

Lucian: The Double Indictment

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The Double Indictment

Characters: Zeus. Hermes. Justice. Pan. Several Athenians. The Academy. The Porch. Epicurus. Virtue. Luxury. Diogenes. Rhetoric. A Syrian. Dialogue

Context: Zeus convenes a court to answer the criticism of those who say the gods do not deliver speedy justice.

Zeus. A curse on all those philosophers who will have it that none but the Gods are happy! If they could but know what we have to put up with on men's account, they would not envy us our nectar and our ambrosia. They take Homer's word for it all,— the word of a blind quack. 'Tis he who pronounces us blessed, and expatiates on heavenly glories, he who could not see in front of his own nose.

Look at the Sun, now. He yokes that chariot, and is riding through the heavens from morn till night, clothed in his garment of fire, and dispensing his rays abroad; not so much breathing-space as goes to the scratching of an ear. Once let his horses catch him napping, and they have the bit between their teeth and are off 'cross country, with the result that the Earth is scorched to a cinder.

The Moon is no better off: she is kept up into the small hours to light the reveler and the diner-out upon their homeward path. And then Apollo,—he has his work cut out for him: with such a press of oracular business, it is much if he has any ears left to hear with. He is wanted at Delphi; the next minute, he must be off to Colophon; then away to Xanthus; then back at a trot to Clarus; then it is Delos, then Branchidae;—in short, he is at the beck of every priestess who has taken her draught of holy water, munched her laurel-leaf, and made the tripod rock. It is now or never; if he is not there that minute to reel off the required oracle, his credit is gone. The traps they set for him too! He must have a dog's nose for lamb and tortoise in the pot, or his Lydian customer departs, laughing him to scorn.

As for Asclepius, he has no peace for his patients: his eyes are acquainted with horror, and his hands with loathsomeness; another's sickness is his pain. To say nothing of the work that the Winds have to get through, what with sowing and winnowing and getting the ships along; or of Sleep, always on the wing, with Dream at his side all night giving a helping hand. Men have to thank us for all this: every one of us contributes his share to their well-being.

And the others have an easy time of it, compared to me, to me the King and Father of all. The annoyances I have to put up with! The worry of thinking of all these things at once! I must keep an eye on all the rest, to begin with, or they would be making some silly mistake; and as for the work I have to do with my own hands, there is no end to it; such complications! It is all I can do to get through with it. It is not as if I had only the main issues to attend to, the rain and hail and wind and lightning, and as soon as I had arranged them could sit down, feeling that my own particular work was over. No, besides all that, I must be looking every way at once, Argus-eyed for theft and perjury, as for sacrifice; the moment a libation has been poured, it is for me to locate the savory smoke that rises; for me it is to hear the cry of the sick man and of the sailor; at one and the same moment, a hecatomb demands my presence at Olympia, a battle in the plain of Babylon; hail is due in Thrace, dinner in Ethiopia; 'tis too much!

And do what I may, it is hard to give satisfaction. Many is the time that all besides, both Gods and men of plumed helm, have slept the long night through, while unto Zeus sweet slumber has not come nigh. If I nod for a moment, behold, Epicurus is justified, and our indifference to the affairs of Earth made manifest. And if once men lend an ear to that doctrine, the consequences will be serious: our temples will go ungarlanded; the streets will be redolent no longer of roast meat, the bowl no longer yield us libation; our altars will be cold, sacrifice and oblation will be at an end, and utter starvation must ensue.

Hence like a pilot I stand up at the helm all alone, tiller in hand, while every soul on board is asleep, and probably drunk. No rest, no food for me, while I ponder in my mind and breast on the common safety; and my reward? To be called the Lord of all! I should like to ask those philosophers who assign us the monopoly of blessedness, when they suppose we find time for nectar and ambrosia among our ceaseless occupations. Look at the mildewed, cob-webbed stack of petitions moldering on their files in our chancery, for want of time to attend to them: look only at the cases pending between men and the various Arts and Sciences; venerable relics, some of them! Angry protests against the delays of the law reach me from all quarters; men cannot understand that it is from no neglect of ours that these judgments have been postponed; it is simply pressure of business—pressure of blessedness, if they will have it so.

Hermes. I myself, father, have heard a great deal of dissatisfaction expressed on Earth, only I did not like to mention it to you. However, as you have introduced the subject yourself, I may say that the discontent is general. Men do not venture to express their resentment openly, but there are mutterings in corners about the delay. It is high time they were all put out of their suspense, for better or for worse.

