

# Proposal

**to change the statute and the FETCH Book of the association Les Amis de Folleterre concerning the election of stewards of the association at the Extraordinary Great Circle at Folleterre on the 7th and 08th of May 2022**

## I. What has been decided so far

At our last Great Circle on 07/11/2021, among other things, the following was decided:

“V. Presentation of the new Steward Circle by Yareth (...)

Proposal by Hazel: The former steward list will be re-adopted (except the stewards who have chosen to resign this year) and an Extraordinary Great Circle will be held as soon as possible, in the meantime a healing process will be co-created. The current candidate stewards will be included in the process.

The proposal is accepted by the Great Circle, with the outcome as follows:

Steward Circle: Baby V, Foxie 2000, Hazel, Lego, Sparkling Water, Sun flower, TheMany, Walnut

Active Pledges: Cacahuete, Diana Princess, Flow, Kiwi, Luna, Lunatik, Paillette, Pikachu, Squid, Rythmus, Stillmark, Tela (...)

link: <https://mailchi.mp/9358bc641828/folleterre-great-circle-report>

Thereupon, on 09/01/2022, the Steward Circle resolved, among other things, the following proposal:

“(...) PROPOSAL: The Steward Circle will organize an Extraordinary Great Circle (EGC) on the land in late-April or early-May with an agenda dedicated to addressing the election of stewards: How are stewards elected and how can this process be improved for the next Great Circle? The process outlined by this EGC for the election of stewards will be

amended in the statutes and/or FETCH-book and implemented in the 2022 Great Circle (ordinary). (...)"

link: <https://e1.pcloud.link/publink/show?code=XZdx1pZIsaV-DKYxXqj0079M39kXbQgO41oy>

On the 05/02/2022 the Stewardship Circle decided:

"(...) The EGC dates were confirmed as 7/8th May, facilitators SW, Kiwi & ND. SW to circulate to stewards before March SC his draft text of proposal re Election of Stewards process, including FETCH-book revision. (...)"

link: <https://e1.pcloud.link/publink/show?code=XZGx1pZRhJsOPEjK3jpWpoD-FhnATF9U9sB7>

## **II. What can the Extraordinary Great Circle decide on**

The Great Circle of November last year and subsequently the Steward Circle of early January this year have come to the conclusion that the election procedure for the election of stewards needs to be more clearly and unambiguously regulated. This should be done not only to ensure a legally sound procedure, but also to avoid as much as possible personal injury to both the candidates and the election stewards, as well as to all other faeries involved.

Article 10 of the Statutes provides that the Extraordinary Great Circle may decide on amendments to the Statutes. According to this article, the Extraordinary Great Circle can also be convened by the Steward Circle if important decisions have to be taken, which cannot be postponed and which cannot be taken by the Steward Circle. Article 15, 2nd paragraph, 2nd sentence provides that the Internal Rules may be modified in "a" Great Circle. The Extraordinary Great Circle is also "a" Great Circle in this sense. In Title I. Introduction, Article 1. Documents, Section 3., last sentence, of the FETCH Book (Internal Rules) it is said that the Internal Rules can be changed in "any" Great Circle, thus also in an Extraordinary Great Circle. Furthermore, since the Internal Rules of the Statutes are subordinate to the Statutes, the Extraordinary Great Circle has the full power to decide on the amendment of the Statutes and the Internal Rules concerned on the basis of Articles 10 and 15 of the Statutes. Finally, the Great Circle of November last year explicitly decided that an Extraordinary Great Circle

should decide on the election procedure of the stewards, which are in detail regulated in the Internal Rules.

### **III. Summary of the regulatory problems of the stewards' election process**

This will be explained in detail in the specific regulatory proposals, but at the outset the problems with the stewards election process are briefly summarised as follows:

