

THE CHARLES HOMER HASKINS LECTURE

Charles Homer Haskins (1870–1937), for whom the ACLS lecture series is named, was the first Chairman of the American Council of Learned Societies, 1920–26. He began his teaching career at the Johns Hopkins University, where he received the BA degree in 1887, and the PhD in 1890. He later taught at the University of Wisconsin and at Harvard, where he was Henry Charles Lea Professor of Medieval History at the time of his retirement in 1931, and Dean of the Graduate School of Arts and Sciences from 1908 to 1924. He served as president of the American Historical Association, 1922, and was a founder and the second president of the Medieval Academy of America, 1926.

A great American teacher, Charles Homer Haskins also did much to establish the reputation of American scholarship abroad. His distinction was recognized in honorary degrees from Strasbourg, Padua, Manchester, Paris, Louvain, Caen, Harvard, Wisconsin, and Allegheny College, where in 1883 he had begun his higher education at the age of thirteen.

A LIFE OF LEARNING

Scholarship by Contrariety

Milton V. Anastos
*Professor Emeritus of Byzantine Greek and History
University of California, Los Angeles*

I began my academic career most inauspiciously by being detained after school in the first grade. My offense was that, when called upon to read, I could never find the point at which my predecessor in the reading lesson had left off. Then I aggravated the situation by a similar failure after school. I do not now recall how many times I had to submit to this humiliation. Nor can I understand why I did not have the wit to point out in my defense that I had learned to read with ease long before entering the first grade. My trouble was that, as soon as the class started to read about the enthralling adventures of Jack and Jill, Fannie and her apple, the house that Jack built, and the rest, I raced on excitedly to the end of the tale, so as to discover for myself how these noble characters had made out in their perilous confrontation with the universe. Consequently, when my turn came to read, I was completely lost and had no idea of what part of the story had been left to me.

As I ponder this lugubrious chapter in my history, I cannot remember how I explained my ignominy to my mother. She was a generous and kindly lady,

who, however, was altogether intolerant of academic derelictions on the part of her offspring. Had she known of the undeserved suffering I had been undergoing, she would have stormed upon my schoolhouse and torn the place apart—brick by brick.

So much, then, for my agonies in the first grade. But at least I was never left back in kindergarten. This ignominious fate, candor compels me to point out, overtook my dear wife, Rosemary Park, that peetless college president and vice-chancellor of UCLA. Despite her virtuosity in such kindergarten exercises as weaving—over one, under two, under two, etc.—that poor girl got stuck in kindergarten for two years. Of course, she had an excellent excuse, as who does not? Her parents had decided that she should repeat kindergarten, so that she might watch over her brother and sister, who were too young to be trusted to make their way across the streets without guidance.

So far, I have nothing to report that does me credit. Unfortunately, embarrassment continued to haunt me during my freshman year in high school. In the first place, since my friends had warned me that Latin was very difficult and should be avoided, I chose French as my only foreign language. In doing so, I violated strict orders from home that I was to take four years of Latin. When parental wrath descended upon me for this disobedience, I pleaded that it was too late to make any changes in my curriculum and that Latin would have to be sacrificed. My mother then threatened to go to school herself to straighten the matter out. Naturally, I fought bitterly against this pernicious suggestion. But, in the end, I lost, and had to submit to the excruciating pain of witnessing a maternal visit to my homeroom teacher, who, of course, readily consented to inflicting the study of Latin upon me.

Somehow, I managed to survive this painful ordeal. Nevertheless, despite the most valiant efforts by my parents, who even sank so low as to offer me all manner of bribes, I could not be induced to pay serious attention to my studies. As a result, I finished my freshman year in high school with a dismal average in the middle eighties. I was somewhat discomfited by this melancholy performance, but not greatly concerned until I learned that a classmate for whose intellectual gifts I had scant respect had the highest ranking in the school. That was a shattering blow for me, and I spent a good part of the ensuing summer calculating how many subjects I needed and what grades I should have to make to catch up and take the lead myself.

This in time I managed to do, and I must confess that the spirit of contrariety engendered by my resentment over my fellow student's success in getting higher grades than I, was, somewhat perversely, a major factor in shaping my career and convincing me that I actually enjoyed studying and was eager to strain myself in doing so.