Zeus. And what would you have me do, my boy? Hold a session at once? Or shall we say next year?

Hermes. Oh, at once, by all means.

Zeus. To work, then: fly down, and make proclamation in the following terms:

All litigant parties to assemble this day on Areopagus: Justice to assign them their juries from the whole body of the Athenians, the number of the jury to be in proportion to the amount of damages claimed; any party doubting the justice of his sentence to have the right of appeal to me.

And you, my daughter, take your seat by the side of the Dread Goddesses, cast lots for the order of the trials, and superintend the formation of juries.

Justice. You would have me return to Earth, once more to be driven thence in ignominious flight by the intolerable taunts of Injustice?

Zeus. Hope for better things. The philosophers have quite convinced every one by this time of your superiority. The son of Sophroniscus [Ed. Note: Socrates] was particularly strong on your merits. He laid it down that Justice was the highest Good.

Justice. Yes; and very serviceable his dissertations on Justice were to him, were they not, when he was handed over to the Eleven, and thrown into prison, and drank the hemlock? Poor man, he had not even time to sacrifice the cock he owed to Asclepius. His accusers were too much for him altogether, and their philosophy had Injustice for its object.

Zeus. But in those days philosophy was not generally known, and had but few exponents; it is not surprising that the scale turned in favor of Anytus and Meletus. But now it is different: look at the number of cloaks and sticks and wallets that are about; everywhere philosophers, long-bearded, book in hand, maintain your cause. The public walks are filled with their contending hosts, and every man of them calls Virtue his nurse. Numbers have abandoned their former professions to pounce upon wallet and cloak; these ready-made philosophers, carpenters once or cobblers, now duly tanned to the true Ethiopian hue, are singing your praises high and low. 'He that falls on shipboard strikes wood,' says the proverb; and the eye, wheresoever it fall, will light on philosophers.

Justice. Yes, father, but they frighten me: they quarrel so among themselves; and when they talk about me, they only expose their own little minds. And, from what I hear, most of those who make so free with my name show no inclination at all to put my principles into practice. I may count upon finding their doors closed to me: Injustice has been beforehand with me.

Zeus. Come, child, they are not all so bad, and if you can find a few honest men it will be something. Now, off with you both, and see if you can't get a few cases settled up today.

Hermes. Well, Justice: yonder is our road: straight in the line for Sunium, to the foot of Hymettus, taking Parnes on our right; you see those two hills? You have quite forgotten the way, I suppose, in all this time? Now, now: weeping? Why so vexed? There is nothing to fear. Things are quite different in these days: the Scirons and Pityocampses and Busirises and Phalarises who used to frighten you so are all dead: Wisdom, the Academy, the Porch, now hold sway everywhere. They are all your admirers; their talk is all of you; they yearn to see you descend to them once more.

Justice. Tell me, Hermes,—you if any one must know the truth; you are generally busy either in the Gymnasium or else in the Market, making proclamation to the Assembly,—what are the Athenians like now? Shall I be able to live with them?

Hermes. We are brother and sister, it is only right that I should tell you the truth. Well then, Philosophy has made a considerable change for the better in most of them; at the worst, their respect for the cloth is some check on their misdeeds. At the same time—not to conceal anything—you will find villains amongst them; and you will find some who are neither quite philosophers nor quite knaves.

The fact is, Philosophy's dyeing process is still going on. Some have absorbed the full quantity of dye; these are perfect specimens of her art, and show no admixture of other colors; with them you will find a ready reception. But others, owing to their original impurities, are not yet completely saturated; they are better than the generality of mankind, but they are not all they should be; they are piebald or spotted or dappled. Others again there are who have contented themselves with merely rubbing a fingertip in the soot on the outside of the cauldron, and smearing themselves with that; after which they consider the dyeing process complete. But you, of course, will only live with the best. Meanwhile, here we are, close to Attica; we must now leave Sunium on our right, and diverge towards the Acropolis. Good: terra firma. You had better sit down somewhere here on the Areopagus, in the direction of the Pnyx, and wait whilst I make Zeus's proclamation. I shall go up into the Acropolis; that will be the easiest way of making every one hear the summons.

Justice. Before you go, Hermes, tell me who this is coming along; a man with horns and a pipe and shaggy legs.

