

# Military Order of Stars & Bars

## Constitution

A Society of the descendants of Confederate Officers as adopted in General Convention Orlando, Florida, August 6, 1983 and amended in General Conventions through July 2007.

### Preamble

The War Between the States produced some of the most outstanding civil and military leaders in the history of mankind. To perpetuate the idealism that animated the Confederate Cause and to honor the courage, devotion and endurance of those who dedicated their lives and services during four years of devastating war, and who, throughout the dreadful decade of reconstruction, labored heroically for the restoration of self-government as the most precious heritage of the American Revolution, male descendants of the officers who honorably served in the Army, Navy and other commands of the Confederate States of America and male descendants of the elected and appointed officials of the Confederate Executive and Legislative branches of government unite to establish The Military Order of Stars and Bars, a patriotic Society. This Preamble shall not be subject to amendment or change.

### Article I Name and Governance

#### Section 1.

The name of this organization shall be The Military Order of Stars and Bars.

#### Section 2.

The Military Order of Stars and Bars shall be incorporated as a not for profit corporation.

#### Section 3.

The Military Order of Stars & Bars shall be governed by the written provisions of its Constitution, its Bylaws and its Policy and Procedures Manual.

### Article II Purposes and Principles

#### Section 1.

The General Society shall be literary, historical, benevolent, patriotic, educational and non-political. It shall strive:

- (a) To cultivate the ties of friendship among descendants of those who shared the responsibilities of Southern leadership in The War Between the States.
- (b) To provide leadership in the collecting and assembling of data, documents and materials relating to the Confederacy; however, the organization should also preserve the history of the Colonial and Federal periods of our history since the antecedents of The War Between the States are to be found in these periods.
- (c) To provide for future generations of the descendants of Confederate officers and civilian officials in the Executive and Legislative branches of government an organization to commemorate and honor the leadership of their forefathers.
- (d) To consecrate in our hearts the Flags of the Southern Confederacy, not as political symbols, but as emblems of a heroic epoch for which our forefathers fought and died.
- (e) To maintain a united front against doctrines subversive to the fundamental principles set forth in the Bill of Rights which, as a part of the Federal Constitution, guarantees freedom of speech and the press, together with all other rights and privileges therein provided for the protection of political minorities and of individual citizens.
- (f) To encourage and support true loyalty to the Constitution of the United States of America.

## **Article III Eligibility and Membership**

### **Section 1.**

All candidates eligible for membership in this Society shall be descendants of:

(a) Legitimate male descendants, lineal or collateral, of those who served as officers in the Confederate Army or Navy to the end of the war, or who died in prison or while in actual service, or who were killed in battle or who were honorably retired or discharged; or

(b) Elected or appointed civilian officials of the Confederate States and local governments; the national Confederate Government; or the Five Civilized Tribes which allied with the Confederacy, provided that that the first generation descendant was the legitimate child of a Confederate ancestor and that no member shall be admitted under twelve (12) years of age.

### **Section 2.**

The term "collateral" as used in Section 1 hereof shall be defined as a legitimate relative by blood whose relationship to an ancestor of the same generation in the applicant's direct line, maternally or paternally, that can be proven.

### **Section 3.**

Memberships shall be of the following Classes:

(a) Regular shall include members of 12 years of age or older who otherwise meet the requirements for membership, remitting annual membership dues.

(b) Life Members shall include members of 12 years of age or older who otherwise meet the requirements for membership, who request to become Life Members, remitting in totality the cost of the Life Membership fee or according to alternative payment provisions.

(c) Real Son Life Membership, having submitted proof of membership qualifications and lineage, Real Son Life Membership shall be bestowed along with all rights and privileges attendant within the Chapter through which membership is held. Further, Real Sons shall be exempt from payment of all recording fees, per capita taxes and dues at the National, Society and Chapter levels.

(d) Honorary, Junior, Cadet, Associate, Memorial and such other memberships as may be adopted by the Board of Directors or the General Convention.

### **Section 4.**

All members of all classes shall be citizens of good repute within their community, and of good moral character, and do not advocate the overthrow of the Government of the United States by use of force or violence, and are subject to the governing provisions of the Military Order of Stars and Bars.

## **Article IV General Officers, Directors and the Board of Directors**

### **Section 1.**

Officers

- (a) The General Convention shall elect the following "General Officers" of this Society:
- (i) Commander General
  - (ii) Lieutenant Commander General
  - (iii) three (3) Department Commanders
  - (iv) six (6) Department Councilors

- (b) The Board of Directors shall elect the following the "General Officers" of this Society:
  - (i) Adjutant General
  - (ii) Treasurer General
  - (iii) Judge Advocate General
  - (iv) Chief of Staff
  - (v) Comptroller General

(c) The Commander General, with the Advice and Consent of the Board of Directors, shall appoint all other "Staff Officers" of this Society, as may be deemed necessary by the Commander General to carry out the work of the Society. The Commander General may remove any appointed Staff Officer At Will and at his sole discretion.

