**Lecture Six -- Governing the Republic, Part I**

**Outline**

In this lecture we examine the nature of the Roman Republican system of government. This system has been much studied in intervening centuries, and it has been used as the basis for some modern polities, including that of the United States. The government of the Republic was not based on a written constitution, but rather, it was the product of a long period evolution. We shall outline it as it existed ca. 150 BC, when Polybius described it. It will be seen that the two wings of the government were formally constituted meetings of citizens, and executive officers attached to those meetings. The system was peppered with redundancies, which were the product of the dichotomous nature of the Romans themselves: at once very innovative and willing to change with the times, but also highly conservative and respectful of ancient ways of doing things. We shall first examine the Senate and the officers attached to it.

**I**. The Republican government evolved over time, and was not based on a written constitution. By 150 BC, the Republican government was in place.

**A**. The Struggle of the Orders and Roman expansion helped shape the Roman Republican government.

**1**. The Struggle had created a parallel "Plebeian State."

**2**. By the early third century BC, this state had become amalgamated with the Republic to form the developed Roman Republican government.

**3**. Roman expansion in Italy, and beyond, also influenced the shape of the Republic.

**4**. By 150 BC, the system, having evolved for over 350 years, was very much in place.

**B**. The shape of the government was a product of Roman innovation and conservatism.

**1**. The shape of the Roman Republican government reflects the dichotomous nature of the Romans: at once innovative, but also highly conservative of old traditions (the *mos maiorum*, or "way of the ancestors").

**2**. The tension with the Romans between innovation and conservatism created a highly complex system of administration replete with redundancies.

**C**. The two wings of government were meetings of citizens and executive officers, called magistrates, attached to those meetings.

**1**. The meetings of citizens came in two forms: the Senate and the popular assemblies.

**2**. Most Roman officers were attached to the Senate and were called magistrates.

**3**. Two sets of officers, however, were attached to one of the popular assemblies: the tribunes and aediles of the plebs.

**4**. Most Roman magistrates were elected by popular vote and held office for one year.

**II**. The Senate was the preeminent body in the state by virtue of tradition and circumstance, rather than by virtue of any legal power.

**A**. The Senate was an advisory body with no power to legislate; its preeminence emerged in response to Rome's expansion in Italy and beyond.

**B**. The origins of the Senate are obscure.

**C**. By 150 BC, it was the leading council of the state, formed from ex-magistrates and the richest and most influential men from prominent families.

**D**. The Senate provided Rome with experienced and educated leaders and generals.

**E**. Its function was advisory, to issue *senatus consulta* (decrees) on issues it had debated as guidance for magistrates.

**F**. The Senate had no legal power to pass laws.

**G**. Its preeminence emerged as a consequence of Rome's constant warring with neighbors, and then foreign states. While expansion was in progress, the advice of the state's leading men was carefully heeded.

**III**. The magistrates attached to the Senate were the prestigious officers of the state. Office- holding was predicated on the concept of power-sharing.

**A**. Office-holding at Rome was based on two important concepts: collegiality, and limited tenure of office.

**1**. Since the Roman Republic had begun as a reaction against a monarchy, the notion of power-sharing was central to holding office in the Republic.

**2**. Power-sharing was effected in two ways: limited tenure of office, usually one year, which ensured that authority circulated frequently; and collegiality, which ensured that every magistrate had at least one colleague who had equal powers with himself, and thus could veto his actions.

**B**. The magistrates were ranked carefully in a "Run of Offices" (*cursus honorum*) to ensure that only the most experienced reached the upper echelons of power-holding at Rome.

**1**. Regulations of wealth, age, and experience dictated who could stand for what offices.

**2**. By 150 BC, the hierarchy of offices (*cursus honorum*) had been established, effectively channeling candidates to increasing levels of responsibility and authority in an ordered sequence, as follows:

**a**. Quaestors were the most junior magistrates in the *cursus*, and had certain financial duties. This office was limited to candidates at least twenty-five years old; ten were elected annually.

