



Every Master Mason is obliged to abide by the laws, regulations and edicts of his Grand Lodge; the by-laws of the particular lodge of which he is a member, and to maintain and support the Landmarks and "Ancient Usages and Customs of the Fraternity."

It is impossible to abide by any laws if we do not know what they are. The American automobile driver who attempts to negotiate a London street without knowing the peculiarities of English law will be arrested in the first block; he must there drive on the left and pass on the right; not drive on the right and pass on the left, as in this country.

The laws of Masonry, like the laws of nations, are both the unwritten - "Common Law" - and written. The written laws, based on the "General Regulations" and the "Old Charges," are the Constitution and By-Laws of his own Grand Lodge, its resolutions and edicts; and the By-Laws of his particular lodge. The Ancient Landmarks are written in some Jurisdictions; in others they are a part of unwritten law.

In a foreign Jurisdiction, a Mason is amenable to its laws, as well as those of his own Jurisdiction. In this duality of allegiance Masonry follows civil law; thus, an American residing abroad is amenable to the laws of the nation in which he lives, but is also expected to obey the laws of his own nation; for instance, an American residing abroad is not exempt from the United States income tax laws. Neither is a Mason from California exempt from the laws of the Grand Lodge of that State, merely because he happens to be sojourning in Maine, or some foreign country.

The "General Regulations" as set forth in "Anderson's Constitutions of 1723" have a curious history, into which it is not necessary to go here; suffice it that they were adopted shortly after the formation in 1717 of the First or Mother Grand Lodge in England. The work was first published under the date of 1723. Unquestionably it embodied the laws of Masonry as they were known to the members of the four lodges which formed the first Grand Lodge, and hence have the respectability of an antiquity much greater than their printed life of two hundred and six years (in 1929).

In general, it may be said that the "Old Charges" are concerned with the individual brother, and his relations to his lodge and his brethren; the General Regulations with the conduct of the Craft as a whole. The General Regulations permit their own alteration by Grand Lodge - the Old Charges do not!

The Old Charges very evidently deal with both the operative and speculative sides of Masonry; some of the phrases are concerned with "The Lord's Work." The context shows that it is not the Lord God who is here meant, but the particular nobleman for whom building construction is undertaken

Law in Masonry is so much more a matter of the heart than of the head, so much more concerned with setting forth conduct than in assessing penalties, that, to thoroughly comprehend it, we must be willing to revise our ideas of law, as we understand the enactments of legislatures.

many civil laws are provided with measures of enforcement and penalties for infringement. Masonic law knows but four penalties; reprimand, definite suspension, indefinite suspension and expulsion or Masonic Death. These Masonic penalties for serious infractions of Masonic Law may be ordered after a Masonic trial, and a verdict of guilty; but the punishment is usually made to fit the crime, and mercy is much more a part of Masonic than civil law. Infractions of Masonic Law resulting in trial and punishment are rare, compared to the number of Masons, the vast majority of whom are so willing and anxious to obey the laws that "enforcement" is seldom required. There is no universality in Masonic law in all Jurisdictions.

Different latitudes. different characters of people, different ideas have all left their marks upon our forty-nine Grand Lodges and their enactments. In the majority of essentials, they are one; in some particulars, they hold divergent views. A very large majority of Grand Lodges in the United States adhere to the spirit of the "Old Charges," and - so far as modern conditions permit - to the sense of the "General Regulations."

It is, therefore, of real importance that Masons desiring to understand the law by which the Craft is governed, and the legal standards by which Grand Lodge measures its "laws, resolutions and edicts;" should read both the "Old Charges" and the "General Regulations of 1723." When he reaches the last (thirty-ninth) of the "General Regulations," he will read: "Every Annual Grand Lodge has an inherent Power and Authority to make new Regulations, or to alter these, for the real benefit of this Ancient Fraternity; provided always that the Old Landmarks be carefully preserved," etc.

The "Old Landmarks" or the "Ancient Landmarks" as we customarily call them, are thus stated to be the foundations of the law of Masonry which are not subject to change. Had the Grand Lodge which first adopted these "General Regulations" formulated the "Ancient Landmarks" it would have saved much trouble and confusion for those newer Grand Lodges which came after. Apparently, however, the unwritten law of Masonry - the common law - was so well understood and practiced then that it was not thought necessary to codify it.

There is still a great body of unwritten law which Masons customarily observe - our "ancient usages and customs" - which are not specified in print now, any more than they were then. But the Landmarks have been reduced in print and made a part of the written law in many Jurisdictions. Mackey's list of twenty-five Landmarks (thirty-nine in Nevada) has been adopted as official in many American Masonic Jurisdictions; others have condensed his list into a lesser number, still keeping all his points; a few Jurisdictions have a greater number, including some not specified on Mackey's list.

