

SOCIOLOGY AND POLITICAL SCIENCE

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THE PRIVILEGES OF THE NOBLES IN THE ANCIENT ROMAN REPUBLIC

Published: 20 December 2021

Abstract: *The paper examines the historical reasons, genetic roots and the state of privileges of the elite in Ancient Rome. A significant part of the various economic privileges during the three main periods at that time are distinguished and explained – The Period of Kings, Republic Rome and Imperial Rome. A comprehensive classification of the types of royal, republican, imperial and class privileges of the elite during the said historical period has been made. The respective significant conclusions on the importance of privileges in the ancient Roman society and their impact on its development have been drawn.*

Keywords: *privileges, economic privileges, social privileges, Antiquity, Ancient Rome*

Citation: Manolov, G. L. (2021). The privileges of the nobles in the ancient Roman Republic. Conferencii, (1) 15.
<http://doi.org/10.51586/bmess2021-15>

Introduction

The Republican era in the evolution of ancient Rome dates back to 509 BC, when the Roman state changed over the years its overall state structure from a kingdom to a republic. (According to historical data, the Roman Republic was divided into two republics: The Early Republic (V – III century BC), when Rome conquered all of Italy and the number of slaves increased significantly (and they began to separate sharply from other strata of free); and Late Republic (II – I century BC), which marked the flourishing of slave relations in Italy and was characterized by the creation of the Roman Mediterranean state.) (Popov, D., 2020, p. 9). This happened after the abolition of the kings and the establishment of new, republican institutions, with modified function, although most of them (the institutions) bear the same names as during the Period of Kings.

The rise of the Roman Republic is associated entirely with the state system established in ancient Rome, which found its adequate form in a mixed constitution. It will last for almost five centuries, while Ancient Rome will grow from a small city to a huge Mediterranean Empire. And although the evolution of this state system

went through a series of political clashes and upheavals (Bliznashki, G., 2017, p. 72), there is no denying the emergence of the new institutional structure of the state.

The nature and functions of the Roman (Senate) Republic in the literature have been developed extremely comprehensively from a political and legal point of view, without, however, taking into account the direct links of the political power with existing privileges. That is why, firstly, we will focus on the general and specific features of the Roman Republican Institutions (structures, functions, character), on the basis of which we will clarify the manifestations of privileges in the overall socio-political life.

Results

In the formation of the republican system in Ancient Rome, similar to the Period of Kings, several main institutions were distinguished, through which the political power in the state functioned. These institutions are (Popov, Vl., 2008, pp. 517 – 539; Bliznashki, G., 2017, pp. 72 – 98; History of Ancient Rome, 1974, pp. 60 – 71):

1) Popular Assemblies

Ever since the reforms of Servius Tullius in ancient Rome, there are three known types of popular assemblies (the comitia curiata, the comitia centuriata and the comitia tributa), which existed simultaneously during the early republican era (and much later), here is how:

– The Comitia Curiata

This is the oldest type of popular assembly (V – IV century BC), whose role and functions were generally as follows: approval of the decisions of the popular assemblies on the centuries for the election of a magistrate, for the adoption of laws, etc .; giving imperium to senior magistrates who had such a right after their election; granting an investiture (introduction of a vassal into the possession of a feud, accompanied by a ceremony) to one of the priests; taking a stand on some issues of the tribal organization (families, clans, curiaes, adoption, wills), etc.

– The Comitia Centuriata

During the two centuries of the early republican era, power in this institution remained essentially in the hands of only wealthy Roman citizens. However, there

were some changes in the functions of the centuriate assemblies. According to them, gradually some of the issues that were within the competence of the comitia curiata were transferred to those of the centuriate, and in general the functions of the centuriate commissions were reduced to: first, election of magistrates, consuls, praetors, military tribunes with consular authority, censors and decemvirs; second, legislative activity – on the principle that public institutions can only accept or reject a proposed bill by the current magistrates, who have the power to propose laws (the assembly has no right to discuss and vote on proposals by its members); third, declaring and ending war; and fourth, the jurisdiction in which the centuriate commissions are the highest appellate court, and the actions and decisions of the supreme Roman magistrates can be appealed only to these commissions. At the same time, the centuriate commissions decide on issues of treason, actions against the state, the power and inviolability of senior magistrates, and others.