Hermes. Why, you must know Pan, most festive of all Dionysus's followers? He used to live on Mount Parthenius: but at the time of the Persian expedition under Datis, when the barbarians landed at Marathon, he volunteered in the Athenian service. Ever since then he has had the cave yonder at the foot of the Acropolis, a little past the Pelasgicum, and pays his taxes like any other naturalized foreigner. Seeing us so near at hand, I suppose he is coming up to make his compliments.

Pan. Hail, Justice and Hermes!

Justice. Hail, Pan; chief of Satyrs in dance and song, and most gallant of Athens' soldiers!

Pan. But what brings you here, Hermes?

Hermes. Justice will explain; I must be off to the Acropolis on my errand.

Justice. Zeus has sent me down, Pan, to preside in the law-court.—And how do you like Athens?

Pan. Well, the fact is, I am a good deal disappointed. They do not treat me with the consideration to which I am entitled, after repelling that tremendous barbarian invasion. All they do is to come up to my cave two or three times a year with a particularly high-scented

goat, and sacrifice him: I am permitted to look on whilst they enjoy the feast, and am complimented with a perfunctory dance. However, there is some joking and merrymaking on the occasion, and that I find rather fun.

Justice. And, Pan,—have they become more virtuous under the hands of the philosophers?

Pan. Philosophers? Oh! People with beards just like mine; sepulchral beings, who are always getting together and jabbering?

Justice. Those are they.

Pan. I can't understand a word they say; their philosophy is too much for me. I am mountain-bred; smart city-language is not in my line; sophists and philosophers are not known in Arcadia. I am a good hand at flute or pipe; I can mind goats, I can dance, I can fight at a pinch, and that is all. But I hear them all day long, bawling out a string of hard words about virtue, and nature, and ideas, and things incorporeal. They are good enough friends when the argument begins, but their voices mount higher and higher as they go on, and end in a scream; they get more and more excited, and all try to speak at once; they grow red in the face, their necks swell, and their veins stand out, for all the world like a flute-player on a high note.

The argument is turned upside down, they forget what they are trying to prove, and finally go off abusing one another and brushing the sweat from their brows. Victory rests with him who can show the boldest front and the loudest voice, and hold his ground the longest. The people, especially those who have nothing better to do, adore them, and stand spellbound under their confident bawlings. For all that I could see, they were no better than humbugs, and I was none too pleased at their copying my beard. If there were any use in their noise, if the talking did any good to the public, I should not have a word to say against them. But, to tell you the plain unvarnished truth, I have more than once looked out from my peep-hole yonder and seen them—

Justice. Hush, Pan: was not that Hermes making the proclamation?

Pan. I thought so.

Hermes. Be it known to all men that we purpose on this seventh day of March to hold a court of justice, and Fortune defend the right! All litigant parties to assemble on Areopagus, where Justice will assign the juries and preside over the trials in person. The juries to be taken from the whole Athenian people; the pay to be sixpence for each case; the number of jurors to vary with the nature of the accusation. Any parties who had commenced legal proceedings and have died in the interim to be sent up by Aeacus. Any party doubting the justice of his sentence may appeal; the appeal to be heard by Zeus.

Pan. Talk about noise! How they shout! And what a hurry they are in to get here! See how one hales another up the hill! Here comes Hermes himself. Well, I leave you to your juries and your evidence; you are accustomed to it. I will return to my cave, and there play over one of those amorous ditties with which I love to upbraid Echo. As to rhetoric and law-pleadings, I hear

enough of those every day in this very court of Areopagus.

Hermes. We had better summon the parties, Justice.

Justice. True. Only look at the crowd, bustling and buzzing about the hilltop like a swarm of wasps!

First Athenian. I've got you, curse you.

Second Athenian. Pooh! A trumped-up charge.

Third Athenian. At last! you shall get your deserts this time.

Fourth Athenian. Your villainy shall be unmasked.

Fifth Athenian. My jury first, Hermes.

Sixth Athenian. Come along: into court with you, rascal.

Seventh Athenian. You needn't throttle me.

Justice. Do you know what I think we had better do, Hermes? Put off all the other cases for tomorrow, and only take today the charges brought by Arts, Professions, and Philosophies. Pick me out all of that kind.

Hermes. Drink v. the Academy, re Polemon, kidnapped.

Justice. Seven jurors.

Hermes. Porch v. Pleasure. Defendant is charged with seducing Dionysius, plaintiff's admirer.

Justice. Five will do for that.

Hermes. Luxury v. Virtue, re Aristippus.

