



Written by [Joe Wolverton, II, J.D.](#) on April 18, 2016

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From Police to Praetorian Guard

“We are all Romans,” declared Carl Richard, the eminent classicist who has dedicated his professional life to educating Americans about the debt we owe to the institutions and habits of Ancient Rome. He’s not alone in this belief. A quick search on Amazon reveals hundreds of books written with the same thesis — namely, that, as the title of one of these books proclaims, America is “Rome reborn on western shores.”



If Richard and his colleagues are correct, then we have many lessons from the history of that time that must be read and learned. Sadly, though, in our day, the creators of the new Common Core school standards suggest dispensing with the reading of Roman history and replacing it with readings from “FedViews” by the Federal Reserve Bank of San Francisco, the EPA’s “Recommended Levels of Insulation,” and “Invasive Plant Inventory” by California’s Invasive Plant Council.

Ancient history provided the Founders with examples of behavior and circumstances that they could apply to their own circumstances. Their heroes were Roman republicans and defenders of liberty. The Founders’ principal Roman heroes were noble and selfless statesmen such as Cato the Younger, Brutus, Cassius, and Cicero — all of whom sacrificed their lives in unsuccessful attempts to prevent the Roman republic they had inherited from becoming a freedom-extinguishing empire.

Perhaps there are fewer epochs in the long history of Ancient Rome from which the Founders drew their analogies and that can serve as a truer mirror of our own time and our own fading Republic than that of the reign of Caesar Augustus.

Octavian (born Gaius Octavius Thurinus) was the great-nephew of Julius Caesar, and was adopted as the latter’s son and heir. After the events of the Ides of March in 44 B.C., Octavian began his ascent toward absolute power, power beyond even that exercised by his now deified great-uncle-cum-father.

Our purpose in this piece is to present the story of one of the tactics used by Octavian, who was given the title “Augustus” by the Roman Senate, to gain complete control over Rome, a tactic that was so swiftly and silently carried out that before the citizens of Rome knew what was happening, the streets of the Eternal City were patrolled by soldiers — soldiers portrayed by Augustus as nothing more than concerned citizens interested in restoring order to riotous Rome and enforcing the law forcefully and fully until the city was “safe.”

These soldiers masquerading as citizens were known as the Praetorian Guard.

Ancient Rome

Of course, Rome had something of a professional (read: standing) army before and during the existence of the Praetorian Guard. Likewise, the United States of America has a permanent armed force. The difference then and now between the standing army and the Praetorian Guard (I’ll discuss its modern equivalent below) is that the former could not conduct military operations inside the boundaries of their



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own country.

In Rome, the boundary between Rome and the rest of the world historically was the Rubicon River, and the law (written and oral) of Rome forbade the massive Roman military from crossing into Rome arrayed for battle. Similarly, in the United States, the Posse Comitatus Act (18 USC § 1385) explicitly prohibits the U.S. armed forces from performing domestic law-enforcement duties.

To trace the origins of the irreparable damage done to Roman liberty by the Praetorian Guard and to see the faint lines of that threat appearing on the fabric of American freedom, let's go back to Rome around the time of the birth of Christ and continue the chronicle of the Praetorian Guard. Then, we will hold up that history as a mirror to ourselves and the crisis we face today of a federal government that has co-opted and converted our once local and independent police forces and sheriffs' offices into a standing army that is bought and controlled by our own imperially minded central government.

Personal Army

Augustus, wary of tipping off Romans to the wholesale restructuring of the republic he was surreptitiously achieving, took a novel approach to the expanding and increasingly noticeable presence of soldiers inside the city. Rather than have to explain away such an unusual — and in fact, unlawful — deployment, Augustus instructed his personal army, which the Praetorian Guard had now become, to not wear their uniforms inside the city. He believed, and rightly so, that Romans would be less likely to resist this powerful retinue of war-makers if they were seen merely as fellow citizens.

The soldiers, per Augustus' decree, were to wear the toga of a citizen to fit in, rather than stand out the way a legionnaire in his military-issue uniform would do. This unit of the Praetorian Guard was named the *cohors togata* to reflect their unique status as soldiers in the guise of citizens.