By the time I entered Harvard College in 1926, I had overcome my aversion to Latin and was easily persuaded by my freshman adviser to concentrate in classics. Here my experience differs from that of Professor Lawrence Stone, my illustrious predecessor as the Charles Homer Haskins Lecturer, who, you may recall, resented the time and energy he spent in mastering what are called the "dead" languages. For my part, I have now been studying and using Greek and Latin steadily in all my research for just about 60 years, and have never ceased to find that they demand my most strenuous efforts and are the source of my most abiding satisfaction.

Though deeply devoted to the classics, I had long intended to study law, and entered the Harvard Law School with the class of 1935. I found the common law extremely congenial, but soon wearied of the callousness of many of my fellow students, who used to argue that, as prospective lawyers, we should concern ourselves, not with justice, but with nothing except the law. I am not certain whether they really believed this to be a sound rule of conduct or whether they argued this way out of sheer contrariety.

Anyhow, I was annoyed by their attitude and I transferred to the Harvard Divinity School, not with the intention of entering the clergy, but seeking instruction in the theological sciences, especially in ecclesiastical history. It was at this juncture that I had the good fortune of becoming intimately acquainted with a number of brilliant personalities who exerted a profound influence upon my future. At the Divinity School, as in the Department of Classics, classes were in general very small, rarely exceeding 15 or 20 students, so that we had the advantage of direct personal guidance from our instructors.

I am greatly indebted to a number of these altogether extraordinary scholars. In my earlier years as a graduate student, my chief friend and advocate was Harry Austryn Wolfson, Nathan Litauer Professor of Hebrew Literature and Philosophy, and a prodigious worker of enormous learning, the author of many outstanding books. Uncle Harry, as I called him, entered Widener Library almost every morning with the cleaning staff at seven and stayed all day, except for brief interludes for his meals and an occasional foray to Boston to see a movie, preferably a double feature. He was never too busy to be consulted on any problem—imaginary, personal, or academic. Then there was Robert H. Pfeiffer, Hancock Professor of Hebrew Literature, the most amiable of men, whose Christmas parties for students and colleagues are legendary and still warmly remembered. He was the victim of a cruel injustice which for many years denied him the professorial rank he richly deserved. But eventually he prevailed, to the great joy of those of us who had fought for him, sometimes at great risk to ourselves and our careers.

But in our personal devotion and feeling of gratitude to our instructors lurks a great danger which I mention now with some trepidation. Young students in

their enthusiasm are often exploited by their seniors. I myself suffered two frustrating experiences, to which I must briefly allude. Both of the professors involved in these episodes are now dead, and I suppress their names in this chronicle. *De mortuis nil nisi malum*. For one of them I wrote a whole book, consisting of texts (which I either constituted myself or revised and re-edited) and translations. These were brought together in a large and impressive volume, in which I am mentioned briefly in the preface without any acknowledgment of the extent of my contribution. The alleged author took over my work in its entirety, "jazzed up" my translations (as he told me orally) (without reference to the original texts), added a few brief notes, and took the whole credit for the volume for himself.

For the second of this pair of plagiarists I worked about four whole years collating and checking Greek manuscripts to establish a critical text, but got no word of recognition except for one brief sentence in the preface. Perhaps I may be forgiven if I remark that these few words, though gracious enough in themselves, were the very least reward that could have been offered for my long and selfless services, especially in view of the fact that many of our colleagues were aware of the extent of my efforts and had become restive about this kind of academic exploitation.

These were my first publications, and I now list them in my bibliography as "works written in collaboration with other scholars."

Indubitably I learned a great deal in carrying out these assignments, but at enormous cost. Many young scholars have had to contend with this problem. In some European centers of research whole edifices have been constructed for senior professors by their assistants, who received only the most meager compensation for what were truly monumental achievements. In the U.S. a notorious professor at a great university—not Harvard or UCLA—published under his own name an entire series of books which had been written by his doctoral candidates. One of these, now a colleague of mine at UCLA, got wind of what was being done with his dissertation and made a loud outcry until his name was added to the title page. I hope and believe that the present generation of students has been able to protect itself against plagiarism and outright theft of this kind.

It was at the Divinity School that I decided I should devote my life to patristic studies and Byzantine intellectual history. The commitment was twofold. In the first place, it seemed to me that the Byzantine field had been less intensively cultivated than many others which I found appealing and therefore offered opportunity for original research. That was nearly fifty years ago; and the situation has changed radically since then, although, of course, a vast amount of work still remains to be done, especially in the editing and expounding of texts,

a large number of which have never been published. In the patristic field, I felt that many topics had been dealt with improperly.

