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ereign and absolute, over them, to any other Body whatsoever: that is to say, to the Grand Orient of Peru. Neither has it ever admitted or permitted the authority of the Grand Orient of Peru over itself or *any* of the Degrees of the A.: and A.: S.: Rite in the Republic.”

So that, stating the two questions with more precision, and as they apply to the special case, they are thus one, as stated to me:

“Whether the Supreme Council of Peru can divest itself of all its authority and prerogatives, *forever*, over Symbolic Lodges and the Symbolic Degrees, without infringing the Grand Constitutions of 1786, and can absolve the members from their allegiance, fealty and obedience, so that their Masters, Wardens and Past Masters may assemble lawfully and constitute themselves into a regular Grand Lodge?”

As the Supreme Council for the Southern Jurisdiction of the United States has declined to become one of the Confederated Councils under the treaty of Lausanne, and the revision there made of the Grand Constitutions has for it no effect, I have to consider these questions as if they arose under the original and unaltered Constitutions of 1786.

In 1786, Free-Masonry had extended from England into most of the countries of Europe, and throughout the United States of America; the Powers created under the English system everywhere being Grand Lodges and Provincial Grand Lodges of Symbolic Masonry, working only the first three Degrees, and governing Symbolic Lodges only.

There were, in that year and before, Grand Lodges of Denmark, Holland, England, Scotland, Ireland, and most of the United States. All the former were established before 1762; and the Grand Lodge Royale-York de l'Amitié at Berlin was established in that year, the Grand Lodge of the Three Globes having been established in 1740. In France there were three Powers—the Grand

Lodge, the Grand Orient and the Mère Loge du Rite Ecossaise Philosophique. It was in this year that the Grand Orient, until then a Power of the Symbolic Masonry only, added to its scale four Degrees of the Rite of Perfection, and so established the Rit Moderne or Rit Français in seven Degrees.

The Symbolic Degrees had long before become the common property of all the Rites, being, in some form or other, the first three Degrees of all; and in 1770, Zinnendorf had created at Berlin a Grand Lodge of his Rite, which, in 1774, became the National Grand Lodge of Germany, by patent from the Grand Lodge of England. Also, there were Provincial Grand Lodges in several places in Germany.

In 1787, there were, as published by a German gazette, in all parts of the world, 3,237 Lodges.

Consequently, to create a new Rite and make the Symbolic Degrees the first three of its scale, was but to set up a rival Power, with equal right to those Degrees, as to almost every country where Masonry existed, and into which it might go.

But there is no record of any action, or of the constitution of any Lodge, or other body whatever, or, in fact, of anything done, by the Supreme Council, (if one was formally organized,) created in Berlin in 1786; and the Grand Constitutions remained a dead letter until 1801, when the first Supreme Council known to have been organized under the Grand Constitutions was established at Charleston, at which date the Symbolic Masonry was, in almost all the countries of the Globe, under the government of Grand and Provincial Grand Lodges, and the higher Degrees had almost totally disappeared everywhere. It might be properly said that only then did the Grand Constitutions become a living law; for a law is simply nought until there is some one to obey it—until there are persons to accept it as the law—at least, where no one is bound to obey it until he consents to do so.

The authority given to Etienne Morin in 1761 was given jointly by the Grand Lodge of Symbolic Masonry of France and the Grand Council of the Sublime Degrees, then united with it; and if he established Symbolic Lodges anywhere, it could be fairly claimed that his power to do *that* came from the Symbolic Grand Lodge alone.

The Constitutions of 1762, of the Rite of Perfection, claim that the Sublime and last Degree, the 25th, "governs and commands all the others," (the first three included,) "without exception;" and in one or two places, Symbolic Lodges are spoken of as under the government of the authorities of the Rite; but there are no dispositions for their creation, organization, government, economy or discipline; and the mention made of them is little more than the assertion of a right of government, a right of visitation and a right of precedence, vague and indefinite, with no legislation for the exercise or enforcement of either.

