

The Democratic Institutions of the Roman Republic

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The ancient Roman Republic was the longest-lived popularly governed state in human history. This essay describes its political institutions and practices, in order to bring it to the attention of democracy scholars and provide a one-stop reference for social science researchers. The essay demonstrates that to the extent we consider classical Greece and the modern United States to be democracies, the Roman Republic should also be considered a democracy. The essay highlights several unique features of the Republic's institutions that may have contributed to its historically unique longevity, and its ability to thrive and prosper in the highly competitive ancient Mediterranean world.

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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."

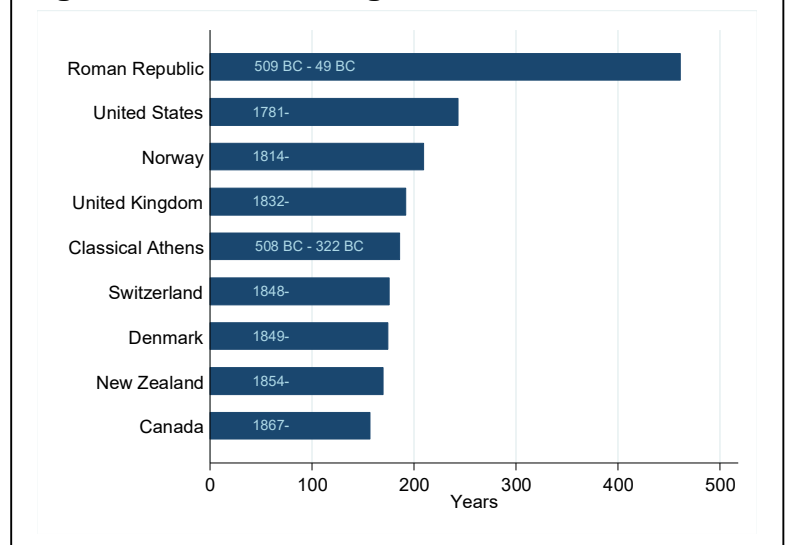
-- Fergus Millar, *The Roman Republic in Political Thought*¹

I. Introduction

Self-government by the people ("democracy," for short) has appeared in various forms throughout human history. Recently, scholars have shown renewed interest in studying past episodes of democratic governance as a way to gain insight into the institutional features that allow some democracies to endure while others fail. The Roman Republic was a popularly governed state originating in central Italy that overthrew its kings in the 6th Century BC and expanded by the later 1st Century BC to control almost all of the lands surrounding the Mediterranean, from modern France and Spain in the northwest, to modern Greece, Turkey, and the Levant in the east, and much of North Africa to the south. Today the Roman Republic may be best known for the fact that it ultimately fell and was replaced by a dictatorship we call the Roman Empire that lasted until 1453, but its well-known demise has tended to obscure its remarkable and so-far unrivaled longevity (Figure 1).²

The purpose of this paper is to bring the Roman Republic out of the shadows, so to speak, by providing an extensive overview of its political institutions in a form convenient for democracy researchers. The Republic is challenging to study because the basic facts about its institutions and political practices are not easily accessible to social scientists. Generations of historians have amassed an amazing

Figure 1. Duration of Long-Lived Democracies



¹ Millar (2002, p. 141).

² The beginning and ending dates in the figure are subject to debate (autocratic interruptions are ignored); for example, one could reasonably argue that Roman democracy was fatally compromised from the time of Sulla's coup in 88 BC. The figure is just intended to put things in a rough comparative perspective; the basic picture does not depend on precise dates.

wealth of information, but a researcher wishing to study the Republic's governance practices would have to piece them together from various books and articles by historians. This paper is intended as a one-stop source for information on the "constitution," institutions, and political practices of the Republic.

The Roman Republic had a fascinating and possibly unparalleled array of democratic elements in its constitution, and made heavy use of both direct and representative democracy. It had universal male suffrage (excluding slaves, of course); all magistrates were elected by the people in competitive elections; all laws were passed by assemblies of the people using a distinctive group-voting system; office holders served fixed terms with re-election generally precluded; and power was fragmented among officials, especially by the practice of electing two (or more) magistrates for each office, and by election of tribunes who could veto the actions of elected magistrates. The Republic also had quasi-democratic body called the Senate, comprised of former holders of the highest offices, a body that had few formal powers, but by virtue of its prestige manage much of the government through its advisory role.

My statement that the Roman Republic was a democracy may not be self-evident to some. Another purpose of the paper is to explain why the Republic should be included among the states we examine when studying democracy. I do not advance a rigid definition of democracy here – it's clear that democracy comes in many different forms – but rather use the word in its common-discourse sense, of a government in which power is exercised by a sizeable cross-section of the population through selection of government officials and policies using regular, free, and fair elections.³ As I will show, the Republic clearly met this standard. I also compare the Republic's institutions with those of classical Athens and the modern United States, showing that the Republic had, if anything, more democratic features than the other two, so that whatever definition of

³ My definition is quite conventional: Dahl (2006, p. 3) defines democracy as "processes by which ordinary citizens exert a relatively high degree of control over leaders;"; Stasavage (2020, p. 29) say 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."); James 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 common claim that the United State is a republic and not a democracy, Dahl (2002, appendix A) argues 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.

democracy one uses, if it includes Athens and the United States, it would also include the Republic. I also review the historiography of the Roman Republic, and explain how historians in the early 20th century came to believe that it was not a democracy, a belief that spilled over and to some extent persists among social scientists, and review how historians of the later 20th center came to correct that hat misconception.

