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ORIGINAL PAPER

# The democratic institutions of the Roman Republic

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**Abstract**
The ancient Roman Republic was the longest-lived popularly governed state in human history yet is understudied in democracy research. This essay provides a systematic overview of the Republic's political institutions and practices, assembling recent historical evidence in a form accessible to democracy scholars. I argue that, by the criteria used to classify classical Athens and the United States as democracies, the Roman Republic was also a democracy. To substantiate this claim, I combine qualitative analysis of its institutions and practices with quantitative evidence, calculating democracy index scores using the Polity5 rubric and the Economist Intelligence Unit rubric, both of which classify the Republic as a democracy. The essay highlights several unique features of the Republic's institutions that may have contributed to its longevity, and its ability to flourish in the competitive ancient Mediterranean world.

**Keywords** Roman republic · Classical athens · Democracy · Constitutions

**JEL classification** D7 · N4 · N93

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> *"[M]isinterpretation by modern historians of the Republic has denied its proper place in political thought as a particular sort of republic, and as one in which, in an erratic and very imperfect way, popular power played a major part."*
>
> —- Fergus Millar, *The Roman Republic in Political Thought* [1]

[1] Millar (2002, p. 141).

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## 1 Introduction

Throughout human history, governments in which a substantial share of the population participates in choosing leaders and policies – which I will refer to as *democracies* – have emerged in a surprising variety of contexts (Stasavage, 2020). As scholars have become aware of the prevalence of democratic or quasi-democratic institutions throughout human history, interest has grown in understanding the structure and performance of pre-modern democracies.

One of the most striking ancient democracies was the Roman Republic. Originating in central Italy, the Republic overthrew its kings in the 6th Century BC and by the late 1 st Century BC had expanded to dominate nearly the entire Mediterranean basin. Although the Republic ultimately collapsed in the 1 st Century BC and became the autocracy we call the Roman Empire, its extraordinary longevity as a democratic state has no parallel and invites explanation (comparative longevity of democratic states in Fig. 1).[2]

The purpose of this paper is to bring the Roman Republic out of the shadows, so to speak, by providing an extensive, detailed overview of its political institutions in a form convenient for democracy researchers. Despite the Republic's historical importance, its basic institutional features are difficult to access for non-specialists. Generations of historians have produced a vast body of evidence, but the information is scattered across many books and articles. This problem is compounded by the fact that historical scholarship has undergone a major revision in recent decades, overturning older views that minimized popular participation. As a result, many classic works are now outdated, and social scientists interested in understanding the Republic must navigate both fragmented sources and shifting interpretations. This paper seeks to address these obstacles by assembling the most recent historical evidence into a single, systematic account of the Republic's constitution, institutions, and political practices.

The Roman Republic employed a fascinating and probably unparalleled array of democratic practices, including both direct and representative mechanisms. The foundation of the system was universal free male suffrage; all magistrates were elected by the people in competitive elections; and all laws were passed by assemblies of the people using a distinctive group-voting system. Office holders served fixed terms and were generally barred from re-election. Power was fragmented through the practice of electing two or more magistrates for each office, and through election of tribunes who could veto the actions of other officials. Alongside these popular institutions stood a quasi-democratic body called the Senate, comprised of former occupants of the highest offices, which possessed few formal powers but guided many high-level decisions by virtue of its prestige.

[2] The beginning and ending dates in the figure are debatable; for example, one could argue that Roman democracy was fatally compromised from the time of Sulla's coup in 88 BC. The figure is intended to put things in a rough comparative perspective. Nondemocratic interruptions are ignored.

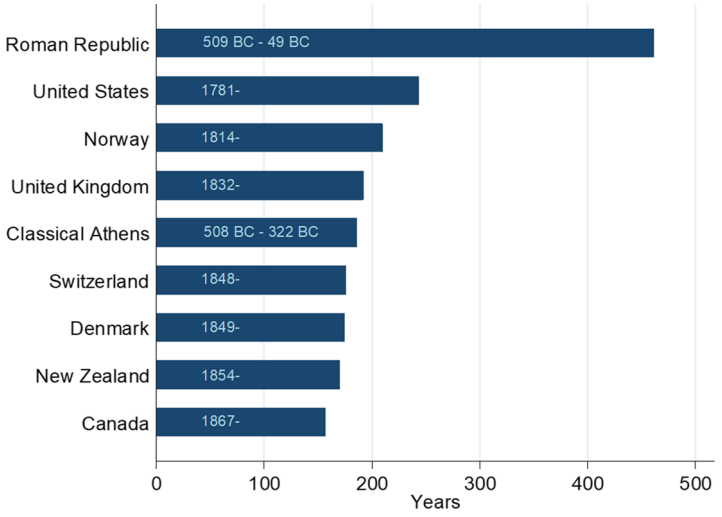



**Fig. 1** Duration of long-lived democracies

In addition to describing the Republic's institutions, the paper offers a comparative and quantitative justification for classifying it as a democracy. Such evidence seems important because the view of the Republic as an oligarchy, expressed in some influential early 20th Century works, continues to shape nonspecialist perceptions. I define democracy as a system of government in which power is exercised by a sizeable cross-section of the population through selection of government officials and policies in regular, free, and fair elections.[3]

The argument proceeds along three lines. First, I compare the Republic's institutions with those of classical Athens and the modern United States, and show that the Republic possessed at least as many democratic features as the other two. Second, I calculate democracy index scores for the Republic and classical Athens using two well-known rubrics, Polity5 and the Economist's Economic Intelligence Unit index – which classify both states as democracies, albeit with some flaws. Finally, I review the historiography that led earlier scholars to doubt the role of popular government in the Republic, and the evidence that led modern historians to reverse that judgement.

[3] This is a fairly conventional definition: Dahl (2006, p. 3) defines democracy as "ordinary citizens exert a relatively high degree of control over leaders;"; Stasavage (2020, p. 29) says that "[W]hen we refer to democracy today we think of a political system where all adults can vote at regular intervals in free and fair elections in which multiple candidates compete."); Wilson (1787), one of the U.S. Constitution's primary authors, wrote, "in a democracy, [supreme power] is inherent in the people, and is either exercised by themselves or by their representatives." There is a stream of political philosophy that seeks to draw distinctions between "pure democracy," a "republic," and other variants of self-government. Contrary to the occasionally claim that the United State is a republic and not a democracy, Dahl (2002, appendix A) argues persuasively that the framers of the U.S. Constitution did not endorse such a distinction. In any case, these distinctions are not important for the purposes of this essay.

## 2 Capsule history of the Roman Republic[4]

According to its legends, the city of Rome was founded in 753 BC by Romulus, who, together with his twin brother Remus, had been abandoned as an infant and suckled by a she-wolf. In fact, the site of Rome – a group of low hills in Italy extending from the central Apennine Mountains into the western coastal plains along the Tiber River – had been settled since approximately 1,000 BC. Rome began to show archaeological features of urbanization in the 8th century BC, and emerged as a Greek-style city-state at the end of the 7th century BC.

Historians believe that initially the city was ruled by non-hereditary kings, probably selected by the patricians, leaders of the elite families. According to tradition, the last king was expelled in 509 BC, whereupon a republic was established. By this time, Rome was the largest city in the region, about 3 square kilometers in area, with a population of about 35,000, controlling territory covering about 822 square kilometers.[5]

During the Republic's first decades, its internal politics appear to have revolved around a so-called Conflict of Orders between the patricians and plebeians (or "plebs"), an organized group of non-patricians.[6] According to ancient historians, in 494 BC, the plebs withdrew from the city en masse and occupied the nearby Aventine Hill until a new constitutional arrangement was successfully negotiated. Within a short time the Republic had established a plebeian assembly with the power to make laws, and created the office of tribune of the plebs to oversee the plebeian assembly, with the power to veto acts of the elected magistrates.[7] The plebs also insisted on the codification and publication of the Republic's laws, leading to production of the Twelve Tables in about 450 BC.[8]

In its first century of existence, the Republic was engaged in warfare with communities to its north and south almost every year, eventually emerging as the dominant power in central Italy. To the south of Rome, an area called Latium (extending about 50 km to southeast), were small Latin cities with whom Rome shared a language and culture; to the north were larger Etruscan cities, which spoke a different language and had a different culture. Rome defeated a league of the Latin cities in the 490 s BC, after which Rome and the Latins signed a mutual defense treaty in which Rome commanded the allied forces. Rome also began establishing "colonies" – settlements of

[4] Beard (2015) is an excellent one-volume popular history that is grounded in recent research. This section draws upon period-specific overviews by Cornell (1995) [1000−264 BC], Rosenstein (2012) [290−146 BC], and Steel (2013) [146−44 BC], among other sources

[5] Cornell (1995, Ch. 8).

[6] The terms *plebeians* and *plebs* have modern connotations that can be misleading. In particular, some Roman plebeians were wealthy and powerful. Examples of plebeians from the late Republic include the richest man in Rome, Marcus Licinius Crassus (115−53 BC); the prominent general and politician Pompeius Magnus (104−48 BC); the famous orator and politician Marcus Tullius Cicero (106−43 BC); and Julius Caesar's lieutenant Marcus Antonius (83−30 BC). The patrician class included only members of a handful of families with ancient origins, a class that had become numerically negligible by the end of the Republic.

[7] Cornell (1995, Ch. 10) focuses on the Conflict of Orders.

[8] Cornell (1995, Ch. 11) discusses the origin and nature of the Twelve Tables.

ex-soldiers – in frontier areas that it controlled.[9] To the North, Rome fought multiple wars with the Etruscans, culminating in the capture and annexation of their most prominent city, Veiia (15 km to the north) after a siege in 396 BC. Some of Veiia's territory was distributed to Roman citizens in small allotments; a few years later the Republic granted citizenship to the remaining native inhabitants of Veiian territory, as well as inhabitants of territory seized from the nearby cities of Capena and Falerii.[10] By 396 BC, the territory controlled by the Republic had grown over 80%, to 1,510 square meters.[11]

Despite its military successes, Rome was sacked by an invading army (or band of raiders) from the Po River valley of Gaul around 390 BC. From the viewpoint of later Roman historians, this event was a major disaster, but modern historians view it as a temporary setback that did not have noticeable effect on the Republic's prosperity and expansion.[12] After recovering from the Gallic sack, the Republic began a steady expansion North, East, and South. In 338 BC, it annexed most of Latium and Campania, granting citizenship to many of the incorporated cities, and more than tripling the area it controlled, to 5,766 square meters. By the 260 s BC, its territory extended over 24,000 square kilometers, and it had effective control over the entire Italian peninsula.[13]

Roman expansion seldom took the form of outright occupation of enemy territory, but instead as an alliance treaty, in which a city or tribe agreed to let Rome manage its foreign policy, pay an annual tribute, and supply soldiers for military operations, but otherwise retained its own internal governance. Residents of incorporated cities, especially local office holders, were often granted Roman citizenship, sometimes with and sometimes without voting rights.

