atque his ipsis temporibus dictator etiam est institutus, decem fere annis post primos consules, T. Larcius, novumque id genus imperii visum est et proximum similitudini regiae; sed tamen omnia summa cum auctoritate a principibus, cedente populo, tenebantur; magnaeque res temporibus illis a fortissimis viris summo imperio praeditis, dictatoribus atque consulibus, belli gerebantur.

And in this very period a dictator was also established, T. Larcius, ten years or so after the first consuls, and this new kind of authority seemed very close indeed to the regal. Nonetheless all this power was controlled by the supreme authority of the nobility, and in those days great things were accomplished in war by powerful men vested with the supreme imperium, dictators and consuls alike.

CIC. *REP.* 2.32.56

3
Origins

The annalistic sources paint the first years of the new Republic as a time of unease and internal conflict.

The ousted king, L. Tarquinius Superbus, leveraged the many friends and connections he had made over a long reign in a dogged effort to recover the Roman monarchy.[1] According to tradition, Tarquin first struck from the north, in alliance with the Etruscan king Lars Porsenna of Clusium. In the initial engagement Rome's liberating hero, L. Iunius Brutus, was locked in single combat with Tarquin's son Arruns; both were killed. Porsenna then besieged and invested Rome, later decamping under circumstances that may have required

1. Traditionally Tarquin ruled twenty-five years, from 534 to 509: Livy 1.60.3 (thirty-five years: Cassiod. *Chron.* 92). Attempts at reasonable historical dating for the Roman kings, particularly Tarquin dynasty: Gjerstad 1962; Gjerstad 1967; Cornell 1995, 121–27; Schultze 1996; Forsythe 2005, 99. Tarquins in period context: Gantz 1975; Cornell 1995, 127–50. Before Brutus locked him out, Tarquin had already imposed his son Sextus, the rapist, as ruler over Gabii as if it were a fiefdom: Dion. Hal. 4.58.4, 4.85.4; Livy 1.54.1–10, 1.60.2–3.

papering over with face-saving legend.[2] With Porsenna withdrawn, Tarquin turned to his son-in-law, Octavius Mamilius of Tusculum, and set about raising all Latium against Rome; these efforts climaxed with Rome pitted against a broad Latin alliance at the battle of Lake Regillus. Meanwhile, the Sabines and the Aurunci attacked the war-beleaguered city in between sieges; the Sabines were crushed for a time, but one account of the Aurunci campaign had Rome momentarily defeated and a consul severely wounded before the Romans rallied and razed their city.[3]

More dangerous still to the fledgling Republic were the factions and cabals festering within. Brutus' extracting of an oath from the Romans never to suffer another to rule over them, presented in Livy as a proud manifestation of the dawning era of newfound liberty, carries an undercurrent of fear on the revolutionaries' part of a lurking affinity for Tarquin and the kings.[4] Nor had exiling Tarquin's clan, the consul L. Tarquinius Collatinus included, purged Rome of monarchist sentiment, as Brutus discovered to his horror when his own sons were implicated in a pro-Tarquin plot and sentenced to public scourging and execution.[5] Brutus dying in battle was a further blow, and without his stabilizing presence fears proliferated that the remaining consul, P. Valerius Poplicola, might seek despotic power now that he stood alone. Valerius was said to have allayed this tension with a slate of reforms firmly circumscribing the consuls' powers and guaranteeing the right of appeal to the people against any magistrate's judgment, converting him instantly from a focus of democratic anxiety to populist hero.[6]

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2. Death of Brutus in single combat with Arruns Tarquinius: Livy 2.6.6–10; Dion. Hal. 5.15.1–2; Gantz 1975, 546–48. Porsenna's siege of Rome: Livy 2.9–14; Dion. Hal. 5.21–34; Verg. *Aen.* 8.648–52; Plut. *Publ.* 16–19. Tradition had Porsenna withdrawing only after putative assassin C. Mucius (surnamed Scaevola, or "Left-Handed") supposedly roasted his right hand in Porsenna's presence, impressing him with the determination of Roman youth: Livy 2.12.1–13.1; Dion. Hal. 5.27–35; Plut. *Publ.* 17. As with the Sack of 390, a different tradition had Rome forced to pay Porsenna's ransom: Tac. *Hist.* 3.72; Momigliano 1989, 93–94. The two takings of Rome are yoked at Livy 6.40.17, and cf. 26.41.9–10. Porsenna: Gjerstad 1969.
3. Mamilius Octavius: Livy 2.15.7, cf. 1.49.9, 2.19–20; Dion. Hal. 4.45.1, 5.23.4, 5.50.1, 5.61.3, 6.4–13. Sabines and Aurunci: Livy 2.16–17; Dion. Hal. 5.37–39 (sans setback).
4. Dawn of liberty: Livy 2.1.1. (Dionysius simply stated that aristocracy had replaced monarchy: Dion. Hal. 5.1.2.) Oath: Livy 2.1.9; Dion. Hal. 5.1.3; Robbins 1972, 11.
5. Tarquin and sons banned and exiled by Brutus: Livy 1.60.2; Dion. Hal. 4.85.4. Collatinus' disgrace and removal: Livy 2.2.10–11; Dion. Hal. 5.10–12; Cic. *Off.* 3.10.40; Plut. *Publ.* 7.4. Brutus exiling *omnes Tarquiniae gentis*: Livy 2.2.11; cf. the seizure of Tarquin land, Dion. Hal. 5.13.2; Plut. *Publ.* 8.1. Tarquinian conspiracy: Livy 2.3–5; Dion. Hal. 5.6–13; Plut. *Publ.* 3–7; Oros. 2.5.2.
6. Valerian reforms: Livy 2.7.5–2.8.3; Dion. Hal. 5.19.1–5, 5.70.2; Plut. *Publ.* 10.5–12.3. The consuls' abilities hitherto had been, in theory, a simple inheritance of the kings' power, with the addition of annual terms, a colleague (only one of whom was to bear the fasces), and the separation of the king's

Into this time of outward threat and inward turmoil and mistrust was born that most peculiar office, the dictatorship.

For the Romans, there was no question that the dictatorship emerged in the earliest years of the nascent Republic and was a product of its earliest struggles.[7] Though divided on the exact year, Roman tradition is adamant on the placement of the first dictatorship roughly ten years after Tarquin's deposing;[8] Dionysius pegged it to the 70th Olympiad (500–497 BCE).[9] The dictatorship appears in the record before censors, plebeian tribunes, and even praetors, as later Romans understood the term.[10]

Our best sources for the early Republic were written centuries later and in different times, and for this reason secondary discussion of events and individuals associated with the early Republic has ranged from cautious optimism to near-blanket dismissal.[11] Still, scholars broadly skeptical of early narrative evidence have considered "beyond cavil" that the capture of Veii in 396 was achieved under the command of a famous dictator, M. Furius Camillus.[12] From Veii we can regress further. For the Romans, the Battle of Lake Regillus a century earlier[13] was a pivotal event that secured Rome's freedom in the fraught

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religious authority onto the rex sacrorum: Livy 2.1.8, 2.2.1; Dion. Hal. 5.2.1; Cornell 1995, 232–36; Richardson 2008.

