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THE EMPEROR JULIAN AND HIS SCHOOL LAW

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Few historical figures have earned a remembrance of so fixed and angular features as the fourth century Roman Emperor, Flavius Claudius Julianus. Yet, it is doubtful that except for one event in his short reign of less than two years, he would have aroused more than a fraction of the commentary since devoted to his rule. Having announced his defection from Christianity upon succeeding to the throne of Constantius, it was probably expected that religious terrors, like those of the third century, would immediately be loosed upon the followers of Jesus. Not until some seven months had passed, however, did anything like the expected blow descend. And this, oddly, was a nonsanguine policy intended to do no more than purge the public schools of their Christian faculties.

The declaration in June, 362 A.D., that all grammarians and rhetors in the empire held their appointments not only by the sanction of the local *curia* but at the pleasure of the emperor himself, was the first indication of intended tampering with accepted educational procedures.¹ Traditionally, the choice of municipal teachers had been left to the city magistrates or *curiales* and *optimi*.² Even then, to add the emperor's judgment to requirements for public school teaching could well have been seen as no more than long delayed attention to educational abuse.³ Julian's entire reign to this point had been filled with correction. Reform was in the air. And it was well known that the emperor was unusually interested in things cultural and intellectual. But, when the June edict was followed with a rescript directing local magistrates to exclude Christians from all educational employment, an alarm was sounded which, by the Christians' own admissions, was more disturbing than if the prince had required torture and blood.⁴

1. *Codex Theodosianus*, XIII. 3. 5; *Codex Iustinianus*, X. 53. 7.

2. *Ibid.*, XIII. 3. 1-4.

3. Actually, the intervention of the emperor in the appointment of teachers was itself not new. See the summary in Henri-Irenee Marrou, *Histoire De L'Education Dans L'Antiquité*, 5^e ed. rev. (Paris, 1960), 407-408. With regard to pedagogical corruption and mismanagement, see: T. J. Haarhoff, *Schools of Gaul A Study of Pagan and Christian Education in the Last Century of the Western Empire* (Johannesburg, 1958), 134; and Gaston Boissier, *La Fin Du Paganisme Étude Sur Les Dernières Luites Religieuses En Occident au Quatrième Siècle*, 7^{me} ed., 2 vols. (Paris, n.d.), I, 169.

4. The rescript is not found in legal compilations of either Theodosius or Justinian. It is numbered among Julian's letters. For English readers the Loeb translation of Mrs. Wilmer Cave Wright, *The Works of the Emperor Julian*, 3 vols. (London and New York, 1923), III, 117-123 incorporates the rescript as *epistola* 36. The unfinished but more definitive collection of Joseph Bidez, *L'Empereur Julian oeuvres completes Tome I—2^e Partie Lettres et Fragments* (Paris, 1924), 73-74 numbers the rescript as *ep.* 61c. The other volumes constituting Bidez' collection are: *L'Empereur Julien oeuvres Completes Tome I—1^{re} Partie Discours De Julien Cesar* (Paris, 1932); and with Franz Cumont, *Imp. Caesaris Flavii Claudii Iuliani Epistulae Leges Poematia Fragmenta Varia* (Paris, 1922). All subsequent references to the works of Julian will be cited from both the Wright and, when available, less complete Bidez collections. Bidez' *Epistulae Leges Poematia Fragmenta Varia*, will be abbreviated as ELPF. Since both collections possess a concordance correlating their numbering systems with the earlier Teubner edition of F. C. Hertlein, *Juliana imperatoris qual supersunt . . .*, 2 vols (Leipzig,

There is some evidence that Julian's interdict extended to *iatri-sophistae* or professors of medicine.⁵ And Christian tradition held that the emperor had even gone so far as to prohibit children of Christian parentage from attending the schools. This now seems doubtful.⁶ But with regard to the teachers, though it meant economic duress, there was little choice. They had either to renounce their religious convictions or leave their posts. Although Julian tendered an exception to at least one of the more famous Christian educators, so far as we know all such favors were declined and the large majority of those affected gave up their jobs.⁷

From the many voices which were raised against Julian's school law, that of Gregory Nazianzus was certainly the loudest. No invective, however shrill, escaped Gregory's attack on Julian. The young emperor, said Gregory, was surely the "most evil and impious of all men on earth."⁸ He was a veritable "Nebuchadnezzar."⁹ More, he was "the worst of persecutors since Herod, . . . and next to Judas the worst of traitors; . . . murderer of Christ after Pilate and outdone by the Jews alone as an enemy of God!"¹⁰ Gregory's fulminations were a response, above all else, to Julian's school edict.¹¹ And their fervid nature exerted a powerful influence in shaping the Christian image of the young emperor. Ambrose, for example, later pointed back to the despised act in urging Valentinian II to deny Symmachus' petition for a restoration of the Altar of Victory.¹² Church historians of the fourth and fifth centuries never failed to memorialize the school law as Julian's most insidious weapon.¹³ And the justice of these

1875-1876), no reference to this older compilation will be used here.

That the Christians would have preferred violence against their persons in place of Julian's bloodless school reform, see Sozomen, *Historia Ecclesiastica*, V. 5; Theodoret, *Hist. Eccl.*, III. 3; Gregory Nazianzus, *Oratio* XLII. 3. Also the documents and comments under "De professoribus," in Bidez' *ELPF*, 69-75.

