A Review of Our Ancient Landmarks

By R.W. Mohamad A. Yatim, G.H.

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What are Masonic Landmarks?

Masonic Landmarks are a set of principles and rules to which our Craft is bounded, and which define the identity of our institution and its governance. They are the oldest and unwritten laws of Freemasonry, handed down from before a time when written laws and regulations first existed. Sir William Blackstone, the definitive scholar on early English law, in his treatise Commentaries on the Laws of England, defined unwritten laws as those whose “original institution and authority are not set down as acts of Parliament, but receive their binding power and force of law by long and immemorial usage, and their universal reception”. Such are the Landmarks of Freemasonry. They are the original and immutable laws that define the Fraternity and pre-date any laws enacted by any Grand lodge.

The authority of unwritten laws is an anciently accepted legal principle, and is found throughout the ancient civilizations of the world. The Romans divided their laws into two groups. The written and enacted laws, they classified as the “Jus Scriptum” or Written Law. The second were the “Jus Non Scriptum” or Non-Written Law. They founded the non-written laws upon the doctrine of “Consuetudo Inveterate” or Immemorial Custom. So too the ancient Hebrews divided their laws into the Pentateuch, or the written laws, and the Oral law, handed down by God to Moses and thence traditionally handed down orally to future generations. Virtually ancient civilizations recognized and venerated the unwritten laws as the most revered of their laws, beyond the power of any government to enact or amend. The Landmarks of Freemasonry fall into the category of such unwritten laws.

Landmarks have two main characteristics: They stem from antiquity and they are irrevocable. They stem from antiquity because they have been passed down to us by our ancient brethren, “from a time when the memory of Man runs not to the contrary”, and they are irrevocable because they set forth the most fundamental principles of our fraternity and if they were ever modified, we would lose our inheritance, our core beliefs and entirely change our identity. A third characteristic generally associated with Landmarks by many Masonic scholars is Universality, although what is meant by “Universal” is often misunderstood. This Universality shall be discussed further below.

What are these Ancient Landmarks?

Historically speaking, there is no writing which recorded in specific detail what the ancient Landmarks are. Few subjects have generated more interest and debate than the Landmarks of Freemasonry. Every brother is charged to protect and preserve them, but there is conflicting information about what they are. Regrettably, when Dr. James Anderson set down the Constitutions of 1723, and referred therein to the “The Old Landmarks”, he did not recite them for reference, presumably because they were so well known at the time. He
does remind us, though, at Constitutions, Second Edition, page 71, that the craft was
governed by the Grand Master as early as the Constitutions of King Edward III (1327–
1377). Even more than two centuries before that, the Old York Constitutions record that
King Athelstan gave charter to his brother, Prince Edwin, to summon all of the Masons of
the Realm, in General Assembly at York, with Prince Edwin as Grand Master, and the
regulations enacted there called for the General Assembly to be held each year with the
Grand Master as its head. While various Grand Lodges have listed Landmarks, and some
have not, the universality of the Landmarks is that all jurisdictions accept the existence and
authority of the Landmarks, whether they list them or not. By way of example, currently the
United Grand Lodge of England recites but one Landmark, the belief in a Supreme Being.
Yet, we know that in 1723, the Premier Grand Lodge of England published its first General
Regulations, in which it is stated that “every Annual Grand Lodge has an inherent power and
Authority to make new Regulations or to alter these, for the real benefits of this Ancient
Fraternity; provided always that the old Land–Marks be carefully preserved”. This
reference to the Old Land–Marks, in the plural, provides concrete evidence that more than
one Landmark was recognized to exist by the first Grand Lodge of England, regardless of
what they presently choose to emphasize. Those landmarks were not defined in those
ancient texts, and thus it is impossible to unequivocally read what they are. Throughout
history, though, many Masonic historians, scholars and authors have debated this topic as
they have attempted to define a list of Landmarks. The fact remains that whatever these
brethren have published, these treatises are their own scholarly work and may or may not
be identical to the original ancient landmarks of our Fraternity. These scholarly works do,
however, provide an exhaustive and thoughtful approach to the subject, lending significant
certainty to the Landmarks to which New Jersey adheres.

What are the characteristics of the Landmarks?