Justice. Five again.

Hermes. Bank v. Diogenes, alleged to have run away from plaintiff's service.

Justice. Three only.

Hermes. Painting v. Pyrrho. Desertion from the ranks.

Justice. That will want nine.

Hermes. What about these two charges just brought against a rhetorician?

Justice. No, those can stand over; we must work off the arrears first.

Hermes. Well, these cases are of just the same kind. They are not old ones, it is true, but they are very like those you have taken, and might fairly be heard with them.

Justice. That looks rather like favoritism, Hermes. However, as you like; only these must be the last; we have got quite enough. What are they?

Hermes. Rhetoric v. a Syrian, for neglect; Dialogue v. the same, for assault.

Justice. And who is this Syrian? There is no name given.

Hermes. That is all: the Syrian rhetorician; he can have a jury without having a name.

Justice. So! Here on Areopagus I am to give juries to outsiders, who ought to be tried on the other side of the Euphrates? Well, give him eleven, and they can hear both cases.

Hermes. That's right; it will save a lot of expense.

Justice. First case: the Academy versus Drink. Let the jury take their seats. Mark the time,' Hermes. Drink, open the case.... Not a word? Can you do nothing but nod?—Hermes, go and see what is the matter with Hermes.

Hermes. She says she cannot plead, she would only be laughed at; wine has tied her tongue. As you see, she can hardly stand.

Justice. Well, there are plenty of able counsel present, ready to shout themselves hoarse for sixpence; let her employ one of them.

Hermes. No one will have anything to do with such a client in open court. But she makes a very reasonable proposal.

Justice. Yes?

Hermes. The Academy is always ready to take both sides; she makes a point of contradicting herself plausibly. 'Let her speak first on my behalf,' says Drink, 'and then on her own.'

Justice. A novel form of procedure. However, go on, Academy; speak on both sides, if you find it so easy.

Academy. First, gentlemen of the jury, let me state the case for Drink, as her time is now being taken.

My unfortunate client, gentlemen, has been cruelly wronged: I have torn from her the one slave on whose loyalty and affection she could rely, the only one who saw nothing censurable in her conduct. I allude to Polemon, whose days, from morning to night, were spent in revel; who in broad daylight sought the publicity of the Market in the company of music—girls and singers; ever drunk, ever headachy, ever garlanded. In support of my statements, I appeal to every man in Athens to say whether he had ever seen Polemon sober. But in an evil hour for him, his revels, which had brought him to so many other doors, brought him at length to my own. I laid hands on him, tore him away by brute force from the plaintiff, and made him my own; giving him water to drink, teaching him sobriety, and stripping him of his garlands. He, who should have been sitting over his wine, now became acquainted with the perverse, the harassing, the

pernicious quibbles of philosophy. Alas! The ruddy glow has departed from his cheek; he is pale and wasted; his songs are all forgotten; there are times when he will sit far on into the night, tasting neither meat nor drink, while he reels out the meaningless platitudes with which I have so abundantly supplied him. I have even incited him to attack the character of my client, and to utter a thousand base insinuations against her good fame.

The case of Drink is now complete. I proceed to state my own. Let my time be taken.

Justice. What will the defendant have to say to that, I wonder? Give her the same time allowance.

Academy. Nothing, gentlemen of the jury, could sound more plausible than the arguments advanced by my learned friend on her client's behalf. And yet, if you will give me your favorable attention, I shall convince you that the plaintiff has suffered no wrong at my hands. This Polemon, whom plaintiff claims as her servant, so far from having any natural connection with her, is one whose excellent parts entitle him to claim kinship and affinity with myself. He was still a boy, his powers were yet unformed, when plaintiff, aided and abetted by Pleasure—ever her partner in crime—seized upon him, and delivered him over into the clutches of debauchery and dissipation, under whose corrupt influence the unfortunate young man utterly lost all sense of shame. Those very facts that plaintiff supposed to be so many arguments in her favor will be found, on the contrary, to make for my own case. From early morning (as my learned friend has just observed) did the misguided Polemon, with aching head and garlanded, stagger through the open market to the noise of flutes, never sober, brawling with all he met; a reproach to his ancestors and his city, a laughing-stock to foreigners.