– The Comitia Tributa

The character and the functions of the comitia tributa changed drastically during the early republican era compared to the time of their occurrence at the end of the Period of Kings. The changes happened gradually and were closely connected with the struggle of the plebeians against the patricians. With them, the structure and administration of the tribes became the main systems of the internal affairs of the republican organization. Thus, the comitia tributa essentially have several main functions: management and control of the entire life in the tribes; election of various magistrates in the Roman state administration; legislative powers; and functions in the judiciary.

It is important to say that the legislative power of the tribute commissions was at first very insignificant, because the beginning of the electoral powers of the tribute commissions was usually considered to be the Law of Volero Publilius of 472 BC, which gave the right to the plebeian assemblies in tribes to elect the plebeian magistrates. After this law, the people's tribunes and almost all lower magistrates were elected in the plebeian assemblies by tribes, such as plebeian aediles, quaestors, curators, various types of tribunes, etc. (later, the quaestors and military tribunes were also nominated by the tribute assemblies).

Over time – points out Vl. Popov – “tribute assemblies became (...) strong socio-political institutions, which in many aspects were opposed to the centuriate commissions and competed with them in the domestic political life of Rome during the early republican era. The property status of Roman citizens did not matter in tribute meetings. This feature turned the tribute commissions too early into the only constitutional institutions where Roman citizens were actually treated as full-fledged civilians” (Popov, Vl., 2008, p. 521). This created a stable system for democratic participation of citizens in the socio-political life of the ancient Roman republic, which is not dependent only on the property status of the people in that distant historical epoch.

2) The Senate

We have to remind at the very beginning that the Senate (i.e. the Board of Elders of all three hundred clans) as an institution headed the tribal community of Rome, and its members were people of noble origin – patricians. As pioneering statesmen, they called themselves “fathers of the state” and discussed all issues in the Senate, which were then finally decided by the Popular Assembly. Also, there was no law in the Roman monarchy for hereditary transfer of power, and the king was elected by the Popular Assembly with the participation of the Senate, so he (the king) simultaneously performed several functions – military leader, high priest, and sometimes supreme court judge.

The state system of the Roman Republic in general (and the Senate as an institution in particular) from its classical period (III – II century BC) is described as a “mixed constitution” by the famous historian Polybius, who was a direct witness to the events of that time. Taken hostage in 167 BC, he lived in the high society of ancient Rome for 17 years (until 150 BC), and this circumstance allowed him to get to know and in detail not only the state institutions and their relations, but also the main actors on the political scene of the era. Therefore, Polybius’ reflections on the Constitution of Rome refer to the period defined as the “Golden Age” in the development of the republic (see more details on the interpretations of Polybius in: Bliznashki, G., 2017, pp. 81 – 83).

During the early Republican era, Roman senators were not elected, as after the abolition of royal power, consuls compiled the list of members of the Senate. At the same time, the work of the Roman Senate was conducted under strict rules, usually convened and directed by the consuls, and in their absence – by the praetors. Then the sessions of the Senate are of two main types – normal and extraordinary, and those absent were fined for no reason.

According to the Roman state system, the Senate was formally and essentially an advisory body to the acting senior magistrates. In reality, however, it is the supreme body of the Roman state and has extensive functions in all spheres of society. Sorted in order of importance, these main **functions of the Senate** were: 1) compliance with the legislation of the state, i.e. of the constitutional order; 2) changing the system of government and assigning unlimited power to magistrates (including the “introduction” of dictators, limiting the power of consuls and people’s tribunes, etc.); 3) ensuring and controlling internal security; 4) approval of all elections of the various magistrates, the draft laws of the centurial commissions, etc .; 5) declaration of war and conclusion of peace (for discussion by the centurial commissions); 6) conducting the foreign policy of the country; 7) management of the state finances in their revenue and expenditure part; 8) possession, disposal and control of state property; 9) determining the various expenses for all state officials (including consuls and military commanders) and controlling their spending; 10) fixing and allocating funds for all types of public activities carried out by consuls, aediles and magistrates, etc. (see in more detail for these functions in: Popov, Vl., 2008, pp. 525 – 526).

