

Aeschines:
Against Timarchus
(346 BC)

[1] I have never, fellow citizens, brought indictment against any Athenian, nor vexed any man when he was rendering account of his office; but in all such matters I have, as I believe, shown myself a quiet and modest man. But when I saw that the city was being seriously injured by the defendant, Timarchus, who, though disqualified by law, was speaking in your assemblies, and when I myself was made a victim of his blackmailing attack--the nature of the attack I will show in the course of my speech.

[2] I decided that it would be a most shameful thing if I failed to come to the defence of the whole city and its laws, and to your defence and my own; and knowing that he was liable to the accusations that you heard read a moment ago by the clerk of the court, I instituted this suit, challenging him to official scrutiny. Thus it appears, fellow citizens, that what is so frequently said of public suits is no mistake, namely, that very often private enmities correct public abuses.

[3] You will see, then, that Timarchus cannot blame the city for any part of this prosecution, nor can he blame the laws, nor you, nor me, but only himself. For because of his shameful private life the laws forbade him to speak before the people, laying on him an injunction not difficult, in my opinion, to obey--nay, most easy; and had he been wise, he need not have made his slanderous attack upon me. I hope, therefore, that in this introduction I have spoken as a quiet and modest citizen ought to speak.

[4] I am aware, fellow citizens, that the statement which I am about to make first is something that you will undoubtedly have heard from other men on other occasions; but I think the same thought is especially timely on this occasion, and from me. It is acknowledged, namely, that there are in the world three forms of government, autocracy, oligarchy, and democracy: autocracies and oligarchies are administered according to the tempers of their lords, but democratic states according to established laws.

[5] And be assured, fellow citizens, that in a democracy it is the laws that guard the person of the citizen and the constitution of the state, whereas the despot and the oligarch find their protection in suspicion and in armed guards. Men, therefore, who administer an oligarchy, or any government based on inequality, must be on their guard against those who attempt revolution by the law of force; but you, who have a government based upon equality and law, must guard against those whose words violate the laws or whose lives have defied them; for then only will you be strong, when you cherish the laws, and when the revolutionary attempts of lawless men shall have ceased.

[6] And it behooves us, I think, not only when we are enacting laws, to consider always how the laws that we make may be good and advantageous to the democracy, but when once we have enacted them, it equally behooves us, if all is to be well with the state, to obey the laws that we have enacted, and to punish those who do not obey them. Consider, fellow citizens, how much attention that ancient lawgiver, Solon, gave to morality, as did Draco and the other lawgivers of those days.

[7] First, you recall, they laid down laws to protect the morals of our children, and they expressly prescribed what were to be the habits of the freeborn boy, and how he was to be brought up; then they legislated for the lads, and next for the other age-groups in succession, including in their provision, not only private citizens, but also the public men. And when they had inscribed these laws, they gave them to you in trust, and made you their guardians.

[8] Now it is my desire, in addressing you on this occasion, to follow in my speech the same order which the lawgiver followed in his laws. For you shall hear first a review of the laws that have been laid down to govern the orderly conduct of your children, then the laws concerning the lads, and next those concerning the other ages in succession, including not only private citizens, but the public men as well. For so, I think, my argument will most easily be followed. And at the same time I wish, fellow citizens, first to describe to you in detail the laws of the state, and then in contrast with the laws to examine the character and habits of Timarchus. For you will find that the life he has lived has been contrary to all the laws.

[9] In the first place, consider the case of the teachers. Although the very livelihood of these men, to whom we necessarily entrust our own children, depends on their good character, while the opposite conduct on their part would mean poverty, yet it is plain that the lawgiver distrusts them; for he expressly prescribes, first, at what time of day the free-born boy is to go to the school-room; next, how many other boys may go there with him, and when he is to go home.

[10] He forbids the teacher to open the school-room, or the gymnastic trainer the wrestling school, before sunrise, and he commands them to close the doors before sunset; for he is exceeding suspicious of their being alone with a boy, or in the dark with him. He prescribes what children are to be admitted as, pupils, and their age at admission. He provides for a public official who shall superintend them, and for the oversight of slave-attendants of school-boys. He regulates the festivals of the Muses in the school-rooms, and of Hermes in the wrestling-schools. Finally, he regulates the companionships that the boys may form at school, and their cyclic dances.

[11] He prescribes, namely, that the choregus, a man who is going to spend his own money for your entertainment, shall be a man of more than forty years of age when he performs this service, in order that he may have reached the most temperate time of life before he comes into contact with your children. These laws, then, shall be read to you, to prove that the lawgiver believed that it is the boy who has been well brought up that will be a useful citizen when he becomes a man. But when a boy's natural disposition is subjected at the very outset to vicious training, the product of such wrong nurture will be, as he believed, a citizen like this man Timarchus. Read these laws to the jury.

[12] Laws. The teachers of the boys shall open the school-rooms not earlier than sunrise, and they shall close them before sunset. No person who is older than the boys shall be permitted to enter the room while they are there, unless he be a son of the teacher, a brother, or a daughter's husband. If any one enter in violation of this prohibition, he shall be punished with death. The superintendents of the gymnasia shall under no conditions allow any one who has reached the age of manhood to enter the contests of Hermes together with the boys. A gymnasiarch who does permit this and fails to keep such a person out of the gymnasium, shall be liable to the penalties prescribed for the seduction of free-born youth. Every choregus who is appointed by the people shall be more than forty years of age.

[13] Now after this, fellow citizens, he lays down laws regarding crimes which, great as they undoubtedly are, do actually occur, I believe, in the city. For the very fact that certain unbecoming things were being done was the reason for the enactment of these laws by the men of old. At any rate the law says explicitly: if any boy is let out for hire as a prostitute, whether it be by father or brother or uncle or guardian, or by any one else who has control of him, prosecution is not to be against the boy himself, but against the man who let him out for hire and the man who hired him; against the one because he let him out for hire, and against the other, it says, because he hired him. And the law has made the penalties for both offenders the same.

Moreover the law frees a son, when he has become a man, from all obligation to support or to furnish a home to a father by whom he has been hired out for prostitution; but when the father is dead, the son is to bury him and perform the other customary rites.

[14] See, gentlemen, how admirably this legislation fits the case; so long as the father is alive he is deprived of all the benefits of fatherhood, precisely as he deprived his son of a citizen's right to speak; but when he is dead, and unconscious of the service that is being rendered him, and when it is the law and religion that receive the honor, then at last the lawgiver commands the son to bury him and perform the other customary rites. But what other law has been laid down for the protection of your children? The law against panders. For the lawgiver imposes the heaviest penalties if any person act as pander in the case of a free-born child or a free-born woman.

[15] And what other law? The law against outrage, which includes all such conduct in one summary statement, wherein it stands expressly written: if any one outrage a child (and surely he who hires, outrages) or a man or woman, or any one, free or slave, or if he commit any unlawful act against any one of these. Here the law provides prosecution for outrage, and it prescribes what bodily penalty he shall suffer, or what fine he shall pay. Read the law.

[16] Law. If any Athenian shall outrage a free-born child, the parent or guardian of the child shall demand a specific penalty. If the court condemn the accused to death, he shall be delivered to the constables and be put to death the same day. If he be condemned to pay a fine, and be unable to pay the fine immediately, he must pay within eleven days after the trial, and he shall remain in prison until payment is made. The same action shall hold against those who abuse the persons of slaves.

[17] Now perhaps some one, on first hearing this law, may wonder for what possible reason this word "slaves" was added in the law against outrage. But if you reflect on the matter, fellow citizens, you will find this to be the best provision of all. For it was not for the slaves that the lawgiver was concerned, but he wished to accustom you to keep a long distance away from the crime of outraging free men, and so he added the prohibition against the outraging even of slaves. In a word, he was convinced that in a democracy that man is unfit for citizenship who outrages any person whatsoever.

[18] And I beg you, fellow citizens, to remember this also, that here the lawgiver is not yet addressing the person of the boy himself, but those who are near him, father, brother, guardian, teachers, and in general those who have control of him. But, as soon as the young man has been registered in

the list of citizens, and knows the laws of the state, and is now able to distinguish between right and wrong, the lawgiver no longer addresses another, Timarchus, but now the man himself.

[19] And what does he say? "If any Athenian," he says, "shall have prostituted his person, he shall not be permitted to become one of the nine archons," because, no doubt, that official wears the wreath; "nor to discharge the office of priest," as being not even clean of body; "nor shall he act as an advocate for the state," he says, "nor shall ever hold any office whatsoever, at home or abroad, whether filled by lot or by election; nor shall he be a herald or an ambassador"

[20] --nor shall he prosecute men who have served as ambassadors, nor shall he be a hired slanderer-- "nor ever address senate or assembly," not even though he be the most eloquent orator in Athens. And if any one contrary to these prohibitions, the lawgiver has provided for criminal process on the charge of prostitution, and has prescribed the heaviest penalties therefor. Read to the jury this law also, that you may know, gentlemen, in the face of what established laws of yours, so good and so moral, Timarchus has had the effrontery to speak before the people--a man whose character is so notorious.

[21] Law. If any Athenian shall have prostituted his person, he shall not be permitted to become one of the nine archons, nor to discharge the office of priest, nor to act as an advocate for the state, nor shall he hold any office whatsoever, at home or abroad, whether filled by lot or by election; he shall not be sent as a herald; he shall not take part in debate, nor be present at public sacrifices; when the citizens are wearing garlands, he shall wear none; and he shall not enter within the limits of the place that has been purified for the assembling of the people. If any man who has been convicted of prostitution act contrary to these prohibitions, he shall be put to death.

[22] This law was enacted concerning youths who recklessly sin against their own bodies. The laws relating to boys are those read to you a moment ago; but I am going to cite now laws that have to do with the citizens at large. For when the lawgiver had finished with these laws, he next turned to the question of the proper manner of conducting our deliberations concerning the most important matters, when we are met in public assembly. How does he begin? "Laws," he says, "concerning orderly conduct." He began with morality, thinking that that state will be best administered in which orderly conduct is most common. And how does he command the presiding officers to proceed?

[23] After the purifying sacrifice has been carried round and the herald has offered the traditional prayers, the presiding officers are commanded to declare to be next in order the discussion of matters pertaining to the national religion, the reception of heralds and ambassadors, and the discussion of secular matters. The herald then asks, "Who of those above fifty years of age wishes to address the assembly?" When all these have spoken, he then invites any other Athenian to speak who wishes (provided such privileges belongs to him).

[24] Consider, fellow citizens, the wisdom of this regulation. The lawgiver does not forget, I think, that the older men are at their best in the matter of judgment, but that courage is now beginning to fail them as a result of their experience of the vicissitudes of life. So, wishing to accustom those who are the wisest to speak on public affairs, and to make this obligatory upon them, since he cannot call on each one of them by name, he comprehends them all under the designation of the age-group as a whole, invites them to the platform, and urges them to address the people. At the same time he teaches the younger men to respect their elders, to yield precedence to them in every act, and to honor that old age to which we shall all come if our lives are spared.