II. Capsule History of the Roman Republic⁴

According to its own 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 extending from the central Apennine Mountains into the western coastal plains along the Tiber River – had been settled since approximately 1,000 BC. It 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 a series of 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, that controlled 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 the 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. The historicity of this event can be questioned, but within a short time the

⁴ This capsule history is not essential for the arguments that follow. Beard (2015) is an excellent one-volume popular history that is grounded in recent research. Good introductions to specific periods are provided by Cornell (1995) [1000-264 BC], Rosenstein (2012) [290-146 BC], and Steel (2013) [146-44 BC].

⁵ Cornell (1995, Ch. 8).

⁶ The term *plebs* has modern connotations that can be misleading in the ancient context. In particular, some Roman plebs were quite wealthy and powerful. Examples from the late Republic include the richest man in Rome, Marcus Licinius Crassus (115-53 BC); the 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 few families with ancient origins, a class that had become numerically negligible by the end of the Republic.

Republic had established a plebeian assembly with the power to make laws, and the office of tribune of the plebs to oversee the plebeian assembly, with the power to veto official acts of the elected magistrates. 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.

Externally, in its first century of existence, the Republic was engaged in warfare with communities to its north and south on an almost annual basis, and emerged as the dominant power in central Italy. To the south of Rome, an area called Latium (extending about 50 kilometers 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 490s BC, after which Rome and the Latins signed a mutual defense treaty, in which Rome took command of the allied forces. Rome also began establishing "colonies" – settlements of ex-soldiers – in frontier areas that it controlled. To the North, Rome fought multiple wars with the Etruscans as well, culminating in the capture and annexation of their most prominent city, Veii (15 kilometers to the north) after a siege in 396 BC. Some of Veii's territory was distributed to Roman citizens in small allotments; a few years later the Republic granted citizenship to the remaining native inhabitants of Veian territory, as well as inhabitants of territory seized from the nearby cities of Capua and Falerii. By 396 BC, the territory controlled by the Republic had grown over 80 percent, to 1,510 square meters.⁷

Despite its military successes, Rome was sacked by an invading army (or band of raiders) from the Po River valley of Gaul in about 390 BC. From the viewpoint of later Roman historians, this event was a major disaster, but modern historians view it more as a temporary setback that did not have noticeable effect on the Republic's expansion or military successes.⁸

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 260s BC, its size had reached 24,000 square kilometers, and it had effective control over the entire Italian peninsula.⁹ Roman expansion seldom took the form of outright occupation of enemy territory, but rather an alliance treaty with the defeated city or tribe, in which the defeated party 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,

⁷ Brunt (1971a, Table II).

⁸ Cornell (1995, pp. 318-322).

⁹ Brunt (1971a, Table II).

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 with the city of Carthage in North Africa. In the early 2nd century BC, the Republic fought multiple wars with the kingdom of Macedonia, and then 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 ability to mobilize manpower on a scale that exceeded any other Mediterranean state, perhaps by an order to magnitude.¹⁰

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. There were also military conflicts within Italy. A major rebellion of Italian allies broke out in 90 BC, the so-called Social War, in protest of their lack of political rights; the rebels were put down but the voting rights they sought were granted. There were also large-scale organized slave revolts.

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 for 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. In 88 BC, the consul Sulla marched on Rome with an army and staged a coup after an assembly had 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 and

¹⁰ Rosenstein (2012, pp. 78-79); Brunt (1971a).

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.

In 49 BC, the general Julius Caesar, stationed in Gaul, brought his army into Italy, triggering the first in a series of civil wars that lasted until the victory Caesar's adopted son, Octavian, over Marcus Antonius at the battle of Actium in the Ionian Sea 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, more-or-less 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 main boundaries were set by the end of the Republic. The Empire would eventually move its capital to Constantinople (modern Istanbul) in 330 AD. It would lose control of much of the Western Empire in the 5th century AD, but persist as a power in the East until 1204 AD, and then as a diminished regional state until it was conquered by the Ottomans in 1453 AD.

III. 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 Mary 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 structure and its practices. Nevertheless, our knowledge remains limited. A fundamental limit is that the Republic did not have a written constitution in the way we think of it today – a single document that lists the core institutional rules. Rather, its constitution was comprised 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 a particular office for consecutive terms). Another limitation is that our information on political institutions must often be inferred from sources that were created for other purposes. A final limitation is that the

information that has survived is highly selective – in some cases we might know of a practice from a single source.¹¹

The fact that we are able to form a fairly 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), and Yakobson (1999). It is worth emphasizing that despite the 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.

In terms of ancient authors, three 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 institutions; and Cicero provides an unparalleled and vivid picture of day-to-day politics in the Republic's waning years.

IV. Roman Political Institutions

This section describes the Republic's key institutional "players" and their powers. After laying out the structure of Roman government, the next section discusses the 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 for a state that existed for centuries, the Republic's institutions involved over time. In order to keep the project manageable, I focus on more enduring features, passing over those that existing only in the years immediately after the kings

¹¹ 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.

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; hold 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; maintaining public order; supervising markets; organizing games; overseeing food supply; kept public records of senatorial decrees; summon and preside over assemblies.	2 elected each year for 1-year terms.
Aediles, plebeian	Same.	2 elected each year for 1-year terms.
Censors	Count the number of 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, special circumstances
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	Commissioners to establish a new colony; commissioners to distribution 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 to the assemblies.	Appointed by censors from among those who had held high offices and meet minimum property qualification, for lifetime term.

were overthrown (which, in any case, are not well understood) and those in the final years of the Republic as it transitioned to autocracy.