Throughout the 3rd century BC, and running until 146 BC, the Republic found itself in near-perpetual warfare with major economic and military powers outside of Italy. In 280 BC, Pyrrhus, ruler of a northern Greek kingdom, invaded Italy and defeated the Republic's armies in a series of battles, but eventually evacuated after the Republic refused to come to terms. In 264 BC, for the first time Rome sent its armies outside Italy, invading Sicily and triggering the first of three wars against the city of Carthage in North Africa. In the early 2nd century BC, the Republic fought multiple wars against the kingdom of Macedonia, and then against Antiochus III, ruler of the Seleucid Empire based in Syria who had been expanding west in an attempt to reconstitute the empire of Alexander the Great. The Republic emerged victorious from all of these conflicts, razing Carthage in 146 BC, abolishing the Macedonian kingdom, and establishing a protectorate through alliances and client kings across Greece and Asia minor. In the meantime, it also acquired Spain and effective control of Cisalpine Gaul (the Po River valley). A distinctive feature of the Republic's success in this period was not generalship, technology, or tactics, but its abil-

[9] Cornell (1995, pp. 294–304) covers Rome and the Latins.

[10] Cornell (1995, pp. 309–313) covers Rome and Veii.

[11] Brunt (1971a, Table II).

[12] Cornell (1995, pp. 318–322).

[13] Brunt (1971a, Table II).

ity to mobilize manpower on a scale that exceeded any other Mediterranean state.[14] From the middle of the 2nd century BC, the Republic continued to fight along its borders, gradually defeating minor kingdoms and taking control of Numidia (modern Algeria), the remainder of Asia Minor, Syria, and the rest of the Levant.

Rome's external expansion was accompanied by occasional military conflicts within Italy itself. In the last decades of the 2nd century BC, the Republic was invaded by the Cimbri and other Germanic and Celtic tribes, and the invaders threatened Rome itself. A major rebellion of Italian allies occurred in 90−88 BC, the so-called Social War; its root cause was the Republic's failure to extend citizenship to the allies. Although the rebellion was suppressed, Rome granted the voting rights that the rebels had sought.[15] These decades also witnessed major organized slave uprisings.

Instances of political violence became more common in the late 2nd century. In 133 BC, the tribune Tiberius Gracchus was assassinated by a group of senators after gaining assembly approval of a land redistribution program and breaking the custom of not standing for re-election. In 121 BC, his younger brother Gaius Gracchus, also serving as tribune, advanced an even more far-reaching reform program that included democratizing the Republic's citizen juries; he and many of his followers were killed in street fighting by a militia organized by a consul under authority from the Senate.[16] In 88 BC, the consul Sulla marched on Rome with an army and staged a coup after an assembly voted to remove him from command. When he took his army east to fight an invasion by Mithradates VI in Asia Minor, there was a counter-coup in Rome. Sulla returned in 82 BC, retook control, revived the ancient office of dictator, and executed and confiscated the property of thousands of his political opponents. He passed a series of laws to reshape the Republic's political institutions, largely focusing on limiting the power of the people, but died in 78 BC, and most of his reforms were repealed within a decade.[17]

In 49 BC, the general and politician Julius Caesar, stationed in Gaul, brought his army into Italy, triggering the first in a series of civil wars that lasted until the victory of Caesar's great-nephew and adopted son, Octavian, over Marcus Antonius in the naval battle of Actium in 31 BC. In 27 BC, the victor was granted the title of Augustus by the Senate, and took on a series of autocratic powers, in the process establishing what we now call the Roman Empire. At this time, Rome controlled virtually the entire Mediterranean, as well as France and part of Britain.

The Empire would expand over the subsequent centuries (notably, adding Egypt in 30 BC), but its core territory was set by the end of the Republic. In 330 AD, the Empire established a second capital in the east – Constantinople (modern Istanbul) – which by the late fourth century AD had become the state's primary administrative center. In the fifth century AD, most of the western parts of Empire, including the city of Rome itself, were taken over by Germanic tribes. The remaining state (today often called the Byzantine Empire, although its residents never imagined that it was anything other than the continuance of the ancient Roman state) persisted as a power in

[14] Rosenstein (2012, pp. 78–79); Brunt (1971a).

[15] Steel (2013, pp. 80Ch. 4) covers the Social War.

[16] Much has been written about the Gracchi; see Stockton (1979) and Steel (2013, pp. 15–26).

[17] Steel (2013, pp. 87–117) discusses Sulla and his reforms.

the East until Constantinople was sacked in 1204 AD during the Fourth Crusade. The Roman state managed to reestablish itself after regaining control of Constantinople in 1261 AD, but only as a second-tier regional power that gradually shrank until the capital was conquered by the Ottomans in 1453 AD.

## 3 Sources

"The single most extraordinary fact about the Roman world is that so much of what the Romans wrote has survived, over two millennia," observes the historian Beard (2015, p. 37). We have better written records about the government of the Roman Republic than perhaps any other ancient society, both in terms of its formal institutions and its political practices. Nevertheless, our understanding remains incomplete. One fundamental limit is that the Republic did not have a written constitution in the modern sense – a single document that lists the core institutional rules. Instead, its constitution consisted of laws that were passed over time regarding specific political processes (such as secret ballots) together with customs and traditional practices that were widely understood but not codified (such as a prohibition on holding elected offices for consecutive terms). Another limitation is that much of our information on political institutions must be inferred from sources that were created for other purposes. Finally, the surviving material is highly selective – in some instances, an institutional practice might be known from on a single extant single source.[18]

The fact that we are able to form a detailed picture of the Republic's government, despite these limitations, is a testament to the ingenuity and effort of generations of historians who have sifted through the diverse, fragmentary sources to assemble the picture. Social scientists may find especially useful Lintott's book on the Roman constitution (Lintott, 1999), Taylor's work on Roman assemblies and politics (Taylor, 1949, 1960, 1966), Staveley's (1972) book on Greek and Roman assemblies, and books on Roman politics by Brunt, 1971b); Millar, 1984), 1986), 1998); Yakobson (1999). It is worth emphasizing that even with so much careful research, almost every aspect of Roman political institutions is contestable; in this essay I rely on evidence generally accepted by historians, to the best of my knowledge.

Three ancient authors have been particularly important in shaping our understanding of Roman politics. Polybius, a Greek politician and historian who lived in Rome in the mid-2nd-century BC, wrote an incisive history of the Republic that includes a chapter specifically focused on its constitutional institutions (politeia). The Roman politician Marcus Tullius Cicero, active in the mid-1st-century BC, left behind an incredible volume of speeches, personal letters, and books. The Roman historian Titus Livius (rendered as Livy in English), who lived during the final years of the Republic, wrote a year-by-year history of the Republic from its foundation. Polybius is particularly important as a contemporaneous observer who was interested in insti-

[18] Our sources include histories, books, and letters written by the ancients that have been transcribed, extracted, or summarized over the centuries; excavated papyri from Egypt and wooden writing tablets from Britain; bronze and stone inscriptions from public monuments and tombs; and coins.

tutions; and Cicero provides an unparalleled and vivid picture of day-to-day politics in the Republic's waning years.

## 4 Roman political institutions

This section describes the Republic's key institutional "players" and their powers. After laying out the structure of the government, the next section discusses procedural elements of Roman politics. Table 1, for convenience, summarizes the main institutional actors, their powers, and how they were selected. As would be expected

**Table 1** Building blocks of the Roman constitution

| | Powers | Selection |
|---|---|---|
| Assemblies | | |
| Centuriate | Elect consuls, praetors, censors. Declare war and peace. Pass laws. | Open to all citizens physically present. |
| Tribal | Elect tribunes, quaestors, aediles, all minor offices. Pass laws. Grant citizenship to communities. | Open to all citizens physically present. |
| Magistrates | | |
| Consuls (Proconsuls) | Command armies; summon assemblies; oversee and propose laws in the Centuriate Assembly; oversee elections in the Centuriate Assembly. | 2 elected each year for 1-year terms. |
| Praetors (Propraetors) | 2 urban praetors oversee justice in city; others lead armies outside the city; summon and preside over assemblies. | 4-8 elected each year for 1-year terms. |
| Quaestors | Finance; administrative assistants of the consuls. | 2-20 elected each year for 1-year terms. |
| Aediles, curule | Upkeep of streets and public buildings; maintain public order; supervise markets; organize games; oversee food supply; maintain public records. | 2 elected each year for 1-year terms. |
| Aediles, plebeian | Same as curule aediles. | 2 elected each year for 1-year terms. |
| Censors | Count citizens and their property; assign citizens to tribes; add and remove members of Senate; issue public contracts for tax collection and public works. | 2 elected every 5 years for 18-month terms. |
| Dictator | Essentially unlimited executive power to accomplish prescribed task (but not to pass laws unilaterally); summon and preside over assemblies. | 1 nominated by consul or elected, for 6 months or when charge complete |
| Various minor | 10 *decemviri stlitibu judicandis*; 3 *tresviri capitales*; 2 *duumvir navalis*, 3 *tresviri monetales*; 3 *tresviri epulones*; 6 *viginti sex viri*; 24 *military tribunes*; others. | Various elected each year for 1-year terms. |
| Special commissioners | Establish a new colony; distribute public land; others. | Elected for fixed terms. |
| Tribunes | Oversee and propose laws to the Tribal Assembly; veto actions of other officials. | 10 elected each year for 1-year terms. |
| Senate | Manage public revenue and expenditures; set terms of public contracts; approve disbursements of public funds; receive foreign embassies; send ambassadors; assign provinces to consuls and praetors; authorize raising of troops; advise magistrates; recommend laws. | Appointed by censors from among former office holders who meet minimum property qualification, for lifetime term. |

for a state that existed for centuries, the Republic's institutions evolved over time. To keep the project manageable, I focus on more enduring features, passing over those that existing only in the years immediately after the kings were overthrown (which, in any case, are not well understood) and those in the final years of the Republic as it transitioned to autocracy.

### 4.1 Assemblies

The two most important assemblies were:[19]

- Centuriate Assembly (*Comitia Centuriata*). This assembly held the elections that filled the three highest offices: consuls, praetors, and censors. It voted on declarations of war. It could also approve laws (*leges*), although it was not the primary venue for lawmaking. It was presided over by consuls and praetors.
- Tribal Assembly (*Comitia Tributa*). This assembly elected all officers except for those chosen by the Centuriate Assembly. It became the primary body for making laws (*plebiscita*) from around the third century BC. It was usually presided over by a tribune, but sometimes by a consul or praetor.[20]

The power vested in assemblies was almost unlimited. There was no formal constitution that stood above the people, no appellate court that could overrule the people, no other legislative chamber that had to concur with its decisions, and no executive empowered to veto its actions. If an assembly chose to change a law, practice, or custom, direct the government to take an action, or replace or direct a public official, it had the power do so.[21]

Any citizen who was physically present was eligible to vote in an assembly. The Republic had an expansive view of citizenship for the pre-modern world. Originally, all free male residents of Rome were citizens. As the state expanded, citizens retained their citizenship (as did their children) if they migrated to colonies or settled in other territory controlled by the Republic. The Republic also offered citizenship to certain allied cities and magistrates of allied cities.[22] Voting was permitted at 18 years of age. In contrast to other ancient states, freed slaves ("freedmen") and their descendants, of which there were many, were made citizens and given voting rights. There was no property qualification to vote. Millar (2002, p. 145) estimates there were approximately 900,000 eligible voters by the late Republic, one-third of whom might have lived in Rome itself.

