

CHAPTER 13

The First Civil Sunday Laws

THE first public Sunday laws were promulgated by the Roman emperor Constantine I (306-387 A. D.). These legal enactments form the precedents in civil law which mark the beginning of the long story of religious legislation by which secular governments and ecclesiastical organizations in collaboration have tried to compel men to keep Sunday as a sacred day. Therefore, the story of Constantine's Sunday edicts in behalf of this religious festival constitutes one of the most important chapters in the history of the observance of the day of the Sun.

The Political Situation

When Diocletian became emperor of Rome in 284 A. D., political rivalry, assassinations, and civil wars had long kept the empire in a state of constant turmoil that at times amounted to anarchy. Subject nations in the meantime seized every opportunity to revolt, and formidable barbarian enemies threatened the empire from without.

The emperor found the job of governing so vast and turbulent a domain too great for one man. Wherefore in 286 he appointed Maximian as his colleague in the government. The official title of each of these coemperors was *Augustus*. To each of them was assigned an assistant whose official designation was that of *Caesar*. One of them was Galerius and the other Constantius Chiorus, the father of Constantine I.

Nevertheless, the problems of governing the empire increased. Weary of his task, Diocletian abdicated in 305 and compelled Maximian to do the same. Thereupon the two Caesars, Galerius and Constantius Chiorus, were elevated to the rank of Augusti, and Severus and Maximin Dai were appointed as their assitants.

Less than a year later, Constantius Chiorus died, and his army proclaimed Constantine, his son, Augustus to succeed him. Galerius refused to consent to this, and decreed that Severus should be his colleague. Constantine soon saw himself embroiled in a bloody political struggle that lasted eighteen years. At one time he had as many as five rivals for the coveted purple and power, but his genius as a politician and soldier enabled him to triumph over them all and become at last the sole ruler of the Roman world.

The Religious Situation

At the same time the internal condition of the Christian church was deplorable. The seeds of corrupt doctrine sown by apostates were bearing a bountiful harvest of discord, confusion, and schism. The growing power of the bishops, who had become monarchical in their control of the church, and particularly the persistent arrogant claims of the Roman bishops, added to the

increase. And this was the situation when Diocletian loosed against the Christians one of the most terrible pagan persecutions they ever suffered. The religious situation is thus described by Eusebius of Caesarea:

“But when on account of the abundant freedom, we fell into laxity and sloth, and envied and reviled each other, and were almost, as it were, taking up arms against one another, rulers assailing rulers with words like spears, and people forming parties against people, and monstrous hypocrisy and dissimulation rising to the greatest height of wickedness, the divine judgment with forbearance, as is its pleasure, while the multitudes yet continued to assemble, gently and moderately harassed the episcopacy. This persecution began with the brethren in the army. But as if without sensibility, we were not eager to make the Deity favorable and propitious; and some, like atheists, thought that our affairs were unheeded and ungoverned; and thus we added one wickedness to another.”¹

¹ Eusebius, *Church History*, book 8, chap. 1, in *Nicene and Post-Nicene Fathers*, Second Series, Vol. 1, p. 323.

This state of things was erroneously ascribed by Eusebius to too much liberty rather than to an abuse of it. The bishops of Rome had been particularly bold in the endeavors to rule arbitrarily the Christian church. As early as the latter part of the second century, Victor I, bishop of Rome, had sought to excommunicate other bishops who did not conform to his demands concerning the day for celebrating Easter, and succeeding bishops had followed his example. They had been powerless, however, as officers of a religious system lacking the recognition of the state, to compel obedience to their behests and so to have a universal church under a spiritual dictator. By the time of Constantine, apostasy in the church was ready for the aid of a friendly civil ruler to supply the wanting force of coercion. M. Rostovtzeff has well summed up the matter thus:

“The time was ripe for a reconciliation of state and church, each of which needed the other. It was a stroke of genius in Constantine to realize this and act upon it. He offered peace to the church, provided that she would recognize the state and support the imperial power.”²

² M. Rostovtzeff, *The Social and Economic History of the Roman Empire*, p. 456.

The Battle With Maxentius

The inhabitants of Italy, galled by the tyranny of the government of Maxentius, sent a secret mission to Constantine beyond the Alps and urged him to come and liberate them.³ He also had personal feelings of enmity against Maxentius, and the invitation was readily accepted. It must have been intimated that he would find an ally in the Roman Christians if he would proceed properly toward them. Ere he met the enemy in battle, he professed an interest in Christianity. The circumstances, as he afterward told them, were these:

As he was praying to the declining Sun one evening, he saw a fiery cross above the solar disk, and an inscription which said: In this [sign] conquer.” On the following night, it is said, a celestial visitor appeared to him and repeated the command of the daylight vision. Word was sent to the clergy, who explained that Christ Himself was the heavenly being who had visited him,

and they interpreted for him other features of the visions.⁴ Constantine immediately put himself under their spiritual direction and “made the priests of God his counselors.”⁵

⁴ See Zonaras, *Annals*, book 13, in J. P. Migne, *Patrologia Graeca*, Vol. 134, col. 1097; Cedrenus, *Compendium of Histories*, in J. P. Migne, *Patrologia Graeca*, Vol. 121, col. 517.