A. Assemblies

The central, uncontested premise of the Republic was that all political power originated with the people. The people exercised this power through assemblies, in-person gatherings of

citizens either in the city (often the Forum) or directly outside city (typically the Campus Martius).¹² Through assemblies, the people elected all of the Republic's magistrates (executive officers), more than 60 in all; they passed all laws; they approved declarations of war and treaties with foreign states; and they sat in judgement at certain high-stakes trials. The assemblies met annually on a regular schedule to elect state officials, and they met on an ad hoc basis to make laws. The range of legal topics considered by assemblies included: alterations to the constitution, changes in religious offices and procedures, alterations in civil and criminal law, admission of new citizens, founding of colonies, distribution of public lands, usury and debt, sumptuary laws, grain laws, declarations of war and peace, and approval of treaties, among other topics.¹³

The two most important assemblies were:¹⁴

- 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.¹⁵

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

¹² A law passed in 358 BC restricted assemblies to Rome or its immediate environment (Livy 7.15).

¹³ Lintott (1999, pp. 40, 200-201)

¹⁴ I skip over the unimportant Curiate Assembly, which was used to fill vacancies in certain state priesthoods, and had certain pro forma functions, such as approval of wills and the formal granting of imperium to military commanders (Lintott 1999, p. 49; Taylor 1966, pp. 3-4).

¹⁵ 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.

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 to do so.¹⁶

Any citizen who was physically present could vote in an assembly. The Republic had a fairly 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 provided citizenship to certain allied cities and to magistrates of allied cities. 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, or whom about one-third might have lived in Rome itself.

Formally, to be a citizen meant being assigned to one of its 35 “tribes.” Tribes had a rough geographic basis, making them similar to legislative districts, although a tribe could include non-contiguous land, and members of a tribe might retain their membership even if they chose to live outside the tribal boundaries (such as in the city of Rome).

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 citizens voted by groups; outcomes were not determined by simple majority rule. 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 was more limited than a modern legislature because assemblies were seldom involved in budgetary matters. Modern legislatures spend considerable time on taxes and spending, but the Republic did not have an annual budget. Expenditures were authorized on an ad hoc basis by the Senate, as discussed below. Except in the rare instances that a specific tax or expenditure was brought to an assembly, the people played no direct role in this important aspect of policy.¹⁷

¹⁶ 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 conferring near-dictatorial powers on Augustus.

¹⁷ Examples: in 133 BC, after the Senate refused to provide funding for a new commission on land reform, the tribune Tiberius Gracchus proposed and 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

B. Magistrates (Executive Officials)

The Republic was administered by over 60 magistrates, all of whom were elected, almost all for one-year terms.¹⁸ 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.¹⁹ 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 specified sequence. The ladder started with quaestor, proceeded through aedile, praetor, consul, and ended at censor. Fourth, an office holder could not run for the same or any 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.²⁰

As with all laws and customs, the people had the right to change the rules 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 is striking from a modern perspective to observe the Republic rotating out its consuls (generals) even in the midst of an important war when hostile armies were in the field.

An interesting and perhaps unique feature of the Republic’s approach to administrative offices was that every office holder had at least one colleague, and colleagues could veto each

example: in 123 BC, the tribune Gaius Gracchus proposed and an assembly approved new customs dues (Stockton 1979, p. 156).

¹⁸ Members of various priestly colleges were also elected, but not covered in this essay.

¹⁹ 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; it was later codified in a constitutional amendment adopted in 1951, after Franklin Roosevelt broke the unwritten rule.

²⁰ For eligibility requirements, see Abbott (1963, pp. 167-169).

other's actions.²¹ 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 as generals 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."²² 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 common.²³ 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 tended to be held by older men and their charge was limited to a small number of specific functions. Unlike most 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, one of considerable financial importance, was the granting of the Republic's public contracts. Public contracts included tax farming and construction and maintenance of roads and public buildings. The censors did not supervise the consuls.²⁴

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

²¹ 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.

²² The quote is from Lintott (1999, p. 94), who notes that it appears in various Roman legal texts.

²³ 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).

²⁴ The censors are discussed in Lintott (1999, pp. 117-120).

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.²⁵ Minor elected officials include the 24 military tribunes, who functioned 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 employed various ad hoc officials. For example, following the passage of a law to redistribute public lands in 133 BC, three land commissioners were elected to carry out the law. Special commissions 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 to carry out a specific and narrowly defined task in emergencies. In the early Republic, the task often involved an urgent military command. Later, the task was often to oversee the annual elections when the consuls were not in the city 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 a single dictator at any time (each dictator chose a subordinate called the *magister equitum*).²⁶

C. 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 had substantial control of the legislative agenda. Their agenda power was enhanced by the fact that no

²⁵ Quaestors: Lintott (1999, pp. 133-137). Aediles: Lintott (1999, pp. 129-133). Minor magistrates: Lintott (1999, p. 137-144).

²⁶ Lintott (1999, pp. 109-113).

other officials (except consuls and praetors) could propose laws or call meetings of the assembly, and proposals could not be amended by the members of the assembly.

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 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.²⁷

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.

D. Senate

The Senate was a central part of the Roman constitution yet 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.²⁸

The Senate was comprised of about 300 members with lifetime appointments. To be eligible for membership, a person had to have held a high-level elected office (consul, praetor, aedile, dictator) and be of good character. It was up to the censors to verify and adlect new members, and (rarely) remove existing members if they had acted disreputably. The Senate was not a hereditary body – membership by an ancestor was neither necessary nor sufficient – and it was not restricted

²⁷ Veto of proposed legislation (Lintott 1999, pp. 46, 145-125); veto outside the city (Lintott 1999, p. 106-107); veto of Senate decrees (Lintott 1999, pp. 122-123).

