

NOTES AND DISCUSSIONS

PLUTARCH ON THE TRIALS OF PELOPIDAS AND EPAMEINONDAS (369 B.C.)

One of the more disputed aspects of the Theban hegemony involves the trials of Pelopidas and Epameinondas upon their return from the first invasion of Lakonia (spring 369 B.C.). This paper is concerned only with what Plutarch knew of those trials, and its purpose is to illustrate how Plutarch worked with historical material, and how he used the same episode for different purposes in his biographies and in his moral writings. The need for this approach is demonstrated by the essays of H. D. Westlake and J. Wiseman.¹ Westlake maintained that Plutarch knew three traditions of one trial: (1) "the more generally accepted version" of Nepos (*Epam.* 7-8) and Pausanias (9. 14. 5-7); (2) "the alternative tradition" of Diodoros (15. 72. 1-2); and (3) the version found in *Moralia* 540D-E, in which "the fortitude of Epaminondas is contrasted with the pusillanimous behaviour of Pelopidas."

One of these traditions, that of Diodoros (15. 72. 1-2), can be eliminated immediately. There were in fact two trials of Epameinondas, and Plutarch knew of them both (see *Pelop.* 25. 6, 28. 1). Diodoros is actually referring to this second trial. He mentions that Epameinondas had aroused the suspicions of his countrymen because of an incident that had occurred at Corinth. Xenophon (*Hell.* 7. 1. 15-17) supplies more details of the incident, and he clearly places it during Epameinondas' second invasion of the Peloponnesos. Hence, Epameinondas' alleged offense was completely unrelated to the charges brought against him after his first invasion.²

That leaves only the possibility that Plutarch knew two traditions of this earlier trial, the one in the *Pelopidas* (25) and the other in the *Moralia* (540D-E). Wiseman accepted Westlake's conclusion that Plutarch contaminated the *Pelopidas* with inferior source material, and used this conclusion in his discussion of Plutarch's value as a historical source for the trials of Epameinondas. Yet the very existence of this second tradition is open to question. The differences between the *Pelopidas* and the *Moralia* are due entirely to Plutarch's narrative method in both the *Lives* and the *Moralia*, rather than to his knowledge of two different traditions of this event. He refers to the first trial several times in the *Moralia*, and each time he uses the episode to illustrate or support the point that he is making. In these instances he has not set himself the task of giving a full account of the trial, since in many cases it would contain much material that would be irrelevant for his

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1. Westlake, "The Sources of Plutarch's *Pelopidas*," *CQ* 33 (1939): 13-14; Wiseman, "Epaminondas and the Theban Invasions," *Klio* 51 (1969): 189-90.

2. See G. L. Cawkwell, "Epaminondas and Thebes," *CQ* 66 (1972): 276-78. Wiseman, "Epaminondas," p. 190, claimed that "the observation of Westlake that Plutarch knew of an 'alternative tradition' to the first trial is of great importance in establishing the historicity of a trial following Invasion Two." Since Westlake thought that the account of Diodoros 15. 72. 1-2 was only a variant of "the better known tradition" of the trial of spring 369 B.C. and not evidence for a completely different trial, Wiseman's statement is confused and needlessly complicates matters. W. K. Pritchett, *The Greek State at War*, vol. 2 (Berkeley, 1975), p. 17, n. 38, seems also to have used Diodoros' testimony on the second trial as evidence for the first.

purposes. Instead, he discards details that are not germane to his moral. What Plutarch knew of this incident can be decided by examining how he used it to make his various morals. Since this episode enjoyed a certain popularity in antiquity, and since a number of other ancient writers recorded it, there is ample evidence to check the tradition of these trials.

