

# The Downfall of Themistocles

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AFTER READING the analysis of the evidence and scholarship concerning the downfall of Themistocles in A. Podlecki's recent book, one reviewer rightly still listed the causes for his flight among the "puzzles" of Themistocles' career "awaiting more information or more insight."<sup>1</sup> Nevertheless Podlecki found Diodorus' account of these events internally coherent and possibly deserving of "more credence than modern historians like Gomme usually give it."<sup>2</sup> All along, the principal objections to Diodorus' narrative can, I believe, be traced not to errors in his account but to conflicts, real or in some instances imaginary, existing between it and the accounts of Thucydides and especially Plutarch. Briefly stated, the purpose of this essay is to defend Diodorus' account by attempting to remove the bases of those objections. Thus a summary of the account will also serve as a statement of the paper's specific aims.

According to Diodorus (11.54–56) the Spartans twice initiated proceedings against Themistocles on charges of treasonous conspiracy with Pausanias to betray Greece to the Persians. The first time they accused him, declares Diodorus, they worked through Themistocles' enemies in Athens, instigating them to lodge an indictment against him. In the subsequent trial Themistocles was acquitted. The second Spartan attack, Diodorus says, came after Themistocles had been ostracized and had taken up residence in Argos. On this occasion the Spartans repeated the previous charges but changed their tactics. Their ambassadors to Athens now argued that as Themistocles' crime was a matter of general Hellenic interest he should be tried before the *κοινὸν συνέδριον τῶν Ἑλλήνων*. When Themistocles got wind of this, he fled Argos, convinced he could not receive a fair trial before the pro-Spartan congress.

Against Diodorus' account stands Plutarch's narrative (*Them.* 23), which is generally thought to report the events of only one proceed-

<sup>1</sup> *The Life of Themistocles* (Montreal and London 1975) 34–40, 97–100 and then *passim* [hereafter, *PODLECKI*], and the review by W. R. Connor, *Phoenix* 31 (1977) 68–70.

<sup>2</sup> Podlecki 98.

ing against Themistocles. But scholars have not found the narrative internally coherent, and it is important to find out where, specifically, the trouble lies.<sup>3</sup>

Long ago P. Kretch<sup>4</sup> blamed the confusion on the second sentence (ὁ δὲ γραφόμενος αὐτόν), which he believed disruptive of the natural flow of the narrative. Kretch concluded that Plutarch had awkwardly inserted this statement, which he had drawn from another source (Craterus), between two otherwise logically connected sentences.<sup>5</sup>

To this Kretch added a second and more serious charge against Plutarch. Assuming that the offending sentence differed in detail but not in substance from Plutarch's later mention of accusations and charges (23.3, καὶ κατεβόων μὲν αὐτοῦ Λακεδαιμόνιοι), he accused Plutarch of seriously misplacing it in his narrative. Except for this error Kretch thought the narrative was in every other respect coherent. Others have disagreed. A. Bauer, unable to make sense out of Plutarch's mention of previous charges (αἱ πρότεροι κατηγορίαι) within the context of the narrative, labeled this reference as a desperate attempt by Plutarch to reconcile the widely divergent accounts of Ephorus (Diodorus) and Thucydides.<sup>6</sup>

What makes both of these criticisms particularly serious is that they score Plutarch for his style, not his historical accuracy. In short, they question his ability to present a coherent narrative. But one might assume in the case of a writer of Plutarch's skill that, had he viewed the statement about Leobotes' indictment as only a more

<sup>3</sup> For example, W. G. Forrest, "Themistocles and Argos," *CQ* n.s. 10 (1960) 237 [hereafter, FORREST], calls the account "an extraordinary muddle of Thucydides, Ephoros(?), Krateros, and no doubt others as well."

<sup>4</sup> P. Kretch, *De Crateri Ψηφισμάτων συναγωγῇ et de locis aliquot Plutarchi ex ea petitis* (Leipzig 1888) 55–56.

<sup>5</sup> Kretch is followed by F. Jacoby, *FGrHist* 342 F 11a.

