

family. Hence, it was long considered disreputable; but about the time that Eastern luxury began to sap the moral strength of Rome, this loose form of marriage succeeded in supplanting the ancient and nobler marriage ceremonies. Thus, again, national greatness produced moral weakness. It had sunk Babylonia, Persia and Greece in hopeless ruin, and now it was sowing the seed of destruction among the people of Rome. Under this new marriage law "the rights of the wife's family remained unimpaired, and the lady continued in the tutelage of guardians whom her parents had appointed and whose control overrode, in many material respects, the inferior authority of her husband." The evil effects of such a marriage relation requires no explanation; and the result was that in a few generations the marital relation, at Rome, was the loosest the Western World has seen. In this deplorable condition was marriage at the time Christianity became the *State* religion of the Roman Empire, and hence the asceticism of the Fathers of the Church, which finally gave birth to the *monk* and the *nun*.

And here, also, it may be noticed that the matrimonial law which, until very lately, bore so heavily upon the freedom of woman is threefold in its origin, consisting of three strata placed upon each other in chronological order. The lowest is the patriarchal law, which was, as we have seen, especially degrading to woman. The second stratum is the civil law; and, resting upon it, is the barbarian code of the conquerors of Rome. During the period of unification of the Roman and barbarian peoples, the dominant races are seen everywhere under various form of guardianship, and the husband who takes a wife from any family, except his own, pays a certain sum to her relations, in consideration of a waiver of the right of tutelage which still rested in the wife's family. Finally, when the amalgamation of the two contending races became complete, it is found that unmarried females are relieved from the bondage of the tutor or guardian; but the wife is subordinated to her husband. The husband, in his marital character has transferred to him the rights which formerly resided in his wife's guardian. The wife is still in subordination, but her master is now her natural protector. Hence the comparative freedom allowed to unmarried women and widows, which is a characteristic of the marriage law of the south and west of Europe, and of the heavy disabilities imposed upon wives. It is also worthy of notice that the law relating to unmarried women and widows is Roman in its origin, while the law fixing the status of the wife is barbarian as to its source, as well as its principle. It was long before the subordination,