

The Constitution and Bylaws - the World Science Fiction Society.

[This is Chapter 10 from George Scithers' Con-Committee Chairman's Guide, the story of Discon I, the 1963 Worldcon. Retyped in 2000 by Tim Illingworth, from a copy of the original 1965 publication.]

Ever since Anna Sinclair Moffatt's wildly cheered ruling, "This is the business meeting of the XVI World Science Fiction Convention, and not that of the World Science Fiction Society, Incorporated", an unresolved question has been: are the World Science Fiction Conventions a continuing body, or what? South Gate renounced the incorporation; so did the Detention. By Pittcon, the corporation was a dead issue. The question of continuity remained: is one convention bound by the rules and precedents of those earlier? Certainly, the rotation plan (which predated the incorporation) continued to function -- but more or less by default, since no convention chairman had occasion to rule on the matter. At Pittcon, a committee was formed to study standardizations of the Hugo categories; at Pittcon, a resolution was passed standardizing the form of the trophies themselves on the model developed by Ben Jason. At Seacon, a set of rules were adopted to govern the Hugo categories and voting procedures in the future. But -- need these rules be followed? The Chicon III committee felt not, but did not make an issue of it; the Discon I committee, on the other hand, felt that the rules and resolutions did constitute a continuing body of rules, and did their best to follow them. But the question of continuity was still unresolved.

At the Chicon III, however, a committee to study the design of the Hugos was formed, the membership appointed by me. During the following year, I formed a second committee, partly out of the first, consisting of myself, Howard Devore, & Steve Schultheis, to study the whole question of continuity and of codification of the mixture of traditions and ancient resolutions that the conventions were operating under. The result was a new constitution and bylaws, based on suggestions by Schultheis and Devore. The final wording was mine, but the ideas are largely Schultheis's. It was submitted to the business meeting of the Discon I and passed there. The constitution and bylaws begins:

- 1.01 The World Science Fiction Society is an unincorporated literary society whose functions are: to choose the recipients of the annual Science Fiction Achievement Awards, known as the Hugos; to choose the location for the annual World Science Fiction Convention; and to attend the annual World Science Fiction Convention.
- 1.02 The membership of the World Science Fiction Society at any time consists of all those who have paid membership dues to the then current convention committee.
- 1.03 The management and responsibility for all phases of the annual World Science Fiction Convention lies entirely with the convention committee, which acts in its own name, not that of the society. The convention committee which puts on the convention is, of course, the committee whose bid for selection of its location is accepted by the annual meeting of the society.

These sections, then, establish that there is an organization -- an unincorporated body -- called the World Science Fiction Society, which is separate and distinct from the convention committee of the moment. Whether this revives the formerly incorporated Society, or establishes the Society anew after a hiatus of several years, is immaterial; the constitution does state that there is a body, and that it is separate from the con committee.

The reasons for non-incorporation of the Society are several. After the WSFS Inc. fiasco of several years ago, fandom wasn't about to have at that mess again. Further, incorporation would be expensive to begin and tedious to continue. So, instead, the Society was defined in such a way as to make incorporation totally unnecessary: the Society's only functions are to choose the Hugo winners (but not to manufacture the Hugos), to choose the next convention site and attend the convention (but not to manage the convention). All financial details were left in the hands of the convention committee; the constitution exerts very little control on the committee -- in most areas, none at all.

Section 1.02 is merely definition of the Society membership; the Society has no officers listed, here or elsewhere, since the convention committee provides the presiding officer for the business meeting. And the Society and the con committee are separate bodies; remember that.

The next sections of the constitution and bylaws cover the annual awards:

- 2.01 The selection of the annual Hugos and the categories for which awards will be made are as follows:
- 2.02 Best Novel: A science fiction or fantasy novel appearing for the first time as a hard cover book, or appearing for the first time as a soft cover book, magazine serial, or complete novel, during the previous calendar year. Previous winners are not eligible, nor shall a story be eligible more than twice. Publication date, or cover date in the case of a dated magazine, shall take precedence over copyright date. At least one installment of a serial shall have been published in the eligible year.

