Elections in the late Roman Republic: how did they work?

Ancient Rome made much of the fact it was a republic, ruled not by kings, but by people, with legislative power vested in the people’s assemblies. Yet, as Dr Valentina Arena from University College London reveals, this system did not guarantee equal participation to all citizens…

A *res publica*, the Roman philosopher Cicero claims, is a legitimate form of commonwealth if, and only if, the people are the sovereign power, and they entrust their sovereignty into the capable hands of the elite.

At the beginning of the constitutional debate in *de re publica* [a dialogue on Roman politics by Cicero, written in six books between 54 and 51 BC], Cicero effectively says: “*res publica*, then, is the property of a people (*res populi*). A people, further, is not just any gathering of humans assembled in any way at all; it is a gathering of people in large number associated into a partnership with one another by a common agreement on law (*iuris consensu*) and a sharing of benefits (*utilitatis communione*).”

The construction of the definition of a *res publica* as *res populi* in terms of a property metaphor allows Cicero to state that in any legitimate form of government, the *populus* should own its own *res*. In order to do so in any meaningful way, it is necessary that the people should possess the right to manage and administer it. This, in turn, is tantamount to the possession of liberty and the ability to exercise it. Tracing the development of the Roman constitution as the historical incarnation of the best form of government, Cicero showed how Rome came to acquire that matrix of civic and political rights essential to the establishment of the citizens’ status of liberty.

Of these rights, the most important was the right to *suffragium*. This provided the people with a certain degree of political participation, thereby guaranteeing that they were the *de facto* owners of their own property, which they could administer as they wished. In this form of government, the powers of this sovereignty were entrusted to an elected aristocracy, which would conduct the affairs of the people while keeping in mind the common advantage, and in accordance with a common sense of justice. This, at least, was the theory...

**Assemblies**

In practice, in the first century BC – the Republican period best documented – the people exercised their right to vote mainly in two assemblies: the *comitia centuriata* and the *comitia tributa*. The *comitia centuriata*, which was in charge of electing Roman higher magistrates, and rarely at this time passed legislation or acted as a jury court, was an assembly that originally mirrored the military structure of the Roman army. The Romans did not know the one-citizen one-vote system, but rather adopted the
idea of voting units – in the case of this assembly, the military *centuria*, within which the Roman people were distributed.

The majority of votes within one unit counted as the outcome of that unit, and in turn the majority of units constituted the final outcome of the voting. The people were divided in classes by the census, traditionally on the basis of their financial ability to arm themselves. Each class within the census was assigned a designated number of *centuriae* – the higher the census class, the higher the number of *centuriae* that class held.

In the vast majority of cases, the rest of the Roman people were not even consulted, and the last class of census, the *capite censi* – to whom only one *centuria* was assigned – were very rarely involved in any decision of this assembly. There were some attempts to address the timocratic bias of this assembly [a state where only property owners may participate in government], but the Romans largely justified the system that lay at the centre of their political organisation.

They claimed it embodied the principle that “the greatest number should not have the greatest power” (Cicero’s *de re publica*, 2.39), and they praised this organisation because it guaranteed that “the majority of votes was in the hands of those to whom the highest welfare of the commonwealth was the most important”.

However, what all Roman authors also equally emphasised as an important feature of this political organisation was that “no one was deprived of the suffrage” – no one, that is, except women, foreigners, and slaves. In theory as well as in practice, it was essential for the Romans that no adult male citizen was deprived of his right to vote – this would have been tyrannical.

The true advantage of this system was the guarantee that those who had more at stake in the commonwealth were also in a position of political predominance. It also meant everyone was equally entitled to vote – that is to say everyone equally possessed the most basic political right, which allowed him to play a role in the management and administration of the people’s property: the commonwealth.

**The Comitia Tributa**

The main legislative assembly of the late Republic was the *Comitia Tributa*, which was also in charge of the elections of Roman magistrates. This assembly was organised around the voting unit of the tribe – a territorial unit to which each Roman citizen belonged by birth or legal act. The number of tribes increased progressively throughout the Republic with Roman conquest, but by 231 BC the Romans decided no longer to augment their number, which became fixed at 35, comprising four urban and 31 rustic tribes.
The voting principle, although not based on wealth, was identical to the one applied in the case of the *comitia centuriata*. The majority of votes from one tribe constituted the vote of that tribe, and the majority of tribes then determined the final outcome. As in the case of the comitia centuriata, it is clear that this assembly did not guarantee equal participation to all citizens, as it was based on an obvious bias towards the rustic tribes. The citizens registered in the four urban tribes had, no doubt, no chance to prevail.

