
In ancient Rome, the term Collegiate (collegium) generally referred to corporations of persons united by the performance of religious rites or by the practice of a common profession, be it politicians, businessmen, and the likes. In the era of the Roman Empire, the collegia functioned only with government authorization. The Roman policy of Collegiality – having dual members to serve in the same post to insure the checks on power balance – has found its way into the constitutional governance of the Republic of Ghana. Thus, the policy of having even numbers (two, eight, and sixteen as in the case of praetors) of members in the same post is not lost to contemporary political considerations. With the method of thematic and content analysis of the 1992 Constitution of Ghana and drawing comparisons and reflections of the Roman policy of collegium, this article postulates that the policy of collegial governance is verisimilitude in the constitutional provisions and governance of the Republic of Ghana, and that, apart from few differences, the system of collegiality is still in use in modern democratic governance.

Keywords: Distribution of Powers and Functions, Collegium System of Governance, the Roman Republic, 1992 Constitutional Provisions, the Republic of Ghana

Introduction

One of the issues that make the study of ancient Roman civilization interesting has to do with the method of governance. The Roman political practices are too broad and complex to behold at a glance. However, by focusing on some aspects of the whole set of their governance practices, one can decode the complexities associated with and arrive at a logical understanding as to why the Romans embarked on some policies of governance. One of the aspects this article focuses on is the Roman policy of collegiality. For this reason, the article examines the Roman political practice of collegiality and shows its reflections in the democratic dispensation of the Republic of Ghana. The focus of the discussion will be on the Roman magistrates and their compositions, functions, and how within the various magistracies, college (or colleague) members interacted with each other to achieve the same goals in shaping the constitutional governance of Rome. In the Constitution of the Republic of Ghana, the areas that I will draw comparisons or juxtaposition will include but not limited to the Executive arm of government (the President and the Vice-President and Cabinet ministers); the Parliament; Parliamentary Select Committees; the National Media Commission; and the Electoral Commission.
Methodology

The methods employed for this study have been content, thematic, and comparative analysis. According to Palmquist (1990), content analysis is a study instrument used to determine the occurrence of certain words or concepts within texts or sets of texts, from business to political science. Content analysis has been used to detect the existence of propaganda (publicity) of the term collegium, identify the intentions for collegium governance, groups or institutions the concept is applied, and determine the psychological or emotional state of persons or institutions involved so far as power distributions are concerned.

Thus, I have used content analysis to identify the intentions of the introduction of the policy of Collegium and how the policy is repeated or used in modern constitutional practices of the Republic of Ghana. The method is also used to analyze the presence, meanings, and relationships of such term – collegium, collegial, colleagues collegia, college, collegiality, equality – in ancient Rome by making inferences about the functional roles through content analysis' basic methods such as conceptual analysis (by tracing the existence of the concepts in Roman political institutions), and relational analysis (by examining the relationships of the usage and application of the terms among other concepts in the constitution of Ghana). Thus, with these two methods within the content analysis, I have been able to conceptualize the functional or purposeful meaning of the term collegium by relating to other institutional establishments in the 1992 Constitution of Ghana.

The thematic analytic method has also been used since it helped to identifying, analyzing, and reporting key emerging patterns within the Roman political practices and the constitution of Ghana so far as themes or terms such as equality, fairness, justice, transparency, checks, and balances are concerned. Thematic analysis was useful for this study because, with the technique of interpretation, analysis, and comparison, I have simplified the

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application of the terms colleagues, college, and collegiality to mean one thing
– equality – within the Roman and Ghanaian context. By so doing, the
contributions that the literature provides, challenges, similarities, and
dissimilarities of the application of the concept collegium have been the main
focus of the study without extensive digressions.

Conceptual Clarification of Collegium (Collegiate)

In ancient Rome, the term Collegiate (collegium) generally referred to
corporations of persons united by the performance of religious rites or by the
practice of a common profession, be it politicians, businessmen, and the likes.
Stated differently, collegia (college) or collegium (collegiate), in ancient Rome,
were of various types including religious, priestly (such as the Pontifices,
Augures, Fetiales, and Salii), trade, veteran, and funeral collegia. From the
first century B.C., the collegia, and particularly the trade collegia and
neighborhood collegia, uniting freedmen and slaves interfered in political life;
this led to their periodic ban (for example, after the First Catilinarian
Conspiracy in 66 B.C.).

