

Sabbatarianism and Sport In Canadian Society by: Barbara Schrodt University of British Columbia

The influence of religion on sport and on society's attitude towards sport has long attracted the attention of sport historians, and in recent years, a number of articles have been published on the subject of Puritan beliefs and practices as they affected sport.¹ Puritan attitudes are deeply entrenched in our society, and highly resistant to change; it is a simple matter to detect, in modern times, the remnants of practices that were established many centuries ago. One of these is Sabbatarianism, the doctrine of strict observance of the Sabbath. This seventeenth century practice has been in conflict with sport since the days of Elizabeth I, when the early Puritan laws regulating the behaviour of Englishmen on Sundays were first proclaimed. The centuries-old conflict between those who would play games on their day of rest and those who would have all activities but church worship prohibited has not ceased entirely, and in Canada, a law still remains on the statute books that restricts sports activities on Sundays. Although its roots lie in religious beliefs, modern Sabbatarianism is more than a manifestation of Puritanism. It also involves considerations of constitutional law and working conditions. This paper is, therefore, a presentation of the inter-relationships of a particular combination of law, labour, and religion, and its affect upon sport in Canada.

Although Puritan religious customs were brought to English-speaking Canada by British and American immigrants, early Canadian Sunday laws were not quite as strict as those in the areas from which these immigrants had come. Nevertheless, there were many legal restrictions on Sunday activities, and prior to Confederation in 1867, each colony observed the Sabbath according to the established customs of its colonizers. In Lower Canada, later to become the Province of Quebec, Sunday

¹T. R. Davis, "Puritanism and Physical Education: The Shroud of Gloom Lifted," *Canadian Journal of History of Sport and Physical Education*, III, 1 (1972), 1-7; "Some Notes on Historical Treatment of Colonial American Sport," *CJHSPE*, I, 2 (1970), 37-51; J. T. Jable, "Pennsylvania's Early Blue Laws: A Quaker Experiment in the Suppression of Sports and Amusement, 1682-1740," *Journal of Sport History*, I, 2 (1974), 107-121; "The English Puritans: Suppressors of Sport and Amusement?," *CJHSPE*, VII, 1 (1976), 33-40.

was similar to the relaxed Continental Sunday of France, while the Maritimes and Upper Canada followed practices resembling those in Britain and the American states. We find records of Sunday laws in Canada dating back to the late 1700's, when, for example, a town ordinance called for the levying of fines against public houses which permitted bowling in their "ball alleys" on Sundays.² In Upper Canada, later Ontario, it was illegal, in the last half of the nineteenth century:

. . . for any person or persons to play at skittles, ball, foot-ball, racket, or any other noisy game, or to gamble with dice or otherwise, or to run races on foot, or on horseback . . . on that day; nor (was) it . . . lawful . . . to go out fishing or hunting or shooting . . . nor . . . to bathe in any exposed situation in any water.³

This law severely restricted physical recreation on Sundays, but the penalties for violations were not as severe as those in some of the New England colonies; offenders were fined a minimum of five shillings, but none were whipped or put to death.⁴

Because of this and other similar laws, sports competition in the urban communities of Canada in the nineteenth century was confined almost entirely to weekdays. This usually precluded participation by the working class, for which little leisure time was available. Merchants, garrison officers, and professional people formed the select group which was able to participate in sports. This situation was altered somewhat by the Saturday early-closing practices, which became more widespread in the mid-1860's and by which ". . . the working man's indulgence in sport became possible."⁵ But for many, Sunday was still the only day free from work, and these were the ones whose sports activities were restricted by Sunday laws.

Violations of the Upper Canada Lord's Day Act was still penalized as late as 1896, when six boys were each fined one dollar for playing ball on Sunday.⁶ But at the same time, some relaxation in enforcement of the Act was beginning to develop. In Toronto, in 1895, a High Court judge, reversing a judgment in an appeal case involving four golfers fined for playing on Sunday, stated that:

²P. Lindsay, "A History of Sport in Canada: 1807 to 1867," unpublished Ph.D. thesis, University of Alberta, 1969, p. 270.

