

Addendum

THE ROMAN REPUBLIC

Although the political organization of the Roman Republic developed around the same time as direct democracy in Ancient Greece, its governmental structure was far more complex than that of Athens. Collective and annual Roman magistracies were overseen by the Senate. The top magistrates were the two consuls, who had an extensive range of executive, legislative, judicial, military, and religious powers.

Despite the fact that a small number of powerful families monopolized the main magistracies, the Roman Republic is generally considered one of the earliest examples of representative democracy.

The Three Classes of Roman Citizens

The Roman populace was divided into three classes: a) *patricians*, the closed oligarchic elite; b) *equites* (knights), the lesser aristocratic class; and c) *plebeians* (plebs), the common people. Although initially possessing less power than the patricians, the plebs finally achieved something close to political equality in the 4th century BC.

An adult male citizen with the entire panoply of legal and political rights was called an "optimo jure" - a full citizen. Only a full citizen could vote or hold public office.

Non-Citizens

In addition to full citizens, the Roman populace was divided into three other categories: a) those eligible for partial citizenship; b) non-citizens; and c) slaves. Most of Rome's inhabitants were foreigners, but as non-citizens they wielded virtually no power, despite being the most numerous segment of the population. The lowest, least powerful social class were the slaves, persons who were either born into slavery or sold into slavery after being captured in battle. Slaves were considered property under Roman law and had no legal personhood. Unlike Roman citizens, they could be subjected to corporal punishment, sexual exploitation, torture, and summary execution..

The Roman Senate

At the beginning of the Republic (ca. 509 BC), the Senate consisted of 300–500 senators serving for life. Initially only patricians could be Senators, but plebs were eventually admitted to the Senate. If a Senate decree conflicted with a law passed by one of the Assemblies, the law overrode the decree, but the decree could be used to interpret the law.

The Senate's decrees directed the magistrates in their prosecution of military conflicts and in their management of the civil government in Rome, especially with regard to its

supervision of state finances. As the Roman Republic grew in size and added new provinces, the Senate decided which magistrate should govern which province.

In the 3rd century BC, the Senate gained the power during military emergencies to appoint a dictator who served for six months. But, even when a dictator was appointed, the Senate retained the power to veto any of his decisions.

Senate meetings began at dawn, were public, and were directed by a presiding magistrate, usually a Consul. While in session, the Senate had the power to pass motions that became law, even if the presiding magistrate was against them. Before a motion became law, it could be vetoed by a Tribune, who represented the plebs.

Over the course of the Republic, wealth became a requirement for Senate membership and by the time Julius Caesar overthrew the Republic and replaced it with the Roman Empire, a Senator had to own property worth at least one million sesterces (roughly \$3,000,000 in today's dollars).

Legislative Assemblies

The assemblies were elected by full citizens and, in turn, the assemblies elected magistrates, enacted legislation, presided over trials in capital cases, declared war and peace, and forged or dissolved treaties. There were two general types of legislative assemblies.

The first type of legislative assembly was the Committees which were assemblies of all full citizens.

The second type was the Councils, which were assemblies of specific groups of full citizens.

The Centuriate Assembly was the assembly of the soldiers. Only the Centuriate Assembly could declare war.

The Assembly of the Tribes was comprised of 35 tribes of Roman citizens. While it did not pass many laws, the Assembly of the Tribes did elect administrative officials, supervisors of the markets, and infantry commanders.

The Plebeian Council was identical to the Assembly of the Tribes, except that it excluded the Patricians. A plebeian Tribune presided over the assembly that passed most laws and also acted as a court of appeal.

Magistrates

Republican magistrate held specific constitutional powers. The Senate assigned each magistrate to a province, which could be a geographical area or a particular responsibility. All magistrates had the power of coercion, which was used to maintain public order by imposing punishment for crimes.

Several checks on the power of magistrates existed. One, called "collegiality", was the requirement that each magisterial office be held concurrently by at least two people. Another check was "provocation", the right of citizens to appeal the decision of a magistrate to a Tribune. Finally, once a magistrate's one-year term of office expired, he would have to wait ten years before serving in that office again.

Consuls

The Consuls of the Roman Republic were the highest-ranking magistrates. Consuls had supreme power in both civil and military matters. While in the city of Rome, the Consuls were the head of the Roman government, presiding over the Senate and the assemblies. While abroad, a Consul commanded an army, and his authority was nearly absolute.

Tribunes

The office of Tribune was created in 494 BC to protect the interests of the Plebeians during a period of class conflict. Only Plebeians could elect Tribunes and since the Tribunes were considered to be the embodiment of the Plebeians, they were sacrosanct. Under Roman law, to harm a Tribune, to disregard his veto, or to otherwise interfere with him, was a capital offence.

Conclusion

As is apparent, the structure of Roman Republic's government was quite complex and the fact that the relative power and importance of the various governmental officials and institutions changed over time only added to that complexity. So, it is not surprising that the Founding Fathers looked to the Roman Republic more for inspiration in self-governance than as a detailed model for the American republic. They focused in particular on the Republic's final days and the heroic efforts of Cicero and Cato to expose Catiline's subversion and thwart Julius Caesar's overthrow of the Republic.

If the structure of the U.S. federal government was influenced by that of the Roman Republic, it was only in a broad-brush fashion. For example, John Adams believed that the most effective and sustainable form of government was a mixture of monarchy, aristocracy, and democracy. For him, the Roman Republic embodied this mixture with the Consuls exemplifying monarchy, the Senate exemplifying aristocracy, and the Tribunes exemplifying the people. And Adams, who distrusted the people, most admired the Senate and the Consuls, the institutions of the Roman Republic that were the least democratic.