

## Should Blue Laws be enforced again?

There are many saying, "yes".

This article argues for uniformity in closing laws. "In this age of personal freedom, the idea of putting the wider community before our personal preference might seem archaic to some, but isn't that what community is all about? Being closed on Sundays has in no way diminished the economic vitality....for the sake of the entire Bergen County family, I would hope that we would maintain or expand the current blue law system. Whether it be for religious or just personal preference, let's maintain the unique and wonderful benefits of maintaining at least a day for rest, renewal, and reflection."

Rev. Stephen Giordano

This is especially interesting because some preferred to close on Saturday and open on Sunday.

February 1, 1977 the following statement was signed by six denominational executives in the Massachusetts Council of Churches.

The repeal of the Sunday Closing or Blue Laws portends a negative impact on the quality of life in Massachusetts. We, therefore, urge the preservation of these ancient but valuable restrictions to protect a common day of rest.

Are Blue laws really the great benefit their advocates claim them to be?

They do favor Sunday keeping Christians, and penalize people who worship God on the true Sabbath (Saturday) as well as those who are not Christians. The Sunday keepers want to "close shop" without fear of competition from anyone, while those observing the day the Lord blessed and sanctified, will shut down on the "busiest" commercial day of the week because they desire to honor their God, and then they are also forced to stay shut on Sunday as well.

A law that is just, guarantees equal rights to all, and would allow people to choose which day they wish to have for their rest.

It would guarantee the person's right to take a certain amount of "time off" not enforce WHAT DAY, must be set aside for rest.

In America the earliest Sunday-closing laws date back to 1610 in the colony of Virginia. They included not simply mandatory closing of businesses on Sundays, but also mandatory church service participation, and other "moral" restrictions, with penalties of various degrees of severity for non compliance.

As the constitution granted freedom of religion, the church going part of the blue laws receded, but business continued to be closed on Sunday. By 1961, when the Supreme Court decided its first modern Sunday case, most states had already started easing restrictions and granting a variety of exemptions on the Sunday closure laws. The blue laws were retained as the court lamely held that the blue laws had become secularized over the years, even though the purpose had been religious.

Though many of these laws are still on the books, their enforcement is less and less as more and more shops and business etc. are opened on Sundays.

However, enforcement became more and more slack, till in 1974 the legislature allowed each city and county the right to suspend or retain Sunday-closing laws.

Finally, in 1988, a group of Virginia Beach businessmen initiated the case that ended blue laws in the state. The Virginia Supreme Court struck down the closing laws because the numerous exemptions had changed them from general laws to special legislation, and special legislation is prohibited by the state constitution.

This brings us to 2004 See this link when an effort by Virginia's lawmakers to "clean out" the state's embedded "outdated" blue laws, actually resulted in the reinstatement of a law granting employees the right to ask for a 24-hour rest period each week (Saturday or Sunday). If employers refused they could be fined or they could pay the forced labourer triple wages on that day.

This legislative "error" caused widespread consternation among Virginia employers. Employees around Virginia started telling their supervisors that they wouldn't be coming to work on Sundays. A judge issued a 90 day emergency order to block the new law. July 14, 2004 a special session convened by the governor to correct the blunder and "fix" the law. It took effect immediately.

A noteworthy result of the "blunder", was the amount of publicity it created. In the weeks following July 14, 2004, articles appeared in many of the major newspapers lamenting the power of consumerism over the "Sabbath".

Elpasotimes.com NEWS, Aug. 1,2004

"The error gave Virginians the right to take Sundays off, but the window of opportunity closed quickly as legislators revoked the 'right' in a nod to the might of American consumerism."

The "Indiana Times", July 18, states"

"Sunday Melts into Just Part of the Week"

The "Seattle Times", July 18, asks:

"In this 24/7 world, is Sunday still special?"

The "Washington Times", July 13, writes:

"Stressed-out society could use restful Sundays"

CBS47 Jacksonville, Aug. 9, notes:

"Maybe those old "blue laws" ...the laws that used to keep stores and other businesses closed on Sundays...maybe they weren't so crazy after all."

The Daily Tribune News, Aug. 11, 2004

A letter to the editor asks about

"family values" and "just how can 'traditional family values' be passed onto the next generation if today's parents literally have a month less contact with their kids during the year than their parents did 25 years ago?"