Plutarch says very little of these trials in *Pelopidas* 25. He mentions that Pelopidas and Epameinondas were indicted on the charge of having added four months to their terms as *boiotarchoi*. Pelopidas was tried first, but was acquitted; and Epameinondas maintained his patience throughout the entire ordeal. These details are all that Plutarch has to narrate in the *Pelopidas*. The rest of the chapter recounts a subsequent legal confrontation between Pelopidas and Menekleidas, one that had no connection with the earlier trial beyond the fact that Menekleidas had earlier prosecuted Pelopidas. In effect, Plutarch gives few details of these trials in the *Pelopidas*, and has devoted most of the chapter to an entirely different event.³

In the *Moralia* the trials of Pelopidas and Epameinondas appear in four places. The first is the *Regum et imperatorum apophthegmata* (*Mor.* 194A–C), a compilation of sayings gleaned primarily from Plutarch's *Lives* that has found its way into Plutarch's *Moralia*.⁴ The sayings of Epameinondas found there were presumably drawn from the lost *Life of Epameinondas*, and *Moralia* 194A–C represents part of the account of these trials as Plutarch described them in the *Epameinondas*.⁵ In *Moralia* 194A–C the Boiotians brought Epameinondas and his fellow *boiotarchoi* to trial on the charge of having added four months to their term of office. Epameinondas told his fellow magistrates to put the full responsibility for the offense on him. When he stood trial, he said that his deeds were his best defense, and thus he did not answer the charge against him. Instead he asked his judges, should they vote the death penalty, to inscribe as his epitaph that "the Greeks should know that he had compelled the unwilling Thebans to ravage Lakonia, which had been free of devastation for 500 years, that he had caused Messenia to be resettled after 230 years, that he had gathered the Arkadians together and organized them in a league, and that he had given the Greeks their autonomy." Upon hearing his request, the judges left the courtroom laughing; and so the case was thrown out of court. Nothing in this narrative contradicts what Plutarch wrote in the *Pelopidas*, although some details are added. In *Moralia* 194A–C there is no mention of Pelopidas' having been brought to trial first, but then there was no need for that information to be included. It was irrelevant to the *apophthegma* of Epameinondas, and would only have detracted from the point of the story.

In *Moralia* 540D–E Plutarch again mentions this trial, and here he is repeating instances of famous men praising their own achievements without giving offense.

3. Wiseman, "Epaminondas," p. 189, also followed Westlake's conclusions that Plutarch drew on "less reliable philosophical and anecdotal sources" in chapter 25. But since 25. 4–15 refers to a subsequent event in which Pelopidas brought Menekleidas to trial on a *γραφὴ παρανόμων*, it has nothing to do with any tradition concerning either the trial of spring 369 B.C. or Epameinondas' second trial (Diod. 15. 72. 1–2).

4. C. P. Jones, *Plutarch and Rome* (Oxford, 1971), p. 79, who based his opinion on that of D. Wyttenbach (ed.), *Plutarchi Chaeronensis "Moralia,"* vol. 6.2 (Oxford, 1810), pp. 1039–42. K. Ziegler, *Plutarchos von Chaironeia*² (Stuttgart, 1964), pp. 226–28, argued instead that these sayings were from Plutarch's notes.

5. L. Peper, *De Plutarchi "Epaminonda"* (Jena, 1912), p. 26, n. 2.

He states that the *boiotarchoi* who had led the invasion of Lakonia had not returned at the expiration of their term of office. Consequently, they were brought to trial, with Pelopidas being very nearly condemned; but he saved himself by cringing before the court and asking for mercy. Epameinondas, on the contrary, dwelt on his achievements, and told the judges that he was willing to die if they would admit that he had founded Messene, ravaged Lakonia, and organized Arkadia, all against the will of the Boiotians. The judges did not cast their votes, but left the court laughing. Nothing here contradicts what Plutarch has said in the *Pelopidas*: here Pelopidas was tried first, and Epameinondas defended his conduct in a patient, calculated manner.⁶ Paraphrasing Epameinondas' epitaph, Plutarch gives only the bare essentials without the dramatic details, perhaps to make it appear more modest than it actually was. Plutarch's emphasis on Pelopidas' cowardice at the trial is necessary for the contrast with Epameinondas' moderate, but stout, behavior. By including Pelopidas' response to the situation, Plutarch tacitly suggests that Epameinondas could have gained acquittal in the same way that Pelopidas did, but that he preferred to stand on the merit of his achievements. In this case Pelopidas is necessary to the story, for he becomes a man who did not act in accordance with the moral that Plutarch is advocating, namely that a politician should stand ready to defend his policies, even should his defense entail discreet praise of his own deeds. Consequently, Plutarch's moral gains force from the contrast of Pelopidas' weakness and Epameinondas' assurance.