One day he reached my door. He found it open: I was discoursing to a company of my disciples, as is my wont, upon virtue and temperance. He stood there, with the flute-girl at his side and the garlands on his head, and sought at first to drown our conversation with his noisy outcry. But we paid no heed to him, and little by little our words produced a sobering effect, for Drink had not entire possession of him: he bade the flute-girl cease, tore off his garlands, and looked with shame at his luxurious dress. Like one waking from deep sleep, he saw himself as he was, and repented of his past life. The flush of drunkenness faded and vanished from his cheek, and was succeeded by a blush of shame; at last, not (as plaintiff would have you believe) in response to any invitation of mine, nor under any compulsion, but of his own free will, and in the conviction of my superiority, he renounced his former mistress there and then, and entered my service.

Bring him into court. You shall see for yourselves, gentlemen, what he has become under my treatment. Behold that Polemon whom I found drunk, unable to speak or stand upright, an object of ridicule: I turned him from his evil ways; I taught him sobriety; and I present him to you, no longer a slave, but a decent and orderly citizen, a credit to his nation. In conclusion let me say that the change I have wrought in him has won me the gratitude not only of Polemon himself but of all his friends. Which of us has been the more profitable companion for him, it is now for the jury to decide.

Hermes. Come, gentlemen, get up and give your votes. There is no time to be lost; we have other cases coming on.

Justice. Academy wins, by six votes to one.

Hermes. I am not surprised to find that Drink has one adherent. Jurors in the case of Porch v. Pleasure re Dionysius take their seats! The lady of the frescoes may begin; her time is noted.

Porch. I am not ignorant, gentlemen, of the attractions of my adversary. I see how your eyes turn in her direction; she has your smiles, I your contempt, because my hair is close-cropped, and my expression stern and masculine. Yet if you will give me a fair hearing, I fear her not; for justice is on my side. Nay, it is with these same meretricious attractions of hers that my accusation is concerned: it was by her specious appearance that she beguiled the virtuous Dionysius, my lover, and drew him to herself.

The present case is in fact closely allied with that of Drink and the Academy, with which your colleagues have just dealt. The question now before you is this: are men to live the lives of swine, wallowing in voluptuousness, with never a high or noble thought? Or are they to set virtue above enjoyment, and follow the dictates of freedom and philosophy, fearing not to grapple with pain, nor seeking the degrading service of pleasure, as though happiness were to be found in a pot of honey or a cake of figs?

These are the baits my adversary throws out for fools, and toil the bugbear with which she frightens them. Her artifices seldom fail; and among her victims is this unfortunate whom she has constrained to rebel against my authority. She had to wait till she found him on a sick-bed; never while he was himself would he have listened to her proposals. Yet what right have I to complain? She spares not even the Gods; she impugns the wisdom of Providence; she is guilty of blasphemy. You have a double penalty to impose, if you would be wise.

I hear that she has not even been at the pains of preparing a defense: Epicurus is to speak for her! She does not stand upon ceremony with you, gentlemen.—Ask her what Heracles would have been, what your own Theseus would have been, if they had listened to the voice of pleasure, and shrunk back from toil: their toils were the only check upon wickedness, which else must have overrun the whole Earth. And now I have done; I am no lover of long speeches. Yet if my adversary would consent to answer a few questions, her worthlessness would soon appear. Let me remind you, gentlemen, of your oath: give your votes in accordance with that oath, and believe not Epicurus, when he tells you that the Gods take no thought for the things of Earth.

Hermes. Stand down, madam. Epicurus will now speak on behalf of pleasure.

Epicurus. I shall not detain you long, gentlemen of the jury; there is no occasion for me to do so. If it were true, as the plaintiff asserts, that Dionysius was her lover, and that my client by means of drugs or incantations had constrained him to withdraw his affections from the plaintiff and transfer them to herself,— if this were true, then my client might fairly be accused of witchcraft, nor could her wicked practices upon her rival's admirers escape condemnation.

On the other hand, if a free citizen of a free state, deciding for himself in a matter where the law is silent, takes a violent aversion to this lady's person, concludes that the blessedness with which she promises to crown his labors is neither more nor less than moonshine, and accordingly makes the best of his way out of her labyrinthine maze of argument into the attractive arms of Pleasure, bursts the bonds of verbal subtlety, exchanges credulity for common sense, and pronounces, with great justice, that toil is toilsome, and that pleasure is pleasant,— I ask, is this shipwrecked mariner to be excluded from the calm haven of his desire, and hurled back headlong into a sea of toil? Is this poor suppliant at the altar of Mercy— in other words of Pleasure — Is he to be delivered over into the power of perplexity,—and all on the chance that his hot climb up the steep hill of Virtue may be rewarded with a glimpse of that celebrated lady on the top, and his life of toil followed by a hereafter of happiness?

