THE ORATION OF AESCHINES AGAINST CTESIPHON

by Aeschines

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Notes and Introduction by Thomas Leland, D.D.

INTRODUCTION
To the Oration of Aeschines against Ctesiphon

THROUGH the whole progress of that important contest which Athens maintained against the Macedonians, Demosthenes and Aeschines had ever been distinguished by their weight and influence in the assemblies of their state. They had adopted different systems of ministerial conduct, and stood at the head of two opposite parties, each so powerful as to prevail by turns, and to defeat the schemes of their antagonist. The leaders had on several occasions avowed their mutual opposition and animosity. Demosthenes, in particular, had brought an impeachment against his rival, and obliged him to enter into a formal defence of his conduct during an embassy at the court of Macedon. His resentment was confirmed by this desperate attack; and his success in bearing up against it encouraged him to watch some favorable opportunity for retorting on his accuser.

The defeat at Chaeronea afforded this opportunity. The people in general were, indeed, too equitable to withdraw their confidence from Demosthenes, although his measures had been unsuccessful. But faction, which judges, or affects to judge, merely by events, was violent and clamorous. The minister was reviled, his conduct severely scrutinized, his errors aggravated, his policy condemned, and he himself threatened with inquiries, trials, and impeachments. The zeal of his partisans, on the other hand, was roused by this opposition, and they deemed it expedient to procure some public solemn declaration in favor of Demosthenes, as the most effectual means to silence his accusers.

It was usual with the Athenians, and indeed with all the Greeks, when they would express their sense of extraordinary merit, to crown the person so distinguished with a chaplet of olive interwoven with gold. The ceremony was performed in some populous assembly, convened either for business or entertainment; and proclamation was made in due form of the honor thus conferred, and the services for which it was bestowed.

To procure such an honor for Demosthenes at this particular juncture was thought the most effectual means to confound the clamor of his enemies. He had lately been intrusted with the repair of the fortifications of Athens, in which he expended a considerable sum of his own, over and above the public appointment, and thus enlarged the work beyond the letter of his instructions. It was therefore agreed that Ctesiphon, one of his zealous friends, should take this occasion of moving the Senate to prepare a decree (to be ratified by the popular assembly) reciting this particular service of Demosthenes,

representing him as a citizen of distinguished merit, and ordaining that a golden crown (as it was called) should be conferred on him. To give this transaction the greater solemnity, it was moved that the ceremony should be performed in the theatre of Bacchus during the festival held in honor of that god, when not only the Athenians, but other Greeks from all parts of the nation were assembled to see the tragedies exhibited in that festival.

The Senate agreed to the resolution. But, before it could be referred to the popular assembly for their confirmation, Aeschines, who had examined the whole transaction with all the severity that hatred and jealousy could inspire, pronounced it irregular and illegal both in form and matter, and without delay assumed the common privilege of an Athenian citizen to commence a suit against Ctesiphon as the first mover of a decree repugnant to the laws, a crime of a very heinous nature in the Athenian polity.

The articles on which he founds his accusation are reduced to these three:

I. Whereas every citizen who has borne any magistracy is obliged by law to lay a full account of his administration before the proper officers, and that it is expressly enacted that no man shall be capable of receiving any public honors till this his account has been duly examined and approved; Ctesiphon has yet moved that Demosthenes should receive a crown previously to the examination of his conduct in the office conferred on him, and before the passing of his accounts.

II. Whereas it is ordained that all crowns conferred by the community of citizens shall be presented and proclaimed in their assembly, and in no other place whatsoever; Ctesiphon hath yet proposed that the crown should be presented and proclaimed in the theatre.

III. Whereas the laws pronounce it highly penal for any man to insert a falsehood in any motion or decree; Ctesiphon hath yet expressly declared, as the foundation of this his decree, that the conduct of Demosthenes hath been ever excellent, honorable, and highly serviceable to the state; a point directly opposite to the truth.

The two former of these articles he endeavors to establish by an appeal to the laws and ordinances of Athens. Here he was obliged to be critical and copious, which may render the first parts of his pleading not so agreeable to an English reader as that in which he enters into the public transactions of his country and the ministerial conduct of his adversary.

The prosecution was commenced in the year of the fatal battle of Chaeronea. But the final decision of the cause had been suspended about eight years; and this interval was full of great events, to which each of the speakers frequently alluded.

It was the first care of Alexander on his accession to the throne to undeceive those among the Greeks who, like Demosthenes, had affected to despise his youth. He instantly marched into Peloponnesus, and demanded the people of that country to accept him as commander of

their forces against Persia. The Spartans alone sullenly refused. The Athenians, on their part, were intimidated, and yielded to his demand with greater expressions of reverence and submission than they had ever paid to his father. He returned to Macedon to hasten his preparations, where he found it necessary to march against his barbarous neighbors, who were meditating a descent on his kingdom. His conflicts with these people occasioned a report to be spread through Greece that the young king had fallen in battle. The Macedonian faction were alarmed: their opposers industriously propagated the report, and excited the Greeks to seize this opportunity to rise up against a power which had reduced them to a state of ignominious subjection. The Thebans unhappily yielded to such instances, took arms, and slaughtered the Macedonian garrison that had been stationed in their citadel.

But this insolence and cruelty did not long remain unpunished. Alexander suddenly appeared before their gates at the head of his army, and in a few days became master of their city, where he executed his vengeance with fire and sword. The miserable state of desolation and captivity to which the Thebans were thus reduced is attributed in the following oration to the pernicious counsels and machinations of Demosthenes, and displayed in the most lively and pathetic terms.

Nor did this extraordinary instance of rigor fail of its intended effect. The Greeks were astonished and confounded. The Athenians thought it expedient to send a deputation of their citizens to congratulate the king of Macedon on his late successes. Demosthenes was one of the persons chosen to execute this commission; but, conscious of the resentment which his well-known zeal against the Macedonian interest must have merited from Alexander, he deserted the other deputies while they were on their journey, and returned precipitately to Athens. Nor, indeed, were his apprehensions groundless; for, although the address was graciously received, yet the king took this occasion of complaining, in a manner which marked his superiority, of those factious leaders among the Athenians, to whom he affected to impute all the calamities of Greece, from the battle of Chaeronea to the destruction of Thebes. He demanded that several of the public speakers, and Demosthenes among the rest, should be delivered up to the power of the Amphictyonic council, there to abide their trial, and to meet the punishment due to their offences. This was in effect to demand that they should be delivered into his own hands. The Athenians were in the utmost consternation, but found means to deprecate his resentment, and prevail on him to be satisfied with the banishment of Charidemus, one of his most distinguished opposers; who accordingly repaired to the court of Darius, where his sage counsel, that the Persian should avoid an engagement with Alexander, provoked the haughty and capricious tyrant to put him to death.

During Alexander's famous expedition into Asia, and the progress of his stupendous victories, Greece enjoyed a sort of calm, and the Athenians found leisure to decide the contest between their rival

statesmen. The parties now appeared before a number of judges, probably not less than five hundred, and these chosen from the citizens at large, men of lively and warm imaginations, and of all others most susceptible of the impressions made by the force and artifice of popular eloquence. The partisans of each side crowded round to assist and support their friend: and the tribunal was surrounded, not only by the citizens of Athens, but by vast numbers from all parts of Greece, curious to hear two so celebrated speakers on a subject so engaging as the late national transactions, and to be witnesses of the decision of a cause which had been for some years the object of general attention and expectation.

ORATION_AGAINST_CTESIPHON

THE ORATION OF AESCHINES AGAINST CTESIPHON

YOU see, Athenians! what forces are prepared, what numbers formed and arrayed, what soliciting through the assembly, by a certain party: and all this to oppose the fair and ordinary course of justice in the state. As to me, I stand here in firm reliance, first on the immortal gods, next on the laws and you, convinced that faction never can have greater weight with you than law and justice.

It were to be wished, indeed, that the presidents of our Senate and of our popular assembly would attend with due care to the order of their debates; that the laws ordained by Solon to secure the decency of public speaking might still preserve their force; that so our elder citizens might first arise in due and decent form (as these laws direct), without tumult or confusion, and each declare in order the salutary counsels of his sage experience; that, after these, our other citizens who chose to speak might severally, and in order, according to their ages, propose their sentiments on every subject. Thus, in my opinion, would the course of government be more exactly regulated, and thus would our assemblies be less frequently engaged in trials. But now, when these institutions, so confessedly excellent, have lost their force; when men propose illegal resolutions without reserve or scruple; when others are found to put them to the vote, not regularly chosen to preside in our assemblies, but men who have raised themselves to this dignity by intrigue; when if any of the other senators on whom the lot of presidency hath fairly fallen should discharge his office faithfully, and report your voices truly, there are men who threaten to impeach him, men who invade our rights, and regard the administration as their private property; who have secured their vassals, and raised themselves to sovereignty; who have suppressed such judicial procedures as are founded on established laws, and in the decision of those appointed by temporary decrees consult their passions; now, I say, that most sage and virtuous proclamation is no longer heard, "Who is disposed to speak of those above fifty years old?" and then, "Who of the other citizens in their turns?" Nor is the indecent license of our speakers any longer restrained by our laws, by our magistrates; *(1) no, nor by the presiding tribe which contains a full tenth part of the community.

If such be our situation, such the present circumstances of the state, and of this you seem convinced, one part alone of our polity remains (as far as I may presume to judge)- prosecutions *(2) of those who violate the laws. Should you suppress these- should you permit them to be suppressed- I freely pronounce your fate; that your government must be gradually and imperceptibly given up to the power of a few. You are not to be informed, Athenians, that there are three different modes of government established in the world; the monarchical, the government of the few, and the free republic. In the two former the administration is directed by the pleasure of the ruling powers; in free states it is regulated by established laws. It is then a truth, of which none shall be ignorant, which every man should impress deeply on his mind, that when he enters the tribunal to decide a case of violation of the laws, he that day gives sentence on his own liberties. Wisely therefore hath our legislator prescribed this as the first clause in the oath of every judge; "I will give my voice agreeably to the laws;" well knowing that when the laws are preserved sacred in every state the freedom of their constitution is most effectually secured. Let these things be ever kept in memory, that your indignation may be kindled against all those whose decrees have been illegal. Let not any of their offences be deemed of little moment, but all of the greatest importance; nor suffer your rights to be wrested from you by any power; neither by the combinations of your generals, who, by conspiring with our public speakers, have frequently involved the state in danger; nor by the solicitations of foreigners, who have been brought up to screen some men from justice, whose administration hath been notoriously illegal. But as each man *(3) among you would be ashamed to desert from his post in battle, so think it shameful to abandon the post this day assigned to you by the laws, that of guardians of the constitution.

Let it also be remembered that the whole body of our citizens hath now committed their state, their liberties, into your hands. Some of them are present waiting the event of this trial; others are called away to attend on their private affairs. Show the due reverence to these; remember your oaths and your laws; and if we convict Ctesiphon of having proposed decrees, illegal, false, and detrimental to the state, reverse these illegal decrees, assert the freedom of your constitution, and punish those who have administered your affairs in opposition to your laws, in contempt of your constitution, and in total disregard of your interest. If, with these sentiments impressed on your minds, you attend to what is now to be proposed, you must, I am convinced, proceed to a decision just and religious, a decision of the utmost advantage to yourselves and to the state.

As to the general nature of this prosecution, thus far have I premised, and, I trust, without offence. Let me now request your attention to a few words about the laws relative to persons accountable to the public, which have been violated by the decree

proposed by Ctesiphon.

In former times there were found magistrates of the most distinguished rank, and intrusted with the management of our revenues, who in their several stations were guilty of the basest corruption, but who, by forming an interest with the speakers in the Senate and in the popular assembly, anticipated their accounts by public honors and declarations of applause. Thus, when their conduct came to a formal examination, their accusers were involved in great perplexity, their judges in still greater; for many of the persons thus subject to examination, though convicted on the clearest evidence of having defrauded the public, were yet suffered to escape from justice; and no wonder. The judges were ashamed that the same man, in the same city, possibly in the same year, should be publicly honored in our festivals, that proclamation should be made "that the people had conferred a golden crown on him on account of his integrity and virtue"; that the same man, I say, in a short time after, when his conduct had been brought to an examination, should depart from the tribunal condemned of fraud. In their sentence, therefore, the judges were necessarily obliged to attend, not to the nature of those offences, but to the reputation of the state.

Some of our magistrates, *(4) observing this, framed a law (and its excellence is undeniable) expressly forbidding any man to be honored with a crown whose conduct had not yet been submitted to the legal examination. But notwithstanding all the precaution of the framers of this law, pretences were still found of force sufficient to defeat its intention. Of these you are to be informed, lest you should be unwarily betrayed into error, some of those who, in defiance of the laws, have moved that men who yet stood accountable for their conduct should be crowned are still influenced by some degree of decency (if this can with propriety be said of men who propose resolutions directly subversive of the laws); they still seek to cast a kind of veil on their shame. Hence are they sometimes careful to express their resolutions in this manner: "That the man whose conduct is not yet submitted to examination shall be honored with a crown when his accounts have first been examined and approved." But this is no less injurious to the state; for by these crowns and public honors is his conduct prejudged and his examination anticipated, while the author of such resolutions demonstrates to his hearers that his proposal is a violation of the laws, and that he is ashamed of his offence. But Ctesiphon, my countrymen, hath at once broken through the laws relative to the examination of our magistrates; he hath scorned to recur to that subterfuge now explained: he hath moved you to confer a crown on Demosthenes previously to any examination of his conduct, at the very time while he was yet employed in the discharge of his magistracy.

But there is another evasion of a different kind to which they are to recur. These offices, say they, to which a citizen is elected by an occasional decree, are by no means to be accounted magistracies, but commissions or agencies. Those alone are magistrates whom the proper

officers *(5) appoint by lot in the temple of Theseus, or the people elect by suffrage in their ordinary assemblies, such as generals of the army, commanders of the cavalry, and such like; all others are but commissioners who are but to execute a particular decree. To this their plea I shall oppose your own law- a law enacted from a firm conviction that it must at once put an end to all such evasions. In this it is expressly declared, that all offices whatever appointed by the voices of the people shall be accounted magistracies. In one general term the author of this law hath included all. All hath he declared "magistrates whom the votes of the assembly have appointed," and particularly "the inspectors of public works." Now Demosthenes inspected the repair of our walls, the most important of public works. "Those who have been intrusted with any public money for more than thirty days; those who are entitled to preside in a tribunal." *(6) But the inspectors of works are entitled to this privilege. What then doth the law direct? That all such should assume, not their "commission," but their "magistracy," having first been judicially approved (for even the magistrates appointed by lot are not exempted from this previous inquiry, but must be first approved before they assume their office). These are also directed by the law to submit the accounts of their administration to the legal officers, as well as every other magistrate. And for the truth of what I now advance, to the laws themselves do I appeal. Read.

[The laws.]

Here, then, you find that what these men call commissions or agencies are declared to be magistracies. It is your part to bear this in memory; to oppose the law to their presumption; to convince them that you are not to be influenced by the wretched sophistical artifice that would defeat the force of laws by words; and that the greater their address in defending their illegal proceedings, the more severely must they feel your resentment: for the public speaker should ever use the same language with the law. Should he at any time speak in one language, and the law pronounce another, to the just authority of law should you grant your voices, not to the shameless presumption of the speaker.

To that argument on which Demosthenes relies as utterly unanswerable I would now briefly speak. This man will say, "I am director of the fortifications. I confess it; but I have expended of my own money for the public service an additional sum of one hundred minae, and enlarged the work beyond my instructions: for what then am I to account, unless a man is to be made accountable for his own beneficence?" To this evasion you shall hear a just and good reply. In this city, of so ancient an establishment and a circuit so extensive, there is not a man exempted from account who has the smallest part in the affairs of state. This I shall show, first, in instances scarcely credible: thus the priests and priestesses are by the laws obliged to account for the discharge of their office, all in general, and each in particular; although they have received no more than an honorary pension, and have had no other duty but of

offering up their prayers for us to the gods. And this is not the case of single persons only, but of whole tribes, as the Eumolpidae, *(7) the Ceryces, and all the others. Again, the trierarchs are by the law made accountable for their conduct, although no public money hath been committed to their charge; although they have not embezzled large portions of their revenue, and accounted but for a small part; although they have not affected to confer bounties on you, while they really but restored your own property, No: they confessedly expended their paternal fortunes to approve their zealous affection for your service; and not our trierarchs alone, but the greatest assemblies in the state are bound to submit to the sentence of our tribunals. First, the law directs that the council of the Areopagus shall stand accountable to the proper officers, and submit their august transactions to a legal examination; thus our greatest judicial body stands in perpetual dependence on your decisions. Shall the members of this council, then, be precluded from the honor of a crown? Such has been the ordinance from times the most remote. And have they no regard to public honor? So scrupulous is their regard, that it is not deemed sufficient that their conduct should not be notoriously criminal; their least irregularity is severely punished- a discipline too rigorous for our delicate orators. Again, our lawgiver directs that the Senate of five hundred shall be bound to account for their conduct; and so great diffidence doth he express of those who have not yet rendered such account, that in the very beginning of the law it is ordained "that no magistrate who hath not yet passed through the ordinary examination shall be permitted to go abroad." But here a man may exclaim, "What! in the name of Heaven, am I, because I have been in office, to be confined to the city?" Yes, and with good reason; lest, when you have secreted the public money and betrayed your trust, you might enjoy your perfidy by flight. Again, the laws forbid the man who hath not yet accounted to the state to dedicate any part of his effects to religious purposes, to deposit any offering in a temple, to accept of an adoption into any family, to make any alienation of his property; and to many other instances is the prohibition extended. In one word, our lawgiver hath provided that the fortunes of such persons shall be secured as a pledge to the community until their accounts are fairly examined and approved. Nay, farther: suppose there be a man who hath neither received nor expended any part of the public money, but hath only been concerned in some affairs relative to the state, even such a one is bound to submit his accounts to the proper officers. "But how can the man who hath neither received nor expended pass such accounts?" The law hath obviated this difficulty, and expressly prescribed the form of his accounts. It directs that it shall consist of this declaration: "I have not received, neither have I disposed of any public money." To confirm the truth of this hear the laws themselves.