³Government of Upper Canada, *Statutes of Canada*, (Montreal, 1845), pp. 263-264.

⁴*Ibid.*, p. 265.

⁵Lindsay, *op. cit.*, pp. 396-397.

⁶A. Cox, "A History of Sports in Canada 1868-1900," unpublished Ph.D. thesis, University of Alberta, 1969, p. 29.

This game of golf is not a game within the meaning of the law. It is not noisy. It attracts no crowds. It is not gambling. It is on a parallel, it seems to me, with a gentleman going out for a walk on Sunday, and as he walks, switching off the heads of weeds with his walking stick.

This rather lenient attitude was to become more prevalent as the nineteenth century drew to a close, but at the same time, it aroused strong opposition from the Lord's Day Alliance. This organization was formed in 1889 by the Protestant churches, to protect the Sabbath as a day of rest and worship. The Alliance launched a campaign for Dominion-wide legislation enforcing Sunday observance,⁸ and received strong support for this move from organized labour. The labour union movement, still in its formative stages, drew membership from all forms of belief, but the unions were:

perfectly willing to lend their weight to a movement whose aims — whilst profoundly divergent at the fundamental level — could be harnessed for the time to a specific objective of their own.

In later years, this expedient partnership would prove troublesome, when labour moved into the forefront in the campaign to permit more sport on Sundays. But at the turn of the century, their actions supported identical goals; labour wanted a guarantee of one day of the week free from work, while the Lord's Day Alliance wanted a guarantee of one day free for worship.

The combined pressures of these two groups were finally successful when the Canadian Parliament, in 1906, introduced a bill proposing a Lord's Day Act of Canada. This immediately brought opposition from the Province of Quebec, which argued that the law would be an infringement of provincial rights. The result was a compromise, with two important provisos inserted in the new Act. One of the compromise clauses stated that specific activities prohibited by the Act could be made lawful by a provincial act or law. Another clause stated that any provincial Lord's Day act already in force could not be repealed or affected by the new Federal Act.¹⁰ This meant

⁷Quoted in *Ibid.*, pp. 134-135.

⁸G. E. Silcox, "The Lord's Day Act," *Canadian Commentator*, February, 1961, p. 7.

⁹K. A. MacKirdy; J. S. Moir; Y. F. Zoltvany, *Changing Perspectives in Canadian History*, (Don Mills, Ontario: J. M. Dent and Sons (Canada) Limited, 1971), p. 349.

¹⁰Government of Canada, *Revised Statutes of Canada: 1970*, (Ottawa Queen's Printer), pp. 4976-4980.

that a province could enact special Sunday legislation to modify the Lord's Day Act of Canada. Also, the delay between passage of the Federal Act and the date on which it became law gave provinces an opportunity to pass their own legislation in advance. Quebec took advantage of this, and, on the day before the Federal Act became law, promulgated its own Lord's Day Act, which today still protects ". . . all such liberties as are recognized by the custom of this province."¹¹ As a result, Quebec has always enjoyed a "wide open" or Continental Sunday, and commercial sport has never been particularly restricted on that day.¹²

Quebec was demonstrating, as it would many times in other fields, that Canada was a confederation of provinces for which the British North America Act, the Canadian constitution, guaranteed a degree of autonomy in certain areas, and Federal infringements upon social habits and traditions would not be tolerated. In insisting upon its right to determine the nature of Sunday activities for its citizens, the Province of Quebec forced the Federal Government to enact a law that would, in later years, give other provinces the opportunity to relax Sunday restrictions and, in effect, circumvent the Lord's Day Act. But that would take many decades, and in the meantime, English-speaking Canada, predominantly Protestant, adopted the new Act without modifications.