In general, the Roman Senate had too much power, including supreme control over all matters relating to religion, the supreme judiciary (mainly in the territories subordinate to the Roman state), and so on. And although its decisions were not compulsory but recommendatory for the supreme Roman magistrates, in reality, the Roman Senate was the highest body in government.

3) Consuls (in this case we use this term as part of the so-called “magistrates” (senior government positions) because it is more popular and known in various scientific sources.

The genesis of this institution has its deep roots in the kings' power, and according to **T. Mommsen** the difference is that "in the place of a lifelong king two annuals appeared, who were called military commanders (praetores) or judges (indices) or just colleagues (consules)" (Mommsen, T., 2019, p. 52). Thus, through the principle of collegiality, the supreme power was given not to two employees together, but each consul exercises it independently in the same way as the king. In other words, the consuls were almost what the kings were before them – the highest rulers, judges and military leaders (including religious leaders), the quoted author concludes. At the same time, the power of these **two consuls** was scattered, and within its framework several auxiliary positions were created, which were a total of six: **praetors** – people with power and military authority, who were second in rank and importance in the state hierarchy (after consuls); quaestors – authorized to prosecute crimes against public order; **aediles** – having specific functions close to the police; **treasurers** – working with finances in the state treasury; and **censors** – supervising various state strata (see the detailed institutional characteristics of these bodies in: Popov, Vl., 2008, pp. 529 – 536). And one last thing: the activity of the consuls was not uncontrolled, because it was monitored both by the Senate and by the Tribune of the plebs, i.e. they were directly accountable to the Roman people, as there were a number of cases in which some of the consuls were convicted after falling from power.

4) The Tribune of the Plebs

This institution was specific in the Roman state system, because through it **the people participated in the management** of state affairs. It was not directly related to the management functions of the state, but through the institution, real control over the government was exercised, because it influenced the making of various decisions. That is, it was an institution with a distinctive and very democratic status in the republican political system of ancient Rome.

In this order of thought, it is especially important to emphasize the great **democratic rights** that the people's tribunes had, which had literally become defenders of the citizens. For example, the Tribunes of the plebs, composed entirely of the people (not including patricians) and broadcasting among them a certain

number of tribunes (by residence), form their own assemblies with the following rights and prerogatives: the right to inviolability of the tribunes by the authorities; right to protest (veto) against decisions taken by magistrates and revocation of their legal force, if any; the right to convene plebeian meetings to raise, debate and vote on important national issues; as well as the essential right of the decisions voted by the tribunes to have the force of law (except for the issues of declaring war or peace and the election of magistrates).

The combined manifestation of these rights in the real life of the Roman state essentially turned the tribunes of the plebs into a real pillar of democracy, because they *de jure* suspended and adjourned decisions of both the legislature and the executive, which in turn ensured the balance of the different types of power. This is the great significance of Roman democracy, insofar as such state authorities were almost unknown to human history after the decline of the ancient republic at the end of the old millennium (I century BC) (see in more detail about the tribunes of the plebs in: Manolov, G., 2020, pp. 283 – 284).

It is necessary to note another important feature in Roman society, which relates to the structuring of individual social groups in the republic. This is connected with the establishment of the Roman slave-owning society, in which people differed from each other not in their origin, but in their property and the place they occupied in the social hierarchy. Thus, according to D. Popov, the tops of the two key classes – the patricians and the plebeians – merged into a single dominant class of free Roman citizens – the *cives Romani*, as opposed to the slave class. That is, the upper and rich strata of the plebs united and merged with the preserved patrician clans, forming together the new noble class of the *nobiles* (from “*nobilis*” – “noble”, “virtuous”, “famous”), as the participants in it are also called “*optimates*” (from “*optimus*” – “the best”) (Popov, D., 2009, p. 39). Any citizen who had the appropriate property status in order to be able to hold senior government positions, whose powerful economic basis was large landholdings, and its political foundations – the strong agricultural aristocracy, could belong to the *nobiles* (Popov, D., 2009, p. 39). Firstly, that is. And secondly, there was another wealthy social group, composed mainly of craftsmen and merchants, who were economically very active and united in the so-called “*Equites*”.

