

THE IMPACT OF MASONRY ON THE CONSTITUTIONAL CONVENTION

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The purpose of this paper is to suggest how and to what degree Freemasonry exerted an influence over the delegates and their work at the Constitutional Convention in Philadelphia, Pennsylvania, in the epochal year of 1787. A number of Masons attended the Convention, as we know, and we are told that among the 39 signers of the Fundamental Law that they produced, 13 were at some time in their lives associated with Masonry. Of that number, 11 were Freemasons at the time that they participated in the Convention. Subsequent to the Convention, two others, William Patterson of New Jersey and James McHenry of Maryland, became Masons in 1791 and 1806, respectively.

My interest, however, is not in numbers but in ideas. What did the delegates think, and why did they think as they did? Were the thoughts of Masons in the Convention distinguishable from the thoughts of their non-Masonic counterparts and, if so, were their opinions shaped by their experiences in the Craft? Unfortunately it is not possible to definitively answer these questions because of a number of extenuating circumstances, among which the most important may well have been the still unsettled state of the Craft itself in the last decades of the Eighteenth century, in this country and abroad. The structure, authority, and customs and courtesies of the fraternity, whose Grand Lodge form dated only from 1717, were still evolving. Hence Masonry in the years between the formation of the first independent Grand Lodge in Virginia in 1778 and the convocation of the Constitutional Convention in 1787, was living through a period in which active Masons were concerned primarily about the establishment and regulation of the Craft. And even with regard to those restrictive purposes, they wrote relatively little.

Nevertheless, many of Masonry's students, despite the fragmentary nature of the evidence at hand, attribute great political importance to the Craft during the Eighteenth Century. Among those who have done so is Bernard Fay, a distinguished scholar who in 1935 wrote a lengthy opus entitled "Revolution and Freemasonry 1680-1800". In that work he remarked that from the Middle Ages, Freemasonry in England was a social force. "Through their technical secrets gathered from all corners of the globe, the glory acquired by their achievements and the numerous great people who wished to be affiliated with that great guild," he said, "the Masons held tremendous power." It was his observation that with the advent of the Renaissance, a period of decadence began, and in consequence the Masons lost some of their power, though they retained their popularity. People were building less, he said, but they were philosophizing more, and he claimed that the mysteries of the Craft, whose members seemed to possess powerful secrets, "piqued the interest and inflamed the imagination of the people . .

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In his review of the formation of the Mother Grand Lodge in England, Fay concluded that decisions were made which transformed professional Masonry into philosophic Masonry, a change that included all men of good will to its membership, “regardless of profession, race, religion or nationality.” This change was implemented, Fay averred, largely through the efforts of John Theophilous Desaugliers, who wanted the people to fight against the ignorance of man. “Under his influence,” said Fay, “Freemasonry was organized as the great center of enlightenment, which was to dissipate the darkness of the century and confound both the foolish superstitions of the time and the blind obstinacy of the atheist.”

Fay saw the reorganization of Masonry in 1717, “an association which had relinquished all of its technical preoccupations and aimed to devote itself to philosophy and benevolence with the high purpose of restoring social and moral order by establishing a new intellectual discipline.” Its purpose, he declared, “was a complete renewal of all accepted values and the establishment of a new code of morals.” In its new role, “Masonry no longer placed itself on the ground of feudal and monarchical loyalty,” he said, in claiming that, “Masonry invariably denied that it had anything to do with politics, but it never allowed governments to thwart the fulfillment of its mission and at the very beginning closed all Lodges to state control.”

It should be recognized that Fay, in commenting on the second charge in Anderson’s Constitutions (dealing with a Mason’s relationship to the civil magistrate, supreme and subordinate), never claimed that the speculative Masons of England used the Craft to obtain political ends. And this is as it should be, for in the entirety of the period from 1717, when the Mother Grand Lodge was formed, through the years of the Constitutional Convention in America and beyond the English Craft was concerned about more mundane problems which, if unresolved, may well have destroyed the Craft. Their concerns focused upon the unification of as many as five Grand Lodges into one, and on the attainment of unanimity over internal issues pertaining to the processing of candidates and the perfection of Freemasonry’s ritual and ceremonies. It is to subjects such as these that the written record of Masonry in the Eighteenth Century in England was focused, and it did so almost exclusively.

It is difficult to say how the growing experiences of a Speculative Craft in Europe, principally in England, Scotland, and Ireland, influenced the molding of Masonic thought in America. Undoubtedly, there was an influence, through the creation of the Provincial Grand Lodges, through the chartering of local Lodges, and through the conferral of the Degrees in Europe on Americans sojourning there for business or study.

Moreover, the military Lodges attached to the British armed forces in America were potent forces in the spread of Freemasonry in this part of the New World. But the records of such activities are scant, as M/W Melvin M. Johnson, Past Grand Master of Massachusetts observed in his book, “The Beginnings of Freemasonry in America”.