7. What the Roman Republic looked like ca. 500 is much debated. In particular, a significant component of modern scholarship casts doubt on the existence of consuls and praetors in this earliest period. Drogula 2017 argues for the domination of priests and minor officials within Rome and the clans without, leading to the emergence of plebeian tribunes within and consuls leveraging the clans' power without. In such a scenario a temporary unifying figure like a dictator to solve a crisis that affects both city and estates is particularly attractive, but we are limited by the evidence to speculation. In this study the Roman perception of the operation of the dictatorship is emphasized; though the evidence for this is more accessible, it must be remembered that there is a dissonance of significant but unknown breadth between Roman depictions of the early Republic and actual systems and events.
8. *decem fere annis post primos consules*: Cic. *Rep.* 2.32.56. In annalistic narrative: Livy 2.18.3–11; Dion. Hal. 5.70–77; Oros. 2.5.4; Zon. 7.13–14. Cf. Varro in Macrob. *Sat.* 1.8.1. *nono anno post reges exactos*: Eutr. 1.12.1; similarly Jer. *Chron.*, s.v. 69th Olympiad. Ὅτι ἐνάτῳ τῆς ἐλευθερίας ἐνιαυτῷ: Ioann. Antioch. *ap.* 32 (Mariev 2008, 42).
9. Dion. Hal. 5.50.1, 5.75.2. Cf. Jer. *Chron.*, s.v. 69th Olympiad. Dating the Olympiads: Christesen 2005; Christesen 2009.
10. Censors: split off from the consuls in 443, Livy 4.8.2–7. The *CAH* suggested the censors of 443 were consuls kept on for the census, meaning the first true censors were those of 435: Drummond 1989, 197. See Cram 1940; Suolahti 1963; Astin 1982.—Plebeian tribunes: first appointed in 493, Livy 2.33.2; Dion. Hal. 6.89.1–4; see Ridley 1968.—Praetors: on their middle-Republic emergence see Brennan 2000.
11. Notable in this respect is the caution of Forsythe 2005 as a deliberate response to Cornell 1995.
12. Drummond 1989, 191.
13. In 499: Livy 2.19–20. In 496: Val. Ant. 21.3, 22.4; Livy 2.21.3–4 (acknowledging, characteristically, the alternate tradition); Dion. Hal. 6.2.3. Historians either pick one or accept ambiguity: "the battle at Lake Regillus of either 499 . . . or 496" (Forsythe 2005, 149, 185); similarly Hayne 1981, 64; Oakley

years following the casting out of the kings, and it left behind two lasting and concrete legacies: the Cassian Treaty, considered by later Romans to be the foundation for all subsequent relations with the Latins; and the temple of Castor and Pollux, centerpiece of the Roman Forum and a durable, physical symbol of Republican institutions in rhetoric and coinage.[14] The fine details of the battle and the embedded dynastic drama of the Tarquins were no doubt embellished by the time they came to be told by Livy and Dionysius,[15] but the core events—the war, the dedication of the temple, and the treaty—were "real enough" and had tangible impact on succeeding events.[16] The names of the participants on both sides were handed down across generations as with an epic, and at the top of that list was always A. Postumius Albus Regillensis: dictator, by all accounts, and not the first.[17]

More important than the historicity of the early dictatorships is the certainty with which later Romans bound the office's genesis to that of the Republic itself. The Romans saw the dictatorship as intrinsic to the early Republic, developing with it and establishing its own nature and role in the larger systems within which it emerged. The stories of the three earliest dictatorships in particular are tales in which the purpose, function, and limitations of the office were definitively established for succeeding generations. In their depictions of the iron precedents firmly laid down by these three primordial officeholders, the Romans of later times defined both the end and the means of the archaic dictatorship.

1993, 10. Hartfield (1982, 315) inclined toward 496 as closer to events immediately postdating the conflict: the temple of Castor dedicated, two tribes added, and the Cassian treaty, all ca. 495–493. See Ogilvie 1970, 286 on the passage in Livy. In Dionysius the first dictatorship is in Larcius' second consulship in 498, so Lake Regillus must come after (in 496).

14. *Foedus Cassianum*: Livy 2.33.4; Dion. Hal. 6.95.2 detailed the terms (see Alföldi 1968, 114 and n.1); Cornell 1995, 293, 299–301. The text, engraved on a bronze column in archaic language, was still on display in Cicero's time, not far from the Lapis Niger: Cic. *Balb.* 23.53; Forsythe 2005, 187.—*Aedes Castorum*: Livy 2.20.12, 2.42.5; Dion. Hal. 6.13.4; Forsythe 1994, 258–64; Cornell 1995, 293–94; Forsythe 2005, 186; Rebeggiani 2013, 54–57. Original shrine dated to the early fifth century: Nielsen and Gronne 1990, 99, 116.
15. Reliability of events around Regillus in sources: Cornell 1995, 216–23; Forsythe 2005, 185–86.
16. Cornell 1995, 294.
17. Passing down of names: Ogilvie 1970, 285–86, 577; Cornell 1995, 307. Postumius as dictator at Regillus: Cic. *Nat.D.* 2.2.6; Livy 2.19.3, 2.21.3; Dion. Hal. 6.2.3; Val. Max. 1.8.1, 2.7.6; Plin. *HN* 33.11.38; Tac. *Ann.* 2.49; Flor. 1.11.2. Not the first (κατὰ τὸν αὐτὸν τρόπον τῷ προτέρῳ δικτάτορι): Dion. Hal. 6.2.3.

The Identity of the First Dictator

Who the first dictator was, and when he assumed this unprecedented office, was a matter of some confusion even to the ancients. By Livy's day neither the exact year nor the individual appointed was a matter on which authorities agreed.[18] Livy named two possibilities. The less likely was an otherwise unknown M'. Valerius, son of M. Valerius Volusus (*cos.* 505) and Poplicola's nephew; this tradition also surfaced in Festus but is now nowhere else attested.[19] Livy preferred the candidate who appears without alternative in all other accounts, T. Larcius (*cos.* 501, 498).[20]

Choosing Larcius opens a replacement ambiguity. Most Livy manuscripts give "T. Largius" at 2.18.1 and 2.18.5 (for his dictatorship) and at 2.29.8 and 2.30.1 (during the debate over a failed levy in 494). The consular list in Cassiodorus, in a section reduced from an epitome of Livy,[21] has "T. Largus" under 501 and 498.[22] Some modern editions of Livy have corrected these mentions to "Larcius"; others, citing the agreement of the manuscripts and the corroboration of Cassiodorus, retain the g-form.[23] Yet on his leaving his second consulship, the extant Livy manuscripts give "T. Larcius";[24] and renderings in other sources, notably Dionysius, are almost always "Larcius."[25] Livy's manuscripts also give