It, in turn, is differentiated into such a specific class, which formed the then commercial and usurious and monetary aristocracy (and financial elite), actively participating in the trade life of society (Popov, D., 2009, p. 39). In a word, a second, small stratum of citizens was formed as an independent class in the state, rich enough, famous and representative, to be able to participate in the distribution of public goods and privileges.

Of course, the institutional structure of the Roman Republic also contained other state bodies (magistrates) (such are, for example: the extraordinary magistrate with the position of the so-called “dictator”, which arised due to the need to concentrate all power in the hands of one person, when there was a great danger to the state (the dictatorship was established in 501 BC); the chief of the Equites, who was considered an assistant to the dictator and is completely subordinate to him militarily, etc. (Popov, Vl., 2008, pp. 538 – 539), which are also important for its social development, which we do not need to dwell on here.

In summary, the main elements of the Roman state system in the context of the mixed constitution were three leading ones: **the people**, who expressed themselves through the popular assemblies and the tribunes of the plebs; **The Senate**, which housed the then aristocracy; and **consuls** who were elected for a limited period of time to acted on behalf of the state. In this sense, the individual elements had their own purpose: the consuls embodied the monarchical element, the Senate – the aristocratic, and the people – the democratic. That is, all the functions of the state were so evenly distributed among its elements that it was very difficult to determine what exactly was the form of government (Bliznashki, G., 2017, p. 83). However, this did not change the gratifying historical circumstance for the democratic components in the structure of the Roman Republic, as well as the even more indisputable circumstance for the existence of various privileges at the highest levels of state power.

After considering the institutional characteristics, it is time to analyze in particular **the privileges used by the ruling elite in the Roman republican system** during the same period.

Privileges in the ancient republican Roman reality found their real manifestation in the hierarchical structure of positions in public authority, on the place where the size and quality of these privileges depended – salaries, pensions, land, tax collection, etc. (Semov, M., 1984, p. 36). Moreover, the characteristics of the **political hierarchy** were one of the driving forces both in the struggle between the leading classes in society and in the rivalry between the strata within the classes themselves. Over time, these classes acquired the appearance of **the most prominent rich and noble social groups** and gradually established themselves as leaders in the Roman state. This is because, according to José Ortega y Gasset, the old families accumulated from generation to generation lasting wealth, which ensured the creation of a typical aristocracy, whose components were nobility, wealth and skills. Naturally, all this led to the necessary social supremacy (and “the plebeians circling around the noble lower social strata, and others”) (Ortega y Gasset, H., 2019, pp. 187 – 188) of the wealthy class strata, which, having the right to participate in power, they distributed public goods, public resources and political privileges.

From this point of view, it should be pointed out that the **privileges of power-political nature**, firstly, depended on the applied high property qualification (mainly on the land), and secondly, covered the wealthiest patricians and plebeians, among whom there was a sharp political confrontation for the highest positions in the state hierarchy. In this sense, the rich plebeians received an extremely important privilege, namely the equalization of their civil rights, in which they could actively participate in public and political life (Popov, Vl., 2008, pp. 506 – 507). This was a significant political privilege of the rich plebeian elite, for whose minority it was of great political importance.

As in all ancient societies, so in republican Rome the first attestation for most positions in politics was the considerable amount of wealth, or the **required property qualification**. This classic **privilege** is given serious attention by the English specialist in classical civilizations **Mary Beard**, who points out that no one could run in an election without passing a financial test that excludes most citizens. Without knowing exactly what the property qualification was, she indirectly concludes that it was limited (the qualification) to the highest peak of the property

ladder – the class of the so-called “Equites” (Beard, M., 2019, p. 156). And as for the voting itself, the then electoral system completely gave precedence to the rich, because the property qualification covered all other wealthy and noble classes (aristocratic, senatorial, nobiles). For example, in a centurial commission, each centurion had one vote, no matter how many people were in it; the Equites had eighteen centurions (voices), the engineers and musicians – two each, the proletarians – one centurion, etc. (Scott, M., 2020, p. 64). That is, the system favored the rich classes in every possible way, who always voted first and in fact predetermined the voting on all issues.