Some explanation before we get any further: these rules (with exceptions noted as we get to them) are essentially the same as those passed at Seattle. As I interpret these rules, a Novel is eligible twice if it appears as a serial and as a hard cover book (unless it wins the first time), or as a paperback and a hard cover book, but is eligible only once if it appears as a serial and as a paperback. The terms “complete novel, or “novel”, “science fiction”, and “fantasy” are not further defined; it is assumed that convention committees can be trusted to decide what is and what isn’t, even if they’d be hard put to come up with written definitions. By implication, anything that occupies a whole hard-cover or soft-cover book, or which is serialized, and otherwise fits the rules, is a Novel. However, anything which otherwise fits the rules and which is a “complete novel” is covered just as well. This, unfortunately, leaves the boundary line between the Novel and a “story of less than novel length” undefined; if anyone comes up with a good distinction, I’d like to see it incorporated in the rules; until then, the convention committee is pretty well on its own in putting things into the proper places.

- 2.03 Best Short Fiction: A science fiction or fantasy story of less than novel length published for the first time in a magazine, or appearing for the first time in a collection or anthology, during the previous calendar year. Previous winners are not eligible, nor shall a story be eligible more than twice. Publication date, or cover date in the case of a dated magazine, shall take precedence over copyright date. Individual stories appearing together as a series are eligible only as individual stories, and are not eligible taken together under the title of the series.

Probably the most difficult point in these rules is the question of what is the difference between a Novel and a piece of Short Fiction, particularly since this award has, for the past two years, been won by stories of considerable length.

The use of publication date or cover date is largely a matter of convenience and consistency; in many cases, the copyright date may be in error by several months in separating what is generally available in one year from what is generally available in the next.

And, as in any body of rules, the se too are a compilation of clarifications of disputed situations from the past. The award of a Hugo to a series of stories, instead of to a specifically named member of the series was such a disputed point; the present rule definitely puts all shorter fiction on a more equal footing, competing as individual stories. Whether a collection of stories, however, rates as a Novel is a question which some future convention committee will have to wrestle with -- I would say that it would depend on how well-connected the stories were. The Pacificon II, for instance, decided that the hard-cover book Savage Pellucidar was a collection, not a novel, so placed the shorter story “Savage Pellucidar”, which was but a part of the hard cover book, into the “Shorter Fiction” category -- and this seems to be an altogether sensible decision.

The term “previous winners”, incidentally, does not refer to the authors, but to the stories; “Previous winners are not eligible” means that a story -- Novel of Shorter Fiction -- having won a Hugo is not eligible for another on reappearance.

- 2.04 Best Dramatic Production. Any production, single or series, directly related to science fiction or fantasy, in the fields of radio, television, stage, or screen, which has been publicly presented for the first time in its present form during the previous calendar year. In the case of individual programs presented as a series, the separate programs shall be individually eligible, but the entire year’s production taken as a whole under the title of the series shall not be eligible.

The point of prohibiting awards for a series was to put an individual TV program on an equal footing with other single performances -- otherwise, a TV series, being a continuing thing, had an insuperable advantage over a movie or a play. Since the rule, two conventions have had "No Award" for the Dramatic Production, which leads to the question -- had not the category best be cancelled outright, thus making a Dramatic Presentation able to get a Special Award? basically, as stated in 1.01 above, the World Science Fiction Society is a literary society, not a TV-watching club, and the "No Awards" of recent years seem to bear this out.

- 2.05 Best Professional Artist: A professional artist whose work was presented in some form in the science fiction or fantasy field during the previous calendar year.
- 2.06 Best Professional Magazine: Any magazine devoted primarily to science fiction or fantasy, which has published four or more issues, at least one issue appearing in the previous calendar year.

This one would be better worded "Any professional magazine...", and such a change should be made the next time the Constitution and Bylaws are rewritten. However, 2.06 is reasonably clear as it stands - I'm just nitpicking.

- 2.07 Best Amateur Magazine: Any generally available non-professional magazine devoted to science fiction, fantasy, or related subjects, which has published four or more issues, at least one issue appearing in the previous calendar year.

Although "non-professional" and "generally available" are not defined, I think the terms are well enough understood to be clear. The point of "generally available" is to exclude those magazines available only to members of an amateur press association -- to limit consideration to magazines available for subscription, letter of comment, or other means accessible to all.

- 2.08 Special Award. A Special Award shall be given only when, in the opinion of the convention committee, recognition should be given to either a professional or fan for a special contribution to the field not covered by the annual awards. They shall be identical to the regular Hugoes except that the plate shall also include the words "Special Award". It must be understood that no convention committee is obligated to give this award, and not only can but should resist pressure for an award thought unmerited. Since the achievements contemplated under this provision are non-competitive, Special Awards shall not be voted on by the Society membership.
- 2.09 Additional Awards: The name and design of the Hugoes shall be restricted to the awards listed above, and shall not be extended to any additional awards.