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18. *sed* [*nec quo anno,*] *nec quibus consulibus, quia ex factione Tarquiniana essent—id quoque enim traditur—, parum creditum sit, nec quis primum dictator creatus sit, satis constat*: Livy 2.18.4. The phrase *nec quo anno* is present in some but not all extant manuscripts, and is included variously by modern editions. Omitted: Madvig and Ussing 1873; Conway and Walters 1914 (variants noted). Included: Foster 1919.
19. Livy 2.18.3–7; Festus, s.v. *optima lex*, 216L. Hartfield chalked this up to either Valerian manipulation of their family records, confusion with M'. Valerius Maximus (#3,494), or both: Hartfield 1982, 313.
20. First dictator was Larcius: Cic. *Rep.* 2.32.56; Livy 2.18.6; Dion. Hal. 5.73.1, 6.19.1; Varro *ap.* Macrob. *Sat.* 1.8.1; Eutr. 1.12.2; Jer. *Chron.*; Cassiod. *Chron.*; Ioann. Antioch. *ap.* 32 (Mariev 2008, 42); Zon. 7.14.1; Suda, s.v. ἵππαρχος.
21. Sources for *Chronica:* Klaassen 2010, 111–214. The other main source for Cassiodorius, Aufidius Bassus, began later. "Largus" also in Jer. *Chron.*, s.v. 69th Olympiad.
22. The G was not present in the late sixth- or early fifth-century writing, emerging sometime in the third century with popularization attributed to Sp. Carvilius Ruga ca. 231 (Plut. *Quaest. Rom.* 54, 59; Ter. Scaur. *Orth.* 15.16K; but see Mommsen 1850b, 32–33; Hempl 1899, 29–35; Wachter 1987, 324–33). Thus the name would have been spelled "Larcius" even if, analogously to Gaius, it was pronounced as with *largius* (neuter comparative of *largus* "abundant"), otherwise a likely source of orthographic confusion.
23. Corrected: e.g., Madvig and Ussing 1873. Retained, with explanation: Conway and Walters 1914; Foster 1919.
24. Livy 2.21.1. Per the edition notes in Conway and Walters, most mss. give "Larcius" here; "Lartius" and "Largius" are small minority returns. Cassiod. *Chron.* has "Largus," as noted.
25. Dion. Hal. 5.50.1 and consistently thenceforward gives Τίτος Λάρκιος; likewise Cic. *Rep.* 2.32.56; Zon. 7.13–14. Τίτος Λευκίος: Ioann. Antioch. *ap.* 32 (Mariev 2008, 42).

his brother, Sp. Larcius (*cos.* 506, 490), consistently thus; likewise Dionysius.[26] The family name then vanishes from the magisterial lists,[27] limiting the relevant population to Sp. and T. Larcius, both so rendered outside the four anomalous incidences noted.

As with the Battle of Lake Regillus, the date is subject to competing traditions. Larcius was believed to have been consul twice in those early years, in 501 with P. Cominius Auruncus and in 498 with Q. Cloelius Siculus. Accounts agree that he was a sitting consul on his accession to the dictatorship, but in which consulship this might have occurred was unclear.[28] There is little to aid us in fixing on one over the other, and though it affects the branching rivulets of Rome's interactions with its neighbors in the years leading up to Regillus the choice does not have a significant impact on the attributes of the office associated with its first instantiation.

The Account in Livy

Livy's account of the origin of the dictatorship is terse.

> Eo anno Romae, cum per ludos ab Sabinorum iuventute per lasciviam scorta raperentur, concursu hominum rixa ac prope proelium fuit, parvaque ex re ad rebellionem spectare videbatur. Supra belli Sabini metum id quoque accesserat quod triginta iam coniurasse populos concitante Octavio Mamilio satis constabat. In hac tantarum exspectatione rerum sollicita civitate, dictatoris primum creandi mentio orta.

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26. Livy 2.10.6 and 2.11.7, with stray minority entries "Lartium" and "Largium" as at 2.21.1. Cassiod. *Chron.* has "Sp. Largus." Dionysius: Σπόριος Λάρκιος at 5.22.5, 5.23.2, 5.24.1, 5.26.4, 5.36.1, 5.39.2; Σπόριος Λάρκιος Φλαύιος, 7.68.1.—Spurius as Titus' brother: Dion. Hal. 5.75.4.
27. An L. Lartius may have been an aedile ca. 73 (*MRR* 2.114), and a Largius (or Larcius or Lartius) Licinus, of praetorian rank and legate to nearer Spain in the mid-first century CE, appears in Plin. *HN* 19.11.35; Plin. *Ep.* 2.14.9, 3.5.17; Gell. *NA* 17.1.1. See McElderry 1918, 54–55; Syme 1969, 215–16, 226–27.
28. In 501: Livy 2.18.4, 2.21.4; Eutr. 1.12.1. In 498: Dion. Hal. 5.72.3; Zon. 7.14. Varro (in Macrob. *Sat.* 1.8.1) had the dictator dedicating the temple of Saturn, which per Livy took place in 497 (2.21.1). As noted above, the date preferred for the Larcian dictatorship is affected by the possible dates for Regillus. Some later sources seem to have conflated the first two dictatorships (e.g., Zon. 7.13, giving the Latin war to Larcius), which may help explain the conflicting dating for the battle: Drummond 1989, 192n54; Rebeggiani 2013, 54.—For an attempt at a schematic arrangement of key early events in the annalistic historians, and a taste of the difficulties and debates involved: Holloway 2012.

> In this year at Rome, as a result of prostitutes being wantonly carried off during the games by Sabine youths, a gathering of men came to blows and were on the verge of armed battle, and it seemed a renewal of war might emerge out of this insignificant matter. On top of the Sabine conflict, dread had also been developing[29] on account of widespread reports that Octavius Mamilius had been lately agitating the peoples of the thirty cities into an alliance. With the state disturbed in anticipation of such great matters, talk arose for the first time that a dictator should be appointed. (Livy 2.18.2–4)

Two catalysts are reported: possible *rebellio* by the recently crippled Sabines[30] and rumors of agitation toward a potential Latin alliance under Tarquin's son-in-law Mamilius, efforts that did not come to war until the following year at the earliest.[31] The minor and inchoate Sabine threat and the rumors of a possible alliance both seem head-scratchingly trivial (*parva res*). In the account, however, it was not these developments per se that brought about the dictatorship, as Livy took pains to make clear, but the mounting public anxiety they incited on top of years of strain from war, sedition, and rancor. Livy's narration dwelt on the mood of the city at every turn: the dread (*metum*), the state being disturbed (*sollicita*), and the uncertain anticipation of imminent trouble (*tantarum expectatione rerum*) afflicting the city all evince a collective state of agitation and alarm, in reaction to which the first dictator was appointed.[32]

The way the option of dictatorship developed passively and at large (*mentio orta*), taking hold in the faceless Roman populace generally rather than through the expected process of proposal and response, is of a piece with the disturbed state of the communal psyche. *Mentio orta* itself also carries a sense of "it was

