

## Juridical Language in Ovid's Exilic *Oeuvre*

Ovid's trifecta of exilic poems—the *Tristia*, *Ibis*, and *Epistulae ex Ponto*—is renown for its facile negotiation of a maudlin entreaty for reinstatement at Rome with politically subversive subtext. In this paper, I argue that Ovid's use of juridical language in the post-exilic texts embodies this tension. While he, on the one hand, represents himself as the exile undeserving of his punishment, on the other, he denigrates Augustus as an unfit judge, impugning the emperor's punitive wrath as antithetical to his purported *clementia*. This charged diction is part of a larger pattern in the exile poetry of Ovid's appropriation of Roman institutions—such as the Julian calendar, geography of Rome, and Augustan age mythology—only to undermine them. In my analysis, I draw on Gareth Williams' seminal work on the 'unreal' in Ovid's exile poetry (1995) as well as treatments of the intersection of rhetoric and politics in the texts by Betty Rose Nagle (1980) and Matthew McGowan (2009).

In order to demonstrate this claim, I consider three instances of juridical language in the text. The first of these is Ovid's pervasive use of the term *iudex* (and its cognates) as applied to Augustus. (*Iudex* and *iudicium* each occur 18 times throughout the collection; *iudex*: Tr. 1.1.37, 1.1.45, 1.2.64, 2.95, 2.132, 3.7.24, 3.11.38, 4.4.30, 5.5.38, 5.11.9, 5.11.22; *Pont.* 1.2.102, 1.5.16, 2.3.53, 3.3.76, 3.5.24, 3.6.10, 3.6.32; *iudicium*: Tr. 2.80, 4.1.92, 4.10.40, 5.3.54, 5.6.16; *Pont.* 1.2.140, 1.5.20, 1.7.53, 2.4.2, 2.4.14, 2.7.84, 3.9.11, 3.9.18, 4.3.16, 4.8.68, 4.9.69). Even on the surface level of Ovid's diction, the invocation of this office is subversive: it implies that the emperor has invested himself with greater magisterial duties than are his due. Given that official imperial titles were designed to diffuse the optics of his autocracy—such as *Augustus*, meaning 'revered one', and *princeps*, 'first (among equals)'—*iudex* points to this nominal sleight of hand, and intimates that Augustus may have overreached in his arbitration to relegate the poet.

The second use of legal terminology I examine is the poet's description of the crime for which he was exiled as an *error* (*perdiderint cum me duo crimina, carmen et error, Tr. 2.206*). This term is remarkable largely due to its evacuation of legal significance. As compared with other terms for transgressive acts he might have chosen, such as *scelus*, *crimen*, *vitium*, and *peccatum*, an *error* indicates an innocent mistake, a peccadillo rather than a punishable offense. This usage is confirmed by Ovid's own use of the term to indicate an unwitting indiscretion in the case of *inscius* Actaeon, where he declares: with what crime is a simple mistake invested? (*quod enim scelus error habebat? Met. 3.141-142*). Notably, *Error* is also personified as judicial blindness in the *Met.* (12.59), and the intertext could indicate that Ovid was exiled by a poem (*carmen*) and an error in judgment on *Augustus'* part. Like the bivalent word's second meaning—to wander—we, as the readers, are drawn into a labyrinthine web of hermeneutics trying to decode Ovid's diction.

Ovid's use of juridical jargon, as delineated above, aligns with a broader rhetoric of political subversion in the texts. Consider, for example, Ovid's prolific and pointed references to Augustus as *caesar*, which nomination is subject to dual interpretation. On the one hand, *Caesar* could be read as an honorific that evokes his esteemed Julian lineage, rightful succession to political *imperium*, and de facto role as the ultimate arbiter. On the other hand, *caesar* miniscule—meaning “cutter” or “butcher”—figures Augustus as the severe autocrat who ‘transected’ the author from Rome's body politic with his incisive rage. In fact, this appellation is often used in ironic juxtaposition with terms that conjure Augustan clemency [e.g., *sit mea lenito Caesare poena levis* (*Tr. 1.1.30*), *mitissima Caesaris ira* (*Tr. 1.2.61*)].

To my knowledge, Ovid's use of legally-charged language and its implications for his appeal for reinstatement at Rome and political criticism have remained undocumented in the

scholarship. Through this reading of the texts, I hope to shed new light on Ovid's pregnant diction in the exilic *oeuvre*.

### Bibliography

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