When the Grand Constitutions were made, it does not appear that in France or Germany there were any Symbolic Lodges under the government of authorities of the Rite of Perfection; and there were certainly none in 1801, anywhere in the world. All the French Lodges established in the United States, though those forming them had the High Degrees, were established by Grand Lodges.

And when, in 1801, vitality and operation were given to the Grand Constitutions by the organization of the Supreme Council at Charleston, jurisdiction over the Symbolic Degrees was expressly waived in favor of the Grand Lodges, but was not entirely ceded or relinquished; and we have always held our *right* to administer them to be undiminished, and that, if necessity should require, it could be re-assumed.

If any Supreme Council of later création had created Symbolic Lodges, and these became discontented with their government, they could not lawfully throw off their allegiance, and elect to obey or unite in forming a different Supreme Power without the consent of their Supreme

Council. But it was always in their power, with or without cause, to dissolve and cease to be, and of their members then to form a new Lodge, and place it under the obedience of another Power, or unite in forming a Grand Lodge; and if the Supreme Council could not prevent the exercise of this right, it certainly had the power to *permit* each Body to do what it could not prevent its doing.

The doctrine of *exclusive* Grand Lodge Jurisdiction has grown up in the United States, and been accepted here as politic and wise in the interest of harmony and unity. It does not prevail in Europe, and is not a part of organic Masonic law; and its zealots here have not been content to stop when they had pushed it to the verge of absurdity.

No Supreme Council ever had, or ever can have, a just claim to *exclusive* jurisdiction over the Symbolic Degrees in the country where it exists. Any one or any half dozen Grand Lodges may establish Lodges there, and these may, when they please, establish Grand Lodges for their own government; and the Supreme Council would be wholly in the wrong to refuse to recognize either as legal.

And of course the Supreme Council may tacitly refrain from establishing Lodges at all, for or without sufficient reasons; and if it can *do* that, it can *agree* to do it, and the agreement will be one of good faith, and must be kept.

Article VI of the Grand Constitutions provides that the Supreme Council need not always directly exercise its authority over the Degrees below the 17th; but, according as it may be *convenient*, (*prout conveniet*), and as locality may require, it may, even tacitly, delegate (*demandare*) that authority. That is, it may *entrust* to other hands the power of exercising that authority, *for it*, in its name. That is the meaning of *demandare*. The act of the mandatory is always in law the act of the mandant.

So that, thus far, this article has nothing to do with relinquishment, abandonment or cession of jurisdiction.

But it is added, "Sed sum *jus* imprescriptible est;"

but its *right* is imprescriptible, cannot be lost by usurpation, by length of possession or exercise of it, by a mandatory; because the article is not speaking of adverse possession or usurpation, but of delegation. If there were an express mandate, of course prescription could not run; and the force of the disposition is as to cases of *tacit* mandate, of the exercise of the jurisdiction without authority given, but also without objection. In South Carolina at the time, there was a body governing the Lodges of Perfection of the Rite of Perfection, and it would not submit to the Supreme Council unless that power of government were continued.

And in consequence of Article VI, Article VII did *not* secure to Masons *under* the 16th Degree the right of appeal direct to the Supreme Council.

Article XIII, Sec. II, gives to Deputy Inspectors-General the power to *establish, regulate, and superintend Lodges and Councils*, but only from the 4th Degree to the 29th inclusive; for if there might be a doubt upon the phrase, "*Latomias, et Concilia gradu à IV,*" there can be none as to the subsequent phrase, "*Sublimis gradús Latomix vel Concilia.*"

Article XII also provides that when the King, Frederic, should die, every Supreme Council would, *pleno jure*, become legitimately endowed *with all Masonic authority whereof the King was then possessed*, which it would use, *cùm opus fuerit*, whenever it might be necessary, and everywhere; and it is certain that Frederic never exercised any Masonic power over Symbolic Authorities, and could, if he had it, refrain from its exercise, and relinquish it.