[The laws.]

When Demosthenes, therefore, shall exult in his evasion, and insist that he is not to be accountable for the additional sum which

he bestowed freely on the state, press him with this reply: "It was then your duty, Demosthenes, to have permitted the usual and legal proclamation to be made, Who is disposed to prosecute? and to have given an opportunity to every citizen that pleased to have urged on his part that you bestowed no such additional sum; but that, on the contrary, having been intrusted with ten talents for the repair of our fortifications, you really expended but a small part of this great sum. Do not assume an honor to which you have no pretensions; do not wrest their suffrages from your judges; do not act in presumptuous contempt of the laws, but with due submission yield to their guidance. Such is the conduct that must secure the freedom of our constitution."

As to the evasions on which these men rely, I trust that I have spoken sufficiently. That Demosthenes really stood accountable to the state at the time when this man proposed his decree; that he was really a magistrate, as manager of the theatrical funds; a magistrate, as inspector of the fortifications; that his conduct in either of these offices had not been examined, had not obtained the legal approbation, I shall now endeavor to demonstrate from the public records. Read in whose archonship, in what month, on what day, in what assembly, Demosthenes was chosen into the office of manager of the theatrical funds. So shall it appear, that during the execution of this office the decree was made which conferred this crown on him. Read.

[The computation of the times.]

If, then, I should here rest my cause without proceeding farther, Ctesiphon must stand convicted; convicted, not by the arguments of his accuser, but by the public records. In former times, Athenians, it was the custom that the state should elect a comptroller, who in every presidency of each tribe was to return to the people an exact state of the finances. But by the implicit confidence which you reposed in Eubulus, the men who were chosen to the management of the theatrical money executed this office of comptroller (I mean before the law of Hegemon was enacted), together with the offices of receiver and of inspector of our naval affairs; they were charged with the building of our arsenals, with the repair of our roads; in a word, they were intrusted with the conduct of almost all our public business. I say not this to impeach their conduct or to arraign their integrity; I mean but to convince you that our laws have expressly directed that no man yet accountable for his conduct in any one office, even of the smallest consequence, shall be entitled to the honor of a crown until his accounts have been regularly examined and approved; and that Ctesiphon hath yet presumed to confer this honor on Demosthenes when engaged in every kind of public magistracy. At the time of this decree he was a magistrate as inspector of the fortifications, a magistrate as intrusted with public money, and, like other officers of the state, imposed fines and presided in tribunals. These things I shall prove by the testimony of Demosthenes and Ctesiphon themselves; for in the archonship of Chaerondas, on the twenty-second of the month Thargelion, was a popular assembly held, in which Demosthenes obtained

a decree appointing a convention of the tribes on the second of the succeeding month; and on the third his decree directed, still farther, that supervisors should be chosen and treasurers from each tribe, for conducting the repairs of our fortifications. And justly did he thus direct, that the public might have the security of good and responsible citizens who might return a fair account of all disbursements. Read these decrees.

[The decrees.]

Yes; but you will hear it urged in answer, that to this office of inspector of the works he was not appointed in the general assembly either by lot or suffrage. This is an argument on which Demosthenes and Ctesiphon will dwell with the utmost confidence. My answer shall be easy, plain, and brief; but first I would premise a few things on this subject. Observe, Athenians! of magistracy there are three kinds. First, those appointed by lot or by election; secondly, the men who have managed public money for more than thirty days, or have inspected public works. To these the law adds another species, and expressly declares that all such persons as, in consequence of a regular appointment, have enjoyed the right of jurisdiction, shall when approved be accounted magistrates: so that, should we take away the magistrates appointed by lot or suffrage, there yet remains the last kind of those appointed by the tribes, or the thirds of tribes, or by particular districts, to manage public money, all which are declared to be magistrates from the time of their appointment. And this happens in cases like that before us where it is a direction to the tribes to make canals or to build ships of war. For the truth of this I appeal to the laws themselves. Read.

[The law.]

Let it be remembered that, as I have already observed, the sentence of the law is this, that all those appointed to any office by their tribes shall act as magistrates, when first judicially approved. But the Pandionian tribe hath made Demosthenes a magistrate, by appointing him an inspector of the works; and for this purpose he hath been intrusted with public money to the amount of near ten talents. Again, another law expressly forbids any magistrate who yet stands accountable for his conduct to be honored with a crown. You have sworn to give sentence according to the laws. Here is a speaker who hath brought in a decree for granting a crown to a man yet accountable for his conduct. Nor hath he added that saving clause, "when his accounts have first been passed." I have proved the point of illegality from the testimony of your laws, from the testimony of your decrees, and from that of the opposite parties. How then can any man support a prosecution of this nature with greater force and clearness?

But farther, I shall now demonstrate that this decree is also a violation of the law by the manner in which it directs that this crown shall be proclaimed. The laws declare in terms the most explicit, that if any man receives a crown from the Senate, the proclamation shall be made in the senate-house; if by the people, in the assembly; never in any other place. Read this law.

[The law.]

And this institution is just and excellent. The author of this law seems to have been persuaded that a public speaker should not ostentatiously display his merits before foreigners: that he should be contented with the approbation of this city, of these his fellow-citizens, without practising vile arts to procure a public honor. So thought our lawgiver. What are the sentiments of Ctesiphon? Read his decree.

[The decree.]

You have heard, Athenians! that the law directs, in every case where a crown is granted by the people, that the proclamation shall be made in presence of the people, in the Pnyx, in full assembly: never in any other place. Yet Ctesiphon hath appointed proclamation to be made in the theatre: not contented with the act itself should violate our laws, he hath presumed to change the scene of it. He confers this honor, not while the people are assembled, but while the new tragedies are exhibiting; not in the presence of the people, but of the Greeks; that they too may know on what kind of man our honors are conferred.

And now, when the illegal nature of this decree is so incontestably established, the author, assisted by his confederate Demosthenes, hath yet recourse to subtleties, in order to evade the force of justice. These I must explain: I must so guard you against them that you may not be surprised by their pernicious influence. These men can by no means deny that our laws expressly direct that a crown conferred on any citizen by the people shall be proclaimed in the assembly, and in no other place. But, to defend their conduct, they produce a law relative to our festivals; of this they but quote a part, that they may more effectually deceive you; and thus recur to an ordinance by no means applicable to the case before us. Accordingly they will tell you there are in this state two laws enacted relative to proclamations. One is that which I have now produced, expressly forbidding the proclamation of a crown granted by the people to be issued in any other place but the assembly. The other, say they, is contrary to this: it allows; the liberty of proclaiming a crown so conferred in the theatre, when the tragedies are exhibited; "provided always, that the people shall so determine by their voices." On this law it is (thus will they plead) that Ctesiphon has founded his decree. To this artifice I shall oppose your own laws, my assistance, *(8) my constant reliance, through the whole course of this prosecution. If this be so- if such a custom hath been admitted into our government, that laws repealed are still allowed to hold their place amid those in full force- that two directly contradictory to each other are enacted on the same subject- what shall we pronounce on that polity where the laws command and forbid the very same things? But this is by no means the case; and never may your public acts be exposed to such disorder! The great lawgiver to whom we owe our constitution was not inattentive to guard against such dangers. It is his express direction that in every year our

body of laws shall be adjusted by the legal inspectors in the popular assembly; and if, after due examination and inspection, it shall appear that a law hath been enacted contradictory to a former law; or that any one when repealed shall still hold its place among those actually in force; or that any more than one have been enacted on the same subject; that in all such cases the laws shall be transcribed and fixed up in public on the statues of our heroes; that the presidents shall convene the assembly, shall specify the authors of these several laws; and that the proper officer shall propose the question to the people, that they may by their voices repeal some and establish others; that so one single law and no more may remain in force on one subject. To prove this read the laws.

[The laws.]

If, then, the allegations of these men were just, and that in reality there were two different laws relative to proclamations, it seems impossible but that the inspectors must have detected this; the president of the assembly must have returned them to their respective authors; and the one or other must have been repealed- either that which grants the power of proclaiming, or that which denies it. But since nothing of all this appears, these men must stand convicted of asserting what is not only false, but absolutely impossible.

The source from whence they derive this falsehood I shall here explain, when first I have premised on what occasions these laws were enacted relative to proclamations in the theatre. It hath been the custom in this city, during the performance of the tragedies, that certain persons made proclamation, not of an act ordained of the people, but some, of a crown conferred on them by their tribe, or sometimes by their district; of others, it was thus notified that they granted freedom to their slaves, to which they called on the Greeks as witnesses; and (which was the most invidious case) some persons who had obtained the honors of hospitable reception in foreign states used their interest to gain a proclamation, importing that such a community, as that of Rhodes, for instance, or of Chios, conferred a crown on them on account of their virtue and magnanimity. And this they did, not as men honored by the Senate or by the people, in consequence of your concession, by virtue of your suffrage, and with a due acknowledgment of your favor, but merely on their own authority, without any decree of yours. By these means it happened that the audience and the managers and the performers were disturbed; and the men who obtained proclamations in the theatre were really more honored than those on whom the people conferred crowns. These had a place assigned for receiving these honors- the assembly: in no other place could proclamation be made: the others displayed their honors in the presence of all the Greeks. The one obtained their crowns from your decree by your permission; the others without any decree. One of our statesmen, observing this, established a law by no means interfering with that which respects persons crowned by the people; by no means tending to render this invalid: for it was not the assembly that was

disturbed, but the theatre: nor was it his intention to contradict laws already established; our constitution forbids this. No; the law I mean solely regards those who are crowned without a decree of the people, by their tribe or district; those who give freedom to their slaves; those who receive crowns from foreigners; and it expressly provides that no person shall make their slaves free in the theatre; no persons shall be proclaimed as honored with a crown by their tribe, by their district, or by any other people whatsoever (these are the words of this law), on pain of infamy to the herald who shall make such proclamation.

Since, then, it is provided that those crowned by the Senate shall be proclaimed in the senate-house, those by the people in the assembly; since it is expressly forbidden that men crowned by their districts or by their tribes shall have proclamation made in the theatre; that no man may indulge an idle vanity by public honors thus clandestinely procured; since the law directs, still further, that no proclamation shall be made by any others, but by the Senate, by the people, by the tribes, or by the districts, respectively; if we deduct all these cases, what will remain but crowns conferred by foreigners? That I speak with truth the law itself affords a powerful argument. It directs that the golden crown conferred by proclamation in the theatre shall be taken from the person thus honored and consecrated to Minerva. But who shall presume to impute so illiberal a procedure to the community of Athens? Can the state, or can a private person be suspected of a spirit so sordid, that when they themselves have granted a crown, when it hath been just proclaimed, they should take it back again and dedicate it? No; I apprehend that such dedication is made because the crown is conferred by foreigners, that no man, by valuing the affection of strangers at a higher rate than that of his country, may suffer corruption to steal into his heart. But when a crown hath been proclaimed in the assembly, is the person honored bound to dedicate it? No; he is allowed to possess it, that not he alone but his posterity may retain such a memorial in their family, and never suffer their affections to be alienated from their country. Hence hath the author of the law further provided, that no proclamation shall be made in the theatre of any foreign crown, unless the people shall so direct by their decree; so the community which is desirous of granting a crown to any of our citizens may be obliged to send ambassadors and solicit your permission, and the person crowned shall owe less gratitude to those who confer this honor than to you, by whose permission it is proclaimed. For the truth of this consult the laws themselves.

[The laws.]

When these men, therefore, insidiously alleged that the law hath declared it allowable to confer a crown, by virtue of a decree of the assembly, remember to make this reply: "True; if such a crown be offered by any other state: but if it be the gift of the Athenian people, the place of conferring it is determined. No proclamation is

to be made but in the assembly." Wrest and torture this clause, "and in no other place whatever," to the utmost; still you can never prove that your decree hath not violated the laws.

There remains a part of this my accusation on which I must enlarge with the greatest care- that which respects the pretence on which he hath pronounced this man worthy of the crown. These are the words of his decree: "And the herald shall make proclamation in the theatre, in presence of the Greeks, that the community of Athens hath crowned him on account of his virtue and magnanimity; and (what is still stronger) for his constant and inviolable attachment to the interest of the state through the course of all his counsels and administration." And from henceforward I have but to lay before you a plain simple detail; such as can give you no trouble in forming your determination: for it is my part, as the prosecutor, to satisfy you in this single point, that the praises here bestowed on Demosthenes are false: that there never was a time in which he commenced a faithful counsellor, far from persevering in any course of conduct advantageous to the state. If this be proved, Ctesiphon must at once stand justly condemned; for all our laws declare that no man is to insert any falsehood in the public decrees. On the other hand, it is incumbent on the defendant to prove the contrary. You are to determine on our several allegations. Thus then I proceed.

To enter into a minute examination of the life of Demosthenes I fear might lead me into a detail too tedious. And why should I insist on such points as the circumstances of the indictment for his wound, brought before the Areopagus against Demomeles his kinsman, and the gashes he inflicted on his own head? or why should I speak of the expedition under Cephisodotus, and the sailing of our fleet to the Hellespont, when Demosthenes acted as a trierarch, entertained the admiral on board his ship, made him partaker of his table, of his sacrifices and religious rites, confessed his just right to all those instances of affection, as an hereditary friend; and yet, when an impeachment had been brought against him which affected his life, appeared as his accuser? Why, again, should I take notice of his affair with Midias; of the blows which he received in his office of director of the entertainments; or how, for the sum of thirty minae, he compounded this insult, as well as the sentence which the people pronounced against Midias in the theatre? These and the like particulars I determine to pass over; not that I would betray the cause of justice; not that I would recommend myself to favor by an affected tenderness; but lest it should be objected that I produce facts true, indeed, but long since acknowledged and notorious. Say, then, Ctesiphon, when the most heinous instances of this man's baseness are so incontestably evident that his accuser exposes himself to the censure, not of advancing falsehoods, but of recurring to facts so long acknowledged and notorious, is he to be publicly honored, or to be branded with infamy? And shall you, who have presumed to form decrees equally contrary to truth and to the laws, insolently bid defiance to the tribunal, or feel the weight of public justice?

My objections to his public conduct shall be more explicit. I am informed that Demosthenes, when admitted to his defence, means to enumerate four different periods in which he was engaged in the administration of affairs. One, and the first, of these (as I am assured) he accounts that time in which we were at war with Philip for Amphipolis: and this period he closes with the peace and alliance which we concluded, in consequence of the decree proposed by Philocrates, in which Demosthenes had equal share, as I shall immediately demonstrate. The second period he computes from the time in which we enjoyed this peace down to that day when he put an end to a treaty that had till then subsisted, and himself proposed the decree for war. The third, from the time when hostilities were commenced, down to the fatal battle of Chaeronea. The fourth is this present time.

After this particular specification, as I am informed, he means to call on me, and to demand explicitly on which of these four periods I found my prosecution; and at what particular time I object to his administration as inconsistent with the public interest. Should I refuse to answer, should I attempt the least evasion or retreat, he boasts that he will pursue me and tear off my disguise; that he will haul me to the tribunal, and compel me to reply. That I may then at once confound this presumption, and guard you against such artifice, I thus explicitly reply: Before these your judges, before the other citizens spectators of this trial, before all the Greeks who have been solicitous to hear the event of this cause (and of these I see no small number, but rather more than ever yet known to attend on any public trial) I thus reply; I say, that on every one of these four periods which you have thus distinguished is my accusation founded. And if the gods vouchsafe me their assistance- if the judges grant me an impartial hearing- and if my memory shall faithfully recall the several instances of your guilt, I am fully confident that I shall demonstrate to this tribunal that the preservation of the state is to be ascribed to the gods, and to those citizens who have conducted our affairs with a truly patriotic and well-tempered zeal, and that all our calamities are to be imputed to Demosthenes As their real author. And in this charge I shall observe the very same method which, as I am informed, he intends to use. I shall begin with speaking of his first period, then proceed to the second and the third in order, and conclude with observations on present affairs. To that peace, then, I now go back of which you, Demosthenes, and Philocrates were the first movers.

