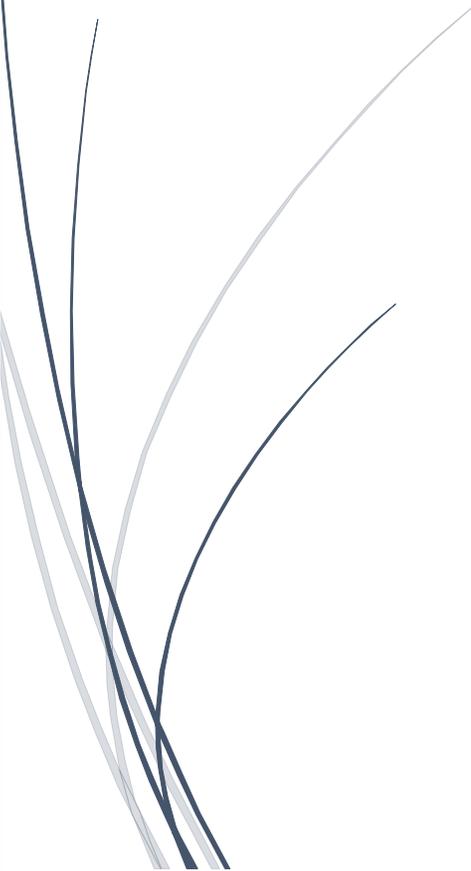




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Foundational Thew

Revised Draft



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ACTING SCRIBE

Article I. Name & Organization

Section A. Name

The organization shall be called “Fincastali Hearth” or shortened “Fincastali,” herein referred to as the “Association.” The Association shall use the name on all publicity materials and correspondence.

Section B. Organization

The Association and its Thew shall be subject to, and governed by, the Kentucky Uniform Unincorporated Nonprofit Association Act (Kentucky Revised Statutes Chapter 273A). In the event of a direct conflict between the Thew and the mandatory provisions of that statute, as amended, the provisions of the statute shall prevail.

Section C. Thew

The word “Thew” descends from Old English “thēaw” meaning custom and is cognate with Old High German “thau” meaning discipline. The Association shall use Thew to refer to policies, procedures, and other governing principles of the Association, including this document.

The Association shall recognize and adhere to the provisions herein as the Foundational Thew, the primary governing principles of the Association, subject to such critique and amendments necessary to correct, update, or improve upon it. In the event of a direct conflict between Foundational Thew and any other Thew recognized by the Association, the Foundational Thew shall always prevail.

The Association shall recognize Entrusted Thew developed and maintained by certain persons or entities within the Association. The collective entity of the Court shall be so Entrusted. Each of the Directors shall be individually so Entrusted according to the purposes of their station.

The Association shall recognize the phenomenon of Customary Thew which is built up without conscious design, manifest in the ways of living, thinking, and acting common among members. Customary Thew is not specifically named nor codified but may be acknowledged and placed under scrutiny. Customary Thew shall be judged improper and unacceptable whenever it may be reasonably expected to bring the Association or any of its members into harm or disrepute or whenever it is in direct conflict with the Association’s purposes.

Section D. Witnessing Oaths; Endorsements; Nominations

Where Thew may call for Witnesses to an Oath, or an Endorsement of one or more members, or for Nomination of a member by one or more other members, it shall be understood that no immediate family member of the actor or subject, nor any Director of the Association, shall ever act as a Witness to an Oath nor provide any Endorsement or Nomination.

Immediate family shall here be defined as grandparents, parents, uncles and aunts, siblings, children of uncles and aunts, spouses and partners, former spouses, children, children of siblings, grandchildren, and any other person of a relation reasonably equivalent with any of these.

Article II. Purpose

Section A. Nonprofit Purpose

The Association shall operate exclusively for nonprofit purposes including cultural, religious, charitable, benevolent, social, educational, and scientific. The Association may make distributions to organizations qualifying as nonprofit or exempt under applicable state and federal laws and tax codes.

