
H-France Review Vol. 6 (September 2006), No. 113

Andrea Frisch, *The Invention of the Eyewitness: Witnessing and Testimony in Early Modern France*. Chapel Hill: University of North Carolina Press, 2004. North Carolina Studies in the Romance Languages and Literatures, 279. 195 pp. Notes, bibliography. \$34.95 U.S. (pb). ISBN 0-8078-9283-1.

Review by Cathy McClive, University of Durham, United Kingdom.

The Invention of the Eyewitness is a dense, original, and ambitious study of the philosophical and literary notions of testimony and eye-witnessing in early modern France. Frisch begins with a compelling introduction juxtaposing the modern (judicial) notion of an eyewitness as someone with a specific knowledge of events with the pre-modern notion based on the ethical status of the witness. The aim of her work is to uncover the “genealogy of testimony,” tracing this rhetorical evolution from ethical to epistemic eyewitness in travel writing, specifically the writing of John Mandeville, Marco Polo, and sixteenth-century French eyewitness accounts of the New World. As such, Frisch seeks to understand what she calls the “testimonial situation,” or the socio-historical context in which the status and credibility of an eyewitness—and thus of his or her testimony—was constructed. She argues strongly against a universal philosophical concept of the eyewitness, promoting instead an “historical re-positioning” of the evolution of witness testimony in the pre-modern era.

The first chapter is crucial to the development of Frisch’s argument. In “The Witness and the Judge,” Frisch presents a theoretical, rhetorical, and etymological discussion of the notions of testimony (both giving and receiving it), witnessing, and credibility. Here Frisch draws upon medieval folklore, early modern jurisprudence, as in the work of Jean Imbert, and the philosophies of Jacques Derrida and Maurice Blanchot to argue that the early modern concept of eye-witnessing was primarily related to the notion of giving evidence—of testifying to someone—rather than to the modern definition of seeing or hearing an event first hand. In this sense, Frisch argues, what counted was not the accuracy of the testimony but the personal credibility of the witness, and therefore his or her standing within a particular community, which meant that the testimony was believable for the addressee.

The issue of credibility is the subject of the second chapter, “Ethos.” In order to demonstrate the dramatic shift from ethical to epistemic witness, Frisch juxtaposes the travel accounts of Marco Polo and John Mandeville with the literary creations of François Rabelais, *Gargantua* and *Pantagruel*. According to Frisch, the tension between the two opposing systems of eye-witnessing is apparent in the reception of travel writing and Rabelais’ satire of the quasi-divine status of the medieval story-teller. Marco Polo’s and Mandeville’s accounts of their voyages were received according to their credibility as story-tellers back home in Europe. Marco Polo’s immersion in Mongol culture rendered him “other” to his former Western community—an “Orientalised Venetian” (p. 53)—lending him a Mongol rather than Christian ethos; whereas Mandeville retained a strictly Roman Catholic world view in his accounts, proving his status as an ethical witness for Western Europe. *Pantagruel’s* narrator, Alcofribas Nasier, embodies the diverging ethical and epistemic witness, “short-circuiting the ethical dialogue between narrator and audience” (p. 63) and positioning himself as someone both believable and other, who has actually witnessed what he recounts, alternating between the roles of “divinely-inspired prophet, the author of allegories; and the tall-tale teller” (p. 66). The backdrop to this analysis is a discussion of the medieval inquest and customary law.

Chapter three, “Experience,” launches the exploration of sixteenth-century accounts of travel to the Americas in the context of the Reformations and the “crisis of faith in judicial testimony” (p. 84). It is

here that Frisch really gets to the heart of her enquiry; this is the most successful of her chapters, combining her earlier theoretical discussions with a close reading of travel-writing to support her earlier statements regarding the evolution of eye-witnessing. Frisch charts the introduction of epistemological witnessing, beginning with Binot Paulmier de Gonneville's *Relation authentique* (1505), an official royal report of his voyage to the New World, and Michel de Montaigne's essay *Des Cannibales* (1580). Frisch argues that by mid-century, travel writers emphasised the authority of their first-hand experience, drawing on evolving protocols of forensic testimony. She links the breakdown of the medieval ethical relationships (necessary for the system of ethical witnessing to function) to the collapse of feudalism and the centralization of the judiciary: increasingly, witnesses testified before strangers who could less-easily evaluate their moral stance. The resultant crisis shifted attention from the person of the witness to the testimony, leading to the creation of the invisible witness in Montaigne's *Des Cannibales* and tying testimony firmly to the individual rather than the collective.

