

History of the Sunday Law in the Fourth Century

By AT Jones from The Rights of the People

Stages of the development of Sunday laws,

- AD 321 **Constatine's Sunday law-**
- AD 386 **civil transaction of any kind strictly forbidden**
- AD 425- **law enacted to compel all to worship on Sunday**
- AD538- **papacy gains power, and persecution & death pronounced on the righteous.**

FIRST SUNDAY LAW-AD321

"On the venerable day of the sun let the magistrates and people living in towns rest, and let all workshops be closed. Nevertheless, in the country, those engaged in the cultivation of land may freely and lawfully work, because it often happens that mother day is not so well fitted for sowing grain and planting vines; lest by neglect of the best time the bounty provided by Heaven should be lost. Given the seventh day of March, Crispus and Constantine being consuls, both for the second time." [a. d. 321.] {1895 ATJ, ROP 217.4}

This was not the very first Sunday law that they secured; the first one has not survived. But though it has not survived, the reason for it has. Sozomen says tint it was "that the day might be devoted with less interruption to the purposes of devotion." And this statement of Sozomen's is indorsed by Neander ("Church History," Vol. II. p. 298). This reason given by Sozomen reveals the secret of the legislation; it shows that it was in behalf of the church, and to please the church. {1895 ATJ, ROP 218.1}

By reading the above edict, it is seen that they started out quite moderately. They did not stop all work; only judges, townspeople, and mechanics were required to rest, while people in the country might freely and lawfully work.

SECOND PHASE- NO CIVIL TRANSACTION OF ANY KIND ON SUNDAY- AD386

This Sunday law of a. d. 321 continued until 386, when- {1895 ATJ, ROP 218.4}
"Those older changes effected by the Emperor Constantine were more rigorously enforced, and, in general, civil transactions of every kind on Sunday were strictly forbidden. Whoever transgressed was to be considered, in fact, as guilty of sacrilege."-Neander, Id., p. 300. {1895 ATJ, ROP 218.5}

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THIRD PHASE - AD 425, CITIZENS COMPELLED TO WORSHIP ON SUNDAY

Carthage Convention and Petition of 401AD

:- Then as the people were not allowed to do any manner of work, they would play, and, as the natural consequence, the circuses and the theaters throughout the empire were crowded every Sunday. But the object of the law, from the first one that was issued, was that the day might be used for the purposes of devotion, and the people might go to church. Consequently, that this object might be met, there was another step to take, and it was taken. At a church convention held at Carthage in 401, the bishops passed a resolution to send up a petition to the emperor, praying- {1895 ATJ, ROP 219.1}

"That the public shows might be transferred from the Christian Sunday, and from feast days, to some other days of the week."-Id. {1895 ATJ, ROP 219.2}

And the reason given in support of the petition was,- {1895 ATJ, ROP 219.3}

"The people congregate more to the circus than to the church."-Id., notes 5. {1895 ATJ, ROP 219.4}

In the circuses and the theaters large numbers of men were employed, among whom many were church members. But, rather than to give up their jobs, they would work on Sunday. The bishops complained that these were compelled to work; they pronounced it persecution, and asked for a law to protect those persons from such "persecution." The church had become filled with a mass of people, unconverted, who cared vastly more for worldly interests and pleasures than they did for religion. And as the government was now a government of God, it was considered proper that the civil power should be used to cause all to show respect for God, whether or not they had any respect for him. {1895 ATJ, ROP 219.5}

425 AD Petition ACCEPTED AND THE LAW ENACTED

"Church teachers . . . were in truth often forced to complain that in such competitions the theater was vastly more frequented than the church."-Id. {1895 ATJ, ROP 221.2}

And the church could not then stand competition; she wanted a monopoly. And she got it. {1895 ATJ, ROP 221.3}

This petition of the Carthage convention could not be granted at once, but in 425 the desired law was secured; and to this also there was attached the reason that was given for the first Sunday law that ever was made, namely:- {1895 ATJ, ROP 221.4}

"In order that the devotion of the faithful might be free from all disturbance."-Id., p. 301. {1895 ATJ, ROP 221.5}

JUSTIFICATION OF THE THIRD PHASE- LEADS TO 4TH PHASE- DEATH DECREE

It must constantly be borne in mind, however, that the only way in which "the devotion of the faithful" was "disturbed" by these things was that, when the circus or the theater was open at the same time that the church was open, the "faithful" would go to the circus or the theater instead of to church, and, therefore, their "devotion" was "disturbed." And of course the only way in which the "devotion" of such "faithful" ones could be freed from all disturbance, was to close the circuses and the theaters at church time. {1895 ATJ, ROP 221.6}