[25] And so decorous were those public men of old, Pericles, Themistocles, and Aristides (who was called by a name most unlike that by which Timarchus here is called), that to speak with the arm outside the cloak, as we all do nowadays as a matter of course, was regarded then as an ill-mannered thing, and they carefully refrained from doing it. And I can point to a piece of evidence which seems to me very weighty and tangible. I am sure you have all sailed over to Salamis, and have seen the statue of Solon there. You can therefore yourselves bear witness that in the statue that is set up in the Salaminian market-place Solon stands with his arm inside his cloak. Now this is a reminiscence, fellow citizens, and an imitation of the posture of Solon, showing his customary bearing as he used to address the people of Athens.

[26] See now, fellow citizens, how unlike to Timarchus were Solon and those men of old whom I mentioned a moment ago. They were too modest to speak with the arm outside the cloak, but this man not long ago, yes, only the other day, in an assembly of the people threw off his cloak and leaped about like a gymnast, half naked, his body so reduced and befouled through drunkenness and lewdness that right-minded men, at least, covered their eyes, being ashamed for the city, that we should let such men as he be our advisers.

[27] It was with such conduct as this in view that the lawgiver expressly prescribed who were to address the assembly, and who were not to be permitted to speak before the people. He does not exclude from the platform the man whose ancestors have not held a general's office, nor even the man who earns his daily bread by working at a trade; nay, these men he most heartily welcomes, and for this reason he repeats again and again the invitation, "Who wishes to address the assembly?"

[28] Who then are they who in the lawgiver's opinion are not to be permitted to speak? Those who have lived a shameful life; these men he forbids to address the people. Where does he show this? Under the heading "Scrutiny of public men" he says, "If any one attempts to speak before the people who beats his father or mother, or fails to support them or to provide a home for them." Such a man, then, he forbids to speak. And right he is, by Zeus, say I! Why? Because if a man is mean toward those whom he ought to honor as the gods, how, pray, he asks, will such a man treat the members of another household, and how will he treat the whole city? Whom did he, in the second place, forbid to speak?

[29] "Or the man who has failed to perform all the military service demanded of him, or who has thrown away his shield." And he is right. Why? Man, if you fail to take up arms in behalf of the state, or if you are such a coward that you are unable to defend her, you must not claim the right to advise her, either. Whom does he specify in the third place? "Or the man," he says, "who has debauched or prostituted himself." For the man who has made traffic of the shame of his own body, he thought would be ready to sell the common interests of the city also. But whom does he specify in the fourth place?

[30] "Or the man," he says, "who has squandered his patrimony or other inheritance." For he believed that the man who has mismanaged his own household will handle the affairs of the city in like manner; and to the lawgiver it did not seem possible that the same man could be a rascal in private life, and in public life a good and useful citizen; and he believed that the public man who comes to the platform ought to come prepared, not merely in words, but, before all else, in life.

[31] And he was of the opinion that the advice of a good and upright man, however simple and even awkward the words in which it is given, is profitable to the hearers; but the words of a shameless man, who has treated his own body with scorn and disgracefully squandered his patrimony--the words of such a man the lawgiver believed could never benefit the hearers, however eloquently they might be spoken.

[32] These men, therefore, he debars from the speaker's platform, these he forbids to address the people. But if any one, in violation of these prohibitions, not only speaks, but is guilty of blackmail and wanton scurrility, and if the city is no longer able to put up with such a man, "Let any citizen who chooses," he says, "and is competent thereto, challenge him to a suit of scrutiny;" and then he commands you to render decision on the case in a court of justice. This is the law under authority of which I now appear before you.

[33] Now these regulations of the law have long been in force; but you went further and added a new law, after that charming gymnastic exhibition which Timarchus gave in an assembly of the people; for you were exceedingly ashamed of the affair. By the new law, for every meeting of the assembly one tribe is to be chosen by lot to have charge of the speaker's platform, and to preside. And what did the proposer of the law prescribe? That the members of the tribe should sit as defenders of the laws and of the democracy; for he believed that unless we should summon help from some quarter against men who have lived such a life, we should not be able even to deliberate on matters of supreme importance.

[34] For there is no use in attempting, fellow citizens, to drive such men from the platform by shouting at them, for they have no sense of shame. We must try, rather, to break them of their habits by pains and penalties; for so only can they be made endurable. The clerk shall therefore read to you the laws that are in force to secure orderly conduct on the part of our public men. For the law that introduced the presidency of a tribe has been attacked in the courts by Timarchus here, in conspiracy with other men like himself, as being inexpedient, their object being to have license to speak, as well as to behave, as they choose.

[35] Laws. If any public man, speaking in the senate or in the assembly of the people, shall not speak on the subject which is before the house, or shall fail to speak on each proposition separately, or shall speak twice on the same subject in one day, or if he shall speak abusively or slanderously, or shall interrupt the proceedings, or in the midst of the deliberations shall get up and speak on anything that is not in order, or shall shout approval, or shall lay hands on the presiding officer, on adjournment of the assembly or the senate the board of presidents are authorized to report his name to the collectors, with a fine of not more than 50 drachmas for each offence. But if he be deserving of heavier penalty, they shall impose a fine of not more than 50 drachmas, and refer the case to the senate or to the next meeting of the assembly. After due summons that body shall pass judgment; the vote shall be secret, and if he be condemned, the presiding officers shall certify the result to the collectors.

[36] You have heard the laws, fellow citizens, and I am sure that you approve of them. But whether these laws are to be of use or not, rests with you. For if you punish the wrong-doers, your laws will be good and valid; but if you let them go, the laws will still be good, indeed, but valid no longer.

[37] Now that I have finished with the laws, I wish next, as I proposed at the outset, to inquire into the character of Timarchus, that you may know how completely at variance it is with your laws. And I beg you to pardon me, fellow citizens, if, compelled to speak about habits which by nature are, indeed, unclean, but are nevertheless his, I be led to use some expression that is as bad as Timarchus' deeds.

[38] For it would not be right for you to blame me, if now and again I use plain language in my desire to inform you; the blame should rather be his, if it is a fact that his life has been so shameful that a man who is describing his behavior is unable to say what he wishes without sometimes using expressions that are likewise shameful. But I will try my best to avoid doing this.

[39] See, fellow citizens, with what moderation I am going to deal with Timarchus here. For I remit all the sins that as a boy he committed against his own body; let all this be treated as were the acts committed in the days of the Thirty, or before the year of Eucleides, or whenever else a similar statute of limitations has been passed. But what he is guilty of having done after he had reached years of discretion, when he was already a youth, and knew the laws of the state, that I will make the object of my accusation, and to that I call upon you to give serious attention.

[40] First of all, as soon as he was past boyhood he settled down in the Peiraeus at the establishment of Euthydicus the physician, pretending to be a student of medicine, but in fact deliberately offering himself for sale, as the event proved. The names of the merchants or other foreigners, or of our own citizens, who enjoyed the person of Timarchus in those days I will pass over willingly, that no one may say that I am over particular to state every petty detail. But in whose houses he has lived to the shame of his own body and of the city, earning wages by precisely that thing which the law forbids, under penalty of losing the privilege of public speech, of this I will speak.

[41] Fellow citizens, there is one Misgolas, son of Naucrates, of the deme Collytus, a man otherwise honorable, and beyond reproach save in this, that he is bent on that sort of thing like one possessed, and is accustomed always to have about him singers or cithara-players. I say this, not from any liking for indecent talk, but that you may know what sort of man Misgolas is. Now this Misgolas, perceiving Timarchus' motive in staying at the house of the physician, paid him a sum of money in advance and caused him to

change his lodgings, and gothim into his own home; for Timarchus was well developed, young, and lewd, just the person for the thing that Misgolas wanted to do, and Timarchus wanted to have done.

[42] Timarchus did not hesitate, but submitted to it all, though he had income to satisfy all reasonable desires. For his father had left him a very large property, which he has squandered, as I will show in the course of my speech. But he behaved as he did because he was a slave to the most shameful lusts, to gluttony and extravagance at table, to flute-girls and harlots, to dice, and to all those other things no one of which ought to have the mastery over a man who is well-born and free. And this wretch was not ashamed to abandon his father's house and live with Misgolas, a man who was not a friend of his father's, nor a person of his own age, but a stranger, and older than himself, a man who knew no restraint in such matters, while Timarchus himself was in the bloom of youth.

[43] Among the many ridiculous things which Timarchus did in those days was one which I wish to relate to you. The occasion was the procession at the City Dionysia. Misgolas, who had taken possession of him, and Phaedrus, son of Callias, of the deme Sphettus, were to march in the procession together. Now Timarchus here had agreed to join them in the procession, but they were busy with their general preparations, and he failed to come back. Misgolas, provoked at the thing, proceeded to make search for him in company with Phaedrus. They got word of him and found him at lunch with some foreigners in a lodging-house. Misgolas and Phaedrus threatened the foreigners and ordered them to follow straight to the lock-up for having corrupted a free youth. The foreigners were so scared that they dropped everything and ran away as fast as they could go.

[44] The truth of this story is known to everybody who knew Misgolas and Timarchus in those days. Indeed, I am very glad that the suit that I am prosecuting is against a man not unknown to you, and known for no other thing than precisely that practice as to which you are going to render your verdict. For in the case of facts which are not generally known, the accuser is bound, I suppose, to make his proofs explicit; but where the facts are notorious, I think it is no very difficult matter to conduct the prosecution, for one has only to appeal to the recollection of his hearers.

[45] However, although the fact in this case is acknowledged, I remember that we are in court, and so I have drafted an affidavit for Misgolas, true and not indelicate in phrasing, as I flatter myself. For I do not set down the actual name of the thing that Misgolas used to do to him, nor have I written anything else that would legally incriminate a man who has testified to the truth. But I have set down what will be no news for you to hear, and will involve the witness in no danger nor disgrace.

[46] If therefore Misgolas is willing to come forward here and testify to the truth, he will be doing what is right; but if he prefers to refuse the summons rather than testify to the truth, the whole business will be made clear to you. For if the man who did the thing is going to be ashamed of it and choose to pay a thousand drachmas into the treasury rather than show his face before you, while the man to whom it has been done is to be a speaker in your assembly, then wise indeed was the lawgiver who excluded such disgusting creatures from the platform.

[47] But if Misgolas does indeed answer the summons, but resorts to the most shameless course, denial of the truth under oath, as a grateful return to Timarchus, and a demonstration to the rest of them that he well knows how to help cover up such conduct, in the first place he will damage himself, and in the second place he will gain nothing by it. For I have prepared another affidavit for those who know that this man Timarchus left his father's house and lived with Misgolas, though it is a difficult thing, no doubt, that I am undertaking. For I have to present as my witnesses, not friends of mine nor enemies of theirs, nor those who are strangers to both of us, but their friends.