⁵ See Eusebius, *Life of Constantine*, book 1, chap. 28, in *Nicene and Post-Nicene Fathers*, Second Series, Vol. 1, p. 490.

⁶ *Ibid.*, chap. 32, in *Nicene and Post-Nicene Fathers*, Second Series, Vol. 1, p. 491,

Maxentius lost the day at the Milvian Bridge (312 A. D.), and his life in the waters of the Tiber. The Roman clergy hailed Constantine as a second Moses and compared the defeat of Maxentius, and his subsequent drowning, to the destruction of Pharaoh’s hosts in the Red Sea.⁶

⁷ *Ibid.*, chap. 38; *Church History*, book 9, chap. 9, in *Nicene and Post-Nicene Fathers*, Second Series, Vol. 1, pp. 492, 493, 363, 364.

Constantine’s Pagan Background

Little is known of the early religious training of Constantine. During the persecution of the Christians by Diocletian, mildness was shown by his father, Constantius Chlorus, in his dealings with them in Britain.

The family god of Constantine was Apollo, the solar deity identified with the old Roman Sol since the time of the Caesars. After he had quelled an uprising of the Franks in 308, he repaired to the temple of Apollo at Autun, in Gaul, with an offering of gratitude to this god for the victory. In 310, when the Franks had revolted again, Constantine visited this same temple, and Eumenius, the celebrated pagan orator of the city, delivered on the solemn occasion a panegyric in which he extolled the virtues of Constantine as being divine. By the words “thine Apollo” and references to Sol (the Sun), the orator reminded the emperor of his family god and at the same time delicately suggested the appropriateness of repairing the public buildings of the city, especially the temple of Apollo. The next year the same Eumenius presented, in the form of a panegyric, the formal thanks of the city to Constantine for its restoration and for the grant of the imperial name Augustoclaunum. This indicates that the suggestions made the year before were not disregarded by the imperial devotee of the Sun-god.⁷

⁸ Joannes Livieus, *Panegyrici Veteres*, pp. 204, 205; C. B. Coleman, *Constantine the Great and Christianity*, pp. 74, 76; *The Cambridge Ancient History*, Vol. 12, pp. 680, 681.

The fact that Constantine was praying toward the Sun when the alleged vision of the cross was seen by him shows that he was a Sun worshiper in practice.⁸

⁹ Eusebius, *Life of Constantine*, book 1, chap. 28, in *Nicene and Post-Nicene Fathers*, Second Series, Vol. 1, p. 490.

Edward Gibbon, the historian, declares: “The devotion of Constantine was more peculiarly directed to the genius of the Sun, the Apollo of Greek and Roman mythology; and he was pleased to be represented with the symbols of the god of light and poetry. The unerring shafts of that deity, the brightness of his eyes, his laurel wreath, immortal beauty, and elegant accomplishments seem to point him out as the patron of a young hero. The altars of Apollo were crowned with the votive offerings of Constantine; and the credulous multitude were taught to believe that the emperor was permitted to behold with mortal eyes the visible majesty of their tutelar deity; and that, either waking or in a vision, he was blessed with the auspicious omens of a long and victorious reign. The Sun was universally celebrated as the invincible guide and protector of Constantine.”⁹

⁹ Edward Gibbon, *The Decline and Fall of the Roman Empire*, Vol. 2, chap. 20, p. 251.

This is supported by a statement of Julian the Apostate in a discourse to the Sun, in which he said to this god: “Why hast thou not struck with thy sharp darts that daring mortal, deserter of thy worship?”¹⁰ Thus he charged Constantine with deserting the cult of the Sun to espouse the Christian religion.

¹⁰ Julian, *To the Cynic Heracleios*, chap. 17, in Loeb Classical Library, *Julian*, Vol. 2, p. 135.

A Nominal Conversion

The facts of the case show that Constantine was still a pagan after he met Maxentius in battle, and continued so for a long time to come. It was not until 323, when his pagan brother-in-law Licinius, the last of his rivals for the power, was defeated, that Constantine openly professed the Christian religion and showed any hostility to paganism. He postponed his baptism into the faith of Christ until shortly before his death in 337.



This is a reproduction of a coin issued by Constantine the Great. It shows the Invincible Sun, wearing his seven-rayed crown, placing a wreath on the head of the emperor, who carries the spear. The words *Soli Invicto Comiti* mean "To the Invincible Sun, Colleague." (See S. W. Stevenson, C. R. Smith, and F. W. Madden, *A Dictionary of Roman Coins*, p. 755.)

