

APPENDIX: SELECT REPUBLICAN POLITICAL INSTITUTIONS IN OUTLINE

SENATE. The main *consilium* ("advisory body") of magistrates, itself consisting mainly of ex-magistrates (300 before 81; 600 down to 45 BC; then 900 until Augustus reduced it again to 600). The most senior magistrate available in Rome usually presided, but could step aside for others. What the Senate decided (*senatus consultum*, abbreviated *SC*) was strictly only a recommendation to magistrates. But in actual fact, the Senate long guided state administration and policy in almost all matters, including wars, allocation of provinces, (eventually) all extensions of *imperium*, triumphs; also the state religion, finance, and preliminary discussion of legislative bills. A *SC* could be vetoed (by a consul acting against his colleague, or by a tribune), in which case it is called *patrum auctoritas*. The *SC ultimum*, first passed in 121, was employed in cases of extreme crisis, but again technically was no more than advice.

ASSEMBLIES (I): POPULUS. COMPOSED OF BOTH PATRICIANS AND PLEBEIANS (NON-PATRICIANS).

Curiate Assembly (<i>comitia curiata</i>)	Gave "military auspices" to consuls, praetors once elected by the Centuriate Assembly; also to dictators, non-magistrates <i>cum imperio</i> . Validated in some way the powers of lower magistrates (aediles, quaestors). Its president was a consul (or sometimes apparently a praetor); in Cicero's day, it was enough for a lictor symbolically to represent each of the 30 voting <i>curiae</i> ("wards") of the city.
Centuriate Assembly (<i>comitia centuriata</i>)	Originally the army, which had <i>centuriae</i> as its constituent units. <i>Equites</i> ("cavalry") and <i>pedites</i> ("infantry"), the latter divided into five classes, ranked by census wealth, totalled 188 centuries; added to those were five unarmed centuries. A majority of these 193 voting units, not absolute votes, determined decisions. Under a consul (or theoretically a praetor); passed important legislative bills (<i>rogationes</i>) into law (<i>lex</i> , plural <i>leges</i>); voted on war and peace. Under a consul (or dictator, interrex or consular tribune); elected consuls, praetors, censors. Under a consul or praetor (after assembly is convened, "lending" auspices to tribune of the Plebs); conducted popular trials, if the penalty was death.
Tribal Assembly (<i>comitia tributa</i>)	After 241 BC, there were four tribes in Rome itself, 31 around the city. New territory as added was incorporated administratively into existing tribal units; freedmen, however, were restricted to the four urban tribes. Consuls and praetors presided in this assembly, where individuals had equal votes within their tribes, and a majority of tribes determined decisions. It voted on legislation; elected minor magistrates; conducted some popular trials, if the penalty was a fine. Under the <i>lex Domitia</i> of 104 BC (suspended 81-63 BC), 17 tribes chosen by lot elected members of the principal colleges of priests.

ASSEMBLIES (II): THE PLEBS (*concilium plebis*). Tribunes of the Plebs presided over this assembly, which elected tribunes and plebeian aediles, and passed the bulk of routine legislation, usually following the Senate's initiative. Bills passed are termed "plebiscites" (but, non-technically, *leges* or "laws"). The *lex Hortensia* of 287 BC definitively gave plebiscites the same binding force as the People's *leges*, even without *patrum auctoritas* ("authority of the Senate").

MAGISTRACIES (I): IN THE CURSUS HONORUM (CAREER PATH)