You had the fairest opportunity, Athenians! of concluding this first peace in conjunction with the general assembly of the Greeks, had certain persons suffered you to wait the return of our ambassadors, at that time sent through Greece to invite the states to join in the general confederacy against Philip; and in the progress of these negotiations the Greeks would have freely acknowledged you the leading state. Of these advantages were you deprived by Demosthenes and Philocrates, and by the bribes which they received in traitorous

conspiracy against your government. If at first view this assertion should seem incredible to any in this tribunal, let such attend to what is now to be advanced, just as men sit down to the accounts of money a long time since expended. We sometimes come from home possessed with false opinions of the state of such accounts: but when the several sums have been exactly collected, there is no man of a temper so obstinate as to dissemble or to refuse his assent to the truth of that which the account itself exhibits. Hear me in the present cause with dispositions of the same kind. And if with respect to past transactions any one among you hath come hither possessed with an opinion that Demosthenes never yet appeared as advocate for the interests of Philip, in dark confederacy with Philocrates; if any man, I say, be so persuaded, let him suspend his judgment, and neither assent nor deny until he hath heard (for justice requires this). And if I shall obtain your attention to a brief recital of these periods, and to the decree which Demosthenes and Philocrates jointly proposed; if the fair state of truth itself shall convict Demosthenes of having proposed many decrees in concert with Philocrates, jointly proposed; if the fair state of truth itself shall convict Demosthenes of having proposed many decrees in concert with Philocrates relative to the former peace and alliance; of having flattered Philip and his ambassadors with a most abandoned and shameless servility; of having precipitated our negotiations without waiting the return of our deputies, and forced the people into a separate peace, without the concurrence of the general convention of the Greeks; of having betrayed Cersobleptes, king of Thrace, the friend and ally of this state, into the hands of Philip; if I shall clearly prove these points, I make but this reasonable request, that, in the name of Heaven, you would concur with me, that during the first of these four periods his administration hath been by no means excellent. I shall proceed in such a manner that you may accompany me without any difficulty.

Philocrates proposed a decree, by which Philip was admitted to send hither his heralds and ambassadors to treat about a peace and an alliance. This decree was accused as a violation of the law: the time of trial came: Lycinus, who had first moved for this trial, now appeared as prosecutor; Philocrates entered on his defence: in this he was assisted by Demosthenes; and Philocrates escaped. Then came the time in which Themistocles was archon. During his magistracy Demosthenes obtains a seat in the Senate as a member of that body, without any *(9) immediate right, or any reversionary title, but by intrigue and bribery; and this in order to support Philocrates with all his power and interest, as the event itself discovered: for Philocrates prevailed still further, so as to obtain another decree, by which it was resolved to choose ten deputies, who should repair to Philip and require him to send hither ambassadors with full powers to conclude a peace. Of these Demosthenes was one. At his return to the city he applauded the treaty; his report was exactly consonant with that of the other deputies; and he alone, of all the

senators, moved that we should proceed to a solemn ratification of the treaty with Philip's ministers.

Thus did he complete the work which Philocrates began. The one allows these ministers to repair to Athens; the other ratifies the negotiation. What I am now to observe demands your utmost attention. Through the course of this treaty the other deputies (who on a change of affairs were exposed to all the malignity of Demosthenes) had scarcely any transactions with the ministers of Macedon. The great agents were Demosthenes and Philocrates; and with good reason: for they had not only acted as deputies, but had also been authors of the decrees which secured these important points; first, that you should not wait the return of the ambassadors sent to unite the Greeks against Philip; that you should conclude this treaty separately, and not in conjunction with the Greeks: secondly, that you should resolve not only to conclude a peace but an alliance with Philip; that if any of the states preserved a regard for us, they might at once be confounded with despair, when at the very time that you were prompting them to war they found you not only concluding a peace, but entering into a strict alliance with the enemy; and lastly, that Cersobleptes should be excluded from the treaty; that he should be denied a share in this alliance and this peace at the very time when his kingdom was threatened with an immediate invasion.

The prince whose gold purchased these important points is by no means to be accused. Before the treaty was concluded, and previously to his solemn engagements, we cannot impute it as a crime that he pursued his own interests: but the men who traitorously resigned into his hands the strength and security of the state should justly feel the severest effects of your resentment. He, then, who now declares himself the enemy of Alexander, Demosthenes, who at that time was the enemy of Philip- he who objects to me my connections of friendship with Alexander, proposed a decree utterly subversive of the regular and gradual course of public business, by which the magistrates were to convene an assembly on the eighth of the month Elaphebolion, a day destined to the sacrifices and religious ceremonies in honor of Aesculapius, when the rites were just preparing. And what was the pretence for choosing this solemn festival, on which no assembly hath ever been remembered? "In order," saith he, "that if ambassadors should arrive from Macedon, the people may as soon as possible deliberate on sending their deputies to Philip." Thus, before the ambassadors had yet appeared, an assembly was secured to favor them; you were at once precluded from all the advantages which time might produce, and your transactions fatally precipitated, that you might conclude this treaty separately, not in conjunction with the Greeks, on the return of your ambassadors. After this, the ministers of Philip arrived at Athens; ours were still abroad, laboring to stir up the Greeks against Macedon. Then did Demosthenes obtain another decree, by which it was resolved that you should take into consideration, not only a peace, but an alliance; and this (without waiting for the return of your ambassadors)

immediately after the festival of Bacchus, on the eighteenth day of the month. For the truth of this I appeal to the decrees.

[The decrees.]

After these festivals our assemblies were accordingly convened. In the first was the general resolution of our allies publicly read: the heads of which I shall here briefly recite. They, in the first place, resolved that you should proceed to deliberate only about a peace. Of an alliance not one word was mentioned; and this not from inattention, but because they deemed even a peace itself rather necessary than honorable. In the next place, they wisely provided against the fatal consequences of the corruption of Demosthenes: for they expressly resolved still farther, that "it shall and may be lawful for any of the Grecian states whatever, within the space of three months, to accede in due form to this treaty, to join in the same solemn engagements, and to be included in the same stipulations." Thus were two most important points secured. First, an interval of three months was provided for the Greeks; a time sufficient to prepare their deputations; and then the whole collected body of the nation stood well affected and attached to Athens; that if at any time the treaty should be violated, we might not be involved in war single and unsupported. These resolutions are themselves the amplest testimony to the truth of my assertions.

[The resolutions of the allies.]

To these resolutions I confess that I gave my voice, as did all the speakers in the first assembly: and the people in general rose with a firm persuasion that a peace indeed should be concluded; but that as to an alliance, it would be most expedient to postpone the consideration of this, on account of the invitations sent through Greece, as this should be the act of the whole nation. Night intervened, and the next morning we were again assembled: but now Demosthenes had taken care to secure the gallery, and to exclude all those who might speak against his measures. He declared that all the proceedings of the day before must be utterly ineffectual, unless the Macedonian ministers could be persuaded to concur; that he on his part had no conception of a peace distinct from an alliance: we ought not, said he (I well remember his expression, which the odiousness both of the speaker and of the term itself hath impressed deeply on my mind)- we ought not to rend the alliance from the peace; we ought not to wait the dilatory proceedings of the Greeks, but at once determine either to support the war alone or to make a separate peace. He concluded with calling up Antipater to the gallery: he proposed some questions to him which had been previously concerted between them, and to which he instructed him in such a reply as might effectually defeat the interest of the state. Thus the deliberation ended in the full establishment of those measures to which the importunity of Demosthenes extorted your consent, and which were confirmed in form by the decree of Philocrates.

Nothing now remained but to make an absolute resignation of Cersobleptes and the Thracian territories: and this they effected on

the twenty-sixth of the same month, before that Demosthenes had proceeded on the second embassy appointed for the solemn ratification of the treaty: for this hater of Alexander, this foe to Philip, this your public speaker, went twice on an embassy to Macedon, although he needed not have once accepted of this charge; he who now urges you to spurn with contempt the Macedonians- he, I say, having taken his place in the assembly- I mean that which was convened on the twenty-sixth, he whose intrigues procured him the dignity of a senator, betrayed Cersobleptes into the hands of Philip, with the assistance of his confederate Philocrates. For this Philocrates surreptitiously inserted in his decree- that decree which Demosthenes proposed in form- the following clause among many others: "That the several representatives of the allies shall be bound to enter into solemn ratifications of the peace with the ministers of Philip on this very day." But Cersobleptes had no representatives then present; and therefore he who moved that the representatives should then swear to the treaty by direct consequence excluded Cersobleptes from the treaty, who had not been at all represented in this assembly. To prove the truth of this, read the authors of this decree and the name of the president who proposed it.

[The decree.- The president.]

A noble institution this- a truly noble institution, Athenians! this exact preservation of our public records! Thus they remain unalterable, and never change from one to the other party, with our variable politicians; but, whenever we are pleased to resort to them, afford us ample satisfaction as to the real characters of those who, after a long course of baseness, affect to be thought men of worth and excellence, on any change of circumstances.

It remains that I produce some instances of his abandoned flattery. For one whole year did Demosthenes enjoy the honor of a senator; and yet in all that time it never appears that he moved to grant precedency to any ministers: for the first, the only time, he conferred this distinction on the ministers of Philip: he servilely attended to accommodate them with his cushions and his carpets: by the dawn of day he conducted them to the theatre; and, by his indecent and abandoned adulation, raised a universal uproar of derision. When they were on their departure towards Thebes he hired three teams of mules, and conducted them in state into that city. Thus did he expose his country to ridicule. But, that I may confine myself to facts, read the decree relative to the grant of precedency.

[The decree.]

And yet this abject, this enormous flatterer, *(10) when he had been the first that received advice of Philip's death, from the emissaries of Charidemus, pretended a divine vision, and, with a shameless lie, declared that this intelligence had been conveyed to him, not by Charidemus, but by Jupiter and Minerva! Thus he dared to boast that these divinities, by whom he had sworn falsely in the day, had condescended to hold communication with him in the night, and to inform him of futurity. Seven days had now scarcely elapsed since

the death of his daughter, when this wretch, before he had performed the usual rites of mourning, before he had duly paid her funeral honors, crowned his head with a chaplet, put on his white robe, made a solemn sacrifice in despite of law and decency; and this when he had lost his child- the first, the only child that had ever called him by the tender name of father! I say not this to insult his misfortunes; I mean but to display his real character: for he who hates his children, he who is a bad parent, cannot possibly prove a good minister. He who is insensible to that natural affection which should engage his heart to those who are most intimate and near to him, can never feel a greater regard to your welfare than to that of strangers. He who acts wickedly in private life cannot prove excellent in his public conduct: he who is base at home can never acquit himself with honor when sent to a strange country in a public character: for it is not the man, but the scene that changes.

By what fortunate revolution he hath been enabled to assume a new character (for I now come to the second period); whence it is that Philocrates, for the same conduct in which he was equally concerned, hath been impeached and condemned to exile, while Demosthenes supports his station and maintains the power of impeaching others; and by what means this abandoned wretch hath been enabled to plunge you into such calamities; these are points which merit your peculiar attention.

When Philip, then, had possessed himself of Thermopylae by surprise; when, contrary to all expectation, he had subverted the cities of the Phocians; when he had raised the state of Thebes to a degree of power too great (as we then thought) for the times or for our interest; when we were in such consternation that our effects were all collected from the country and deposited within these walls- the severest indignation was expressed against the deputies in general who had been employed in the negotiation of the peace, but principally, and above all others, against Philocrates and Demosthenes; because they had not only been concerned in the deputation, but were the first movers and authors of the decree for peace. It happened at this juncture that a difference arose between Demosthenes and Philocrates, nearly on the same occasion which you yourselves suspected must produce animosities between them. The ferment which arose from hence, together with the natural distemper of his mind, produced such counsels as nothing but an abject terror could dictate, together with a malignant jealousy of the advantages which Philocrates derived from his corruption. He concluded, that by inveighing against his colleagues and against Philip, Philocrates must inevitably fall; that the other deputies must be in danger; that he himself must gain reputation; and, notwithstanding his baseness and treachery to his friends, he must acquire the character of a consummate patriot. The enemies of our tranquillity perceived his designs: they at once invited him to the gallery, and extolled him as the only man who disdained to betray the public interest for a bribe. The moment he appeared he kindled up the flame of war and

confusion. He it was, Athenians, who first found out the Serrian fort, and Doriscum, and Ergiske, and Murgiske, and Ganos, and Ganides- places whose very names were hitherto utterly unknown: and such was his power in perverting and perplexing, that if Philip declined to send his ministers to Athens, he represented it as a contemptuous insult on the state; if he did send them, they were spies and not ministers; if he inclined to submit his disputes with us to some impartial mediating state, no equal umpire could be found, he said, between us and Philip. This prince gave us up the Halonesus: but he insisted that we should not receive it unless it was declared, not that he resigned, but restored; thus cavilling about syllables. And to crown all his conduct, by paying public honors to those who had carried their arms into Thessaly and Magnesia, under the command of Aristodemus, in direct violation of the treaty, he dissolved the peace, and prepared the way for calamity and war.

Yes, but by the alliance of the Euboeans and the Thebans did he (for thus he boasts) surround our city with walls of brass and adamant. But the truth is, Athenians, that in these transactions he committed no less than three most enormous offences, of which you are utterly uninformed. Although I am impatient to come to that grand article- the alliance of the Thebans, yet, for the sake of order, I must begin with that of the Euboeans.

You, my countrymen, had received many and great injuries from Mnesarchus the Chalcidian, the father of Callias and Taurosthenes (the man whom he hath now presumed, for the sake of a wretched bribe, to enrol among the citizens of Athens), and also from Themisan the Eretrian, who in time of profound peace wrested Oropus from you; yet you consented to bury all this in oblivion; and when the Thebans had invaded Euboea in order to enslave the cities, within five days you appeared in their defence with a powerful armament; and before thirty days had yet elapsed, you obliged the Thebans to capitulate and to evacuate the island. Thus absolute masters of Euboea, you reinstated its cities and communities in all their privileges; you generously and equitably relied on their faith, and thought it highly unjust to retain the memory of ancient animosities when they implicitly resigned themselves to your honor. Yet to these important obligations the people of Chalcis did by no means make the due returns. On the contrary, when you had passed into Euboea to assist Plutarch, at first indeed you were received with all the appearances of friendship; but when once we had advanced beyond Tamynas, and passed the eminence named Cotylaeum- Callias, now perceiving that we had encamped in a dangerous situation, from whence it was impossible to disengage ourselves but by a victory, and where we could receive no reinforcement either by sea or land- this Callias, I say, on whom Demosthenes, having received his bribes, so freely lavishes his applause, collected an army from all quarters of Euboea, which he reinforced with a detachment sent in by Philip; while his brother Taurosthenes, he who so graciously salutes and smiles on every citizen, brought down his band of mercenaries from Phocis, and both

advanced with a firm purpose to destroy us; and had not some deity graciously interposed to save our army, and had not all our forces, both infantry and cavalry, performed extraordinary acts of valor at the hippodrome of Tamynas, and after a complete victory obliged the enemy to lay down their arms, the state must have been exposed to a defeat the most disgraceful. For a defeat is not of itself the greatest of calamities; but when that defeat is the consequence of an engagement with dishonorable enemies, then the calamity is doubled.

Yet, notwithstanding this treatment, you were again reconciled to these people; and Callias, now restored to your favor, preserved appearances for a little time, but soon returned with extraordinary violence to his natural dispositions. His pretence was to form a convention of the Euboean states at Chalcis; his real design to fortify the island against us, and to secure to himself a sovereignty of peculiar importance; and hoping to prevail on Philip to assist him in this design, he went over to Macedon, was constantly in Philip's train, and came to be regarded as one of those who are styled his companions. But having forfeited this prince's favor by his offences, he was obliged to fly; and having rendered himself obnoxious at Thebes, he retired from that city also; and thus his course of conduct, more uncertain and variable than the Euripus that flows by his native habitation, involved him in the resentment both of the Thebans and of Philip. In the midst of his confusion and perplexity, when an army was actually preparing to march against him, he saw but one resource left, and this was to prevail on the Athenians, by acknowledging him as their confederate, to enter into solemn engagements to defend him if attacked by any enemy; and it was evident that he must be attacked unless you were to prevent it. Possessed with this design, he sent hither his deputies, Glaucetes, Empedon, and Diodorus, so distinguished in the race, *(11) who came with airy hopes for the people, but with money for Demosthenes and his associates. And three material points there were, for all of which he then bargained: first, that he should not be disappointed of our alliance; for if the Athenians were to remember his former offences and to reject him as a confederate, he had but one melancholy alternative- either to fly from Chalcis, or to suffer himself to be taken and put to death; with such formidable powers were both Philip and the Thebans now preparing to surround him. In the second place, the manager and mover of this alliance was to contrive (and for this gold was liberally bestowed) that the Chalcidians should not be obliged to attend the convention held at Athens. The third point was, that they should be excused from paying their contributions. Nor was Callias defeated in any one of these schemes. No. This Demosthenes- this foe to tyrants, as he calls himself- this man whom Ctesiphon declares a faithful minister- betrayed the most critical interests of the state, and by his decree obliged us to take up arms on every occasion in defence of the Chalcidians. This was the purport, though not the formal style of the decree: to secure his point in the most delicate and least offensive manner, he artfully changed a

single phrase, and ordained that the Chalcidian should take up arms if on any occasion the Athenians should be attacked. But as to the acknowledgment of our superiority in the general convention- as to obliging the confederates to pay their subsidies, the great support of war- these articles he entirely gave up; he who disguises the basest actions by the most honorable names; whose importunity obliged you to declare that you were resolved to send assistance to any of the Greeks that needed it, but that you must suspend all farther engagements of alliance, which should be formed only with those whose good offices you had experienced. To prove the truth of my assertions, I produce the instrument of Callias, the treaty of alliance, and the decree.