Therein he notes:

“The early Lodges and Provincial Grand Lodges were careless about the keeping of records. Even the Mother Grand Lodge itself has no formal record book for more than six years after its organization. And the premier Provincial Grand Lodge of the Western Hemisphere, organized in Boston, Massachusetts July 30, 1933, has no formal and continuous records written in a book at the time of the recorded events, until 1750.

Clearly the record of Freemasonry in America, prior to the creation of independent Grand Lodges is incomplete, a fact that its accurate interpretation impossible. Still, says Johnson, “too many so-called Masonic historians, since the days when they should have known better, have added fiction to fable and imagination to both, using the manifest errors of their predecessors as gospel, dreams as evidence, and guess as proof.”

It is from the prospective of these sage words of warning that I recently reviewed a modern tract entitled “Freemasonry and the Constitution”, wherein one reads an interesting assortment of inflated claims in which truth and fiction are intermixed. In this document it is stated that the rise of modern Masonry coincided with the struggle for constitutional government and the growth of the newly developed middle class; that the forefathers of our Fraternity on both sides of the Atlantic were unceasing in combating the forces of autocracy and mob rule; that it was the thoughts of Sir Isaac Newton, Lord Bacon, and John Locke that the Constitution makers of 1787 had in mind; that the philosophies underlying the American Constitution and Freemasonry are identical in character; that Freemasonry’s principles made it the leading social force of the Eighteenth Century; that the framers of the Constitution looked to Montesquieu as the oracle of their political wisdom; and that Washington and six Masons, who had been or would ultimately be Grand Masters, labored with other members of the Craft (inferentially on the basis of their Masonry) to lay wide and deep the foundations of our liberties.

A still more recent work, prepared as a guide for use in the celebration of our Bicentennial of the U.S. Constitution, repeats many of these claims and adds another element to them. In it one notes the attempt to associate the words of the Preamble to Masonic philosophy. The proponents of this claim have apparently overlooked the fact that the Preamble was a last minute inclusion of the Committee on Style and Arrangement, a group of five which included four non-Masons, and that the actual words came from the pen of one of the latter, Gouveneur Morris. The only Mason on the Committee was Rufus King, who is believed to have entered the Fraternity in 1781. Obviously his Masonic experience was limited. This document has one redeeming feature, however, in that it presents a well balanced assessment of the Constitution as freedom’s greatest document, in the form of an extract taken from the Sovereign Grand Commander’s message that appeared in the September 1986 issue of “The New Age”.

I hold that in claims such as those to which I have referred there are elements of both fact and fantasy, and when taken as a whole, they do little to explain the basic thoughts of either the Masons or the non-Masons who made up the membership of the Constitutional Convention. There men of good faith, from various walks of life, fought for the best interests of their constituencies, and when necessary for the good of the nation, they pragmatically arbitrated their differences. This is the message of those who have recorded their impressions of the Convention, and this is also the opinion of Catherine Drinker Bowen, an authority whose book, “The Miracle at Philadelphia”, has become a classic. In that work, she states her case as follows:

Characteristically, the Convention never stayed long upon theory. Its business was not to defend “freedom” or to vindicate a revolution. That had been done long ago, in July 1776 and later, when colony after colony created its state constitution, flinging out its particular preamble of political and religious freedom. The Convention of 1787 would debate the rights of states, but not the rights of man in general. The records show nothing grandly declaratory or defiant, as in the French Constituent Assembly of 1789. America had passed that phase; had anyone challenged members, they would have said such declarations were already cemented in their blood. In 1787 the states sat not to justify the term United States but to institute a working government for those states. One finds no quotations from Rousseau, John Locke, Burlamaqui or the French “philosophies”, and if Montesquieu is invoked it is to defend the practical organization of a tripartite government. When the Federal Convention discussed political power, or governmental authority, they discussed it in terms of what was likely to happen to Delaware or Pennsylvania, New Jersey or Georgia.

Most of the members of the Philadelphia Convention, in short, were old hands, politicians to the bone. That some of them happened to be men of vision, educated in law and the science of government, did not distract them from the matters impending. There was a minimum of oratory or showing off. Each time a member seemed about to soar into the empyrean of social theory - the 18th century called it “reason” - somebody brought him round and shortly. “Experience must be our only guide,” said John Dickenson of Delaware. “Reason may mislead us.

Ms. Bowen relied heavily on the notes compiled by James Madison for the information she presented in her book. She states that Madison was an indefatigable reporter, “his notes comprehensive, set down without comment or aside.” Others at the Convention also took notes, she said, including Hamilton, Yates, and Lansing of New York, McHenry of Maryland, Patterson of New Jersey, Rufus King of Massachusetts, William Pierce of Georgia, and George Mason of Virginia. But in her view most of the memoranda they produced “were brief, incomplete,” and, “had it not been for Madison we should possess very scanty records of the Convention.” She used those records effectively to analyze the work of the Convention, where political strength was formed out of disunity.