As soon as he arrived at Rome after the defeat of Maxentius in 312, he assumed the insignia and office of Pontifex Maximus as head of the official religion of the state, which was the cult of the Invincible Sun. He retained this position as the head of paganism throughout the rest of his life.¹¹ The same procedure was followed by succeeding Roman emperors, in spite of their profession of the Christian religion, until Gratian (375-383 A. D.) laid aside the title and insignia of Supreme Pontiff as being unbecoming to a follower of Christ.¹²

¹¹ See inscriptions recorded in Baronius, *Annals* (Ad anno 312) Vol. 3, cols. 106, 107; *Corpus Inscriptionum Latinarum*, 1863 ed., Vol. 2 p. 58, No. 41 (date 315 A. D.); *New Standard Encyclopedia*, Vol. 5, p. 792, art. "Constantine I"; C. B. Coleman, *Constantine the Great and Christianity*, p. 46; Charles Poulet, *A History of the Catholic Church for the Use of Colleges, Seminaries, and Universities*, Vol. 1, p. 120.

¹² Zosimus, *The New History*, book 4, chap. 36, in *Corpus Scriptorum Historiae Byzantinae*, Vol. 51, p. 217.

Another evidence of his paganism is seen in his coinage. Prior to his victory over Licinius in 323, the coins of Constantine abound with the imprint of paganism, particularly that of Sun worship. The names of Apollo, Mithra, and the Invincible Sun appear on his coins. For example, on one may be found the phrase "*Soli Invicto Mithrae*" (To the Invincible Sun, Mithra). On another, "*Soli Invicto Comiti*" (To the Invincible Sun, Colleague).¹³ Constantine's coinage plainly shows that he considered the Invincible Sun his divine colleague, or companion, in the government of the Roman world.

¹³ See M. Felix Lajard, *Introduction à l'Étude du Culte Public et des Mystères de Mithra en Orient et en Occident*, plate No. CII, fig. 21; F. Cumont, *Textes et Monuments Figurés Relatifs aux Mystères de Mithra*, Vol. 2, p. 149, Np. 386; Jules Maurice, *Numismatique Constantinienne*, Vol. 1; H. Cohen, *Description Historique des Monnaies frappées sous l'Empire Romain*, Vol. 6, p. 108, No. 100; Vol. 7, p. 74; Vol. 8, p. 88; Victor Duruy, *History of Rome*, Vol. 7, part 2, p. 486; W. Smith and S. Cheetham, *A Dictionary of Christian Antiquities*, Vol. 2, art. "Money," pp. 1276, col. 1; 1279, cols. 1, 2; 1302, Plate II, Fig. 9.

Commenting on the use of the phrase "*Soli Invicto Comiti*" on the coins of this emperor, numismatologists say: "This legend, with the usual type of the Sun standing with right hand uplifted, and a globe in the left, occurs on brass coins of Constantine the Great—one of the relics of the old solar worship, which, like other symbols of paganism, appears on the mint of this professed convert to Christianity. The words SOLI INVICTO COMITI are found on two other medals of the same emperor; one (third brass) with the *radiated head of the Sun*; and the other (gold and silver) wherein this god is represented standing with his crown of rays, a globe which he holds in his left hand; whilst with his right he places a crown on the head of Constantine, who holds the *labarum*, or imperial standard. Both these coins have the name and portrait of Constantine on them....We see on his medals the Sun represented as the *Guide*, *Protector*, and even *Colleague* of this emperor, with the inscription SOLI INVICTO and SOLI INVICTO COMITI."¹⁴

¹⁴ S. W. Stevenson, C. R. Smith, and F. W. Madden, *A Dictionary of Roman Coins*, p. 775 art. "Soil Invicto Comiti." Victor Duruy (*History of Rome*, Vol. 7, part 2, p. 51) says that of this type of Constantinian coins "the Cabinet de France alone contains 138 small bronzes with the legend Soil Invicto Comiti."

A Matter of Policy

It seems certain that Constantine really did have a mental conception or dream of the reconciliation of the interests of paganism and Christianity—represented symbolically by the union of the solar disk and the cross—with himself representing the interests of both religions. While pagans regarded him as their Supreme Pontiff, Christians considered him “the blessed Prince” and “the servant of God.” This double position he endeavored to maintain until 323, when Licinius was overthrown. Up to that time Constantine legislated against none of the essentially fundamental institutions of paganism.

His Interest in Christianity

The insigne Constantine adopted for his standard and painted on the shields of his troops was new and ambiguous and well served his policy. It resembled the letter X with a P written on it. While it may have been used perhaps by some Christian groups as symbolical of Christ, it was probably borrowed from paganism. It had been used on banners in the East before the birth of Christ, and seems to have been a symbol of the Sun. It was used on heathen coinage at least 200 years before Christ.¹⁵

¹⁵ C. B. Coleman, *Constantine the Great and Christianity*, pp. 78-80; Victor Duruy, *History of Rome*, Vol. 7, part 2, pp. 475, 480.

