

ANDOCIDES: ON THE MYSTERIES

INTRODUCTION

Andocides is best known for his connexion with the mysterious incidents which occurred in Athens in the summer of 415 B.C., just before the great expedition to Sicily set sail. The fleet was on the point of departure, when it was learned that during the night the images of Hermes in the streets had been defaced.¹ A further report said that a party of people, including one of the leaders of the expedition, Alcibiades, had conducted parody performances of the Mysteries, the sacred rituals of Demeter and Persephone at Eleusis, whose secrecy was protected by oaths of the greatest possible solemnity. This profanation may have been a sophisticated rebellion against convention, but by the account given in this speech it seems to have been carried out with surprising recklessness, in the presence of uninitiated slaves. As regards the mutilation of the Hermae, it has been suggested that it may have been done either in an attempt to postpone the expedition by the deliberate creation of a bad omen, or as a first step towards an oligarchic conspiracy which would create the need to limit the control of the state to a select few. It is not clear how it would have served these ends, and even if we allow for Athenian superstition, the incidents remain hard to understand. But the news caused widespread consternation at such acts of horrifying sacrilege, and led to an immediate attack on Alcibiades. However, he was allowed to sail on the expedition, since his enemies felt that if the case were brought up at once, his great popularity would save him. When he had gone, they recalled him to stand his trial, but he thought it prudent to leave Athens for Sparta.

Andocides, a member of an old, distinguished and wealthy family, with political, perhaps oligarchic, interests, was among a

1. See glossary, p. 266. Thucydides' account of the incident, of the charge that Alcibiades was involved in it, of his demand to be tried before sailing on the expedition, and of his final escape to Thurii in S. Italy are in Book VI, 27-29, 53, 61.

number denounced as implicated in these affairs. He is said to have escaped conviction and punishment by admitting his own guilt and incriminating others. In his speech he denies this. But soon afterwards the so-called decree of Isotimides forbade all who were guilty of sacrilege and had admitted it, to enter the temples or the Agora again. This may have been directly aimed at Andocides. In any case he went into exile in Cyprus. He also visited other parts of the Greek world, and acquired some considerable wealth. He made several attempts to return to Athens, but without success, until the general amnesty after the expulsion of the Thirty in 403 B.C. allowed him to do so. He now took part in public life, and held some minor offices. But in 400 B.C. he was accused by Cephisius, prompted by the rich and cultured Callias, of violating the decree of Isotimides by attending the celebration of the Mysteries. His defence on this charge involves him in two main questions, (i) whether he was in fact guilty on the charges covered by Isotimides' decree in 415 B.C., and (ii) whether it is not itself invalid since the amnesty of 403 B.C. Whatever may be thought of the legal issues, Andocides won his case, and continued in Athens as a politician, being sent on an embassy to Sparta in 392 B.C., which led to his speech, *On the Peace*. But with the rest of the embassy he was prosecuted for bribery, among other charges, and to avoid trial he returned once more to exile.

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THE preparation my opponents undertook and the eagerness they showed to injure me in every respect, right or wrong, from the first moment I arrived in this city, is something you realize for the most part, and I need go to no length about it.¹ What I shall ask of you, gentlemen, is my rights, which are as easy for you to grant as they are valuable for me to receive. And the first thing I want you to keep in mind is that I am here under no compulsion either in the form of bail or of physical force. I trusted in justice and in your integrity to determine rightly and not allow me to be wrongfully done to death by my antagonists, but to preserve me in accordance with justice, with Athenian law, and with the oaths you swore before embarking on the vote you are going to make. It would be reasonable for you to hold the same view about people who voluntarily submit to the risk of the courts, as they hold themselves. Any who were unwilling to abide by the court's decision and are self-condemned wrongdoers² may reasonably be accorded the same decision as they have themselves implied. But those who are confident of their innocence and have stood by it may also reasonably expect from you the same opinion as their own, and not be condemned out of hand. I am myself a case in point. I received news from several sources that my enemies were saying that I would not stand firm, but would be off and away. 'Why would Andocides want to face a suit of such a vital nature? If he left, he would have all he needs. He has only to sail to Cyprus, where he came from, and there will be plenty of land and a present of money all ready for him. Do you suppose a man in his position is going to stand trial for his life? What would be the idea? He must realize the attitude of Athens towards him.' Personally, gentlemen, I hold the opposite view. To live elsewhere in perfect comfort and be deprived of my country is something I would

1. Parts of the early chapters are derived from rhetorical stock-in-trade and also appear in Lysias.

2. i.e. by their failure to appear.

never accept, and even if Athens is in the condition my opponents declare, I would far rather be her citizen than belong to any of the other states, prosperous though they may be at the present time. This being my view, I left it to you to decide on my life. I therefore beg you, gentlemen, to show greater good will to me in my defence than to the prosecution. You must realize that, however fair you may be, it is the defendant who is the worst off. The plaintiffs have thought the whole case through at length and made their accusation without any danger to themselves. I have fears and dangers and adverse prejudice to contend with in making my defence. So it is reasonable that you should be more favourable to me than to my accusers. You should bear in mind also the number of instances there are of accusations which have been shown up at once as such manifest lies that it would be much more welcome to you to punish the accusers than the accused. Others again, after telling lies which have brought people to undeserved execution, have been convicted of perjury too late to benefit their victims. After numerous instances of this kind you may reasonably disbelieve the statements of the prosecution. Whether their accusations are serious or not the prosecutor's statement will show. Whether they are true or false will only become clear after you have heard my defence.

I therefore wonder, gentlemen, at what point to begin my defence. Should I start with the most recent item, the illegality of the information laid against me, or with the decree of Isotimides,³ which is obsolete, or with the laws and the sworn agreements made, or should I begin my account at the very beginning? I will tell you what gives me the greatest difficulty. It is that you do not all feel equally strongly about all the charges, but each has his own particular point which he would like replied to first. But to mention them all at once is impossible; so it seems to me best to tell the whole story from the beginning without omitting anything. If you hear a correct version of the facts, you will easily grasp what lies my opponents have told against me. I think you personally are prepared to make a just

3. For this decree see introduction to the speech. It may even have been passed to force Andocides himself out of the city, despite his acquittal.

decision (which is what induced me to stand my ground), in the realization that in private and public affairs alike your first concern is to give your vote in accordance with the oaths you have sworn. And this is the saving of the state, despite certain opponents of this view. Here is my request to you; show a good understanding in listening to my case; do not be adverse to me nor suspicious of what I say, nor seize on individual words, but hear my defence right through before giving your vote, as seems to you most equitable or most in accordance with the oaths you have sworn. As I said before, I will make my defence from the beginning, first of all on the actual charge that gave rise to the information laid against me, which is the reason for my submitting to this case: namely on the subject of the mysteries; on this I shall plead Not Guilty, either of impiety, or of informing, or of any admission, and shall disclaim knowledge of the truth or falsehood of the information brought before you. This is the first point I shall establish.

An Assembly was held for the generals for the Sicilian expedition, Nicias, Lamachus and Alcibiades. Lamachus' flagship had already set sail, when Pythonicus rose and made this announcement to the people: 'Athenians, you are sending out a force on a large scale, and are prepared to take this risk while one of the generals, Alcibiades, has been holding a private performance of the mysteries in his house with certain others. If you will grant immunity to the man I name, a servant of one of the men involved, who has not been initiated, he will recite the mysteries to you. In any case you can do what you like to me, if this is untrue.' Alcibiades made strong expostulations of denial, and the prytaneis⁴ decided to order the uninitiated to withdraw, while they themselves went in search of the young man Pythonicus named. They came back with Polemarchus' servant, whose name was Andromachus. They passed a vote of immunity; he then said that mysteries were being celebrated at Pulytion's house, and Alcibiades, Niciades and Meletus⁵ were the actual

4. See glossary.

5. There were several persons called Meletus. This one is not to be confused with the accuser of Socrates. Phaedrus, however, whose name appears among those denounced by Teucros, is the friend of Socrates.

celebrants. He was among the people there, and saw it. There were slaves there too, himself and his brother and Hicesius, the flute player, and Meletus' servant. He was the first to give this information, and provided the following names. Of these Polystratus was arrested and put to death, while the rest went off over the border and were officially condemned to death. Take the list, please, and read the names.

