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RESPONSE TO
JULIE VÉLISSAROPOULOS-KARAKOSTAS

Julie Vélissaropoulos has noted the parallels between justice and athletic competition in Greece, a parallelism most clearly signaled by the term *agôn*, which is used of both a legal and an athletic contest. She suggests that, at least originally, both athletic and legal competitions are ritual activities where one attempts to satisfy all the participants. Her specific focus is one of the links between the two areas, the term *brabeus*. She argues that an important meaning of *brabeus* is “arbitrator,” and she concludes that a *brabeus* is more an arbitrator, one who in Aristotle’s words (*Rhet.* 1374b) looks after equity (*epieikes*), than a judge, who looks after the law (*nomos*).

Vélissaropoulos does well to draw our attention to *brabeus*, which, as she shows, could be associated with both justice and games, and which at times does mean an arbitrator. However, the evidence she presents is highly selective, and in some ways misleading. The only passages that clearly indicate arbitration are two decrees, the earliest from the late second century, and it is questionable whether these can be taken to establish a basic meaning of the term. In neither of the two passages cited from Aristotle (*Rhet.* 1367b, *Ath. Pol.* 9.2) does the word have any evident connection with arbitration. In the first passage, the *dikastês* is called a *brabeutês tou dikaiou*, which some translate as “arbitrator of justice,” but “overseer” or “determiner” of justice seems more appropriate here.¹ *Ath. Pol.* 9.2 is even clearer: the *dikastêrion* is said to *brabeuein* all things, public and private. The author certainly knows the difference between courts and arbitration, and he must mean that the court “is in charge of” or “controls” all things, not that it “arbitrates” all things.

Further examination is thus in order. In this response I cannot treat all occurrences of the term, but I think that a systematic look at earlier uses can shed some light on the issue, and I will thus focus on the use of *brabeus* in the fifth and fourth centuries BCE. The earliest example is Aeschylus *Persae* 302, where *brabeus* designates a leader of Persian cavalry.

Ἄρτεμβάρης δὲ μυριάς ἵππου βραβεὺς
Artembares, leader of ten thousand cavalry

¹ Aristotle is contrasting law (*nomos*) and justice (*to dikaion*) when he calls the *dikastês* a *brabeutês tou dikaiou* (*sc. not tou nomou*).

This makes it attractive to speculate that the word might be a borrowing from Old Persian *mrava which is said to mean “speaker of justice” (Rechtsprecher). However, if this really is the meaning of *mrava, (and I do not know Old Persian), this etymology must remain in doubt, because neither in Persae, nor in Agamemnon 230, where the two Atreidae are called philomachoi brabês, “battle-loving commanders,” does the word have any direct connection with justice. Rather, these passages suggest the more general meaning of “leader,” “overseer,” “commander.”

Euripides also uses brabeus in the general sense of leadership or supervision. In Helen, Helen tells Menelaus that in making their escape he must brabeuein, “be in charge of,” everything (σὲ χρῆ βραβεύειν πάντα) – ironic perhaps, since Helen is in fact the one who makes all the arrangements. In Medea, Creon orders Medea to leave Corinth and adds that he is brabeus logou, the “supervisor” of this command. Metaphorically, Helen is called the brabeus mochthôn – “mistress,” or “leader,” of the Greeks’ sufferings at Troy. In Orestes, Orestes tells Pylades to be the brabeus, “supervisor,” of our killing; specifically he is supposed to bury Orestes’ and Electra’s dead bodies after their suicides. None of these passages involves judicial or athletic or any other competition, which casts serious doubt on Vélissaropoulos’ definition of brabeus as a “person in front of whom a peaceful competition takes place.”

Brabeus does, however, have the more specific sense of “judge” in some cases: after Helen and Menelaus plead their case to Theonoë, the chorus tell her to brabeuein, “judge,” their speeches (tous logous). Apollo tells Orestes he must go to Athens, where the gods will be dikês brabês, “judges of your case.” And in Phoenissae 450, a passage long suspected of being an interpolation,² Eteocles says he will listen to Jocasta koinai brabeiai, which is usually taken to mean something like “in impartial arbitration.” In the first two cases, there is no question of arbitration. Theonoë will either save the two heroes or send them to their death, and the gods in Athens will either acquit or convict Orestes. The Phoenissae passage, if genuine, might be a reference to arbitration, but Jocasta’s response speaks only of dikê and of seeking a resolution that produces equality, isotês. It thus seems best to treat these lines as a later interpolation.

This brings us to Sophocles, who is the only fifth-century author to use brabeus in connection with games: in Electra the slave describes Orestes’ part in the Delphic games: first he won all the prizes in the competitions that the brabês proclaimed (690), but then he crashed in the chariot race, which began when the appointed brabês drew lots and assigned each chariot to its place (709-10). These brabês may have functioned as judges or umpires in close contests, but clearly they were also more generally the overseers or supervisors of the games. It appears that a similar sort of general oversight or supervision is involved when Plato (Laws 949a) prescribes that oaths are to be sworn by various officials, including the epistatas and

² Diggle’s new Oxford text brackets 448-51.

brabeus (“overseers and supervisors”?) of gymnastic and equestrian contests. Thus, there is no explicit indication that a brabeus has anything to do with judging an athletic contest until the passage from Chrysippus discussed by Vélissaropoulos (Plutarch, *Moralia* 1045d), and even here, where the brabeus has to decide who gets the prize, it is possible, even likely, that he is also the supervisor or overseer of the contest in a more general sense.

The use of brabeus in the context of games is thus rare in classical Greece and is completely absent from earlier literature, most notably from Homer’s description of the games in *Iliad* 23, but also from the games in the *Odyssey* Book 8, which are more briefly described. And although Achilles in the former competitions strives to reach a general equity in his decisions, not just a “winner takes all” result, the games in *Odyssey* 8 all appear to end with a simple winner; there is no hint of a prize for anyone else. The games for Patroclus thus seem to be unique in this respect. I would agree that Achilles’ procedures are similar to judicial procedures at the time, but I would say that for literary reasons, *Iliad* 23 portrays a highly idealized and ritualized form of athletic competition that is not representative of Greek athletic competitions in general.

To summarize: the earliest meaning of brabeus, which is the most common fifth-century meaning, and in my view is also the basic meaning of the word, is not “arbitre aux jeux” (Chantraine), or “judge at the games” (LSJ), or even generally, “judge, arbitrator, umpire” (also LSJ). Rather, a brabeus is a “supervisor” or “overseer” in a wide variety of situations, including battle, athletic contests, and judging. The brabeus may later be connected more specifically with justice, with games, and with arbitration, but in my view the word always retains its more general connection with oversight and supervision that it has at the beginning.

