

10 ADVANTAGES OF MEMBERSHIP

Many churches have eliminated membership, choosing rather to be governed by the lead pastor or a board. Churches that have abandoned membership, or that are considering doing so, should consider the following advantages of membership:

1. *Democratization.* Membership expands the number of persons participating in decision-making, which some see as a check on the risks associated with accumulation of authority.
 2. *Governance.* Membership identifies those persons who have so aligned themselves with the church and its mission as to have the privilege of participating in important decisions, which often include selection of the pastor and board, and authorization of sales and purchases of church property.
 3. *Discipline.* Members are subject to discipline for violations of standards described in a church's governing document. Churches have no legal authority to discipline nonmembers.
 4. *Qualified privilege.* Many courts have concluded that the law should encourage members of churches and other organizations to share with each other about matters of mutual concern without undue concern about being sued for defamation. As a result, these courts have ruled that church members are protected by a *qualified privilege* when sharing with other church members about matters of mutual concern or common interest. This means that such communications cannot be defamatory unless made with malice. Malice in this context means that the person who made the allegedly defamatory remark knew that it was false, or made it with a reckless disregard as to its truth or falsity. This is a difficult standard to prove, which means that communications between church members will be defamatory only in exceptional cases. The same rule has been applied by a number
- of courts to statements made in the course of church disciplinary proceedings.
5. *Insurance.* Liability insurance for volunteers, and workers compensation, may only protect persons who the church recognizes as members. Be sure to check with your insurance agent to explore coverage requirements.
 6. *Inspection of church records.* The nonprofit corporation law of most states gives members of an incorporated church the right to inspect specified corporate records for any proper purpose at any reasonable time. Nonmembers have no right of inspection.
 7. *Parliamentary law.* Most churches have selected *Robert's Rules of Order Newly Revised (RONR)* as their parliamentary authority, either by a provision in their governing documents or by longstanding custom. RONR explains the rights of members in deliberative assemblies, including attendance at annual and special meetings, the rules for making motions, participation in debate, and the right to vote. Without members, RONR is basically irrelevant except for meetings of a governing board of directors or trustees.
 8. *Standing.* Nonmembers generally have no "standing" to pursue litigation against a corporation or corporate directors for malfeasance.
 9. *Sense of community.* Many persons choose to become members of a church as an expression of support for the church and its leadership and mission, and to more formally join the community of members.
 10. *Accountability.* Church membership can lead to greater accountability for pastors and other church leaders, depending on a church's governing documents. To illustrate, some church governing documents invest the membership with authority to discipline or remove a pastor. Without membership, pastors may be less accountable.