The Constitutions include the Blue Degrees in the scale, and place them under the government of the Supreme Council; but they do no more. They nowhere else speak of them. In fact, it is the Preamble only that speaks of them at all. We find only "the Sublime Masonry," and the Sublime Degrees mentioned in the

Articles; in Article XIV, ceremonies and processions of the *Sublime* Degrees only; elsewhere, only "Lodges of the Sublime Degrees."

Thus, there not only is not anything in the Grand Constitutions that expressly disables a Supreme Council to relinquish absolutely its jurisdiction over the Symbolic Degrees; but by expression of a power to authorize the establishing of Lodges of the Degrees from *four* to 29, there is exclusion of power to cause the creation of Symbolic Lodges. There is a total absence of any dispositions for conferring the Blue Degrees, or for their administration and government.

The Grand Constitutions *legislate* for the Sublime Masonry alone. Though their object is, in the Preamble, declared to be to unite under one regimen the degrees of all the Rites, in a scale of 33, naming, among those Rites, "the Ancient," it could not have been imagined that the Powers of the Ancient Masonry, (the English,) even in Prussia, would abdicate and cause their Lodges to pass under the jurisdiction of Supreme Councils. That would have been the idea of a lunatic.

The Symbolic Degrees *could* be made integral parts of a new Rite, and they had been often made so, by substantial changes in the work, such as Schröder, Perneti and scores of others made, by which the Degrees became vehicles of theories, doctrines and vagaries of all sorts, philosophical, mystical and nonsensical. A Degree so specialized, for example the Apprenti Coën, became an essential and indispensable part of the Rite, without which it was but imperfect and a fragment.

But if the Symbolic Degrees became part of the Ancient and Accepted Scottish Rite, they became so whatever they were, and those of one Rite as much as those of the other. And it was never imagined that the Supreme Council would supplant the Powers regularly established of the Symbolic Degrees, or could gain any exclusive right or title to these Degrees, or give to them any spe-

cial form or purposes by which a special proprietorship to them in that particular shape should be acquired. There is, in fact, not only no power given to the Supreme Councils to establish and govern Symbolic Lodges, but, as we have seen, by providing only for Bodies from the 4th to the 29th Degree, the power to create Symbolic Lodges is by implication excluded. To say that the Supreme Councils might commission persons to create Bodies of the Degrees from 4 to 29 was almost to say expressly that they should make no others; and if they could not appoint persons to create Symbolic Lodges, they could not make them at all; for surely if they could be commissioned to make the higher ones, there was no reason why the power to make the lower ones could not be delegated to them. They could not make those of Degrees *above* 29, because these were reserved for the action of the Supreme Councils; but there is no reservation as to the three lowest Degrees.

I think it is very doubtful whether the Constitutions intended that the Supreme Councils should govern Symbolic Lodges, or have anything to do with the Symbolic Degrees. It was probably intended that they should *not* interfere with the Grand Lodges. And it is probably the spurious *Secret* Constitutions that have served as warrant for the claim of power over the Symbolic Degrees.

The Rite was rather *founded* on the Symbolic Degrees than in part composed of them. The Inspectors-General were "the Chiefs of the *Sublime* Masonry." It was at least not essential that the Supreme Council should establish and govern Symbolic Lodges. The Sublime Masonry was builded on the Symbolic Masonry; but it was not necessary that its government should be the government of Symbolic Degrees, and it is very doubtful whether it was meant to be.

There is, therefore, nothing in the Grand Constitutions which incapacitates a Supreme Council to surrender to other Powers the administration and government of the

Symbolic Degrees. If the incapacity exists, it must be inherent in the nature of the Body itself. It is difficult to see how, if it can temporarily disable itself to govern certain Degrees and Bodies, it cannot do so permanently. By one, it is supposed, it does not denude itself of any portion of its sovereignty; while by the other it diminishes and lessens that sovereignty forever. But is it not of the very essence of sovereignty to be able to part with its supremacy, to permit bounds to be set to it?