[48] But even if they do persuade these men also not to testify--I do not expect they will, at any rate not all of them--one thing at least they will never succeed in accomplishing: they will never hush up the truth, nor blot out Timarchus' reputation among his fellow citizens--a reputation which he owes to no act of mine, but to his own conduct. For the life of a virtuous man ought to be so clean that it will not admit even of a suspicion of wrongdoing.

[49] But I wish to say another thing in anticipation, in case Misgolas shall answer before the laws and before you. There are men who by nature differ widely from the rest of us as to their apparent age. For some men, young in years, seem mature and older than they are; others, old by count of years, seem to be mere youths. Misgolas is such a man. He happens, indeed, to be of my own age, and was in the cadet corps with me; we are now in our forty-fifth year. I am quite gray, as you see, but not he. Why do I speak of this? Because I fear that, seeing him for the first time, you may be surprised, and some such thought as this may occur to you: "Heracles! This man is not much older than Timarchus." For not only is this youthful appearance characteristic of the man, but moreover Timarchus was already past boyhood when he used to be in his company.

[50] But not to delay, call first, if you please, those who know that Timarchus here lived in the house of Misgolas, then read the testimony of Phaedrus, and, finally, please take the affidavit of Misgolas himself, in case fear of the gods, and respect for those who know the facts as well as he does,

and for the citizens at large and for youthe jurors, shall persuade him to testify to the truth.

Testimony

Misgolas, son of Nicias, of Piraeus, testifies. Timarchus, who once used to stay at the house of Euthydicis the physician, became intimate with me, and I hold him today in the same esteem as in all my past acquaintance with him.

[51] Now, fellow citizens, if Timarchus here had remained with Misgolas and never gone to another man's house, his conduct would have been more decent--if really any such conduct is "decent"--and I should not have ventured to bring any other charge against him than that which the lawgiver describes in plain words, simply that he was a kept man. For the man who practises this thing with one person, and practises it for pay, seems to me to be liable to precisely this charge.

[52] But if, saying nothing about these bestial fellows, Cedonides, Autocleides, and Thersandrus, and simply telling the names of those in whose houses he has been an inmate, I refresh your memories and show that he is guilty of selling his person not only in Misgolas' house, but in the house of another man also, and again of another, and that from this last he went to still another, surely you will no longer look upon him as one who has merely been a kept man, but--by Dionysus, I don't know how I can keep glossing the thing over all day long--as a common prostitute. For the man who follows these practices recklessly and with many men and for pay seems to me to be chargeable with precisely this.

[53] Well, when now Misgolas found him too expensive and dismissed him, next Anticles, son of Callias, the deme Euonymon, took him up. Anticles, however, is absent in Samos as a member of the new colony, so I will pass on to the next incident. For after this man Timarchus had left Anticles and Misgolas, he did not repent or reform his way of life, but spent his days in the gambling-place, where the gaming-table is set, and cock-fighting and dice-throwing are the regular occupations. I imagine some of you have seen the place; at any rate you have heard of it.

[54] Among the men who spend their time there is one Pittalacus, a slave-fellow who is the property of the city. He had plenty of money, and seeing Timarchus spending his time thus he took him and kept him in his own house. This foul wretch here was not disturbed by the fact that he was going to defile himself with a public slave, but thought of one thing only, of getting him to be paymaster for his own disgusting lusts; to the question of virtue or of shame he never gave a thought.

[55] Now the sins of this Pittalacus against the person of Timarchus, and his abuse of him, as they have come to my ears, are such that, by the Olympian Zeus, I should not dare to repeat them to you. For the things that he was not ashamed to do in deed, I had rather die than describe to you in words. But about the same time, while, as I have said, he was staying with Pittalacus, here comes Hegesandrus, back again from the Hellespont. I know you are surprised that I have not mentioned him long before this, so notorious is what I am going to relate.

[56] This Hegesandrus, whom you know better than I, arrives. It happened that he had at that time sailed to the Hellespont as treasurer to the general Timomachus, of the deme Acharnae; and he returned, having made the most, it is said, of the simple-mindedness of the general, for he had in his possession no less than eightyminas of silver. Indeed, he proved to be, in a way, largely responsible for the fate of Timomachus.

[57] Hegesandrus, being so well supplied with money, resorted to the house of Pittalacus, who gambled with him; there he first saw this man Timarchus; he was pleased with him, lusted after him, and wanted to take him to his own house, thinking, doubtless, that here was a man of his own kidney. So he first had a talk with Pittalacus, asking him to turn Timarchus over to him. Failing to persuade him, he appealed to the man himself. He did not spend many words; the man was instantly persuaded. For when it is a question of the business itself, Timarchus shows an openmindedness and a spirit of accommodation that are truly wonderful; indeed, that is one of the very reasons why he ought to be an object of loathing.

[58] When now he had left Pittalacus' house and been taken up by Hegesandrus, Pittalacus was enraged, I fancy, at having wasted, as he considered it, so much money, and, jealous at what was going on, he kept visiting the house. When he was getting to be a nuisance, behold, a mighty stroke on the part of Hegesandrus and Timarchus! One night when they were drunk they, with certain others, whose names I do not care to mention,

[59] burst into the house where Pittalacus was living. First they smashed the implements of his trade and tossed them into the street--sundry dice and dice-boxes, and his gaming utensils in general; they killed the quails and cocks, so well beloved by the miserable man; and finally they tied Pittalacus himself to the pillar and gave him an inhuman whipping, which lasted until even the neighbors heard the uproar.

[60] The next day Pittalacus, exceeding angry over the affair, comes without his cloak to the marketplace and seats himself at the altar of the Mother of the Gods. And when, as always happens, a crowd of people had come running up, Hegesandrus and Timarchus, afraid that their disgusting vices were going to be published to the whole town--a meeting of the assembly was about to be held--hurried up to the altar themselves, and some of their gaming-companions with them,

[61] and surrounding Pittalacus begged him to get up, saying that the whole thing was only a drunken frolic; and this man himself, not yet, by Zeus, repulsive to the sight as he is now, but still usable, begged, touching the fellow's chin, and saying he would do anything Pittalacus pleased. At last they persuaded him to get up from the altar, believing that he was going to receive some measure of justice. But as soon as he had left the marketplace, they paid no more attention to him.

[62] the fellow, angry at their insolent treatment, brings a suit against each of them. When now the case was coming to trial, behold, another mighty stroke on the part of Hegesandrus! Here was a man who had done him no wrong, but, quite the opposite, had been wronged by him, a man on whom he had no claim, in fact, a slave belonging to the city; this man he attempted to enslave to himself, alleging that he was his owner. Now Pittalacus, reduced to desperate straits, falls in with a man--a very good man he is--one Glaucon of the deme Cholargus; he attempts to rescue Pittalacus and secure his freedom.

[63] law-suits were next begun. As time went on they submitted the matter to the arbitration of Diopeithes of Sunium, a man of Hegesandrus' own deme and one with whom he had had dealings in his younger years. Diopeithes undertook the case, but put it off again and again in order to favor these parties.

[64] But when now Hegesandrus was coming before you as a public speaker, being at the same time engaged in his attack on Aristophon of Azenia, an attack which he kept up until Aristophon threatened to institute against him before the people the same process that I have instituted against Timarchus, and when Hegesandrus' brother Crobylus was coming forward as a public man, when, in short, these men had the effrontery to advise you as to international questions, then at last Pittalacus, losing confidence in himself and asking himself who he was that he should attempt to fight against such men as these, came to a wise decision--for I must speak the truth: he gave up, and considered himself lucky if his ill-treatment should stop there. So now when Hegesandrus had won this glorious victory--without a fight!--he kept possession of the defendant, Timarchus.

[65] That this is true you all know. For who of you that has ever gone to the stalls where dainty foods are sold has not observed the lavish expenditures of these men? Or who that has happened to encounter their revels and brawls has not been indignant in behalf of the city? However, since we are in court, call, if you please, Glaucon of Cholargus, who restored Pittalacus to freedom, and read his affidavit and the others.

[66] Affidavits. Glaucon, son of Timaeus, of Cholargus, testifies. I rescued Pittalacus and secured his freedom, when Hegesandrus was attempting to make him his slave. Some time after this, Pittalacus came to me and said that he wished to send to Hegesandrus and come to such settlement with him that the suits should be dropped, both his own suit against Hegesandrus and Timarchus, and the suit of Hegesandrus for his enslavement. And they came to a settlement. Amphisthenes testifies to the same effect. "I rescued Pittalacus and secured his freedom, when Hegesandrus was attempting to make him his slave," and so forth.

[67] Now I will summon Hegesandrus himself for you. I have written out for him an affidavit that is too respectable for a man of his character, but a little more explicit than the one I wrote for Misgolas. I am perfectly aware that he will refuse to swear to it, and presently will perjure himself. Why then do I call him to testify? That I may demonstrate to you what sort of man this kind of life produces--how regardless of the gods, how contemptuous of the laws, how indifferent to all disgrace. Please call Hegesandrus.

[68] Affidavit. Hegesandrus, son of Diphilus, of Steiria testifies. When I returned from my voyage to the Hellespont, I found Timarchus, son of Arizelus, staying at the house of Pittalacus, the gambler. As a result of this acquaintance I enjoyed the same intimacy with Timarchus as with Leodamas previously.

[69] I was sure, fellow citizens, that Hegesandrus would disdain the oath, and I told you so in advance. This too is plain at once, that since he is not willing to testify now, he will presently appear for the defence. And no wonder, by Zeus! For he will come up here to the witness stand, I suppose, trusting in his record, honorable and upright man that he is, an enemy of all evil-doing, a man who does not know who Leodamas was--Leodamas, at whose name you yourselves raised a shout as the affidavit was being read.

[70] Shall I yield to the temptation to use language somewhat more explicit than my own self-respect allows? Tell me, fellow citizens, in the name of Zeus and the other gods, when a man has defiled himself with Hegesandrus, does not that man seem to you to have prostituted himself to a prostitute? In what excesses of bestiality are we not to imagine them to have indulged

when they were drunken and alone! Don't you suppose that Hegesandrus, in his desire to wipe out his own notorious practices with Leodamas, which are known to all of you, made extravagant demands on the defendant, hoping to make Timarchus' conduct so exceedingly bad that his own earlier behavior would seem to have been modest indeed?

[71] And yet you will presently see Hegesandrus and his brother Crobylus leaping to the platform here and mostvehemently and eloquently declaring that what I say is all nonsense. They will demand that I present witnesses to testify explicitly where he did it, how he it, or who saw him do it, or what sort of an act it was--a shameless demand, I think.

[72] For I do not believe your memory is so short that you have forgotten the laws that you heard read a few moments ago, in which it stands written that if anyone hires any Athenian for this act, or if any one lets himself out for hire, he is liable to the most severe penalties, and the same penalties for both offences. Now what man is so reckless that he would be willing to give in plain words testimony which, if the testimony be true, would inevitably amount to information against himself as liable to extreme punishment?