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29. Grammatically *metus* goes with *supra* (i.e., "on top of the anxiety over the Sabine conflict"), but it is followed by *id quoque accesserat* ("it was aggravated as well"), and the "it," given especially the repeated reference to unease in the following sentence (*tantarum*), refers to the general state of anxiety, fostered by the Sabine disruption and heightened by rumors of Latin alliance. (Conway and Walters 1914 flagged *supra belli Latini metum* as a possible marginal gloss, including it in the text but in square brackets.)
30. The Sabines were thoroughly and lastingly crushed three years prior: Livy 2.16.6 (*dein proelio adflixissent opes hostium ut diu nihil inde rebellionis timeri posset*). The irony of trouble caused by Sabines carrying off Roman women was surely not lost on Livy.
31. In the conflict that led to Regillus. In Dionysius an alliance indeed formed during the second Larcian consulship, before he was named dictator (5.61.3, list included).
32. In Livy *sollicitus* "disturbed, troubled, anxious" can flag a mood anticipating potential coming hardship and sometimes consideration of special measures in aversion, as here. Not long before this, for example, *sollicitus* had described the anxious climate that prompted Brutus to exile the consul L. Tarquinius Collatinus (2.2.4). Cf. e.g., Livy 1.16.5, 10.11.9, 10.31.8, 24.31.5, 44.3.5. On public anxiety as an instigation for the dictatorship see ch. 6.

suggested"; as with the passage described below Livy was summarizing events without knowledge of the actors involved. Consequently *mentio orta* may stand for a proposal by an unknown magistrate or senator that a dictator be appointed. But the tenor of this passage is of collective anxiety, and that talk arose of a dictator was positioned here as being consequent to a general sense that there was a need to redress the current sense of jeopardy to safety and security; the dictatorship, whether talked of at first among the people or proposed by some unnamed individual, followed from that shared anticipation of a means of resolution, as Livy understood it. A man would be chosen to act as an agent of the people's need, a temporary Hercules whose labor was to make Rome safe again.

Livy's notice of the appointment itself followed.

> Apud veterrimos tamen auctores T. Largium dictatorem primum, Sp. Cassium magistrum equitum creatos invenio. Consulares legere; ita lex iubebat de dictatore creando lata.
>
> Among the oldest writers, however, I find that T. Largius was made the first dictator, and Sp. Cassius magister equitum. They chose men of consular rank;[33] for so directed the law that had been passed concerning a dictator being created.[34] (Livy 2.18.5)

In contrast to Dionysius, whose version of these events will be discussed momentarily, Livy did not note how Larcius and Cassius were chosen or by whom, nor the means by which they took office, though the juxtaposition of the magister equitum's appointment with the dictator's—characteristic of later notices—suggests that the appointments took place together or in close succession. The passage provides criteria for selection of both men, though that element has a troublesome legacy. Livy actively avoided the explicit and the active in his first-dictator account, perhaps because of sparse and conflicting informa-

33. Though *legere* "they chose" is third-person plural indicative active, there is no indication of subject other than that it allies with the unstated agents of *creatos* "were made." It is certainly not the senate. If it is specific, it is the consuls, one choosing the other. But given Livy's tendencies this is more likely a nonspecific subject, amounting to a passive construction (the subject being something like "the Romans of the time"). Another generic plural subject follows in the subjunctive (*legissent* "they would have chosen," 2.18.7). Cassius had been consul in 502.

34. *Ita* here could merely be sequential: "They chose consuls, and so a law of creation was passed." This ignores the object of *lex iubebat* ("the law commanded"), however, the referent for which can only be *ita* ("thus"): "The law . . . commanded thus" (that consulars were chosen). Moreover, logically the selection must be consequent to the law.

tion in his sources;[35] the details that a lex de dictatore creando had been passed and directed that dictator and magister equitum be consulars are the most specific elements of his two-hundred-word origin story. The problem is that unless the fasti for the fifth, fourth, and third centuries as they have come down to us are catastrophically wrong—which is, of course, possible—many later men served as dictators who were not previously consuls, starting with the third dictator in 494 and continuing well into the third century.[36] Inserting a law attaching the dictatorship to the consular class, and therefore the patricians, would be consonant with Livy's regression of middle and late Republican class conflicts and *cursus honorum* into the early Republic.[37] The archaic dictatorship's long history shows it to have been an office consistently shaped not by constitutional legislation but by precedents accrued and reinforced through deliberate iteration.

If there was a law passed prefatory to the appointment stipulating that the first dictator and magister equitum be consulars, the subsequent record tells us it bore on that appointment alone and was not carried forward or repeated.[38] Certainly there are no further references to this law beyond the Larcian dictatorship; and, as stated, there followed many nonconsular dictators and magistri equitum.

The remaining aspect of the dictatorship Livy chose to emphasize in his brief origin story was the office's power, not because Larcius exerted it forcefully but because its nature was latently intimidating in a way that in itself helped to resolve this and other crises.

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35. Livy 2.18.4.

36. Valerius not a consular: Livy 2.29–30; Dion. Hal. 6.38–39. Dictators not recorded as having been consul or consular tribune before their first dictatorship, per consular lists present in annalistic historians and fasti (per *MRR* and other sources): M'. Valerius Maximus (#3,494), Q. Servilius Priscus Fidenas (#7,435), P. Cornelius Rutilus Cossus (#12,408); L. Manlius Capitolinus Imperiosus (#21,363), Ap. Claudius Crassus Inregillensis (#22,362), T. Manlius Imperiosus Torquatus (#27,353), C. Iulius Iullus (#28,352), L. Furius Camillus (#30,350), L. Papirius Crassus (#36,340), C. Claudius Inregillensis (#38,337), P. Cornelius Rufinus (#40,334), M. Papirius Crassus (#41,332), Cn. Quinctius Capitolinus (#42,331), Q. Fabius Ambustus (#46,321), M. Aemilius Papus (#47,321), C. Poetelius Libo Visolus (#54,313), Q. Hortensius (#60,287?), M. Aemilius Barbula (#61,285?), M. Claudius Glicia (#67,249). Had not been consul but had been magister equitum: A. Postumius Tubertus (#9,431). After Glicia's scandalous appointment there possibly was an understanding dictators should be consulars (ch. 5), but given the accrued importance of the consular prerogative in selecting dictators by that time it would not have been formalized in binding legislation.

37. Mommsen set the restriction "among the falsifications" introduced on the story of the earlier dictatorship that derived from later practice, noting that the restriction did not conform with the freedom of action normally available to magistrates with the power to appoint officials (*RS* 2.129). Likewise Magdelain 1968, who saw such establishing laws as the one apparently cited in Livy 2.18.5 as an imposition on the past by the more legalistic late Republic.

38. Dementieva 2001 argued that a law likely existed, but that despite various efforts by scholars its content could not be reconstructed.

