

PHILO.

(1.) I never believed, members of the boule, that Philo would go to such a pitch of boldness, as to bring himself to appear before you to be examined. But since he is daring not in one respect only but in many, and (since) I entered the senate, having sworn that I would give the best advice to the city (I knew), (2,) and since it is (stated) in the oath that one should make it known if he knows that some one of those who obtained (office) by lot, is unfit to be a senator,—I make the (present) accusation against this Philo, not, however, following up any private enmity, nor because being led on by that power of speech and the circumstance of being accustomed to speech (on which many rely), but basing my hopes of success on (lit. : trusting in) the multitude of his crimes and wishing to abide by the oath which I swore. (3.) You will find out that not (starting) from equal preparedness, I shall try to bring out what kind of a man he is, as he has set to work to be a knave. Still, if, in any respect, I should fall short in my speech of accusation, it would not be just that he should derive benefit on that account, but rather that he should be rejected as a consequence of whatever I prove satisfactorily. (4.) For I should have spoken insufficiently on account of my ignorance of all that has been done by him, but sufficiently on account of the bad name attaching to him. And I call on all of you who are better versed in the art of speaking to show

his crimes to be greater, and out of which I may omit (I call on these speakers) to accuse in their turn Philo, concerning what they know, for it is not right for you to consider what kind of a man he is on the basis of what is said only by me. (5.) For I declare that it is not right for any other people to deliberate in council concerning our interests, but those, who in addition to being citizens are also desirous of this (*i. e.* of being citizens). For to these the odds are great, whether the city should prosper or be in an unbecoming condition because of their considering it to be unavoidable for themselves to share for their part in adverse circumstances, as they share in the good things. (6.) But as many as by birth are citizens, but mentally are so disposed that the whole earth is their country, as long as they can have the necessaries of life there,—of these people it is evident that even disregarding the common welfare of the state, they would turn to their own private gain on account of their considering not the state (to be) their country, but their fortune (to be their country). (7.) And now I shall show that this man Philo thought far more of his personal safety than of the common danger of the state, and that he believed it to be better that he should live out of all danger than to save the city, being in danger equally with the other citizens. (8.) For the accused, members of the boule, when the disaster overtook the city, of which I make mention only so much as I am compelled to,—he, having been banished from the city by proclamation by the Thirty, with the other democratic citizens, for some time lived in the country, but after the patriots from Phyle returned from exile to the Piraeus, and (when) not only the people from the coun-

try, but also those from places beyond Attica gathered, —some to the town, others to the Piraeus,—and (when) each one came to the rescue of his country to the extent he was able to, he did contrary to what the other citizens did. (9.) For getting together his personal effects he emigrated hence, beyond the borders of Attica and lived in Oropus under the protection of a patron paying the foreigner's tax, wishing to be a metic among them rather than to be a citizen among you. Not, however, just as some of the citizens changed their political applications, when they saw that the patriots from Phyle were successful in what they undertook,—not even in these successes did he desire to share, wishing to come back rather after all was over than to return from exile with (the others), accomplishing something of benefit to the common interests of the state. For he did not go to the Piraeus, nor did he on any occasion present himself for enrolment (as a soldier). (10.) And yet—he, who could bring himself to forsake us, while seeing us prospering, what would he have done to us, when doing not as we wished (euphem. for : if we had failed)? And whoever did not have their share in the dangers, threatening at that time, through some private misfortune, deserve to meet with some pardon, for disaster comes to no one of his own will; (11,) but whoever did this (*i. e.* avoided danger) with intent, do not deserve any pardon whatever. For not through misfortune but through evil design they did this. A certain just law has been established among all men : to be specially indignant on account of the same crimes against those who better than the others were able to refrain from wrongdoing but to be forgiving to the needy and the physically disabled, by reason of our believing that these

went astray not of their free-will. (12.) But this man does not deserve to find any pardon whatever; for he was not physically unable to suffer hardships, as you too (can) see, nor was he through (lack of) resources without means to render public service, as I shall show. And, therefore, he, who to the extent that he was able to help, to that extent did harm, should he not with reason be hated by all of you? (13.) Yet, you will assuredly not be hated by any one of the citizens, because rejecting him,—a man, who is shown to have betrayed not one party in any respect, but both, so that he may not claim the friendship of (lit. : so that it does not belong to him to be dear to) either those, who remained in the city,—for he did not deem it his duty to go to them, while they were in danger—or of those who seized the Piræus, for he did not show any intention of returning with (them). (14.) If, however, there remains some part of the citizens, who had share in the same action in which he (shared), let him demand to be a senator with those, if at any time they control the city,—which I pray will never come to pass.