Examination of the material presented in the book, “Miracle at Philadelphia”, reveals the depths of the divisions that separated States and even the delegates within states over major issues that were placed before the Convention. Men of honor and of conviction stood at odds over the merits of the organizational plans presented, and even after the attainment of agreement on the plan, there was seemingly endless disagreement over implementation. Questions pertaining to executive power, representation in the Congress, and the differentiation of the federal and state prerogatives necessitated hours of debate over the course of the summer.

The record of the Virginia delegation testifies to the spirit of independence that prevailed at the Convention. This delegation, in addition to George Washington, the chairman, included Edmund Randolph, John Blair, James Madison, Jr., George Mason, George Wythe, and James McClurg. Randolph had the honor of presenting the Virginia Resolves, the so-called Virginia Plan, which ultimately became the foundation upon which the Constitution rests. But when it became time to sign the finished document, Randolph

declined to do so. So too did George Mason, who was numbered among those who favored the New Jersey rather than the Virginia Plan. Randolph and Mason were both concerned about the impact of the document on the fundamental rights of states and individuals whose interests may well have been endangered by what Madison foresaw as a new government “vibrating between a monarchy and a corrupt, oppressive aristocracy.” In fact only three Virginians, Washington, Madison, and Blair, actually signed the document in Philadelphia, a sparse showing for the Commonwealth which considered itself the prime mover in the affair. In fairness, however, two others, George Wythe and George McClurg, indicated their approval of the draft, although they were not present for the signing.

But if State delegations were divided, so too were the Masons at the Convention. They opted to defend the interests of their constituents, and it does not appear that they caucused at any time as Masons to look at the problems set before them. In fact, they expounded and vigorously defended their views, unencumbered by anything except the facts as they perceived them. In consequence there was a lack of unanimity among Masons at the Convention over a number of issues, and this is as it should have been.

The foremost member of the Craft in Philadelphia was George Washington, who acted as Chairman of the Convention, in which capacity he opted to refrain from speaking to the issues that came before the delegates, even when discussions were held in the forum of a committee of the whole. Before the opening of the Convention he made it known that his sympathies lay with a national government. Yet only on the last day, September 17, did Washington rise to take part in the discussions. This, it appears, was his management style. Also declining to speak was his fellow Virginian, John Blair who, like Washington, silently favored a strong central government. So too did Benjamin Franklin of Pennsylvania, Rufus King of Massachusetts, Nicolas Gelman of New Hampshire, John Dickenson of Delaware, and Daniel Carroll of Maryland, all of whom chose to speak to and work for the kind of a Constitution that was ultimately adopted.

This did not deter other Masons at the Convention from working hard for an alternative, the New Jersey Plan, and after the rejection of that plan, from championing the cause of states rights in the debates that were essential to the formulation of the articles and sections of the document that was to be produced. They saw in the Constitutional proposals dangers that would work to the disadvantage of the smaller states. Included in this group of Masons were Gunning Bedford of Delaware, David Brearley, John Dayton, and William Patterson of New Jersey; and probably Jacob Broom, also of Delaware. Nevertheless, when it came time to sign the finished document, they all did. One known Mason, Edmund Randolph of Virginia, declined to sign, however, as noted above, as did two others who may have been members of the Craft -William Blount of North Carolina and Eldridge Gerry of Massachusetts. The only other non-signer among the delegates who were still in Philadelphia at the close of the Convention was George Mason, also from Virginia.

It may be of interest to note that among the Masons who signed the Constitution, four of them, David Brearley, Gunning Bedford, Jr., John Blair and Ben Franklin had the privilege of serving their jurisdictions as Grand Masters. On the whole, however, and excepting Franklin and Washington, whose Masonic experience dated from 1731 and 1753, respectively, Masons at the Convention were young in the Craft. Six of the eleven

who had taken the degrees prior to the Convention had been Masons for less than ten years; one of the group was a fourteen year Mason; one a 34-year Mason (Washington); one a Mason for 56 years (Franklin); and the longevity of another, Jonathon Dayton, is not precisely known. Interestingly, two of the delegates normally counted among the Masonic signers, William Patterson and James McHenry, did not enter the Craft until after the close of the Convention, in 1791 and 1806, respectively. In such circumstances the extent to which Masonry may have influenced the participation of most of the group must remain a matter of conjecture.

Nevertheless there are interesting parallels which can be drawn between the development of Masonry in the Eighteenth Century and the development of the U.S. Constitution. Both the U.S. Constitution and the Constitutions of Masonry were created in response to need, and in the responses of those involved, permanent changes were induced on the structure of the body fraternal and the body politic. These responses, in short, transformed man's perspectives relative the extension and preservation of authority, to the application of executive power, and to the definition of the basic rights of the governed.