The individual nature of testimony is the subject of chapter four, "The First Person," which is concerned with the technology of witness deposition and the fundamental shift from oral to written testimony within the judiciary. The authoritative, fixed, written deposition, argues Frisch, replaced the "ontological priority" (p. 124) of the oral testimony and was designed to provide an accurate, authentic proof. Frisch links this development to legislative changes imposing the vernacular for all court proceedings and records as an attempt to create transparency and ensure a faithful transcription of the oral deposition. In the context of travel writing, reliance on the first person developed as a result of the social, political and religious upheaval of the Reformations. Frisch argues that since travellers to the Americas could no longer rely on royal, institutional authority to give them and their accounts credibility, they were obliged to claim that accorded by their authentic first-hand experience.

This theme is developed further in the final chapter, "Presence," in which Frisch compares the accounts of Protestant Jean de Léry (*Histoire d'un voyage fait en la terre du Bresil*, 1580) and Catholic André Thevet (*Les singularités de la France Antarctique*, 1558), assessing the impact of doctrinal differences with regard to martyrology (and the eucharist in particular) on the development of eye-witnessing. Frisch concludes that whereas Thevet retains his Western European Christian outlook, referring for instance to the Americas as primitive, Léry instead is able to relativise and both praise and criticise the Brazilians as he does the French, arguing the impossibility of recounting the authenticity of Brazil and encouraging the reader to go there. Frisch reads this as the elision of the physical presence of the eyewitness and the creation of a unique authority based in the text itself, rather than in the experience of witnessing. The epilogue closes the circle nicely with its return to modern notions of eye-witnessing and twentieth-century problems of testimony with regard to the Holocaust.

The strengths of *The Invention of the Eyewitness* are also in some cases its weaknesses, however. The vast scope and range of the book are to be applauded, but also render it dense and inaccessible in places. To Frisch's credit, *The Invention of the Eyewitness* spans a wide chronological period (1300-1600), although thirteenth-century texts are also often cited—in itself problematic. The focus on largely medieval sources throughout whole sections of the work, whilst providing a valuable backdrop for the subsequent analysis of the sixteenth century, renders the subtitle (*Witnessing and Testimony in Early Modern France*) misleading. The book's chronological framework would perhaps have been more accurately signalled by reference to pre-modern or late medieval and early modern France.

On a more technical note, it would have been helpful if the bibliography had been divided into separate sections for primary and secondary sources. There are also a few quibbles relating to the use of nineteenth-century versions of early modern texts. For instance, Pierre Ayrault's *De l'ordre et instruction judiciaire* (1576) appears in the bibliography, yet references to his text are clearly taken from Aldhémar Esmein's *Histoire de la procédure criminelle en France*, printed in 1882 (as Frisch herself states on p. 132).

It is therefore unclear to the reader whether Frisch has actually consulted the original edition. In addition, one of the key sources for chapter three, Paulmier de Gonneville's *Relation authentique du voyage de Gonneville* (1505), is only cited in a nineteenth-century edition. It is rather odd that such a careful and rigorous scholar has not paid more attention to the authenticity of her sources. It may well be that these particular texts are only accessible in the later editions, in which case this should be noted, or that preference was given to the nineteenth-century editions in order that the reader may more easily consult them, but again this needs explanation.

Similarly, two seemingly different systems of referencing are used to often confusing and frustrating effect: footnotes are employed sparingly, but sometimes at great length, to expand on certain points and occasionally provide full references or page numbers, whereas citation references are, on the whole, limited to page numbers in brackets following the quotation, leaving the reader to trawl through the bibliography for the full reference of the work. This may well be standard practice for this press but I found it rather clumsy.

The Invention of the Eyewitness covers an awful lot of ground, incorporating legal, religious, and social discourses with regard to eye-witnessing. It offers complex, detailed discussions of difficult problems linking travel writing firmly to the wider context of early modern France and situating the evolution from the ethical to the epistemic witness firmly within shifts in the judiciary. The cross-referencing of literary, theological, philosophical, and judicial sources will surely appeal to readers of many different disciplines. Frisch's thorough use of rhetoric, theory, and literature will hopefully stimulate scholars to pursue this important topic in other areas of research, drawing perhaps on archival material, court records, and actual witness depositions to complement Frisch's textual analysis and test her preliminary findings.

Cathy McClive
University of Durham, United Kingdom
cathy_mcclive@yahoo.fr

Copyright © 2006 by the Society for French Historical Studies, all rights reserved. The Society for French Historical Studies permits the electronic distribution of individual reviews for nonprofit educational purposes, provided that full and accurate credit is given to the author, the date of publication, and the location of the review on the H-France website. The Society for French Historical Studies reserves the right to withdraw the license for redistribution/republication of individual reviews at any time and for any specific case. Neither bulk redistribution/republication in electronic form of more than five percent of the contents of H-France Review nor re-publication of any amount in print form will be permitted without permission. For any other proposed uses, contact the Editor-in-Chief of H-France. The views posted on H-France Review are not necessarily the views of the Society for French Historical Studies.

ISSN 1553-9172