Plutarch refers to the trial once again in *Moralia* 799E–F, *Praecepta gerendae reipublicae*. He warns men aspiring to political life that a politician must accommodate himself to the character of the people and understand its desires (799C). He gives examples of his point by saying that the Athenians would not have tolerated Epameinondas' conduct in this trial, inasmuch as he refused to answer the charge against him, but instead walked out of court. Plutarch has put a different coloring on Epameinondas' conduct in that he now describes it as contemptuous rather than patient, but he does not contradict the facts as he has given them elsewhere. Nowhere does Plutarch claim that Epameinondas answered the charges against him; that is the whole point of Epameinondas' epitaph. In *Moralia* 799E–F Plutarch states that Epameinondas walked out after refusing to reply to the indictment; this version, though not strictly true, is only slightly twisted. Plutarch has suppressed the fact that the judges threw the case out of court, and his anecdote leaves the reader with the impression that Epameinondas said nothing at all. Plutarch has not given a different version of the story here, but he has shortened it considerably and given it a drastically different coloring to illustrate his point.

Later in the *Praecepta gerendae reipublicae* (*Mor.* 817F) Plutarch alludes to Epameinondas' adding of four months to his term of office in order to invade Lakonia and resettle Messene. Plutarch uses the incident to illustrate the point that at times a politician must, of necessity, make innovations. In this case he uses the episode, shorn of nonessential details, as he had earlier in the *Praecepta*, not for its own sake, but only as an example drawn from history.

Among other writers to mention this story are Aelian, Pausanias, Cornelius

6. Westlake, "Sources," p. 14, found support for his theory of two traditions in Epameinondas' fortitude at *Moralia* 540D–E and the inclusion of his epitaph there. Plutarch left the epitaph unmentioned in the *Pelopidas* because it had nothing to do with Pelopidas, and belonged rather to Epameinondas' biography than to Pelopidas'.

Nepos, and Appian. Aelian in the *Varia Historia* (13. 42) gives an account of the trials which he has taken nearly word for word, with only the slightest changes in verb forms and word order, from *Moralia* 194A–C. Aelian adds that Epameinondas, upon leaving the courtroom, was greeted by a Maltese puppy, an incident that he derived from a source dealing primarily with animals.⁷ Otherwise, Aelian's account differs from Plutarch's in no significant way. Pausanias (9. 14. 7) also refers to this trial, saying only that Epameinondas was tried for having exceeded his term of office, but that the judges did not record their votes, all of which agrees with the accounts of *Moralia* 194A–C and 540D–E.⁸

Cornelius Nepos (*Epam.* 7. 3–8. 5) gives an account of the trials in his sketch of Epameinondas' career. Nepos states that Epameinondas, Pelopidas, and one other colleague invaded the Peloponnesos; they were recalled because they had aroused the suspicion of the Thebans, who relieved them of their command and sent other *boiotarchoi* to replace them. Epameinondas persuaded his colleagues to join him in ignoring the decree of the Thebans, and retained his command for four months. When the three men were brought to trial, Epameinondas permitted the other two to put the full responsibility for their disobedience on him. He denied none of the charges, and requested only that his deeds be written into his sentence. The judges left the courtroom laughing, and the case was thrown out of court.

Appian's version (*Syr.* 41. 212–18) of the incident is similar to Nepos'. He states that the Thebans gave Epameinondas, Pelopidas, and one other *boiotarchos* an army apiece and sent them to the Peloponnesos, but recalled them because of the calumnies of their opponents at home. Yet the three men, ignoring the orders from home, retained their commands for six months. Since Epameinondas had forced his colleagues to disobey orders, he told them to put the blame on him. The two men were tried before Epameinondas and escaped punishment by weeping and giving long speeches. Epameinondas admitted the charges against him, and asked that his deeds be inscribed on his tombstone, whereupon the case was thrown out of court.

