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Qui finis erit discordiarum?[1] Two rhetorical speeches in Livy

Abstract: The usage of inserted rhetorical speeches is a crucial point of ancient historiography. After an introduction to the basic arguments of the evaluation of ancient historiography and its connection with theatricality, supplemented by the 'accusation' of tragic history I move over to the examination of two speeches found in Livy's narrative. In order to understand the style of Livy more and more precisely his practice of editing and inserting speeches into the narrative this paper will give a closer look at the initial moment of this particular part of his editorial work. The two speeches in question are from Quinctius Capitolinus and Gaius Canuleius.

Keywords: Livy, rhetoric, inserted speeches, Canuleius, editing, suasor, dissuasor, moderatio, concordia

The speeches inserted in Livy's narrative have particular importance, so related research is a recurring topic of the scientific discourse. Besides the categorization and the rhetorical analysis of these speeches, the question of insertion into the narrative comes naturally and therefore the question of Livy's editorial work. Moreover, these speeches have a somehow dual nature: they break the rhythm of the narrative and at the same time they blend into it. To understand better the essence of the Livian style the analysis of this dual nature and the practice of insertion, as being part of the editorial technique, can be rather helpful.

[1] Liv. 3, 67, 10.

The tradition of inserting rhetorical and political speeches into historical works can be derived from Herodotus, and with the adaption of the Greek historiography's paradigm, the later Roman authors adapted this tradition too.[2] However, concerning the usage of the speeches they received a tradition with an ununified and unclear system of rules. This Greek historiographical tradition contained 3 different practices: 1. the practice of writing fictitious speeches which are already rooted in the historical and rhetorical tradition – in reported speech. 2. the practice of rewriting these in direct oration. 3. And lastly the practice of stepping away from tradition and writing own speeches. This ununified, mixed tradition left a mark on Roman historiography. Because of the absence of a fixed set of rules, the three different ways of inserting speeches could cause problems. But the existence of the speeches in the narrative is necessary: they serve to demonstrate the author's rhetorical capability, the characterization of given historical personalities, and enhancement of the dramatic situation.[3] Although the absence of the rule system gives space to the author to create his own rhetorical style. But with the enhancement of dramatic situations by inserted speeches the author can manipulate the emotion of the reader, which can stretch apart the boundary of the genre.

Livy's usage of rhetorical speeches is quite unique. First, he uses them much more frequently than other contemporary authors, and yet he doesn't overdo it, as Dionysios Halikarnasseus. The first 35 books contain in a total of 407 direct speeches. These of course differ in length and become more frequently used in the later books. The richness in speeches of the *Ab urbe condita*, according to the earlier evaluation of the academic research, categorized Livy's work as tragic history. This is somewhat shaded by the fact that Livy's aim, which is clearly stated in his preface[4], is the same as the trag-

[2] See more of the Greek origins and beginning of Roman historiography Dillery (2009: 72–90).

[3] Miller (1975: 46).

[4] hoc illud est praecipue in cognitione rerum salubre ac frugiferum. omnis te exempli documenta in inlustri posita monumento intueri; inde tibi tuaeque rei publicae quod imitere capias, inde foedum inceptu foedum exitu quod uites. (Liv. praef. 10).

ic-history-criticizing Polybius'. Learning from the past is made possible and accessible by that it can be viewed as a monument and metaphorically visible – according to Livy. But this perception of the past is also not Livy's own idea and can be derived from the idea that contemporary readers found the visual expressions more comprehensible and more acceptable than modern research.[5] According to this thought the usage of visual expressions is rooted deeply in the thought about narrative style. In the Greek-Roman rhetoric, the concepts of *enargeia*, *demonstratio*, and *illustratio* are expressing this also.[6] So history appears in ancient thinking as the 'visible' reconstruction of the events of the past.[7] In Livy's preface besides the monumental being of the history it rises, as a secondary meaning, the possibility that with the description of the past, the *Ab urbe condita* itself becomes a *monumentum*: this is the monument-like observable past, from which the Roman people can learn.[8] This way is how the inserted speeches into the narrative and the editorial work are serving the process of the history becoming observable.[9] The overdoing of disclosure of speeches as a tool and with this the affection, and manipulation of emotions as an aim is in contrast with the fact that Livy follows

[5] Pauw explains the dramaticism of Livy's narrative by three possible reasons: 1. The nature of Rome's early history is dramatic in itself, because it's characterized by heroic acts and pathos. 2. It is widely influenced by the conventionality that he depicts the history by a pathetic-tragical technique. 3. He has to bear in mind the expectations of his readers, who are expecting a 'scientific' work and at the same time a work of art, with the moving and exciting descriptions of events. Pauw (1991: 44).