A Supreme Council is sovereign, in the sense, simply, that as a governing Power of the Bodies it governs, it has no superior. If it has any sovereignty over Degrees, it has it only over those which belong to its own Rite. If another Power of another Rite also governs the same Degrees, neither is sovereign over them, and if one relinquishes them to the other, it parts with no portion of its sovereignty. If a Power administering a number of Degrees strikes some of them off, and leaves them to be taken by others, it continues as sovereign as before over Bodies of other Degrees. The Symbolic Degrees are not the peculiar property of any Rite. They belong to all.

Undoubtedly, if there had been a Supreme Council in Prussia in 1786, it would have permitted Master Masons, made such under the Grand Lodge, to receive the Sublime Degrees; for, of course, having no Symbolic Lodges, it *must* have taken such Master Masons, or have had no Neophytes at all. No doubt a Prussian Scottish Masonry now would confine itself entirely to the Sublime Degrees, beginning with the 4th. In Ireland the Supreme Council has no control over the 18th, and creates no Lodges of Perfection.

I think that it is entirely competent for a Supreme Council to confine its government and administration entirely to the Sublime Degrees; that it may relinquish all control over the Symbolic Degrees for all time, and may authorize the Symbolic Lodges of its obedience to form a Grand Lodge; and that it may do this upon the express

condition that the Grand Lodge shall always remain strictly such, never intermeddling with the higher Degrees, or becoming part of a Grand Orient, a Body born always with the elements of discord in its bosom, and an infinite capacity for doing mischief. I think, also, that no Body of Masons can have the least Masonic right to exercise the powers, or any of the powers, of government or legislation over the Bodies of any Degrees, if even one Mason not invested with these Degrees is a member of such governing Body; and that a Supreme Council ought to reclaim its rights over the Symbolic Degrees, if either of the conditions is violated.

It is also asked whether three Lodges can form a Grand Lodge for the exclusive government of themselves?

Undoubtedly; if the Power of whose obedience they are consents that they may. Without that consent they cannot, because a Grand Lodge can only be formed by Lodges holding valid Letters of Constitution; and a Lodge would be in a state of rebellion, and forfeit its Letters-Patent, by uniting to form a Grand Lodge without such consent. The act of rebellion would be equivalent to a surrender of its Letters-Patent, because it would not, in forming a Grand Lodge, act under these, but in defiance of them. By throwing off its allegiance it would cease to exist as a Lodge, and the action of its members would be that of so many individual Masons, and not that of a Lodge.

(Signed)

ALBERT PIKE, 33°,

Sov. Gr. Commander.

[From the Official Bulletin of the Supreme Council for the Southern Jurisdiction, Vol. III, pp. 638, ff.]

LETTER

OF

THE GRAND COMMANDER OF THE SUPREME COUNCIL FOR THE SOUTHERN JURISDICTION, U. S. A., TO THE GRAND COMMANDER OF THE SUPREME COUNCIL OF MEXICO.

OR.: OF WASHINGTON,
1st day of Adar, A.: M.: 5638,
4th February, 1878.

To the M.: P.: and Ill.: Bro.: ALFREDO CHAVERO, 33°,
Sov.: Gr.: Commander of the Sup.: Council of Mexico.

M.: P.: ILL.: AND VERY DEAR BROTHER :

I hear with deep regret of the rebellious disturbances which have occurred in your Jurisdiction, where peace, harmony, and prosperity seemed to be the fruits of the wise government of your Supreme Council. We believed that, from the diffusion by your efforts of the beautiful and sublime teachings of the Ancient and Accepted Scottish Rite, the greatest benefits would accrue to the Mexican Republic; and we hoped that no feuds would arise to diminish your good influences and make Masonry powerless, because disunited.