The new details contained in Nepos and Appian are that the *boiotarchoi* were three in number, that they were recalled from the Peloponnesos because of political intrigues and calumnies at home, and that successors were sent out to replace them. Despite the similarity of their accounts, Appian certainly did not derive his account from Nepos; but the two writers did use a common source. Although B. Niese, L. Peper, and J. R. Bradley all argued that Appian depended on Plutarch's *Life of Epameinondas* for his version of the episode, this suggestion is clearly impossible.⁹ Throughout all of his writings Plutarch states that the *boiotarchoi*, whose number he never mentions, were brought to trial for retaining their command beyond the expiration of their term of office; and he never speaks of successors to

7. For a discussion of these sources, with bibliography, see A. F. Scholfield (trans.), *Aelian: "On the Characteristics of Animals,"* vol. 1 (Cambridge, Mass., 1958), pp. xv–xxv. Professor R. Renehan in a letter of May 1975 kindly pointed to these writings as Aelian's probable source for the anecdote about the puppy.

8. In his sketch of Epameinondas' career, Pausanias used Plutarch's lost *Epameinondas*; see Peper, *De Plutarchi "Epaminonda,"* pp. 15–25.

9. Niese, "Chronologische und historische Beiträge zur griechischen Geschichte der Jahre 370–364 v. Chr.," *Hermes* 39 (1904): 87, n. 2; Peper, *De Plutarchi "Epaminonda,"* pp. 25–28, 129–31; Bradley, "The Sources of Cornelius Nepos" (Ph.D. diss., Harvard University, 1968), pp. 131–32.

the *boiotarchoi* being sent from Thebes.¹⁰ Instead, the fact that Nepos also repeats the variant details found in Appian points to a common source for both writers. It is unlikely that each writer could have made the same misunderstandings independently.

H. Beister has demonstrated that Nepos and Appian used Roman sources here, which accounts for the various discrepancies in their accounts.¹¹ The sources upon which Nepos and Appian drew did not grasp why the expiration of the *boiotarchia* would have posed a problem for Epameinondas and his colleagues—one that would have hindered the completion of their assignment—because they were unaware that the constitution of the Boiotian Confederacy lacked any means of proroguing a magistrate's authority.¹² Not only was there no provision for prorogation, but any *boiotarchos* who retained his command after the expiration of his term of office was subject to the death penalty (Plut. *Pelop.* 24. 2). Instead these Roman sources assumed that the Thebans had recalled the *boiotarchoi*, who had nevertheless refused to lay down their authority. This sort of thing had happened frequently during the last generation of the Roman Republic: in 88 B.C. alone two generals, Sulla and Cinna, had refused to hand over the command of their armies to their successors.¹³ Hence, the statements of Nepos and Appian about the charges lodged against the *boiotarchoi* result from this confusion of Greek practice with Roman, and do not constitute a variant tradition of these trials.

Both Nepos and Appian state that the other *boiotarchoi* gained acquittal by throwing the blame on Epameinondas, with Appian adding that they *διέφυγον οἰκτωρ τε χρώμενοι καὶ λόγοις πλείοσι*, which agrees with Plutarch's statement in *Moralia* 540E that Pelopidas cringed before the judges. The accounts of Nepos and Appian, with the exceptions noted above, agree substantially with the tale as Plutarch tells it at *Moralia* 540D–F. The only detail that causes these reports to differ from *Moralia* 194A–C is that of Pelopidas' cowardly behavior at his trial; and, as already indicated, there is ample reason for this scene to be omitted from the *Apophthegmata*. That leaves its absence from the *Pelopidas* to be resolved; for this incident is germane to the biography of Pelopidas and its absence demands some explanation.

Pelopidas 25 is somewhat odd at first sight. Plutarch mentions the danger that Pelopidas faced, especially since he stood trial before the others (25. 3); but then says nothing more of the trials than *ἀμφοτέροι δ' ἀπελίσθησαν*. Plutarch then recounts a subsequent trial in which Pelopidas indicted Menekleidas on a *γραφὴ παρανόμων*. Plutarch's silence as to Pelopidas' conduct in the earlier trial is understandable, if Pelopidas had in fact begged for mercy. In that case the reason for Plutarch's suppression of the event lies in his treatment of the heroes of his *Lives*. C. P. Jones has succinctly described Plutarch's method in these cases as one "that preferred

10. All that Plutarch (*Pelop.* 25. 2) says is that Epameinondas and the others refused to relinquish their command.

11. *Untersuchungen zu der Zeit der thebanischen Hegemonie* (Munich, 1970), pp. 94–96. There was abundant literature in both Greek and Latin dealing with the heroes of classical Greece (see Cic. *De or.* 2. 341; Suet. *Rhet.* 1), so Roman writers had ample opportunity to learn of the careers of famous Greeks.