[73] Only one alternative then remains: that the man who submitted to the act shall acknowledge it. But he is on trial on precisely this charge, that after such conduct as this, he breaks the laws by speaking before the assembly. Shall we, then, drop the whole affair, and make no further inquiry? By Poseidon, a fine home this city will be for us, if when we ourselves know that a thing has been done in fact, we are to ignore it unless some man come forward here and testify to the act in words as explicit as they must be shameless.

[74] But pray consider the case with the help of illustrations; and naturally the illustrations will have to be like the pursuits of Timarchus. You see the men over yonder who sit in the bawdy-houses, men who confessedly pursue the profession. Yet these persons, brought to such straits as that, do nevertheless make some attempt to cover their shame: they shut their doors. Now if, as you are passing along the street, any one should ask you, "Pray, what is the fellow doing at this moment?" you would instantly name the act, though you do not see it done, and do not know who it was that entered the house; knowing the profession of the man, you know his act also.

[75] In the same way, therefore, you ought to judge the case of Timarchus, and not to ask whether anyone saw, but whether he has done the deed. For by heaven, Timarchus, what shall a man say? What would you say yourself about another man on trial on this charge? What shall we say when a young man leaves his father's house and spends his nights in other people's houses, a conspicuously handsome young man? When he enjoys costly suppers

without paying for them, and keeps the most expensive flutegirls and harlots? When he gambles and pays nothing himself but another man always pays for him?

[76] Does it take a wizard to explain all that? Is it not perfectly plain that the man who makes such demands must himself necessarily be furnishing in return certain pleasures to the men who are spending their money on him? I say "furnishing pleasures," because, by the Olympian Zeus, I don't know how I can use more euphemistic language than that in referring to your contemptible conduct.

[77] But also look at the case, if you please, with the help of certain illustrations taken from the field of politics, especially matters which you have in hand just now. We have been having revisions of the citizen-lists in the demes, and each one of us has submitted to a vote regarding himself to determine whether he is a genuine citizen or not. Now whenever I am in the court-room listening to the pleas, I see that the same argument always prevails with you: when the prosecutor says

[78] "Gentlemen of the jury, the men of the deme have under oath excluded this man on their own personal knowledge, although nobody brought accusation or gave testimony against him," you immediately applaud, assuming that the man who is before the court has no claim to citizenship. For I suppose you are of the opinion that when one knows a thing perfectly of his own knowledge, he does not need argument or testimony in addition.

[79] Come now, in God's name! if, as on the question of birth, so on the question of these personal habits, Timarchus had to submit to a vote as to whether he is guilty of the charge or not, and the case were being tried in court and were being brought before you as now, except that it were not permitted by constitution or statute either for me to accuse or for him to defend himself, and if this crier who is now standing at my side were putting the question to you in the formula prescribed by law, "The hollow ballot for the juror who believes that Timarchus has been a prostitute, the solid ballot for the juror who does not," what would be your vote? I am absolutely sure that you would decide against him.

[80] Now if one of you should ask me, "How do you know that we would vote against him?" I should answer, "Because you have spoken out and told me." And I will remind you when and where each man of you speaks and tells me: it is every time that Timarchus mounts the platform in the assembly; and the senate spoke out, when last year he was a member of the senate. For every time he used such words as "walls" or "tower" that needed repairing, or told how so-and-so had been "taken off" somewhere,

you immediately laughed and shouted, and yourselves spoke the words that belong to those exploits of which he, to your knowledge, is guilty.

[81] will pass over the most of these incidents and those which happened long ago, but I do wish to remind you of what took place at the very assembly in which I instituted this process against Timarchus. The Senate of the Areopagus appeared before the people in accordance with the resolution that Timarchus had introduced in the matter of the dwelling-houses on the Pnyx. The member of the Areopagus who spoke was Autolycus, a man whose life has been good and pious, by Zeus and Apollo, and worthy of that body.

[82] Now when in the course of his speech he declared that the Areopagus disapproved the proposition of Timarchus, and said, "You must not be surprised, fellow citizens, if Timarchus is better acquainted than the Senate of the Areopagus with this lonely spot and the region of the Pnyx," then you applauded and said Autolycus was right, for Timarchus was indeed acquainted with it.

[83] Autolycus, however, did not catch the point of your uproar; he frowned and stopped a moment; then he went on: "But, fellow citizens, we members of the Areopagus neither accuse nor defend, for such is not our tradition, but we do make some such allowance as this for Timarchus: he perhaps," said he, "thought that where everything is so quiet, there will be but little expense for each of you." Again, at the words "quiet" and "little expense," he encountered still greater laughter and shouting from you.

[84] and when he spoke of the "house sites" and the "tanks" you simply couldn't restrain yourselves. Thereupon Pyrrandrus came forward to censure you, and he asked the people if they were not ashamed of themselves for laughing in the presence of the Senate of the Areopagus. But you drove him off the platform, replying, "We know, Pyrrandrus, that we ought not to laugh in their presence, but so strong is the truth that it prevails--over all the calculations of men."

[85] This, then, I understand to be the testimony that has been offered you by the people of Athens, and it would not be proper that they should be convicted of giving false testimony. When I, fellow citizens, say not a word, you of yourselves shout the name of the acts of which you know he is guilty; strange, then, it would be if when I name them, you cannot remember them; even had there been no trial of this case, he would have been convicted; strange indeed then if when the charge has been proved, he is to be acquitted!

[86] But since I have mentioned the revision of the lists and the measures proposed by Demophilus, I wish to cite a certain other illustration in this connection. For this Demophilus had previously brought in a measure of the following sort: he declared that there were certain men who were attempting to bribe the members of the popular assembly and the courts as well--the same assertion that Nicostratus also has made very recently. Some cases under this charge have been in the courts, others are still pending.

[87] Come now, in the name of Zeus and the gods, if they had resorted to the same defence that Timarchus and his advocates now offer, and demanded that someone should testify explicitly to the crime, or else that the jurors should refuse to believe the charge, surely according to that demand it would have been absolutely necessary for the one man to testify that he gave a bribe, the other, that he took a bribe, though the law threatens each of them with death precisely as in this case if anyone hires an Athenian for a disgraceful purpose, and again if any Athenian voluntarily hires himself out to the shame of his body.

[88] Is there any man who would have testified, or any prosecutor who would have undertaken to present such proof of the act? Surely not. What then? Were the accused acquitted? No, by Heracles! They were punished with death, though their crime was far less, by Zeus and Apollo, than that of this defendant; those poor wretches met such a fate because they were unable to defend themselves against old age and poverty together, the greatest of human misfortunes; the defendant should suffer it because he is unwilling to restrain his own lewdness.

[89] Now if this trial were taking place in another city, and that city were the referee, I should have demanded that you should be my witnesses, you who best know that I am speaking the truth. But since the trial is at Athens, and you are at the same time judges and witnesses of the truth of what I say, it is my place to refresh your memory, and yours not to disbelieve me. For I think Timarchus' anxiety is not for himself alone, fellow citizens, but for all the others also whose practices have been the same as his

[90] For if in the future, as always in the past, this practice is going to be carried on in secret, and in lonely places and in private houses, and if the man who best knows the facts, but has defiled one of his fellow citizens, is to be liable to the severest punishment if he testifies to the truth, while the man on trial, who has been denounced by the testimony of his own life and of the truth, is to demand that he be judged, not by the facts that are notorious, but by the testimony of witnesses, then the law is done away with, and so is the truth, while a plain path is marked out by which the worst wrongdoers may escape.

[91] For what foot-pad or adulterer or assassin, or what man who has committed the greatest crimes, but has done it secretly, will be brought to justice? For whereas such of these criminals as are caught in the act are instantly punished with death, if they acknowledge the crime, those who have done the act secretly and deny their guilt, are tried in the courts, and the truth can be determined by circumstantial evidence only.

[92] Take the example of the Senate of the Areopagus, the most scrupulous tribunal in the city. I myself have before now seen many men convicted before this tribunal, though they spoke most eloquently, and presented witnesses; and I know that before now certain men have won their case, although they spoke most feebly, and although no witnesses testified for them. For it is not on the strength of the pleading alone, nor of the testimony alone, that the members of the court give their verdict, but on the strength of their own knowledge and their own investigations. And this is the reason why that tribunal maintains its high repute in the city.

[93] Therefore, my fellow citizens, I call upon you to make your decision in this case in the same manner. In the first place, let nothing be more credible in your eyes than your own knowledge and conviction regarding this man Timarchus. In the second place, look at the case in the light, not of the present moment, but of the time that is past. For the words spoken before today about Timarchus and his practices were spoken because they were true; but what will be said today will be spoken because of the trial, and with intent to deceive you. Give, therefore, the verdict that is demanded by the longer time, and the truth, and your own knowledge.

[94] And yet a certain speech-writer who is concocting his defense says that I contradict myself; since it seems to him impossible, he says, for the same man to have been a prostitute and to have consumed his patrimony. For, he says, to have sinned against one's own body is the act of a boy, but to have consumed one's patrimony is that of a man. And furthermore he says that those who defile themselves exact pay for it. He therefore goes up and down the marketplace expressing his wonder and amazement that one and the same man should have prostituted himself and also have consumed his patrimony.

[95] Now if anyone does not understand the facts of the case, I will try to explain them more clearly. Hegesandrus, who kept Timarchus, had married an heiress. So long as her inheritance held out, and the money that Hegesandrus had brought back with him from his voyage with Timomachus, they lived in all luxury and lewdness. But when these resources had been wasted and gambled away and eaten up, and this defendant had lost his youthful charm, and, as you would expect, no one would any longer give

him anything, while his lewd and depraved nature constantly craved the same indulgences, and with excessive incontinence kept making demand after demand upon him,

[96] then, at last, incessantly drawn back to his old habits, he resorted to the devouring of his patrimony. And not only did he eat it up, but, if one may so say, he also drank it up! He sold one piece of property after another, not for what it was worth--he couldn't wait for a higher offer nor even for the bare value, but let it go for what it would fetch on the instant, so urgently did he hasten to gratify his lusts.

[97] His father left him a fortune which another man would have found sufficient for the service of the state also. But Timarchus was not able even to preserve it for himself. There was a house south of the Acropolis, a suburban estate at Sphettus, another piece of land at Alopeke, and besides there were nine or ten slaves who were skilled shoemakers, each of whom paid him a fee of two obols a day, and the superintendent of the shop three obols. Besides these there was a woman skilled in flax-working, who produced fine goods for the market, and there was a man skilled in embroidery. Certain men also owed him money, and there were house furnishings.

[98] Here, at any rate, by Zeus, I will present my witnesses to prove the truth of what I say, and they will testify most clearly and explicitly; for there is no danger, as there was the other time, to the man who testifies to the truth, nor any disgrace either. The city residence he sold to Nausicrates, the comic poet; afterward Cleaenetus, the chorus-master, bought it of Nausicrates for twenty minas. The suburban estate Mnesitheus of Myrrinoussa bought of him, a large tract, but wretchedly run down by his neglect.

