

A Note on the Meaning of 'Republic'[†]

The revival of debate about Australia becoming a republic provides a further opportunity to examine the meaning of that word. In that debate, and in general current usage, the term is taken to mean simply the absence of an hereditary monarchy. With that meaning it is not a particularly useful term of classification, and indicates nothing important about the form of government in any particular state to which it is applied. This is demonstrated by the categorisation of the United States of America and Iraq as republics, and the United Kingdom and Saudi Arabia as monarchies, although one member of each class has much more in common with a member of the other class, on all significant criteria of classification, than the other member of the same class.

Although a word of many connotations, the term “republic” had a much more useful meaning for classification purposes until relatively recent times.

In his book *Monarchy to Republic*, Professor George Winterton has a somewhat attenuated discussion on the shift in the meaning of the word¹. He observes that it had an association with the concept of a mixed or balanced regime which could include monarchical elements, and that this meaning was gradually abandoned as a result of the work of the American founders, resulting in the modern dictionary meaning which denotes much the same as “democracy”, and refers to a regime constituted wholly on a popular basis by election of key officials. This discussion, however, misses out on, or at least glosses over, one of the valuable old connotations of the word, and also oversimplifies the contribution of the American founders. In relation to the meaning of the term, Professor Winterton misinterpreted a statement by the author that the current usage is a “debased contemporary sense”, taking this to refer to the dictionary meaning, when what was referred to by that phrase was the sense of simply the absence of an hereditary monarchy². Some further exploration of the meaning which the word once had and now has been made to bear may therefore be interesting.

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The word “republic”, as every young scholar used to know before progressive education, comes from the ablative of the Latin *respublica*, which is composed of *res*, matter or thing, and *publicus*, appertaining to the people or the community as a whole. The word is therefore almost the exact equivalent of the old English word “commonweal” or “commonwealth”, which came to have the same developed meaning, and it originally signified nothing more than public affairs or the concerns of the community. By the time of the later Roman Republic the term had a more developed meaning, and a dual meaning. It was used to denote any state or constitution, but it also denoted a particular kind of state, one in which power was exercised in accordance with a constitution and was divided between duly constituted offices of state. (It is interesting to note that the classical Greek word “polity” and the English “commonwealth” came to have a similar duality of meaning.) The Romans were conscious that the establishment of the Republic in 507 BC was not simply a change of rulers but the constitution of a regime on different principles, a regime which sought to realise those principles by means of particular institutional devices, and particularly by the division of power. This is illustrated by the following passage by Livy, in which he discusses the foundation of the Republic:

“My task from now on will be to trace the history in peace and war of a free nation, governed by annually elected officers of state and subject not to the caprice of individual men, but to the overriding authority of law ... the first step towards political liberty in Rome consisted in the fact that the consuls were annually elected magistrates — in the limitation, that is, not of their powers but of their period of office. The earliest consuls exercised the full powers of the kings. ... Brutus [the legendary founder of the Republic] ... turned his attention to strengthening the influence of the Senate ... [and subsequent developments accentuated the division and limitation of power].”³

The term had come to denote a state with a system of constitutional government in which government according to law, and the customary rights and duties of the citizens, were safeguarded by the due apportionment of powers between the organs of state.

This interpretation of the concept of a republic was expounded in some detail in Cicero’s work *De Republica* (On the Republic, sometimes translated as On the Commonwealth to avoid the contemporary restricted meaning of the term under discussion).⁴ Defining a republic as the property of the whole people and as a partnership in justice, Cicero finds that none of the three classical forms of government, monarchy, aristocracy and democracy, especially in their degenerate forms of tyranny, oligarchy and mob-rule, can properly be described as republics, because each of those forms allows one element (in a democracy, a faction) to rule others. He confines the proper use of the term to the balanced form of government such as was epitomised by the middle Republic, with its division of power between the consuls, the Senate and the popular assemblies assisted by the tribunes, and its adherence to a body of established, if complex, constitutional law. Cicero’s ideal republic is similar to the Republic of about 200 BC, and is described in another work, *De Legibus*, On the Laws.