For example, I was convinced that the theologian Nestorius had been unjustly condemned by the oecumenical councils. He was bishop of Constantinople (428–31) and had been attacked by Cyril, bishop of Alexandria (412–44), for dividing Jesus Christ into two persons, the man Jesus and the divine Logos, who was the Son of God. But Nestorius constantly insisted that he had never been guilty of so heinous an error, which would have amounted to introducing a fourth member into the Trinity.

After reading his book, the so-called *Bazaar of Heraclides*, in which he repeatedly defends himself against this charge, I concluded that he was the victim of both contrariety and personal animosity. Cyril was determined to denounce him as a heretic in order that Alexandria might prevail over Constantinople and took advantage of every opportunity to do so. Actually, both Cyril and Nestorius were guilty of ambiguity in the use of technical terms; and Nestorius, it must be conceded, was guilty of unconscionable prolixity and obscurity. But a review of the evidence in my opinion indicated that both theologians meant to be what we call orthodox and would have conceded that Jesus Christ, as the orthodox maintain, had two natures, one divine and one human, joined in indissoluble union in one person.

In a lengthy article, I have, I believe, proved that Nestorius was as loyal to this principle as Cyril was; and moreover, that he described the union of the two natures in one person in an exemplary orthodox fashion. For he says that the human Jesus "received his *prosopon* [i.e. person] as something created in such wise as not originally to be man but at the same time Man-God by the incarnation [*enanthropesis*] of God" (*Bazaar*, 1, 1, 64, p. 60; cf. 92.1f., 237). This is an extremely subtle description of the oneness of Jesus Christ, and shows that Nestorius conceived the Man-God to have been the divine Logos, and shows what would have become the separate individual man Jesus, if the Logos had not been united with him from the moment of conception. For the child born of the Virgin was at no time, Nestorius states, a separate man but "at the same time Man-God."

Many critics, at least, have found my analysis of Nestorius's Christology to be persuasive. But in discussing this question with me one day, the archbishop of Athens said with the utmost courtesy, "Professor, your argument is very learned and undoubtedly sound. But why, then, did the Holy Spirit anathematize Nestorius as a heretic?" To which I replied, "For a very simple reason. The Holy Spirit never read his book!"

After getting the degree of S.T.B. from the Divinity School, I went on to a Ph.D. in history, engaging for my thesis in a truly delightful exercise in

historical legerdemain, whereby I attempted to demonstrate not unsuccessfully, I believe, that the discovery of America by Columbus in 1492 was achieved indirectly in part by Columbus's reliance on certain texts of the geographer Strabo as excerpted and presented at the Council of Florence in 1438-39 by George Gemistus Pletho, a learned Byzantine gentleman, who was widely recognized in western Europe to be the greatest scholar of his day.

My doctorate was awarded in 1940, a year in which the academic market for Byzantine history proved to be dismal and hopeless. Then, most unexpectedly, the kind of cosmic savior I had been reading about in the later Greek philosophical texts loomed in the form of Dumbarton Oaks, a new research center devoted to Byzantine civilization which had been endowed by former Ambassador and Mrs. Robert Woods Bliss. By great good fortune, it had been set up as a department of Harvard University, and my appointment as fellow and subsequently professor of Byzantine theology in this academic paradise was indubitably one of the major turning points in my career. Many have benefited from this extraordinarily munificent gift, but I doubt that anyone has been a greater beneficiary than I. The whole idea of the institution was made to order for me, and I am deeply obligated to it for the opportunity it gave me for nearly 20 years to do my research and writing without interference or interruption. At first, we had a library of less than 10,000 volumes, mostly concentrated in the arts. For many years, therefore, I spent over half of my time locating desiderata throughout the world and persuading the administrative authorities to acquire them. This bibliographical acquisitiveness of mine had a number of far-reaching consequences. In the first place, obsessed by my passion for books, I soon began to realize that it would be prudent for me to buy as many of the pertinent materials as I could afford myself. My idea was, and is, that Byzantine civilization can be traced back to Homer, and that the subject embraces every branch of learning—art, science, economics, history, literature, theology, political theory, philosophy, law, magic, and so on. Acting on this theory, I have now amassed a personal library of some 50,000 volumes, which is esteemed by many to be one of the great such collections in the world.