[The decree.]

Nor is it his most heinous offence that he hath sold our interests, our rights of precedency, and our subsidies: what I have now to produce must be acknowledged still more enormous. For to such a pitch of insolence and extravagance did Callias proceed, and to such sordid corruption did Demosthenes descend- he whom Ctesiphon hath thus applauded- that they contrived in your presence, in your view, in the midst of your attention, to defraud you of the contributions from Oreum, and of those from Eretria, to the amount of ten talents. And when the representatives of these states had appeared in Athens, they sent them back to Chalcis to assist in what was called the convention of Euboea. By what means and by what iniquitous practices they effected this will deserve your serious regard.

I am, then, to inform you that Callias was now no longer satisfied to negotiate with us by his emissaries. He appeared in person; he rose up and addressed himself to the assembly in a speech concerted by Demosthenes. He told us that he was just arrived from Peloponnesus, where he had been lately employed in settling the subsidies which each city was to pay in order to support a war against Philip; the whole amounting to a hundred talents. He distinguished the sums to be paid by each state. The contributions of all the Achaeans and Megaraens he rated at sixty, those of the cities of Euboea at forty talents; a sum, as he observed, sufficient to maintain a formidable armament both by sea and land. Many other Grecian states were ready to join in this supply, so that there would be no deficiency either in money or in forces. These were the effects of his public negotiations; but he had besides carried on some secret transactions which were not to be explained (of these some of our own citizens were witnesses), and then he called on Demosthenes by name, and required him to confirm this by his testimony. With a face of gravity and importance Demosthenes then rose, bestowed the most extravagant applause on Callias, and pretended to be well acquainted with his secret transactions. He declared himself ready to report the success of his own embassy to Peloponnesus and of that to Acarnania. The sum of all was this, that by his means the whole body of the Peloponnesians and all the Acarnanians were ready to march against Philip; that the amount of their several contributions would be sufficient to complete an

armament of one hundred ships of war, ten thousand infantry, and one thousand horse; that to these were to be added the domestic forces of each state, from Peloponnesus more than two thousand heavy-armed foot, and from Acarnania the same number; that all these states had freely resigned the chief command to you; and that their preparations were not fixed to some distant time, but were to be completed by the sixteenth of the month Anthesterion, as, by his direction and appointment, the states were to hold their convention at Athens at the time of full moon: for in these cases the man acts a distinguishing and peculiar part. Other boasters, when they advance their falsehoods, are careful to express themselves in vague and obscure terms, from a just dread of being detected: but Demosthenes, when he would obtrude his impostures, first adds an oath to his lie, and imprecates all the vengeance of Heaven on his own head. And then, if he is to assure us of events which he knows will never be, he has the hardiness to assign their particular times; if to persuade us that he had negotiated with those he never saw, he enters into a distinct detail of their names- thus insinuating himself into your confidence, and imitating the natural and explicit manner of those who speak truth; so that he is doubly an object of detestation, as he is base and false, and as he would confound all the marks of truth and honesty.

When he had finished, he presented a decree to the secretary longer than the Iliad, more frivolous than the speeches which he usually delivers, or than the life which he hath led; filled with hopes never to be gratified, and with armaments never to be raised. And while he diverted your attention from his fraud, while he kept you in suspense by his flattering assurances, he seized the favorable moment to make his grand attack, and moved that ambassadors should be sent to Eretria, who should entreat the Eretrians (because such entreaties were mighty necessary) not to send their contribution of five talents to Athens, but to intrust it to Callias; again, he ordained that ambassadors should be appointed to repair to Oreum, and to prevail on that state to unite with Athens in strict confederacy. And now it appeared, that through this whole transaction he had been influenced by a traitorous motive; for these ambassadors were directed to solicit the people of Oreum also to pay their five talents, not to you, but to Callias. To prove the truth of this read the decree- not all the pompous preamble, the magnificent account of navies, the parade and ostentation; but confine yourself to the point of fraud and circumvention which were practised with too much success by this impious and abandoned wretch, whom the decree of Ctesiphon declares to have persevered, through the course of all his public conduct, in an inviolable attachment to the state.

[The decree.]

Here is a grand account of ships and of levies, of the full moon, and of conventions. Thus were you amused by words; while in fact you lost the contributions of your allies, you were defrauded of ten talents.

It remains that I inform you of the real motive which prompted Demosthenes to procure this decree; and that was a bribe of three talents; one received from Chalcis, by the hands of Callias, another from Eretria, by Clitarchus, the sovereign of this state: the third paid by Oreum; by which means the stipulation was discovered; for, as Oreum is a free state, all things are there transacted by a public decree. And as the people of this city had been quite exhausted in the war with Philip, and reduced to the utmost indigence, they sent over Gnosidemus, who had once been their sovereign, to entreat Demosthenes to remit the talent; promising, on this condition, to honor him with a statue of bronze, to be erected in their city. He answered their deputy, that he had not the least occasion for their paltry brass; that he insisted on his stipulation, which Callias should prosecute. The people of Oreum, thus pressed by their creditor, and not prepared to satisfy him, mortgaged their public revenues to Demosthenes for this talent, and paid him interest at the rate of one drachma *(12) a month for each mina, until they were enabled to discharge the principal. And, to prove this, I produce the decree of the Oreitans. Read.

[The decree.]

Here is a decree, Athenians, scandalous to our country. It is no small indication of the general conduct of Demosthenes, and it is an evidence of the most flagrant kind, which must condemn Ctesiphon at once; for it is not possible that he who hath descended to such sordid bribery can be that man of consummate virtue which Ctesiphon hath presumed to represent him in his decree.

And now I proceed to the third of these periods; which was, indeed, the fatal period, distinguished by the calamities in which Demosthenes involved all Greece as well as his own city, by his impious profanation of the Delphian temple, and by the iniquitous and oppressive treaty in which he engaged us with the Thebans. But first I must speak of his offences towards the gods.

There is a plain, Athenians, well known by the name of Cyrrha, and a port now called the devoted and accursed. This tract the Cyrrhaeans and Acragallidae inhabited; a lawless people, whose sacrilegious violence profaned the shrine of Delphi and the offerings there deposited, and who presumed to rebel against the Amphictyonic council. The Amphictyons in general, and your ancestors in particular (as tradition hath informed us), conceived the justest resentment, and addressed themselves to the oracle, in order to be informed by what punishment they might suppress these outrages. The priestess pronounced her answer, that they were to wage perpetual war against the Cyrrhaeans and Acragallidae, without the least intermission either by day or night; that they were to lay waste their lands, and to reduce their persons to slavery; that their possessions were to be set apart from all worldly purposes, and dedicated to the Pythian Apollo, to Diana, to Latona, and to Minerva; and that they were not to cultivate their lands nor to suffer them to be cultivated. In consequence of this oracle the Amphictyons decreed, and Solon the

Athenian was the first mover of this decree (the man so eminent for making laws, and so conversant in the arts of poesy and philosophy), that they should take up arms against these impious men, in obedience to the divine commands of the oracle. A sufficient force being accordingly raised by the Amphictyons, they reduced these men to slavery, demolished their harbor, razed their city, and consecrated their district, as the oracle directed: and to confirm these proceedings, they bound themselves by an oath, that they would never cultivate this consecrated land, nor suffer others to cultivate it; but that they would support the rights of the god, and defend this district thus consecrated with their persons and all their power. Nor were they contented to bind themselves by an oath conceived in the usual form- they enforced it by the addition of a most tremendous imprecation. Thus it was expressed: "If any shall violate this engagement, whether city, or private persons, or community, may such violators be devoted to the vengeance of Apollo, of Diana, of Latona, and of Minerva! may their lands never yield their fruits! may their women never bring forth children of the human form, but hideous monsters! may their herds be accursed with unnatural barrenness! may all their attempts in war, all their transactions in peace be ever unsuccessful! may total ruin forever pursue them, their families, and their descendants! and may they never (these are the very terms) appease the offended deities, either Apollo, or Diana, or Latona, or Minerva! but may all their sacrifices be forever rejected!" To confirm the truth of this, let the oracle be read; listen to the imprecations, and recall to mind the oath by which your ancestors were engaged in conjunction with the other Amphictyons.

THE ORACLE

"Still shall these towers their ancient pride maintain:
Nor force nor valor e'er their rampart gain;
Till Amphitrite, queen of azure waves,
The hallow'd lands of sovereign Phoebus laves:
Till round his seat her threatening surges roar,
And burst tumultuous on the sacred shore."

[The oath.- The imprecation.]

Yet, notwithstanding these imprecations, notwithstanding the solemn oath and the oracle, which to this day remain on record, did the Locrians and the Amphissaeans, or, to speak more properly, their magistrates, lawless and abandoned men, once more cultivate this district, restore the devoted and accursed harbor, erect buildings there, exact taxes from all ships that put into this harbor, and by their bribes corrupt some of the pylagorae who had been sent to Delphi, of which number Demosthenes was one. For, being chosen into this office, he received a thousand drachmae from the Amphissaeans, to take no notice of their transactions in the Amphictyonic council. And it was stipulated, still farther, that for the time to come they should pay him at Athens an annual sum of twenty minae out of their accursed and devoted revenues; for which he was to use his utmost efforts on every occasion to support the interest of the

Amphissaeans in this city. A transaction which served but to give still farther evidence to this melancholy truth, that, whenever he hath formed connections with any people, any private persons, any sovereign magistrates, or any free communities, he hath never failed to involve them in calamities the most deplorable. For now, behold how Heaven and fortune asserted their superior power against this impiety of the Amphissaeans!

In the archonship of Theophrastus, when Diognetus was ieromnemon, you chose for pylagorae Midias (that man who on many accounts I wish were still alive) and Thrasycles; and with these was I joined in commission. On our arrival at Delphi, it happened that the ieromnemon Diognetus was instantly seized with a fever, and that Midias also shared the same misfortune. The other Amphictyons assembled; when some persons who wished to approve themselves the zealous friends of this state informed us that the Amphissaeans, now exposed to the power of the Thebans, and studious to pay them the most servile adulation, had introduced a decree against this city, by which a fine of fifty talents was to be imposed on the community of Athens, because we had deposited some golden shields in the new temple before it had been completely finished, which bore the following, and a very just inscription: "By the Athenians; taken from the Medes and Thebans, when they fought against the Greeks."

The ieromnemon sent for me, and desired that I should repair to the Amphictyons, and speak in defence of that city, which I had myself determined to do. But scarcely had I begun to speak, on my first appearance in the assembly (where I rose with some warmth, as the absence of the other deputies increased my solicitude), when I was interrupted by the clamors of an Amphissaean, a man of outrageous insolence, who seemed a total stranger to politeness, and was, perhaps, driven to this extravagance by some evil genius. He began thus: "Ye Greeks, were ye possessed with the least degree of wisdom, ye would not suffer the name of the Athenians to be mentioned at this time; ye would drive them from the temple as the objects of divine wrath." He then proceeded to take notice of our alliance with the Phocians, which the decree of Crobylus had formed, and loaded the state with many other odious imputations, which I then could not hear with temper, and which I cannot now recollect but with pain. His speech inflamed me to a degree of passion greater than I had ever felt through my whole life. Among other particulars, on which I shall not now enlarge, it occurred to me to take notice of the impiety of the Amphissaeans with respect to the consecrated land; which I pointed out to the Amphictyons from the place where I then stood, as the temple rose above the Cyrrhaean plain, and commanded the whole prospect of that district. "You see," said I, "ye Amphictyons, how this tract hath been occupied by the people of Amphissa: you see the houses and factories they have there erected. Your own eyes are witnesses that this accursed and devoted harbor is completely furnished with buildings. You yourselves know, and need not any testimony, that they have exacted duties, and raised large sums of

wealth from this harbor." I then produced the oracle, the oath of our ancestors, and the imprecation by which it was confirmed; and made a solemn declaration, that "for the people of Athens, for myself, for my children, and for my family, I would support the rights of the god, and maintain the consecrated land with all my might and power; and thus rescue my country from the guilt of sacrilege. Do you, ye Greeks," thus did I proceed, "determine for yourselves, as ye judge proper. Your sacred rites are now prepared; your victims stand before the altars; you are ready to offer up your solemn prayers for blessings on yourselves and on your countries; but O consider, with what voice, with what front, with what confidence can you breathe out your petitions, if ye suffer these sacrilegious men, thus devoted and accursed, to escape with impunity. The imprecation is not conceived in dark or doubtful terms. No: the curse extends, not only to these impious profaners, but to all those who suffer their profanation to pass unrevenged. These are the very words with which the awful and affecting form is closed: May they who permit them to escape unpunished never offer up an acceptable sacrifice to Apollo, or to Diana, or to Latona, or to Minerva! but may all their devotions be rejected and abhorred!"

When I had urged these and many other particulars I retired from the assembly; when a considerable clamor and tumult arose among the Amphictyons: and the debate was now no longer about the shields which we had dedicated, but about the punishment due to the Amphissaeans. Thus was a considerable part of that day wasted, when at length a herald arose and made proclamation, That all the inhabitants of Delphi, above the age of sixteen, both slaves and freemen, should the next morning, by sunrise, assemble in the adjoining plain, called the plain of victims, with spades and mattocks: and by another proclamation it was ordained that the representatives of the several states should repair to the same place to support the rights of the god and the consecrated land; and that, if any representatives should disobey this summons, their state was to be excluded from the temple, as sharing in the sacrilege, and involved in the imprecation. The next day we accordingly repaired to the place appointed, from whence we went down to the Cyrrhaean plain; and having there demolished the harbor, and set fire to the buildings, we retired. During these transactions the Locrians of Amphissa, who are settled at the distance of sixty stadia from Delphi, assembled in arms, and fell on us with their whole force; and, had we not with difficulty gained the town by a precipitate flight, we must have been in danger of total destruction. On the succeeding day Cattyphus, who acted as president of the council, summoned a convention of the Amphictyons; so they call an assembly formed, not only of the representatives, but of all who come to offer sacrifice or consult the oracle. In this convention many accusations were urged against the Amphissaeans, and much applause bestowed on our state. The whole debate was closed with a resolution, by which the ieromnemons were directed to repair to

Thermopylae, at a time appointed, previous to the next ordinary assembly, with a decree prepared for inflicting the due punishment on the Amphissaeans, for their sacrilegious offences against the god and the consecrated land, and for their outrage on the Amphictyons. To prove the truth of this I produce the resolution itself.

[The resolution.]

And when at our return we reported this resolution, first in the Senate, and then in the assembly of the people; when we had made a full relation of all our transactions to the people, and the whole state determined to act agreeably to the dictates of piety; when Demosthenes, from his private connections with Amphissa, labored to defeat this purpose, and his iniquitous practices were by me clearly detected in your presence; when he found it impossible to defeat the interests of his country by a public opposition, he had recourse to secret management in the Senate. There, having first taken care to exclude all private citizens, he gained a resolution (by taking advantage of his inexperience who moved it) which he produced to the popular assembly: and this resolution he contrived to be confirmed by the voices of the people, and to be made their decree, at a time when the assembly was actually adjourned, when I was absent (else I never should have suffered it), and when the people were dismissed from their attendance. The purport of the resolution was this: "That the ieromnemon and pylagorae, who should at any time be deputed by the Athenians to execute these offices, should repair to Thermopylae and to Delphi, at the times appointed by our ancestors." This was speciously expressed, but it concealed the basest purpose, which was, to prevent our deputies from attending the extraordinary council at Thermopylae, necessary to be held before the next stated day of assembly.

But there was another clause in this resolution still plainer and more virulent. It directed that the ieromnemon and pylagorae, who should at any time be appointed by the Athenians, were to have no sort of intercourse with this extraordinary council, either in word, or deed, or decree, or any transaction whatever. "To have no sort of intercourse." What is the intent of this? Shall I declare the truth? or shall I speak to please you? The truth, by all means: for by consulting only your gratification in all that is here delivered hath the state been reduced to its present condition. The real purpose, therefore, of this clause is, that we should renounce all regard to the oath by which our ancestors were engaged, to the awful imprecation, and to the oracles of the god.

Agreeably to this resolution we stayed at home, while all the other deputies assembled at Thermopylae, except those of one people, whose name I cannot bear to mention: (and never may any Grecian state suffer calamities in the least like theirs!) in this assembly it was resolved to undertake a war against the Amphissaeans; and Cattyphus the Pharsalian, who then presided in the assembly, was appointed general. Nor was Philip at this time in Macedon; no, nor in any part of Greece, but removed as far as Scythia; he who

Demosthenes presumes to say was by me brought down on the Greeks. In the first expedition, when the Amphissaeans were at their mercy, they treated them with the utmost moderation; and, for their most heinous offences, they only imposed a fine, which was to be paid to the god by a time appointed; removed the most notoriously criminal and principal authors of the sacrilege, and restored those who had been banished on account of their scrupulous regard to religion. But when this fine was not discharged, when the principal offenders were recalled home, and the innocent and religious men whom the Amphictyons had restored were once more expelled; then was the second expedition made against the Amphissaeans, a considerable time after, when Philip was on his return from the Scythian expedition. And now, when the gods presented you with the sovereign command in this holy war, by the corruption of Demosthenes were you deprived of that honor.