<sup>6</sup> A. Bauer, *Themistokles* (Merseburg 1881) 102 [hereafter, BAUER]. Comments by G. W. Cawkwell, "The Fall of Themistocles," in *Auckland Classical Essays Presented to E. M. Blaiklock* (Auckland 1970) 44 n.6, and E. Curtius, *The History of Greece* II, transl. by A. W. Ward and rev. by W. A. Packard (New York 1874) 394, illuminate the sources but do not solve the stylistic problem here identified. Moreover, if I understand them correctly, they have misconstrued the sentence beginning *διαβαλλόμενος γάρ* by taking it as a digression to explain a written defense made by Themistocles against accusations other than those mentioned immediately above. This cannot be correct. The last sentence of this chapter (beginning *οὐ μὴν ἀλλά*) relates the results of the proceedings introduced by the Spartans and Themistocles' envious fellow-citizens just mentioned. Its opening words in turn directly tie it to the preceding sentence yielding this sense: despite this written plea just made by Themistocles, the Athenians were still persuaded by his enemies.

precise statement of the very same charges he mentions later, he was perfectly capable of making this clear by placing it either immediately after, to clarify his later statement, or in lieu of it. The fact that he did not raises the question whether he intended both statements as references to the same charges. A similar question can be raised about his mention of former charges. By specifically designating the charges as *αἱ πρότεροι κατηγορίαι* (not *ἕτεροι*) Plutarch surely expected his reader to recall some earlier mention of them in his narrative. What ‘other charges’ did he expect his reader to find if not those preferred by Leobotes? Plutarch, it would appear, wrote *αἱ πρότεροι κατηγορίαι* purposely to distinguish between two very similar—and therefore potentially confusing—sets of charges: ‘the former charges’ preferred by Leobotes and the later charges leveled against Themistocles by *Λακεδαιμόνιοι καὶ οἱ φθονοῦντες τῶν πολιτῶν*.<sup>7</sup> If the words *οὕτω δὴ* introduce the second set of charges, then Plutarch must complete his treatment of Leobotes’ indictment in the preceding narrative.

Now Kretch, we recall, had objected that the sentence reporting Leobotes’ indictment interrupted the flow of the narrative. If this sentence is in fact disruptive, the disruption is in no way evident in the transition between it and the first sentence. In the second sentence Plutarch simply employs a common device of paragraph construction: he brings into sharper focus the general idea expressed in the first. From the unidentified *οἱ ἐχθροί* of the first sentence emerge Leobotes and the Spartans, while the *ἀφορμαί* generated by *τὰ περὶ Πausανίαν συμπερόντα* translate into a specific act, an indictment of Themistocles for treason. The transition reflects a difference in detail and tone rather than in substance between the two sentences. Thus in the third sentence *γάρ* signals Plutarch’s intention of explaining both the indictment and what precipitated it.

Plutarch fulfills his intention. For both this sentence and the next (*ὁ γὰρ Πausανίας . . . ὡς πονηροὺς καὶ ἀχαρίστους*) explain what led to the indictment, why it constituted a case of treason, and what Leobotes presented as evidence. With information supplied by his Spartan informants Leobotes apparently could prove that Pausanias had approached Themistocles, shown him a letter he had received

<sup>7</sup> Forrest (237) saw this but rejected the idea that Leobotes’ indictment represents ‘the former charges’ for other reasons (*ibid.* n.5). Cf. also the treatment of this passage by F. Albracht, *De Themistoclis Plutarchei Fontibus* (Göttingen 1873) 59ff.

from the King, incited him against the Hellenes, and offered him a part in his venture. The charge, of course, claimed that Themistocles had accepted the offer. But in the next sentence Plutarch goes beyond explaining the indictment and the circumstances leading to it and relates Themistocles' reply. What Leobotes could not prove was that Themistocles had accepted Pausanias' offer. When the prosecution tried to impeach his credibility by asking why he had not voluntarily revealed Pausanias' offer, Themistocles probably replied that he had thought Pausanias would give up the hapless scheme or be caught anyway. By using the simple but forceful declarative verbs ἀπεπρίψατο and ἀπέειπατο to report Themistocles' rejection of Pausanias' offer, Plutarch makes clear that he is recording facts, not merely his own opinions or Themistocles' contentions.

The failure of this action prompted a second Spartan attack. On this occasion they brought with them new evidence (ἐπιστολαὶ καὶ γράμματα) which had come to light after Pausanias' death. Unwilling to leave the matter up to an Athenian court a second time, they addressed the Assembly as spokesmen for the Hellenic allies demanding that the Athenians agree to let them bring Themistocles before a court of the Hellenes. This procedure was a hearing, not a trial. Hence Themistocles' presence was not required.<sup>8</sup> The law of ostracism remained in force even if it did not prevent Themistocles from addressing the Assembly by letter. Plutarch states that his defense consisted largely of the same arguments he had used successfully against Leobotes' indictment. But this time he did not fare so well. The Athenians gave in to his accusers and granted the Spartans their request.