²⁸ 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.

to the patrician class of old noble families.²⁹ 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.

The Senate determined and managed most of the Republic's fiscal policies and international relations. According to Polybius (6.13, 6.17),

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, harbours, 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.³⁰

The Senate oversaw the Republic's foreign policy. It officially received diplomatic delegations from other states; it sent Roman embassies abroad; and it engaged in negotiations with other states (although recall that the assemblies had to approve declarations of war and treaties). The Senate arbitrated disputes between allied cities, often 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 would instruct them on matters of importance to the broader state. A bronze tablet survives with the text of a decree from 186 BC in which the Senate banned certain religious festivals and shrines related to the cult of Bacchus.³¹

²⁹ See Lintott (1999, pp. 68-72) for membership. It is likely that members were required to maintain a minimum amount of property.

³⁰ The Senate collaborated with the censors on the choice of public contracts; the censors appear to have some discretion in which public projects they undertook.

³¹ Decree of the Senate Concerning the Bacchanalia: https://droitromain.univ-grenoble-alpes.fr/Anglica/Bacchanal_johnson.htm.

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.³² Typically, this would be a region where there was a military conflict, and the consul would spend the year fighting there, administering justice, or establishing political arrangement with local communities. The Senate could prorogue consuls and praetors in the field, allowing them to retain their command for an extra year. The Senate authorized the raising of troops, and voted to award triumphs, honorific ceremonies for successful generals that were highly coveted.

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 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.³³ Decrees addressed to magistrates advised them to take certain courses of action. For example, in 198 BC the Senate advised the praetor to expel migrants to Rome from nearby Latin communities.³⁴ Magistrates often sought guidance from the Senate before taking an action.³⁵

It is remarkable that the Senate ran 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.³⁶ Magistrates could ignore the advice of the Senate, and sometimes they did so.³⁷ The

³² Sometimes the Senate would select the two provinces, and they would be assigned to the consuls by lot.

³³ In the mid to late Republic, the Senate occasionally issued a decree that modern scholars call the *Senatus Consultum Ultimum* (“last decree”). This decree, issued in time of civil strife, urged the consuls to take whatever actions were necessary to restore order. The intention of the decree was to authorize the consuls to use force against other citizens, even to extent of violating existing laws, particularly the right of citizens not to be physically harmed by magistrates without due process (*provocatio*). This was similar to a modern declaration of martial law. Whether the Senate had the constitutional authority to exempt the consuls from existing laws was debated at the time, although it seems to have been generally accepted. Lintott (1999, pp. 89-93).

³⁴ Livy (39.3).

³⁵ Livy (2.28) describes the consuls asking the Senate in 494 BC how they should deal with incipient secession movements by the plebs.

³⁶ For example, the Tribal Assembly approved the agrarian laws of Tiberius Gracchus in 133 BC despite objections by the Senate.

³⁷ For example, in 143 BC, the consul Appius Claudius Pulcher held a triumph even though the Senate had refused to approve it (Steel 2013, p. 16). See also Lintott (1999, Ch. VI).

power of the Senate was not based on a constitutional provision but rather stemmed from accumulated tradition and the prestige and experience of its members.³⁸ 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. 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.³⁹

E. 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. Charges of crimes against the state payable by fine were heard 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.

V. 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 it comes to lawmaking, the identity of the veto players and the agenda-setting rules.

³⁸ "[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.

³⁹ 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.

A. Voting Procedures

A highly distinctive feature of the Republic's assemblies, and one that sets it apart from contemporary assemblies in Greece, was the use of group voting. All elections – referendums on laws and candidate elections – 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 a majority of voters in 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 electoral districts. The districts were not necessarily comprised of contiguous areas; some were broken up into as many as five or six separated areas.⁴⁰ Citizens were assigned to tribes based on their residence or property holdings. The tribes may have had approximately equal numbers of members originally, but came to overweight the rural areas.⁴¹ The urban population of the city of Rome itself was distributed across only four tribes, effectively diluting the urban vote. 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. Members of Latin allies who happened to be in the city during an election were allowed to vote, all of them being 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). 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

⁴⁰ 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 in inland south-central Italy; a section near the toe of Italy; and a section in Umbria (Taylor 1949, p. 52).

⁴¹ Although the underweighting of the urban population appears to have been a design choice, the censors may have attempted to equalize the population of the rural tribes (Taylor 1949, p. 53).

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.)⁴² 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 98 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 had to be physically 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.⁴³

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 monograph on campaign 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.”⁴⁴ 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 was 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

⁴² The exact number of centuries, and division among classes is a matter of ongoing debate, although the general structure is not in dispute. Lintott (1999, pp. 55-61) and Staveley (1972, pp. 123-129) provide detailed discussions.

⁴³ Of course, it may have overcompensated, in excessively diluting the power of the urban residents.

⁴⁴ Cicero (2012, section 33).

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 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. One can see that this process could result in the winning candidates receiving fewer votes than the losing candidates if votes were counted in an order that happened to favor the winners.

