

**The development of the Ecclesiology and the Political Theology  
of the Ecumenical Patriarchate of Constantinople and the  
Autocephalous Greek Orthodox Church in response to Muslim  
Christian relations in the contemporary context of modern  
Greece and Turkey until 2014**

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## **Abstract**

Muslims and Christians have been in a challenging symbiotic existence for a long period in many parts of South-Eastern Europe and the Middle East (Antioch, Jerusalem, and Alexandria). The relations of Christian and Muslim communities of each south-eastern European country are unique because of the diverse political, cultural, and socio-economic background of each nation, which however influences one another despite an often shared Ottoman background. The present study investigates the relations between Muslim and Christian communities in the contemporary context of modern Greece and Turkey, which have received many political, governmental, cultural, geographical, and religious influences leading them to the present relational shape. The thesis proposes that a distinct ecclesial development has taken place in the contemporary status of the Ecumenical Patriarchate of Constantinople and the Autocephalous Greek Orthodox Church in response to Muslim-Christian relations in modern Turkey and Greece, especially after the establishment of the Kingdom of Greece in 1832 and the Republic of Turkey in 1923. In addition, the thesis investigates the modern historical context of the States of Greece and Turkey especially as it relates to the minority question under the light of reciprocity and the International Treaties, Conventions, and the Declaration of Human Rights. Greece, where the prevailing religion is Eastern Orthodoxy, accommodates within its borders an official recognised Muslim minority based in Western Thrace as well as other Muslim populations located at major Greek urban centres and the Islands of the Aegean Sea. On the other hand, Turkey where the Ecumenical Patriarchate of Constantinople is based, is a Muslim country, which accommodates within its borders an official recognised Greek Orthodox Minority, located principally in Istanbul, the Princes' Islands and the Islands of Imbros (Tk. Gökçeada) and Tenedos (Tk. Bozcaada) at the Turkish coast of the Aegean. After an extensive analysis of the associated literature regarding the historical background and the development of the Orthodox Ecclesiology and the political Theology of the Ecumenical Patriarchate of Constantinople and the Autocephalous Greek Orthodox Church in relation to the 1923 Treaty of Lausanne. This Treaty regulates the issues of the Muslim and the Greek Orthodox minorities. Furthermore, semi-structured interviews were applied in order to gather information about the contemporary conditions of the Muslim and Christian communities in

Western Thrace and Istanbul. The study recruited religious and political individuals, who live in those two specific regions because of their thorough experience and familiarity with the relevant minority legislation and understanding of Islamic and Christian religious practices. The collected data have been analysed on a thematic analysis approach. The thesis concludes that religious practices and beliefs have an effect on the nature of the relationship, which develops between Muslims and Christians in contemporary Turkey and Greece as well as on the political and socio-cultural content alternations of minority religious groups. Finally, the present study proposes suggestions in order to overcome conflicts and difficulties that Muslim and Christian communities are still facing with the official Turkish and Greek States, as well as with the prevailing religions of these two countries.



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development of Muslim-Christian relations in contemporary society.



## Contents

Chapter 1 - Introduction.....	14
Chapter 2 - The Ecumenical Patriarchate of Constantinople	
2.1 Introduction.....	23
2.1.2 The Byzantine period (324-1453).....	39
2.1.3 Foundation of the Church of Constantinople.....	40
2.1.4 Church-State relations.....	41
2.1.5 The Patriarch.....	46
2.1.6 Hierarchy and Synodical Institution.....	47
2.1.7 Ecclesiastical Jurisdiction.....	49
2.1.8 Missions.....	49
2.1.9 Doctrinal and Canonical work.....	50
2.1.10 Divine worship.....	51
2.1.11 Relations with other Christian Churches.....	52
2.2 The period of the Ottoman Empire (1453-1923).....	58
2.2.1 Church-State relations.....	60
2.2.2 The Patriarch.....	62
2.2.3 Hierarchy and Synodical Institution.....	64
2.2.4 Ecclesiastical Jurisdiction.....	65
2.2.5 Ecclesiastical Education.....	66
2.3: The period of the Turkish Republic (1923) until the present day.....	67
2.3.1 Church-State relations.....	69
2.3.2 The Turkish Orthodox Church.....	71
2.3.3 The Patriarch.....	74
2.3.4 Hierarchy and Synodical Institution.....	75
2.3.5 Ecclesiastical Jurisdiction.....	77
2.3.6 The Istanbul Pogrom of 1955.....	78
2.3.7 Ecumenical dimension of the Patriarchate.....	79
2.3.8 Legal identity of the Patriarchate.....	82

2.3.9 Ecclesiastical Education.....	83
2.3.10 Property ownership.....	85
2.3.11 Diaspora.....	86
2.3.12 Missions.....	87
2.4 Conclusion.....	88

### Chapter 3 - The Development of the Autocephalous Greek Orthodox Church

3.1 Introduction.....	91
3.2 The Church of Greece during the Apostolic Era (49/50-732/733).....	93
3.2.1 Foundation of the Church of Greece.....	93
3.3 The Church of Greece during the Byzantine period (732/733-1453).....	96
3.4 The Church of Greece during the period of the Ottoman Empire (1453-1833).....	97
3.4.1 The establishment of the Greek State, the London Protocol and the Treaty of Constantinople.....	99
3.5 The modern period (1833) of the Autocephalous Greek Orthodox Church until the present day.....	103
3.5.1 The un-canonical proclamation of Independence of the Greek Church.....	104
3.5.2 The 1881 Convention and the Treaty of Constantinople.....	109
3.5.3 The status in Thrace before 1923.....	110
3.5.4 First Balkan War and the Peace Treaty of London.....	117
3.5.5 Second Balkan War and the Peace Treaty of Bucharest.....	120
3.5.6 Consequences on Church territorial jurisdiction in the Balkans after the end of the Wars.....	123
3.5.7 The period after the Balkan Wars until the Peace Treaty of Serbs.....	125
3.5.8 The Peace Treaty of Lausanne.....	129
3.5.9 Ecclesial consequences after the Balkan Wars.....	131
3.5.10 Church-State relations in modern Greece.....	136
3.5.11 Religious Education in modern Greece.....	140
3.6 Conclusion.....	143

Chapter 4 - Modern historical context of the states of Greece and Turkey as it relates to the minority question

4.1 Introduction.....	146
4.2 The Muslim Minority of Western Thrace and other minority communities in present day Greece.....	149
4.2.1 The Roman Catholic community.....	158
4.2.2 The Armenian community.....	161
4.2.3 The Jewish community.....	162
4.2.4: The so-called ‘Macedonian community’.....	164
4.3 The legal status of Islam in Greece.....	165
4.4 The legal framework and the role of the Mufti in modern Greece.....	171
4.5 Relations between the Muslim minority of Western Thrace and the Greek Orthodox Church.....	175
4.6 The Greek Orthodox minority of Turkey.....	181
4.7 The rise of Political Islam in Turkey and its impact on non-Muslim minorities.....	183
4.8 Conclusion.....	188

Chapter 5 - Methodology

5.1 Methodology.....	191
5.2 Design.....	192
5.3 Rationale of the chosen Geographical Areas.....	193
5.4 Researcher’s Narration.....	194
5.5 Informants.....	195
5.6 Procedures.....	198
5.7 Apparatus.....	198
5.8 Ethics.....	199
5.9 Results and Analysis.....	199
5.9.1 Legal aspects.....	201
5.9.1.1 The legal status of the Ecumenical Patriarchate of Constantinople.....	201

5.9.1.2 Turkish citizenship of Orthodox clergy.....	201
5.9.1.3 The legal status of the Muslim administrative bodies in Western Thrace ...	202
5.9.1.4 The different roles of the Mufti in Turkey and Greece.....	202
5.9.1.4.1 The appointment of the Mufti.....	203
5.9.4.1.2 The un-canonical elected Mufti.....	203
5.9.5 Education.....	205
5.9.5.1 Theological training for Orthodox clergy in Istanbul.....	205
5.9.5.2 Religious Education in Greek State Schools of Western Thrace.....	207
5.9.5.3 Higher Education policies in Western Thrace.....	208
5.9.6 Worship.....	209
5.9.6.1 Exercise of worship.....	209
5.9.6.2 Muslim places of worship in Western Thrace.....	209
5.9.6.3 Christian Orthodox places of worship in Istanbul.....	210
5.9.6.4 Relationships and collaboration among religious and political leaders in Western Thrace and Istanbul.....	211
5.9.7 Discrimination.....	212
5.9.7.1 Equality.....	214
5.9.7.2 Inequality.....	214
5.9.8 Minority Populations.....	215
5.9.8.1 Diverse ethnic background of the Muslim minority of Western Thrace.....	215
5.9.8.2 Decrease of Greek Orthodox population in Istanbul.....	215
5.10 Correlations.....	215
5.10.1 The legal status of the Ecumenical Patriarchate of Constantinople in relation to Christian Orthodox places of worship in Istanbul.....	216
5.10.2 The appointment of the Mufti in relation to the un-canonical elected Mufti.....	217
5.10.3 Theological training for the Orthodox clergy in Istanbul in relation to discrimination.....	217
5.10.4 Decrease of the Greek Orthodox population of Istanbul in relation to discrimination.....	218
5.11 Discussion.....	219

5.12 Limitations of the study.....	224
5.13 Further studies.....	224
5.14 Conclusion.....	224
 Chapter 6 – Conclusion.....	 226
 Appendix I – Patriarchal and Synodal Tome of the Proclamation of the Autocephalous Church of Greece.....	 229
Appendix II – Declaration of the Independence of the Church of Greece.....	235
Appendix III – Participants’ Informative Form.....	248
Appendix IV – Participants’ Consent Form.....	251
 Bibliography.....	 253

## Chapter 1

### Introduction

Church History reveals that Christianity finds its origins in Palestine during the first century and had been rapidly spread throughout the Mediterranean countries by the Apostles. By the end of the fourth century, Christian faith was officially recognised as the religion of the Byzantine Empire<sup>1</sup>, having its major administrative centres located in Rome, Constantinople, Alexandria, Antioch and Jerusalem. The principles and the rituals of Christian doctrines were the significant elements, which influenced the Byzantine Empire; some of them could be met in present day especially when investigating Church-State relations. In addition, many decisions of the Byzantine Church councils have been adopted as State laws<sup>2</sup>. These influences were significant due to the fact that assisted the Byzantine Empire in its organisation and facilitated to the development of culture, religion, legislation, architecture, art and intellectual life of the Empire and in a wider context the whole European continent<sup>3</sup>. The fall of the Byzantine Empire on 29 May 1453 and the collapse of the Ottoman Empire in the eighteenth century constitute the landmarks, which signified the ecclesial and political development of the Orthodox Church on one hand identifying the relations between Orthodoxy and Islam on the other in the contemporary wider context of South-eastern Europe and the Balkans that this thesis is seeking to explore. Precisely, the thesis will investigate the present framework that defines Muslim-Christian relations in modern Greece and Turkey under the light of minority question, the aspects of religious freedom and the consequences of the establishment of national states as a result of the collapse of the Ottoman Empire in relation to the compulsory population exchange between Greece and Turkey, which was determined according to the religious identity of the exchanged populations. These political and sociological changes in Turkey and Greece have transformed the framework of present day pluralistic society, which involves numerous and

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<sup>1</sup> Timothy Ware, *The Orthodox Church*, (London: Penguin Books, 1993), pp. 18-19.

<sup>2</sup> Vasil Th. Stavrides, *Συνοπτική Ιστορία του Οικουμενικού Πατριαρχείου [A Concise History of the Ecumenical Patriarchate]* (Thessaloniki: Patriarchal Institute for Patristic Studies, 1991), pp. 23-24.

<sup>3</sup> Ware, *The Orthodox Church*, pp. 12-17.

ongoing interactions among people of different faiths. The study of world religions obviously acknowledges that perceptions of God, world and man do not coincide and they are often contradictory. Therefore, because each religion holds to its own truth claim, the present thesis will illustrate the challenges for Orthodox Christians to articulate theologically correct approaches to Islam and vice versa<sup>4</sup>.

The increasing number of Muslim refugees in European territories because of the current situation in Syria and Iraq and the wider area of the Middle East brings in many instances rivalries between the refugee Muslim populations and the autochthons. This is not a unique phenomenon as Muslims and Christians have been in a challenging symbiotic coexistence in many parts of South-Eastern Europe and the Middle East. The relations of Christian and Muslim communities of these particular areas are unique because of the diverse political, cultural, and socio-economic background of each nation, which influences one another<sup>5</sup>. The thesis will investigate the relations between Muslim and Christian communities in the contemporary context of Modern Greece and Turkey. Muslim and Christian populations,

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<sup>4</sup> See in particular the work of Charles Malik, *God and Man in Contemporary Islamic Thought*, edited by Ch. Malik (Beirut: American University of Beirut, 1972); *God and Man in Contemporary Christian Thought*, edited by Ch. Malik (Beirut: American University of Beirut, 1970); Charles Malik, Greek Orthodox of the Patriarchate of Antioch, Professor of Philosophy at the American University of Beirut; Lebanon's Minister and Ambassador to the United States, 1945-55; Rapporteur of the Commission on Human Rights at the United Nations; three times President of the Security Council and President of the General Assembly. See also Todd M. Thompson, 'Charles Malik and the Origins of the Christian Critique of Orientalism in Lebanon and Britain', in *Christianity and Religious Plurality*, edited by Charlotte Methuen, Andrew Spicer, and John Wolffe, *Studies in Church History*, 51 (2015), 350-365.

<sup>5</sup> For the relation between Muslims and Christians in Albania and Bulgaria, see the work of Gilles de Rapper, 'Religion in post-communist Albania: Muslims, Christians and the idea of 'culture' in Devoll, southern Albania', *Anthropological Notebooks*, 2 (2008), 31-45 and Petya Nitzova, 'Islam in Bulgaria: a Historical Reappraisal', *Religion, State and Society*, 1 (1994), 97-102. For the encounter between Eastern Orthodoxy and Islam in south-eastern Europe continues, which to have a strong contemporary reality see the work of Cecilie Endresen, 'Is the Albanian's Religion really "Albanianism"? Religion and Nation according to Muslim and Christian Leaders in Albania', *Albanische Forschungen*, 31 (2012); Magdalena Lubanska, *Muslims and Christians in the Bulgarian Rhodopes: Studies on Religious (Anti-) Syncretism* (London: De Gruyter, 2015).

who exercise their faiths in the specific context of modern Turkey and Greece, have been investigated by numerous scholars,<sup>6</sup> who have focused their research on the relations of those two religious minority groups usually from a political and socio-cultural point of view, especially after the end of the Balkan Wars, the exchange of Greek and Turkish populations and the establishment of the Greek State and the Turkish Republic. These significant events led to the present conditions of the Muslim minority of Western Thrace and the Greek Orthodox minority of Istanbul. In addition, the literature on this specific issue refers to the initiatives of many political and religious leaders, who have been trying to resolve minorities' obstacles, in order to help Christian and Muslim populations to practice safely without any external intervention their faith within the framework of a democratic legal system. However, there is lack in literature regarding the development of the Ecclesiology of the Eastern Christian Orthodox Church in terms of Muslim-Christian relations in Greece and Turkey specifically during the Byzantine and the Ottoman periods and the religious alternations after the establishment of the Kingdom of Greece in 1850 and the Republic of Turkey in 1923. Therefore, the present thesis will approach the situation of Muslims and Christians in Greece and Turkey in the light of the ecclesiological and politico-theological development of the Ecumenical Patriarchate of Constantinople and the Autocephalous Greek Orthodox Church emphasising on the relational aspects between these two Church institutions in history<sup>7</sup>. In addition, Christian Orthodox understanding of Islam and Muslim-Christian relations<sup>8</sup> that the thesis will investigate would significantly enrich and influence contemporary Christian responses and approaches to Islam in a wider perspective under the common collaboration of all Christian denominations (Roman Catholic, Anglican, Oriental

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<sup>6</sup>Alexis Alexandris, *The Greek Minority of Istanbul and Greek-Turkish Relations, 1918-1974* (Athens: Centre for Asia Minor Studies, 1983); Gerasimos Makris, *Islam in the Middle East: A Living Tradition* (Oxford: Blackwell Publishing, 2007); Konstantinos Tsitselikis, *Old and New Islam in Greece: From Historical Minorities to Immigrant Newcomers* (Netherlands: IDC Publishers and Martinus Nijhoff Publishers, 2012).

<sup>7</sup> For the contemporary ecclesiotheological aspects of the Christian Church in the Middle East, see the work of Anthony O'Mahony, 'Christianity in the Middle East: Modern History and Contemporary Theology and Ecclesiology: An Introduction and Overview', *Journal of Eastern Christian Studies*, 3-4 (2013), 231-260.

<sup>8</sup> For the contemporary encounter between Eastern Orthodoxy and Islam see the important work of Andrew M. Sharp, *Orthodox Christians and Islam in the Postmodern Age* (Netherlands: Brill, 2012).



Orthodox and Reformed Traditions), which are cooperating to overcome similar challenging events of modern society, where the Church could play a significant role.

Eastern Orthodox Church is the second largest Christian denomination worldwide with an estimated number of three hundred million adherents primarily in Eastern and South-eastern Europe. The Orthodox Church consists of several independent ecclesiastical bodies, the Autocephalous Patriarchates and Churches, which all share the same rituals regarding Christian faith and are in communion with one another. All the Orthodox Autocephalous Churches acknowledge the honorary primacy (*'primus inter pares'*, first among equals) of the Ecumenical Patriarchate of Constantinople<sup>9</sup>. Despite the ecumenical identity and role, in addition to the long history of the Ecumenical Patriarchate of Constantinople, as an official worldwide recognised religious institution, it still has no legal identity in Turkey, a fact which creates significant functional obstacles (i.e. property ownership, Christian education). On the other hand, Greece is one of the South-eastern European countries, where Eastern Orthodoxy is the dominant religion. In addition, Greece accommodates an official recognised Muslim minority based in Western Trace, as well as other religious minorities and Muslim populations located at major Greek urban centres and the islands of the Aegean Sea, while on the other hand, Turkey is a secular<sup>10</sup> country with a strong Muslim element and influence in the society, where the Ecumenical Patriarchate of Constantinople is based. Turkey accommodates an official recognised Greek Orthodox Minority, located in Istanbul. Therefore, this study will analyse the modern historical context until 2014 of the States of Greece and Turkey especially as it relates to the minority question and has been formulated under the light of the international treaties and the Declaration of Human Rights. In addition, the present thesis will propose suggestions in order to overcome possible conflicts and

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<sup>9</sup> *The Oxford Dictionary of the Christian Church*, ed. by Frank Laslie Cross and Elizabeth Anne Livingstone, (Oxford: Oxford University Press, 2005), p. 1205.

<sup>10</sup> See the work of José Casanova 'The Secular and Secularism', *Social Research* 76 (2009), 1049-66. In addition, Casanova in his recent work on this aspect argues that the traditional paradigms of laïcité and secularism should be reconsidered in the contemporary societies. He proposes a model of modern nation-state relations that permits cultural and religious pluralism in the globalised world. José Casanova, 'Secularización y laicidad en España y Europa. Una perspectiva comparada global', in *Secularización, laicidad y religión* (Bilbao: University of Deusto, 2012), pp 111-21.

difficulties that Muslim and Christian minorities might face towards their relations with the state and with the dominant religions in Greece and in Turkey in order to facilitate a peaceful co-existence, freedom of religious practices and legal recognition of religious foundations. Therefore, the thesis will contribute to deepen the understanding of the development of the relationships between religious communities, which are organised by religious groups and will identify the obstacles that Muslims and Christians maintain in Greece and Turkey.

The thesis will also give important emphasis on a framework that allows Christian and Muslim populations to coexist and interact in peace. In addition, it will seek the significance of mutual understanding - in depth - of the teachings of religions about which religious representatives are engaged in dialogue highlighting the optimism that, in spite of historical conflicts, many ways of peaceful coexistence are possible in modern societies. Through historical analysis of the existing literature, the thesis will propose that in order to achieve mutual understanding of each other's faith we should recognise that self-understanding of a religion by its adherents manifests itself at three different levels. Initially, is the level of experience, then is the level of rational and empirical knowledge and finally is the level of the insights through which, unfortunately, the wider communities seem to function.

The issue of reciprocity between Turkey and Greece is another very important aspect, which is regulated by the Treaty of Lausanne that the thesis will seek to investigate. Governmental representatives and officials from both countries have referred in many instances in the past on the regulation of reciprocity in order to support their claims towards the neighbouring country. Undoubtedly, reciprocity is interpreted based the legal understanding, which formulates the relations between the two countries. However, this has not led yet to a permanent and peaceful relationship of living next to each other separately between Turkey and Greece and as a result, both minority populations of Western Thrace and Istanbul are still claiming about the variety of the obstacles that they are facing in terms of religious freedom and practice. As long as the thesis will investigate Muslim-Christian relations in Modern Greece and Turkey, it is important to illustrate the ethical aspects and more precisely how reciprocity is perceived and interpreted religiously from a Christian point of view and understanding. The Lord's second commandment in the New Testament, "Thou

shalt love thy neighbour as thyself”<sup>11</sup> implements the Christian truths and understanding of reciprocity. Self-surrendering love is the divine ideal of human conduct. It is therefore upon the way of our treatment towards our fellow men that God's treatment upon us is dependent. Finally, reciprocity of heart and mind in true love and respect of otherness for both Muslims and Christians will enable them to live together in the world with common sense of justice and mutual care for all believers’ integrity.

Chapter 2 will examine the foundation of the Ecumenical Patriarchate of Constantinople and its development based on the significant role that played in Church History as a religious institution of the Eastern Orthodox Christian world through the three politico-historical phases of Byzantium, the Ottoman Empire and the modern period after 1923, when the Turkish Republic was established until the present day. Attention will be given to the political circumstances in modern Turkey particularly after 1923 because of the policies that Turkish Authorities apply towards the Greek Orthodox reveal significant data to support the argument that the implementation of secularism as well as Islamic fundamentalism has created conditions of religious discrimination in the country<sup>12</sup>. Many scholars have argued that the secularist nationalist ideology is the only appropriate governance model for modern Turkey, which constrains the influence of Islamic fundamentalism. Nevertheless, the existing current political ideology that prevails and is applied in Turkey is a combination of political Islamism and ideological secularism as it is believed that Muslim religion is an important and necessary aspect of Turkish public life for achieving democratization and European Union integration. The Turkish case as a real evidence of the modern world highlights the question of the compatibility between democracy and Islam under the specific aspect of religious freedom of majority and minority religious populations in Turkey<sup>13</sup>.

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<sup>11</sup> Mark 12:31

<sup>12</sup> Elizabeth H. Prodromou, ‘Turkey between Secularism and Fundamentalism?: The “Muslimhood model” and the Greek Orthodox minority’, *The Brandywine Review of Faith and International Affairs*, (Spring 2005), 13.

<sup>13</sup> *Ibid.* p. 11.

Special reference will also be given on the reformation of the organisational structure and administration of the Patriarchate through political interventions under the Millet System<sup>14</sup> implemented on religious minorities during the period of the Ottoman Empire. In addition, this chapter will analyse the question of religious minorities in modern Turkish society in relation to the development of the Eastern Orthodox theological understanding in response to religious freedom, Orthodox Ecclesiology and Muslim-Christian relations based on the legal parameters for the Greek Orthodox population of Turkey as are defined by the 1923 Treaty of Lausanne, its accompanying Convention on population exchange between Turkey and Greece and the Constitution of the Turkish Republic. Finally, it will give the account of the obstacles that the Patriarchate of Constantinople and the Greek Orthodox minority of Istanbul are still facing in Turkey highlighting some recent positive developments of the Turkish Authorities towards religious minorities under the light of the accession process of Turkish full European Union membership.

Chapter 3 will provide the account of nationalism and the establishment of national states in the Balkan Peninsula, which accordingly resulted in the establishment of national churches. This chapter will examine in particular the foundation of the Church of Greece and its inextricable relations with the Ecumenical Patriarchate of Constantinople along with the development of the Greek Church after the unilateral and un-canonical declaration of its autocephaly until the present day. It will also give the account of the ecclesial consequences of the Balkan Wars and the framework of the political and geographical conditions as have been shaped by the end of the wars. Special reference is given to the region of Western Thrace, where a significant number of Muslim populations remains in this particular region in a coexisting relation with the native Greeks as well as with the Greek Orthodox population, which has been forced to relocate from Turkey to Western Thrace according to the regulations of the 1923 Treaty of Lausanne. Finally, because the Church of Greece is an established state church protected by the Greek Constitution, this chapter will bring in the

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<sup>14</sup> See the work of Richard Clogg, 'The Greek Millet in the Ottoman Empire' in *Christians and Jews in the Ottoman Empire: The Central Lands*, ed. by Benjamin Braude and Bernard Lewis (New York: Holmes & Meier Publishers, 1982) and Michael Ursinus, 'Zur Diskussion um 'millet' im Osmanischen Reich', *Südost-Forschungen*, 48 (1989), 195-207.

fore the existing relations between the state and the church, which accordingly have an influence on state policies towards religious minorities in modern Greece.

Having established an ecclesial understanding of the historical development of the Ecumenical Patriarchate of Constantinople and the Autocephalous Greek Orthodox Church, Chapter 4 will investigate the coexistence of minority and majority religious groups in the contemporary context of modern Greece, which creates an environment of religious pluralism within modern societies in the light of the question of religious minorities among the post-Ottoman States, its roots in history and its influence upon specific foreign policies followed by each country. This chapter will highlight the important role of religion among religious minority groups in relation to the ways that these groups maintain group identity and solidarity as well as the relation between religion and ethnic identity as means of preserving and understanding cultural and ethnic traditions. In addition, this chapter will explore the conditions and the circumstances of all religious minority groups which currently exist in Greece, paying special consideration on the organisation, the structure of the Muslim minority of Western Thrace - which along to the Jewish minority are the only official recognised minorities in Greece - and its interaction with the Greek Church and the State under the existing legal status of Islam in Greece. Finally, it sheds light on the aspects of the rise of political Islam in Turkey and its implications on non-Muslim minorities.

Finally Chapter 5 analysing the collected data by the application of thematic analysis of qualitative research, will intend to approach and set into the fore the current existing situation and conditions of the Muslim Minority of Western Thrace and the Greek Orthodox minority of Istanbul as it is reflected and interpreted according to the experience and the knowledge of the selected political and religious leaders of these two specific regions. In addition, this chapter will illustrate the significant role that both political and religious leaders play in Greek and Turkish societies giving the account of their experiences and narratives about the challenges that the populations of both minorities are still facing in relation to the positive initiatives of the Greek and the Turkish Authorities towards religious minorities. Finally, it will propose those revealed aspects, which according to the analysis of

the data require further development in order to safeguard religious freedom of minorities, avoiding discrimination policies because of otherness.

In the wider field of the investigation of Muslim-Christian relations, the present thesis is unique in bringing together almost all the existing literature on Muslim-Christian relations and on the minority question in Modern Turkey and Greece combined with the researcher's fieldwork in Western Thrace and Istanbul in relation to his extensive pastoral experience and research in Greece and Turkey. All these aspects facilitated to the development of the experience and the knowledge that the researcher gained about the circumstances of the Greek Orthodox and the Muslim minorities of Istanbul and Western Thrace respectively, which tries to bring into the fore. Finally, the thesis will propose that the positive aspects of the coexistence between Muslims and Christians in Western Thrace and Istanbul in relation to those favourable state policies towards religious minorities, which have been recently been in force in these two specific regions might constitute an original model that should be adopted in other EU countries, where challenges and obstacles between Muslim and Christian communities still persist.

## Chapter 2

### The Ecumenical Patriarchate of Constantinople

#### 2.1 Introduction

The present chapter sets out the religious political environment of the Ecumenical Patriarchate of Constantinople, based on its important and historical role as a religious institution of the Eastern Orthodox Christian world, not only within the dynamic context of Turkey where it has been based since its foundation in the fourth century, but also its significance in global Christianity under the question of religious minorities in modern Turkish society. This chapter also analyses the development of Eastern Orthodox theological thought and understanding in relation to religious freedom, Orthodox Ecclesiology and Muslim-Christian relations, and brings to the forefront the obstacles that the Patriarchate of Constantinople and the Greek Orthodox minority of Istanbul are still facing in Turkey. Finally, this chapter sheds light on the recent positive developments of the Turkish Government towards the Greek Orthodox minority and the future of the Patriarchate and identifies the necessity for further development in the light of full Turkish membership of the European Union.

Muslims and Christians live alongside each other in many parts of South-Eastern Europe and the Middle East<sup>15</sup>. For nearly five centuries between the fifteenth and nineteenth

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<sup>15</sup> The Muslim element in the specific region of the Balkans dates from the fifteenth century when the Ottomans conquered the Balkan Peninsula. Thereafter the Muslim population increased considerably through settlement and conversion to Islam; however, Muslims were the minority in comparison to the whole population of the peninsula. Stefanos Katsikas, 'European Modernity and Islamic Reformism among Muslims of the Balkans in the Late-Ottoman and Post-Ottoman Period (1830s–1945)', *Journal of Muslim Minority Affairs*, 29 (2009), 435. The question of conversion of Christians to Islam under the Ottomans continues to be an extremely controversial issue in contemporary discourse on Christian-Muslim relations; see: Alexander Lopasic, 'Islamization of the Balkans with special reference to Bosnia', *Journal of Islamic Studies*, 5 (1994), 163-86; Wayne S. Vucinich, 'Islam in the Balkans', in *Religion in the Middle East*, ed. by Arthur John Arberry (Cambridge: Cambridge University Press, 1969), pp. 236-52.

centuries, the Ottomans ruled a multiethnic empire; this diverse society, which consisted primarily of Muslims, Jews<sup>16</sup> and Christians, was the result of the creation of a society with a significant communal autonomy. The diverse communities functioned and practised their religions in a manner that influenced one another and enriched their different cultures and customs. The society of the Ottoman Empire was an indicative paradigm of limited plurality with a certain degree of Islamic determined toleration despite the fact that certain inequalities existed. The basic societal inequalities within the Ottoman Empire were associated with the principal doctrines and practices of the Ottoman rule, the Millet System<sup>17</sup>, and affected the inequalities of man and woman, master and slave and finally believer and non-believer.<sup>18</sup> Nevertheless, the most significant aspect of these societal inequalities was that between believer and non-believer, which created religiously conditioned discrimination against those who did not accept the truth through God's revelation as constructed by the norms of the Islamic tradition<sup>19</sup>. The Ottoman period continues to cast a long shadow over Christian-Muslim relations in South-Eastern Europe.<sup>20</sup>

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<sup>16</sup> Judaism might be considered the primary other for Islam; whilst my research does not directly concern Jewish-Muslim relations, they are an important paradigm for Islamic construction of the Other; see: Douglas Pratt, 'Muslim-Jewish relations: some Islamic paradigms', *Islam and Christian-Muslim Relations*, 21 (2010), 11-21; Gudrun Kramer, 'Anti-Semitism in the Muslim World: A Critical Review', *Die Welt des Islams*, 46 (2006), 243-76. For the ex-Ottoman territories of the Balkans, see: Dietmar Muller, 'Orientalism and Nation: Jews and Muslims as Alterity in South-eastern Europe in the Age of the Nation-States, 1878-1941', *East Central Europe*, 36 (2009), 63-99.

<sup>17</sup> The developed *Millet* system of the later centuries of classical Islam formed its specific Islamic legal principles based on the events of Muhammad of Medina in 622-632, when the Prophet and his supporters had achieved majority power in the Arabic town of Medina and had to consider the question of the relationship between the Muslim community and the minorities. Clifford Edmund Bosworth, 'The Concept of *Dhimma* in Early Islam' in *Christians and Jews in the Ottoman Empire: The Central Lands*, ed. by Benjamin Braude and Bernard Lewis (New York: Holmes & Meier Publishers, 1982), p. 37.

<sup>18</sup> See the very important study by Yohanan Friedmann, *Tolerance and Coercion in Islam: Interfaith Relations in the Muslim Tradition* (Cambridge: Cambridge University Press, 2003).

<sup>19</sup> Benjamin Braude and Bernard Lewis, *Christians and Jews in the Ottoman Empire: The Central Lands* (New York: Holmes & Meier Publishers, 1982), pp. 1-4. We should also note the significance of Eastern Christian thought in constructing the early 'canon', especially in theological and ecclesiological terms, of Christian engagement with Islam, see: Sidney H. Griffith, *The Church in the Shadow of the Mosque: Christians and Muslims in the World of Islam* (USA: Princeton University Press, 2007); 'The Eastern Christians and the



The relations of Christian and Muslim communities of each nation of that particular region are unique and each nation can influence another. Since the sunrise of the twentieth century up to the present day, significant events and changes have dramatically affected relations between Christians and Muslims, and have had an impact on their religious traditions and their cultural identities.<sup>21</sup> The political movement of the nineteenth century, which resulted in the establishment of nation-states, the Cold War and the dependence of Western countries on rich Arab energy sources, led to an increase of the ethnic and religious divisions, even in particular population groups that lived within the borders of the same country<sup>22</sup>. In addition, the end of the Second World War marked the establishment of the United States of America and the Union of Soviet Socialist Republics as world powers, which attempted to have global influence across all societies and cultures; a situation that lasted approximately until the end of the twentieth century until the collapse of the Communist regime. This worldwide composition of powers brought significant changes in the Balkans and the Middle East. Christian Orthodox populations of the Balkans had the sense that they were under the

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Muslims: The Past as prelude to the present', *Bulletin of the Royal Institute for Inter-Faith Studies*, 7/2 (2005), 225-41, and the modern use given to this canon of theological learning has been set out by him in 'Arabic Christian Relations with Islam: Retrieving from History, Expanding the Canon', *The Catholic Church in the contemporary Middle East* ed. by Anthony O'Mahony & John Flannery (London: Melisende, 2010), pp. 263-290. A. O'Mahony also suggests this connection in the modern construction of Catholic thought on Islam and Christian-Muslim relations; see, 'Modern Catholic Thought on Islam and Christian-Muslim Relations', *One in Christ: a catholic ecumenical review*, 44 (2010), 111-35; Anthony O'Mahony, 'Catholic Theological Perspectives on Islam at The Second Vatican Council', *New Blackfriars*, 88 (2007), 385-98; Anthony O'Mahony, 'The Influence of the Life and Thought of Louis Massignon on the Catholic Church's relations with Islam', *The Downside Review*, 126 (2008), 169-92.

<sup>20</sup> See the recent debate in Greece regarding Muslims today and the construction of a Mosque in Athens, Dia Anagnostou and Ruby Gropas, 'Domesticating Islam and Muslim Immigrants: Political and Church Responses to Constructing a Central Mosque in Athens' in *Orthodox Christianity in 21st Century Greece: The Role of Religion in Culture, Ethnicity and Politics*, ed. by Victor Roudometof and Vasilios N. Makrides (London: Ashgate, 2010), pp. 89-110.

<sup>21</sup> These factors are highlighted by Jacques Waardenburg, 'The Contemporary Period, 1950-1995', in: *Muslim Perceptions of Other Religions* ed. by Jacques Waardenburg (Oxford: Oxford University Press, 1999), pp. 85-101.

<sup>22</sup> Steven Runciman, *The Orthodox Churches and the Secular State* (Auckland: Auckland University Press, 1971), pp. 41, 68-76.

domination of the newly established Communist regimes. Balkan Christians faced difficulties in relation to the practice of their faith within an environment that was ideologically opposed to organised religions.<sup>23</sup> Most of the Balkan States adopted similar policies towards Christians and their Churches<sup>24</sup> as the Soviet regime had done towards the Russian Orthodox Church at the beginning of 1917<sup>25</sup>. In addition, Muslims as well as Christians were facing violation of their religious rights under the Communists, particularly in Albania and former Yugoslavia. The atheist regimes forbade Muslims from wearing traditional clothes; they closed and destroyed religious places of worship; and they killed and imprisoned Christian religious leaders and Quran teachers<sup>26</sup>.

The consequences of the Second World War had a different impact on Middle Eastern countries. Even though Muslims and Christians in the Arab World had been able to find

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<sup>23</sup> Research on Christianity and Islam in Bulgaria indicates the impact this period had on their mutual relations; Milka Andonova Hristova, 'Musulmans et chrétiens en bulgarie du XIVe siècle à nos jours', *Islamochristiana* (Rome-PISAi), 28 (2002), 125-47. Russia has the largest concentration of Muslims in Europe (c. 15%+) of its population. On relations between the Orthodox Church and Islam in Russia, see: Basil Cousins, 'The Orthodox Church, Islam and Christian-Muslim relations in Russia', in *Christian Responses to Islam: Muslim-Christian Relations in the Modern World*, ed. by Anthony O'Mahony and Emma Loosley (Manchester: Manchester University Press, 2008), pp.38-53; Alicja Cecylia Curanović, 'Relations between the Orthodox Church and Islam in the Russian Federation', *Journal of Church and State*, 52 (2010), 503-39.

<sup>24</sup> The Orthodox churches in the Balkan and South-Eastern Europe, Bulgaria, Greece, Serbia, Macedonia, and Albania under Communist rule, see: Todor Sabev, 'L'Église orthodoxe de Bulgarie au XXe siècle', pp. 89-110; Predrag Puzovic, 'Histoire abrégée de l'Église orthodoxe serbe en ex-Yougoslavie au XXe siècle', pp. 111-32; Anastasios Yanoulatos, 'Quelques notes sur l'histoire de l'Église orthodoxe d'Albanie au XXe siècle et sa résurrection depuis 1991', pp. 133-50; Mircea Pacurariu, 'L'Église orthodoxe roumaine au XXe siècle', pp. 151-68; *L'Église orthodoxe en Europe orientale au XXe siècle* Sous la direction de Christine (Paris: Christine Chaillot, *L'Église orientale au XXe siècle*, Le Cerf, 2009).

<sup>25</sup> Yaacov Ro'i, *Islam in the Soviet Union: from the Second World War to Gorbachev* (London: C. Hurst, 2000). For this period and its impact upon the Russian and Georgian churches, see: Mikhail Vitalievich Chkarovski, *L'Église orthodoxe russe au XXe siècle*, pp. 323-84; Zaza Abashidzé, *L'Église orthodoxe de Géorgie au XXe siècle*, pp. 385-404. [*L'Église orthodoxe en Europe orientale au XXe siècle* Sous la direction de Christine Chaillot, 2009, Collection Histoire religieuse de l'Europe contemporaine.

<sup>26</sup> Yaacov Ro'i, *Islam in the Soviet Union: from the Second World War to Gorbachev*.

some common ground before the war, they struggled to maintain this unity after the war.<sup>27</sup> The establishment of the Israeli State, the later defeat of the united Arab forces during the Arab-Israeli war, and the demand for Middle Eastern petroleum products negatively affected the Arab unity<sup>28</sup>. The significant politico-economical changes in the Balkans and the Arab World could not leave unaffected the relations between Muslims and Christians in the newly established Republic of Turkey, especially after the second half of the twentieth century.<sup>29</sup>

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<sup>27</sup> Anthony O'Mahony, 'Les chrétiens palestiniens: Politique, droit et société, 1917-1948, in *De Balfour à Ben Gourion--La France, L'Europe occidentale et la Palestine, 1917-1948*', ed. by Dominique Trimburi and Ran Aaronsohn (Paris: Éditions CNRS, 2008), pp. 351-95. See also the work by Leonard Marsh, 'The Orthodox Church and its Palestinian Christian Identity', *Journal of Eastern Christian Studies*, 63 (2011), and Helen Bryer 'Arab Orthodox Christians of Jerusalem and Palestine in the Inter-war period: a study in religious and political identity and church-state relations', in *Christianity in the Middle East: Studies in Modern History, Theology and Politics* ed. by Anthony O'Mahony (London: Melisende, 2008), pp. 232-62.

