

## Some Notes on the Problems of Fraternal Relations

When John Hamill, the Librarian and Curator of Freemasons' Hall, London, was in Australia last year he attended a seminar of Grand Representatives in Melbourne and talked to them on the subject of 'How England Handles Fraternal Relations'.<sup>(1)</sup> What he said gave an indication of the current confusion amongst Grand Lodges to which the subject gives rise and of the problems inherent in it.

### English Policy and Practice

In his talk, Hamill defined the objectives of the external relations policy of the United Grand Lodge of England as -

- the keeping of good relations with sister Grand Lodges;
- the finding out of new ways of doing things from the experience of organising Freemasonry in particular areas; and
- of recognising other new Grand Lodges as they appear.

His paper was concerned to describe, briefly, the manner in which the United Grand Lodge operated to achieve the last of these objectives.

Hamill acknowledged that the United Grand Lodge of England has a reputation of being slow in granting new and emerging Grand Lodges but said that it was a very deliberate policy predicated on the view that the decisions taken should be right, and right the first time. In justification of this approach, he claimed that the Masonic world looks to the Grand Lodges of England, Scotland and Ireland as the fountainhead of regularity and indeed in many cases, particularly in the United States, other Grand Lodges tend to take their lead from what these three Grand Lodges do in this respect.

The paper gave examples of how the policy of the United Grand Lodge of England worked in practice. Two of these related to the recently formed Grand Lodges of Spain and Portugal, sponsored by the National Grand Lodge of France. With these, recognition was slow in forthcoming as there was a fear that the new Grand Lodges might become involved in politics, as had occurred in Spain when a Grand Lodge existed before and had, in consequence, been regarded as irregular. On the other hand, with the Grand Lodges formed in Hungary and Czechoslovakia, ready recognition was given to these as their antecedents were known, as were their regularity and the people involved in them. A cautious approach is being adopted with respect to emerging Grand Lodges in Russian and Yugoslavia where there were considerable political uncertainties.

In reaching its decisions on recognition, the United Grand Lodge of England has particular regard to the regularity of the body applying for recognition and, combined with this, its sovereignty. It insists that a body to be recognised as a Grand Lodge must be regular in origin. It must have been formed, or its constituent lodges must have been formed, by bodies recognised as regular and the body, if it is to be recognised, must be sovereign over the lodges it has under it. It must not share that authority with some other body as often happens in some jurisdictions where the Grand Lodge is subordinate to a Supreme Council in the Ancient and Accepted Rite.

Two particular problems were mentioned by Hamill. One is a confusion between sovereignty and territorial jurisdiction. In the United States, there is a tendency to combine the two and to say that sovereignty is that a Grand Lodge is the only power within its jurisdiction. The United Grand Lodge of England is not as hardline as that, nor are Ireland and Scotland. To them, sovereignty is that the Grand Lodge is the sole authority over its constituted lodges. However, territorial jurisdiction can be shared, as, for example, in New Zealand. In the case of Brazil, the United Grand Lodge of England recognises the Grand Orient of Brazil, whilst the Americans, probably following their own federalist policy, tend to recognise the various state Grand Lodges not the Grand Orient of Brazil - a stance justified by the ~~by the~~ United Grand Lodge from the fact that at times when Freemasonry in South America has gone from regularity to very great irregularity, the Grand Orient of Brazil has always remained constant.

The other problem, and one which could cause disharmony between the United Grand Lodge of England and the American Grand Lodges, related to Prince Hall Grand Lodges. The United Grand Lodge accepts that, except in the matter of regularity of foundation, in every respect Prince Hall Grand Lodges would be regarded as regular Grand Lodges (i.e., in their principles and their practices), but, because <sup>so</sup> they do not meet all the standards of regularity of origin as agreed between the Grand Lodges of England, Scotland and Ireland, they cannot be given recognition. However, a number of North American Grand Lodges have made unilateral decisions to recognise the Prince Hall Grand Lodge in their jurisdiction. This has raised difficulties with inter-visitation.

#### Some Comments on the English Approach

As Hamill made clear, the United Grand Lodge of England places great store on the concept of regularity and, in particular, justifies this attitude by reference to the Compact between the Grand Lodges of England, Ireland and Scotland, drawn up



in 1929, which sets out basic principles for Grand Lodge recognition.<sup>(2)</sup> The first of these principles reads -

- '1. Regularity of origin; i.e., each Grand Lodge shall have been established lawfully by a duly recognized Grand Lodge or by three or more regularly constituted Lodges.'

and, from Hamill's writing, it might be inferred that, on this matter, the Grand Lodge of Scotland and the United Grand Lodge of England are in full agreement.