[99] The place at Alopeke, distant eleven or twelve furlongs from the city-wall, his mother begged and besought him, as I have heard, to spare and not to sell, or, if he would do nothing more, at least to leave her there a place to be buried in. But even from this spot he did not withhold his hand; this too he sold, for 2,000 drachmas. Of the slaves, men and women, he left not one; he has sold them all. To prove that I am not lying, I will produce witness that his father left the slaves; but if he denies that he has sold them, let him produce their persons in court.

[100] but to prove, further, that his father had lent money to certain men, and that Timarchus collected and has spent it, I will call as witnesses for you Metagenes of Sphettus, who owed more than thirty minas, and paid to the defendant what was still due at his father's death, seven minas. Please call Metagenes of Sphettus. But first of all read the testimony of Nausicrates,

who bought the house, and take all the other depositions that I mentioned in the same connection.

Depositions.

[101] I will now show you that his father had not a little ready money, which the defendant has squandered. For the father, afraid of the special services to which he would be liable, sold the property that he owned (with the exception of the items I have mentioned)--a piece of land in Cephisia, another in Amphitrope, and two workshops at the silver mines, one of them in Aulon, the other near the tomb of Thrasyllus.

[102] How it was that the father became so well-to-do I will tell you. There were three brothers in this family, Eupolemus, the gymnastic trainer, Arizelus, the father of the defendant, and Arignotus, who is still living, an old man now, and blind. Of these, Eupolemus was the first to die, before the estate had been divided; next, Arizelus, the father of Timarchus. So long as Arizelus lived, he managed the whole estate, because of the ill-health of Arignotus and the trouble with his eyes, and because Eupolemus was dead. By agreement with Arignotus he regularly gave him a sum of money for his support.

[103] then Arizelus, the father of the defendant Timarchus, died also. In the first years thereafter, so long as the defendant was a child, Arignotus received from the guardians all that one could ask. But after Timarchus was enrolled in the citizens' list, and had come into control of the estate, he thrust aside this old and unfortunate man, his own uncle, and made way with the estate. He gave nothing to Arignotus for his support, but was content to see him, fallen from such wealth, now receiving the alms that the city gives to disabled paupers.

[104] finally--and most shameful of all--when the old man's name had been omitted at a revision of the list of pauper-pensioners, and he had laid a petition before the senate to have his dole restored, the defendant, who was a member of the senate, and one of the presiding officers that day, did not deign to speak for him, but let him lose his monthly pension. To prove the truth of what I say, call, if you please, Arignotus of Sphettus, and read his affidavit.

Affidavit

[105] But perhaps someone may say that after selling his father's house he bought another one somewhere else in the city, and that in place of the suburban estate and the land at Alopeke, and the slaves and the rest, he made investments in connection with the silver mines, as his father had

done before him. No, he has nothing left, not a house, not an apartment, not a piece of ground, no slaves, no money at interest, nor anything else from which honest men get a living. On the contrary, in place of his patrimony, the resources he has left are lewdness, calumny, impudence, wantonness, cowardice, effrontery, a face that knows not the blush of shame--all that would produce the lowest and most unprofitable citizen.

[106] But it is not only his patrimony that he has wasted, but also the common possessions of the state, your possessions, so far as they have ever come under his control. You see for yourselves how young he is, and yet there is not a public office which he has not held, not one of them by lot or by election, but every one by purchase, in defiance of the laws. The most of them I will pass over, and mention two or three only.

[107] He held the office of auditor, and did the state serious injury by taking bribes from office holders who had been dishonest, though his specialty was the blackmailing of innocent men who were to appear before the auditing board. He held a magistracy in Andros, which he bought for thirty minas, borrowing the money at nine obols on the mina, and thus he made your allies a ready source of supply for his own lusts. And in his treatment of the wives of free men he showed such licentiousness as no other man ever did. Of these men I call no one into court to testify publicly to his own misfortune, which he has chosen to cover in silence, but I leave it to you to investigate this matter.

[108] But what do you expect? If a man at Athens not only abuses other people, but even his own body, here where there are laws, where you are looking on, where his personal enemies are on the watch, who would expect that same man, when he had received impunity and authority and office, to have placed any limit on his license? By Zeus and Apollo, many a time before now have I marvelled at the good fortune of your city, shown on many other occasions, but not least in this, that in those days he found nobody to whom he could sell the state of Andros!

[109] But, you say, although he was worthless when he held office alone, yet when he was associated with others he was all right! How so? This man, fellow citizens, became a member of the senate in the archsonship of Nicophemus. Now to recount all the rascalities of which he was guilty in that year would be too large an undertaking for the small fraction of a day; but those which are most germane to the charge that underlies the present trial, I will relate in a few words.

[110] in the same year in which Timarchus was a member of the senate, Hegesandrus, the brother of Crobylus, was a treasurer of the funds of the goddess, and together, in right friendly comradeship, they were in the act

of stealing a thousand drachmas which belonged to the city. But a reputable man, Pamphilus of the deme Acherdous, who had had some trouble with the defendant and was angry with him, found out what was going on, and at a meeting of the assembly arose and said, "Fellow citizens, a man and a woman are conspiring to steal one thousand drachmas of yours."

[111] then you in astonishment cried, "How `a man and a woman,' what are you talking about?" after a little he went on: "Don't you understand," said he, "what I mean? The man is our friend Hegesandrus there, a man now, though he too used to be a woman, Laodamas's woman; as for the woman, she is Timarchus yonder. How the money is being stolen I will tell you." He then proceeded to give a full account of the matter, and in a way that showed that there was no guesswork about it. After he had given you this information, "What is it, fellow citizens," said he, "that I advise? If the senate sustains the charge against this man and expels him, and then hands him over to the courts, give the senate the usual testimonial; but if they fail to punish him, refuse to give it, and lay up this thing against them for that day."

[112] After this, when the senate had returned to the senate chamber, they expelled him on the preliminary ballot, but took him back on the final vote. I must tell you, however unpleasant it is to mention it, that for their failure to hand him over to the courts, or even to expel him from the senate chamber, they failed to receive the usual testimonial. I beg you therefore, fellow citizens, not to present the spectacle of showing resentment toward the senate, and depriving five hundred citizens of a crown because they failed to punish the defendant, and then letting him go free yourselves; and I beg you not to preserve for the popular assembly a public man who has proved useless to the senate.

[113] But, you say, though such is his record in the offices filled by lot, he has been a better man in the elective offices. Why, who of you has not heard of his notorious conviction for stealing? You will recall that you sent him as an inspector of the mercenary troops in Eretria. He and he only of the board of inspectors acknowledged that he had taken money, and made no defence against the charge, but immediately admitted his guilt, making his plea only as to the penalty. You punished those who denied their guilt with a fine of a talent apiece, but him with half a talent. Whereas the laws command that thieves who admit their guilt shall be punished with death; it is those who deny their guilt that are to be put on trial.

[114] In consequence of this experience so great became his contempt for you that immediately, on the occasion of the revision of the citizen lists, he gathered in two thousand drachmas. For he asserted that Philotades of Cydathenaeon, a citizen, was a former slave of his own, and he persuaded

the members of the deme to disfranchise him. He took charge of the prosecution in court, and after he had taken the sacred offerings in his hand and sworn that he had not taken a bribe and would not,

[115] and though he swore by the usual gods of oaths and called down destruction on his own head, yet it has been proved that he received twenty minas from Leuconides, the brother-in-law of Philotades, at the hands of Philemon the actor, which money he soon spent on his mistress Philoxene. And so he broke his oath and abandoned the case. To prove that I speak the truth please call Philemon, who paid over the money, and Leuconides, the brother-in-law of Philotades, and read the copy of the agreement by which he effected the sale of the case.

Affidavits Agreement

[116] Now what manner of man he has shown himself to be in his dealings with his fellow citizens and his own family, how shamefully he has wasted his patrimony, how he has submitted to the abuse of his own body, all this you knew as well as I, before ever I spoke, but my account of it has sufficiently refreshed your memory. Two points of my plea remain, and I pray to all the gods and goddesses that I may be enabled to speak regarding them as I have planned to do, for the public good; and I should like you to give attention to what I am about to say, and to follow me with willing mind.

[117] The first of these points is an anticipation of the defence which I hear he is about to offer, for I fear that if I neglect this topic, that man who professes to teach the young the tricks of speech may mislead you by some artifice, and so defraud the state. My second point is an exhortation of the citizens to virtue. And I see many young men present in court, and many of their elders, and not a few citizens of other states of Hellas, gathered here to listen. Do not imagine that they have come to look at me.

[118] Nay, rather have they come to find out about you, whether you not only know how to make good laws, but also are able to distinguish between good conduct and bad; whether you know how to honor good men; and whether you are willing to punish those who make their own life a reproach to the city. I will first speak to you about the defence.

[119] The eminent orator Demosthenes says that you must either wipe out your laws, or else no attention must be paid to my words. For he is amazed, he says, if you do not all remember that every single year the senate farms out the tax on prostitutes, and that the men who buy this tax do not guess, but know precisely, who they are that follow this profession. When, therefore, I have dared to bring impeachment against Timarchus for having prostituted himself, in order that I may deprive him of the right to

address the people in assembly, Demosthenes says that the very act complained of calls, not for an accuser's arraignment, but for the testimony of the tax-gatherer who collected this tax from Timarchus.

[120] Now, fellow citizens, see whether the reply that I make seems to you frank and straightforward. For I am ashamed in the city's behalf, if Timarchus, the counsellor of the people, the man who dares to go out into Hellas on their embassies, if this man, instead of undertaking to clear his record of the whole matter, shall ask us to specify the localities where he plied his trade, and to say whether the tax collectors have ever collected the prostitutes' licence from him.

[121] For your sakes pray let him give up such defence as that! But I myself will suggest to you, Timarchus, a different line of defence, which is honorable and fair, and you will adopt it, if you are conscious of having done nothing shameful. Come, dare to look the jury in the face and say that which a decent man ought to say of his youth: "Fellow citizens, I have been brought up as boy and youth among you; how I have spent my time is no secret to you, and you see me with you in your assemblies.

[122] Now if I were defending myself before any other set of men on the charge on which I stand accused, I think your testimony would readily suffice to refute the words of my accuser. For if any such act has been committed by me, nay rather if my life has exhibited to you even any resemblance to that of which he accuses me, I feel that the rest of my life is not worth living; I freely concede you my punishment, that the state may have therein a defence in the eyes of Hellas. I have not come here to beg for mercy from you; nay, do with me what you will, if you believe that I am such a man as that." This, Timarchus, is the defence of a good and decent man, a man who has confidence in his past life, and who with good reason looks with contempt upon all efforts to slander him.