Section B. Specific Purposes

The specific primary objectives and purposes of the Association shall be:

1. The examination and analysis of historical pre-Christian northern European folkways, herein referred to as “Heathenry,” including socio-cultural context and informed by reputable academic sources whenever available and feasible.
2. The contemporary adaptation, well-reasoned development, and practical application of cultural and spiritual principles and practices of Heathenry.
3. The furthering of mutual beneficence among members.
4. The development of activities in keeping with these purposes to benefit the general public.
5. The expression and advocacy of wholesome and constructive modes of ethnic pride and cherishing heritage for European-descended persons and encouraging an attitude of the same amongst other ethnic or racial groups and identities.
6. Engendering respect, consideration, and dignity for and amongst all ethnic and racial identities.
7. Denouncing and criticizing harmful, destructive, or disreputable modes of alleged ethnic or racial pride or arrogance and any groups or individuals openly endorsing or promoting such.
8. Engaging in any other lawful activities which may enable, fulfill, or support these purposes.

Section C. Profitable Activities

The Association may engage, from time to time, in profitable activities, all gains and proceeds of which shall be invested solely in the Association’s primary purposes or put to purposes intended to support the Association and its primary purposes. In no case whatsoever shall incidental profits gained by the Association inure to the benefit of any member excepting only lawful charitable actions.

Article III. Membership

Section A. Categories of Membership

Voting members shall be referred to as singular “Karl” or plural “Karlar” and shall enjoy a right to participation in, and benefit of, all official activities of the Association. The status of being Karl may itself be referred to as Karldom.

The Court shall have authority to establish non-voting categories of membership in Entrusted Thew. The Court shall define the provisions of eligibility, induction, termination or dissociation, and privilege sufficient to govern such non-voting categories of membership.

The Court shall maintain at minimum these non-voting categories of membership:

1. One open solely to participating minor dependents of Karlar.
2. One open to outspoken candidates for Karldom, referred to as “Vin.”

Section B. Karldom

Application for Karldom shall be open to any adult who supports the purposes of the Association and who makes their Application of their own will. Every Applicant shall have been a non-voting member for not less than six months prior and shall have the Endorsement of two Karlar.

Every Applicant shall be granted a hearing by the Court to consider their Application and make determination either to Approve or Deny. Upon Approval, Karldom shall be made effective upon the Applicant Swearing an Oath of Karldom before the Court Witnessed by two Karlar and making payment of prorated dues for their partial year.

Section C. Termination or Dissociation of Karlar

TBD.

Article IV. Assembly

Section A. Organization

All lawful rights, powers, privileges, and limitations of the Association shall be vested in the Assembly, also called Thing or Alpingi, which shall be comprised of a gathering of Karlar according to the provisions of the Foundational Thew. The Assembly shall establish policies and directives governing business, programs, and goals of the Association, to include the power to review all Thew.

The Assembly shall delegate and entrust to the Court authority and responsibility to see that the policies and directives are appropriately implemented and followed. The Assembly shall delegate and entrust to the Directors appropriate authority and responsibility to fulfill the functions and purposes of their station pursuant to the Foundational Thew. The Assembly may delegate and entrust specific responsibilities or functions to an Appointed Delegate.

Section B. Annual Assembly

An “Annual Assembly” shall be held once in each calendar year, not more than fifteen full calendar months after the preceding Annual Assembly. Notice shall be provided by any available means to Karlar not less than thirty days before the Annual Assembly, indicating the date, time, and place of meeting. The Agenda for the Annual Assembly shall be made final fifteen days before the date of meeting. Copies of the Agenda shall be made available at the meeting and in advance upon request.

The purposes of the Annual Assembly are to:

1. Receive and adopt all accounts and reports from the Court.
2. Elect Directors and facilitate Appointment of Delegates.
3. Grant or Decline Confirmation for such Acts and Resolutions of the Court as may require it.
4. Hear and consider any motion or other business on the Agenda.
5. Hear and consider any other motion put before the Assembly if there be reasonable time.

Section C. Special Assemblies

Special Assemblies may be called by unanimous Resolution of the Court whenever they feel it is necessary. A Director shall call a Special Assembly within twenty-one days of receiving a written request to do so signed by not less than the greater of 10% or 5 of Karlar. Notice shall be provided by any available means to Karlar indicating the date, time, and place of meeting, as well as the specific business to be discussed, to the exclusion of all other business.

Section D. Quorum

At each meeting of the Assembly, unless specified otherwise, a quorum for conducting business shall require the presence of not less than the greater of 30% of Karlar or one more than the number of Directors. A Karl shall be considered present if he or she is present via telephone or internet conferencing with the other participants. The Acts and Resolutions of the Assembly participants present at a meeting in which there is a quorum shall be the Acts and Resolutions of the Assembly at large.