And did not the gods warn us of our danger? did they not urge the necessity of vigilance in a language scarcely less explicit than that of man? Surely never was a state more evidently protected by the gods, and more notoriously ruined by its popular leaders. Were we not sufficiently alarmed by that portentous incident in the mysteries, the sudden death of the initiated? Did not Amyniades still further warn us of our danger, and urge us to send deputies to Delphi to consult the god? And did not Demosthenes oppose this design? did he not say the Pythian priestess was inspired *(13) by Philip? rude and brutal as he is; insolently presuming on that full power to which your favor raised him. And did he not at last, without one propitious sacrifice, one favorable omen, to assure us of success, send out our armies to manifest and inevitable danger? Yet he lately presumed to say that Philip did not venture to march into our territories; for this very reason, because his sacrifices had not been propitious. What punishment therefore is due to thy offences, thou pest of Greece? If the conqueror was prevented from invading the territories of the vanquished by unpropitious sacrifices, shouldst thou, who, without the least attention to futurity, without one favorable omen, hast sent our armies to the field- shouldst thou be honored with a crown for those calamities in which thou hast involved the state, or driven from our borders with ignominy?

And what can be conceived surprising or extraordinary that we have not experienced? Our lives have not passed in the usual and natural course of human affairs: no, we were born to be an object of astonishment to posterity. Do we not see the King of Persia, he who opened a passage for his navy through Mount Athos, who stretched his bridge across the Hellespont, who demanded earth and water from the Greeks; he who in his letters presumed to style himself sovereign of mankind from the rising to the setting sun; now no longer contending to be lord over others, but to secure his personal safety? Do not we see those crowned with honor, and ennobled with the command of the war against Persia, who rescued the Delphian temple from sacrilegious hands? Hath not Thebes, our neighboring state, been in one day torn from the midst of Greece? And, although this calamity may justly be

imputed to her own pernicious councils, yet we are not to ascribe such infatuation to any natural causes, but to the fatal influence of some evil genius. Are not the Lacedaemonians, those wretched men, who had but once slightly interfered in the sacrilegious outrage on the temple, who in their day of power aspired to the sovereignty of Greece, now reduced to display their wretchedness to the world by sending hostages to Alexander, ready to submit to that fate which he shall pronounce on themselves and on their country; to those terms which a conqueror, and an incensed conqueror, shall vouchsafe to grant? And is not this our state, the common refuge of the Greeks, once the great resort of all the ambassadors from the several cities, sent to implore our protection as their sure resource, now obliged to contend, not for sovereign authority, but for our native land? And to these circumstances have we been gradually reduced from that time when Demosthenes first assumed the administration. Well doth the poet Hesiod pronounce on such men, in one part of his works, where he points out the duty of citizens, and warns all societies to guard effectually against evil ministers, I shall repeat his words; for I presume we treasured up the sayings of poets in our memory when young, that in our riper years we might apply them to advantage.

"When one man's crimes the wrath of Heaven provoke,
Oft hath a nation felt the fatal stroke.
Contagion's blast destroys, at Jove's command,
And wasteful famine desolates the land,
Or, in the field of war, her boasted powers
Are lost; and earth receives her prostrate towers.
In vain in gorgeous state her navies ride;
Dash'd, wreck'd, and buried in the boisterous tide."

Take away the measure of these verses, consider only the sentiment, and you will fancy that you hear, not some part of Hesiod, but a prophecy of the administration of Demosthenes; for true it is, that both fleets and armies, and whole cities have been completely destroyed by his administration; and, in my opinion, neither Phryrondas, nor Eurybatus, nor any of those most distinguished by their villanies in former times have been equal to this man in the arts of imposture and deceit; this man, who (hear it, O earth! hear it all ye gods, and all of human race who have the least regard to truth!) dares to meet the eyes of his fellow-citizens, and shamelessly assert that the Thebans were induced to the confederacy with us, not by the conjuncture of their affairs, not by the terror which possessed them, nor yet by our reputation; but by the negotiations of Demosthenes. True it is, that before this time we sent many ambassadors to Thebes, all of them united with that state in the strictest connections. First we sent our general Thrasybulus, a man highest above all others in the confidence of the Thebans; after him Thraso, on whom the Thebans conferred the honors of hospitality; then again Leodamas, nothing inferior to Demosthenes in the powers of eloquence, and in my opinion a much more pleasing speaker; Archidemus, another powerful speaker, whose attachment to Thebes had

exposed him to considerable danger; Aristophon, the popular leader, who had long incurred the censure of being in his heart a Boeotian. Add to these Pyrandrus, the public speaker, who is yet alive. And yet not one of these was ever able to prevail on them to unite in alliance with our state. I know the cause; but I must not insult their calamities. The truth is (as I conceive), that when Philip had wrested Nicaea from them, and delivered it to the Thessalians; when he had transferred the war from Phocis to the very walls of Thebes, that war which he had before repelled from the territories of Boeotia; and when, to crown all, he had seized, and fortified, and fixed his garrison in Elataea, then did their fears of approaching ruin force them to apply to Athens; and then did you march out and appear at Thebes, with all your power, both of infantry and cavalry, before Demosthenes had ever proposed one syllable about an alliance. For it was the times, the present terror, and the necessity of uniting with you, which then brought you to Thebes; not Demosthenes.

And let it be observed that in these his negotiations he committed three capital offences against the state. In the first place, when Philip made war on us only in name, but in reality pointed all his resentment against Thebes (as appears sufficiently from the event, and needs not any farther evidence), he insidiously concealed this, of which it so highly concerned us to be informed; and pretending that the alliance now proposed was not the effect of the present conjuncture, but of his negotiations, he first prevailed on the people not to debate about conditions, but to be satisfied that the alliance was formed on any terms; and having secured this point, he gave up all Boeotia to the power of Thebes, by inserting this clause in the decree, that if any city should revolt from the Thebans, the Athenians would grant their assistance to such of the Boeotians only as should be resident in Thebes; thus concealing his fraudulent designs in spacious terms, and betraying us into his real purposes, according to his usual practice; as if the Boeotians, who had really labored under the most grievous oppression, were to be fully satisfied with the fine periods of Demosthenes, and to forget all resentment of the wrongs which they had suffered. Then as to the expenses of the war, two-thirds of these he imposed on us, who were the farthest removed from danger, and one-third only on the Thebans; for which, as well as all his other measures, he was amply bribed. And with respect to the command, that of the fleet he indeed divided between us; the expense he imposed entirely on Athens; and that of the land forces (if I am to speak seriously I must insist on it) he absolutely transferred to the Thebans; so that during this whole war our general Stratocles had not so much authority as might enable him to provide for the security of his soldiers. And here I do not urge offences too trivial for the regard of other men. No: I speak them freely; all mankind condemn them, and you yourselves are conscious of them; yet will not be roused to resentment. For so completely hath Demosthenes habituated you to his offences, that you now hear them without emotion or surprise. But this should not be; they

should excite your utmost indignation, and meet their just punishment, if you would preserve those remains of fortune which are still left to Athens.

A second and a much more grievous offence did he commit in clandestinely taking away all authority of our Senate, all the jurisdiction of our popular assembly, and transferring them from Athens to the citadel of Thebes, by virtue of that clause which gave the magistrates of Boeotia a share in all councils and transactions. And such an uncontrolled power did he assume, that he rose publicly in the assembly, and declared that he would go as ambassador, whither he himself thought proper, although not authorized by your commission; and if any of the generals should attempt to control him, he declared (as a warning to our magistrates to acknowledge his sovereign power, and as a means of accustoming them to implicit submission) that he would "commence a suit for establishing the pre-eminence of the speaker's gallery over the general's pavilion"; for that the state had derived more advantages from him in this gallery than ever it had gained from the generals in their pavilions. Then, by his false musters in the contract for the foreign troops, he was enabled to secrete large sums of money destined to the military service. And by hiring ten thousand of these troops to the Amphissaeans, in spite of all my remonstrances, all my earnest solicitations in the assembly, he involved the state in the most perilous difficulties, at a time when the loss of these foreign troops had left us unprovided to encounter dangers. What, think you, was at this time the object of Philip's most ardent wishes? Was it not that he might attack our domestic forces separately and our foreign troops at Amphissa separately, and thus take advantage of the general despair into which the Greeks must sink at such an important blow? And now Demosthenes, the great author of these evils, is not contented that he escapes from justice, but if he be denied the honor of a crown, expresses the highest indignation; nor is he satisfied that this crown should be proclaimed in your presence; but, unless all Greece be made witness of his honors, he complains of the grievous injury. And thus we find that when a disposition naturally base hath obtained any considerable share of power, it never fails to work the ruin of a state.

I am now to speak of a third offence, and this still more heinous than the others. Philip by no means despised the Greeks; was by no means ignorant (for he was not devoid of all sense) that by a general engagement he must set his whole power to the hazard of a day; he was well inclined to treat about an accommodation, and was on the point of sending deputies for this purpose; while the Theban magistrates, on their parts, were alarmed at the approaching danger, with good reason: for it was not a dastardly speaker who fled from his post in battle that presented it to their thoughts, but the Phocian War, that dreadful contest of ten years, which taught them a lesson never to be forgotten. Such was the state of affairs, and Demosthenes perceived it: he suspected that the Boeotian chiefs were on the point of making a separate peace, and would receive Philip's

gold without admitting him to a share: and deeming it worse than death to be thus excluded from any scheme of corruption, he started up in the assembly before any man had declared his opinion that a peace should or should not be concluded with Philip, but with an intent of warning the Boeotian chiefs by a kind of public proclamation that they were to allow him his portion of their bribes: he swore by Minerva (whom it seems Phidias made for the use of Demosthenes in his vile trade of fraud and perjury), that if any man should utter one word of making peace with Philip, he himself with his own hands would drag him by the hair to prison: imitating in this the conduct of Cleophon, who in the war with Lacedaemon, as we are informed, brought destruction on the state. *(14) But when the magistrates of Thebes paid him no attention, but, on the contrary, had countermanded their troops when on their march, and proposed to you to consult about a peace, then was he absolutely frantic: he rose up in the assembly; he called the Boeotian chiefs traitors to Greece, and declared that he himself would move (he who never dared to meet the face of an enemy) that you should send ambassadors to the Thebans to demand a passage through their territory for your forces, in their march against Philip. And thus through shame, and fearing that they might really be thought to have betrayed Greece, were the magistrates of Thebes diverted from all thoughts of peace, and hurried at once to the field of battle.

And here let us recall to mind those gallant men whom he forced out to manifest destruction, without one sacred rite happily performed, one propitious omen to assure them of success; and yet, when they had fallen in battle, presumed to ascend their monument with those coward feet that fled from their post, and pronounced his encomiums on their merit. But O thou who, on every occasion of great and important action, hast proved of all mankind the most worthless, in the insolence of language the most astonishing, canst thou attempt in the face of these thy fellow-citizens to claim the honor of a crown for the misfortunes in which thou hast plunged thy city? Or, should he claim it, can you restrain your indignation, and hath the memory of your slaughtered countrymen perished with them? Indulge me for a moment, and imagine that you are now not in this tribunal, but in the theatre; imagine that you see the herald approaching, and the proclamation prescribed in this decree on the point of being delivered; and then consider, whether will the friends of the deceased shed more tears at the tragedies, at the pathetic stories of the great characters to be presented on the stage, or at the insensibility of their country? What inhabitant of Greece, what human creature who hath imbibed the least share of liberal sentiments, must not feel the deepest sorrow when he reflects on one transaction which he must have seen in the theatre; when he remembers, if he remembers nothing else, that on festivals like these, when the tragedies were to be presented, in those times when the state was well governed, and directed by faithful ministers, a herald appeared, and introducing those orphans whose fathers had died in battle, now arrived at

maturity, and dressed in complete armor, made a proclamation the most noble, and the most effectual to excite the mind to glorious actions: "That these youths, whose fathers lost their lives in fighting bravely for their country, the people had maintained to this their age of maturity: that now, having furnished them with complete suits of armor, they dismiss them (with prayers for their prosperity) to attend to their respective affairs, and invite them to aspire to the highest offices of the state."

Such were the proclamations in old times; but such are not heard now. And, were the herald to introduce the person who had made these children orphans, what could he say, or what could he proclaim? Should he speak in the form prescribed in this decree, yet the odious truth would still force itself on you; it would seem to strike your ears with a language different from that of the herald: it would tell you that "the Athenian people crowned this man, who scarcely deserves the name of man, on account of his virtue, though a wretch the most abandoned; and on account of his magnanimity, though a coward and deserter of his post." Do not, Athenians! I conjure you by all the powers of Heaven, do not erect a trophy in your theatre to perpetuate your own disgrace: do not expose the weak conduct of your country in the presence of the Greeks: do not recall all their grievous and desperate misfortunes to the minds of the wretched Thebans; who, when driven from their habitations by this man, were received within these walls; whose temples, whose children, whose sepulchral monuments, were destroyed by the corruption of Demosthenes and the Macedonian gold.

Since you were not personal spectators of their calamities, represent them to your imaginations; think that you behold their city stormed, their walls levelled with the ground, their houses in flames, their wives and children dragged to slavery, their hoary citizens, their ancient matrons, unlearning liberty in their old age, pouring out their tears, and crying to you for pity; expressing their resentment, not against the instruments, but the real authors of their calamities; importuning you by no means to grant a crown to this pest of Greece, but rather to guard against that curse, that fatal genius which evermore pursues him: for never did any state, never did any private persons, conduct their affairs to a happy issue, that were guided by the counsels of Demosthenes. And is it not shameful, my countrymen, that in the case of those mariners who transport men over to Salamis, it should be enacted by a law, that whoever shall overset his vessel in this passage, even inadvertently, shall never be again admitted to the same employment (so that no one may be suffered to expose the persons of the Greeks to careless hazard); and yet that this man, who hath quite overset all Greece, as well as this state, should be still intrusted with the helm of government?

That I may now speak of the fourth period, and thus proceed to the present times, I must recall one particular to your thoughts: that Demosthenes not only deserted from his post in battle, but fled from

his duty in the city, under the pretence of employing some of our ships in collecting contributions from the Greeks: but when, contrary to expectation, the public dangers seemed to vanish, he again returned. At first he appeared a timorous and dejected creature: he rose in the assembly, scarcely half alive, and desired to be appointed a commissioner for settling and establishing the treaty: but during the first progress of these transactions you did not even allow the name of Demosthenes to be subscribed to your decrees, but appointed Nausicles your principal agent; yet now he has the presumption to demand a crown. When Philip died, and Alexander succeeded to the kingdom, then did he once more practise his impostures. He raised altars to Pausanias, and loaded the Senate with the odium of offering sacrifices and public thanksgivings on this occasion. He called Alexander a margites, *(15) and had the presumption to assert that he would never stir from Macedon: for that he would be satisfied with parading through his capital, and there tearing up his victims in search of happy omens. "And this," said he, "I declare, not from conjecture, but from a clear conviction of this great truth, that glory is not to be purchased but by blood;" the wretch! whose veins have no blood; who judged of Alexander, not from the temper of Alexander, but from his own dastardly soul.

But when the Thessalians had taken up arms against us, and the young prince at first expressed the warmest resentment, and not without reason- when an army had actually invested Thebes, then was he chosen our ambassador; but when he had proceeded as far as Cithaeron he turned and ran back to Athens. Thus hath he proved equally worthless, both in peace and in war. But what is most provoking, you refused to give him up to justice; nor would you suffer him to be tried in the general council of the Greeks: and if that be true which is reported, he hath now repaid your indulgence by an act of direct treason; for the mariners of the Paralian galley, and the ambassadors sent to Alexander, report (and with great appearance of truth) that there is one Aristion, a Plataean, the son of Aristobulus the apothecary (if any of you know the man). This youth, who was distinguished by the beauty of his person, lived a long time in the house of Demosthenes: how he was there employed, or to what purposes he served, is a matter of doubt, and which it might not be decent to explain particularly: and, as I am informed, he afterward contrived (as his birth and course of life were a secret to the world) to insinuate himself into the favor of Alexander, with whom he lived with some intimacy. This man Demosthenes employed to deliver letters to Alexander, which served in some sort to dispel his fears, and effected his reconciliation with the prince, which he labored to confirm by the most abandoned flattery.