(d) All Officers shall be charged with the general duties and responsibilities prescribed under the governing documents of the Military Order of Stars and Bars. All Officers shall also be charged with the day-to-day operations of the Military Order of Stars and Bars. All work and work product of all officers shall become the immediate proprietary property of the Military Order of Stars and Bars corporation.

**Section 2.**  
Corporate Board of Directors

(a) Between conventions, the corporate Board of Directors shall be vested with authority to conduct all regular and special business operations related to the Military Order of Stars and Bars.

(b) The Board of Directors shall work with the General and Staff Officers in such matters as may be brought to the attention of the board.

(c) The Board of Directors may generally rename or redesignate the name of the Board of Directors without necessity of amendment to this Constitution, but shall so designate in the Bylaws, Policy and Procedures Manual and other legal corporate records and documents.

**Section 3.**  
Directors

- (a) The following officers shall serve on the Board of Directors:
  - (i) Commander General;
  - (ii) Lieutenant Commander General;
  - (iii) three (3) Department Commanders;
  - (iv) six (6) Department Councilors;
  - (v) Adjutant General
  - (vi) Judge Advocate General
  - (vii) Chief of Staff
  - (viii) Treasurer General

(b) All Past Commanders General and Past Commanders-in-Chief shall serve on the Board of Directors and shall sit as legally designated directors.

**Section 4.**  
Tenure of Office

- (a) Any Staff Officer may be removed by the Commander General or the Board of Directors.
- (b) Any General Officer may be removed by the Board of Directors.
- (c) Any director may be removed by the Board of Directors.

**Article V**  
**Organization: Departments, State Societies and Chapters**

**Section 1.**

The General Society shall be divided into Departments, State Societies and Chapters

**Section 2.**

Departments

There shall be three Departments, to be called: Army of Northern Virginia Department, which shall include and be formed of the states of Virginia, Maryland, West Virginia, North Carolina, South Carolina, the District of Columbia and those states located east of the State of Ohio and north of the State Virginia; Army of Tennessee Department, which shall include and be formed of the states of Georgia, Alabama, Tennessee, Kentucky, Mississippi, Florida and those states not included in the other two departments; and the Army of the Trans-Mississippi Department, which shall include and be formed by the states of Louisiana, Arkansas, Texas, Missouri, Oklahoma and states located west of the Mississippi River.

**Section 3.**

State Society

Authority to organize a State Society shall be granted upon the written application of at least fifteen (15) members of the General Society residing in the state in which the State Society is proposed to be organized. The form of the charter for a State Society shall be prescribed by the Board of Directors. Upon the issuance of a charter, the Commander General shall designate the time and place for the organization of the State Society. The officers shall then be chosen, and shall enter upon their duties at once and hold office for two years or until their successors, at the annual meeting following, shall have been invested.

**Section 4.**

Chapters

Chapters may be formed at the local unit upon the application of five members of the General Society. Chapters shall be formed or designated within the geographic boundaries of states of the United States.

**Article VI**  
**General Conventions**

**Section 1.**

The Legislative Body of the General Society shall be the General Convention which shall meet annually at a designated time and place.

**Section 2.**

Notice of the time and place of each General Convention shall be published at least thirty (30) days prior to the date for it to convene, with such notice being provided to each member of the Society at their last known mailing address.

**Article VII**  
**Use of Seal and Insignia of the General Society**

**Section 1.**

The Seal of the General Society shall be two (2) inches in diameter and shall reproduce the Great Seal of the Confederate States of America, having lettered upon the circumference the legend "General Society, Military Order of Stars and Bars" between the wreath and margin.

**Section 2.**

The use of the seal, insignia, diploma or good name of the General Society for political purposes is prohibited.

**Section 3.**

The flag of the General Society shall be the First National Flag of the Confederate States of America commonly called the Stars and Bars.

**Section 4.**

The member's insignia of the General Society shall be a badge pendant. The design shall be that now in common use and which has been formerly adopted by the General Society.

**Section 5.**

The General Executive Council may authorize other badges, insignia, medals and awards that it deems proper, subject to change by the voting delegates of the General Convention.

**Article VIII  
Dissolution Clause**

**Section 1.**

In the event of dissolution, the residual assets of The Military Order of Stars and Bars shall be turned over to an organization which is then officially recognized as a tax exempt organization, qualified to receive donations which are deductible by the donor under Section 501(c)(3) of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue Law), as the board of directors shall determine. Such distribution shall only be made after said General Executive Council has paid or had made provision for the payment of all liabilities of The Military Order of Stars and Bars.

**Article IX  
Amendments**

**Section 1.**

No amendment shall be made to this Constitution except at a duly constituted annual General Convention of the General Society and by a two-thirds (2/3) affirmative vote of all delegates present in good standing. Prior to any amendment being considered it shall have been sent to each Chapter in the General Society at least thirty (30) days prior to the convening of the General Convention at which it will be considered.