If a quorum is present but comprises of fewer than 51% of the full number of Karlar, anyone present may move for adjournment until such a number be present. The Assembly shall not be obligated to pass such a motion. If a quorum is not present the Karlar present may adjourn the meeting from time to time without further notice until a quorum shall be present.

In the absence of a Chair, an Assembly shall not convene nor conduct any business whatsoever.

Section E. Voting

Each Karl shall have one vote. The Chair shall in all cases cast his or her vote after all others.

Any Karl who will knowingly be absent and who has notified the Chair, may have delivered to the Chair a written decree detailing how they wish to vote regarding known or expected business of the Assembly, in such case the absent Karl shall be counted present in the transaction of the named business and their vote counted.

If at any time a meeting of the Assembly consists of an even number of participants and a vote results in a tie, then the business in question is defeated.

Unless specified otherwise, votes for or against any motion before the Assembly shall be taken either by show and count of hands against then for, or by request of verbal objection in cases of non-controversial motions reasonably expected to be passed without significant contest.

Unless specified otherwise, all motions, Acts, Resolutions or other business put before the Assembly shall be passed, Confirmed, Approved, or Granted by the favorable votes of a simple majority of Karlar present.

Article V. Court

Section A. Organization

The Court shall be comprised of the Directors and Delegates of the Association. Unless specified otherwise, only the Directors shall be considered voting members of the Court. The Court shall implement the Foundational Thew and any standing guidance from the Assembly, designing and enacting all reasonable and prudent Acts and Resolutions necessary to further the purposes of the Association and the tasks set before them.

Unless specified otherwise, all Acts and Resolutions shall require Confirmation by the Assembly. When Confirmation is Granted, the Act or Resolution continues in effect without alteration, being then the Act or Resolution of the Assembly. When Confirmation is Declined, the Act or Resolution ceases effect immediately. The Assembly may move a simple Resolution to Grant Confirmation to the whole of Court Acts and Resolutions presented to it, considering them individually only when such a Resolution fails.

Section B. Regular Court

Regular Court shall convene not more than once in a calendar month and not less than once in each three-month period beginning with the months of February, May, August, or November. Notice shall be provided by any available means to Directors and Delegates not less than fourteen days before Regular Court, indicating the date, time, and place of meeting. Copies of the Agenda shall be made available at the meeting and in advance upon request.

The purposes of the Regular Court are to:

1. Review and update all accounts and ongoing business.
2. Prepare and update all reports.
3. Hear and consider any motion or other business on the Agenda.
4. Hear and consider any other motion put before the Court if there be reasonable time.

Section C. Special Court

Special Courts may be called by the Jarl whenever he or she feels it is necessary, it being reasonably possible to notify the other Directors and Delegates and effect a timely gathering or else obtain their written proxies or the sworn promise to deliver such. Any Delegates whose specific responsibilities are not germane to the business of the Special Court may excuse themselves from attending. Special Courts shall be called preferentially to discuss, conduct, or transact specific business, to be recorded and reviewed by the next Regular Court.

Section D. Quorum & Voting

At each meeting of the Court, a quorum for conduct or transaction of business shall require the presence of all Directors. A Director or Delegate shall be considered present if during the meeting he or she is present

physically, or if he or she is present via telephone or internet conferencing with the other participants. The Acts and Resolutions of the Court participants present at a meeting in which there is a quorum shall be the Acts and Resolutions of the Court.

Each Director shall have one vote. Each Delegate may have one vote in any circumstance defined by the Entrusted Thew of the Court as granting such. In any case where a Director or Delegate is not physically present, any vote cast by that member shall be received directly by the Chair.

If a quorum is not present the Directors present may adjourn the meeting from time to time without further notice until a quorum shall be present. In the absence of the Chair, a Court shall not convene nor conduct or transact any business whatsoever.

Unless otherwise specified either in the Foundational Thew, or the Entrusted Thew of the Court, or in the bill of an Act or Resolution, votes for or against any motion before the Court shall be taken by a roll-call with verbal affirmation or negation.

Unless otherwise specified either in the Foundational Thew, or the Entrusted Thew of the Court, or in the bill of an Act or Resolution, all motions, Acts, and Resolutions before the Court shall be passed, Approved, or Granted only by unanimous favorable vote.