(*The list is read.*) Denounced by Andromachus: Alcibiades, Niciades, Meletus, Archebiades, Archippus, Diogenes, Polystratus, Aristomenes, Oionias, Panaitius.

This was the first information, gentlemen, given by Andromachus against the men cited. Now call Diognetus.

(*Diognetus replies to Andocides' questions.*)

Were you Commissioner of Inquiries, Diognetus, when Pythonicus reported Alcibiades in the Assembly?

I was.

Are you aware of the information laid by Andromachus of events at the house of Pulytion?

Yes.

Are these, then, the names of the men against whom the information was laid?

That is so.

Now came a second lot of information. Teucros was an alien in Athens who had gone secretly to Megara, and from there gave notice to the Council that, if he were given immunity; he would lay information about the mysteries in which he had taken part, and give the names of his associates in it, and report what he knew of the mutilation of the Hermae. The Council (which had full powers) passed a vote and sent for him from Megara. When he arrived, he was given immunity, and gave the names of his associates. These fled from Athens on Teucros' information. Now read the list of their names, please.

(*The list is read.*) Denounced by Teucros: Phaedrus, Gniphonides, Isonomus, Hephaestodorus, Cephisodorus, himself, Diognetus, Smindurides, Philocrates, Antiphon, Tisarchus, Pantocles.

Remember, gentlemen, that all this is agreed by you too.

Then there was a third lot of information. The wife of Alc-

maeonides, who had previously been the wife of Damon – her name was Agariste – gave information that at the house of Charmides near the Temple of Zeus, mysteries were conducted by Alcibiades, Axiochus and Adeimantus. These also fled on this information.

There was one further source of information. Lydus, the slave of Pherecles of Themacus, gave information of mysteries conducted at the house of his master, Pherecles, at Themacus. Among others whom he denounced was my father, who he said had been there, but was asleep with his cloak over his head. Speusippus, who was a member of the Council, passed the names on to the court. Then my father provided sureties, and prosecuted Speusippus for illegality. The case came before a jury of six thousand,⁶ and Speusippus only got two hundred votes. The person who persuaded and begged my father to stay was myself, together with the rest of the family. Now call Callias⁷ and Stephanus, and also Philippus and Alexippus, who are relations of Acumenus and Autocrator, who were exiled after the information of Lydus. The first is a nephew of Autocrator, and the second uncle to Acumenus. They must be presumed to have had no liking for the man who caused the exile of their relatives, and they must have known who this was.

Please face the jury and give your evidence as to whether my statements are true.

(*Evidence given*)

You have heard the facts, gentleman, and they have been attested. Now recall what my accusers have had the audacity

6. 6000 was the total number of jury empanelled at one time (see glossary), and it appears that this is the only known instance of the whole body sitting as a single court. This must be taken as indicating the degree of feeling caused by the affair.

7. Callias is here probably the son of Telocles and brother-in-law to Andocides (see 42 below). He must be distinguished from Callias, the son of Hipponicus, Andocides' opponent in the case, who is referred to in the latter part of this speech, and who is also the Callias of Plato's *Protagoras*. It was his grandfather, also Callias the son of Hipponicus, whose name was given to the Peace between Athens and Persia in 448 B.C. Yet another Callias appears in the decree (77 below), Callias of Angele.

to say. This is the right procedure: to listen to the prosecution and refute it. They stated that I gave information about the mysteries, denounced my own father as having been there, and was in fact an informer against him, which is a horrifying and outrageous statement. The informer against him was Lydus, the slave of Pherecles, while it was I who urged him, indeed went on my knees and begged him to stand his ground and not run away abroad. What could have been the object of my giving information against my father, as they claim, and then begging him to stay and be victimized by my action? Did I persuade him to face a trial in which he was bound to undergo one of two appalling results? Because, if so, either I would be thought to have given true information against him, in which case I should be the cause of his death, or he would survive and cause mine. As the law stood, a true information earned immunity, a false one was punished by death. But you know that my father and I both survived, which was impossible on the assumption that I informed against him. One or other of us must have been executed. Well, then, even if my father had wanted to stand firm, do you suppose his friends would have allowed him to stay or gone bail for him, instead of begging and beseeching him to go somewhere where he could expect to survive without causing my death? But in fact even when he was bringing a suit for illegality against Speusippus, he continued to make this declaration: that he never went to Pherecles' house at Themacus. He demanded the torture of his own slaves, without any question of passing over owners who offered it, and compelling the unwilling.⁸ When my father said this, what was there left for Speusippus to say, if this story is true, except, 'Leogoras, what is the point of talking about slaves?'

8. To us the practice of torturing slaves seems both barbarous and useless. But it is often mentioned by Greek authors, usually in instances which imply that the master invited or allowed the torture of slaves, because this would elicit the truth and so improve his case (cf. Aristophanes, *Frogs*, 619-20, where a list of 'all the regular tortures' is added with comic intent). The implication also follows that torture was not carried out except with the permission of the master. This case of the Hermae, however, seems to have been thought so important as to justify special instructions for the use of torture in some cases without such permission.

Has not your own son given information against you to the effect that you were at Themacus? Cross-examine your father, Andocides, or else your immunity is forfeit.' Is this what Speusippus would have said, or not? I should say it is. So if I did go into court, or if there was a story about me, or any information against me or any declaration, not by me against anyone else, but by someone else against me, I invite anyone to stand up here and refute me. But in fact I have never heard of a more outrageous or misleading argument. All they thought necessary was to have the nerve to make an accusation. Whether it would be proved false, they couldn't care less. If their charges against me had been true, you would have been enraged and thought no penalty bad enough for me. Accordingly I claim that you should conclude that they are liars, and regard them as abominable, and take it as proved by the fact that, if the worst of their accusations are shown to be manifest lies, it is quite certain that it will be perfectly easy to prove it of the others, which are far less serious.

These, then, are the sets of information that were laid about the mysteries: four of them. The names of the men who were exiled after each of them have been read out in my defence, and duly vouched for. But I will add a further proof, to make assurance doubly sure. Of the men who were exiled over the case of the mysteries some died in exile, while others have returned, and are here in court at my request. I therefore invite anyone to use my time allowance⁹ to raise an objection and claim that I was responsible for the exile of any of them, or that I laid information against them, and that their exile was not due to the information I have mentioned. If I am proved wrong, I accept any penalty. I now pause and make way for anyone who wishes to say anything.

Well, then, gentlemen, what happened next? After all this information had been laid, a question arose about the reward. This had been fixed at 1000 *drachmae* by the decree of Cleonymus, and at 10,000 by that of Peisander, and there was a dispute between the informers and Pythonicus, who claimed to have

9. The maximum length of speeches made in a law-suit was laid down, and they were timed with a water-clock.

been the first to bring an indictment, while Androcles put in a claim on behalf of the Council¹⁰ itself. It was therefore decided in the court of the Thesmothetae, that judgement should be given by the initiated, when they had heard the information given by each claimant. They voted the rewards first to Andromachus, secondly to Teucros; and they received them at the Panathenaic Festival, Andromachus 10,000 *drachmae* and Teucros 1000. Please call the witnesses to this.