At this point we come to a point made controversial by the Pacificon II award to the Best Book Publisher. Sections 2.08 and 2.09 were originally worded by the study group which reported to the Seacon, were followed by Chicon III and Discon, and the sections were confirmed, without change, by the Discon business meeting. In brief, they serve to restrict the name and design of the Hugo rocket ship to those categories, and only those categories, named in 2.02 through 2.07, plus an additional non-competitive category which is distinguished by the words "Special Award". The purpose of all this is to avoid proliferation of Hugo awards until the award becomes meaningless -- and this restriction has not been challenged at any business meeting.

Now, the Pacificon II chose to award a Hugo to the Best Book Publisher. As a Special Award, well and good. Had they desired the membership's opinion on the matter of who was the best book publisher, they could have asked them, "In order that the committee can better make up its mind who is the Best Book Publisher, would you indicate your own feeling...?" A subterfuge, admittedly, but I believe it would've been far better than an outright violation of the rules. On the other hand, the Pacificon II committee could have introduced a motion at the Discon business meeting to change the rules -- either by adding a "Publisher" category (probably not a good idea) or else a motion to change the wording of 2.08 from "...shall not..." to "...need not be voted on by the Society membership." What's done is done, I suppose, but I do hope that future conventions follow the rules as they are written or else change them at the regular business meetings. The points I make are these: the Special Award is a non-competitive award given by the convention committee to whomever they think best deserves it, and no

repeat no other awards may properly bear the name “Hugo” nor use the rocketship design until or unless the membership of the Society adds another category to the rules. There are, after all, few enough restrictions on the convention committee in these rules -- can not the committee keep to these few?

- 2.10 No Award: At the discretion of the individual convention committee, if a lack of votes in a specific category shows a marked lack of interest in that category on the part of the voters, the award in that category shall be cancelled for that year.
- 2.11 Nominations and Voting: Selection of nominees for the final award voting shall be made by a poll conducted by the convention committee under rules determined by the convention committee.

Now, this 2.11 has an interesting history. At Seacon, the Hugo committee came up with recommendations for a nomination procedure. After the smoke of parliamentary maneuvers had cleared, it turned out that the effect of some amendment had been to strike out all provisions for the conduct of the nomination poll, therefore leaving the matter entirely in the hands of the convention committee. Chicon III accepted nominations from anyone who wrote; the Discon and Pacificon II accepted nominations only from members of the then current or just-previous convention. The principal difficulty is, really that who gets nominated depends on a very small number of voters (86 at Discon; 164 at Pacificon II), and consequently an exceedingly small number of voters acting together can put up their own candidate. In fact, Discon saw no evidence of this; apparently Pacificon II didn't either. (Dick Lupoff's campaign for “Savage Pellucidar” apparently brought about no more than a normal number of Burroughsfan votes for the thing.) However, at the Pacificon II business meeting, Harlan Ellison rose to tell a tale of woe:

According to Ellison, some-or-other pro author was expecting to win a Hugo, and, having won a Hugo, to get a profitable c*o*n*t*r*a*c*t for the work. Instead, some other writer was elected by the clod faaaans -- and Ellison's protagonist was left both Hugo-less and contract-less. Now this, explained Ellison, meant M*O*N*E*Y, lots of it, and he didn't for a minute intend to leave matters in the hands of mere fans and convention committees. He wanted another committee formed -- right away -- whose function would be to receive suggestions from anyone who might be interested, to read all the suggested works (or, one assumes, look at them, in the case of artists) and to come up with a nomination slate. Another motion, to appoint a Study Committee to investigate the whole Hugo system and make a preliminary recommendation at the '66 convention, was passed. Harlan was not to be put off -- he still demanded his committee be formed without waiting for the Study Committee. Amazingly, the Ellison committee motion passed. In theory the next couple of cons should, therefore, have their slate of nominees for the final vote prepared by a committee.

The upshot of this, as you might guess, was still another crack in the continuity of conventions. The Loncon simply scrapped the whole notion of a nominating committee without discussion, at least pending the report of the Study Committee which Dick Lupoff is chairing. Despite a spectacular explosion of dramatics from one of those concerned [“if he doesn't get a Hugo maybe they'll consider him for an Oscar”, as an unimpressed witness commented] this summary move seems, if not to have killed the idea outright, at least put it in the freezer until the next convention.