<sup>28</sup> Wilfred Smith Cantwell, *Islam in Modern History* (Guildford: Princeton University Press, 1977), pp. 93-113. See also Anthony O'Mahony, 'The Greek Orthodox Patriarchates in the Middle East', in *Eastern Christianity and the Cold War, 1945-91* (London: Routledge, 2010).

<sup>29</sup> See the studies by Sotiris Roussos on the Orthodox churches in the Middle East. 'The Greek Orthodox Community of Jerusalem in International Politics: International Solutions for Jerusalem and the Greek Orthodox Community in the 19th and 20th centuries', in *Jerusalem, Its Sanctity and Centrality to Judaism, Christianity and Islam*, ed. by Lee Levine (New York: Continuum Press, 1999); 'The Greek Orthodox tradition: International politics, ethnicity and theological development in the Middle East', *Bulletin of the Royal Institute for Inter-Faith Studies*, 7 (Autumn/Winter 2005); 'The Emergence of Arab Nationalism and Greek Orthodox Church Networks in the Near East 1899-1947', in *Homelands and Diasporas: Greeks, Jews and their Migrations*, ed. by Minna Rozen and Maria Efthymiou (London, I. B. Tauris, 2007); 'Diaspora Politics, Ethnicity and the Orthodox Church in the Near East', *The Journal of Eastern Christian Studies*, 61, (2009); 'The Greek Orthodox Church in Interwar Egypt: between Lay Constitutionalism and Diaspora Politics', *The Journal of Eastern Christian Studies*, 63, (2011); 'The Greek Orthodox Patriarchate and Community of Jerusalem. Church, State and Identity', in *The Christian Communities of Jerusalem and the Holy Land*, ed. by Anthony O'Mahony (Cardiff: University of Wales Press, 2003); 'The Greek Orthodox Patriarchate of Jerusalem: Church-State relations in the Holy Land over the Palestinian-Israeli conflict in Christianity in the Middle East' in *Studies in Modern History, Theology and Politics*, ed. by Anthony O'Mahony (London: St. Edmundsbury press, 2008); 'Eastern Orthodox Perspectives on Church-State Relations and Religion and Politics in Modern Jerusalem', *International Journal for the Study of the Christian Church*, 5 (2005); 'Eastern Orthodox Christianity in the Middle East', *Eastern Christianity in the modern Middle East*, co-ed. by Anthony O'Mahony (London, Routledge, 2010), pp. 107-19.

The increase of secularism found the Turkish Government struggling to identify whether Turkey would either be a part of Europe or a part of the Middle East; this remains a continuing preoccupation in the on-going politics of Turkish identity.<sup>30</sup> The process started by Mustafa Kemal Atatürk, the first leader of the Turkish Republic, to displace religions from the public sphere has been decreasing over the years; however, the Kemalist reformation has been a continuing force that still finds ground in Turkey up to the present day. Orthodox Christians as well as other religious minority groups in Turkey have also faced violation of religious freedom<sup>31</sup> because of the political ambitions of the Turkish Government<sup>32</sup>. One of my principal dialogue partners in discussing the relationship between the Orthodox Church and the question of Religious Freedom in the context of Christian-Muslim relations will be Elizabeth H. Prodromou, in particular her seminal research contribution: 'Turkey Between Secularism and Fundamentalism?: The 'Muslim Model' and the Greek Orthodox Minority,' *The Brandywine Review of Faith and International Affairs*, 1 (2005).<sup>33</sup>

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<sup>30</sup> Anthony O'Mahony, 'Christianity in Modern Turkey: Some Reflections on History and Religion' *Turkey in Europe: Cultures in Collision*, ed. by Peter Cotterell, occasional paper no.7, (London School of Theology: Centre for Islam and Muslim-Christian relations, 2006), pp. 8-12.

<sup>31</sup> The notion of religious freedom should be understood as a way of pluralism, democracy and dialogue within a modern society. On the other hand, all religious communities should accept the general concepts of democracy and pluralism, which create a safe environment for all religions, protecting them from any external interference. In addition, there are many cases where religions cannot be exercised properly and freely because their believers have to practise their beliefs collectively and not individually. Lech Garlicki, 'Collective Aspects of the Religious Freedoms: Recent Developments in the Case Law of the European Court of Human Rights' in *Censorial Sensitivities: Free Speech and Religion in a Fundamentalist World*, ed. by András Sajó (Netherlands: Eleven International Publishing, 2007), pp. 219-221. See also Otmar Oehring, *Human Rights in Turkey-Secularism=Religious freedom?* (London: MISSIO, 2002).

<sup>32</sup> Ware, *The Orthodox Church*, pp. 127-128.

<sup>33</sup> Elizabeth H. Prodromou, 'Orthodox Christianity and pluralism: Moving beyond Ambivalent?' in *The Orthodox Churches in a Pluralistic World: an Ecumenical Conversation*, ed. by Emmanuel Clapsis (Geneva: World Council of Churches Publications/Brookline, MA: Holy Cross Press, 2004), pp. 22-46; *Thinking through Faith: Perspectives from Orthodox Christian Scholars*, co-ed. by Aristotle Papanikolaou (New York: St. Vladimir's Seminary Press, 2008); 'Election 2008: Day-After Policies for International Religious Freedom,' *The Review of Faith & International Affairs* (2008); and 'Christianity and Democracy: the Ambivalent Orthodox,' in *World Religions and Democracy* ed. by Larry Diamond, Mark F. Plattner, and Philip J.

The relationships between individuals who follow Muslim and Christian faiths in the specific context of modern Turkey have been investigated by numerous scholars<sup>34</sup>. Literature suggests that since 1923, when the Turkish Republic was established, this relationship has been influenced by many continuous re-configured factors (topography, dominant religion, education, politics, faith itself etc.), which have dramatically altered the present religious system and the environment of the local religious communities. The relationships between Muslims and Christians since 1923 have received many political, governmental, cultural, geographical and religious influences, which has led to the present relational shape in Turkey. Many political and religious leaders have been trying to resolve the challenges that religious minority groups are facing in Turkey, in order to help them to practise their faith within the framework of a civil legal system.

One of the religious minority groups in Turkey is the Greek Orthodox minority, which has its religious and administrative centre in Istanbul and is known as the Ecumenical Patriarchate of Constantinople. It is of great significance, therefore, to mention at this point some generic information about the origins and the establishment of the Patriarchate of Constantinople. Christian faith initially originated in Palestine during the first century and was spread rapidly throughout the Mediterranean countries by the Apostles. Christianity was officially recognised as the religion of the Byzantine Empire by the end of the fourth century, having its five major administrative centres located in Rome, Constantinople (present day Istanbul), Alexandria, Antioch and Jerusalem. In addition, the principles and

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Costopoulos, eds. (Baltimore: Johns Hopkins University Press, 2005); 'Christianity and Democracy: The Ambivalent Orthodox', *Journal of Democracy*, 15 (2004), 62-75; 'Negotiating Pluralism and Specifying Modernity in Greece: Reading Church-State Relations in the Christodoulos Period', *Social Compass*, 51 (2004), 471-85.

<sup>34</sup>Alexis Alexandris, *The Greek minority of Istanbul and Greek-Turkish relations 1918-1974*; Martin Baldwin-Edwards, 'Migration between Greece and Turkey: From the 'Exchange of Populations' to the Non-Recognition of Borders', *South-East Europe Review*, 3 (2006), 115-22; Renée Hirschom, *Crossing the Aegean: An appraisal of the 1923 compulsory population exchange between Greece and Turkey* (New York: Bergahn Books, 2003); Gerasimos Makris, *Islam in the Middle East: A Living Tradition* (Oxford: Blackwell Publishing, 2007); Anthony O'Mahony and Emma Loosley, *Christian Responses to Islam: Muslim-Christian Relations in the Modern World* (Manchester: Manchester University Press, 2008).

the rituals of the Christian faith were the significant elements which influenced the Byzantine Empire in terms of organising and developing its culture, legislation, architecture, art and intellectual life<sup>35</sup>. The Eastern Orthodox Church is the second largest Christian religion worldwide with an estimated number of three hundred million adherents primarily in South-Eastern Europe and the Middle East<sup>36</sup>. The Orthodox Church consists of several independent ecclesiastical bodies; the Autocephalous Patriarchates and Churches, which all share the same rituals and beliefs regarding the Orthodox Christian faith and are in communion with one another<sup>37</sup>. All the Orthodox Autocephalous Churches acknowledge the primacy of honour ('primus inter pares', first among equals) of the Ecumenical Patriarchate of Constantinople<sup>38</sup>.

However, the Primacy of the Ecumenical Patriarchate is an issue that still creates tensions among the Orthodox Churches<sup>39</sup>. The decision of the Holy Synod of the Patriarchate of

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<sup>35</sup> Ware, *The Orthodox Church*, pp. 12-17.

<sup>36</sup> Pew Forum on Religion and Public Life, 'Global Christianity: A Report on the Size and Distribution of the World's Christian Population' *Pew Research Centre*, (2001), 31.

<sup>37</sup> The Eastern Orthodox Church consists of four independent autocephalous and self-governing Churches, the four ancient Patriarchates of the early Pentarchy (Constantinople, Alexandria, Antioch and Jerusalem). Each Patriarch is responsible for the clergy and the flock of his territorial jurisdiction and presides at the patriarchal synods. The Middle East Orthodox Patriarchates share common church doctrine, ecclesiology, theology, and canon law, while taking initiatives for common action in relation to the challenges and the obstacles that they face. Anthony O'Mahony 'The Greek Orthodox Patriarchates in the Middle East', in *Eastern Christianity and the Cold War, 1945-91*, ed. by Lucian N. Leustean (London: Routledge, 2010), p. 240.

<sup>38</sup> Cross and Livingstone, p. 1205.

<sup>39</sup> The tensions between the Churches of Russia and Constantinople regarding the Primacy of the Ecumenical Patriarchate date to 1947 when the Patriarch of Moscow took the initiative to convoke a pan-Orthodox synod in order to consider major ecclesiological issues in relation to the Ecumenical movement, the recognition of Anglican Church ordinations by the Orthodox Church, the issue about the Julian and Gregorian Calendars, the relations between the Catholic and the Orthodox and, finally, to consider canonical problems. The reaction of the Patriarchate of Constantinople to the Russian Church initiative was immediate, stressing that such initiatives belong to the Ecumenical Patriarchate only, based on the canonical order and tradition of the Church, despite the fact of whether the issues affect the Church as a whole or are related only to particular jurisdictions of autocephalous churches. This action of the Russian Patriarchate brought to the forefront a question of inter-Orthodox relations and appeared to be an attempt by Moscow to gain the first role among the

Moscow and All Russia to establish a special working committee in 2009, which works upon the issue of the primacy among the Orthodox Autocephalous Churches, created concerns among the Orthodox Primates, especially to the Greek-speaking churches. Archbishop Hilarion, the chairman of the Department for External Russian Church Relations, has been appointed as the head of that working committee. The claims of the Russian Patriarchate regarding the Primacy of the Ecumenical Patriarchate are primarily based on the large number of the ethnic Russian Orthodox population in comparison to the population of the other Eastern Orthodox Patriarchates as well as in relation to the actual role of the Russian Church to witness Orthodox faith worldwide<sup>40</sup>.

The present chapter focuses on the origins, the historical background and the development of Orthodox Ecclesiology and the political and theological responses of the Ecumenical Patriarchate of Constantinople from the perspective of Christian-Muslim relations in the contemporary context of the modern Turkish Republic. Turkey, where the Ecumenical Patriarchate of Constantinople is based, is a secular<sup>41</sup> country with a strong Muslim element,

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Orthodox churches; an intention that the Ecumenical throne was not prepared to accept. The attempt of the Russian Patriarchate to play a leading role in the Orthodox Church was based initially on its position as the largest Orthodox Church, a claim that has been supported by the Soviet state. Paschalis Kitromilides, 'The Ecumenical Patriarchate', in *Eastern Christianity and the Cold War, 1945-91*, ed. by Lucian N. Leustean (London: Routledge 2010), pp. 229-35.

<sup>40</sup> Το Βίμα, 'Τα πρωτεία των Εκκλησιών διεκδικεί η Μόσχα [Russian claims about the Church's primacy]', 5 August 2009, p. A13. See also Lukasz Faifer and Sebastian Rimestad, 'The Patriarchates of Constantinople and Moscow in a global age: a comparison', *International Journal for the Study of the Christian Church*, 10 (2010), 211-27.

<sup>41</sup> In March 1924, the first President of the Turkish Republic decided to abolish the Islamic rulership known as Caliphate, which had existed since 1517 in the Ottoman Empire. In the Caliphate model of governance, because of the theocratic principles of Islam, the caliph was the head and the spiritual leader, excluding prophetic powers, of the Caliphate state. With Mohammad's death the caliph, which in Arabic means successor, was appointed to rule in his place. Furthermore, the caliph was also understood as Allah's representative on Earth, having scholarly authority to establish Islamic doctrines and revise religious teachings. On an Islamic perspective the Caliphate might be described as the political system which is based on the principles of i) the unity of Allah, ii) the Prophethood and iii) the Vice-regency. Therefore, Allah the Creator has the absolute sovereignty of his kingdom and as the Ruler of the universe His commandments are the Law. Any individual, regardless of race or class, is under Allah, having no political or legal independence, since this

which accommodates within its borders an official, recognised Greek Orthodox Minority, located mainly at Istanbul. Precisely, regarding the secular<sup>42</sup> identity of Turkey, it is of great significance that the Turkish Republic was officially established in 1923 as a ‘secular republic’; however, the formal religious identity of the majority of the Turkish population is Sunni Muslim. Based on the vital geographical and geostrategic region of the country within the Islamic world, the change to political secularism in relation to religion and politics is an issue of great importance. The term ‘secular republic’, however, has had various interpretations within the political context of Turkey. Hence, several arguments have arisen about the accurate meaning of secularism. The Turkish word ‘laiklik’ was derived from the French ‘laïcité’, which literally means secularism and was introduced as a principal element

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concept is negated by the principle of the unity of Allah. Vernie Liebl ‘The Caliphate’, *Middle Eastern Studies*, 45 (2009), 373-75.

<sup>42</sup> The term secular in a theologico-philosophical and political interpretation codifies and illustrates the differentiation from ‘the religious’. Secularism as a political doctrine might be considered in the light of two significant principles. On one hand there is the principle of separation between the Church and the State, which is ‘no establishment’, and there are all types of separation, either ‘friendly’ or hostile’. On the other hand there is the principle of State regulation of religion in society; in other words this means the ‘free exercise’ of religion. The relationship between these two principles sets the particular form of secularism and its link with democracy. However, the type of separation relies on the relations between religion and State. Friendly separation sustains and protects ‘free exercise’ of religion and creates the circumstances for possible religious pluralism within a society. Therefore, ‘free exercise’ of religion is a necessity of a democratic regime. There is no democracy without ‘religious freedom’ when policies of strict secular separation between Church and State are applied. The theory of secularism developed initially as a specific theological concern, which has redefined the role of religion in the social formation of the West. Hence, the historical development of secularisation theory and praxis of modern societies created ‘secular’ as the principal element that serves to structure the nature and boundaries of religion in society from a legal, philosophical, scientific and political point of view. José Casanova ‘The Secular and Secularism’, *Social Research* 76 (2009), 1049-66. Finally, The Turkish Constitutional Court defines the term secularism as “a civilized form of life which provides the basis for an understanding of freedom and democracy, independence and national sovereignty, and constitutes the humanistic ideal which has developed with the defeat of medieval dogmatism in favour of the primacy of reason and an enlightened mentality (...).” In addition, the Constitutional Court states that “in the secular order (...) religion is freed from politicization, displaced as an instrument of leadership and allotted its rightful and honorable place in the conscience of the people”. Oehring, p.5.



of the Republic. The idea of 'laiklik' was introduced specifically to transfer particular regulations such as public education and media from the civil authority to the administration of religions; an approach which has been called 'active secularism', opposed to 'passive secularism', which exists in the United States. Turkish 'laiklik' is comprised of the ideas of the new Turkish generation of the late nineteenth and the early twentieth century, the ideas of the reformer Kamal Atatürk, who was the first leader of the Republic as well as having a role in Western societies, which had a significant influence on the Turkish military, the most trusted institution of the Turkish State. After the establishment of the Turkish Republic on 29 October 1923 the Turkish military played a significant role within the political arena of the country in terms of safeguarding the secular character of the newly established State despite the fact that political secularism was constitutionally codified in 1928. The threats of Islamic radicalism and the attempts of separation of the Kurds were the initial causes that led to the military having to protect the secular character of the country. Primarily, all these reasons have shaped the relationship between religion and the State of the Turkish Republic and have established an austere distinction between State authority and public religion. However, this distinction has not meant that the State has not been able to be involved in religious affairs. On the contrary, the historical Turkish understanding of secularism signifies that religion is under the control and the authority of the State. Therefore, the actual characteristic of the secular identity of Turkey is of the 'active secular' type, which imposes absolute control of religious leadership, religious education and official recognition of religious communities<sup>43</sup>.

The Ecumenical Patriarchate of Constantinople, the religious institution of the Greek Minority of Turkey, is officially recognised by the Treaty of Lausanne (1923). However, the Greek minority is not a unique phenomenon in terms of the minority issues of the country. It is therefore of great significance to have an understanding of the notion of the term minority,<sup>44</sup> as well as the circumstances of other important minority groups in the

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<sup>43</sup> James W. Warhola and Egemen B. Bezci, 'Religion and State in Contemporary Turkey: Recent Developments in Laiklik', *Journal of Church and State*, 52 (2010), 427-34, 452-53.

<sup>44</sup> There is a complexity and uncertainty regarding the scientific understanding and definition of the term 'religion' and in a wider context the definition of the term 'religious minority'. The term 'minority' refers to a

contemporary context of modern Turkey. History reveals that minorities have been linked to those groups of people who have been living within a multiethnic environment and have been excluded and marginalised regarding their political and governmental rights. The establishment of modern national states in Europe, especially by the end of the nineteenth and the beginning of the twentieth century, caused the creation of minorities because the official national states were working within the context of creating homogeneity among their ethnic citizens. The notion of the term minority, which usually refers to a small numerical group, can only be illustrated after a comparison of minority and majority groups within a particular territory. One of the most significant characteristics of minority groups is the powerlessness of the minority group when it is compared to the majority group. Majority groups are the ethnic majorities, which dominate in a system of ethnic stratification. Other significant elements which characterise minority groups are the differentiation of language, religion and ethnicity<sup>45</sup>. Despite the fact that minority rights are protected worldwide by international agreements and conventions such as the European Convention of Human Rights of 1950 or the United Nations Charter and the Declaration of Human Rights, minority groups are still facing violation in relation to their rights.

The minority issue of modern Turkey is the result of the collapse of the Ottoman Empire, which was stretched over the continents of Asia, Europe and Africa accommodating and mingling people with different cultures, religions and customs.<sup>46</sup> The establishment of the

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group of people which in numbers is lower when compared to the rest of the population of a particular state, whereas the term 'religious' refers to different religious characteristics including ethics and customs when compared to those of the majority of the population. This can be perceived to the extent that a 'religious minority' is defined as a group of individuals which is lower in numbers when compared to the rest of the population of a state, and bases its claims for identity according to the particularities of its religious convictions. Richard Étienne and Pascal Tozzi, 'Educational Policies that Address Social Inequality: Religious minorities report' (Université Paul Valéry Montpellier, 2009), pp. 3-4.

<sup>45</sup> Ulrike Schuerkens, 'Ethnic, Racial and Religious Minorities', *Social and Economic Development*, 5 (2004).

<sup>46</sup> See the studies which look at the Armenians, the Greeks and the Syriacs in Turkey from various modern perspectives: Ayla Göl, 'Imagining the Turkish nation through 'othering' Armenians', *Nations & Nationalism*, 11 (2005), 121-39; Ali Tuna Kuyucu, 'Ethno-religious 'unmixing' of 'Turkey': 6-7 September riots as a case in Turkish nationalism', *Nations & Nationalism*, 11 (2005), 361-80; Hakan Samur, 'Turkey's Europeanization Process and the Return of the Syriacs', *Turkish Studies*, 10, (2009), 327-40.

Republic of Turkey created a mosaic of populations who have diverse ethnic, linguistic and religious identities. These diverse population groups have co-existed for nearly a century in Turkey and despite the fact that they have faced, and in many cases still face, a violation in relation to their rights, they are trying to maintain their own linguistic, religious and cultural characteristics<sup>47</sup>.

The Alevi community of Turkey consists of Turkish and Kurdish<sup>48</sup> speakers and represents approximately seventy percent of the whole Shia population of the country. They inhabited mainly the central and the southeast parts of the country and nowadays after a period of migration they reside in the large urban centres of the Republic<sup>49</sup>. Alevi is a religious group of Shia Islam origin combining Anatolian Sünni with Sufi elements. Alevi is one of the four Shia heresies in Turkey and its members are mostly of a Turkish ethnic and linguistic background. There is a strong Kurdish element within the Alevi community, which numbers about three million people. The Alevi community is a minority group among Muslims and experiences difficulties in terms of religious practice and freedom, similarly to non-Muslim minorities in relation to the Sünni majority of Turkish society. Some of the problems that the Alevi community face in terms of lack of religious places of worship and religious education are related to the involvement of the State in Muslim religious affairs. In addition, Alevi religious leaders in contradiction to the Sünni do not receive salaries from the State. Finally, Alevi are not represented in the Turkish Department of Religious Affairs, a fact that signifies that as a Muslim religious minority they have less legal protection of rights in comparison to non-Muslim minorities<sup>50</sup>. However, since the establishment of the Turkish

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<sup>47</sup> Nigar Karimova and Edward Devereil, *Minorities in Turkey* (Stockholm: The Swedish Institute of International Affairs, 2001), p. 8. See also Şule Toktaş, 'EU Enlargement conditions and minority protection: A Reflection on Turkey's Non-Muslim Minorities', *East European Quarterly*, 40 (2006), 489-518.

<sup>48</sup> There are no ethnic boundaries among the Alevi communities in Turkey. In addition to the Kurdish and Turkish Alevi communities, there are smaller Alevi religious groups such as the Abdals and the Tahtacis. The significant common characteristic of all Alevi communities is the strong Alevi identity, which overcomes any ethnic differentiation of the population. Shankland David, *The Alevi in Turkey: The emergence of a secular Islamic tradition* (London: Routledge Curzon, 2003), p. 18.

<sup>49</sup> Shankland, *The Alevi in Turkey: The emergence of a secular Islamic tradition*, p.13.

<sup>50</sup> Karimova and Devereil, pp. 8-9.

Republic in 1923 until the present day, Turkish Alevi have supported the secular approach and reformation in the country's public sector in contradiction to the ideas and beliefs of the majority of the Sünni population<sup>51</sup>.

The Armenian community of Turkey is another important non-Muslim minority in the country, numbering between 50,000 to 60,000 people. Armenians primarily live in Istanbul. Apart from a small number of Armenians who are Protestants and Catholics, the majority of them belong to the Armenian Apostolic Church<sup>52</sup>. The State recognises and respects the status of the Armenian minority, based on the Treaty of Lausanne; however, the Armenian Patriarchate still faces many difficulties in relation to its pastoral work and functions. Similarly to the Ecumenical Patriarchate, the Armenian Patriarchate has no legal status as a religious institution and there is State intervention in relation to the appointment and the election of the Armenian Patriarch, a common interventional action of the State in relation to the election of the Ecumenical Patriarch. In addition, there are no seminars or religious education opportunities for the clergy<sup>53</sup>; this is a problem also faced by the Ecumenical Patriarchate since the closure of the Theological Academy of Halki<sup>54</sup>.

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<sup>51</sup> Shankland, *The Alevis in Turkey: The emergence of a secular Islamic tradition* p. 31. David Shankland, 'Maps and the Alevis: On the Ethnography of Heterodox Islamic Groups', *British Journal of Middle Eastern Studies*, 37 (2010), 227 – 39.

<sup>52</sup> The Millet administrative system required that all the residents of the Ottoman Empire should be members of a 'nation' which was determined neither by race nor by language; religious background was the criterion of self identification. Therefore all Armenians were perceived as pre-Chalcedonian and all pre-Chalcedonians, whether or not they were indeed Armenians, were under the jurisdiction and the spiritual authority of the Armenian Patriarch of Constantinople. The Patriarch had the responsibility before the sultan for the appropriate behaviour of his flock. In 1830 the Ottomans finally recognised the Armenian Millet, a fact which withdrew the obligation for Armenian Catholics to be reliant upon the good will of the Patriarchate of Constantinople. John, Wholley, *The Armenian Catholic Church; A study in History and Ecclesiology*, *Heythrop Journal*, (2004), pp. 416-34; Hratch Tchilingirian, 'The Catholicos and the Hierarchical Sees of the Armenian Church', in *Eastern Christianity: Studies in Modern History, Religion and Politics*, ed. by Anthony O'Mahony (London: Melisende 2004), pp.140-59.

<sup>53</sup> Similarly to the other non-Muslim minorities in Turkey, the members of the Armenian community, especially after the 1915 genocide, faced humiliation, harassments in relation to their rights, and intimidation, particularly between the 1950s and 1960s, without having the opportunity to defend against the violations

The official relations between the Israeli and Turkish states, which have been significantly improved since the 1990s, affected accordingly the relations between the Jewish minority of Turkey and the Turkish Government.<sup>55</sup> After 1991 when Turkey decided to appoint an ambassador in Israel, Turks and Israelis have been cooperating closely, having special relations and common military agreements. The Kemalist regime perceived Islam as a barrier to strengthen Turkey's European identity. Therefore, in order to gain an important role in the wider area of the Middle East, Turkish diplomacy preferred to maintain a low relational profile with Israel. The mutual concerns and the strategic similarities of the two countries over Islamic radicalism, the Syrian issue and the geopolitical changes in the Middle East in the post-Cold War environment have strengthened their relations<sup>56</sup>. The Jewish minority of the country has no ethnic or linguistic homogeneity; an antithesis to the characteristics of the Armenian and the Greek minorities. The majority of the members of the Jewish minority of Turkey are Sephardic Jews originating from Spain. Despite the fact that the Rabbinate, similarly to the Armenian and Ecumenical Patriarchates, has no legal status, officially the Turkish Government recognises it de facto. In addition, Jewish representatives testify that their community enjoys full freedom in relation to religious

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which they faced. The leading institutions, which define the Armenian community of Turkey, were and still are the Church and the community schools. The uncertainty that the Armenian community was facing in relation to the functions of the Church peaked in 1990 and again in 1998 with the interference of the Turkish Government in the process of the election of the Armenian Patriarch. In addition, the Istanbul office of the Ministry of National Education appointed vice- principals at the minority schools giving the order to the appointees that 'they are the eyes and the ears' of the head office and that they should inform the Istanbul head office even about the insignificant mistakes of the Armenian community. Hratch Tchilingirian 'Hrant Dink and Armenians in Turkey' in *Turkey: Writers, Politics and Free Speech*, ed. by David Hayes, *The open Democracy Quarterly*, 2 (2007), 117-24.

<sup>54</sup> Karimova and Deverell, pp. 9-10.

<sup>55</sup> The State of Israel and Republican Turkey have maintained a close relationship since 1948. There are some 120,000 Turkish Jews living in Israel, see: Michael B. Bishku, 'How has Turkey Viewed Israel?' *Israel Affairs*, 12 (2006), 177-94. It is thought that there are exchanges of views between Israeli and Turkish officials on how to deal with Christian churches and their institutions, especially as both are post-Ottoman nation-states with a strong Jewish or Muslim identity as opposed to the transnational Christian churches.

<sup>56</sup> Efraim Inbar, 'The Israeli-Turkish strategic partnership', *The Begin-Sadat Center for strategic studies*, 53 (2003), 165.

practices and worship and attacks on Jewish places of worship and synagogues is a rare phenomenon. The explanation for the very limited obstacles that the Jewish community faces in Turkey in terms of religious freedom lies in the close relations between Israel and Turkey, and also due to the fact that the Jewish community, in contradiction to the Armenian and Greek communities, has never made any claims for property or lands within the borders of the Turkish Republic<sup>57</sup>.

The Ecumenical Patriarchate is based in Constantinople (present day Istanbul), the late capital of the Byzantine Empire, a city which has known a long history. It was in 330 CE when Constantine the Great<sup>58</sup> established Constantinople as the capital of Byzantium, a city where those of Thracian origin had first settled. The Greek element has been strongly associated with Byzantium since 658 BC. During that period Greek inhabitants from the suburban area of Megara<sup>59</sup> arrived at Byzantium under the leadership of Byzas. Since that year, the city took the name of Byzantium and its history as a Greek city constituted a part of the wider history of Ancient Greece. In addition, Constantine the Great chose Byzantium as the capital of the Eastern Roman Empire until the fall of the city in 1453 to the Ottomans<sup>60</sup>. Consequentially, Constantinople became the capital of the Ottoman Empire between 1453 and 1923. In 1923 the capital of the newly established State of the Turkish Republic was transferred from Constantinople to Ankara<sup>61</sup>. The Christian community at Byzantium has had an active role in the society of that particular area since the second century AD, which indeed resulted in the establishment of Constantinople as a Christian city. The Christian Orthodox community of the city of Byzantium has been known by different terms; as the

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<sup>57</sup> Karimova and Deverell, pp. 10-11.

<sup>58</sup> The date of his birth is not known; it has been placed between 272 and 288. He was the son of the Emperor Constantius Chorus and St. Helena. His victory at Chrysopolis in 324 had made him the sole Emperor of the East. Cross and Livingstone, p. 408.

<sup>59</sup> An ancient city in Attica, Greece. Megara lies in the northern section of the Isthmus of Corinth and was one of the four districts of Attica. Eleftheria Samouri Bordou, 'Το ταξίδι του Βύζαντος, [Byzas' trip]', *Municipality of Megara* <<http://www.megara.gr/Historical.aspx?LangID=1&FolderID=3ae6683a-3746-4f58-a698-b32c8f63cc94&PageNo=0&EntityID=7a294032-287c-4e77-8c7b-d6332eefa0a3>> [accessed 25 March 2012].

<sup>60</sup> Stavrides, *Συνοπτική Ιστορία του Οικουμενικού Πατριαρχείου*, p. 15.

<sup>61</sup> Ibid. p. 15.

Church of Byzantium; the Patriarchate of Constantinople; the Great Church of Christ; the Ecumenical Patriarchate; the Bishopric; the Patriarchate of New Rome; and the Church of Phanar. However, after the fall of the city in 1453 the Ottomans felt the need to give a new name to the Christian community of Constantinople based on their culture and tradition, and as such the Christian community of Constantinople has been known as Istanbul or Fener Rum Patrikhanesi<sup>62</sup>.

The Ecumenical Patriarchate of Constantinople, despite the challenging external circumstances during its history, has had an active and important presence in the life of the Christian church which has lasted for eighteen centuries. The Church of Constantinople since its foundation in the fourth century, throughout its growth and flourishing during the period of the Byzantine Empire as well as after the fall of Byzantium to the Ottomans and currently under the challenges which it is facing within the borders of a Muslim country, has maintained the tradition of the Orthodox faith based on the Holy Scriptures and the decisions of the Ecumenical Councils. Therefore, in order to comprehend better the fundamental elements of the ecclesiology and the development of this significant religious institution of the Christian world in response to Muslim-Christian relations in the contemporary context of modern Turkey, it is necessary to divide its history into three major periods: i) the Byzantine period (324-1453), ii) the period of the Ottoman Empire (1453-1923) and iii) the period after the establishment of the Turkish Republic (1923) until the present day.

### **2.1.2 The Byzantine Period (324-1453)**

The history of the Byzantine Church began in 324 AD, when Constantine the Great decided to move the capital of the Roman Empire from Italy to the East; to the city of Byzantium. There were religious purposes in addition to the political and economic motives for that transferral of the capital. Constantine wanted the new capital to play a significant role in the development of Orthodox history. He declared that no pagan rites should ever be exercised and allowed in Constantinople. The Council of Nicaea in 325 AD, which Constantine

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<sup>62</sup> Stavrides, *Συνοπτική Ιστορία του Οικουμενικού Πατριαρχείου*, pp. 15-16.

summoned and over which he presided, clearly symbolised the new status of the relation between Church and State<sup>63</sup>. The vision which had inspired the Byzantines was that they were trying to establish an earthly living governmental administration system similar to God's governance in heaven<sup>64</sup>. The following subchapters present information about the establishment of the Church of Constantinople, the administrative and jurisdictional organisation of the Patriarchate, as well as information about its missions, worship and the relations among the Christian Church until the fall of Byzantium in 1453 AD.

### **2.1.3 Foundation of the Church of Constantinople**

There is some conflicting information in literature regarding the exact year in which Christianity was initially preached at Byzantium. However, the existence of the Christian Church in that particular area is estimated during the second century AD. According to the tradition, it was Andrew the Apostle who visited Byzantium and established the first ecclesiastical institution in the area<sup>65</sup>. The Church of Byzantium was initially established as the Bishopric of the diocese of Heraclea. Due to its particular position within the borders of the new capital of the Empire, the Church of Byzantium also undertook the role of a significant ecclesiastical centre between the period of 330 AD (foundation of Byzantium as New Rome) and 451 AD<sup>66</sup>. In 381 AD the Second Ecumenical Council was held at Constantinople and conferred the second hierarchical rank to the Bishop of New Rome (Canon 3), beyond the Bishops of Alexandria, Antioch and Jerusalem. Finally, in 451 AD, the Fourth Ecumenical Council of Chalcedon promulgated the definite organisational foundation of the Constantinopolitan Church (Canon 28). The Church of Constantinople had maintained the privilege of the second hierarchical rank within the Pentarchy<sup>67</sup>, the Churches of Rome, Constantinople, Alexandria, Jerusalem and Antioch, based on the decrees of the Second Ecumenical Council, and undertook ecclesiastical jurisdiction over the

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<sup>63</sup> Ware, *The Orthodox Church*, pp. 18-19.

<sup>64</sup> Ibid. p. 42.

<sup>65</sup> Ibid. pp. 24-25.

<sup>66</sup> Cross and Livingstone, p. 409.

<sup>67</sup> Ibid. p. 1240.



autonomous dioceses of Pontus, Asia Minor and Thrace, as well as over the areas outside the borders of the Roman Empire. The primacy of honour within the Orthodox Church was acceded to the Ecumenical Patriarchate of Constantinople after the Great Schism of 1054 AD and the separation between the Latin West and the Greek East<sup>68</sup>.

#### **2.1.4 Church-State relations.**

The relationship between religion and state has been one of the most controversial subjects in history and still remains one of the significant factors which generates conflicts within our societies. The fundamental changes in the political sphere of the Arab world in 2011, as well as the Syrian tragedy, brings to the forefront the significant role of religion in our modern world. Therefore, it is important to make a reference to the present role of religious communities within the European countries. The two thousand years of history of the European family illustrates that Europe is a vital and developing entity with different identities and diverse economic, political, military and cultural co-operational strategies. Furthermore, Europe is in the first place an extended community of different countries, which share fundamental values of freedom, solidarity and respect for each other. Christianity has undoubtedly shaped European identity, destiny and history.<sup>69</sup> Therefore, European Christian populations, similar to all European citizens, have the responsibility to actively participate in the actual process of European integration and in the reinforcement of the role of the European Union towards rapid globalisation<sup>70</sup>.

The present status regarding the relations between the Church and the State varies in Europe. There is a strong relation on one hand between the State and the Church in some countries, where the Church is officially recognised and protected by law, and on the

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<sup>68</sup> Stavrides, *Συνοπτική Ιστορία του Οικουμενικού Πατριαρχείου*, pp. 24-26.

<sup>69</sup> Vasil Th. Stavrides, 'The Ecumenical Patriarchate and Europe', *Kanon: Jahrbuch der Gesellschaft für das Recht des Ostkirchen*, 15 (1999), 98-112. See also, Daniela Kalkandjieva, 'A Comparative Analysis on Church-State Relations in Eastern Orthodoxy: Concepts, Models and Principles', *Journal of Church and State*, 53 (2011), 587-614.

<sup>70</sup> Léonce Bekemans, 'The Christian Identity in the Pluralistic Europe', *European Forum of the National Laity Committees*, (2008) <<http://www.europ-forum.org/dateien/alt/Bekemans.engl..pdf>> [accessed 13 June 2012].

other hand there is a hostile attitude adopted by the State towards the Church<sup>71</sup>. The different models of Church-State relationship across Europe clearly identify the diverse

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<sup>71</sup> The first model within European societies is the established Church, where the civil State recognises one religion and one Church as official and national; consequently, the Church is an active part of the State. In other words, the State by law is getting involved in Church affairs while the Church undertakes certain State roles and functions. This model of Church-State relation applies in the United Kingdom, Scotland, Denmark, Sweden, Finland, Norway, Greece and Cyprus. An important example of this model is the United Kingdom, where the Church of England is officially established and recognised; precisely, regarding the established Church model, the leaders of the Church of England serve *ex officio* in the House of Lords. Moreover, the King or the Queen formally appoints the Bishops of the Church of England upon the recommendation of the Prime Minister based on the Church approved list of candidates. However, while in the United Kingdom and in other European countries, the Church is officially established, in reality the constitutional character of the Church has weakened over the years. Nevertheless, the presence and the pastoral contribution of religious representatives within the British civil sector are highly active, where diverse religious representatives serve as chaplains in the British Army, the National Health Service and at various British educational institutions. The established Church of England has greatly been replaced with an Ecumenical dimension of religion in the public sector such as education or official ceremonies. In contradiction, there are European States like France, the Netherlands, Russia, Albania, Serbia, the Czech Republic, Wales and some Swiss territories, where the State promotes the absolute separation between the State and the Church. Based on that model, the State declares itself secular or neutral. Another important and unique model in Europe is the present State of the Vatican City, which was established because of the opposition of the Papal State to the unification of Italy. The Vatican Church has the absolute responsibility for both State and Church functions. Similarly to the Vatican City, in Greece the Athonite monastic community of Mount Athos has an independent administration and legislation, recognised by the Greek Constitution. A hostile attitude of the State towards religion has existed until recently in Holland. The 1983 constitutional revision of Holland introduced the principle of respect of religion and faith, replacing the 1848 Constitution, which among other things stated that religious processions were prohibited. A different type of model regarding Church and State relations, common in Europe, is the recognised community model, which can be witnessed in Germany, Austria, Hungary, Belgium, Luxemburg, and at some Swiss cantons, where there is no official State religion or Church recognised. All the recognised legal religious communities are equal before the law. This model differs from the established Church model in terms of State interference and also differs from the secular or neutral model. Based on the recognised community model, which is also known as '*mutual independence without separation*' model, there is co-operation at a local level between the State and all the recognised legal religious communities. Finally, the endorsed Church State is another model, where former Established Church States are keen to adopt. Spain, Italy, Armenia, Ireland, Bulgaria, Romania and Poland, while they proclaim neutrality and separation regarding Church-State relations, in reality belong to the endorsed Church model. This model follows the middle path in

approach towards religions that every single state follows, which actually accommodates the needs and the traditions of each European nation. It is important therefore to mention that Christianity was indeed a significant element, which contributed to the political and socio-cultural development of the European entity and still holds a significant place among European countries<sup>72</sup>. Article 5 of UNESCO declaration on the role of religion(s) in the promotion of a culture of peace clearly illustrates the role of religion in our societies:

“For some cultures, religion is a way of life, permeating every human activity; for others it represents the highest aspirations of human existence. In still others, religions are institutions that claim to carry a message of salvation.”<sup>73</sup>

Many scholars argue that one of the essential characteristics of a democratic regime is the separation of Church and State. The elected governors of a democratic institution require sufficient autonomy in order to make policy that is within the bounds of the constitution and which cannot be contested or overruled by non-elected religious leaders or institutions<sup>74</sup>. Nevertheless, there is confusion in this statement, as the separation between Church and State and the fact that the function of a civil state might be affected by religious leaders is completely different. All religious communities and groups, even if a particular religion is the dominant religion of a specific state or if it is just a religious minority,

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terms of Church-State relations between the established Church and the recognised community models. This model however gives a slight preference to the dominant Church or religion. Benyamin Neuberger, ‘Religion and State in Europe and Israel’ in *Parties, Elections and Cleavages: Israel in Comparative Perspective*, ed. by R. Hazan and M. Maor (London: F. Cass, 1999), pp. 65-84.