However, in the era of the Roman Empire, the collegia functioned only
with government authorization. Paul A. Bishop in his Rome: Transition to
Empire, defines ‘Collegiality’ in this period as the Roman policy of having
dual members serve in the same post to insure the check on power balance. For
the Romans, the term collegium could also mean having even numbers (two,
eight, and sixteen as in the case of praetors) of members in the same post. The
main idea for the introduction of such policy and the term was to make sure
that over-ambitious elected political figures do not abuse their powers. In this
paper, I have used the terms collegium, collegia, college, collegiality, collegial,
and colleagues interchangeably to mean the same thing – members of equal
position, functions, and responsibility.

\[^{1}V. \text{Braun, and V. Clarke, “Using Thematic Analysis in Psychology.” Qualitative Research in Psychology, 3 (N.p, 2006), 77-101;}\]
\[^{4}M. \text{Tullius Cicero, The Orations of Marcus Tullius Cicero, trans. C. D. Yonge, and Henry B. Bohn, (1856); H. H. Scullard, and M. Cary, A history of Rome down to the reign of Constantine, 3rd edit (Hong Kong: Macmillan Education Ltd., 1979).}\]
The Practice of Collegium within Rome’s Established Institutions, and Functions

Within the Roman political practices, collegium was the practice of having at least two people, and always an even number, in each magistrate position of the Roman Senate. Reasons were to divide power and responsibilities among several people, both to prevent the rise of another king after the overthrow of the last Roman king, Lucius Tarquinius, in about 509 BC by the Roman nobility, and to ensure more productive, responsible, and accountable magistrates. Examples and areas of the Roman political practice of collegiality are seen in the office of the consuls; praetors; tribunes; aediles; quaestors; censors; and the Senate itself. I shall, therefore, discuss in detail how the term collegium operated or was applied in each of the magistrates and offices.

In the Roman political practice, the chief magistrate was the consul. Two consuls were in office at the same time. Both consuls saw themselves as equals since they exercised equal power. The consuls’ term of office was one year. Until Sulla reformed the office in 81 B.C., the consul’s major role was as a military commander. Thus, the two consuls would leave the city in order to conduct military campaigns. Before leaving the city and after returning to the city, the consul performed several civilian functions. He might conduct elections of other officials such as censors; he might discuss issues in the senate; he might propose legislation; he might preside over certain trials as a judge; he could appoint a dictator (although the senate appears to have had some role in this appointment as well). After 81 B.C., the consuls’ military role was deemphasized. Others (often called proconsuls) were appointed to conduct military campaigns, and consuls stayed in Rome and discharged their civilian duties. Consuls could veto each other’s actions but preferred to cooperate since they wield equal authority or power.

What was the purpose of electing two colleagues to serve as heads in the same magistracy? The logic behind this is that these two colleagues forming the ‘college of consuls’, were to veto each other’s measures and action most especially if the Roman Republic will not benefit from it. Their primary duty for being elected into power was to ensure that the interest of the republic is served first before any other private matters. Moreover, it was also to ensure checks and balances in the Roman political dispensation since each one of the consuls monitored the activities of the other. It was also to ensure the smooth running of the affairs of the state since the conflict of interests is unlikely to set in. It, therefore, became necessary and prudent for the Romans to introduce such practices into their political dispensation. However, consuls

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8H. H. Scullard, and M. Cary, A history of Rome down to the reign of Constantine, 3rd edit (Hong Kong: Macmillan Education Ltd., 1979).
9F. F. Abbott, A History and Description of Roman Political Institutions (N.p: Elibron Classics, 1901); H. H. Scullard, and M. Cary, A history of Rome down to the reign of Constantine, 3rd edit (Hong Kong: Macmillan Education Ltd., 1979).
10H. H. Scullard, and M. Cary, A history of Rome down to the reign of Constantine, 3rd edit (Hong Kong: Macmillan Education Ltd., 1979).
sometimes placed their interest first and executed it provided he gets the
support of the Roman people or the fighting men (the legion), as seen in the
case of the consulship of Gaius Julius Caesar and Magnus Pompey, where
conflict of interest and personal ambitions led the two colleagues into conflict
resulting into civil war.\textsuperscript{12}