5. John Chrysostom, *In S. S. Martyres Juveninum et Maximinum*, I.
6. For the Christian contention, see Sozomen, *Hist. Eccl.*, V. 18, and Theodoret, *Hist. Eccl.*, III. 8. 1. Julian himself expressly indicated that Christian children should be permitted to attend. *Ep.* 36, Wright, III, 121-123; *ep.* 61c Bidez, *Lettres*, 45-46; Johannes Geffcken, *Kaiser Julianus* (Leipzig, 1914), 108; Wilhelm Ensslin, "Kaiser Julians Gesetzgebungswerk und Reichsverwaltung," *Klio Beiträge Zur Alten Geschichte*, XVII (1918), 189.
7. Prohaeresius, the great Athenian Sophist, whom Julian himself had probably audited, was one of those proffered immunity from the law. Jerome, "Julianus," *Chronicles* XXXVIII. Also see Eunapius, "Of Prohaeresius," *Lives of the Philosophers and Sophists*, trans. W. C. Wright, *The Loeb Classical Library* (Cambridge and London: 1952), Vol. 184, P. 513. We know also of one Simplicianus who resigned his chair rather than his religion. Augustine, *Confessiones*, VIII. 5. Orosius, in the fifth century, indicated that the unity with which Christian teachers refused religious defection on this occasion had, by his time, already become proverbial. *Adversus Paganos Historiarum*, VII. 30.
8. "Contra Julianum," *Oratio* IV. 38.
9. *Orat.* XLII. 3.
10. *Orat.* IV. 68.
11. See, e.g., *Orat.* IV. 100
12. *Ep.* XVII. 4.
13. Theodoret, *Hist. Eccl.*, III. 8; Socrates Scholasticus, *Hist. Eccl.*, III. 12; Sozomen, *Hist. Eccl.*, V. 18. John Chrysostom simply followed Gregory's lead in claiming Julian to surpass all his predecessors in impiety. *In S. S. Martyres Juveninum et Maximinum*, I. And Augustine was doing the same thing with the insistence that, the want of blood notwithstanding, Julian should definitely be numbered among the persecutors of the Church. *Civitas Dei*, XVIII. 52.

Christian estimates seemed fully confirmed by the pagan historian, Ammianus Marcellinus, who condemned the edict as "severe" and deserving of being forever hid from memory.¹⁴

This early impression, which etched Julian as a religious bigot anxious to deny Christianity of all cultural nourishment and thereby assure its eventual relegation to barbarism, became the standard historical interpretation perpetrated by those who wrote of the "apostate" emperor. Favorable assessments of Julian's life and reign were, for the most part, either lost or suppressed.¹⁵ Medieval legends painted the emperor as monkish and diabolical, a tyrant who had maliciously excluded Christian children from the schools.¹⁶ The twelfth century Byzantine historian Zonaras, in his description of Julian, was still faithfully preserving the Nazianzen imagery.¹⁷ And a Syrian writer of the same period closed his account of the emperor with the invocation: "may his very memory be a curse! Amen."¹⁸

Since the Renaissance, Julian and his school law have fared little better. The Abbé De La Blérierie said there was no doubt, Julian sought nothing less than the extermination of Christianity.¹⁹ The Anglican, Nathaniel Lardner, agreed, "it cannot be denied, that Julian was a persecutor."²⁰ And what of his good qualities? In the words of another French historian, his evil far outweighed whatever good there was in him. After all, had not Julian renounced Christianity? And "what is gained by a man, if he has forfeited the blessings of heaven?"²¹

Whatever form the treatment has taken, the school edict has remained the central and most conspicuously disliked feature of Julian's reign. Francis Bacon, in his day, still remembered the patristic judgment of the law as "a more pernicious engine and machination against the Christian faith than were all the sanguinary prosecutions of his predecessors; . . ."²² Cotton Mather, declaiming in behalf of a good education for New England's Christian youth, contemptuously referred

14. *Res Gestae*, XX. 10. 7; XXV. 4. 20.

15. See the survey made by Joseph Bidez in his excellent biography, *La Vie de L'Empereur Julien* (Paris, 1930), 333-336. The most notable exceptions are, of course, *Orationes XVII, XVIII, and XXIV* of Libanius and the historical writings of Ammianus Marcellinus.

16. F. J. E. Raby, *A History of Christian-Latin Poetry From the Beginnings to the Close of the Middle Ages*, 2nd ed. (Oxford, 1953), 198; Käte Philip, *Julianus Apostata In Der Deutschen Literatur*, Bd. III; *Stoff-und Motivgeschichte Der Deutschen Literatur* (Berlin and Leipzig, 1929), 6 ff.; Bidez, *La Vie de L'Empereur Julien*, 334-335.

17. *Annalium*, XIII. 12. 24-25.

18. Michael the Syrian: "Que sa memoire soit en malediction. Amen." From the French translation of J.-B. Chabot (ed.), *Chronique De Michel Le Syrien Patriarche Jacobite D'Antioche* (1166-1199), 4 vols. (Bruxelles, 1963), I, 282.

19. Bidez, *Vie De L'Empereur Julien*, rev. ed. (Paris, 1746), 222.

20. *A Large Collection of Ancient Jewish and Heathen Testimonies to the Truth of the Christian Religion*, 4 vols. (London, 1764-1767), IV, 42.

21. "Que gagne celui qui perd son ame pour l'eternité?" Lenain De Tillemont, *Histoire Des Empereurs*, 6 vols., rev. (Venise, 1732-1739), IV, 554-555. For German views, Käte Philip, *Julianus Apostata In Der Deutschen Literatur*, 19-52.