<sup>72</sup> Bekemans, ‘The Christian Identity in the Pluralistic Europe’, *European Forum of the National Laity Committees*.

<sup>73</sup> UNESCO ‘The contribution by religions to the culture of peace’, (1994)

<<http://unesdoc.unesco.org/images/0011/001134/113455eo.pdf>> [accessed 10 June 2012].

<sup>74</sup> Alfred Stepan, ‘The World’s Religious Systems and Democracy: Clarifying the ‘Twin Tolerations’’, in *Arguing Comparative Politics*, ed. by J. Linz and A. Stepan (Oxford: Oxford University Press, 2001), pp. 213-34.

should enjoy the legal protection of the State. Article 18 of the United Nation Universal Declaration of Human Rights states that:

“(…) everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community, with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.”<sup>75</sup>

Therefore, based on the principal teachings of Christianity, which have much in common with all religions worldwide, the unconditional love for our neighbour, the respect of human life, the dignity of human existence, solidarity and philanthropy are religious teachings and elements which undoubtedly do not create any tensions in the co-existence of democracy and religion. Democracy can take many forms; and indeed religion does not bring any obstacles to the autonomy of the elected governors of a democratic state. In addition, another characteristic element regarding the equality of each individual lies in the Epistle of Paul the Apostle to Galatians (Gal. 3:28), where he proclaims that:

“(…) there is neither Jew nor Greek, slave or free, male or female, for you are all one.”

The understanding of the significant role of Christianity in shaping European identity in relation to the current Church-State relational models among European countries is undoubtedly an important condition in order to examine Church and State relations during the Byzantine period.

The long period of prosecutions against Christians terminated with the Edict of Milan<sup>76</sup> (313 AD), a significant document, which brought Church-State relations to a new era. The

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<sup>75</sup> United Nations General Assembly, *United Nations Universal Declaration of Human Rights 1948* (Paris: SiSU, 1949).

<sup>76</sup> The Emperors Constantine and Licinius agreed with this document to affirm religious toleration of Christianity throughout the Roman Empire. Furthermore, this edict promulgated full legal status to the

revolutionary transformation, which Constantine the Great introduced into the Empire, led the civil State and the Christian Church roles into a parallel and inter-related cooperation<sup>77</sup>. The significant factor though was that the Edict of Milan did not simply formalise Christianity, but introduced the principle of religious toleration in the Roman Byzantine Empire<sup>78</sup>. In addition, this act signified the democratic principles, which transpired within the Byzantine Empire in relation to non-Christian religions, regardless of the strong relation between the State and the Church, which existed during that period. The principles and the rituals of the Christian faith were the significant elements, which characterised and influenced the function of the Byzantine Empire; some of these elements still exist in the present day. In addition, many decisions of the Byzantine Christian Church councils have been adopted as State laws<sup>79</sup>. These influences were significant due to the fact that they assisted the civil State of the Byzantine Empire in its organisation and facilitated the development of culture, religion, legislation, architecture, art and the intellectual life of the

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Christian Church. Property that had been confiscated from Christians was also returned by this order. Cross and Livingstone, p. 1092.

<sup>77</sup> In general, the question of Church-State relations in Orthodoxy has two different approaches of interpretation by scholars based on the principles of symphony and caesaropapism. The principle of symphony was considered as the most appropriate foundation for Orthodox Church-State relations, which was not a relational model between institutions according to the modern notions of the terms State and Church. Their relation under the idea of symphony was a subject under the will of God and not in relation to any civil legislation, introducing therefore the concept of the earthly Kingdom of God, denying the political entity of the state. The Byzantine symphony model however was challenged during the history of Byzantium. Iconoclast emperors initially were fighting this model in their attempts to achieve full control of the Church. On the other hand the model of caesaropapism has its origins in the Reformation in the West and presumes that the ruler of the State and the head of the Church is the same person. This model was never adopted by the Eastern Byzantine Churches of the early Pentarchy. In addition, the later established Slavonic churches such as Bulgaria, Serbia and Russian, which adopted Christianity from Constantinople, were not able to fully introduce to their societies the political and theological implications of Byzantium and the model of symphony. Therefore, their rulers neither ordained nor had the authority over the earthly Kingdom of God, the Christian Empire, which was the element that influenced the political ideology of the Byzantines and developed the ecclesiology of the Orthodox Church. Kalkandjieva, pp. 587-92.

<sup>78</sup> Cross and Livingstone, p. 1092.

<sup>79</sup> Stavrides, *Συνοπτική Ιστορία του Οικουμενικού Πατριαρχείου*, pp. 23-24.

Byzantine Empire<sup>80</sup>. Both Church and State had at the highest level of their hierarchy the Patriarch and the Emperor. The common sacred missions of both the Emperor and the Patriarch, who were in an absolute unity, were to serve the one Lord for the establishment of his kingdom on earth and the eudemonia of the members of the Christian Church<sup>81</sup>. The newly developed role of the Emperor in relation to the Church, who was a lay person himself, included as his main responsibility to protect the Church; in addition, he had some priestly privileges. Hence, the Emperor was responsible for maintaining the unity of the Christian Church, based on the tradition and the teachings of the Orthodox faith. Thus, he exercised these particular duties using his power to call Ecumenical Councils and Synods and then adopt the decisions of the councils as State laws. In addition, he actively participated in Church legislation constitution by issuing particular laws which affected the life of the Church. Regarding the institutional organisation of the Christian Church, the Emperor also had specific rights concerning the election of the Ecumenical Patriarchs and he had an active role in terms of the establishment of new dioceses and monasteries. Furthermore, he was dealing with general issues related to the clergy. In other words, the Byzantine Emperors would directly interfere in Church affairs and force the Church not only in terms of doctrinal issues and unity but also on matters affecting the election or the resignation of Patriarchs and other Bishops. The Emperor had the privilege of participating in sacred worship; he could enter and stay in the sanctuary during the Divine Liturgy, receive Holy Communion as a priest, offer incense to God during the worship, and bless the flock<sup>82</sup>. The revolutionary Byzantine model of Church-State relations was transformed and adopted by other countries such as Bulgaria, Serbia, Russia, and Rumania, through the missions of the Byzantines to preach the Orthodox Christian faith to other nations<sup>83</sup>.

### **2.1.5 The Patriarch**

At the beginning of the establishment of the Byzantine Church the official title of the leader of

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<sup>80</sup> Ware, *The Orthodox Church*, pp.12-17

<sup>81</sup> Stavrides, *Συνοπτική Ιστορία του Οικουμενικού Πατριαρχείου*, pp. 23-24.

<sup>82</sup> Ibid. pp. 23-24.

<sup>83</sup> Ibid. pp. 23-24.

the Church of Byzantium, and later of Constantinople, was ‘Bishop’ and ‘Archbishop’<sup>84</sup>. During the period of Acacius<sup>85</sup> (471-489 AD) the Bishop of Constantinople received the title of ‘Patriarch’ and soon after, when John II of Cappadocia (518-520 AD) was in charge of the office of the Constantinopolitan Church, the Church leader of the eastern half of the Empire was named ‘Ecumenical Patriarch’<sup>86</sup>. This title however has been strongly criticised by the Latin West as incompatible with the claims of the See of Rome<sup>87</sup>.

The election of the Bishop of Constantinople was originally made by an electoral college composed of clergy and lay persons. This procedure has been developed and was later carried out by a synod of Bishops. Thereafter, that particular synodical electoral body of Bishops had the duty of preparing a list of three candidates among the clergy and the monks. Nevertheless, laymen and Bishops originating from other sees in the East have been elected to the Patriarchal Throne of Constantinople. The final decision, however, between the three candidates was bestowed on the Emperor<sup>88</sup>.

### **2.1.6 Hierarchy and Synodical Institution**

The institutional organisation of the Patriarchate of Constantinople consisted of Archbishops, Metropolitans and Bishops, and individual clergy who had been ordained to the third order of the hierarchy. The Patriarch, however, who had himself been ordained as a Bishop, had precedence before all the clergy. A Metropolitan was responsible and had under his pastoral jurisdiction a major area or a city, and had supremacy over the other Bishops who belonged to the same district. In addition, Archbishops who were appointed at autocephalous Churches were under the direct authority of the Ecumenical Patriarch.

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<sup>84</sup> Stavrides, *Συνοπτική Ιστορία του Οικουμενικού Πατριαρχείου*, p. 26.

<sup>85</sup> During the Patriarchate of Acacius at Constantinople a temporary schism, known as the Acacian schism (482-519 AD) arose between West and East over the Monophysite controversy. Cross and Livingstone, p. 9.

<sup>86</sup> Stavrides, *Συνοπτική Ιστορία του Οικουμενικού Πατριαρχείου*, p. 26.

<sup>87</sup> Cross and Livingstone, p. 1183.

<sup>88</sup> Stavrides, *Συνοπτική Ιστορία του Οικουμενικού Πατριαρχείου*, p. 26.

Finally, Bishops and assistant Bishops had diocesan responsibilities within the borders of a specific metropolitan jurisdiction<sup>89</sup>.

The Patriarch of Constantinople also had the responsibility for overseeing several issues concerning the life of the Church. In order to accomplish these issues (worship, defining Church doctrine, Church missions, ordinations), the Patriarch assembled synods of Bishops. The synodical system of the Church of Constantinople had different models. During the early days after the establishment of the Byzantine Church, the regular annual diocesan and patriarchal synods had a customary form. The characteristic element of that synodical authority was described clearly by the term ‘endemousa synod’<sup>90</sup>. That is to say, the synod was called by the Patriarch and was composed of Metropolitans and Bishops who were either present in the city or had dioceses that adjoined Constantinople. The ‘endemousa synod’ dealt with matters of legislation and administration of the Patriarchate. However, there were a few occasions when the ‘endemousa synod’ considered issues which concerned other ecclesiastical jurisdictions of the eastern Empire. On the other hand, another model of the synodical system of the Patriarchate was the ‘extraordinary patriarchal synod’, an extended synod in terms of participation, where all, or the majority, of the Metropolitans and Bishops of the Patriarchate were invited to participate. The Patriarchate recessed the function of the diocesan synods in the twelfth century while the annual patriarchal synods ceased their operation in the thirteenth century. Nevertheless, the most adequate formulation of a synod at the Patriarchate was the ‘endemousa synod’, at which since the twelfth century the Patriarchate has developed its functional organisation. In other words, the Patriarch used to call the members of the ‘endemousa synod’ on a more regular and permanent basis. The ‘endemousa synod’ as well as the ‘extraordinary patriarchal synods’ continued their operations until the fall of Constantinople in 1453 and afterwards until the present day<sup>91</sup>.

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<sup>89</sup> Stavrides, *Συνοπτική Ιστορία του Οικουμενικού Πατριαρχείου*, pp. 27-28.

<sup>90</sup> Gk. Ενδημούσα Σύνοδος. From the Greek verb ενδημέω, which literally means I reside at a specific city. Panayiotis Dorbarakis, *Επίτομον Λεξικόν της Αρχαίας Ελληνικής Γλώσσης*, [*Glossary of the Ancient Greek Language*] (Athens: Estia, 1995), p. 287.

<sup>91</sup> Stavrides, *Συνοπτική Ιστορία του Οικουμενικού Πατριαρχείου*, pp. 26-30.



### 2.1.7 Ecclesiastical jurisdiction

The geographical expansion of the Empire affected the growth of the ecclesiastical jurisdiction of the Patriarchate of Constantinople. The jurisdiction of the Patriarchate during the fifth century was extended over the whole area of Asia Minor, Thrace and the diocesan areas around the Black Sea. In addition, during the eighth century, lands of the southern Balkans, including the Greek islands of the Aegean and Ionian Seas, the island of Sicily, and some other parts of Italy were annexed to the Patriarchate. However, the Byzantine element in south Italy and Sicily was developed into two different ecclesial institutions: the Italian-Albanian and the Italian-Greek Churches<sup>92</sup>. Moreover, the spread of the Christian faith from Byzantium among the Slavs gave the opportunity to the Patriarchate to establish new dioceses in the Slavonic districts, which remained under the authority of the Patriarchate of Constantinople until the fall of the Byzantine Empire in 1453. Thus, there was an essential need for ordination and appointment of Bishops in those areas in order to undertake the missionary pastoral work of the Patriarchate. It is estimated that between the fourth and ninth centuries the total number of Archbishops, Metropolitans and Bishops who were under the authority of the Ecumenical Patriarchate was about 500 to 600<sup>93</sup>, a fact which signifies the wider authority of the Patriarchate of Constantinople.

### 2.1.8 Missions

The Church of Byzantium, similarly to the Roman Church of the West, carried out

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<sup>92</sup> Before the separation of the Latin West and the Byzantine East halves of the Empire in 1054 regions in southern Italy accommodated Churches from both the Byzantine and Latin traditions which were in full communion under the jurisdiction of the Bishop of Rome. Both Greco-Italian and Italo-Albanian Churches remained under the ecclesiastical jurisdiction of Rome before and after 1054 with the significant exception however for the history of the Byzantine Church in Italy when the Emperor Leo III the Isaurian (717-741 AD) transferred the provinces of Calabria and Sicily under the jurisdiction of the Constantinopolitan throne; an ecclesiastical transition, which lasted until the arrival of the Normans. Anthony O'Mahony, 'Between Rome and Constantinople: the Italian-Albanian Church: a study in Eastern Catholic history and ecclesiology', *International Journal for the Study of the Christian Church*, 8 (2008), 232-34.

<sup>93</sup> Stavrides, *Συνοπτική Ιστορία του Οικουμενικού Πατριαρχείου*, p. 30.

significant missionary work in the eastern world. Constantinople had been transformed to a centre for promulgating Orthodoxy among diverse nations. This mission became a common task for both the Church and the State; clergymen, monks, lay persons, diplomats and soldiers were deployed to accomplish the mission of the Church. The missionary work of the Byzantine Church was centred at Constantinople and immediately began to undertake missions outside the borders of the Empire. The Patriarchate had the responsibility for organising the ecclesiastical life of those regions after every mission. The geographical areas were extended from the Caspian and Black Seas to the Adriatic and to Arabia and the northern area of Africa in the South. Diverse ethnic populations such as Arabs, Slavs, Jews, Goths and Armenians adopted the Orthodox faith and were converted to Christianity. Therefore, temples and other places of worship were established and suitable clergy and hierarchy were appointed. The Orthodox missionaries used the local languages and dialects in order to preach the Gospel and translate the liturgical texts and the Holy Scripture into the appropriate languages. Finally, they took care of the educational needs of the autochthons by establishing educational institutions and schools. The missionary work of the Ecumenical Patriarchate came to an end together with the fall of Byzantium in 1453<sup>94</sup>.

### **2.1.9 Doctrinal and Canonical work**

The Ecumenical Patriarchate has played a significant role towards defining the doctrines of the Christian faith especially during the Byzantine period<sup>95</sup>. The Ecumenical Synods,

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<sup>94</sup> Stavrides, *Συνοπτική Ιστορία του Οικουμενικού Πατριαρχείου*, pp. 31-32.

<sup>95</sup> During the Byzantine period and after the separation between Eastern and Western Churches in 1054 AD, the Council of Ferrara-Florence (1438-1439) was the most significant meeting between Orthodox and Catholic in order to consider doctrinal differences over the Procession of the Holy Spirit and the insertion of the *Filioque* clause into the Creed, the primacy of the Bishop of Rome and finally, in relation to the issue of purgatory and the blessedness of the saints. The priorities of the official dialogue between the Roman Catholic and the Orthodox Churches today are without doubt different. Both sides agree that the principal obstacle, which needs further consideration and discussion, is the papal claims. Particularly, the place of the Bishop of Rome in the Universal Church of Christ is currently the main reason that keeps divided Orthodox and Catholics from sharing communion in the Eucharist. Since the Council of Ferrara-Florence a fresh approach has been made from both sides in relation to inter-Christian dialogue with the formation of the Joint

constituted of a wider body of participants, who were representing all the Christian authorities of the Empire, were promulgating Church canons. Their main concern was to deal with theological disputes, heresies and schisms, which were affecting the doctrines and the unity of the Christian Church. Some of the characteristic doctrinal issues that those synods dealt with were the Arianism heresy; the definition of the Nicene-Constantinopolitan Creed; doctrinal affirmations about the Virgin Mary; the clarification of the two natures of Jesus; the Origenism controversy; and doctrines over the veneration of the holy icons. The Emperor, who usually participated at the synods either personally or by a representative, was responsible for convoking these synods in the name of the Church. The representative of the Bishop of Rome or one of the four Patriarchs of the East presided at the synods, a fact that signified the equality of the primacy among the Patriarchs of the East and the Pope of Rome. However, no Ecumenical Synods have been called before the third or after the ninth centuries. During those periods the local synods at the Patriarchate of Constantinople were dealing with the doctrinal and canonical issues and the life of the Church<sup>96</sup>.

#### **2.1.10 Divine worship**

The period between the fourth and sixth centuries has been characterised as the golden age based on the development that was made regarding the formation of worship within the Eastern Orthodox Church centred at the city of Constantinople. Initially, the Church of

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International Commission for the Theological Dialogue between the Orthodox Church and the Roman Catholic Church. Catholic and Orthodox representatives met initially in 1980 at the Islands of Rhodes and Patmos exploring possible common areas of agreement. The Joint International Commission has issued five agreed documents which signify to progress of the official dialogue between Rome and Constantinople. The Munich statement (1982) was on 'The Mystery of the Trinity and of the Eucharist in the Light of the Mystery of the Church', the second and the third documents in Bari (1987) and Valamo (1988) considered mainly sacraments and particularly the sacrament of ordination. The Balamand (1993) statement examined the issue of 'Uniatism: Method of Union of the Past, and the Present Search for Full Communion' and finally the fifth document in Ravenna (2007), on the 'Ecclesiological and Canonical Consequences of the Sacramental Nature of the Church: Ecclesial Communion, Conciliarity and Authority'. Kallistos Ware, 'The Ravenna Document and the Future of Catholic-Orthodox Dialogue', *The Jurist* 69 (2009), 766-68.

<sup>96</sup> Stavrides, *Συνοπτική Ιστορία του Οικουμενικού Πατριαρχείου*, pp. 33-36.

Constantinople adopted liturgical components from other Christian areas of Asia Minor, and later on the liturgical elements, which were acquired from Jerusalem, gave the final liturgical shape of the Constantinopolitan Church. In addition, the formation of the Divine Liturgies of St. Basil the Great and St. John Chrysostom were characteristic archetypes of the Byzantine liturgical authenticity, which by the twelfth century had replaced all the other types of the Eastern Divine Liturgies. Moreover, the liturgical life of the Church was very prosperous. The ecclesiastical calendar included specific feasts dedicated to the Lord Jesus Christ, to the Virgin Mary, to the Holy Cross and to the Saints. Byzantine liturgical life was surrounded by the Byzantine ecclesiastical music, which developed mainly at Constantinople by Romanos Melodos during the sixth century. There was also a strong connection between the liturgical life and the decoration of the Byzantine temples, which included woodcarved furniture, panel-icons, wall paintings and mosaics, depicting images of holy persons and of the earthly life of Jesus<sup>97</sup>.

### **2.1.11 Relations with other Christian Churches**

The relations between the Church of Constantinople and the other three Patriarchates of the East as well as with the Church of Rome have been in conflict especially during the fourth, the fifth, and the seventh centuries, when they were affected by significant tensions and crises. The causes of these tensions in the Church were over internal disputes and schisms. In addition, the Arab conquest of the East in the seventh century created particular difficulties for the Patriarchates of Alexandria, Antioch and Jerusalem. Arabs had captured Syria, Palestine and Egypt and they were approaching Constantinople<sup>98</sup>. The Patriarchs of these three sees were mainly elected and lived in Constantinople after the Arab invasions. The Ecumenical Patriarchate therefore, in the name of Christian brotherhood, supported these suffering Churches in any way they could in order to assist them in prolonging their existence<sup>99</sup>.

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<sup>97</sup> Stavrides, *Συνοπτική Ιστορία του Οικουμενικού Πατριαρχείου*, pp. 41-43.

<sup>98</sup> Ware, *The Orthodox Church*, pp. 29-30.

<sup>99</sup> Ware, *The Orthodox Church*, pp. 35-36.

The Ecclesiastical Communion between the Churches of Rome and Constantinople had been breached several times before their final separation in 1054 AD. Political and ecclesiastical variations in association with theological conflicts finally led to the division of the unity of Christianity. The Great Schism of 1054 AD, which led to the division of Christendom, was one of the most significant factors in the history of the Byzantine period. Before the year 1054 AD the Church had been afflicted by other impermanent schisms. The schism during 407-438 AD regarding the exile of St. John Chrysostom was at the synod held at the location called “Epi Drin” (Gk. Επί Δρυν), an area close to Chalcedon in 403 AD. Pope Innocent I condemned and voided the decision to exile St. John Chrysostom by breaking the communion with the Churches that had accepted this decision<sup>100</sup>. Another temporary schism (482-519 AD) arose between Rome and Constantinople because of the controversies with the Syrian Church<sup>101</sup> known as the Acacian schism. The cause of the schism was the publication of the Henoticon<sup>102</sup>, an attempt by Emperor Zeno of the Eastern Roman Empire to force reconciliation between the Orthodox and the Oriental Orthodox Churches, which interpreted the natures of Christ through Miaphysite views<sup>103</sup>. The union of the Church was not maintained for long. A hundred and thirty years later in 649 AD another schism jeopardised the union of the Church, despite the Monothelism decrees. Monothelite heresy was a development of the Miaphysite<sup>104</sup> position in the Christological debates. It received

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<sup>100</sup> Stylianos Papadopoulos, *St. John Chrysostom* (Athens: Apostoliki Diakonia, 1999).

<sup>101</sup> ‘The doctrine that in the Incarnate Christ there is only one nature, not two... The term *Monophysite* was first used in the aftermath of the Council of Chalcedon (451 AD) to describe all those who rejected The Council's Definition that the Incarnate Christ is one person 'in two natures', and upheld, as their key formula, the phrase of St. Cyril of Alexandria, ‘one Incarnate Nature of the Word’. Cross and Livingston, p. 1111.

<sup>102</sup> ‘The theological formula put forward in 482 AD to secure union between the Monophysites and the Orthodox was sponsored by the Emperor Zeno. It was apparently chiefly the work of Acacius, Patriarch of Constantinople, and Peter Mongo, Patriarch of Alexandria. It reaffirmed the traditional faith of the Church epitomised in the Nicene-Constantinopolitan Creed and accepted the twelve Anathemas of St. Cyril of Alexandria, condemning both Nestorius and Eutyches, but it made no reference to the burning question of the number of 'natures' in Christ; it issued an ambiguous disclaimer of the Council of Chalcedon, and omitted all mention of the Tome of Leo. Widely accepted in the East, but never countenanced at Rome, it provoked the Acacian schism, the first division between Eastern and Western Christendom.’ Cross and Livingston, p. 754.

<sup>103</sup> Heleen Murre-van den Berg, ‘Syriac Christianity’ in *The Blackwell Companion to Eastern Christianity*, ed. by Ken Parry (USA: Blackwell Publishing Ltd, 2007), pp. 252-53.

considerable support in the seventh century before being rejected as heretical<sup>105</sup>. The Iconoclastic<sup>106</sup> controversy (723-780 AD) was another factor that brought difficulties to the Christian Church. The persecution of the icons stopped abruptly in 775 AD after the death of Constantine V, and finally, in 787 AD, the Seventh Ecumenical Council in Nicaea restored the veneration of the holy icons, proclaiming this restoration as a doctrine<sup>107</sup>.

The Filioque clause<sup>108</sup>, the Papacy, the differences in worship and discipline between the Latin and Greek Church, and the barbarian invasions in the Western half of the Empire were the most significant factors of the Great Schism. The two branches of the Christian Church (Latin West and Greek East) became accordingly the Roman Catholic Church and the Eastern Orthodox Church. The Schism between East and West was the consequence of the increased period of strain between Rome and Constantinople, which became continual during the fourth Crusade in 1204 AD after the depredation of Constantinople by Western Christians. Other components, for example, the language, caused Eastern and Western Churches to move further apart. The prevalent language of the East was Greek, while Latin was in the West. Thus, after the fall of the Western Empire the number of those who spoke both Latin and Greek decreased considerably. Hence, language between East and West became an obstacle for their later communication. The use of a different language within the two halves of the Christian Church had a significant impact on the cultural unity, which also started to decay. The two parts of the Christian Church (Eastern and Western) were

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<sup>104</sup> The Christological interpretation on the debate of the two natures of Christ: the Miaphysitism doctrine holds that the Divine and the Human natures of the one person Jesus Christ are united in one or a single nature; the two natures are united without separation, confusion or alteration. Dietmar W. Winkler, *The Church of the East: A Concise History* (London: Routledge Curzon, 2003), pp. 28-30.

<sup>105</sup> Cross and Livingston, pp. 1112-1113.

<sup>106</sup> Ibid. p. 820.

<sup>107</sup> Ibid. p. 1152.

<sup>108</sup> The Dogmatic formula expressing the Double Procession of the Holy Spirit added by the W. Church to the Nicene-Constantinopolitan Creed immediately after the words 'the Holy Spirit ... who proceeds from the father'. It is no part of the original Creed, but is first met as an interpolation (acc. to the usual texts) at the Third Council of Toledo (589 AD). Cross and Livingston, p. 614.

commonly divided along analogous lines; they evolved different rites and had diverse approaches to religious doctrines<sup>109</sup>.

The Crusades, which the Western States conducted, especially the crusades of the first period (1095-1204 AD), affected negatively the relations between Eastern and Western Churches. Despite all the existing difficulties, the Latin West and the Greek East Churches made several attempts at reunion, even after their official separation in 1054 AD. The negative event of the division of the Christian world, and the political changes in the East due to the spread of the Ottoman sovereignty, led to a determination on the part of some to begin a series of attempts and negotiations to restore unity between Eastern and Western Churches<sup>110</sup>. Less than two decades after the Schism, both sides realised that they had to make common attempts and efforts in order to rectify the mistakes that had led to the division of the Christian world. Moreover, the West protested no further objections to the steps that the Eastern Church had been undertaking to restore the union between them. The majority of the initiatives for reunion were made by the Orthodox East under the pressure of the political disturbances, which had caused a permanent disadvantage for the Eastern Church in negotiations with the Latin West<sup>111</sup>. Thus, in the late eleventh century, while the Papacy in the West promulgated the claims regarding the universal rule of the Pope (*Dictatus Papae*)<sup>112</sup>, the East, on the other hand, was facing threats of attack from the Seljuk Turks.

The Ottoman threat was very vivid in European territory, paralysing both sides and preventing both Eastern and Western Churches from realising the necessary consequences from all these unsuccessful attempts at reunion. The last attempt, which was by far the most significant attempt at reunion between the Latin West and the Greek East, was the Council

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<sup>109</sup> Ware, *The Orthodox Church*, pp. 43-61.

<sup>110</sup> *Ibid.* pp. 61-65.

<sup>111</sup> *Ibid.* pp. 66-70.

<sup>112</sup> A compilation of 27 axiomatic statements of powers arrogated to the Pope that was included in Pope Gregory VII's register under the year 1075 A.D. Ernest F. Henderson, *Dictatus Papae: Select Historical Documents of the Middle Ages* (London: George Bell & Sons, 1910), pp. 366-67.

of Ferrara-Florence (1438-1439 AD)<sup>113</sup>. The central figures of the Council were the Emperor John VII Palaeologus (1425-1448 AD) for the Greek East and Pope Martin V (1417-1431 AD) for the Latin West, at the beginning, and then Pope Eugene IV (1431-1447 AD)<sup>114</sup>. The major objective of the Council was the reunion with the Greek Church, which was in a disadvantageous position and needed support from the West against the Turks, who were approaching Constantinople<sup>115</sup>.

Finally, all the attempts at reunion between Eastern and Western Churches were doomed to fail from their birth. The impetus for these efforts was the political goal of saving the State, and everything was directly connected to the preservation of the Empire. The reunion attempts were the obvious but not the real purpose of the Church debates; theological

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<sup>113</sup> 'This was a continuation of the Council at Basle, which pope Eugenius IV transferred first to Ferrara in 1438 AD to Florence in 1439 AD and to Rome in 1443 AD. The whole is reckoned by the Roman Catholics as the 17<sup>th</sup> Ecumenical Council. (...) The principal points of the Council were the Double Procession of the Holy Spirit, the use of unleavened bread for the Eucharist, the doctrine of purgatory and the primacy of the Pope. (...) The Greeks asserted that any addition to the Nicene Creed, even of a single word, whether it was doctrinally correct or not, was, according to the prohibition enacted at the Council of Ephesus, illegal, and its perpetrators excommunicated. The Latins claimed that the prohibition referred to meaning, not words. Discussion, without agreement, continued in 13 sessions until 13 Dec, by which time the Papal exchequer was empty. On 10 Jan. 1439 AD the Council was transferred to Florence. (...) From 2 to 24 Mar. in eight sessions it debated the *Filioque* clause as doctrine - whether the Holy Spirit proceeds from the Father only, according to the Greeks, or from the Father and the Son, according to the Latins - without agreement. (...) Bessarion addressed his '*Oratio Dogmatica*' to the Greek synod urging that the Double Procession was taught more or less explicitly by both Greek and Latin fathers. The Latins gave the Greeks a precisely worded statement of doctrine, which the Greeks modified, but then they would not clarify the resulting ambiguities. (...) By 8 June the Greeks had accepted the Latin statement of doctrine. (...) Statements on the Eucharist and on Papal primacy, which caused some difficulty, and on purgatory and the legitimacy of the *Filioque* clause were presented to the Greeks and eventually accepted. These were incorporated into the Decree of Union, beginning with the words '*Laetentur Coeli*' which was eventually signed on 5 July 1439 and solemnly promulgated the following day. Mark of Ephesus was the only Greek Bishop to refuse his signature. (...)'

<sup>114</sup> Blasius Feidas, *Εκκλησιαστική Ιστορία [Church History]* (Athens: Feidas Publications, 2002), pp. 603-626.

<sup>115</sup> Cross and Livingston, p. 622.



disputes were simply hiding their true intentions<sup>116</sup>. The important outcome was that regardless of the political formations, both the Roman Catholic Church and Greek Churches of the East continued to keep their traditions and doctrines after the final separation of 1054 AD and delivered them to the following generations<sup>117</sup>.

The Ecumenical Patriarchate of Constantinople, since the Second Ecumenical Council in 381 AD until the fall of the city of Constantinople, undoubtedly played an executive ecclesiastical role within eastern Christendom; it was exercising its jurisdiction over a vast number of territories. However, two significant events aside from the Crusades characterised the first period of the Byzantine Church: the Great Schism on one hand between Eastern and Western Churches in 1054 AD, and the fall of Constantinople in 1453 AD on the other. In addition, a significant aspect regarding the ethnographic background of Constantinople is the absolute absence of the Muslim element in the area, which stretches from the seventh century BC until the seventh AD century, when the first period of the spread of Islam was taking place. Constantinople, the capital of the Byzantine Empire, had become a commercial centre as well, which covered the whole Mediterranean area and the surrounding countries. Therefore, there was an active presence of merchants of diverse nationality in the city, including individuals from the Arab countries. A significant number of Arab merchants adopted and converted to Christianity, maintaining however, the pre-Islamic tradition of Arabian commercial activity in the area<sup>118</sup>. The presence of the Arab element in Constantinople continued up to the twelfth century, which also incorporated the Turkish element during the eleventh century. In addition, the Turkish expansion of the fourteenth century onwards led consequently to the expansion of the Ottoman territory up to the borders of Constantinople. The presence of the Turkish element in the city during the fourteenth and fifteenth centuries until the Ottoman conquest consisted of Turks, who were

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<sup>116</sup> Michael Angold, 'Byzantium and the West 1204-1453', in *The Cambridge History of Christianity: Eastern Christianity*, ed. by Michael Angold (Cambridge: Cambridge University Press, 2006), pp. 56-77.

<sup>117</sup> Ware, *The Orthodox Church*, p. 71-72.

<sup>118</sup> Dionysios Zakythinios, *Βυζαντινή Ιστορία, 324-1071 [Byzantine History 324-1071]* (Athens: Mirtidi, 1972), pp. 386-488.

living in the city permanently and had organised their community, and of those who were visiting Constantinople on a temporary basis from the nearby Ottoman territories<sup>119</sup>.

## **2.2 The period of the Ottoman Empire (1453-1923)**

The city of Constantinople had been the imperial capital of the Byzantine Empire since its establishment in 330 AD under the Roman Emperor Constantine the Great. During the following eleven centuries Constantinople had been attacked numerous times and was captured only once in 1204 AD during the Fourth Crusade<sup>120</sup>. That signified the importance of the geographical position of Constantinople as a key position for the economy and for trade between East and West. The persistent attacks on the city by the Latins, Serbians, Bulgarians and, most significantly, the Ottomans, led the Byzantine capital to exhaust its resources. In addition, it led to a depleted population, which had been leaving under constant fear of losing their belongings and their lives. As such, with an 'old' population unable to protect their pride and their territories, the capital finally fell to the Ottomans. The conquest of Constantinople denoted an extensive boost to the faith of the Byzantines. After the fall of Constantinople Christians became very devoted to their faith as it was the only common element left within them and from which they could build their hopes again. The Ottomans thereafter were able to have easy access into European territories without any resistance. After the conquest of the city Mohamed II, who was the Ottoman leader, established Constantinople for political and socio-cultural reasons as the new capital of the Ottoman Empire. That event, which characterised that period, was the actual conquest of the city of Constantinople by the Ottomans on 29 May 1453. That date was the starting point for the transition of the Byzantine Empire. The city, which was protected by God, had fallen, and the citizens of the former Byzantine Empire were under the sovereignty of the infidel<sup>121</sup>. The success of the Ottoman Empire was based on the official recognition of the diversity of the territories which they were ruling, and the necessity for flexible administrative policies that

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<sup>119</sup> Aikaterini Laiou, *The Economic History of Byzantium from the Seventh through the Fifteenth Century* (Washington, D.C: Dumbarton Oaks Studies, 2002), pp. 478-480.

<sup>120</sup> John J. Norwich, *A Short History of Byzantium* (New York: Vintage Books, 1997), p. 304.

<sup>121</sup> Ware, *The Orthodox Church*, p. 87.

could accommodate the needs of the different religions, cultures and ethnicities<sup>122</sup>. The Millet administrative system<sup>123</sup>, which the Ottomans adopted in order to rule non-Muslim communities within the Empire, literally means nation, but within the Ottoman context it had a distinctive meaning based on diverse religious groups. The purpose of the Millet administrative system was to maintain all the citizens of the Empire, who belonged to a different religious group or who had a different tradition and language, separated as much as possible<sup>124</sup>. Therefore, this system served to avoid any religious conflicts against the sultan. In order to achieve this separation, Muslims were advised by their religious leaders to avoid any contact with non-Muslims, while Christian leaders and Jewish rabbis were making similar recommendations to their flocks to abstain from any relation with Muslims. The Millet system had two local governing types. Muslim officials and religious judges on one hand were responsible for civil and criminal cases where either Muslim or non-Muslim citizens were involved; while on the other hand priests and rabbis had the obligation to collect taxes and govern at a local level. The Ottoman Empire was undoubtedly a state of Muslim origin, where the autonomy and the pluralism of the Millet System did not affect the supremacy of the Islamic religion and the power of the central authorities<sup>125</sup>. Each of the millets had the right to deal with religious, individual and family matters such as marriage, divorce and inheritance; however, in relation to economic and commercial issues, and law

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<sup>122</sup> William L. Cleveland, *A History of Modern Middle East* (Oxford: Westview Press, 1994), p.43.

<sup>123</sup> After the capture of Constantinople in 1453, which resulted in the coexistence of Muslims and Christians mainly in the city of Istanbul, Ottomans adopted the Millet administrative system of governance in order to rule non-Muslim religious minorities of the Empire, which were primarily Christian. Karavaltchev Ventsizlay and Pavlov Pave, 'How just was the Ottoman Millet system', *Journal of European Baptist Studies*, 11 (2011), 21-30.

<sup>124</sup> The socio-cultural and communal framework of the Millet system was based first on the religious background of the citizens and second on ethnicity. Kemal H. Karpat, 'Millets and Nationality: The Roots of the Incongruity of Nation and State in the Post-Ottoman Era', in *Christians and Jews in the Ottoman Empire: The Functioning of a Plural Society*, ed. by Benjamin Braude and Bernard Lewis (New York: Holmes & Meier Publishers, 1982), p. 141.

<sup>125</sup> The paradox that the *Millet* administrative system introduced was the fact that non-Muslim communities were administered within the principle of Muslim organisation while their religious and cultural identity was recognised. Therefore, Christians or even Jewish subjects of the sultan were 'Islamised' in terms of administration purposes while there was an attempt at westernisation of the Ottoman State. Karpat, p. 149.

and order, millets had no right to intervene<sup>126</sup>. The Millet system was an improved system of Islamic Law, which recognised the right to live within the Empire and the right of property ownership to non-Muslim community members. The Orthodox Christians were included in the Millet administrative system. The Rum millet<sup>127</sup> included all the Orthodox subjects of the Byzantine Empire<sup>128</sup> and enjoyed a certain autonomy even though it consisted of Bulgarians, Albanians, Vlachs, Macedonian Slavs, Georgians, Arabs, Romanians and Serbs. Therefore, Romans, the members of the Rum millet, did not constitute a homeomorphous 'nation' because they did not have an independent political community. All were considered as part of the same millet despite their ethnic and linguistic diversity<sup>129</sup>. The Ecumenical Patriarch was recognised as the highest religious and political leader of all Orthodox subjects of the Sultan<sup>130</sup>.

### 2.2.1 Church-State relations

This alternation of the new political and religious situation had not been achieved easily by the Ecumenical Patriarchate, which as a Christian institution had to renegotiate its relations with the new State, where the official religion was Islam. Mohammed II the conqueror shaped those relations within the Ottoman Empire based on the teachings of the Quran and the new political situation of the Empire. He recognised the Orthodox population of the Empire as an autonomous religious community known as Rum-i Milleti<sup>131</sup>. Within the

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<sup>126</sup> Karavaltchev and Pavel, 21-30.