The next department or magistracy that collegiality is featured in is the
office of the \textit{Praetors}. Praetors were junior to consuls but very powerful
magistrates as well. They also served single one-year terms. Originally, there
was only one praetor; the number was increased to two around 242 B.C.; in 81
B.C. the number appears to have been increased to eight by Sulla.\textsuperscript{13} By the end
of the Republic, the number had been increased to sixteen. Surprisingly, the
increase in the number of Praetors was always even. Praetors had most of the
functions of the consul but not all. For example, they could not appoint
dictators. They were junior to consuls so they had to step aside when consuls
rejected their policies or actions.\textsuperscript{14}

Praetors served as governors of provinces, military adjuncts to consuls, or
military commanders. By the mid to late Republic, all praetors had judicial
functions. They presided over civil and criminal trials, which gave them the
ability to influence the outcomes, though verdicts would be rendered by
juries.\textsuperscript{15} We could see that two or more colleagues in their even numbers were
elected to hold the office of the \textit{praetorship} to monitor the practices of the
other college praetor(s). Ultimately, praetors who accompanied the consuls to
the battlefield were to ensure that the consul in command conducted himself
well in the interest of the Republic. In judicial matters, each praetor was to see
to it that his colleague member(s) in the same office do not mishandle cases to
disfavor the offended thereby promoting justice and fairness in adjudications;
and to curtail any kind of conflict of interest.

Another institution where we see the Roman political practice of
colloegiality is seen in the ‘College of Tribunes’. Tribunes, unlike consuls and
praetors, could only be plebeians and were elected solely by plebeians. By the
late Republic, ten tribunes served one-year terms. Tribunes were understood to

\textsuperscript{12}Cf. Appian, \textit{The Histories of Appian}, (Loeb Classical Library, 1913); Caesar, \textit{Caesar’s Civil
S. A. Handford, (Great Britain: Richard Clay & Company Ltd., 1951); S. G.
Chrissanthos, “Caesar and the Mutiny of 47 B.C.”, \textit{The Journal of Roman Studies, Vol. 91}
University Press, 1914); Plutarch, \textit{The Parallel lives, Vol. VII}, (Loeb Classical Library edition,
1916); Gaius Tranquillus, Suetonius, \textit{The lives of the Twelve Caesars}, (Loeb Classical Library,
1913 & Great Britain, Hazell Watson & Viney Ltd., 1957).

\textsuperscript{13}H. H. Scullard, and M. Cary, \textit{A history of Rome down to the reign of Constantine, 3rd edit}
(Hong Kong: Macmillan Education Ltd., 1979); H. H. Scullard, \textit{From the Gracchi to Nero: A
history of Rome from 133 B.C. to A.D. 68.} (New York: Taylor & Francis e-Library, 1982).

\textsuperscript{14}W. Smith, W. Wayte, and G. E. Marindin, \textit{A Dictionary of Greek and Roman Antiquities
}(Albemarle Street, London: John Murray, 1890).

\textsuperscript{15}H. H. Scullard, \textit{From the Gracchi to Nero: A history of Rome from 133 B.C. to A.D. 68.} (New
York: Taylor & Francis e-Library, 1982); W. Smith, W. Wayte, and G. E. Marindin, \textit{A
Dictionary of Greek and Roman Antiquities} (Albemarle Street, London: John Murray, 1890).
serve the plebeians’ interests and to defend them against the patricians.\textsuperscript{16} They presided over plebeian assemblies that could legislate and conduct certain political actions and had the important power to obstruct or veto proceedings in other bodies. Tribunes could prevent the senate from convening, veto senate decrees, and stop other magistrates from performing their duties (\textit{intercessio}) such as proposing legislation or taking actions against citizens such as arrests and prosecutions.\textsuperscript{17}