Consul	Two in number, each a patrician down to 366, when the office was opened to plebeians. The praetorship was a prerequisite from ca. 196; qualifying age for office was set at 42 in 180 BC. Elected in Centuriate Assembly. Possessed <i>imperium</i> (<i>maius</i> against that of praetors); <i>maxima auspicia</i> . Heads of state, they gave their names to the year; a suffect might be elected to replace a dead consul. They had precedence over all magistrates except (by custom) the dictator. Either consul could veto the other (but rarely did so, in actual practice). A consul presided over assemblies of the People, and when available served as Senate President; he also could let out contracts in default of censors. Consuls fought Rome's major wars, and (by the first century BC) held commands in the more important regular territorial provinces.
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Praetor	One praetor (<i>urbanus</i>) 366-ca. 247 BC; with addition of a <i>praetor inter peregrinos</i> , two praetors ca. 247-229; four 228-198; six 197-81; eight 80-47; ten for 46; 14 for 45; 16 for 44 BC. Originally a patrician office, the first plebeian praetor was elected for 336 BC. A law of 180 set the qualifying age at 39; the quaestorship as a prerequisite was confirmed in 81 BC. Elected in the Centuriate Assembly, following consuls, originally on the same day (and thus under the same auspices); a dead urban or peregrine praetor might be replaced by a suffect. Holding <i>imperium</i> (<i>minus</i> against that of consuls) and <i>maxima auspicia</i> , a praetor could do all that a consul could do, except (most importantly) name a dictator, hold elections of magistrates with <i>imperium</i> , and conduct the Latin Festival. Any praetor could perform a colleague's tasks, though by custom the urban praetor had precedence in the city. Praetors had significant responsibilities in the Roman legal system (including supervision of civil law, and presidency of standing criminal courts after 149 BC) as well as in the military/provincial sphere.
Quaestor	Eight quaestors in the mid-third century BC; 20 after 81 BC (the interim numbers are unknown). Sulla fixed the qualifying age at 30, and first gave quaestors <i>ex officio</i> membership in the Senate. Elected in Tribal Assembly under a consul's presidency. Evidently some auspices; received a Curiate Law. Two quaestors had charge of the <i>aerarium</i> ("treasury") in Rome; others had certain minor responsibilities in Italy and acted as assistants, especially though not exclusively financial, to commanders in the field.

MAGISTRACIES (II): SOME OFFICES OUTSIDE THE CURSUS

Dictator	The office disappeared after ca. 200 BC, only to be revived by Sulla (81) and Caesar (49, then multiple times through 44). Traditionally a six month term until Caesar in 48 BC held the office for one year. Properly a consul named the dictator under (apparently) civil auspices; the dictator then named an assistant, the Master of the Horse (<i>magister equitum</i>). Held <i>imperium</i> , and by custom had the right of initiative over all other magistrates; (surely) also <i>maxima auspicia</i> . But by the late third century he was subject to citizen's appeal and tribunician veto.
Interrex	Had to be a patrician senator; five day term; created when the administrative year started without elected consuls. <i>Imperium</i> , but the first <i>interrex</i> of a series did not have full (civil) auspices to convene the Centuriate Assembly; those that followed did. No Curiate Law.
Censors	Two, first in 443 BC. Held office (notionally) every five years (<i>a lustrum</i>). Originally a patrician office, after 339 one censor had to be a plebeian. By custom censors were ex-consuls; elected in Centuriate Assembly. Held <i>maxima auspicia</i> , confirmed—and delimited—by a Centuriate Law. The office, which had an 18-month term, could not be held by just one member of a college. Conducted the <i>census</i> of citizens; made up the roll of the Senate (<i>lectio senatus</i>) and the list of "knights with a public horse" (<i>equites equo publico</i>); let out contracts for a broad range of activities.
Aediles	Two plebeian aediles were elected by the Plebs, under the presidency of a tribune. Election of two curule aediles (originally alternating between patricians and plebeians each year, down to perhaps ca. 99 BC) took place in the Tribal Assembly, under presidency of a consul. In the late Republic, 36 was a customary minimum age of candidature for this office. Aediles supervised certain public buildings and places (markets at Rome, roads, also brothels), with some powers of jurisdiction. They also put on (increasingly expensive) games.
Tribunes of the Plebs	Traditionally, the office (ten in number, plebeians only) seems to have been held after the quaestorship. Elected by the Plebs under the presidency of a tribune. Physically sacrosanct, they had a personal right of giving assistance (<i>ius auxilii</i>) to citizens against magistrates, but only within one mile of the city. By extension, they had the right of veto (<i>intercessio</i>) on any official act, including all legislative bills, even (unless a <i>lex</i> barred it) decrees of the Senate, and elections (but not elections of tribunes). Tribunes proposed bills to and conducted non-capital trials before the Plebs; on petition to a senior magistrate conducted capital trials in the Centuriate Assembly; occasionally acted as default Presidents of the Senate, even before they became <i>ex officio</i> members of that body through a <i>lex Atinia</i> (ca. 160?).