12. That prorogation was not a part of Boiotian practice before 370 B.C. and that a new board of *boiotarchoi* could not enter office until the old board had formally laid down its authority are conclusions that I have defended elsewhere: see my "Theban Hegemony" (Ph.D. diss., Harvard University, 1973), pp. 404–412.

13. Vell. Pat. 2. 18. 6–20. 1; Plut. *Sulla* 8. 4–9. 4.

lenience to severity, patriotism to impartiality, optimism to pessimism."¹⁴ The trial of spring 369 was too important to be completely left out of the biography, but Plutarch had no great desire to retail a story so unflattering to his hero, and so omitted it. There can be no other reason why Plutarch has failed to say anything about Pelopidas' deportment during the trial; for had Pelopidas made a stirring or brilliant defense, surely Plutarch would have inserted it here instead of substituting for it an entirely different encounter with Menekleidas. Nor would Plutarch have needed a subsequent trial to show Pelopidas in his best colors. The main reason for the insertion of this second trial is to portray Pelopidas' revenge, which of itself strongly suggests that Plutarch had nothing flattering to say about Pelopidas in the first trial. This second trial also illustrates Plutarch's tendency to be critical of the antagonists of his heroes, for Plutarch often uses the defects of such an antagonist as a foil for the noble traits of his hero.¹⁵ Plutarch depicts the subsequent defeat and disgrace of Menekleidas because of the orator's malicious and selfish attacks on Pelopidas and Epameinondas. Menekleidas' vindictiveness, so petty in comparison with the mighty deeds of Pelopidas, eventually led to his own downfall at the hands of the man whom he had attacked. The second trial then performs two functions: it provides an opportunity for Pelopidas to distinguish himself, and it records the fall of Pelopidas' chief opponent.

Plutarch's suppression of Pelopidas' conduct is, then, an instance of his tendency toward "biographical distortion," his tendency to treat his hero more favorably in his own *Life* than in the other *Lives* in which he may appear.¹⁶ This tendency is an aspect of his generally lenient attitude toward the subject of his *Life*, and it is evident in *Pelopidas* 25. It would be interesting to know whether Plutarch included the story of Pelopidas' conduct as reflected in *Moralia* 540E-F in the lost *Epameinondas*. Both the inclusion of Pelopidas' timorousness in the *Epameinondas* and its omission from the *Pelopidas* would then be due to Plutarch's methods. Its insertion in the *Epameinondas* would be reminiscent of Plutarch's propensity to emphasize the weakness of his hero's antagonists in order to contrast them with the virtues of the hero, while its suppression in the *Pelopidas* provides a good example of biographical distortion. As Plutarch was not writing a detailed, complete biography of Pelopidas, he felt no compulsion to tell everything he knew of Pelopidas' life, and could omit the unbecoming incident from the *Pelopidas* out of kindness.

In conclusion, Plutarch's refusal in the *Pelopidas* to mention the Theban's cowardly behavior at his trial can be explained by Plutarch's methods in his *Lives*; it cannot be used as evidence of a second tradition. All the evidence points to Plutarch's having known only one tradition of the story, although he used it differently in different contexts according to the point that he was making or illustrating. One other thing becomes apparent from Plutarch's handling of this episode: he has not given a full account of it in any of his extant writings, for even his repetition of it at *Moralia* 540D-E is abbreviated. The probable reason for this is that he

14. *Plutarch and Rome*, p. 88; see also G. M. Polman, "Chronological Biography and *Akmē* in Plutarch," *CP* 69 (1974): 177. R. J. Bonner and G. Smith, "Administration of Justice in Boeotia," *CP* 40 (1945): 19, who did not recognize this device of Plutarch, thought that Pelopidas had in fact defended himself successfully.