We could scarcely ask for a better judge of the matter than Dionysius himself. He was as familiar with the Stoic doctrines as any man, and held at one time that virtue was the only Good: but he presently discovered that toil was an evil: he then chose what seemed to him the better course. He would no doubt observe that those philosophers who had so much to say on the subject of patience and endurance under toil were secretly the servants of Pleasure, carefully abiding by her laws in their own homes, though they made so free with her name in their discourses. They cannot bear to be detected in any relaxation, or any departure from their principles: but, poor men, they lead a Tantalus life of it in consequence, and when they do get a chance of sinning without being found out, they drink down pleasure by the bucketful.

Depend on it, if some one would make them a present of Gyges's ring of invisibility, or Hades's cap, they would cut the acquaintance of toil without further ceremony, and elbow their way into the presence of Pleasure; they would all be Dionysiuses then. As long as Dionysius was well, he thought that there was some good in all this talk about endurance. But when he fell ill, and found out what pain really was, he perceived that his body was of another school than the Porch, and held quite other tenets. He was converted, realized that he was flesh and blood, and from that day ceased to behave as if he were made of marble. He knew now that the man who talks nonsense about the iniquity of pleasure but toys with words: his thoughts are bent elsewhere.

And now, gentlemen, I leave you to your vote.

Porch. Not yet! Let me ask him a few questions.

Epicurus. Yes? I am ready.

Porch. You hold toil to be an evil?

Epicurus. I do.

Porch. And pleasure a good?

Epicurus. Unquestionably.

Porch. Do you recognize the distinction between differentia and indifferentia? Between praeposita and rejecta?

Epicurus. Why, certainly.

Hermes. Madam, this discussion must cease; the jury say they do not understand word-chopping. They will now give their votes.

Porch. Ah; I should have won, if I could have tried him with my third figure of self-evidents.

Justice. Who wins?

Hermes. Unanimous verdict for Pleasure.

Porch. I appeal to Zeus.

Justice. By all means. Next case, Hermes.

Hermes. Luxury v. Virtue, re Aristippus; Aristippus must appear in person.

Virtue. I ought to speak first. Aristippus is mine; his words and his deeds alike proclaim him mine.

Luxury. On the contrary, any one who will observe his garlands and his purple robes and his perfumes will agree that he is mine.

Justice. Peace! This suit must stand over, until Zeus has decided the appeal re Dionysius. The cases are similar. If Porch wins her appeal, Aristippus shall be adjudged to Virtue: if not, Luxury must have him. Bring the next case. By the way, those jurors must not have their fee; they have not earned it.

Hermes. So the poor old gentlemen have climbed up all this way for nothing!

Justice. Well, they must be content with a third. Now go away, all of you, and don't be cross; you shall have another chance.

Hermes. Diogenes of Sinope wanted! Bank, it is for you to speak.

Diogenes. Look here, Madam Justice, if she doesn't stop bothering, I shall have assault and battery to answer for before long, instead of desertion; my stick is ready.

Justice. What is the meaning of this? Bank has run away, and Diogenes after her, with his stick raised. Poor Bank! I am afraid she will be roughly handled. Call Pyrrho.

Hermes. Here is Painting, but Pyrrho has never come up. I knew how it would be.

Justice. And what was his reason?

Hermes. He holds that there is no such thing as a true decision.

Justice. Then judgment goes against him by default. Now for the Syrian advocate. The indictments were only filed a day or two ago; there was no such hurry. However— We will first take the case in which Rhetoric is plaintiff. How people crowd in to hear it!

Hermes. Just so: the case has not had time to get stale, you see; it has the charm of novelty, the indictment, as you say, having only been filed yesterday. The prospect, too, of hearing the Syrian defend himself against two such plaintiffs as Rhetoric and Dialogue, one after the other, is a great attraction. Well, Rhetoric, when are you going to begin?

Rhetoric. Before all things, men of Athens, I pray the Gods that you may listen to me throughout this trial with feelings not less warm than those that I have ever entertained towards my country and towards each one of you, my countrymen. And if, further, I pray them so to dispose your hearts that you will suffer me to conduct my case in accordance with my original intention and design, without interruption from my adversary, I shall be asking no more than justice. When I listen to the defendant's words, and then reflect upon the treatment I have received from him, I know not how I am to reconcile the two. You will presently find him holding a language scarcely distinguishable from my own: yet examine into his conduct, and you will see, from the lengths to which he has already gone, that I am justified in taking steps to prevent his going yet further. But enough of preamble: I am wasting time that might be better employed in accusing my adversary.

