

hoof of the family. Later he could retain as his own his pay received as a soldier; later still, also, his salary as a civil officer, and at the time of Justinian, all property acquired by the son was his own save what he received from the father.

But as to their relations to the state the father and son were on an equal plane; and it was not unusual for the son as prætor or consul to judge and as general to command the father. Yet when the son came within the precincts of the family he possessed neither life, liberty, nor property that he could call his own; it was all under the absolute dominion, disposition and control of the father. Such was the empire of religion; such was its omnipotent dominion over the mind of man; such is the sway of "Dead but sceptred sovereigns who still rule our spirits from their urns."

Religions.

Another important fact may be noticed here is with reference to the peculiar religious relations between different families. When a stranger became a member of a family by marriage, adoption or arrogation, he absolutely seceded in every respect whatsoever from the family, if subject to paternal power, to which he formerly belonged. His former gods were his gods no more. If families hated each other so did their respective gods; and the commandment "Thou shalt have no other God before Me," was rigorously and fatally enforced. No person could serve two masters at the same time under such a religion. This idea is advanced as one of the reasons why polygamy did and could not exist under the ancient family religion. It is hardly probable that the highly ceremonial initiation into the married state could or would be duplicated while the first wife was still worshiping at the hearth of her husband's family.

It follows as of course that inasmuch as the members of the family had no independent rights and had no legal status, the "pater" was responsible for all the delinquencies of the family. He was liable for their torts and was required to make restitution, but he could first offer the wrong-doer in satisfaction for the damages sustained.

A Despot.

Again, it is apparent that the relation of the father to the members of the family must have been peculiar. How did he look upon the members? What was he to them and they to him? What was their respective attitude towards each other socially, morally and religiously? The "pater" was the transmitter of life and immortality. He performed all the ceremonies; the relation between him and the ghosts of his ancestors must have been intimate and constant. As a rule he did not exercise his functions until past middle age, when his children, at least, were

all grown, and life's most important worldly duties had been performed. Was he not the nexus—the connecting link between the living and the dead? And as he approached the sunset of his life did he not come nearer the mysteries of the future? Did he not, while preparing for the transition become more venerable, more religious, more divine? And from the point of view of the descendants, would he not appear to them as some one different and greater than themselves? As some one more powerful, more exalted, more holy and more saint-like? They lived in continual contemplation of their future existence. Here was the one being who bound them to the future; the guardian of their religion, their existence; whose word was law, whose smile was a benediction, whose frown was a curse, and whose nod fixed their weal or woe for all time to come. His position was sanctified; the source of light and of darkness. He was the only active living representative on earth of the gods. The terms "vicar of Christ," "vice-regent of God" as they pass along the corridors of time simply proclaim the prerogatives of the pristine "pater familias." The father could not be on an equality with his descendants. He was not of common clay. Verily he could not be one of the "plain people."

Origin of Governments.

In the progress of time the families expanded: several combined to constitute the phratry or curia, which in turn expanded and combined to make the tribe, which formed the beginnings of cities. All successive organizations were built and operated upon the principles of the ancient family. They worshipped at the common hearth and poured libations, and sacrificed their choicest possessions on the tomb of their common ancestor. Through these transmutations the family gods became the gods of the city. Sometimes they did not disturb the family gods, but established a new god for the city, generally some renowned hero. Under these circumstances the gods gradually became more distant, imaginative races peopled groves with divinities, and later on the gods became still more distant until finally they found an abiding place in the Heavens—and they are there yet, and will remain there until the ken of man shall discover space beyond which he deems fit as an abiding place for his "other self." The degree of civilization a race has achieved is always to be determined by their gods. In them are always reflected and imaged the highest and noblest ideals of the race.

The Formative Process.

A city would grow to such dimensions as to constitute a state; or perhaps several cities would consolidate to form a state. The gods of the family evolved into gods of the state. The state was

simply an enlarged family. Thus distinctions were made between persons, citizens and aliens. Aliens were barbarians, worshiped other gods and had no rights a citizen need respect. They were the strangers of the family. All modern social phenomena may be traced to their beginnings in the religion of the archaic family. We still make like distinctions as in olden times though the process of assimilation is changed in name. It is not hard to find the prototypes of modern naturalization and immigration laws, Chinese exclusion acts and other "paternal" restraints to prevent freedom of thought and action between members of different states. "If you don't belong to my church you're a goner" is an expression still operative in present society.

Christianity.

We all know how ancient Rome by conquest of universal empire sought to unify the races. At this time there appeared the new religion of Christianity proclaiming the brotherhood of man and the Fatherhood of God; that there is but one family, the human family; that there is but one "pater familias," God. All the apostles could not reconcile themselves to this conception of God and struggled against it. The God of the Jews is likewise the God of the Gentiles? Impossible! It required a midnight apparition to convert Peter to the new idea.

As a civil institution the patria potestas is legally dead; but it has puzzled the historian that in the high civilization achieved in Rome, such a despotic institution could maintain itself with such tenacity of life for so many centuries. But is its spirit dead? The splendors of Athen's golden age lie crumbled in ruin and decay; but today, within the empire of her philosophy, the sun of civilization never sets. The gorgeous grandeur of the Roman empire has become a reminiscent dream, but the spirit of her laws still sways the mind of man.

Paternalism.

The "patria potestas" is not dead. It forms the ground work of the civilization of the Latin races. It is the bulwark and cornerstone of the Roman Catholic church. It has percolated into the institutions of the Anglo-Saxon civilization and inoculated them with the pernicious virus of paternalism. It has its strength and its weakness. It is strong in its adherence to, and perpetuation of, the morality and religion of the fathers of ancient days; it is weak by reason of this very steadfastness of worship of the old. Ancestor worship first breeds stagnation, then dissolution, then decay.

The Indo-Germanic races, the next to the last to leave the ancient Aryan home, broke away early from ancestor worship. During the great migration westward, the necessities of circumstances, caused