Dr. Albert Mackey in his Jurisprudence of Freemasonry published in 1856, undertook
exhaustive research and determined his list of 25 landmarks. He described that these
landmarks have the following characteristics:

- Notional immemorial antiquity
- Absolute irrevocability
- Universality

Historians widely agree on the first two characteristics, however, the third one cited by
Mackey is generally debated. As noted above, the United Grand Lodge of England currently
recites but one Landmark: The Belief in a Supreme Being as a requirement for membership.
The majority of American Grand Lodges have not attempted to describe any specific
landmarks, however, they all agree on the two main characteristics, that all Landmarks
stem from antiquity and are unchangeable. These Grand Lodges that did list Landmarks,
range from subscribing to as few as 3 (GL of MI) and as high as 54 (GL of KY), and of,
course, they are all different to some degree.

Masonic Historian S. Brent Morris explains that “almost all jurisdictions refer to the
landmarks as things that define what Freemasonry is, and that they are unchangeable; so,
by implication, it should be obvious and there should be universal agreement about what
the landmarks are, and how many there are, but in practice this is obviously not true.”

Albert Mackey is not the only Masonic Historians who has attempted to identify the
Landmarks. In 1863, George Oliver published the Freemason’s Treasury in which he listed
Landmarks. In 1914, Joseph Fort Newton defined the Landmarks simply as "The fatherhood of God, the brotherhood of man, the moral law, the Golden Rule, and the hope of life everlasting." Dr. Roscoe Pound listed 7 landmarks. Dean Pound’s critics have noted, however, that his work, while considered interesting and scholarly, exclude some of Mackey’s list without any explanation of his reason for doing so. He is also criticized for what is considered as his attempt to analyze the Landmarks from a 20th century American, democracy perspective, and not from the perspective of the historically oligarchic society that was the Freemasonry of antiquity, predating modern democracies. The Commission on Information for Recognition of the Conference of Grand Masters of Masons in North America recited three “Ancient Landmarks” in the 1950’s. Which are:

- Monotheism — An unalterable and continuing belief in God.
- The Volume of The Sacred Law — an essential part of the furniture of the Lodge.
- Prohibition of the discussion of Religion and Politics (within the lodge).

In 1953, the Masonic Services Association of North America printed an updated version of its publication on The Ancient Landmarks, listing those identified by various Grand Lodges in the United States. That list was intended only as a compilation of the Landmarks recognized by those Grand Lodges, and was not indicated to represent any scholarly analysis of any of them. They note, interestingly, that 16 Grand Lodges do not list any, not as an indication that those Grand Lodges do not recognize the existence of the Landmarks, but merely to indicate that they have not taken any action to list them. They also note that 17 Grand Lodges recognize and adhere to the 25 Landmarks listed by Mackey.

Masonic scholars today generally agree that the Universality of Landmarks does not necessarily mean that each Grand Lodge has to adopt the exact same list, but that there is a Universal consent that the ancient Landmarks have existed since antiquity and that they are irrevocable. This explains why some Masons today continue to describe these Landmarks as Universal.

Has the Grand Lodge of New Jersey Legally Adopted Ancient Landmarks?

The answer to this is an unequivocal YES, misinformation to the contrary notwithstanding (see Appendix II). At the Annual Communication of Grand Lodge in 1903, the committee on jurisprudence chaired by M.W. Hamilton Wallis, PGM was charged, not to write Landmarks to be legislatively created, but to “take up the question of the ancient Landmarks of Masonry, and report at the next session of Grand Lodge what those landmarks are, as applicable to the Masonic Law of New Jersey”. That report presented those findings and what the research of the committee had discovered the Landmarks to be. M.W. Wallis explained to the brethren in his report that there is no “Landmarks of New Jersey” because Landmarks are Universal (i.e. that it is universally accepted that they are ancient in nature and pre-date the founding of Grand Lodge). M.W. Wallis, and his committee, stressed that “the Grand Lodge of New Jersey cannot repeal, alter, modify, or amend a “Landmark” because they are immutable”. Since, these Landmarks cannot be created by the legislative action of any modern Grand Lodge, and can only be discovered, M.W. Wallis details in his report that his committee was able to identify 10 Landmarks which they listed in their report (and to a large extent represent Mackey’s 25 Landmarks in a consolidated form). (See appendix I for the list of the 10 Landmarks).