> Creato dictatore primum Romae, postquam praeferri secures uiderunt, magnus plebem metus incessit ut intentiores essent ad dicto parendum; neque enim ut in consulibus qui pari potestate essent, alterius auxilium neque prouocatio erat neque ullum usquam nisi in cura parendi auxilium. Sabinis etiam creatus Romae dictator eo magis quod propter se creatum crediderant, metum incussit. Itaque legatos de pace mittunt.
>
> With a dictator created at Rome for the first time, after they saw the axes borne before him a great dread fell upon the plebs, so that they were more intent on his commands being obeyed; for there was no recourse to be had from a colleague, as with the consuls who held equal power, nor from a right of appeal, nor from anything anywhere except careful obedience. Among the Sabines as well the dictator created at Rome instilled dread, as they believed he had been appointed to deal with them. Accordingly they sent messengers of peace. (Livy 2.18.8–10)

The axes bundled into the lictor's rods represented a magistrate's capital power over citizens; for Livy these were closely bound up with the right of appeal (provocatio), which during this period he saw as impinging on consuls but not on dictators.[39] Within the pomerium axes were no longer carried in the lictors' rods as they had been under the kings, a visible sign of the circumscription of the consuls under the anti-oppression leges Valeriae, which in Livy had specified the right of appeal.[40]

Critically, this passage shows that a dictator's fearsomeness did not lie in having more power than a consul. In one sense a dictator and a consul had the same authority to act: namely, imperium, the capacity to compel a citizen, inherited from the monarchs' executive authority; but a consul's was fettered by the existence of an equal (intercessio collegae) and the citizen's right of appeal (provocatio), which also removed a consul's capital power within city bounds. The phrase *neque ullum usquam* also implies more intangible inhibitions on a consul's authority, such as the opprobrium of the senate, intercession by the plebeian tri-

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39. Axes and appeal: e.g., Livy 3.36.4. The distinction is that magistrates performed scourging and beheading via their lictors' fasces, but a failed appeal to the people would involve another means of execution, such as casting from the Tarpeian Rock; so the axes represented the particular capital power of magistrates, just as the rods represented their corporal power. Rods and axes, provocatio: ch. 9.

40. No axes within the pomerium: Dion. Hal. 5.75.2; Plut. *Publ.* 10.2, 10.5. Right of appeal: Livy 2.8.2.

bunes, precedents established by previous consuls, and so on.[41] The consuls' authority was so patently debilitated that replacing them with a dictator begat awed docility. Uncircumscribed imperium complete with axes was a distinctly Roman exertion of authority, and the presence of axes in the city a distinctly Roman fear. What resulted from the appointment of Larcius was the implementation of an office shaped by characteristically Roman conceptions of power.

The Account in Dionysius

The tale in Dionysius differs on several counts. He placed Larcius' accession in his second consulship rather than his first, with the different colleague entailed thereby; his more elaborate account also gave a different incitement to the creation of the office and added numerous details not hinted at in Livy. What is remarkable, then, is how closely the Dionysian version hews to the nature and function of the office as more briefly sketched by his Roman counterpart.

In this account the Latin hostility was more advanced. The consul Larcius was undertaking a successful war against Fidenae that had in turn directly incited a Latin alliance under Mamilius and Sextus Tarquinius; his colleague Cloelius retained an army at Rome to guard against potential sedition. The Latins accused Rome of allowing an Etruscan army free passage to attack the Latin city of Aricia, demanding submission before a Latin council; with the Latins now allied against them, Rome refused, accepting war. At this point, however, the poor and indebted among the plebeians refused to levy without sweeping debt remission and anti-nexum (debt-slavery) legislation, throwing the senate into a contentious divide over the choice between debt relief and punitive measures for those refusing to enroll.[42]

> ἐν τοιαύτῃ δὴ καταστάσει τῶν κοινῶν ὑπαρχόντων σκοποῦσα ἡ βουλή, δι᾽ οὗ μάλιστα διαπράξεται τρόπου μηθὲν ἔτι νεωτερίσαι τοὺς δημοτικούς, ἔκρινε τὴν μὲν ὑπατικὴν ἐξουσίαν ἀνελεῖν κατὰ τὸ παρόν, ἑτέραν δέ τινα ἀρχὴν ἀποδεῖξαι πολέμου τε καὶ εἰρήνης καὶ παντὸς ἄλλου πράγματος κυρίαν, αὐτοκράτορα καὶ ἀνυπεύθυνον, ὧν ἂν βουλεύσηται καὶ πράξῃ. χρόνου δ᾽ εἶναι μέτρον τῇ νέᾳ ἀρχῇ μῆνας ἕξ, μετὰ δὲ τὴν ἑξάμηνον αὖθις ἄρχειν τοὺς ὑπάτους.

41. Imperium vs. potestas: ch. 8.
42. Dion. Hal. 5.59–63. Role of nexum, labor debt in early Republic, worsened by post-Veii thinning of labor pool: Bernard 2016.

> With public affairs being in such a condition, the senate, looking for a measure that would most effectively bring about the prevention of further uprisings by the populace, resolved to abolish consular power for the present and instead create an alternative office with mastery over war and peace and all other matters, without a colleague and unaccountable whether for his counsels or his deeds.[43] The term of the new office would be six months, after which period governance would return to the consuls. (Dion. Hal. 5.70.1–2)

According to Dionysius, what most infuriated the conservative wing of the senate were the recent inhibitions placed on the consulship, which prevented the executive from exercising the authority necessary to ensure order. Displacing the tainted consulship with a magistrate who would be allowed to act with impunity offered an expedient means of bending the poor to their will.

Though in his version the senate reserved for themselves the right to select the dictator, Dionysius did not depict the actual nomination playing out that way. What was wanted, the senate determined, was someone vigorous, experienced in war, prudent, and implacable. The senators quickly saw that these criteria described no one better than the consul Larcius; nominating Larcius would, however, embarrass Cloelius. It was also unclear by what authority the dictator could be legally appointed; such authority would have to have religious sanction that would withstand the augurs' scrutiny, as the later history of the dictatorship makes clear. It was therefore proposed that one of the consuls, chosen by mutual consent or recourse to the lot, should determine who among all Romans was best suited to rule.[44] The motion passed, and the next day Cloelius stood before the senate and, "in accordance with the practice of the interreges," nominated Larcius, who stood down from his consulship to take up the dictatorship.[45]

The "practice of the interreges" referenced the interreges' responsibility, observed in Dionysius' account of the nomination of Numa to succeed Romulus, to appoint "the best man" (τὸν ἄριστον ἄνδρα) as part of a three-sided process for ensuring that Rome installed the right king: nomination by the interrex; the granting of imperium from the comitia curiata; and religious vali-

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43. Αὐτοκράτορα, sometimes translated "possessed of absolute power" (e.g., Cary 1937), here emphasized his standing alone and immune from collegial intercessio, not what is usually meant by "absolute power"; ἀνυπεύθυνον likewise underlined his immunity from provocatio.
44. Dion. Hal. 5.71.1–3. Consuls delegating executive authority: ch. 6.
45. ὥσπερ εἰώθεσαν ποιεῖν οἱ μεσοβασιλεῖς: Dion. Hal. 5.72.3.

dation by the augurs.[46] In the story of Larcius and his nomination, therefore, the precedent now being established was for the appointing consul to bear full and solemn responsibility for choosing "the best man"—here meaning that man who possessed, to the greatest degree, the qualities needed to meet the present crisis.

The senate shrinking from preferring one consul over the other might amount to spurious melodrama, but the reasoning behind the consular prerogative was well dramatized. Elections, whether among a mob of senators or the citizenry in assembly, involved personal politics and the vagaries of collective electoral decision-making, with many extraneous factors potentially hindering the selection of the ideal choice. The onus to choose the needed man would be most keenly felt by one person alone; and crucially, as will be seen later, selection by a consul allowed for a solitary predawn vigil to commune with the gods on his choice and seek their guidance. For Dionysius, Cloelius appointing his colleague dictator was indeed accomplished in the way interreges had chosen the kings: once the senate had thrashed out its collective opinion that a dictator was called for, it was Cloelius who made the choice, and on merit alone, followed by the comitia curiata's grant of imperium and augural validation of the consular vigil. This was the model for all future dictatorships.