Secondly, I have been attempting to build up a complete bibliography of the entire Byzantine field. At present, I have approximately two or three hundred thousand bibliographical slips, suitably classified by subject. In earlier days, by the grace of God, the University of California, the work-study program, and a well disposed vice-chancellor—*not*, I should add, my wife, who has always been a completely disinterested person—I have had the collaboration of as many as five, six, and more of my best students. Now, however, under the present economic and political conditions, I have been reduced to only the barest minimum of assistance. We desperately need funds to complete the bibliography, and computerize it so that it can be made available to scholars and institutions throughout the world.

Furthermore, my conception of Byzantium has led me to prepare a large-scale intellectual history of the Byzantine Empire in all of its aspects, which I call the *Mind of Byzantium* (MOB), and which in typescript some years ago was estimated by representatives of the University of California Press to amount to between four and five volumes. I have already published an abridged version of it in three substantial parts of the *National History of Greece*. This is in Greek, and I am resolved by the end of this calendar year to finish the first volume (in English) on the legal position of the Byzantine Emperor and his relation to the Church.

In despatching so lengthily on Byzantium, I must not pass over the war. On the day of Pearl Harbor, I made an attempt to enlist in the Navy, and was unceremoniously rejected by a yeoman because my eyes failed to meet naval standards. Then, after some vicissitudes, I joined the OSS, hoping that my physical defects would be waived by this department of the armed services. After many delays, I finally was examined for a post as an intelligence officer in a parachute division. Then, as a crowning infamy, the examining physician said, "Boy, if we dropped you in a parachute, you would split! You can serve your country here in Washington."

Then, I was taken on by SI (Special Intelligence) and, after a few months, transferred to R and A (Research and Analysis), headed by William Langer a great master of many fields of learning, who exerted enormous influence over the entire operation. Here, I was put in charge of what was designated as the "Greek desk," and found that the organization was dominated by colleagues from the universities, a large number of whom were historians, economists, archaeologists, and philologists; whose specialized training in a great variety of fields fitted them uniquely to provide the kind of analysis and information which were desperately needed for the conduct and planning of the war.

At one point, for example, when the Third Army of the U.S. was laying plans to cross the Rhine, I was asked to compile the available information on the Byzantine Emperor Julian II's crossing of the Rhine in 359, when he was Caesar. This was easily done, and I have often wondered whether these data were made available to General George Patton in the vicinity of Oppenheim on the eve of March 22, 1945, when he managed to slip across the Rhine, "without," as his aide announced at SHAEF, "benefit of airborne drop, without benefit of the United States Navy or the British Navy and *not* having laid down the greatest smokescreen in the history of modern war."

This was one of the turning points of the final assault upon the Nazis, combined with the capture of the Ludendorff railway bridge at Remagen a few days earlier, on March 7, by the Ninth Armored Division of the First Army commanded by Courtney Hodges. Thus both the First Army of the U.S. and the Third succeeded in making their way across the Rhine before the British (who

did not succeed in doing so until March 24), despite Churchill's erroneous statement in a prerecorded speech that the British had been the first to surmount this obstacle.¹

Many profited greatly intellectually and spiritually from their service in the war. I doubt, however, that I gained very much personally except that I was forced to devote attention to the Mediterranean area as a whole and to probe further into Greek history, politics, and philology. Moreover, I had an opportunity to observe at first hand how professors in a huge bureaucracy were able to serve the Muses and civilization at the same time. I must also have acquired some fluency in writing in the course of preparing innumerable reports and struggling to combine mountains of disparate facts into some kind of logical unity.

On a somewhat different plane I learned in the interminable exchange of memoranda and critical reviews that it is actually possible to recognize personal differences of style. Many have been skeptical of this kind of criticism, which has long been a favorite tool in literary and historical analysis. But, on more than one occasion I saw empirical proof of its validity.

After many interesting experiences in the OSS when it became evident that the U.S. was not going to invade the Balkans, I was able to return to Dumbarton Oaks and Byzantium, though I continued to serve a few months longer as a consultant.