It is clearly stated on page 114 of the proceedings of the 1903 Annual Communication of the Grand Lodge of New Jersey that at the conclusion of the reading of MW Wallis’ report,
that "M.W. Brother Josiah W. Ewan moved that the report of the committee be received, and that the results of their labors be printed in the proceedings of this Grand Lodge, and that the thanks of the Grand Lodge be extended to the committee for their research and time and trouble in arriving at this result. The motion receiving a second, upon being put to vote, was adopted."

The proponents of abandoning our core Masonic principles misleadingly claim that the adoption of the findings of the Wallis committee was, somehow, not an adoption of the discovery and acceptance of the Landmarks listed therein. They even urge that the Landmarks were “added to the Grand Lodge Constitution” and “surreptitiously achieved supremacy”. That is factually untrue. The Landmarks pre-date our Constitution, and the constitutions of all other Grand Lodges, and are not “added” to it. They precede the Constitution in our book of laws, in recognition of their place of primacy among Freemasons, and of their natural supremacy over our Constitution and By-Laws, which they have always had. The proponents of abandonment of the Landmarks rely for their position upon a footnote sent by a Grand Secretary, with no jurisprudential background, and without the imprimatur of anyone, to MSANA, expressing his own erroneous, personal opinion about the adoption of the Landmarks, some 80 years after they were adopted. Notably what these proponents fail to cite to in regard to the proceedings of 1903, is that even after M.W. Brother Wallis’ invitation for the Grand Lodge to answer the question of whether the committee had been able to find all of the Landmarks, or had made any mistakes, there was no dissent of any kind from the floor of the Grand Lodge. No one disputed the learned presentation. No one suggested any errors or omissions, and the recognition of the 10 listed Landmarks was, in fact, legally adopted. M.W. Brother Rainey’s erroneous footnote 80 years later, which the proponents of abandonment cite as the foundation for their claim, and which was never been a part of any official record of the Grand Lodge, does not change the reality that the Landmarks that we recognize, and the reasons for their recognition were presented in open Grand Lodge, open to debate, and adopted without a single dissenting voice being raised to the contrary. That reality was memorialized in an official Grand Lodge publication, on page 29 of the History of Freemasonry in New Jersey, 1787 –1987, by the History Committee, which noted, "The Masonic Jurisprudence Committee presented its report in 1903, stating that after much study and deliberation it had settled on ten landmarks as being the Ancient Landmarks of the Craft, one which emphasized the prerogatives, and the authority, of the Grand Master. The proposal was adopted in 1903 and continues in force as the basis of our Masonic Law."

It is very important to understand, and so we reiterate, that since Landmarks cannot be brought into being by legislative action, the committee was asked merely to identify them, and they did, and their report was adopted by a proper Masonic vote, and made part of the proceedings. The Landmarks as recognized were discovered, not legislated. In as much as it was made clear that the Landmarks cannot, and were not, created by any legislative action of any Grand Lodge, neither can they be altered, amended or repealed by any such legislative action.

Are the ancient Landmarks part of our Constitution and Law?

The Landmarks are NOT part of our Constitution and By–Laws, which are the enacted laws of this Grand Jurisdiction. They are contained in the Book of our Laws, but precede the Constitution and the By–Laws. The Landmarks are separate and apart, and are the first element of the Book, Title One, noting their prominence in the hierarchy of our laws. They precede our written laws because of their immutable nature and in recognition of their
paramount position in the worldwide fraternity. The same is true of Title Two, the ancient charges, which are a compilation of ancient regulations that preceded the written laws of the Premier Grand Lodge of England, and by universal consent from time of antiquity, are recognized as fundamental laws of the fraternity. They were merely written down for the first time in 1723. It is only after the presentation of these two sections, setting forth the ancient and unchangeable laws, that we get to the Constitution and By-Laws of this grand jurisdiction, which are of course changeable.

Are we required to preserve these Landmarks?