[19] The Curiate Assembly, used to fill vacancies in state priesthoods and conduct certain pro forma functions such as approval of wills and formal granting of imperium to military commanders, was relatively unimportant (Lintott, 1999, p. 49; Taylor, 1966, pp. 3–4).

[20] The Plebeian Assembly (*concilium plebis*) was interchangeable with the Tribal Assembly (and the ancients sometimes did not distinguish the two), with the only difference that the Plebeian Assembly excluded the very small number of patricians that could trace their noble origins back to the days of kings.

[21] Indeed, Lintott (1999, p. 40) suggests that the assemblies even had the power to abolish the Republic, which one might argue they did in 23 BC when they conferred near-dictatorial powers on Augustus.

[22] Sherwin-White (1973).

Formally, being a citizen meant being assigned to one of its 35 "tribes." Tribes had a geographic basis, making them similar to electoral districts, although a tribe could include non-contiguous land, and a citizen might retain membership in a tribe even if he moved his residence to a place outside the tribal boundary.

The reliance on citizen assemblies to select officials and make laws was common in the ancient Greek world, but Roman assemblies had two distinct features that are discussed in detail below. One is that outcomes were not determined by simple majority vote of all citizens in attendance; instead citizens voted by groups, each of which cast one vote determined by the majority of its members. For example, in the Tribal Assembly they voted by tribes, with each tribe having one vote. The other distinct feature is that assembly procedures were highly structured, with significant limits on amendments and tight control of the agenda by the presiding magistrates.

Although assemblies made the laws, their role in setting public policy in some respects was more limited than modern legislatures because assemblies were seldom involved in budgetary matters. Modern legislatures spend considerable time on tax and spending matters, but the Republic did not have an annual budget as far as we know. Expenditures were authorized on an ad hoc basis by the Senate, as discussed below. Except in the rare instance that a specific tax or expenditure was brought to an assembly, the people played no direct role in fiscal policies.[23]

### 4.2 Magistrates (executive officers)

The Republic was administered by over 60 magistrates, all of whom were elected, almost all for one-year terms.[24] The Republic had several "rules" related to the election and tenure of magistrates that began as customary expectations but over time came to be codified in laws.[25] First, before standing for any of the major offices (quaestor, aedile, praetor, consul, censor), a person was expected to complete 10 years of military service. Second, each office had a minimum age requirement. During the late republic, a person had to be 30 years old to hold the office of quaestor, 40 to be a praetor, and 43 to be a consul. Third, the major offices formed a ladder (*cursus honorum*), and a person was expected to hold the offices in a specific sequence. The ladder started with quaestor, proceeded through aedile, praetor, consul, and ended at censor. Fourth, an office holder could not run again for the same or other office for a specified time. For example, a person was supposed to wait 10 years after serving as consul before seeking the office again; and a praetor was expected to wait two years before running for consul.[26]

[23] Examples: in 133 BC, after the Senate refused to provide funding for a new commission on land reform, an assembly approved funding the commission with revenue bequeathed to the Republic by the recently deceased ruler of Pergamum (Stockton, 1979, pp. 66–68). Another example: in 123 BC, an assembly approved new customs taxes (Stockton, 1979, p. 156).

[24] Members of various priestly colleges were also elected, but not covered in this essay.

[25] An analogy would be the custom established in the United States by the first president, George Washington (in office 1789–1797), that a president should serve no more than two terms. The custom was later codified in a constitutional amendment, adopted in 1951, after Franklin Roosevelt broke the unwritten rule.

[26] For eligibility requirements, see Abbott (1963, pp. 167–169).

As with all laws and customs, the people had the right to change them or grant exceptions, which they occasionally did. The re-election rules and age limits were, for example, sometimes relaxed during military emergencies: during the second war with Carthage (218−201 BC), the outstanding general Scipio Africanus was elected consul at the age of 31, well below the customary minimum, and without having held the office of praetor; during a series of military crises at the end of the second century, another outstanding general, Gaius Marius, was elected consul in 107 BC and sequentially during 104−100 BC. Nevertheless, exceptions were rare: it's striking from a modern perspective to observe the Republic rotating out its consuls (generals) in the midst of an important war when hostile armies were in the field.

An interesting and distinctive feature of the Republic's approach to administrative offices was that every office holder had at least one colleague, and colleagues could veto each other's actions.[27] There were two censors, two consuls, four or more praetors, and so on. To further constrain power, the tribunes, discussed below, could also veto the actions of magistrates.

Consuls were the leading officials; their primary role was to lead armies in the Republic's near-constant military engagements. Praetors, one rank below consuls, also led armies. Consuls and praetors in the field had almost unlimited power to command, called *imperium*. They were authorized to make major decisions "as they judge to be in accordance with the public interest and their own good faith."[28] They could arrest, imprison, and fine people within their province. Within Rome itself, magistrates had similar unlimited powers although they were subject to tribunician veto, as discussed below, and lower magistrates could be overruled by higher magistrates. Officials were held accountable by the possibility of being prosecuted for their actions once their term concluded. Consuls and praetors also oversaw the courts. The two praetors based in Rome were the city's primary administrators, especially when the consuls were outside the city, which was often.[29] Consuls and praetors were empowered to call assemblies and propose laws. They oversaw the annual elections. Consuls and praetors could be "prorogued" by the Senate, which meant extending their field command by an extra year (with the title proconsul or propraetor).

The office of censor was highly prestigious but of a different nature than the other offices. Unlike other offices, censors were elected every five years and served a term of 18 months, after which the office was dormant until the next election. One of their functions, as the name suggests, was to count the number of citizens, register their property, assign or reassign them to tribes, and enroll new citizens. Another important function was to admit new members to the Senate and remove disqualified members. A third function of considerable financial importance was to award the Republic's

[27] Lintott (1999, pp. 100–101) argues that it was not a formal veto power but rather the ability to nullify a colleague's action by taking a countervailing action. Other states have employed power-sharing, such as Sparta's dual kingship based on descent from two families, but the Republic's pervasive use of administrative colleagues at every level was unusual.

[28] As stated in various legal texts (Lintott, 1999, p. 94).

[29] The urban praetor handled cases involving only citizens; the peregrine praetor handled cases in which at least one party was a foreigner (Lintott, 1999, p. 107).

public contracts. Public contracts included tax farming and construction and maintenance of roads and public buildings. The censors did not supervise the consuls.[30]

Quaestors were primarily financial officials who worked under the supervision of higher administrators or the Senate. They oversaw and handled disbursements from and deposits into the state treasury (*aerarium*), and sometimes managed logistics of the grain supply. Each consul had one quaestor attached to his service; such quaestors functioned as general administrators for the army. Aediles oversaw various administrative matters within the city such as maintenance of public buildings, roads, markets, fire prevention, and organization of public games. They also served as prosecuting magistrates for criminal and administrative cases tried before the people.[31] Minor elected officials include the 24 military tribunes, who served as lieutenants to the consuls within the legions; the *tresviri monetales* who supervised production of the Republic's gold, silver, and bronze coinage; the *decemviri stlitibus judicandis* who administered civil courts; and the *tresviri capitales* who oversaw fire prevention and control.

In addition to these standing positions, the Republic elected various ad hoc officials. For example, three land commissioners were elected following the passage of a law to redistribute public lands in 133 BC. Ad hoc commissioners were also elected to establish new colonies.

An exceptional office was that of dictator. This office was used often in the early Republic, then fell into disuse, before enjoying a brief revival in the Republic's final years. Dictators were usually created by nomination from the consuls and approval by the Centuriate Assembly. Dictators were charged with carrying out a specific and narrowly defined task in emergencies. In the early Republic, the task often involved an urgent military crisis. In later years, dictators were appointed to oversee the annual elections when the consuls were outside the city and unable to do it themselves. Dictators were given nearly unlimited powers to complete the task, although not the power to make laws. A dictator's appointment expired when his task was completed, or after 6 months in any case. Unlike all other Roman offices, which constrained officials by giving them at least one other colleague, there was only one dictator at any time (each dictator chose a subordinate called the *magister equitum*).[32]

### 4.3 Tribunes of the plebs

Ten tribunes of the plebs were elected annually for a term of one year, with consecutive terms prohibited by custom. The tribunes were created very early in the Republic's history, with the specific purpose of guarding the interests of the plebs.

They had two important powers. The first was to preside over and propose laws for consideration by the Tribal Assembly. The tribunes thus functioned as legislative leaders and controlled the legislative agenda. Their agenda power was substantial

[30] Censors are discussed in Lintott (1999, pp. 117–120). Livy (43.16) also mentions an instance in which the censors ordered the demolition of a private structure that had been built up against public property.

[31] Quaestors: Lintott (1999, pp. 133–137). Lintott (1999, pp. 129–133). Minor magistrates: Lintott (1999, pp. 137–144).

[32] Lintott (1999, pp. 109–113).

because no other officials (except consuls and praetors) could propose laws or call meetings of the assembly, and amendments could not be proposed by members of the assembly themselves.

The tribunes' second far-reaching power was the ability to veto the actions of the other magistrates, called *intercessio*. This power stemmed from their official inviolability (*sacrosancta*) – they could not be touched or harmed by any Roman official. Originally, they exercised their veto by physically obstructing an official from carrying out an act (e.g., shielding a person that a praetor wished to imprison). Over time, they were able to verbally veto actions, without needing to physically interpose. The tribunes' veto power nominally applied only to actions within the city, but appears to have been used outside the city as well. The scope of the veto power was wide: it could be used to block actions of magistrates against individuals, and it could be used to prevent a magistrate from proposing a law (although the power did not extend to vetoing laws approved by an assembly, which was supreme). The tribunes could also veto decrees of the Senate, and they could even prevent the Senate from meeting.[33]

Finally, tribunes could also order the arrest and imprisonment of people, carried out by themselves or by the plebeian aediles, who functioned as their subordinates. They could use this power against magistrates, as happened in 138 BC when the tribunes imprisoned the consuls for drafting troops too aggressively (Livy 55). This power also stemmed from their inviolability, which allowed them to physically confine people without being resisted.