At Dumbarton Oaks I had the great advantage of associating with a number of remarkable gentlemen. The most notable of these was Albert Mathias Friend, Jr., who had the unique position of being Director of Studies at Dumbarton Oaks, a department of Harvard University, at the same time that he was Marquand Professor of the History of Art at Princeton University. Friend was an unusually gifted Byzantinist and had a genius for stimulating research both at Dumbarton Oaks and at Princeton. He himself never published more than about five articles, but he inspired a large number of projects, primarily in the field of Byzantine art and archaeology. Although he never completed any part of the great work he had planned, he gave the impetus to others who carried out the schemes he had adumbrated. He had an encyclopaedic and unexcelled knowledge of just about all of the relevant monuments. But his skills lay in imparting ideas and providing trenchant criticism. He spent a great deal of time, at the expense of his own projects, in encouraging others. In any academic

¹ Omar N. Bradley and Clay Blair, *A General's Life: An Autobiography by General Omar N. Bradley* (New York: Simon and Schuster, 1983), 404, 411, 413; Ralph Ingersoll, *Top Secret* (New York: Harcourt, Brace and Co., 1946), 312 f.; Charles B. MacDonald, *The Last Offensive (The U.S. Army in World War II, The European Theater of Operations, 9* [Washington, D.C., 1973]), 213 ff., 267 ff., 303 ff.

institution, especially in a relatively small and highly specialized one like Dumbarton Oaks, there are always sensitive prima donnas and bruised egos; and Friend regularly made the rounds among scholars and staff to buoy up their morale. As he said to me on one occasion, after a particularly heroic effort in patching up a wounded spirit, "You can't get milk except from contented cows." His greatest contribution was in persuading the Harvard Corporation to organize Dumbarton Oaks as a full-fledged department of the University with the regular professorial ranks, awarded on the usual basis.

I owe a great debt to Friend, as well as to Carl Kraeeling, Ernst Kitzinger, and John S. Thacher, all of whom played an important role in the direction of Dumbarton Oaks, the first three as Directors of Studies, the Fourth as Administrative Director.

At Dumbarton Oaks, having been released from the OSS, I now redoubled my efforts to make real headway with MOB. In addition to the incomparable privilege of my association with Dumbarton Oaks, I am greatly indebted for grants to the ACLS, the Guggenheim Foundation on two occasions, and the Fulbright fellowship program.

By 1964 I had been a member of the Harvard community for 38 rich and satisfying years, when, to my own surprise and that of my friends, I was persuaded to accept an invitation to UCLA. The University has provided admirable facilities for research and has enabled my colleague, Professor Speros Vryonis, and me to establish a flourishing school of Byzantinology, which has produced eight doctoral dissertations and played an important role in several more. Though delighted with California in every way, we remain deeply devoted to Harvard, to which we fondly refer as the UCLA of the East.

In the remaining moments I should like to sketch briefly some of the major features of my concept of Byzantine civilization. One aspect of my work has been an attack on the paradoxographers. There is a type of scholar that delights in paradoxes born of little more than contrariness. Their method is very simple. In ancient and mediaeval history, for example, they accumulate and analyze all of the extant sources on a given problem or historical event, eliminate obvious errors and contradictions, and then summarize what seems to be a series of inevitable inferences based upon these data. One would think that historians could safely rely on these results. But the paradoxographers, either out of some hope of coming up with a more original solution, or out of sheer contrariness, from which who among us has not suffered, deny the validity of the seemingly logical conclusions and attempt to upset them with new and usually radical hypotheses.

One of the most striking examples of how the paradoxographers work is the account of the Emperor Constantine's conversion to Christianity as related by

two contemporary historians, Eusebius (writing in Greek) and Lactantius (in Latin), both of whom were personally acquainted with Constantine. The former wrote a panegyric biography (usually referred to as the *Vita*) of the Emperor, who himself supplied his biographer with many important details, most notably on his famous vision and dream. The latter was tutor of the Emperor's eldest son, Crispus.

In the *Vita* (1, 28) Constantine is said by Eusebius to have sworn that, about noon, he and his soldiers saw in the sky the trophy of a cross of light bearing the inscription *tuio nika*, "by this [sign] conquer." That night, in a dream (1, 29), Christ appeared to him with the same sign which he had seen in the sky during the day, and commanded him to make a replica of this cross for use in combat against his enemies. This Constantine did, making a banner in the shape of a cross (i.e. the labarum), and surmounting it with a symbol consisting of the initials of Christ, probably in the form ✠ . This is the so-called Christogram, which, Eusebius says, Constantine wore on his helmet and displayed on all of his battle flags (1, 30f.). Lactantius adds that this device was inscribed upon the shields of Constantine's troops (*On the deaths of the persecutors*, 44, 5). It occurs frequently on Christian coins and many other monuments.