Those Jurisdictions which do not include a printed list of the ancient Landmarks in their written law, usually follow and practice them as a part of their unwritten law. In a few instances, some of the Landmarks as listed by Mackey are not

recognized as such; for instance, Mackey's Eighth Landmark, the inherent right of a Grand Master to "make Masons at sight" was specifically abrogated by an early Grand Lodge in California. In general, however, whether written or unwritten, Grand Lodges adhere to the spirit of all of Mackey's list!

The Landmarks may be regarded as bearing the same relation to Masonic law in general, including the "Old Charges" and the "General Regulations," as the provisions of the Magna Charta bear to modern constitutional law. Just as the Magna Charta specified some of the inherent rights of men which all laws of all governments should consider and respect, so the Landmarks crystallize in words the inherent characteristics of Masonry - those fundamentals which make Freemasonry, and without which it would be something else.

Mackey's explanations of several of the Landmarks are too long for inclusion here, but his twenty-five statements are short and are herewith printed. His list is chosen to appear here because it is the most universally used. Juris-dictions which have lesser, or a greater number, with very few exceptions, include all of Mackey's points.

Mackey states that the Landmarks are:

1. The modes of recognition.
2. The division of Symbolic Masonry into three degrees.
3. The legend of the Third Degree.
4. The government of the Fraternity by a Grand Master.
5. The prerogative of the Grand Master to preside over every assembly of the Craft.
6. The prerogative of the Grand Master to grant dispensations for the conferring of degrees at irregular intervals.
7. The prerogative of the Grand Master to give dispensations for opening and holding lodges.
8. The prerogative of the Grand Master to make Masons at sight.
9. The necessity for Masons to congregate in lodges.
10. The government of the Craft when congregated in a lodge, by a Master Mason and two Wardens.
11. The necessity that every lodge, when congregated, should be duly tiled (tiled).
12. The right of every Mason to be represented in all general meetings of the Craft.
13. The right of every Mason to appeal from his brethren in lodge convened, to the Grand Master.
14. The right of every Mason to visit and sit in every regular lodge.
15. That no visitor, unknown to the brethren present, or some one of them, as a Mason, can enter a lodge without first passing an examination according to ancient usage.
16. No lodge can interfere with the business of another lodge.
17. Every Freemason is amenable to the Laws and Regulations of the Masonic Jurisdiction in which he resides.
18. A candidate for initiation must be a man, free born, unmutilated and of mature age.
19. A belief in the existence of God as the Grand Architect of the Universe.
20. Belief in the resurrection to a future life.
21. A "Book of the Law" constitutes an indispensable part of the furniture of every lodge.
22. The equality of all Masons.
23. The secrecy of the institution.
24. The foundation of speculative science upon an operative art.
25. These Landmarks can never be changed.

With these as a foundation, the "Old Charges" for precedent, the first "General Regulations" for organic law, Grand Lodges write and adopt their Constitutions and by-laws, which are usually subject to approval by the Grand Lodge, a Grand Lodge Committee or the Grand Master, Grand Masters, "ad interim," formulate and issue edicts and make decisions; often these are later incorporated by the Grand Lodge into the written law of the Jurisdiction. All of these together, except where they conflict (as some of the early "General Regulations" necessarily conflict with later enactments made to supersede them) form the legal structure of Freemasonry.

Undeniably it is looser than the similar body of law for the government of a nation. If Masonic Law were interpreted wholly by the letter - as is necessarily the case of civil law - the government of the Craft might often be as loose as its statutes. But as a matter of fact, the Craft is well governed. Its "Ancient Usages and Customs" so soon win their way into the hearts of new brethren that there is a great resistance to any attempt to change the old order, unless necessity shows that it is inescapable.

Masons much prefer to whisper good counsel to an erring brother, rather than subject him to Masonic trial, whenever the gentler method can be made effective. The Fraternity in this nation deals, yearly, with very large sums of money. The Craft erects and maintains numbers of expensive Temples, and Homes for the helpless Mason and his dependents. The Institution disburses a very large amount in charity.

The vast majority of its executives and officers serve long and arduous apprenticeships, giving their services for love, not money. These very practical matters are all conducted in accord with a more or less loosely woven body of law - and yet the Fraternity as a whole can take great pride in the undoubted fact that it is orderly, well governed, almost completely law abiding and very reluctant to make any more new laws for itself than are absolutely necessary.

The reason, of course, is found in the answer to the classic question: "Where were you first prepared to be made a Mason?"