Constantine was undoubtedly interested in Christianity from the time of his professed vision in 312. The popular clergy looked upon his interest in the Christian religion as a godsend, and hailed his favor with joy. Soon after the victory over Maxentius, he and Licinius published in 313 the famous Edict of Milan, in which they said: “We resolved, that is, to grant both to the Christians and to all men freedom to follow the religion which they choose, that whatever heavenly divinity exists may be propitious to us and to all that live under our government.”¹⁶

¹⁶ Eusebius, *Church History*, book 10, chap. 5, in *Nicene and Post-Nicene Fathers*, Second Series, Vol. 1, p. 379; see also *The Cambridge Ancient History*, Vol. 12, pp. 689, 690.

For the first time Christianity was placed on a legal footing with the other religions and with them enjoyed the protection of the civil law. Licinius was a pagan, and this law grants no privilege to the Christians that is not allowed to the heathen. It is another evidence of Constantine’s policy of maintaining peace in the religious world.

Eusebius says that Constantine made “the priests of God his counselors,” and that he appointed Christian ministers and deacons as custodians of his house.¹⁷ At the same time the emperor also employed many pagan advisers and assistants.

¹⁷ See Eusebius, *Church History*, book 10, chaps. 6, 7, in *Nicene and Post-Nicene Fathers*, Second Series, Vol. 1, p. 544.

“Christian bishops,” says C. B. Coleman, “were continually present at Constantine’s court after 312. Hosius, bishop of Cordova in Spain, may have been with him in his campaign against

Maxentius; he certainly accompanied him on an expedition later, and seems to have been very influential at court.”¹⁸

¹⁸ C. B. Coleman, *Constantine the Great and Christianity*, p. 62.

It was between 313 and 315 that Hosius was employed to communicate the will of Constantine to Caecilian, bishop of Carthage, relative to the distribution of a grant of money. At the same time the churches were exempted from the payment of certain taxes, a privilege doubtless long enjoyed by the pagan temples. He exempted clergymen from the payment of state taxes, and this occasioned such a rush on the part of persons to claim the status of clergymen that in 320 he issued another edict limiting entrance into the clergy to such men as he deemed desirable. A law of 321 was addressed by Constantine to Hosius, and this bishop promulgated it, sanctioning the freedom of slaves emancipated in the presence of clergymen. These were all privileges that the pagan priests undoubtedly had long enjoyed.¹⁹

¹⁹ See Eusebius, *Church History*, book 10, chaps. 6, 7, in *Nicene and Post-Nicene Fathers*, Second Series, Vol. 1, pp. 382, 383; see also p. 437.

It was not long after Constantine began to manifest an interest in Christianity that he discovered that Christendom was then divided into various sects and that there was wide disagreement between many of them. Playing politics with religion meant that he must favor one group and discriminate against others. Thirteen of his epistles relative to church matters appear to have been written prior to 321. He was called upon to intervene in the church affairs in Africa and corresponded with Meichiades, bishop of Rome (311-314 A. D.) about the Donatist schism. In 313 he convened a synod to deal with it, and Meichiades presided over the meeting. This shows that the bishop of Rome was playing politics with the emperor. The synod of Aries (314) and the Council of Nicaea (325) were convoked by the emperor to settle disagreements among the clergy, and Constantine always espoused the cause of the most popular party on the grounds that the majority should rule regardless of what the Word of God said about the matter in dispute.

The Sunday Laws

It was on March 7, 321 A. D., that the first civil Sunday law was promulgated. On that date Constantine decreed:

“Let all judges and townspeople and all occupations of trade rest on the venerable day of the Sun; nevertheless, let those who are situated in the rural districts freely and with full liberty attend to the cultivation of the fields, because it frequently happens that no other day may be so fitting for the planting of grain and setting out of vineyards, lest at the time the commodities conceded by the provision of Heaven be lost. Given on the Nones [the 7th] of March, Crispus and Constantine being consuls, each of them for the second time.”²⁰

²⁰ *Code of Justinian*, book 3, title 12, law 3, in *Corpus Iuris Civilis*, Vol. 2, p. 108.

His paganism is further seen by a law which he issued on the very next day—March 8—to require the consultation of the *haruspices*, the soothsayers whose official duties entailed divination by examining the entrails of animals offered for sacrifice to the pagan gods. In this edict Constantine said:

“That whenever the lightning should strike the imperial palace or any other public building, the *haruspices*, according to ancient usage, should be consulted as to what it might signify, and a careful report of the answer should be drawn up for our use.”²¹

²¹ *Code of Theodosius*, book 16, title 10, law 1, in *Codex Theodosianus*, col. 1611.