And now observe how exactly this account agrees with the facts which I allege against him; for if Demosthenes had been sincere in his professions, had he really been that mortal foe to Alexander, there were three most fortunate occasions for an opposition, not one of which he appears to have improved. The first was when this prince

had but just ascended the throne, and before his own affairs were duty settled, passed over into Asia, when the King of Persia was in the height of all his power, amply furnished with ships, with money, and with forces, and extremely desirous of admitting us to his alliance, on account of the danger which then threatened his dominions. Did you then utter one word, Demosthenes? Did you rise up to move for any one resolution? Am I to impute your silence to terror- to the influence of your natural timidity? But the interests of the state cannot wait the timidity of a public speaker. Again, when Darius had taken the field with all his forces; when Alexander was shut up in the defiles of Cilicia, and as you pretended, destitute of all necessaries; when he was on the point of being trampled down by the Persian cavalry (this was your language); when your insolence was insupportable to the whole city; when you marched about in state with your letters in your hands, pointing me out to your creatures as a trembling and desponding wretch, calling me the "gilded victim," and declaring that I was to be crowned for sacrifice if any accident should happen to Alexander; still were you totally inactive; still you reserved yourself for some fairer occasion. But to pass over all these things, and to come to late transactions. The Lacedaemonians, in conjunction with their foreign troops, had gained a victory, and cut to pieces the Macedonian forces from near Corragus; the Eleans had gone over to their party, and all the Achaeans, except the people of Pellene; all Arcadia also, except the Great City; and this was besieged, and every day expected to be taken. Alexander was at a distance farther than the pole; almost beyond the limits of the habitable world: Antipater had been long employed in collecting his forces; and the event was utterly uncertain. In this juncture, say, Demosthenes, what were your actions? what were your speeches? If you please I will come down, and give you an opportunity of informing us. But you are silent. Well, then, I will show some tenderness to your hesitation, and I myself will tell the assembly how you then spoke. And do you not remember his strange and monstrous expressions? which you (O astonishing insensibility!) could endure to hear. He rose up and cried, "Some men are pruning the city; they are lopping the tendrils of the state; they cut through the sinews of our affairs; we are packed up and matted; they thread us like needles." Thou abandoned wretch! What language is this? Is it natural or monstrous? Again, you writhed and twisted your body round in the gallery; and cried out, as if you really exerted all your zeal against Alexander, "I confess that I prevailed on the Lacedaemonians to revolt; that I brought over the Thessalians and Perrhibaeans." Influence the Thessalians! Could you influence a single village- you who in time of danger never venture to stir from the city: no; not from your own house? Indeed, where any money is to be obtained, there you are ever ready to seize your prey, but utterly incapable of any action worthy of a man. If fortune favors us with some instances of success, then indeed he assumes the merit to himself; he ascribes it to his own address: if some danger alarms

us, he flies: if our fears are quieted, he demands rewards, he expects golden crowns.

"But all this is granted: yet he is a zealous friend to our free constitution." If you consider only his fair and plausible discourses, you may be deceived in this as you have been in other instances: but look into his real nature and character, and you cannot be deceived. Hence it is that you are to form your judgment. And here I shall recount the several particulars necessary to form the character of a faithful citizen and a useful friend to liberty. On the other hand, I shall describe the man who is likely to prove a bad member of society and a favorer of the arbitrary power of a few. Do you apply these two descriptions to him, and consider, not what he alleges, but what he really is.

I presume, then, it must be universally acknowledged that these are the characteristics of a friend to our free constitution. First, he must be of a liberal descent both by father and mother, lest the misfortune of his birth should inspire him with a prejudice against the laws which secure our freedom. Secondly, he must be descended from such ancestors as have done service to the people, at least from such as have not lived in enmity with them: this is indispensably necessary, lest he should be prompted to do the state some injury in order to revenge the quarrel of his ancestors. Thirdly, he must be discreet and temperate in his course of life, lest a luxurious dissipation of his fortune might tempt him to receive a bribe in order to betray his country. Fourthly, he must have integrity united with a powerful elocution; for it is the perfection of a statesman to possess that goodness of mind which may ever direct him to the most salutary measures, together with a skill and power of speaking which may effectually recommend them to his hearers; yet, of the two, integrity is to be preferred to eloquence. Fifthly, he must have a manly spirit, that in war and danger he may not desert his country. It may be sufficient to say, without farther repetition, that a friend to the arbitrary power of a few is distinguished by the characteristics directly opposite to these.

And now consider which of them agree to Demosthenes. Let us state the account with the most scrupulous regard to justice. This man's father was Demosthenes of the Paeanian tribe, a citizen of repute (for I shall adhere strictly to truth). But how he stands as to family, with respect to his mother and her father, I must now explain. There was once in Athens a man called Gylon, who, by betraying Nymphaeum in Pontus to the enemy, a city then possessed by us, was obliged to fly from his country in order to escape the sentence of death denounced against him, and settled on the Bosphorus, where he obtained from the neighboring princes a tract of land called "The Gardens," and married a woman who indeed brought him a considerable fortune, but was by birth a Scythian; by her he had two daughters, whom he sent hither with a great quantity of wealth. One of them he settled- I shall not mention *(16) with whom, that I may not provoke the resentment of too many; the other Demosthenes the Paeanian married, in

defiance of our laws, and from her is the present Demosthenes sprung- our turbulent and malicious informer. So that by his grandfather, in the female line, he is an enemy to the state, for this grandfather was condemned to death by your ancestors; and by his mother he is a Scythian- one who assumes the language of Greece, but whose abandoned principles betray his barbarous descent.

And what hath been his course of life? He first assumed the office of a trierarch, and, having exhausted his paternal fortune by his ridiculous vanity, he descended to the profession of a hired advocate; but having lost all credit in this employment by betraying the secrets of his clients to their antagonists, he forced his way into the gallery, and appeared a popular speaker. When those vast sums of which he had defrauded the public were just dissipated, a sudden tide of Persian gold poured into his exhausted coffers: nor was all this sufficient, for no fund whatever can prove sufficient for the profligate and corrupt. In a word, he supported himself, not by a fortune of his own, but by your perils. But how doth he appear with respect to integrity and force of elocution? Powerful in speaking, abandoned in his manners. Of such unnatural depravity in his sensual gratifications, that I cannot describe his practices; I cannot offend that delicacy to which such shocking descriptions are always odious. And how hath he served the public? His speeches have been plausible, his actions traitorous.

As to his courage, I need say but little on that head. Did he himself deny that he is a coward? Were you not sensible of it, I should think it necessary to detain you by a formal course of evidence; but as he hath publicly confessed it in our assemblies, and as you have been witnesses of it, it remains only that I remind you of the laws enacted against such crimes. It was the determination of Solon, our old legislator, that he who evaded his duty in the field, or left his post in battle, should be subject to the same penalties with the man directly convicted of cowardice; for there are laws enacted against cowardice. It may, perhaps, seem wonderful that the law should take cognizance of a natural infirmity; but such is the fact. And why? That every one of us may dread the punishment denounced by law more than the enemy, and thus prove the better soldier in the cause of his country. The man, then, who declines the service of the field, the coward, and he who leaves his post in battle, are by our lawgiver excluded from all share *(17) in the public deliberations, rendered incapable of receiving the honor of a crown, and denied admission to the religious rites performed by the public. But you direct us to crown a person whom the laws declare to be incapable of receiving a crown; and by your decree you introduce a man into the theatre who is disqualified from appearing there; you call him into a place sacred to Bacchus, who, by his cowardice, hath betrayed all our sacred places. But that I may not divert you from the great point, remember this: when Demosthenes tells you that he is a friend to liberty, examine not his speeches, but his actions; and consider not what he professes to

be, but what he really is.

And now that I have mentioned crowns and public honors, while it yet rests on my mind, let me recommend this precaution. It must be your part, Athenians, to put an end to this frequency of public honors, these precipitate grants of crowns; else they who obtain them will owe you no acknowledgment, nor shall the state receive the least advantage; for you never can make bad men better, and those of real merit must be cast into the utmost dejection. Of this truth I shall convince you by the most powerful arguments. Suppose a man should ask at what time this state supported the most illustrious reputation- in the present days, or in those of our ancestors? With one voice you would reply, "In the days of our ancestors." At what time did our citizens display the greatest merit- then or now? They were then eminent; now, much less distinguished. At what time were rewards, crowns, proclamations, and public honors of every kind most frequent-then or now? Then they were rare and truly valuable; then the name of merit bore the highest lustre; but now it is tarnished and effaced; while your honors are conferred by course and custom, not with judgment and distinction.

It may possibly seem unacountable that rewards are now more frequent, yet that public affairs were then more flourishing; that our citizens are now less worthy, but were then of real eminence. This is a difficulty which I shall endeavor to obviate. Do you imagine, Athenians, that any man whatever would engage in the games held on our festivals, or in any others where the victors receive a crown, in the exercises of wrestling, or in any of the several athletic contests, if the crown was to be conferred, not on the most worthy, but on the man of greatest interest? Surely no man would engage. But now, as the reward of such their victory is rare, hardly to be obtained, truly honorable, and never to be forgotten, there are champions found ready to submit to the severest preparatory discipline, and to encounter all the dangers of the contest. Imagine, then, that political merit is a kind of game which you are appointed to direct; and consider, that if you grant the prizes to a few, and those the most worthy, and on such conditions as the laws prescribe, you will have many champions in this contest of merit. But if you gratify any man that pleases, or those who can secure the strongest interest, you will be the means of corrupting the very best natural dispositions.

That you may conceive the force of what I here advance, I must explain myself still more clearly. Which, think ye, was the more worthy citizen- Themistocles, who commanded your fleet when you defeated the Persian in the sea-fight at Salamis, or this Demosthenes, who deserted from his post? Miltiades, who conquered the Barbarians at Marathon, or this man? The chiefs who led back the people from Phyle? *(18) Aristides, surnamed the Just, a title quite different from that of Demosthenes? No; by the powers of Heaven, I deem the names of these heroes too noble to be mentioned in the same day with that of this savage. And let Demosthenes show when he comes to his

reply, if ever a decree was made for granting a golden crown to them. Was, then, the state ungrateful? No; but she thought highly of her own dignity. And these citizens, who were not thus honored, appear to have been truly worthy of such a state; for they imagined that they were not to be honored by public records, but by the memories of those they had obliged; and their honors have there remained from that time down to this day in characters indelible and immortal. There were citizens in those days, who, being stationed at the river Strymon, there patiently enduring a long series of toils and dangers, and at length gained a victory over the Medes. At their return they petitioned the people for a reward; and a reward was conferred on them (then deemed of great importance) by erecting three Mercuries of stone in the usual portico, on which, however, their names were not inscribed, lest this might seem a monument erected to the honor of the commanders, not to that of the people. For the truth of this I appeal to the inscriptions. That on the first statue was expressed thus:

"Great souls! who fought near Strymon's rapid tide,
And brav'd th' invader's arm, and quell'd his pride!
Eion's high towers confess'd the glorious deed,
And saw dire famine waste the vanquish'd Mede;
Such was our vengeance on the barbarous host,
And such the generous toils our heroes boast."

This was the inscription on the second:

"This, the reward which grateful Athens gives!
Here still the patriot and the hero lives!
Here let the rising age with rapture gaze,
And emulate the glorious deeds they praise."

On the third was the inscription thus:

"Menestheus hence led forth his chosen train,
And pour'd the war o'er hapless Ilion's plain.
'Twas his (so speaks the bard's immortal lay)
To form th' embodied host in firm array.
Such were our sons! Nor yet shall Athens yield
The first bright honors of the sanguine field.
Still, nurse of heroes! still the praise is thine
Of every glorious toil, of every act divine."

In these do we find the name of the general? No; but that of the people. Fancy yourselves transported to the grand portico; for in this your place of assembling, the monuments of all great actions are erected full in view. There we find a picture of the battle of Marathon. Who was the general in this battle? To this question you would all answer, Miltiades. And yet his name is not inscribed. How? Did he not petition for such an honor? He did petition, but the people refused to grant it. Instead of inscribing his name, they consented that he should be drawn in the foreground encouraging his soldiers. In like manner, in the temple of the great Mother adjoining to the senate-house, you may see the honors paid to those who brought our exiles back from Phyle. The decree for these honors was solicited

and obtained by Archines, one of those whom they restored to the citizens. And this decree directs, first, that a thousand drachmae shall be given to them for sacrifices and offerings, a sum which allowed not quite ten drachmae to each. In the next place, it ordains that each shall be crowned with a wreath of olive, not of gold; for crowns of olive were then deemed highly honorable; now, those of gold are regarded with contempt. Nor was even this to be granted precipitately, but after an exact previous examination by the Senate into the numbers of those who had maintained their post at Phyle, when the Lacedaemonians and the thirty had marched to attack them, not of those who had fled from their post at Chaeronea on the first appearance of an enemy. And for the truth of this let the decree be read.

[The decree for honoring those who had been at Phyle.]

Compare this with the decree proposed by Ctesiphon in favor of Demosthenes, the author of our most grievous calamities. Read.

[The decree of Ctesiphon.]

By this decree are the honors granted to those who restored our exiles utterly effaced. It to confer the one was plaudible, to grant the other must be scandalous. If they were worthy of their public honors, he must be utterly unworthy of this crown. But it is his purpose to allege, as I am informed, that I proceed without candor or justice in comparing his actions with those of our ancestors. In the Olympic games, saith he, Philamon is not crowned because he hath excelled Glaucus, the ancient wrestler, but because he hath conquered his own antagonists; as if you did not know that in these games the contest is between the immediate combatants; but where political merit is to be honored, the contest is with merit itself. Nor can the herald at all deviate from truth when he is to make proclamation in the presence of the Greeks. Do not, then, pretend to say you have served the state better than Pataecion; prove that you have attained to true and perfect excellence, and then demand honors from the people. But that I may not lead you too far from the subject, let the secretary read the inscription in honor of those who brought back the people from Phyle.

THE INSCRIPTION

"These wreaths Athenian gratitude bestows
On the brave chiefs who first for freedom rose,
Drove the proud tyrants from their lawless state,
And bade the rescued land again be great."

That they had overturned a government repugnant to the laws- this is the very reason here assigned for their public honors. For such was the universal reverence for the laws at that time, that men's ears were perpetually ringing with this maxim, that by defeating impeachments against illegal practices, our constitution was instantly subverted. So have I been informed by my father, who died at the age of ninety-five, after sharing all the distresses of his country. Such were the principles he repeatedly inculcated in his hours of disengagement. By him have I been assured, that at the time when our

freedom was just restored, the man who stood arraigned for any violation of the laws received the punishment due to his offence without respite or mercy. And what offence can be conceived more impious than an infringement of the laws, either by word or action? At that time, said he, such causes were not heard in the same manner as at present. The judges exerted more severity against those who stood impeached than even the prosecutor. It was then usual for them to interrupt the secretary, to oblige him again to read the laws, and to compare them with the decree impeached; and to pronounce their sentence of condemnation, not on those only who had been convicted of violating the whole tenor of the laws, but even on those who had deviated from them in one single particle. But the present course of procedure is even ridiculous. The officer reads the indictment; but, as if it was an idle song or some trivial matter of no concernment to them, the judges turn their attention to some other subject. And thus, seduced by the wiles of Demosthenes, you have admitted a shameful practice into your tribunals, and public justice is perverted. The prosecutor is obliged to appear as the defendant while the person accused commences prosecutor; the judges sometimes forget the points to which their right of judicature extends, and are forced to give sentence on matters not fairly cognizable on their tribunals; and if the impeached party ever deigns to enter on his defence, his plea is, not that he is innocent of the charge, but that some other person equally guilty hath on some former occasion been suffered to escape. And on this plea Ctesiphon relies with greatest confidence, as I am informed.

Your citizen Aristophon once dared to boast that fifty-five times had he been prosecuted for illegal decrees, and as many times had he escaped. Not so Cephalus, our old minister- he whom we deemed the most zealously attached to the constitution. He, on the contrary, accounted it his greatest glory, that although he had proposed more decrees than any other citizen, yet had he been not once obliged to defend himself against an impeachment. And this was really matter of triumph; for in his days prosecutions were commenced, not by the partisans of opposite factions against each other, but by friends against friends, in every case in which the state was injured. To produce an instance of this: Archimus commenced a prosecution against Thrasybulus on account of a decree for crowning one of those who had returned from Phyle, which in some circumstances was repugnant to the laws; and, notwithstanding his late important services, sentence was pronounced against him. These were not at all regarded by the judges. It was their principle, that as Thrasybulus had once restored our exiles, so he in effect drove his fellow-citizens into exile by proposing any one act repugnant to the laws. But now we have quite different sentiments. Now, our generals of character, our citizens whose services have been rewarded by public maintenance, *(19) exert their interest to suppress impeachments; and in this they must be deemed guilty of the utmost ingratitude. For the man who hath been honored by the state, a state which owes its being only to the gods and to the

laws, and yet presumes to support those who violate the laws, in effect subverts that government by which his honors were conferred.

Here, then, I shall explain how far a citizen may honestly and regularly proceed in pleading for an offender. When an impeachment for illegal practices is to be tried in the tribunal, the day of hearing is divided into three parts: the first part is assigned to the prosecutor, to the laws, and to the constitution; the second is granted to the accused and to his assistants. If, then, sentence of acquittal be not passed on the first question, a third portion is assigned for the consideration of the fine, and for adjusting the degree of your resentment. He then who petitions for your vote when the fine is to be considered, petitions only against the rigor of your resentment; but he who petitions for your vote on the first question petitions you to give up your oath, to give up the law, to give up the constitution- a favor which it is impious to ask- which, if asked, it is impious to grant. Tell these interceders, then, that they are to leave you at full liberty to decide the first question agreeably to the laws. Let them reserve their eloquence for the question relative to the fine.