(*Evidence given*)

As regards the mysteries, gentlemen, about which the information was laid, and about which you who are initiates have come into court, it has been proved that I committed no sacrilege, laid no information against anyone, and made no admission about it, nor was there any single misdemeanour, large or small, on my part against the two goddesses. And this is what it is most important to me to convince you of. The statement of my accusers, who let loose all these frightful outcries and made tirades about how others in the past had done acts of sacrilege, and what punishments had been inflicted on them – what has all this to do with me? I am all the more inclined to make these accusations against *them*, and take this as my reason for claiming that they deserve death for their impiety, while I deserve acquittal for having committed none. It would be unconscionable if I were to be pilloried for other people's offences, while in the knowledge that these lies were uttered against me by my enemies, you regarded them as more convincing than the truth. It is obvious that for such offences as this there exists no such defence as mere denial. A stringent test is needed, when people know the facts. In my case the investigation is pleasant enough, because I do not need to beg and beseech you for mercy to save myself on a charge of this sort. All I need do is to cross-examine the prosecution and remind you of the facts. You will give your

10. i.e. for distribution of the reward to the Council as being responsible for getting the information. The reward seems to have been 1000 drachmae in the first place, with the larger figure added when the other seemed inadequate. Cleonymus and Peisander are both made the target of Aristophanes' wit in several places (e.g. *Clouds*, 673 seqq., *Cleonymus*).

vote under stringent oaths. You invoked tremendous imprecations on yourselves and your offspring, and swore to vote justly on my case, and besides you have been initiated, you have witnessed the ritual of the two goddesses, which will make you punish impiety and preserve the innocent. You must regard it as just as sacrilegious to condemn the innocent for sacrilege as to fail to punish the guilty. So with much greater force than my accusers I lay on you the charge, in the name of the two goddesses and for the honour of the rites you have witnessed, and of all the Greeks who come here for the festival, that if I have committed any sacrilege, or if I have made any admissions, or laid information against any human being, or if anyone else has done so about me, you put me to death, and I make no defence. On the other hand, if I have committed no fault, and prove it to you with certainty, I request you to make it clear to all the Greeks that I was unjustifiably brought to trial. If my accuser, Cephisius, fails to gain a fifth of the votes and is disfranchised, he will not be allowed to enter the precinct of the two goddesses on pain of death. So if you think my defence adequate on these charges, please indicate it, to encourage me in continuing it.

As regards the mutilation of the Hermae and the information laid about it, I will fulfil my promise to you, and recount all that happened from the beginning. On Teucros' arrival from Megara and the grant of immunity to him he told what he knew about the mysteries and also about the mutilation of the Hermae, and denounced eighteen people. Some of those denounced fled the country, while others were arrested and put to death on Teucros' information. Please read me the names.

(*The list is read.*) Denounced by Teucros in the case of the Hermae: Euctemon, Glaucippus, Eurymachus, Polyeuctus, Plato,¹¹ Antidorus, Charippus, Theodorus, Alcisthenes, Menestratus, Eryximachus, Euphiletus, Eurydamas, Pherecles, Meletus, Timanthes, Archidamus, Telenicus.

Some of these have returned to Athens and are here now, and there are also a number of relatives of those who were executed; I invite any of them to stand up in my time allowance and

11. Plato here is not the philosopher. Meletus is the same as in note 5.

charge me with responsibility for the banishment or death of anyone named here.

After this Peisander and Charicles, who were among the Commissioners of Inquiry, but seemed most inclined at that time to favour the popular party, declared that what had been done was the work of a number of people, and was a plot to overthrow the democracy,¹² which should be investigated without remission. Popular feeling was such that the moment the proclamation was made for the Council to assemble in their Hall, and the signal was down, the two events were simultaneous, the arrival of the Council and a flight from the Agora in a general dread of arrest. This public disaster induced Diocleides to lay information to the Council to the effect that he knew the men responsible for the mutilation of the Hermae, who were about three hundred altogether, and to state that he had witnessed the affair and how he had come across it.

Now gentlemen, I ask you to give this your attention and recall whether my statement is true, and discuss the matter. He said he had a slave at Laurium and had to take his earnings to him. He got up and started early, because he had mistaken the time owing to the full moon. When he got to the entrance of the Theatre of Dionysus, he saw the figures of a lot of men going down from the Odeum¹³ into the Orchestra. He was frightened at this, so he sat down in the shadow between the pillar and the slab on which stands the bronze statue of the Strategus. The men he saw were about three hundred in number, standing in a circle in groups of fifteen or twenty. He saw their faces in the moonlight and recognized most of them. His first idea, gentlemen, and an outrageous one, in my view,

12. It is not easy to understand why this should have been supposed, why such alarm should have been roused, or why Peisander, who took part four years later in the oligarchic revolution of 411 B.C., should have thought it called for a witch hunt of this kind. The parody of the mysteries may have had no political basis, the mutilation of the Hermae was perhaps designed as an omen to prevent the sailing of the expedition to Sicily and to discredit Alcibiades, but there is little to connect anything that happened with any serious attempt to overthrow the constitution.

The nature of the 'signal' referred to is unknown.

13. The Odeum was next to the Theatre. There were bronze statues of Mitiades and Themistocles in the Theatre. It is not clear which is meant.

was that he was in a position to say that any Athenian he chose was among their number, and to deny the presence of anyone he chose. After seeing this sight he went to Laurium; next day he heard of the mutilation of the Hermae, and at once realized that this was what these people had been doing. When he got back to town, he found Commissioners already appointed, and the informer's fee set at 100 *minae*. Then he saw Euphemus (the son of Callias, son of Telocles) sitting at the blacksmith's, and took him over to the temple of Hephaestus, and told him what I have told you, how he had seen us that night. He said he'd just as soon take money from us as from the state, so as to keep on terms with us. Euphemus said it was decent of him, and told him to come with him to Leogoras' house, 'so as to meet Andocides there with him, and some others concerned'. So he came next day and knocked at the door, when as it happened my father was just going out, and said to him, 'Are you the person they are waiting for? Well, a friend like you is not to be lightly dismissed.' With that my father went off. This was the way he tried to get at my father with the claim that he was in the plot.¹⁴ What we said, according to him, was that we had decided to give him two talents of silver instead of the official 100 *minae*, and if we succeeded in our plot, he should be in on it, and we gave all due guarantees. To this he said his reply was that he would think it over, and that we then told him to come to the house of Callias, son of Telocles, so as to have him there too. This was his way of trying to incriminate my brother-in-law. Then, he said, he went to Callias', where he reached agreement with us and swore an oath on the Acropolis, while we agreed to give him the money the following month, but we let him down and didn't produce it. So he came forward with his information.

These were the circumstances of his indictment, gentlemen, and the men denounced were those he said he knew, forty-two in number. The first he specified were Mantitheus and Apsephion, who were members of the Council in session, and the

14. Leogoras' remark might have implied the knowledge either that the club were about to offer Diocleides money, or that Diocleides could divulge the plot. Either implication could suggest that Leogoras was involved.

rest followed. Peisander then rose and proposed the repeal of the statute passed under Scamandrius, so as to subject the men to torture and not let a night pass without the discovery of all the names. This was received with applause. At this Mantitheus and Apsephion took refuge at the altar, begging to be spared the rack and to stand for trial on bail. This they were reluctantly granted, but the moment bail was laid down, they jumped on their horses and deserted to the enemy, leaving their guarantors high and dry, and faced with the same punishment as the friends they had gone bail for. The Council took steps in secret and arrested us and put us in the stocks. They called out the Strategi and instructed them to give orders for Athenians living in Athens to arm and go to the Agora, for the guard on the Long Walls to go to the Theseum, and residents in Peiraeus to the market place of Hippodamus, and for the trumpet to sound for the Knights to go to the Anakeion.¹⁵ The Council were to go to the Acropolis and sleep there, the prytaneis in the Tholos. Meanwhile Thebes got wind of the business, and mounted guard on the frontier. But the cause of all the trouble, Diocleides, was hailed as the saviour of the country, and led crowned in a chariot, to the Prytaneum, where he was given a dinner.

This is the first thing I want you to recall, those of you who were there, and to pass on to the rest. Next please call the prytaneis who were then on duty, Philocrates and the others.

(Evidence is given)

Very well, now I will read you the names of those who were denounced, to show you the number of my relations he tried to incriminate, first my father, then my brother-in-law. My father he put down as being in the plot, my brother-in-law as providing the house where the meeting was held. You shall hear the rest of the names. Read them, please.

(The names are read while Andocides comments)

Charmides, son of Aristoteles. (This is a cousin of mine. My father and his mother were brother and sister.)

¹⁵ The mobilization must have been ordered in fear of a Peloponnesian attack which might accompany the supposed conspiracy. For Anakeion, see glossary.

Taureas. (A cousin of my father's.)

Nisaeus. (Taureas' son.)

Callias, son of Alcmaeon. (My father's cousin.)

Euphemus. (The brother of Callias, son of Telocles.)

Phrynichus, the ex-dancer. (Another cousin.)

Eucrates, brother of Nicias. (Callias' brother-in-law.)