However, such is not the situation. In comments on a paper on 'Regularity of Origin' by Christopher Haffner<sup>(3)</sup> prepared in 1983, the Grand Secretary of the Grand Lodge of Scotland, George Draffen, stated that in February 1961 his Grand Lodge had adopted substantially similar 'Basic Principles' but omitting the first one. The view taken in Scotland is that, everything else being correct, the size and importance of a fledgeling Grand Lodge is immaterial. All help should be given to see that the new Grand Lodge does not stray into the enemy's camp and become one of those Grand Lodges dominated by the thinking of the Grand Orient of France. Draffen pointed to Scotland's recognition of the Grand Lodges of Japan, Indonesia and Iran as examples, although only the first still exists. Haffner subsequently added that this had not caused any embarrassment to Scotland.<sup>(4)</sup>

The Grand Lodge of Ireland has also adopted principles of recognition based on the 1929 Compact, but, like its Scottish counterpart, these include no reference to regularity of origin. Obviously it, too, takes a rather pragmatic approach in the matter of Grand Lodge recognition. While it may in practice agree with the United Grand Lodge of England in cases of Grand Lodge recognition, the possibility of disagreement cannot be ruled out.

It is apparent, therefore, that the Grand Lodges of England, Ireland and Scotland may not always be unanimous in what they consider Grand Lodge regularity. The more cases of disagreement there are the less influential will be any decisions taken. Furthermore, as the political influence of Britain diminishes, the more it is likely that countries with Masonic jurisdictions originally based on British concepts and practices will adopt independent attitudes and take decisions that differ from those taken in the Grand Lodges of England, Ireland and Scotland.

Already this can be seen in the Grand Lodges of the United States of America and, to a lesser extent, in Canada. Hamill's account of the differing policies being espoused in the United States as regards recognition of the state Grand Lodges in Brazil is in itself sufficient evidence of the fact that the Grand Lodge in England is at odds with the North American Grand Lodges on the matter.

Hamill claims that the three Grand Lodges in the British Isles are looked to by the Masonic world as the fountainhead of regularity and that, in many cases, particularly in the United States, other Grand Lodges tend to take their lead from what is done by those Grand Lodges in this respect. This may be true for most Grand Lodges but it certainly is not correct where relations between United States and Brazilian Grand Lodges are concerned.

Through the Conference of Grand Masters of Masons in North America, the Grand Lodges of the United States have adopted conditions of Grand Lodge recognition<sup>(5)</sup> which differ in important respects from those in the International Compact between the Grand Lodges of England, Ireland and Scotland. In particular, they modify the conditions relating to legitimacy of origin to read -

' That the Grand Lodge requesting recognition has been lawfully formed by at least three just and duly constituted Lodges, or that it has been legally recognized by a Grand Lodge in fraternal relations with the Grand Lodge from whom recognition has been requested.

That such Grand Lodge must be "under the tongue of good repute" for an adequate number of years before such fraternal recognition is extended. An existence for such a period as satisfies the Grand Lodge whose recognition is sought, during which time the highest standards of the Craft have been practised by the applicant Grand Lodge, may cure what would otherwise be considered illegitimacy of origin.'

and add a further condition relating to territorial sovereignty to the effect that

' That it is an independent, self-governing organization, having Masonic authority within the governmental territory over which it assumes jurisdiction - whether Country, Province, State or other political subdivision; or else shares such exclusive jurisdiction with another Grand Lodge by mutual consent and/or treaty.'

The modification in the condition for legitimacy in origin through the introduction of the second paragraph in the provision provides an avenue for departure from the corresponding basic principle in the International Compact whilst the new condition relating to territorial sovereignty adds a concept which is foreign to the principles considered appropriate in the British Craft.

It is these provisions that have provided a basis for the actions of the American Grand Lodges in giving recognition to the state Grand Lodges of Brazil. The Grand Orient of Brazil is undoubtedly of greater antiquity than the state Grand Lodges but the American Grand Lodges have concluded that they have been 'under the tongue of good repute' for a sufficient length of time, that they have practised Freemasonry at the highest standards and that they are independent, self-governing organisations having Masonic authority within the governmental territory over which they assume jurisdiction. In consequence, they are worthy of recognition.

The English attitude is that the matter of antiquity cannot be dismissed as lightly as this, nor is it sufficient that an unrecognised Grand Lodge has for a lengthy period of time acted in complete accord with the principles of Freemasonry. The United Grand Lodge of England considers that the Grand Orient of Brazil has a jurisdiction extending throughout the whole country, although there is some evidence to suggest that its lodges are concentrated in the north. The fact that state Grand Lodges have been given recognition by the North American Grand Lodges, rather than the Grand Orient, Hamill explains away with the comment that the Americans are 'probably following their own federalist policy'.