**b**. Aediles oversaw the fabric of the city, what went on in it, and the games. This office was limited to ex-quaestors at least thirty-six years old; four were elected annually.

**c**. Praetors served important judicial, political, and military functions, and had to be ex-quaestors at least thirty-nine years old; six were elected annually. With the praetorship came the grant of *imperium* (command).

**d**. Consuls were the leading annual magistrates, with complete political, judicial, and military powers. This office was limited to ex-praetors at least forty-two years old; two were elected annually.

**3**. In addition to the annually elected magistrates, two other offices existed.

**a**. Two censors were elected every five years and held office for eighteen months. This office was limited to ex-consuls. The duties of censors included holding a census of Roman citizens (counting them and assigning them to classes), reviewing public morals, revising the roll of senators, and seeing to tax collection and public construction.

**b**. In extraordinary circumstances, the regular constitution could be suspended and a dictator appointed. This man had to be an ex-consul, and was nominated by a magistrate. He had no colleague. He was given a specific task, and held office for six months, or until his task was completed, whichever came first. By the third century BC, this position had pretty much disappeared in practice.

**4**. There were also provisions for an interrex to arrange elections as necessary.

**C**. A Roman magistrate had to do his job personally, and not by delegation.

**D**. Ritual and public appearance were a big part of the magistracy.

**1**. For example, *lictores* carried the bundle of rods (*fasces*) symbolizing *imperium*. The higher the office, the more *lictores* ("lictors" in English) appeared in the retinue of the official.

**2**. Magistrates also carried out certain religious functions.

**3**. This was a physical, face-to-face type of government.

**Governing the Republic, Part II**

Having surveyed the Senate and the magistrates, it is time now to look at the popular assemblies. Although nominally democratic -- since only the people elected all the regular officials and had the power to pass laws -- it quickly becomes obvious that the Roman Republic was, in fact, an oligarchy controlled by a handful of influential families. Structural and cultural reasons account for this circumstance. We shall therefore now examine how the popular assemblies were constituted and operated. We shall also look at the very loose Roman administration of the empire during Republic.

**I**. The popular assemblies were the sovereign bodies of the Roman state, but organized in such a way as to favor the influential families in Rome.

**A**. Roman popular assemblies were restricted by three important principles.

**1**. An assembly could only meet upon being summoned by an officer.

**2**. In all assemblies, voting was by blocs, not by individual citizens.

**3**. Voting ceased once a simple majority had been reached. There was not a right of free address to the assembly.

**B**. There were four popular assemblies.

**1**. The oldest assembly was the Curiate Assembly (*comitia curiata*) with roots in the Regal Period; it was obscure and largely redundant by the Middle Republic.

**a**. The Curiate Assembly was comprised of thirty *curiae* (groups of citizens)

**b**. By c. 100 BC it was largely defunct, with the *curiae* represented by state officials.

**c**. It ratified grants of power (*imperium*) to magistrates, and legal adoptions.

**2**. The Centuriate Assembly (*comitia centuriata*) was the most complex in organization.

**a**. Its roots may lie in the Regal Period, and it seems to have been the citizen body meeting in its military guise.

**b**. The Centuriate Assembly was summoned by military trumpet, and met outside the city walls on the Campus Martius ("Field of Mars"), because no army could enter Rome under arms.

**c**. The citizens were organized into 193 voting blocs called "centuries," after the military units. The top two groupings were the *Equites* and the *Pedites*.

**d**. Assignment of citizens to centuries depended on their wealth as declared to the censors during the taking of a census.

**e**. The centuries were stacked in favor of the rich and influential, who, though fewer in number, were assigned more centuries than the poor; the utterly destitute (called the "Head Count," *capite censi*) were grouped into one century.

**f**. Voting proceeded from the leading centuries to the lower, and stopped when a majority was reached, so the poor and the Head Count rarely got to vote.

**g**. The Centuriate Assembly elected the consuls, praetors, censors, and (as needed) the *interrex*; it could pass laws, especially concerning war and peace; it was a court of appealin capital cases; it was convened by consuls or praetors.

