

**A CRITICAL HISTORY OF
SUNDAY LEGISLATION
FROM 321 TO 1888 A. D.**

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A Critical History of Sunday Legislation from 321 to 1888 A. D. by A. H. Lewis

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BY

A. H. LEWIS, D. D.

Author of "Sabbath and Sunday: Argument and History"

"Biblical Teachings Concerning the Sabbath and Sunday"

"A Critical History of the Sabbath and the Sunday in the Christian Church"
etc.

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Dedicated

WITH MANY PLEASANT MEMORIES

TO PRESIDENT J. ALLEN, D. D., PH. D., LL. D.

FROM WHOM CAME THE INSPIRATION

WHICH HAS GUIDED THE AUTHOR

THROUGH MANY YEARS OF HISTORIC RESEARCH

P R E F A C E .

THIS book enters a field not hitherto occupied in the literature of the Sunday question. Sunday legislation is more than fifteen centuries old, but the general reader has not hitherto been able to know accurately either its extent, or its specific character. The following pages answer many questions which are pressing to the front. Existing Sunday laws are much disregarded, and many contradictory theories are put forth relative to them. Much that is said concerning them is superficial and impertinent, because men do not understand their origin or their history. The surpassing value of the "historic argument" is slowly gaining recognition. History is an organic whole, a series of reciprocal causes and effects. No period can be separated from that which has gone before, nor be kept distinct from that which follows. Herein lies the value of

facts like those which compose this volume. Every effort to remodel existing Sunday legislation, or to forecast its future, must be made in the light of the past. It is not the province of this volume to pursue an argument relative to Sunday legislation, but rather to present those facts on which intelligent conclusions must be based.

The first Sunday legislation was the product of that pagan conception, so fully developed by the Romans, which made religion a department of the state. This was diametrically opposed to the genius of New Testament Christianity. It did not find favor in the Church until Christianity had been deeply corrupted through the influence of Gnosticism and kindred pagan errors. The Emperor Constantine, while still a heathen—if indeed he was ever otherwise—issued the first Sunday edict by virtue of his power as Pontifex Maximus in all matters of religion, especially in the appointment of sacred days. This law was pagan in every particular.

Sunday legislation between the time of Constantine and the fall of the empire was a combination of the Pagan, Christian, and Jewish cults. Many other holidays—mostly pagan festivals—baptized with new names and slightly modified—

were associated, in the same laws, with the Sunday.

During the Middle Ages, Sunday legislation took on a more Judaistic type, under the plea of analogy, whereby civil authorities claimed the right to legislate in religious matters, after the manner of the Jewish Theocracy.

The Continental reformation made little change in the civil legislation concerning Sunday. The English reformation introduced a new theory, and developed a distinct type of legislation. Here we meet, for the first time, the doctrine of the transfer of the Fourth Commandment to the first day of the week, and the consequent legislation growing out of that theory. The reader will find the laws of that period to be extended theological treatises, as well as civil enactments. The Sunday laws of the United States are the direct outgrowth of the Puritan legislation, notably, of the Cromwellian period. These have been much modified since the colonial times, and the latest tendency, in the few cases which come to direct trial under these laws, is to set forth laws of a wholly different character, through the decisions of the courts.

In the Sunday legislation of the Roman Empire the religious element was subordinate to the