It is not the place here to attempt to argue which of the two attitudes is correct. The object of summarising them in this way has been to do no more than to demonstrate that the claim that England is looked to as the fountainhead for decisions taken on the regularity of origin of most Grand Lodges is, at best, suspect.

There are also divisions of opinion amongst Grand Lodges concerning the regularity of the Prince Hall Grand Lodges which operate extensively in the United States. Here the division is between the North American Grand Lodges and threatens to embroil the United Grand Lodge of England, as Hamill points out. To the United Grand Lodge of England and the majority of the Grand Lodges in North America, Prince Hall Grand Lodges are irregular, although not always for the same reasons, and do not meet the basic principles for regularity. Therefore they cannot be recognised. However, there are now six United States Grand Lodges, led by the Grand Lodge of the State of Connecticut, that consider Prince Hall Grand Lodges legitimate Masonic bodies and have accorded them recognition. The division of opinion on the matter is such that one Grand Lodge, that of Louisiana, has broken off fraternal relations with that of Connecticut. The decision taken by the Grand Lodge of Connecticut to recognise Prince Hall Grand Lodges within its jurisdiction and to allow inter-visit-ation raises unresolved problems for Grand Lodges in communication with Connecticut, for example, what happens if a Prince Hall Mason from <sup>Massachusetts</sup> attempts to visit - should he be allowed to visit?

Obviously these issues of regularity pose difficulties where there are no universally agreed principles upon which decisions on the point can be made. There are already enough problems in a situation where one group of Grand Lodges follows the English lead in relation to the Grand Orient of Brazil while others follow the American approach. These difficulties are likely to be magnified should the current trends within North America concerning recognition of Prince Hall Grand Lodges continue.

There is little doubt that the approach of the United Grand Lodge of England to the matter of regularity of origin is highly doctrinaire. It has established its own basic principles and is unwilling to depart from them, even if the other two Grand Lodge parties to the International Compact are prepared to be more pragmatic. For regularity of origin, a Grand Lodge must have been established lawfully or by three or more regularly constituted Lodges and have sovereign jurisdiction over the Lodges under its control, i.e., that it should be a responsible, independent, self-governing organization, with sole and undisputed authority over the Craft or Symbolic Degrees (Entered Apprentice, Fellow Craft and Master Mason) within its Jurisdiction. In setting these standards, it disregards the fact that at the time of its own formation in 1813 the United Grand Lodge of England could not itself have met them - both constituting bodies, the 'Moderns' Grand Lodge and the 'Antients' Grand Lodge were irregular by these standards - and adopts an interpretation of 'Jurisdiction', at least in relation to the Brazilian situation, which has a territorial connotation rather than the more limited interpretation inherent in the expression 'jurisdiction over the Lodges under its control' in its statement of basic principles.

Additionally, the United Grand Lodge of England appears to be a captive of its own history. Its organisation is based on a system of an England-wide all-powerful central body to which Provincial Grand Lodges are subordinate. In countries such as the United States, Canada and Australia, there is no central body but the individual state Grand Lodges make their own decisions but consult together regularly or as considered appropriate. In the case of Brazil, also a federalist country, there is a clash between the concepts of a central body, the Grand Orient, and independent state Grand Lodges which work together in an informal fashion. This latter concept is foreign to the thinking of the United Grand Lodge of England which has therefore ruled that the Grand Orient (assumed to be the central body) is regular and the state Grand Lodges irregular. It would be interesting to hear what ruling the United Grand Lodge of England would give if, say, a number of private lodges from each of the Australian States were to form 'The United Grand Lodge of Australia' and seek to have it recognised as the central body along English lines.

Hamill has criticised the Grand Lodge of Connecticut for its decision to recognise the Prince Hall Grand Lodge within its jurisdiction. He argues that it has not thought sufficiently far ahead and has grasped at what was thought to be an easy solution. The question might be asked also: Has the United Grand Lodge of England thought sufficiently of the implications for countries with federal political structures of its expectation that Grand Lodges in those countries should follow

completely the basic principles for recognition which it espouses? The case of Brazil highlights the problem. The Grand Masters of North America may not have provided a complete solution but they have provided an alternative.