The failure to see that Plutarch narrates here the events surrounding

<sup>8</sup> Podlecki (39) refers to this procedure as a trial at which Themistocles "had to" rely on a written defense. But Plutarch cannot be used to support this assertion, for he states that the outcome of the procedure was a decision to bring Themistocles to trial. The idea that this procedure was a trial has led in turn to the false notion, detected here in Podlecki's statement and in a comment by Cawkwell, *op.cit.* (*supra* n.6) 44 n.6, that a victim of ostracism was either not allowed or not required to return to Athens to defend himself. Cf. Lycurg. *Leoc.* 117, where Hipparchus was charged with treason, probably while in ostracism, and condemned for not appearing to defend himself. Curtius, *op.cit.* (*supra* n.6) 395, thinks the procedure was a hearing on whether to accept Leobotes' indictment. But he does not explain by what legal process a decision to accept or reject an indictment for treason in the form of an εἰσαγγελία could be thrown open to the Assembly and then assigned by that body to a foreign court for trial. For bibliography on εἰσαγγελία, see *infra* n.12.

two procedures can, I believe, be traced to a belief that Craterus, Plutarch's ultimate source<sup>9</sup> for the name Leobotes, had found the preferrer's name on a decree of condemnation, thereby confirming that his indictment had been successful.<sup>10</sup> But this is an unsupported assumption. The entry in the *Lexicon Rhetoricum Cantabrigiense* crediting Craterus with the preservation of Leobotes' name speaks only about an indictment. Thus, as some have seen, what Craterus or his source probably recorded was a bill of indictment.<sup>11</sup> There are no grounds therefore for maintaining against Plutarch's testimony that Leobotes had succeeded.

The fact that the indictment took the form of an *είσαγγελία* raises another consideration. P. J. Rhodes argues that the Areopagus maintained jurisdiction over cases of *είσαγγελίαι* until the reforms of Ephialtes in 462/1.<sup>12</sup> This conclusion is perfectly consistent with the argument presented here that the action against Themistocles attributed to the Assembly by Plutarch (*Them.* 23.3–4), Thucyd-

\* The fact that Plutarch does not describe the indictment as an *είσαγγελία* but uses the participle *γραφάμενος* should serve as a caution against any automatic conclusion that Craterus was his immediate source. My own guess is that Ephorus may have already recorded Leobotes' name, which Diodorus simply omitted when he chose the passive *κατηγορηθείς* (11.54.5). But cf. P. J. Rhodes, *The Athenian Boule* (Oxford 1972) 200–01.

<sup>10</sup> L. I. Highby, *The Erythrae Decree* (*Klio* Beiheft 25, Leipzig 1936) 83, refers to the document as "the decree which proscribed Themistocles," while A. W. Gomme, *Commentary I* (Oxford 1944) 401, speaks of Craterus preserving a decree that Themistocles be declared *ἄτιμος*. Themistocles' name no doubt did appear on an inscription listing him among the *ἀλιτήριοι* and *προδοῦναι*; but would such a document have listed also the prosecutor's name or other details of the case? Cf. M. Cary, "When was Themistocles Ostracised?," *CR* 36 (1922) 162. Forrest also (237 n.5) seems to view the document as a decree of condemnation. Others are confused. For example, Cawkwell, *op.cit.* (*supra* n.6) 42, states first that "Leobotes was named, it would appear, in the inscription recording the *είσαγγελία*," but then later (p.44) speaks of "the exile decreed by the Athenians and recorded by Craterus." Finally, from D. Gillis, "Marathon and the Alcmeonids," *GRBS* 10 (1969) 141, we hear that Leobotes "brought the indictment that ostracized the upstart democrat."

<sup>11</sup> Kretsch, *op.cit.* (*supra* n.4) 55f; Bauer 130; U. von Wilamowitz, *Aristoteles und Athen I* (Berlin 1893) 144 n.37; G. Busolt, *Griechische Geschichte* III.1 (Gotha 1904) 112 n.2; P. N. Ure, "When was Themistocles last in Athens?," *JHS* 41 (1921) 171; Cary, *op.cit.* (*supra* n.10) 162; Jacoby, *FGrHist* 342 F 11a; R. J. Lenardon, "The Chronology of Themistocles' Ostracism and Exile," *Historia* 8 (1959) 26; Podlecki 100.