The citizens were politically informed in the *contiones*, the non-decision making assemblies where political debates took place before the community. This random gathering of people, not subdivided into voting units, included not only adult male citizens, but also women, foreigners, and slaves – essentially whoever happened to be around and could afford the leisure to listen.

Those in favour of a proposal addressed the crowd, and often allowed their opponents to counter-argue their position. Although in theory anyone could stand on the rostra and speak (if given permission by the magistrate in charge), in practice only members of the elite are recorded as having addressed the people.

**Voting hurdles**

However, alongside the limits imposed by the structure of these assemblies, there were a number of practical obstacles that might have hampered the actual exercise of the citizens’ right to vote.

First of all, assemblies took place in Rome, either in the Campus Martius or in the Forum, which could hardly contain the totality of those entitled to exercise their right to vote. By the end of the first century BC, the Roman census recorded some four million citizens (although the precise demographic significance of that figure is highly debated). Roman citizens could be found throughout the Mediterranean, but the heart of Roman territory remained the Italian peninsula, from south of the river Po (before 49 BC) down to the Straits of Messina.

Not many citizens would have been able to afford the journey to Rome, and even those who lived nearby might not have been able to take time off to spend at least a day in Rome to exercise their political right, for which, contrary to Greek custom, there was no economic compensation. In his vitriolic criticism of the Roman politician Publius Clodius Pulche, and the tribune of plebs responsible for his exile in 58 BC, Cicero claimed there had been so few people taking part in the *comitia tributa* that people had to be drafted in from other tribes to make sure that each tribe fulfilled its voting function.

**The secret vote**

Assemblies could only be called by a Roman magistrate, and in the legislative assemblies they could only approve or reject the proposal put forward without being able to propose any amendments. From the second century BC onwards though, a system of oral voting, which was open to pressure and intimidation,
was replaced by the secret vote. This was progressively adopted for all the spheres of popular political activities: the electoral, legislative, and judicial.

Even a century after its introduction, the existence of the written secret vote was hailed as the bastion of the people’s freedom. But conservative members of the elite manifested their disquiet. In their opinion, the secret vote provided the people with a hiding place, which allowed them to vote as they wished, outside of the elite’s control. However, the measure was so intrinsically ingrained in the people’s political consciousness that it could not be abolished.

Cicero proposed a rather puzzling alternative: the people must preserve their written vote as a safeguard of their liberty, but, before casting it, they should show it to the most eminent citizens “so that the citizens may enjoy liberty also in this very privilege of honourably winning the favour of the aristocracy”.

It seems, then, there is a considerable discrepancy between Roman political thought – which conceived of the *libera res publica* as the property of the people, who entrusted their sovereign power to the elected aristocracy – and the actual gathering of people who exercised in practice their right to vote. Many scholars assert that the voting process in the late Roman Republic was ultimately a public ritual that only a minority of people attended, and whose function was exclusively to reinforce the ideological centrality of the power of the people on a symbolic level. But if this is true, how can we explain the advice that Cicero’s brother, Quintus, supposedly gave him on how to win a consular election?

He said: “And yet you must not enter upon political measures in senate-house and public meeting while a candidate: you must hold such things in abeyance, in order that from your lifelong conduct the senate may judge you likely to be the supporter of their authority; the Roman knights, along with the loyalists and wealthy, judge you from your past to be eager for peace and quiet times; and the people think of you as not likely to be hostile to their interests from the fact that in your style of speaking in public meetings, and in your declared convictions, you have been on the popular side”.

This advice was most likely given in the year 64 BC, but it seems today not much has changed.

**Dr Valentina Arena is a University College London lecturer who specialises in Roman history, with a particular emphasis on the study of politics and political concepts. She is the author of *Libertas and the Practice of Politics in the Late Roman Republic* (Cambridge University Press, January 2013).**

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