### 4.4 Senate

The Senate was a central element of the Roman constitution but the most elusive for us to understand – central, because there is universal agreement that it was the policymaking core of the government; and elusive, because it wielded its immense influence despite having almost no formal powers. There is no good contemporary analog to the Roman Senate.[34]

The Senate was comprised of about 300 members with lifetime appointments. To be eligible for membership, a person needed to have held a high-level elected office (consul, praetor, aedile, dictator) and be of good character. The censors were responsible for verifying and adlecting new members, and (rarely) remove existing members if they acted disreputably. The Senate was not a hereditary body – having an ancestral member was neither necessary nor sufficient – and it was not restricted to the patrician class of old noble families.[35] So analogizing to later bodies like the English House of Lords should be avoided – all members of the Roman Senate had to be elected by the people, typically several times in order to reach the higher offices that were the gateway to Senate membership.

[33] Veto of proposed legislation (Lintott, 1999, pp. 46, 145−125); veto outside the city (Lintott, 1999, pp. 106–107); veto of Senate decrees (Lintott, 1999, pp. 122–123).

[34] The name invites comparison to the U.S. Senate but this is quite misleading; among other things, the Roman Senate was not a legislative body.

[35] See Lintott (1999, pp. 68–72) for membership. It is likely that members were required to maintain a minimum amount of property.

The Senate determined and oversaw most of the Republic's fiscal policies and international relations. According to Polybius (6.13, 6.17), writing in the 2nd century BC,

> The Senate's most important role is that it controls the treasury, in the sense that it is responsible for all state revenues and almost all expenditure.. [T]hroughout Italy a great many building projects – an almost uncountable number in fact – are contracted out by the censors for the repair and construction of public buildings. Then there are all the properties that fall under the direct control of the Roman state – rivers, harbors, orchards, mines, farms, and so on.. The Senate controls all of this. It can extend the repayment period and, in an emergency, reduce the interest or, if it proves absolutely impossible for the purchaser to fulfil his contract, annul the contract altogether.. [and] the judges in most commercial lawsuits, private or public, that involve serious complaints, are drawn from its members.

In addition to setting public spending priorities, the Senate controlled disbursement of treasury funds to generals and magistrates.[36]

The Senate oversaw the Republic's foreign policy. It received diplomatic delegations from other states; it sent Roman embassies abroad; and it engaged in negotiations with other states (although recall that all treaties and declarations of war had to be approved by an assembly). The Senate arbitrated disputes between allied cities, sometimes at the request of the two cities. The Italian allies were self-governing – typically they had their own assemblies and elected magistrates – but the Senate could instruct them on matters of importance to the broader state, with the allies' responsibility to obey implicitly drawn from their treaty obligations. For example, a bronze tablet survives with the text of a decree from 186 BC in which the Senate directed the allies to ban certain religious festivals and shrines related to the cult of Bacchus.[37]

The Senate exercised some supervision of the magistrates. It assigned a "province" or area of activity to the consuls and praetors at the beginning of each year.[38] Typically, this would be a geographic region where there was a military conflict, and the consul would spend the year fighting there, administering justice, or establishing political arrangements with local communities. The Senate could prorogue consuls and praetors in the field, allowing them to retain their command for an additional year. The Senate authorized the raising of troops, and voted to award triumphs, highly coveted honorific ceremonies for victorious generals.

The Senate acted through written decrees (*Senatus Consulta*). Decrees were passed by majority vote, and could be vetoed by a consul or tribune. Senate decrees did not have the force of law in the way that a *lex* or *plebiscitum* passed by an assembly

[36] The Senate collaborated with the censors on the choice of public contracts; the censors appear to have had some discretion in which public projects they undertook.

[37] Decree of the Senate Concerning the Bacchanalia: https://droitromain.univ-grenoble-alpes.fr/Anglica/Bacchanal_johnson.htm.

[38] Sometimes the Senate would select the two provinces, and they were assigned to the consuls by lot.

did. The Senate could address decrees to an assembly, recommending approval of a law; to a magistrate, recommending a course of action; or to an allied city, league, or foreign government.[39] Decrees addressed to magistrates advised them to take certain courses of action. For example, in 198 BC the Senate advised the praetor to expel immigrants to Rome from nearby Latin communities.[40] Magistrates often sought guidance from the Senate before taking an action.[41]

It is remarkable that the Senate directed so much of the government with very little in the way of *formal* powers. All of its decrees or actions could be overruled by an assembly, and sometimes this happened.[42] Magistrates could ignore the advice of the Senate, and sometimes they did.[43] The power of the Senate was not based on a written legal provision but rather from accumulated tradition and the prestige and experience of its members.[44] Apparently, it just made sense to the Roman people to have the Republic's most distinguished former office holders manage its foreign relations and oversee its fiscal policies, and unless an issue became highly controversial, the other political actors chose to follow the Senate's leadership.

Because there isn't a natural contemporary analog to the Roman Senate, perhaps the best way to understand it from a modern perspective is as an advisory body comprised of the state's most eminent former office holders. In the United States, we might imagine a body comprised of former presidents, congressional leaders, and governors that collectively oversees the various government agencies. Because of their stature, experience, and tradition, the agencies generally follow their directives.[45]

### 4.5 Courts

Administration of justice was an important state function in the Republic, as in almost all societies. Criminal and civil disputes were overseen by elected officials, such as the praetors, and all cases of importance were decided by citizen assemblies. Cases involving capital charges of treason and official corruption were heard by the Centuriate Assembly. Crimes against the state that were payable by fine were heard

[39] In the mid-to-late Republic, the Senate occasionally issued a decree that scholars call the *Senatus Consultum Ultimum* ("last decree"). This degree, issued in times of civil strife, urged the consuls to take whatever actions were necessary to restore order. The decree was intended to immunize the consuls against later prosecution for using force against citizens in violation of law and due process (*provocatio*). It was similar to a declaration of martial law. Whether the Senate had the constitutional authority to exempt the consuls from existing laws was debated at the time. See Lintott (1999, pp. 89–93).

[40] Livy (39.3).

[41] Livy (2.28) describes the consuls asking the Senate in 494 BC for advice on an incipient secession movements by the plebs.

[42] For example, the Tribal Assembly approved the agrarian laws of Tiberius Gracchus in 133 BC despite objections by the Senate.

[43] For example, in 143 BC, the consul Appius Claudius Pulcher held a triumph even though the Senate refused to approve it (Steel, 2013, p. 16). See also Lintott (1999, Ch. VI).

[44] "[U]nder the republic the constitutional powers of the Senate were for the most part not a matter of written law but of accumulated tradition" (Lintott, 1999, p. 86). See Lintott (1999, pp. 86–88) for discussion.

[45] The unwritten nature of the Senate's authority became a problem in the late Republic as assemblies and magistrates increasingly ignored its decisions, leading to a struggle for control of the state that eventually became violent.

by the Tribal Assembly. Other cases were heard by specially constituted juries of roughly 100 members; some of these juries were composed entirely of senators, a practice that became contentious in the later Republic. The Republic did not employ professional judges nor did it have a hierarchy of appellate courts. The Republic had nothing analogous to an independent judiciary with the power to overrule the people in defense of an independent constitution.

### 4.6 Federalism

The Republic encompassed numerous quasi-independent cities, and therefore could be seen as having elements of federalism: an overarching central government that handled "national" policies, and cities that handled local issues. However, the Republic was certainly not a confederation of independent states. There was one supreme government – that of the city of Rome – that controlled all nominally Roman territory and governed the other cities through various treaty arrangements. Nor was there any constitutional provision for the allied cities to influence the government in Rome, other than the voting rights of their individual citizens.

## 5 Political processes

Public choice theory tells us that the outcomes of a political system depend critically on the processes by which decisions are made. In particular, outcomes depend on the mechanisms by which votes are translated into outcomes, and when making laws, on the identity of the veto players and the agenda-setting rules.

### 5.1 Voting procedures

A distinctive feature of the Republic's assemblies, one that sets it apart from contemporary assemblies in Greece, was the use of group voting. Elections – referendums on laws and selection of candidates for offices – were not decided by a simple majority of the voters present; instead, voters belonged to groups, each of which cast one vote based on the majority preference of the group's members, and the majority of the group votes determined the outcome of the election.

In the Tribal Assembly, there were 35 groups – the "tribes." It thus required support from at least 18 tribes to pass a law or elect an official. In the Centuriate Assembly, the scheme was more complicated. There were 193 groups – called "centuries" – thus requiring support from 97 centuries to pass a law or elect a candidate. The groups did not have equal numbers of members.

In the Tribal Assembly, the tribes had a geographic basis and thus were similar to modern electoral districts. The districts were not necessarily comprised of contiguous areas; some were broken up into as many as five or six geographically separated pieces.[46] Citizens were assigned to tribes based on their residence or property hold-

[46] For example, the famous Cicero's tribe, the Cornelia, included at least five sections: the original territory near Rome; a section around Arpinum in the Volscian Mountains; a section on edge of Samnite territory

ings. The tribes may have had approximately equal numbers of members originally, but became unequal over time.[47] The urban population of the city of Rome itself was distributed across only four tribes, effectively diluting the urban vote, which appears to have been a design choice. In the early Republic, new tribes were added as the Republic expanded, but after 241 BC the number was capped at 35. From that point, new territory annexed to the Republic was appended to existing tribes. Latin allies who happened to be in the city during an election were allowed to vote; all of them were assigned to a single tribe, chosen at random for each election.

In the Centuriate Assembly, the 193 centuries were originally military classifications that later took on a purely elective function. Most citizens were assigned to one of five "infantry" (*pedites*) classes (I, II, III, IV, V) depending on wealth, and within each class to Juniors (age 18–45) or Seniors (46 and older) depending on age. Class I, the wealthiest, was overweighted, with 70 centuries; Classes II, III, and IV had 20 centuries each, and Class V, the poorest, had 30 centuries. The richest or noblest citizens were assigned to one of the 18 centuries of "cavalry" (*equites*). There were also 5 centuries of "noncombatants" and one century for those with no property, which historians believe contained a disproportionately large number of people. Unlike the tribes, the centuries were not fundamentally geographic divisions, although eventually the tribes were overlaid on the centuries (so, for example, each tribe ended up with one Class I Junior and one Class I Senior century.)[48] To give a sense of the overweighting of the wealthy, the cavalry and Class I centuries together controlled 88 votes, nearing the necessary majority of 97 by themselves. Another imbalance was that the voting power of older citizens was overweighted compared to younger citizens because of the equal number of Senior and Junior centuries.

Because citizens needed to be present to vote, the basic benefit-cost calculus of voting implies that urban voters would have been much more likely to attend than rural voters from communities that might be hundreds of miles away. A simple one-man one-vote system would have given effective control of Roman elections to urban voters. An effect of the group voting scheme was to offset the urban proximity bias – no matter how many urban voters attended, they counted for only 4 of 35 votes in the Tribal Assembly, and similarly in the Centuriate Assembly.[49]

By preventing domination by urban voters, the group voting system ensured that the interests of farmers – who must have comprised the vast majority of Roman citizens, as in all ancient societies – were reflected in elections. If voters from a particular rural tribe had common interests, it did not matter if only a few of them showed up to vote – the tribe's group vote would still capture their preferences. The fact that voters in distant communities had considerable weight in election outcomes also forced politicians to campaign in the rural areas and attend to the interests of rural citizens outside the city of Rome. In a 1st century BC monograph on cam-

in inland south-central Italy; a section near the toe of Italy; and a section in Umbria (Taylor, 1949, p. 52).