- The rules on the election of stewards are scattered over several regulations in the Statute and FETCH Book. This makes the rules on the election procedure confusing.
- The rules on who and how the election of stewards is to be conducted are not specific, clear or binding.
- Stewards who are presented as candidates in the Great Circle and who are not asked about their candidacy automatically become stewards.
- When forming a consensus on whether to reject a candidate's candidacy, the candidate themselves may also object to the rejection of the candidacy. Nowhere in the Statutes or the FETCH Book is it stipulated that the personal person affected by a decision is not entitled to vote on that decision.
- In the Great Circle, a candidate may only be rejected if the rejection of the candidate is decided by consensus. As stated, the candidate themselves is entitled to vote on this decision.
- Should the Stewardship Circle, after electing a steward, later come to the conclusion that a steward should be removed from office for a serious offence, this decision too can only be made by consensus with the person concerned.
- There are no rules on how to decide whether a paramount objection has been made. It only says that it must be discussed. Who and how then makes a decision on the validity of an objection is not regulated?
- There are no restrictions on the co-option of stewards by the stewardship circle in the statutes or the FETCH Book.
- As a result, it cannot be prevented that whoever stands as a steward also becomes a steward. This is ultimately in the hands of the candidate alone and not in the hands of the members! Even if candidates are not elected during the

Great Circle, they can later be co-opted by the stewardship circle without any preconditions, i.e. even against the declared will of the membership.

**IV. Amendments to the Statutes**

- 1. The following paragraph is added to **Article 8. Active members:**

**“An active member shall not be entitled to vote or decide in elections and decisions of the Association or its governing bodies and shall not be entitled to raise paramount objections concerning the person of that member.”**

*Justification:*

*Almost all decisions of the association or its bodies are affected by consensus. This also applies to the election or rejection of a member's candidature for an office of the Association. If the member in question had the right to vote or make decisions themselves, or if they could raise paramount objections, consensus could always be prevented. Necessary decisions could then not be taken. Since the active member is otherwise called upon to participate in the decisions of the association in all respects, the exclusion of the member's decision-making authority in cases of personal concern must be expressly declared.*

- 2. **Article 9. Great Circle, paragraph 12 and 13, reads as follows:**

“Any internal matter regarding membership and stewardship may be discussed and decided upon by the Great Circle, including or rejecting membership and stewardship applications if necessary.

All decisions are made by consensus, as defined in Article 13.”

The proposal is to amend the wording as follows:

**“Any internal matter regarding membership and stewardship may be discussed and decided upon by the Great Circle. Details are set out in**

**the Internal Rules, in particular Title II on membership and Title IV on stewardship.**

**All decisions shall be taken by consensus as provided in Article 13, unless otherwise expressly provided in the Statutes or in the Internal Rules.”**

*Justification:*

*In order to regulate access to stewardship as clearly and simply as possible, it seems important to combine the rules on the election or exclusion of stewards in only one provision of the Internal Rules. It also seems important not to define the contents of the rules in different regulations. In this way, misunderstandings and errors in the election process can be avoided.*

*As will be explained in detail in the Internal Rules below, it seems reasonable to reject paramount objections against the candidature of a steward by a qualified majority decision.*

**3. Article 11. The Steward Circle, paragraphs 5, 6 and 7 read as follows:**

“(...) The Great Circle has the power to reject an offer of stewardship. Offers of stewardship end at the following Great Circle and may be renewed.

Active members may be co-opted as stewards outside of the Great Circle with the consensus of the Steward Circle. These stewards must make an offer of stewardship at the next Great Circle to remain in the Steward Circle.

Every member of the Steward Circle can freely decide to leave it at any moment. In the case of serious misbehaviour of one of its members, the Steward Circle can exclude that member in a process defined by the Internal Rules.”

It is proposed to amend the wording as follows:

**“The Great Circle elects the stewards. The election procedure is governed by Article 11 of Title IV of the Internal Rules. When a steward steps down from the Steward Circle before the end of the election period, the Steward Circle may co-opt an active member as steward in their place. The details of this can be found in the aforementioned regulation.**

**The office of elected or co-opted stewards shall end with the election of stewards in the Great Circle following the election or co-option of a steward.**

**Every steward of the Steward Circle can freely decide to leave the Steward Circle at any moment. In the case of serious misbehaviour of a steward, the Steward Circle can exclude that member in a process defined in the aforementioned regulation.”**

*Justification:*

*Also, for this regulation, the details of the election or removal or rejection of stewards should be regulated in a single regulation in the Internal Rules in order to avoid misunderstandings and ambiguities.*

*It also seems to be more sensible that stewards remain in office until the stewards for the following election period have been elected in the Great Circle. In this way, it can be ensured that there is always a Steward Circle with decision-making power.*

*In respect of the Great Circle's comprehensive decision-making power, it would seem very unfair, to say the least, if the Steward Circle were free to co-opt stewards instead of the Great Circle at its discretion.*

*The details of the exclusion of a steward must also be conclusively regulated in the Internal Rules in question.*

4. **Article 15 Internal Documents, paragraph 2 reads as follow :**

“These documents include the Internal Rules. (...)”