This discussion of the nature of a republic is mixed up, to use a mild pun, with the Greek concept (derived mainly via Polybius) of the mixed regime, combining monarchy, aristocracy and democracy. The attempt to characterise the Republic as a mixed regime is not very convincing, because the two consuls were elected for one year only and were not eligible for consecutive terms, and therefore cannot readily be identified as a monarchical element, and the Senate consisted partly of current and former elected office-holders, and therefore did not quite correspond to an aristocratic element. Cicero's analysis would have been clearer had he dropped the Greek idea of the mixed regime and not attempted to superimpose it on his ideal state.

De Republica was lost until it was rediscovered in 1820, so it was not available to influence the constitutional discussions of the 17th and 18th centuries, but Cicero's views were known from his other works, particularly *De Legibus*. The ideal of the mixed regime was the guiding light of the middle ages and survived into modern times. It was thought to be epitomised by the British constitution as it emerged from the revolutions of the 17th century, and it entered into the debates of the American founders. The notion that a republic is essentially, or by definition, a constitutional system of government founded on division of power, also survived into modern times, and may be glimpsed in the constitutional deliberations particularly of the 18th century.

It has been pointed out that the American founders used the word "republic" in an inconsistent and somewhat confusing way⁵. They certainly applied it to any regimes in which the offices of state were constituted other than on an hereditary basis, for example, in Jefferson's damning characterisation of the oppressive oligarchy, disguised as an elective monarchy, of Venice⁶. It is true that the effect of their work was to recast the meaning of the word so that it became virtually interchangeable with "democracy". Their great achievement, however, was to build into a system of government constituted entirely on a popular basis the safeguards against the misuse of power adopted from older republican constitutions. They saw this synthesis as the great problem of their work:

"When a majority is included in a faction, the form of popular government, on the other hand, enables it to sacrifice to its ruling passion or interest both the public good and the rights of other citizens. To secure the public good and private rights against the danger of such a faction, and at the same time to preserve the spirit and the form of popular government, is then the great object to which our inquiries are directed."⁷

It is also quite true, as Martin Diamond has observed, that they constructed a state on quite different principles from those of previous regimes because the separation of powers on which their constitution was based is radically different from the older and more primitive divisions of power that were a feature of ancient and medieval republics⁸. They were conscious of achieving a new and improved structure for attaining the goals of republican government:

“We have found that, in order to arrive, in this first of human sciences, at a point of perfection hitherto unattained, it is not necessary to intermix the different species of government. We have discovered, that one of them — the best and purest — that, in which the supreme power remains with the people at large, is capable of being formed, arranged, proportioned, and organised in such a manner, as to exclude the inconveniences, and to secure the advantages of all the three.”⁹

It is precisely because of this achievement, however, that the American founders should be seen as continuing the classical notion of a republic as expounded by Cicero. The goals were the same, though the means were modern. The true republic is a constitutional order in which government is conducted according to rules and there is an apportionment and balance of powers to guard against their misuse, even by the people. Federalism as they framed it was also an improvement on the classical model because it could be directed to the same end:

“In a single republic all the power surrendered by the people is submitted to the administration of a single government; and the usurpations are guarded against by a division of the government into distinct and separate departments. In the compound republic of America, the power surrendered by the people is first divided between two distinct governments, and then the portion allotted to each subdivided among distinct and separate departments. Hence a double security arises to the rights of the people. The different governments will control each other, at the same time that each will be controlled by itself.”¹⁰

The American founders, in effect, gave a whole new life to the classical concept of a republic; as James Madison said, they constructed a “republican remedy” for the diseases of past republics¹¹.