[47] The censors may have attempted to equalize the population of the rural tribes (Taylor, 1949, p. 53).

[48] The exact number of centuries, and division among classes is a matter of debate, although the general structure is not in dispute. Lintott (1999, pp. 55–61) and Staveley (1972, pp. 123–129) provide detailed discussions.

[49] Matsusaka (2025) provides a theoretical analysis of these and other features of ancient assemblies.




**Fig. 2** Roman denarius showing a citizen voting, 63 BC

paign strategy, Q. Tullius Cicero advised his brother Marcus, who was running for consul: after currying favor with leading politicians in Rome, "turn your efforts and thoughts to the towns of Italy so that you know which tribe each belongs to. Make sure you have a foothold in every colony, village, and farm in Italy."[50] If not for group voting, politicians would have focused their activities almost entirely on the urban population.

Another interesting feature of the assemblies is that voting and vote counting were often sequential. In the Tribal Assembly, one tribe was chosen at random in each election to vote first, and then voting took place in a set order (perhaps alphabetically starting with the first tribe selected). The Centuriate Assembly also voted sequentially but in a predetermined order: cavalry, Class I Juniors, Class I Seniors,..., Class V Juniors, Class V Seniors, other. One century from Class I was chosen at random to vote first (called the *centuria prerogativa*), with its votes were released before the other centuries voted. The ancients remarked on the great influence of the first voting unit. We can speculate that this sequencing may have served a coordinating function, which would have been important in the typical case of multicandidate elections.

In elections for offices, voters would choose a number of candidates equal to the number of positions. For example, in a consular election, voters would select two candidates. Returns were tallied sequentially and once a candidate received approval from a majority of tribes, he was considered to be elected. Once all positions were filled, vote counting stopped. In this process it was possible for the winning candidates to receive fewer votes than the losers would have received if all votes had been counted. (Fig. 2).

Voting was by voice in the early Republic, but by secret ballot beginning in the 2nd century BC. Ballots were wax or wood covered with wax, on which citizens would mark their choice (for or against a proposed law, or candidates), and then stand in line with their group to approach the voting platform, where they dropped the ballot into an urn. The Republic commemorated its democracy with an image of a citizen dropping his ballot into an urn, on the reverse of a silver denarius from the year 63 BC.[51]

[50] Cicero (2012, Sect. 33).

[51] This coin was issued under the name of the elected moneyer Lucius Cassius Longinus, brother of the famous assassin of Julius Caesar, dated following Crawford (1974, p. 440). Taylor (1966) discusses other coins that depicted voting scenes.

### 5.2 Lawmaking

As mentioned above, all laws had to be approved by an assembly. Proposed laws had to be publicly posted well before (at least several weeks) they went to a vote. In the weeks before a vote, magistrates and other officials held smaller assemblies, called *contios*, across the city, in which speakers defended or criticized a proposed law. On the day of the election, when the full assembly was held, there was no debate – the voters simply cast their votes in favor or against the proposal. Another procedural restriction was that laws could not be put to a vote within 24 days before or 24 days after candidate elections.[52]

Assemblies were called and laws were introduced by one of the presiding officers: a tribune in the Tribal Assembly, or a consul or praetor in the Centuriate Assembly. Laws could be proposed by a Senate decree or developed by one of the presiding officers.

Roman assembly procedures were fundamentally different than those in contemporary Athens (and presumably other Greek democracies) because of the tight agenda control held by the presiding officer. In Athens, proposals and amendments could be made from the floor, and laws could be adopted immediately upon being proposed,[53] while in Rome only the presiding magistrate could introduce a law, there was no provision for "floor amendments," and proposals had to be posted and discussed for weeks before they came to a vote. Ordinary citizens were not permitted to speak at the assembly where the vote occurred.

The procedural constraints in Roman assemblies prevented the Republic from experiencing the sort of impulsive decisions, or "mob rule" (*ochlokratia)* for which contemporary Greek democracies were sometimes criticized.[54] A well-known theoretical proposition in public choice is that given a multidimensional policy space, if a legislature operates under majority rule and any person can make a proposal to amend the status quo policy, except under specific conditions there is no policy that can survive amendment, implying that the policy process is inherently unstable.[55] Some research suggests that a solution to this problem is the imposition of structured agenda control, sometimes called "structure-induced equilibrium."[56] Roman procedures look fairly modern in this respect: almost all modern legislatures vest significant control of the agenda in the hands of elected legislative leaders; few allow

[52] Assemblies could be canceled by presiding magistrates or augurs if religious signs indicated the day was inauspicious.

[53] Staveley (1972), Hansen (1999), and Mitchell (2015) describe procedures in Greek assemblies. After 403 BC, Athens required laws to be posted in advance of a vote, but "even when there was a specific proposal, the Assembly could reject or amend it, or substitute a totally different motion" (Mitchell, 2015, p. 238).

[54] Cicero (*For Flaccus* 15): "[A]ll the republics of the Greeks are governed by the rashness of the assembly.. [T]hat ancient country, which once flourished with riches, and power, and glory, fell owing to that one evil, the immoderate liberty and licentiousness of the popular assemblies." Mob rule was associated with demagogues, leaders who could persuade voters to make intemperate decisions with emotional rhetoric.

[55] Sometimes called the McKelvey Chaos Theorem; for the literature, see Aldrich et al. (2007).

[56] Shepsle and Weingast (1981) is a classic analysis of structure; Romer and Rosenthal (1979) introduced the idea of agenda control.

unlimited amendments from floor, and it perhaps goes without saying that none allow ordinary citizens to propose and call for an immediate vote on laws.[57]

## 6 Democratic features of the Roman Republic

Democracy today is envisioned as a political system in which power is exercised by a sizeable cross-section of the population through the selection of government officials and public policies through regular competitive, free, and fair elections. This section discusses how the Republic performed along the key dimensions of: (i) broad voting rights across the population; and (ii) regular, free, and fair elections to choose government officials in which candidates can openly compete for votes and incumbents can be replaced. To situate the Republic in terms of other democracies, I compare its institutions with those of classical Athens and the United States.[58]

### 6.1 Suffrage

In the Republic, male citizens 18 years and older had the right to vote. There was no property requirement. For pre-modern times, this was essentially universal suffrage. The Republic was fairly generous in granting citizenship. It allowed former slaves to vote, and gradually extended voting rights to citizens of allied cities. Immigrants to the Republic were sometimes granted citizenship, but the laws on that varied over time.[59]

In classical Athens, the voting age for the citizen assembly (*ekklesia*) was also 18 years, there was no property requirement, and women were also excluded. However, citizenship was more restricted than in Rome: it required having both an Athenian mother and father, at least from 451 BC onwards. This precluded immigrants from voting. Also, Athens did not allow freed slaves to vote, nor did it give voting rights to allied cities.[60] Suffrage was thus more restricted in Athens than in the Roman Republic.

In the United States, the voting age originally varied by state but was generally above 18 years until ratification of the 26th Amendment to the U.S. Constitution in 1971. Originally, some states restricted voting to property holders, but such requirements were phased out in the 19th century. Women were excluded in most of country until ratification of the 19th Amendment in 1920. All slaves were freed after the Civil War, and became citizens with full *de jure* voting rights. However, many states adopted literacy tests and grandfather clauses designed to disenfranchise black Americans after Reconstruction, and it took until the 1960s or so until black

[57] "[T]he apparent vulnerability of Roman law to sudden change was to some extent compensated by the fact that it required a lengthy and elaborate procedure to pass any statute in the first place." (Lintott, 1999, p. 64).

[58] For Athenian institutions, I rely on primarily on Hansen (1999) and Staveley (1972).

[59] On immigrants, see Brunt (1971a, p. 85).

[60] Staveley (1972, p. 78).

Americans received *de facto* voting rights.[61] The United States granted citizenship to immigrants, with some exceptions (such as Chinese) that were removed over time. Suffrage thus seems to have been broader in the Roman Republic than the early United States, but narrower by the mid to late 20th century.[62]

### 6.2 Regular elections for political offices

The Republic held elections annually, and did not cancel elections even in the midst of emergencies, such as wars, with only rare exceptions. Every significant executive officer was elected, as were the legislative leaders.

Athens also chose its 700+administrative officers annually, but the vast majority were selected by lot, not by a vote of the people, with the notable exception of the top military officials, generals (*strategoi*), who were chosen by direct vote of the citizens. The Council of 500 (*boule*), a body that oversaw legislation and supervised administrative officials, was also selected by lot.[63] Although the ancient Greeks viewed selection by lot as a fundamentally democratic practice, selection by lot does not allow the people to select their leaders; today we might consider it less democratic than choosing representatives by election.[64] In any case, we can say that Rome elected many more of its government officials than Athens did.

The United States has regular elections, although not annually, except for some subnational races in the country's early years. A striking difference with the ancients is that the United States elects only *one* of its executive officers, the president; all other executive positions at the national level are appointed by the president (subject to approval of the senate for high-level positions). At the subnational level, a wider array of executive offices are filled by election. In this comparison, Rome's institutions appear to have been considerably more democratic.

### 6.3 Fair voting and vote-counting

The casting and counting of votes in the Republic appears to have been fair on the whole. Staveley (1972, pp. 215–216) gives examples of electoral fraud – such as ballot-box stuffing, marked ballots, faked ballots, and partial abuse of administrative authority to favor one candidate – but stresses that

[61] Keyssar (2009) contains an extensive description of historical suffrage practices in the United States.

[62] It's also striking to contrast the Republic, which had universal male suffrage from the beginning, with another prominent democracy, the United Kingdom, which went through a series of hard-fought incremental steps over many decades until it finally reached the same point in 1918.

[63] Hansen (1999, pp. 94–97); Staveley (1972, pp. 36–54).

[64] Although the word "democracy" originated in classical Greece, the ancient Greeks might not have agreed with the way we use it today. In classical Athens, democracy meant rule by the people directly and *literally*: the mass of ordinary citizens, selected by lot, rotated through the different government offices so that all citizens took a turn actually ruling and all laws were passed by direct vote of the people. Tridimas (2012) offers a theory of why utility maximizing citizens might rationally adopt a lottery system. Modern democratic systems, where laws and government are administered by a select few chosen by the voters, may better fit their sense of government by the best or meritorious, that is "aristocracy."

> It would be unfortunate if any undue concentration upon the subject matter of this chapter were to convey the impression that there was something hollow and unreal about Roman voting procedures or indeed that the vote did not normally serve as a true expression of the popular will. This is very far from the truth. As far as ballot-rigging and other forms of outright fraud are concerned, it is likely that they were as rare at Rome as they are in the modern democratic state.