Critias.¹⁶ (Yet another cousin of my father's – their two mothers were sisters.)

These were all among the forty-two denounced.

We were imprisoned all together. Night fell, the prison was locked up, and relatives had arrived, a mother or sister or a wife and children, and there was a miserable noise of weeping and wailing at the situation. Charmides, who was my cousin and my own age, and had been brought up with me in the same house from childhood, said to me, 'Andocides, you see what a terrible situation this is. I've never had occasion in the past to say anything to worry you. But in the present state of things I must. The people you've gone about with and been friends with outside the family, they're the ones who have been charged with the things people are using to incriminate us, and they have been executed for it or else fled the country self-condemned. So if you have heard anything about this business, say so, and you'll first of all save yourself, then your father, who may be supposed to be your first consideration, and your brother-in-law, husband of your only sister, and all the rest of your relations and friends, myself included. I've never really done you any harm in my life, and I've been your enthusiastic supporter at all times of need.' When Charmides said this, and every one of them begged and prayed me in the same terms, I thought to myself, 'I am really in the most terrible situation possible. Am I to see my own relations ruined unjustly and done to death, and their property confiscated, and allow them to be recorded publicly as guilty of unspeakable sacrilege, when they are completely innocent, to let three hundred other Athenians be unjustifiably victimized, and disastrous mutual suspicion spread all over the country – or tell Athens what I heard from Euphiletus, the real culprit?' There was this further consideration in

¹⁶ This is the Critias of the Thirty.

my mind, that I reckoned that the wrong-doers who were really responsible had some of them been executed on Teucros' information, while others had fled and been condemned to death, and there were only four left who had not had information laid against them by Teucros for their offences – Panaetius, Chaeredemus, Diocritus and Lysistratus, who were the most likely of all Diocleides' victims to be thought guilty, as they were friends of some who had lost their lives already. These four could ill rely on survival in any case, while my relations had certain death before them, unless someone told the government the truth. I therefore thought it better to cause four men the loss of their rights with good reason (and they are still alive now and back here in possession of their property) than to allow the others to perish without justification. So if any of you gentlemen, or any other citizens, imagined previously that I gave information against my own friends to procure their destruction and my own safety, which was the libellous tale my enemies told against me, I ask you to judge the matter in the light of the facts. For at present I have got to render a truthful account of my actions in the presence of the very men who were guilty and fled the country for being so, and have the clearest knowledge of the truth or falsehood of my statements. Indeed, it is open to them to refute me in my own time. I give my permission. You, meanwhile, have to discover the truth. The most important thing for me in this case is to be acquitted and clear my reputation, and that first of all you yourselves, and then everyone else, should understand that there was nothing vicious or cowardly in anything I have done. It all came of a misfortune to the country and to us, and when I said what I was told by Euphiletus, I was thinking as much for the country as for my family and friends, and for good reasons, not for any reprehensible ones, in my opinion. And if that is so, I claim acquittal and exoneration. Now I ask you, gentlemen, because you ought to take a human approach in your reckonings, as though you were actually involved in this trouble – what would you have done? If you had a direct choice between a noble death and ignoble survival, one or the other, you might justifiably take a low view of what I did, though a good many people

would have chosen as I did and preferred life to a noble death. But when the exact opposite was true, silence would have meant my dying a disgraceful death myself, when I hadn't committed sacrilege at all, and letting my father go to his death, and my brother-in-law and all those relations and cousins, whose only danger was my refusal to reveal that others were to blame. Diocleides perjured himself to imprison them, and they had no chance of escape unless the whole truth were made public. I was on the way to becoming their murderer, if I hadn't told you what I heard, and I'd have brought three hundred Athenians to their death, and it would have been utterly calamitous to the city. That would have been the result of not speaking. But as I did speak, I was in a position to survive myself and rescue my father and my family, and save the city a lot of anxiety and trouble. Four men were due for banishment on my account, and they were guilty. Of the others previously denounced by Teucros those who were executed didn't owe their death to me, nor the others their exile. With all this in mind I came to the conclusion that the least of the necessary evils was to tell the truth at once, convict Diocleides of perjury, and secure our own safety and his punishment for an unjustifiable attempt to ruin us and deceive the authorities – and gain the reputation of a benefactor and make money into the bargain. I therefore informed the Council that I knew who the culprits were, and made known the facts, namely that the suggestion had been made at a party by Euphiletus, but I had opposed it, and that on that occasion it was due to me that it did not take place. Later I went up to Cynosarges after a pony of mine, had a fall and broke my collar-bone, and was carried home on a stretcher. Euphiletus saw the state I was in; he told the others I had been persuaded to come in on the scheme, and had agreed to take part and to deface the Hermes at the shrine of Phorbas. This statement was untrue, and that is the reason why the Hermes by our family house, which was erected by the Aegeis tribe, was the only one in Athens not to be damaged, on the ground, according to Euphiletus, that I intended to deface it. When they discovered this, there was an outcry that I had knowledge of the affair, but had not kept my promise. Meletus and Euphiletus

came to me next day, and said, 'We've done this job, Andocides, and if you see fit to keep quiet, we'll be friends as before. Otherwise you'll get more trouble from us than any good you get on our account from others.' I told them the affair made me think Euphiletus a crook, but the danger to them wasn't the fact that I knew of it, but what they had actually done. In proof of this I provided my slave's evidence under torture that I was ill and unable to get up, and the Prytaneis seized the servants of the house which had been the starting-place for their actions. The commissioners and the Council investigating the affair and finding my account substantiated and universally admitted to be true, next called for Diocleides. Not much questioning was needed before he admitted he was lying and begged for mercy, giving the names of the men who had urged him to tell the tale, namely Alcibiades of Phegus¹⁷ and Amiantus of Aegina. These two took fright and fled the country. On hearing this you put Diocleides in court and condemned him to death, and on my account released my relations, who had been imprisoned and were in danger of death, took back the two exiles, and returned home yourselves and disarmed, well rid of your troubles and dangers. In all this I deserve pity all round for what I went through, but in regard to my responsibility for what happened I should be accorded the highest possible credit. When Euphiletus suggested that I should put my trust in a pledge which could not have been more treacherous, I opposed him and refused, and gave him the abuse he deserved; though after they had committed the wrong, I joined in concealing it, and it was on the information of Teucros that they were put to death or exiled, before we were imprisoned by Diocleides and were in danger of our lives. Then I denounced the four, Panaetius, Diocritus, Lysistratus and Chaeredemus. They owed their exile to me, I admit. But my father, my brother-in-law, three cousins and seven other relations were saved unjustified execution.¹⁸ That they are all still in the light of day is due to me, as they

17. Not the famous Alcibiades, but a cousin. The 'exiles' mentioned below must be Mantitheus and Apsephion.

18. The numbers do not tally with the names given in Andocides' list of relatives above. There are various possible remedies.

admit, while the disturber of the whole city and the cause of extreme danger to it, was convicted, and you escaped considerable risk and mutual suspicion. Again, I want you to recall the truth of this, gentlemen, or to enlighten any who don't know it. Now, please, call the men who were released by my action. They know the facts and will have the most certain evidence to give the jury. This is the truth, gentlemen, and they will go on the platform and tell you so for as long as you want them to. After which I will continue with the rest of my defence.

*(Evidence given)*¹⁹

Well, in regard to what happened on that occasion you have heard the whole story, and my defence has been complete, I am convinced. But if there *is* anyone who wants to ask anything or thinks it inadequate or that I've left anything out, let him stand up and say so, and I will add to my defence accordingly.