This meant that most business activities and all commercial or professional forms of entertainment and sports were prohibited. The section of the Act relating to sport stated that:

It is not lawful for any person, on the Lord's Day . . . to engage in any public game or contest for gain, or for any prize or reward, or to be present thereat, or to provide, engage in, or be present at any performance or public meeting,³ elsewhere than in a church, at which a fee is charged.¹³

Unlike most federal laws, the responsibility for enforcement of the Lord's Day Act lay entirely with provincial and local authorities. An infringement of the law would only be penalized if a local law enforcement agency applied for and received a fiat from its provincial Attorney-General. Since not all police forces and attorneys-general viewed the evils of Sunday sport

¹¹J. Gray, "They're Fighting to Save What's Left of Sunday," *McLean's Magazine*, February 15, 1955, p. 34.

¹²*Ibid.*

¹³Government of Canada, *op. cit.*, p. 4976.

in precisely the same way, the treatment of violations was very uneven, and gave the members of the Lord's Day Alliance much cause for concern, a concern which started as soon as the Federal Act became law.

With the new law in force, the battle lines between Sabatarianism and sport were clearly established, and the first skirmishes began. In areas where Sunday professional sport was well established, these activities merely continued as if no Lord's Day Act had been passed. Sunday baseball in North Vancouver, for example, simply carried on its normal programme until 1909, when the Lord's Day Alliance succeeded in convincing the British Columbia Attorney-General that he should prosecute. The baseball promoters then turned to the time-honoured silver collection method, and this the Attorney-General did not see as a violation of the Act.¹⁴ Amid dire warnings that Canadians were headed toward the same fate that befell Greece when it placed too much emphasis on games and sports at the expense of the spiritual element,¹⁵ the Lord's Day Alliance turned to the question of Sunday shooting; in this area, it was more successful, convincing most rural municipalities that every Sunday should be declared closed season for hunting.¹⁶ Meanwhile, sports promoters found other opportunities to conduct their programmes on that one day of the week when most people were free. For example, in 1914, baseball games were arranged at a U. S. border town near a point in B. C. that could be reached by electric tram-line. The railway company operated Sunday excursion service to that border point, in violation of the Lord's Day Act, but the Attorney-General again refused to prosecute, stating that he could see no reason to deprive people of a day in the country.¹⁷ Occasionally, when the Lord's Day Alliance was successful in stopping Sunday sports activities, it met strong opposition from the communities affected. In southern Alberta, where two series of summer Sunday ball games were stopped in 1920, the Alliance suffered a considerable decrease in income from the localities where the proposed games were to have been played. The Secretary of the Alliance was not worried, however; he felt that in the long run the men who adopted that attitude would come to realize that Sunday should be a day of worship rather than a day of sport.¹⁸

¹⁴British Columbia Lord's Day Alliance, *Annual Report: 1909-1910*, pp. 4-5.

¹⁵Alberta and B. C. Lord's Day Alliance. *Annual Report: 1911-1912*, p. 8.

¹⁶*Daily Colonist*, September 10, 1920, p. 5.

¹⁷Lord's Day Alliance, 1914-1915, p. 8.

¹⁸Lord's Day Alliance. 1920-1921, p. 10.

This attitude of the Secretary illustrates the view held by Alliance leaders that any activity which interfered or competed with Sunday church worship was contrary to the spirit of the Lord's Day Act. But the Act was really a piece of labour legislation, and organized workers saw its purpose as the protection of the right to one day free from work — and free, also, to do whatever they wanted; this could mean attending church, but it could also mean participating in or watching sports events. As a result, the two groups which had originally joined together to lobby for the passage of the Lord's Day Act began to develop divergent views, which were prominently illustrated by the controversy over sport.