#### The Situation in Australia

In Australia there is no formal machinery to ensure that all Grand Lodges adopt a similar stance with respect to Grand Lodge recognition. However, there is an informal arrangement, approved by state Grand Masters, in consultation, whereby a member of one of the Grand Lodges, from Victoria recently and now from Tasmania, is appointed to act as a co-ordinator for determining the guidelines, standards and principles for recognition that should be taken into account when applications for recognition are under consideration. Generally, these guidelines, standards and principles have been in line with the Basic Principles for Grand Lodge Recognition adopted by the United Grand Lodge of England in 1929.

In New South Wales there appears to have, until recently, been no occasion when the Grand Lodge has formally stated its own Principles for Recognition. However, there are several instances recorded in its official history<sup>(6)</sup> that indicate acceptance of the Basic Principles laid down by the United Grand Lodge of England. Thus -

Volume 1, page 192, records Recognition of the United Grand Lodge of New South Wales by the United Grand Lodge of England in 1888, confirming its right to rule and approving its practices.

Volume 3, pages 22-23, records that in 1938 the United Grand Lodge of England drew attention to its Principles of Recognition in a letter to the New South Wales Board of General Purposes. These were the Basic Principles adopted in 1929 and the New South Wales Pro Grand Master directed that every Master in New South Wales be acquainted with the document.

Volume 3, page 23, reports that 'True to its policy of acting consistently with decisions of the Grand Lodge of England, the Board of General Purposes declined to recognise the Grand Lodge of Palestine.'

Volume 3, page 152, notes that in 1949, in amplification of the 1929 statement, the Grand Lodges of England, Ireland and Scotland issued a joint statement, 'Aims and Relationships of the Craft'; that this had been discussed and approved by a Conference of Grand Masters of Australia; and that it had been commended to every brother of the Craft in his jurisdiction by the Grand Master of New South Wales.

Study has been made, too, of the report of the Commission on Information for Recognition of the Conference of Grand Masters of Masons in North America on 'Grand Lodge



Recognition', but there has not been any departure from the policy of following the the United Grand Lodge of England's Basic Principles.

In early 1991, the M.W. Grand Master of the United Grand Lodge of New South Wales laid down a revised set of duties for the Grand Lodge Committee on Foreign Correspondence. These included a responsibility for investigating requests for recognition from overseas Grand Lodges and drawing up submissions to the Board of General Purposes in relation to such requests. During the first year with this new duty the Committee has recommended granting of recognition to a new Grand Lodge of Portugal erected in June 1991, a recommendation in line with the policy of the United Grand Lodge of England. It is undertaking study of the situation with respect to the multiple Grand Lodges in Brazil and the Prince Hall Grand Lodges in the United States of America. A recommendation that the Board of General Purposes confirm adherence to the Principles for Recognition of Grand Lodges adopted by the United Grand Lodge of England has been approved. <sup>(7)</sup>

There has been one departure from the general adherence to the English Basic Principles which may be the forerunner to a shift away from those principles in Australia. This stems from recognition by the Grand Lodge of Queensland of some of the state Grand Lodges of Brazil, which represents a move towards the approach by the North American Grand Lodges. There appears to have been no similar move by any other of the Australian state Grand Lodges. However, as previously noted, the United Grand Lodge of New South Wales has under consideration the matter of recognition of the Brazilian state Grand Lodges and any decision taken on this could have a bearing on the question whether the current policy of following the lead of the United Grand Lodge of England should be maintained.

For English Freemasons visiting Brazilian lodges the situation is quite clear. They are advised by their Grand Lodge not to visit any lodge beholden to a state Grand Lodge but to restrict their visits to lodges bearing allegiance to the Grand Orient of Brazil. With lodges in the United States working under a Grand Lodge which has recognised a Prince Hall Grand Lodge, the English visitor is warned to be very careful of visiting where he might come into contact in lodge with people who are of a Grand Lodge not recognised as regular Masons. The situation for members of the lodges operating under the United Grand Lodge of New South Wales is that they are advised similarly but presumably members of lodges under the Grand Lodge of Queensland are told not to visit lodges of the Grand Orient of Brazil although visiting lodges of the state Grand Lodges is permitted.



### Towards an Australian Grand Lodge Policy on Recognition?

It is fairly obvious that a common policy amongst Australian Grand Lodges on recognition of overseas Grand Lodges is desirable. There are Australian Masons who are members of two or more private lodges operating under different Constitutions, for example, New South Wales and Queensland, and policy differences between their Grand Lodges place them in a difficult situation when they visit overseas. Thus a Mason holding membership in New South Wales and Queensland lodges visiting Brazil may be placed in a situation in which he must decide between the advice of his New South Wales or his Queensland Grand Lodge. Similarly, two Masons travelling together overseas may find themselves in a position where one may visit a lodge but another may not. The problem is to devise a policy which has Australia-wide acceptance.