Voting was by voice in the early Republic, but by secret ballot beginning in the 2nd century BC. Ballots were presumably wax or wood covered with wax, on which a citizen 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.⁴⁵

Figure 2. Denarius Showing a Citizen Voting, 63 BC



B. Lawmaking

As mentioned above, all laws had to be approved by an assembly. Proposed laws had to be publicly posted well in advance (at least several weeks) before they went to a vote. The magistrates and other officials then held smaller assemblies, called *contios*, across the city, in which speakers were invited to defend or criticize a law. On the day of the election itself, when a full assembly was held, there was no debate – the voters simply voted in favor or against the proposal. Another

⁴⁵ 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

procedural restriction was that laws could not be put to a vote within 24 days before or 24 days after candidate elections.⁴⁶

Assemblies were called and laws were introduced by one of the presiding officers: one of the tribunes in the Tribal Assembly, or one of the consuls or praetors 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. While in Athens, proposals and amendments could be made from the floor, and laws could be adopted immediately upon being proposed,⁴⁷ 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.

One consequence of the procedural limits in Roman assemblies is that the Republic did not experience the sort of impulsive decisions, or “mob rule” (*ochlokratia*) for which contemporary Greek democracies were sometimes criticized.⁴⁸ 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 very specific conditions there is no policy that can survive amendment, implying that the policy process is inevitably unstable.⁴⁹ Many scholars believe that the solution to this problem is the imposition of structured agenda control, sometimes called “structure-induced equilibrium.”⁵⁰ Roman procedures

⁴⁶ Votes could also be canceled by presiding magistrates or augurs if there were signs that it was an inauspicious day to vote.

⁴⁷ Staveley (1972) and Mitchell (2015) describe procedures in Greek assemblies. After 403 BC, Athens introduced a requirement that laws 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).

⁴⁸ 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 the rise of demagogues, leaders who were able to sway the voters to make intemperate decisions with emotional rhetoric. Ober (2008) provides a fascinating interpretation of these procedures in light of information theory.

⁴⁹ This is sometimes called the McKelvey Chaos Theorem; for the literature, see Aldrich et al. (2007).

⁵⁰ Shepsle and Weingast (1981) is a classic analysis of structure; Romer and Rosenthal (1979) introduced the idea of agenda control.

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 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.⁵¹

VI. Democratic Features of the Roman Republic

All definitions of “democracy” envision a government in which power is exercised by a sizeable cross-section of the population through the selection of government officials and public policies through regular, free, and fair elections. This section discusses how the Republic performed on 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.

A. Suffrage

In the Republic, all citizens 18 years and older had the right to vote, with the exception of women. There was no property requirement. This constituted essentially universal suffrage in pre-modern times. The Republic was also 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.⁵²

In classical Athens, the voting age in the citizen assembly (*ekklesia*) was also 18 years, there was no property requirement, and women were 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. Athens did not allow freed slaves to vote, nor did it give voting rights to allied cities.⁵³ Suffrage was thus more restricted in Athens than in the Roman Republic.

In the United States, the voting age 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.

⁵¹ “[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).

⁵² On immigrants, see Brunt (1971a, p. 85).

⁵³ Staveley (1972, p. 78).

Women were excluded in most of country until ratification of the 19th Amendment in 1920. All slaves were freed after the Civil War, and made citizens with full 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 Americans received de facto voting rights.⁵⁴ The United States granted citizenship to immigrants, with some exceptions (such as Chinese), most of which were removed over time. Suffrage thus seems to have been broader in the Roman Republic than the early United States, but narrower by the 20th century.

B. Regular Elections for Political Offices

The Republic held elections annually, and it did not cancel elections even in the midst of emergencies, such as wars, with only a few 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.⁵⁵ Although the ancient Greeks viewed selection by lot as a fundamentally democratic practice, it does not allow the people to select their leaders; today we might consider it less democratic than choosing representatives by election. 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 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.

C. Fair Voting and Vote-Counting

The casting and counting of votes in the Republic appear to have been viewed as fair. Staveley (1972, pp. 215-216) gives examples of electoral fraud – such as ballot-box stuffing, marked

⁵⁴ Keyssar (2009) contains an extensive description of historical suffrage practices in the United States.

⁵⁵ Staveley (1972, pp. 36-54). Aristotle, *Constitution of Athens*.

ballots, faked ballots, and partial abuse of administrative authority to favor one candidate – but stresses that

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 more likely suggests a determination to ensure election integrity.⁵⁶ In its last years, as the Republic's 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 it does not appear to have been common or to have undermined the legitimacy of elections. 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 overweighed the wealthy, and the Tribal Assembly significantly underweighed the residents of Rome.⁵⁷

This contrasts with Athens, in which a one-person one-vote rule seems to have been applied 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.

⁵⁶ 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).

⁵⁷ The overweighing of the wealthy in the Centuriate Assembly may have been less significant in practice than it appears because (i) candidates had to be elected to lower-level offices by the Tribal Assembly before they could stand for the highest offices, so they could not rely on the overweighing of the Centuriate Assembly for political advancement; and (ii) essentially all laws were passed by the Tribal Assembly.

However, the Republic's group voting is not altogether different from 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 votes (with minor exceptions). The United States also weights citizen votes unequally: representation in the U.S. Senate gives hugely disproportionate weight to small states (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 their legislatures 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.

D. Free Campaigning and Contestable Elections

In a functional 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 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).⁵⁸ It was also possible for an assembly to remove an official before the end of his term, analogous to a modern recall.⁵⁹

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.⁶⁰ A campaign for a high office might last an entire year, beginning as soon as the previous year's elections were held. Candidates canvassed for votes extensively.⁶¹ Campaign spending is likely to have been minimal 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 on prohibited inappropriate use of money in campaigns (*ambitus*).

⁵⁸ 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.

⁵⁹ 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.

⁶⁰ Sallust, *Cataline's Conspiracy* 18.

⁶¹ Taylor (1949, ch. III) provides a detailed description of campaigning in the late Republic.