22. *Advancement of Learning*, I. 6. 14. And Milton, for the same reason, referred to Julian as that "subtlest enemy to our faith." Merritt Y. Hughes, ed., *John Milton Complete Poems and Major Prose* (New York, 1957), 726.

to the same event as an instance of vain and evil purpose.²³ And although Gibbon, in the eighteenth century, could say that "a just and severe censure has been inflicted on the law" many have insisted on saying yet more.²⁴ Only cruelty, suggested one writer, would lead an emperor to sever so many faithful teachers from their affectionate charges.²⁵ The large and impressive study of Paul Allard held that the edict was a "monument of intolerance," nothing less than "l'hypocrisie sectaire . . . dans tout son lustre."²⁶ Vollert was not so much incensed by the hardships worked upon Christianity, by "der viel besprochene Erlass," but condemned the law for its hostility to academic freedom.²⁷ Müller said he was quite generous enough to admit that the Christians themselves posed real liabilities to the empire but, really, they didn't deserve all that!²⁸ So it is, until recent decades, the overwhelming consensus has been that, in the words of Leclercq, Julian's school law was little short of a "work of tyranny."²⁹

In 1908, Johannes Geffcken, lamenting the want of greater balance in treatments dealing with the author of the anti-Christian school law, called for more careful scholarship in succeeding years.³⁰ Nevertheless, while twentieth century studies have generally displayed a more friendly disposition toward Julian, with certain exceptions to be noted later, the Christian imprint of a thoroughly religious interpretation of the emperor's behavior has remained; and with it the school law has survived as the most visible expression of his pagan bias. Baynes, for example, in his article in *The Cambridge Medieval History*, structures his entire account of Julian in the form of a religious reaction.³¹ The highly deserving biography of Joseph Bidez chronicled the emperor's tenure in the form of a growing discontent with his own milder measures. The school law marked a turning point from a policy of at least feigned toleration to one of open conflict with the Christians. Bidez argues for a more respectful hearing of Julian's early ecclesiastical critics.³² Pierre de Labriolle, like many others, has

23. *Magnalia Christi Americana*, 2 vols. (Hartford, 1853 ed.), II, 8.

24. *The History of the Decline and Fall of the Roman Empire*, ed. J. B. Bury, 7 vols. (London, 1909), II, 487.

25. Albert De Broglie, *L'Église et L'Empire Romain au IV^e Siècle Deuxième Partie: Constantine et Julien*, 3 pts. (Paris, 1857-1866), II, 213.

26. *Julien L'Apostat*, 3 vols. (Paris, 1900-1903), II, 357, 360.

27. Wilhelm Vollert, *Kaiser Julians Religiöse und Philosophische Überzeugung* (Gutersloh, 1899), 40.

28. Eugen Müller, *Kaiser Flavius Claudius Julianus: Biographie nebst Auswahl Seiner Schriften* (Hannover, 1900), 43.

29. Henri Leclercq, "Julien L'Apostat," *Dictionnaire D'Archéologie Chrétienne et De Liturgie* (Paris, 1928), VIII, 373. The edict and accompanying rescript, said Louis Duchesne, could be "justified by no theory of toleration." *Early History of the Christian Church From its Foundation to the End of the Fifth Century*, trans. Claude Jenkins, 3 vols. (London, 1909-1924), II, 263.

30. "Kaiser Julianus und Die Streitschriften Seiner Gegner," *Neue Jahrbuch für das Klassische Altertumswissenschaft* (1908), 161-162.

31. Norman H. Baynes, "Constantine's Successors to Jovian: And the Struggle with Persia," *The Cambridge Medieval History*, 8 vols. (New York, 1924-1936), I, 102-112.

32. *La Vie de L'Empereur Julien* (Paris, 1930), 262-263, 310-311 ff. In this regard one should also review the same author's earlier "L'évolution de la politique de l'empereur Julien en matière religieuse," *Académie royale des sciences, des lettres et des beaux-arts de Belgique*, Bull. no. 7 (Brussels, 1914), 406-461.

followed the pattern established by Bidez in characterizing Julian's rule as one of gradual but growing intemperance.³³ Hans Lietzmann and Giuseppe Ricciotti represent, successively, efforts which, acknowledging the vigor and general equity of Julian's reforms, still emphasize the rescript on Christian teachers as but the most egregious of many Julianic repressions.³⁴

The great difficulty with these interpretations is their incompatibility with the usually generous and approving stamp placed on the emperor's economy and conduct as an administrator.³⁵ One of Julian's first reforms, a singularly liberal measure, was to open the court to intellectuals, sophists and philosophers of all kinds.³⁶ Christians as well as pagans received the royal summons.³⁷ Religious toleration was proclaimed and the various heretical sects which had been exiled under Constantine and Constantius were recalled.³⁸ The edict forbidding daytime funerals seems to have affected Christians more directly than pagans, but it had a justifiable rationale and operated equally on all religious groups.³⁹ In replacing Christian symbols with pagan insignia, as especially on the *Labarum* and other military standards, Julian was not only clearly within his prerogative but may well have been accommodating what, in the army at least, was yet a non-Chris-

33. *La Réaction païenne Étude Sur La Polemique Antichrétienne Du Ier Au VIe Siècle* (Paris, 1934), 373.

34. Hans Lietzmann, *Historie de l'Église Ancienne*, 3 vols. (Paris, 1936-1941), III, 273, 287-295; Giuseppe Ricciotti, *Julian the Apostate*, trans. M. Joseph Costelloe (Milwaukee, 1959), esp. 179-195.

35. Two of the most important Julianic studies of this century have both tended to mark Julian as an administrator of the first rank and ability: Roberto Andreotti, *Il Regno Dell'Imperatore Giuliano* (Bologna, 1936); and Wilhelm Ensslin, "Kaiser Julians Gesetzgebungswerk und Reichsverwaltung," *Klio Beiträge zur alten Geschichte*, XVIII (1918), 104-199. Also see: Alice Gardner, *Julian, Philosopher and Emperor and the Last Struggle of Paganism against Christianity* (New York, 1895), 223-231, et passim "Iulianos Apostata," *Pauly-Wissowa Real-Encyclopädie Der Classischen Altertumswissenschaft*, X (Stuttgart, 1917), c. 51; Johannes Geffcken, "Kaiser Julianus und Die Streitschriften Seiner Gegner," *Neue Jahrbuch für das Klassische Altertumswissenschaft* (1908), 168; Ernest Stein, *Histoire Du Bas-Empire*, ed. and rev. J. R. Palanque, 2 vols.; 2nd ed (Paris, 1949), I, 158.