**4**. The Council of the Plebs (*concilium plebis*), also known as the Tribal Assembly of the Plebs (comitia plebis tributa), was the assembly of the "Plebeian State" incorporated into the Republic.

**a**. The Council of the Plebs could be attended only by plebeians; no patricians were allowed.

**b**. It was organized into thirty-five voting blocs called tribes. A citizen's tribe was determined by where he lived; there were thirty-one rural tribes and four urban ones; voting order was determined by lot.

**c**. Unlike the other assemblies, the Council had officers attached to it, called tribunes of the plebs, and aediles of the plebs.

**d**. There were ten tribunes and two aediles, all plebeian, elected by the Council every year. Only these plebeians officers could convene the Council.

**e**. Tribunes had important powers, including the right to veto any convention or vote of any popular assembly.

**f**. Following a law of 287 BC, plebiscites (decisions of the Council) were made binding on all citizens and so had the force of law.

**g**. Given the tribunician veto, the council of the Plebs and plebiscites became the chief legislative boy in the Republic.

**5**. In response to the incorporation of the Council of the Plebs into the Republic, a more inclusive Tribal Assembly of the People (*comitia populi tributa*), comprising patricians as well as plebs, was created.

**a**. The Tribal Assembly of the People was modeled on the council of the Plebs, and was constituted into and voted in the thirty-five tribes.

**b**. It was convened by consuls or praetors, and elected the curule (patrician) aediles, and quaestors each year.

**c**. It could legislate on proposals of consuls and praetors, and it conducted minor trials.

**C**. The system of popular assemblies is full of redundancies, reflecting the tension between innovation and conservatism in Roman culture.

**1**. New assemblies were added as new circumstances demanded, but old ones were not abolished; hence the numerous overlaps.

**2**. Tradition dictated that certain assemblies were convened for certain tasks.

**3**. In all but the Council of the Plebs, the assemblies were constituted from the same citizens meeting in different voting blocs according to assembly.

**II**. Despite its complexity, the system worked well while the Roman elite and commoners were united in combating external enemies.

**A**. Turning a proposal into a law was a complex proceedure.

**B**. The Senate convened, discussed the matter, voted, and issued its advice as a decree (*senatus consultum*).

**C**. For the decree to become law, a popular assembly had to vote on it.

**D**. In most cases not involving issues of war and peace, it became customary to give the senatorial decree to a tribune for presentation to the Council of the Plebs.

**E**. The matter was formulated as a proposal for a law, and discussed in open meetings (*contiones*).

**F**. Once discussion was over, a formal assembly was convened, the citizens organized into their appropriate voting blocs, the law was read, and a vote was taken.

**III**. The Roman attitude to provincial administration in the Republic was characterized by a desire to exert the greatest control for the least responsibility.

**A**. Despite their great power, the territory annexed by the Romans was small.

**1**. By 140 BC, Rome had only eight provinces under its direct administration: Sicily, Sardinia, Corsica, Cisalpine Gaul, Nearer and Farther Spain, Africa and Macedonia.

**2**. The preference was for hegemonic power, as illustrated by the ruin of Rhodes or the Antiochus IV incident.

**B**. Even within provinces, administration was remarkably loose.

**1**. A new province would be established by a committee of ten senators who would visit the territory, and assess the communities in it.

**2**. In the provinces, the Romans established a hierarchy of community statuses, but all were inferior to the possibilities open to the Italians:

**a**. Free and federated states enjoyed a treaty with Rome, and were usually tax exempt.

**b**. Free and immune states were tax exempt.

**c**. Tributary states paid annual tribute to Rome.

**3**. All provincial states were expected to be obedient and orderly in running their local affairs, to pay taxes when required, and to supply men for the army when required.

**4**. Initially, the Romans created new magistracies (e.g., new praetors for Sicily, Sardinia, and Spain) to govern the growing empire.

**5**. Increasingly, however, they preferred to extend an incumbent's power (*imperium*) for a further year, allowing him to govern a province as a proconsul or propraetor while new consuls and praetors took office; this system of prorogation was habitual by ca. 150 BC.