That the Lord's Day Alliance was opposed to sport on Sundays, either amateur or professional, can be seen in statements made by Alliance officers, such as:

It is not a question as to whether it is wrong to play golf or tennis on Sunday; it is rather the larger question. What will be the effect upon the spiritual growth and development of the nation if we devote the Day of the Spirit to purely physical recreation?¹⁹

It is not because people want to work on Sunday, but chiefly because they want to play, that the integrity of the Day is being menaced at this time.²⁰

The tendency to use Sunday for sport is decidedly on the increase and constitutes . . . one of the most serious aspects of modern civilized life, for it is a symptom of the decay of spiritual life.²¹

If the Alliance had had its way, no Sunday sports activities of any kind would have been allowed, and indeed, the social pressures brought to bear by the powerful fundamentalist forces in Canadian society in the first two decades of the twentieth century did repress many amateur and recreational sports opportunities. The Alliance succeeded, for example, in convincing the Vancouver Park Board that its very popular Stanley Park tennis courts should be closed on Sundays,²² and not until 1943 did that same park board, bowing to pressure from wartime workers, open its city parks and playgrounds to recreational group games on Sundays.²³

¹⁹Lord's Day Alliance, 1914-1915, p. 5.

²⁰Lord's Day Alliance, 1922-1923, p. 10.

²¹Lord's Day Alliance, 1924-1925, p. 7.

²²Vancouver Sun, September 8, 1930, p. 6.

²³Vancouver Sun, May 1, 1943, p. 21.

In the period following World War I, the attitudes of most Canadians toward Sunday sport underwent noticeable change. Sunday became as much a day for leisure as for church worship, and with this increased secularization of the Sabbath, pressures grew for professional sport on Sundays. One of the complex causes of society's changed outlook was a growing cosmopolitanism, created by the influx of European immigrants, by the return of soldiers from World War I, and by the improvements in communications which brought the world closer to Canadian communities. Also, increased ownership of the automobile gave many Canadians other alternatives to church on their one day of leisure, and created, for those whose work allowed it, the family weekend excursion. Increased affluence was another important factor, encouraging the growth of popular Sunday sports such as golf.

In the 1920's, opposition to the strict interpretation of the Lord's Day Act was clearly evident. Many newspaper editorials of the period criticized the Lord's Day Alliance for attempting to restrict Sunday enjoyment, an indication that the community was no longer completely in accord with Alliance views. In Victoria, a large majority of voters condemned the police board's policy of enforcing the Lord's Day Act to the detriment of sports programmes, and some of the citizens set about to establish an Anti-Blue Sunday League.²⁴ During the 1930's, Sunday sport was given very uneven treatment. In Toronto, the public was denied access to parks and playgrounds, while private sports clubs were open and thriving.²⁵ In Nova Scotia, railway authorities abandoned plans for ski trains in 1936, after protests about the desecration of the Sabbath, but a Sunday cricket match was played in Halifax in that same year, causing no outcry.²⁶ In 1938, the Ontario Attorney-General said that Sunday sports prohibitions were almost impossible to enforce and ". . . were not in tune with modern conditions."²⁷

One of the Depression crazes that swept the country in the early 1930's was miniature golf. For a few cents, one could enjoy a brief respite with this novelty sport and escape the drab realities of life. Saturdays and Sundays were the logical times for playing "pee-wee" golf, as it was familiarly known, and when the Lord's Day Alliance pressured police to close down

²⁴*Daily Colonist*, May 13, 1922, p. 1.

²⁵R. Loppage, "Selected Sports and Canadian Society: 1921-1939," unpublished Ph.D. thesis, University of Alberta, 1974, p. 216.

²⁶*Ibid.*, p. 217.

²⁷*Ibid.*, p. 218.

Sunday operations, a loud protest was raised. In particular, some citizens criticized the prosecution of pee-wee golf when private golf clubs were allowed to operate without restrictions. This revealed an underlying social rift that would continue to cause resentment until the 1950's. Those with money were not really affected by the Lord's Day Act; it was the people in the poorer class who were deprived of sports and recreation on their day off.²⁸

After World War II, the concept of Sabbatarianism began to lose ground significantly. Some causes of this were: an even greater degree of cosmopolitanism; a general lessening of the influence and authority of churches; and the disruptive effects on traditional life patterns that developed as a result of wartime disregard for Sunday work laws.