<sup>127</sup> The formal fate of the *Millet-i Rum* is dated in 1919 nearly a century after the establishment of the Greek Kingdom in 1830 with the Greek war of Independence against the Ottomans. Richard Clogg, 'The Greek Millet in the Ottoman Empire', p. 200.

<sup>128</sup> Victor Roudometof, 'From Rum Millet to Greek Nation', *Journal of Modern Greek Studies*, 16 (1998). 18.

<sup>129</sup> In the late eighteenth century among the 'Greek' *Millet-i Rum* population there were only a few who were able to understand the Bible, the Church services and the Patriarchal encyclicals written in Greek. In many parts of the Ottoman capital, the majority of Greeks were wholly Turkish speaking. Clogg, 'The Greek Millet in the Ottoman Empire', p. 185.

<sup>130</sup> Roudometof, 'From Rum Millet to Greek Nation' pp. 19-21.

<sup>131</sup> Stavrides, *Συνοπτική Ιστορία του Οικουμενικού Πατριαρχείου*, p. 47.

Ottoman Empire however, a policy of toleration<sup>132</sup> for Christians existed<sup>133</sup>. An imperial edict by Mohammed II granted significant privileges and rights to the Orthodox Church. The edict protected the Orthodox community from any harassment, and the Patriarch and all Bishops were exempted from any taxes. In addition, the edict forbade the conversion of Churches into Mosques<sup>134</sup>, allowed free practice of all religious ceremonies, and awarded judicial immunity for all the clergy<sup>135</sup>. During the last hundred years of the Ottoman Empire some important administrative reformations signified the establishment of the oncoming Republic of Turkey as a secular State. The significant reformations in relation to the sense data of that period implemented by the last Ottoman emperors towards secularisation was their attempt to organise a State far apart from any external influence; neither religious nor ethnic. The continuous call by the Great Powers in relation to Western influences on the Empire resulted in a series of reforms of dress code, administration of justice and education<sup>136</sup>.

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<sup>132</sup> The term 'tolerance' is usually understood in order to indicate the initiative of a dominant religion to coexist with other religions. Braude and Lewis, p. 3.

<sup>133</sup> Stavrides, *Συνοπτική Ιστορία του Οικουμενικού Πατριαρχείου*, p. 47.

<sup>134</sup> It was 29 May 1453 when the Ottomans captured Constantinople through the land walls, and on the very next day Mehmed II stood in the Church of the Holy Wisdom (Haya Sophia) to proclaim the conversion of the Church into the Great Mosque of the city. In addition, immediately after the conquest of the city, many other buildings were converted to Mosques for use by Muslims. There were three principal reasons to convert Byzantine buildings into use for the faith of Islam. The first of these was the requirement of certain buildings to serve as Mosques, educational centres and tekkes. The second was the establishment of Muslim neighbourhoods (Tk. mahalles) in which there were already Byzantine Churches ready-made to use by Muslims as Mosques, and the third reason was the diminishing number of Christians in the neighbourhoods where the Churches were situated as the Muslim population grew. Eventually nearly all the surviving Byzantine Churches were converted into Mosques. Süleyman Kirimtayif, *Byzantine Churches in Istanbul: Their Transformation into Mosques or Masjids* (Istanbul: Ege Yayinlar, 2001), pp. 6-9.

<sup>135</sup> Suat Bilge, 'The Fener Greek Patriarate', *Journal of International Affairs*, 1(1998) <<http://sam.gov.tr/wp-content/uploads/2012/02/SuatBilge.pdf>> [accessed 2 December 2013].

<sup>136</sup> The dress reformation was actually a simplification of the military suit according to the model of the European military uniforms. In addition, the traditional clothing in the Empire, which indicated an individual's religion, profession or rank and which served to manifest the differentiation among the population, was another attempt towards secularisation that the Emperors were trying to introduce in order to make all the citizens believe that they were all equal before the Emperor; either Muslim or non-Muslim. Between 1839 and 1876 the

### 2.2.2 The Patriarch

The Orthodox Patriarch, immediately after the conquest of Constantinople, had been granted an ethnic role as the spiritual and ethnic leader of the Orthodox (Tk. Milletbaşı, ethnarch) enjoying absolute authority over the Orthodox Church and over everyday matters of the Orthodox population of the Empire<sup>137</sup>. Therefore, he was not only responsible for Church matters but he was also dealing with communal affairs such as family, education and social affairs of the members of the Orthodox Church. After the conquest of Constantinople the Ottoman Emperor gave the Patriarch written orders known as ‘berat’, which acknowledged those particular rights and responsibilities of the Orthodox leader. A few years after the fall of Constantinople in 1467, a new tax policy was introduced in relation to the election of a new Patriarch. The newly elected Patriarch had to pay a special tax known as ‘peskes’ and after 1474 the Patriarch had to pay another annual tax known as ‘haraç’. However, there is no reference for these types of taxes after the eighteenth century<sup>138</sup>. In terms of the proceedings of the election of a new Patriarch, according to the ethnic regulations, immediately after the resignation or death of the Patriarch a common assembly was held, which was constituted by the members of the Holy Synod and the Ethnic Mixed Council. A *locum tenens*, a deputy among the Hierarchs, was appointed to the Patriarchal Throne until

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Ottoman reformations introduced a secular idea in relation to the concept of citizenship, according to which all the citizens of the Empire had the same rights and duties regardless of their faith and religious background. This principal idea affected the reformations related to the educational system and the administration of justice. The 1869 Regulation of Public Education (*Maarif-i Umumiye Nizamnamesi*) introduced for the first time in the life of the Empire the establishment of an Empire-wide network of primary and secondary schools offering the same education to all the population. However, studying in a primary or secondary school according to the Ottoman educational system has been much challenged. The schools were attached to Muslim places of worship, they followed the Muslim calendar, and the educational curriculum included teaching of the Quran. Finally, a significant number of reformations in relation to judicial administration, such as The Criminal Code, the Commercial Code and the Commercial Maritime Code, had been primarily borrowed from the French legal system and after the appropriate emendation and in relation to the separation between religious and civil courts were applied in Ottoman society. Rosella Bottoni, ‘The Origins of Secularism in Turkey’, *Ecclesiastical Law Journal*, 9 (2007), 175-86.

<sup>137</sup> Alexis Alexandris, *The Greek minority of Istanbul and Greek-Turkish relations 1918-1974*, pp. 22-23.

<sup>138</sup> Stavrides, *Συνοπτική Ιστορία του Οικουμενικού Πατριαρχείου*, pp. 48.

the official election of the new Patriarch. The mixed assembly of the Holy Synod and the Ethnic Mixed Council had the responsibility of informing the Sublime Ottoman Porte about the vacancy of the throne with a particular document known as ‘mazbatan’. Thereafter, the Ottoman authorities sent a letter addressed to the Hierarchs of the Patriarchate requiring a list of representatives from each diocesan area, setting out in addition the day of the election with forty days’ notice. Hence, the Electoral Assembly constituted the twelve Hierarchs of the Holy Synod, other Hierarchs who were temporarily resident at the Patriarchate, the Metropolitan of Heraclea ex officio<sup>139</sup> and about seventy lay representatives.

The Electoral Assembly had absolute authority to elect the new Patriarch. However, there was an intervention by the Sublime Porte regarding the candidates of the Patriarchal throne. The Electoral Assembly drafted the list of candidates which was submitted to the Porte. The list was returned within twenty-four hours, either as the original list or with crossed names. After the receipt of the list, a secret ballot took place between the members of the Electoral Assembly in order to draw up a shorter list of three candidates. Finally, the Hierarchs of the ‘endemousa synod’ elected with their canonical vote the new Patriarch, one among the three shortlisted candidates. The electoral result was announced to the Ottoman authorities (the Sultan, the Grand Vezier and the Minister of Justice). Consequently, the Ottoman Council of Ministers had to submit to the Sultan a document known as ‘buyurdi’ in relation to the election, and the Sultan, on the other hand, had to reply sending the ‘firman’ or ‘berat’, a document addressed to the Patriarch himself, acknowledging his election as the new Patriarch of the Greek nation. This procedure was followed until the election of the last Patriarch of the Ottoman period, who remained in the office of the Patriarchate until 1918.

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<sup>139</sup> The Metropolitan of Heraclea was always presented and still is, according to the ancient tradition that the Bishop of Byzantium is under the authority of the Bishop of Heraclea, long before the establishment of the city of Byzantium as the capital of the Byzantine Empire. Chrysostomos Konstantinides, ‘The Ecumenical Patriarch and the Ecumenical Patriarchs from the Treaty of Lausanne (1923) to the Present’, *The Greek Orthodox Theological Review*, 45 (2000), 8.

### 2.2.3 Hierarchy and Synodical Institution

The most common synodical form of that period continued, as it had in the past years, to be the ‘endemousa synod’, which by the eighteenth century had adopted a more constant function. The responsibilities of the ‘endemousa synod’ separated spiritual and material affairs. Therefore, the ‘endemousa synod’ was renamed the Holy Synod, which thereafter had a permanent character, consisting of twelve Metropolitans and the Patriarch, who summoned and presided over the Holy Synod, which dealt with the spiritual affairs of the Orthodox Church. On the other hand, a mixed committee consisting of four Metropolitans and eight lay Orthodox individuals was responsible for the material affairs of the Patriarchate<sup>140</sup>. Precisely, in 1856 the Imperial Edict ‘Hatt-i Hümayün’ classified the distinctiveness of the Muslim and non-Muslim institutions within the Ottoman State. In addition, this edict clarified the responsibilities and the rights of the Greek Orthodox inhabitants, who were living within the borders of the Empire in that period. According to the Imperial Edict, an Ethnic Assembly was elected. The Assembly was constituted by clergymen appointed by the Patriarchate and laypersons, who were elected by the Greek communities, an innovation that introduced lay involvement into Church affairs. In 1858 the Ethnic Assembly approved the General or Ethnic Regulations, which the Ottoman authorities accredited and forced through as part of the Ottoman legislation. These regulations brought significant changes to the ethnic minority affairs. They entrusted all the religious and spiritual duties to the Holy Synod over the presidency of the Patriarch, relegating on the other hand all the other ethnic minority secular and material issues to another administrative body known as the Permanent Ethnic Mixed Council. The ethnic regulations referred to the following different areas related to the minority: i) the election of the Patriarch, ii) the election of the Hierarchs, iii) the composition, responsibilities and the rights of the Holy Synod and of the Ethnic Mixed Council, iv) the remuneration of the Patriarch, the Hierarchs and the patriarchal lay personnel and v) the monasteries<sup>141</sup>.

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<sup>140</sup> Stavrides, *Συνοπτική Ιστορία του Οικουμενικού Πατριαρχείου*, pp. 64-66.

<sup>141</sup> Konstantinides, p. 7.



## 2.2.4 Ecclesiastical Jurisdiction

Even after the fall of Constantinople, a wide area within and outside the Ottoman Empire was under the ecclesiastical jurisdiction of the Ecumenical Patriarchate. In other words, the Patriarchate of Constantinople had a transitional ecclesiastical authority over a wider territorial region. These territories covered the Balkans, the Aegean and Ionian Islands, Asia Minor and some Russian territories<sup>142</sup>. However, this period, especially after 1901, has been characterised by the nationalist political movement, which appeared in South-Eastern Europe and became dominant. That phenomenon led to the establishment of new national states and national autocephalous (independent) Churches, a fact which led to the divestiture of the sovereignty of the Ecumenical Patriarchate of Constantinople<sup>143</sup>. The landmark of the establishment of independent national Churches and the separation of the mother Church of Constantinople was the uncanonical constitution of the Autocephalous Greek Orthodox Church in 1833<sup>144</sup>, just a few years after the successful Greek War of Independence between 1821 and 1830 and the establishment of the Greek Kingdom. The Declaration of the Independence of the Greek Church constitutes without any doubt an overt intervention by State legislature in internal Church affairs. However, the Greek Church was finally recognised by the Church of Constantinople with the Patriarchal Tome of 1850<sup>145</sup>. This Patriarchal act restored dogmatic and canonical unity with the Ecumenical Patriarchate and all the other Orthodox Churches, but it was ceded however within an ecclesiological framework and under certain conditions. This significant event led the Bulgarian nationalists to establish an independent Bulgarian Church, even though an independent Bulgarian State had not yet been established<sup>146</sup>. Similar policies had been followed by other Balkan States,

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<sup>142</sup> Stavrides, *Συνοπτική Ιστορία του Οικουμενικού Πατριαρχείου*, p. 67.

<sup>143</sup> Andreas Nanakis, 'History of the Ecumenical Patriarchate of Constantinople in the Twentieth Century', in *The Orthodox Church in Eastern Europe in the Twentieth Century*, ed. by Christine Chaillot (Oxford: Peter Lang, 2011), p. 10.

<sup>144</sup> Appendix II.

<sup>145</sup> Appendix I.

<sup>146</sup> The Bulgarian Bishop Hilarion in 1860 proclaimed the ecclesiastical independence of the Bulgarian church an 'ex parte' decision which led to the Bulgarian schism in 1872. Todor Sabev, 'The Orthodox Church of

and finally Serbia and Romania gained their ecclesiastical independence in 1879 and 1925 respectively. In addition, the Albanian independence of 1912 had led to canonical recognition by the Ecumenical Patriarchate of the Albanian Orthodox Church in 1937. The Albanian Church had, similarly to other State Churches, declared its autocephaly in 1922. The Ecumenical dimension and the entity of the Orthodox Church, which had co-existed united within the Balkans, being represented by the Church of Constantinople during the Byzantine period right up to the eighteenth century, as the Orthodox Church within the Ottoman Empire, had been divided<sup>147</sup>.

### **2.2.5 Ecclesiastical Education**

Education for non-Muslim citizens of the Ottoman Empire continued to have an ecclesiastical identity having been characterised as the period of theocracy in education, which lasted until the middle of the nineteenth century. The educational duties in general were under the authority of the Patriarchate; therefore, both clergy and lay people received their education based on Church books and manuscripts; educated priests and monks undertook the responsibilities of teaching with the support of the Hellenic Philological Association of Constantinople. During World War I all the Greek educational institutions based within the Ottoman Empire were placed under the direct authority and supervision of the Turkish Ministry of Education. After that period, the establishment of higher educational institutions transformed the educational approaches and curriculum within the Empire, introducing a secular and humanistic educational character. A significant event took place in 1844, which was strongly related to the educational needs of the clergy of the Ecumenical Patriarchate and other Orthodox Churches. Patriarch Germanos IV established at 'Halki' (Tk. Heybeliada) Island the world-renowned Theological Academy of 'Halki', which provided secondary school education for four years and theological education for three years for both clergy and lay students. The functions and the curriculum of the Theological Academy of 'Halki', similarly to all other educational institutions, were under the

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Bulgaria in the Twentieth Century', in *The Orthodox Church in Eastern Europe in the Twentieth Century*, ed. by Christine Chaillot (Oxford: Peter Lang, 2011), p. 86.

<sup>147</sup> Nanakis, pp. 9-10.

supervision and the accreditation of the Turkish Ministry of Education. It was an important educational centre for the Orthodox, which operated for one hundred and twenty seven years, despite interference by the Ottomans and later on by the Turkish Government, until its final closure in 1971<sup>148</sup>.

### **2.3 The period of the Turkish Republic (1923) until the present day**

The Peace Treaty of Lausanne between Greece and Turkey, which was signed on 24 July 1923, the foundation and the establishment of the Republic of Turkey on 29 October 1923, as well as the exchange of Turkish and Greek populations, were the most significant events, until the first quarter of the twentieth century, which affected and dramatically altered the role and life of the Ecumenical Patriarchate. Precisely, the collapse of the Asia Minor campaign and the destruction of the Greek forces, ‘the desire to bring to a final close the state of war which has existed in the East since 1914’<sup>149</sup>, led to a series of long negotiations between 20 November 1922 and 24 July 1923 at Lausanne between Great Britain, France, Italy, Japan, Greece, Romania, Serbia and Turkey. An additional factor, which contributed to the series of negotiations before the final agreement of the Peace Treaty of Lausanne, which was signed on 24 July 1923, was the rejection of the Treaty of Sevres. The Ottoman Empire had previously signed the Treaty of Sevres; however, the Ankara based government of the Turkish national revolutionary group acting under the command of Mustafa Kemal Ataturk, the first president of the Turkish Republic<sup>150</sup>, refused it. The Treaty of Lausanne, with the second article, recognised the sovereignty of the Turkish Republic as the successor State of the collapsed Ottoman Empire. The Treaty of Lausanne contributed to the final mapping of the Greco-Turkish borders, which were finally defined (Article 2); no changes have been made to that border until the present day. The fourteenth Article of the Treaty

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<sup>148</sup> Stavrides, *Συνοπτική Ιστορία του Οικουμενικού Πατριαρχείου*, pp. 77-80.

<sup>149</sup> Dimitri Pentzopoulos, *The Balkan Exchange of Minorities and Its Impact on Greece* (London: C. Hurst & Co. Publishers, 2002), p. 51.

<sup>150</sup> Charalabos Nikolaou, *Διεθνείς πολιτικές και στρατιωτικές συνθήκες-συμφωνίες και συμβάσεις: Από το 1453 μέχρι σήμερα [International political and military treaties-agreements and conventions: Since 1453 until today]* (Athens: Floros, 1996), p. 306.

declared that the Islands of Imvros (Tk. Gökçeada) and Tenedos (Tk. Bozcaada) would remain under Turkish rule; however, a specific administrative organisation was applied for these two islands. Furthermore, Turkey recognised the Greek sovereignty of Limnos, Lesbos, Chios, Samos and Ikaria Islands. Nevertheless, Greece was to abide by the demand not to place naval or military bases on these islands (Articles 12 and 13). On the other hand, Turkey abdicated any right over the Dodecanese Islands in favour of Italy, according to Article 15 of the Treaty. The status of the Dodecanese Islands would be defined by the involved parties (Greek-Italians and Dodecanese representatives)<sup>151</sup>.

A component part of the Treaty of Lausanne had already been signed on 30 January 1923. This document ascertains the Exchange of Greek and Turkish Populations, which was, for the first time in history, a compulsory transfer of a large number of people, and was officially adopted in order to determine a minority problem based only on the religious identity of the population<sup>152</sup>. According to the Treaty, all Turkish nationals of the Greek Orthodox religion established on Turkish territory other than Constantinople on the one hand, and all Greek nationals of the Muslim religion established on Greek territory other than the newly-acquired region of Western Thrace on the other, were to be forcibly exchanged. Thus, the distinguishing criterion which was chosen for compulsory resettlement was exclusively that of religion. It was calculated that a minimum of 1.3 million Greeks were expelled from Turkey and some 500,000 Muslims were sent to Turkey from Greece. All were dispossessed of their properties, which in many cases of the Greek refugees were substantial, and this loss of property was subsequently confirmed by the Ankara Treaty of 1930. The negotiations at Lausanne had allowed approximately 150,000 to 200,000 Greek Orthodox people to remain in Constantinople and a similar number of Muslims in Western Thrace, who were accordingly recognised officially as the Greek Orthodox minority of Constantinople and the Muslim minority of Western Thrace<sup>153</sup>. However, the agreement for the exchange of populations created tensions between the Greek and Turkish representatives

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<sup>151</sup> Nikolaou, pp. 306-7.

<sup>152</sup> Eric Zan Zürcher, 'Greek and Turkish refugees and deportees 1912-1924', *Department of Turkish Studies, Universiteit Leiden* (2003), 4.

<sup>153</sup> Zürcher, 'Greek and Turkish refugees and deportees 1912-1924', p. 5-6.

in terms of the interpretation of the French term ‘Etabli’ (En. established, Tk. kurulmuş, Gk. εγκατεστημένος). The Greeks argued that the term referred to those citizens who lived in the late Ottoman Empire (Constantinople) before 30 October 1918. In contradiction, Turks claimed that the term ‘Etabli’ referred to those who had been registered at the general register office of Constantinople. The dispute was referred for settlement to the International Court of Justice<sup>154</sup>. The Peace Treaty of Lausanne signified the end of the Greek-Turkish war and constituted the foundations of a peaceful cooperation between the two neighbouring nations. Undoubtedly, the Treaty and the population exchange have had negative and positive impacts upon the general distribution of the population of both countries<sup>155</sup>. A question still remains regarding the full compliance to the terms of the Treaty by both the covenanters, specifically to the aggregation related to minority rights<sup>156</sup>.

### 2.3.1 Church-State relations

The Lausanne Treaty did not affect the Ecumenical Patriarchate in terms of its pastoral and spiritual work<sup>157</sup>. However, all the external rights and privileges that the Ottoman rule had awarded and recognised for the Patriarchate were discontinued, a fact that brought the functional situation of the Patriarchate to the status it had before the capture of

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<sup>154</sup> Nikolaou, p. 304.

<sup>155</sup> During the process of separation, memory and history play a significant role. The separation of people creates ongoing problems; experiencing separation rather than symbiosis creates loss of communication and limits the understanding and respect of otherness. These effects were acute to the particular situation of Greece and Turkey where populations had had close relations over long periods and finally had been forced to separate. Renée Hirschon, ‘History’s Long Shadow: The Lausanne Treaty and Contemporary Greco-Turkish relations’, (2008) <[http://www.anthro.ox.ac.uk/fileadmin/images/staff/Associates/15--history\\_s\\_long\\_shadow\\_proofs.pdf](http://www.anthro.ox.ac.uk/fileadmin/images/staff/Associates/15--history_s_long_shadow_proofs.pdf)> [accessed 12 December 2013], p. 83

<sup>156</sup> John Pontifex and John Newton, ‘Persecuted and forgotten? A report on Christians oppressed for their faith 2011-2013’, *Aid to the Church in Need*, (2013), 151-56.

<sup>157</sup> The new circumstances in relation to the role of the Patriarchate within a secular nationalist republic led to the redefinition of its role. The Patriarchate recapitulates the national role and attitude, which marked significantly its role during the nineteenth century and confined its new role and mission for the twentieth century, which was a consistent devotion to Canon Law and the Tradition of the Church. Kitromilides, ‘The Ecumenical Patriarchate’, p. 221.

Constantinople<sup>158</sup>. Precisely, Articles 38 to 44 of the Treaty stipulate that the Turkish Government should undertake the obligation to provide full and complete protection of life and liberty to all inhabitants of the country without distinction of birth, nationality, language, race or/and religion. Conjointly, all inhabitants of Turkey would have the right to exercise any creed or religion freely in public or in private. Turkish nationals belonging to non-Muslim minorities would enjoy similar political rights as Muslims, without distinction of religion and will be equal before the law<sup>159</sup>. However, even up to the present day, modified political and cultural elements originating from the Ottoman period continue to influence the political life of modern Turkey<sup>160</sup>.

A significant Turkish claim, however, which brought tensions between the newly established Republic and the future of the Ecumenical Patriarchate, was the relocation of the Patriarchate of Constantinople outside the Turkish borders. In addition, with the 1092/1923 Decree, Turkey had challenged for the first time the ecumenical role and identity of the Patriarchate. The Treaty of Lausanne, in addition to the various outstanding issues between Turkey and Greece, settled the status of the Ecumenical Patriarchate. After diplomatic pressure on the Turkish authorities, on 10 January 1923 Turkey agreed to withdraw demands about the removal of the Patriarchate from Istanbul, maintaining with this decision its historic seat and resolving this challenge, stating that the Ecumenical Patriarchate should

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<sup>158</sup> Another important model, which signified Church-State relations under Islamic rule in the Middle East, is the Greek Orthodox Patriarchate of Jerusalem. There was close co-operation between the Ottoman governance and the Patriarchate in terms of politico-economic and social State policies, which resulted in Church autonomy in relation to the internal affairs of the Patriarchate. These State policies had been institutionalised through the Millet administrative system within the Ottoman Empire and became the principal code of the Patriarchal policy towards the State. Sotiris Roussos, 'The Greek Orthodox Patriarchate of Jerusalem: Church-State relations in the Holy Land between the Palestinian-Israeli conflict in Christianity in the Middle East' in *Studies in Modern History, Theology and Politics*, ed. by Anthony O'Mahony (London: St. Edmundsbury press, 2008), pp. 219-220.

<sup>159</sup> Treaty of Peace with Turkey signed at Lausanne, July 24, 1923, 'The Treaties of Peace 1919-1923', *Carnegie Endowment for International Peace*, 2 (1924), 10-11.

<sup>160</sup> Talip Kucukcan, 'State, Islam, and Religious Liberty in Modern Turkey: Reconfiguration of Religion in the Public Sphere', *Brigham Young University Law Review*, (2003), 476.

remain in Constantinople (present day Istanbul)<sup>161</sup>. In addition, it defined the procedure of the election of the Patriarch, who should have Turkish nationality<sup>162</sup>. Another development towards the secularism of the Turkish Republic, which aimed to lessen the authority and the dignity of the Orthodox clergy within the Turkish society, was the 1935 Grand National Assembly legislation about clerical attire. Based on this law, all clergymen were forbidden to wear cassocks outside of places of worship, compelling them to wear civilian clothes. There was only one exemption of this legislation, which related to the Patriarch. However, this attempt at secularisation affected the Muslim clergy as well as all the other religious representatives in Turkey<sup>163</sup>.

### 2.3.2 The Turkish Orthodox Church

After the establishment of the Turkish Republic in 1923 and the population exchange between Turkey and Greece, the Ecumenical Patriarchate has been confronted not only by new issues in relation to the official Turkish State, but also with another challenge. This new challenge was related to the movement of Euthimios Karachissaridis, known as Papa Eftim. However, the Turkish Orthodox Church (Tk. Türk Ortodoks Kilisesi), which was the Church that Papa Eftim founded and established, is an unrecognised Christian Orthodox denomination influenced by Turkish nationalist ideology<sup>164</sup>. Between 10 May and 8 June 1923, Ecumenical Patriarch Meletios IV (Metaxakis) summoned a pan-Orthodox Synod to which representatives of other Orthodox Churches (Russia, Serbia, Cyprus, Greece and Romania) had been invited and attended. The main points that this synod was dealing with were linked to the significant corrections of the Julian calendar as well as to some canonical

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<sup>161</sup> Kitromilides, 'The Ecumenical Patriarchate', pp. 221.

<sup>162</sup> Nikolaou, pp. 307-8.

<sup>163</sup> Nanakis, p. 28.

<sup>164</sup> Among the members of the *Rum-i Millet* there was a Turkish-speaking group of Greeks, who mainly inhabited the area of Anatolia. Literature suggests that there are different opinions about the origin of this group of people. They were regarded as descendants of the Byzantines, who adopted the Turkish language but who maintained their Christian faith; while on the other hand they were considered as Ottomans who had been converted to Christianity. Xavier Jacob, 'An Autocephalous Turkish Orthodox Church', *Eastern Churches Review*, 3 (1970), 59.

issues about the marriage of the clergy after their ordination and the second marriage of widower priests. The proceedings of the synod were interrupted by demonstrations against Patriarch Meletios. These demonstrations were organised by Damianos Damianides, a member of the trust of the Church of Panagia Kafatiani at Galata, who demanded the immediate resignation of the Patriarch. Finally, these events led to the resignation of Patriarch Meletios and created the question of the establishment of a 'national' Turkish Orthodox Church within the borders of the newly established Republic of Turkey<sup>165</sup>.

Damianides' actions against the Patriarch were supported by Papa Eftim, who was an ethnic Greek Orthodox citizen of Turkey. Furthermore, Papa Eftim was bilingual, speaking both Turkish and Greek, and was serving as a priest at Keskin, a city in Anatolia. On 15 September 1922 Papa Eftim, who had regular contacts and relations with the Kemalists, organised a conference at the monastery of St. John in the city of Zincidere, where he proclaimed the establishment of the Turkish Orthodox Church<sup>166</sup>. His attempts were warmly embraced by the Kemalists, who were also trying to establish a Turkish Orthodox Church for the Turkish speaking citizens of the country. Unfortunately, the exchange of populations under the Lausanne Treaty of 1923 was based on the religious background of the populations. Therefore, Turkish speaking Orthodox individuals had been forced to move to Greece while Greek speaking Muslims had been relocated to Turkey. Therefore, the attempt to establish a national Turkish Orthodox Church that would not have been in communion with the Ecumenical Patriarchate had not been achieved. However, this outcome did not dishearten Papa Eftim; following the resignation of Patriarch Meletios, he started promoting himself for the ecumenical throne despite the fact that he was a married priest. Based on

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<sup>165</sup> Nanakis, pp. 23-24.

<sup>166</sup> The origin of the Turkish Orthodox Church is dated initially to 1917, when Turkey broke diplomatic relations with Greece on 30 June, an event which created the background for the establishment of an autocephalous Turkish Patriarchate. The first sign, which signified these attempts, was a document sent to the Turkish authorities by the parish priest and the committee members of Safranbolu, a district in Pontus. Representing the Christian population of the area, they requested the establishment of the Turkish Orthodox Patriarchate in Anatolia as they no longer wished to be under the authority and the influence of the Greek Orthodox Patriarch and the Holy Synod because these were trying to Hellenize them. Xavier, 'An Autocephalous Turkish Orthodox Church', p. 59.



Canon Law, within the Orthodox Church only unmarried priests are able to become Bishops. All male individuals who are planning to enter the priesthood have the freedom of choice as to whether or not they wish to serve as married priests or as celibates. After ordination, no marriage is permitted. The practice of the Orthodox Church to appoint only celibate priests as Bishops originates in the fifth century<sup>167</sup>. Papa Eftim argued that because he was fluent in Turkish this gave him an advantage in relation to the Patriarchate, on the one hand, and in relation to the new forthcoming era of the newly established Turkish State on the other. The patriarchal Holy Synod broke all relations with him, an event that did not deter him from forcing the Patriarchate on 2 October 1923; while Constantinople was being evacuated by troops, he chose to remain within the premises of the Patriarchate until the election of the new Patriarch. This act signified that he had the support of the Turkish authorities. In relation to the canonical process of the election of Metaxakis' successor, the assistant governor Fahrettin sent a letter to the Holy Synod of the Ecumenical Patriarchate, which placed restrictions regarding the patriarchal election. The letter stated that all the voters, as well as all the candidates for the Patriarchal throne, should be Turkish citizens and serve within the borders of Turkey<sup>168</sup>. The nationalist ideas of the Kemalist government actively supported this national religious movement and sometimes manipulated the Turkish Orthodox Church for political purposes. Undoubtedly, the Turkish government not only supported but also protected the Church which Papa Eftim established; during the riots of 6/7 September 1955 against the Greek minority, known as 'Septemvriana events', buildings owned by Greeks were damaged, including Churches and places of worship. However, there was no damage or attacks on the buildings of the Turkish Orthodox Church. Papa Eftim and his Church had surrendered completely to the Turkish government in order to accomplish his attempts, while, in return, the Turkish authorities have used the Turkish Orthodox Church whenever they wished in order to create tension with the Patriarchate<sup>169</sup>.

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<sup>167</sup> Angelo Nicolaides, 'The State of Celibacy and Monastic Calling: An Orthodox Perspective', *Australian e-Journal of Theology*, (2006) <[http://aejt.com.au/data/assets/pdf\\_file/0006/395187/AEJT\\_6.5\\_Nicolaides\\_Celibacy.pdf](http://aejt.com.au/data/assets/pdf_file/0006/395187/AEJT_6.5_Nicolaides_Celibacy.pdf)> [accessed 17 August 2013].

<sup>168</sup> Nanakis, pp. 23-24.

<sup>169</sup> Xavier, 'An Autocephalous Turkish Orthodox Church', p. 69.

### 2.3.3 The Patriarch

From 1923 onwards, the Patriarch has been confined to spiritual and pastoral duties, depriving him of the ethnic role that he had had during the period of the Ottoman Empire. A positive development in relation to the Patriarch was the friendship agreement signed in 1930 between the Greek Prime Minister Eleftherios Venizelos and his Turkish homologous İsmet İnönü during the process of the Greco-Turkish rapprochement. The negotiations led in September 1931 to the recognition of the ecumenical nature of the Patriarchate, providing Patriarch Photios (1929-1935) with an identity card (Tk. nüfus cüzdanı)<sup>170</sup>. Nevertheless, Turkish authorities at a prefectural level played a significant role in relation to the Patriarchal election. According to Turkish law, the Orthodox Patriarch should have Turkish nationality and be a Turkish citizen. The ‘endemousa synod’ has absolute authority to elect a new Patriarch; therefore, the members of the ‘endemousa synod’ drafted the list of the candidates, which was submitted to the Istanbul Prefecture. The list was returned either as the original list or with crossed names. After the receipt of the list, a secret ballot took place between the members of the ‘endemousa synod’ in order to draw up a shorter list of three candidates. Finally, the Hierarchs of the ‘endemousa synod’ elected with their canonical vote the new Patriarch from among the three shortlisted candidates<sup>171</sup>. These proceedings for the election of the Patriarch exist up to the present day<sup>172</sup>. The limited number of Orthodox Metropolitans, Bishops and educated clergy however who have Turkish nationality in relation to the ongoing Turkish policy in relation to the reopening of the Theological School of ‘Halki’ created obstacles regarding the election of a new Patriarch<sup>173</sup>. Therefore, a recent

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<sup>170</sup> Nanakis, p. 28.

<sup>171</sup> Ecumenical Patriarch Bartholomew stressed that all the members of the Holy Synod were appreciative of the Turkish Republic President Turgut Özal, because during the Patriarchal Election in 1991 no name was deleted from the list of candidates, a policy that has been applied to all previous Patriarchal elections even without justification. His all Holiness added that after his election President Özal confessed during a meeting with the Patriarch that he instructed the Prime Minister Mesut Yılmaz to ‘let free their Rum compatriots to elect the new Patriarch in accordance with their traditions and customs’. Pelin Batu, ‘Konu Ruhban Okulu ama Patrikhane muhatap değil’, Milliyet, 17 February 2013, p. 21.

<sup>172</sup> Konstantinides, p. 9-10.

<sup>173</sup> Bilge, ‘The Fener Greek Patriarchate’.

decision was made by the Turkish authorities in 2010, which was the offer of Turkish nationality to Metropolitans and Bishops who are under the jurisdiction of the Ecumenical Patriarchate<sup>174</sup> but who live and serve outside the Turkish borders<sup>175</sup>. This significant decision reassures the election of the new Ecumenical Patriarch despite the ongoing interference from the Istanbul Prefecture into election proceedings<sup>176</sup>.

### 2.3.4 Hierarchy and Synodical Institution

After the establishment of the Turkish republic in 1923, the Holy Synod of the Patriarchate consisted of twelve Turkish national Metropolitans, who additionally had Turkish citizenship<sup>177</sup> and continued to operate around the Patriarch, and who still had the right to

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<sup>174</sup> Ecumenical Patriarch Bartholomew stated in relation to this decision: ‘We are appreciative to our Prime Minister about this decision. However, other important issues remain unsolved creating the impression to us, the Patriarchate, as well as to the visitors, pilgrims, officials and non-officials that we are second-class citizens’. Ecumenical Patriarch Bartholomew, Batu, p. 21.

<sup>175</sup> When the Justice and Development Party-JDP (Adalet ve Kalkınma Partisi -AKP) won over two-thirds of the Turkish parliamentary seats and took office in 2002, there was international and domestic optimism in relation to sensitive continuing issues of modern Turkish society concerning the solution of minority rights and religious freedom. Outkou Kirli Ntokme, ‘The Greek Orthodox Patriarchate of Istanbul and the Heybeliada Theological School (Halki Seminary): History, Discussions and JDP Government’s Policy’, *The Turkish Yearbook of International Relations*, 41 (2010), 34.

<sup>176</sup> Theodore Kalmoukos, ‘Hierarchs under the Patriarchate can become Turkish Citizens’, *The National Herald*, (2011) <<http://cliftonorthodoxcathedral.org/images/TurkishCit.pdf>> [accessed 19 August 2013].

<sup>177</sup> The Turkish National Assembly made an important reform in 2006 by replacing the 1972 Population Register Law. Article 43 of this Law required that the national register office should keep records of all Turkish citizens including information about religion. Only a court decision could revise such information under Article 46 after the appeal of an individual. Therefore, the Turkish identity cards included sensitive personal data such as religious beliefs according to the information provided by the national register office. The 2006 Population Services Law replaced the 1972 Law stating that all requests regarding information about religion of any individual should be approved, modified, left blank or deleted upon the written application of a person. Therefore, this legislation gives the right to any individual to change or leave blank the section ‘religion’ on the identity card; however, practically, there was not a significant change of the legal framework in relation to the 1972 Law when citizens had to look for a judicial order for any alteration to this particular information on their id cards. In addition, considering the Millet administrative system, which allowed

summon and preside over the Synod. On the other hand, the ‘endemosia synod’ meets only when serious issues concerning the Patriarchate arise. The Ethnic<sup>178</sup> Assembly is no longer operating; therefore, there was no direct intervention of the laity into ecclesiastical affairs of the Patriarchate<sup>179</sup>. Since 2010 onwards, the Holy Synod of the Ecumenical Patriarchate has consisted of six Turkish national Metropolitans, who live and serve in Turkey, and six Turkish national Metropolitans who live and serve in Greece, Europe and the United States, territories, which are under the jurisdiction of the Ecumenical Patriarchate. Despite all the challenges that the Patriarchate has faced as a Religious Institution based on the Turkish Republic Legislation in terms of religious freedom<sup>180</sup> and practice, and besides the spiritual growth and the pastoral care of the Orthodox flock, the Patriarch has specific responsibilities for coordinating a common witness among the Autocephalous Churches. The Ecumenical

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minority religious groups of the Ottoman Empire to administer their own legal, educational and religious affairs, non-Muslim groups were anticipated as Turkish only in relation to citizenship; not to nationality. In terms of identifying their nationality they were perceived as ‘strangers’ because they were not Muslim. Undoubtedly, religion and ethnicity were important elements in the process of determining Turkish nationality. After the establishment of the Turkish Republic in 1923 and despite the attempts of the Kemalist regime to obliterate any reference to the establishment of the Ottoman Empire and to Islam, the secular Republic sustained religious information on citizens’ identity cards; a decision that illustrates that the administrative patterns of the Millet System of the Ottoman regime continued to persist even after the establishment of the Republic of Turkey and violates the religious liberty of the country. Selim Esen and Levent Gonenc, ‘Religious Information on Identity Cards: A Turkish Debate’, *Journal of Law and Religion*, 23 (2007/2008), 579-587.

<sup>178</sup> Modern interpretation of ‘ethnic identity’ reflects upon five groups of essential elements: language, cultural elements, self-identification, societal interaction, and future citizenship plans, which can best capture the features of ethnic identity. Nick Drydakos, *Ethnic Identity and Immigrants Wages’ in Greece* (IZA: Germany, 2011), p.26.

<sup>179</sup> Stavrides, *Συνοπτική Ιστορία του Οικουμενικού Πατριαρχείου*, pp. 88-89.

