

# Notes on Quiz #1: Patricians and Plebeians

## 1. What was the Struggle of the Orders? What was the basis for the conflict, and how was it resolved?

The Struggle of the Orders was a conflict between the patricians—members of a small set of old families that controlled offices in both the state religion and in government—and the plebeians, which was essentially all nonpatricians. Plebeian families that were wealthy and powerful, and so members of the elite, fought the patricians' stronghold on power in the early Republic; legend says they even went on strike in a way, removing themselves from Rome and organizing their own assembly and leaders.

Out of this came (a) the plebeian assembly, a subset of the tribal assembly consisting only of plebeians, which eventually was able to make laws binding on all Romans; (b) the tribunes of the plebs, a board of ten elected officials with a duty to protect plebeians' rights against the state and possessing a veto power and a sacrosanct person; and (c) the concession to allow plebeians to be elected to the major magistracies, including consul. (Most priesthoods, however, remained in the hands of patricians throughout the Republic.)

By the mid-fourth century the plebeians were able to push through a series of reforms, most notably the Licinian-Sextian Laws (366 BCE) requiring (among other things) that one of the two consuls be plebeian. The Struggle of the Orders effectively ended with the Horatian laws (287 BCE) which made all Roman citizens subject to laws passed by the Plebeian Council.

## 2. Describe the function and power of the *paterfamilias*.

The *paterfamilias* was the senior male figure in an extended family (all those connected by a vertical male bloodline). According to custom and law, the *paterfamilias* was the owner of all the family's property, and the sole representative of its interests to the public. All that happened within the family—private matters, as contrasted with public matters (*res publica*)—were entirely in the hands of the *paterfamilias*, who had complete power (*patria potestas*) of justice and disposition over all the men, women, children, freedmen, slaves, and possessions of his bloodline, up to and including the right to execute or sell into slavery.

In practice this absolute power was mitigated by the need to consider the reputation of the family within the community, and by the advice of the family council and of the senior matron of the family.

### EC1. Roman religious officials included all of the following EXCEPT:

- (a) flamens (dedicated to a particular god or goddess)
- ✓ (b) auctoritas (responsible for the dignity of the Romans)
- (c) fetials (involved in issues of peace and war)
- (d) augurs (consulted the will of the gods)

### EC2. The senate and the assemblies are all gatherings of people. What was the senate's role in the governance of the Republic, and how was that different from that of an assembly (e.g., the centuriate assembly)?

The senate was an advisory body consisting of an elder from the most important Roman families, especially the priesthood-holding families that became the patricians. The senate had no political power; it could only issue advisory decrees (called *senatus consultum*). But their collective prestige and their members' role in providing religious advice provided them with great influence, gaining them a sense of responsibility for protecting Rome's customs and traditions. In addition, because the elected magistrates served for only one year and so were largely focused on short-term needs and crises, it fell to the senate to consider long-term policy, especially concerning foreign affairs.

Roman assemblies were meetings of the citizen body, with the power to vote on laws and elect magistrates. Unlike the senate, these assemblies had sovereign constitutional power to govern Rome. Nonetheless, these assemblies were weighted to favor the wealthiest classes.

They voted in special groups, each group getting one vote. The centuriate assembly was essentially the citizen army meeting as a legislature. Vote was by century, and the 193 centuries were ordered and weighted by census class (the poorest with little or no landed property were lumped into a single century, the proletariat, while the upper centuries were populated by the richest citizens). For these reasons, measures could pass solely with the support of the elite.

(The tribal assembly met in the Forum and had power over domestic affairs and election of the other magistracies. Vote was by tribe, and the 35 tribes were ordered and weighted by census class—the lower classes were lumped into the four “urban tribes”, leaving the “rural tribes” in the hands of the rich estate-holders— so that measures could pass solely with the support of the elite.)