The *cohors togata* were assigned duties that we would associate with police: They would patrol intersections, arrest lawbreakers, investigate crimes, and occasionally punish perpetrators in public so as to send a clear message to citizens who doubted their determination to "keep the peace."

Prior to Augustus' reign, the Praetorian Guard served for nearly a century as military protection and escorts for *praetors*, lower-level Roman government officials. After he consolidated control over the empire, however, Augustus reconstituted the guards as a troop under his sole command and dedicated to protecting his person and carrying out his every order.

Despite their dress code, each of these plainclothed cohorts was issued a *gladius*, the weapon used by imperial forces deployed in the various combat zones around the known world. They looked like regular citizens, but they were armed like the disciplined and experienced soldiers they were.

Under Augustus, the Praetorian Guard doubled in size, growing from about 4,500 men to an overwhelming force of 9,000 by the time of the emperor's death.

The Praetorian Guard were soon seen everywhere in Rome. They eventually dropped the charade of the *cohors togata* and dressed in an openly military style, and traveled in formation, armed as if preparing to defend the city against invaders. There was no invasion, however, unless one counts the invasion of the city by the Praetorians themselves.

The Praetorian Guard, upon finding themselves able to exercise unconstitutional and unlawful authority over their fellow citizens, began to do so and likewise started being the instigators of riots, rather than



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the investigators of them. They became the bane of security, rather than its protectors.

By the time of the reign of the emperor Tiberius, the ruler who succeeded Augustus, and that of Caligula, the next after Tiberius, the Praetorian Guard paraded through the serpentine streets of Rome as an openly military force, aware of their own nearly unchecked and unaccountable power, as well as the emperors' need of their support and loyalty — support and loyalty they were willing to give for the right amount of compensation.

America Today

It is in nearly this same awful situation where the 21st-century United States of America finds itself. Of course, America already has a standing army and has had one for a long time, but that standing army has been prohibited from becoming involved in domestic law enforcement. More recently, the statists and imperialists in Washington, D.C. — through the Department of Homeland Security, FBI, and other federal agencies — have been working to create an impressively armed and aggressive Praetorian Guard-like force by building upon the pre-existing structure of an increasingly less-free and -independent local law-enforcement apparatus.

By design, the force of the militarized police is increasingly denying citizens the protection of fundamental civil liberties afforded us by the Bill of Rights. While there remain legions of law-enforcement officers devoted to protecting and serving their fellow citizens, the federal government's proffer of powerful, free or almost free, weapons, vehicles, gear, and tactical training is making the allure of becoming an unofficial branch of the armed forces irresistible.

Surely this vast and rapid militarization and federalization of local law enforcement is the very spirit — and likely the letter — of the establishment of a standing army that our Founders and the republican writers who influenced them regarded as “inconsistent with a free government,” “dangerous to liberty,” and a “grand machine of power and oppression.”

Our Founders knew their ancient history, and they recalled the slow but steady transformation of the Praetorian Guard into a standing army that served at the pleasure of a tyrant, a tyrant who could pay them handsomely for their loyalty.

Today, of course, law enforcement aren't directly under the control of the federal authority, and they are not showered with bags of gold coins to keep them loyal. Rather, the Department of Homeland Security uses the lure of millions in federal “aid” to entice cash-strapped local police and sheriffs' offices to join them as “partners” in protecting the homeland from domestic terrorists and from the rise of militant Islamists in America.

A key plank of the Obama administration platform seems to be the conversion of the local police into a fifth branch of the U.S. armed forces. The means of accomplishing this goal is the doling out of millions of dollars from the Department of Homeland Security (DHS) to police departments and sheriffs' offices around the country. Cash-strapped local law enforcement gobbles up the federal “grants,” purchasing military-grade vehicles, weapons, ammunition, and surveillance technology that would make the National Security Agency (NSA) proud.

In exchange for the federal largess, the local police forces and sheriffs' offices increasingly find themselves part of a partnership with the federal government, a partnership that puts them under the indirect command of federal law-enforcement agents and provides them with the awesome arsenal of



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weapons, training, tools, and tanks manufactured originally for use by the armed forces.