Although there was nothing like mass media in the ancient world, campaign advertising was common. We know that 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.⁶² More informally, prominent Romans would send letters to their friends indicating their support for certain candidates.

The Republic regulated campaigning, but only 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.⁶³ 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.⁶⁴

The tribes played an important organizational role in electoral politics. Each tribe maintained a headquarters in Rome, with officers and a treasury, and they 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 membership. Tribal leaders functioned as political “bosses” whose support was sought by candidates. Corrupt candidates could use tribal organization to distribute bribes to its members.⁶⁵

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 apparently ignored for some offices by the last decades of the democracy.⁶⁶ 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, which were elected and believed to require special skills, individuals were allowed to serve multiple terms in

⁶² Taylor (1949, Ch. III) discusses campaigning.

⁶³ From the *Lex Poetelia de Ambitu* of 358 BC (Livy 7.15).

⁶⁴ See Arena (2020) for examples.

⁶⁵ Lintott (1999, p. 53).

⁶⁶ Aristotle, *Constitution of Athens*, VII, XLVII; treasurers of Athena are mentioned as exceptions.

succession. Athenian selection processes also appear to have contained provisions to ensure representation across local administrative units (*demes*).⁶⁷

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 is no way to recall a federal officer in the midst of his or her term. At the subnational level, many states restrict terms of the elected officials, and some allow mid-term recalls.

Competition for office in the United States can be fierce, although it is not unusual for legislative incumbents to run in uncontested elections. 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. An array of 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; many contemporary democracies significantly limit campaign spending and limit the periods in which campaigning can occur.

E. Other Indicators of Democracy

Actual political participation, not just the right to vote, is sometimes taken as a gauge of democracy (although the very low turnout in Switzerland, a healthy democracy, suggests this is not a necessary condition). We have no data on voter turnout in the Republic, and historians have offered widely varying guesstimates.⁶⁸ It’s likely that turnout was high during the annual magistrate elections because these were routine and planned, and rural citizens would use the opportunity to come to Rome to take care of other business, attend games, etc., as well as vote. On the other hand, 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 presiding magistrate had the power to

⁶⁷ Much of this is drawn from Staveley (1972, Ch. II, V).

⁶⁸ For references, see Yakobson (2010, footnote 3).

appoint men to vote in one of the rural tribes if that tribe had no members present.⁶⁹ We hear of get-out-the-vote efforts in which candidates worked to bring rural voters to the city.

Athens struggled to attract citizens to the assembly. The nominal quorum for a decision was 6,000 out of an eligible population about 45,000. Contemporary critics claimed that it was not possible to muster even 5,000 attendees normally.⁷⁰ In part to address attendance problems, Athens instituted payments to attend assembly meetings in the late fifth century, payments that grew significantly over time. Attending assemblies was likely to have been quite burdensome for farmers that did not live near the city, and the frequency of meetings – at least 40 regular meetings each year plus various ad hoc meetings – would have made regular attendance costly for anyone.⁷¹

Civil liberties are often seen as necessary for democracy. Romans were intensely concerned to safeguard their *libertas*, which has a more complex set of connotations than the word “liberty,” but captures some similarities. 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.”⁷² As discussed above, political 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 by magistrates by the 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 indicator of democracy we might consider is how much control the people have over policies. In most contemporary democracies, voter preferences are filtered through their elected representatives so their control is indirect at best.⁷³ The Republic would be considered more democratic in this respect, since voters made laws directly. Athens would be considered even more democratic since ordinary citizens not only voted on the laws, but could play a role in determining which laws came to a vote.

F. The “Tenacious Illusion” that the Roman Republic Was an Oligarchy with No Popular Control

⁶⁹ Taylor (1949, p. 60).

⁷⁰ Rhodes (1994).

⁷¹ Podes (1993) describes payments to attend the assembly.

⁷² Quote from Arena (2020, p. 79), which discusses free speech in Rome in general.

⁷³ While most modern democracies hold referendums to set national policy, at least occasionally (Matsusaka 2020), most laws are produced by elected legislators and unelected bureaucrats in agencies.

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.⁷⁴

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 history.⁷⁵

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.⁷⁶ Historian Fergus Millar attributed Rome’s erasure from the ranks of democracies in our time to “the curiously aberrant course taken by professional historians of the Republic through nearly all of the twentieth century.”⁷⁷ 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

⁷⁴ The name was coined in North (1990).

⁷⁵ 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.”

⁷⁶ 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 Rousseau 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.”

⁷⁷ Millar (2002, pp. 143-144).

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 an array of 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.⁷⁸

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 the 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.⁷⁹

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.⁸⁰ This view is founded on the well-known fact that Roman society was interwoven with a

⁷⁸ Millar (2002, p. 140). A more recent "right book" that incorporates recent research, historian Mary Beard's *SPQR*, characterizes the Republic as a state in which popular control of government was a central feature.

⁷⁹ 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).

⁸⁰ 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) lawmaking and elections of magistrates were controlled by the rival family groups.

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. 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 percent 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 percent of consuls did not have a consular ancestor.⁸¹ "Noble descent was obviously important," they wrote, but it was "neither a necessary nor a sufficient condition of a political career." Their central conclusion was that consuls "did not form an exclusive hereditary clique."⁸²

Historians have also 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; there were significant policy differences between elites that 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 not favored by elites, and approving laws contrary to the Senate's recommendation.⁸³ Commenting on

⁸¹ 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 percent more likely to be elected consul subsequently, a significant boost from ancestry but far short of 100 percent. They also found small and statistically insignificant effects from being a member of a patrician or otherwise prestigious family.