<sup>180</sup> In the contemporary multicultural European societies’ context in relation to religious pluralism, the significant issue of religious freedom should be overseen with regard to religious minorities. The protection of religious minority rights is a fundamental element of democratic societies. Free exercise of religion is a basic human right guaranteed under Article 9 of the *European Convention for the Protection of Human Rights and Fundamental Freedoms* (1950), of which not only European Union members are signatories, but all member states of the Council of Europe. Elisabeth A. Diamantopoulou, ‘Religious freedom in the light of the relationship between the Orthodox Church and the nation in contemporary Greece’, *International Journal for the Study of the Christian Church*, 12 (2012), 164

Patriarch exercises this ministry first of all in relationship with the Holy Synod of the Ecumenical Patriarchate. The Patriarch, as the president of this Synod, does not act over or above the other Bishops. According to the Orthodox perspective, primacy involves conciliarity. He always acts together with the other Bishops of the Patriarchal Synod. Likewise, in his relationship with other Orthodox, the Ecumenical Patriarch is honoured as the First Bishop of the Orthodox Church<sup>181</sup>. This position gives to the Ecumenical Patriarch the specific responsibility of identifying issues requiring the attention of the entire Orthodox Church and for convening appropriate meetings to address these issues. When representatives of the Orthodox Churches meet in a Synaxis, the Ecumenical Patriarch is the presiding Bishop of the meeting. The Patriarchate of Constantinople constitutes the centre of all the local Orthodox Churches. It heads these not by administering them, but by virtue of the primacy of its ministry of Pan-Orthodox unity and the coordination of the activities of all of Orthodoxy<sup>182</sup>.

### **2.3.5 Ecclesiastical Jurisdiction**

The nationalist political movement, which created the context for the establishment of the Autocephalous Churches in the Balkans, continued during the twentieth century, which resolved significant problems on one hand in terms of Church administration and linguistic homogeneity in worship but decreased the jurisdiction of the Patriarchate on the other. The newly established independent Balkan States have claimed and finally been awarded their ecclesiastical autonomy from the Ecumenical Patriarchate. During the Patriarchy of Benjamin I (1936-1946), the Ecumenical Patriarchate recognised the autocephaly of the Albanian Orthodox Church in 1937 and lifted the schism with the Bulgarian Church in 1945, recognising its autocephaly<sup>183</sup>. Nowadays, approximately 3,000 Greek Orthodox Turkish citizens of Istanbul, the Princes' Islands and the Islands of Imvros (Tk. Gökçeada) and Tenedos (Tk. Bozcaada) are under the direct jurisdiction and the pastoral care of the

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<sup>181</sup> Lewis Patsavos, 'The Primacy of the See of Constantinople in Theory and Practice', *The Greek Orthodox Theological Review*, 37 (1992), 233.

<sup>182</sup> Patsavos, pp. 245-49.

<sup>183</sup> Nanakis, p. 30.

Ecumenical Patriarchate<sup>184</sup>. In addition, under the spiritual jurisdiction of the Ecumenical Patriarchate there are provinces across Europe, Asia, the United States, Australia, North Aegean Islands, Crete Island and the Holy Mountain Athos. Furthermore, the provinces of northern Greece, which are called new lands, are under the spiritual jurisdiction of the Ecumenical Patriarchate, despite the fact that the Greek Orthodox Church has been an Autocephalous Church since 1850. The current holder of the office of the Ecumenical Throne is Bartholomew I, Archbishop of Constantinople New Rome and Ecumenical Patriarch, his official title. In addition, there is no attributive adjective attached to the official title of the Ecumenical Patriarchate, defining a specific ethnic or national identity of the Patriarchate<sup>185</sup>.

### **2.3.6 The Istanbul Pogrom of 1955**

The ongoing disputes between Turkey and Greece over Cyprus have led the Turkish authorities to engage in a continuous motivation of public opinion against the Greek minority. The Istanbul and Izmir pogrom between 6 and September 1955 known as ‘Septemvriana’ events<sup>186</sup>, followed by the events of 1964, led the vast majority of the Greek Orthodox citizens of Turkey to abandon the country. These events had been widely reported as anti-Christian riots, after which the Turkish authorities never compensated the Greek minority for any personal, economic and property loss<sup>187</sup>. In addition, the ‘Septemvriana’ events led to the closure of all the minority language schools of the Lausanne protected Islands of Imbros and Tenedos<sup>188</sup>. The aggressive policy of the Turkish Government against

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<sup>184</sup> Karimova and Deverell, p. 11.

<sup>185</sup> John Meyendorff, *The Orthodox Church: Its past and its role in the world today* (New York: St Vladimir's Seminary Press, 1981), p. 132.

<sup>186</sup> For the Istanbul events of 1955 see the work of Dilek Güven, ‘Riots against the Non-Muslims of Turkey: 6/7 September 1955 in the context of demographic engineering’, *European Journal of Turkish Studies*, (12) 2011.

<sup>187</sup> Alfred de Zayas, ‘The Istanbul Pogrom of 6–7 September 1955 in the Light of International Law’, *Genocide Studies and Prevention*, 2 (2007), 137–54.

<sup>188</sup> On these islands, most of the private and Church properties of the Greek minority have been taken and have been sold, rented, or distributed by the Turkish authorities to Turkish emigrants from Anatolia. Ecumenical

the Patriarchate and the Greek minority culminated in 1971 with the closure of Halki Theological Academy, a fact which deprived the Greek Orthodox clergy<sup>189</sup> of their right to education.

### **2.3.7 Ecumenical dimension of the Patriarchate**

In General, the Ecumenical Patriarchate has developed a particular responsibility for strengthening the unity of the Orthodox Churches and for coordinating their common witness in the modern period. At the same time, the Ecumenical Patriarchate has a specific responsibility to care for the Orthodox faithful in lands beyond the borders of the other Autocephalous Churches. This is a ministry of service to the entire Church, which the Ecumenical Patriarchate undertakes in accordance with the canons, and often under difficult circumstances driven by the socio-economical and political climate of each country<sup>190</sup>. The use of the term ‘ecumenical’, which refers to the Patriarch himself as well as to the Patriarchate as a religious institution, has been the subject of conflicts several times between the Turkish authorities and the Patriarchate. In relation to the use of the term Ecumenical, which is used by the Patriarchate, the Commission of Venice has clearly stated that it is an internal issue for the Patriarchate and for the Orthodox Autocephalous Churches to determine, based on the way in which this concept is understood among the Orthodox Churches and despite the way that any government or court deals with this matter. The Ecumenical role and nature of the Patriarchate is undoubtedly not legal but pastoral, spiritual and ecclesiastical. However, a Turkish court verdict in 2007 decided that there is no legal basis regarding the claims of the Patriarchate about the use of the title Ecumenical, stating that the Patriarchate is a religious institution with limited religious power and authority over the Greek minority of Turkey only. This decision and the denial of the Ecumenical title of the Orthodox Patriarchate is a direct interference in the religious rights and the autonomy of

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Patriarchate, ‘Memorandum on the problems faced by the Ecumenical Patriarchate’, *Greek Orthodox Theological Review*, 52 (2007), 348.

<sup>189</sup> Ecumenical Patriarchate, ‘Memorandum on the problems faced by the Ecumenical Patriarchate’, 343-44.

<sup>190</sup> The Holy Cross Greek Orthodox School of Theology, ‘The Leadership of the Ecumenical Patriarchate, and the Significance of Canon 28 of Chalcedon’, *The Canadian Journal of Orthodox Christianity*, 4 (2009), 172.

the Greek Orthodox Community. The Commission of Venice clearly stressed that ‘no secular court has any competence or jurisdiction to rule on whether a religious leader is Ecumenical or not’. In addition, Turkish authorities have the obligation under Article 9 of ECHR not to forbid or to obstruct the Patriarchate to use this title. They are not however forced or obliged to use this term when they formally refer to the Patriarchate. It is therefore clear that if Turkish authorities do not wish to use the title Ecumenical, then under the ECHR they are formally free not to do so, as long as they do not obstruct the use of this particular title by others. However, taking into account the fact that the term Ecumenical consists as a part of the official title of the Patriarchate and has done for the last fifteen centuries, while it is a title which is widely recognised and used globally, the Venice Commission fails to see any reason, factual or legal, for the authorities not to address the Ecumenical Patriarchate by its historical and generally recognised title<sup>191</sup>. A significant recent event however highlights that there are voices within Turkish society that acknowledge and recognise the Ecumenical role and dimension of the Patriarchate of Constantinople. On 19 December 2013 the University of Bosporus, a higher educational institution of the State, awarded Patriarch Bartholomew an honorary doctorate title addressing him using the title Ecumenical Patriarch. It was the first time in modern Turkish history that the authorities had recognised and addressed the Patriarch with his official title<sup>192</sup>. Furthermore, the ecumenical role of the Patriarchate is officially recognised worldwide, based on the holy canons and the tradition of the Orthodox Church, as Paul states in the First Epistle to the Corinthians (14:40) ‘all things should be done decently and in order’. The Orthodox Church as the One, Holy and Apostolic Church fulfils her spiritual mission through the convocation of local and major Synods, as it is established by the canonical tradition in order to safeguard and affirm the communion of the local Churches with each other and with the Ecumenical Patriarchate, which is the First Throne in the Orthodox Church; a prerogation of honour, which has been granted by the decisions of

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<sup>191</sup> Council of Europe, ‘Opinion on the Legal Status of Religious Communities in Turkey and the Right of the Orthodox Patriarchate of Istanbul to use the adjective ‘Ecumenical’’, *Venice Commission*, (No: 535/2009), 21-24.

<sup>192</sup> Aristides Viketos, ‘Βαρθολομαίος: Σημαντικό ότι χρησιμοποιείται ο τίτλος ‘οικουμενικό’ [Bartholomew: The Importance of the use of the term ‘ecumenical’]’, *Απογευματινή*, 20 December 2013, p. 1.



Ecumenical Councils<sup>193</sup> and by eighteen centuries of ecclesial praxis; in other words, the responsibilities and obligations to care and protect the Orthodox faith as it has been delivered. Thus, the Ecumenical Patriarch of Constantinople is recognised as ‘Primus inter pares’ (first among equals) among all the Bishops of the Orthodox Churches<sup>194</sup>. A passage from Luke the Apostle is a statement, which Patriarch Bartholomew himself has used often. ‘The Lord said, Fear not, little flock, for it is your Father's good pleasure to give you the Kingdom’ (Luke 12:32). This passage underlines the challenge regarding the ecumenical role and dimension of the Patriarchate of Constantinople; the fact is that the Orthodox Church of Constantinople within the borders of Turkey numbers a small flock under its direct jurisdiction and pastoral care. This argument is not really accurate, however; as it was previously mentioned, the Ecumenical Patriarchate of Constantinople has under its direct jurisdiction provinces in all five continents worldwide. Another fact is that all the Autonomous and Autocephalous Churches - except the provinces, which were under the jurisdiction of the five sees of the Pentarchy (Churches of Rome, Constantinople, Alexandria, Jerusalem and Antioch)<sup>195</sup> - equally enjoy their independence, which was awarded by the Ecumenical Patriarchate of Constantinople. Prior to the awarding of the Autocephaly, these ethnic eastern provinces were under the direct jurisdiction of the Ecumenical Patriarchate of Constantinople.

Finally, the decision of the Turkish Government to grant Turkish nationality to Orthodox Metropolitans of Greece, Europe and the United States in 2010 obviously recognises the ecumenical jurisdiction and dimension of the Patriarchate of Constantinople. The Orthodox leaders, Metropolitans and Bishops, who are based outside Turkey and are responsible for the pastoral care of non-Muslim national Orthodox populations, are under the authority and the jurisdiction of the Patriarchate. Therefore, the Ecumenical Patriarchate of Constantinople is not only responsible for the pastoral and spiritual care of the Greek minority of Turkey but is also responsible for its flock in all its jurisdictions worldwide, having indeed an

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<sup>193</sup> Canon 3 of the II Ecumenical Council; Canons 9, 17 and 28 of the IV Ecumenical Council; Canon 36 of the Quinsext Ecumenical Council.

<sup>194</sup> The Holy Cross Greek Orthodox School of Theology, pp. 172-174.

<sup>195</sup> Cross and Livingston, p. 1240.

ecumenical role and dimension. This diplomatic decision was made by the Turkish authorities based on the Patriarchal claims regarding the re-opening of the Theological Academy of Halki. Since the closure of the Academy in 1971 these claims have been expressed to the authorities because of the limited number of Orthodox educated Metropolitans and Bishops who have Turkish nationality, a fact that would create obstacles regarding the election of a new Patriarch. This significant decision reassures the election of the new Ecumenical Patriarch on the one hand but on the other paralyses the claims of the Ecumenical Patriarchate regarding the re-opening of the Halki theological seminary due to the fact that clergymen outside the Turkish borders have Turkish nationality; they are therefore able to live and serve in Turkey as well as be nominated and elected for the Patriarchal Throne.

### **2.3.8 Legal identity of the Patriarchate**

The Turkish Constitution recognises that all individuals who have Turkish nationality and belong to non-Muslim communities have the same legitimate rights as all Turkish citizens. However, the legal status of the institutions of these communities varies. The legal identity of religious communities is not recognised by the authorities despite the lack of a specific law to prevent this issue. Therefore, the Ecumenical Patriarchate as a religious institution still has no legal identity in Turkey. Similarly to all non-Muslim religious institutions, the Ecumenical Patriarchate of Constantinople has no legal personality. No religious community has been registered and or as yet obtained recognition as a legal body because of the lack of clarity in the Turkish legal system. Therefore, they operate through foundations and associations, which to some extent support the legal functioning and representations of religious communities. When a registration issue for obtaining legal personality by a religious community arises, the Turkish authorities and courts claim that this goes against the principle of secularism and is especially in contradiction to Articles 2, 13, 14 and 24 of the Turkish Constitution. However, this is a particular interpretation of the Constitution. Non-Turkish scholars and specialists argue that there is nothing in the Turkish constitutional provisions that clearly prohibits a revision or a form of the legislation, a fact that will lead to the recognition of the legal personality of all religious communities in Turkey. The answer

to this trivial reality of non-Muslim communities in relation to their function and operation lies in the practices and policies that other secular European countries follow and apply. France, which is a secular country following the tradition of laïcité, provides religious communities with a legal framework for registration. The process for the establishment of a new religious community in Turkey requires the members of that particular community to have established a foundation or an association in order to safeguard property ownership for the community buildings such as schools, Mosques and Churches on the one hand and to support the activities of the religious community on the other. The foundation system, also known as vakifs, gives specific limitations related to the operation of the foundations and dates back to the Ottoman era. The majority of the foundations of the Greek Orthodox, the Armenian and the Jewish communities were established as vakifs before the establishment of the Republic of Turkey in 1923<sup>196</sup>. The Turkish Government recognises the Patriarch as the spiritual leader of the Greek Orthodox minority of Turkey and refers to him as the Greek Orthodox Patriarch of the Phanar. A major impediment to the functioning of the Ecumenical Patriarchate as an institution within Turkish society is caused by the fact that it is not recognised by the Turkish government as a legal entity, a fact which results in its deprivation of property rights<sup>197</sup>.

### 2.3.9 Ecclesiastical Education

The Orthodox population of Turkey had specific rights in terms of education after 1923. Primary schools were operating in each Orthodox community; education was no longer related to the ecclesiastical authorities. There were six secondary schools, the famous Theological Academy of Halki,<sup>198</sup> and, during the Patriarchate of Athenagoras I (1948-1972), three important higher educational institutions were established outside the Turkish

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<sup>196</sup> Council of Europe, ‘Opinion on the Legal Status of Religious Communities in Turkey and the Right of the Orthodox Patriarchate of Istanbul to use the adjective ‘Ecumenical’’, 10-11.

<sup>197</sup> Dilek Kurban and Konstantinos Tsitselikis. *Μια Ιστορία Αμοιβαιότητας: Τα Μειονοτικά Βακούφια στην Ελλάδα και την Τουρκία [A Tale of Reciprocity: Minority Glebes in Greece and Turkey]* (TESEV: Istanbul, 2010), p. 14.

<sup>198</sup> Stavrides, *Συνοπτική Ιστορία του Οικουμενικού Πατριαρχείου*, p. 105.

borders: (i) the Orthodox Centre of the Ecumenical Patriarchate in Chambésy (1966), (ii) the Patriarchal Institute of Patristic Studies in Thessaloniki (1968) and (iii) the Higher Orthodox Academy in Crete (1968)<sup>199</sup>. However, the illegal closure of Halki Theological Academy in 1971 by the Turkish authorities<sup>200</sup> was a significant event, which impeded the proper recruitment of clergymen to the Ecumenical Patriarchate; however, the operation of this Minority School was protected by the Lausanne Treaty of 1923<sup>201</sup>. Since its closure, the Ecumenical Patriarchate has had to send abroad those young men who desire to enter the priesthood and maintain and experience the Patriarchal ecclesiology, order and tradition. They usually land up at one of the theological schools in Greece, and in many instances, they do not return to Turkey after their studies. Since the closure of the school, the Ecumenical Patriarchate has also had difficulty in recruiting staff at the Ecumenical Patriarchate in order to carry out its many administrative responsibilities, and in filling positions to carry out its worldwide mission. Despite many promises made by the Turkish Government over the past few years that the school would reopen, this issue remains unresolved even now. The Turkish Prime Minister has stated that he would like the school to re-open but with the conditions that in the first place a Mosque should be built in Athens, and, secondly, that the Greek Government will give to the members of the Muslim Minority of Western Thrace the right to elect their own religious leaders in relation to the appointment of Muftis<sup>202</sup> without governmental interference. The demand of the Turkish authorities to the Greek Government regarding the establishment of a Mosque in Athens in order to allow the re-opening of the Halki Theological Academy appears to be in question as the demand

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<sup>199</sup> Nanakis, pp. 32-33.

<sup>200</sup> The School was closed upon the abolition of particular articles in relation to private educational institutions by the Constitutional Court, which stated that ‘the opening of private upper schools by real and private legal persons’ was in contradiction to the provisions of the Constitution, which arranged the establishment of universities by the State only. The decision for the closure of Halki Theological Seminary was made because the School was an upper educational institution. Nimet Ozbek, ‘The Theological School of Halki (The Greek Orthodox Halki Seminary) in the context of freedom of education and instruction of Minorities in Turkey’, *Journal of Islamic State Practices in International Law*, 3 (2007), 29-30.

<sup>201</sup> Treaty of Peace with Turkey Signed at Lausanne, July 24, 1923. (Section III, Articles 37-45).

<sup>202</sup> Pinar Tremblay, ‘Erdogan uses Christian Seminary as Chip in Talks with Greece’, *Assyrian International News Agency*, (2013) <<http://www.aina.org/news/20131015212704.pdf>> [accessed 20 October 2013].

becomes disproportionate. The right to higher education for the Orthodox clergy of the Patriarchate is not in accordance with the policies that the Greek Ministry of Education and Religious Affairs implies<sup>203</sup>. The Turkish Minister of Foreign Affairs has said several times that the Government is working on a solution of the re-opening of the Academy of Halki. Turkey's Deputy Prime Minister Bülent Arınç on the other hand pointed out that the school could not be reopened due to political reasons<sup>204</sup>. The Ecumenical Patriarchate has never been officially contacted<sup>205</sup> by the Turkish Authorities about the re-opening of the school<sup>206</sup>. The re-opening of the school is absolutely necessary for the future of the Patriarchate in order to meet the need for clerics for the Greek Orthodox Patriarchate and the Orthodox community<sup>207</sup>.

### 2.3.10 Property ownership

Towards the path of secularisation, the Turkish authorities decided to convert important

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<sup>203</sup> Androussou, A., Askouni, N., Dragonas, T., Frangoudaki, A., and Plexousaki, E., 'Educational and Political Challenges in Reforming the Education of the Muslim Minority in Thrace, Greece', *The International Journal of Learning*, 17 (2011), pp. 227-239.

<sup>204</sup> Anadolu Agency, 'Greek Orthodox seminary should be reopened', (2013)

<<http://www.aa.com.tr/en/s/139987--dialogue-crucial-for-peace-and-brotherhood>> [accessed 10 March 2013].

<sup>205</sup> One of the challenging situations that the Ecumenical Patriarchate faces is the fact that there is no official dialogue with the Turkish authorities on the problems of the Ecumenical Patriarchate. In the past several years, there have been only a few meetings between the Patriarchate and the Turkish Government. In addition, the Ecumenical Patriarchate has written several times to the prime minister, the president, and other authorities in Ankara about the problems of the Patriarchate as a religious minority institution as well as about its community, but there has never been even one reply to any of these letters. Ecumenical Patriarchate, 'Memorandum on the problems faced by the Ecumenical Patriarchate', p. 350.

<sup>206</sup> Ecumenical Patriarch Bartholomew stated that during his Patriarchate the issue of the Theological Academy of *Halhi* has been discussed many times. Explaining his point of view about the whole situation, he always expresses his distress, as he is not able to comprehend the reasons that a scientific centre is held closed for forty-three years in modern Turkey. The School opened in 1844 and operated until 1971. Patriarch Bartholomew made a reference to previous Turkish politicians in relation to the School pointing out that the School remained open even during the governance of Atatürk, İnönü, and Menderes. It was in 1971, during a difficult political situation, that Ankara decided to close it. Batu, p. 21.

<sup>207</sup> Anadolu Agency, 'Greek Orthodox seminary should be reopened'.

places of worship, including the Church of the Holy Wisdom (known as Hagia Sophia), into museums. These places of worship have been previously converted during the Ottoman Empire from Christian Churches to Mosques. In order to classify property ownership of religious institutions, in June 1935 the Turkish Government introduced a new law regarding religious properties. This new legislation stated that the property affairs of all religious institutions were under the authority of the Turkish State. Thereafter, the government established the Religious Property Service Committee (Tk. Evkaf Genel Müdürlüğü) in order to examine the property ownership of all religious institutions. There were two categories in which religious properties were classified: the *mazbut*, concerning the properties belonging to Muslim institutions and administered by the State, and the *mülbak*, properties owned by non-Muslim community religious institutions which were administered by elected committees. Thus, none of the Churches or other places of worship under the jurisdiction of the Ecumenical Patriarchate in Turkey are owned by the Patriarchate. All the buildings and temples of worship are owned by Minority Foundations, which are administered independently of the Patriarchate. The Ecumenical Patriarchate is prohibited from purchasing any type of property<sup>208</sup>.

### 2.3.11 Diaspora

There is an impression that due to the fact that the flock of the provinces of the Ecumenical Patriarchate is located outside the Turkish borders they do not enjoy the appropriate pastoral care provided by the Patriarchate. This impression was created because of the diverse ethnic and linguistic backgrounds of the Orthodox flock in Europe, Asia, the United States, Canada, Australia and so on<sup>209</sup>. Therefore, there is a feeling that the Ecumenical Patriarchate does not have the appropriate ability to provide pastoral care to these provinces and that it only has

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<sup>208</sup> Kurban and Tsitselikis, pp. 19-22.

<sup>209</sup> For the challenges among the Eastern Orthodox Autocephalous Churches in relation to their ecclesial jurisdiction over the Orthodox Diaspora see the important works of George Lemopoulos, 'Orthodox Diaspora in Europe: An attempt to describe a range of old and new issues', *Derecho y Religión*, 3 (2008), 55-72 and Serge Keleher, 'Orthodox Rivalry in the Twentieth Century: Moscow versus Constantinople', *Religion, State & Society*, 25 (1997), 125-37.

administrative responsibilities. The answer to these concerns is that the Ecumenical Patriarch and the members of his retinue frequently organise pastoral visits to all the provinces of the Ecumenical Throne. On the other hand, the Holy Synod of the Church of Constantinople places as a first priority the pastoral needs of each local community; it has elected and ordained into the priesthood and to the prelacy individuals who have the same ethnic and linguistic background as the members of the flock to which they will be appointed to serve. Furthermore, most of the liturgical books have been translated into various languages in order to accommodate the needs of each different ethnic community, maintaining however the Orthodox liturgical tradition.

### **2.3.12 Missions**

The promotion and the priority of the dialogue, which the Ecumenical Patriarchate conducts, not only with the other Orthodox Patriarchates and Autocephalous Churches but also with the other Christian denominations as well as the interreligious dialogue is another significant mission of the Patriarchate of Constantinople. There are Patriarchal and Synodical committees on the following areas: on inter-Orthodox relations; on inter-Christian relations; on the dialogue with the non-Chalcedonian Churches; on the dialogue with the Roman Catholic Church; on theological studies; on the dialogue with Islam; on European issues; on the Divine Worship and Tradition; and on monasticism. The industrial and technological evolution on the other hand, in combination with the ecological activities and the protection of the environment, is a first priority for the Ecumenical Patriarchate. Respecting the environment reflects respect of the Creator. While Patriarch Demetrios (1972-1991) was in the office of the Ecumenical Patriarchate, the members of the Holy Synod made a very important decision. The first day of September each year, which is also the first day of the ecclesiastical year, was set as the day for environmental protection.<sup>210</sup> The Ecumenical Patriarchate organises and actively participates in international conferences and events

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<sup>210</sup> Elpidoforos Lambriniadis, 'Φανάρι και φυσικό περιβάλλον: Πρωτοβουλίες και δραστηριότητες του Οικουμενικού Πατριαρχείου για την προστασία του περιβάλλοντος [Fener and natural environment: Initiatives and activities of the Ecumenical Patriarchate for the protection of the environment]', *Καθημερινή*, 22 May 1999, p.32.

related to ecological issues and the protection of the environment. Patriarch Bartholomew himself has a great interest in ecological issues; he has been characterised and is known worldwide as the Green Patriarch because of his initiatives regarding the protection of the environment. In 1997 Patriarch Bartholomew became the first worldwide religious leader to condemn environmental abuse as a sin against God, humanity and nature<sup>211</sup>.

The Great and the Holy Synod of the Orthodox Church, which is still in a preliminary process, is expected to propose the appropriate solutions to the challenges relating to the relations between the Autocephalous Orthodox Churches raised during the last four decades. However, particular claims, such as the agenda of the Great and Holy Synod, the issue regarding the consensus of the decisions as well as the percentage representation from each Autocephalous Orthodox Church based on the numerical predominance of the flock of each local Church, created strains in relation to the final convocation of the Great Council of the Orthodox Church. Finally, the Great Council of the Orthodox Church is scheduled to be held in 2016 at St. Irene Church in Istanbul<sup>212</sup>.

## **2.4 Conclusion**

Since its foundation in the fourth century the Ecumenical Patriarchate of Constantinople, throughout its growth and flourishing during the period of the Byzantine Empire as well as after the fall of Byzantium and under the current challenges, which it is still facing based within the borders of a Muslim country, has maintained the rituals and teachings of the Orthodox faith according to the tradition and the decisions of the Ecumenical Councils. In addition, the Church of Constantinople promotes and supports the idea of world peace, participating at various forums, and it supports Ecumenical Dialogue among different

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<sup>211</sup> Ecumenical Patriarch Bartholomew, 'To Commit a Crime Against the Natural World is a Sin', Environmental Symposium, Saint Barbara Greek Orthodox Church (California, 8 November 1997).

<sup>212</sup> For detailed information about the issues for discussion and decision of this council see the work of John Chryssavgis, 'The Great Council of the Orthodox Church in 2016' <<http://www.firstthings.com/web-exclusives/2015/03/at-last-a-council-for-the-ages>> [accessed 22 April 2015].



Christian denominations in the light of the reunion of the Christian world; in addition, Inter-Religious dialogue is conducted

“rather for the cessation of religious intolerance but for the triumph of mutual understanding, and for the establishment of certainty in the good intentions of both sides, respectful of each person’s cultural background and freedom of religious choice.”<sup>213</sup>

Finally, human rights and free religious practices regardless of nationality, language or religion is a problematic aspect of today’s societies, which the Patriarchate tries to instate. Undoubtedly, after the fall of Constantinople in 1453 Muslims and Christians have lived alongside each other in Turkey for nearly seven centuries in a peaceful coexistence; sometimes, however, facing periods of tension.

“Christianity and Islam are part of a long family quarrel within the family of the children of Abraham. As with many family quarrels it can be bitter at times, but as with family quarrels there remains a great deal of territory in the house that you still occupy together.”<sup>214</sup>

Despite the recent positive steps of the Turkish authorities towards religious freedom in the sense of establishing, administrating and controlling religious institutions, there still remains an absolute necessity for further development related to legal revisions and a change of mentality towards minority rights. In the light that Turkey, a secular country with a strong Muslim element, is under negotiations for full membership of the European Union, in relation to the recent demonstrations in Istanbul and Ankara because of the attempts at re-Islamisation of Turkish society, the authorities still violate the legitimate rights of the Ecumenical Patriarchate, a policy which befalls other religious minorities in Turkey as well.

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<sup>213</sup> Ecumenical Patriarch Bartholomew, ‘The Necessity of Inter-Religious Dialogue - The Relationships between Christianity and Islam’, Lecture delivered at the Islamic College in Libya  
<<http://patriarchate.org/documents/christianity-and-islam#sthash.4OotVhL6.dpuf>> [accessed 20August 2013].

<sup>214</sup> Rowan Williams, *Islam, Christianity and Pluralism* (United Kingdom: Oxford University Press, 2007), p.2

This tactic is a calculated long-term State strategy of harassment, attrition and annihilation, which has multiple deleterious effects upon the proper function of the Patriarchate and, indeed, its very existence; the existence and the future of a religious institution which in the combination of its history and its ecclesial praxis over seventeen centuries signifies its actual role and purpose not only among the Orthodox Church, but within global Christianity.

## Chapter 3

### The Development of the Autocephalous Greek Orthodox Church

#### 3.1 Introduction

The origins of the Orthodox Church within the specific region of the Greek peninsula since the apostolic period until the present day depict a significant and continuous political, ethnographic, religious and cultural unity, albeit in a changing historical context. The Christian people of Achaia, as Greece was known during the apostolic era, formed an integrated community<sup>215</sup> clustered around the city of Corinth, the capital of Achaia, and it was for this reason that the foundation of the administrative organisation of those Greek Bishoprics was placed under Paul the Apostle.<sup>216</sup> This fact is demonstrated not only by the important political and geographical position of Greece within the Roman Empire, but additionally from the accounts of the visits of Paul to Greece in his Epistles to the Christian communities of Corinth, Thessalonica and Philippi. In addition to the particular geographical position of Greece, the Greek culture, tradition and the ethnic conscience

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<sup>215</sup> 2 Corinthians 1:1

<sup>216</sup> Chrysostomos Papadopoulos, *History of the Church of Greece [Ιστορία της Εκκλησίας της Ελλάδος]* (Athens: Apostoliki Diakonia publications, 1920), p. 1. Paul and Silas founded the first church in Greece in Philippi, Macedonia. Other Christian communities were established later in Athens, Corinth and southern Epirus and in Crete. Grigorios Papatomas, 'History of the Church of Greece in the Twentieth Century', in *The Orthodox Church in Eastern Europe in the Twentieth Century*, ed. by Christine Chaillot (Oxford: Peter Lang, 2011), p. 39. Three of the fourteen Epistles of Paul the Apostle, the two to Timothy and the Epistle to Titus, were exclusively addressed to Church leaders, and therefore since the eighteenth century (1753-1755) have been classified as Pastoral Epistles or Letters. Both Timothy and Titus were Paul's disciples, whom he confirmed and appointed to serve as bishops. The content of Paul's Pastoral Letters refers to key pastoral issues such as the pastoral criteria when choosing and appointing bishops and priests of the Church; the moral qualities of these persons; the relationship between Christians and heretics; and the relationship between Christians and state administration and leadership. These Letters are significant testimonies of early Christianity, highlighting the difficult circumstances encountered by the organisation and the administration of Christian communities. Ioannis Lilis, 'Paul's Epistle to Titus', *Scientific Annual Yearbook of the Holy Metropolitanate of Petra and Chersonessos*, (2) 2011, 181-228.

experienced during the early Christian centuries have shaped the ecclesial identity of the local Church of Greece, despite the challenging historical circumstances which have marked the Greek-Orthodox population of this specific region of the Greek territories. In order to examine authoritatively the ecclesial development of the Church of Greece, scholars have divided its history into four major periods based on significant Church structural and functional changes: i) the Apostolic Era (49/50-732/733); ii) the Byzantine period (732/733-1453); iii) the period of the Ottoman Empire (1453-1833); and iv) the modern period (1833) until the present day.<sup>217</sup> Every historical period signifies particular developments of the Church of Greece as an ecclesiastical entity in relation to its pastoral, spiritual and administrative functions. It is important to mention that since the apostolic period, when Christianity was first proclaimed in Greece, until 1833, the Church of Greece was dependent initially on the Bishop of Rome,<sup>218</sup> until the mid eighth century, and afterwards on the Church of Constantinople.<sup>219</sup>

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<sup>217</sup> Emmanouil Halkiadakis, *Church History of Greece*, (Heracleion: Higher Ecclesiastical Academy of Heracleion, 2012), pp. 5-6.

<sup>218</sup> *Collectio ecclesiae Thessalonicensis*, a collection of twenty-four letters, was an attempt to prove that the Pontiffs of Rome had ecclesial and jurisdictional sovereignty over the Bishoprics of Eastern Illyricum. These letters were collected from the recipients' archives, and especially from the Church Of Larissa, as well as from other church archives from East Illyricum because of the complicated relations between Rome, Thessalonica and other Episcopates. Detler Jasper and Horst Fuhmann, *History of the Medieval Canon Law: Papal Letters in the Early Middle Ages*, edited by Wilfried Hartmann and Kenneth Pennington (USA: The Catholic University of America Press, 2001), pp. 81-83.

<sup>219</sup> Catholic and Orthodox historians argue that between 395 and 417 the Churches of East Illyricum had been organised as papal vicariates and that the Archbishop of Thessaloniki had been appointed as Papal Vicar, an exarch of the papal throne. However, this opinion has not been fully accepted by the scientific community. This is particularly due to the fact that in the *Collectio ecclesiae Thessalonicensis*, which emerged from the papal throne for the first time in 531, includes a series of letters from the papal throne to the Archbishops of Thessalonica; however this did not include any written responses sent by the Archbishops themselves, a facts that creates significant arguments in relation to the authenticity of that collection; questions also arise about the historical evaluation of the administrative relations between Rome and East Illyricum. However, the Churches of East Illyricum were undoubtedly independent in terms of their administration while they were under the surveillance of the Roman Exarch, the Archbishop of Thessalonica. Constantinos Manikas, Notes on the Church History of Greece, p. 13 <[http://www.theol.uoa.gr/fileadmin/theol.uoa.gr/uploads/PDF/SC-pdf\\_2011-12/manikasxeimerino2012.pdf](http://www.theol.uoa.gr/fileadmin/theol.uoa.gr/uploads/PDF/SC-pdf_2011-12/manikasxeimerino2012.pdf)> [accessed 12 January 2014].

The history of the Autocephalous Orthodox Church of Greece is closely related to the Greek War of Independence (1821-1832); therefore the later period of the history of the Greek Church highlights its significance, based on the church autocephaly issue, because the Greek Church has been established as an autocephalous independent ecclesiastical body only since 1833. For the purpose of this study this chapter focuses only on the last period of the history of the Church of Greece (the modern period since 1833 until the present day), which is closely related to the establishment of the Greek State. A brief account of the first three historical periods of the Greek Church is given because the ecclesial life in Greece previous to 1833 relates directly to the ecclesiastical life and administration either to the Church of Rome or to the Constantinopolitan Church.

### **3.2 The Church of Greece during the Apostolic Era (49/50-732/733)**

#### **3.2.1 Foundation of the Church of Greece**

During the apostolic era (49/50-732/733) the Church of Greece was not dependent on any other Eastern Greek Orthodox centres, such as Egypt, Palestine or Syria, where the Patriarchates of Alexandria, Jerusalem and Antioch had been established; nor to the Patriarchate of Constantinople. The Greek Church was in an administrative alliance with the Church of Rome. Based on the political division of the Roman State, main Greek provinces remained united with the western part of the state having an autonomous church administration, which was however under the supervision of the Bishop of Rome. The Metropolitanates and the Bishoprics of East Illyricum were under the jurisdiction of Rome until 395. The political administrative division of the Roman Empire in the Eastern and Western halves of the Empire, which Constantine the Great introduced, was annexed to the East Illyricum<sup>220</sup> Prefecture, known geographically as Hellas, the main provinces of Greece,

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<sup>220</sup> According to this division of the Empire, Eastern Illyricum was annexed politically to the Eastern half of the Roman Empire. Geographically, East Illyricum consisted of present day South-East Europe between the southern territories of Hungary in the mid-course of the Danube in the north and Crete to the south, and from the Adriatic Sea up to the Nestos River, the borderline between Macedonia and Thrace in the East. Athanasios Aggelopoulos, 'The Church of Thessalonica between Rome and Constantinople in the past and between

Macedonia, Thessaly and Epirus. Thessalonica, on the other hand, retained its ecclesial independence until the mid fifth century, when after the collapse of Sirmium it became the capital of the East Illyricum Prefecture. From an ecclesial administrative perspective, the Bishop of Thessalonica was raised to a higher rank and Thessalonica became the Exarchate of the Church of Greece, consisting of twelve Metropolitanates, one for each of the districts of East Illyricum.<sup>221</sup> All Metropolitanates of the twelve Bishoprics of Illyricum were members of the eparchial synods held in Thessalonica where the Metropolitan of Thessalonica presided. The Exarchates of Asia Minor, Caesarea and Pontus were annexed to the Patriarchate of Constantinople according to the decisions of the 4<sup>th</sup> Ecumenical Council held in Chalcedon in 451. Based on the formation of the Roman State, the Exarchate of Thessalonica, together with the other twelve Greek Metropolitanates of Illyricum, had been assigned under the supervision of the Bishop of Rome without a particular decision or canon.<sup>222</sup> The controversy over the Iconoclasm disputes<sup>223</sup> between Rome and Constantinople was the main external cause which led to the abolition of the administrative jurisdiction of Rome over the Church in Greece.<sup>224</sup> Hence, in 732/733 the ecclesial administration of the territories of Eastern Illyricum was transferred to Constantinople.<sup>225</sup> Precisely, during the Synod held in Constantinople in 879-880 under Patriarch Photius, Rome reacted to the decisions of the Synod in relation to jurisdictional privileges over Eastern Illyricum, arguing for the rights of the See of Rome over this particular region. However, in relation to the claims of the Church of Rome, Photius argued that ‘Ecclesial

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Constantinople and Athens in the present in the spirit of St. Photius’

<[http://www.myriobiblos.gr/texts/greek/agelopoulos\\_fotios\\_1.html](http://www.myriobiblos.gr/texts/greek/agelopoulos_fotios_1.html)> [accessed 19 March 2014].

<sup>221</sup> Papadopoulos, *History of the Church of Greece*, pp. 17-18.

<sup>222</sup> Ibid. p. 19.

<sup>223</sup> The Iconoclasm movement emerged and developed within the territories of Asia Minor because some bishops accepted iconoclastic beliefs and proclaimed relevant ideas.

<sup>224</sup> Papadopoulos, *History of the Church of Greece*, p.42.

For the disputes between Rome and Constantinople in relation to Eastern Illyricum see also Athanasios Aggelopoulos, *Εκκλησιαστική Ιστορία: Ιστορία των δομών διοικήσεως και ζωής της Εκκλησίας της Ελλάδος*, pp. 18-19.