Now, the rest of section 2.11:

Final Award voting shall be by mail, with ballots sent only to society members (as defined in paragraph 1.02 above). Final Ballots shall standardize the alternatives given in each category to no more than five. Assignment of nominees nominated in more than one category to their proper category, and determination of eligibility of nominees, shall be determined by the convention committee. Each person shall vote only once in each category in the final ballot.

The choice of “not more than five” nominees in a category is open to argument; with that many -- or more -- the final voting may be so divided that it's a matter of very few votes that divide the winner from the rest. On the other hand, if the number of nominees were standardized at (say) three, the question of who should be nominated and who not becomes quite sticky. Otherwise, you will note, wide discretion is given to the convention committee.

- 2.12 Tallying: Counting of all votes shall be done by the convention committee, which is responsible for all matters concerning awards.
- 2.13 Award Eligibility: No member of the current convention committee, nor any publication closely connected with them, shall be eligible for an award.

This last section can be a source of unhappiness to the convention committee if one or more of them have amateur publications in the running. Discon, for example, had two members who had Hugo possibilities. However, the undesirability of having somebody win -- however honestly and fairly -- one of the Hugoes at his own convention is too plain. It strikes me that if the Ellison nominating committee ever becomes a reality, it ought to be subject to a similar exclusion rule.

- 2.14 The Hugo award will continue to be standardized, as to the design of the rocket ship, on the model presently in use. The design of the base shall be determined from year to year by each convention committee.

Now, as to the con site selection:

- 3.01 The Society shall choose the location of the next convention at a business meeting held at an advertised time during each annual World Science Fiction Convention, presided over by the chairman of the then current convention committee; or by a person designated by that committee. The business meeting shall be conducted under Robert's Rules of Order, Revised and such other rules as the then current convention committee may publish in the Program Book.

The point that the meeting be advertised is just elementary fairness. As for Robert's Rules of Order, Revised (the "revised" means the most recent edition of that title), these rules contain sufficient provisions for doing business rapidly in the absence of dissent that it is unnecessary to indicate that the chairman may use short cuts where applicable. A side note: there is no substitute for a chairman who is familiar with these rules; the rules themselves have been tested and revised over almost a hundred years of use. They are quite effective and efficient if the presiding officer be familiar with them.

Recently a question has come up about voting for the site by mail. The Constitution and Bylaws make no mention of such a thing, so Robert's Rules therefore govern -- and Robert's Rules simply say that voting by proxy or absentee votes is allowed only if specific provision is made in the organization's bylaws. Robert's Rules also give a darn good reason to disallow absentee votes: the whole point of a deliberative business session -- free public debate and discussion -- is lost if the voters are not present to hear the deliberations. Anyway, as the rules now stand, absentee votes are out.

- 3.02 In order to assure an equitable distribution of convention sites, the North American continent is divided into three geographical divisions as follows:
Western Division: New Mexico, Colorado, Wyoming, Montana, Saskatchewan, and states and provinces west; and the state of Baja California.
Central Division: All of Mexico except Baja California, and all states and provinces between the Western Division and the Eastern Division listed below.
Eastern Division: Florida, Georgia, South Carolina, North Carolina, Virginia, West Virginia, Pennsylvania, New York, Quebec, and states and provinces east.

This is the same division as set up at the San Francisco convention, with the addition of the Canadian Provinces and Baja California, and with the assignment of North Carolina to the Eastern Division; unaccountably, it was "Central" before.

- 3.03 Convention sites shall be rotated among these divisions in the order: West, Central, East. The bids of locations to hold a convention shall only be considered and voted on if they lie within the geographical division whose turn it is; except that the rule of rotation may be set aside by a vote of three-fourths voting on the location of the next convention. In the event of such setting aside, rotation shall be resumed the next year. For example, if the order of rotation is A, B, C; and if it is A's turn but the convention is given to a location in C, then B, the division which was neither set aside nor awarded the convention, shall be eligible next.

Historically, the rotation plan arose out of the bad feeling that followed the decision to award the '53 Worldcon to Philadelphia rather than San Francisco. The Philly bid was, according to Bob Madle, something of a spur-of-the-moment thing -- one of the bid's most enthusiastic supporters was Dave Kyle. The result was a convention that Philadelphia didn't entirely want, and the near destruction of the San Francisco group. The rotation plan, on the other hand, allows a potential group to plan well ahead -- and it is usually necessary to make arrangements with hotels, at least on a tentative basis, about two years in advance. Also, it allows a group to bid with a fair expectation of what the competition will be and what their chances are -- and I think this goes a long way to helping a potential con committee keep from burning themselves out in the campaign before their con even begins. In 1962, when DC was bidding, the Philadelphia group could have made a bid, but they were willing to let us have it without a fight. Much the same situation existed in 1963 between Oakland and Los Angeles - there were two potential groups, but one didn't feel like making a fight of it.