<sup>12</sup> Rhodes, *op.cit.* (*supra* n.9) 162–71 and 199–207. It would be economical at least to suppose with Rhodes also (*ibid.* 201) that the trial Themistocles was about to undergo before the Areopagus (*Arist. Ath. Pol.* 25.3–4) was a case of *είσαγγελία* and identical with the trial brought about by Leobotes' indictment. Cf. also, for cases of *είσαγγελίαι*, H. Hager, "On the Eisangelia," *JP* 4 (1872) 74–112; and R. J. Bonner and G. Smith, *The Administration of Justice from Homer to Aristotle* (Chicago 1930) 294–309.

ides (1.135.2–3) and Diodorus (11.55.4) belongs to a second procedure.

Support for this interpretation, I think, can be found elsewhere in Plutarch. He states in his *Aristeides* (25.7) that Cimon and a certain Alcmaeon, together with a host of unnamed persons, accused and denounced Themistocles when he was *ἐν αἰτία πρὸς τὴν πόλιν*. The words chosen to describe Themistocles' circumstance and the informality that allowed so many people to speak suggest a procedure less rigid than a trial but more like that of the hearing we have just described. But many critics have objected to Alcmaeon's authenticity, thus raising doubts about the whole passage. Their objections must be met before this testimony can be accepted.

Müller was the first to question Alcmaeon's existence, stating without elaboration that "Alcmaeon non Alcmaeonis filium, inter accusatores Themistoclis nominat Plutarch."<sup>13</sup> His comment fathered a host of similar statements rejecting Alcmaeon as an erroneous substitution or exchange by Plutarch of Alcmaeon, the father's name, for Leobotes, the son's.<sup>14</sup> So effective have these comments been that while Alcmaeon the accuser of Themistocles has not been without his defenders, neither Kirchner (*Prosopographia Attica*) nor Davies (*Athenian Propertied Families*) included him in their prosopographical studies.

Now the whole notion of the error as it is described by Alcmaeon's critics presupposes that the name Alcmaeon derives from the correct form Leobotes, son of Alcmaeon. If Plutarch erred, we can affirm two things about his act: that he intended to write 'Leobotes' in both passages in which 'Alcmaeon' now appears,<sup>15</sup> and that the error was a passive one. A slip of memory or pen caused him to omit the name 'Leobotes' and record only 'Alcmaeon'. We need only look to his statement in *Aristeides* to see that Plutarch did not necessarily intend to write 'Leobotes' at all, for in this passage, as we have seen, Alcmaeon attacked Themistocles in concert with Cimon and many others. In both passages in which Leobotes' name appears, on the other hand,

<sup>13</sup> FHG Craterus, F 5.

<sup>14</sup> Wilamowitz, *op.cit.* (*supra* n.11) 144; K. J. Beloch, *Griechische Geschichte* II,1 (Strassburg 1913) 145 n.1; Jacoby, *FGrHist* 342 F 11a; Cf. also Busolt, *op.cit.* (*supra* n.11) 110 n.5; D. Kagan, *The Outbreak of the Peloponnesian War* (Ithaca 1969) 59 n.9; R. Flacelière, *Plutarque, Vie de Thémistocle* (Paris 1972) 82, note.

<sup>15</sup> In *Praecepta ger. reipub.* (805c) Plutarch singles out this same Alcmaeon and scolds him as if he alone was responsible for Themistocles' fate.

Plutarch cites him, and him alone, for a specific accusation: he indicted Themistocles for treason. The accusations of Alcmaeon and Cimon in no way preclude Leobotes' formal rôle.

The error would also require us to conclude that Plutarch had made a series of errors such as follows. We must assume that in *Aristeides* Plutarch either carelessly omitted the name 'Leobotes' while trying to copy it from his *Themistocles* or his original source, or feeling no need to consult either, relied on his memory and could remember only the name 'Alcmaeon'. How then did he repeat his error? It is possible that he simply copied his previous mistake. But it would seem rather unlikely that he would look in his *Aristeides* for the name of Themistocles' accuser. More than likely he would have repeated the same process that led to the first error; either he mis-copied the name again or his memory failed him once more. At *De exilio* 605E he cites the correct name 'Leobotes'.