The perplexity of Julian's motives is compounded, incidentally, by another problem. No one knew better than the emperor that perhaps the most effective impediment he could erect in obstructing the success of Christianity would be to immerse and intimidate it with classical learning. His own biography was an instance of what he could look for from others. Moreover, reading and sifting the ancient texts, by his own admission, had already proved a frequent reason for desertion from Christian ranks by others. "Against the Galileans," Wright, III, 384; for the Teubner text: *Iuliani Imperatoris Librorum Contra Christianos Quae Supersunt*, coll. rec. Charles John Neumann (Leipzig, 1880), 204. Why then, if his objective was especially intended to frustrate the sect, should he have ignored his own experience?

36. The gullibility of Julian, however, and the quackery practiced by some of those he received has invited a deserved criticism. See, for example, Eunapius, *Lives of the Philosophers*, trans. Wilmer Cave Wright, *Loeb Classical Library* (Cambridge and London, 1952), vol. 184, P. 447.

37. "To Aristoxenus, a Philosopher," Wright, III, 115-117; and Bidez, *Lettres*, 84-85, where Julian says his court is open to anyone of genuine repute as a philosopher. For the invitation to Saint Basil, ep. 26, Wright, III, 81; ep. 32, Bidez, *Lettres*, 52. And for "To Aetius the Arian," ep. 15, Wright, III, 35-37; ep. 46, Bidez, *Lettres*, 65-66.

38. Amm. Marc., XXII. 5. 3-4; Sozomen, *Hist. Eccl.*, V. 5; "To Aetius the Arian," ep. 15, Wright, III, 35-37; ep. 46, Bidez, *Lettres*, 65-66; and "To the Citizens of Bostra," ep. 41, Wright, III, 129; ep. 114, Bidez, *Lettres*, 193. Here, see the remarks of Andreotti, *Il Regno*, 130.

39. Wright, III, 191-197; Bidez, *Lettres*, 197-200; ELPF, 194-198; and *Cod. Theod.* IX. 17. 5

tian majority.⁴⁰ It must be admitted that he displayed an open bias toward Athanasius whom he exiled from Alexandria.⁴¹ And his response to the burning of the Apollonian shrine at Daphne is little to be admired.⁴² Yet, so far as the personal treatment of Christians is concerned, he more than once declared they were not to be unjustly injured for any cause, but were to be permitted the free exercise of their private beliefs.⁴³ If he invited the citizenry of Bostra to rid itself of the local Christian Bishop, it was to be without violence. For "it is by reason (*logō*)," said Julian, "that we ought to persuade and instruct men, not by blows or insults, . . ." ⁴⁴ As to the tenacity with which he held to such high resolves, we have the testimonies of the Christians themselves that one of his chief reproaches was in having denied them the right of martyrdom.⁴⁵

If Julian acted capriciously or cruelly as an administrator, there is remarkably little evidence to prove it. He seems to have enjoyed an excellent reputation among most of those who took measure of his work. Eutropius compared him to Marcus Aurelius.⁴⁶ Ammianus says he was possessed of a "*genuina lenitudine*" and that his justice was told far beyond the Mediterranean world.⁴⁷ The inscriptions, which seem to be unusually numerous considering the brevity of his rule, eulogize the tolerance and particularly the temperance and wisdom of "the restorer of liberty."⁴⁸ Not only did the Christian Prudentius laud his government but even Nazianzus granted, here and there, an unwilling concession to the same effect.⁴⁹ Finally, there is the testa-

40. Greg. Naz., *Orat.* IV. 66; Sozomen, *Hist. Ecol.*, V. 17. 2. On the matter of pagan numbers in the army, see: John Bagnell Bury, *A History of the Later Roman Empire, From Arcadius to Irene (395 A.D. to 800 A.D.)*, 2 vols. (London and New York, 1889), I, 35-36; Geffcken, "Kaiser Julianus und Die Streitschriften . . .," 175; Stein, *Histoire*, I, 97.
41. Upon the extension of toleration to all exiled clerics at the commencement of Julian's reign, Athanasius had returned to Alexandria and once again taken up his episcopal responsibilities. Julian had not intended this and considered Athanasius presumptuous in doing more than simply returning to a layman's way of life. Julian therefore exiled him again. *Ep.* 24, Wright, III, 75-77; *ep.* 110, Bidez, *Lettres*, 187-188. Athanasius ignored the command, continued with his work even baptizing several Greeks of Alexandria. This incensed the Emperor and he again ordered the immediate departure of the prelate. *Ep.* 46, Wright, III, 141-143; *ep.* 12, Bidez, *Lettres*, 192. The Alexandrians seemed a little concerned as their Bishop with the consequence that Julian had to issue yet a third decree banishing Athanasius from the whole of Egypt. *Ep.* 47, Wright, III, 143-151; *ep.* 111, Bidez, *Lettres*, 188-192.
42. Amm. Marc. XXII. 12-13. "Misopogon," Wright, II, 445. The best account of this affair, with the corrections of Bury, remains Gibbon's *The Decline and Fall of the Roman Empire*, ed. J. B. Bury, 7 vols. (London, 1909), II, 491-495.
43. "To Sallust," *Orat.* VIII, Wright, II, 173; *Orat.* IV, Bidez, *Discours*, 192; "To Atarbius," *ep.* 37, Wright, III, 123; *ep.* 83, Bidez, *Lettres*, 143-144; "To Hecebolius," *ep.* 40, Wright, III, 127-129; *ep.* 115, Bidez, *Lettres*, 196-197.
44. "To the Citizens of Bostra," *ep.* 41, Wright, III, 135; *ep.* 114, Bidez, *Lettres*, 194-195. Also see the "Misopogon," Wright, II, 447-453.
45. Soc. Schol., *Hist. Ecol.*, III. 12. 15; Greg. Naz., *Orat.*'s. IV. 58 and XLII. 3
46. *Breviarium*, X. 16. Also Sextus Arelius Victor, *Epitome De Caesaribus*, XLII. 5; and Zosimus, *Nova Historia*, III. 2.
47. *Res Gestae*, XXV. 4. 9; XXII. 7. 9. And see the remarks of Libanius, *Orat.*, I. 119, 125.
48. Herman Dessau (ed.), *Inscriptiones Latinae Selectae*, 3 vols. (Berlin, 1962), I, 167-168; nos. 749-754.
49. *Apotheosis*, 449, 454 in J. H. Thomas, trans., Prudentius, 2 vols. (Cambridge, Loeb Classical Library, vol. 104, pt. 1, 1949), I, 155; Greg. Naz., *Orat.*, IV, 62, 74.