The Romans idea of electing several colleagues to serve as tributes, a magistracy that can be occupied by a single person, is fascinating. Logical interpreting and understanding of the implication of the policy collegium within the praetorship would do us a great favor. Since a tribune’s function was to serve and protect the interest of the plebeians, it could be possible that an election of one person to occupy such position could lead to future tyranny or dictatorship if the elected praetor can manipulate the plebeians against the senators or patricians to get the total protection of the plebeians to overthrow the constitutional prescriptions. Due to this possible attempted tyrannical tendencies, giving such huge responsibility to one person could have been dangerous to the state. To prevent this, the Romans probably thought that electing more colleagues with same power and function to serve as tribunes was appropriate because as they championed the plebeian cause, colleague members (tribunes) will equally champion the Republic’s interest by not allowing a single tribute to use the people to overthrow the constitutionally established government. Thus, each tribune was to check on the conducts and actions of the other(s) and at the same time keeping the plebs in check.

Again, there were two pairs of \textit{Aediles (plebeian and curule)} who had similar functions. They had responsibility for maintaining public buildings such as temples, streets and the water supply, and public order. They staged public games. They also served as prosecutors in trials involving public law.\textsuperscript{18} By looking at the power and the functions wielded by the \textit{plebeian and curule Aediles} it makes sense that the Romans appointed two people – plebeian aedile (from the plebs) and curule aedile (from the patricians) to prevent preferentialism, nepotism, discrimination, etc. Thus, the key import of selecting these two colleagues to fill this office was to serve as a check on each other to ensure that money distributed has been used for the purpose of which the state issued the money. If a colleague aedile sensed any mischief about the other, the suspected aedile could be driven to court with the charge of either misappropriating or mismanaging the state’s fund. In effect, this collegiate system was very

\textsuperscript{16}W. Smith, W. Wayte, and G. E. Marindin, \textit{A Dictionary of Greek and Roman Antiquities} (Albemarle Street, London: John Murray, 1890).


\textsuperscript{18}H. H. Scullard, and M. Cary, \textit{A history of Rome down to the reign of Constantine, 3rd edit} (Hong Kong: Macmillan Education Ltd., 1979); W. Smith, W. Wayte, and G. E. Marindin, \textit{A Dictionary of Greek and Roman Antiquities} (Albemarle Street, London: John Murray, 1890).
necessary for shaping the constitutional governance of the Roman Republic as it geared toward the protection of public purse.\textsuperscript{19}

Moreover, a ‘College of Quaestors’ dealt with public finances. Initially, they were two in number, and later, to four. There were urban quaestors and consular quaestors. Urban quaestors managed the public treasury, making payments and pursuing tax and other obligations. Consular quaestors managed army pay and finances. By 133 the number increased to twelve. Later, Sulla increased the number to twenty. The number of quaestors also increased to forty in 45 B.C.; they served one-year terms.\textsuperscript{20}

The workload in the daily administration of Rome may have accounted for such an increase in number – from two to forty. As a result, more hands were needed to help run the daily business of Rome, especially, in the area of finance, allocation, and distribution of wealth, payments, and inventory. In effect, the Quaestors were assigned by the senate, presumably in consultation with the senior magistrates as finance ministers who principally were in charge of finance. With such huge responsibilities, it would have been risky for the Roman Republic to put one person in charge because the probability for one person to render false accounts is very high. Also, for the purpose of probity and accountability, there was the need to select two or more colleagues to form the ‘College of Quaestors’ to address internal and external fiscal policies of the Roman Republic.

We will now look at the composition and functions of the Censors. The Roman political institutions also included a ‘College of Censors’. The composition was two colleagues whose powers and functions were equal and the same. Their main task was to keep track of the Roman people and their properties. The two censors had terms that varied over the history of the Republic but lasted around five years in the last two centuries. In addition to conducting census: counting up the people, ranking them by property holdings, and determining their tribal membership, the censors also could pass judgment on them. People who had shown cowardice in battle, or did not cultivate their lands, or committed some serious crime or moral offense could be tried and condemned by the censors. Apart from these huge responsibilities, censors could not serve in the Senate or occupy important offices such as consul, praetor, or quaestor.\textsuperscript{21}

Censors also entered public contracts on behalf of Rome, both for public works and for taxation. Senators were much interested in the office of the Censorship because it was the censor who basically promoted or demoted one’s social status based on a person’s property or moral conduct. The Romans