I will now proceed to the legal aspect. Cephisius here informed against me according to the law now in force, but his accusation belonged to an earlier law proposed by Isotimides, which does not concern me. His proposal was that those who were guilty of sacrilege and admitted it should be excluded from religious rites. But I was guilty of neither. I committed no sacrilege and made no admission. Also the decree is obsolete and not valid, as I will demonstrate. However, I will put up a defence on the point, in which, if I fail to convince you, it will be my own loss, while if I succeed, I shall provide a defence for my opponents.²⁰ The truth shall be told. After the destruction of the fleet and the siege of Athens you debated the subject of unity, and decided to restore the franchise to those who had lost it, and the proposal was made by Patrocleides. Who *were* the disfranchised, and what were the circumstances in each case? I will tell you. First, people who owed money to the treasury: who had held offices, but not had their accounts passed, or were in debt for wrongful possession of property, or

19. This rubric is omitted in the text, but must be assumed.

20. If he proves the decree of Isotimides invalid for events before 403 B.C., he will be giving his opponents a defence for their own offences committed before that date.

in consequence of the failure of public suits or fines imposed by a court, or failure to make good the rent for a public lease or sureties to the state. All these were permitted to pay at or before the ninth prytany, and in case of non-payment they were to be fined double and their possessions sold for the benefit of the state. And there were examples of conviction for embezzlement or bribery, whose offspring shared their deprivation.²¹ This was one kind of deprivation of rights, but there was another kind, where the person was deprived, but the property retained and held in possession. These were cases of desertion or of avoiding military service or keeping a ship out of action or of abandoning arms, or of wrongful summons on three occasions, or of injury to parents; these were all punished by loss of personal rights, but not of property. Others retained rights with some limitations, being not wholly deprived, but in part, like the army; who for remaining in the city under the tyrants²² retained their rights in other respects, but were not permitted to speak in the Assembly or be members of the Council. Of these rights they were deprived, and this was the limitation imposed on them. Others were restrained from bringing actions or from laying information, others from sailing to the Hellespont or to Ionia, others from entering the Agora. Well, you voted to erase all such decrees in their official form and in all copies, and to give a general pledge of unity on the Acropolis. Please read the decree of Patrocleides dealing with these events.

Decree Proposed by Patrocleides: Inasmuch as the people of Athens decreed an indemnity in respect of the disfranchised and of debtors, in order to make it possible to move measures and discuss them, the People shall pass the same decree passed at the time of the Persian war, which proved in the interest of the People. In regard to those registered as debtors with the Collectors or with the Treasurers of the Goddess Athena and the other Gods, or with the Basileus, or to any whose name has not been included in the list up to the last

21. I follow D. M. Macdowell's text, which makes a necessary alteration in the list of debtors to the state. The 'ninth prytany' means the ninth of the ten divisions of the year.

22. The 'tyrants' meant are apparently the oligarchy of the four hundred in 411 B.C.

Council in the archonship of Callias, those who were deprived of citizenship or were debtors, and all those who have had accounts condemned in the Auditors' office, by the Auditors or their assessors, or in whose case a prosecution on the audit had not been taken, or who have had imposed on them limitations or the fulfilment of guarantees up to the relevant time, or any of the Four Hundred whose names are still registered or any in respect of whom enactment of the oligarchy remains on the books, except such names as are officially recorded as not having remained in Athens, or who have been condemned either by the Areopagus or the Ephetae or the Prytaneum or the Delphinium or the Basileus, or have been exiled for murder or sentenced to death either as homicides or as tyrants; all others shall be obliterated by the Collectors and the Council in all instances,²³ and all existing duplicate copies shall be handed in by the Thesmothetae and other magistrates, the operation to be completed within three days on the decision of the People. Such copies as have been ordered to be obliterated must not be privately retained, nor used for retrospective complaints. Any breach of this enactment shall render liability to the same penalties as those convicted or charged before the Areopagus, to ensure the highest trust among Athenians in the present and in the future.

This was the decree which restored the disfranchised to their rights. But the return of the exiles was not proposed by Patrocleides nor decreed by you. After the peace with Sparta, the destruction of the Long Walls, the return of the exiles and the establishment of the Thirty, and then afterwards with the holding of Phyle and the capture of Munychia, and all the miseries which I do not care to remember or to recall to you,²⁴ when, in fact, you returned from the Peiraeus, you were in a position to impose penalties, but you decided to let bygones be bygones, and preferred the preservation of Athens to private revenges, resolving to wipe the slate clean all round. On this decision you elected a board of twenty to administer the city till legislation could be passed. Meanwhile the code of Solon and the enactments of Draco were to hold. But after drawing lots for a Council and electing a legislative committee you found that a good many of Solon's and Draco's enactments left a

23. Deleting the unintelligible *ἐν τῷ δημοσίῳ*. See Macdowell.

24. See introduction to Lysias, *Against Eratosthenes*, p. 40.

number of citizens liable to penalties for former activities. At an assembly on the point you passed a measure to make an examination of all the laws and inscribe in the Stoa such as were approved. Now read the decree.

Decree. It is enacted by the People on the proposal of Teisamenus that the city conduct its affairs according to the ordinance anciently established, follow the laws of Solon and his weights and measures, follow also the enactments of Draco as observed in time past: that any further legislation which may be needed this committee elected by the Council shall inscribe upon boards and exhibit before the Eponymi²⁵ for public inspection, and set them before the magistrates within one month. Laws so set before them shall first be examined by the Council and also the legislative committee of 500 chosen by the *demes* under oath. It shall be permitted to any private citizen who so desires to enter the Council and make recommendation for any improvement in the laws. When the laws are laid down, the Council of the Areopagus shall be charged with superintendence of the laws, and their maintenance by the magistrates. Laws ratified shall be posted on the wall where they were previously inscribed for public inspection.

The laws were therefore examined in accordance with this decree, and those ratified were posted in the Stoa. This being done, we passed a law by which you all act. Read the law, please.

Law. No unwritten law²⁶ shall be put into operation on any subject whatever.

Is there anything omitted here which could occasion a magistrate bringing a case or any of you taking any action except in accordance with the written laws? Where therefore the invocation of an unwritten law is forbidden, it must be impossible to invoke an unwritten decree.²⁷ Since, then, we realized that a lot of

25. The heroes after whom Cleisthenes named the ten tribes. Their statues stood in the Agora. For the complicated provisions of the decrees of Teisamenus see Macdowell, pp. 195 seqq. In particular there is doubt about the clause committing the guardianship of the laws to the Areopagus, and how this privilege is related to that removed from the Areopagus in 462 B.C.

26. 'Unwritten laws' in this passage are those not officially inscribed: the phrase is not used in our familiar sense of practices accepted by convention.

27. A decree is a more temporary measure than a law.

Athenian citizens were in positions of misfortune as the effect of laws or decrees previously passed, we laid down the code I have referred to for the precise circumstances which now hold, to prevent anything of this kind happening, or the possibility of vexatious prosecution of anyone. Read the laws in question.

Laws. No unwritten law shall be put in operation on any subject whatever. No decree either of the Council or of the People shall have superior validity to that of a law. And no law shall be laid down to apply to a single individual, unless it applies also to the whole People of Athens, if it is not decided by six thousand voters by secret ballot.

What remains? This law. Read it please.

Law. The judgements and arbitrations made in Athens under the democracy shall be valid. And the laws shall be in force as from the Archonship of Eucleides.²⁸

You enacted that the judgements and arbitrations made in Athens under the democracy should be valid to prevent the cancellation of debts or the repetition of suits, and to maintain the validity of private agreements. But in the case of public offences which admit of public prosecutions or indictments or information or summary processes, for these purposes you decreed that the laws dating from the Archonship of Eucleides should hold good. When it was decided to examine the laws, and after examination to post them, and that no unwritten law should be brought into operation about anything, that no decree either of the Council or the People should have superior validity to a law, that no law should be passed to apply to a single individual, if it did not apply to all Athenian citizens, and that the laws passed in the Archonship of Eucleides should be valid, then is there any possibility that any of the decrees made before the Archonship of Eucleides can have any validity at all? I think not. But consider for yourselves.

Well, then, what about your oaths? The one which holds good for the whole city, and which you have all sworn since the general reconciliation, is this: 'And I will bear no ill will against

28. To the Archonship of Eucleides in 403 B.C. belongs the revision of the laws which followed the expulsion of the Thirty.

any citizen except the Thirty and the Eleven, and not even against one of these if he is willing to render account of his conduct of office.' Where, then, you have sworn an oath not to bear ill will even to the Thirty (who were responsible for the greatest miseries of all), if they rendered account of their office, you could scarcely have thought fit to do so against any other citizens. Again, what is the oath of the Council in power at any time? 'I will not accept any information or summary process in respect of previous events except against the exiles.'²⁹ Finally what is your own oath, before you became members of this court? 'And I will bear no ill will nor induce another to do so, but I will give my vote in accordance with the existing laws.' And you must consider whether I seem right in claiming to speak on your own behalf and that of the laws.