Edward Gibbon has sarcastically remarked: “His ministers were permitted to signify the intentions of their master in the various language which was best adapted to their respective principles; and he artfully balanced the hopes and fears of his subjects by publishing in the same year two edicts, the first of which enjoined the solemn observance of Sunday, and the second directed the regular consultation of the *Aruspices*.”²²

²² Edward Gibbon, *The Decline and Fall of the Roman Empire*, Vol. 2, chap. 20, p. 250.

The Sunday law of March 7 was interpreted by some to mean that emancipation promised to slaves could not be effected on Sunday, because it was an act of a legal nature. Therefore in June of the same year, Constantine, by another law, declared that while he did not favor holding courts for lawsuits on Sunday, he never intended that his edict should prevent such acts as the manumission of slaves. In this second law he urged that Sunday be used for religious purposes also, saying:

“As it should seem most improper that the day of the Sun, noted for its veneration, be occupied in wrangling discussions and obnoxious contentions of parties, so it is agreeable and pleasing to be performed on that day what is principally vowed; and also all may have liberty on this festive day for emancipation and manumission [of slaves], and acts concerning these matters may not be prohibited.”²³

²³ *Code of Theodosius*, book 2, title 8, law 1, in *Codex Theodosianus*, cols. 207, 208

Comments by Historians

Various comments have been made by noted writers on the Sunday laws of Constantine, and some of them are worthy of consideration.

Philip Schaff, a church historian, has this to say: “The Sunday law of Constantine must not be overrated. He enjoined the observance, or rather forbade the public desecration of Sunday, not under the name of *Sabbatum* [Sabbath] or *dies Domini* [Lord’s day], but under its old astrological and heathen title, *dies Solis* [Sunday], familiar to all his subjects, so that the law was as applicable to the worshippers of Hercules, Apollo, and Mithras, as to the Christians. There is no

reference whatever in his law either to the fourth commandment or to the resurrection of Christ.”²⁴

²⁴ Philip Schaff, *History of the Christian Church*, Vol. 3, chap. 7, p. 380.

J. Westbury-Jones, an English writer, speaks thus: “How such a law would further the designs of Constantine it is not difficult to discover. It would confer a special honor upon the festival of the Christian church, and it would grant a slight boon to the pagans themselves. In fact there is nothing in this edict which might not have been written by a pagan. The law does honor to the pagan deity whom Constantine had adopted as his special patron god, Apollo or the Sun [Constantine retained the motto “Soli Invicto” to the end of his life]. The very name of the day lent itself to this ambiguity. The term Sunday (*dies Solis*) was in use among Christians as well as heathen.”²⁵

²⁵ J. Westbury-Jones, *Roman and Christian Imperialism*, p. 210.

A. P. Stanley, another church historian, says: “The retention of the old pagan name of ‘*dies Solis*’ or ‘Sunday,’ for the weekly Christian festival, is in great measure owing to the union of pagan and Christian sentiment with which the first day of the week was recommended by Constantine to his subjects, pagan and Christian alike, as the ‘venerable day of the Sun.’ His decree regulating its observance has been justly called a new era in the history of the Lord’s day. It was his mode of harmonizing the discordant religions of the empire under one common institution.”²⁶

²⁶ A. P. Stanley, *History of the Eastern Church*, p. 184.

Sunday Worship

Eusebius, bishop of Caesarea, personal friend, flatterer, biographer, and adviser of the emperor, praised Constantine highly because “he commanded also that one suitable day for prayers be regarded, the truly chief, and first, and really Lord’s and salutary [day], and also that of light, and of life, and of immortality, and of every good thing named.”²⁷

²⁷ Eusebius, *In Praise of Constantine*, chap. 9, in J. P. Migne, *Patrologia Graeca*, Vol. 20, cols. 1365, 1368, author’s translation; standard English translation in *Nicene and Post-Nicene Fathers*, Second Series, Vol. 1, p. 593.

And he asks: “Who else has commanded those inhabiting the great globe of earth, and those throughout land and sea, that they should regard the Lord’s day in every week, and upon it should celebrate a festivity, and build up their bodies, and furnished an incentive to their souls for divinely inspired instructions?”²⁸

²⁸ *Ibid.*, chap. 17, in J. P. Migne, *Patrologia Graeca*, Vol. 20, col. 1437, author’s translation; standard English translation in *Nicene and Post-Nicene Fathers*, Second Series, Vol. 1, p. 609.