By definition a Landmark is ancient and irrevocable. The Constitution and Laws of our Grand Lodge clearly prohibits the removal or violation of any Landmark, usage, or custom. Article 1, Part 2 (h) reads “the principles of the Ancient Landmarks, customs, and usages shall be strictly observed.” Article 3, part 1 reads “The Grand Lodge shall have the power to establish a uniform mode of working throughout the jurisdiction, strictly adhering to the ancient landmarks, usages, and customs of Masonry, which are on no account to be removed or violated.” Our Master Mason charge reads “The ancient landmarks of the fraternity you are carefully to preserve, and never suffer them to be infringed, nor countenance a deviation from established customs.”

What if I don’t agree with certain Landmarks?

It has been established, unequivocally, that the Wallis report on the ten landmarks have been legally adopted by our Grand Lodge. It is beyond dispute among all Masonic Scholars that the Landmarks cannot be modified. They have been strictly observed in New Jersey for one hundred and eleven years so far. Like any holy book, you may or may not agree or understand everything that it is in it, nevertheless, no one possesses the authority to re-write it. The proponents of abandoning the Ancient Landmarks and customs of Freemasonry, because they appear to have concerns about the authority of the Grand Master, seek to do just that, to re-write the Landmarks, without regard to the very real, historical and legal authority always possessed by Grand Masters. Some brethren might fear that a Grand Master might misuse some of the powers given to him by virtue of these Landmarks, and this might be a valid concern. However, we in New Jersey, have one of the most democratic Grand Lodge election systems in the world, and thus have control over that. When we elect one of us to ascend to that Grand Oriental chair, we attempt to vote-in the most qualified Brother to lead us and preside over our Grand Lodge. We place our trust in him to rule our craft with compassion and wisdom. Since the Grand Master is a human being, he is, like any of us, vulnerable to error. Our system also allows any future Grand Master to reverse any action taken by a predecessor, should he deem it necessary.

The mistaken position advocated by the proponents of abandonment, that Landmark 3 confers powers on the Grand Master not recognized anywhere else, merely demonstrate an uninformed understanding of the role of the Grand Master throughout the history of the Craft. This concern regarding the understanding of the authority of a Grand Master was anticipated by the Wallis Committee, and addressed at length in that report. The committee expressly stated: "We are aware that these prerogatives attached to the office of Grand Master to the uninformed may be rather startling. But, as has been said, we are to inquire as to the ancient ‘Landmarks’, and must therefore ascertain, define and recognize the original powers of Grand Masters. We are too apt to overlook the fact that the office of Grand Master was not originally created by any Grand Lodge, but existed long before Grand
Lodges were known, having its origin in the remote past of which no record has come down to us. The office itself is a ‘Landmark’. As was well said by a distinguished Masonic authority and writer of England:

"Many persons ignorantly suppose that the election of the Grand Master takes place in consequence of the law of regulation of the Grand Lodge. Such, however, is not the case. The office owes its existence to a Landmark of the Order. Grand Masters are to be found in the records of the institution long before Grand Lodges were established; and if the present system of legislative government by Grand Lodges were to be abolished, a Grand Master would still be necessary. In fact, although there has been a period within the records of history, and indeed of a very recent date, when the Grand Lodge was unknown, there has never been a time when the Craft has not had a Grand Master’ — Paton’s Freemasonry and Jurisprudence, London, 1872"

That Committee relied on learned writings of the 19th century, and extensive research, and concluded: "Bearing these facts in mind, it is at once apparent how practically unlimited the powers of the Grand Master must have been.” It is also noteworthy that in addressing the authority of the Grand Master, scholars have all agreed that the Grand Master is the “Grand Master of Masons”, and not the Grand Master of the Grand Lodge. Our jurisdiction has always recognized that distinction in the titles of our Grand Lodge officers. The Grand Master and the Deputy Grand Master are expressly titled as the Grand Master or Deputy Grand Master of Masons of the State of New Jersey. The other elected grand line officers are all "of the Grand Lodge". The significance of this is that our jurisdiction supports the important historical principle that, "the office of the Grand Master is independent of the Grand Lodge, and that all the prerogatives of the Grand Master are inherent in his office and not derived from, nor amenable to, any modern constitution.” — Committee of Foreign Correspondence, Grand Lodge of New York, 1854. If the Grand Lodge were to be dissolved, and Craft Masonry devolved to its condition of individual lodges, as prior to 1717, the office of the Grand Master would remain unaffected and he would remain possessed of all his powers. — Jurisprudence of Freemasonry, Mackey, Revised Edition by Clegg & Blakemore, 1927 & 1953.