<sup>225</sup> Aggelopoulos, ‘The Church of Thessalonica between Rome and Constantinople in the past and between Constantinople and Athens in the present in the spirit of St. Photius’.

affairs, and particularly parishes' rights, should be changed according to the political and territorial administrative changes.' (Gk. τα εκκλησιαστικά και μάλιστα τα περί ενοριών δίκαια ταίς πολιτικαίς επικρατείαις και διοικήσεσι συµμεταβάλλεσθαι είωθε). This statement was adopted by the Synod of 879-880, and in 884 was included in the Code of the Basilikon (Gk. Κώδικας των Βασιλικών). Therefore, the disputes in relation to the ecclesial jurisdiction over Eastern Illyricum followed the political division of the Empire and attributed this region to the Church of Constantinople.<sup>226</sup> The union between the Church of the Greek peninsula (Eastern Illyricum) and the Church of Constantinople led to some administrative developments in relation to the structure of the Church in Greece. The Exarchate of Thessalonica was abolished and became equal to the other Metropolitanates; that development accordingly affected the peculiar and privileged position of the Corinthian Metropolitanate. In addition, as part of the administrative division of this particular region of the Church of Constantinople, new Metropolitanates and Archdioceses were established. The Greek peninsula was now united in a political and ecclesial manner with the Eastern half of the Empire consisting of the Metropolitanates of Thessalonica, Corinth, Athens, Crete, Patras, Larissa, Naupaktus, Philippi, New Patras and Rhodes and the Archdioceses of Serres, Lefkas, Thebes, Aegina and Kerkyra. All Metropolitanates and Archdioceses had under their direct jurisdiction and administration the neighboring Bishoprics.<sup>227</sup> The administrative relationship and dependence of the Church in Greece on Rome had to an extent estranged the relations between the Greek Church and the other Greek Churches of the East in relation to its pastoral and spiritual development. It is of great significance that during that early period of the history of the Greek Church there is no reference to any religious or spiritual development, or to movements and initiations at any of the Greek peninsula Bishoprics.<sup>228</sup>

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<sup>226</sup> Papadopoulos, *History of the Church of Greece*, pp. 42-43 and Aggelopoulos, 'The Church of Thessalonica between Rome and Constantinople in the past and between Constantinople and Athens in the present in the spirit of St. Photius'.

<sup>227</sup> Papadopoulos, *History of the Church of Greece*, pp. 42-43.

<sup>228</sup> *Ibid.* p. 54.

### 3.3 The Church of Greece during the Byzantine period (732/733-1453)

The administrative attachment of the Church in Greece to the Patriarchate of Constantinople during the eighth century developed the prevailing situation.<sup>229</sup> The affiliation of the Church of Greece with the Church of Constantinople in 732 brought the two ecclesiastical bodies into an ecclesial and administrative alliance for eleven centuries, until 1832, when the autocephaly of the Greek Church was proclaimed, which was understood to be a unilateral and un-canonical action. This was a significant historical period for the Church of Greece because of its direct connection to the imperial ecclesial centre, and its participation in the development of the Eastern Orthodox Christian Church during the Byzantine period, especially between 732 and 1203. The term Orthodox (Gk. ορθός and δόξα / δοκεῖν), as it is known and used nowadays, was historically developed from the Church of the Byzantine Empire as a consequence of the Monophysite and Nestorian Schisms during the fifth and the sixth centuries.<sup>230</sup> Precisely, what is meant by the Orthodox Church refers to the three stages of the division between East and West, which led to the present shape of the Christian world. The first stage of separation occurred during the fifth and sixth centuries when the separated Christian Churches of the East (the Nestorian Church of Persia and the five Monophysite Churches of Armenia, Syria, Egypt, Ethiopia and India) became divided from the Christian ecclesial body. As a result of this division, Orthodoxy became restricted in the Eastern half mainly to the Greek speaking populations.

The Metropolitanates of the Church of Eastern Illyricum became Eparchies of the Church of Constantinople, having a constitutional communion. Furthermore, the Metropolitans of the Greek peninsula were invited and participated permanently at the synods held in Constantinople.<sup>231</sup> In addition, the important role of the Greek Orthodox element towards the North was recognised by the presence of Greek clergy in these areas and the

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<sup>229</sup> Papadopoulos, *History of the Church of Greece*, p. 135.

<sup>230</sup> Cross and Livingstone, p. 1205.

<sup>231</sup> Aggelopoulos, 'The Church of Thessalonica between Rome and Constantinople in the past and between Constantinople and Athens in the present in the spirit of St. Photius', pp. 20-21.



Christianisation of the Slavonic populations.<sup>232</sup> Education was inextricably linked to the Greek Orthodox tradition. Primary schools were established in monasteries and churches; bishops, priests and monks were appointed to the schools, having teaching and school administrative responsibilities, while it was rare to see lay teaching staff. During the mid sixteenth century, secondary schools and academies were established within the Greek peninsula. The most important educational centres were the Academy of Patmos, established in 1713, the Athonite Academy in Mount Athos, established in 1749, and the Ionian Academy, established in Kerkyra in 1807.<sup>233</sup> However, the Crusades, which the Western States conducted, especially the crusades of the first period (1095-1204 AD), negatively affected relations between Eastern and Western Churches and accordingly had an impact on the Church in Greece. The fall of Constantinople during the fourth crusade in 1204 resulted in the division of the Byzantine Empire into Greek and Latin territories. Accordingly, the Greek parts included the Empire of Nicaea, the Empire of Trebizond, the Seigniorship of Epirus and the Seigniorship of Mystras. Among the Latin States were the Empire of Constantinople, the Kingdom of Thessalonica, the Duchy of Athens and the Principality of Achaia. In addition, there have been several Venetian possessions among the Aegean Islands and Crete.<sup>234</sup> The Emperor of the Greek Empire of Nicaea, Michael VIII Palaeologus, made attempts to reconstitute the Byzantine Empire after the re-conquest of Constantinople in 1261.<sup>235</sup>

### **3.4 The Church of Greece during the period of the Ottoman Empire (1453-1833)**

During the third period of the history of the Church of Greece between 1453 with the Ottoman conquest of Constantinople and 1832 when the Autocephalous Greek Orthodox Church was instigated, there were no significant changes in relation to the ecclesial and

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<sup>232</sup> Aggelopoulos, *Εκκλησιαστική Ιστορία: Ιστορία των δομών διοικήσεως και ζωής της Εκκλησίας της Ελλάδος*, pp. 20-21.

<sup>233</sup> Papadopoulos, *History of the Church of Greece*, p. 120.

<sup>234</sup> The Latin hierarchy attempted to impose on the Orthodox element among the Greek territories, which had been occupied by Western forces. A characteristic example of these attempts is Crete, where Venetians removed the Orthodox hierarchy of the island. Halkiadakis, p. 22.

<sup>235</sup> Halkiadakis, p. 21.

administrative systems of the Church in Greece. However, this period has been characterised as a time of political and intellectual subordination of Greeks in relation to their attempts to maintain their cultural heritage, tradition, language and religion.<sup>236</sup> The Greek peninsula became part of the Ottoman Empire on the one hand while it was under the jurisdiction of the Ecumenical Patriarchate on the other. The success of the Ottomans was based on their official recognition of the diverse background of the populations they were ruling and the necessity of applying an administrative system that could accommodate the needs of all religions, cultures and ethnicities.<sup>237</sup> The Millet administrative system,<sup>238</sup> which the Ottomans adopted in order to rule non-Muslim communities within the Empire, was also applied to the Ottoman territories of the Greek peninsula. The Rum millet<sup>239</sup> included all the Orthodox subjects of the Byzantine Empire<sup>240</sup> and they enjoyed a certain autonomy, even though that Rum millet consisted of Bulgarians, Albanians, Vlachs, Macedonian Slavs, Georgians, Arabs, Romanians and Serbs. Therefore Romans, the members of the Rum millet, did not constitute a homogeneous ‘nation’ because they did not have an independent political community; they were all considered part of the same Millet despite their ethnic and linguistic diversity,<sup>241</sup> and the Patriarch of Constantinople was recognised as the highest religious and political leader of all Orthodox subjects of the Sultan.<sup>242</sup>

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<sup>236</sup> Aggelopoulos, *Εκκλησιαστική Ιστορία: Ιστορία των δομών διοικήσεως και ζωής της Εκκλησίας της Ελλάδος*, pp. 20-21.

<sup>237</sup> Cleveland, p.43.

<sup>238</sup> After the capture of Constantinople in 1453, which resulted in the coexistence of Muslims and Christians mainly in the city of Istanbul, Ottomans adopted the Millet administrative system of governance in order to rule the non-Muslim religious minorities of the Empire, which were primarily Christian. Karavaltchev and Pave, 21-30.

<sup>239</sup> The formal fate of the *Millet-i Rum* is dated 1919, nearly a century after the establishment of the Greek Kingdom in 1830 with the Greek War of Independence against the Ottomans. Richard Clogg, ‘The Greek Millet in the Ottoman Empire’, p. 200.

<sup>240</sup> Roudometof, ‘From Rum Millet to Greek Nation’, p. 18.

<sup>241</sup> In the late eighteenth century among the ‘Greek’ *Millet-iRum* population, there were only a few who were able to understand the Bible, the Church services and the Patriarchal encyclicals written in Greek. In many parts of the Ottoman Capital, the majority of Greeks were wholly Turkish speaking. Clogg, ‘The Greek Millet in the Ottoman Empire’, p. 185.

<sup>242</sup> Roudometof, ‘From Rum Millet to Greek Nation’, pp. 19-21. For the influence of the Orthodox religious

### 3.4.1 The establishment of the Greek State, the London Protocol and the Treaty of Constantinople

After the fall of the Byzantine Empire in 1453 and the enslavement of the Greeks under Ottoman rule for four centuries, the Greek War of Independence, also known as the Greek Revolution (Gk: Ελληνική Επανάσταση), was a successful war, carried out by Greek revolutionaries between 1821-30, with the later assistance of the Great Powers; Russia, Great Britain and France. The Greek War of Independence was threatened with collapse several times because it did not constantly attribute appropriate importance to the role of the maritime Greeks. A significant aspect was the financial role, which the Greek maritime families played in order to support the battle against Ottoman rule. The profits from their naval activities reinforced the war efforts, when the population of the mainland was unable to survive any longer. In addition, the maritime Greeks provided their compatriots from abroad with intellectual and physical support as they had links and contacts with the Diaspora and the Philhellenes in the rest of Europe.<sup>243</sup> Undoubtedly, without the contribution of the wealthy maritime families, the Greek revolution could not have succeeded.<sup>244</sup>

The fact that the Greeks had won the war did not mean that they were able to solve all of their political challenges. Furthermore, together with the social, personal and regional conflicts among them, Greeks were confronted by another crisis, which was related to the British, French and Russian parties, who were the guarantors of the Greek Revolution's final success.<sup>245</sup> The destruction of the Ottoman and Egyptian fleets at Navarino Harbour on 20th

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and cultural tradition among the societies of South-Eastern Europe after the fall of Constantinople and the geographical pluralism that made Orthodox culture a unique transnational phenomenon, see the work of Paschalis Kitromilides, *An Orthodox Commonwealth: Symbolic Legacies and Cultural Encounters in Southeastern Europe* (UK: Ashgate Publishing, 2007).

<sup>243</sup> Misha Glenny, *The Balkans 1804-1999: Nationalism War and the Great Powers* (London: Granta Books, 1999), pp. 22-37.

<sup>244</sup> John Petropoulos, 'The Compulsory Exchange of Populations: Greek-Turkish Peacemaking, 1922-1930', *Byzantine and Modern Greek Studies*, 2 (1976), 19.

<sup>245</sup> Richard Clogg, *A Short History of Modern Greece* (England: Cambridge University Press, 1979), pp. 68-9.

October 1827 led to negotiations at Constantinople among the ambassadors of Great Britain, France and Russia on the one hand and the Sultan on the other. The refusal of the Sultan to accept the terms of the London Treaty of 6th July 1827<sup>246</sup> resulted in the withdrawal of the three ambassadors from Constantinople in late 1827. Without any reference regarding the borders of the Greek State, the Treaty provided the establishment of economic relations between Greece and other European countries and the appointment of consuls. Ultimately, the consequences of the Russo-Turkish War which followed, the decisions reached at the conferences held at Poros Island<sup>247</sup> and London<sup>248</sup>, and the provisions of the Treaty of Adrianople<sup>249</sup> resulted in a way forward for negotiations between the Ottoman State and the three Great Powers. These negotiations finally led to the common agreement of the three texts collectively known as the

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<sup>246</sup> The Treaty of London was concerned with the pacification of Greece, which was certified by the conjunction of the three Great Powers. The Treaty proposed a truce between the contending parties and offered intercession by the Great Powers for reconciliation. It also stated that the Greeks should recognise the supremacy of the Sultan as a Superior Lord. Despite the fact that the Greeks would be governed by the Authorities, which would be elected from among themselves, a representative of the Sultan had an undetermined vote on the decisions of the Greek Authorities. In addition, the Treaty stated that the Greeks were obliged to pay an annual tribute to the Ottoman State and they should also pay compensation for the Turkish properties situated within Greek territories. Nikolaou, p. 84.

<sup>247</sup> The Poros' Island Protocol (12th December 1828) defined the expansion of the territory of the New Greek State up to Mount Olympus. Therefore, the Protocol placed the foundations of the establishment of natural boundaries, capable for the defence of the country. Finally, it proposed that the New Greek State would be a tax vassal to Turkey, entitling the Sultan to give official recognition of the Greek Highest Political Authority, which should be transferred to the legal heirs. Therefore, the Greek State was established as a semi-predominant hereditary hegemony. Nikolaou, p. 89.

<sup>248</sup> The London Protocol (22nd March 1829) proposed by the three Protecting Powers to Turkey the establishment of the New Greek State including the areas of Peloponnese, Evia and the islands of Cyclades. Furthermore, this Protocol adopted the proposals of the Poros' Island Conference and it is considered a significant point in modern Greek history, as it establishes the political existence of Hellenism. Nikolaou, pp. 90-91.

<sup>249</sup> The Treaty of Adrianople (14th September 1829) was a Treaty of Peace signed between Russia and Turkey after the invasion of the Russian army at Adrianople. This Treaty somehow proclaimed the abolition of the sovereignty of the Ottoman Empire in European and Christian countries. It was the first time that Turkey had officially recognised the existence of the Liberal Greek State, which however had a tax vassal relationship with Turkey. The Treaty guaranteed full freedom of the internal administration services and religious practices. With the implementation of this Treaty, the last Turkish forces left the Greek territories. Nikolaou, pp. 92-93.

London Protocol of 1830. On 3rd February 1830, at the Conference held in London, the three foreign representatives signed the ‘The London Protocol’, which actually consisted of three protocols. The first declared the establishment of an ‘independent’ Greek State. The second stressed the decision of Prince Leopold of Saxe-Coburg as Prince-Sovereign of Greece; and the third, which was drawn up at the request of France, established religious tolerance; it kept in force all the privileges which the previous capitulations had offered to the Latin Church to enjoy within the former Ottoman provinces and from which the independent Greek State was created.<sup>250</sup> In addition, the newly established country was obliged to pay war compensation to the Ottomans under the guarantee of the three powers. Moreover, the intercessory powers had to define the Greek borders and elect and appoint a monarch. However, the constitutional core of the new state was not Greek as the Greek leaders were not consulted about the Treaty and no Greek representatives participated in the London Conference. Hence, from its birth in 1830 Greece was surrounded by a foreboding of what the future might hold.<sup>251</sup> Furthermore, Greece was obliged to consider the equality of all its citizens’ religious backgrounds and to grant them equal access to public posts and offices. The Greek State had to protect Muslim citizens who decided not to migrate due to their personal security and property. The estimated population of the Greek-Muslim citizens during the first decades of the newly established Kingdom numbered no more than a few hundred, and therefore no relevant special legislation was adopted.<sup>252</sup>

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<sup>250</sup> Nikolaou, p. 94

<sup>251</sup> Glenny, pp. 37-38.

<sup>252</sup> Konstantinos Tsitselikis, *The International and European Status for the Protection of Linguistic Minority Rights and the Greek Legal Order* (Athens: Ant. N. Sakkoulas publications, 1996), pp. 403-404. Balkan States with significant minorities developed constitutional structures in order to guarantee their position. However, as minorities symbolise the former rulers of the territories where they used to live, minority populations became the victims of persecution within an inter-ethnic conflict, which has meant ‘population exchange’ or ‘ethnic cleansing’ especially since the Turkish-Greco War of 1919-22 and the Peace Treaty of Lausanne of 1923. For population exchange between Greece and Turkey in the early twentieth century, see also: Petropoulos, pp. 135-60; Renee Hirschon, *Crossing the Aegean: An Appraisal of the 1923 Compulsory Population Exchange Between Greece and Turkey* (Oxford: Berghahn Books, 2003); Elisabeth, Kontogiorgi, *Population Exchange in Greek Macedonia: The Rural Settlement of Refugees 1922-1930* (Oxford: Clarendon Press, 2006); Roy Parviz Mottahedeh, *Muslims of Bosnia-Herzegovina: Their Historic Development from the Middle Ages to the Dissolution of Yugoslavia* (USA: Harvard University Press), 1996.

The civil conflicts, which affected Greece from the beginning of its independence, and the civil war after the murder of Ioannis Kapodistrias,<sup>253</sup> who was the first governor of the country, signified the problematic political situation of Greece. Kapodistrias was an accomplished diplomat and had credibility with the foreign offices of the Great Powers. He followed a governmental programme of a fundamental political power since the country was desolate and in need of political stability in order to acquire credibility from other countries. On the other hand, the maritime families – especially the Hydriots - who had excelled during the war, were incited to insurrection against Kapodistrias' political tactics because they believed that the only source of power for an Independent Greece lay in their entire fleet, which they did not want to fall under central government control.

The Greek Civil War, which followed Kapodistrias' murder, ended in 1834. The Civil War has been described as the longest, which created the most losses of any other wars yet known in Greece.<sup>254</sup> The civil slaughter came to end when London, Paris and St. Petersburg agreed to appoint to Greece the Bavarian prince Otto (1832-62), who assured control of the Great Powers over the Greek State.<sup>255</sup> The three agreements, the Treaty of Adrianople, the London Convention and the Treaty of Constantinople, established once and for all the existence of an independent Greek State by placing it under the protection of the Great Powers, defining its boundaries and implementing systems of governance. The Treaty of Adrianople, also known as the Treaty of Edirne, which was signed on 14th September 1829, proclaimed the end of the Russo-Turkish War (1828-29) between the Ottoman Empire and Russia; this came to an end when the Sultan acknowledged the previously promised autonomy to Serbia and Greece, allowing Russia to occupy Moldavia and Wallachia. The London Conference was held in May 1832; it was an International Conference, which convened to establish a stable government in Greece. Thus, the negotiations of the three Great Powers led to the establishment of the Greek Kingdom under the rule of the Bavarian Prince Otto. The decisions of the Conference were approved later in the year by the Treaty of Constantinople (21st July 1832), which defined the

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<sup>253</sup> (...) ‘‘The President was shot dead in October 1831 while leaving the church in Greece’s first capital, the pretty harbour town of Nauplio’’. Glenny, p. 38.

<sup>254</sup> Petropoulos, p. 135.

<sup>255</sup> Glenny, pp. 38-39.

borders between the Kingdom of Greece and the Ottoman Empire and affirmed the rights of Christians in the Ottoman Empire and the rights of Muslims in Greece. Finally, the Treaty of Constantinople marked the end of the Greek War of Independence, establishing the Modern Greek Independent State free of the Ottoman Empire.

### **3.5 The modern historical period (1833) of the Autocephalous Greek Orthodox Church until the present day**

The Greek Revolution of 1821 had an impact on the relations between the Church of Constantinople and its canonical territories of the Greek peninsula. The Church of Greece ceased any ecclesial relation and communication with the Church of Constantinople.<sup>256</sup> This was a significant historical movement in the evolution of the Eastern Christian Church. In relation to Church affairs and administration, the Senate (Gk. Γερουσία) of Eastern Greece established the Worship Committee (Gk. Εφορεία Λατρείας) and thereafter at the fourth National Assembly at Argos in 1829 instituted the Ministry of Religion.<sup>257</sup> The ecclesiastical privileges of the Patriarch of Constantinople among the Greek territories had not actually been abolished. Greek bishops acknowledged that they were not able to act un-canonically based on Church Law in order to elect and ordain new bishops or to establish ecclesiastical committees for church administrative purposes. The Church in Greece was not considered divided from its ecclesiastical centre, the Church of Constantinople. However, some initiatives for the establishment of a temporary Episcopal Synod in Greece were not initially achieved. On the other hand, during the second National Assembly held at Astros between 29th March and 18th April 1823, the Greek temporary governing body decided to forbid the transferral of Constantinopolitan bishops in order to replace vacant bishopric positions within Greek territories.<sup>258</sup> The Greek Church ecclesial detachment from the Church of Constantinople during the Greek War of Independence led the newly elected Patriarch of Constantinople, Constantine I (1830-34), to attempt a reunion between the two parties. Therefore, only a few months after the establishment of the Kingdom of Greece, he sent a

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<sup>256</sup> Papathomas, p. 40.

<sup>257</sup> Papadopoulos, *History of the Church of Greece*, pp. 136-37.

<sup>258</sup> *Ibid.* p. 137.

letter on 18th August 1830 to Ioannis Kapodistrias, the first governor of the Greek Kingdom, in which, initially praising and glorifying God for the success of the Greek revolution, he stated on the other hand the necessity of the instauration of the ecclesial relations between the Greek Church and the Patriarchal Throne. However, the unexpected murder of Kapodistrias obstructed the procedures for restoration of the ecclesial relations between Greece and Constantinople in a canonical manner.<sup>259</sup> Prior to these events, during the first National Assembly held at Epidaurus on 1st January 1882, the first provisional Constitution of the Greek Kingdom stated that the prevailing religion among Greek territories was that of the Eastern Orthodox Church of Christ; on the other hand, this provisional Constitution introduced the principle of religious tolerance. It was proclaimed that the Greek Administration accepts any other religion without any intervention in religious rights and ceremonies.<sup>260</sup>

### **3.5.1 The un-canonical proclamation of Independence of the Greek Church**

After the establishment of the Kingdom of Greece in 1832, the Greek Orthodox religious leaders who had supported the revolutionaries demanded ecclesial reformation for the Church.<sup>261</sup> The weapons and the flag of revolution received the blessing of the Greek clergy, who had been distinguished as military leaders and had played a significant role in the first national councils of the newly established Greek Kingdom. The Orthodox Church of these particular and enfranchised regions of the new state had been dependent and under the direct pastoral, spiritual and administrative jurisdiction and authority of the Ecumenical Patriarchate of Constantinople since the time of Leo the Isaurian (714 – 741). The rise of the twentieth century was characterised by the nationalist political movement, which appeared in South-Eastern Europe. This movement, which led to the establishment of national states, consequently resulted in the establishment of national independent (autocephalous)

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<sup>259</sup> Papadopoulos, *History of the Church of Greece*, p. 137.

<sup>260</sup> *Ibid.* p, 136.

<sup>261</sup> Michael Burgess, *The Eastern Orthodox Churches: Concise Histories with Chronological Checklists of their Primates* (North Carolina: McFarland & Company Inc. Publishers, 2005), p. 154.



churches.<sup>262</sup> The landmark of the establishment of independent national churches was the un-canonical constitution of the Autocephalous Greek Orthodox Church in 1833. This significant event inspired the Bulgarian nationalists, who decided to establish an Autocephalous Bulgarian Church, even though an independent Bulgarian State had not yet been established.<sup>263</sup> Similar policies were followed by other Balkan States, and finally Serbia and Romania gained ecclesiastical independence in 1879 and 1925 respectively. In addition, Albanian independence in 1912 led to the canonical recognition by the Ecumenical Patriarchate of the Albanian Orthodox Church in 1937. The Albanian Church, similarly to other state churches, had declared unilaterally its autocephaly in 1922.<sup>264</sup> The political independence therefore from Ottoman rule was perceived by the leaders of the Revolution to be uncompleted unless it was followed by ecclesial autonomy. The opinions in relation to the establishment of an autonomous church in Greece were based on the idea that every new established state that was detached from the Ottoman Empire should have its own self-governing church.<sup>265</sup> Theoklitos Farmakides,<sup>266</sup> an Orthodox clergyman, was an ardent

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<sup>262</sup> Nanakis, p. 10.

<sup>263</sup> The Bulgarian Bishop Hilarion in 1860 proclaimed the ecclesiastical independence of the Bulgarian church an 'ex parte' decision, which led to the Bulgarian schism in 1872. Sabev, 'The Orthodox Church of Bulgaria in the Twentieth Century', p. 86.

<sup>264</sup> Nanakis, pp. 9-10.

<sup>265</sup> The nationalist political movement which created the context for the establishment of autocephalous churches in the Balkans, continued during the twentieth century, which resolved significant problems on one hand in terms of Church administration and linguistic homogeneity in worship, but decreased the jurisdiction of the Patriarchate on the other. The newly established independent Balkan States have claimed and have finally been awarded their ecclesiastical autonomy from the Ecumenical Patriarchate. Nanakis, p. 30.

<sup>266</sup> Theoklitos Farmakides (Thessaly 15 January 1784 – Athens 26 April 1860) was a teacher of the Greek Nation, a Modern Greek illuminator of the multitude, a Greek revolutionary, a well-educated priest and a journalist. He was a supporter of the 'English party' and disagreed in principle with the first Greek Governor Ioannis Kapodistrias. Farmakides believed that Kapodistrias was following policies in favour of and in accordance with Russian diplomacy. The government brought to the forefront a letter consisting of critical content against the Governor written by Farmakides; that was the reason he was imprisoned. After the murder of Kapodistrias in 1832, he was appointed on 14 April 1832 as a curator at the General Primary School of Aegina. He was George Maurer's advisor on religious issues and his principal argument was that church administration should not be under the authority of a Patriarch, who is under the authority of the Sultan. Greek Church conservatives belonging to the 'Russian party', which supported the establishment of an ecclesial

supporter of these views. On the other hand, the regency of King Otto had appointed the Protestant lawyer and university professor George Maurer<sup>267</sup> to deal with the Church and ecclesiastical affairs of the newly established Greek Kingdom. George Maurer actively supported the concept of an autonomous and independent Church of Greece, as his long-term objective was to create a church under the direct authority of the king.<sup>268</sup> In cooperation with Farmakides, Maurer therefore appointed a seven-member committee in order to deal with the final formation of the Greek Church. This committee finally decided the establishment of the Holy Synod of the Kingdom of Greece, consisting of five members - Metropolitans appointed by the king. The organisation of the Greek Church was therefore absolutely and entirely dependent on the State.<sup>269</sup> Hence, at the General National Assembly held at Nafplion, the first capital of the Greek Kingdom, on 23rd July 1833, nation representatives proclaimed that the Church of Greece should have absolute autonomy in matters of governance and administration, being however canonical, and dogmatically united with the Church of Constantinople; the proposals made by Maurer and Farmakides were therefore accepted.<sup>270</sup> Thus, the National Assembly ratified the decision for the establishment of the Autocephalous Church of the Kingdom of Greece<sup>271</sup> and validated the

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centre on the basis of pan-Slavonic plans of the Russian Empire, opposed Farmakides' ideas and proposals. In 1833 he was appointed as Secretary of the Holy Synod of the Church of the Kingdom of Greece and in 1837 he was offered a position of full professorship of the Theology faculty at the University of Athens, where he never taught. Later he was appointed as a professor at the faculty of Philosophy at the same university. Bgena Bartholomaiou, *Theoklitos Farmakides Trial (1829-1839)* (Athens: Mnemon Publications, 1974), pp. 172-214.

<sup>267</sup> George Maurer has been appointed as the designated regent of King Otto, underage at that time.

Papathomas, p. 38.

<sup>268</sup> Papadopoulos, *History of the Church of Greece*, p. 138.

<sup>269</sup> Papadopoulos, *History of the Church of Greece*, pp. 138-39. See also 'The Regency of King Otto and the Establishment of the Autocephalous Church of Greece' in Charles A. Frazze, *The Orthodox Church and Independent Greece 1821-1852* (London: Cambridge University Press, 2009), pp. 89-124.

<sup>270</sup> Constantine Callinicos, *Greek Church History: A brief sketch* (London: The Faith Press Ltd, 1931), p. 121.

<sup>271</sup> The Eastern Orthodox Apostolic Church of the Kingdom of Greece recognises as its spiritual head our Lord and Saviour Jesus Christ, the founder of the Christian faith, while for its administrative purposes, has as its head the king of Greece. It is autocephalous and independent of any other authority, preserving its dogmatic unity with everything that has been professed by the other Eastern Orthodox Churches. The supreme ecclesiastical authority, lies through the king upon the Holy Synod of the Greek Kingdom. The Synod consists

statutes of the Holy Synod of the Kingdom of Greece, which was based on Bavarian law.<sup>272</sup> The members -Metropolitans of the Holy Synod by their appointment - took their oath before the king. That was the un-canonical way that the Church of Greece was founded and established without the consent of the Ecumenical Patriarchate, being instead dependent on the Greek Government.<sup>273</sup> This unilateral decision for the establishment of the Autocephalous Greek Orthodox Church had been opposed by a significant number of clergymen, who were finally exiled. In addition, the Government decided to dissolve four hundred and twelve monasteries, and all monastic possessions and properties were nationalised.<sup>274</sup> Undoubtedly, the 1833 Independence Declaration of the Greek Church clarifies the quality and the state of the 'independence' of the Greek Church and its absolute historical conditional dependence on the Government and the King.<sup>275</sup> This new situation created a dependent church under a legislative and bureaucratic framework, which brought difficulties in terms of its pastoral and spiritual development. The Greek Church had

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of five members, the president and at least two other consultants; all appointed by the Government. A King Representative, appointed by the King, is present during the meetings of the Synod. Every decision of the Holy Synod before its application requires governmental authorization and approval. All metropolitans are appointed by the Government based on the proposals of the Holy Synod. Similarly, following the same process they can be transferred to another Metropolitanate or be dismissed from their posts. Gazette of the Kingdom of Greece No: 23, *Independence Declaration of the Greek Church* (Nafplion: Royal Printing Office, 1833), Articles 1-3, 6, 9, and 16. See also Chrysostomos Savvatos, 'Canonical Interpretation of the Patriarchal and Synodal Act of 1928', presented at the extraordinary meeting of the Greek Holy Synod of the Hierarchy on 4<sup>th</sup> November 2003 <[http://www.ecclesia.gr/greek/holysynod/eisigiseis/arch\\_noe\\_o1.htm](http://www.ecclesia.gr/greek/holysynod/eisigiseis/arch_noe_o1.htm)> [accessed: 12 January 2014].

<sup>272</sup> The established church is the church-state model where the civil state recognises one religion and one church as official and national; consequently, the Church is an active part of the State. In other words, the State by law is getting involved in Church affairs while the Church undertakes certain State roles and functions. This model of Church-State relation applies in England, Scotland, Denmark, Sweden, Finland, Norway, Greece and Cyprus. An important example of this model is England where the Church of England is officially established and recognised. Precisely, regarding the established church model, the leaders of the Church of England serve *ex officio* in the House of Lords. Moreover, the King or the Queen formally appoints the Bishops of the Church of England upon the recommendation of the Prime Minister based on the Church approved list of candidates. Neuberger, pp. 65-84.

<sup>273</sup> Papadopoulos, *History of the Church of Greece*, p.139.

<sup>274</sup> *Ibid.* p. 139.

<sup>275</sup> Runciman, pp. 41, 68-76.

therefore been arbitrarily detached from its administrative and ecclesial centre, a situation that lasted for seventeen years (1833-1850).<sup>276</sup> It is of great significance that none of the other Eastern Orthodox Churches recognised the autocephaly of the Greek Church. After the proclamation of the Autocephalous Church of the Greek Kingdom, the situation and the circumstances in relation to the communication between the Greek Church and the Ecumenical Patriarchate of Constantinople changed dramatically. The Patriarchate broke communication with the Greek Church;<sup>277</sup> some initiatives by the Greek Holy Synod to communicate with the Constantinopolitan Church did not resolve that challenging situation for either party because the Patriarchate did not recognise the Holy Synod of the Greek Kingdom and its president. Therefore, on 30<sup>th</sup> May 1850 the Greek Government, in cooperation with the Holy Synod, sent an official note to the Patriarchate asking for recognition of the autocephaly. The Patriarchal Endemousa Synod consisted especially for this issue of five former Ecumenical Patriarchs and the Patriarch of Jerusalem; it met on 16th June 1850 and concluded its work on 29th June 1850, when the Autocephalous Orthodox Church of the Kingdom of Greece was finally recognised,<sup>278</sup> with the Patriarchal and Synodal Tome of 1850,<sup>279</sup> under certain canonical conditions.<sup>280</sup> The Tome of 1850 was

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<sup>276</sup> See: 'The Greek Church under the Independent Synod, 1835-1850' in Charles A. Frazze, pp. 125-170.

<sup>277</sup> Similarly to the conflicts between the Ecumenical Patriarchate of Constantinople and the Church in Greece, the Bulgarian Exarchate unilaterally declared its autocephaly in 1878, with the establishment of an independent Bulgarian Church, and broke ecclesial communion with the Patriarchate of Constantinople until 1945, when it was finally officially recognised by the Patriarchate as an Autocephalous Church. Janice Broun, 'The Schism in the Bulgarian Orthodox Church', *Religion, State and Society*, 2 (1993), pp. 207-220; Dimitrios Stamatopoulos, 'The Bulgarian Schism Revisited' in *Modern Greek Studies Yearbook* (Minnesota: Mediterranean, Slavic and Eastern Orthodox Studies Publications, 2008/09), pp. 105-125.

<sup>278</sup> The restoration of the ecclesial communion between the Church of Greece and the Ecumenical Patriarchate was a significant event that had an impact on the ongoing political changes of Greece. King Otto stressed that the canonical restoration of the relations between the Church of Greece and the rest of the Orthodox Churches was the brightest event during his reign. Papadopoulos, *History of the Church of Greece*, p. 141.

<sup>279</sup> Papadopoulos, *History of the Church of Greece*, pp. 140-41.

<sup>280</sup> The decision of the Endemousa Patriarchal Synod, which was included in the Patriarchal and Synodal Tome of 1850 for the Autocephaly of the Church of Greece, was based on the 'ecclesial economy' in order to maintain unity among the Orthodox Churches. The conditions of the Tome stated clearly that the supreme

ratified by the Royal Decree of 15th August 1850 and two Laws (200 and 201), where the Greek State accepted the Statutory Law of the Holy Synod of the Greek Church on one hand, imposing State authority over the Church on the other. These two Laws stated that members of the Holy Synod should be appointed by the King. Moreover, a royal representative was always to attend the meetings of the Synod, having the right to veto any decisions. Finally, according to the statute charter, the head of the Greek Church was the king, therefore implying the absolute submission of the Church to the political authority of the State. The synod of the Greek Church therefore had to act based on the specific policies of the royal government,<sup>281</sup> which actually opposed the main conditions of the Patriarchal and Synodal Tome of 1850 in relation to lay intervention in Church administration and ecclesial affairs.

### **3.5.2 The 1881 Convention and the Treaty of Constantinople**

The territorial disputes between the Ottoman Empire and the newly recognised Greek State continued to exist, as many parts of the Ottoman Empire, despite the establishment of an independent Greek State in 1830, were still under Ottoman rule, and might rightfully return to the Greeks. Half a century after the official establishment of the Greek State, in the Spring of 1881, two more agreements were signed at Constantinople, which clarified issues between Turkey and Greece. Essentially, the Convention of Constantinople (28th March 1881) addressed the issue of the Greek-Turkish borders. With this Convention, the territories of Thessaly and Arta were finally ceded to Greece; however the Greek Government was forced to pay compensation for the Ottoman properties of the citizens of these areas. With the above concession, and the return of Thessaly and Arta to the Greek State, the hopes, sacrifices and efforts of the Greeks had finally been fulfilled after many centuries.<sup>282</sup>

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Church authority is the Holy Synod presided over by the Metropolitan of Athens; it forbids any lay intervention in Church administration.

<sup>281</sup> Papathomas, p. 40. See also 'The Synodal Tomos and its Perception in Greece' in Charles A. Frazze, *The Orthodox Church and Independent Greece 1821-1852*, pp. 171-75.

<sup>282</sup> Nikolaou, pp. 148-149.

The second agreement, the Treaty of Constantinople, was signed on 24th May 1881 between the Ottoman Empire on the one hand and Austro-Hungary, France, Germany, Italy and Russia on the other. With this Treaty the Greek-Ottoman borders were adjusted, giving the Greek State the areas of Thessaly and a part of Epirus up to Arta, as it had been agreed a couple of months previously with the Convention of Constantinople. That decision appeared to be definitive with regard to the Greek-Turkish borders.<sup>283</sup> The Treaty additionally assured Muslim communities living within the territories ceded to Greece of the free exercise of their religion.<sup>284</sup> Furthermore, in execution of the XIII Berlin Protocol (5th July 1878), the border between Greece and the Ottoman Empire was determined, and the area of Aktion was ceded to Greece. The concession of the previously mentioned areas to Greece required the definition of the rights for the Muslim residents in these areas. Finally, this Treaty addressed the free boat transit within the Amvrakikos gulf, giving to Greece for the first time the opportunity to extend its borders to the North; this was an initial step before the further extension to the Axios, Strymon and Evros Rivers.<sup>285</sup> After all these changes and geographical enlargement of the Greek territories during the second half of the nineteenth century, the Ecumenical Patriarchate of Constantinople made specific acts to attach these territories to the Autocephalous Church of Greece without any conditions. Therefore, by the beginning of the twentieth century the Church of Greece could be considered territorially complete.<sup>286</sup>

### **3.5.3 The status in Thrace before 1923**

One of the historical regions of the northeast part of Greece is Western Thrace (Gk: Δυτική Θράκη, Dytikí Thráki; Turkish: Batı Trakya). Geographically it is located between the Rivers Nestos and Evros. Together with the regions of Macedonia and Epirus, it is often referred to informally as Northern Greece. It is also known as Greek Thrace in order to

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<sup>283</sup> Nikolaou, p. 149.

<sup>284</sup> Anwart T. Frangi, 'The Right to Freedom of Religion Granted to Minorities under Treaties concluded before the First World War', *World History Journal* 2 (2006), 20.

<sup>285</sup> Nikolaou, p. 149.

<sup>286</sup> Papathomas, p. 41.

distinguish it from Eastern Thrace, which lies on the east of the River Evros, the European part of Turkey, and the area to the north, in Bulgaria, known as Northern Thrace. Western Thrace is divided into three districts, Xanthi, Rhodope and Evros. The approximate area of Thrace is 8,578 km<sup>2</sup> with a population of 369,430.<sup>287</sup> More than two-thirds of the population is Greek Orthodox Christian, while the remaining population is Muslim, officially recognised as the Muslim minority of Western Thrace. The majority (67%) of the minority of Western Thrace is of Turkish origin, while another third are Pomaks,<sup>288</sup> who mainly inhabit the mountainous parts of Western Thrace. The Roma element of Western Thrace is also mainly Muslim, in contrast to other Roma communities in other Greek villages and urban centres, who generally assert their Christian Orthodox faith, which is the predominant religion in Greece<sup>289</sup>. The region of Western Thrace had been under the rule of the Ottoman Empire since the fourteenth century, when the Ottomans invaded and captured Thrace in 1348, until the beginning of the nineteenth century.<sup>290</sup> During the mid fourteenth century, despite constant Ottoman invasions from Asia Minor and the conflicts that Byzantine had with the Bulgarians from the North, Thrace maintained its Hellenic<sup>291</sup> cultural and linguistic physiognomy. In addition, the fact that the area was under Latin rule (1204-1261) had caused tensions with the Greek demographic and cultural identity of the population. In the post-Byzantine period the Hellenic element prevailed, not only in the big cities and coastal areas, but also in the countryside and in the mountainous areas of Thrace. All the other non-

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<sup>287</sup> Greek Statistical Office: Provisional results of Census 2011.