Though he lambasted the Romans for creating such an office, as discussed in the previous chapter, Dionysius had only respect for Larcius' conduct in it. The dictator's first action was to appoint a magister equitum, a custom the historian observed persisted for every subsequent officeholder.[47] He established that his lictors should carry axes in their rods in the city, reviving a kingly custom ended by Poplicola; he then conducted a levy without difficulty, enrolling four divisions under himself, his consular brother, the magister equitum Cassius, and the consul Cloelius.[48] Arraying his army to meet the forces under Sextus Tarquinius and Mamilius, who were mustering at Tusculum and preparing to march on Rome, he also secretly sent emissaries to various Latin towns not firmly committed to the alliance. In the end no battle took place (which at least accords with Livy): the dictator's treatment of a captured raiding party,

46. Dion. Hal. 2.58.3, 2.60.3. These three stages were mirrored with the dictatorship. Conflicting origin accounts of the interrex during regal period: Cic. *Rep.* 2.13.25, 2.17.31; Livy 1.17.5–11, 1.22.1–2; Dion. Hal. 2.57.1–3, 3.1.1, 3.36.1, 3.46.1, 4.10.5, 4.31.2, 4.40.2, 4.75.1, 4.80.2; Plut. *Numa* 2.6–7. The separate vote of imperium was attributed to Numa: Plut. *Numa* 7.1–2, presented there as Numa desiring ratification by the gods.
47. Dion. Hal. 5.75.2. Exception: Buteo, ch. 11.
48. Dion. Hal. 5.75.2–4.

whom he ordered doctored and sent home without ransom, spurred a round of talks that resulted in a year's truce and the disbanding of both armies.[49] The implication was that the man's honorable handling of the captives, combined with his covert diplomacy in advance of the coming battle, deflected war—though Dionysius had observed that some of the allies may have been dragging their feet to the muster, and that this or troubling auspices had delayed the Latins' march.[50]

What happened next was, for Dionysius, the most singular turn in these events: with the crisis now resolved, Larcius voluntarily forswore his tyranny.[51] By his laudable example of authority employed honorably and resignation on resolution of his crisis, Larcius, according to Dionysius, established a set of precedents that endured for more than three hundred years. The attributes of virtue and duty pointedly attributed to the first dictator are palpably present throughout the stories of the dictators from Regillus to Zama. Without them, as Dionysius noted, the dictatorship would swiftly have become a detriment to Rome, rather than the durable and useful tool it proved itself to be.

continue on next page

49. Dion. Hal. 5.76.4.
50. Dion. Hal. 5.76.3.
51. Dion. Hal. 5.77.1–6. See ch. 2.

The Second Dictator: The Hero of Lake Regillus

A. Postumius Albus Regillensis was the original dictator-hero. His victory, accomplished with the attested collaboration of Castor and Pollux, not only cemented Rome's dominant position in Latium but also served as a final rejection of the Tarquins and therefore as confirmation of Republican liberty.[83]

In Livy the action begins with Postumius and his magister equitum T. Aebutius Helva already in office and ends with their return and triumph. Neither the Romans' motivation for choosing a dictator against the Tarquinian-Latin alliance, how or why Postumius was chosen, nor how exactly he departed the office were included. Livy placed the battle in the consulship of Aebutius and C. Veturius Geminus Cicurinus (499 by the Varronian calendar), with the curious result of a dictator who was not yet consul with a consular magister equitum.[84]

The Dionysian version was situated in 496, making Postumius, like Larcius, a sitting consul.

> ἁπάντων δὲ τὴν αὐτὴν γνώμην λαβόντων, ὅτι μιᾶς δεῖ πάλιν τοῖς πράγμασιν ἐφειμένης ἅπαντα διοικεῖν κατὰ τὸν αὑτῆς λογισμὸν ἀνυπευθύνου ἀρχῆς, δικτάτωρ ἀποδείκνυται τῶν ὑπάτων ὁ νεώτερος Αὖλος Ποστόμιος ὑπὸ τοῦ συνάρχοντος Οὐεργινίου: ἱππάρχην δ᾽ αὐτὸς ἑαυτῷ προσείλετο κατὰ τὸν αὐτὸν τρόπον τῷ προτέρῳ δικτάτορι Τῖτον Αἰβούτιον Ἔλβαν.
>
> And since all men had come to the same conclusion, that the situation once more called for a single magistrate free to deal with all matters according to his own judgment and subject to no accounting for his actions, Aulus Postumius,

83. Postumius as dictator: Livy 2.19–20; Dion. Hal. 6.2–22; Plin. *HN* 33.11.38; Tac. *Ann.* 2.49; Plut. *Cor.* 3.2; Flor. 1.11.2–4. Theophany of Castor and Pollux: Cic. *Nat.D.* 2.2.6, 3.5.12–13; Dion. Hal. 6.13.3; Val. Max. 1.8.1; Frontin. *Str.* 1.11.8–9; Plut. *Cor.* 3.3; Flor. 1.11.4; Auct. *Vir. Ill.* 16.3. Livy's account of Larcius in relation to Postumius (hinting a tradition with Postumius as first): Richardson 2014, 23–24.

84. Livy 2.19.2.

> the younger of the consuls, was appointed dictator by his colleague Verginius, and following the example of the former dictator chose his own magister equitum, naming Titus Aebutius Helva. (Dion. Hal. 6.2.3)

For Dionysius the value of the dictatorship as an office lay in the perception of its unhindered and focused power. Rome, already weakened by war and faction, was facing a daunting alliance of thirty cities in a life-or-death climax to the long-drawn-out Tarquinian wars, with no allies of their own and with the ongoing possibility of monarchist insurgence from within. What the people craved was a man whose ability to end this threat was unhindered by political ties or concerns beyond ending the Latin threat. As before, the utility lay at least half in the appointment, the naming and the man named. The stated sequence of events mirrored and reinforced the first dictatorship: a collective sense emerged that a dictator was needed; one of the consuls, responding to this need, named a dictator; the dictator's first act was to name a magister equitum.

The details of the battle aside, both authors had the dictator vowing sacrifices, games, and a temple to ensure the gods' support and the fervor of his men, the first of many dictators to do so.[85] Both Dionysius and Livy had Postumius and the magister equitum, Aebutius, leading separate wings into battle, with the latter opposite Octavius Mamilius and ultimately facing him in single combat,[86] showing that the magister equitum was already, despite the name, simply the dictator's second-in-command, put to whatever purpose was needed.