15. Jones, *Plutarch and Rome*, pp. 73-74, 102, cites other instances of this technique. See also A. Wardman, *Plutarch's "Lives"* (London, 1974), p. 154.

16. Jones, *Plutarch and Rome*, pp. 80, 99, 102.

had set forth the incident in its entirety in the lost *Life of Epameinondas*, where the whole story is important to illustrate the philosophic calm of Epameinondas, even when confronted by weak friends and ungrateful countrymen. In the *Epameinondas* Plutarch will have inserted the timorousness of Pelopidas as a necessary, if unfortunate, detail—but one that he could mercifully omit from the *Pelopidas*.

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A NOTE ON P. LEPIDUS

A small bronze coin issued in the administrative region of Crete and Cyrene during the last years of the Roman Republic raises some intriguing questions. Despite the lack of clear inscriptions on any of the few remaining examples of the coin, recent scholarship has established that it was issued jointly by a P. Licinius and a P. Lepidus.¹ The coin portrays a bust of the goddess Creta-Artemis on one side and one of Libya on the other. The inscription on the latter side refers to a P. LEPID., who was apparently a proquaestor in Cyrene.²

The first difficulty raised by the coin is the identity of P. Lepidus. In all of the sources relating to the Aemilii Lepidi, there is no record of their use of the *praenomen* Publius.³ While it is possible that a P. Lepidus could belong to a *gens* other than the Aemilian, it is not likely for the Republican period. A second problem is the possibility that the moneyer of the coin was the same Lepidus credited by Appian with bringing Crete under subjection to Brutus.⁴ The coin was a joint issue for both Crete and Cyrene, which at that time were administered as one province. On the basis of style and fabric, as well as the location of finds, Michael Grant ascribed the production of the coin to Crete and speculated that it was issued there jointly before a separate mint could be established in Cyrene.⁵ Licinius and Lepidus may have been lieutenants of Brutus and Cassius in the region and as proquaestors may merely have subdivided their responsibilities for financial affairs in the province.⁶ The combination of a common name, region, and time period makes it a strong possibility that the moneyer P. Lepidus and the Lepidus described by Appian were the same man.

1. Michael Grant, *From Imperium to Auctoritas* (Cambridge, 1946), pp. 35–36, first proposed that the coin should read P. LEPID. on one side instead of P. LICIN. on both. E. A. Sydenham, *The Coinage of the Roman Republic* (London, 1952), p. 214, accepted Grant's alternate reading, but misinterpreted him as having replaced P. LICIN. with P. LEPID. on both sides. Recent articles by A. E. Chapman, "Some First Century B.C. Bronze Coins of Knossos," *NC*, ser. 7, 8 (1968): 13–26, esp. 15–16; and by G. Perl, "Die römischen Provinzbeamten in Cyrene und Creta zur Zeit der Republik," *Klio* 52 (1970): 319–54, esp. 336–38, have pointed out Grant's error in ascribing the Creta-Artemis, instead of the Libya, side to P. Lepidus.

2. The exact title must remain uncertain, unless finer copies of the coin are found. Plates of the coin can be seen in the *British Museum Catalogue* on Cyrenaica, pl. 39, figs. 5–6 and in Grant, *Imperium*, pl. 2, fig. 15.

3. For a full account of the Aemilii Lepidi, see my "Aemilii Lepidi" (Ph.D. diss., University of Delaware, 1973 [University Microfilms #74-8754]).

4. App. BC 5. 2.

5. Grant, *Imperium*, p. 36.

6. Another possible candidate for Appian's Lepidus is Q. Aemilius Lepidus, probably the son of Manius Lepidus (cos. 66) and himself a consul in 21. W. Caland, "Ein neuer Cistophor," *ZN* 13 (1885): 113–19, attributes a cistophoric tetradrachm of Asia to Quintus as a propraetor in the period 43–42. Both Caland, "Cistophor," p. 117, and Perl, "Die römischen Provinzbeamten . . . : Nachträge," *Klio* 53 (1971): 375, are, I believe, incorrect in accepting Quintus as the son of the triumvir, however.