

From: [Adrian Fontes](#)
To: [MW Brook Cunningham](#)
Cc: [meiercastle](#) ; [Jeff Carlton](#) ; [Bill Garrard](#)
Sent: Wednesday, February 29, 2012 12:43 AM
Subject: An Open Letter to MWGM Cunningham from Adrian Fontes

Dear Grand Master,

Because you have relieved me of my duties on the Grand Lodge Jurisprudence Committee, I can now freely express what my judgments are regarding your actions of late. My obligations as a Grand Lodge Committeeman, including my obligation to act in the best interest of the Grand Lodge – at your service – ahead of the interests and information of my Brothers, have ceased.

In case, however, you have forgotten who I am, let me remind you that you appointed me to the Jurisprudence Committee this year after I successfully re-organized the entire Arizona Masonic Code, a two-year long project almost unanimously approved by the Grand Lodge. I have taught countless classes on Arizona Jurisprudence and I am one of about three men in this State who can be counted as an expert in this area. I have advised you and several Grand Masters on issues regarding Arizona Jurisprudence and will do so as long as there is breath in my body. I continue to practice law and teach US Constitution classes. I was instrumental in forming a Lodge recently, and currently serve as a Warden in two Lodges while personally coaching candidates in the old-fashioned mouth-to-ear form. I am frequently invited to speak to Lodges on these types of issues, and I am, usually, an all-around nice guy.

First, your decision to arrest the Charter of Hiram Daylight was technically justified. The Master failed to hold the June 2011 meeting, which was a technical violation of the Code and Lodge By-Laws. The problem I had with this action is that this particular Lodge traditionally failed to meet in June as their meetings are on the first Saturday of the Month. Sometimes they got dispensations to miss a meeting, and sometimes they did not. So, while numerous Past Grand Masters simply turned the other cheek on this merely technical violation (because the Lodge Officers were usually at the Grand Communication on the first Saturday in June), you chose to lower the boom. This was an excessively harsh exercise of your power, but nothing technically wrong here.

Second, I address your suspension of Lodge membership on the arrestment of that Charter. While I must concede that this is the technically appropriate thing to do (which is also harsh, but within the four corners of the Code), it is highly unusual for any suspensions to accompany the arrestment of a charter. As I understand from a review of the Grand Lodge Proceedings, since the year 2000 about five or six charters have been arrested...but in none of those other cases did any suspensions occur. Additionally, the arrestments usually happened very near the end of the Grand Lodge year. So your suspension of some members was unusual, but not, in my mind, illegal (you actually should have suspended the entire membership...if you were going to follow the Code to the letter for consistency). But again, I saw no technical violation, even in the targeted suspension of a few members. (I could, however, pretty easily be swayed otherwise.)

Third, I find your suspension of the Secretary of that Lodge particularly troubling. It is no secret that you have "had it in" for W.:Bro.: John Ruth for a long time. But not only was he NOT responsible for calling Hiram Daylight's Lodge meetings (which was the reason for the arrestment and suspension), but his net worth to the Lodge and the Fraternity is far higher than most knew. By suspending him, two other Lodges (where he was the Secretary) and the Brothers in those Lodges lost a significant human resource. So, your decision was rash and particularly sinister (he suffered a stroke as a result of the suspension, a loss of income and other significant problems that your decision put on his household), it remains, technically legal.

Fourth, the return of the Charter to Hiram Daylight was clearly illegal (but from a warm-and-fuzzy point of view, it was the right thing to do). Regardless of the tortured reading your hired lawyer put forth, his argument is without merit. In his mind, and presumably yours, the Grand Master has some mysterious mythical power to do whatever he wants whenever he wants to whomever he wants in any way he feels is ok. This is the attitude that has, very wrongly, laid under foot the powers of the Sovereign and Constituent Lodges of this Grand Jurisdiction. The only way your authority to return the Charter to Hiram Daylight after arrestment would exist is if we **ignore** two clearly written sections of the Constitution. These sections, which you and your lawyer seems to omit when reading the Code, explicitly forbid the return of an arrested Charter prior to the next Annual Communication. In a vote of the Jurisprudence Committee taken on January 26, 2012, your action was determined to be illegal and a violation of the Constitution. I cast a vote agreeing with that outcome.

So the score so far is Grand Master 3, his Detractors (including me) 1.

Fifth, reasonable minds can differ on what makes a good subordinate officer. You, apparently, cannot tolerate even a slight deviation in neckwear. It is then time to put to the test your three letters regarding the Deputy Grand Master (I omit the details here because most of the readers of this letter are tired of the details). To begin with, the Jurisprudence Committee couldn't exactly figure-out if you had fired the DGM or not. This is what led the committee to ask the critical question: "If the Grand Master dies, who becomes the Grand Master?"

Sometime after that January 26, 2012 meeting (where the above question was formulated by the committee and directed to you) I called you because you had avoided answering the committee's question for three weeks. (Which I found very interesting, since you were the one to call that meeting in the first place, specifically intending to get an answer from us about your actions.) You told me during that call that Michael A. Meier was still the Deputy Grand Master, and if you died he would ascend to the Grand East.