There are various courses which might be followed, none of which would be completely satisfactory. Some possibilities include -

- (a) leave the situation as at present;
- (b) continue to follow the generally accepted policy of adopting English practice;
- (c) continue to adopt English practice except in relation to the Americas where the policies of the Grand Masters of Masons in North America be adopted; and
- (d) adopt a policy of disregarding any questions of regularity of origin in Grand Lodges and decide upon recognition on the basis of whether a Grand Lodge subscribes fundamentally, ritualistically and in all its relations to the Ancient Landmarks, Customs and Usages of the Craft.

As to (a), this would leave the prospect of additional differences between Grand Lodges. Hamill has said that the United Grand Lodge of England recognises the Grand Orient of Brazil because it has had a very long association with it, almost from its formation in the 1820s. It considers it can never be certain that the state Grand Lodges are what it regards as Grand Lodges. It is quite happy to stay with the status as it is. As regards recognition of the Prince Hall Grand Lodges in the United States, the United Grand Lodge is adamant that the origins of Prince Hall Masonry are irregular and this will be a major problem. There is some possibility that a formula may be worked out to regularise the Prince Hall organisation on an individual basis but blanket recognition will not be given to Prince Hall Grand Lodges. On these two issues it is apparent that there is a long way to go before the United Grand Lodge and the North American Grand Lodges are agreed on policy, and what each side decides could be reflected in differences that emerge between the Grand Lodges in Australia.

As to (b), this would no doubt be the most convenient course to take. It would provide an opportunity for the Australian Grand Lodges to wait to see what developments occur, particularly in relation to Brazil and the Prince Hall Lodges. The problems which arise from this include the situation that has arisen following the Queensland Grand Lodge decision to recognise the Brazilian state Grand Lodges only and the different positions taken by the United Grand Lodge of England and the North American Grand Lodges in relation to the Grand Orient of Brazil and the state Grand Lodges. There is the possibility that the Grand Lodge of Queensland might be persuaded to revert to the former policy of the United Grand Lodge of England in these matters but, even if this were not possible, the problems may not, in fact, be of any considerable magnitude as the number of Australian Masons proposing to visit lodges in Brazil would be relatively few while the Prince Hall Grand Lodge issue does not appear to call for any quick solution.

The third possibility, course (c), would represent a significant, although probably not major, departure from existing practice as far as the Brazilian situation is concerned. It would involve recognition of the state Grand Lodges in lieu of the Grand Orient. However, given the number of Australian Masons visiting the country, its effects would be limited in practice. It would not, of course, be welcomed by the Grand Orient of Brazil nor, presumably, by the United Grand Lodge of England. Alternatively, there could be recognition of all Brazil <sup>new</sup> Grand Lodges, the Grand Orient and the state Grand Lodges, which might be regarded rather more favourably by the Grand Orient and by the United Grand Lodge of England. The advantage of such a course would be that all Australian Masons going to Brazil would be subject to the same visiting rights.

The other possibility listed, course (d), would involve a much more radical change. Regularity of origin would no longer be a consideration, whether in the form applied by the Grand Lodge of England or in the rather less stringent form adopted in North America. The basic consideration would be regularity of principle and practice. The advantage of such a policy would be that it could cover situations such as occurs in Brazil and Mexico where there is a single national body but there are also state Grand Lodges, and a Prince Hall Grand Lodge situation where regularity of origin is at issue although the principles and practice of the Grand Lodge itself and of the individual private lodges are not in question. Such a course would be consistent with the approach adopted by most North American Grand Lodges, although it would not be appreciated by the United Grand Lodge of England. Again, for Australian Masons, it would have the advantage of a standard visiting policy for travellers to countries such as Brazil and Mexico and of visitors to United States jurisdictions which recognise Prince <sup>c</sup> Hall Masons.

These notes are intended to raise matters which will need to be considered by the United Grand Lodge of New South Wales in the near future. Already the Grand Lodge has before it requests for recognition by Brazilian state Grand Lodges and there is little doubt that the Prince Hall Grand Lodge question will become active as these Grand Lodges are granted recognition in North America. Already the United Grand Lodge of England and the North American Grand Lodges are being required to make decisions in particular cases and matters of principle have become involved. A basic question for Australian Grand Lodges generally and for New South Wales in particular is whether the policy of following the lead of the United Grand Lodge of England in this area can be sustained in the light of the decisions in the Irish, Scottish and North American jurisdictions to adopt more flexible approaches.

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To -

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