Now, gentlemen, consider both the laws and the accusers in court, and ask yourselves what basis there is which justifies them in making accusation. Cephisius here leased a tax³⁰ from the treasury, collected the profits from farmers on the land to the tune of 90 *minae*, but instead of paying it in absconded. Had he appeared, he would have been put in the stocks. The law provided that the Council should have the power, in the case of non-payment of dues, to put the delinquent in the stocks. So in view of the enactment in favour of the laws passed under Eucleides Cephisius claims not to repay what he appropriated, and the outlaw has now recovered his citizenship, and the disfranchised citizen has turned informer because you are operating the laws at present in vogue. Meletus again, as you all know,³¹ arrested Leon under the Thirty, which resulted in Leon's death without trial. Yet this law was previously in force, and has been retained in operation as desirable: that the instigator of an action is liable to the same punishment as the actual perpetrator of it. Now Meletus is out of danger of a prosecution for homicide from Leon's heirs, because the laws to be enforced

29. The oligarchs who fled to Eleusis in 403. See introduction to *Lysias*, *Eratosthenes*, above.

30. See notes 34 and 42 below.

31. On the celebrated occasion when Socrates, ordered by the Thirty to accompany Meletus on this assignment, refused.

are those in operation under Eucleides. That he arrested Leon, he himself cannot deny. Epichares is another instance. A man of the lowest character and intentionally so, who directs his ill will against himself, he was in the Council under the Thirty, but what is the wording of the law inscribed over the Council chamber? 'Anyone who served on the Council after the dissolution of the democracy, may be put to death with impunity, and his killer is without stain on his character, and can take the property of the dead man.' In that case, Epichares, is not anyone who kills you regarded as being without a stain according to Solon's law? Read me the law on the stone.

Law. Decreed by the Council and People. Prytanis, the tribe Aeantis: Secretary, Cleigenes: Chairman, Boethus: drafted by Demophantus. The commencement of this decree is to date from the year of the Council of five hundred appointed by lot for which Cleigenes was the first secretary.

If any man overthrow the democracy at Athens, or if any man hold office after the democracy is overthrown, he shall be an enemy of the Athenians and be killed without penalty to his killer, and his property shall be confiscated to the state, and a tenth part of it given to the Goddess. And whoever shall kill such a man or shall take counsel for his killing, shall be without stain and without guilt. And all Athenians shall swear upon unblemished victims, tribe by tribe and *deme* by *deme*, to kill any man who has done so. And the oath shall be this: 'I will kill by word and by deed and with my vote and with my hand, if I am able, whosoever shall overthrow the democracy in Athens or whosoever shall hold any office after the democracy has been overthrown, or whosoever shall set himself up to be a tyrant, or take part in setting up a tyrant. And if any other man kill such a one, I will hold him sinless before gods and spirits for that he killed an enemy of the Athenians, and I will sell all the property of the man so killed, and will give one half of it to the killer, and I will not hold back any of his share. And if any man in killing such a one or in seeking to do so be himself killed, I will do good for him and his offspring just as for Harmodius and Aristogeiton and their descendants. And all oaths that are sworn in Athens or in the camp or anywhere else which are adverse to the People of Athens, I cancel and renounce.' These things all Athenians shall swear upon unblemished victims as the customary oath before the Dionysia, and they shall call down many blessings on all such

as keep this oath, but upon him that shall break it destruction for him and his offspring.

I ask you, as a practitioner of deceit and misrepresentation, is this law valid or not valid? The reason why it has suddenly become invalid, I suppose, is that the laws in force have to be those of the time of Eucleides. As for you, though you carry on your existence and go about Athens, you are not entitled to. Under the democracy you lived by informing, and under the oligarchy you avoided being made to disgorge the profits of your informing³² by bootlicking the Thirty. And you talk to me about 'association' and taking people's characters away? It wasn't a single individual you 'associated' with – it's a pity it wasn't – you got a little from anyone who cared to, as everyone here knows, and lived a life of immoral practices, despite your squalid appearance. Yet he had the temerity to accuse other people, when by the laws of Athens he cannot even make a case for himself. As a matter of fact, gentlemen, sitting as defendant during his prosecution of me I felt, as I looked at him, exactly as I would after arrest by the Thirty. If I had been pleading my case then, who would have been my accuser? He would have been ready for the job, if I didn't offer him his price. So it is now. Who would have been my interrogator but Charicles, with his question, 'Tell me, Andocides, did you go to Decelea³³ and fortify it against your country?' 'No, I didn't.' 'Well, did you raid Athenian territory and carry off property, either on land or sea, at the expense of your fellow-citizens?' 'No.' 'You didn't fight against your country at sea either, or help in pulling down the walls, or in abolishing the democracy, or force your way back to Athens?' 'No, I didn't do any of these things.' 'Do you expect to get away with it, then, and not die like so many others?' Do you imagine, gentlemen, that I should have

32. On informers under the Thirty see introduction to Lysias, p. 40. Greek orators not infrequently resorted to abuse, even when it was irrelevant, if they thought it likely to produce an effect on the jury.

Charicles here appears as a member of the Thirty associated with Critias, and is imagined as a presiding magistrate opening a prosecution and accusing Andocides of failure to take part in the disloyal proceedings of the oligarchs.

33. Decelea in North Attica was fortified by the Spartans, as a base for attacks on Athens, in 413 B.C., and many oligarchs fled there.

met any other fate on your account, if I had been caught by the Thirty? And don't you think it appalling that, considering that I would have been done to death by them for doing no harm to Athens, as happened to others, I should not be acquitted now that I am on trial before you, whom I have never harmed? If any human being can be acquitted, I must be. As a matter of fact the information against me was given in accordance with established law,³⁴ but the accusation rests on the decree made previously about others. So if you propose to condemn me, have a care that it may not be my special business to give an account of what happened in the past, and a good many other people's business even more, either opponents in the fighting with whom you have had a reconciliation, or exiles you have allowed back, or disfranchised citizens you have restored. For their benefit you have published proclamations or cancelled laws or deleted decrees, and they now remain in Athens and trust you. If they realize that you are accepting the accusations of the accusers of the past, what do you think they will suppose in their own cases? Which of them do you imagine will want to enter a suit on the events of the past? Rows of enemies and malicious prosecutors will appear who will be eager to contend with them. Both classes are here now to listen, but not with the same point of view. One lot will want to know whether they can trust existing laws and the sworn agreements between you, and the other to test your attitude and see whether they are going to be free to make false accusations and indictments with impunity, and to inform against people and even get them imprisoned. This is the position, gentlemen. My life is on trial in this business, and your vote will give public demonstration whether your enactments are to be trusted, or whether one needs either to square the informers or to run away from them and leave Athens with all possible speed.

But to show that your proceedings in aid of union are not a failure, but that what you have done is indeed to your credit and your advantage, I want to say just a little about this.

34. That of Isotimides. If this is regarded as still valid, then so are other measures under which Andocides' accusers are guilty of other offences.

During the time of great disasters to Athens, when the tyrants³⁵ held the city and the popular party were in exile, your ancestors defeated the tyrants in battle at Palladium under the command of Leogoras, my great-grandfather, and Charias, whose daughter my grandfather married, and killed or condemned the tyrants to exile or else let them stay, but not as citizens. Later, when Persia invaded Greece, your ancestors realized the extent of the threatened disasters and the size of the Persian armament, and they decided to accept their exiles back and restore their citizen rights, and let the success and the danger be the same for all. After this they made mutual undertakings under the most solemn oaths, and claimed the right to take the front line of the Greek force and meet the enemy at Marathon, on the assumption that their own valour would be found sufficient to battle with the great numbers of the enemy. They fought and conquered, and set Greece free and saved their country. After so tremendous an achievement they did not think it right to harbour ill will. This was the reason why, when they found their city devastated, their sacred places burnt and their walls and houses fallen to the ground, their unity of spirit enabled them to acquire the sovereignty of Greece and hand down a city as great and splendid as ours. Later on, in a time of no less disaster than that, you yourselves with the noble spirit of a noble race displayed the generosity that was in you, when you thought it proper to receive the exiles home, and restore their rights to the disfranchised. What remains in you of their nobility? The refusal to harbour ill will, in the remembrance that our city rose from a small beginning in time past to greatness and success. Such it could still be, if we, its citizens, could keep good sense and unity together.