On the strength of these passages, especially the testimony of Eusebius, it had generally been assumed that Constantine had been converted to Christianity on that fateful night of October 28, 312. But the paradoxographers got to work on this incident, denied that Constantine had been converted in the manner described by Eusebius, and invented the elaborate theory that the whole account of Constantine's conversion was interpolated into the text of Eusebius by pious historians in the early fifth century.

They have no textual evidence to support this hypothesis, nor do they explain how or why both Eusebius and Lactantius should have been interpolated in more or less the same way. What is more, and this is the chief argument I would advance against the paradoxographers, there is substantial archaeological evidence which amounts to a complete vindication of the Eusebian and Lactantian texts as I have summarized them. This is to be found in a series of coins which were struck between the years 350 and 353.

The first group of these was issued by the usurper Magnentius (350-53) and his son (Decentius), who put out a number of coins showing the labarum bearing a Christogram. This iconography indicates their eagerness to conciliate the legitimate emperor, Constantius II, the son of the Emperor Constantine I, both of whom used the Christogram on their coins. Magnentius even went so far as to inscribe the name of Constantius on his coins to advertise widely that it was his ambition to be the latter's colleague on the throne rather than his rival.

Later on, however, in 353, Magnentius adopted the large Christogram on the reverse of his coins, which was copied from a coin struck by Constantius, in order to indicate that it was he, Magnentius, not Constantius, who was the defender of orthodox Christianity as defined in 325 at the Council of Nicaea against his rival Constantius, who had espoused the cause of the Arian theologians opposed to the Creed of 325. But, most importantly, the use of the Christogram itself gives proof that Eusebius's description of Constantine's conversion was known in the Latin West in 350, only ten years after the historian's death, and was not, therefore, the invention of a pious Christian writer of the fifth century.

This conclusion is reinforced by the coinage of the usurper Vetrano, who was Emperor from March 1 to December 25, 350. The interesting point here is that Constantia, Constantine I's daughter, fearful that the usurpation by Magnentius would imperil her brother Constantius's hold on the imperial power, persuaded Vetrano to assume the purple. At the time, her brother, the Emperor Constantius II was occupied in fighting the Persians in the East and, under the circumstances, consented to Constantia's request that Vetrano be invested with the diadem.

Here again the coins are of decisive significance. For some struck in 350 by Vetrano and Constantius II, as well as in 351 by Gallus (Constantine's nephew, who married Constantia), used as a reverse legend the words HOC SIGNO VICTOR ERIS "by this sign you shall be the victor", that is, the Latin translation of the original Greek, *tuio nika* ("by this [sign] conquer"). What is most remarkable is that Vetrano, a simple soldier, who could neither read nor write, thus succinctly memorialized in his coinage the leading idea of Eusebius's chapters on Constantine's conversion. Obviously, Vetrano had not read Eusebius in the original Greek, nor in any Latin translation, if there had been one in his day. The obvious explanation is that he learned of this whole episode from Constantine's daughter, who undoubtedly had heard of her father's vision and dream from his own lips.

In sum, far from being a fabrication of a theologian of the fifth century, the story of Constantine's conversion was a familiar one in the latter's family. Thus the coins add a new dimension to one of the most memorable events in ancient history. Of course, this is not to say that Constantine had ever actually had this vision and dream. But he not only claimed that he had had it and was not reticent in discussing it with his relatives and friends but also heeded the advice he had been given in this supernatural way. On the other hand, given the fears and anxiety he must have felt in preparing to meet a mortal enemy in combat, there is every reason to believe that he really underwent the experiences Eusebius reports.

A great deal of scholarly research indubitably comes about in this rather complicated way. One group of scholars, either out of sheer contrariety or even

because they truly believe they have good reason to reject what they take to be the conventional and uncritical publications of their predecessors, sets out in search of more original results, which they present so provocatively as to stimulate the opposite reaction from the contrary-minded, who in turn attempt, with equal fervor, to reverse their immediate precursors and return to the *status quo ante*.