\textsuperscript{20}H. H. Scullard, and M. Cary, A history of Rome down to the reign of Constantine, 3rd edit (Hong Kong: Macmillan Education Ltd., 1979); H. H. Scullard, From the Gracchi to Nero: A history of Rome from 133 B.C. to A.D. 68. (New York: Taylor & Francis e-Library, 1982).

did not want anybody to rise to the ranks or join the Senate by dubious means
which may happen between a censor and the censored or citizen. If one person
is allowed to occupy such a position, it would be easy for the person to become
bias by putting unqualified people into a proper class that they do not deserve.
For instance, if a person’s wealth is measured 200 iugera, a censor may record
that person’s wealth as 400 iugera by given the person the opportunity to rise
to the cursus honorum (climbing the ladder). To prevent this, two members
were selected to make the assessment and also to serve as a check on each
other censor, thereby making sure citizens are put in their right classes based
on the property or wealth they possessed.

Turning our focus to the Senate, it must be pointed out that it was one of
the most important institutions in Rome’s political practice. I will not discuss
the Peoples’ Assembly as the sole legislative body in the Roman Republic
because its functions were highly influenced by the Senate. The Peoples’
Assembly had theoretical power but not practical. Magistrates or senators
could ask members of the Peoples’ Assembly for their opinions but the latter
had no right to speak. In line with this, I will only focus on the Senate. The
Senate can be assumed as a ‘College’ whose members had equal power and the
same function. The senate was the central institution in Roman politics, even
though its formal powers were few. For example, it did not pass legislation or
appoint magistrates.

As a matter of early constitutional law of the Romans, the Senate was
mainly an advisory institution whose members received delegations, digested
reports, debated, and issued decrees, which were not legally binding.
Nonetheless, in practice, the Senate had a considerable degree of authority
during most of its existence. The senate’s decrees did not have formal legal
force, but coworkers or members of the ‘College of Senate’ frequently guided
subsequent legislation enacted by the plebeian assembly, which later on
became the main legislative body. Magistrates needed the support of the
colleagues in the Senate because the Senate consisted of important and
experienced men. The Senate also provided a forum in which the magistrates
divided authority among each other to avoid jurisdictional conflicts. The
Senate received delegations from foreign countries and negotiated treaties with
them and had a significant role in public finances. Basically, the college of
senators became the hearth of the Roman constitutional practices.

Magistrates summoned the senate for meetings and set the agenda. A
magistrate proposed and asked the senate’s advice. Senators were supposed to
debate the issue presented by the magistrate but could digress. An effort to
prevent action in a legislature but long speeches (filibusters) was possible
because the meeting had to be ended at nightfall. Eventually, the presiding
magistrate called for a vote on his proposal (for example, that a decree is

22Ibid, 4.
23A. Yakobson, “Traditional political culture and the people’s role in the Roman Republic”,
Historia, Band XXX (Franz Steiner Verlag, Stuttgart, 2010), 2ff.
Public Law & Legal Theory Working Paper No. 327 (University of Chicago, 2010), 5.
issued), and the senators voted for or against. The motion could be vetoed by a 
tribune or a magistrate of equal or greater rank. If a decree survived the veto, it 
was recorded.25

Although the ‘College of Senate’ was not a legislative body like the 
General Assembly of Rome, its activities can be juxtaposed to the activities of 
the parliament of Republican Ghana where members of parliament debate on 
issues and vote for its acceptance or otherwise. The membership of the Senate 
varied over time, but it was always in the hundreds. Senators were appointed 
by consuls earlier in the Republic and by censors later in the Republic. They 
were typically ex-magistrates. Censors determined that an individual possessed 
good moral character before appointed to join the senate; censors could also 
remove senators who had engaged in gross immoral practices, including 
serious crimes. Apart from these, senators served for life. Besides, laws were 
enacted through the joint action of a magistrate and an assembly. Magistrates 
asked members of the assembly for their opinions but the latter had no right to 
speak. Because of this, in the further discussion of collegium practices in 
Ghana’s Constitutional governance, I have juxtaposed the ‘College of Senate’ 
to that of Ghana’s parliament rather than the Peoples’ Assembly of Rome.