In the logic of this theocratical scheme, there was one more step to be taken. It came about in this way: First, the church had all work on Sunday forbidden, in order that the people might attend to things, divine. But the people went to the circus and the theater instead of to church. Then the church had laws enacted closing the circuses and the theaters, in order that the people might attend to things divine. But even then the people would not be devoted, nor attend to things divine, for they had no real religion. The next step to be taken, therefore, in the logic of the situation, was to compel them to be devoted-to compel them to attend to things divine. This was the next step logically to be taken, and it was taken. The theocratical bishops were equal to the occasion. They were ready with a theory that exactly met the demands of the case, and the great Catholic Church father and Catholic saint, Augustine, was the father of this Catholic saintly theory. He wrote:- {1895 ATJ, ROP 221.7}

"It is indeed better that men should be brought to serve God by instruction than by fear of punishment, or by pain. But because the former means are better, the latter must not, therefore, be neglected. Many must often be brought back to their Lord, like wicked servants, by the rod of temporal suffering, before they attain to the highest grade of religious development."-Schaff's Church History, Vol. II, sec. 27. {1895 ATJ, ROP 222.1}

Of this theory Neander remarks:- {1895 ATJ, ROP 222.2}

"It was by Augustine, then, that a theory was proposed and founded which . . . contained the germ of that whole system of spiritual despotism, of intolerance and persecution, which ended in the tribunals of the Inquisition."-Church History, p. 217. {1895 ATJ, ROP 222.3}

FOURTH PHASE -AD 538- DEATH DECREE AND PESECUTION

In the sixth century the papacy had become firmly established. Its seat of power was fixed in the imperial city, and the bishop of Rome was declared to be the head over the entire church. Paganism had given place to the papacy. The dragon had given to the beast "his power, and his seat, and great authority." Revelation 13:2. And now began the 1260 years of papal oppression foretold in the prophecies of Daniel and the Revelation. Daniel 7:25; Revelation 13:5-7. (See Appendix.)

Christians were forced to choose either to yield their integrity and accept the papal ceremonies and worship, or to wear away their lives in dungeons or suffer death by the rack, the fagot, or the headsman's ax. Now were fulfilled the words of Jesus: "Ye shall be betrayed both by parents, and brethren, and kinsfolks, and friends; and some of you shall they cause to be put to death. And ye shall be hated of all men for My name's sake." Luke 21:16, 17. Persecution opened upon the faithful with greater fury than ever before, and the world became a vast battlefield. For hundreds of years the church of Christ found refuge in seclusion and obscurity. Thus says the prophet: "The woman fled into the wilderness, where she hath a place prepared of God, that they should feed her there a thousand two hundred and three-score days." Revelation 12:6. {GC 54.2}

HISTORY OF THE SUNDAY LAW IN THE 19TH CENTURY

ARGUMENTS USED IN FAVOR OF SUNDAY LEGISLATION

At Elgin, Illinois, November 8, 1887, there was held a Sunday-law convention, which was but the first in a series of events that ended only with the congressional recognition and establishment of Sunday as the national "Christian sabbath." The doctrines and acts of this convention are, therefore, proper evidence in this inquiry. {1895 ATJ, ROP 224.2}

This convention was "called by the members of the Elgin Association of Congregational Ministers and Churches, to consider the prevalent desecration of the sabbath, and its remedy." It was well attended by prominent ministers. In that convention the following resolutions were passed:- {1895 ATJ, ROP 224.3}

"Resolved, That we recognize the Sabbath as an institution of God, revealed in nature and the Bible, and of perpetual obligation on all men; and also as a civil and American institution, bound up in vital and historical connection with the origin and foundation of our government, the growth of our polity, and necessary to be maintained in order for the preservation and integrity of our national system, and, therefore, as having a sacred claim on all patriotic American citizens." {1895 ATJ, ROP 224.4}

Resolved, That we look with shame and sorrow on the non-observance of the sabbath by many Christian people, in that the custom prevails with them of purchasing sabbath newspapers, engaging in, and patronizing sabbath business and travel, and in many instances giving themselves to pleasure and self-indulgence, setting aside by neglect and indifference the great duties and privileges which God's day brings them." {1895 ATJ, ROP 225.1}