The powers and prerogatives of the Grand Master, as set forth in Landmark 3, stem from a time before Grand Lodges existed. Anderson and later Preston, in their works, dating back to 1723, present a long list of Grand Masters who were not elected, but held their appointment from the King. It was not until 1663 that a Regulation was adopted in Scottish and English Lodges, that provided for a Grand Master to be elected by the annual General Assembly of Masons. The General Assembly of Masons is a very different entity than a Grand Lodge. The General Assembly consisted of all Masons, even Entered Apprentices, each having an equal vote to cast. A Grand Lodge is a representative entity, representing the Lodges, the members of which are not even required to vote in a manner prescribed by the members they represent. Masonic scholars agree that the powers and prerogatives of the Grand Master are inherent ones, that is, not created by any statute of any Grand Lodge. Those powers are the result and concomitant of his high office, whose duties and prerogatives existed long before the organization of Grand Lodges. — Jurisprudence of Freemasonry, Mackey, Revised edition, by Clegg & Blakemore, 1927 & 1953.

Those prerogatives, from before our written laws, included: The right to convene a Grand Lodge at any time and place as he might deem expedient; the right to preside over every assembly of the Craft, whatsoever and wheresoever held; the right to visit and enter any lodge; the right to appoint deputies and officers; the right to cast a second vote to break a tie; the right to grant dispensations and edicts to do what is otherwise forbidden by laws or regulations and to dispense with any law or regulation that are not Landmarks or to exempt
persons from the obligations to comply with the same; the power to authorize Freemasons to congregate and to form a lodge; and the prerogative to make a Freemason at sight. — Jurisprudence of Freemasonry, supra, at 317, 1927 & 1953.

The powers of the Grand Master, particularly with regard to the power to suspend any rule or regulation that is not a Landmark, was also challenged in the New Jersey courts, by M.W. Rutledge, a Past Grand Master and an attorney, in his suit of Rutledge v. Gulian. In that matter, the New Jersey Supreme Court upheld that authority of the Grand Master under Landmark 3.

The suggested resolution offered by the proponents of abandonment is no resolution. Abandoning our core principles, and landmarks that have defined Freemasonry from time beyond memory, is no solution to anything. The argument that Freemasonry should become some new thing, crafted to conform to modern ideas of democracy, and advocate a “revolution” to free ourselves from tyranny, are not the principles of ancient craft Masonry. Throughout history, Masonry has always been an oligarchy, and not a democracy. While allowing a liberally democratic voice, New Jersey, and all of Freemasonry, remain essentially an oligarchy. The expressed concern of these proponents over the potential for abuse of power is nothing new. It may even be a legitimate concern from time to time. Because it is not new, it has been addressed by writers of the last two centuries, and is summed up well by Clegg & Blakemore, who write, "Should the Grand Master ever abuse this great power, and by unjust or incorrect decisions endanger the prosperity of the Institution, the conservative principle of an annual election will afford a competent check, and the evil of an oppressive or ignorant presiding officer can readily be cured by his displacement at the constitutional period, and in the constitutional way.” — Jurisprudence of Freemasonry, supra at 328, 1927 & 1953.

The Landmarks have defined the Institution. The solution to the concern expressed is not to attack the Landmarks, but as Masonic scholars over the centuries have suggested, and which has been successful, is to exercise great care in the selection and election of the brethren we vote into this high office with the enormous authority that is inherent therein.

Our Landmarks are legitimate, and have been adopted, and are beyond dispute. The time to dispute them was a hundred and 11 years ago, in 1903 when not a single dissent was recorded. They are by definition unchangeable. We are all bound by our obligations to uphold and preserve them. That these current proponents seek to induce the Craft, to violate those obligations, does not provide any legitimate basis to do so. The preservation of our Ancient Landmarks is central to our Institution and all efforts to attack them must be diligently rejected by all upright Masons.