Jacoby avoids some of the difficulties that result from charging Plutarch with the error by blaming it on Idomeneus, whom he believes was Plutarch's source for the statement he makes in *Aristeides*.<sup>16</sup> Idomeneus, he argues, had compiled a list of accusers, and Plutarch copied his error without fully transcribing the list. Where did Idomeneus find the name 'Leobotes son of Alcmaeon', which he had to have in order to err? "Wir wissen das er die Urkunde nicht gegeben, also die *Συναγωγή* nicht nachgeschlagen hat," states Jacoby confidently. Why not? Apparently because Idomeneus would then have known that the names of Alcmaeon, Cimon and many others were not on the bill of indictment and could not therefore have made such a blunder. It was probably Stesimbrotus, therefore, who Jacoby then suggests gave Idomeneus Leobotes' name and patronymic as well as Cimon's and perhaps others. Where did Stesimbrotus find Leobotes' name? Was it in the original document or did he too get it from someone else? Jacoby has labored hard only to miss Plutarch's plain meaning: Leobotes' was the only name associated with an indictment. Alcmaeon, Cimon and the many other accusers (*Arist.* 25.7) belong among the group of envious fellow citizens who supported the Spartan request to extradite Themistocles at the hearing before the Assembly.<sup>17</sup>

<sup>16</sup> Jacoby, *FGrHist* 342 F 11a.

<sup>17</sup> Wilamowitz, *op.cit.* (*supra* n.11) 144 n.37, entertains the notion that the Pronapes and Lysander mentioned in the eighth letter attributed to Themistocles (H. Hercher, *Episto-*

Plutarch's account of Themistocles' downfall, correctly understood, has much in common with Diodorus'.<sup>18</sup> Both agree that the Spartans initiated two procedures against Themistocles. They agree, too, that in the first procedure the Spartans relied on Themistocles' enemies in Athens to bring an indictment against him; that the prosecution apparently could show that Pausanias had disclosed his plans to Themistocles and had invited him to participate in them; that they did not have the conclusive evidence needed to convict him. As in Plutarch's account, Diodorus has the Spartans themselves lead the second attack on Themistocles, repeat the same charges and press their demand that he be tried before a court of the Hellenes. Behind these common elements must stand a common source, and that source would be Ephorus.

But, to be sure, there are differences between the two accounts. Some of these seem to be mere embellishments; others no doubt are details to be found in one account but not the other reflecting how each author made selective use of Ephorus. Thus we read in Diodorus' account of the first procedure that the Spartans attacked Themistocles to humble Athens in the same fashion as Pausanias' treason had humbled Sparta. The Spartans also offered bribes to his enemies to induce them to lodge the indictment. At the trial itself

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*lographi Graeci* [Paris 1873]) may have been named along with Leobotes in the indictment. But compare Jacoby, *FGrHist* 342 F 11a. My own guess is that Pronapes and Lysander probably belong at the hearing with Alcmaeon, Cimon and the others. For the authenticity of Pronapes, see A. E. Raubitschek, "Leagros," *Hesperia* 8 (1939) 159. By trying to place Alcmaeon and Cimon elsewhere, their defenders did them no better service.

G. Grote, *A History of Greece* XII (London 1870) 134ff; Albracht, *op.cit.* (*supra* n.7) 61, makes him the accuser in an action prior to his ostracism; Bauer (130 n.2) places him among the general opposition at what he believes was the only procedure, the trial brought about by Leobotes' indictment; and Curtius, *op.cit.* (*supra* n.6) 393, sees Alcmaeon and Cimon working for Themistocles' ostracism. The identity of our Alcmaeon is another question. He could be identical with Alcmaeon son of Aristonymus, whose name appears on ostraka from the Kerameikos. For a discussion of this Alcmaeon see P. J. Bicknell, *Studies in Athenian Politics and Genealogy* (*Historia Einzelschriften* 19, Wiesbaden 1962) 54ff. Another candidate is the Alcmaeon who appears as *kalos* on vases of the early fifth century. For these, see J. D. Beazley, *ARV*<sup>2</sup> 1563. For another possible accuser of Themistocles see W. R. Connor, "Lycomedes against Themistocles? A Note on Intragenos Rivalry," *Historia* 21 (1972) 569-74.

<sup>18</sup> Compare the discussions by Albracht, *op.cit.* (*supra* n.7) 58ff; L. Holzapfel, *Untersuchungen über die Darstellung der griechischen Geschichte* (Leipzig 1879) 62ff; and Bauer 95ff, esp. 96-97 n.2.



Diodorus says that Themistocles turned his own admission of Pausanias' offers into the strongest argument in his defense; Pausanias would not have repeated his offers had not Themistocles first rejected them. Against this, Plutarch's economical account gives only one detail of the first procedure not found in Diodorus, the name of the preferrer of the indictment. It is an important detail to be sure, and it gives the added impression that Plutarch is better informed than Diodorus.