**6**. A proconsul, or propraetor, in his province was responsible for keeping the peace and seeing that taxes were collected; he had a minimal staff of a quaastor (for financial matters), and friends he brought along to assist him (*comites*).

**7**. This system of provincial administration was unsupervised and open to dreadful abuse.

**The Pressures of Empire**

The rapid expansion and great extent of the Roman Empire imposed tremendous pressures on the Republic that, eventually, it proved unable to bear. We shall now examine some of the pressures, focusing particularly on how the regular operation of Roman politics came to be adversely affected by the effects of empire and how increasing competition among the elite led to the neglect of important socioeconomic ills what would add grist to the mill of the looming Roman Revolution.

**I**. The Senate's dominance was reinforced by the wars of expansion, but senatorial politics were factious.

**A**. The wars of expansion greatly enhanced the Senate's position of dominance.

**1**. Continuing wars and Roman success strengthened the Senate's political position in the state.

**2**. While only the assemblies passed laws, it became customary for the Senate to see its advice enacted as legislation.

**3**. The Senate's corporate sense of entitlement to power and leadership grew stronger, especially in the spheres of state finances and foreign affairs, the two spheres in which the Senate's supremacy was virtually unchallenged.

**B**. The Senate was dominated by a small group of nobles (*nobiles*).

**1**. The Senate had a strong corporate identity, but within the Senate there were sharp divisions. The Nobles (*nobiles*), a small group of particularly powerful families, were at the top of the senatorial pecking order. New arrivals (dubbed "new men" [*novi homines*]) met fierce snobbery.

**2**. Senatorial politics were traditionally factional.

**3**. Factions were not political parties organized along ideological lines, but alliances of opportunity among influential men.

**4**. A faction had a leading family with a leader and satellite families, and supporters in varying degrees of influence around that leader.

**5**. The faction's function was to get its people placed in the most prestigious offices and military commands, or to block the ascent of opponents.

**6**. Senatorial politics, therefore, was a personal and competitive business. Alliances within factions could form and dissolve rapidly.

**7**. To a degree, foreign engagements were seen and used as tools in the constant domestic factional struggles.

**II**. The growth of empire also brought social and economic pressures.

**A**. A new leading grew, entrepreneurs made profits out of exploiting the new territories.

**1**. As the empire grew, entrepreneurs made profits out of exploiting the new territories.

**2**. By c. 120 BC, these men were known as Roman Knights (*equites*), and the Equestrian Order formed a new social class at Rome.

**3**. Simplistic distinctions between Knights and senators based on wealth or occupation are not convincing; the situation was more complex.

**a**. Senators could take part in trade and other business, and *equites* could own huge amounts of land.

**b**. Some senators were poorer than *equites*.

**4**. In reality, senators and *equites* formed the same broad socioeconomic class; all that distinguished them was participation in politics.

**5**. The stratification of Roman society and politics was now much more complex.

**a**. The senatorial-equestrian class constituted the ruling elite.

**b**. Within the senatorial class, there were divisions between patrician and plebeian, *nobilis* and *ordinarius*, established and "new" families.

**c**. Equestrians overlapped with senators, but did not take part in politics.

**d**. Only senators and equestrians were eligible to stand for public office; an *eques* who got elected to a magistracy entered the Senate as a "new man."

**B**. For the lower orders, there were also changes.

**1**. For those who did not become rich, the empire was a mixed blessing.

**2**. Some did well out of their soldiering and became more affluent.

**3**. Others left their home farms and never returned, or they did come home and found the farm dilapidated.

**4**. More and more of the latter sold their farms, and went to the city to join the Head Count.

C. A manpower crisis was brewing in the mid-to-late second century BC.

**1**. Affluent senators and equestrians formed larger and larger estates.

**2**. They staffed the estates with cheap labor.

**3**. Dispossessed smallholders fell below the property qualification for military service.

**4**. The Roman army began to lack power.