

### *Consules Populares: L. Valerius Potitus and M. Horatius Barbatus*

L. Valerius Potitus and M. Horatius Barbatus, Roman consuls in 449 BCE, function in Livy's *AUC* as *exempla* (Chaplin *passim*) of fairness and restraint in their effort to reestablish *libertas* in Rome's early republic. Both members of *gentes* associated with plebeian interests, the two are introduced together as opponents of the decemvirs who, commissioned to establish a code of written law, are attempting to continue their extraordinary rule in Rome (3.39). These two senators call for a return to regular consular and tribunician elections, in essence, for restoration of the republic. When they do not gain satisfaction from the decemvirs or their fellow senators, they take their demands directly to the people. In their acknowledgement of the struggles between *optimates* and *populares* (Ungern-Sternberg 92, Lanfranchi 567), these two patrician senators oppose tyranny and support *libertas*; they value judicial fairness over cruel despotism; they respect rights for all Romans, including *provocatio*; but they also remind plebeians that excessive power among any faction or class is not sound government. Although successful as consuls, they refuse to be considered for reelection (3.64). The history of Valerius and Horatius lies at the heart of Livy's first pentad, Book 3, in chapters 39-64. Embedded within the account is a contrasting tale involving the cruel and unjust decemvir, Appius Claudius, and the maiden, Vergenia. Appius' tyrannical behavior through his manipulation of the courts, drives Vergenius to slay his own daughter in order to preserve her threatened chastity. The contrast between Appius and Valerius and Horatius could not be clearer.

Many of the details in Livy's narrative of Valerius and Horatius have been questioned by historians, including those about the Valerio-Horatian laws (e.g., Cornell 276-8). Nonetheless, Livy's portrait of these two *consules populares* (Duplá 283) is significant for its illustration of good leadership in a time of political and judicial turmoil. It is not surprising, then, that the

historian invites his initial readers to think about their own time during his account of Valerius and Horatius. For example, while they are serving as senatorial envoys to the plebeians who have seceded to the Aventine, they ask, *Nunquamne quiescent ciuitas nostra a suppliciis aut partum in plebem Romanam aut plebis in patres?* (3.53). They follow the question with reference to a future when plebeians will outnumber patricians and control the political system, a circumstance familiar to his readers. What Livy thinks of his own era is clear from his Preface (*Moles passim*). In Livy's Rome, *iam pridem praeualentis populi uires se ipsae conficiunt* (4) and the state has for many years witnessed *mali* (5), so that it has reached a point in which *nec uitia nostra nec remedia pati possumus* (9). Livy wrote during a time of great uncertainty. Years of civil strife led to a sole ruler, albeit one who used the language of restoration. Livy's *monumentum* could serve as "an instrument of social and political change" (Feldherr 410) for *princeps* and citizen alike. The consulship of Valerius and Horatius did not resolve the tensions between plebeians and senators. Nevertheless, their actions provided a model for a state in which *imperia legum potentiora quam hominum* (2.1.1). Regardless of Rome's new form of government, this principle of early republicanism was worthy of imitation (Kraus-Woodman 53-56).

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