<sup>288</sup> Pomaks is a Muslim Bulgarian Minority, which recognised officially after the establishment of the Bulgarian State during the nineteenth century. Pomaks mainly inhabit Bulgaria, Greece, Albania, Turkey and FYROM. Tsvetana Georgieva, 'Pomaks: Muslims Bulgarians', *Islam and Christian-Muslim Relations*, 12 (2001), 303. See also the work of Alexiev Bozhidar, 'The Rodopi population in Bulgarian human studies', in *The Muslim Communities in the Balkans and in Bulgaria* (Bulgaria: International Center for Minority Studies and Intercultural Relations, 1997), pp. 57–113 and Mario Apostolov 'The Pomaks: A religious minority in the Balkans', *Nationalities Papers: The Journal of Nationalism and Ethnicity*, 4 (1996), 727-42.

<sup>289</sup> Ali Hüseyinoğlu, 'Islam in Western Trace after 1923. The role of internal and external factors in European Studies Centre', *After the Wahhabi Mirag: Islam, politics and International networks in the Balkans* (Oxford: Oxford University Press, 2010).

<sup>290</sup> Braude and Lewis, pp. 4-9.

<sup>291</sup> Hellas (Gk Ελλάς) is the official name of the Hellenic Republic; in English the country is called Greece, which comes from Latin *Graecia* as used by the Romans.

Hellenic elements were very limited in the area; there was only a significant Bulgarian presence located in the lower region of Mount Evros and in the mountainous area to the west of Adrianople.<sup>292</sup>

The main difficulty though, which affected both Eastern and Western regions of Thrace, was the decrease in the population of the area. Many villages and urban centres remained uninhabited during the post-Byzantine period. The significant decrease of the population of the Thracian villages and cities during the thirteenth century was strongly related to the local economy and growth, which were almost totally dependent on agriculture and farming production. The failure to develop trade and industry had stalemated the economic growth of Thrace. To make the financial situation worse, the Turkish invasions, which had turned into a permanent presence since 1352 onwards, disheartened any attempt at growth. The change in the demographic physiognomy in areas which the Ottomans were invading and occupying was achieved through a variety ways, including damage to land and property, as well as annihilating the autochthon population. Based on these tactics, and having significant diplomatic success due to the rise of the Ottoman Empire, the new Rulers of Thrace created a strong political and demographic ground which facilitated their predominance at the coast, and onwards to the rest of the Balkans, as each Ottoman armed invasion resulted in the establishment of Turkish populations in the conquered territories.<sup>293</sup> Before the first Ottoman invasions into European territory, thus just before 1352, within the regions of Thrace there was an imprecise number of Turks who remained in those places after their settlement in the mercenary missions from Asia Minor under the adversarial Byzantine forces.<sup>294</sup> The colonisation of the Ottomans in Thrace persisted until the mid fifteenth century, a fact that has significantly affected the social and administrative circumstances of the conquered territories. The colonists were therefore gradually enrolled into the late Byzantine city centres (Gallipolis and Adrianople) and whenever they had the opportunity,

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<sup>292</sup> George Voyiatzis, *Η πρόωγη Οθωμανοκρατία στη Θράκη: Άμεσες δημογραφικές συνέπειες [The earlier phase of the Ottoman Rule: Immediate demographic consequences]* (Thessaloniki: Herodotos, 1998), p. 171-74.

<sup>293</sup> Voyiatzis, pp. 184-97.

<sup>294</sup> *Ibid.* pp. 172-176.



they established separate districts and neighbourhoods. Moreover, in the countryside, between the fourteenth and fifteenth centuries, they often built new villages, a phenomenon, which can be seen in Thrace. These villages were mixed with both Christian and Muslim populations.<sup>295</sup> Nevertheless, in Western Thrace the Sultans Murad I and Bayazid I (1389-1402) applied different politics. After researching in depth the population problem of the area, they decided to prevent abrupt colonisation; politics which had been successful in other districts. Abrupt colonisation had resulted in the decrease of the Hellenic folklore element of Western Thrace. Thus, the newly Janissaries' battalion was failing to integrate young Christians, along with the prospect that Greeks would contribute to the cultural, political and economic development of the Ottoman Empire.<sup>296</sup>

The domination of the Ottomans in Thrace had radically altered the social and cultural background of the Thracian Greek element. Most of the schools were closed and the Orthodox Churches had been turned into mosques. The Russian-Turkish confrontations of the eighteenth century and the gradual collapse of the Ottoman Empire had a significant impact on the Thracian area. Furthermore, during the decadence of the Ottoman Empire, Thrace faced a crucial period in terms of its development, attributable to the agitation of the Christians who were confronting the encroachment of their rights from the administration and their obligation to pay Jizya,<sup>297</sup> an unfair tax policy, particularly in the regions of Komitini, Philippopolis and Sammakovou.<sup>298</sup> The participation of the Thracians in the Hellenic Revolution of Independence in 1821 was inspirational. Revolutionary actions against Ottoman rule occurred throughout Thrace and expanded into the regions of Enos, Philippopolis, Adrianople, Varna, Anchialos, Sozopolis, Mesemvria, Makri, Maronia and

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<sup>295</sup> Voyiatzis, pp. 177-181.

<sup>296</sup> Efstratios X. Zegkinis, *Ο Μπεκτασισμός στη Δ. Θράκη. Συμβολή στην Ιστορία της διαδόσεως του μουσουλμανισμού στον ελλαδικό χώρο [Bektasismos in Western Thrace. Contribution to the History of the spread of Islam into Hellenic area]* (Thessaloniki: Pournaras, 2001), p. 112.

<sup>297</sup> Jizya was used initially as a form of tribute. It was imposed on all non-Muslim subjects as a tax on land and capitation. Tarum Pratop Yadav, 'The myth of Jizya', *Journal of Indian Research*, 1 (2013), 32.

<sup>298</sup> Konstantinos A. Vakalopoulos, *Ιστορία της μείζονος Θράκης. Από την πρόιμη Οθωμανοκρατία μέχρι τις μέρες μας [History of the greater Thrace. From the earlier phase of the Ottoman Rule until our days]* (Thessaloniki: Stamouli, 2004), pp. 43-45.

Kessani.<sup>299</sup> Nevertheless, the battles of the Thracians for the Hellenic Revolution of Independence were not confined only within their particular enslaved ancestral lands but they also joined in with revolutionary actions together with their compatriots in Southern Greece through land and sea by entering the ordinary Greek army.<sup>300</sup> Finally, after the Russian-Turkish War and Russian predominance in Thrace, and particularly in the city of Adrianople, a Treaty was signed between Russians and Ottomans in February 1829, which recognised the independence of the Greek State.<sup>301</sup>

In 1923 with the Treaty of Lausanne the Western part of Thrace was returned to Greece. Before the Balkan Wars (1912–1913) Western Thrace had a diverse population of Turks and Bulgarians, with a strong traditional Greek element in the cities and at the coast of the Aegean (Thracian) Sea. A minor number of Pomaks, Jews, Armenians and Roma also lived in the region. The Balkan League, which consisted of Serbia, Greece, Bulgaria and Montenegro, fought against the Ottoman Empire during the First Balkan War (October 1912 - May 1913) and succeeded in recapturing most of its European territory, including Thrace. The Western Thrace frontiers were guarded by the Bulgarian military, which defeated the Ottoman army. The victory against the Ottoman Empire led to a dispute between the countries of the Balkan League regarding the benefits of the area and the procedural method of dividing up the newly conquered lands. That dispute resulted in the Second Balkan War (29<sup>th</sup> June 1913 – 10<sup>th</sup> August 1913). In addition, in August 1913 Bulgaria was defeated, but gained Western Thrace under the terms of the Treaty of Bucharest in 1913. On the other hand, during the following years the Central Powers (Germany, Austria-Hungary and the Ottoman Empire) with which Bulgaria had sided, lost World War I and, as a result, Western Thrace was withdrawn from Bulgaria under the terms of the 1919 Treaty of Neuilly. Western Thrace was under temporary management of the Entente led by French General,

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<sup>299</sup> Vakalopoulos, pp. 89-90.

<sup>300</sup> Ibid. pp. 92-94.

<sup>301</sup> Efstathios N. Kerkidis, 'Η Θράκη από την οθωμανική κατάκτηση μέχρι την ενσωμάτωσή της στην Ελλάδα' [Thrace since the Ottoman conquest until its integration to Greece], in *Θράκη: Ιστορική και Λαογραφική προσέγγιση του λαϊκού πολιτισμού της* [Thrace: Historical and Folkloric approach of its laic civilization] edited by Y. M. Varvounis. (Athina: Alitheia Publications, 2006), p. 29.

Sharpe. Therefore, at the conference held in San Remo in the second half of April 1920, where the Prime Ministers of the main allies of the Entente powers had participated (except the USA), it was decided that Western Thrace be given to Greece.<sup>302</sup>

Throughout the Balkan Wars and World War I, Bulgaria, Greece and Turkey were forced to hold a respective demographic recording within the Thrace region out of the areas that they were controlling. A large population of Greeks in Eastern Thrace, the Black Sea coast and Southern Bulgaria, was expelled to the south and west into the part of Thrace which was controlled by Greeks. Concurrently, a large population of Bulgarians was forced from the region into Bulgaria by Greek and Turkish actions. Turkish populations in the area were also targeted by Bulgarian and Greek forces and pushed eastward. As part of the Treaty of Neuilly, and subsequent agreements, the status of the expelled populations was legitimised. In addition, this was followed by a further population exchange, which radically altered the demographics of the region of Thrace and maintained the ethnic homogeneity within the territories. Each respective country was ultimately affected.<sup>303</sup>

This was followed by the large-scale Greek-Turkish population exchange<sup>304</sup> of 1923 (Treaty of Lausanne), which finalised the reversal figures of the demography of the region of

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<sup>302</sup> Braude and Lewis, pp. 7-11.

<sup>303</sup> Richard C. Hall, *The Balkan Wars 1912-1913: Prelude to the First World War* (London: Routledge, 2000).

<sup>304</sup> The exchange of populations between Greece and Turkey was for the first time in history a compulsory transfer of a large number of people and was officially adopted in order to determine a minority problem based only on the religious identity of the population. Eric Zan Zürcher, 'Greek and Turkish refugees and deportees 1912-1924', p. 4. According to the Treaty of Lausanne, all Turkish nationals of the Greek Orthodox religion established on Turkish territory other than Constantinople on the one hand and all Greek nationals of Muslim religion established on Greek territory other than the newly-acquired region of Western Thrace on the other were to be forcibly exchanged. Thus, the distinguishing criterion, which has been chosen for compulsory resettlement was exclusively that of religion. The result calculated that a minimum of 1.3 million Greeks were expelled from Turkey and some 500,000 Muslims were sent to Turkey from Greece. All were dispossessed of their properties, which in many cases of the Greek refugees were substantial and this loss of property was subsequently confirmed by the Ankara Treaty of 1930. Lausanne's negotiations had allowed approximately 150,000 to 200,000 Greek Orthodox people to remain in Constantinople and a similar number of Muslims in Western Thrace, who were accordingly recognised officially as the Greek Orthodox minority of Constantinople

Western and Eastern Thrace before the Balkan Wars. The Treaty granted status to the Muslim minority in Western Thrace in exchange for a similar status for the Greek minority in Istanbul (late Constantinople) and the Aegean islands of Imbros and Tenedos. The Treaty of Lausanne was gradually violated from the Turkish side, and was broken by the Istanbul Events of September 1955.<sup>305</sup> Within the larger definition of the Muslim minority, the Turks of Western Thrace were exempted from the 1923 exchange of populations between Greece and Turkey and were granted special rights within the framework of the Lausanne Treaty, such as education in the Turkish language.<sup>306</sup>

Finally, there were and still are considerable differences among the population of the Muslim minority of Western Thrace. The total number of the minority population based on the last survey (2011) is 120,000, of whom 50% are Turks, 35% Pomaks and the remaining 15% are of Roma origin. It is important to point out that in 1923, prior to the Treaty of Lausanne, the population of Western Thrace was 191,699, of whom 129,120 (67%) were

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and the Muslim minority of Western Thrace. Eric Zan Zürcher, 'Greek and Turkish refugees and deportees 1912-1924', pp. 5-6.

<sup>305</sup> The Istanbul and Izmir pogrom between 6th and 7th September 1955 known as '*Septemvriana*' events followed by the events of 1964 led the vast majority of the Greek Orthodox citizens of Turkey to abandon the country. These events had been widely reported as anti-Christian riots, after which the Turkish authorities never compensated the Greek minority for any personal, economic and property loss. Zayas, 137-54. In addition, the '*Septemvriana*' events led to the closure of all the minority language schools of the Lausanne protected Islands of *Imbros* and *Tenedos*. On these islands, most of the private and church properties of the Greek minority have been taken and have been sold, rented, or distributed by the Turkish authorities to Turkish emigrants from Anatolia. Ecumenical Patriarchate, 'Memorandum on the problems faced by the Ecumenical Patriarchate', p. 348. The aggressive policy of the Turkish Government against the Patriarchate and the Greek minority culminated in 1971 with the closure of *Halki* Theological Academy, a fact which deprived the Greek Orthodox clergy of the Ecumenical Patriarchate of the right to education, 'Memorandum on the problems faced by the Ecumenical Patriarchate', pp. 343-44.

<sup>306</sup> Clark, Bruce, *Twice a stranger: How mass expulsion forget modern Greece and Turkey* (London: Granta Books, 2007), pp. 109-15.

Turks and 33,910 (18%) were Greeks; the remaining 28,669 were mostly Bulgarians, along with small numbers of Jews and Armenians.<sup>307</sup>

### 3.5.4 First Balkan War and the Peace Treaty of London

In the summer of 1912 armed warfare was surrounding the Balkans. In particular, after the agreement between the Balkan countries (Serbia, Montenegro, Greece and Bulgaria), their relationships with the Ottoman Empire were under threat. This agreement delivered an ultimatum to the Ottoman Empire regarding the safeguarding of the autonomy of the ethnic minorities hosted on Ottoman ground, which were located within the borders of Turkey. However, the Ottoman Empire rejected the ultimatum, which is also known as ‘the four Christian States agreement’;<sup>308</sup> therefore, the armed invasion was unavoidable. The Turkish government characterised the agreement of the four Allies as an audacious attempt to interfere in the interior of the Empire.<sup>309</sup> The first Balkan War began on 8th October 1912 when Montenegro initiated an attack against the Ottoman positions. However, war was formally declared on 9th October 1912<sup>310</sup>, the exact day on which the ultimatum of the Balkan Allies had expired.<sup>311</sup> Nevertheless, the Allied countries started conscripting their

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<sup>307</sup> Lois Whiteman, *Destroying Ethnic Identity: The Turks of Greece* (USA: Human Rights Watch, 1990), p. 2.

<sup>308</sup> The agreement was signed on 5th October 1912 and was delivered at Constantinople by the Ambassadors of the four Christian countries. Nikolaou, p. 202.

<sup>309</sup> Nikolaou, p. 202.

<sup>310</sup> Hall, p. 15.

<sup>311</sup> With the outbreak of the War, the allied army crossed the borders of Thessaly aiming to conquer Macedonia. Initially, in the north, the Greek army faced weak Turkish forces as the main attempt of the Turks was to defend the Bulgarian forces in Thrace. On 6th October 1912 the Greek forces entered the Ellassona area and on the next day they arrived at Sarantaporo, where powerful Turkish forces were defending their territory. The Greek attack started on 9th October and terminated on the next day when the Turks withdrew from the battlefield. Therefore, the Greek army entered Serbia and later advanced by the Aliakmonas River. Hall, 59-60. On 11th October the Greeks arrived at Kozani. The next major battle took place at Yiannitsa (Turk: Yenije Vardar) Lake on 19th and 20th October, where the Turks had ranged strong forces in order to overcome the attempts of the Greek army to capture Thessaloniki. The Greek attack was successful and on 20th October Greeks entered the town of Giannitsa. Finally, the Greek forces crossed the eastern shore of the Axios River

forces five days earlier. The Ottomans suggested a compromise to the Greeks. They proposed to permanently yield to them Crete Island with the condition that Greek forces would not get involved in the war.

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and started preparations for the conquest of Thessaloniki. Hall, p. 60-61. On 18th October 1912 an inconspicuous Greek torpedo boat entered the port of Thessaloniki and blasted the Turkish battleship, which was docked there to protect the city from both land and sea. This fact had a significant impact on the spirit of the defender Turks; something resulted in the decision of Tahsin Pasha to surrender the city to the Greek army. Despite the intentions of the Bulgarians to attack and capture Thessaloniki before the Greeks, on 26th and 27th October 1912 Greek officers at the Thessaloniki headquarters signed the Surrender Protocol of the city to Greece. After the liberation of Thessaloniki, a small force landed at the city of Chimara (Gk: Χειμάρρα) and on 7th December the Macedonian army paraded at the city of Korca (Gk: Κορυτσά). Hall, pp. 61-62. The liberation of the Macedonian region of Khalkidhiki followed, and by the 10th November 1912 the Greeks had extended their forces from Doiran Lake to the Strymon River. In Western Macedonia Greeks faced powerful resistance from a 40,000 Turkish army, who were defending the area of Monastery, which was captured by Serbs. In Epirus, at the beginning of the war operations, the army adopted a defensive role. On 12th October 1912, the Greek forces invaded Filippiada and a few days later on the 21st, the city of Preveza surrendered to the Greeks under the support of the navy. Then, the Greeks were actuated towards Ioannina city, where Essat Pasha and his forces were defending the area. After the battle at the area called Five Wells (Gk: Πέντε Πηγάδια), the Turkish and the Greek forces had stabilised their positions within that region. Finally, the Greek army liberated the city of Ioannina on 22nd February 1913, after they had forced the Turks to capitulate. Hall, pp. 63-64. The Greek fleet, which had provided significant support to the Balkan Allies, had played an important role since the beginning of the war. The Greek navy achieved complete domination of the Aegean Sea. On 8<sup>th</sup> October 1912 the Greeks conquered Lemnos Island and created a naval base for the Greek fleet at Mudros Port. Until 20th December 1912, mixed allied fleets had liberated most of the Islands of the Eastern and Northern Aegean Sea. Hall, pp. 64-66. The other member of the Balkan Allies, Bulgaria, based on their strategies for the war operations, headed south towards Thrace. The city of Saranda (Gk: Άγιοι Σαράντα) was captured without substantial resistance by the Turks and then the Bulgarian forces captured Adrianople on 22nd February 1913 after a long battle. In addition, part of the Bulgarian army headed south-west to conquer the cities of Kavalla and Thessaloniki according to their plans. However, they finally managed to capture the cities of Kavalla and Serres; not Thessaloniki, which had already surrendered to Greece. Hall, pp. 23-25. The Serbian army, on the other hand, headed south and south-east and successively captured the cities of Novipazar, Mitrovitsa, Pristine, Skopje, Bitola, Monastery, Krivolak, Istip and Gevgelija; heading westwards to the Adriatic Sea, the Serbians captured Durres and the northern part of Albania in cooperation with the Montenegrin army. Hall, pp. 45-54.

The Greek Prime Minister Eleftherios Venizelos (1864-1936) had realised the weakness of the Ottoman Empire, which would result in the division of its territories. He therefore attempted to maintain alliances of his country within the Balkan coalition. Since 1911, just before the beginning of the war, all the Balkan countries had been engaged in secret negotiations among themselves, which had led to a series of bilateral agreements and military contracts;<sup>312</sup> even the Great Powers were not informed about the content of these agreements. Geographically, Thrace was the major battlefield of the Balkan Wars. Hence, a large number of armies had been located in the area. Furthermore, the proximity of Constantinople to the Balkans was another factor regarding the movement of a large number of armed populations within the Thrace region; the Ottomans had to protect the imperial city.<sup>313</sup> Adrianople (Turk: Edirne) was one of the most important areas in Thrace; it was the capital of the Adrianople Ottoman province correlated to Thrace. Adrianople and Thessaloniki were the largest cities within the European frontier of the Ottoman Empire. Before the beginning of the war, Adrianople had a diverse population of 76,000 citizens of whom about half were Turkish and the rest were divided into those of Greek, Armenian and Jewish origin. However, the limited number of Bulgarians in the city was the reason that Adrianople was not a major area of interest to Bulgaria.<sup>314</sup>

The First Balkan War ended with the Peace Treaty of London (30th May 1913), which was signed between the winners of the Balkan Allied Powers (Greece, Bulgaria, Montenegro and Serbia) on the one hand and Turkey on the other. The Peace Treaty of London, also known as the 'Balkan-Turkish' Treaty, proclaimed the end of the First Balkan War. However, there were conflicts between the Allied Powers regarding the distribution of the gained territories,<sup>315</sup> and the Peace Treaty of London did not completely resolve the conflicts

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<sup>312</sup> i) Amity and Coalition Treaty of Sofia on 13th March 1912 between Serbia and Bulgaria, ii) Defensive Alliance Treaty of Sofia on 29th May 1912 between Greece and Bulgaria, iii) The Christian Countries of the Eastern Peninsula agreement on 18th August 1912 between Serbia, Bulgaria, Montenegro and Greece. Nikolaou, pp. 189-199.

<sup>313</sup> Hall, p. 22.

<sup>314</sup> Ibid. pp. 38-39.

<sup>315</sup> With this Treaty, all the Western territories between the borderline of Eos (Gk. Αἴωος) and Midia (Gk. Μηδεία) were ceded to the Balkan Allied States, except Albania, which was established as an independent

between the Balkan Allies. Political and territorial issues remained a magnet for further discussions. The establishment of an independent Albanian State denied Serbia access to the Adriatic Sea. Thus, the Serbians breached the intergovernmental agreement which they had signed with Bulgaria regarding the transference to Bulgaria of Serbian territories as compensation. Another reason for the obstacles the Balkan Allies faced was the lack of a Greek-Bulgarian agreement, which would have identified the distribution of the new lands. Therefore, Serbia and Greece were making common preparations in order to prevent any forthcoming threat from their former ally, Bulgaria. However, the need for clarity with regard to the Balkan countries' frontiers played a significant role in the following years and in the way the final Balkan map has been formed.<sup>316</sup>

### **3.5.5 Second Balkan War and the Peace Treaty of Bucharest**

The end of the First Balkan War and the Peace Treaty of London between the Balkan League and the Ottoman Empire did not resolve all the political and territorial issues which the members of the Balkan Allied Powers were facing; indeed, it was the problems of implementing these issues that led to the Second Balkan War. However, the Balkan Allied

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sovereign state. Nikolaou, p. 211. Precisely, the Greek representatives signed this Treaty taking into consideration the obligation which Greece had regarding the border issues of Epirus with the condition that their dominance over the Aegean and Dodecanese Islands, which were already possessed by the Greek army, would be acknowledged; the Greeks already had the support of the British Government regarding their claims over the Aegean and Dodecanese Islands. Nevertheless, after this agreement there were still unresolved Greek and Turkish issues regarding Northern Epirus, the Peninsular and the Mount Athos controversies. Nikolaou, pp. 211-212. In addition, the regions of Macedonia, Epirus, the Aegean Islands and the Island of Samos were assigned to the Greek State and the Treaty clarified Greek suzerainty over Crete. The U.S. Congress with the declaration of 17th May 1920 recognised the sovereign rights of Greece over Northern Epirus. Nikolaou, p. 212. Under the fourth article of this Treaty, Turkey renounced all its sovereign rights over Crete. Finally, the Peace Treaty of London has been characterised by the covenanter members as a preliminary treaty, as each one of the Allied Powers had to agree and sign a particular final treaty with Turkey. The Bulgarian-Turkish Treaty was signed on 10th October 1913; the Greek-Turkish Treaty on 14th November 1913; and finally the Serbian-Turkish Treaty was signed on 14th March 1914; these determined in detail the issues that emerged from the war. Nikolaou, p. 212-13.

<sup>316</sup> Hall, pp. 70-78.



Powers were split between Bulgaria on the one side and Serbia and Greece on the other, regardless of the distribution of the newly acquired territories after the First Balkan War.<sup>317</sup> Serbia and Bulgaria had signed a territorial distribution agreement after the end of the First Balkan War. However, Serbia refused to abide by this agreement after the end of the First Balkan War. According to the distribution agreement, the establishment of an independent Hegemony (Albania) debarred Serbian access to the Adriatic Sea, which caused grievous financial damage to Serbia. On the other hand, Bulgaria insisted on the agreed distribution. In contrast to the Serbian-Bulgarian skirmish, Greece<sup>318</sup> was not subject to the same agreement. Serbia, from its standpoint, recognised the Greek jurisdiction over the new lands based on the Athens Protocol, which was signed between Serbia and Greece in 1913. The Athens Protocol, known also as the 'Koromila-Boskovic Protocol', initiated by the names of the Greek and Serbian representatives, was signed on 5th May 1913. In consonance with the Protocol, the governments of the two countries were obliged to sign within twenty days an Amity and Defensive Alliance Treaty, which was finally signed on the 1st June 1913. Based on the principle of the 'Occupation Effective', the two countries had defined their borders without the Bulgarians' assent. In addition, the Protocol stated that with the proviso that should Bulgaria not agree with the terms of this agreement, Serbia and Greece would propose to Bulgaria that they apply for arbitration. In the event that Bulgaria was adopting a hostile attitude towards Greece and Serbia, the two covenanting States would undertake the obligation to provide mutual military support to one another in order to defend their acquired sovereign privileges. Peace with Bulgaria would not be agreed and maintained independently but only under a common agreement. Finally, Greece offered Serbia options and possibilities to promote Serbia's trade through the port of Thessaloniki for a half century.<sup>319</sup> Bulgaria, however, was trying to banish Greeks from those specific areas in order to establish the Hegemony of the Great Bulgaria, as it was known.<sup>320</sup> The Second Balkan

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<sup>317</sup> Hall, p. 79.

<sup>318</sup> Ibid. pp. 70-78.

<sup>319</sup> Nikolaou, pp. 210-211.

<sup>320</sup> After five centuries of Ottoman rule (1396-1878) and the end of the Russo-Turkish War (1877-1878) the establishment of the new Bulgarian State was a real fact. The boundaries of the new State were defined by the Peace Treaty of San Stefano (March 1878). This Treaty declared the Bulgaria land and borders, which included Moesia, Thrace and Macedonia. The union of those three regions was regarded for generations after 1878 as

War<sup>321</sup> was an armed invasion, which started immediately after the end of the First Balkan War on the 16th June 1913 and lasted until the 18th July 1913. The Second Balkan War involved Bulgaria and the rest of the Balkan League countries, Serbia and Greece. Bulgarians were fighting against their former allies in order to achieve a more favourable distribution of the European territories which had been detached from the Ottoman Empire during the previous war. In addition, Romania and the Ottoman Empire took advantage of the challenging situation between the former Allied Balkan Powers and also fought against Bulgaria for their own political and territorial reasons.<sup>322</sup>

The Second Balkan War ended with the Peace Treaty of Bucharest (10th August 1913), which was signed between Greece, Serbia, Romania, and Montenegro on the one hand and Bulgaria on the other.<sup>323</sup> The negotiations for peace in the Balkans took place at Bucharest, where through conflicting attempts the representatives of the covenanter States were trying to define the Serb-Bulgarian and Greek-Bulgarian frontiers.<sup>324</sup> However, this Treaty did not define the borders between the countries which won the war, but defined only the Bulgarian

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“the Bulgarian national ideal”, “Great Bulgaria” or “Bulgaria on three seas”. However, the San Stefano map never became a political reality. Albena Hranova, ‘History Education and Civic Education: The Bulgarian Case’, *Journal of Social Science Education*, 1 (2011), 33.

<sup>321</sup> The main Bulgarian attack was against Greeks hosted in Thessaloniki. Bulgarian forces during their initial attack in the Nigrita (Gk: Νιγρήτα) area were repelled and embattled between Kilkis (Gk: Κιλκίς) city and the Strymon (Gk: Στρυμόνας) River. Hall, p. 113. In like manner, Bulgarians attacked Serbia at Gevgelija while at the same time they were trying to capture Thessaloniki. Serbian forces had initially subsided under Bulgarian pressure, giving the opportunity to the Bulgarian forces to achieve their fundamental goal, which was to capture the Krivolak area and thereby break the cooperation between the Greeks and the Serbs in this particular area. However, later on, after the Bulgarian attack, the Serbian forces counterattacked to break the progressing Bulgarian march from Serbia’s territory. At the rear, the Serbs managed to enter and capture critical strategic Bulgarian territories. At the other front of the war, the Greek army, having the support of the Cretan Gendarmerie and the residents of Thessaloniki, managed to arrest the Bulgarian units who had been encamped since before the beginning of the war operations against Thessaloniki. Hall, p. 114. Thus, while the divided Bulgarian army was fighting from battlefronts against the Greeks and the Serbs, Romanian and Ottoman forces were marching into Bulgarian territories, and no army resisted against their bravado. Hall, pp. 117-119.

<sup>322</sup> Hall, pp. 77-78.

<sup>323</sup> Nikolaou, p. 222.

<sup>324</sup> Ibid. p. 222.

borders with these countries. Article V of the Treaty acknowledged absolute Greek sovereignty over the entire area of Macedonia. Thus, the surface area of Greek territory had expanded from 63.211 to 120.308 square kilometres. In addition, the population of the Greek State had increased from 2,631,952 to 4,718,221 citizens.<sup>325</sup> On the other hand, the areas of Melenoiko and Nevrokopi of Northern Macedonia and Western Thrace, except for the city of Kavalla, were finally cited under the jurisdiction of Bulgaria. Furthermore, Bulgarians abdicated any of their claims over Crete Island, which under the Treaty of London (1913) had been given to all the Balkan Allies. Moreover, Bulgaria lost the areas of Domvroutsa, Eastern Thrace and Adrianople after the Turkish and Romanian attacks.<sup>326</sup> In addition, the Peace Treaty of Bucharest did not resolve the issue over the Aegean Islands, which 'de facto' belonged to Greece. There was no agreement after the Balkan Wars to clarify the situation over the Aegean Islands. Nevertheless, ethnic Turks did not recognise the union of the Islands with Greece.<sup>327</sup> The Peace Treaty of Bucharest stabilised the conflicts in the Balkans for just a few months, because soon after the end of the Second Balkan War, the Balkan States were again involved with military operations when the First World War started.<sup>328</sup>

### **3.5.6 Consequences on Church territorial jurisdiction in the Balkans after the end of the Wars**

The impact of the Balkan wars and the Peace Treaty of Bucharest had significant consequences for the territorial jurisdiction of the Orthodox Churches which had been previously established in the Balkan Peninsula. The geographical expansion of Greece to the north added to the Greek State the 'New Lands' of Epirus and Macedonia in 1912 and the Northern Aegean Islands and Western Thrace in 1913. These territories were under the direct pastoral and administrative jurisdiction of the Ecumenical Patriarchate before the Balkan Wars. Therefore, with Law 3615 of 1928 in relation to the Patriarchal and Synodal

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<sup>325</sup> Nikolaou, p. 224.

<sup>326</sup> Ibid. p. 226.

<sup>327</sup> Ibid. p. 226.

<sup>328</sup> Ibid. p.227.

Act signed in the same year, the Autocephalous Church of Greece included the Metropolitanates of the 'New Territories' in the northern regions of Greece.<sup>329</sup> In contrast to the Greek situation, the consequences of the Balkan wars were considerably catastrophic for Bulgaria. With the Treaty of Bucharest, the Bulgarian Exarchate Dioceses in the Thracian Ottoman territories (the present day European part of Turkey) had been lost. This event, in addition to the loss of the Dioceses of Ohrid, Bitolya, Veles, Debar and Skopje, which were outside the Bulgarian borders and passed to the Serbian Orthodox Church, has been characterised as the most significant loss of the Bulgarian Church in relation to its territorial jurisdiction.<sup>330</sup> The Diocese of Thessalonica passed to the Greek Church while the Romanian Church took over the Bulgarian Dioceses of southern Dobroudja. Unfortunately, these church jurisdictional changes in the Balkans significantly affected Bulgarian clergy and education. Bulgarian schools were closed in the former Bulgarian territories and Bulgarian priests and teachers were expelled. In addition, the Greek Church lost its dioceses in Bulgaria in the specific regions of Plovdiv and the coast of the Black Sea after 1906, while only the Diocese of Maronia (present day Komotini in Western Thrace) remained under the Bulgarian Exarchate. Finally, with the Treaty of Neuilly signed in November 1919, the Bulgarian Church lost its jurisdiction over the territories of the Dioceses of Strumica, Sofia and Western Thrace but retained the Dioceses of Adrianople and Lozengrad.<sup>331</sup> The end of World War I and the changes of the frontiers of the Balkan states also affected the Romanian Dioceses of this particular area. By the end of 1918, the 'national unitary state' was established by the union with Romania, which consisted of the provinces of Wallachia, Dubrudja, Moldavia, Besarabia, Bukovina, Transylvania, Barat, Crişana and Maramureş. The dioceses of all these areas had previously had their own autonomous church administration and form of organisation. After the creation of the 'national unitary state', the formation of a new common church administrative system was necessary. After a series of negotiations and debates, the new Cults Act was passed in 1928, which stipulated the relations between the Romanian State and the Church as well as with

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<sup>329</sup> Nanakis, pp. 45, 62.

<sup>330</sup> Sabev, 'The Orthodox Church of Bulgaria in the Twentieth Century', p. 90.

<sup>331</sup> Ibid. p. 90.

other religious communities.<sup>332</sup> Finally, by the end of the Balkan Wars the provinces of Kosovo, Metechia and present day FYROM, after their liberation, were annexed to the Metropolitanate of Serbia. On 12th September 1920 the Serbian Church celebrated the re-establishment of the Serbian Patriarchate and the reunion of the Serbian Orthodox Church, which was constituted by twenty-six dioceses.<sup>333</sup> After an intense belligerent period in the Balkans, the territorial upheavals led to the establishment of new national states and the national autocephalous (independent) churches' divestiture from the territorial jurisdiction of the Ecumenical Patriarchate of Constantinople. The Ecumenical dimension and the entity of the Orthodox Church, which had co-existed and been united within the Balkans, being represented by the Church of Constantinople during the Byzantine period right through until the eighteenth century as the Orthodox Church within the Ottoman Empire, had been divided.<sup>334</sup>

### **3.5.7 The period after the Balkan Wars until the Peace Treaty of Serbs**

The end of the Balkan Wars, the active involvement of the Great Powers in the unresolved issues between the Balkan States, the various peace and defensive treaties and the intergovernmental agreements of the Balkan countries with the Ottoman Empire did not reach a final solution to a number of specific political and territorial challenges between the covenanter countries. When the Second Balkan War ended with the Peace Treaty of Bucharest in August 1913, a period of continuous negotiations, conventions, treaties and agreements were signed between the Ottoman Empire, the Balkan States and the Great

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<sup>332</sup> Mircea Păcurariu, 'The Romanian Church in the Twentieth Century', in *The Orthodox Church in Eastern Europe in the Twentieth Century*, ed. by Christine Chaillot (Oxford: Peter Lang, 2011), p. 161.

<sup>333</sup> The re-establishment of the Serbian Patriarchate led to the reunion of the Dioceses of Belgrade, Banja, Luka-Bihać, Bačka, Bitola, Boka, Kotor-Ragusa, Buda, Veles-Debar, Vršac, Gorny Karlovac, Dabar-Bosnia, Dalmayia-Istria, Dorian, Žiča, Zahulmje-Ohrid, Pakrac, Raška,-Prizren, Skopje, Sremski Karlovci, Šabac, Timișoara, Timok and Montenegro-Coastlands, all of which were under the jurisdiction of the Patriarchate of Serbia. Predag Puzović, 'A Short History of the Serbian Orthodox Church in the Twentieth Century in Former Yugoslavia', in *The Orthodox Church in Eastern Europe in the Twentieth Century*, ed. by Christine Chaillot (Oxford: Peter Lang, 2011), pp. 113-115.

<sup>334</sup> Nanakis, pp. 9-10.

Powers in order to mitigate the conflicts which had taken place. This sub-chapter briefly outlines the intergovernmental agreements which followed after the Treaty of Bucharest, highlighting the significance of the Greek-Turkish relations and agreements which led to the First World War; a significant event which established the final political and territorial identity of the Balkans and of the rest of the European countries.

The first treaty, which was signed after the end of the Balkan Wars, was the Treaty of Constantinople (10th October 1913) between Turkey and Bulgaria. This Treaty had been characterised as a Bulgarian-Turkish alliance; a fact which created fear about a possible new Balkan war. The Treaty recognised the Turkish domination over Eastern Thrace, including the city of Adrianople. The Treaty of Athens, which followed, was signed on 14th November 1913 between Turkey and the Balkan States and constituted an end to the belligerent period between these states; however, the Treaty of Athens had no political significance.<sup>335</sup> The diplomatic and consular relations between the covenanter States had been restored after the Second Balkan War, agreeing to maintain a common amnesty. In addition, this treaty ceded extensive rights to the Muslim minority populations of the Balkan countries. Finally, the issues over the Aegean Islands and Mount Athos remained in abeyance. During the diplomatic procedures over the Balkan issues, the Great Powers reiterated their decision to the Greek Government regarding the Albanian borders under the Florence Protocol, which was signed on 13th February 1914. Based on the Florence Protocol, the Great Powers had decided that the cities of Korca, Chimara, Saranda, Gjirokastra, Butrint, Delvino and Sason Island would be under Albanian jurisdiction. They therefore instructed the Greeks to evacuate these territories of Northern Epirus, which had been occupied by Greeks after the capture of Ioannina city on 21st February 1913.<sup>336</sup> These decisions led to an armed rebellion by the Northern Epirus citizens, who proclaimed the autonomy of Northern Epirus. Finally, this Protocol was adjusted to give the Greek State sovereignty over the Islands of Imbros, Tenedos and Kastellorizo.<sup>337</sup>

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<sup>335</sup> Nikolaou, p. 230.

<sup>336</sup> Ibid. p. 233.

<sup>337</sup> Ibid. p. 234.

The politico-economic situation in Europe after the Balkan Wars and the expansionary policy, which many European countries adopted, resulted in an antagonistic environment between them. Particularly, the economic growth of Germany because of the rapid industrial revolution, led to the intensification of the antagonism with Great Britain, as both countries were trying to secure the monopoly of the European markets. At the same time the French “revenge policy”<sup>338</sup> had created tensions in the relations between Germany and France. Austria-Hungary and Russia on the other hand were in negotiations regarding their sovereignty over the newly established Balkan states after the decay of the Ottoman Empire. Russian political plans were based on a pan-Slavic policy over all the Orthodox countries of the Balkans, which was aimed at ultimately establishing Russian access to the Mediterranean Sea; this policy led Germany and Austria-Hungary to follow completely opposite strategies to the Russian policies. These political and economic tensions led to the outbreak of the First World War between the European Powers, which lasted from August 1914 until 11th November 1918. The United Forces, also known as Entente Powers (Great Britain, France, Russia and the United States) defended the Central Powers known also as the Triple Alliance (Germany, Austria-Hungary, Ottoman Empire and Bulgaria). The First World War led to the collapse of the four empires and created radical changes on the European map.<sup>339</sup>

The Armistice Treaty of Moudros (30th October 1918) demanded cessation of hostilities between the Entente Powers and the Ottoman Empire. The terms and the condition of this treaty stressed the opening of the Dardanelles and Bosphorus Straits, the release of war prisoners and the control of the Turkish railway service, which was ceded under the supervision of the Allied Powers. Finally, the area of the Izmir (Gk: Σμύρνη) coast came under Greek sovereignty.<sup>340</sup> The Treaty of Neuilly, which followed the end of the First World War, was signed on 27th November 1919. It concerned Bulgaria, the first of the Central Powers forced to capitulate. However, it was also of particular interest to Greece, since it restored

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<sup>338</sup> At the Franco-German War (1870-1871), France lost the areas of Alsace and Lorraine.