ment of his own death speech wherein the emperor compliments himself for having conducted "civil affairs with moderation."⁵⁰ To accept the traditional judgment of Julian, particularly with regard to the school law, is to leave him a fractured portrait, a man of contradictory parts. Julian, the careful administrator and quiet philosopher, was also a tyrannous and religious bigot of the worst sort.

Major steps toward consistently restructuring the Julianic program have been taken only in the last half century. Wilhelm Ensslin, in a careful review of Julian's legislation, was perhaps the first to emphasize the genuinely constructive spirit which dominated his administrative work. The emperor's reforms were not expressions of a misdirected fanaticism. What seemed to be radical departures were really efforts at political as well as religious restatement.⁵¹ Then followed the superb work of Charles Norris Cochrane, published during the Second World War. Cochrane, by means of a discerning explication of the tangled issues enmeshing both parish and palace in the fourth century, made possible a new and refreshing estimate of Julian's intent.⁵² Cochrane's thesis, briefly, held that the binding qualities of the Christian *Weltanschauung* were defined by the Nicene settlement of 325 A.D. Acceptance of the Athanasian position, which described Jesus as not simply a modal expression of God but as the very essence of God Himself, required of those who accepted Him an entirely spiritual regimen. The rejected Arian formula, on the other hand, which had subordinated the historical Jesus to God and had invested Christ with attributes subject to time, would have identified the Prince of Christendom with the finite nature and interests of men. Arianism would have been metaphysically friendly to the classical expectation that the state should play a central and bona fide role in the improvement of mankind.⁵³ But when, with Constantine's sanction, the church chose the Athanasian interpretation of the godhead, the only logical result could be an entirely charismatic indifference to secular life. Constantine had emasculated all need of temporal resort. The corruptions of this world would find correction only in a *Civitas Dei*.

The inclining warmth displayed by the House of Constantine toward Arianism was then, according to Cochrane, an inevitable response to the awkward implications inherent in the Constantinian-Christian alliance⁵⁴ Julian was but the consequence of a growing discontent with the logic of Athanasian Christianity. But as Cochrane sought to demonstrate, Julian's intent was as much secular as it was religious. Religious restoration, in fact, was subordinate to the emperor's larger political design. He wished to restore paganism, it is true, "but only as the basis for a rehabilitated *polis*, in which the sentiment of 're-

50. *Amm. Marc.*, XXV. 3. 17.

51. "Kaiser Julians Gesetzgebungswerk. . . .," esp. 118-125.

52. *Christianity and Classical Culture, A Study of Thought and Action from Augustus to Augustine* (London, 1944), 231-249.

53. *Ibid.*

54. *Ibid.*, 273-274.

ligion' would find a natural expression as a function of organized political life."⁵⁵ This enlarged view has been made additionally persuasive through the work of Francis Dvornik.⁵⁶ By a study of the emperor's political writings, as well as many of his reforms, Dvornik finds evidence that Julian was a careful legalist, determined to return to earlier Roman constitutional habits rather than the theocratic absolutism of recent times.⁵⁷ He sought a revival of the older Roman concept where the *Princeps* was subject to and a conscientious guardian of the law rather than its personification. Julian considered himself no more than a man.⁵⁸ And, as such, he interpreted his political role in essentially Roman rather than oriental or theocratic terms.⁵⁹

The school law, it is suggested here, is far more easily explained as ancillary to Julian's conservative political vision than, as so many of the churchmen and historians have contended, a persecutory contrivance of malice and hate. In extending his reforms to education, the emperor certainly had ample historical precedent. As Grasberger pointed out a century ago and Marrou again more recently, Republican Rome was quite as sensitive and regulatory as ancient Sparta in the training of youth.⁶⁰ That a man could, in those times, be threatened with punishment for yawning in court⁶¹ or that one's diet and table habits were subject to the same scrutiny as his public manners, tells much of what the Republic expected regarding the education of its citizenry.⁶² Julian may well have been aware of the canon which, according to rumor, required Christian grammarians to tell their students that "the gods of the gentiles are devils."⁶³ In such case, his response was comparable to the circumstance, centuries before, when a circle of philosophers and rhetors were banished for teachings considered repugnant to the Roman *mores maiorum*.⁶⁴ Julian's austere