Furthermore, as part of the assimilation agreements that are attached to the millions of dollars in federal grant money they take, police will be required to assist in the forcible seizure of weapons. Where once these public servants would have resisted such obvious tyrannical requests, modern police will be powerless to resist, being reduced in many cases to nothing more than local outposts of the massive federal standing army.

From license-plate readers to facial-recognition software, from surveillance cameras to cellphone signal trackers, the Department of Homeland Security is providing police with all the gadgets, hardware, and software necessary to keep everybody under surveillance, without the targeted public ever realizing that it's the Capitol, not the cops, that are behind the monitoring.

Local police who participate in these programs will have access to a shockingly broad array of personal information on citizens. Facial recognition technology, license-plate readers, and stoplight camera video feeds will all be funneled to a Regional Operations Intelligence Center where FBI, police, and DHS agents can watch the live feeds.

Another way 21st-century police forces are being federalized by the co-opting of the cops by the executive branch is through the establishment of fusion centers, which are information-sharing centers designed to promote cooperation and consolidation between federal and local law-enforcement agencies. In July 2013, Representatives Michael McCaul (R-Texas) and Peter King (R-N.Y.) co-authored a report on the progress of the nationwide spread of fusion centers. A press release announcing the report revealed the pair's support for a program that dismantles federalism and accelerates the militarization of local police and the consolidation of control of those departments to the federal government. Ultimately, the federal government will run your local police department and sheriff's office, and as the number of fusion centers grows, the lines between local police officers and federal law enforcement agents will be harder and harder to distinguish.

In fairness, most police chiefs and sheriffs are unaware of any larger, more sinister DHS program to foment riot as a pretext for quelling it. But whether these lawmen realize it or not, when they accept federal gadgets and grants, they are surrendering their independence and their citizens' civil liberties.

Perhaps the most important argument against the federalization of local police departments is that there is not a single syllable of the Constitution authorizing any such federal participation in law enforcement. Heedless of such strictures, self-serving bureaucrats inside the U.S. government are tirelessly trying to obliterate local police forces answerable to local citizens and promote the consolidation movement as a step toward federalization of law enforcement. These proponents of regional and national police forces desire nothing less than the eradication of all local police departments and sheriffs' offices, the surrender of state and municipal sovereignty, and the conversion of police into federal security agents sworn not to protect and to serve their neighbors, but to protect the prerogatives of politicians.

In other words, we are witnessing the conversion of the formerly free police force into the private army of the president, in the spirit of the Praetorian Guard's transformation into a powerful police force tasked with enforcing the decrees of the emperor and facilitating his consolidation of absolute power.



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Local Police vs. Police State

In a free society, police officers are more likely to be viewed as friends whose purpose is “to protect and serve” their fellow citizens. Their numbers are few and their firepower and other means of enforcement are not so immense and intimidating as to cower and overawe the local citizenry, from whom, ultimately, they receive their authority — and their paychecks.

In an authoritarian society such as that of imperial Rome, however, police officers are viewed with fear and suspicion, as befits the agents of a despotic central government vested with the authority and means to deprive the hapless citizenry of life, property, and liberty on a whim.

If the threat of the country’s police becoming a full-fledged, unstoppable, and all-powerful standing army of the sort our forefathers knew to be “dangerous to the Constitution” is to be answered, we, the people, must indeed take our country back. We must not only exercise our right to demand police recognize their responsibility to abide by the law, but we must fiercely resist every attempt to abridge our right to keep and bear arms and keep ourselves ready to defend that right against all enemies.

This starts with learning the lessons our Founders learned from their study of Roman history. The story of the Praetorian Guard and the role they played in preserving, protecting, and defending the power of the dictator — even at the cost of the safety and freedom of the people — is one of the most important and timely of these lessons.

The last word on the danger to liberty posed by a federalized police force goes to Alexander Hamilton, a student of the history of ancient Rome. As Hamilton wrote in *The Federalist, No. 8*:

Safety from external danger, is the most powerful director of national conduct. Even the ardent love of liberty will, after a time, give way to its dictates. The violent destruction of life and property incident to war; the continual effort and alarm attendant on a state of continual danger, will compel nations the most attached to liberty, to resort for repose and security to institutions which have a tendency to destroy their civil and political rights. To be more safe, they, at length, become willing to run the risk of being less free.



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