For the second procedure Plutarch supplies more detail. He presents a vivid picture of the Spartans and Themistocles' envious fellow citizens in the act of denouncing him, contrasting them with the exiled victim forced to a written defense because he was not allowed to face his accusers. Again, only Plutarch relates the final outcome of the procedure. To this Diodorus adds a single comment not found in Plutarch: the Athenians were anxious to clear themselves.

But it is the more serious differences between the two accounts that most concern us. Diodorus states that Pausanias made his offer to Themistocles before the latter was ostracized; their friendship is alleged to have emboldened Pausanias to make his approach just as it later protected him from exposure. In Diodorus Pausanias communicated his plans, offers and encouragements by letter. Lastly, in their second attack, says Diodorus, the Spartans' chief evidence against Themistocles was his own prior testimony, in which he had admitted receiving letters from Pausanias. By contrast, Plutarch states that it was not until Pausanias saw Themistocles embittered by exile that he invited him to participate in his scheme. Themistocles saw a letter Pausanias had received from the King, and Plutarch leaves the impression that the Spartan regent came in person to show it to him. Plutarch asserts also that Themistocles kept silent about the whole affair because he thought it was a foolish venture and would end in failure anyway. Lastly, we read in Plutarch that the Spartans had found *ἐπιστολαὶ καὶ γράμματα* as evidence against Themistocles when they renewed their attack on him. Characteristic of these differences between the two accounts is that in each instance Plutarch offers more concrete, and thus more immediately credible, details than does Diodorus. Was he simply being more faithful to Ephorus' version, or did he have other sources, or both?

Plutarch's statements do not readily yield a knowledge of their

origins or the process of their composition. Nevertheless, I believe there are enough clues in his account to enable reasonable speculation on where he found some of his details. In his narrative on Pausanias' downfall Thucydides renders the contents of two letters (*ἐπιστολαί*) which were later revealed (1.128.7, *ὡς ὕστερον ἀνηυρέθη*), one of them being a letter from the King. Certainly here is a detail Plutarch got from Thucydides, not Ephorus. The letter spoke of offers of money from the King to Pausanias. Plutarch could not have found better bait to place in Pausanias' hands to lure the notoriously greedy Themistocles. No doubt Plutarch also found in Thucydides the *ἐπιστολαί* he has the Spartans bring with them to Athens.<sup>19</sup> But is there anything in Thucydides' brief account of Themistocles' downfall (1.135.2–136.1) to support Plutarch's conclusion that the Spartans had found *ἐπιστολαί καὶ γράμματα* to implicate Themistocles in Pausanias' treason?

The fact is, Thucydides does not say what evidence the Spartans had against Themistocles. But if he meant letters, he could just as easily have said so without adding one jot to his brief account. One is not at all surprised that he didn't. Why would he think the Spartans had found letters damaging to Themistocles when he does not ask us to believe they had found similar evidence against Pausanias? Thucydides gives the contents of two letters—they were not samples—but he does not say that the actual documents were found. We hear only that their contents came to light later. When was later? After Pausanias' death certainly, but precisely when he does not say. Plutarch, I suspect, took 'later' to mean immediately after Pausanias' death, for he thought the Spartans had authentic letters in hand.<sup>20</sup> But the only letter Thucydides says the Spartans actually possessed was the letter which Pausanias' messenger had handed over to the ephors shortly before Pausanias' death (1.132.5). As Pausanias was

<sup>19</sup> He uses Thucydides' own words *ἐπιστολαί ἀνευρεθείσαι*. It is futile to try to find in Plutarch's *γράμματα* anything more than a synonym for *ἐπιστολαί*. He uses *γράμματα* for the letter from the King to Pausanias and for Themistocles' letter in his own defense.

<sup>20</sup> Besides, if Pausanias indeed saw to it that his messengers did not return, he would hardly have made the blunder of saving copies of his correspondence. Thus, one of the letters which Thucydides quotes, the one to the King, could have been known only from Persian sources if it was genuine. How could the Spartans have come by it so soon after Pausanias' death? I suspect that the letters that Thucydides quotes are the result of later speculation about the content of Pausanias' correspondence.

well along in his plotting when he wrote it, one might reasonably expect that this letter contained some details of the plot. But the only thing Thucydides says (and probably knew?) about it is that it contained a postscript asking the recipient to kill its bearer and that the ephors did not find its evidence conclusive enough to bring even Pausanias to trial. Such a letter can hardly have been used in Athens as evidence against Themistocles.