That he lived in Oropus under the protection of a patron and that he possessed sufficient property and that he did not report for military service either in the Piræus or in the city,—that you may know, that, to begin with, I spoke the truth in this, listen to the witnesses.

WITNESSES.

(15.) It now remains for him to say, that through some illness having come upon his body, he was rendered incapable to give help in the Piræus, but that he offered of his own accord from his property either to

contribute money towards the democrats, or to equip some men of his own deme, just as many others of the citizens did who were themselves unable to render public service with their persons. (16.) That, therefore, it may not be possible for him to deceive you by (this) falsehood, also on these points I shall now fully enlighten you, since, later on, it will not be possible for me, coming forward to refute him. Please call Diotimus, the Acharnian and those chosen with him to equip their fellow deme's-men for the money which was contributed.

EVIDENCE OF THOSE CHOSEN WITH DIOTIMUS.

(17.) This man, however, did not consider, how he could be of use to the city at such a time and at this (political) crisis, but made preparations so that he might gain some profit from your misfortunes. For setting out from Oropus, sometimes alone, sometimes acting as leader for others, (men), to whom your misfortunes were pieces of good-luck, (18) going the rounds through the country and coming upon the older men of the citizens, who had remained in their demes having but little possessions, yet the bare necessities, and being well-disposed towards the democrats, but unable on account of their age to help them,—he robbed these people of the little they had, caring more for making slight profits, than for refraining from wronging them in any way. These people, now, are not all of them, able to proceed against him for the same reason, why also at that time they were unable to assist the state. (19.) He should not, however, twice derive profit from (lit.-through) their incapacity,—first at that time, when taking away what they had, and now again by being

approved of by you. But if anybody at all of those wronged, comes forward, consider that to be of great importance and hate the accused even more than ever, —a man, who had the heart to rob those of their possessions, to whom others preferred to give something from their own, pitying them on account of their helpless condition. Please, call the witnesses.

WITNESSES.

(20.) I do not know why you should feel differently concerning him, than his relatives feel. For (their feelings) are such, that, if he were guilty of no other wrong, on account of that only, he would be rightly rejected. I shall pass by what his mother, while living, accused him of ; but it will be easy for you, inferring from what she did, when dying, to understand how he behaved towards her. (21.) For she was doubtful to entrust herself, after death, to him, but trusting Antiphanes, although not in any way related to him, she gave him three silver minae for her burial, passing by him who was her own son. Is it not evident, that she well knew, that he would not do his duty (by her) even for the sake of his relationship to her? (22.) And yet, if a mother, who is naturally inclined, both, when being wronged by her own children to bear (this) with greatest patience, and (is naturally inclined), when assisted a little, to think that she has (received) much, on account of (her) judging whatever comes to her rather by (the test of her) love than by cool scrutiny, —(if, then, his mother) thought, that he would rob her, even after her death, how should you be minded towards him? (23.) For he who was guilty of such wrongs against his own relatives, what would he do in

the case of people not related to him? That, now, also this is true, listen to him, who received the money and buried her.

EVIDENCE

With what idea shall you approve of him? Perhaps because he is not guilty of any misdoing? But he has committed the greatest wrongs toward his country. But then, because he will be better in the future? Then, let him first become better toward his city and then let him demand to be (made) a senator, having rendered some conspicuous service as at that time (he did) evil. For it is (the) more prudent (course) to give thanks to all *after* the works; for, to me at least, it appears to be strange, if he shall never be punished for what he has done wrong *in the past*, but now at once shall be honored for the good he is going to do *in the future*. (25.) But, perhaps, he ought to be approved of in order that the citizens may be better, seeing that all (good and bad) are honored equally? But the danger is that the useful citizens, if they perceive that the bad are honored equally (with the good), will cease from their useful pursuits, thinking it to be (the part) of the same men, both to reward the bad and to forget the good. (26.) And this also deserves to be considered, that, if some one betrayed a fort, or ship, or a camp, in which part of the citizens happened to be, he would be punished by the severest punishments, while he, who betrayed the whole commonwealth, is making preparations not that he will not be punished but how he shall be rewarded. And yet he who clearly betrayed (the cause of) liberty, should justly be contending not for being a senator but against being a slave and (against) the greatest hardships.

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