Groups began to organize for changes in the Lord's Day Act to permit professional sport on Sunday, and this produced a shift in policy by spokesmen for the churches and the Lord's Day Alliance. Whereas in the 1930's most protectors of the Sabbath had been opposed to any kind of sport on Sundays, in the late 1940's they began to give their blessing to amateur sport, while still against commercial sports activities. They now stressed the need to establish a compromise arrangement, suggesting that amateur sport could well take place on Sunday afternoons, after church services were over.²⁹ In opposition to the church position, the trade unions became quite outspoken. They were among the most vocal in demanding a relaxation of Sunday restrictions, and when one Anglican bishop reiterated the historical argument that the purpose of the Lord's Day Act was to protect the working man's one free day, a trade union leader stated that the Act was out of date, and that no labour union had authorized the Bishop to ". . . campaign for blue Sundays on its behalf."³⁰

A cross-Canada survey conducted by Canadian Press in 1948 showed that acceptance of organized Sunday sport was increasing, and that only in a few areas was the Sabbath being observed in accordance with the Lord's Day Act. In most localities, the silver collection was the chief method of evading the law, while some commercial organizations, such as bowling lanes, operated on a pseudo-club basis, for which membership

²⁸*Vancouver Sun*, September 10, 1930, p. 6.

²⁹*Daily Colonist*, January 5, 1950, p. 3.

³⁰*Ibid.*

tickets were made readily available.³¹ Clearly, most Canadians were ready for a different kind of Sunday from the one envisioned by the supporters of the original 1906 Act, and the important breakthrough in the struggle between sports enthusiasts and Sabbatarians came in 1950. Reacting to the criticisms of tourists that “We spent a week in Toronto last Sunday,”³² the Ontario legislature repealed the 1845 Upper Canada Lord’s Day Act, and enacted a new Lord’s Day (Ontario) Act, which gave local municipalities the option to authorize specified commercial sports conducted between 1:30 and 6:00 p.m. on Sundays.³³ This immediately resulted in a Toronto plebiscite, in which the citizens of the city returned a decision in favor of legalizing Sunday commercial sport, in spite of strong opposition from Protestant churches, city newspapers, and candidates in the civic election. One commentator suggested as the reason for this surprising result:

People are increasingly unable to believe in the disinterestedness of the churches, or in their ability to distinguish a moral issue from one that merely appears to threaten their social and economic position.³⁴

Whether or not this strong criticism was completely true, it was certainly true that Toronto, and very quickly other Ontario cities, wanted a Sunday that was more in keeping with modern ideas about the use of leisure time.

During the 1950’s and 1960’s, other provinces followed Ontario’s example, introducing legislation that would allow for local option on the issue of Sunday commercial sport. But at no time was it very easy for the supporters of relaxed Sunday laws. In Vancouver, for example, where sport had enjoyed a long tradition of strong support, it took eight years to finally enact Sunday sport legislation. The first defeated plebiscite was held in 1950, and not until 1958 did city voters convince the British Columbia legislature that it should amend the Vancouver charter to allow commercial sport on Sundays. The rest of B. C. did not receive its right to hold local plebiscites on this issue until 1969 — fully nineteen years after Ontario introduced its pioneering legislation.

In summary, it can be seen that the conflict between Sabbatarianism and Sunday sport has been an issue in Canadian

³¹*Daily Colonist*, October 7, 1948, p. 15.

³²*Ibid.*

³³Gray, *op. cit.*, p. 34.

society since the nineteenth century. Church and labour joined forces to lobby for federal Sunday legislation, and were successful when the 1906 Lord's Day Act of Canada was passed. This Act served its purpose well, and suited the society of pie-World War I Canada, but after the War, attitudes changed and sports activities on Sundays became more frequent. Increasing numbers of Canadians saw nothing wrong with Sunday sports events, and law enforcement agencies became more lenient in their approach toward violations of the Act.

Once a social law has been enacted, however, it is extremely difficult to repeal or amend, especially if strong lobbying groups have been organized to prevent any changes in the law. Politicians will listen to and often be influenced by these groups, even if the protestors only represent a minority view, and this is especially true if there is no organized representation from the majority of citizens. But after World War II, groups supporting commercial sport on Sundays did start to organize, and to make their views known. In an ironic reversal of allegiances, the trade unions were among the most vocal in demanding changes in the Act that had been drafted to protect their rights, for it was obvious to them that the Act was preventing workers from realizing the fullest possible enjoyment of their legal day free from work. The well-to do could participate in Sunday sports activities without serious restrictions, but the less-privileged felt the discrimination of the Lord's Day Act.