Collegium System of Rome in the Constitutional Provisions of Ghana: A 
Juxtaposition

The Roman political practice of collegium, collegiality, or college of 
equals is not lost to the democratic dispensation of Ghana. By analyzing the 
content and composition of the 1992 Constitution of the Republic of Ghana, we 
realized that the practices and activities contemporary political ideas are highly 
seem influenced by constitutional practices of the ancient Roman Republic. 
Although when it comes to the organs and the compositions of the democratic 
governance of Ghana, the content is not the same as the Roman political 
institutions or magistracies since Ghana’s practices are strongly mandated by 
the 1992 Constitution of Ghana. However, we can point out the practices of 
collegiality that is featured in the provisions of the Constitution. The areas of 
Ghana’s constitutional provisions I have focused on include but are not limited 
to the presidency (that is the President and Vice-President); cabinet ministers; 
the parliament; parliamentary select committees; and the Electoral 
Commission.

Articles 57 to 60-92 of Ghana’s Constitution clearly defines the 
composition, election, powers, and duties of the president, and the vice 
president (Cf. Art. 60). Like the Roman consuls, the president and the vice 
wields sweeping powers given to them by the Constitution. However, the 
president is the custodian of the bulk of the powers. Notwithstanding, although 
the 1992 Constitution of the Republic Ghana gives precedence and much

power to the president over all other people in Ghana, we could equally say that both the president and his vice constitutes a ‘College of Presidency’ or colleagues of presidents and can be likened to the two consuls of the Roman Republic since, in the absence of the president, the vice president automatically becomes the first man of the land as demanded by the constitution. Thus, in the absence of the president, the vice president assumes full power and role of the “far away” president. In this sense, the two, like the Consuls, becomes equal in their field of operation.

Besides, the presidency (the president and his vice president) are like the Roman consuls since the provisions of article 62 of Ghana’s constitution which talks about the qualification for election as the President applies to a candidate for election as Vice-President. So in terms of qualification, the same principle applies to both just as the Roman Consuls. The only difference between the Roman Consuls, and Ghana’s President and his Vice President, as prescribed by the Constitution, is that whereas the Consuls had equal powers at the same time, the President wields many executive powers than the Vice President so far as the President is in active service, or not absent whatsoever. Again, like the colleague Consuls of Rome, in the absence of the President, it is the Vice-President who took charge of running the affairs of the state. We have recounted that in the absence of one consul, the other consul facilitated the affairs of the Roman Republic. In this sense, it could be said that the President and the Vice President form a College of equals whose membership wields similar functions as prescribed by the constitution. They all work in the interest of the state.

The only problem associated with the Presidency is that the Vice President does not openly challenge the decisions and authority of the President since it is the President who selects the Vice-President as a running mate before an election as required by the political parties’ constitutions and regulations. Sometimes the President can physically assault the Vice-President if the Vice dares challenge the President. A typical example is when a brawl broke out at a Cabinet meeting when President Jerry Rawlings beat up his deputy (Vice-President Nkensen Arkaah, who chaired all Cabinet meetings at the time) out of the room on Thursday, 28 December 1995. This is not different from what happened between some consuls in Rome where misunderstandings from both colleagues led to civil wars as seen in the consulship of Pompey Magnus and Gaius Julius Caesar. However, in the interest of the state and smooth running of state policies, it becomes prudent for the 1992 Constitution of Ghana to prescribe the selection of two colleagues “Presidents” as the two topmost ranking state officials just like the colleague Consuls of Rome.

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28H. H. Scullard, and M. Cary, A history of Rome down to the reign of Constantine, 3rd edit (Hong Kong: Macmillan Education Ltd., 1979); H. H. Scullard, From the Gracchi to Nero: A history of Rome from 133 B.C. to A.D. 68. (New York: Taylor & Francis e-Library, 1982).
Another area that we can draw a relationship between Roman and Ghana's collegiality practices lies in the functions of the Roman Senators and Ghana's Cabinet Ministers. The 1992 Constitution of Ghana (articles 76-77) prescribes that there shall be a Cabinet which shall consist of the President, the Vice-President and not less than ten and not more nineteen Ministers of State. Per the composition, the Cabinet constitutes a college of equals whose members’ decisions or opinions are equally respected by colleague members. In the interest of the Republic of Ghana, the Cabinet assists the President in the determination of the general policy of the government. In this assumed college of Cabinet Ministers, it is the President who summons and presides at all meetings, and in his absence, the Vice-President presides just as the Roman Consuls who summoned and presided all important meetings of the Senate. But when it comes to the regulation of the procedure at Cabinet’s meeting, it is the entire colleagues of the ‘College of Cabinet Ministers’ that took charge. Member's views are supposedly upheld with respect and to promote and shape the democratic dispensation of Ghana.