But that which has now occurred among you has again and again occurred elsewhere. The Supreme Council of Peru has had the same ill-fortune. In that of Central America the same differences have arisen. In the jurisdiction of Colon there has been bitter strife between the Supreme Council and the Blue Lodges. In the Argentine Republic all is turmoil and dissension. In Belgium

the Supreme Council has found it necessary to consent to the independence of the Blue Lodges.

The same causes will produce the like results everywhere. The B.B.: who compose the Symbolic Lodges know that in England, Scotland, Ireland, the United States, Germany, Sweden, and Denmark, such Lodges are governed by Grand Lodges, composed of their delegates. They become restive and discontented under a different form of government, denounce it as an aristocracy and oligarchy, a self-constituted despotism, and at length break out into open revolt. I think that this is absolutely unavoidable. Sooner or later, Masons become discontented with an absolute, self-perpetuating Power, composed of but few persons, and these not bound to render to any one account of their action. A sufficiently long experience proves this.

Also, it proves that, when such revolt has occurred, the resort to measures of force does not suppress the revolt, remedy the mischief, or restore harmony. Power must always, at last, yield to opinion.

We have, therefore, in like cases, heretofore advised Supreme Councils in alliance with us to frankly offer the option, to all Symbolic Lodges of their obedience, of continuing so, or of withdrawing from that obedience and creating an independent Symbolic Grand Lodge for the State, Kingdom, Empire, or Republic, between which and the Supreme Council relations of amity should exist, each recognizing the Lodges under the other as legitimate, and the members of all entitled to mutual right of visiting.

This is, virtually, what has been done with the happiest results in Hungary, Belgium, and Switzerland. In England, Scotland, Ireland, the United States, and Canada, the Supreme Councils do not govern Symbolic Lodges, and consequently no dissensions exist. In countries where the Sup.: Councils have created and governed such Lodges, there will no longer be cause for dissension, if the Lodges are invested with the right to adhere to the Sup.: Councils, or create Grand Lodges, at their option.

Men are to be governed by wise use of the motives that influence them. Men of intellect and force are more actuated by the desire for dignities and offices, rank, and the possession of power, than by any love of independence for others as well as themselves. If a barrier is raised between them and the highest places, they will never rest until they break it down. When an Order becomes great and its members numerous, there will be many agitators and declaimers against self-constituted Power, as contrary to the genius of Masonry; and these soon concentrate an opinion which no such Power can long resist.

Therefore, *we* would not, if we could, create and govern Symbolic Lodges. We know that each would soon become a centre of discontent; and that the end would be our own surrender of sovereignty, and their independence.

You have asked my advice, and I give it frankly, hoping that if your Supreme Council follows it, it will find an ample field for its labors in the Degrees above the third, and in governing such Lodges as shall elect to adhere to it.

[From the same Vol. of the Official Bulletin, pp. 646, ff.]

EXTRACT

FROM

COMMENTS OF THE GRAND COMMANDER OF THE SUPREME COUNCIL
FOR THE SOUTHERN JURISDICTION, U. S. A., ON LETTER OF
BRO.: VICTORY Y SUAREZ, OF BUENOS-AIRES,
OF DATE APRIL 15, 1877.

It is undeniable that the government of Symbolic Lodges by Supreme Councils has almost everywhere been productive of discontents, schisms, and disasters. When Masons of any Degrees, and Bodies composed of them, become numerous, they will not long submit to be governed by a small body of men not elected by themselves,

and whose title to govern is the possession of a higher Degree. Nor will a large Masonic people long consent to be governed by a body of men, small in number, who hold their offices for life and fill vacancies in their own number.

Nor, when the Masons of the Scottish Rite become numerous in any country, will it be a thing to be regretted, if they compel the Supreme Council to change the Constitutions, abolish the life-tenure, and constitute the governing body of Representatives of the Subordinate Bodies elected by them for short terms. Indeed, such a change, at the proper time, would be indispensable to the welfare of the Order.

