

BOOK REVIEW

The Rhetoric of Seeing in Attic Forensic Oratory. By PETER A. O'CONNELL. Austin: University of Texas Press, 2017. Pp. xviii, 282. ISBN 9781477311684.

As the title of the book suggests, its aim is to explore how visuality complements verbal argumentation in Attic forensic speeches. O'Connell's approach departs from traditional analyses of the 'dramatic' aspects of forensic oratory and focuses on the distinctive characteristics of performance in forensic *contexts*. His treatment of 'seeing' in the speeches is a welcome addition to a burgeoning literature on performance and Greek rhetoric,¹ seeing and the ancient senses,² while at the same time his analysis is significantly enhanced by the insights of the "Law and literature" movement in the frame of which literature is used as a bottom-up means of understanding the rigidly technical, prescriptive world of the law.

In the Introduction, O'Connell addresses methodological questions which are directly relevant to his argument. He defines the term 'performance' and explains the differences between forensic and dramatic performances. He also duly emphasizes the limitations of the study of forensic performances on the basis of written scripts. In his discussion of the jurors' gaze, he aptly emphasizes that one's relevant position in social hierarchy and the civic context in which one becomes the object of others' gazes determine the implications of seeing and being seen. O'Connell also outlines helpfully some idiosyncratic procedural aspects of the legal system of classical Athens which are relevant to his argument: the legal space of the courtroom, jurors' allotment, and the characteristics of forensic audiences. In the last introductory section, O'Connell focuses on modern approaches to 'law as performance' emphasizing that the law lives on action. On this view, forensic performances are representations of reality. O'Connell also argues that the law accommodates a broader normative system of shared values which are reflected in the use of non-technical language. Correlatively, he advocates the use of literary criticism as a means of analyzing forensic speeches.

¹ Two recent publications are dedicated to performance in ancient oratory: A. Serafeim, *Attic Oratory and Performance* (2017) and a volume edited by S. Papaioannou, A. Serafeim, and B. de Vela *A Theatre of Justice: Aspects of Performance in Greco-Roman Oratory and Rhetoric* (2017).

² See, for example, the volume edited by M. Squire, *Sight and the Ancient Senses* (2016).

The first part of the book addresses “physical sight”. If the conceptual distinction between vision and visuality is possible at all, the qualification ‘physical’ in the title is slightly misleading. The two chapters that this section comprises deal with the ways in which speakers enlist physical appearance and gestures in support of their verbal arguments. Both external appearance and gestures are, of course, objects of jurors’ sensory perception (‘physical sight’), but, as the examples that O’Connell analyzes (especially from Lysias and Demosthenes), they also convey cultural and social meaning (visuality)—hence their use as evidence. O’Connell rightly argues that speakers commonly employ verbs of seeing to direct dikasts’ attention to the appearance of people who are present in the court or deploy gestures to complement their verbal arguments. In other cases, speakers criticize the inappropriateness of their opponent’s gestures. He also shows convincingly that experienced speakers were sufficiently confident to underscore their verbal arguments with gestures.

In his discussion of the (in)appropriateness of gestures, O’Connell compares Plato’s arguments about *mimesis* (as opposed to *diegesis*) in book 3 of the *Republic* and Aristotle’s criticism of histrionic pipe-players’ style in the *Poetics* (1461b27-32) with examples of exaggerated performance style in the orators (mainly in Aeschines 1 and 3). He concludes that forensic speakers’ criticism of indecorous gestures mirrors elite concerns about social performance. However, this conclusion involves the unaddressed question of jurors’ social status and, correlatively, their responses to elite values. In several examples from the orators (cases revolving around *hybris* are particularly indicative, e.g. Dem. 54) the elites’ gestural repertoire enhances descriptions of anti-democratic, anti-social and anti-Athenian ethos.

The second part of the book (chapters 3 and 4) centers on witnessing. O’Connell argues that the legal vocabulary of *marturia* associates witnessing with seeing and shows that the speeches reflect the culturally established privileging of seeing as a reliable source of knowledge. Although witnessing is sometimes treated in the speeches more suspiciously than O’Connell suggests (and in some cases, e.g. *Against Neaira*, speakers fail to produce testimonies about the legal question of the case at hand), this part of the book shows convincingly the interchangeability of legal terms designating witnessing and the non-technical vocabulary of visual demonstration. O’Connell shows that the use of *apodeiknumi* or *epideiknumi*, along with *phaino* (and *phaneros*), not only enhances the authority of speakers’ versions of the events, but also enables them to equate their speeches with visual, and, thereby, accurate demonstrations. The last sections of chapter 3 deal with the lan-

guage of witnessing in medicine and philosophy and usefully alert us to the heuristic limitations involved in treating these two genres in isolation from the orators. Although this topic could be the object of a book-length analysis, I found O'Connell's discussion tantalizingly compressed. The same holds true for the discussion of the vocabulary of demonstration in epideictic contexts (the Hippocratic *On the Art* and *On Breaths* and *Funeral Speeches*) at the end of chapter 4.

The third part of the book revolves around mental images and forensic deployment of *enargeia*. In my view, the two chapters that it comprises (5–6) offer the most inspiring and insightful readings of individual passages. After a brief but informative discussion of the notion of *enargeia*, O'Connell turns his attention to two important issues: the manipulation of dikasts' *phantasia* and the use of internal spectators as a means of engaging audiences with the narrated events in forensic stories. In chapter 5, O'Connell employs close reading to discuss in detail Aeschines' (Or. 3), Demosthenes' (Or. 19), and Lycurgus' (Or. 1) descriptions of suffering cities—a recurring example in ancient theorizing about *enargeia*—in the context of major political trials. Chapter 6 shows convincingly that speakers induce dikasts to endorse internal spectators' responses to legally significant events. O'Connell also shows convincingly how the physical presence of forensic stories' internal audiences at the trials is so orchestrated as to blur the limits between the legal space and time of the trial and the space and time of the—narrated—events that gave rise to the legal disputes for which the speeches were composed.

O'Connell's is a moderately sized, well-produced book full of lucidly formulated ideas and insightful observations about the implications of seeing for forensic argumentation. But in several cases, the analysis of individual passages is too compressed. In other cases (especially in chapters 1–2), relevant pieces of evidence are omitted. E.g. in *Against Aristogeiton I*, the speaker dehumanizes the defendant by assimilating him with physical, albeit anthropomorphic, features of wild beasts. A methodological objection concerns O'Connell's treatment of 'vision' and 'seeing'. Because modes of understanding vision display cultural variation, a broader introductory discussion of ancient folk or scientific models of sight would facilitate a more contextualized interpretation of visuality in the speeches. E.g., Greeks commonly treat vision (along with bribes and presents) as one of the most powerful means of non-verbal persuasion (sometimes with a capital P). More work has to be done on seeing and forensic oratory, but O'Connell is a pioneer. Students of ancient oratory and literature will find in his book analytical tools that will enable

them to explore the performative aspects of forensic speeches and assess their literary qualities.

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