The dispute about Constantine's conversion is a good example of this kind of contrariety. A similar one has developed over the famous Edict of Toleration promulgated in 313 by Constantine and Licinius. For generations historians had been content to accept this enactment at its face value. But then, in 1891, Otto Seeck published a paper entitled "Das sogenannte Edikt von Mailand" (*Zeitschrift für Kirchengeschichte*, 12 [1891] 381-386) in which he argued that this document was not an edict, was not promulgated in Milan, and was not by Constantine. He was then joined by a multitude of other paradoxographers, who attacked the traditional view on all fronts, and have been seduced by the temptation of attempting to prove that, despite his friendly disposition towards the Christian church, Constantine did not issue the Edict of Milan in 313 but that Licinius, whom Eusebius condemns as a persecutor of the Christians (*Ecclesiastical History*, 10, 8, 8-19), did. This is a titillating conceit, heightened by the additional paradox that it is claimed that Constantine did not even participate in the Edict at all.

I have devoted an article of 30 pages to this problem and can only touch upon a few major points this evening. My chief argument is derived from the two sources for this so-called Edict, which in its influence ranks with the Declaration of Independence and the Constitution of the U.S. For in it the emperors, Constantine I (306-37) and Licinius (308-24), who are specifically named as its authors, granted to the Christians and all others "the right to follow freely whatever religion they wished," so that, as they put it, "whatever divinity there is in heaven might be favorable and propitious to us and to all our subjects."

This pronouncement occurs in virtually identical form in both Eusebius (*Ecclesiastical History*, 10, 5, 4) and Lactantius (*On the deaths of the persecutors*, 28, 2-12). Despite close agreement on all essential matters, there remain enough minor discrepancies between Eusebius's Greek and Lactantius's Latin to demonstrate that Eusebius' source could not have been the Edict as found in Lactantius or *vice versa*. Hence, we have two independent witnesses which corroborate each other most impressively on all the principal points at issue, although neither was copied or transcribed from the other.

The excerpts from Eusebius and Lactantius which I have summarized prove beyond doubt (1) that the Edict was issued by both Constantine and Licinius and (2) that their versions of it, as posted individually and separately by the two Emperors in their respective jurisdictions, must have been identical or nearly so.

Otherwise, Eusebius would not have included it in what he specifically designates as the laws of both Constantine and Licinius. Nor would both emperors have stated in so many words as they do ("I Constantine Augustus and I Licinius Augustus") that they had actively collaborated in the project. Thus, these passages from Eusebius and Lactantius make it altogether impossible to deny that Constantine was one of the authors of this ordinance, or that he had published it as a law for the portion of the empire over which he ruled.

These conclusions follow inevitably from the opening sentences of the Edict (as I have quoted them). It is difficult to imagine how Constantine could have discussed religious freedom at Milan, as he says he had, and then drafted, or assented to, a law couched in the terms described, as both Eusebius and Lactantius agree that he did, without enacting it in his own name for his part of the Empire.

It is much more likely that Constantine arranged the conference at Milan, as well as the matrimonial alliance between his half-sister, (another) Constantia, and Licinius, at least in part so as to win over his imperial colleague to his own policy of religious toleration. Whether this was really his aim or not, it is inconceivable that Constantine, the first and greatest imperial benefactor of the Christian church and its most influential patron in the early centuries, apart from its Founder, could have failed in his own realm to promulgate this great charter of Christian liberty which explicitly and systematically enacted into law the principles of which he was the most notable imperial exponent.

Finally, I should say, I am content to rest my case with what I take to be the incontrovertible fact that Constantine promulgated the Edict of Toleration in his own realm, and avoid going into other more technical details such as (a) whether this form of Constantine's legislation could be defined legally as an Edict, as I think it was, and (b) whether it was published by Constantine in Milan or elsewhere. But enough has been said, perhaps, to indicate what wide scope historical research offers for contrariety, which, however, in its final outcome, when carried through to the end, is constructive, and leads the way, despite some obfuscations and not a little irritation on both sides over what often seems to be perversity and wrongheadedness, to positive results.