Pressures on local and provincial governments to allow commercial sport on Sundays finally resulted in general relaxation of Sunday laws, and so Canadians are now able to enjoy the kind of Sunday they want. For, as soon as sports activities became legal, citizens realized that the dire warnings of the Church were unfounded, and that Sunday sports would not mean the end of Sunday work laws. In short order, motion picture showings, and theatre and concert performances received approval for Sunday operations, sometimes in the same plebiscite legalizing sport. Today, most Canadians enjoy a wide range of sports and entertainment events on Sunday afternoons. The Lord's Day Act is still a Federal law, but its effect has been diminished by provincial acts permitting specified activities. The provinces simply took advantage of that important loophole which was the bequest of Quebec, with its special position in Canadian society.

The Canadian experience in modifying laws to permit professional sport on Sundays has taken a different course from that seen in Great Britain or the United States, corresponding to the different forms of government in each country. In Great Britain, with its unitary system, changes in the Sunday Observance Law in the late 1960's took effect for the entire country at the same time. In the United States, Sunday laws have always been a matter for state legislation; states varied in the severity of their "blue laws", and each state relaxed its laws at its own time and in its own way. And in Canada, a confederated nation with more power vested in the Federal Government, each province could choose to modify a Federal law that had applied throughout the country.

The role of sport in bringing about these changes in the Canadian Sunday laws cannot be over-emphasized, for it was the initial restriction of sports activities that precipitated the conflict between Sabbatarians and their opponents. Today, the controversy seems to have died away, and in some respects the relationship between sport and religion is reversed. Although not all Canadians will support this view, some writers have placed sport in the position of a national religion. Chapin, writing in *Contemporary Canada* in 1959, observed that:

While the religion of Canada is assuredly Christianity, every fall when the football season opens, and every spring when the hockey play-offs come round, it begins to appear that the religion of Canadians is sport The newspapers know where the interests of their readers lie, where their circulation is to be garnered. Every day they give four or five pages, often a dozen, to chronicling events in the world of athletic competition Church services take up part of a page each Saturday.³⁴

Kilbourn, in an authoritative publication about religion in Canada, opened his book with this statement:

If I were asked by some stranger to North American culture to show him the most important religious building in Canada, I would take him to Toronto's Maple Leaf Gardens.³⁵

Later, he described the ". . . religious cult that celebrates the Garden's reason for being — Hockey Night in Canada," which

³⁴*The Canadian Forum*, February, 1950, pp. 244-245.

³⁵M. Chapin, *Contemporary Canada*, (New York: Oxford University Press, 1959), pp. 225-226.

³⁶Wm. Kilbourn, *Religion in Canada: The Spiritual Development of a Nation*, (Toronto: McClelland and Stewart Limited, 1968), p. 6.

“. . . is unlike all the other cults in that it unites Canadians of all ages and classes, from coast to coast.”³⁷

And finally, Kidd and McFarlane place the relationship between sport and church in contemporary perspective with this statement in their book about hockey in Canada:

At playoff time, Canadian churches hold their services early so that their congregation can get home in time for the Sunday afternoon game.³⁸

This demonstrates the extent to which Sunday has become more than a day for worship. It is now essentially a day for leisure and recreation, for full participation in almost every kind of sports activity — amateur and professional, organized and casual, for the active player and for the spectator. The Lord’s Day Act no longer prevents Canadians from enjoying sports on Sundays. Indeed, while Canadian churches have lost much of the influence that they held seventy years ago, Canadian sport is healthier and stronger than ever.

³⁷*Ibid.*

³⁸B. Kidd and J. McFarlane, *The Death of Hockey*, [Toronto: New Press, 1972], p. 8.