The August 2, 2004 "TIME" Magazine, had an article by Nancy Gibbs,

"If your soul has no Sunday, it becomes an orphan, Albert Schweitzer said-- which raises a question for these times: What is lost if Sunday becomes just like any other day? ...With progress, of course comes backlash from those who desperately want to preserve the old ways...."time to worship, spend time with family and friends or just plain rest from the work week...Made sense then still makes sense now". Pope John Paul II even wrote an apostolic letter in defense of Sunday;"When Sunday loses its fundamental meaning and becomes merely part of the 'weekend' he wrote, "people stay locked within a horizon so limited that they can no longer see 'the heavens'".

Yet, what does government have to do with it? True, we want a government that respects our convictions. But government is NOT TO IMPOSE one type of religion. It cannot impose one religion, and still respect religious freedom.

People who are convicted concerning a sabbath day, don't need a government telling them to keep it. Let the people decide which day they will rest.

Poland Considers Ban on Sunday Shopping

#### THE WARSAW VOICE

December, 1999 "Solidarity Election Action (AWS), the co-ruling party in Poland, seeks to ban trade on Sundays. In practice such a ban would hit supermarkets, a form of mass retailing unknown to Poles before the collapse of communism. When polled, 60 percent of respondents said they wanted to do their shopping on Sunday. ...The AWS pressure for this unpopular legislation is a result of its ideological profile. It is dominated by Catholic leaders, many of whom originated from the trade union movement, allergic to the expansion of the Western lifestyle in the homeland of the pope. They use arguments of a religious nature (remember the Sabbath to keep it holy) as well as socioeconomic....In fact they are pressing for a fundamentalist solution to the problem stemming from a literary interpretation of the third commandment."

WARSAW (CWNews.com) -

Polish lawmakers proposed a draft bill on Thursday (Oct. 2001) that would require stores to remain closed on Sunday in order to protect people forced to work on Sunday, a day of rest for Christians.

The bill, sponsored by 21 deputies, has the support of the Polish bishop's conference, citing Pope John Paul II's recent remarks that Poles are too often converging on so-called hypermarkets on Sundays when they should instead be attending Mass and spending time in spiritual pursuits. More than 90 percent of Poles are Catholic.

Jerzy Gwizdz, one of the authors of the draft, acknowledged that respect for Sunday as a Christian holiday was one of the reasons behind the proposal. But the measure also aims at "protecting a big number of people who are forced to work on Sundays."

Warsaw Voice

Trade Limitation, Remember the Sabbath Day Labor code introducing new regulations permitting only small stores-with five employees, or less-to operate on Sundays and holidays, the president has made his intentions clear in vetoing this bill. (Sept. 30, 2001)

Polish church leaders criticize veto of Sunday shopping ban

By Jonathan Luxmoore

Catholic News Service

WARSAW, Poland (CNS) --

October, 2001

"Polish church leaders criticized President Aleksander Kwasniewski for vetoing legislation that would have prohibited shopping on Sundays.

"This veto contradicts the Ten Commandments and our nation's centuries-old tradition," said Jesuit Father Adam Szulc, spokesman for the Polish bishops' conference.

"It will not help Catholics, especially those employed in supermarkets, to observe Sunday's sacred character. Instead, it will force them to work."

"The Jesuit priest reacted to the president's Oct. 11 veto of a Labor Code amendment, which would have restricted Sunday shopping to small essential-service outlets only.

"Father Szulc said the veto violated norms in the European Union, and he dismissed claims that the ban would have worsened Poland's state budget deficit and driven up unemployment.

"However, Kwasniewski's office said Oct. 11 that the president had exercised his veto after being advised the measure could cause 16,000 job losses.

"With rising unemployment and falling economic growth in our country, a ban on activities by large trade establishments and service enterprises on Sundays and holidays would have caused economic hardships," the statement added.

"Such a ban would have inflicted additional burdens on the state budget in unemployment allowances and insurance, as well as a cut in turnover in important sectors of the economy," it said.

"In an Oct. 4 letter to Kwasniewski, the bishops' conference said Sunday shop opening violated religious freedom and caused a "serious conflict of conscience" for Catholics.

"It added that the legally guaranteed celebration of Sunday was a "lasting, universal element of Europe's spiritual heritage," and its neglect would "lead to a slackening of family bonds and (to) pathologies."

WHO WAS BEHIND THIS BILL?

We just read that it was the Polish Catholic Bishop's conference, citing Pope John Paul II's recent remarks that Poles are too often converging on so-called hypermarkets on Sundays when they should instead be attending Mass and spending time in spiritual pursuits." It's the Catholic dominated AWS that's pushing Sunday laws, for religious reasons.

The battle continues in Poland.

The above was NEWS about the Polish Catholic Bishop's Conference, and their attempts to pass Sunday legislation. (Oct. 2001)