[123] But the defence which Demosthenes persuades you to make is not for a free man, but for a prostitute --quibbling about when and where! But since you do take refuge in the names of the lodgings, demanding that in our proof we specify every single house where you plied your trade, to such an argument as that you will never again resort, if you are wise, when you have heard what I am about to say. For it is not the lodgings and the houses which give their names to the men who have lived in them, but it is the tenants who give to the places the names of their own pursuits.

[124] Where, for example, several men hire one house and occupy it, dividing it between them, we call it an "apartment house," but where one man only dwells, a "house." And if perchance a physician moves into one of these shops on the street, it is called a "surgery." But if he moves out and

a smith moves into this same shop, it is called a "smithy"; if a fuller, a "laundry"; if a carpenter, a "carpenter's shop"; and if a pimp and his harlots, from the trade itself it gets its name of "brothel." So that you have made many a house a brothel by the facility with which you have plied your profession. Ask not, then, where it was that you practised it, but make this your defence, that you have never done the thing.

[125] But it seems that we are to have another argument, too, concocted by the same sophist. For he says that nothing is more unjust than common report, and he goes to the market-place for his evidence, the sort of thing that is quite in harmony with his own life. He says first that the apartment house in Colonus which is called Demon's is falsely named, for it does not belong to Demon. Again, that the herm called "the Herm of Andocides" is not that of Andocides, but a votive offering of the tribe Aegeis.

[126] and Demosthenes by way of a jest presents himself as an example, for he poses as a man who knows how to indulge in pleasantries and to joke about his own manner of life. "Unless," he says, "I am to answer to the name when the crowd call me, not Demosthenes, but 'Batalus,' just because I got that nickname from my nurse, as my baby-name." And he says that if Timarchus did develop into a handsome youth, and if he is jeered at through slanderous interpretation of that fact, and not because of his own actions, surely he ought not for that reason to fall into misfortune.

[127] But, Demosthenes, in the case of votive offerings, houses, estates, and all dumb objects in general, I do indeed hear many names applied, ever changing, never twice the same; for in them are no actions good or bad, but the man who happens to have become connected with them, whoever he may be, gives them a name according to the greatness of his own reputation. But in the case of the life and conduct of men, a common report which is unerring does of itself spread abroad throughout the city; it causes the private deed to become matter of public knowledge, and many a time it even prophesies what is about to be.

[128] to manifest and so far from being fabricated is this statement of mine, that you will find that both our city and our forefathers dedicated an altar to Common Report, as one of the greatest gods; and you will find that Homer again and again in the Iliad says, of a thing that has not yet come to pass, "Common Report came to the host;" and again you will find Euripides declaring that this god is able not only to make known the living, revealing their true characters, but the dead as well, when he says, "Common Report shows forth the good man, even though he be in the bowels of the earth;"

[129] and Hesiod expressly represents her as a goddess, speaking in words that are very plain to those who are willing to understand, for he says, "But Common Report dies never, the voice that tongues of many men do utter. She also is divine." You will find that all men whose lives have been decorous praise these verses of the poets. For all who are ambitious for honor from their fellows believe that it is from good report that fame will come to them. But men whose lives are shameful pay no honor to this god, for they believe that in her they have a deathless accuser.

[130] Call to mind, therefore, fellow citizens, what common report you have been accustomed to hear in the case of Timarchus. The instant the name is spoken you ask, do you not, "What Timarchus do you mean? The prostitute?" Furthermore, if I had presented witnesses concerning any matter, you would believe me; if then I present the god as my witness, will you refuse to believe? But she is a witness against whom it would be impiety even to bring complaint of false testimony.

[131] in the case of Demosthenes, too, it was common report, and not his nurse, that gave him his nickname; and well did common report name him Batalus, for his effeminacy and lewdness! For, Demosthenes, if anyone should strip off those exquisite, pretty mantle of yours, and the soft, pretty shirts that you wear while you are writing your speeches against your friends, and should pass them around among the jurors, I think, unless they were informed beforehand, they would be quite at a loss to say whether they had in their hands the clothing of a man or of a woman!

[132] But in the course of the defence one of the generals will, as I am told, mount the platform, with head held high and a self-conscious air, as one who should say, Behold the graduate of the wrestling schools, and the student of philosophy! And he will undertake to throw ridicule upon the whole idea of the prosecution, asserting that this is no legal process that I have devised, but the first step in a dangerous decline in the culture of our youth. He will cite first those benefactors of yours, Harmodius and Aristogeiton, describing their fidelity to one another, and telling how in their case this relationship proved the salvation of the state.

[133] Indeed, they say he will not even spare the poems of Homer or the names of the heroes, but will celebrate the friendship between Patroclus and Achilles, which, we are told, had its source in passion. And he will pronounce an encomium on beauty now, as though it were not recognised long since as a blessing, if haply it be united with morality. For he says that if certain men by slandering this beauty of body shall cause beauty to be a misfortune to those who possess it, then in your public verdict you will contradict your personal prayers.

[134] For you seem to him, he says, in danger of being strangely inconsistent; for when you are about to beget children, you pray one and all that your sons still unborn may be fair and beautiful in person, and worthy of the city; and yet when you have sons already born, of whom the city may well be proud, if by their surpassing beauty and youthful charm they infatuate one person or another, and become the subject of strife because of the passion they inspire, these sons, as it seems, you propose to deprive of civic rights--because Aeschines tells you to do it.

[135] And just here I understand he is going to carry the war into my territory, and ask me if I am not ashamed on my own part, after having made a nuisance of myself in the gymnasia and having been many times a lover, now to be bringing the practice into reproach and danger. And finally--so I am told--in an attempt to raise a laugh and start silly talk among you, he says he is going to exhibit all the erotic poems I have ever addressed to one person or another, and he promises to call witnesses to certain quarrels and pommellings in which I have been involved in consequence of this habit.

[136] Now as for me, I neither find fault with love that is honorable, nor do I say that those who surpass in beauty are prostitutes. I do not deny that I myself have been a lover and am a lover to this day, nor do I deny that the jealousies and quarrels that commonly arise from the practice have happened in my case. As to the poems which they say I have composed, some I acknowledge, but as to others I deny that they are of the character that these people will impute to them, for they will tamper with them.

[137] The distinction which I draw is this: to be in love with those who are beautiful and chaste is the experience of a kind-hearted and generous soul; but to hire for money and to indulge in licentiousness is the act of a man who is wanton and ill-bred. And whereas it is an honor to be the object of a pure love, I declare that he who has played the prostitute by inducement of wages is disgraced. How wide indeed is the distinction between these two acts and how great the difference, I will try to show you in what I shall next say.

[138] Your fathers, when they were laying down laws to regulate the habits of men and those acts that inevitably flow from human nature, forbade slaves to do those things which they thought ought to be done by free men. "A slave," says the law, "shall not take exercise or anoint himself in the wrestling-schools." It did not go on to add, "But the free man shall anoint himself and take exercise;" for when, seeing the good that comes from gymnastics, the lawgivers forbade slaves to take part, they thought that in prohibiting them they were by the same words inviting the free.

[139] Again, the same lawgiver said, "A slave shall not be the lover of a free boy nor follow after him, or else he shall receive fifty blows of the public lash." But the free man was not forbidden to love a boy, and associate with him, and follow after him, nor did the lawgiver think that harm came to the boy thereby, but rather that such a thing was a testimony to his chastity. But, I think, so long as the boy is not his own master and is as yet unable to discern who is a genuine friend, and who is not, the law teaches the lover self-control, and makes him defer the words of friendship till the other is older and has reached years of discretion; but to follow after the boy and to watch over him the lawgiver regarded as the best possible safeguard and protection for chastity.

[140] And so it was that those benefactors of the state, Harmodius and Aristogeiton, men pre-eminent for their virtues, were so nurtured by that chaste and lawful love--or call it by some other name than love if you like--and so disciplined, that when we hear men praising what they did, we feel that words are inadequate to the eulogy of their deeds.

[141] But since you make mention of Achilles and Patroclus, and of Homer and the other poets--as though the jury were men innocent of education, while you are people of a superior sort, who feel yourselves quite beyond common folks in learning--that you may know that we too have before now heard and learned a little something, we shall say a word about this also. For since they undertake to cite wise men, and to take refuge in sentiments expressed in poetic measures, look, fellow citizens, into the works of those who are confessedly good and helpful poets, and see how far apart they considered chaste men, who love their like, and men who are wanton and overcome by forbidden lusts.

[142] I will speak first of Homer, whom we rank among the oldest and wisest of the poets. Although he speaks in many places of Patroclus and Achilles, he hides their love and avoids giving a name to their friendship, thinking that the exceeding greatness of their affection is manifest to such of his hearers as are educated men.

[143] For Achilles says somewhere in the course of his lament for the death of Patroclus, as recalling one of the greatest of sorrows, that unwillingly he has broken the promise he had given to Menoetius, the father of Patroclus; for he had promised to bring his son back safe to Opus, if he would send him along with him to Troy, and entrust him to his care. It is evident from this that it was because of love that he undertook to take care of him.

[144] But the verses, which I am about to recite, are these: "Ah me, I rashly spoke vain words that day When in his halls I cheered Menoetius. I told the hero I would surely bring His famous son to Opus back again, When he had ravaged Ilium, and won His share of spoil. But Zeus does not fulfil To men their every hope. For fate decrees that both of us make red one spot of earth."

[145] And indeed not only here do we see his deep distress, but he mourned so sorely for him, that although his mother Thetis cautioned him and told him that if he would refrain from following up his enemies and leave the death of Patroclus unavenged, he should return to his home and die an old man in his own land, whereas if he should take vengeance, he should soon end his life, he chose fidelity to the dead rather than safety. And with such nobility of soul did he hasten to take vengeance on the man who slew his friend, that when all tried to comfort him and urged him to bathe and take food, he swore that he would do none of these things until he had brought the head of Hector to the grave of Patroclus.

[146] And when he was sleeping by the funeral pyre, as the poet says, the ghost of Patroclus stood before him, and stirred such memories and laid upon Achilles such injunctions, that one may well weep, and envy the virtue and the friendship of these men. He prophesies that Achilles too is not far from the end of life, and enjoins upon him, if it he in any wise possible, to make provision that even as they had grown up and lived together, even so when they are dead their bones may be in the same coffer.

[147] weeping, and recalling the pursuits which they had followed together in life, he says, "Never again shall we sit together alone as in the old days, apart from our other friends, and take high counsel," feeling, I believe, that this fidelity and affection were what they would long for most. But that you may hear the sentiments of the poet in verse also, the clerk shall read to you the verses on this theme which Homer composed.

[148] Read first the verses about the vengeance on Hector. "But since, dear comrade, after thee I go Beneath the earth, I will not bury thee 'Till here I bring thee Hector's head and arms, The spoils of that proud prince who took thy life."