This report has been reviewed and approved for publication by M.W. Gerald J. Sharpe Grand Master of Masons of the State of New Jersey 2014-2015 and has the endorsement of the Elected Grand Lodge Officers
APPENDIX I

The 10 Landmarks adopted by the Grand Lodge of New Jersey in 1903

1. Belief in God as the Great Architect and Supreme Ruler of the Universe.
2. The acceptance of the revealed Word of God as the rule and guide for our faith and practice, and its visible presence in every lodge.
3. The Grand Master is elected by the Craft, and holds office until his successor is duly installed. He is the ruler of the Craft and is, of right, the presiding officer of every assemblage of Masons as such. He may, within his jurisdiction, convene a lodge at any time or place and do Masonic work therein; may create lodges by his warrant and arrest the warrant of any lodge. He may suspend, at his pleasure, the operation of any rule or regulation of Masonry, not a "Landmark." He may suspend the installed officers of any lodge and reinstate them at pleasure, and is not answerable for his acts as Grand Master. He may deputize any brother to do any act in his absence which he himself might do if present.
4. A Masonic Lodge must have a Master and two Wardens, and, when convened for Masonic work, must be duly tyled.

> No person can be made a Mason unless he is a man, freeborn, of mature and discreet age, of good character and reputation, and having no maim or defect in his body that may render him incapable of learning the art and of being advanced to the several degrees, nor unless he apply for admission without solicitation, and take upon himself the Masonic obligations. Nor can he be admitted to membership in a Masonic lodge except upon a secret ballot by the brethren of that lodge.

5. Masons, as such, are equal, possess the right to visit every lodge or assembly of Masons where their presence will not disturb the peace and harmony of the same, and to appeal to the General Assembly of Masons, or its substitute, the Grand Lodge, whenever aggrieved by any act of a lodge.
6. The Master of a lodge, before his election as such, must have served as a Warden. He and the Wardens are elected by the members of the lodge, but hold their offices by virtue of the warrant of the Grand Master, until their successors have qualified. They are his representatives in a lodge, and are not, therefore, responsible to the lodge for their official acts, nor can they be tried or disciplined by their lodge during their term of office.
7. Every Mason, for Masonic purposes, is subject to the jurisdiction of the lodge within whose jurisdiction he resides.
8. The legend of the third degree; the means of recognition; the methods of conferring degrees; the obligations of those degrees and the ballot of every brother are and must continue to be inviolably secret.
9. Ancient Craft Masonry includes only the Entered Apprentice, Fellow Craft and Master Mason Degrees.
114  GRAND LODGE OF NEW JERSEY.

DEGREES—
10. Ancient Craft Masonry includes only the Entered Apprentice, Fellow Craft and Master Mason degrees.

We are aware that many other so-called “Landmarks” have been formulated by various Masonic authorities, but apparently in every such case the origin of such so-called “Landmarks” is found to be in some enactment of a Masonic body, or is some regulation of a Grand Lodge, or has to do with a Grand Lodge. As Masonry antedates all Grand Lodges, the “Landmarks”—the original basic principles of the Fraternity—must antedate all such organizations. And principles and practices, however respected or venerated, either enacted by Grand Lodges or having to do with such bodies cannot be “Landmarks.”

For instance, there is no principle of more general acceptance in the Fraternity to-day than that a profane cannot be made a Mason except in a duly organized Masonic Lodge holding a warrant from some recognized Masonic authority. Yet it is thoroughly well known that something more than two hundred years ago Masons were made in Lodges convened for the occasion, with no authority to do Masonic work except the fact that the brethren were Masons, and which dissolved as soon as the purpose which had called them together was accomplished; and Masons so made were recognized as regularly made and admitted by election into duly-warranted Lodges. That a Lodge can only act under a warrant is not, therefore, a “Landmark.”

Other similar cases might be cited, but this is sufficient to show that because a principle of Masonic law is now generally accepted, it does not follow that it is one of the “Landmarks” of Free Masonry.

Fraternally submitted,

HAMILTON WALLIS,
JOS. W. CONGDON,
CHAS. H. MANN,

Committee on Jurisprudence.

Dated Trenton, N. J., March 11th, 1903.

M. W. Brother Josiah W. Ewan moved that the report of the committee be received, and that the result of their labors be printed in the proceedings of this Grand Lodge, and that the thanks of the Grand Lodge be extended to the committee for their research and time and trouble in arriving at this result. The motion receiving a second, upon being put to vote was adopted.