Among all noble classes in the Roman Republic, the 300 **senators** were especially respected as privileged in the country. They embodied the aristocratic element in the state system and occupied a central place in the system of government, which is why **their position was lifelong**. Furthermore, the status of senators had been differentiated according to their elected positions in their previous careers. Moreover, they had the exclusive rights (privileges) to participate simultaneously in the debate and in the voting (Bliznashki, G., 2017, p. 89) and in the overall work of the Senate.

The solid public prestige of Roman **senators** was defined and linked to the notion of “dignity”, which was maintained at **great expense for representation**. For example, every senator had to have a house in Rome, organize lavish guest receptions and create a suitable retinue of service staff (maids, cleaners, cooks, waiters, security guards, etc.) to welcome at the expense of the state his numerous guests (Bliznashki, G., 2017, pp. 89 – 90). What is more – usually from the **senatorial class** (or nobiles) **the highest magistrates of state, such as consuls, censors, dictators, praetors, etc. were elected** (Popov, Vl., 2008, p. 631), which was another important right (and privilege) of the ranks of the Roman Republican Senate.

Another actual fact speaks of the high social status of senators: they **dressed differently** than other Romans, they had gold rings and wore special badges of high dignity, which were invariably recognized by the state. This garment was a special tunic, exclusively embroidered with wide vertical purple stripes; senatorial toga (called “toga praetexta”), which was a sign of their high public authority (and status),

etc. Later, or towards the end of the republic, the senators were assigned special places during the public games and performances (Popov, Vl., 2008, p. 524). That is, in that way the **privileges for separate garment and clothes of the senators** with money from the state treasury were imposed even in that distant time, in order to always maintain in a brilliant form the image of the then rulers.

In the Roman Senate Republic, wealth and power are clearly expressed in the external symbolism of the eligible elites, because there were sharp status differences in terms of clothing, food, housing, and jewelry. We have already emphasized that **meat in food was a privilege of the rich**, the elite and some of the middle classes. That is, in pre-industrial civilizations, products of external, non-local origin were available only to the elite and the middle classes. These were important symbols of power of the high aristocracy in ancient Rome, such as the chariots used in funeral processions for hunting, war and competition. Along with this, war chariots were especially characteristic of the wars in the II and I millennium BC, and expensive defenses, such as helmets, armor, shields, are also available only to the rich – the military aristocracy and middle class fighters (equites, knights) (Katsarski, Ivan, 2007, p. 152). In this sense, we can also speak of a **privileged elite in the military sphere (military privileges)** in ancient Roman society, insofar as only a certain social minority has the right to use expensive military accessories.

It may sound paradoxical that a very specific but real activity was taking place in the Roman Senate Republic, such as the “**vote trading**” by senators, which we believe was a **clear manifestation of political privilege** in ancient society. Reliable data about it were provided by the Social Democrat **K. Kautsky**, who in his book “Foundations of Christianity” (see the detailed exposition of this privilege in: Kautsky, K., 1955, pp. 116 – 118, on which we rely on this and the following pages) analyzes in detail the political “vote trading” in the Roman Republic, pointing out that every wealthy Roman and every wealthy family had numerous votes that they rule in the interest of the clique to which they unconditionally belonged.

Thus, several clans of wealthy families held the government in their hands and regularly enforced the election of their members to senior government positions, and hence in the Senate. In this case, democracy did not change much, except that it

allowed wealthy plebeian families to enter this circle, which was previously reserved only for patricians.