55. *Ibid.* And the chapter "Der Kampf Zwischen Christlicher Eschatologie und Römischem Imperialismus," in Werner Hartke, *Römische Kinderkaiser, Eine Strukturanalyse Römischen Denkens und Daseins* (Berlin, 1951), 352-402.
56. "The Emperor Julian's 'Reactionary' Ideas on Kingship," *Late Classical and Medieval Studies in Honor of Albert Mathias Friend, Jr.*, ed. Kurt Weitzmann (Princeton, 1955), 71-81.
57. *Ibid.*, 73-76.
58. In this regard, Julian's frank disregard for traditional formalities and conceits often provoked criticism and was a source of some unpopularity. Libanius, *Orat.* I. 129-130; XVIII. 155.
59. In the words of Ensslin, "Auf allem Gebieten aber ist es Julians Bestreben dessen Gedankenwelt zurückzudrängen, also auch auf dem Boden des römischen Rechtes." "Kaiser Julians Gesetzgebungswerk. . . ." 156. Other good summaries may be found in Glanville Downey, "The Emperor Julian and the Schools," *The Classical Journal*, LIII (1957), 97-98; and his "Julian and Justinian and the Unity of Faith and Culture," *Church History*, XXVIII (1959), 341-343.
60. Lorenz Grasberger, *Erziehung und Unterricht im Klassischen Altertum*, 3 vols. (Würzburg, 1864-1881), III, 582; Henri-Irénée Marrou, *Histoire De L'Éducation Dans L'Antiquité*, 5^e ed. re. (Paris, 1960), 313-314.
61. Aulus Gellius, *Noctium Atticarum*, IV. 20. 7-10.
62. "Cato Maior," XVI. 1-2, in Plutarch's *Vitae Parallelae*. Also see the remarks of Wilhelm Dilthey, *Pädagogik Geschichte Und Grundlinien Des Systems*, Bd. IX, *Wilhelm Diltheys Gesammelte Schriften* (Leipzig and Berlin, 1934), 60.
63. As quoted in Marrou, *Histoire De L'Éducation*, 465.
64. I refer to when the Epicureans Alcaeus and Philiscus were banished from Rome in 173 B.C. Athenaeus, *Deipnosophistae*, XII. 547A; there is, too, the treatment accorded Greek and Latin Rhetors who were exiled by the Romans in 161, 155 and again in 92 B.C. Suetonius, *De Rhetoribus*, I; Aulus Gellius, *Noctium Atticarum*, XV. 11.

habits, his social and educational philosophy clearly reflect the cultural pride and conservatism of an earlier day.

By insisting that Christian teachers no longer be permitted to reduce the writings of pagans to an apology for the introduction of their own beliefs or, what was considered worse, to teach from the texts while really believing them worthless, the emperor was attending to one of the most divisive of contemporary cultural faults. This was the growing intransigence of spiritual and secular interests. One of the oldest of Graeco-Roman traditions was the respectful sense for integrated educational objectives, or what Grasberger referred to as "der Sorge für die harmonische Ausbildung des künftigen Bürgers."⁶⁵ A cultivation of traditional philosophico-religious sensibilities was as germane to civic need as the endowment of literacy.⁶⁶ And the teacher, above all others, was expected to most completely personify the preachments of those authors delivered to young minds by his words. It had been a grammarian whom Aristotle had chosen to illustrate a man fully at one with his work.⁶⁷ Plutarch too, had emphasized the need of academic and intellectual integrity.⁶⁸ It was a want of such dedication among teachers and others which led Julian, early in his career, to inveigh against those who "praise" but refuse "to imitate the Homeric heroes."⁶⁹ To Julian, a mind which found itself divided between opposing commitments of church and state was not only a dangerous element in the highly mimetic systems of ancient learning but was itself unlikely to achieve the felicities of either heaven or earth.

Of course, quite apart from Julian's indictment of those teaching with divided purpose, he also succeeded in confounding Christian practice with opposing Christian precept. Despite a growing attachment to classical literature, there was a strong and well established tradition of Christian disapproval with any traffic in secular knowledge. One of the earliest patristic documents to survive advises Christians to eschew pagan books as foreign and evil and for those who are teachers to abandon their jobs.⁷⁰ Theophilus castigated heathen writers and thinkers as depraved and ignorant.⁷¹ Arnobius had nothing but disgust for pagan learning.⁷² And Tertullian, almost as if he had anticipated the issues raised by Julian's edict, had warned of the nec-

65. *Erziehung Und Unterricht im Klassischen Altertum*, II, 15.

66. Martin Persson Nilsson, *Die Hellenistische Schule* (München, 1955), 61-81; and the remark of M. Defourny that "pedagogie et politique ont meme but; le bonheur de la cite; . . ." "Aristotle et L'Education," *Annales de L'Institut Supérieur de Philosophie*, IV (1920), 20.

67. *Ethica Nicomachea*, II. 4.

68. See the translation and comments in Katherine Mary Westaway, *The Educational Theory of Plutarch* (London, 1922), 139.

69. *Orat. VIII*, Wright, II, 191; Bidez, *Orat. IV, Discours*, 202.

70. *Constitutiones Apostolorum*, I. 6. Also see R. Hugh Connolly, *The so-Called Egyptian Church Order and Derived Documents*, vol. VIII: *Texts and Studies Contributions to Biblical and Patristic Literature*, ed. J. Armitage Robinson (Cambridge, 1916), 63-64.

71. *Ad Autolycum*, XVIII. And Tatian, *Oratio Adversus Graecos*, I-III.

72. *Adversus Nationes*, III. 11; IV. 26-27, 35.

essary compromise with their honesty if Christians became expositors of gentile books.⁷³ Julian, without doubt, took pleasure in the ethical discomfiture precipitated by his law.⁷⁴

But, it is emphasized here, such embarrassment was incidental to the emperor's chiefmost goals. By his own words, he had "nothing but friendly feelings" for all rhetoricians and philosophers alike—so long as they were "honest."⁷⁵ If he was mocking the Christians, he could just as well have been quoting the old Romans when, in justifying the rescript on Christian teachers, he said that a man who "thinks one thing and teaches his pupils another . . . fails to educate exactly in proportion as he fails to be an honest man."⁷⁶ Consonance of word and belief was a quality often emphasized by the emperor.⁷⁷ To require it here was in perfect harmony, as Ensslin suggested, with efforts of Julian to raise the morality of government generally.⁷⁸ The attempt to assure agreement of mind and tongue in the schools was neither oblique to the emperor's administrative habits elsewhere nor contrary to his conservative political philosophy.

