lutheran Churches Delegate Meeting*

WHEREAS, The Association of Evangelical Lutheran Churches (the "AELC") committed itself at its 1982 Delegate Meeting to join with The American Lutheran Church (the "ALC") and the Lutheran Church in America (the "LCA") (collectively the "Uniting Churches") to form a new Lutheran church;

WHEREAS, the same 1982 conventions approved the creation of a Commission for a New Lutheran Church for the purpose of planning, developing, and making recommendations to the Uniting Churches with respect to the formation of a new Lutheran church;

WHEREAS, by action of the same 1982 conventions the Commission was to work toward 1987 as the year for the Constituting Convention for the new Lutheran church, and January 1, 1988 as the date for the new Lutheran church to begin to function;

WHEREAS, the commitment and time line established in 1982 make the 1986 convention of each of the Uniting Churches a time for presenting, discussing, and voting upon the recommendations developed and presented by the Commission for a New Lutheran Church;

WHEREAS, the new Lutheran church has been named the Evangelical Lutheran Church in America (the "Church");

WHEREAS, the Church, the ALC, and the LCA are Minnesota nonprofit corporations formed under Chapter 317, Minnesota Statutes, as amended;

WHEREAS, the AELC is an Illinois nonprofit corporation formed under Chapter 32, Section 163 (a), et seq., Illinois Revised Statutes, as amended;

### *b. For The American Lutheran Church General Convention*

WHEREAS, The American Lutheran Church (the "ALC") committed itself at its 1982 Convention to join with the Association of Evangelical Lutheran Churches (the "AELC") and the Lutheran Church in America (the "LCA") (collectively the "Uniting Churches") to form a new Lutheran church;

WHEREAS, the same 1982 conventions approved the creation of a Commission for a New Lutheran Church for the purpose of planning, developing, and making recommendations to the Uniting Churches with respect to the formation of a new Lutheran church;

WHEREAS, by action of the same 1982 conventions the Commission was to work toward 1987 as the year for the Constituting Convention for the new Lutheran church, and January 1, 1988 as the date for the new Lutheran church to begin to function;

WHEREAS, the commitment and time line established in 1982 make the 1986 convention of each of the Uniting Churches a time for presenting, discussing, and voting upon the recommendations developed and presented by the Commission for a New Lutheran Church;

WHEREAS, the new Lutheran church has been named the Evangelical Lutheran Church in America (the "Church");

WHEREAS, the Church, the ALC, and the LCA are Minnesota nonprofit corporations formed under Chapter 317, Minnesota Statutes, as amended;

WHEREAS, the AELC is an Illinois nonprofit corporation formed under Chapter 32, Section 163 (a), et seq., Illinois Revised Statutes, as amended;

### *c. For the Lutheran Church in America Convention*

WHEREAS, the Lutheran Church in America (the "LCA") committed itself at its 1982 Convention to join with the Association of Evangelical Lutheran Churches (the "AELC") and The American Lutheran Church (the "ALC") (collectively the "Uniting Churches") to form a new Lutheran church;

WHEREAS, the same 1982 conventions approved the creation of a Commission for a New Lutheran Church for the purpose of planning, developing, and making recommendations to the Uniting Churches with respect to the formation of a new Lutheran church;

WHEREAS, by action of the same 1982 conventions the Commission was to work toward 1987 as the year for the Constituting Convention for the new Lutheran church, and January 1, 1988 as the date for the new Lutheran church to begin to function;

WHEREAS, the commitment and time line established in 1982 make the 1986 convention of each of the Uniting Churches a time for presenting, discussing, and voting upon the recommendations developed and presented by the Commission for a New Lutheran Church;

WHEREAS, the new Lutheran church has been named the Evangelical Lutheran Church in America (the "Church");

WHEREAS, the Church, the LCA, and the ALC are Minnesota nonprofit corporations formed under Chapter 317, Minnesota Statutes, as amended;

WHEREAS, the AELC is an Illinois nonprofit corporation formed under Chapter 32, Section 163 (a), et seq., Illinois Revised Statutes, as amended;

WHEREAS, at the time of the adoption of these resolutions, the Church has no members with voting rights, and the AELC, the ALC, and the LCA do have members with voting rights;

WHEREAS, the AELC, the ALC, and the LCA are each organized for religious purposes and, together, formed the Church as a new Lutheran church in which they would become unified in the household of God; and

