

CRIME AND PUNISHMENT IN OVID'S *TRISTIA*

Abstract: Ovid's crime mentioned in *Tristia* consists in his having witnessed involuntarily a religious mystery.

Key words: Ovid, *Tristia*.

Resumen: El crimen de Ovidio mencionado en *Tristia* consiste en haber sido espectador involuntario de un misterio religioso.

Palabras-clave: Ovidio, *Tristia*.

For the sake of brevity, I assume the reader to be familiar with the detailed surveys of the problem offered in *RE*, s.v. *Ovidius Naso* 1916 ff., and in Wheeler's *Introduction* to his Loeb edition of the *Tristia* (London 1965), page XIX ff. «Unendlich viel ist geschrieben worden» (*RE*, *art. cit.*, 1917, 10 ff.): I shall try, by analyzing the poet's own words on the subject, to throw light on the second *crimen* committed by Ovid, the first being, by common consent, the publication of his *Ars Amatoria*.

At *Tristia* 2, 207 ff. Ovid explains that two crimes have destroyed him:

*perdiderint cum me duo crimina, carmen et error,
alterius facti culpa silenda mihi:
nam non sum tanti, renovem ut tua vulnera, Caesar,
quem nimio plus est indoluisse semel.
altera pars superest, qua turpi carmine factus
arguor obsceni doctor adulterii.*

Scholars have been puzzled by the meaning of the words *carmen et error*, in line 207. I would like to suggest that Ovid is referring to the fact that he had written an immoral poem (the *Ars Amatoria*), and that he had violated the mysteries. He had unwittingly wandered (*error*¹) into a sacred place and seen what he should not have seen. Note the employment of a pun in line 208. The word *silenda*²

¹ The «Vergleich mit Aktäon» (*RE*, *art. cit.*, 1917, 13 ff.) is the very basis of Ovid's self defence. The word *error* may mean that the poet through chance (*fortuna*, *casus*: Wheeler, *op. cit.*, page XXI) wandered into the place where the mysteries were celebrated, like Actaeon (*errans*, *Met.* 3, 175) or more probably (material in Wheeler, *op. cit.*, page XXI, and *Thes.* s.v. *error*, 817, 58 ff.) that he saw the secret religious rites «unversehens wie Aktäon» (*RE*, *art. cit.*, 1916, 6 f.: *inscius Actaeon Tr.* 2,

105 = *inscia lumina Tr.* 3, 5, 49). It should be noted that Wheeler has a good collection of lexical material. For profanation of rites cf. *Met.* 3, 710 ff., of Pentheus: *hic oculis illum cernentem sacra profanis / prima videt.*

² Cf. Lewis and Short, *A Latin Dictionary*, s.v. *silenda*: «Mysteries, secrets». For the rites of *Bona Dea* cf. Tibullus I, 6, 22: *sacra Bonae maribus non adeunda Deae*. In 62 B.C. Clodius caused a scandal by attending the rites of *Bona Dea*.

means both «which must be kept silent» and «mysteries». Ovid admits that he had done wrong, but argues that he had done so unwittingly³: cf. *Tr.* 3, 5, 49 ff.:

*inscia quod crimen viderunt lumina, plector,
peccatumque oculos est habuisse meum.
non equidem totam possum defendere culpam,
sed partem nostri criminis error habet.*

At *Tristia* 2, 105 Ovid compares himself to Actaeon, who had unwittingly seen Diana naked: *inscius Actaeon vidit sine veste Dianam*. Similarly Ovid had seen what he should not have seen (i.e. the mysteries). Thus he states that his eyes are guilty (*noxia*). Cf. *Tristia* 2, 103 ff.:

*cur aliquid vidi? cur noxia lumina feci?
cur imprudenti cognita culpa mihi?
inscius Actaeon vidit sine veste Dianam:
praeda fuit canibus non minus ille suis.*

According to Ovid (*Met.* 3, 175 f.) Actaeon wandered (*errans*) through the woods and entered Diana's grove:

*per nemus ignotum non certis passibus errans
pervenit in lucum: sic illum fata ferebant.*

Both Actaeon and Ovid had wandered into a place where they should not have been, and violated religious rites. It is, moreover, worth noting that at *Ex Ponto* 3,3,39 ff. Ovid mentions his exile together with Orpheus, who had instructed Eumolpus in the Eleusinian mysteries:

*pro quibus exilium misero est mihi reddita merces,
id quoque in extremis et sine pace locis.
at non Chionides Eumolpus in Orphea talis.*

Finally, at *Ex Ponto* 3, 3, 44 Ovid mentions Numa and Pythagoras:

Pythagoraeque ferunt non nocuisse Numam.