The major part of my work so far, aside from the considerable portions of MOB published in the *National History of Greece*, has been in longish articles and monographs devoted to solving what I have taken to be key problems of Byzantine intellectual history. In many ways the most significant of these was a paper devoted to the theologian Basil's treatise *Against Eunomius*. Basil, as you know (c. 330-79), was one of the leading orthodox champions against the heretical views of the Arians, who were condemned for their belief that Jesus Christ, the Son of God, was not co-eternal with the Father but was subsequent to him. Basil has always been cited as one of the principal defenders of the

orthodox doctrine of the co-eternity of the Father and the Son. Indeed, in his critique of *Against Eutychius*, he makes a special point of arguing that the "Son always existed, and never had a beginning of being" (*C. Eutych.*, 2,12). In my analysis I carefully drew attention to Basil's oft-repeated denunciation of the Arian propositions and his vehement affirmation of the orthodox principles. But then, in the course of reading the proof, I discovered to my amazement and great chagrin that Basil had also in this same treatise maintained that the Son got the beginning of his being from the Father and was second to the Father. These texts are in flat contradiction to his previous statements and do not differ from the Arian position on this subject. In other words, this extraordinary inconsistency on Basil's part, discovered by chance in preparing a lecture for a symposium, compels a re-examination of his reputation as a leading exponent of Byzantine orthodoxy.

Preoccupied quite properly as we are with the origin and production of learned tomes, we should not ignore what is in many ways the most essential of our scholarly tasks. That is, we are bound to keep in mind that our chief function is to disseminate the fruit of our researches not only by original works of scholarship but also by instruction as presented to our students. Our lectures should in a real sense enlighten them by giving them more than mere facts and information. We must remember Thomas Jefferson's ideal of public education and seek in all of our teaching by form and manner, if not in actual words or precepts, to remind our students of the scope and ideals of the free society of which we are among the principal custodians.

Permit me to illustrate this aspect of the paedagogical process by my lectures on the Roman law. In expounding the legal principle, *Princeps legibus solutus est* (as set forth in Dig. 1. 3. 31 and elsewhere), I pointed out that the Roman and Byzantine emperors were exempt from the laws. But the president of the United States is not. I gave this course over a period of years and made the same comment on the meaning of the text each time, but with particular poignancy during the period of the Watergate scandal.

Similarly, I have regularly reminded my classes that, despite the despotic and arbitrary power of the Byzantine emperors, who abused the rights and property of their subjects whenever they chose, it was Justinian's Digest in 529 that enunciated the cardinal principle of the sanctity of a man's home, which many have thought to be of English origin. The Digest (2. 4. 18) quotes Gaius as saying that "the majority have thought that it is not lawful to summon a person [to appear in court] from his own home because 'a man's home is his most secure shelter and refuge' (domus tutissimum cuique refugium atque receptaculum), so that anyone who should cite him out of it is held to be using violence."

An equally precious bulwark of freedom, the writ of habeas corpus, which has been described as "the most important single safeguard of personal liberty

known to the Anglo-American law," is patterned upon the Roman "exhibitory interdicit" (Dig. 43. 29. 1 pr. 1) "de homine libero exhibendo," according to which, "quem liberum dolo malo retines exhibitus," i.e., "bring forth the freeman whom you are unjustly detaining." In Roman law this remedy applied to sons or slaves wrongfully held under restraint by unauthorized persons. In the Common law, as further defined by numerous statutes and safeguarded by the constitutions of the Federal government (1. 9. 2) and of the several states, the writ of habeas corpus enables a person held in prison by the police to demand that he be produced in court without delay, and that cause be shown for his detention. The same writ is used in cases involving custody of children and guardianship.

Interesting as they are, however, these texts from the Roman law, I have pointed out, do not really mean that the Byzantine Empire in practice recognized what the Fourth Amendment to the Constitution of the U.S. describes as "the right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures." For in Roman law, the rulings I have quoted had reference to litigation between private citizens and not to criminal law. Actually, the *Corpus Iuris* did not concern itself with what we call civil liberty or civil rights, which are guaranteed by the common law, by Amendments 1-10, 13-15, 19 and 24 of the Constitution of the U.S. and by a succession of decisions by the various courts of the U.S. that rank high among the glories of our civilization.

In Byzantium, the emperor could, and often did, ignore the rights of his subjects, and was not bound to respect what we call "due process of law," which, by the Common law, as confirmed by the Fifth, Sixth, and Fourteenth Amendments of the Constitution of the U.S., protects the life, liberty, and property of us all, and applies to every form of property and every personal, civil, and political right.

To summarize, in conclusion, my ideal of scholarship as ultimately transcending all contrariety, let me say that true learning, however it is attained, illumines more than just the intellect. It has a moral, a political, and even, I should like to add, a democratic goal. Or, in the words of the poet of the Harvard Tercentenary in 1936:

"Light that is light lights not the mind alone,
Light that is light . . . lights the whole man."