Why is this so? Because the elected **consuls and praetors** had to spend the first year of their service in Rome. In the second year, each of them took over the management of a province and tried to compensate for the costs of his election, and also to make a profit for himself, because he did not receive earnings, because the positions were “honorary”. On the other hand, the hope for profit that could be obtained in the countryside through extortion and bribery, and sometimes through simple robbery, was the reason for the fierce struggle for these positions, so that the various candidates were increasingly competing in their quest to win the benevolence of the people. Therefore, the greater the benefits which the lumpenproletarians derived from their rights as citizens by selling their votes, the greater the urge for the peasants with Roman citizenship to give up their scarcely difficult existence in the village and to move to Rome. This increased the number of eligible voters of the lumpenproletarians, and thus the claims against the candidates. All this led things to total negativity and in 53 BC vote buying provoked such a demand for money that the credit rate rose sharply and a monetary crisis occurs.

“The nobiles (the serving aristocracy) had to pay a lot” (T. Mommsen), because gladiatorial games, for example, cost 720 thousand sesterces (150 thousand marks). But they paid them gladly, because in this way they blocked the opportunities for political careers of people who did not own wealth (Kautsky, K., 1955, p. 118). And the nobiles had to pay quite often, because new elections were held every year. That is why they paid not only out of ambition, but because they knew that this was how they bought a permit for the extremely profitable plunder of the provinces and, of course, made a very good deal for themselves.

“Democracy”, namely **the domination of several hundred thousand Roman citizens over the entire Roman Empire, with 50 to 60 million inhabitants, greatly contributed to the accelerated plunder and pillage of the wealth of the provinces** (*bolding is mine – G.M.*), significantly increasing the number of participants in it. And not only the deputies strived to get the maximum, but each of them brought with themselves a whole flock of “friends” who helped in the election and came to steal

and rob under his auspices” (Kautsky, K., 1955, p. 118), K. Kautsky concludes his analysis. This is the main reason why we consider “vote trading” to be a specific form of political privilege in republican Rome, as it is used only by the ruling and wealthy minority (oligarchy) to secure high positions of power. (The problem of “vote trading” is discussed in detail and comprehensively in its historical and political context in: Manolov, G., 2009.)

In Ancient Rome, along with the senators, **the so-called “Equites”**, or cavalry, who in the army were persons of considerable property (in the Late Republic this was the merchant-moneyed aristocracy, large farmers, etc.), enjoyed an exclusive **privileged status**. And although at the end of the republic they fought against the privileges of the nobles, they (the cavalry) themselves did not give them up at all. Due to the fact that the class was recognized as a hereditary aristocracy, for example, it received many rights and positions in political and public life, such as members of the judiciary, provincial governor, financial agents, officers in the army, etc., and for part of these senior positions the respective representation expenses (clothing, food, etc.) were similar to the senatorial class.

Conclusion

To the discussed privileges of a political nature, we should also include some that are developing in the economic sphere of the Roman Republic. These “**economic privileges**” were widely used among the rich and oligarchic classes, for which we rely on the following, more important facts: 1) for the **Equites** (at the end of the republic) this was **the ransom system of Roman state finances**, in which an individual under a contract against advance payment of a fixed amount could buy from the state a state property (imperial mansions, mines, etc.), as and to collect the respective tax for one or more years (Berov, L., 1999, p. 85), of course, in his favor; and 2) in the case of **centurias**, **not only were they not obliged to pay their taxes** (i.e. they did not pay them), but they were also regularly **exempted from military service** (Morgan, L., 1939, p. 334). Or, here we were talking about only a few hundred rich nobles who, thanks to their political and economic power, enjoyed these privileges to the detriment of the state.

It is interesting to note another privilege in the Roman Republic, which did not directly affect the central institutions of power. It was a question of the exclusive right of the old citizenship to occupy all municipal positions and thus to use all municipal privileges (Mommsen, T., 2019, p. 81), which together with the huge wealth were completely accumulated in the hands of a few aristocrats. This was a new variety in the privileged position of the authorized local persons, which added additional touches to the rich palette of different privileges of the ruling political elite (central and local).

From all that has been said so far about the evolution of privileges during this republican period, it can be concluded that their spread is constantly increasing (compared to the Period of Kings) regardless of some democratic orders in the social order of Ancient Rome.

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