WHEREAS, the AELC Board of Directors has approved the Agreement and Plan of Merger between the Church, the ALC, the LCA and the AELC in the form recommended by the Commission for a New Lutheran Church, and has recommended that said Agreement and Plan of Merger be approved by the 1986 Delegate Meeting of the AELC;

NOW, THEREFORE, it is hereby

**RESOLVED, that the Agreement and Plan of Merger between the Church, the ALC, the LCA, and the AELC in the form approved by the AELC Board of Directors and submitted to this 1986 Delegate Meeting of the AELC is hereby approved.**

WHEREAS, at the time of the adoption of these resolutions, the Church has no members with voting rights, and the AELC, the ALC, and the LCA do have members with voting rights;

WHEREAS, the AELC, the ALC, and the LCA are each organized for religious purposes and, together, formed the Church as a new Lutheran church in which they would become unified in the household of God; and

WHEREAS, the Board of Trustees and the Church Council of the ALC have approved the Agreement and Plan of Merger between the Church, the ALC, the LCA, and the AELC in the form recommended by the Commission for a New Lutheran Church, and have recommended that said Agreement and Plan of Merger be approved by the 1986 General Convention and congregations of the ALC;

NOW, THEREFORE, it is hereby

**RESOLVED, that the Agreement and Plan of Merger between the Church, the ALC, the LCA, and the AELC in the form approved and recommended by the Board of Trustees and Church Council of the ALC is hereby approved.**

**RESOLVED FURTHER, that the Agreement and Plan of Merger between the Church, the ALC, the LCA, and the AELC in the form approved by this General Convention shall be referred to the member congregations of the ALC for consideration in accordance with the provisions of section 21.13. of the Constitution of the ALC.**

**RESOLVED FURTHER, that if said Agreement and Plan of Merger is approved by two-thirds of the congregations casting ballots pursuant to section 21.13. of the Constitution of the**

WHEREAS, at the time of the adoption of these resolutions, the Church has no members with voting rights, and the AELC, the ALC, and the LCA do have members with voting rights;

WHEREAS, the AELC, the ALC, and the LCA are each organized for religious purposes and, together, formed the Church as a new Lutheran church in which they would become unified in the household of God; and

WHEREAS, the Executive Council of the LCA has approved the Agreement and Plan of Merger between the Church, the ALC, the LCA, and the AELC in the form recommended by the Commission for a New Lutheran Church, and has recommended that said Agreement and Plan of Merger be approved by the 1986 Convention of the LCA, the 1987 Special Convention of the LCA, and the voting members of the LCA;

NOW, THEREFORE, it is hereby

**RESOLVED, that the Agreement and Plan of Merger between the Church, the LCA, the ALC, and the AELC in the form approved and recommended by the Executive Council of the LCA is hereby approved.**

**RESOLVED FURTHER, that said Agreement and Plan of Merger shall be submitted to a vote at a 1987 Special Convention of the LCA duly called and held for such purposes.**

**RESOLVED FURTHER, that said Agreement and Plan of Merger shall be submitted to a vote of the voting members of the LCA at a duly called and held regular or special meeting.**

ALC, then the General President and General Secretary of the ALC are hereby authorized and directed to execute said Agreement and Plan of Merger on behalf of the ALC, together with such certificates or articles of merger as may be required by law, and to cause the same to be filed for record in the office of the Secretary of State of the State of Minnesota and the Secretary of the State of Illinois.

**RESOLVED FURTHER**, the General President and General Secretary of the ALC shall not execute said Agreement and Plan of Merger unless the following events have occurred:

- a. **General Convention of The ALC and a Convention of the LCA have each adopted substantively identical resolutions with respect to the following matters:**
  1. **Governing documents of the church.**
  2. **Rules of procedure for the constituting convention of the church.**
  3. **Constituting convention elections.**
  4. **Composition of initial boards of the church.**
  5. **Membership in the World Council of Churches and the National Council of Churches of Christ in the USA.**
  6. **Statements of policy concerning privileged communications with clergy-persons, chaplaincies supported by the government, civil disobedience and the bearing of arms.**
  7. **Pensions and other benefits.**
- b. **The voting members of each of the following LCA organizations have approved an agreement and plan of merger with the**



counterpart corporation established by the church:

1. Board of American Missions
2. Board of Publications
3. Board of Pensions
4. Lutheran Church Women

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