Unlike Livy, Dionysius added a denouement to the second dictatorship. After a magnificent triumph,[87] Postumius convened the senate to hear the sup-

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85. The temple was completed and dedicated after the war. Livy: Postumius vowed a temple to Castor (2.20.12; Flor. 1.11.4; dedicated by his son in 484, 2.42.5), though Livy omitted the theophany of Castor and Pollux. Dionysius: the temple of Castor and the annual rituals performed commemorated Castor and Pollux appearing in battle and in the Forum at the site where their temple later stood (6.13.4)—but the temple Postumius vowed was to Ceres, Liber and Libera, in propitiation of the gods when he was short of funds during war preparations (6.17.2); it was paid for from spoils and consecrated the next year (6.94.3). During the war Postumius also vowed sacrifices and games should the Romans be victorious (6.10.1; 7.71.2). Plutarch had Castor's temple on the site of their Forum appearance but no vow (Plut. *Cor.* 3.3). Tiberius reconsecrated a temple to Ceres, Liber and Libera vowed by Postumius and recently restored (Tac. *Ann.* 2.49), supporting Dionysius.—It is an interesting coincidence that the religious aspects of the dictatorship emerge in the stories with the second dictator, just as with the second king.

86. Livy 2.19.6–9; Dion. Hal. 6.5.5, 6.11.3. Postumius dividing his army into four commands, one each for himself, Verginius, Aebutius, and A. Sempronius (*cos.* 497), the latter kept back to guard Rome: Dion. Hal. 6.2.3.

87. Triumph: Livy 2.10.13; Dion. Hal. 6.9.6, 6.17.2. *AT*: *A. Postu[mius P. f.—n. Albus ann. CCLVII?] Regil[lensis dict(ator) de Latineis——*], Degrassi 1954, 91.

plications of the various Latin ambassadors, presiding over the debate and endorsing the argument for clemency put forward by Larcius, the ex-dictator. The measure carried, and the dictator delivered the verdict to the Latin representatives and oversaw the return of captives.[88] When a fresh bout of civil unrest over the debt-slavery crisis loomed, however, he stepped down.

> ταῦθ' ὁρῶν ὁ Ποστόμιος, ἕως ἔτι τὸ τιμώμενον εἶχε παρὰ πάντων ὅμοιον πολέμῳ βαρεῖ καλὸν ὑπεκδῦναι τοὺς πολιτικοὺς χειμῶνας ἔγνω: καὶ πρὶν ἐκπληρῶσαι τὸν ἔσχατον τῆς αὐτοκράτορος ἀρχῆς χρόνον, τήν τε δικτατορίαν ἐξωμόσατο καὶ προθεὶς ἀρχαιρεσιῶν ἡμέραν μετὰ τοῦ συνυπάτου τὰς πατρίους κατέστησεν ἀρχάς.
>
> Seeing this, Postumius, while he still bore honor from all alike for a difficult war well ended, determined to escape the political tempests; and so, before the completion of the duration of his sole magistracy, he both forswore the dictatorship and set a date for elections, then with his consular colleague restored the ancestral magistracies. (Dion. Hal. 6.22.3)

Though willing to stay in office long enough to see through a resolution to the war he had begun, Postumius stopped short of undertaking burdens unrelated to the Latin war. While the wording might suggest cynical motives, what is striking is that according to Dionysius, whose formulation of the early dictatorship included a terminal cap of six months,[89] Postumius could have remained in office and dealt with other problems but crucially elected not to. By resigning on completion of the war and the brief follow-on peace negotiations, Postumius earned credit for two enduring precedents: limiting his actions to the problem that had brought about his appointment and resigning on resolution of that problem, regardless of any set or hypothetical chronological term of office. Larcius, according to Dionysius, had made a similar decision to resign once his work was complete;[90] the choice attributed to Postumius, whose leadership as dictator might have made a difference in the coming months, firmed the role and function of the dictatorship.

88. Dion. Hal. 6.18–21.
89. Dion. Hal. 5.70.2, 4.
90. Dion. Hal. 5.77.1.

The Third Dictator: The Trusted Man

The gathering debt-slavery crisis observed by Postumius soon itself blossomed into a matter for a dictator, according to matching accounts in Dionysius and Livy.[91] The antagonistic consuls of 495 left Rome in a contentious state, the conservative firebrand Ap. Claudius Sabinus Regillensis fostering fury and the pusillanimous P. Servilius Priscus mistrust.[92] The consuls for 494, A. Verginius Tricostus and T. Veturius Geminus Cicurinus, inflamed an already restive senate with reports of worsening plebeian discontent alongside news that the Sabines, Aequi, and Volsci were preparing to march on a vulnerable and divided Rome.[93] The senate called for a punitive levy, but the people obstinately refused to enroll until relief from nexum was achieved, leading, we are told, to a mêlée in the Forum in which lictors and senators were roughed up by an angry crowd.[94]

The senate convened in an agitated and highly partisan state. The ex-dictator, Larcius, advocated remission of debt with all citizens treated equally; another senator argued relief only for those who had come forward and fought the Volsci, repeating the proposal made the previous year by the then consul Servilius. Claudius then took the floor and advocated the appointment of a dictator, as only a man whose powers were unfettered by the right of appeal could crush the rebellious masses, behead the subversives, and restore order to Rome in time to face the looming threat of Rome's enemies.

This reactionary proposal garnered support among young hotheads infuriated by the mob's insolence and among moneylenders appalled by proposals like that of Larcius; it carried the senate, with most expecting Claudius to be the dictator named.[95] The consuls, however, saw only the rending of the Republic

91. Nexum crisis: Livy 2.23.1–15, Dion. Hal. 6.22.1–2. The evidence on debt-bondage in the fifth century is confused and contradictory. Most discussion of nexum is in terms of the mention in the Twelve Tables or the fourth-century emancipation of the plebs, which included outlawing nexum via the lex Poetelia Papiria (326): see Varro *Ling.* 7.105; Berger 1953, 557, 595; Watson 1976, 117–21; Cornell 1995, 330–33; Forsythe 2005, 218, 221.

92. Rome's defeat of the Volsci in 495 (Livy 2.25.4–6, Dion. Hal. 6.29.3) came despite an initially failed attempt at a levy (Dion. Hal. 6.23.2–3); in Livy the levy was against a Sabine threat that did not materialize (2.26.1–3, 2.27.10). The consuls' actions in the subsequent turmoil made matters worse, Claudius by angry fomentations and by arresting a populist leader and nearly failing to heed his appeal, Servilius by shrinking from his own populist promises and refusing to act: Livy 2.27.4, 11–13; Dion. Hal. 6.23.3, 24.1.

93. Reports to the senate: Livy 2.28.1–4. Hostile forces: Livy 2.30.3; Dion. Hal. 6.34.1, 3.

94. Livy 2.28.5–9, 2.29.1–4; Dion. Hal. 6.34.2–4.

95. Livy 2.29.6–12, 30.1–3; Dion. Hal. 6.37–39. Young senators showed up in numbers and forced the measure through: Dion. Hal. 6.39.1.

in the Claudian plan. They named instead M'. Valerius Maximus, Poplicola's brother and "the most democratic" of senators, already on record as favoring curing the causes of sedition through a mix of relief and conciliatory measures.[96] Their plan was to unite the dictator's dread authority with a man who was respected, honorable, and equitable, certain this would be more likely to bring order and peace to Rome than placing unbridled power in the hands of such a divisive and violent elitist as Claudius Sabinus.[97]

Valerius first named a magister equitum, deliberately reinforcing the two previous precedents.[98] He then set about loosening the social gridlock preventing Rome's defense.