In another treatise Eusebius describes Constantine's Sunday legislation more at length, saying:

“And also he ordained a suitable day for prayers, the truly chief, and first, and really Lord's and salutary [day]. And deacons and ministers consecrated to God, men both sober of life and adorned with every virtue, he appointed custodians of all his house. The faithful spearmen and bodyguards, equipped with the arms of virtue and faith, had for a teacher of piety none other than the emperor himself; and they failed not to honor the Lord's and salutary day, offering up among themselves gracious prayers, for the emperor. And the Blessed Prince labored to make all men do this, as it were making a vow itself, to make all men little by little religious. Wherefore, to all those governed under the Roman Empire he commanded to be made a rest on the days named for the Saviour; and like wise also those of the Sabbath to honor; it appears to me, with respect to a memorial of the things remembered to have been done on these days by the common Saviour.

“And the salutary day, which also happens to be named in honor of the light and of the Sun, he, earnestly teaching all the army to: honor, gave to those partaking of the faith in God leisure to attend the church of God unhindered, in honor of whom to devote to prayers without any one being an impediment to them.

“And for those not as yet partaking of the Divine Word, he commanded in a second law that they be marched on the Lord's days to the open field before the camp, and there, at a given signal, offer up together with one accord a prayer to God. For neither in spears, nor in full armor, nor in strength of bodies should they fix their hope, but above all in knowing God, the Giver of all good things, even of victory itself, to whom it is fitting to offer prayers while the hands are raised aloft toward heaven, and the eyes of the mind pass on beyond to the heavenly King, and in prayer calling upon the Saviour, Giver of victory, the Guardian and Helper. And he was a teacher of prayer to all the soldiers, exhorting them all to say together in the Latin tongue thus:

“Thee alone we acknowledge as God; and Thee we reverence as King. We invoke thee as our Helper; and to Thee we owe our victories. By Thee we have put down our enemies. We thank Thee for the good things of the past; and in Thee we hope for the future. We are all become Thy supplicants; and we earnestly beseech Thee to preserve to us our emperor Constantine and his divinely beloved Sons in long life of health and victory.”²⁹

²⁹ Eusebius, *Life of Constantine*, book 4, chaps. 18-20, in J. P. Migne, *Patrologia Graeca*, Vol. 20, cols. 1165-1168, author's translation; standard English translation in *Nicene and Post-Nicene Fathers*, Second Series, Vol. 1, pp. 544, 545.

The Greek text of Eusebius plainly states “the Sabbath”:

ὁμοίως δὲ καὶ τὰς τοῦ Σαββάτου τιμᾶν (Life of

Constantine, book 4, chap. 18). And we know positively that the Sabbath was still honored among the churches at that time. Many commentators, however, think that there has been some error in the transcription of the original text, and that it may have meant originally “the day before the Sabbath,” that is, Friday which was then, and still is, an ecclesiastical fast day. This supposition of a corrupted text is based on the following statement from Sozomen, a historian of the fifth century: “And that the Lord's day, which the Hebrews call the first of the week, and which the Greeks devote to the Sun and the (day) before the seventh, he [Constantine] commanded all the judges and others to make a rest, and in prayers and supplications to worship the Deity.”—*Ecclesiastical History*, book 1, chap. 8, in J. P. Migne, *Patrologia Graeca*, Vol. 67, cols. 880, 881, author's translation; standard English translation in *Nicene and Post-Nicene Fathers*, Second Series, Vol. 2, p. 245.

Observations

It will be observed that the language of the prayer was so adapted that it might be offered to any one of the many gods in vogue at that time, although it was evidently framed by some clergymen, and intended, as Eusebius implies, to be addressed to the true God. The following remark by Victor Duruy is an appropriate one:

“He sent to the legions, to be recited upon that day [of the Sun], a form of prayer which could have been employed by the worshiper of Mithra, of Serapis, or of Apollo, quite as well as by a Christian believer. This was the official sanction of the old custom of addressing a prayer to the rising Sun. In determining what days should be regarded as holy, and in the composition of a prayer for national use, Constantine exercised one of the rights belonging to him as Pontifex Maximus; and it caused no surprise that he should do this.”³⁰

³⁰ Victor Duruy, *History of Rome*, Vol 7, part 2, p. 489.

Note, too, that Eusebius affirms that the emperor “labored to make all men do this, as it were making a vow itself, to make all men little by little religious.” Here is seen the objective of the first Sunday legislation by a civil government. Eusebius also tells us: “And to the governors of the empire likewise was issued a law to honor the Lord’s day; and by command of the emperor they honored the days of the martyrs and the ecclesiastical seasons and festivals.”³¹

³¹ Eusebius, *Life of Constantine*, book 4, chap. 23, in *Nicene and Post-Nicene Fathers*, Second Series, Vol. 1, p. 545.

