

MASONIC DISCIPLINE

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In the past few years I have noticed that there seems to be an increase in the number of situations where lodges in Illinois have had to exercise their right to bring a brother to account for an infraction of Masonic law. The situations have included theft of money from a lodge, physical altercations between brethren, sexual improprieties, violations of a section in the Grand Lodge of Illinois Book of Constitution and By-Laws and the Constitution of an individual lodge, all violations of the conditions set forth in the obligations of the three degrees. This article will attempt to trace the rights of a lodge to impose discipline on a brother.

There is no more honorable, yet more onerous job in Freemasonry than to be called upon to judge a brother who is charged with a breach of one of our Masonic rules or regulations. To be called upon to inflict a punishment that could result in the suspension or expulsion of a brother from our fraternity is a most difficult and unwanted task. Yet, this Masonic duty falls upon a brother is one that is required to keep our fraternity clean and is one of the reasons that we have survived throughout the centuries.

Where, then, does the genesis of this difficult, yet awesome duty originate? For this, we might look to scripture. In the Old Testament book of Deuteronomy, there is a section entitled "Judges." At the start of this Biblical section we read, "You shall set up judges and law enforcement officials in all the cities the Lord has given you and they shall judge the peoples with righteous judgment." This, then, gives our Grand Lodge the responsibility of setting up a framework for judging brethren who violate the laws set forth in our Constitution, By-Laws and terms of the obligation of the three degrees. It is our Book of Constitution and By-Laws promulgated by our Most Worshipful Grand Lodge that sets forth the basis for the jurisdiction of our constituent lodges and trial commissions to render judgment on erring brethren.

Scripture even defines how those who pass judgment on brethren who stray from our rules and regulations should act. Again, we turn to a quotation from the Deuteronomy section on judges. "You shall not pervert justice and you shall not take a bribe, for bribery blinds the eyes of the wise and perverts just words." Further instructions are given. "According to the law they instruct you and according to the judgment they say to you shall do. And you shall not divert from the word they tell you, either to the right or left." The words of the Lord give us the framework within which we are to judge our fellow brethren. We are given the directives and guideline on how those who are judging our brethren should act so as to perform their duties with the utmost of care so that justice is served.

Jurisprudence of Freemasonry, Albert Gallatin Mackey gives us the origins of beginnings of the right to judge our brethren for violations of Masonic law. Mackey states that the power to render judgment on a lodge or a brother rests with the Most Worshipful Grand Lodge. Masonic offenses for which discipline can be invoked are set forth in the Book of Constitution and By-Laws. However, there are other sources of violations for which Masonic discipline can be meted out. One of the prime sources of Masonic violations can be found in the Ancient Landmarks. The number of Landmarks will vary from one Grand Jurisdiction to another. In Illinois, there are twenty Landmarks that are to be followed.

Mackey states that, "Injustice, therefore, in every form in which one man can do wrong to another, is a violation of the moral law, and a Masonic crime." Next in the categories that are included in Masonic crimes, are transgressions of the municipal law, or the law of the land. Finally, we look to the principals of Masonic law as set forth in the Landmarks, Book of Constitution and By-Laws of the Most Worshipful Grand Lodge, and finally, those violations that may be found in the individual lodge by-laws.

Mackey points out that a violation of the civil law automatically constitutes unmasonic behavior. This must be taken in light of the seriousness of the civil violation. For example, a traffic violation is a violation of the civil law. However, this certainly would not warrant Masonic discipline against a brother. Mackey splits violations of law into two categories, a Malum in Se is a law is an act acknowledged as to be evil until itself. It is "a violation of the moral law of nature." Of course, this would be a violation of Masonic law as well. A Malum Prohibitum prohibits an action that is not evil unto itself, but is made evil by a law of the country.

Mackey goes on to assert that a law that is Malum is a violation of the moral law, and would, therefore, also be a violation of Masonic law. Violation of a law that is Malum Prohibitum may or may not be a violation of Masonic law, depending on the laws as set forth in the Landmarks, Constitutions, By-Laws of the Grand Lodge or the individual laws of the lodge.