> Edictum deinde a dictatore propositum confirmauit animos, Seruili fere consulis edicto conueniens; sed et homini et potestati melius rati credi, omisso certamine nomina dedere.
>
> An edict proposed next by the dictator bolstered their spirits; though it agreed closely to one made by the consul Servilius, placing greater faith in both the man and the powers [of his office] they abandoned opposition and submitted their names [for enrollment]. (Livy 2.30.6)[99]

Achieving a massive levy, Valerius created three armies, himself taking on the Sabines while the consuls were directed against the Aequi and the Volsci. All three were victorious; Valerius returned to Rome, triumphed, and discharged his armies. The dictator then called upon the senate to make good on the promises he had made regarding relief from debt-slavery, but the senate, still dominated by the young extremists, refused to endorse his measures.[100]

The dictator responded with indignation at their uncivic and partisan short-sightedness.[101]

> "non placeo" inquit, "concordiae auctor. Optabitis, mediusfidius, propediem, ut mei similes Romana plebis patronos habeat. Quod ad me attinet, neque frustra-

96. γνώμῃ τοῦ δημοτικωτάτου: Dion. Hal. 6.23.3.
97. Livy 2.30.4; Dion. Hal. 6.39.2; Zon. 7.14b–c. Cf. the verdict in Dionysius that dictators collectively lived up to the appellation ἀγαθοὶ προστάται τῆς πατρίδος: Dion. Hal. 5.77.3.
98. Dion. Hal. 6.40.1; not mentioned in Livy.
99. Cf. Dion. Hal. 6.40.1–42.1.
100. Livy 2.30.8–31.8; Dion. Hal. 6.42.1–43.2; *AT*. See also Cass. Dio 4.17.1–6; Zon. 7.14.
101. Cf. Dion. Hal. 6.43.3–44.3.

bor ultra ciues meos neque ipse frustra dictator ero. Discordiae intestinae, bellum externum fecere ut hoc magistratu egeret res publica: pax foris parta est, domi impeditur; priuatus potius quam dictator seditioni interero." Ita curia egressus dictatura se abdicauit.

"I am not welcome," he said, "as an agent of concord. I swear to you, you will soon be wishing the Roman plebs had patrons like me. For my part, I will neither deceive my fellow citizens further, nor will I be dictator to no purpose. Internal discord and foreign war brought about the state's need for this magistracy; peace has been procured afield, but at home it has been blocked. I will endure the uprising rather as a private citizen than as dictator." And so, exiting the curia he renounced his dictatorship. (Livy 2.31.9–10)

Livy here had Valerius explicitly state a durable paradigm for the dictatorship. He had been named to deal with two concurrent crises, one foreign and one domestic. The former had been dealt with, but the latter was stymied by the patres' intransigence. In his judgment his mandate had been addressed as far as was possible; therefore it was incumbent on him to lay down the authority granted him in pursuit of that mandate.

The third dictatorship story locked in several critical precedents: the burden laid on the consuls; the inseparability of the magister equitum; and earliest resignation immediately on the dictator's assessment of the mandate's fulfillment or impossibility.[102] The first should not be overlooked: both Livy and Dionysius had Valerius, a nonconsular, being chosen over an inflammatory but distinguished ex-consul as the man best suited to the task at hand. The consuls' responsibility, in other words, was to choose not according to faction or title, but according to Rome's need.

Origin Stories as Delineations of Principle

The first three dictators are presented as laying down as precedents what the later Romans considered to be the inviolable rules of the Roman archaic dicta-

102. Reinforcement of precedent, alongside adaptation according to necessity, was a hallmark of the early dictators' stories as with the legends of the kings: Cicero, for example, called attention to Tullius Hostilius' deliberate iteration of Numa's innovation, the separate lex curiata de imperio: Cic. *Rep.* 2.13.25, 2.17.31.

torship. The dictatorship was brought about in each case in response to a need perceived by the senate or the people for a temporary magistrate empowered, unfettered, and unanswerable in a way the consuls were not. Limitations in the consulship were a factor, but the aptness of Larcius, Postumius, and Valerius for their tasks—as contrasted with the inferior capabilities ascribed to the colleague of Larcius, Cloelius, and to the two consuls for 494 and the positive menace posed by Ap. Claudius Sabinus as a potential dictator—suggest that the impetus for this perceived need lay in the opportunity for the man most suited through experience and temperament to the resolution of a particular crisis to be specially commissioned to address it, swiftly and without hindrance. The call, critically, was not a matter of rationally determined jeopardy or formally resolved petition, but of prevailing mood and rampant emotion—the most important aspect of which was fear, whether of an external enemy or of internal disorder.

In these origin stories the initiative of calling for a dictator lay with the senate or the people, but the responsibility of naming the needed man belonged to the consuls alone. The scenario in the Valerius story could not more perfectly illustrate the consular prerogative of nomination: the senate, swept away with partisan fervor, clamored for a dictator to resolve the disorder afflicting the state; but in the end they could impose on that office neither the policies they favored nor their chosen candidate for implementing them. Both Livy and Dionysius made it clear that if the choice and actions of the dictator could have been at all determined by the body calling for it, Ap. Claudius Sabinus would have been chosen, and heads would have rolled in the Forum that day. The senate, however, could not control the choice of dictator. This idea had arisen in the earlier accounts of Larcius and Postumius, but the parameters of this story demonstrated the utter necessity of the choice of dictator residing with the consuls. This responsibility was a solemn one, because success hinged on the union of man and office. It was the dictator's character, reputation, ability, and intent fused with the dictatorship's terrible power—*et homo et potestas*, in Livy's words—that grew trust and faith on barren ground, and made possible what consuls and senators could not accomplish.

Though there is little yet to discuss concerning the magister equitum, cumulatively the three stories are consistent in making the dictator's first act the appointing of a second-in-command before proceeding with the tasks to which he had been set. These men then took on whatever duties the dictator needed them to, along with the consuls, who were similarly subordinated while the dictator was in office.

Each dictator's scope was the resolution of whatever problems had brought about his creation. In this case, a dictator was called for because of civil discord that prevented the defense of Rome; he resolved his war portfolio but was blocked from acting on his domestic mandate, and this inability to act on his remaining task made him a dictator with no purpose. Postumius, in his story, may have deliberately chosen to constrict his tenure to the Latin war, and to create a precedent thereby; but for Valerius, we are told, there was no question. Once he reached the point where he could not act on the two tumults that had evoked his office, whether because of success or failure, justification for the existence of this terrible office ended; Valerius then saw it as his duty to forswear the power vested in him.

Dramatically, the conflict within the senate leading up to choosing Valerius was presented as a struggle for the soul of the dictatorship. Two possible visions of the office were vividly evoked. In one, the fearsome power of the dictatorship was a vicious tool for the brutal dominion of extreme elitists over all others. In the other, the dictator used his power for a collective good, mending the mistrust of the masses long enough to defeat multiple hostile nations and become, momentarily, a focus of faith, hope, and trust, uniting the city long enough to save it. In the story, the consuls made a conscious choice to reject the former in favor of the latter. Whether such a far-reaching decision was ever made at some early point in Roman history, the subsequent narrative of the archaic dictatorship attests that the Romans held to an idea of the dictator as a champion of Rome and of the Roman community as a whole.