[6] Feldherr (1998).

[7] All of this is in contrast with Aristotle's statement on tragedy-writing, that the tragedy-writer's task and work method should be imitation. Duris of Samos transplants the theory of mymezis into the doctrine of historiography. Walbank (1960: 219) (I am planning to address the issue of the question of the theoretical difference between the act of imitation and act of making the history observable in my upcoming dissertation.).

[8] Moles (1993: 153).

[9] The importance of editing is also present in the arrangement into *penta*des, furthermore sometimes even some books are formed as an artistic unit: for example, the first book as a whole covers only the history of the kings, and the fifth book only the occupation of Veii and the Gallic sack of Rome etc. Walsh (1961: 173) Beside this he breaks down the stories themself to episodes and he composes them according to the Aristotelian editing principle. Walsh (1961: 178) The importance of Livian editing was analysed by Takács also, although he focused on the link created between the first and the second *pentad*, in this created link Livy's main tools are also inserted speeches. Takács (2008: 30–47).

faithfully his sources[10] and he waits until the events themself are allowing the possibility to enlarge dramatic situations or to create one.[11] So Livy is not moved into the direction of tragic history by the aim of manipulation of the reader's emotion, but by the desire of making the history observable – or it can be seem like he does. But it can be rather fruitful if we discard the classical term of 'tragic history' in the case of Livy' narrative and rather focus on the exact theatrical elements. Since the expected behaviour from the readers and the act of observation undoubtedly creates a link with the culture of theatre. Livy's aspiration to visuality derives from the aim, that his readers can see the history before their eyes as they see the stage performances of their everyday life and as they see the built *monumenta* of their environment. This duality exceeds the, in the ancient thinking, already present thought, that historiography is the visible reconstruction of the events of the past.

On the matter of the placement (of speeches) in the narrative we can say that at the end of the 3rd Book and the beginning of the 4th is where the most important feature of Livy's editorial technique is formed. The following books are usually open with a direct speech inserted into the narrative and end with one also. The opening speech is usually foreshadowing the book's main topics and questions, the closing one summarizes the turning points of the book.[12] In this paper, I would like to give a closer examination of the initial moment of this editorial practice. The two speeches in question are Titus Quinctius Capitolinus', a consul's speech[13], and Gaius Canuleius', a tribune of the plebs' speech[14]. Both these speeches are placed into the situation of a *contio*: an informal meeting of the plebs, which main function was to inform the people of the political elite's inner debates and decisions.[15] In the past 20 years there was a turning point in the research of the Roman political culture: now it is more fo-

[10] Sometimes even too faithfully: sometimes the critical tone, expected by Polybius, is missing, and it is a recurring practice of him, that he builds his text only on one source, which is also quite reprehensible. Walsh (1961: 139–142).
[11] Walsh (1961: 178).
[12] Ogilvie (2003: 516).
[13] Liv. 3, 67–68.
[14] Liv. 4, 3–5.
[15] Lintott (1999: 51–54).

cused on the political culture and its aspects outside of the institutional framework of politics. From this new point of view the *contio* meetings have gained importance.[16] This special importance resonates with Livy's narrative also: for the author of the 1st century BC the *contio* was such an essential part of politics that he projects back its importance into the early history of the Republic. The context of the two speeches in question is a *contio* meeting. Moreover, in the case of Quinctius Livy explicitly mentions it too: *Quinctius consul ad contionem populum uocauit.* (Liv. 3, 66, 6) In the case of Canuleius is not explicitly written but we can assume certainly from the situation itself: while the consuls are giving a speech in the senate, Canuleius speaks to the people.