The Republic passed several laws against electoral corruption, which could mean it had a problem, but could also reflect a determination to ensure election integrity.[65] In the Republic's final years, as its democratic institutions crumbled, outbreaks of violence and intimidation in the assemblies occurred, but these were aberrations from its historical norm.

The historical record for Athens also contains examples of vote-buying and electoral fraud, but neither appears to have been common or to have undermined the legitimacy of elections.[66] Similarly, there are examples of electoral fraud in the United States, but few believe it undercuts the overall legitimacy of elections.

One aspect of Roman elections that may be considered undemocratic is group voting. To the extent that groups contained unequal numbers of voters, it was not a one-person one-vote system. As discussed above, the Centuriate Assembly significantly overweighted the wealthy, and the Tribal Assembly significantly underweighted the residents of Rome.

This contrasts with Athens, in which a one-person one-vote rule operated in the Assembly, in the sense that simple majority rule of those in attendance prevailed. However, because Athens required citizens to be physically present, it is likely that urban voters were better represented (Matsusaka, 2025).

The Republic's group voting has a family resemblance to some institutions in the United States. The U.S. president is selected by the Electoral College, a group voting system in which the majority vote in each state determines the winner of all of that state's electoral votes (with minor exceptions). The U. S. Senate also weights citizen votes unequally: populous states receive disproportionately low representation compared to states with few residents (the current population ratio of largest to smallest states is 67:1, yet they all receive two senators). Until the 1960s, it was common for states to allocate legislative seats geographically using districts of unequal size. Moreover, as Beramendi et al. (2022) show, it is the norm among contemporary democracies for legislatures to have districts with unequal populations.

### 6.4 Free campaigning and contestable elections

In a functioning democracy, individuals outside the government must be able to contest for public offices, and voters must be able to remove incumbents. The Republic met this standard. In terms of candidates, any male citizen was eligible to stand for any office, subject to age limits and minimum time requirements between holding

[65] We do not know how the Romans verified the legitimacy of would-be voters and secured the integrity of the ballots (Staveley, 1972, pp. 160–164).

[66] Staveley (1972, pp. 108–117).

offices. In terms of the ability to remove incumbents from office, this was automatic since the terms were for a fixed time, and immediate re-election was generally prohibited (although there were exceptions).[67] It was also possible for an assembly to remove an official before the end of his term, analogous to a modern recall.[68]

Citizens that intended to run for an office announced their intention to friends, affiliates, and tribal leaders, and there was a "filing deadline" by which candidates were required to notify the presiding magistrate, typically several months before the election.[69] A campaign for a high office might last an entire year, beginning as soon as the previous year's elections were held. Candidates actively canvassed for votes.[70] Campaign spending is likely to have been modest and outright vote buying was illegal (in fact, punishable by death according to Polybius). However, it was a common practice for wealthy candidates to provide a banquet and gifts to their supporters. Various laws from the second century BC and later prohibited inappropriate use of money in campaigns (*ambitus*).

Although there was nothing like mass media in the ancient world, campaign advertising was common. Various groups and persons would write their endorsements on public-facing walls. An urban resident might post a testimony to a candidate on the exterior wall of his house. Trade organizations, representing groups such as teamsters, dyers, and barbers, might post their endorsement on the wall of an inn or bar. Prominent politicians would post their endorsements on signs along the roads leading into Rome.[71] More informally, prominent Romans would send letters to their friends indicating their support for certain candidates.

The Republic regulated campaigning, but modestly. It seems that candidates were prohibited from speaking in public areas outside of Rome, but their surrogates were allowed to speak for them, and it is not clear that the rule was enforced. Solicitation of votes on market days and in public gathering places may have been regulated.[72] There were, to the best of our knowledge, no restrictions on the content of campaign speech, and we know of plenty of cases in which prominent politicians were strongly criticized by their opponents.[73]

The tribes played an important organizational role in electoral politics. Each tribe maintained a headquarters in Rome, with officers and a treasury, and had members whose job was to keep track of tribal voters and communicate with them, and in some cases distribute favors from candidates to the members. Tribal leaders functioned as political "bosses" whose support was sought by candidates. Corrupt candidates could use tribal organizations to distribute bribes to their members.[74]

[67] To prevent elite capture, from 342 BC the Republic reserved at least one consul position for a pleb, a power-sharing principle that was later extended to all the major offices.

[68] This was rarely done, and controversial when it occurred. A prominent example was the removal of the tribune M. Octavius over a policy dispute with Tiberius Gracchus in 133 BC.

[69] Sallust, *Cataline's Conspiracy* 18.

[70] Taylor (1949, Ch. III) provides a detailed description of campaigning in the late Republic.

[71] Taylor (1949, Ch. III) discusses campaigning.

[72] From the *Lex Poetelia de Ambitu* of 358 BC (Livy 7.15).

[73] Arena (2020) provides examples.

[74] Lintott (1999, p. 53).

In Athens, as in Rome, all citizens were eligible to hold office, but there was an age requirement of 30 years. According to the laws of Solon, the poorest classes of citizens were ineligible to hold office, but this rule was in abeyance apparently for some offices by the end the democracy.[75] Most officials served one-year terms, sequential terms were prohibited, and there was a lifetime limit of two terms in any one office. A small group of minor civil magistrates with specialized duties were appointed for four-year terms. For generals and treasurers, who were elected and believed to require special skills, individuals were allowed to serve multiple terms in succession. Elected officials could and sometime were recalled prior to the end of their terms. Athenian selection processes also appear to have contained provisions to ensure representation across local administrative units (*demes*).[76]

Comparing the two ancient democracies, Staveley (1972, p. 105) concluded that in Athens, "competition for office, while not altogether lacking, was considerably less intense" than in Rome. In part this may be explained by Athens' reliance on sortition to fill offices, which obviated campaigning. Many offices were also considered undesirable and financially burdensome to hold. Over time, Athens instituted payments to officeholders, as well as for attending the assembly.

The United States has age limits on who can run for office, but otherwise competition is open. At the federal level, presidents are restricted to a maximum of two terms, but all other federal offices can be held indefinitely. There are no provisions for voters to recall a federal officer during his or her term. At the subnational level, many states restrict terms of elected officials, and about one-third of them allow mid-term recalls.

Competition for office in the United States can be fierce, although many legislative incumbents run in uncontested elections or with token competition. Campaign speech and communication is broadly protected by the First Amendment; however, the country has numerous rules regulating campaign activities, especially campaign finance and campaign spending. Laws and regulations require significant disclosure of campaign activities. The United States is something of an outlier among modern nations in how it treats campaigns; other contemporary democracies impose much stronger limits on campaign spending and the periods in which campaigning can occur.

### 6.5 Other indicators of democracy

Actual political participation, not just the right to vote, offers another gauge of democracy (although the low turnout in Switzerland, a healthy democracy, suggests this is not a necessary condition). There are no turnout data for the Republic, and historians' estimates vary widely.[77] Turnout was probably highest during annual magistrate elections, which were held on fixed dates and coincided with games and festivals, encouraging rural citizens to travel to Rome to vote and at the same time take care of other business. Turnout was likely low for votes on laws which took place irregularly throughout the year. The possibility of low turnout is suggested by the fact that the

[75] Aristotle, *Ath. Pol.* VII, XLVII; treasurers of Athena are mentioned as exceptions.

[76] Hansen (1999, Ch. 9); Staveley (1972, Ch. II, V).

[77] For references, see Yakobson (2010, footnote 3).

presiding magistrate had the power to appoint men to vote in one of the rural tribes if that tribe had no members present.[78] Contemporary sources mention politicians organizing get-out-the-vote efforts to bring rural voters to the city.

Athens faced similar participation challenges. The nominal quorum for assembly decisions was 6,000 citizens, out of an eligible population of perhaps 60,000 in the fifth century BC and 30,000 in the fourth century BC.[79] Critics claimed that it was difficult to muster even 5,000 attendees normally.[80] Allegedly to address this problem, Athens introduced payments to attend assembly meetings in the late fifth century BC, which grew significantly over time. Regular participation was burdensome for the many farmers that lived outside the city, especially given the frequency of meetings – at least 40 regular meetings each year plus various ad hoc meetings.[81]

Civil liberties provide another indicator of democratic practice. Romans were intensely concerned with safeguarding their *libertas*, a concept analogous but not identical to modern "liberty." The Republic did not have express legal protection for freedom of speech, but the scholarly consensus is that "people, on the whole, did *de facto* enjoy a considerable amount of liberty to speak their own mind."[82] As discussed above, campaign speech appears to have been largely unregulated by law, and there were no apparent legal restrictions on freedom of association. Limitations, where they existed, arose primarily through custom and social pressure. Citizens were also protected from the arbitrary power of magistrates by a requirement that they be convicted by a citizen jury for criminal and civil penalties to be imposed, and the tribunes had the power to shield citizens from any action taken by a magistrate, such as imprisonment.

Another dimension of democracy concerns the amount of popular control over policies. In most contemporary democracies, citizens exert only indirect influence, with their preferences filtered through elected representatives.[83] The Republic would be considered more democratic in this respect, since voters made laws directly. Athens would be considered even more democratic than Rome since ordinary citizens not only voted on laws, but could play a role in determining which laws came to a vote.

A final dimension of democracy is fragmentation of power. In the Republic, all executive positions were collegial, with officials able to veto each other's actions; tribunes could veto the actions of any magistrate. Legislative authority was fully vested in the assemblies rather than a narrow elite. Athens took this idea even further: all executive functions were performed by boards, usually with 10 or more members,

[78] Taylor (1949, p. 60).

[79] Hanssen (1999, pp. 90–94).

[80] Rhodes (1994).

[81] Matsusaka (2025) describes and theoretically analyzes the effect of assembly pay. See also Podes (1993) and Tridimas (2017).

[82] Quote from Arena (2020, p. 79), which discusses free speech in Rome in general.

[83] While most modern democracies hold referendums to set national policy, at least occasionally (Matsusaka, 2020), the overwhelming preponderance of laws are produced by elected legislators and unelected bureaucrats in agencies.

**Table 2** Democracy Index for Roman Republic and Classical Athens (Polity5 Rubric)

| | Roman Republic | Democracy points | Autocracy points | Classical Athens | Democracy points | Autocracy points |
|---|---|---|---|---|---|---|
| | Category | | | Category | | |
| Competitiveness of Executive Recruitment (XRCOMP) | Election (3) | 2 | 0 | Election (3) | 2 | 0 |
| Openness of Executive Recruitment (XROPEN) | Open (4) | 1 | 0 | Open (4) | 1 | 0 |
| Constraint on Chief Executive (XCONST) | Intermediate Category | 3 | 0 | Parity or Subordination (7) | 4 | 0 |
| Regulation of Participation (PARREG) | Regulated | . | 0 | Regulated | . | 0 |
| Competitiveness of Political Participation (PARCOMP) | Competitive | 3 | 0 | Competitive | 3 | 0 |
| Total | | 9 | 0 | | 10 | 0 |

including the Council of 500, which set the legislative agenda. As in Rome, ultimate lawmaking power rested with its assembly.