Gentlemen, the defendant was no more than a boy—he still spoke with his native accent, and might at any moment have exhibited himself in the garb of an Assyrian—when I found him wandering up and down Ionia, at a loss for employment. I took him in hand; I gave him an education; and, convinced of his capabilities and of his devotion to me (for he was my very humble servant in those days, and had no admiration to spare for any one else). I turned my back upon the many suitors who sought my hand, upon the wealthy, the brilliant and the high-born, and betrothed myself to this monster of ingratitude. Upon this obscure pauper boy I bestowed the rich dowry of my surpassing eloquence, brought him to be enrolled among my own people, and made him my fellow citizen, to the bitter mortification of his unsuccessful rivals. When he formed the resolution of traveling, in order to make his good fortune known to the world, I did not remain behind: I accompanied him everywhere, from city to city, shedding my lustre upon him, and clothing him in honor and renown. Of our travels in Greece and Ionia, I say nothing: he expressed a wish to visit Italy: I sailed the Ionian Sea with him, and attended him even as far as Gaul, scattering plenty in his path.

For a long time he consulted my wishes in everything, was unfailing in his attendance upon me, and never passed a night away from my side. But no sooner had he secured an adequate provision, no sooner did he consider his reputation established, than his countenance changed towards me: he assumed a haughty air, and neglected, nay, utterly abandoned me; having conceived a violent affection for the bearded old person yonder, whom you may know from his dress to be Dialogue, and who passes for a son of Philosophy. With this Dialogue, in spite of the disparity of age, he is now living; and is not ashamed to clip the wings of free, high-soaring eloquence, and submit himself to the comedian's fetters of bald question and answer. He,

whose thoughts should have found utterance in thundering oratory, is content to weave a puny network of conversation.

Such things may draw a smile from his audience, a nod, an unimpassioned wave of the hand, a murmur of approbation: they can never hope to evoke the deafening uproar of universal applause. And this, gentlemen, is the fascination under which he looks coldly upon me; I commend his taste! They say, indeed, that he is not on the best of terms even with his beloved Dialogue; apparently I am not the only victim of his overweening pride. Does not such ingratitude as this render him liable to the penalties imposed by the marriage-laws? He leaves me, his lawful wife, to whom he is indebted alike for wealth and reputation, leaves me to neglect, and goes off in pursuit of novelty; and that, at a time when all eyes are turned upon me, when all men write me their protectress. I hold out against the entreaties of countless suitors: they knock, and my doors remain closed to them; they call loudly upon my name, but I scorn their empty clamors, and answer them not. All is in vain: he will not return to me, nor withdraw his eyes from this new love. In Heaven's name, what does he expect to get from him? What has Dialogue but his cloak?

In conclusion, gentlemen: should he attempt to employ my art in his defense, suffer him not thus unscrupulously to sharpen my own sword against me. Bid him defend himself, if he can, with the weapons of his adored Dialogue.

Hermes. Now there, madam, you are unreasonable: how can he possibly make a dialogue of it all by himself? No, no; let him deliver a regular speech, just the same as other people.

Syrian. In view, gentlemen, of the indignation that plaintiff has expressed at the idea of my employing her gift of eloquence in order to maintain my cause at large, I shall confine myself to a brief and summary refutation of her charges, and shall then leave the whole matter to your discernment.

Gentlemen, all that the plaintiff has said is true. She educated me; she bore me company in my travels; she made a Greek of me. She has each of these claims to a husband's gratitude. I have now to give my reasons for abandoning her, and cultivating the acquaintance of Dialogue: and, believe me, no motive of self-interest shall induce me to misrepresent the facts.

I found, then, that the discreet bearing, the seemly dress, which had distinguished her in the days of her union with the illustrious demesman of Paeania [Demosthenes], were now thrown aside. I saw her tricked out and bedizened, rouged and painted like a courtesan. My suspicions were aroused, and I began to watch the direction of her eyes. To make a long story short, our street was nightly infested with the serenades of her tipsy gallants, some of whom, not content with knocking at our doors, threw aside all restraint, and forced their way into the house. These attentions amused and delighted my wife: she was commonly to be seen leaning over the parapet and listening to the loose ditties that were bawled up from below; and when she thought she was unobserved, she would even open the door, and admit the gallant to her shameless embraces. Such things were not to be endured: I was loth to bring her into the divorce-court, and accordingly sought the hospitality of Dialogue, who was my near neighbor.