All of this, however, is subsidiary to a yet larger consideration inherent in a politically weighted interpretation of the school reform. This is the question of classical literary culture and its appropriation by fourth century western man. With the ancients, at least since the time of the early Sophists, culture was a society of men held together, historically and geographically, by the frame of certain verbal traditions.⁷⁹ It was the acquisition and appreciation of these markings, the common treasury of human trial and thought, which constituted the entirety of Graeco-Roman educational fare. The use of words and dialogue, both personal and vicarious, were considered seminal to the

73. *De Idololatria*, X, XIX; *Ad Nationes*, II. 1-2. A perusal of Christian texts dealing with education leaves one surprised, like Otto Seeck, that Christians should have protested Julian's school law at all when it granted so much of what they had always seemed to ask—freedom from responsibilities of secular indoctrination and the right to quietly discourse on Matthew and Luke in their own private way. *Geschichte des Untergangs der Antiken Welt* (6 bde.; Berlin und Stuttgart, 1897-1920), IV, 328.

74. The emperor was clearly turning the knife, for instance in asking: "if the reading of your own scriptures is really enough, why do you nibble at the learning of the Greeks?" *Contra Gal.*, Wright, III, 384; Neumann, 205.

75. "To the Cynic Heracleios," *Orat.* VII, in Wright, II, 153-155.

76. *Ep.* 36, as translated by Wright, III, 117; *ep.* 61c, Bidez, *Lettres*, 73. And here, see esp. the comments of Andreotti, *Il Regno*, 139-140, and Johannes Geffcken, *Zwei Griechische Apologeten* (Leipzig und Berlin, 1907), 307.

77. *Orat.* VIII, Wright, II, 191; *Orat.* IV, Bidez, *Discours*, 202; "Letter to Themistius," Wright, II, 235; and "Misopogon," Wright, II, 465-467.

78. "Kaiser Julians Gesetzgebungswerk," 187. The essentially ethical, rather than persecutory, intent of the emperor is even more to be believed if the contentions of Denk are allowed, that Julian was dealing with a professional group whose numbers were still predominantly of pagan persuasion. V. M. Otto Denk, *Geschichte Des Gallo-Fränkischen Unterrichts - und Bildungswesens von Den Ältesten Zeiten Bis Auf Karl Den Grossen* (Mainz, 1892), 157. In this same regard, Dvornik has remarked that while there were differences of viewpoint, Julian "did not meet with any formidable opposition among contemporary rhetors and philosophers. . . ." "The Emperor Julian's 'Reactionary' Ideas on Kingship," 79; and, A. H. M. Jones, "The Social Background of the Struggle between Paganism and Christianity," *The Conflict Between Paganism and Christianity in the Fourth Century*, ed. Arnaldo Momigliano (Oxford, 1963), 20-21, 30-32.

79. Werner Jaeger, *Paideia: The Ideals of Greek Culture*, trans. Gilbert Highet, 3 vols. (New York, 1945), I, 299-300 ff.; Marrou, *Histoire de L'Education*, 306.

classical humanistic ideal, Greek *paideia* and Latin *humanitas*. This is why Julian could so little understand those who preferred a desert to the city, who could, as Nazianzus put it, dispense not only with their bodies but their speech as well.⁸⁰ The emperor was astonished that any one could question the priority of traditional literary regard. And in a passage which eloquently expressed the classical view, Julian told how even inferior youths could be raised to heroic stature by the inspiring qualities of pagan literary imagery.⁸¹ Talented young men, when exposed to literature, were no less than "gifts from heaven."⁸² Christian refusal to reverence and memorialize these trophies of thought and deed could lead only to disintegration of all human purpose or, as Julian put it, to a hatred of man himself.⁸³ Social and literary discourse were not only valued delights in their own right but essential avenues to any reasonable hope of improving the human condition.⁸⁴ The emperor viewed Christianity, with its anti-social and anti-intellectual strains as fundamentally incompatible with all he knew of what man was and ought to be.⁸⁵

Julian, who once identified himself as a "Roman" and the Hellenes as his "kinsmen," interpreted his role as emperor in Virgilian terms.⁸⁶ In seeking to reunite the empire's political and religious energies, he was guided by the dream of a terrestrial commonwealth of material and intellectual prosperity. The notion of a progressing and conquering humanity had been tendered as early as the time of Aeschylus.⁸⁷ But it was Virgil, forging and tempering the image in epic terms who drew the plans for a viable *Romanitas*. And significantly, an explicit assumption, central to the ideal itself, was a high respect for verbal and literary tradition as well as political agreement.⁸⁸ Only literature and its study, by a fusion of both heritage and hope, could promise a utopia of human construction. There was the happier sphere of the gods but, as Julian put it, they "surpassed mankind only in their superior knowledge."⁸⁹ Julian could have chosen no better agency than the schools to secure a return to Augustan vistas. But a reform of this kind, by its very nature, would require sophistication as well as

80. Greg. Naz., *Orat.* IV, 5.

81. *Contra Gal.*, Wright, III, 384-386; Neumann, 205.

82. *Ibid.*

83. "Fragment of a Letter to a Priest," Wright, II, 296; *ep.* 89b, Bidez, *Lettres*, 155-156.

84. "Panegyric in Honour of Eusebia," *Orat.* III, Wright, I, 317, 329-331; *Orat.* II, Bidez, *Discours*, 92, 97-98; "To Salust," *Orat.* VIII, Wright, II, 179; *Orat.* IV, Bidez, *Discours*, 195.

85. *Contra Gal.*, Wright, III, 325-327; Neumann, 168-169; also, *Orat.* VI, Wright, II, 9, 15; *Orat.* IV, Wright, I, 411.

86. Speaking of the story of Asclepius: ". . . it is not peculiar to us Romans alone [the gift of healing], but we enjoy it mutually . . . with our kinsmen, the Hellenes." *Contra Gal.*, Wright, III, 374; Neumann, 197.

87. *Eumenides*, 1003-1047.