On the whole, Athenians, I am almost tempted to declare, that a law should be enacted solely respecting impeachments for illegal proceedings; that neither the prosecutor nor the accused should ever be allowed the assistance of advocates; for the merits of such causes are not vague and undetermined. No; they are accurately defined by your laws. As in architecture, when we would be assured whether any part stand upright or no, we apply the rule by which it is ascertained; so in these impeachments we have a rule provided in the record of the prosecution, in the decree impeached, and in the laws with which it is compared. Show, then, in the present case, that these last are consonant to each other, and you are at once acquitted. What need you call on Demosthenes? But if you evade the equitable method of defence, and call to your assistance a man practised in craft, in all the wiles of speaking, you then abuse the attention of your judges, you injure the state, you subvert the constitution.

It must be my part effectually to guard you against such evasion. When Ctesiphon rises up and begins with repeating the fine introduction composed for him; when he winds through his solemn periods without ever coming to the great point of his defence; then remind him calmly and quietly to take up the record of his impeachment, and compare his decree with the laws. Should he pretend not to hear you, do you too refuse to hear him; for you are here convened to attend, not to those who would evade the just methods of defence, but to the men who defend their cause fairly and regularly. And should he still decline the legal and equitable defence, and call on Demosthenes to plead for him, my first request is, that you would not at all admit an insidious advocate, who thinks to subvert the laws by his harangues: that when Ctesiphon asks whether he shall call Demosthenes, no man should esteem it meritorious to be the first to cry, "Call him, call him." If you call him, against

yourselves you call him; against the laws you call him; against the constitution you call him. Or if you resolve to hear him, I then request that Demosthenes may be confined to the same method in his defence which I have pursued in this my charge. And what method have I pursued? That I may assist your memories, observe that I have not begun with the private life of Demosthenes; that I have not introduced my prosecution with a detail of misdemeanors in his public conduct; although I could not want various and numberless instances to urge, unless I were totally inexperienced in affairs. Instead of this, I first produced the laws which directly forbid any man to be crowned whose accounts are not yet passed: I then proved that Ctesiphon had proposed a decree for granting a crown to Demosthenes while his accounts yet remained to be passed, without any qualifying clause, or any such addition as, "when his accounts shall first have been approved"; but in open and avowed contempt of you and of the laws. I mentioned also the pretences to be alleged for this procedure, and then recited the laws relative to proclamations, in which it is directly enacted, that no crown shall be proclaimed in any other place but in the assembly only; so that the defendant has not only proposed a decree repugnant in general to the laws, but has transgressed in the circumstances of time and place, by directing the proclamation to be made, not in the assembly, but in the theatre; not when the people were convened; not when the tragedies were to be presented. From these points I proceeded to take some notice of his private life; but chiefly I insist on his public offences.

It is your part to oblige Demosthenes to the same method in his defence. First, let him speak of the laws relative to magistrates yet accountable to the public; then of those which regard proclamations; and thirdly, which is the point of greatest moment, let him prove that he is worthy of this honor; and should he supplicate to be allowed his own method; and should he promise to conclude his defence with obviating the charge of illegality; grant him not this indulgence; know that in this he means to engage in a trial of skill with this tribunal. It is not his intention to return at any time to this great point; but as it is a point he can by no means obviate by any equitable plea, he would divert your attention to other matters, that so you may forget the grand article of this impeachment. But as in athletic contests you see the wrestlers struggling with each other for the advantage of situation, so, in this contest for the state and for the method of his pleading, exert the most incessant and obstinate efforts. Suffer him not to wander from the great article of "illegality"; confine him, watch him, drive him to the point in question; and be strictly guarded against the evasive windings of his harangue.

Should you decline this strict and regular examination of the cause, it is but just that I warn you of the consequences. The impeached party will produce that vile impostor, that robber, that plunderer of the public. He can weep with greater ease than others laugh; and

for perjury is of all mankind the most ready. Nor shall I be surprised if he should suddenly change his wailings to the most virulent abuse of those who attend the trial; if he should declare that the notorious favorers of oligarchical power are, to a man, ranged on the side of the accuser, and that the friends of liberty appear as friends to the defendant. But should he thus allege, his seditious insolence may be at once confounded by the following reply: "If those citizens who brought back the people from their exile in Phyle had been like you, Demosthenes, our free constitution had never been established; but they, when the most dreadful calamities were impending, saved the state by pronouncing one single word- an amnesty (that noble word, the genuine dictate of wisdom); while you tear open the wounds of your country, and discover more solicitude for the composition of your harangues than for the interest of the state."

When this perjured man comes to demand credit to his oaths, remind him of this, that he who hath frequently sworn falsely, and yet expects to be believed on his oath, should be favored by one of these two circumstances, of which Demosthenes finds neither- his gods must be new, or his auditors different. As to his tears, as to his passionate exertions of voice, when he cries out, "Whither shall I fly, ye men of Athens? You banish me from the city, and, alas! I have no place of refuge," let this be your reply, "And where shall the people find refuge? What provision of allies? What treasures are prepared? What resources hath your administration secured? We all see what precautions you have taken for your own security; you who have left the city, not, as you pretend, to take up your residence in the Piraeus, but to seize the first favorable moment of flying from your country; you, who, to quiet all your dastardly fears, have ample provisions secured in the gold of Persia, and all the bribes of your administration." But, after all, why these tears? why these exclamations? why this vehemence? Is it not Ctesiphon who stands impeached? and in a cause where judges are at liberty to moderate his punishment? You are not engaged in any suit by which either your fortune, or your person, or your reputation may be affected. For what, then, doth he express all this solicitude? for golden crowns; for proclamations in the theatre, expressly forbidden by the law. The man who, if the people could be so infatuated, if they could have so completely lost all memory as to grant him any such honor at a season so improper, should rise in the assembly and say, "Ye men of Athens, I accept the crown, but approve not of the time appointed for the proclamation. While the city wears the habit of a mourner, let not me be crowned for the causes of her sorrow." This would be the language of a truly virtuous man. You speak the sentiments of an accursed wretch, the malignant enemy of all goodness. And let no man conceive the least fear (no, by Hercules, it is not to be feared!) that this Demosthenes, this generous spirit, this distinguished hero in war, if disappointed of these honors, shall retire and despatch himself; he who holds your esteem in such sovereign contempt, that he hath a thousand times gashed that accursed head, that head which

yet stands accountable to the state, which this man hath proposed to crown in defiance of all law; he who hath made a trade of such practices, by commencing suits for wounds inflicted by himself; who is so completely battered, that the fury of Midias still remains imprinted on his head: head, did I call it? No, it is his estate.

With respect to Ctesiphon, the author of this decree, let me mention some few particulars. I pass over many things that might be urged, proposedly to try whether you can of yourselves and without direction mark out the men of consummate iniquity. I then confine myself to such points as equally affect them both, and may be urged with equal justice against the one and the other. They go round the public places, each possessed with the justest notions of his associate, and each declaring truths which cannot be denied. Ctesiphon says, that for himself he has no fears; he hopes to be considered as a man of weakness and inexperience; but that his fears are all for the corruption of Demosthenes, his timidity, and cowardice. Demosthenes, on the other hand, declares, that with respect to himself he hath full confidence, but that he feels the utmost apprehensions from the iniquity of Ctesiphon and his abandoned debauchery. When these, therefore, pronounce each other guilty, do you, their common judges, by no means suffer their offences to remain unpunished?

As to the calumnies with which I am attacked, I would prevent their effect by a few observations. I am informed that Demosthenes is to urge that the state hath received services from him, but in many instances hath been injured by me; the transactions of Philip, the conduct of Alexander, all the crimes by them committed, he means to impute to me. And so much doth he rely on his powerful abilities in the art of speaking, that he does not confine his accusations to any point of administration in which I may have been concerned; to any counsels which I may have publicly suggested; he traduces the retired part of my life, he imputes my silence as a crime. And that no one topic may escape his officious malice, he extends his accusations even to my conduct when associated with my young companions in our schools of exercise. The very introduction of his defence is to contain a heavy censure of this suit. I have commenced the prosecution, he will say, not to serve the state, but to display my zeal to Alexander, and to gratify the resentment of this prince against him. And (if I am truly informed) he means to ask why I now condemn the whole of his administration, although I never opposed, never impeached any one part of it separately; and why, after a long course of time, in which I scarcely ever was engaged in public business, I now return to conduct this prosecution?

I, on my part, am by no means inclined to emulate that course of conduct which Demosthenes hath pursued; nor am I ashamed of mine own. Whatever speeches I have made, I do not wish them unsaid; nor, had I spoken like Demosthenes, could I support my being. My silence, Demosthenes, hath been occasioned by my life of temperance. I am contented with a little; nor do I desire any accession which must be purchased by iniquity. My silence, therefore, and my speaking are

the result of reason, not extorted by the demands of inordinate passions. But you are silent when you have received your bribe; when you have spent it you exclaim. And you speak not at such times as you think fittest- not your own sentiments- but whenever you are ordered, and whatever is dictated by those masters whose pay you receive. So that without the least sense of shame you boldly assert what in a moment after is proved to be absolutely false. This impeachment, for instance, which is intended not to serve the state, but to display my officious zeal to Alexander, was actually commenced while Philip was yet alive, before ever Alexander had ascended the throne, before you had seen the vision about Pausanias, and before you had held your nocturnal interviews with Minerva and Juno. How, then, could I have displayed my zeal to Alexander, unless we had all seen the same visions with Demosthenes?

You object to me that I speak in public assemblies, not regularly, but after intervals of retirement, and you imagine it a secret that this objection is founded on a maxim, not of democratical, but of a different form of government. For in oligarchies, it is not any man who pleases, but the man of most power that appears as prosecutor; in democracies, every man that pleases, and when he pleases. To speak only on particular occasions is a proof that a man engages in public affairs, as such occasions and as the interests of the public require: to speak from day to day shows that he makes a trade, and labors for the profit of such an occupation. As to the objection that you have never yet been prosecuted by me, never brought to justice for your offences; when you fly for refuge to such evasions, surely you must suppose that this audience hath lost all memory, or you must have contrived to deceive yourself. Your impious conduct with respect to the Amphissaeans, your corrupt practices in the affairs of Euboea- some time hath now elapsed since I publicly convicted you of these, and therefore you may, perhaps, flatter yourself that it is forgotten. But what time can possibly erase from our memory, that when you had introduced a resolution for the equipment of three hundred ships of war, when you had prevailed on the city to intrust you with the direction of this armament, I evidently proved your fraud, in depriving us of sixty-five ships of this number; by which the state lost a greater naval force than that which gained the victory of Naxos over the Lacedaemonians and their general Pollis? Yet so effectual were your artful recriminations to secure you against justice, that the danger fell, not on you, the true delinquent, but on the prosecutors. To this purpose served your perpetual clamors against Alexander and Philip; for this you inveighed against men who embarrassed the affairs of government; you, who on every fair occasion have defeated our present interests, and, for the future, amused us with promises. In that my last attempt to bring an impeachment against you, did you not recur to the contrivance of seizing Anaxilus, the citizen of Oreum, the man who was engaged in some commercial transactions with Olympias? Did not your own hand inflict the torture on him, and your own decree condemn him to suffer death? And

this was he under whose roof you had been received; at whose table you ate and drank, and poured out your libations; whose right hand you clasped in yours, and whom you pronounced your friend and host. This very man you slew; and when all these points were fully proved by me in the presence of the whole city; when I called you murderer of your host, you never attempted to deny your impiety; no; you made an answer that raised a shout of indignation from the people and all the strangers in the assembly. You said that you esteemed *(20) the salt of Athens more than the tables of foreigners.

I pass over the counterfeited letters, the seizing of spies, the tortures for fictitious crimes, all to load me with the odium of uniting with a faction to introduce innovations in the state. Yet still he means to ask me, as I am informed, what would be thought of that physician who, while the patient labored under his disorder, never should propose the least advice, but when he had expired should attend his funeral, and there enlarge on those methods which, if pursued, would have restored his health. But you do not ask yourself, what must be thought of such a minister as could amuse his countrymen with flattery, while he betrayed their interests at such junctures as might have been improved to their security; while his clamors prevented their true friends from speaking in their cause; who should basely fly from danger, involve the state in calamities the most desperate, yet demand the honor of a crown for his merit, though author of no one public service, but the cause of all our misfortunes; who should insult those men whom his malicious prosecutions silenced in those times when we might have been preserved, by asking why they did not oppose his misconduct. If this still remains to be answered, they may observe, that at the time of the fatal battle, we had no leisure for considering the punishment due to your offences; we were entirely engaged in negotiations to avert the ruin of the state. But after this, when you, not content with escaping from justice, dared to demand honors; when you attempted to render your country ridiculous to Greece; then did I rise, and commence this prosecution.

But, O ye gods! how can I restrain my indignation at one thing which Demosthenes means to urge (as I have been told), and which I shall here explain? He compares me to the Sirens, whose purpose is not to delight their hearers, but to destroy them. Even so, if we are to believe him, my abilities in speaking, whether acquired by exercise or given by nature, all tend to the detriment of those who grant me their attention. I am bold to say that no man hath a right to urge an allegation of this nature against me; for it is shameful in an accuser not to be able to establish his assertions with full proof. But if such must be urged, surely it should not come from Demosthenes; it should be the observation of some military man, who had done important services, but was unskilled in speech; who repined at the abilities of his antagonist, conscious that he could not display his own actions, and sensible that his accuser had the art of persuading his audience to impute such actions to him as he never had committed. But when a

man composed entirely of words, and these the bitterest and most pompously labored- when he recurs to simplicity, to artless facts, who can endure it? He who is but an instrument, take away his tongue, and he is nothing.

I am utterly at a loss to conceive, and would gladly be informed, Athenians, on what grounds you can possibly give sentence for the defendant. Can it be because this decree is not illegal? No public act was ever more repugnant to the laws. Or because the author of this decree is not a proper object of public justice? All your examinations of men's conduct are no more, if this man be suffered to escape. And is not this lamentable, that formerly your stage was filled with crowns of gold, conferred by the Greeks on the people (as the season of our public entertainments was assigned for the honors granted by foreigners); but now, by the ministerial conduct of Demosthenes, you should lose all crowns, all public honors, while he enjoys them in full pomp? Should any of these tragic poets whose works are to succeed our public proclamations represent Thersites crowned by the Greeks, no man could endure it, because Homer marks him as a coward and a sycophant; and can you imagine that you yourselves will not be the derision of all Greece if this man be permitted to receive his crown? In former times your fathers ascribed everything glorious and illustrious in the public fortune to the people; transferred the blame of everything mean and dishonorable to bad ministers. But now, Ctesiphon would persuade you to divest Demosthenes of his ignominy, and to cast it on the state. You acknowledge that you are favored by fortune; and justly, for you are so favored; and will you now declare by your sentence that fortune hath abandoned you; that Demosthenes hath been your only benefactor? Will you proceed to the last absurdity, and in the very same tribunals condemn those to infamy whom you have detected in corruption; and yet confer a crown on him whose whole administration you are sensible hath been one series of corruption? In our public spectacles, the judges of our common dancers are at once fined if they decide unjustly; and will you who are appointed judges, not of dancing, but of the laws, and of public virtue, confer honors not agreeably to the laws, not on a few, and those most eminent in merit, but on any man who can establish his influence by intrigue? A judge who can descend to this leaves the tribunal after having reduced himself to a state of weakness, and strengthened the power of an orator; for in a democratical state every man hath a sort of kingly power founded on the laws and on our public acts; but when he resigns these into the hands of another, he himself subverts his own sovereignty; and then the consciousness of that oath by which his sentence was to have been directed pursues him with remorse. In the violation of that oath consists his great guilt; while the obligation he confers is a secret to the favored party, as his sentence is given by private ballot.

It appears to me, Athenians, that our imprudent measures have been attended with some degree of lucky fortune, as well as no small danger to the state; for that you, the majority, have in these times resigned

the whole strength of your free government into the hands of a few, I by no means approve. But that we have not been overwhelmed by a torrent of bold and wicked speakers is a proof of our good fortune. In former times the state produced such spirits as found it easy to subvert the government, while they amused their fellow-citizens with flattery; and thus was the constitution destroyed, not by the men we most feared, but by those in whom we most confided. Some of them united publicly with the Thirty, and put to death more than fifteen hundred of our citizens without trial; without suffering them to know the crimes for which they were thus condemned; without admitting their relations to pay the common rites of interment to their bodies. Will you not then keep your ministers under your own power? Shall not the men now so extravagantly elated be sent away duly humbled? And can it be forgotten, that no man ever hath attempted to destroy our constitution until he had first made himself superior to our tribunals?