Pythagoras was famous because of the doctrines of Orphism, and Numa went to Crotona to study the teaching of Pythagoras. Numa and Pythagoras were thus connected with mysteries. Numa was also connected with Aricia and the mysteries of Orestean Diana: cf. *Met.* 15,488.

Conclusion. The poet's words, to which the critics have not paid sufficient attention, seem clear. The two «crimes» which destroyed Ovid were the fact that he had written an immoral poem, and the fact that he had unwittingly violated the mysteries, by wandering into a sacred place. Ovid makes a pun based on the fact that *error* means both «going astray», «wandering» and «mistake».

³ «Not ... wittingly»: cf. Wheeler, *op. cit.*, page XXI.

He means that he went astray and wandered into a sacred place by mistake. Ovid states that it was for these two reasons that Augustus had banished him. Ovid indicates that he had unwittingly violated the mysteries by alluding to his crime through his pun⁴ on the word *silenda* («mysteries»), his comparing himself with Actaeon⁵, who had «wandered» into a sacred grove, and his mention of the founder of the Eleusinian mysteries, Numa and Pythagoras. By violating the mysteries, Ovid had committed a crime against the state. Hence he calls himself a *publicus ... reus*, i.e. a «state criminal». Like Clodius⁶, he had committed an act of sacrilege. Clodius had been brought to trial and acquitted. Ovid, however, had to suffer banishment as a punishment for his crime. Nevertheless, he insists that he had sinned unwittingly. Of course, Ovid's «sin» («peccatum»: Wheeler, *op. cit.*, page XXI) was unwittingly committed, just like Actaeon's⁷: this is why he underlines (Wheeler, *op. cit.*, page XXII) that «the sin did not involve others, but had ruined the poet alone». In other words: the «Vergleich mit Aktäon» makes sense only if it indicates that the sin committed by Actaeon and Ovid consisted in their having involuntarily witnessed secret rites from which strangers like them were excluded. In the case of Ovid, the rites he witnessed can only have been a «mystery» like the one violated by Clodius.

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⁴ For similar puns cf. my *Studies in the Text of Propertius*, Athens 2002, pages 81 and 114.

⁵ This comparison is crucial, yet has been misinterpreted. Ovid's «Andeutung» consisting in the parallel between himself and Actaeon cannot possibly indicate that he was «Mitwisser eines Vergehens einer hochgestellten Persönlichkeit», as we read in *RE*, *art. cit.*, 1916, 65 ff. Actaeon had nothing to do with «hochgestellt» personages. For other hypotheses not resting on the evidence of Ovid's own words cf. Wheeler, *op. cit.*, page XXIV, note 1. Wheeler himself, strangely enough, does not even mention the «Vergleich mit Aktäon» (*RE*, *loc. cit.*).

⁶ Plutarch states that Clodius was put on trial by the people for sacrilege after he had violated the rites of the goddess. Similarly, Ovid says (*Tr.* I, 1, 24) that he became a «public criminal» (*publicus ... reus*) because of his actions. The secret rites of the mysteries were being

conducted by women in Caesar's house when they were violated by Clodius. Plutarch tells us that Clodius managed to enter the house disguised as a woman: cf. Plutarch, *Caesar*.

⁷ For the fact that Actaeon had disturbed Diana (= Artemis) in a «ritual bath» cf. Robert Graves, *The Greek Myths*, Middlesex, England 1972, vol. I, page 85. Ovid states that Egeria disturbed the sacred rites (*sacra*) of Diana, which were being celebrated in the forest of the Arician grove: cf. *Met.* 15, 489. Callimachus stresses at *Hymn* 5, 100 ff. that any person who looks at a god when the god does not wish it will be punished severely. Thus Actaeon was killed and Teiresias was blinded.

Actaeon was torn to pieces by his hounds in the valley of Gargaphie, which was sacred (*sacra*, *Met.* 3, 156) to the goddess Diana. Similarly the Arician grove was sacred to Diana: cf. Virgil, *Aen.* 7, 778 *templo Triviae lucisque sacratis*.