Article VI. Directors

Section A. Elections

Directors are Elected by the Assembly from among duly Nominated Karlar, as ordinary business of the Annual Assembly. Any Karl may so Nominate any other Karl by submitting their Nomination to the Agenda, or by motion before a Special Assembly called for electoral purposes. Any Karl so Nominated shall have the right to Accept or Reject their Nomination, and only those who Accept shall be considered Candidates for Election. An incumbent Director for whose office there be one or more Candidates shall be offered Candidacy if they Accept it. Candidates for an office being determined, a Vote of Election shall be taken.

Votes of Election shall be by the Approval Standard, wherein Karlar shall cast a vote of Yes or No for every Candidate, and the Candidate with the greater number of Yes votes shall be so Elected. Votes of Election shall be held by anonymous paper or electronic ballot, to be counted by the Chair and subjected to the scrutiny of the Assembly as they may desire, before the result shall be announced.

Vacant offices of Director shall be filled by Special Assembly, with the specific business of soliciting and hearing motions of Nomination, the Acceptance or Rejection of each Nomination, the Election of a successor to the vacant office, and Witnessing the Oath of the office. Any Director may resign their office by giving notice to the Court not less than thirty days before the effective date of resignation, or by motion before a Special Court.

If there be no Nominations on the Agenda for an office which is not vacant at the time of an Annual Assembly, the incumbent shall be automatically re-elected by the Assembly without further motion.

Directors-elect shall immediately Swear an Oath of office as provided by the Entrusted Thew of the Court, thereby taking on all rights, powers, privileges, and responsibilities of the office. Outgoing Directors not resigned

shall serve in support of their successor for not more than thirty days after Election to facilitate transition of authority, yielding all powers and decisions to their successor.

Section B. Office of Jarl

The Jarl serves as the chief executive entity of the Association. Any Karl may be Nominated for Jarl, with not less than three such Nominations required in order to be considered for Election.

The Jarl shall be Chair of all meetings of the Court. The Jarl shall be responsible for setting the dates, times, and places of meeting of the Court and for preparing the Agenda of the Court.

The Jarl shall be Entrusted to develop and enact Thew regarding:

1. Demonstration of the Association's purposes.
2. Sanctioned activities and programs of socializing, skills development, public outreach and service, and artistic or industrial pursuits.
3. Discourse with other organizations.
4. Direction of Association assets and resources in the pursuit of its purposes.

Section C. Office of Thyle

The Thyle serves as the chief judicial and recounting entity of the Association. Any Karl may be Nominated for Thyle.

The Thyle shall serve as Chair of all meetings of the Assembly, or else the Thyle's Oath-bound deputy. The Thyle shall be responsible for selecting dates, times, and places of meeting of the Assembly, and for preparing the Agenda of the Assembly. The date, time, and place of meeting of the Annual Assembly shall be subject to Approval of the Court by passing a Resolution of Assembly.

The Thyle shall be Entrusted to develop and enact Thew regarding:

1. Mediation and other aid in settling personal disputes among members.
2. The proper and legitimate Swearing, Witnessing, and recording of Oaths.
3. Monitoring the Association's activities for proper adherence to Thew.

The Thyle shall be authorized to speak and act on behalf of another member in confidence in cases where any member may fear undue retribution for raising a legitimate concern.

Section D. Office of Alshergođi

The Alshergođi serves as the chief spiritual minister, philosopher, and counselor for the Association. Any Gođi may be Nominated for Alshergođi.

The Alshergođi shall be Entrusted to develop and enact Thew regarding:

1. Religious instruction, rites, services, and occasions.
2. Engaging the public in a ministerial service capacity.

3. Maintaining programs of training and development for Goðar.

Article VII. Delegates

Stations of Delegate shall be created by request of the Court to the Assembly by submitting for the Assembly Agenda a Bill of Delegation, detailing the purpose of the station, any necessary qualifications for Appointment, and the duration or conditions of termination of the station, all being then Approved and made an Act of the Assembly.

Any Karl may be Appointed as a Delegate by Resolution of the Court, which may take place amidst the Annual Assembly or any Regular or Special convention of the Court. Appointment of a Delegate is made effective by Swearing an Oath before the Court as designated in either the Act of Delegation or in the Entrusted Thew of the Court. Delegates may be dismissed from their station by a Resolution of the Court, but only when a successor shall be named within the same Resolution.