That is a fact. They ought to be ashamed of it. But what do they do to rectify the matter? Do they resolve to preach the gospel better, to be more faithful themselves in bringing up the consciences of the people, by showing them their duty in regard to these things?-Oh, no. They resolve to do this:- {1895 ATJ, ROP 225.2}

"Resolved, That we give our votes and support to those candidates or political officers who will pledge themselves to vote for the enactment and enforcing of statutes in favor of the civil sabbath." {1895 ATJ, ROP 225.3}

In a Sunday-law mass meeting held in Hamilton Hall, Oakland, Cal., in January, 1887, "Rev." Dr. Briggs, of Napa, Cal., said to the State:- {1895 ATJ, ROP 226.2}

"You relegate moral instruction to the church, and then let all go as they please on Sunday, so that we cannot get at them." {1895 ATJ, ROP 226.3}

And so they want the State to corral all the people on Sunday, that the preachers may get at them. That is what they wanted in the fourth century. They got

it at last. The Sunday railway train must also be stopped, and for the same reason. In the Elgin convention Dr. Everts said:- {1895 ATJ, ROP 226.4}

"The Sunday train is another great evil. They cannot afford to run a train unless they get a great many passengers, and so break up a great many congregations. The Sunday railroad trains are hurrying their passengers fast on to perdition. What an outrage that the railroad, that great civilizer, should destroy the Christian sabbath!" {1895 ATJ, ROP 226.5}

Theocratic Theory

"The Woman's Christian Temperance Union, local, State, national, and world-wide, has one vital, organic thought, one all-absorbing purpose, one undying enthusiasm, and that is that Christ shall be this world's king-yea, verily, this world's king in its realm of cause and effect,-king of its courts, its camps, its commerce,-king of its colleges and cloisters,-king of its customs and its constitutions. . . . The kingdom of Christ must enter the realm of law through the gateway of politics. . . . We pray heaven to give them [the old parties] no rest . . . until they shall . . . swear an oath of allegiance to Christ in politics, and march in one great army up to the polls to worship God."-President's Annual Address in Convention, Nashville, 1887. {1895 ATJ, ROP 229.2}

...has ever been to turn this republic into a "kingdom of God." In the Cincinnati National Reform Convention, 1872, Prof. J. R. W. Sloane, D.D., said:- {1895 ATJ, ROP 229.3}

"Every government by equitable laws is a government of God. A republic thus governed is of him, through the people, and is as truly and really a theocracy as the commonwealth of Israel." {1895 ATJ, ROP 229.4}

The Sunday-law Association also holds much the same theory. In the Elgin Sunday-law convention, Dr. Mandeville, of Chicago, said:- {1895 ATJ, ROP 230.1}

"The merchants of Tyre insisted upon selling goods near the temple on the Sabbath, and Nehemiah compelled the officers of the law to do their duty, and stop it. So we can compel the officers of the law to do their duty." {1895 ATJ, ROP 230.2}

Now Nehemiah was ruling there in a true theocracy, a government of God; the law of God was the law of the land, and God's will was made known by the written word and by the prophets. Therefore if Dr. Mandeville's argument is of any force at all, it is so only upon the claim of the establishment of a theocracy. With this idea the view of Mr. Crafts agrees precisely, and Mr. Crafts was general secretary for the National Sunday-law Union, in their national campaign for national recognition of the Sunday. He claims, as expressed in his own words, that- {1895 ATJ, ROP 230.3}

"The preachers are the successors of the prophets."-Christian Statesman, July 5, 1888. {1895 ATJ, ROP 230.4}

Now put these things together. The government of Israel was a theocracy; the will of God was made known to the ruler by prophets; the ruler compelled the officers of the law to prevent the ungodly from selling goods on the Sabbath. This

government is to be made a theocracy; the preachers are the successors of the prophets; and they are to compel the officers of the law to prevent all selling of goods and all manner of work on Sunday. This shows conclusively that these preachers intend to take the supremacy into their hands, officially declare the will of God, and compel all men to conform to it. This is why they must needs attack the Declaration of Independence, and declare that "governments do not derive their just powers from the consent of the governed." This deduction is made a certainty by the words of Professor Blanchard in the Elgin convention:- {1895 ATJ, ROP 230.5}

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"In this work we are undertaking for the Sabbath, we are the representatives of God." {1895 ATJ, ROP 231.1}