E. G. White, a modern writer, has rightly said: “In the early part of the fourth century, the emperor Constantine issued a decree making Sunday a public festival throughout the Roman Empire. The day of the Sun was revered by his pagan subjects, and was honored by Christians; it was the emperor’s policy to unite the conflicting interests of heathenism and Christianity. He was urged to do this by the bishops of the church, who, inspired by ambition and thirst for power, perceived that if the same day was observed by both Christians and heathen, it would promote the nominal acceptance of Christianity by pagans, and thus advance the power and glory of the church.”³²

³² E. G. White, *The Great Controversy Between Christ and Satan*, p. 53. Constantine himself, in a letter addressed to Alexander, bishop of Alexandria (313-323 A. D.), and to Arius, the notorious heretic, tells what his religious policy for the Roman Empire was from the beginning. He said: “My design then was, first, to bring the diverse judgments formed by all nations respecting the Deity to a condition, as it were, of settled uniformity; and, secondly, to restore to health the system of the world, then suffering under the malignant power of a grievous distemper. Keeping these objects in view, I sought to accomplish the one by the secret eye of thought, while the other I tried to rectify by the power of military authority. For I was aware that, if I should succeed in establishing, according to my hopes, a common harmony of sentiment among all the servants of God, the general course of affairs would also experience a change correspondent to the pious desires of them all.”—Eusebius, *The Life of Constantine*, book 2, chap. 65, in *Nicene and Post-Nicene Fathers*, Second Series, Vol. 1, p. 516.

Besides allowing agricultural pursuits on Sunday, Constantine also made it a market day, as had been the custom in some places. An inscription found on a Slavonian bath rebuilt by this emperor, says: “Also by the provision of his piety, he ordained that markets (*nundinae*) be held on the day of the Sun perpetually throughout the year.”³³

³³ J. Gruterus, *Inscriptiones Antiquae Totius Orbis Romani*, Vol. 1, p. 164, No. 2; *Corpus Inscriptionum Latinarum*, 1863 ed., Vol. 3, part 1, p. 523, No. 4121; Jo. Casp. Orellius, *Inscriptionum Latinarum Selectarum Amplissimo Collectio ad Illustrandum Romanae Antiquitatis*, Vol. 1, p. 141, No. 508.

Sunday marketing continued uninterrupted throughout the centuries in Europe until Charlemagne (768-814 A. D.), at the instigation of the clergy, forbade it to be done.³⁴ The practice of holding markets and fairs on Sunday is still observed in some parts of Europe today.

³⁴ P. Labbe and G. Cossart, *Sacrosancta Concilia*, 1671 ed., Vol. 7, col. 1177.

The Easter Question

In another manner Constantine legislated in behalf of Sunday observance. Since the second century A. D. there had been a divergence of opinion about the date for celebrating the paschal (Easter) anniversary of the Lord’s passion (death, burial, and resurrection). The most ancient practice appears to have been to observe the fourteenth (the Passover date), fifteenth, and sixteenth days of the lunar month regardless of the day of the week these dates might fall on from year to year. The bishops of Rome, desirous of enhancing the observance of Sunday as a church festival, ruled that the annual celebration should always be held on the Friday, Saturday, and Sunday following the fourteenth day of the lunar month. In Rome, Friday and Saturday of Easter were fast days, and on Sunday the fast was broken by partaking of the communion. This controversy lasted almost two centuries,³⁵ until Constantine intervened in behalf of the Roman bishops and outlawed the other group. On this point Eusebius says:

“Accordingly, the people being thus in every place divided in respect of this, and the sacred observances of religion confounded for a long period (insomuch that the diversity of judgment in regard to the time for celebrating one and the same feast caused the greatest disagreement between those who kept it, some afflicting themselves with fastings and austerities, while others devoted their time to festive relaxation), no one appeared who was capable of devising a remedy for the evil, because the controversy continued equally balanced between both parties. To God alone, the Almighty, was the healing of these differences an easy task; and Constantine appeared to be the only one on earth capable of being His minister for this good end. For as soon as he was made acquainted with the facts which I have described, and perceived that his letter to the Alexandrian Christians had failed to produce its due effect, he at once aroused the energies of his mind, and declared that he must prosecute to the utmost this war also against the secret adversary who was disturbing the peace of the church.

“Then as if to bring a divine array against this enemy, he convoked a general council, and invited the speedy attendance of bishops from all quarters, in letters expressive of the honorable estimation in which he held them. Nor was this merely the issuing of a bare command, but the

emperor's good will contributed much to its being carried into effect: for he allowed some the use of the public means of conveyance, while he afforded to others an ample supply of horses for their transport. The place, too, selected for the synod, the city of Nicaea in Bithynia (named from 'Victory'), was appropriate to the occasion."³⁶

³⁵ It rose in the second century during the pontificates of Pius I and Anicetus, and raged with fury during that of Victor I (about 198 A. D.).