The next area for discussion is the Parliament House of Ghana. By comparison, we can niche the Parliament as a college of equals just as the Roman Senate and the General Assembly. The ‘College of Parliament’, per its composition in Articles 93 to 124 of the 1992 Constitution, colleague members of parliament have equal political mandate although it is chaired by an appointed Speaker of Parliament by the President-elect. It must be pointed out that the Chair is not appointed to intimidate Members of Parliament but to regulate and facilitate the sittings of the Parliament. Thus, the Constitution of Ghana has given equal legislative power to Members of Parliament (MPs) to work in the interest of the country.

Like the Roman Senate (not the concilium plebis), the parliament is the central institution in Ghana’s politics, even though its powers cannot be compared to the President. The colleagues of parliament deliberated on other matters and bills proposed to it by the President for its acceptance or otherwise just like the Senators of Rome who deliberated matters and bills proposed by the Consuls. A typical example is the “US-Ghana Military defence cooperation agreement” that was presented before the Parliament to be considered for its approval or otherwise. Although colleagues MPs considered as the minority did not support the acceptance of the agreement, yet the majority, per their number, had their way for its acceptance on the 23 March 2018. Except as otherwise provided in the Constitution of Ghana, matters in the parliament is determined by the votes of the majority of members present and voting, with at least half of all the members of Parliament present.29 Regarding this, it could be said the Parliament is a college whose members wield equal constitutional mandate. They are in existence as a collegium, or college of colleagues to serve the nation and protect the constitution itself and the democratic practices in Ghana.

Also, within the Parliament, another college of colleagues of equals can be seen. This has to do with Parliamentary Select Committee or Committees of Parliament. The 1992 Constitution of Ghana (Article 103. 1-6) has provided that members of Parliament shall appoint standing committees and other committees as may be necessary for the effective discharge of its functions. Within these committees, colleagues share the same power and that each member’s decisions and opinions are highly respected. According to the Constitution of Ghana, Article 103. 3, committees of Parliament shall be charged with such functions including the investigation and inquiry into the activities and administration of ministries and departments as Parliament may determine; and such investigation and inquiries may extend to proposals for legislation. The President has the power to appoint his ministers but the onus lies in the Parliamentary select committee to vet them.

During the vetting, each colleague of the ‘College of Vetting Committee’ decisions holds water. In clause 4 of article 103, every Member of Parliament shall be a member of at least one of the standing committees. This means that, in terms of collegiality practices as the Roman Republic, members have equal power and are supposed to work in the interest of the state.

The establishment of the Electoral Commission (EC) by the 1992 Constitution of the Republic of Ghana and its practices can also be put under a collegial system of governance. The composition of the EC shows that it is a College under the umbrella of the Constitution which spells out how Ghana’s democratic dispensation should be practiced. Article 43 (1) of the Constitution states that there shall be an Electoral Commission which shall consist of a Chairman; two Deputy Chairmen; and four other members. In juxtaposition to Roman collegial systems, these members, per their powers and duties, forms a College of Electoral Commission. In this College, every member’s opinion or decision counts. Colleagues who make up the EC see themselves to be equal and that a member, not even the Chairperson, can take a unilateral decision for the whole commission or members. In order to avoid crook decisions, one-sidedness, preconceived notion, and by promoting equity, fairness, organization of free and fair elections, and the likes, colleagues in the College of EC serve as an ombudsman or supervisory body on the other.