Although the situation is the same, the tone is obviously not. The Roman theory of rhetoric distinguishes two different attitudes from which an orator can speak. The two attitudes or, using the theatre metaphor, rules are the *suasor* and *dissuasor*. These rules are derived from the political-rhetorical apprenticeship, which, as Russel states, 'was based on an adversarial courtroom model.' Then follows with a comment on the rhetorical handbooks concerning this practice: 'In their relatively brief discussions of deliberative oratory, the rhetorical handbooks which have come down to us assume without question that every bill has a *suasor* and a *dissuasor*.'[17] The *suasor* is the traditionally senatorian way of speaking: the orator's attitude is rigid and temperate and speaks with superiority as a father would speak with his children. The most markedly used rhetorical figure of this type is *sententia*, as Canter explains *sententia* only works appropriately 'in men of known self-control, of distinction, personal or official, of advancement in years and experience, and of real wisdom withal in the subject discussed.'[18] The short and wisdom-wording sentences contribute to the image of the temperate and wise senatorial orator. On the contrary, the *dissuasor*'s main characteristic is the reckoning of the senatorial elite and which is the traditional rule of the tribunician rhetoric. The *dissuasor*'s attitude can be ironic,[19] sarcastic,

[16] For example: Steel–Blom 2013; Steel–Blom 2018; Morstein–Marx 2004.
[17] Russel (2013: 106).
[18] Canter (1917: 133).
[19] 'en unquam creditis fando auditum esse, Numam Pompilium, non modo non patricium

and this is mostly achieved by the usage of rhetorical and interpellation and with a carefully constructed climax.[20]

I.

As reading Quinctius' speech is rather eye-catching how the lead-in sentence is already creating a link with the historical tradition: *ibi in hanc sententiam locutum accipio* (Liv. 3, 67,1). This *accipio* includes the work of a historian, and the process of the historian's work, meaning 'I know the tradition, and this is how I understand it.' The usage of *accipio* can be familiar from Sallust too: *Urbem Romam, sicuti ego accepi, condidere atque habuere initio Troiani* (Sal. Cat. 6, 1). It is safe to say it's somewhat commonplace to use as an introduction with the aim to mark the following part of the narrative as part of the tradition. Livius does not use it here either as an empty word: as Ogilvie states the speech shows 'detailed discrepancies from the surrounding narrative' so it's rather possible that it was composed separately. The most obvious reason for this is that it was taken from a different source, moreover, many sentences are imitating Cicero and Demosthenes.[21] Even if it wasn't exactly taken from a different source with the imitating sentences Livy places it in the rhetorical tradition also. The topic of the speech in summary is the following: during Quinctius' 4th consulship the senate propose a drafting of soldiers, but the plebs are resisting, so the consul tries to convince them to take up the fight against the Aequians and the Volscians. The key concept of the speech is *concordia* as an admirable state of the Republic and *discordia* as the current situation between plebeians and patricians through Book III. Quinctius as a consul, and as a member of the ruling political elite, speaks to the plebs, therefore in his speech the contrary of *us* and *you* naturally appears. As O'Neill states it is the Roman elite's crucial interest to see the plebs as a unified body, which primary function is

sed ne ciuem quidem Romanum, ex Sabino agro accitum, populi iussu, patribus auctoribus Romae regnasse?' (Liv. 4, 3, 10).

[20] 'cur non sancitis ne uicinus patricio sit plebeius nec eodem itinere eat, ne idem conuiuium ineat, ne in foro eodem consistat?' (Liv. 4, 4, 11).

[21] Ogilvie (2003: 517).

to legitimize the ruling elite.[22] Livy's refined touch that this rhetoric creates a dialogue with the characters, Quinctius' key concept: *concordia*: this rhetoric of *us* (the ruling political elite) in opposition of *you* (the not obeying plebs) can be read as the exact definition of *discordia.* This division remains throughout the whole speech; thus, the addressee is continuously the plebs. Furthermore, Quinctius represents this opposition as a balanced-out situation, where the hatred is mutual so is the responsibility.[23] Even the matter of the responsibility of the orders is the same: not knowing the right measures: *dum nec nobis imperii nec uobis libertatis est modus* (Liv. 3, 67, 6) So both the patricians and the plebeians are lacking *moderatio*, but in opposite matters. Usually, the lack of *moderatio* and *temperantia* is part of the rhetoric used against the behaviour of the plebs but supplemented with the antithesis of *nobis imperii-vobis libertatis*, the rhetorical opposition continues. The image of the *moderatio*-lacking plebs influenced by its emotion and the concept that the tribunitian rhetoric evokes these emotions is a recurring element in Livy's narrative. This picture dominates the consuls' reported speech against Canuleius' law proposal. So, it's rather interesting how Quinctius steps away from that standard opposition which places the plebs driven by their emotions in contrast with the ideal statesman of the elite, who is completely in control of his emotion as a quasi-*exemplum* of *temperantia*. Although Quinctius includes the fathers in the sin of *immoderatio*, he does not let go of the emotion-driven plebs' topos, which appears in connection with the critique of the tribunician rhetoric.[24] He

[22] O'Neill (2003: 136).