[149] Now read what Patroclus says in the dream about their common burial and about the intercourse that they once had with one another. "For we no longer as in life shall sit Apart in sweet communion. Nay, the doom Appointed me at birth has yawned for me. And fate has destined thee, Achilles, peer Of gods, to die beneath the wall of Troy's Proud lords, fighting for fair-haired Helen's sake. More will I say to thee, pray heed it

well: Let not my bones be laid apart from thine, Achilles, but that thou and I may be In common earth, I beg that I may share That golden coffer which thy mother brought To be thine own, even as we in youth Grew up together in thy home. My sire Menoetius brought me, a little lad, from home, From Opus, to your house, for sad bloodshed, That day, when, all unwitting, in childish wrath About the dice, I killed Amphidamas' son. The knightly Peleus took me to his home And kindly reared me, naming me thy squire. So let one common coffer hide our bones."

[150] Now to show that it was possible for him to have been saved had he refrained from avenging the death of Patroclus, read what Thetis says. "Ah me, my son, swift fate indeed will fall On thee, if thou dost speak such words. For know, Swift after Hector's death fate brings thine own. To her divine Achilles, swift of foot, In turn made answer. Straightway let me die, For when my friend was slain, my dearest friend, It was not granted me to succor him."

[151] Again, Euripides, a poet than whom none is wiser, considering chaste love to be one of the most beautiful things, says somewhere, making love a thing to be prayed for: "There is a love that makes men virtuous And chaste, an envied gift. Such love I crave."

[152] Again the same poet, in the Phoenix, expresses his opinion, making defence against false charges brought by the father, and trying to persuade men habitually to judge, not under the influence of suspicion or of slander, but by a man's life: "Many a time ere now have I been made The judge in men's disputes, and oft have heard For one event conflicting witnesses. And so, to find the truth, I, as do all Wise men, look sharp to see the character That marks the daily life, and judge by that. The man who loves companionship of knaves I care not to interrogate. What need Is there? I know too well the man is such As is the company he loves to keep."

[153] Examine the sentiments, fellow citizens, which the poet expresses. He says that before now he has been made judge of many cases, as you today are jurors; and he says that he makes his decisions, not from what the witnesses say, but from the habits and associations of the accused; he looks at this, how the man who is on trial conducts his daily life, and in what manner he administers his own house, believing that in like manner he will administer the affairs of the state also; and he looks to see with whom he likes to associate. And, finally, he does not hesitate to express the opinion that a man is like those whose "company he loves to keep." It is right, therefore, that in judging Timarchus you follow the reasoning of Euripides.

[154] How has he administered his own property? He has devoured his patrimony, he has consumed all the wages of his prostitution and all the fruits of his bribery, so that he has nothing left but his shame. With whom does he love to be? Hegesandrus! And what are Hegesandrus' habits? The habits that exclude a man by law from the privilege of addressing the people. What is it that I say against Timarchus, and what is the charge that I have brought? That Timarchus addresses the people, a man who has made himself a prostitute and has consumed his patrimony. And what is the oath that you have taken? To give your verdict on the precise charges that are presented by the prosecution.

[155] But not to dwell too long on the poets, I will recite to you the names of older and well-known men, and of youths and boys, some of whom have had many lovers because of their beauty, and some of whom, still in their prime, have lovers today, but not one of whom ever came under the same accusations as Timarchus. Again, I will tell over to you in contrast men who have prostituted themselves shamefully and notoriously, in order that by calling these to mind you may place Timarchus where he belongs.

[156] First I will name those who have lived the life of free and honorable men. You know, fellow citizens, Crito, son of Astyochus, Pericleides of Perithoedae, Polemagenes, Pantaleon, son of Cleagoras, and Timesitheus the runner, men who were the most beautiful, not only among their fellow citizens, but in all Hellas, men who counted many a man of eminent chastity as lover; yet no man ever censured them.

[157] and again, among the youths and those who are still boys, first, you know the nephew of Iphicrates, the son of Teisias of Rhamnos, of the same name as the defendant. He, beautiful to look upon, is so far from reproach, that the other day at the rural Dionysia when the comedies were being played in Collytus, and when Parmenon the comic actor addressed a certain anapaestic verse to the chorus, in which certain persons were referred to as "big Timarchian prostitutes," nobody thought of it as aimed at the youth, but, one and all, as meant for you, so unquestioned is your title to the practice. Again, Anticles, the stadium runner, and Pheidias, the brother of Melesias. Although I could name many others, I will stop, lest I seem to be in a way courting their favor by my praise.

[158] But as to those men who are kindred spirits with Timarchus, for fear of arousing their enmity I will mention only those toward whom I am utterly indifferent. Who of you does not know Diophantes, called "the orphan," who arrested the foreigner and brought him before the archon, whose associate on the bench was Aristophon of Azenia? For Diophantes accused the foreigner of having cheated him out of four drachmas in connection with

this practice, and he cited the laws that command the archon to protect orphans, when he himself had violated the laws that enjoin chastity. Or what Athenian was not indignant at Cephisodorus, called Molon's son, for having ruined his surpassing beauty by a most infamous life? Or Mnesitheus, known as the cook's son? Or many others, whose names I am willing to forget?

[159] For I have no desire to tell over the whole list of them one by one in a spirit of bitterness. Nay, rather I could wish that I might be at a loss for such examples in my speech, for I love my city. But since we have selected for special mention a few from each of the two classes, on the one side men who have been loved with a chaste love, and on the other men who sin against themselves, now let me ask you this question, and pray answer me: To which class do you assign Timarchus--to those who are loved, or to those who are prostitutes? You see, Timarchus, you are not to be permitted to desert the company which you have chosen and go over to the ways of free men.

[160] But if they shall undertake to say that no man has been a prostitute unless he was hired under contract, and if they demand that I produce writings and witnesses, I ask you first to call to mind the laws concerning prostitution; in them the lawgiver has nowhere made mention of contracts, for he did not inquire whether it was by contract that a person had defiled himself, but in comprehensive terms, no matter how the deed is done, he commands that the man who did it shall take no part in public affairs. And he is right; for the man who in his youth was led by shameful indulgence to surrender honorable ambition, that man, he believed, ought not in later life to be possessed of the citizen's privileges.

[161] In the second place, it is easy to demonstrate the folly of this plea. For we should all acknowledge this, that we enter into contracts because we do not trust one another, the object being that the party who has not violated the written terms may receive satisfaction by verdict of the courts from the one who has. If, therefore, this business needs the help of the courts, those who have served as prostitutes by contract, in case they are wronged, have left them, according to the argument of the defendants, recourse to the protection of the laws. And what would be the plea that either side would advance? Imagine the case, not as something that I am telling you, but as going on before your eyes.

[162] Assume that the man who hired the other is in the right as regards the fact and the man who was hired is in the wrong and has no ground to stand on; or assume the opposite, that the man who was hired is fair and fulfils his engagement, but the man who has plucked the flower of his youth and hired him has broken his word; then imagine that you yourselves are

sitting as jury. Now the elder man, when his time allowance and the right to speak are given him, will press his accusation vigorously, and looking, of course, into your faces, he will say,

[163] "Fellow citizens, I hired Timarchus to serve me as a prostitute according to the contract that is deposited with Demosthenes"--there is no reason why that statement might not be made!--"but he fails to carry out his engagement with me." And now, of course, he proceeds to describe this engagement to the jury, telling what it is that a man of that sort is expected to do. Thereupon will not the man be stoned who has hired an Athenian contrary to the laws, and will he not leave the court-room not only sentenced to pay his fine, but also convicted of wanton outrage?

[164] But suppose it is not this man, but the one who was hired, that is bringing suit. Now let him come forward and speak--or else let the wise Batalus speak in his stead, that we may know what he will find to say! "Gentlemen of the jury, so-and-so"--it does not matter who--"hired me to be his prostitute for money, and I have done, and still continue to do, according to the terms of the contract, all that a prostitute is under obligation to do; he, however, fails to fulfil the agreement." Will he not immediately have to face a loud protest from the jurors? For who will not say, "And then do you thrust yourself into the market-place, do you put on a garland, do you attempt to do anything else that the rest of us do?" His contract, you see, is of no use to him.

[165] Now let me tell you how it happens that it has become the prevailing custom to say, that persons have in the past become prostitutes "under written contract." One of our citizens (I will not name him, for I have no desire to make myself hated), foreseeing none of the consequences which I have just described to you, is said to have served as prostitute according to a contract deposited with Anticles. Now, since he was not a private citizen, but active in politics and subject to scurrilous attack, he caused the city to become accustomed to this expression, and that is the reason why some men ask whether in a given case the practice has been "by written contract." But the lawgiver did not care how the thing was brought about; on the contrary, if there is a letting for hire in any way whatsoever, the man who does the deed is condemned by him to disgrace.

[166] But nevertheless, although all this is so plainly defined, many irrelevant arguments will be invented by Demosthenes. Possibly, when he sticks to his subject, we might be less indignant with him for the animosity he shows; but when, to the injury of our national rights, he foists in matters that do not belong to the case, then one may well be angry. Philip will be largely in evidence, and the name of Philip's son Alexander is going to be mixed

up in it. For in addition to all the rest that is bad in him, this Demosthenes is an ill-mannered and boorish sort of person.

[167] His offensive talk against Philip is foolish and out of place, but not so serious a mistake as that which I am about to mention. For confessedly he will be making his slanderous charges against a man--he who is himself no man. But when he insinuates shameful suspicions against the boy, by deliberately applying to him words of double meaning, he makes our city ridiculous.

[168] For, under the impression that he is hurting me with reference to the accounting which I am about to render for my service on the embassy, he says that when the other day he himself was describing the boy Alexander, telling how at a certain banquet of ours he played the cithara, reciting certain passages in which there were thrusts at another boy, and when he reported to the senate what he himself happened to know about the incident, I got angry at his jests at the expense of the boy, as though I were not merely a member of the embassy, but one of the boy's own family.

[169] Now I naturally have had no conversation with Alexander, because of his youth, but Philip I do praise now because of his auspicious words, and if in what he does toward us in the future he shall fulfil the promise of what he now says, he will make praise of him a safe and easy thing. I did, indeed, rebuke Demosthenes in the senate-chamber, not because I was counting the favor of the boy, but because I felt that if you should listen to such words as his, the city would show itself as ill-behaved as the speaker.

[170] But, fellow citizens, I beg you not to accept their irrelevant pleas at all, in the first place for the sake of the oaths which you have sworn, in the second place that you may not be misled by a fellow who makes a trade of the manipulation of words. But I will go back a little way for your instruction. Demosthenes, after he had spent his patrimony, went up and down the city, hunting rich young fellows whose fathers were dead, and whose mothers were administering their property. I will omit many instances, and will mention only one of those who were outrageously treated.