My problem is (as I told you) and still remains; you have never communicated this clearly in writing to the Craft! **Most of the Men that I know think you fired the Deputy Grand Master, Michael A. Meier.** In support of this assertion, the evidence is clear...you have been charged by at least three Lodges with un-Masonic Conduct and at least eight Lodges are demanding a Special Communication of the Grand Lodge because of this intentional misunderstanding.

You are clearly not communicating well with the Craft, and it looks like you want the confusion to continue.

The legal analysis becomes quite simple on these facts: a) you have the power to manage and administer the Craft, b) you have removed the DGM's duties and responsibilities, including his ceremonial duties, and c) Michael Meier remains the Deputy Grand Master...first in line to the Grand East when you die.

It is, therefore, my reasoned judgment that you are acting and have acted within your technical power to manage the Craft and its Officers. Michael A. Meier will succeed to the Grand East if you die and/or when he gets elected in June. Of course, had you not fired me from my post on the Jurisprudence Committee, I would have had no choice but to make the same argument I make here, and submit, that you have made technically legal decisions in this case (as I understand the facts in my description above).

Grand Master 4, Detractors 1.

So why are you making no effort to clarify to the Craft the correct state of affairs? Why are you continuing (see the latest issue of Arizona Masonry) to perpetuate the **damage** you are doing to the DGM by republishing your January 2, 2012 letter in our statewide publication that goes all around the World? ...and this after you and your allies have quashed all discussion of these same issues at Lodge Meetings all around the State? Oh hypocrisy!

I'll make my argument to answer these questions below, but I must mention a few things first...in fairness...

I am writing this as an open letter to you because you removed my gag. When you appointed me to the Jurisprudence Committee, I felt that my first responsibility was to maintain the integrity of the process and make certain that the Grand Lodge was well represented and well served. I maintained relatively quiet and conversed only with a few Brothers in confidence. This I did at the expense of being able to defend a friend who was under attack. However, you have now released me from that responsibility and as all true men of character should do, I am speaking-up for my friend and brother in a sincere effort to right what I consider the great wrong you continue to do to him. Michael Meier deserves much more than I have been able to give.

God forbid that I should ever feel as abandoned as he has probably felt these last few weeks.

Like I told you in the February 27, 2012 Jurisprudence Committee meeting – when you demanded my resignation and I refused to resign – I will not be intimidated by you.

So here is the argument I promised above...I have reasoned that you now find yourself between a political rock and a political hard-place. By not outwardly firing the DGM and replacing him (or bringing charges against him for his “outrageous” conduct), you have acknowledged quite clearly that none of his acts were truly bad enough to actually warrant his removal from office. You have not installed a replacement, because you know you simply cannot legally do so, nor is there any evidence that would support such an action. So Michael, for all intents and purposes, outside of his duties, remains the DGM and will likely be elected as the Grand Master this June. That is your rock.

I further reason that your unwillingness to acknowledge this clear fact (above) in writing is also incredibly problematic from a political standpoint...for if you do write it down and clarify the confusion, you would undermine the damage your January 2, 2012 letter is intended to inflict upon Michael and his reputation. You cannot sign a statement that clarifies what needs clarification because you must continue to make Michael's behavior look worse than it actually is. This is your hard place.

So, instead of making the clarification and bringing peace and harmony to your Brothers, you have chosen to perpetuate the misunderstanding in order to make Michael look bad **in your cynical attempt to manipulate the Grand Lodge into not advancing the Grand Line's normal course.** Nice work.

You have injured my friend and my fraternity, you perpetuate the damage caused in an attempt to manipulate an election in June...and as explained above, the truth is now crystal clear...the Emperor has no clothes.

I truly love this Craft and I only want the best for our Brotherhood. While I have remained relatively quiet, I now choose to make my voice heard because you have seriously injured a good friend of mine, and you fired one of the most qualified guys in the State from a job he should be executing (and you will probably make-up some bull-#!t excuse for that also). I take that personally, and I don't give a hoot if you're the Grand Master or the President of the United States. I won't let you treat my friend and Brother that way without standing up.

You, Grand Master, cannot handle dissent or disagreement. You cannot fathom that any Man can think for himself if that thought is different from yours. **You have proven yourself unworthy of your Office.**

But, let me be clear...I don't think you have violated the Code regarding Michael's legal standing as the DGM. I also have indicated above why many of your Detractors are mostly wrong in their several LEGAL (from a Masonic perspective) accusations against you.

You were just too afraid of me and my judgment to let me explain my position to you in person. You just can't handle differing points-of-view. And while I am no longer in your direct service, the chair you occupy, temporarily, still deserves and has my continuing respect.

To that end, I must close on this positive note; that, if called-upon to serve my Brothers, I will serve. If asked for advice or counsel, where my experience and know-how have value, I will give it honestly and openly. However, if you feel that this is far too harsh of a criticism of your actions, if you feel that I have insulted you and caused you some injury because I am telling you what my reasoned judgment happens to be, then **I suggest you treat this forthright criticism with the same value you have treated my continuing dedication and service to the Craft...you can just throw it away.**

Fraternally, Sincerely, with just a few sour grapes and All Due Respect...

Adrian P. Fontes, PM