Article VIII. Goðar

Members who have been duly trained and ordained for ministerial service to the Association shall be referred to as singular “Goði” or plural “Goðar.” Any Karl may petition the Alshergoði for instruction as a Candidate Goði. Upon completion of the curricula and criteria established in the Entrusted Thew of the Alshergoði, the Candidate shall be presented before the Assembly to make the Oath of Goði.

Goðar shall be called upon from time to time to provide certain services to the members of the Association, including officiating rites of passage and worship, sanctifying occasions and tokens, providing counsel in confidence, and providing Rede.

Goðar shall be expected to develop and maintain a relevant working knowledge of the lore and philosophy of Heathenry and may further take up specializations in esoteric arts and practices.

Article IX. Treasury

Section A. Fiscal Year & Reports

The fiscal year for this Association shall end on March 31 in each year. Within thirty days after the beginning of the fiscal year, the Court shall prepare or cause to be prepared an Annual Financial Report, to include the balances, revenues, and expenses of the previous year, and projections of the same for the current year based upon recurring and ongoing expenses and expected contributions. This Report shall be presented to the Annual Assembly for acceptance.

The Court shall prepare or cause to be prepared quarterly updates to the projected Report for the current year, retaining this in its records.

Section B. Annual Dues; Donations

Every Karl shall contribute payment of annual dues to the Association, to be rendered in each year of Karldom within the final three calendar months of the fiscal year. The dollar amount of annual dues, and any considerations of abatement, shall be determined by the Court in Entrusted Thew, not to be altered more than once in a calendar year.

Any member of the Association may offer voluntary contributions to the Association whether of monies or other assets or property. The Association shall reserve to itself the right to accept or refuse any such offer made, according to its own interests. It shall be understood by every member that, unless resolved otherwise in advance by the Court, any such voluntary contribution is made without any expectation of indemnification, reimbursement, or exchange.

Responsibility for receiving payments of annual dues and voluntary contributions shall reside with the Jarl.

Section C. Financial Accounts

The Court is authorized on behalf of the Association and in its name to execute any and all banking matters, including the establishing and maintaining of bank accounts, which in their judgment may be required for the proper fiscal management of the Association.

The Court may designate one or more financial agents to provide authorized signatures upon all documents necessary effectuate this power, and to do other things as the Court may deem appropriate or necessary for the effective fiscal management of the Association. The Jarl shall be chief financial agent for so long as they hold their office, expressly authorized to represent the Association in all banking and accounting matters.

Funds shall be disbursed or distributed from Association bank accounts only at the discretion of the Jarl or by standing order of a Court Resolution.

Section D. Dedication of Assets

The properties and assets of the Association are irrevocably dedicated to and for the purposes provided by the Foundational Thew. No part of the net earnings, properties, or assets of this Association, on dissolution or otherwise, shall inure to the benefit of any person or any member, Director, Delegate, or agent of this Association. On liquidation or dissolution all remaining properties and assets of the Association shall be distributed and paid over to an organization qualified as nonprofit or exempt pursuant to applicable state and federal laws and tax codes, or else distributed and paid directly to the Commonwealth of Kentucky.

Article X. Adoption and Amendments

This Foundational Thew shall be duly Adopted, ratified, and put into force only by unanimous favorable vote regarding an Act of Adoption and Association by all who shall be considered Karlars at the onset of the Association as herein defined, to be signified by affixing of all their signatures to both the document of the Foundational Thew and the document of the Act of Adoption and Association. This shall be the first order of business of the first Annual Assembly. The second order of business shall be to hear motions of Nomination, then to hold Elections for all the offices of Directors.

This Foundational Thew may be duly amended by the Assembly by passing an Act of Amendment. In considering a Bill of Amendment, there shall be required a quorum of not less than the greater of 51% of all Karlar or twice the number of Directors. An Act of Amendment shall be passed only by the favorable vote of two-thirds of those present at Assembly.

Every Act of Amendment shall provide as article a clear description of the intent behind the Act. Every Act of Amendment shall clearly indicate and provide all insertions, deletions, and other changes to be made to the text of this Foundational Thew as articles.

Article XI. TBD
