

Review

CHRISTOPH F. KONRAD, *THE CHALLENGE TO THE AUSPICES: STUDIES ON MAGISTERIAL POWER IN THE MIDDLE ROMAN REPUBLIC*. Oxford: Oxford University Press, 2022. Pp. xx + 342, map. ISBN 978019285527. £90.00.

This timely monograph explores the actions of Roman magistrates in the fourth and third centuries B.C.E. in relation to the fundamental concept of the auspices, which granted divine approval or disapproval for public action. As the title suggests, Christoph Konrad focuses on examples of commanders challenging the role of the auspices in Roman society, proposing that these are not isolated incidents, as usually interpreted, but ‘expressions of a larger sense of dissatisfaction among elements of the Roman political class’ (ix). The book is filled with stimulating analysis of thorny historical problems, and offers new insights on the tenets of Roman magisterial power — *imperium* and *auspicium* — and the constitutional positions of the dictator and *magister equitum*. It speaks to recent scholarship on augury and religious belief (Driediger-Murphy, *Roman Republican Augury* (2019); Champion, *The Peace of the Gods* (2017)) as much as it does to literature on complex constitutional questions (Drogula, *Commanders and Command* (2015); Vervaet, *The High Command* (2014)) and Roman magistracies (although, notably, Wilson’s *Dictator* (2021) is incorporated in a limited way due to its recent publication). The focal point of the work is an attempt to explain the Fasti Capitolini entry for Q. Fabius Maximus Verrucossus’ dictatorship in 217.

After starting from the conflict between the dictator, L. Papirius Cursor, and his *magister equitum*, Q. Fabius Maximus Rullianus, in 324 (ch. 1), chs 2–4 outline the concepts of *imperium* and *auspicium* as they applied to the offices of dictator and *magister equitum*. K. persuasively argues that the initial ‘auspices of investiture’ covered both military and civil action. From close analysis of the Greek sources, K. concludes that the dictator derived his superiority from the inability of the regular magistrates to exercise their powers without his instruction. As K. rightly observes, the powers of the *magister equitum* were conferred via appointment by the dictator, and the pair held linked auspices — vitiation implicated them both. However, for his overall argument, K. asserts that the consulship could not be held simultaneously with the office of *magister equitum*. K. does not explain how this aligns with the naming of the *magister equitum* — the dictator’s first action — that immediately bestowed the magisterial powers of *imperium* and *auspicium* (115–16, 134).

In ch. 5, K. develops his position that there was an underlying challenge to the auspices across this period through analysis of three third-century incidents involving consuls who ignored or tried to subvert the signs, including P. Claudius Pulcher drowning the sacred chickens in 249.

At ch. 6, we reach the main puzzle that K. seeks to solve: why Fabius was appointed dictator *interregni causa*, according to the Fasti Capitolini. K. argues that this notice belongs to Fabius’ first dictatorship, which he places in 223: the consuls C. Flaminius and P. Furius Philus were declared vitiated, but Flaminius refused to abdicate. K. suggests that by naming Flaminius as his *magister equitum*, Fabius compelled Flaminius to resign, while offering a solution that left his *dignitas* intact. In turn, the squeak of a mouse at the moment of the appointment betrayed the flawed auspices of both Flaminius and Fabius, who — under this reasoning — must have been appointed by the other vitiated consul (and augur), Furius, also forcing their abdication. This brought about the desired outcome of an interregnum. While K. constructs a neat resolution to this specific historical problem, and definitively rules out augural manipulation led by Fabius, there are a number of assumptions that must be accepted. First, that Fabius’ first dictatorship fell in 223 and not 221–219, as usually accepted; second, that the Fasti Capitolini omits Fabius’ first dictatorship entirely and reassigns this entry to his second dictatorship in 217; third, that to become *magister equitum*, Flaminius had first to resign as consul. K. provides welcome analysis on the order of events (following Zonar., 8.20), but offers nothing on the inconsistency between Furius’ lack of action on campaign and his (conjectured) willingness to appoint Fabius dictator under flawed auspices.

Ch. 7 continues the theme of Flaminius’ contempt for the auspices leading up to his disastrous campaign at Lake Trasimene in 217, which, for K., decisively demonstrated the relevance of the auspices to the political class at Rome. In ch. 8, K. suggests that these five occasions of commanders disregarding the auspices between 249 and 217 hint at a minority view within the

nobility. K. concludes that, based on the outcomes of their actions, it was no longer defensible to challenge the auspices by the early second century.

As K. does not attempt to provide a 'straightforward monograph', but a 'collection of related studies' (ix), the structure of the argument is at times difficult to follow. Since chs 2–4 lay the technical foundations for the case studies in chs 5–8, each study cannot easily be read alone. The lack of introductory and summary sections throughout the work and the inconsistent translation of quoted ancient sources make this less accessible to a wider audience — the abstracts available in the digital version offset this somewhat. However, this reader would have enjoyed broad engagement with the (expansive) bibliography outside specific argumentation, especially recent studies on the auspices (Driediger-Murphy (2019); Berthelet, *Gouverner avec les dieux* (2015)). The work is well produced, with detailed indices.

K. provides innovative and thorough analysis of the auspices and how the Roman nobility interacted with them, making this monograph essential reading for those interested in religion and politics in republican Rome.

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