And here, in your presence, would I gladly enter into a discussion with the author of this decree, as to the nature of those services for which he desires that Demosthenes should be crowned. If you allege, agreeably to the first clause of the decree, that he hath surrounded our walls with an excellent intrenchment, I must declare my surprise. Surely the guilt of having rendered such a work necessary far outweighs the merits of its execution. It is not he who hath strengthened our fortifications, who hath digged our intrenchments, who hath disturbed the tombs of our ancestors, *(21) that should demand the honors of a patriotic minister, but he who hath procured some intrinsic services to the state. If you have recourse to the second clause, where you presume to say that he is a good man, and hath ever persevered in speaking and acting for the interest of the people, strip your decree of its vainglorious pomp; adhere to facts; and prove what you have asserted. I shall not press you with the instances of his corruption in the affairs of Amphissa and Euboea. But if you attempt to transfer the merit of the Theban alliance to Demosthenes, you but impose on the men who are strangers to affairs, and insult those who are acquainted with them, and see through your falsehood. By suppressing all mention of the urgent juncture, of the illustrious reputation of these our fellow-citizens, the real causes of this alliance, you fancy that you have effectually concealed your fraud in ascribing a merit to Demosthenes which really belongs to the state. And now I shall endeavor to explain the greatness of this arrogance by one striking example. The king, of Persia, not long before the descent of Alexander into Asia, despatched a letter to the state, expressed in all the insolence of a barbarian. His shocking and unmannered license appeared in every part; but in the conclusion, particularly, he expressed himself directly thus: "I will not grant you gold; trouble me not with your demands; they shall not be gratified." And yet this man, when he found himself involved in all his present difficulties, without any demand from Athens, but freely, and of himself, sent thirty talents to the

state, which were most judiciously rejected. It was the juncture of affairs, and his terrors, and his pressing want of an alliance which brought this sum; the very causes which effected the alliance of Thebes. You are ever sounding in our ears the name of Thebes, you are ever teasing us with the repetition of that unfortunate alliance; but not one word is ever suffered to escape of those seventy talents of Persian gold which you diverted from the public service into your own coffers. Was it not from the want of money, from the want of only five talents, that the foreign troops refused to give up the citadel to the Thebans? Was it not from the want of nine talents of silver that, when the Arcadians were drawn out, and all the leaders prepared to march, the whole expedition was defeated? But you are in the midst of affluence, you have treasures to satisfy your sensuality; and, to crown all, while he enjoys the royal wealth, the dangers all devolve on you.

The absurdity of these men well deserves to be considered. Should Ctesiphon presume to call on Demosthenes to speak before you, and should he rise and lavish his praises on himself, to hear him would be still more painful than all you have suffered by his conduct. Men of real merit, men of whose numerous and glorious services we are clearly sensible, are not yet endured when they speak their own praises; but when a man, the scandal of his country, sounds his own encomium, who can hear such arrogance with any temper? No, Ctesiphon, if you have sense, avoid so shameless a procedure; make your defence in person. You cannot recur to the pretence of any inability for speaking. It would be absurd that you, who suffered yourself to be chosen ambassador to Cleopatra, Philip's daughter, in order to present our condolements on the death of Alexander, king of the Molossi, should now plead such an inability. If you were capable of consoling a woman of another country in the midst of her grief, can you decline the defence of a decree for which you are well paid? Or is he to whom you grant this crown such a man as must be totally unknown, even to those on whom he hath conferred his services, unless you have an advocate to assist you? Ask the judges whether they know Chabrias, and Iphicrates, and Timotheus. Ask for what reason they made them presents and raised them statues. With one voice they will instantly reply, that to Chabrias they granted these honors on account of the sea-fight at Naxos; to Iphicrates, because he cut off the detachment of Lacedaemonians; to Timotheus, on account of his expedition to Corcyra; and to others as the reward of those many and glorious services which each performed in war. Ask them again why they refuse the like honors to Demosthenes; they will answer, because he is a corrupted hireling, a coward, and a deserter. Crown him! would this be to confer an honor on Demosthenes? Would it not rather be to disgrace yourselves and those brave men who fell in battle for their country? Imagine that you see these here, roused to indignation at the thoughts of granting him a crown. Hard indeed would be the case, if we remove *(22) speechless and senseless beings from our borders, such as blocks and stones, when by accident they have crushed a citizen to

death; if in the case of a self-murderer we bury the hand that committed the deed separate from the rest of the body; and yet that we should confer honors on Demosthenes, on him who was the author of the late expedition, the man who betrayed our citizens to destruction. This would be to insult the dead, and to damp the ardor of the living, when they see that the prize of all their virtue is death, and that their memory must perish.

But to urge the point of greatest moment: should any of your sons demand by what examples they are to form their lives, how would you reply? For you well know that it is not only by bodily exercises, by seminaries of learning, or by instructions in music, that our youth are trained, but much more effectually by public examples. Is it proclaimed in the theatre that a man is honored with a crown for his virtue, his magnanimity, and his patriotism, who yet proves to be abandoned and profligate in his life? The youth who sees this is corrupted. Is public justice inflicted on a man of base and scandalous vices like Ctesiphon? This affords excellent instruction to others. Doth the judge who has given a sentence repugnant to honor and to justice return home and instruct his son? That son is well warranted to reject his instruction. Advice in such a case may well be called impertinence. Not then as judges only, but as guardians of the state, give your voices in such a manner that you may approve your conduct to those absent citizens who may inquire what hath been the decision. You are not to be informed, Athenians, that the reputation of our country must be such as theirs who receive its honors. And surely it must be scandalous to stand in the same point of view, not with our ancestors, but with the unmanly baseness of Demosthenes.

How, then, may such infamy be avoided? By guarding against those who affect the language of patriotism and public spirit, but whose real characters are traitorous. Loyalty and the love of liberty are words that lie ready for every man; and they are the more prompt to seize them whose actions are the most repugnant to such principles. Whenever, therefore, you have found a man solicitous for foreign crowns, and proclamations of honors granted by the Greeks, oblige him to have recourse to that conduct which the law prescribes; to found his pretensions and proclamations on the true basis, the integrity of his life, and the exact regulation of his manners. Should he not produce this evidence of his merit, refuse your sanction to his honors; support the freedom of your constitution, which is now falling from you. Can you reflect without indignation that our Senate and our assembly are neglected with contempt, while letters and deputations are sent to private houses, not from inferior personages, but from the highest potentates in Asia and in Europe, and for purposes declared capital by the laws? That there are men who are at no pains to conceal their part in such transactions; who avow it in the presence of the people; who openly compare the letters; some of whom direct you to turn your eyes on them, as the guardians of the constitution; others demand public honors, as the saviours of their country? While the people, reduced by a series of dispiriting

events, as it were, to a state of dotage, or struck with infatuation, regard only the name of freedom, but resign all real power into the hands of others: so that you retire from the assembly, not as from a public deliberation, but as from an entertainment, where each man hath paid his club and received his share.

That this is a serious truth let me offer something to convince you. There was a man (it grieves me to dwell so often on the misfortunes of the state) of a private station, who, for the bare attempt of making a voyage to Samos, was, as a traitor to his country, put instantly to death by the council of Areopagus. Another private man, whose timid spirit, unable to support the general consternation, had driven him to Rhodes, was not long since impeached, and escaped only by the equality of voices: had but one vote more been given for his condemnation, banishment or death must have been his fate. To these let us oppose the case now before us. A popular orator, the cause of all our calamities, is found guilty of desertion in the field. This man claims a crown, and asserts his right to the honor of a proclamation. And shall not this wretch, the common pest of Greece, be driven from our borders? Or shall we not seize and drag to execution this public plunderer, whose harangues enable him to steer his piratical course through our government? Think on this critical season, in which you are to give your voices. In a few days the Pythian games are to be celebrated, and the convention of Grecian states to be collected. There shall our state be severely censured on account of the late measures of Demosthenes. Should you crown him, you must be deemed accessories to those who violated the general peace; if, on the contrary, you reject the demand, you will clear the state from all imputation. Weigh this clause maturely, as the interest, not of a foreign state, but of your own; and do not lavish your honors inconsiderately; confer them with a scrupulous delicacy; and let them be the distinctions of exalted worth and merit; nor be contented to hear, but look round you, where your own interest is so intimately concerned, and see who are the men that support Demosthenes. Are they his former companions in the chase, his associates in the manly exercises of his youth? No, by the Olympian god! he never was employed in rousing the wild boar, or in any such exercises as render the body vigorous; he was solely engaged in the sordid arts of fraud and circumvention.

And let not his arrogance escape your attention, when he tells you that by his embassy he wrested Byzantium from the hands of Philip; that his eloquence prevailed on the Acarnanians to revolt; his eloquence transported the souls of the Thebans. He thinks that you are sunk to such a degree of weakness that he may prevail on you to believe that you harbor the very genius of persuasion in your city, and not a vile sycophant. And when at the conclusion of his defence he calls up his accomplices in corruption as his advocates, then imagine that you see the great benefactors of your country in this place from whence I speak, arrayed against the villany of those men:

Solon, the man who adorned our free constitution with the noblest laws, the philosopher, the renowned legislator, entreating you, with that decent gravity which distinguished his character, by no means to pay a greater regard to the speeches of Demosthenes than to your oaths and laws: Aristides, who was suffered to prescribe to the Greeks their several subsidies, whose daughters received their portions from the people at his decease, roused to indignation at this insult on public justice, and asking whether you are not ashamed, that when your fathers banished Arthmius the Zelian, who brought in gold from Persia; when they were scarcely restrained from killing a man connected with the people in the most sacred ties, and by public proclamation forbade him to appear in Athens, or in any part of the Athenian territory; yet you are going to crown Demosthenes with a golden crown, who did not bring in gold from Persia, but received bribes himself, and still possesses them. And can you imagine but that Themistocles, and those who fell at Marathon, and those who died at Plataea, and the very sepulchres of our ancestors, must groan if you confer a crown on this man, who confessedly united with the barbarians against the Greeks?

And now bear witness for me, thou earth, thou sun, O Virtue, and Intelligence, and thou, O Erudition, which teacheth us the just distinction between vice and goodness, I have stood up, I have spoken in the cause of justice. If I have supported my prosecution with a dignity befitting its importance, I have spoken as my wishes dictated; if too deficiently, as my abilities admitted. Let what hath now been offered, and what your own thoughts must supply, be duly weighed, and pronounce such a sentence as justice and the interests of the state demand.

NOTES

NOTES

To the Oration of Aeschines against Ctesiphon

*(1) In the original, "by the prytanes, nor by the proedri"; of which officers some account has been already given in the introduction to the first Philippic oration translated.

*(2) These any citizen might commence against the author of any decree or public resolution which he deemed of pernicious tendency, or repugnant to the established laws. The mover of any new law was also liable to the like prosecution: and this was necessary in a constitution like that of Athens, where all the decisions were made in large and tumultuous assemblies. Here a few leaders might easily gain an absolute authority, and prevail on the giddy multitude to consent to any proposition whatever (if enforced by plausible arguments), unless they were restrained by fear of being called to account for the motions they had made, and the resolutions passed at their instances.

*(3) To perceive the whole force and artifice of this similitude, the reader is to recollect that at the battle of Chaeronea Demosthenes betrayed the utmost weakness and cowardice, a matter of great

triumph to his enemies, and a constant subject of their ridicule.

*(4) In the original, nomothetes tis: i.e. one of those who were appointed to revise the laws, and to propose the amendment or abrogation of such as were found inconvenient, as well as such new laws as the public interest seemed to demand.

*(5) In the original, the thesmothetae: i.e. the six inferior archons who were called by this general name, while each of the first three had his peculiar title.

*(6) There was scarcely any Athenian at all employed in public business but had some sort of jurisdiction annexed to his office. Inferior suits and controversies were thus multiplied, and found perpetual employment for this lively, meddling people, who were trained from their youth, and constantly exercised in the arts of managing and conducting suits at law. This was their favorite employment, and became the characteristic mark of an Athenian. "I saw," says Lucian, "the Egyptian tilling his ground, the Phoenician at his traffic, the Cilician robbing, the Spartan under the lash, and the Athenian at his lawsuit." And this suggests the real value of that compliment which Vergil is supposed to pay this people in that well-known passage, "Orabunt causas melius." Critics have discovered in it dishonesty, affected contempt of eloquence, invidious detraction from the merit of Cicero. And yet it seems to amount to no more than an acknowledgment of their superior skill in legal forms and pleadings and the arts of litigation.

*(7) Families so called from their founders, Eumolpus and Ceryx, who had an hereditary right of priesthood.

*(8) The strict import of the original expression is, my counsel, or my advocate. So that, by a bold figure, the laws are represented as personally present, supporting the cause of Aeschines, pleading on his side, detecting the fallacy and prevarication of his adversary.

*(9) Not chosen by lot into the office of a senator, nor appointed conditionally, to fill the place of another on whom the lot had fallen, but who might die, or whose character might not be approved on the scrutiny previously necessary to a citizen's entering into any public office or station.

*(10) The reader may not be displeased with the following account of this transaction from Plutarch, together with the reflections of the biographer: "Demosthenes, having received private information of Philip's death, in order to inspirit his countrymen, appeared in the Senate with an air of gayety, pretending to have seen a vision, which promised some good fortune to the Athenians. Immediately after arrives an express with the full account of this event. The people in a transport of joy sacrifice to the gods for the good tidings, and decree a crown to Pausanias. On this occasion Demosthenes appeared in public, with a chaplet on his head, and in splendid attire, although it was but the seventh day from the death of his daughter, as Aeschines observes, who discovers his own want of firmness and elevation by reproaching him on this account as devoid of natural affection. As if tears and lamentations were the infallible signs of

tenderness and sensibility, he objects to him that he bore his misfortune with composure. I do not say that it was right to wear chaplets and to offer sacrifices on the death of a prince who has used his good fortune with so much moderation. It was rather base and ungenerous to pay him honors, and to enrol him among their citizens, when alive; and, when he had been killed, to break out into such extravagances, to insult over his dead body, and to sing hymns of joy, as if they themselves had performed some great exploit. But I can by no means condemn Demosthenes for leaving it to the women to mourn over the misfortune of his family, and exerting himself in what he deemed the service of his country on this emergency."

*(11) In the original the "runner in the long race." And whatever air of ridicule the speaker affects to throw on this accomplishment, the foot-race, it is well known, held a distinguished rank among the athletic exercises of Greece. The common course was a stadium, or six hundred and twenty-five feet. Sometimes the racers returned back again, performing what was called diaylos, or the double course. But the dolichodromos (as Diodorus is here styled) was the man who could continue career for twelve stadia, or more.

*(12) At the rate of about twelve per cent. per annum.

*(13) Demosthenes expressed this by an artificial phrase, "the priestess Philippized," on which the adversary founds his charge of rudeness and brutality.

*(14) After the battle of Cyzicum the Spartans offered to conclude a peace with Athens. Their ambassador proposed fair and equitable terms, and the moderate part of the state inclined to an accommodation. But the violent and factious leaders, among whom this Cleophon was distinguished, inflamed people's vanity by a magnificent display of their late success (as if Fortune, says Diodorus, had, contrary to her usual course, determined to confine her favors to one party). And thus the majority were prevailed on to declare for war: and the event proved fatal.

*(15) A contemptible idiot. Immediately after the death of Philip, says Plutarch, the states began to form a confederacy, at the instigation of Demosthenes. The Thebans, whom he supplied with arms, attacked the Macedonian garrison, and cut off numbers of them. The Athenians prepared to join with Thebes. Their assemblies were directed solely Demosthenes, who sent despatches to the king's lieutenants in Asia, to prevail on them to rise against Alexander, whom he called a boy, and a margites.

*(16) The name which Aeschines suppresses from motives of policy Demosthenes has himself discovered in his oration against Aphobus, where he declares that his mother was daughter to this Gylon, and that her sister married Democharis. This passage must have escaped Plutarch, as he expresses a doubt whether the account here given of the family of Demosthenes be true or false.

*(17) The original expression imports "from the lustral vessels of our public place of assembling." These vessels of hallowed water were placed at the entrance of their temples and the avenues of

their forum, for the same purpose to which they are at this day applied in Popish churches. And it was a part of the religious ceremonies performed in their public assemblies, previously to all deliberation, to sprinkle the place and the people from those vessels.

*(18) When Thrasybulus had expelled the thirty tyrants established by the Lacedaemonians in Athens, at the conclusion of the Peloponnesian War.

*(19) In the original, some of those who have their table in the Prytanaeum; the greatest honor which a citizen could receive for his public services. Such persons then had a natural authority and influence in public assemblies.

*(20) The expressions salt and tables were symbols of friendship, familiarity, and affection. So that this declaration imported no more than that any connections he had formed abroad were not to interfere with his duty and attachment to the state; a declaration which might well be justified. But his hearers either suspected his sincerity, or were violently transported by that habitual horror which they entertained of every violation of the rights of hospitality.

*(21) To understand this, it must be observed that Themistocles, who built these walls, of which Demosthenes was charged with the repair, had ordered that the materials should be instantly collected from all places without distinction, public or private, profane or sacred. "Quod factum est," says Cornelius Nepos. "ut Atheniensium muri ex sacellis sepulcrisque constarent." Thus the speaker had a fair opportunity, not only for detracting from the merit of his rival, but for converting it a heinous crime; no less than that of violating those tombs of their ancestors which had made part of their fortifications.

*(22) Draco the lawgiver had enacted this law for exterminating even such inanimate beings as had occasioned the death of a citizen, in order, as it seems, to inspire a peculiar horror of homicide- the crime most to be guarded against among a people not yet completely civilized. And it may be proper to observe that Solon, who abolished the laws of Draco as too severe, meddled not with those which related to homicide, but left them in full force.

THE END OF THE ORATION OF AESCHINES AGAINST CTESIPHON