allow readers to tidy up their thoughts on the body–soul relationship. It certainly helped me to put my thoughts in order on several aspects of this vast subject.

University of Florida K. KAPPARIS

LEGAL ANTHROPOLOGY

S. JOHNSTONE: *Disputes and Democracy: the Consequences of Litigation in Ancient Athens*. Pp. xiv + 207. Austin: University of Texas Press, 1999. Paper, $17.95. ISBN: 0-292-74053-0.

The study of the limited body of Athenian legal cases tends to be of two types: detailed analysis of individual speeches, or examination of Athenian law as a system. Johnstone offers something distinctively new to the second of these debates. Underneath a rather unpromising cover (an inexplicable negative shot of a corner of the Parthenon) this lucid and enjoyable book uses the theory of disputes from legal anthropology to advance a model of the Athenian legal process, offering ideas about the nature of individual involvement in litigation, Athenians' understanding and interpretation of the law, and the rhetorical strategies through which litigation contributed to the citizens' identity as members of a democracy.

J.'s starting point is to accept that 'the law' was not an agreed unity to which litigators and juries were subject; it was instead created by the speeches of the orators in court and the decisions of the jury. This seems to me very convincing: our interpretation of orators discussing the meaning and scope of laws is based on an assumption that everyone knew what the law was, but even after the codification of the laws there was no central text, and a speaker's job was to find or define the laws which were relevant to the specific case.

The first three chapters each advance a radical idea arising from this premise. The first addresses how the speakers expected the jury to judge the scope or application of particular laws: J. describes the way in which the concept of the lawgiver was invoked in order to allow the laws to be read as a coherent code, written by a single person, and hence interpreted in the light of the lawgiver's supposed intentions. Thus in Hyperides 3, he suggests, the prosecutor is able to argue that the thrust of other laws on unjust contracts supports his claim that his opponent has acted illegally, even though he is not actually in breach of any law. The second chapter examines the effect of litigation on legal narratives: by choosing to pursue litigation, prosecutor and defendant had to cast events into a predecided form—there must be a single event recognized as a crime, perpetrated by one male citizen on another. Hence the rhetorical stories told by litigants may elide actions and actors in the original events, focusing on one action in a continuous feud, or placing a man centre stage. This in itself is not new, but J. extends the idea, with an image of ongoing disputes being reshaped for legal presentation, explaining the many forensic speeches which set out not to answer the charges, but to define what the case is actually about.

The third chapter concerns challenges (here called 'dares'), and J. addresses the apparent paradox whereby challenges made to torture slaves for decisive evidence were not accepted in any known case. He offers a novel interpretation of challenges, not as rhetorical strategies, but as serious attempts by one party to bring the process of litigation to an end. This explains why challenges do not always seem satisfactory in resolving the case from a legal point of view—the aim was to allow both parties to save

© Classical Association, 2001

https://doi.org/10.1093/cr/51.2.307 Published online by Cambridge University Press

face by reaching an acceptable compromise, and therefore only those cases where the challenge had not been accepted would reach court.

The final two chapters treat the methods by which prosecutor and defendant claimed the sympathy of the jury, by reference to their benefactions to the state or appeals for pity. The conclusions here are more straightforward—the statistical analysis seems over-elaborate to demonstrate that defendants asked for pity more then prosecutors—but the direction of the argument is to highlight the rôle of the jury as 'third party' in any dispute. Because the jury received claims on their goodwill as citizens over liturgies performed, and supplications from the powerful and wealthy, J. argues that the jury courts were one of the mechanisms which reproduced a civic identity as Athenians, and as democrats.

The one aspect of J.'s argument which seems disputable is his assertion that because Athens was too big to be a 'face-to-face' society, most litigants and the events of their case were unknown to the jurors. This implies that there were no external sources of information available to the jurors, and therefore social factors such as reputation played no part in their decisions, allowing J. to argue that court cases were judged solely on the rhetoric of the speakers. This is surely something of an over-simplification, since although the citizen body of Athens was large, it comprised many different local, political, and religious associations. If details of longstanding disputes between prominent families could be widely known, then the jury was not simply a blank slate for the narratives of the prosecution or defence, a factor which might in fact add weight to J.'s comments about the competition to define the dispute.

Despite the occasional oddity of style (the use of capital letters after colons, and 'elite' used to mean 'a member of the elite'), this is a valuable and interesting book, which, with its emphasis on the social meaning of litigation, breathes new life into well-known texts.

University of Wales Cardiff SIAN LEWIS

WAR WOUNDS

C. F. SALAZAR: *The Treatment of War Wounds in Graeco-Roman Antiquity.* (Studies in Ancient Medicine, 21.) Pp. xxvii + 299, 8 figs. Leiden, etc.: Brill, 2000. Cased, $78. ISBN: 90-04-11479-3.

Troglodytes the Mouse 'hobbling' away from the battlefield after Limnocharis the Frog hit him in the neck with a stone (*Batrachomyomachia* 212–13, 247–8), and Odysseus and Diomedes 'hobbling' to the assembly the day after being injured in battle (*Iliad* 19.47) are among the few walking wounded to be acknowledged in ancient sources. The injured, especially the permanently disabled, are often an embarrassment in war, an uncomfortable reminder that not every soldier either dies a heroic death or survives unscathed. Nevertheless, there is a fair amount of ancient evidence for war wounds, and Christine Salazar's study, which aims to shed light both on the treatment of wounds in medical practice and on the 'treatment' of the wounded in literature, gathers and discusses much of it (sadly not including our heroically limping mice and men).

She begins by setting out systematically, in two chapters, the evidence from medical writers on the kinds of wounds and possible complications a physician might encounter, and the range of surgical and pharmacological procedures open to him. These sixty pages are essentially a catalogue, but one with many an attention-grabbing

© Classical Association, 2001

https://doi.org/10.1093/cr/51.2.307 Published online by Cambridge University Press