WERE THEY WILLING TO PERSECUTE IF IT WERE NECESSARY

When they shall have stopped all Sunday work, and all Sunday papers, and all Sunday trains, in order that the people may go to church and attend to things divine, suppose that then the people fail to go to church or attend to things divine, will the religio-political managers stop there? Having done all this that the people may be devoted, will they suffer their good intentions to be frustrated, or their good offices to be despised? Will not these now take the next logical step, the step that was taken in the fourth century, and compel men to attend to things divine? If not, why not? Having taken all the steps but this, will they not take this?-Of course they will. Human nature is the same now as it was in the fourth century. Politics is the same now as it was then. And as for religious bigotry, it knows no centuries; it knows no such thing as progress or enlightenment; it is ever the same. And in its control of civil power, the cruel results are also ever the same. {1895 ATJ, ROP 231.5}

But we are not left merely to this inquiry, nor yet to the argument, for an answer to the question; we have their own words. At a National Reform W. C. T. U. convention held at Lakeside, Ohio, in 1887, the following question was asked: {1895 ATJ, ROP 231.6}

"Will not the National Reform movement result in persecution against those who on some points believe differently from the majority, even as the recognition of the Christian religion by the Roman power resulted in grievous persecution against true Christians?" {1895 ATJ, ROP 232.1}

Answer, by Dr. McAllister:- {1895 ATJ, ROP 232.2}

"Now notice the fallacy here. The recognition of the Roman Catholic religion by the State, made that State a persecuting power. Why?-Because the Roman Catholic religion is a persecuting religion. If true Christianity is a persecuting religion, then the acknowledgment of our principles by the State will make the State a persecutor. But if the true Christian religion is a religion of liberty, a religion that regards the rights of all, then the acknowledgment of those principles by the State will make the State the guardian of all men, and the State will be no persecutor. True religion never persecutes." {1895 ATJ, ROP 232.3}

There is indeed a fallacy here; but it is not in the question; it is in the answer. That which made the Roman State a persecuting power, says the doctor, was its recognition of the Catholic religion, "which is a persecuting religion." But the Roman Catholic religion is not the only persecuting religion that has been in the world. Presbyterianism persecuted while John Calvin ruled in Geneva; it persecuted while the Covenanters ruled in Scotland; it persecuted while it held the power in England. Congregationalism persecuted while it had the power in New England. Episcopalianism persecuted in England and in Virginia. Every religion that has been allied with the civil power, or that has controlled the civil power, has been a persecuting religion; and such will always be the case. {1895 ATJ, ROP 232.4}

In a. d. 556 Pope Pelagius called upon Narses to compel certain parties to obey the pope's command. Narses refused, on the ground that it would be persecution. The pope answered Narses' objection with this argument:- {1895 ATJ, ROP 233.2}

"Be not alarmed at the idle talk of some, crying out against persecution, and reproaching the church, as if she delighted in cruelty, when she punishes evil with wholesome severities, or procures the salvation of souls. He alone persecutes who forces to evil. But to restrain men from doing evil, or to punish those who have done it, is not persecution, or cruelty, but love of mankind."-Bower's History of the Popes, Pelagius, A. D. 556. {1895 ATJ, ROP 233.3}

Compare this with Dr. McAllister's answer, and find any difference in principle between them who can. There is no difference. The arguments are identical. It is the essential spirit of the Papacy which is displayed in both, and in that of Pope Pelagius no more than in that of Dr. McAllister. {1895 ATJ, ROP 233.4}

"There is a law in the State of Arkansas enforcing Sunday observance upon the people, and the result has been that many good persons have not only been imprisoned, but have lost their property, and even their lives." 47 {1895 ATJ, ROP 234.2}

Answer, by Dr. McAllister:- {1895 ATJ, ROP 234.3}

"It is better that a few should suffer than that the whole nation should lose its sabbath." {1895 ATJ, ROP 234.4}

This argument is identical with that by which the Pharisees in Christ's day justified themselves in killing him. It was said:- {1895 ATJ, ROP 234.5}

"It is expedient for us, that one man should die for the people, and that the whole nation perish not." John 11:50. {1895 ATJ, ROP 234.6}

And then says the record:- {1895 ATJ, ROP 234.7}

"Then from that day forth they took counsel together for to put him to death." Verse 53. {1895 ATJ, ROP 234.8}