It is proposed to amend the wording as follows:

**“These documents include the Internal Rules, entitled "The Folleterre Empowerment Through Cooperation Hand Book" or "FETCH Book" or “FETCH” for short. (...)”**

*Justification:*

*In order to clarify a clear allocation of the Internal Rules regulated in the **FETCH** Book in the Statutes, its designation must be explicitly listed in the Statutes.*

**V. Amendments to the Internal Rules/FETCH Book**

**1. Title I., Article 3. Consensus decision making**

The following section is added to Title I., Article 3. Consensus decision making:

**“Section 11. All decisions shall be taken by consensus as provided in Article I. Article 3. of the FETCH Book, unless otherwise expressly provided in the Statutes or in the Internal Rules.”**

*Justification:*

*In order to ensure the functioning of the association and the organisation of our sanctuary, it is already provided for in our statutes in Article 10 Extraordinary Great Circle, there in the 8th paragraph, that the Extraordinary Great Circle can take a decision with a majority of 75% of the votes of the active members. For the functioning of our association, its external representation, the organisation of our sanctuary and in particular the*

*holding of gatherings, it is obviously of the utmost importance that the association is able to establish a functioning and legally effective Steward Circle in the Great Circle itself. Therefore, in the event that paramount objections to the candidacy of a steward are raised during the election of that steward, which cannot be rebutted by further discussion, it is provided for a majority vote of all members, as now provided below in Title IV, Article 11, Adding and Removing of Stewards.*

## **2. Title IV. The Steward Circle, Article 11. Adding and removing stewards**

Article 11. Adding and removing stewards reads as follow:

“Article 11. Adding and removing stewards

Preamble. Any active member who wants to commit time and energy to helping Folleterre throughout the year is encouraged to become a steward.

The community expects stewards to understand Folleterre, its practical needs, its purpose, and its culture. Folleterre wants stewards to participate in discussions, decisions, and other Steward Circle tasks. Potential stewards should reflect on whether they can make this commitment for a full year.

The Folleterre community strongly suggests that prospective stewards be active members for at least a year before becoming stewards.

Section 1. An active member who wants to be a steward should make an offer of stewardship at the Great Circle, either in person or in writing. Stewards commit to

-take legal responsibility for the actions of the Association as described in the Statutes,

-use Folleterre’s consensus decision-making model,

-participate in the Steward Circle’s discussions and decisions online and

in person as much as possible,

-deepen their understanding of the community, and

-act in the community's interest instead of their personal interest.

If the Great Circle is concerned about a potential steward's offer of stewardship, it can ask to discuss that potential steward and give feedback, ask questions, and make a decision by consensus to set boundaries necessary for the best interests of Folleterre. These boundaries can include a rejection of the offer of stewardship. If the Great Circle does not reject the offer, then it is accepted.

Active members can be co-opted between Great Circles by a decision of the Steward Circle.

Section 2. All stewards leave the Steward Circle at the following Great Circle unless they make a new offer of stewardship.

Any steward may leave the Steward Circle at any time by sending a message in writing to the other stewards.

If a steward refuses to follow the decision-making process of the Steward Circle or is otherwise very disruptive to the Steward Circle, the other stewards will attempt to find a way to work with this steward. The other stewards may make the problematic steward leave if there is no other solution that protects the interests of Folleterre.

Section 3. There is no limit to the number of stewards on the Steward Circle, nor any limit to the amount of time someone may be a steward."