Such, gentlemen, are the grievous wrongs that plaintiff has suffered at my hands. Even had the provocation I have described been wanting, my age (I was then nearly forty years old) called upon me to withdraw from the turmoil of the law-courts, and suffer the 'gentlemen of the jury' to rest in peace. Tyrants enough had been arraigned, princes enough been eulogized: it was time to retreat to the walks of Academy or the Lyceum, there to enjoy, in the delightful society of Dialogue, that tranquil discourse which aims not at noisy acclamations. I might say much more, but I forbear: you, gentlemen, will give your votes in accordance with the dictates of conscience.

Justice. Who wins?

Hermes. The Syrian has all votes but one.

Justice. And that one a rhetorician's, I suppose. Dialogue will now address the same jury. Gentlemen, you will remain and hear this second case, and will receive a double fee.

Dialogue. If I had had my choice, gentlemen, I should have addressed you in the conversational style to which I am accustomed, instead of delivering a long harangue. However, I must conform to the custom of the law-courts, though I have neither skill nor experience in such matters. So much by way of exordium: and now for the outrage committed on me by the defendant.

In former days, gentlemen, I was a person of exalted character: my speculations turned upon the Gods, and Nature, and the Annus Magnus. I trod those aerial plains wherein Zeus on winged car is borne along through the heights. My flight had actually brought me to the heavenly vault; I was just setting foot upon the upper surface of that dome, when this Syrian took it upon himself to drag me down, break my wings, and reduce me to the common level of humanity.

Whisking off the seemingly tragic mask I then wore, he clapped on in its place a comic one that was little short of ludicrous. His next step was to huddle me into a corner with Jest, Lampoon, Cynicism, and the comedians Eupolis and Aristophanes, persons with a horrible knack of making light of sacred things, and girding at all that is as it should be. But the climax was reached when he unearthed a barking, snarling old Cynic, Menippus by name, and thrust his company upon me; a grim bulldog, if ever there was one; a treacherous brute that will snap at you while his tail is yet wagging. Could any man be more abominably misused? Stripped of my proper attire, I am made to play the buffoon, and to give expression to every whimsical absurdity that his caprice dictates. And, as if that were not preposterous enough, he has forbidden me either to walk on my feet or to rise on the wings of poesy: I am a ridiculous cross between prose and verse; a monster of incongruity; a literary Centaur.

Hermes. Now, Syrian: what do you say to that?

Syrian. Gentlemen of the jury, I am surprised. Nothing could be more unexpected than the charge Dialogue has brought against me. When I first took him in hand, he was regarded by the world at large as one whose interminable discussions had soured his temper and exhausted his vitality. His labors entitled him to respect, but he had none of the attractive qualities that could

secure him popularity. My first step was to accustom him to walk upon the common ground like the rest of mankind; my next, to make him presentable, by giving him a good bath and teaching him to smile. Finally, I assigned him Comedy as his yokefellow, thus gaining him the confidence of his hearers, who until then would as soon have thought of picking up a hedgehog as of venturing into the thorny presence of Dialogue.

But I know what the grievance is: he wants me to sit and discourse subtle nothings with him about the immortality of the soul, and the exact number of pints of pure homogeneous essence that went to the making of the universe, and the claims of rhetoric to be called a shadow of a fraction of statecraft, or a fourth part of flattery. He takes a curious pleasure in refinements of this kind; it tickles his vanity most deliciously to be told that not every man can see so far into the ideal as he. Evidently he expects me to conform to his taste in this respect; he is still hankering after those lost wings; his eyes are turned upwards; he cannot see the things that lie before his feet. I think there is nothing else he can complain of. He cannot say that I, who pass for a barbarian, have torn off his Greek dress, and replaced it with one like my own: that would have been another matter; to deprive him of his native garb were indeed a crime.

Gentlemen, I have made my defense, as far as in me lies. I trust that your present verdict will confirm the former one.

Hermes. Well I never! All ten are for you again. Only one dissentient, and he the same one as before. True to his envious principles, he must ever give his vote against his betters. The jurors may now leave the court. The remaining cases will come on tomorrow.