The charges that some members of the EC laid against the then EC Chair, Mrs. Charlotte Osei is a typical example that shows that colleagues within the EC wield equal power and have an equal voice. In fact, colleague members of the EC levelled 27 charges against her.30 To go into the details of the charges levelled against her is a matter of another article. But the point is that, per the definition or concept of the collegium, members of the ‘College of EC’ suspected that there were some decisions that their colleague (the Chairperson) took without consulting them or seeking their opinions. Because members have ‘equal’ powers and are supposed to check on each other, they gathered the courage to send their Chairperson to court for the law of the state

to interrogate her and sanction her if found guilty. Undoubtedly, the Romans' idea of not allowing one person to hold higher positions but two or more for the same position, power, and function is what is exhibited by the members of the EC. In the end, the EC chair was evicted from the position. In fact, the Romans policy of giving equal powers and functions to members to form a body or an institution was effective, democratic, and intriguing that, as seen in the charges the EC levelled against the Chairperson, it was difficult for a single individual to seek his interest against the state.

Another area where we can see the Roman practice of collegiality is the National Media Commission which consists of fifteen members with representatives from the Ghana Bar Association; the Publishers and Owners of Private Press; and many others. The National Media Commission can be classified as a college of colleagues of equals because its representatives or members see themselves as equals and that each member’s view is respected by all. They are to promote and ensure freedom and independence of the media for mass communication or information; to insulate the state-owned media from governmental control; and others.31

Members also work in consultation with other colleagues worldwide in shaping democracy. For example, in 2018, UNESCO led the 25th celebration of World Press Freedom Day in Ghana. The main event, jointly organized by UNESCO and the Government of the Republic of Ghana, took place in Accra, Ghana on 2 – 3 May 2018. The year’s global theme was ‘Keeping Power in Check: Media, Justice and The Rule of Law’, and it covered issues of media and the transparency of the political process, the independence and media literacy of the judicial system, and the accountability of state institutions towards the public. The Day also examined contemporary challenges of ensuring press freedom online. This indicates that the National Media Committee is indeed a College who have a greater responsibility in shaping the democratic practices in Ghana and worldwide. Thus, members of this college seek to keep power in check by protecting and promoting freedom, and ensuring that rule of law works in the country.32

As a matter of fact, series of examples of reflections of the Roman political practice of collegiality can be deduced from many ministries and state co-operations or agencies where chief directors and board of directors see themselves as ‘equals colleagues’ working in the interest of the state. Another example could be drawn from the composition of district assembly which includes the Presiding Member, the assembly members, and other actors. Although it is the District Chief Executive who wields much power, he however requires the consent of the Presiding Member and the assembly

members who constitute a board to execute policy. If the said policy will
disfavor the assembly, members of the college or board will disapprove of it.  

Conclusion

The paper has tried as much as possible to analyze the Roman political
practice of collegiality and how it reflects in the constitutional dispensation of
Ghana. Per the concept of the terms collegium, college, collegiality, and
colleagues all of which epitomize equality, we have analyzed, by powers and
functions, the Roman and Ghanaian political institutions in addition to the
purpose and the logic behind the practice of collegiality. We have also
examined the various magistracies or institutions, their compositions,
functions, and how within the various institutions, colleague members are
interrelated among each other with the purpose of achieving the same goal in
shaping the constitutional governance of Rome and Ghana. In Ghana, the
particular areas that the Roman practice of collegium features is the Executive
body (the President and the Vice-President and Cabinet ministers); the
Parliament; Parliamentary Select Committees; and the National Media
Commission and the Electoral Commission. It is evidenced that by critical
analysis and comparison based on the content and terms associated with
collegiality within the various political institutions, the Roman practiced
collegial system was effective in the areas of checks and balances by colleague
members thereby shaping the constitution. Power was not given to one person
but among members of equal ranks.

Although there existed some differences in the practices, powers, and
functions in the collegium system of political dispensation in Rome and Ghana,
in the broader spectrum, we have at the same time seen how the Roman
practice of collegiality reflects in Ghana’s constitutional prescriptions. In
whichever way, one may look at the Roman practice of collegiality and its
reflections in contemporary political practices, and the fact that the 1992
Constitution of the Republic of Ghana has given sweeping powers to the
President, we cannot doubt reflections of the Roman practice of collegium
within some of the provisions of the 1992 Constitution of the Republic of
Ghana. It must be commended that the Romans, par excellence, practiced the
best systems in this regard (Collegial System) in shaping their political
practices which have become a legacy for many contemporary states and
nations such as Ghana.

Act 527 (The Republic of Ghana, 1996), Const. Articles 240-256
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