The notion that the Spartans had found letters implicating Themistocles in Pausanias' treason seems to rest on a series of assumptions Plutarch makes, using as his starting point the letters Thucydides mentions. But Ephorus' account may also have helped to lead Plutarch to this conclusion. He read in Ephorus that when the Spartans renewed their attack on Themistocles, they had for evidence only his own prior testimony in which he had spoken about letters he had received from Pausanias. This was hardly convincing to Plutarch. What chance was there that the Spartans could have succeeded as they did by using evidence that had already failed? The letters then that Ephorus states existed only in the testimony of Themistocles must have been the same tangible *ἐπιστολαί* Plutarch thought he had found in Thucydides. If this is how Plutarch arrived at his conclusion about letters, he would not have hesitated to take other liberties with his sources.

Plutarch seems to have objected to Ephorus' explanation of why Pausanias approached Themistocles in the first place. Treason was dangerous business, and it was not enough that Pausanias and Themistocles were friends. This objection I think can be detected in his seeming tone of insistence that in spite of their friendship (*καίπερ ὄντα φίλον*) Pausanias could not have made his approach to Themistocles until he saw him dejected by exile and therefore open to such a proposal.<sup>21</sup> Plutarch possibly thought that Thucydides' account supported him in altering Ephorus' version on this point.

It does not. The brevity of Thucydides' narrative, I suspect, is responsible for misleading Plutarch here, just as it can lead to confusion about the whole sequence and timing of the events it relates.

<sup>21</sup> Plutarch thus makes Pausanias and Themistocles close friends before Pausanias' treasonous overtures. I do not think Plutarch found evidence for this in the literature. In Ephorus' version, on the other hand, it would appear that the prosecution tried to prove that they were friends from a knowledge that they had corresponded.

One might easily conclude upon reading it that the Spartans found their evidence immediately after Pausanias' death; that the evidence was therefore concrete; and that the action taken against Themistocles must have immediately followed. But the fact is that Thucydides does not say that the evidence came to light soon after Pausanias' death. Nor does he fix Pausanias' death in relation to Themistocles' ostracism. Themistocles is already in exile when he begins his story.<sup>22</sup> In short, Thucydides says very little about Themistocles' downfall. His interest even in mentioning the whole affair, it seems, is only to connect Pausanias' treason with Themistocles' flight, which he narrates in great detail. Between these two points he takes the shortest route. Moreover, if we had only the testimony of Thucydides for these events, it would be fair to conclude, as Gomme implies (and Nepos, *Them.* 8.2–3), that the Athenians simply ignored the procedure of a trial and condemned Themistocles outright.<sup>23</sup>

Thucydides, therefore, in no way impugns Ephorus' account. As for Plutarch, he was not so much acting the part of historian attempting to reconcile two divergent accounts but rather that of biographer intent on producing a lively but nonetheless accurate and credible story. For this he needed hard facts, and in his eagerness to find them he took from Thucydides' account more than it offered.<sup>24</sup>

Most scholars have found the sequence 'Pausanias' death–new evidence' convincing,<sup>25</sup> and some have used it to rebuke Diodorus for things he did not say.<sup>26</sup> We hear for example that Diodorus (or Ephorus himself) placed the first procedure before Pausanias' death, that is, before his own treason had been confirmed. Diodorus' account is then dismissed on the grounds that the Spartans could not have accused Themistocles of conspiracy with Pausanias before they first had proof of Pausanias' guilt. Even Grote, who accepts Diodorus' account of the trial and acquittal of Themistocles, was taken in by

<sup>22</sup> Cf. Podlecki 98.

<sup>23</sup> Gomme, *op.cit.* (*supra* n.10) 401. As I read it, the Athenians agreed to punish Themistocles. Thus Rhodes, for example, "Thucydides on Pausanias and Themistocles," *Historia* 19 (1970) 392, makes an assumption when he concludes on Thucydides' testimony alone that the Athenians intended to bring Themistocles back to Athens for trial.

<sup>24</sup> Compare this view with the conclusions of P. A. Stadter, *Plutarch's Historical Methods* (Cambridge [Mass.] 1965) 138ff.

<sup>25</sup> Cf. Forrest 237, who also questions this sequence of events.

<sup>26</sup> Cf. Albracht, *op.cit.* (*supra* n.7) 59f, who is followed by Bauer 102.

Plutarch's 'evidence' and concluded that "Diodorus has made his narrative confused."<sup>27</sup>

In the end, then, there was only one full account of Themistocles' downfall, that of Ephorus. Diodorus reproduces the substance of the account but does not always exercise good historical judgement. Plutarch also provides some important details from it. It is hardly necessary to say that the account is inadequate for answering all questions about Themistocles' downfall. But neither is it a mere outline of the events. It provides a solid basis for speculation about what evidence the Spartans may have had against Themistocles on the two occasions on which they attacked him, why they succeeded in their second attempt, and the chronology of these events.