[23] The illusion of a balanced-out situation and opposition is recurring in the consuls' speech against Canuleius' law proposal at the beginning of Book IV. The 2nd *caput* starts with the image of the mutual and simultaneous incitement, which considers the responsibility of the current situation as common and indirectly through this thought considers the opposing parties equal. 'eodem tempore et consules senatum in tribunum et tribunus populum in consules incitabat.' (Liv. 4, 2, 1).

[24] 'tribuni uobis amissa reddent ac restituent? uocis uerborumque quantum uoletis ingerent, et criminum in principes et legum aliarum super alias ut contionum; sed ex illis contionibus nunquam uestrum quisquam re [fortuna] domum auctior rediit.' (Liv. 3, 68, 4). It is also the ruling elite's interest to see the plebs as an apolitical crowd, in order to maintain the hegemony over them. O'Neill (2003: 136) The only thing that the plebs can gain from the tribunicial rhetoric is organisation – so Quinctius is not mentioning it on purpose, his interest is to see the plebs as an ad hoc crowd without the influence of the tribunes and the

harshly criticizes the rhetoric of the tribunes as being no more than flattery, adulation, and revolting speech which serves only their interests.

> 'natura hoc ita comparatum est, ut qui apud multitudinem sua causa loquitur gratior eo sit cuius mens nihil praeter publicum commodum uidet; nisi forte adsentatores publicos, plebicolas istos, qui uos nec in armis nec in otio esse sinunt, uestra uos causa incitare et stimulare putatis.' (Liv. 3, 68, 4).

Rather strangely, Ogilvie does not comment on the expression of *adsentatores publici,* furthermore, he dismisses this passage as a whole. It clearly echoes the usage of, in the 1st century BC, more commonly occurring *aurae popularis* and brings into conversation with the stories of the so-called *affectatores regni*[25]. The common element of this *affectatores regni* stories, stories of men, who were accused of aiming to be kings, is the *affectator*'s overly friendly behaviour towards the people. This behaviour is expressed by the phrase *aurae popularis captator.* This expression is used by Livy in the story of the decemvirate, notedly describing the behaviour of the leader of the decemvirate, Appius Claudius.

> 'regimen totius magistratus penes Appium erat fauore plebis, adeoque nouum sibi ingenium induerat ut plebicola repente omnisque aurae popularis captator euaderet pro truci saeuoque insectatore plebis.' (Liv. 3, 33, 7).

Though Livy, by using *adsentatores publici* instead of *aurae popularis captator*, avoids the direct summoning of the 3rd book's central episode: the decemvirate and the fall of Appius Claudius, the tyrant. But the element of flattery and the pleasing of the people itself summons these stories of wannabe kings and the overall fear of kingdom in the ruling political elite. In these stories, the element of *immoderatio*, or the lack of *moderatio* is also present – as

aim of his speech that this vision of the plebs become reality.

[25] Vasaly (2015: 90) brings the example of Caeso in Book III, which is also a story of a member of the *gens Quinctii*.

one of the main characteristics of the figure of the all-time tyrant, which was inherited from the Greeks.[26]

Simultaneously with the critique of the tribunitial rhetoric Quinctius indirectly criticizes the plebs for their taste in rhetoric: *his ego gratiora dictu alia esse scio* (Liv. 3, 68, 9) – he knows what kind of speech the plebs would like to hear and sets contrast between tribunician flattery and truth. He follows: 'uellem equidem uobis placere, Quirites; sed multo malo uos saluos esse, qualicumque erga me animo futuri estis.' (Liv. 3, 68, 9) Quasi clarifying himself from even the hint of suspicion ahead of the accusation: he is not an *aurae popularis captator*.

Quinctius speaks in this tone in Livy's narrative while he tries to convince the plebs of the drafting of soldiers. From the content of the speech, I distinguished 3 elements that are echoed in Canuleius's speech too, not counting the obvious contrast between *concordia* and *discordia*. The first is the process of inventing new *magistrates*, and on this element, we can observe the rhetoric of *us* and *you* in the working. Quinctius gives an overview of the inventions of the decemvirate and the tribunate. In both cases, he associates the initial move with the plebs and gives the following pattern: the plebs wanting or desiring something and the fathers fulfilling these needs and tolerating the consequences. By this, he pushes the responsibility on the plebs in contrast with the opening thought of shared responsibility and the illusion of a balanced-out situation.