It would therefore be in accordance with both older usage and the great example of modern times to apply the name “republic” to balanced constitutions characterised by the supremacy of law and the division and separation of powers, and to avoid the “debased contemporary sense” of simply the absence of hereditary monarchy.

Something of an attempt to revive what might be regarded as the proper use of the word was made by Professor Bernard Crick in his new classification of governments into three classes: autocracies, republics and totalitarian states. His selection of names rested partly on historical language usage and partly on usefulness for classification purposes:

“And if the Americans, to speak broadly, have debased the word ‘democracy’ into almost total uselessness as a scientific term, the French tradition of ‘republic’, to speak with equal pedantry, has made us forget the Roman, the British Whig and the Dutch traditions in which ‘republican virtues’ and ‘republican institutions’ certainly did not imply ‘no king’, still less a dead one.”¹²

On this fruitful system of classification, and also on the older and more meaningful usage, Australia, Britain and the United States are all republics, while Iraq and Saudi Arabia are autocracies, the former perhaps three parts of the way to a totalitarian state. It takes more than a sound analysis by a Professor, however, to divert the degeneration of modern language.

The reference to “republican virtue” reminds us that it was a classical tradition, which also lasted well into modern times, especially evident in Montesquieu, that a republic required a particular kind of virtue, encompassing an intense patriotism and devotion to the service of the state, resolution, fortitude and a high standard of personal morality based on contempt for personal gain and on a strong sense of honour. Recently there broke out a somewhat esoteric dispute among American academics as to whether the American founders were “classical republicans” in that tradition, or modern liberals who accepted that citizens of the new republic would basically pursue their own interests. It was concluded that they were in a transitional period between cultures¹³. Whatever one thinks of this thesis, this matter of republican virtue also serves as a reminder of the more substantial content of the concept of a republic.

There is wisdom in all of this for Australians as they contemplate whether to embrace republicanism in the “debased contemporary sense” by abolishing the monarchy. Those who wish to take this step generally speaking are also those who wish to dismantle some of the structure of safeguards built into the Australian constitution, for example, federalism and the Senate. Most are very anxious to convey that it is only a change of the method of appointment of the head of state which is in issue, and in order to keep to this path, and to avoid reviving awkward possibilities of a greater separation of powers, they are willing to forsake their democratic principles by having a president appointed by some method other than direct election¹⁴. Perhaps the pole star which could best be kept in sight at this time is the principle that Australia should remain a republic, as it is, in the original and more meaningful sense of the word. A little republican virtue, conspicuously lacking in Australia, would also not go astray.

NOTES

- 1 OUP., 1986, pp 2-4.
- 2 *ibid.*, p 2 and note 6.
- 3 *The Early History of Rome*, trans. A. de Selincourt, Penguin, 1986, pp 105-6.
- 4 trans. C.W. Keyes, Loeb, 1977, pp 218-223.
- 5 Peterson, Paul, 'The meaning of republicanism in *The Federalist*', *Publius*, Spring 1979, pp 44ff.
- 6 *The Federalist* No. 48, Everyman ed., 1978, p 254.
- 7 *The Federalist* No. 10, p 44. Madison's diagnosis of rule by faction as the disease of democracy thus has obvious classical antecedents.
- 8 'The separation of powers and the mixed regime', *Publius*, Summer 1978, pp 33-43.
- 9 James Wilson, 'Lectures on Law', quoted in Peterson, *op. cit.*, p 68.
- 10 *The Federalist* No. 51, pp 265-6.
- 11 *The Federalist* No. 10, p 48.
- 12 'The elementary types of government', *Government and Opposition*, Winter 1968, pp 7-8.
- 13 Lienesch, Michael, *New Order of the Ages*, Princeton, 1988, pp 3-9. See also Pangle, Thomas, *The Spirit of Modern Republicanism*, Chicago, 1988, pp 28-39.
- 14 Professor Winterton comes to this conclusion: *op. cit.*, pp 108-114.