

Aeschines 'Against Timarchus': Section 1

[1] I have never, fellow citizens, brought indictment against any Athenian, nor vexed any man when he was rendering account of his office¹; but in all such matters I have, as I believe, shown myself a quiet and modest man.² But when I saw that the city was being seriously injured by the defendant, Timarchus, who, though disqualified by law, was speaking in your assemblies,³ and when I myself was made a victim of his blackmailing attack—the nature of the attack I will show in the course of my speech— [2] I decided that it would be a most shameful thing if I failed to come to the defence of the whole city and its laws, and to your defence and my own; and knowing that he was liable to the accusations that you heard read a moment ago by the clerk of the court, I instituted this suit, challenging him to official scrutiny. Thus it appears, fellow citizens, that what is so frequently said of public suits is no mistake, namely, that very often private enmities correct public abuses....

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

... And what does he say? “If any Athenian,” he says, “shall have prostituted his person, he shall not be permitted to become one of the nine archons,” because, no doubt, that official wears the wreath;¹ “nor to discharge the office of priest,” as being not even clean of body; “nor shall he act as an advocate for the state,” he says, “nor shall ever hold any office whatsoever, at home or abroad, whether filled by lot or by election; nor shall he be a herald or an ambassador” [19]

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

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

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

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

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

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

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

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

Now, fellow citizens, if Timarchus here had remained with Misgolas and never gone to another man's house, his conduct would have been more decent—if really any such conduct is “decent”—and I should not have ventured to bring any other charge against him than that

which the lawgiver describes in plain words, simply that he was a kept man. For the man who practises this thing with one person, and practises it for pay, seems to me to be liable to precisely this charge. [43]

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

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

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

... Shall I yield to the temptation to use language somewhat more explicit than my own self-respect allows? Tell me, fellow citizens, in the name of Zeus and the other gods, when a man has defiled himself with Hegesandrus, does not that man seem to you to have prostituted himself to a prostitute? In what excesses of bestiality are we not to imagine them to have indulged when they were drunken and alone! Don't you suppose that Hegesandrus, in his desire to wipe out his own notorious practices with Leodamas, which are known to all of you, made extravagant demands on the defendant, hoping to make Timarchus' conduct so exceedingly bad that his own earlier behavior would seem to have been modest indeed? [70]

.. But in the course of the defence one of the generals will, as I am told, mount the platform, with head held high and a self-conscious air, as one who should say, Behold the graduate of the wrestling schools, and the student of philosophy! And he will undertake to throw ridicule upon the whole idea of the prosecution, asserting that this is no legal process that I have devised, but the first step in a dangerous decline in the culture of our youth.¹ He will cite first those benefactors of yours, Harmodius and Aristogeiton, describing their fidelity to one another, and telling how in their case this relationship proved the salvation of the state. [132]

¹ Indeed, they say he will not even spare the poems of Homer or the names of the heroes, but will celebrate the friendship between Patroclus and Achilles, which, we are told, had its source in passion. And he will pronounce an encomium on beauty now, as though it were not

recognised long since as a blessing, if haply it be united with morality. For he says that if certain men by slandering this beauty of body shall cause beauty to be a misfortune to those who possess it, then in your public verdict you will contradict your personal prayers. [133]

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

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

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

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

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

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

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

..

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

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

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

Such, then, was the judgment of your fathers concerning things shameful and things honorable; and shall their sons let Timarchus go free, a man chargeable with the most shameful practices, a creature with the body of a man defiled with the sins of a woman? In that case, who of you will punish a woman if he finds her in wrong doing? Or what man will not be regarded as lacking intelligence who is angry with her who errs by an impulse of nature, while he treats as adviser¹ the man who in despite of nature has sinned against his own body? [185]

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

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

... No, the impetuous lusts of the body and insatiate desire—these it is that fill the robbers' bands, that send men on board the pirates' boats; these are, for each man, his Fury, urging him to slay his fellow citizens, to serve the tyrant, to help put down the democracy. For such men reckon not of disgrace, nor yet of punishment to come, but are beguiled by the pleasures they

expect if they succeed. Therefore, fellow citizens, remove from among us such natures, for so shall you turn the aspirations of the young toward virtue. [191]