The second element is the reference to memory or the past itself. He starts his speech with the statement that the events of the recent past with the attack of the Aequians and Volscians will be part of the memory of future generations. The image of the enemy in front of the walls of the city will be a memory of shame: *si inde non pellitur, iam intra moenia erit et arcem et Capitolium scandet et in domos uestras uos persequetur.* (Liv. 3, 68, 7)[27] Besides

[26] The model figure of the rhetorical tyrant appeared first in Rome through the adaptation of Greek plays, not through rhetorical schools. Dunkle (1971: 12).

[27] This image is echoing the description of the Gallic siege of Rome in Book V and the episode of Manlius and the geese. (Liv. 5, 47) (Furthermore, Vergil also famously writes the image of the climbing Gauls towards the Capitol. (Verg. *Aen.* 8, 652–662.)) And the remem-

the future generations' memory, he refers to his own and his audiences' recent past also: the second secession of the plebs along with the first one. He mentions these events as the plebs' actions against the fathers without mentioning the prelude of these events.

The third element is the idea of *mos maiorum* and the opposition between the old and the new political morals. In this, the rhetoric of *us* and *you* can be also observed. Meaning *us*, the ruling political elite who remained true to the *antiqui mores,* and *you*, the plebs who abandoned *your antiqui mores* and acted against them and still acting against them now when having objections against the drafting of new soldiers.

II.

We will see later how these elements are shaped in the speech of Canuleius, but firstly a brief description of his rhetoric in general. In the case of Canuleius Livy does not create the illusion of being part of the tradition and it seems like it truly is not in that sense as Quinctius' speech. No imitating sentences were noticed and with the connections to Quinctius', it is more likely that this speech is purely Livy's writing.[28] Furthermore, it is much more detailed and fits more into the narrative too. As for the tone it is alternating between the tribunician rhetoric described by Quinctius and the traditional *dissuasor* rule, which means that the addressee of this speech is not continuously one group of people. Canuleius alternately speaks to the plebs and the patricians and sometimes even directly to the consuls. As for the content of the speech he simultaneously defends his law proposal of mixed marriages between patricians and plebeians and the plebeian consulship and informs the plebs about the patrician attacks against him, and the plebeians through time. He tries to stir up the plebs' emotions and

brance of the future generation after a potential fall is also present in Camillus' speech after the defeat of the Gauls. (Liv. 5, 50–55).

[28] As Ogilvie states: 'its highly finished structure show that it is a free composition by L. himself.' Ogilvie (2003: 533).

stimulates them[29], and at the same time, he calls the patricians to account for their contempt. Besides these two parallel speeches and goals, I noticed some inconsistency in the usage of *us* too. In addressing the people Canuleius uses two types of us: 1. when it means the plebs and Canuleius together in contrast to the oppressive political elite and 2. when it means the whole Roman society, patricians, and plebeians together. This second type is a new element compared to Quinctius' speech, where this inclusive *us* is totally missing. The explanation for this new type of *us* can be derived from the status of Canuleius. As a tribune of the plebs, he belongs to two groups at once: he is part of the plebs whose interests he is protecting, and he is part of the political elite also. So, his dual affiliation gives ground for the extended usage of *us*. As for the connection between the two *us*es Canuleius argues that the *us* – the plebs is the primary one because the birth of Roman aristocracy was approved by the people. *Claudiam certe gentem post reges exactos ex Sabinis non in ciuitatem modo accepimus sed etiam in patriciorum numerum.* (Liv. 4, 3, 14) He brings the example of the *gens Claudia* stating, that arriving in Rome as foreigners the plebs voted their enrolment into the aristocracy. The priority of the plebs is expressed in his rhetorical question concerning who has the supreme power.

> 'denique utrum tandem populi Romani an uestrum summum imperium est? regibus exactis utrum uobis dominatio an omnibus aequa libertas parta est?' (Liv. 4, 5, 1)

What brought the overthrow of the kings? Did it bring *imperium* to the patricians or *libertas* to the plebs? In Canuleius' speech it is not an option to have both even if everybody practices *moderatio* and *temperantia*. It is an either-or situation that can be remedied only by admitting the plebeians into the supreme power and allowing them to apply for the consulship. And Canuleius' question concerning the holder of supreme power can be read as

[29] 'ecquid sentitis in quanto contemptu uiuatis? Lucis uobis huius partem, si liceat, adimant; quod spiratis, quod uocem mittitis, quod formas hominum habetis, indignantur.' (Liv. 4, 3, 8).

a response to Quinctius' statement about the shared responsibility and the balanced-out opposition of the orders, which fits perfectly into the rule of a *dissuasor* orator.