But these people even accused me on the score of the olive branch which they said I deposited in the Eleusinium,³⁶ when the traditional law said that to offer supplication at the mysteries

35. This refers to the tyranny of Peisistratus and his sons. The battle to which Andocides refers is hard to identify, but perhaps belongs to the time of the expulsion of Hippias with the aid of Cleomenes in 510 B.C.

36. A sign of supplication forbidden on religious grounds during the celebration of the mysteries.

was punishable with death. They are brazen enough, in an arrangement they themselves concerted, to be dissatisfied with failing to succeed, and they raise an accusation against me as the person guilty. When we returned from Eleusis, and the information had been laid, the Basileus appeared, to report on the performance at the festival at Eleusis in accordance with custom. The Prytaneis said they would take him to the Council, and ordered him to notify me and Cephisius to attend at the Eleusinium, because the Council intended to hold its session there according to Solon's law, which lays down a session in the Eleusinium the day following the mysteries. So we appeared in accordance with instructions. When the Council were all present, Callias, son of Hipponicus, in his official garb, stated that there was a suppliant branch on the altar, and displayed it. The Herald then proclaimed the question, who laid it there, and there was no answer. But we were there and Cephisius saw me. As no one answered, and Eucles here, after making the inquiry, had gone in again – but call him, please. First of all, Eucles, witness to the truth of this statement of mine.

(Evidence of witness)

As to the truth of my statement, evidence has now been given. But it seems to me very different from what my accusers said. They said, if you remember, that the two goddesses themselves misled me into depositing the branch in ignorance of the law, so as to get me punished. But my contention, gentlemen, even if my accusers' statement is as true as you like, is that I was saved by the goddesses. If I deposited the branch, but failed to answer, wasn't I working on my own destruction in placing it, and owed my survival to the chance of failing to answer, which was obviously due to the goddesses? Had they wished to destroy me, I'd have been bound to say I'd deposited the branch, even if I hadn't. But in fact I didn't answer because I didn't deposit it. When Eucles declared in the Council that no one had answered, Callias stood up again and declared that there was an ancient law that anyone depositing a branch in the Eleusinium should be put to death without trial, and that Hipponicus, his father, had once expounded this to the

Athenians, and he heard that I had laid the branch there. At this point up jumped our friend, Cephalus, and said, 'Callias, you are the most unprincipled crook in existence. First of all you give explanations when you're one of the Heralds and are not allowed to, and secondly you call it an ancient law when the tablet you're sitting by orders a fine of a thousand *drachmae* for placing a branch in the Eleusinium. Then again, who told you Andocides placed it there? Call him, if you like, and we can hear too.' Then when the inscription was read, Callias himself couldn't say where he got the information, and it was obvious to the Council that he'd put it there himself.

Well, now, gentlemen, – perhaps this is what you'd like to know yourselves – what was Callias' idea in placing the branch there? I'll tell you the point of this plot against me. Epilycus, son of Teisander, was my uncle, my mother's brother. He died in Sicily without sons, but he left two daughters who came to the charge of Leagros and myself. At home his position was none too good. The property he left was worth less than two talents, and the debts were more than five. However, I called on Leagros, and said in front of our family that the right thing to do in the circumstances was to honour our relationship.³⁷ 'In our position,' I said, 'it's not right to put other money affairs or personal considerations in front of Epilycus' daughters. If he had lived, or had died worth a lot of money, we should have expected, as the nearest relations, to take his daughters. In that case it would have been our regard for Epilycus or for his money. Now it'll be our regard for what is right. So you put in a claim for one, and I'll have the other.' He agreed, and we took them, as we'd agreed to do. Now it so happened that the one I claimed as my bride took ill and died. Her sister's still alive, and Callias induced Leagros, with the promise of a

37. If a man died intestate and left a daughter, but no male heir, his property and his daughter passed to the next of kin, who could claim to marry the daughter, or else provide a dowry for her to marry someone else. In the case of the poorest class, to which Epilycus may have belonged, he was obliged to do one or the other. The complication of this incident is due to the fact that Epilycus was also related to Callias, but not so closely as to Andocides and his cousin, Leogoras. The only way in which Callias could forestall Andocides' claim, therefore, was by causing him to leave the country.

present, to let him have her. When I got word of this, I at once paid the deposit and brought a suit, first against Leagros, saying in effect, 'If you want to put in a claim for her, good luck to it, but otherwise I will.' Hearing this Callias entered an action for his own son to marry the heiress, on the tenth of the month, to prevent me making my claim. On the twentieth – this was the time of the mysteries – he paid Cephisius a thousand *drachmae*, and informed against me and entered this suit. Seeing that I was holding my ground, he placed the branch with the object of securing my death without trial, or getting rid of me and offering an inducement to Leagros, so as to live with Epilycus' daughter himself. But as he saw that even so he couldn't get his own way without a fight, he then approached Lysistratus, Hegemon and Epichares, who he realized were friends of mine and went about with me, and was so lacking in respect for law or decency as to say to them that if I were at last prepared to give up Epilycus' daughter, he was prepared to stop molesting me and to take Cephisius off and give me compensation, according to my friends' estimate, for what had been done to me. I told him he could go on accusing and framing me, and if I could get an acquittal, and Athens got to know the truth about my case, I thought he in his turn would be in danger of his life. And I'll be as good as my word, if you gentlemen will agree. Call the evidence to the truth of my statement.

(Evidence of witnesses)

After all, think of the son for whom he wanted to make a match with Epilycus' daughter. Consider how he was born, and how Callias acknowledged him. It is another point you ought to know of. He married the daughter of Ischomachus, and he hadn't been living with her a year before he took up with her mother and started living with her – mother and daughter at once; of all unspeakable things for a priest of the Mother and Daughter to do,³⁸ keeping them both in the house. He had no shame or scruple in regard to the goddesses. Ischomachus' daughter felt that death was better than going on as she was,

38. i.e. Demeter and Persephone.

and tried to hang herself, but was found before she succeeded. When she recovered, she ran away, so the mother drove the daughter out. But she did no better, because as soon as he was tired of her he threw her out too, though she said she was pregnant by him. So when she gave birth to a son, he denied that it was his. The wife's relations took the baby and came to the altar at the Apaturia with a victim, and told Callias to begin the ceremony. He asked who the father was, and they said, 'Callias, the son of Hipponicus.' 'That's me!' 'Yes, it's your son.' He put his hand on the altar, and solemnly swore that he had no son except Hipponicus, whose mother was the daughter of Glaucon. He called down complete destruction on himself and his whole family, if this was not so. And so it will indeed be. Later he fell in love with the old war-horse³⁹ again, took her home and brought the boy, who was by now quite big, to the Keryces, and declared that he *was* his son. Callicles spoke against accepting him, but the Keryces voted according to their rules, that when the father swore on oath that it was his own son he was introducing, he should introduce him. Then he touched the altar and again solemnly swore that it was his own son, the true-born child of Chrysilla, whom he had previously disowned. Now please call witnesses of all this.

(Evidence of witnesses)

Now just consider, gentlemen, whether such a thing has ever happened in the Greek world before, that a man married a wife, then married her mother to follow the daughter, and the mother drove the daughter out. Now, while he is living with her, he wants to get Epilycus' daughter, so that grand-daughter can drive out grandmother, though what name we are to give to the son, I can't think. I defy anyone, however ingenious, to work out a name for him. As there are three women his father will have lived with, he is the reputed son of one of them, the brother of another and the uncle of a third. Who would he be himself? Oedipus or Aegisthus, or what?