The change, when it does come, will go further than that. A Body composed of delegates of Bodies of different Degrees could not legislate for the various Bodies. A Master Mason cannot lawfully, or properly, or Masonically, have anything at all to do with making laws for, or governing, Bodies, working in Degrees of which he knows nothing; and the consequence of a radical change would be, at last, the creation of separate and independent Powers to administer the Degrees worked by the different Bodies.

Invariably, when a Supreme Council has had a hand in making that anomalous and ridiculous organization, a Grand Orient, and has become a fraction of it, it has still insisted on being supreme over the Degrees above the third, and exercising a controlling influence in the Grand Orient. The Symbolic Grand Lodge has always striven to lessen and restrict the powers of the Supreme Council, encroaching upon them contrary to the Constitutions if necessary; and the end has always been wrangling and dissension.

The whole scheme, in all its varieties and forms and devices, for governing Bodies of different Degrees, sometimes even of different Rites, by a Body composed of Representatives of such Bodies, or by a Grand Orient

composed of the several Powers that govern them, is at war with the fundamental principles of Masonry.

A Supreme Council is nothing if not supreme. A Grand Orient is an incongruous monster. A Grand Lodge, subordinate to any other Body, is a Grand Lodge emasculated.

The Grand Constitutions *make no provision for the government of Symbolic Lodges by the Supreme Councils*. When they were enacted there were Grand Lodges everywhere; and it certainly was not supposed that the Grand Lodges of Prussia would surrender their powers of government to a Supreme Council. Until recently we believed that the Supreme Councils had the right to create and govern Symbolic Lodges from the beginning, and that where they did not exercise it, they simply refrained for the sake of harmony; but being called upon carefully to consider the question, we are of the clear opinion that, upon the face of the Grand Constitutions, these give no such power.

[From the Official Bulletin of the Supreme Council for the Southern Jurisdiction, Vol. V, pp. 310, ff.]

IN DEO FIDUCIA NOSTRA.

SUPREME COUNCIL, 33D, A.: AND A.: S.: RITE OF FREE-
MASONRY, FOR THE SOUTHERN JURISDICTION OF
THE UNITED STATES,

218 Third Street N. W.,

OR.: OF WASHINGTON, D. C., *5th March, 1882.*

Bros.: J. ARTURO EGO-AGUIRRE, 33d,
and JOSÉ M. VIVANCO, 32d.

VERY DEAR BB.: It would be very unwise in me to offer you and other Brethren in whose behalf you write any other advice in regard to the proposed establishment of a Grand Lodge in Peru, than that which should simply state what would be decided by our Grand Lodges. For, as our Supreme Council does not administer the Blue De-

grees, and I am without office or authority in the Symbolic Masonry, what I might decide in respect to its law can have no weight of authority; and our Grand Lodges of the United States would look with jealous disfavor upon any interference on my part in matters that belong to that Masonry alone.

* * * * *

I have myself the right to say that the existence of a sovereign and wholly independent Grand Lodge of Ancient Symbolic Free-Masonry, composed *entirely* of the Masters and Wardens for the time being, of the Symbolic Lodges constituting it, would be perfectly consistent with the existence by its side of a Supreme Council, governing Bodies of the Degrees from 4 to 32; that I have often expressed the opinion that the Supreme Councils of the World ought to have nothing to do with the Blue Degrees, and no powers of government or administration of Symbolic Lodges; and that it would be wise for them to abandon the pernicious system of constituting and forming parts of Grand Orients; a system invented by the Grand Orient of France, and which has been the fruitful source of infinite scandals and incalculable mischief.

* * * * *

Regretting the troubles and dissensions that disturb and distract the Free-Masonry of Peru, and hoping to see by and by in that unfortunate Republic a Supreme Council claiming no right or authority over the Blue Degrees, and an independent Grand Lodge of Symbolic Masonry working by its side and in peace and harmony with it, and the fact that there ever was a Grand Orient forgotten,

I am, very fraternally and truly yours,

ALBERT PIKE, 33°.

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Letter(s) of the Grand Commander of the



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