⁸² Hopkins and Burton (1985, pp. 51, 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 (p. 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; we have only anecdotes about lower-ranking offices and the office of tribune, which was specifically designed to protect the plebeians.

⁸³ 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).

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.”⁸⁴

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 political economy theory 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.

Nevertheless, that fact that high officeholders were predominantly from wealthy, politically connected families suggests that Roman democracy was not the same as modern democracy. The Republic did not have its Abraham Lincolns, who rose from nothing.⁸⁵ The Republic’s election results suggest that voters had a very strong preference for filling the highest offices with members of wealthy, politically distinguished families. This is not necessarily irrational: men from such families may be 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.⁸⁶

It was not 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

⁸⁴ 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.”

⁸⁵ Perhaps Gaius Marius? Plutarch (Gaius Marius, 3) stresses the poverty of his family, “poor people who lived by the labour of their own hands”

⁸⁶ Franklin D. Roosevelt in the United States offers a more recent example.

democracy, voters selected their political leaders almost entirely from a narrow group of hereditary elites, and for much the same reason as in Rome: “[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.”⁸⁷ The contemporary U.S. Senate is not comprised of a random sample of the population either, but rather heavily overweights the wealthy. Voters showing favoritism to the sons of previous office holders is not unknown in U.S. history: the Roosevelts, the Kennedys, the Bushes, the Gores, and numerous subnational office holders, such as 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 exercised the powers of government.” In fact, as discussed above, the Senate was not an hereditary body – 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.

VII. Final Thoughts

I began this essay by observing that that Roman Republic was the longest-running democracy in human history – by a considerable margin – yet is often overlooked in the modern literature on long-run democratic performance. One purpose of the essay is to make the Republic more accessible to scholars by providing a one-stop source for information on its political institutions and political practices. A second goal is to establish that, to the extent we consider classical Athens and the United States to be democracies, the Roman Republic was a democracy as well. Including the Republic in the study of democracy, where it properly belongs, would significantly enrich our knowledge base on popularly governed states, and highlight the diversity of forms that democracy can take.⁸⁸ The Republic would also seem to offer fertile ground for exploring

⁸⁷ Mitchell (2013, p. 112). Page 110: “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.”

⁸⁸ This echoes the call by Gray and Smith (2020, p. e25) for a “widening of the universe of cases” that that we study, and their observation that self-government takes on many forms beyond those that are traditionally considered.

the history of several important democratic institutions, including direct democracy, term limits, fragmentation of power, and group voting.

More than two millennia ago, Polybius (1.1) asked: “[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, in his mind, the answer was to be found somewhere in the Republic’s political institutions. I hope by making the Republic’s institutions accessible to social science scholars to enable future research on the sources of the Republic’s longevity and success. In particular, what were the institutional features that allowed it to thrive in an environment populated 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 provide an avenue to test theories that have been developed in other contexts.

Another important question is why the Republic failed when it finally did? If its institutions are the explanation for its durability, did the Republic fail because it abandoned its stabilizing institutions – or were its institutions simply unable to overcome new challenges that emerged? Historians have offered various explanations for the fall of the Republic, such as changes in culture and norms. It would be interesting to see what other explanations might emerge when viewed through the perspective of modern political economy theory.⁸⁹

⁸⁹ Jankowski (2021) is an interesting study of the Republic’s fall that focuses on institutional explanations.

References

- Abbott, Frank Frost, *A History and Description of Roman Political Institutions*, New York, NY: Biblio and Tannen, 1963.
- Aldrich, John H., James E. Alt, and Arthur Lupia, editors, *Positive Changes in Political Science: The Legacy of Richard D. McKelvey's Most Influential Writings*, Ann Arbor, MI: University of Michigan Press, 2007.
- Arena, Valentina, "Between Rhetoric, Social Norms, and Law: Liberty of Speech in Republican Rome," *Polis: The Journal for Ancient Greek and Roman Political Thought*, 2020, Vol. 37, 72-94.
- Ashworth, Scott, Ethan Bueno de Mesquita, and Amanda Friedenberg, "Learning about Voter Rationality," *American Journal of Political Science*, January 2018, Vol. 62(1), 37-54.
- Beard, Mary, *SPQR: A History of Ancient Rome*, New York, NY: Liveright Publishing, 2015.
- Beramendi, Pablo, Carles Boix, Marc Guinjoan, and Melissa Rogers, "Distorted Democracies," working paper, December 9, 2022.
- Brunt, P.A., *Italian Manpower: 225 B.C. – A.D. 14*, Oxford University Press, 1971a.
- Brunt, P. A., *Social Conflicts in the Roman Republic*, New York, NY: W. W. Norton & Company, 1971b.
- Brunt, P. A., *The Fall of the Roman Republic and Related Essays*, Clarendon Press, 1988.
- Carugati, Federica, "Democratic Stability: A Long View," *Annual Review of Political Science*, 2020, Vol. 23, 59-75.
- Cicero, Quintus Tullius, *How to Win an Election*, translated by Philip Freeman, Princeton, NJ: Princeton University Press, 2012.