## 7 How Democratic was Rome according to democracy indexes?

Another way to assess how democratic the Roman Republic was is to compare its democracy index score with those of modern democracies. This section reports democracy scores for the Republic and Athens using two widely cited frameworks: the Polity5 rubric (Center for Systemic Peace, 2020) and The Economist Intelligence Unit democracy index (The Economist IU 2024, Appendix). [84]

### 7.1 Democracy index scores using the Polity5 rubric

Table 2 reports the scores for Rome and Athens based on my coding of the Polity5 rubric.1 Polity scores are calculated by assigning a state to a type for five "policy components." Each regime type has a Democracy and Autocracy point value across each dimension. Points are summed to produce a Democratic score and an Autocratic score, each ranging from 0 to 10. The bottom-line index score is POLITY = Democracy – Autocracy, which can range from to , where higher values are more democratic. The scores I assigned for each dimension are reported in Appendix A so readers can get a sense of how much the scores would change under other assumptions. For the sake of concreteness, I assess Rome during the Middle Republic and Athens during the Periclean period.

For Rome, these classifications produce a Democracy score of 9, an Autocracy score of zero, and an overall POLITY score of 9. Athens receives a Democracy score of 10, an Autocracy score of zero, and an overall POLITY score of 10. These scores

[84] It would be a task beyond the scope of this paper to calculate V-Dem scores, which utilize 167 items and a model-based estimation procedure. Because democracy index scores tend to be highly correlated, the additional insight from V-Dem evidence may be limited.

**Table 3** Democracy Scores for the Roman Republic and Classical Athens (EIU Rubric)

| | Roman Republic | Classical Athens |
|---|---|---|
| Electoral process and pluralism | 7.27 | 7.73 |
| Functioning of government | 9.50 | 9.50 |
| Political participation | 1.25 | 2.50 |
| Democratic political culture | 7.50 | 8.75 |
| Civil liberties | 8.46 | 8.46 |
| Overall score | 6.80 | 7.39 |

place both the Republic and Athens squarely in the democracy category. By way of comparison, POLITY scores for modern democracies in 2018 were Canada (10), India (9), Japan (10), Switzerland (10), United Kingdom (10), United States (8), and for autocracies, China (-7), Iran (-7), and North Korea (-10).

For Rome, these classifications produce a Democracy score of 9, an Autocracy score of zero, and an overall POLITY score of 9. Athens receives a Democracy score of 10, an Autocracy score of zero, and an overall POLITY score of 10. These scores place both the Republic and Athens squarely in the democracy category. By way of comparison, POLITY scores for modern democracies in 2018 were Canada (10), India (9), Japan (10), Switzerland (10), United Kingdom (10), United States (8), and, at the autocratic end of the spectrum, China (−7), Iran (−7), and North Korea (−10).

### 7.2 Democracy index scores using the EIU rubric

Table 3 reports democracy scores for the Roman Republic and classical Athens based on my coding of the EIU Index rubric. This index is based on 60 questions, grouped into five broad categories. Each question takes on a value between 0 and 1, with most questions having simple binary responses, where higher values are more democratic. The scores in each category are summed and normalized to range from 0 to 10, and the overall score is the average of the five category scores, also taking a value from 0 to 10.

Some questions were not applicable, such as #48, which asks if there were political restrictions on access to the internet; in other cases they required data from opinion surveys that do not exist; or were simply impossible to answer based on available historical research. I left these entries blank, so they do not influence the averages. The scores in the table are based on the 46 questions that could be answered. In general, my coding was conservative in the sense that where the evidence is unclear, I tended to assign a non-democratic score. As a result, the scores are probably more negative about democracy than a neutral reading of the evidence would suggest.

The overall democracy scores of the two states are 6.80 for Rome and 7.39 for Athens, putting them in the category of "flawed democracies." According to EIU, flawed democracies are countries that "have free and fair elections and, even if there are problems (such as infringements on media freedom), basic civil liberties are respected. However, there are significant weaknesses in other aspects of democracy." Contemporary countries with similar scores include Lithuania, Malaysia, and India (for Athens), and Brazil, Hungary, and the Philippines (for Rome).

The ratings for both states are dragged down primarily by the political participation category. The low scores are largely a result of my conservative approach to

coding, and in my view give a misleadingly negative view of participation in both states. The three questions that I was able to code clearly merit scores of zero: #27 on voter turnout, #29 on women in parliament, and #33 on adult literacy. I did not assign scores on questions about the "extent of political participation" in political parties and organizations (#30), preparedness of the population to take part in demonstrations (#32), and interest in politics (#34), because we don't have enough information on non-elite actors to make confident answers. In any case, the very low scores that emerge from my coding suggest that Rome and Athens were societies in which few participated in politics, which would strike historians as odd. If we were to arbitrarily assign a score of 5.0 to political participation, both states' bottom-line scores would rise by a full point, into the range of "full democracies."

## 8 The "Tenacious Illusion" that Rome was an oligarchy with no popular control

When trying to understand the political institutions of the Roman Republic, social scientists must navigate a debate among historians about the amount of popular control that existed. While historians now generally accept that voters had significant power and agency in the Republic, for much of the 20th century their prevailing view was the so-called "frozen waste" theory – that, despite its facially democratic institutions, the Republic was run by a closed, hereditary oligarchy that stage-managed elections, hand-picking the officeholders and laws.[85]

The frozen-waste theory continues to be recycled in contemporary discourse. For example, it underpins the common assertion that democracy was invented in ancient Athens, and then lost until its rediscovery in America in the 18th century, with the intervening medieval Italian city states sometimes briefly mentioned – an assertion that erases the Roman Republic from democratic history.[86]

It was not always so. For almost 2,000 years, political thinkers understood the Republic to have been a democracy, and gave considerable attention to its institutions.[87] Historian Fergus Millar attributed Rome's erasure from the ranks of democ-

[85] The name was coined in North (1990).

[86] Representative examples: Dunn (2005, pp. 13–14): "[Democracy] began as an improvised remedy for a very local Greek difficulty two and a half thousand years ago, flourished briefly but scintillatingly, and then faded away everywhere for all but two thousand years." And Carugati (2020, p. 65): "[A]ncient Athens is the world's first experiment in `basic democracy': that is, a system of collective self-rule by an extensive and socially diverse demos legitimately empowered to seek – and capable of achieving – security, prosperity, and nontyranny."

[87] Pre-20th-century authors who wrote about the Republic as a polity governed by the people include Ptolemy of Lucca, Mario Salamonio, Niccolo Machiavelli, Francesco Guicciardini in the Middle Ages; Thomas Hobbes, John Milton, James Harrington, and Marchamont Nedham in 17th century England; Montesquieu and Jean-Jacques Rosseau in 18th century France; and various Americans in the debates over ratification of the U.S. Constitution (Millar, 2002). Alexander Hamilton, James Madison, and John Jay published the Federalist Papers under the pseudonym "Publius" after Publius Valerius Publicola, a legendary leader of the revolt against the kings who established the Roman Republic. Madison, somewhat idiosyncratically, drew a bright line between a democracy and a republic, but other founders used the terms interchangeably. For example, John Adams (letter to the Marquis de Lafayette, May 21, 1782) wrote that "two republican towns, Athens and Rome, have done more honour to our species, than all the rest of it."

racies in our time to "the curiously aberrant course taken by professional historians of the Republic through nearly all of the twentieth century."[88] He identified the catalyst as Matthias Gelzer, a prominent historian writing in the early 20th century, who argued that although the Republic had a democratic façade, it was in practice an oligarchy controlled by a few elite families. Gelzer's view became the conventional wisdom for much of the century, until later-20th-century scholars produced evidence that undermined Gelzer's premises. According to Millar,

> Gelzer's picture was an illusion, but one that has proved extraordinarily tenacious, even when its justification in the evidence has been comprehensively disproved. The consequence has been that students of comparative politics or political institutions who duly read "the right books" about Rome in the course of their research found themselves persuaded that Rome was a hierarchical society marked by all-embracing vertical ties of dependence, in which the formal structure of the "constitution" did not matter, in which there was no real political debate, and in which the ordinary citizen had no power.[89]

This essay is not the place to rehearse this debate and the underlying evidence, but a brief outline with references may be helpful for readers unfamiliar with the controversy. For histories of the Roman Republic in political thought, see Lintott (1999, Ch. 13) and Millar (2002). North (1990) is a valuable overview of the controversy.[90]

What is not at issue is that Roman institutions on their face contained significant amounts of popular control. The debate is how democratic they were in practice. Gelzer's core argument was that the facially democratic features – regular elections and popular assent for all laws – were overridden by social forces, especially patron-client relations, so that in effect a cabal of hereditary, noble families chose the office holders and controlled policy. According to this view, ordinary Romans went to the assemblies, but their votes merely ratified predetermined decisions of the oligarchy.[91] This view is founded on the uncontroversial fact that Roman society was interwoven with a web of interpersonal relations between patrons and clients. Patrons, typically the eldest male of wealthy families, used their prestige and money to protect the interest of their clients, for example, by defending them in court; and clients owed their patrons political support in return.

The hereditary oligarchy view was buttressed by the observation that the Republic's top offices were largely filled by members of wealthy, politically prominent families. When historians turned to quantifying hereditary power, however, the pic-

[88] Millar (2002, pp. 143–144).

[89] Millar (2002, p. 140). A more recent "right book" that incorporates recent research, Mary Beard's *SPQR*, characterizes the Republic as a state in which popular control of government was a central feature.

[90] See also Brunt (1971, 1988, Ch. 8) on clientele; and Millar (1984, 1986, 1998) and Yakobson (1992, 1999, 2010) on participation by the Roman public. For a dissenting view see Mouritsen (2017).