[171] he discovered a household that was rich and ill-managed, the head of which was a woman, proud and of poor judgment. A fatherless young man, half crazy, was managing the estate, Aristarchus, son of Moschus. Demosthenes, pretending to be a lover of his, invited the young man to this intimacy, filling him up with empty hopes, assuring him that without any delay whatever he should become the foremost man in public life, and he showed him a list of names. So he became prompter and teacher of the young man in conduct which has made Aristarchus an exile from his fatherland,

[172] while Demosthenes, getting hold of the money that was to support him in his banishment, has cheated him out of three talents, and, at the hands of Aristarchus, Nicodemus of Aphidna has met a violent death, poor man! after having had both eyes knocked out, and that tongue cut off with which he had been wont to speak out freely, trusting in the laws and in you.

[173] Did you put to death Socrates the sophist, fellow citizens, because he was shown to have been the teacher of Critias, one of the Thirty who put down the democracy, and after that, shall Demosthenes succeed in snatching companions of his own out of your hands, Demosthenes, who takes such vengeance on private citizens and friends of the people for their freedom of speech? At his invitation some of his pupils are here in court to listen to him. For with an eye to business at your expense, he promises them, as I understand, that he will juggle the issue and cheat your ears, and you will never know it;

[174] assuring them that, as soon as he shall come forward to speak, the situation shall be reversed, the defendant filled with confidence, the plaintiff confounded, frightened for his own safety; and that he will lug in my speeches, and find fault with the peace which was brought about through Philocrates and myself, until he shall call out such bursts of applause from the jurors that I will not even face him in the court-room to defend myself when I render account of my service on the embassy, but will consider myself lucky if I get off with a moderate fine instead of being punished with death.

[175] So I do beg you by all means not to furnish this sophist with laughter and patronage at your expense. Imagine that you see him when he gets home from the court-room, putting on airs in his lectures to his young men, and telling how successfully he stole the case away from the jury. "I carried the jurors off bodily from the charges brought against Timarchus, and set them on the accuser, and Philip, and the Phocians, and I suspended such terrors before the eyes of the hearers that the defendant began to be the accuser, and the accuser to be on trial; and the jurors forgot what they were to judge; and what they were not to judge, to that they listened."

[176] But it is your business to take your stand against this sort of thing, and following close on his every step, to let him at no point turn aside nor persist in irrelevant talk; on the contrary, act as you do in a horse-race, make him keep to the track--of the matter at issue. If you do that, you will not fail of respect, and you will have the same sentiments when you are called to enforce laws that you had when you made them; but if you do otherwise, it will appear that when crimes are about to be committed, you foresee them and are angry, but after they have been committed, you no longer care.

[177] To sum it all up, if you punish the wrongdoers, your laws will be good and valid; but if you let them go, good laws, indeed, but valid no longer. And I shall not hesitate to speak out and tell you why I say this. I will explain by means of an illustration. Why do you suppose it is, fellow citizens, that the existing laws are good, but that the decrees of the city are inferior to them, and that the verdicts rendered in the courts are sometimes open to censure?

[178] I will explain to you the reason. It is because you enact the laws with no other object than justice, not moved by unrighteous gain, or by either partiality or animosity, looking solely to what is just and for the common good. And because you are, as I think, naturally, more clever than other men, it is not surprising that you pass most excellent laws. But in the meetings of the assembly and in the courts, you oftentimes lose all hold of the discussion of the matter in hand, and are led away by deceit and trickery; and you admit into your cases at law a custom that is utterly unjust, for you allow the defendants to bring counter accusations against the complainants.

[179] and when you have been drawn away from the defence itself, and your minds have become intent on other things, you forget the accusation entirely, and leave the court-room without having received satisfaction from either party--not from the complainant, for you are given no opportunity to vote with reference to him, and not from the defendant, for by his extraneous charges he has brushed aside the original complaints against himself, and gone out of court scot-free. Thus the laws are losing their force, the democracy is being undermined, and the custom is steadily gaining ground. For you sometimes thoughtlessly listen to mere talk that is unsupported by a good life.

[180] Not so the Lacedaemonians (and it is well to imitate virtue even in a foreigner). For instance, when a certain man had spoken in the assembly of the Lacedaemonians, a man of shameful life but an exceedingly able speaker, and when, we are told, the Lacedaemonians were on the point of voting according to his advice, a man came forward from the Council of Elders--a body of men whom they reverence and fear, whose age gives its name to that office which they consider the highest, and whom they appoint from among those who have been men of sobriety from boyhood to old age--one of these, it is said, came forward and vehemently rebuked the Lacedaemonians and denounced them in words like these: that the homes of Sparta would not long remain unravaged if the people followed such advisers in their assemblies.

[181] At the same time he called forward another of the Lacedaemonians, a certain man who was not gifted in speech, but brilliant in war and distinguished for justice and sobriety, and he ordered him to express as best he could the same sentiments that the former orator had uttered, "In order," he explained, "that a good man may speak before the Lacedaemonians vote, but that they may not even receive into their ears the voices of proven cowards and rascals." Such was the advice that the old man, who had lived a pure life from childhood, gave to his fellow citizens. He would have been quick, indeed, to allow Timarchus or the low-lived Demosthenes to take part in public affairs!

[182] But that I may not seem to be flattering the Lacedaemonians, I will make mention of our ancestors also. For so stern were they toward all shameful conduct, and so precious did they hold the purity of their children, that when one of the citizens found that his daughter had been seduced, and that she had failed to guard well her chastity till the time of marriage, he walled her up in an empty house with a horse, which he knew would surely kill her, if she were shut in there with him. And to this day the foundations of that house stand in your city, and that spot is called "the place of the horse and the maid."

[183] And Solon, the most famous of lawgivers, has written in ancient and solemn manner concerning orderly conduct on the part of the women. For the woman who is taken in the act of adultery he does not allow to adorn herself, nor even to attend the public sacrifices, lest by mingling with innocent women she corrupt them. But if she does attend, or does adorn herself, he commands that any man who meets her shall tear off her garments, strip her of her ornaments, and beat her (only he may not kill or maim her); for the lawgiver seeks to disgrace such a woman and make her life not worth the living.

[184] And he commands that procurers, men and women, be indicted, and if they are convicted, be punished with death, because to people who lust after sin but hesitate and are ashamed to meet one another, the procurers offer their own shamelessness for pay, and make it possible to discuss the act and to accomplish it.

[185] Such, then, was the judgment of your fathers concerning things shameful and things honorable; and shall their sons let Timarchus go free, a man chargeable with the most shameful practices, a creature with the body of a man defiled with the sins of a woman? In that case, who of you will punish a woman if he finds her in wrong doing? Or what man will not be regarded as lacking intelligence who is angry with her who errs by an

impulse of nature, while he treats as adviser the man who in despite of nature has sinned against his own body?

[186] How will each man of you feel as he goes home from court? For the person who is on trial is no obscure man, but well known; the law governing the official scrutiny of public speakers is not a trivial law, but a most excellent one; and we must expect that the boys and young men will ask the members of their families how the case was decided.

[187] What then, pray, are you going to answer, you in whose hands the decision now rests, when your sons ask you whether you voted for conviction or acquittal? When you acknowledge that you set Timarchus free, will you not at the same time be overturning our whole system of training the youth? What use is there in keeping attendants for our children, or setting trainers and teachers over them, when those who have been entrusted with the laws allow themselves to be turned into crooked paths of shame?

[188] I am also surprised, fellow citizens, that you who hate the brothel-keeper propose to let the willing prostitute go free. And it seems that a man who is not to be permitted to be a candidate for election by lot for the priesthood of any god, as being impure of body as that is defined by the laws, this same man is to write in our decrees prayers to the August Goddesses in behalf of the state. Why then do we wonder at the futility of our public acts, when the names of such public men as this stand at the head of the people's decrees? And shall we send abroad as ambassador a man who has lived shamefully at home, and shall we continue to trust that man in matters of the greatest moment? What would he not sell who has trafficked in the shame of his own body? Whom would he pity who has had no pity on himself?

[189] To whom of you is not the bestiality of Timarchus well known? For just as we recognize the athlete, even without visiting the gymnasia, by looking at his bodily vigor, even so we recognize the prostitute, even without being present at his act, by his shamelessness, his effrontery, and his habits. For he who despises the laws and morality in matters of supreme importance, comes to be in a state of soul which is plainly revealed by his disorderly life.

[190] Many men of this sort you could find who have overthrown cities and have fallen into the greatest misfortunes themselves. For you must not imagine, fellow citizens, that the impulse to wrong doing is from the gods; nay, rather, it is from the wickedness of men; nor that ungodly men are, as in tragedy, driven and chastised by the Furies with blazing torches in their hands.

[191] No, the impetuous lusts of the body and insatiate desire--these it is that fill the robbers' bands, that send men on board the pirates' boats; these are, for each man, his Fury, urging him to slay his fellow citizens, to serve the tyrant, to help put down the democracy. For such men reck not of disgrace, nor yet of punishment to come, but are beguiled by the pleasures they expect if they succeed. Therefore, fellow citizens, remove from among us such natures, for so shall you turn the aspirations of the young toward virtue.

[192] And be assured--I earnestly beg of you to remember what I am about to say--be assured that if Timarchus shall pay the penalty for his practices, you will lay the foundation for orderly conduct in this city; but if he shall be cleared, the case had better never have been tried. For before Timarchus came to trial, the law and the name of the courts did cause some men to fear; but if the leader in indecency and the most notorious man of all shall once have been brought into court and then come safely off, many will be induced to offend; and it will finally be, not what is said, but the desperate situation, that will arouse your anger.

[193] Therefore, punish one man, and do not wait till you have a multitude to punish; and be on your guard against their machinations and their advocates. I will name no one of these, lest they make that their excuse for speaking, saying that they would not have come forward had not someone mentioned them by name. But this I will do: I will omit their names, but by describing their habits will make known their persons also. And each man will have only himself to blame if he comes up here and displays his impudence.

[194] Three sorts of supporters, namely, are going to come into court to help the defendant: firstly, men who have squandered their patrimony by the extravagance of their daily life; secondly, men who have abused their youth and their own bodies, and now are afraid, not for Timarchus, but for themselves and their own habits, lest they one day be called to account; and still others from the ranks of the licentious, and of those who have freely associated with licentious men; for they would have certain men rely on their aid, and thus be the more ready to indulge in wrong-doing.

[195] Therefore, you hear the pleas of these men in his support, call to mind their lives, and bid those who have sinned against their own bodies to cease annoying you and to stop speaking before the people; for the law investigates, not men in private station, but those who are in public life. And tell those who have eaten up their patrimony to go to work, and find some new way to get their living. And as for the hunters of such young men as are easily trapped, command them turn their attention to the foreigners and

the resident aliens, that they may still indulge their predilection, but without injuring you.

[196] And now I have fulfilled all my obligation to you: I have explained the laws, I have examined the life of the defendant. Now, therefore, you are judges of my words, and soon I shall be spectator of your acts, for the decision of the case is now left to your judgment. If, therefore, you do what is right and best, we on our part shall, if it be your wish, be able more zealously to call wrongdoers to account.