- Cornell, T. J., *The Beginnings of Rome: Italy and Rome from the Bronze Age to the Punic Wars (c. 1000-264 BC)*, New York, NY: Routledge, 1995.
- Crawford, Michael H., *Roman Republican Coinage, Volume I*, New York, NY: Cambridge University Press, 1974.
- Dahl, Robert A., *How Democratic Is the American Constitution?*, second edition, New Haven, CT: Yale University Press, 2002.
- Dahl, Robert A., *A Preface to Democratic Theory*, expanded edition, Chicago, IL: University of Chicago Press, 2006.
- Dunn, John, *Democracy: A History*, New York, NY: Atlantic Monthly Press, 2005.
- Gray, Thomas R. and Daniel S. Smith, "Vox Populi: Popular Politics before Liberal Democracy," *Journal of Politics*, April 2020, Vol. 82(2), e21-e26.
- Gray, Thomas R. and Daniel S. Smith, "Retrospective Voting in the Premodern World: The Case of Natural Disasters in the Roman Republic," *Journal of Historical Political Economy*, 2022, Vol. 2, 2-21.
- Hopkins, Keith and Graham Burton, "Political Succession in the Late Republic (249-50 BC)," Chapter 2 in Keith Hopkins, *Death and Renewal: Sociological Studies in Roman History*, Volume 2, Cambridge, UK: Cambridge University Press, 1985.
- Jankowski, Richard, "The Demise of the Roman Republic: A Faulty Constitution?," *Constitutional Political Economy*, 2021, Vol. 32, 218-232.
- Keyssar, Alexander, *The Right to Vote: The Contested History of Democracy in the United States*, revised edition, New York, NY: Basic Books, [2000] 2009.
- Lintott, Andrew, *The Constitution of the Roman Republic*, New York, NY: Oxford University Press, 1999.

Matsusaka, John G., *Let the People Rule: How Direct Democracy Can Meet the Populist Challenge*, Princeton, NJ: Princeton University Press, 2020.

Millar, Fergus, "The Political Character of the Classical Roman Republic, 200-151 BC," *Journal of Roman Studies*, 1984, Vol. 74, 1-19.

Millar, Fergus, "Politics, Persuasion and the People before the Social War (150-90 B.C.), *Journal of Roman Studies*, 1986, Vol. 76, 1-11.

Millar, Fergus, *The Crowd in Rome in the Late Republic*, Ann Arbor, MI: The University of Michigan Press, 1998

Millar, Fergus, *The Roman Republic in Political Thought*, Hanover, University Press of New England, 2002.

Mitchell, Thomas N., *Athens: A History of the World's First Democracy*, New Haven, CT: Yale University Press, 2015.

Mouritsen, Henrik, *Politics in the Roman Republic*, New York, NY: Cambridge University Press, 2017.

North, John, "Democratic Politics in Republican Rome," *Past & Present*, February 1990, Vol. 126, 3-21.

Ober, Josiah, *Democracy and Knowledge: Innovation and Learning in Classical Athens*, Princeton, NJ: Princeton University Press, 2008.

Plutarch, *Fall of the Roman Republic*, revised and expanded edition, translated by Rex Warner, New York, NY: Penguin Group, 2005.

Polybius, *The Histories*, translated by Robin Waterfield, Oxford University Press, 2010.

- Podes, Stephan, "Pay and Political Participation in Classical Athens: An Empirical Application of Rational Choice Theory," *Journal of Institutional and Theoretical Economics*, September 1993, Vol. 149(3), 495-515.
- Rhodes, P. J., "The Polis and the Alternatives," Chapter 11 in *The Cambridge Ancient History*, second edition, Volume VI, edited by D. M. Lewis, John Boardman, Simon Hornblower, and M. Ostwald, Cambridge, UK, 1994.
- Romer, Thomas and Howard Rosenthal, "Bureaucrats Versus Voters: On the Political Economy of Resource Allocation," *Quarterly Journal of Economics*, November 1979, Vol. 93(4), 563-587.
- Rosenstein, Nathan, *Rome and the Mediterranean: 290 to 146 BC*, Edinburgh, UK: Edinburgh University Press, 2013.
- Sallust, *Cataline's Conspiracy, the Jugurthine War, Histories*, translated by William W. Batstone, Oxford University Press, 2010.
- Shepsle, Kenneth A. and Barry R. Weingast, "Structure-Induced Equilibrium and Legislative Choice," *Public Choice*, 1981, Vol. 37(3), 502-519.
- Stasavage, David, *The Decline and Rise of Democracy: A Global History from Antiquity to Today*, Princeton, NJ: Princeton University Press, 2020.
- Staveley, E. S., *Greek and Roman Voting and Elections*, Ithaca, NY: Cornell University Press, 1972.
- Steel, Catherine, *The End of the Roman Republic: 146 to 44 BC*, Edinburgh, UK: Edinburgh University Press, 2013.
- Stockton, David, *The Gracchi*, Oxford, UK: Clarendon Press, 1979.
- Taylor, Lily Ross, *Party Politics in the Age of Caesar*, Berkeley, CA: University of California Press, 1949.

Taylor, Lily Ross, *The Voting Districts of the Roman Republic: The Thirty-Five Urban and Rural Tribes*, Ann Arbor, MI: The University of Michigan Press, 1960 [updated 2013].

Taylor, Lily Ross, *Roman Voting Assemblies: From the Hannibalic War to the Dictatorship of Caesar*, Ann Arbor, MI: The University of Michigan Press, 1966.

Wilson, James, *Speech to the Pennsylvania Convention*, November 24, 1787.

Yakobson, Alexander, "Petitio et Largito: Popular Participation in the Centuriate Assembly of the Late Republic," *Journal of Roman Studies*, 1992, Vol. 82, 32-52.

Yakobson, Alexander, *Elections and Electioneering in Rome: A Study in the Political System of the Late Republic*, Franz Steiner Verlag, 1999.

Yakobson, Alexander, "Traditional Political Culture and the People's Role in the Roman Republic," *Historia*, 2010, Vol. 59(3), 282-302.