But there is still a small matter connected with Callias which I want to remind you of. Cast your minds back to the time

39. 'Battle-axe'; Macdowell.

when Athens was supreme in Greece and at the height of her prosperity, and Hipponicus was the wealthiest man in Greece. Then was the time, you well know, when there was a saying among the women and small children which ran through the whole city, that Hipponicus was bringing up an evil genius who upset the balance of his affairs.⁴⁰ You remember that, gentlemen. Well, how do you think the story of that period came out? Hipponicus thought he was producing a son, but it was his evil genius, who turned his estate upside down, and his good sense, and his whole existence. That is the conclusion we must come to about him, that he was Hipponicus' evil genius.

But, gentlemen, why was it that people who are assisting Callias in this attack on me, and helping to rig this action against me and contributing money for it, did not think me guilty of sacrilege in the three years since I came back from Cyprus, though I initiated A**⁴¹ from Delphi and other friends from abroad, when I entered the Eleusinium and did sacrifice, as I think myself entitled to do. On the contrary, they kept nominating me for public services, first as Gymnasiarch at the festival of Hephaestus, then to lead the Athenian representatives at the Isthmian and Olympic games, and then I was to be a controller of the sacred treasury on the Acropolis. But now apparently it is impious and wrong of me that I appear at religious ceremonies. I will tell you why these people take this line. Our distinguished friend, Agyrrhius, became chief collector of the two-per-cent for two years,⁴² and bought the tax for thirty talents, with the assistance of these associates who met by the poplar, and you are aware of their character. It seems to me that they held this gathering there for two reasons, to receive money for not bidding higher, and to get shares in the business at a cheap rate. They made three talents, and then, realizing the sort of business it

40. I owe to Mr Macdowell this rendering of a pun in the Greek.

41. A name is lost from the text here (unless it is concealed in the words *μεν ἀδελφον*).

42. This was a tax on exports and imports. Athens, like Rome later, made use of tax farmers for purposes of collection. In this instance they worked in syndicate, and Agyrrhius and his friends bought the contract twice in succession for a lower rate than was necessary, making a profit which Andocides prevented on the next occasion.

was, and how valuable, they all clubbed together and shared it out to the rest, and then offered thirty talents again the next year. As no one was offering more, I came forward and put a higher bid to the Council, till I got the contract for thirty-six. I thus got rid of them, arranged guarantors for myself, collected the money and paid it over to the treasury. Nor did I lose by it. Our company made a small profit. And I prevented the other lot from appropriating six talents. They realized this and had a little discussion, 'This chap isn't going to get anything out of the public funds, or let us do so either. He's setting up to mount guard against any profit-making there. And besides, any of us he sees departing from the straight and narrow he'll have in court, and it'll be the end of us. We'd better put him out of the way by hook or by crook.' This was the job they had before them, while yours was the opposite. Because I'd like you to have as many like me as possible, then for choice people like them could be eliminated, but failing that there should be a force to prevent their activities, consisting of men of good, honest character in dealings with the people as a whole. Then, if they want to, they will be able to be of service to you. I promise you either to put a stop to such practices, and make them mend their ways, or bring the culprits to court and punish them.

They also accused me in connexion with my sea-going commercial undertakings, as if the reason why the gods saved me from danger was, apparently, to come here and be done to death by Cephisius. But I don't believe the gods could hold such a view as not to punish me when they had me in such terrible danger, if they thought I had done them wrong. What greater danger could a man undergo than going on voyages in the winter? When they had me physically exposed to this, and were in control of my life and property, did they let me off in spite of it? Couldn't they have gone further and had my body deprived of burial? Or again there was a war on, there were warships constantly at sea, and pirates, and many were captured by them and lost all their property and ended their lives in slavery; there was alien territory, and many were stranded there and subjected to the most terrible hardship, and died of personal, physical injury – and then are we to suppose the gods

preserved me from all this, only to put their vengeance in the hands of the most unprincipled man in Athens, who claims to be an Athenian citizen when he is not, a man no one among you in the jury, who know his character, would trust with any of your personal affairs? No, I think we ought to regard this sort of risk as under the control of men, and those at sea as the province of the gods. Then, if one can be permitted to make a guess about the nature of the gods, I think they would be filled with anger and resentment if they saw people they had preserved being done to death by human beings.

There is a further consideration worth keeping in mind, gentlemen, that you now have the reputation throughout Greece of outstanding good character and wisdom by not turning to retaliation for the past, but towards the preservation of our city and unity among its citizens. Many others have suffered disasters as great as ours. But the settlement of existing differences in happy reconciliation is rightly thought a sign of goodness and wisdom. So, since it is universally admitted that you have this character towards friend and foe alike, do not change your minds, or agree to the loss of this distinction, or to a vote on your own part which appears based on chance rather than on thought.

So I ask you all to hold the same opinion of me as of my forerunners, so that I may be enabled to follow their lead. Recall that they have resembled the city's greatest and most extensive benefactors for numerous reasons, but principally out of good will towards you, and the desire that, should they or any of their descendants be in danger or trouble, they might be preserved by the fellow-feeling you would have for them. And you would have good reason to remember them. The whole city experienced the value of the character of previous generations in Athens. When the fleet was destroyed, and there were plenty who wanted to plunge Athens into irreparable disaster, it was the Spartans who, enemies as they were, then determined to preserve the city because of the valour of the men who were the founders of freedom for all Greece. Since, then, the city as a whole owed its preservation to the valour of your ancestors, I claim that the qualities of my ancestors may be the cause of

my own preservation. To the deeds which then led to the safety of Athens, my ancestors made no small contribution. It is therefore just that I should share at your hands in the preservation you yourselves were accorded by the Greeks.

Consider too the character you will find in me, if you acquit me. First of all, after possession of an income of which you know, I was brought, through no fault of mine, but through the misfortunes of Athens, to the depth of want and poverty. After that I made a fresh livelihood for myself by honourable means, by my own wits and my own hands. I knew what it was to be a citizen of such a city, and what it was to be an alien resident in a foreign country, and I understood the nature of sound and wise thinking, and the nature of error and adversity. I had experience of many people and many different circumstances, which have brought me hospitality and friendship with kings and cities, and private friends as well, who will be yours too, if you acquit me, and you will be able to make use of them whenever occasion offers. In fact, gentlemen, this is how it stands with *you*. If you put an end to me, there is no one left of my family, which is destroyed root and branch. Yet you have incurred no disgrace from the house of Andocides and Leogoras, since it has been ours. There was much more to be ashamed of when I was in exile, and Cleophon,⁴³ the lyre-maker, lived in it. There has never been a time when any of you passed this house of ours with the memory of any ill treatment at our hands. My family held countless commands and can show numerous trophies won from the enemy by land and by sea, held endless other offices, handled your finances without ever failing in the examination of accounts, and without any offence committed on either side. It was a house of great antiquity and great liberality to anyone in need. Nor was there a single occasion when any of them was involved in a suit and asked any return for these services. Do not, because they are dead, forget what they achieved. Remember their deeds, and believe that you see their figures before you begging you for my acquittal. Whom can I bring before you to plead for me?

43. From the revolution of 411 B.C. till the end of the war Cleophon was the leader of the democratic party in Athens.

My father? He is dead. Brothers? I have none. Children? They are not yet born. You must take the place of father, brothers and children. In you is my one refuge, and to you my prayers and supplications are addressed. Beg for me from yourselves, and spare me. Do not consent to create citizens from Thessaly and Andros because of your shortage of manpower,⁴⁴ and at the same time destroy men who are true citizens, and who have a duty, and the desire, and the power, to be good ones. Do not, I beg you. And I ask this, too. I have done well by you. Honour me for it in return. Then if you grant my wish, you will not be deprived of the further good I have it in my power to do. But if you accede to my enemies, then, if you later regret it, you will not be able to do anything. So do not deprive yourselves of your hopes in me, nor me of mine in you. And I ask these friends, who have always given proof of nobility towards the people of Athens, to stand here and give you testimony of their opinion of me. Come forward, Anytus,⁴⁵ Cephalus, and my fellow-tribesmen who have been chosen to act as my advocates.

44. A number of measures were taken between 406 and 401 B.C. to increase the citizen body by enfranchising various classes of men.

45. Anytus had been a leading politician since being associated with Alcibiades and later Thrasybulus. Still later he appears as the prosecutor of Socrates.