[91] North (1990) provides an analytical review and critique of the frozen waste theory, dividing it into four propositions: (1) Rome was controlled by a narrow, firmly defined, and impermeable hereditary oligarchy; (2) the behavior of voters in the assemblies was completely determined by patron-client relations; (3) the dominant families formed stable long-term alliances that had no basis in policy preferences; and (4) law-making and elections of magistrates were controlled by the rival family groups.

ture turned out to be more complicated. A landmark study by Hopkins and Burton (1985) used surviving lists of Roman magistrates and prosopographical evidence on their family connections to trace the ancestry of consuls and praetors from 249 BC to 50 BC. They found that 65% of the 364 consuls had at least one consular ancestor over the previous three generations, confirming the potency of family ancestry in consular elections. However, this finding also implied that 35% of consuls did not have a consular ancestor. "Noble descent was obviously important," they wrote, but it was "neither a necessary nor a sufficient condition of a political career." [92] Their central conclusion was that consuls "did not form an exclusive hereditary clique."[93]

Historians have also now assembled considerable evidence that elections were not rubber-stamps of candidates pre-selected by a ruling clique of oligarchs. They have shown that elections were competitive; significant policy differences were worked out in the ballot box; and elites themselves paid close attention to the views of the Roman public when running for office and governing. There are plenty of examples of voters choosing candidates opposed by elites, and approving laws contrary to the Senate's recommendation.[94] Commenting on the letters of Cicero, a successful late-Republic politician, North (1990, p. 13) observed: "[N]othing could be clearer than his constant preoccupation with public expressions of opinion, whether shown by demonstrations at the theatre, at public meetings or by voting in assemblies. He quite clearly reflects a political culture in which popular opinion, like it or not, was a factor constantly important in the calculations of politicians."[95]

There is also an illuminating recent political economy study that examines the careers of elected officials who were in office during episodes of flooding in Rome (Gray and Smith 2022). Praetors served a term of one year and were assigned by lot to duties either inside or outside the city. The paper finds that praetors who had been assigned to duties inside the city had a significantly larger chance of achieving high office than their peers who had been assigned duties outside the city, but only if their terms coincided with a flood in the city. This finding is consistent with the theory

[92] Hopkins and Brunt (1985, p. 51). Along the same lines, Gray and Smith (2022, Table 3, column (4)) found, for the period 216−166 BC, that praetors with consular ancestors were 17% more likely to be elected consul subsequently, a significant boost from ancestry but far short of 100%. They also found small and statistically insignificant effects from being a member of a patrician or otherwise prestigious family.

[93] Hopkins and Burton (1985, pp. 55). They also showed (p. 55–56) that two prominent families, the Metelli and the Claudii Pulchri, who produced a consul in six successive generations, were outliers, and should not be seen as representative of Roman families. They also argued (pp. 52ff) that the claim that 10 "clans" (*gens*) held roughly half the consulships in the 2nd century means less than it seems because clans were not political units. Statistical evidence is available only for the two top offices.

[94] Examples include the agrarian laws of Tiberius Gracchus in 133 BC; the *Lex Mamila* (targeting politicians that had collaborated with enemy) which the "plebs had.. overwhelmed the aristocracy" to pass according to Sallust (*The Jugurthine War* 65); the *Lex Papiria* of Gaius Marius in 119 BC that took steps to protect the privacy of voting; and the *Lex Claudia* of 218 BC prohibiting Senators from owning sea-going ships that could be used for trade (Livy 21.63).

[95] Similarly, according to the ancient historian Polybius (VI.16), who lived in Rome during the middle Republic: "the Senate is afraid of the masses and cannot disregard the popular assembly."

that politicians can benefit from having the opportunity to demonstrate their ability to voters in a time of crisis (Ashworth et al. 2018). If Roman elections were mere facades, in which the winners were pre-selected by oligarchs, there is no reason such a pattern should exist.[96]

Nevertheless, that fact that high officeholders were predominantly from wealthy, politically connected families suggests that Roman democracy was different from modern democracy. The Republic did not have its Abraham Lincolns, who rose from nothing.[97] The Republic's election results suggest that voters had a strong preference for filling the highest offices with members of wealthy, politically distinguished families. This is not necessarily irrational: men from such families might have been better at leading armies than, say, an urban shoemaker or a peasant farmer. Voters also may have preferred members of elite families for reasons of culture or the political economy of the state (e.g., members of elite families may have had networks that made them more effective in achieving their policy goals). There is no reason that scions of noble families could not serve as champions of the common people, even against the interests of their class, as the example of the Gracchi makes clear.[98]

It has not been uncommon in other democracies for voters to look with favor on elite families or the children of prominent public officials. In classical Athens, seen as the quintessential pre-modern democracy, "there was an unmistakable tendency for the rich families to monopolize politics" and "[t]he social structure prevailing in Athens.. had the effect of confining the highest positions of leadership to the narrow elite of birth and wealth, who had unequalled opportunity to acquire the abilities and reputation needed to win high office."[99] The contemporary U.S. Senate is not comprised of a random sample of the population either, but disproportionately of the wealthy. Voters showing favoritism to the sons of previous office holders is also not unknown in U.S. history: the Roosevelts, the Kennedys, the Bushes, the Gores, and numerous subnational office holders, such Pat and Jerry Brown, John and Chris Sununu, Mario and Andrew Cuomo, George and Mitt Romney, Dick and Liz Cheney, etc.

Finally, the idea that the Republic was an hereditary oligarchy stems in part from a misconception about the Roman Senate. Millar (1985, p. 4) observed that "modern writing on the political history of the Republic is haunted still by the utterly misleading, unconscious presupposition that the Senate was a sort of parliament, which

[96] The fact that allied cities in Italy fought a bloody war against Rome in 70−68 BC (the Social War) over the issue of their right to vote in Roman elections (Brunt, 1965; Sherwin-White, 1973, pp. 140–144) would also be difficult to understand if elections were mere just for show.

[97] Perhaps Gaius Marius? Plutarch (*Marius* 3) stresses the poverty of his family, "poor people who lived by the labour of their own hands".

[98] Franklin D. Roosevelt in the United States offers a more recent example.

[99] Hansen (1999, p. 274) and Mitchell (2013, p. 112). Mitchell (2013, p. 110) further observed that "We know of no *thetes* or *zeugitae* [the poorest class of citizens] who achieved high military or political prominence at any time during the fifth century." Hansen (1999, p. 274) nevertheless noted that "the group was not closed. A man could lift himself into the elite by his own bootstraps."

exercised the powers of government." In fact, as discussed above, membership in the Senate was not hereditary – its members were comprised of former office holders – and it was not a legislative body – it did not have the power to make laws, but could only recommend laws for consideration by the assemblies.

## 9 Final thoughts

One purpose of this essay is to provide a systematic and accessible source for information on the Roman Republic's political institutions and political practices, based on recent historical research. Whereas the Roman *Empire* has inspired countless plays, films, and books, the democratic Republic that preceded the emperors is comparatively obscure. By assembling and describing the Republic's constitutional structure, I hope to make this remarkably durable democracy – arguably the longest-lived in human history – more accessible to scholars interested in the long-run performance of democracies.

A second purpose is to demonstrate that, by the same criteria used to classify classical Athens and the United States as democracies, the Roman Republic should be considered a democracy as well. Recognizing the Republic as a democracy broadens the set of cases available for analysis, and introduces a number of distinctive institutional features, such as direct lawmaking, strict term limits, fragmented executive power, and group voting. The Republic thus offers fertile ground for exploring the historical development of democratic institutions.[100]

More than two millennia ago, Polybius (1.1) posed a famous question: "[I]s there anyone on earth who is so narrow-minded or uninquisitive that he could fail to want to know how and thanks to what political system almost the entire known world was conquered and brought under a single empire, the empire of the Romans, in less than 53 years – an unprecedented event?" Interestingly, for Polybius the answer was to be found in the Republic's political institutions. What institutional features allowed the Republic to thrive in an environment with tough international competitors, and eventually achieve dominance of the region? Adding the Republic to the set of historical cases may offer leverage on questions related to democratic stability and sustainability, and allow tests of theories that have been developed in other historical or contemporary contexts.

Finally, the Republic's eventual collapse raises further questions. If its institutions explain its durability, did it fail because it abandoned its stabilizing institutions – or because its institutions were inadequate to meet new challenges that emerged over time? Historians have offered numerous explanations, ranging from changes in culture and norms to corruption brought about by the wealth of expansion. Approaching these questions through the lens of modern political economy theory could lead to new explanations and insights.[101]

[100] This echoes Gray and Smith's (2020, p. e25) for a "widening of the universe of cases" that we study, and their observation that self-government takes many forms beyond those that are traditionally considered.

[101] Jankowski (2021) is an interesting study of the Republic's fall that focuses on institutional explanations.

## Appendix A. Explanation of Polity5 classifications

Polity5 scores were assigned as follows.

- **Competitiveness of Executive Recruitment**. Both Rome and Athens are coded as "Regulated," meaning that chief executives were "determined by hereditary succession or in competitive elections." The chief executives were the consuls for Rome and the generals for Athens. Alternative types included states with forceful seizures of power, and states where the top executive was designated by political elites without formal competition.
- **Openness of Executive Recruitment**. Both Rome and Athens are coded as "Election," meaning that chief executives were "typically chosen in or through competitive elections matching two or more major parties or candidates." Alternative types were states with hereditary succession, such as monarchies.
- **Constraints on Chief Executive**. Rome is coded as an "Intermediate Category" between "Substantial Limits on Executive Authority" and "Executive Parity or Subordination," meaning that there were substantial constraints on the executive, and sometimes other groups had equal authority. The power of consuls was limited because of their dependence on the Senate for financial support, the ability of tribunes to veto their actions, the ability of the tribunes and Senate to propose laws, the requirement that an assembly approve laws and major policies, the overall guidance of the Senate, and the ability of consuls to veto each other. Whether this went beyond limits to the parity type depends in part on how one thinks of the Senate: if one believes that the Senate initiated much of the important legislation, a parity classification would be appropriate. If one believes the consuls initiated most laws a substantial limits classification would be appropriate. I chose the intermediate category as a compromise. I coded as Athens as "Executive Parity or Subordination" because the generals did not control the agenda of the assembly.
- **Regulation of Participation** (PARREG).[102] Both Rome and Athens are coded as "Regulated," meaning that political groups "regularly compete for political influence and positions with little use of coercion" and "no significant groups, issues, or types of conventional political action are regularly excluded from the political process." The competing groups are envisioned as families and their patronage networks. The alternative types include failed states with no institutionalized political structure, states with party or ethnic competition that have few common interests, states with sectarian competition, and states where the ruling government restricts competition.

[102] The categories for PARREG and PARCOMP are somewhat confusing on their face, but Addendum C of the Polity V Manual explains how the two codes are intended to represent one of 10 "concepts." Of these, Concept 10, Institutionalized Open Electoral Participation is the best fit for Rome and Athens. The checklist for this code includes: (i) national elections for both executive and legislature are deemed to be free and fair, and (2) no major social groups are routinely excluded from the political process, and (3) respect for civil liberties. The alternative concepts, which do not seem to fit as well, are "Factional Competition" (groups with parochial agendas compete in an uncompromising way; competition is intense, hostile, and coercive); "Uninstitutionalized Competition" (failed states in which central authority has collapsed); and "Restricted Competition" and "Repressed Competition" (hegemonic regimes that limit political participation and suppress competition from rivals).

- **Competitiveness of Political Participation** (PARCOMP). Both Rome and Athens are coded as "Competitive," meaning that there are stable groups that regularly compete for political influence, ruling groups and coalitions voluntarily transfer power to competing groups, and competition seldom involves coercion or disruption. The other types are parochial or ethnic-based competition that promote particularistic agendas to the detriment of common agendas, suppressed systems in which the regime systematically and sharply limits participation from competing groups, and dictatorships with no competition.

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**Competing interests** The author declare no competing interests.

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