

May 1972

Bill W.'s Twelve Concepts for World Service

The Seventh Concept

The Conference recognizes that the Charter and the By-laws of the General Service Board are legal instruments: that the Trustees are thereby fully empowered to manage and conduct all of the world service affairs of Alcoholics Anonymous. It is further understood that the Conference Charter itself is not a legal document: that it relies instead upon the force of tradition and the power of the AA purse for its final effectiveness.

THIS CONCEPT may appear to be contradictory; it may look like the collision of an irresistible force with an immovable object. On the one hand we see a Board of Trustees which is invested with complete legal power over AA's funds and services, while on the other hand we find that AA's General Service Conference is clothed with such great traditional influence and financial power that, if necessary, it could overcome the legal rights of the Board of Trustees. It can therefore give the Trustees directives and secure compliance with them — practically speaking.

This means that the practical power of the Conference will nearly always be superior to the legal power of the Trustees. This superior

power in the Conference flows from the powerful traditional influence of the Charter itself. It derives from the large majority of group-chosen Delegates in the Conference. And finally, in any great extremity, it would rest upon the undoubted ability of the Delegates to deny the General Service Board the monies with which to operate — viz., the voluntary contributions of the AA groups themselves. Theoretically, the Conference is an advisory body only; but practically speaking, it has all of the ultimate rights and powers that it may ever need.

When we reflect that our Trustees have no salaried financial interest in their posts, we can be quite sure that such a Board would never think

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of legally contesting the clear and sustained will of the Conference Delegates and the AA areas they represent. If some day the chips were really down, there would be little chance of a stalemate. The Conference would find itself in complete control of the situation. As the conscience of AA, the Delegates would find themselves in ultimate authority over our General Service Board and also its corporate arms of active world service.

The history of this development is interesting and important. When in 1950 the Conference Charter was drawn, this question of where the final authority ought to rest was a very moot matter. Would the Conference have the last word, or would

the Trustees? By then, we knew for sure that complete and final authority over our funds and services should never continue to reside in an isolated Board of Trustees who had an unqualified right to appoint their own successors. This would be to leave AA world services in the hands of a paternalistic group, something entirely contradictory to the "group conscience" concept of Tradition Two. If the Trustees were to be our permanent service administrators and the guardians of AA's Twelve Traditions, it was evident that they must somehow be placed in a position where they would necessarily have to conform to our Traditions, and to the desires of our Fellowship.

To accomplish this objective, we considered all kinds of devices. We thought of incorporating the Conference itself, thus placing it in direct legal authority over the Board. This would have meant that all Conference members would have had to have a legal status. It would have been much too cumbersome an arrangement, involving really the incorporation of our whole Fellowship, an idea which the Conference

itself later repudiated.

We also considered the idea of countrywide elections for all Trustees. But this procedure would have produced a political shambles, rather than the topflight managerial talent the Board had to have. So that notion was abandoned.

We next inquired whether the Conference itself could not both nominate and directly elect our Trustees. But how could several scores of Delegates do this? They would come from all over the country. They would not be too well acquainted with each other. Their terms would be short and their meetings brief. How, then, could such a body nominate and elect alcoholic and nonalcoholic Trustees of a top managerial caliber? Clearly, there could be no reliable method for doing this. Reluctantly, we had to drop the idea.

It thus became obvious that new Trustee choices — subject to Con-

ference approval — would still have to be left pretty much to the Trustees themselves. Only they would be capable of understanding what the Board needed. Except in a time of reorganization, this method of selection would have to continue — certainly as to the larger part of the Board's membership. Otherwise, the Board could not be held accountable for management results. We might wind up with no effective management at all. For these reasons, the Conference was given the right to reject, but not to elect, new Trustee candidates.

It was out of these considerations that our present Conference Charter was developed, a structure which clearly gives the Conference a final and ultimate authority, but which nevertheless legally preserves the right of the Trustees to function freely and adequately, just as any business board of directors must.

This arrangement is in strict conformity with the "trusted servant" provision of Tradition Two, which contemplates that our servants, within the scope of their duties, should be trusted to use their own experience and judgment. Trusted servants at all AA levels are expected to exercise leadership, and leadership is not simply a matter of submissive housekeeping. Of course, leadership cannot function if it is constantly subjected to a barrage of harassing directives.

Up to the present time, our experience shows that this balance of powers between the Trustees and the Conference is thoroughly workable. We have taken great pains to reserve final authority to the Conference by practical and traditional means. By legal means, we have delegated ample functional and discretionary authority to the Trustees. We believe this balance can be main-

tained indefinitely, because the one is protected by tradition and the other by law.

Now we come to another interesting question often raised by new General Service Board Trustees. They say, "We Trustees have certain rights and duties which are legally established in our Charter. Are we not violating this Charter when we accept a Conference opinion or directive? We should have a perfect legal right to say no to anything and everything that the Conference wants."

Our Trustees certainly do have this absolute legal authority, but there is nothing in their Charter that *compels* them to use *all* of their authority *all* of the time. They are quite at liberty to accept advice or even direction from anyone at all. They can simply refrain from using their absolute legal right to say no when it would be much wiser, all

things considered, to say yes. Just as the Conference should avoid the overuse of its traditional authority, so should the Trustees avoid the overuse of their legal rights. The President of the U.S., for example, has an absolute legal right to veto Congressional legislation. Yet ninety-nine percent of the time he does not do it, because (a) he likes a piece of legislation or (b) he does not like the legislation, but believes a veto would nevertheless be unwise or impossible of success. Whether or not he will exercise his veto is determined by circumstances. It is just like that with AA's Board of Trustees.

Clearly, then, our Board of Trustees does reserve a veto power over any Conference action; this is legally necessary and right in principle, even though the veto will seldom be used. At certain times, however, the Trustees' veto could be of important and constructive use.

Here, for instance, are three typical examples in which it would be the duty of the Trustees to veto Conference action:

1. If, in time of haste or heavy stress, the Conference should take an action or issue a directive to the Trustees in clear violation of its own Charter, or that of the General Service Board; or if the Conference were to pass any measure so ill-considered or so reckless as to seriously injure, in the judgment of the Trustees, AA's public relations or AA as a whole, it would then be the duty of

the Trustees to ask for a Conference reconsideration. In event of a Conference refusal to reconsider, the Trustees could then use their legal right of veto. And, if desirable, they could appeal the issue directly to the AA groups themselves.

2. Although traditionally the Trustees never should substantially exceed a Conference-approved budget without consulting the Conference, they should *feel entirely free to reduce the Conference budget figure* during any fiscal year, even though such an action might curtail or cancel special plans or projects initiated and directed by the Conference itself.

3. If, by reason of unforeseen conditions, any particular plan, project, or directive of the Conference should become impractical or unworkable during a fiscal year, the Trustees should, without prejudice, be able to use their right of veto and cancellation.

If, therefore, in the years ahead, the Conference will always bear in mind the actual rights, duties, responsibilities, and legal status of the General Service Board, and if the Trustees in their deliberations will constantly realize that the Conference is the real seat of ultimate service authority, we may be sure that neither will be seriously tempted to make a rubber stamp out of the other. We may expect that in this way grave issues will always be resolved and harmonious cooperation will be the general rule.