

2019 - 2020  
Constitution & Bylaws  
Committee



Southern Division  
February 2020

## Greetings Southern Division Constitution and Bylaws Chairmen!

As we move into the spring season, and for many of our teams a time when Constitution and Bylaws discussions are occurring, it is important to remember and consider the significant power of language. The American Sociologist Deborah Tannen said, "We tend to look through language and not realize how much power language has." Even the smallest word change, can significantly change the intent and scope of what is being conveyed. A good example of this fact is The American Legion changing the American Legion Auxiliary's eligibility requirements. A change of one word, "Wife" to "Spouse" has changed the dynamics of our organization and shifted the composition of our membership. The power of just one word.

Do you have words in your governing documents that are confusing to your members? Maybe this is a good time to revisit your documents and clean up the language that is conflicting or unclear?

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Deborah Tannen

## A Case Study in Language

Recently I reviewed a department's constitution and bylaws and discovered the following clause:

*"Necessary amendments proposed after distribution or revision as shown in Section 1, may be adopted by a two-thirds vote of the delegation, provided the amendments have been read at one meeting of the session prior to taking the vote."*



**Question**...what is "necessary?" What one person might consider necessary, could be completely contradictory to another person's opinion of necessary. As we all know, we must always consider the rights of the assembly and members when proceeding with actions that are related to those affecting members. This one word "necessary" opens up a myriad of confusion and now creates additional complexity that is not really desired. If this department decides to leave the language as is, the correct action would be to place the question in the form of a motion to the assembly to decide first if the action presented is "truly" necessary. The assembly would need to ultimately decide if it is necessary or not.

*I move that the action to consider having chili on Mondays at all American Legion Auxiliary functions is necessary. Is there a second? Is there discussion? The ayes have it and it has been determined that this action is necessary and should be considered.*

Then it's time to move on to the actual vote itself to have chili on Mondays, since the consideration of this question was deemed "necessary" by the body.



**Question**...wouldn't it be simpler to remove the word "Necessary" from the bylaw itself? Now it would read: *"Amendments proposed after distribution or revision as shown in Section 1, may be adopted by a two-thirds vote of the delegation, provided the amendments have been read at one meeting of the session prior to taking the vote."* So...is the word "Necessary" really "Necessary?"

The above case study is a good example of how small words that seem insignificant can really change the way assemblies handle critical business. Our constitution and bylaws team urges our Departments to read their documents thoroughly and take the action to remove words that are not necessary. Move slowly and deliberately and take action to make your governing documents clear and easy for everyone to understand.

## *Did You Know?*

Roberts Rules of Order Newly Revised makes it very clear that unless the assembly has given the right to a committee or individual, small typographical changes cannot be corrected in a constitution or bylaw until the next convention. When presenting business to the assembly, consider the following motion:

*“Before moving onto the business at hand, by direction of the Constitution and Bylaws Committee, I move that the Constitution and Bylaws Committee be authorized to correct article and section designations, punctuation, and cross references, and to make such technical and editorial changes as may be necessary to assure the accuracy and readability of our governing documents.”*

Because those corrections may be in any part of the C&B, this motion is voted on by the convention body. This action now gives authority to the Constitution and Bylaws Committee (or whoever) to make small and necessary adjustments to assure the consistency and accuracy of the document. The assembly can (and probably should) adopt a motion authorizing the Secretary or a committee to make such corrections, but no one can make any changes without such authorization. (refer to: RONR, 11<sup>th</sup> edition, page 598-599)

## *Get Involved...*

As Mid-Winter meetings are in full swing, make good use of time with your teams to discuss and prepare for changes that may be required to your governing documents. Use the time to answer questions, discuss upcoming changes and gauge interest from your members. Helping the teams understand will assure that you have proactively engaged your members and included them in conversation that will benefit all, not just a chosen few. Empowering your members to have a voice, communicating upcoming issues and serving as a subject matter expert will assure greater respect and confidence for you and your committee.

## *Send Your Pictures!*

Be sure to share your photos!



Sincerely,

*Trish Ward*

Trish Ward  
Constitution and Bylaws Committee  
National Chairman  
2019-2020

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## *Wise Words from Past Leaders*



Mrs. A.H. Hoffman (Iowa)  
Constitution & Bylaws Chairman  
1937-1938

Mrs. A.H. Hoffman of Iowa, National Chairman of Constitution and Bylaws Committee 1937-1938 said, *“The Officers who consider a business meeting of our American Legion Auxiliary an opportunity to develop an appreciation for correct parliamentary procedure have added much to a successful year. It is much easier to conduct a meeting in a businesslike manner than it is to preside at a meeting which conducts itself in a haphazard manner; there is much satisfaction in presiding over a meeting that is orderly and constructive and one that leaves no room for petty personalities. Such a meeting will be well attended.”*