³⁶ Eusebius, *Life of Constantine*, book 3, chaps. 5, 6, in *Nicene and Post-Nicene Fathers*, Second Series, Vol. 1, p. 521

Constantine himself attended the council, held in 325, and appears to have been its honorary president. "It was a strange spectacle," says J. B. Carter, "this vision of the successor of the deified emperors, himself still Pontifex Maximus of the old state religion, presiding over the bishops who were composing that historic statement, the Nicæan Creed."³⁷

³⁷ J. B. Carter, *The Religious Life of Ancient Rome*, p. 118,

The council decreed in favor of the Roman church and Sunday observance in the matter of the paschal controversy, and Constantine issued a decree in the form of a letter whereby all Christians were ordered to celebrate the festival on Sunday.³⁸

³⁸ See the epistle of Constantine in Eusebius, *Life of Constantine*, book 3, chaps. 17-20, in *Nicene and Post-Nicene Fathers*, Second Series, Vol. 1, pp. 524, 525.

Six Decrees Issued

Constantine issued at least six decrees relative to Sunday observance: (1) the law of March 7, 321 A. D., commanding courts, trades, and townspeople to rest on the day of the Sun; (2) in June of the same year the law referring to emancipation and manumission of slaves on that day; (3) a law granting Christian soldiers permission to attend church services on Sunday; (4) another law requiring the pagan troops to recite a prayer in the drill field on that day; (5) a decree making Sunday a market day throughout the year; and (6) an edict sanctioning the decision of the Council of Nicaea to the effect that the Easter service in commemoration of the resurrection of Christ should be celebrated on Sunday every year, and thereby assured the triumph of the Roman church and the pretensions so arrogantly asserted by the Roman bishops in a controversy raging since the time of Anicetus and Victor I in the second century.

If a man's religion is known by its fruits, it may safely be asserted that Constantine's conversion was only nominal. After the defeat of Licinius in 323, he openly professed the Christian religion, but he postponed his baptism until shortly before his death in 337. He remained the Pontifex Maximus of Roman paganism until he died. Arthur E. R. Boak says that Constantine "until 330 issued coins with the image of the Sun-god, with whom the emperor was often identified."³⁹ And Victor Duruy says of his coins after his profession of Christianity:

“There remain so many of them with the effigy of Jupiter, Mars, Victory, and especially of the Sun, even with the legend, ‘To the Genius of the Roman people’ or ‘of the Emperor,’ that the great numismatologist Eckhel regards the monetary history of this reign as altogether that of a pagan emperor (Vol. 8, p. 88). This opinion, however, is no longer tenable, since a certain number of Constantine’s coins have been found with devices, Christian and others, in which, on the same piece, the two cults are associated,—the legend *Marti Pain Consematori* [to Father Mars, Protector], for instance, with the cross (see W. Madden, *The Numismatic Chronicle*, Vol. 22, p. 242 ff.). The writers who certify to the Christian zeal of the emperor from the year 312, refuse to acknowledge this confusion, so disastrous to their theory; impartial history sees in it a demonstration of that policy which was, fortunately, guided by circumstances rather than by principle or by religious conviction.”

³⁹ Arthur E. R. Boak, *A History of Rome to 565 A. D.*, p. 350.

⁴⁰ Victor Duruy, *History of Rome*, Vol. 7, part 2, p. 512.

The mingling of heathen and Christian rites in the founding of Constantinople, and in the celebration of the anniversary of it, is too lengthy to describe here. This pagan conduct on the part of Constantine after his profession of Christ suffices to show that he was not a real Christian.

Gibbon erred only by confusing truth with apostasy when he said: “As he [Constantine] gradually advanced in the knowledge of the truth, he proportionately declined in the practice of virtue; and the same year of his reign in which he convened the Council of Nice, was polluted by the execution, or rather murder, of his eldest son.”⁴¹

⁴¹ Edward Gibbon. *The Decline and Fall of the Roman Empire*, Vol. 2, chap. 20, p. 272.

Besides the murder of his son Crispus, he is said to have had his wife, the boy’s mother, suffocated by steam in a bath. It is certain that, against his plighted word to his own sister, he caused his seventy-year-old brother-in-law, Licinius, to be put to death in 324, and a little later had the younger Licinius, his nephew, murdered. These crimes were committed after the promulgation of the Sunday laws in 321.

The whole life of Constantine was bent toward one end—to become the sole lord of the Roman world. He put off *openly* professing Christ until he had satisfied every earthly ambition. This was doubtless done in order not to offend too much his pagan subjects. But when his last day drew near, he called for the ministers of the church to baptize him, and said: “Let there be no more uncertainty.”⁴²

⁴² Eusebius, *Life of Constantine*, book 4, chap. 62, in J. P. Migne, *Patrologia Graeca*, Vol. 20, col. 1216, author’s translation.

Such was Constantine, the father of civil Sunday legislation, the man who steered the world and the church into the abyss of politico-ecclesiastical despotism that was the curse and nightmare of civilization for more than a thousand years thereafter.