Moving away from the tone of the speech and searching for the elements echoing Quinctius' speech, the first one is much more detailed. Canuleius also gives an overview of the magistrates' invention, but he includes the birth of the Republic also. Arguing that in the beginning, the consulship was a new magistrate also, as everything in a newly founded state: the dictatorship, the aediles, the questors and tribunes of the plebs.

> 'nullane res noua institui debet? et quod nondum est factum – multa enim nondum sunt facta in nouo populo –, ea ne si utilia quidem sunt fieri oportet?' (Liv. 4, 4, 1)

The second echoing element, the idea of memory and past is even more detailed, and it is safe to say that this creates the main argument in Canuleius's speech. The example of the past is necessarily dominant because his main topic is the question of greater importance between ancestry and aptitude. He gives an overview of the kings focusing on their non-Roman ancestry in contrast to their aptitude to rule Rome. He mentions the recent past and the decemvirate also. The usage of *us* in this case is also interesting: he speaks in plural singular person: *we* elected the decemvirs and *we* removed them – in my opinion, in this relation, this is an inclusive *us* which means the whole Roman society. In opposition to Quinctius' explanation: *you,* the plebs, wanted decemvirs – *we,* the fathers gave you decemvirs, *you* grew weary of them – *we* allowed the noblest of us to suffer death and to go into exile[30].

The third element of the *mos mairoum* is evoked only by one sentence: *nemo plebeius patriciae uirgini uim adferret; patriciorum ista libido est* (Liv. 4, 4, 8) Which hints the story of Verginia and the fall of the decemvirate. It complements the

[30] 'decemuiros desiderastis; creari passi sumus. decemuirorum uos pertaesum est; coegimus abire magistratu. manente in eosdem priuatos ira uestra, mori atque exulare nobilissimos uiros honoratissimosque passi sumus.' (Liv. 3, 67, 7–8).

argument of ancestry or aptitude, meaning the decemvirs were aristocrats for nothing because they could not respect the *mos* which caused Verginia's death. Furthermore, in the second part of the sentence, some kind of plebeian moral superiority over the patricians is perceptible. The possibility of this moral superiority is not necessarily meaning a division between the plebeian and patrician *mos* – as Quinctius' speech suggests. But supplemented with the main message of Canuleius: the idea of the people's precedence before their aristocracy and the emphasis on the foreign origin of the patrician order hints a critique of the *gens* system and their *mos maiorum*, meaning it's useless to refer to the *mos maiorum* of your ancestors if the members of your own order are not respecting them – in contrast with the plebeians who are respecting these norms without being part of any *gens* and being able to claim ancestry.[31]

To summarize I would like to turn back to the question of the practice of inserting speeches into the narrative. We saw that the main issue is not the question of rewriting something from the existing tradition or writing something new, but the act of blending it into the narrative and creating links with other parts of the *pentad*'s narrative, and through these links and intertextuality brings new aspects into the current narrative. Although Ogilvie states that Quinctius' speech shows 'detailed discrepancies from the surrounding narrative' and it's true of course, in its close context, with reading Canuleius' speech we can agree that it blends into the narrative's bigger picture as creating a base for writing Canuleius' speech. Bearing in mind that this is the first time when Livy tries to make a connection between two following books by inserting speeches. The practice is logical too: firstly, he inserts a rewritten speech then, and based on this he writes a new one. The rewritten one is a traditional senatorian speech and then detached from the tradition he writes a tribunician speech. In this newly written speech, we can observe a plebeian rhetoric in which the *dissuasor* figure of the rhetorical theory is mixed with the stereotype of tribunes used by the senatorial rhetoric.

[31] Hahn argued with the idea of the plebeians lacking any *gens*/family-based organisation, reasoning with that it's happening organically in every human society. He supposes a parallel so called pseudo-*gens* system in which the plebeians lived, outside from the acknowledged patrician *gentes.* Hahn (1974: 169).

This phenomenon can be explained by the idea that the rhetorical theory is being built onto the existing stereotypes, which means that Livy creates only the illusion of authentic plebeian rhetoric.

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