It is proposed to amend the wording as follows:

**“Article 11. Adding and removing stewards**

**Preamble. Any active member who wants to commit time and energy to helping Folleterre throughout the year is encouraged to become a steward.**

**The community expects stewards to understand Folleterre, its practical needs, its purpose, and its culture. Folleterre wants stewards to participate in discussions, decisions, and other Steward Circle tasks. Potential stewards should reflect on whether they can make this commitment for a full year.**

**Section 1. Stewards commit to**

- take legal responsibility for the actions of the Association as described in the Statutes and the Internal Rules,**
- use Folleterre’s consensus decision-making model,**
- participate in the discussions and decisions of the Stewardship Circle online and in person as often as possible,**
- deepen their understanding of the community, and**
- act in the interest of the community and not in their personal interest.**

**Section 2. To be eligible to stand as a steward, the candidate must have been an active member of the Association for at least one year.**

**Section 3. There is no limit to the number of stewards in the Steward Circle. A steward may be elected as steward any number of times.**

**Section 4. The Steward Circle shall, not later than one month before the Great Circle, authorise two stewards from among its members, as facilitators, to organise and conduct the election of stewards for the forthcoming term.**

**An active member who wishes to become or remain a steward must, at least two weeks before the Great Circle, submit a written pledge as steward to the association for the attention of the facilitators, in which one describes their motivations and which tasks one would like to realise as a steward.**

**The facilitators will compile a list of candidates and allow all members to read the written applications in due time before the Great Circle.**

**Section 5. In the Great Circle, the facilitator shall present each candidate in the order of the above-mentioned list. The candidate will be given the opportunity to explain orally why they wish to become a steward. The Great Circle then decides on each candidate under the guidance of the facilitators.**

**In principle, the decision on a candidate must be made by consensus in accordance with Title I, Article 3 of the FETCH Book. If paramount objections are raised against a candidate in accordance with the aforementioned regulation and the reservations against a candidate cannot be dispelled in the procedure regulated therein within a period of time determined by the facilitators, the facilitators shall put the decision on the acceptance of the candidacy to a vote by the Great Circle. If at least 75% of the voting members vote to accept the nomination, the candidate shall become a steward, otherwise the candidature shall be rejected. The candidate themselves is not entitled to vote in this ballot.**

**Section 6. When a steward steps down from the Steward Circle before the end of the election period, the Steward Circle may co-opt an active member as steward in their place.**

**Section 7. The office of elected or co-opted stewards shall end with the election of stewards in the Great Circle following the election or co-**

**option of the steward. The retiring stewards shall be free to stand again as steward in accordance with Section 4 of this Article.**

**Section 8. Any Steward may leave the Steward Circle at any time by sending written notice to the other stewards.**

**Section 9. If a steward refuses to comply with the decision-making process of the Steward Circle or otherwise severely disrupts the Steward Circle, the other stewards will attempt to find a way to work with that steward. If this appears futile, the other stewards may terminate the stewardship of the steward in question with immediate effect if there is no other solution that protects the interests of Folleterre. In the decision-making process under Title I, Article 3, the steward in question does not have the right to decide and cannot raise paramount objections.**

*Justification:*

*It seems to be important that a member has had sufficient experience in and with Folleterre before deciding to become a steward. This also helps to ensure that cooperation in the Steward Circle can build on a common body of knowledge and run more smoothly. After a year as an active member, one may also be surer whether one can actually fulfil the office of steward.*

*In order to ensure a structured, fair and comprehensible election process, it is important that at least two facilitators accompany the process from the beginning. At least two facilitators are necessary, because in the event that one or the other facilitator stands as a candidate, he may not participate in the voting on his or her own behalf and lead the election process.*

*A written candidature is important not only to fully inform the membership, but also for the candidate themselves to be clear about his motives for running and their commitment to Folleterre.*

*The Steward Circle consists of individual stewards who are each personally responsible. Each candidate has personal qualifications. The suitability of the candidates cannot therefore be confirmed collectively, but only for each candidate individually, so that each candidate must also be confirmed on an individual basis.*

*In principle, the consensus principle also applies to the confirmation of a candidate by the Great Circle. In order to ensure that a working Steward Circle can be constituted within the framework of a Great Circle, it appears necessary that a majority decision be possible in the event that paramount objections are raised against a candidate which cannot be dispelled.*

*In respect of the Great Circle's comprehensive decision-making power, it would seem very unfair, to say the least, if the Steward Circle were free to co-opt stewards instead of the Great Circle at its discretion.*

*It also seems to be more sensible that stewards remain in office until the stewards for the following election period have been elected in the Great Circle. In this way, it can be ensured that there is always a steward circle with decision-making power.*

Decided in consensus by the Extraordinary Great Circle of Les Amis De Folleterie, Ternuay-Melay-et-St-Hilaire, May 7<sup>th</sup> and 8<sup>th</sup>, 2022 (???)