Joseph Fort Newton, speaking to the formation of the first Grand Lodge in London, observed that by this act, "Masonry was not simply revived, but refashioned, recast, and refounded on a different basis . . .," and in the process, he observed, the Craft had undergone a "complete and thorough-going revolution." The transformation of the American Government in consequence of the actions taken at the Constitutional Convention was no less revolutionary, for it created a new and complete political philosophy, one characterized by some as "the most profound and perfect ever devised by man." As Ralph J. Pollard observed years ago, the government created was ". . . the finished and perfect product of 10 Centuries of Anglo-Saxon political experience."

The revolution in the Craft to which Newton referred was threefold in nature. "First," he said, "the very idea of a Grand Lodge as a central governing body with a supreme authority was novel, as much in its existence as in its extraordinary powers, unlike anything before known to the Craft. There had been certain old Lodges, to be sure, which had exercised some of the functions of a Grand Lodge, to the extent, at least, of giving authority and direction to the founding of other Lodges; . . . But the Grand Lodge of 1717 went further, in that it took complete command of its Lodges . . .; and it is no wonder that this unheard-of authority provoked resentment and challenge, the more it no longer confined its jurisdiction to Lodges within ten miles of London, as it first declared, but invaded the Provinces."

Seventy years later the delegates to the Constitutional Convention took action in the political sphere by creating a Fundamental Law to transform a Confederation of separate States into a Federal Union of United States, and by so doing, to subordinate and define the political rights and powers of all governing bodies in the nation. The task was not an easy one, and its completion necessitated compromise, arrived at in consequence of long and sometimes bitter debate. Many leaders in several states in the Confederation did not look with favor on the process. But in the end union was established, and the die was cast for the future of this part of the American continent. The country opted for federation rather than confederation, and thereby assured the concentration of national power in a national government.

The second part of Masonry's transformation, as seen by Newton, concerned the administration of the Craft. "The office of Grand Master," he said, "was new both in its creation and in the power with which it was invested; a power unquestioned, it would seem, and well nigh absolute - augmented apace until he had the sole power of appointing both his wardens." Newton, commenting on the consequences of this innovation in the management of the Craft, stated that: "Happily, the early Grand Masters - with one notable exception - were wise men in no way disposed to exercise, much less abuse, the vast power with which they were invested." The Constitutional Convention took action that also revolutionized the exercise of executive authority in the United States. The issue was hotly debated, of course, and there were those who bitterly opposed the establishment of a single executive. But reason won out, and in the end, the Presidency of this country was allocated powers that exceeded those of the British sovereign. The Presidential selection process, however, was by a means much more democratic than was that used to select Grand Masters in the Mother Grand Lodge.

The third major feature of the Masonic Revolution that took place in England after the creation of the Mother Grand Lodge in 1717, according to Newton, concerned the position of Masonry relative to government and religion. The new Constitutions, adopted in 1723, forbid Masonic meddling in politics by stating its resolve "against all Politics as what never yet conduced to the welfare of the Lodge, nor ever will." This position was taken in the aftermath of an attempt by a Grand Master, the Duke of Wharton, to use the power of the Craft against the ruling sovereign. Much more significant to the Craft, however, was the rewriting of Masonry's position relative to God and religion. In this rewrite Christianity was discarded as the only religion of Masonry. In the opinion of Gould this decision was looked upon by many Masons in those days in very much the manner that we now regard the absence of any religious formulary whatever in the so-called Masonry of the Grand Oriente of France. This Charge was the cause of decades of discussion in England and one of the primary causes of the serious split that occurred in Masonry in that country in the 1750's.

The Anderson Constitution and the Charges therein contained were accepted without question in the United States, the Craft always priding itself on the fact that it refrained from partisan politics and on the fact that it respected the spiritual preferences of all men who professed a belief in God. Thus it was easy for Masons, before, at the Convention, and afterwards, to champion the cause of human rights, particularly those encompassed by the amendments to the Constitution, affixed after the approval of the Constitution proper.

In conclusion I should like to observe that the organization of American Freemasonry, unlike its English forebears, never looked with approval on the unification of the Craft into one major national Grand Lodge. Its Grand Lodge structure, formulated for the most part in the last quarter of the Eighteenth Century, was State oriented, and that orientation prevails to this day. Thus it is interesting to note that while the leaders of American Freemasonry held and still hold to the principal of State sovereignty in matters fraternal, they were willing in 1787, and have been ever since, to centralize and Federalize in matters political. Can there be any more telling evidence that our brother Masons were able to successfully differentiate between their obligations and to properly prioritize their responses? It appears, in short, that they "put first things first" at Philadelphia in 1787.