88. Esp., *Aeneid*, VI, 790-793; XII, 188-191, 834-840. That Julian was far from alone in bearing Virginian imprints, see the work of D. Comparetti, *Virgilio Nel Media Evo* (Firenze, n.d.).

89. *Orat.* VI, Wright, II, 15.

belief. The Christians, so far as Julian was concerned, failed on both counts. Not only did they demean the human condition but they seemed so contrary in their social and cultural amenities as to be almost rustic, "*religionis agrestis*," no more than devotees of a creed fashioned for "crude and ignorant fisherman."⁹⁰ A practicing Christian, if true to his convictions, had no place in a Graeco-Roman school.

The prohibition laid on Christian teachers was a constructive measure. It was an effort to rededicate the schools to their traditional purposes. It was illiberal only to the extent that Julian refused to accommodate any expropriation or turning of non-Christian classical thought to the purpose of denigrating classical culture.⁹¹ Evidence that his intent comprehended far more than simply denying Christian teachers their employment is to be found in the breadth of his reforms. Public readings were instituted. Hostelries and gymnasiums were rebuilt. Letters were publicly praised.⁹² These were often closely integrated with pagan religious thought. But this was, as has been suggested, a necessary part of his guiding political model. Mamertinus, in his panegyric on Julian, knowing well what would please the emperor most, dwelt on the cultural and educational restorations of his young patron's reign:

"You, it is you, great emperor, who has restored to the state those virtues previously exiled and left to disregard. You have reinstated them to their rightful places. It is you who has revived the study of letters, previously dead; philosophy, suspect, despoiled of its honors, accused and treated with bias, you have acquitted of all indictment. More, you have clothed it with purple, crowned it with gold and precious stones and have made it to sit on the imperial throne."⁹³

There can be little question that the dream of restoring the splendor and vision of Augustan rule was a motive of transcending importance in the mind of Julian. School reform was a necessary and integral part of any such ambition.

Whereas Gibbon could lay so much of the reason for Roman imperial decay at the feet of the Christians, accusing them of an "indolent, or even criminal, disregard to the public welfare," Julian was quite aware that problems burdening the state were far from finding summary in a charge of Christian civil disobedience.⁹⁴ His criticisms of the New Cynics were no less severe than his anti-Christian aspersions.⁹⁵ The vigor of his administrative emendations fell heavy on the corrupt and negligent regardless of religious sympathy. Impatient with palliatives, his prescriptions were drawn with a concern

90. *Ep.* 55, Wright, III, 189; *ep.* 90, Bidez, *Lettres*, 21-22.

91. "Frag. 7," Wright, III, 299; Bidez, *ELPF*, 73-75.

92. *Greg. Naz., Orat.* IV, 109; Libanius, *Orat.* XVIII, 159-160.

93. "Gratiarum Actio" in J. P. Migne (ed.), *Pat. Lat.*, XVIII, 424-425. Also, see Libanius, *Orat.* I, 118; esp. XVIII, 156 ff.

94. *The Decline and Fall*, II, 41.

95. "To the Uneducated Cynics," *Orat.* VI, Wright, II, 5-65; "To the Cynic Heraclios," *Orat.* VII, Wright, II, 73-161. And the comments of Wilhelm Vollert, *Kaiser Julians Religiöse und Philosophische Überzeugung* (Gutersloh, 1899), 97.

for the radical nature of the illness. Julian sought reform at a far deeper level than sectarian succession. If the empire were to be restored, rather than replaced, the visions of empire must be restored as well. And it was precisely in the emporiums of idea, the schools, that Julian found nothing quite so threatening as Christian disbelief in a continuing world order.⁹⁶ But if the rumors of terrestrial collapse were to be dispelled, it was necessary to infuse the schools, no less than the temples, with new life. Julian knew the state would fulfill its purposes only if the empire's teachers, like its leaders, were convinced it could endure.

In the midst of a difficult campaign against the Persians, Julian, who had imprudently entered a skirmish without his armor, was struck by an enemy's lance and fell mortally wounded from his horse. The emperor was thirty-two. His entire reign had occupied a scant nineteen months. In the minds of his religious critics there was little doubt but that the apostate's fall was a stroke of providential ill-will.⁹⁷ And, so far as the rescript on Christian teachers is concerned, it had little effect of any importance on education in the empire. His successors saw to it that, within six months of Julian's death, the law was repealed.⁹⁸ Yet, the view which stamped the decree as an instance of tyranny has endured for centuries.

The political interpretations which have enlarged our understanding of his motives, should go far toward presenting historians with a more meaningful explanation of Julian's administration. The cultural construction of Julian's intent, as presented here, is but an adaptation of these revisions to the apostate emperor's most controversial act. The emphasis on cultural renewal, rather than religious persecution, permits not only a friendlier image of Julian but a more consistent one as well.

96. Julian's response to Christian eschatology is found in "Frag. I," Wright, III, 429; "Frag. III," Neumann, 234.

97. See the many testimonies and versions collected in G. Reinhardt, *Der Tod des Kaiser Julian* (Cöthen, 1891).

98. *Cod. Theod.*, XIII. 3.6.

1969 BREWER PRIZE CONTEST

The American Society of Church History announces that its next Brewer Prize competition for a booklength manuscript in Church History will conclude in 1969. The award will be announced at the annual meeting of the Society in December of that year. It will consist of a subsidy of \$1,000 to assist the author in the publication of the winning manuscript, which shall be described on its title page as the "Frank S. and Elizabeth D. Brewer Prize Essay of the American Society of Church History" and shall be published in a manner acceptable to the Society. If competing essays are otherwise of equal quality, preference will be given to those dealing with topics relating to the history of Congregationalism. Complete manuscripts in final form, fully annotated, must be in the hands of the secretary, Professor James H. Smylie, Union Theological Seminary, Richmond, Virginia, by September 1, 1969.