According to Ephorus' version, Themistocles admitted at his trial that he had received treasonous letters from Pausanias. It is fair to conclude from this that the prosecution had enough evidence to make a convincing argument that this was so. But if they had none of the actual correspondence in hand, what evidence did they have? I suspect that they knew only that Pausanias had corresponded with Themistocles. Knowing this gave them a basis for contending that the two were friends. Before Pausanias' death this knowledge was grounds only for suspecting that the two were up to something. After Pausanias' guilt had been established, however, Themistocles could hardly have argued that the letters from Pausanias were nothing more than innocent exchanges. By openly admitting what the prosecution was trying to prove—that the letters from Pausanias were treasonous—Themistocles disarmed his opponents and thus stood a better chance of establishing the credibility of his contention that he had refused Pausanias' offer. This admission, then, was a ploy in his defense.

After the trial, Themistocles' enemies kept suspicions of his treason alive, forcing him to defend himself by recounting his former deeds to the point of becoming wearisome. This reason was only one of many for his ostracism.

A combination of circumstances accounted for the success of the Spartans' second attack. For one thing, Themistocles' ostracism made it clear to the Spartans that he had fallen from public favor. For another, the Spartans had changed their tactics; by coming to Athens

<sup>27</sup> Grote, *op.cit.* (*supra* n.17) 36 n.2, followed by Lenardon, *op.cit.* (*supra* n.11) 32 and 34.

as spokesmen for the Hellenes, they made the whole matter one of pan-Hellenic significance. Sparta's prestige was jeopardized, and they made it plain to the Athenians that good relations with Sparta and the Hellenes would hinge on the issue of the hearing. It is noteworthy too that the Spartans were not asking the Athenians to condemn Themistocles but only for permission to bring him to trial.<sup>28</sup> But for all this they must also have had some new evidence to supplement Themistocles' own prior testimony, the evidence which Diodorus says served as the basis for this attack. What might this evidence have been?

Diodorus says that the Spartans launched their attack after learning of Themistocles' ostracism and flight to Argos. His statement leaves the impression that the attack came immediately after they had received this news. But Thucydides says (and Plutarch repeats him) that Themistocles resided in Argos long enough to allow him to visit other places before the Spartans came to Athens to accuse him. Diodorus, I suspect, simply condensed Ephorus' version here by eliminating any mention of Themistocles' activities in the Peloponnese. These, to be sure, were anti-Spartan, but by combining them with what Themistocles had said at his trial, and with any new information they may have received about Pausanias' plot,<sup>29</sup> Themistocles' actions could easily be made to look pro-Persian. The Athenians, says Diodorus, were anxious to clear themselves, and despite Themistocles' written defense they voted to grant the Spartans' request.

Finally a word about chronology. Diodorus narrates all these events, from the first Spartan attack to Themistocles' death, as if they all took place in the archonship of Praxiergos, 471/0 B.C. Most scholars correctly conclude that Diodorus' date must mark a decisive event in Themistocles' life, the year either of his ostracism or of his condemnation. The strongest argument for 471/0 as the year of his condemnation is that the document Craterus recorded may have contained a firm date.<sup>30</sup> But if this document was only a bill of indictment in an unsuccessful prosecution, as argued above, this argument collapses.

<sup>28</sup> J. A. O. Larsen, "The Constitution of the Peloponnesian League," *CP* 28 (1933) 264, defends Diodorus' General Congress.

<sup>29</sup> Thuc. 1.135.2 uses the imperfect *ἠϋρίσκον*, implying that the evidence was gradually accumulated.

<sup>30</sup> Cf. Lenardon, *op.cit.* (*supra* n.11) 26.

As it seems clear from Aristotle (*Ath. Pol.* 22), however, that the date of an ostracism could be easily ascertained, the year 471/0 most likely is the date of Themistocles' ostracism. Since Diodorus' account calls for a lapse of at least a year or two between Themistocles' trial and his ostracism, Pausanias' death should be placed no later than about 473 B.C.<sup>31</sup>

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<sup>31</sup> Cf. Forrest 237 and 238 n.1. I would like to express my thanks to Professors W. C. West and P. A. Stadter, who read an earlier draft of this paper and made many valuable suggestions. Any errors that remain are mine.