Note well that the provisions above to cover an out-of-turn convention and the way the rotation is resumed do not apply to interruptions in the plan caused by an overseas con. In such a case:

- 3.04 Any location not on the North American continent may bid and may be selected at the business meeting of a convention held on the North American continent. If the convention location is outside the North American continent, the rotation shall resume the following year, with locations in the Division replaced being then eligible to bid.

In other words, if it is the Central Division's turn, and London gets the con, then at London the Central Division locations are eligible again. Not also: if a con is held overseas, the next con following automatically returns to North America.

- 3.05 In the event the Society is without a properly selected location for the next annual convention, because of the resignation of the then current convention committee or other cause, the five most recent convention committee chairmen willing to serve shall be authorized to select the next location for the World Science Fiction Convention.

This is a new bit -- a provision to take care of an unforeseen emergency which may leave the Society up in the air with no place to go. So far, no con committee has dissolved mid-flight, but it's a wonder that none has. As for the emergency crew, it was felt that a committee of past con-chairmen would hardly be likely to run off with the con site for themselves...

- 3.06 The date of the next convention and the dues to be charged for membership shall be proposed by each location bidding for that convention, prior to the selection of the next convention site. Such proposals are subject to modification by the business meeting.

Again, a new idea: instead of the date or the dues being matters for the Society to incorporate in its bylaws, they are left entirely up to the con committee, except that the bidding con committee must disclose its proposed date and dues in the course of making the bid. Thus, peculiar circumstances connected with a bid -- for example, that August Bank Holiday, rather than Labor Day, is the date of the London convention -- are taken care of without the necessity of making separate resolutions. And -- if some con committee wants to put on a con with dues of \$2 (or \$4) -- then that, along with all the other features of their bid, will be taken into account by the Society members when they vote on the next site.

- 4.01 Any change in the foregoing rules may take effect no sooner than the end of the convention during which such change is adopted.

In other words, the business meeting can change neither the rules for the Hugoes to be presented at that convention nor can the meeting change the rules under which that meeting chooses the next con site. This is a simple precaution to insure that a bare majority will not first abolish the rotation plan and then vote in their out-of-turn favorite.

- 4.02 All previous by-laws, constitutions, and resolutions having the effect of by-laws and constitutions of the World Science Fiction Society are revoked.

That is, the tangled web of past rules is wiped away, and this codification takes effect instead.

Okay then, what about the matter of continuity? This divides into two parts: the convention committee, and the Society. Let's look at the con committee first.

Quite independently of the Society, the Chicon III committee incorporated the World Science Fiction Convention, Incorporated, under the laws of the State of Illinois. This corporation was a non-profit corporation, formed solely to cover the operations of the Chicon III con committee -- to limit financial liability for one thing; to regularize the matter of income tax liability for another. The Discon committee operated under the same corporation; at the end of Chicon III and Discon, the outgoing committees transferred the corporation as described in the preceding chapter [9.02]. The Pacificon committee did not pass the corporate structure to London -- the problems of foreign corporations doing business in England are too formidable -- but will presumably pass the corporation to whoever has the convention in 1966.

The point to be remembered here is this: this corporation covers the con committee only; there is no continuing body of Elder Statesmen. In effect, each con committee is a separate entity -- passing on the corporation is a simple stratagem to prevent each con committee from having to incorporate itself, a prohibitively expensive process in some states.

How about the Society? By implication, it is a continuing body, and these few rules, covering the Hugoes and the way in which the site of the next con shall be chosen, are binding on each con committee. Note that this isn't much -- all other matters are left wholly up to the convention committee, limited only by their own consciences and the State and Federal Criminal Statutes. The WSFS Inc. mess and the clutch of lawsuits that followed has convinced us that all con committees should be pretty much on their own.

But, on the other hand, when a con committee puts in a bid at a business meeting which is held under these rules, that potential con committee is saying in effect "We plan to put on a convention under the constitution and bylaws of the World Science Fiction Society, and we will follow these rules as best we can". It isn't an explicit commitment; we do not demand that a bidder promise to follow the rules; yet the implication is very clearly there.

The World Science Fiction Society is a continuing body -- one formed to keep on picking sites for cons, to continue the award of Hugoes to the people who best deserve them, and to attend cons -- and have fun at them. Let's keep it that way.