<sup>339</sup> Niall Ferguson, ‘Germany and the Origins of the First World War: New Perspectives’, *The Historical Journal*, 3 (1992), 725-52.

<sup>340</sup> Nikolaou, pp. 257-59.

to Greek sovereignty the areas of Macedonia invaded during the First World War by German and Bulgarian troops. Delegates from twenty-one countries - apart from Bulgaria - attended the conference, in the Town Hall of Neuilly, a suburb of Paris. The conference decided that Greece would recover the territory in Macedonia which had belonged to the Greek jurisdiction before the First World War. On the other hand, Bulgaria would renounce all claims in Western Thrace, in addition to the minority protection policies within Bulgarian borders that the treaty stated. The Neuilly Treaty contained in total 296 relatively brief articles and a large number of appendices and was undoubtedly an agreement of great significance for Greece, since Bulgaria was the greatest political opponent of Greece in the Balkans.<sup>341</sup>

On the Eastern European front, the Greco-Turkish War continued despite attempts at peace. The last period of the Greek-Turkish War (1918-1922) is also known as the Asia Minor campaign. On 10th August 1920 another treaty was signed in France, known as the Treaty of Sevres, which finally brought peace between the Allied Powers and the Ottoman Empire; the Ottomans lost their sovereignty over the majority of their erstwhile territories. The treaty acknowledged Greek sovereignty over the area of Smyrna. However, the Sultan maintained nominal sovereignty of the area, transferring to the Greek authorities all the responsibilities for administration of the area. Furthermore, the Islands of Imbros and Tenedos were ceded to Greece and the Straits of Dardanelles and Marmara Sea were demilitarised.<sup>342</sup> However, the Treaty of Sevres never formally acquired legal status as it was not approved by the governments of the Entente or Greece. The continuous Greco-Turkish conflicts, mainly on territorial issues over Asia Minor, the Aegean Islands and the Dardanelles Straits, were the main reasons that finally led to the Asia Minor Catastrophe. Finally, the Peace Treaty of Lausanne (1923) and the establishment of the Turkish Republic (29th October 1923) determined the territorial 'status quo' between Turkey and Greece.<sup>343</sup>

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<sup>341</sup> Nikolaou, pp. 268-70

<sup>342</sup> Ibid. pp. 278-80.

<sup>343</sup> Ibid. p. 280-84.



### 3.5.8 The Peace Treaty of Lausanne

The collapse of the Asia Minor campaign and the destruction of the Greek forces, ‘the desire to bring to a final close the state of war, which has existed in the East since 1914’,<sup>344</sup> led to a series of long negotiations (20th November 1922 – 24th July 1923) at Lausanne between Great Britain, France, Italy, Japan, Greece, Romania, Serbia and Turkey. An additional factor, which contributed to the series of negotiations before the final agreement of the Peace Treaty of Lausanne, which was signed on 24th of July 1923, was the rejection of the Treaty of Sevres. The Ottoman Empire had previously signed the Treaty of Sevres; however, the Ankara based government of the Turkish national revolutionary group, acting under the command of Mustafa Kemal Atatürk, the first president of the Turkish Republic,<sup>345</sup> refused it. The Treaty of Lausanne in its second article recognised the sovereignty of the Turkish Republic as the successor state to the collapsed Ottoman Empire. The Treaty of Lausanne contributed to the final mapping of the Greco-Turkish borders which were finally defined (Article 2); no changes have been made to that border up to the present day. The 14th Article of the Treaty declares that the Islands of Imbros (Tk: Gökçeada) and Tenedos (Tk: Bozcaada) would remain under Turkish rule; however, a specific administrative organisation was applied for for these two islands. Furthermore, Turkey recognised the Greek sovereignty of Limnos, Lesvos, Chios, Samos and Ikaria Islands. Nevertheless, Greece was to abide by the demand not to place naval or military bases on these islands (Articles 12 and 13). On the other hand, Turkey abdicated any right over the Dodecanese Islands in favour of Italy, according to Article 15 of the Treaty. The status of the Dodecanese Islands was to be defined by the parties involved (Greeks-Italians and Dodecanese representatives).<sup>346</sup> Another Turkish claim, which built tensions in Turkish-Greek relations, was the relocation of the Ecumenical Patriarchate of Constantinople outside the Turkish borders. In addition, with the 1092/1923 Decree, Turkey had for the first time challenged the ecumenical role and identity of the Patriarchate. The Treaty of Lausanne resolved this challenge, stating that the Ecumenical Patriarchate should remain in Constantinople (present day Istanbul). In addition,

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<sup>344</sup> Pentzopoulos, p. 51.

<sup>345</sup> Nikolaou, p. 306.

<sup>346</sup> Ibid. pp. 306-7.

it defined the procedure for the election of the Patriarch, who should have Turkish nationality.<sup>347</sup> The treaty recognised full Turkish sovereignty over the areas of Constantinople, Cilicia and Antalya. Article 20 of the Treaty, which is of utmost importance, states that Turkey recognised the annexation of Cyprus proclaimed by the British Government on 5th November 1914. The present day conflicts between Greece and Turkey over the Aegean Islands remain an issue. Governments appear to be blind to Article 16 of the Peace Treaty of Lausanne, which has already given a solution. Article 16 states that Turkey declares *expressis verbis* disclaimers of any title or any kind of right over the territories or in relation to the territories or the islands, which are beyond the prescribed borders set by the Treaty. However, the Treaty excluded those territories and islands which it had recognised that were under Turkish sovereignty.<sup>348</sup> Articles 38-44 of the Treaty stipulated that the Turkish Government should undertake the obligation to provide full and complete protection of life and liberty to all inhabitants of the country without distinction of birth, nationality, language, race or/and religion. Conjointly, all inhabitants of Turkey have the right to exercise freely in public or private, any creed or religion. Turkish nationals belonging to non-Muslim minorities will enjoy similar political rights as Muslims without distinction of religion and shall be equal before the law.

A component part of the Treaty of Lausanne had already been signed on 30th January 1923. This document ascertained the Exchange of Greek and Turkish Populations, which was the first time in history that a compulsory transfer of a large number of people was officially adopted in order to determine a minority problem based only on the religious identity of the population.<sup>349</sup> According to the Treaty, all Turkish nationals of the Greek Orthodox religion established on Turkish territory other than Constantinople on the one hand and all Greek nationals of Muslim religion established on Greek territory other than the newly-acquired region of Western Thrace on the other were to be forcibly exchanged. Thus, the distinguishing criterion, which had been chosen for compulsory resettlement, was exclusively that of religion. The result calculated that a minimum of 1.3 million Greeks were

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<sup>347</sup> Nikolaou, pp. 307-8.

<sup>348</sup> *Ibid.* p. 309.

<sup>349</sup> Zurcher, 'Greek and Turkish refugees and deportees 1912-1924', p. 4.

expelled from Turkey and some 500,000 Muslims were removed to Turkey from Greece. All were dispossessed of their properties, which in many cases for the Greek refugees were substantial; and this loss of property was subsequently confirmed by the Ankara Treaty of 1930. The negotiations in Lausanne had allowed approximately 150-200,000 Greek Orthodox people to remain in Constantinople and a similar number of Muslims in Western Thrace, who were accordingly recognised officially as the Greek minority of Constantinople and the Muslim minority of Western Thrace.<sup>350</sup> However, the agreement for the exchange of populations created tensions between the Greek and Turkish representatives in terms of the interpretation of the French term ‘Etabli’ (English: established, Turkish: kurulmuş, Greek: εγκατεστημένος). The Greeks argued that the term referred to those citizens who lived in the late Ottoman Empire and particularly in the regions of Constantinople and the Islands of Imbros and Tenedos before the 30th October 1918. In contradiction, the Turks claimed that the term ‘Etabli’ referred to those who were registered at the general register office of Constantinople. The dispute was referred to the International Court of Justice for settlement.<sup>351</sup>

The Peace Treaty of Lausanne signified the end of the Greek-Turkish War and constituted the foundations for peaceful cooperation between the two neighbouring nations. Undoubtedly, the Treaty and the population exchange have had both a negative and positive impact upon the populations of both countries, as well as upon their official diplomatic relations. A question still remains regarding full compliance with the terms of the Treaty by both covenanters, specifically to the aggregations related to minority rights.

### **3.5.9 Ecclesial consequences after the Balkan Wars**

The Balkan Wars, the exchange of populations between Greece and Turkey, and the events of 1922-23, known as the Asia Minor Catastrophe from a Greek perspective, had a significant impact on the structure and the administration of both the Greek Church and the Ecumenical Patriarchate of Constantinople. This extensive expansion of the territories

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<sup>350</sup>Baldwin-Edwards, p.2

<sup>351</sup> Nikolaou, p. 304.

northwards annexed new regions to the Greek State, which had previously been under Ottoman rule. All of these areas had historically and canonically been under the jurisdiction of the Patriarchate of Constantinople, and since the Balkan Wars have been known in ecclesial terms as the dioceses of the New Lands.<sup>352</sup> These exceptional historical conditions of 1922-23 created communicational difficulties between the Patriarchate and its flock among the New Lands; therefore after the Greek State expressed to the Patriarchate that they wanted the transferral of the New Lands dioceses to the jurisdiction of the Greek Church, the Patriarchate decided to assign the administration of these New Lands dioceses to the Autocephalous Church of Greece. However, it did so with the condition that the Patriarchate would maintain its supreme sovereignty and jurisdiction over these lands with the hope that the political situation would improve in the future.<sup>353</sup> After extensive negotiations between the Greek Government and the Synod of the Greek Church on one hand and the Ecumenical Patriarchate on the other, the problematic situation of the dioceses of the New Lands was finally resolved in September 1928 with a Patriarchal and Synodal Act.<sup>354</sup> The Patriarchal Act of 1928 consisted of several conditions,<sup>355</sup> and clearly stated that this decision was made only because of the exceptional situation that prevented direct communication between the Patriarchate and its dioceses in the New Lands. The Ecumenical Patriarchate of

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<sup>352</sup> The region of the New Lands included Epirus, Ellasson, Macedonia, Western Thrace and the North-Eastern Aegean Islands, excluding the Dodecanese, which was not a part of the Greek State until after the Second World War and remained under the ecclesial and administrative jurisdiction of the Ecumenical Patriarchate of Constantinople. Demetrios Kommatas, *The Patriarchal and Synodal Act of 1928: Why the full implementation of its provisions has been obstructed* (Thessalonica: Φωτομέθεξις, 2006), pp. 765-66.

<sup>353</sup> Kommatas, p. 767.

<sup>354</sup> Papatomas, p. 49.

<sup>355</sup> The Act of 1928 specified all the conditions under which the Ecumenical Patriarchate assigned the administration of the dioceses of the New Lands to the Autocephalous Greek Church. Precisely, the most significant clauses clarify i) how the Metropolitans of the New Lands should participate in the Holy Synod and the other administrative bodies, ii) the process of the election of Metropolitans and the right of the Ecumenical Patriarch to propose candidates for the vacant Metropolitanates of the New Lands as well as to ratify the list of the candidates to become Metropolitans, iii) the requirement of the Metropolitans of the New Lands to send annual reports to the Patriarchate and iv) the obligation of the New Lands Metropolitans to commemorate the name of the Ecumenical Patriarch during the Divine Liturgy. Kommatas, pp. 771-772. See also Papatomas, p. 49

Constantinople granted ‘in trust’, that is to say provisionally, the administration of the New Lands dioceses to the Autocephalous Greek Church, maintaining its supreme canonical authority over these regions.<sup>356</sup> Consequently, the Patriarchate of Constantinople maintained its canonical and spiritual jurisdiction and rights over these lands, which was the result of a special ecclesial arrangement with the Church of Greece, an arrangement which was recognised by the Greek State.<sup>357</sup> Unfortunately, despite the fact that the conditions of the Act of 1928 had been clearly defined, the Greek Church tended to systematically ignore them,<sup>358</sup> creating tensions between the two churches until recently, when on 30th April 2004, the extraordinary enlarged Synod of the Ecumenical Patriarchate, summoned by Patriarch Bartholomew, decided to break communion in worship and administration with the Archbishop of Athens and decided not to recognise the elections of the new Metropolitans of the vacant dioceses of the New Lands.<sup>359</sup> This ecclesial crisis has been overcome after the extraordinary meeting of the Holy Synod of the Hierarchy of the Greek Church on 28th May 2004, when it was affirmed that there would be complete adherence to the 1850 Tome and to all of the provisions of the 1928 Patriarchal Act.<sup>360</sup>

The nationalist phenomenon which resulted in the establishment of national churches in the Balkans and other Eastern European countries during the nineteenth century created a unique ecclesial phenomenon in Greece in comparison to all the other Orthodox Churches; it refers to the status, the jurisdiction and the administration of the Church in Greece. The Autocephalous Greek Church has no equal jurisdiction or canonical territorial rights over all the provinces of the country.<sup>361</sup> Precisely the regions of Crete, which was united politically with Greece in 1910 after a period of ten years (1900-1910) that was semi-autonomous, Mount Athos, which reattached to Greece in 1912, and finally the Dodecanese Islands, which were annexed to the Greek State in 1947 after the end of the Second World War, are

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<sup>356</sup> Kommatas, p. 771.

<sup>357</sup> Ibid. p. 773.

<sup>358</sup> Ibid. pp. 773-78.

<sup>359</sup> Ibid. p. 777.

<sup>360</sup> Ibid. pp. 777-78.

<sup>361</sup> Savvatos, ‘Canonical Interpretation of the Patriarchal and Synodal Act of 1928’.

not under the jurisdiction of the Autocephalous Church of Greece.<sup>362</sup> There is therefore no homogeneity in relation to the territorial jurisdiction of the Greek State and the Autocephalous Greek Church. Crete, as an autonomous principality (Cretan Politeia) under Ottoman rule since 1918, had been recognised by the Ecumenical Patriarchate as a semi-autonomous church in 1900, having special ecclesial status. Crete was divided into nine dioceses and governed by a provisional synod which was based at Herakleion and presided over by the Metropolitan of Herakleion.<sup>363</sup> From 1967 onwards the Metropolitanate of Crete was raised to an Archdiocese by the Ecumenical Patriarchate and renamed as the Archdiocese of Crete; accordingly the Metropolitan of Crete became the Archbishop of Crete. The Archbishop and the Metropolitans of the Cretan Archdiocese are nominated by the Patriarchate of Constantinople and up to the present day the Orthodox Church of Crete (Law 4149 of 1961) functions as a semi-autocephalous church and is considered a canonical jurisdiction of the Patriarchate of Constantinople.<sup>364</sup>

The ecclesial status of the Dodecanese Islands did not change after the end of the Second World War, when these Islands were liberated and annexed to the Greek State in 1947. The Dodecanese region consists of five Metropolitanates. From a political point of view these Islands were part of the Ottoman Empire until 1912 and under Italian occupation from 1920. With the 1920 Treaty of Sevres and the 1923 Treaty of Lausanne the Dodecanese were annexed directly to Italy. The attempts of the Italian Government to organise and establish, in cooperation with the Patriarchates of Alexandria and Constantinople, an autocephalous Orthodox Church of the Dodecanese and of the other Greek communities which were under Italian rule were not successful. The Patriarchate of Constantinople is the supreme ecclesial authority of the Dodecanese Metropolitanates; it elects the Metropolitans who participate in the Patriarchal Synod, and exercises direct administration over these dioceses; these are known as the 'second level'.<sup>365</sup>

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<sup>362</sup> Papathomas, pp. 63-4.

<sup>363</sup> Papathomas, p. 63 and Savvatos, Canonical Interpretation of the Patriarchal and Synodal Act of 1928'.

<sup>364</sup> Papathomas, p.63.

<sup>365</sup> Ibid. pp. 63-4.

The third Greek region which is not under the jurisdiction of the Autocephalous Greek Church is the monastic peninsula of Mount Athos. The special legal regime of Mount Athos is in constant use since its liberation from the Ottomans in 1912; especially during the preliminary negotiations of the Treaty of London in 1913; in addition, the Ambassadors' Conference which was held in London in the same year, has upheld its legal status until the present day.<sup>366</sup> In 1924 a committee of five eminent Athonite monks prepared a 'Charter for the Holy Mountain of Athos', which codified the regulations and the administrative dispositions based not only on written sources but also from tradition and customary usage; the Athonite Assembly, known as the double Synaxis, approved this Charter during the same year, which thereafter has been officially approved by the Greek State.<sup>367</sup> After the establishment of the Greek State the political and ecclesial governance of Mount Athos was defined by all the changes of the Hellenic Constitution (1926, 1927, 1948, 1952, 1968 and 1975) safeguarding the autonomous administration of its institutions. The Patriarchal and Synodal Act of 1928, however, did not include any regulations for the Athonite community. According to the Constitution of 1975 (Article 105),<sup>368</sup> the Athos peninsula has a self-governing administrative system. A prefect-governor is appointed by the State having specific duties which are defined by law; the twenty monastery representatives (Abbots) have been granted specific privileges and all monasteries are autonomous in relation to property rights and management both within and outside the Athos peninsula. The fact that transnational and European treaties and agreements<sup>369</sup> include special arrangements for the

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<sup>366</sup> George Patrinely, 'Mount Athos: International Status and Legal Framework' <<http://www.macedonian-heritage.gr/Athos/General/LegalStatus.htm>> [accessed 10 August 2014].

<sup>367</sup> Ibid.

<sup>368</sup> The Hellenic Constitution of 1975 was revised by the Greek Parliament on 27th May 2008 without any changes to Article 105 of the Constitution, which defines the political and ecclesial status of the Athos peninsula.

<sup>369</sup> Treaties of Berlin in 1878, Bucharest in 1913, Séves in 1920, Lausanne in 1923 and EU Declarations after Greek membership of the European Economic Community in 1979, see Ioannis Konidarares 'Holy Mountain and the State', To Vima, 21st February 2010 <<http://www.tovima.gr/opinions/article/?aid=316462>> [accessed 22 February 2010].

Athonite Community signifies the importance of its legal, ecclesial and administration status.<sup>370</sup>

### **3.5.10 Church-State relations in modern Greece**

Many scholars argue that one of the essential characteristics of a democratic regime is the separation of church and state. In addition, there is the impression that the elected governors of a democratic institution require sufficient autonomy in order to make policy that is within the bounds of the constitution and which cannot be contested or overruled by non-elected religious leaders or institutions.<sup>371</sup> Nevertheless, there is confusion in this statement; the separation between church and state, and the fact that the function of a civil state might be affected by religious leaders, are completely different issues. All religious communities and groups should enjoy the legal protection of the state even if a particular religion is the dominant religion of a specific state, or even if it is only a religious minority. Article 18 of the Universal Declaration of Human Rights states that:

“(...) everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community, with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.”

It is therefore the obligation of the official state to safeguard and guarantee for every individual all these rights in relation to religious freedom.

The present political and religious circumstances in Greece define these rights but on the other hand, there is also a strong relationship between the Greek State and the Orthodox

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<sup>370</sup> Papatomas, pp. 64-5. For detailed policies in relation to Mount Athos property ownership see Efi Demopoulou et al, ‘Ecclesiastical and monastic property : Ownership status and land uses of the Holy Mountain’, 2013, National Polytechnic University of Athens  
<<http://dspace.lib.ntua.gr/handle/123456789/8232>> [accessed 26 February 2014].

<sup>371</sup> Stepan, ‘The World’s Religious Systems and Democracy: Clarifying the ‘Twin Tolerations’’.



Church<sup>372</sup>. The regime of the Greek State is the Presidential Parliamentary Democracy. A developed democratic political system originated from the Greek word democracy (Gk. Δημοκρατία), which literally refers to a governmental system consisting of the whole population of a state, typically through elected representatives.<sup>373</sup> While there is no universally accepted definition of democracy, equality and freedom have both been identified as important values in a democratic regime since ancient times. These principles are reflected in all eligible citizens being equal before the law and having equal access to legislative processes. The legal framework that defines contemporary relations between the church and the state in Greece is set out in the Constitution of 1975, which came into effect after seven years of dictatorship, and the re-return to a democratic regime. The Greek Constitution, even prior to its principal articles about the political regime of Greece, makes an introductory invocation of the name of the Holy and Consubstantial and Undivided Trinity (Gk. Εἰς τὸ ὄνομα τῆς Ἁγίας καὶ Ὁμοουσίου καὶ Ἀδιαιρέτου Τριάδας);<sup>374</sup> this point demonstrates the strong relationship between the Greek State and the Christian Orthodox Church, and has existed without any alternations since the formation of the first Constitution of Modern Greece. It is of great significance that this relationship is built upon the principles of the relation between religion and national identity.<sup>375</sup> One of the most important changes that the Constitution of 1975 introduced was the condition that the President of the Republic should be Christian Orthodox and should take an oath to ‘protect’ the Greek Orthodox faith.<sup>376</sup> In addition, the clause that forbade proselytism was transferred from Article 3 to

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<sup>372</sup> For authoritative account about the relationships between the State and particular autocephalous Orthodox Churches see the work of Aristeides Papadakis, ‘The Historical Tradition of Church-State Relations under Orthodoxy’, pp. 37-58 and Theofanis G. Stavrou, ‘The Orthodox Church of Greece’, pp. 183-207, in *Eastern Christianity and Politics in the Twentieth Century* ed. by Pedro Ramet (USA: Duke University Press, 1988).

<sup>373</sup> Soanes, C. and Stevenson, A. *Oxford Dictionary of English*, 2nd edn, rev. (Oxford: Oxford University Press, 2005), p. 462.

<sup>374</sup> The Greek Constitution (Athens: Printing and Publishing Directorate of the Greek Parliament, 2010).

<sup>375</sup> Effie Fokas, ‘A new role for the Church? Reassessing the place of religion in the Greek public sphere’, *Hellenic Observatory*, 17 (2008), 13.

<sup>376</sup> The president’s oath no longer pledges protection of the Orthodox faith, but it does make reference to the deity. There is no alternative oath, as is provided for members of Parliament in Article 59 of the 1975 Constitution. Panagiotis Demetropoulos, *State and Church: a Difficult Relationship* (Athens: Kritiki, 2001), p. 67.

Article 13, mainly referring to human rights. Furthermore, Article 3 of the Greek Constitution promulgates that the prevailing religion in Greece is the religion of the Eastern Orthodox Church of Christ.<sup>377</sup> In other words, the Greek Orthodox Christian religion is officially recognised and protected by the Greek Constitution, which affirms the legal institutional entity of the Greek Orthodox Church. In addition, Article 13 signifies the freedom of religious conscience, which is characterised as a privileged human right.<sup>378</sup> In terms of the exercise of worship, Article 13 states that every known religion is free and its functions are protected by the Law. However, Article 13 concludes with the statement that the exercise of worship shall not offend public order and moral ethics. Finally, in relation to the officially recognised Muslim minority based in Western Trace, as well as to other Muslim populations located in major Greek urban centres and the islands of the Aegean Sea, the Greek Constitution makes specific reference to these religious groups. Based on the Greek Constitution, it is clear that Muslim and Christian Orthodox populations as well as the members of other known religions - there is a lack of clarification regarding the term 'known religions' - may exercise freely their religion without however offending public order and moral ethics. As belonging to a State Church, the clergy of the Orthodox Church of Greece, pastors and lay employees of the Orthodox Church, as well as the Imams of Western Thrace, receive their salaries and pensions from the State. Official national holidays are based on the religious calendar, in order that the special feast days of the Greek Orthodox Church are recognised as official national holidays.<sup>379</sup> The actual role of the Greek politicians themselves is of great significance in relation to Church-State links through their own participation and contributions to religious feasts, celebrations and functions, and especially during election campaigns.<sup>380</sup>

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<sup>377</sup> Fokas, 'A new role for the Church? Reassessing the place of religion in the Greek public sphere', p.14.

<sup>378</sup> Charalambos Papastathis, 'State and church in Greece', in G.Robbers, *State and Church in the European Union*, (Baden-Baden: Nomos Verlagsgesellschaft, 1996), p. 84.

<sup>379</sup> Ioannis Konidares, 'The legal parameters of church and state relations in Greece', in T. Couloumbis, T. Kariotis, and F. Bellou, *Greece in the Twentieth Century* (London: Frank Cass, 2003), pp.223-35.

<sup>380</sup> See Nikos Kokosalakis, 'Religion and modernization in 19th century Greece', *Social Compass*, 34 (1987), 223-42; 'Greek Orthodoxy and modern socio-economic change', in R. Roberts, *Religion and the Transformation of Capitalism* (London: Routledge, 1995), pp.248-65; 'Orthodoxie grecque, modernité et politique', in G. Davie and D. Hervieu-Léger, *Identités religieuses en Europe* (Paris: La Découverte, 1996),

In relation to the Greek legislation and the Autocephalous Greek Church, it is important to mention that since its 'ex parte' proclamation of independence, the Church has undoubtedly faced administrative difficulties due to the direct intervention of the State in ecclesial affairs. Between 1863 and 1913 the Church was headed by George of Denmark as the King of Greece and had to follow specific royal governmental policies. However, interventionism by the State was widespread and created obstacles to the organisation of the Holy Synod, which did not actually have an independent administrative body in charge to deal with ecclesial affairs. Moreover, the Greek Church had no official contact with other churches; there was no social church action and, finally, pastoral care and duties were neglected. This environment created the phenomenon of politeiocracy (Gk. Πολιτειοκρατία) over church affairs; that is to say absolute State intervention in internal and public ecclesial affairs.<sup>381</sup>

The initiatives of the Archbishop of Athens, Chrysostomos Papadopoulos, in relation to the improvement of Church administration in 1923, resulted in the formation of a new Church Constitution, the Charter of 1923. This Charter established the Holy Synod of the Hierarchy as the supreme authority of the Greek Church, consisting of all the bishops and presided over by the Archbishop of Athens. The weakness, however, of that Synodal model was to gather all the bishops together in Athens at the same time. Therefore, two years later in 1925, another administrative body was constituted, the permanent Holy Synod, as the executive synodal body of the Holy Synod of the Hierarchy. The permanent Holy Synod was made by its president, the Archbishop of Athens, and twelve other bishops, whose

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pp.131-51; 'Orthodoxy and social change in modern Greek society', *Synaksi*, 62 (1997), 101-8; Theofanis Stavrou, 'The Orthodox Church and political culture in Greece', in D. Constan and T. Stavrou, *Greece Prepares for the Twenty-first Century* (Washington, D.C.: Woodrow Wilson Center Press, 1995), pp. 35-54; Nicolas Demertzis, 'La place de la religion dans la culture politique grecque', in S. Mappa, *Puissance et Impuissance de l'Etat: les Pouvoirs en Question en Nord et au Sud* (Paris: Karthala, 1996), pp.233-44; Vassiliki Georgiadou, 'Greek Orthodoxy and the politics of nationalism', *International Journal of Politics, Culture and Society*, 2 (1995), 307-10; Antonis Paparizos, 'Du caractère religieux de l'état grec moderne', *Ilu revista de ciencias de las religiones*, 3 (1998), 183-207.

<sup>381</sup> Papathomas, pp. 40-41.

office lasted for one year, with their positions thereafter filled by other bishops.<sup>382</sup> This is the Church administrative system that is still used in Greece. These ecclesial reforms in 1923 significantly improved church affairs but the establishment of a canonical foundation in order to allow the Greek Church to function alongside the State came nearly half a century later in 1974, when the dictatorship was abolished.

Church properties were and still are another problematic issue that has created conflict between the Greek Government and the Church since the beginning of the autocephaly. On several occasions during the twentieth century the state has confiscated Church properties. The most significant event took place in 1952, when the State confiscated three-quarters of all the Church's assets in order to assist those who had been affected the most by the Second World War and the Civil War that followed between 1941 and 1949. However, the nationalisation of the Church properties was sometimes agreed by the Church. One of these agreements was the exchange of Church properties for the payment of clergy salaries; Greek priests of all ranks have had the same status as that of civil servants since 1910.<sup>383</sup>

### **3.5.11 Religious Education in Modern Greece**

The Greek War of Independence and the priorities to organise the newly independent Greek Kingdom in relation to the four centuries of slavery of the Greek nation had significant implications for the educational system of Greece, where the governors also had to fight against the illiteracy of the population. In addition, the majority of the Greek clergy lacked adequate and solid theological education. From 1828 onwards some initiatives by Ioannis Kapodistrias to establish Church secondary schools and academies had started to improve the educational condition for both the clergy and the laity, according to Western contemporary educational standards.<sup>384</sup> Particularly, in relation to Religious Education,

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<sup>382</sup> Papatomas. pp. 47-48.

<sup>383</sup> Ibid. pp. 44-5. See also the work of Panagiotes Demetropoulos, 'Church Property: The Great Unknown' in *Church and State: A Challenging Relation* (Athens: Kritiki, 2001), pp. 211-28.

<sup>384</sup> Emmanuel Perselis, 'Religious Education Greece: Its Origin, Development and Future with special reference to Religious Education England', *Theologia*, 2 (1979), 504.

Kapodistrias showed a great interest, introducing the teaching of religion as a subject into primary schools giving it priority among the other humanities.<sup>385</sup> The independence and the establishment of the National Church in Greece not only affected the administrative system of the Church; State intervention in ecclesial affairs also affected religious education; the Greek Church therefore completely lost control over educational matters. The State was responsible for setting up the objectives and the aims of Religious Education, while the Church maintained a supervisory role in relation to Orthodox principles, dogma and tradition of the teaching context. Because of this situation, Religious Education lost its ecclesial dimension; the only direct relation which was maintained was the students' compulsory participation in worship on specific feast days.<sup>386</sup> The first Greek university, dedicated to the first Greek Governor, (Kapodistriako University of Athens) was founded in Athens in 1837, and the faculty of Theology was established the same year; however, the faculty of Theology only started to function properly during the last decade of the nineteenth century. A second faculty of Theology was established in 1942 at the University of Thessalonica.<sup>387</sup>

The movement of the 'Christian Brotherhoods' (Gk. Χριστιανικές Αδελφότητες) or Religious Brotherhoods<sup>388</sup> by the end of the nineteenth century and the beginning of the twentieth during the time that parts of Greece continued to gain their independence from the Ottomans, played a significant role in the formation of Religious Education, pastoral care and the organisation of spiritual Christian life. The members of the Religious Brotherhoods

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<sup>385</sup> Perselis, p. 504.

<sup>386</sup> Ibid. p.505.

<sup>387</sup> Papathomas, p. 41.

<sup>388</sup> The most predominant of these movements was the 'Brotherhood of Life' (Zoe, Gk. Ζωή), which was founded in 1907. Zoe was presented as an urban and social monastic movement having an active role within Greek society. On the level of methodology, Zoe was inspired by German pietism and Western missionaries but maintained the principles of the Orthodox faith. The main purpose of Zoe was the modernisation and reformation of Greek society through the strengthening of Christian Orthodox values and faith. During the Second World War, almost all the charitable missionary organisations were under the direction of Zoe. It is of great significance that despite the conflicts between these movements and the Church hierarchy, many Greek bishops affiliated themselves with these brotherhoods. Papathomas, pp. 41-2.

were engaged in various activities in Greece and they developed clergy training within the framework of the Church, teaching, preaching, leading school and youth groups, and publishing. This secular movement however created tensions between the brotherhoods and the hierarchy of the Church.<sup>389</sup>

Another significant aspect of education policies in modern Greece is the specific educational system related to the Muslim minority of Western Thrace. This minority group in Greece is unique and enjoys a special educational status. Muslims of Western Thrace are educated in their mother tongue using their own language at school,<sup>390</sup> according to the 1968 Cultural Protocol, which provides the right to use the mother tongue in minority education. According to the Lausanne Treaty, Article 40(1) established the framework and the principles of minority education of Muslims in Western Thrace.<sup>391</sup> Minority schools have legal status, which is based on a mixed legal status,<sup>392</sup> and which is related to both state and private education. Therefore, all minority schools are administered and function based on a semi-autonomous status. Greek legislation, with Laws No. 694 and 695 of 1977 illustrates the basic structure of minority education.<sup>393</sup> In addition, it is important to mention that the members of the Muslim minority of Western Thrace have the option to register their children in Greek-speaking State schools. However, a problematic aspect of secondary education still exists for Muslim students who decide to study in Greek high schools. Competition with their fellow Christian students is challenging because of their inadequate

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<sup>389</sup> Papathomas, p. 42.

<sup>390</sup> Memorandum of the Greek Government to the General Secretary of the League of Nations on the Status of the Muslim Minority in Western Thrace, 'Comparative Examination of the Implementation of the Minority Provisions of the Treaty of Lausanne in Greece and Turkey', 5 March 1925, LN/C. 130.1925 VII.

<sup>391</sup> Tsitselikis, *The International and European Status for the Protection of Linguistic Minority Rights and the Greek Legal Order*, pp. 361–362; Kiriakos N. Kiriazopoulos, *Restrictions in the Freedom of Teaching Minority Religions* (Thessaloniki: Sakkoulas publications, 1999), pp. 343–45.

<sup>392</sup> Pangiotis Poulis, 'The Legal Framework of Operation of the Minority Schools in Western Thrace', *Dikoitiki Diki*, 5 (1994), 1001–17.

<sup>393</sup> Law No. 694 of 1977, 'In Regard to the Minority Schools of the Muslim Minority of Western Thrace', FEK A' (1977) No. 264; and Law No. 695 of 1977, 'In Regard to the Regulation of any Issues Concerning the Educational and Administrative Personnel of the Minority Schools and the Special Pedagogical Academy of Thessaloniki', FEK A' (1997) No. 264.

knowledge of the Greek language; a condition that the cultural and linguistic aspects of the minority educational system have created.<sup>394</sup> In addition, the fact that there are only two minority high schools in the wider region of Western Thrace creates difficulties for Muslim students in obtaining easy access to secondary education.<sup>395</sup> Finally, there are some positive political developments in relation to the higher education of Muslim students. The previous system of accessing higher education had tended to lead to the exclusion of Turkish-speaking students from study at Greek universities.<sup>396</sup> Law No. 2341 of 1995 and its provisions, which gave the right to the Minister of Education and Religious Affairs to consider admitting Muslim students to state universities and technical institutions<sup>397</sup> has overcome the obstacles in relation to the knowledge of the Greek language that had created difficulties for those Muslim students who wished to study at Greek universities.<sup>398</sup>

### 3.6 Conclusion

The establishment of the Autocephalous Greek Orthodox Church in 1833 was undoubtedly the most significant event in the recent history of the Greek Church and especially during the twentieth century, which has been characterised by the nationalist political movement. This un-canonical act inspired other Balkan nationalists, who accordingly decided to establish autocephalous churches in the wider area of South-Eastern Europe after their liberation from Ottoman rule, which had decreased the territorial, administrative and canonical rights of the Ecumenical Patriarchate of Constantinople. However, the

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<sup>394</sup> Evagelia Tressou, 'The Minority Education in Western Thrace', *Contemporary Issues*, 63 (1997), 49–53.

<sup>395</sup> Eleni Kanakikou, *The Education of the Muslim Minority in Western Thrace: Critique of the Educational System and General Suggestions* (Athens: Ellinika Grammata, 1997), pp. 95–6.

<sup>396</sup> According to Legal Decree No. 460 of 10th August 1983, the language of national exams for study at university level was Greek. Thus, because of poor knowledge of the Greek language most minority students decided to continue their higher education at universities in Turkey.

<sup>397</sup> Law No. 2341 of 1995, 'Regulations of Issues of the Educational Personnel of the Minority Schools of Thrace and the Special Pedagogical Academy of Thessaloniki and other Provisions', FEK A' (1995).

<sup>398</sup> Law No. 2341 of 1995, 'Regulations of Issues of the Educational Personnel of the Minority Schools of Thrace and the Special Pedagogical Academy of Thessaloniki and other Provisions', FEK A' (1995).

development of the Orthodox Church in the region of the Greek peninsula is the result of the continuous political, ethnographic, religious and cultural changes. The gradual movement for independence of the Greek Church from the Mother Church, the Patriarchate of Constantinople during the nineteenth century, developed during the twentieth century into a church that was under the absolute authority of state representatives, who in many instances intervened in ecclesial affairs, especially during the years 1923 and 1974, while political and church leaders were trying to establish a peaceful relational environment between the state and the church. It is important to mention that the liberation of particular Greek territories at different periods of the twentieth century and their subsequent union with Greece (New Lands in 1919; Crete in 1910; Mount Athos in 1912; and Dodecanese Islands in 1947), created a unique ecclesial phenomenon in relation to the territorial jurisdiction of the Greek Orthodox Church because prior to their liberation these lands had been under the ecclesial authority and administration of the Ecumenical Patriarchate of Constantinople. These political changes and the territorial union of Greece did not however bring territorial ecclesial union over the Greek peninsula. The administration of the dioceses of the New Lands have been assigned 'in trust' to the Autocephalous Church of Greece by the Ecumenical Patriarchate, which still maintains its supreme sovereignty and jurisdiction over these particular territories. The Church of Crete on the other hand is semi-autocephalous and is considered as a canonical jurisdiction of the Patriarchate of Constantinople, while Mount Athos and the North Aegean islands are under the direct and canonical jurisdiction of the Constantinopolitan Church. The three dictatorships of 1925, 1936 and 1967, in addition to the consequences of the Second World War, strengthened state interventionism into ecclesial matters and created a challenging situation between the state and the prevailing Christian faith of the country. The new Constitution of 1975, in addition to the 1977 Statutory Charter of the Church of Greece, established the actual role of the Orthodox Church in Greek society, giving self-governing privilege to the Church; it defined the roles of both parties, highlighting the aspects of common Church and State actions for the benefit of the Greek nation. The development of Church-State relations during the twentieth century in relation to the prevailing situation in modern Greece reveal that religious freedom cannot be achieved in a simple manner as a matter of conformity to constitutional and international norms only, especially when there is a strong active relationship between a particular religion and a



particular national identity. However, Orthodoxy has played a significant role in forming religious identity in Modern Greek society. Religious Education in Greek primary and secondary schools was and still is compulsory for all students (with minor exemptions for non-Christian families) since the establishment of the Greek State during the nineteenth century. The education policies applied in Western Thrace have been set up with the 1923 Treaty of Lausanne; despite the disputes over the last decades between Greece and Turkey, the Greek authorities have initiated improvements to the circumstances and conditions of the minority educational system. However, there are still grounds for further educational developments in relation to the educational needs of the Muslim minority of Western Thrace, which Greek authorities should always consider.

## Chapter 4

### Modern historical context of the states of Greece and Turkey as it relates to the minority question

#### 4.1 Introduction

The question of minorities<sup>399</sup> among the post-Ottoman States has had a great influence on the specific foreign policies followed by each particular country and has without doubt deep roots in history. The coexistence of minority and majority religious groups therefore creates an environment of religious pluralism within society. On the other hand, the religious identity of a particular state is actually a feature of national and international affairs in modern societies.<sup>400</sup> A large amount of contemporary research has been conducted by sociologists of religion, who have investigated the role that religion plays among immigrant groups in relation to the ways that these groups maintain group identity and solidarity. Furthermore, the investigation of the connection between religion and ethnic identity has revealed the continuing significance of religion in preserving and understanding cultural and ethnic traditions. It should be noted that some immigrant religious communities place more emphasis on religious identity among their members than on their ethnic background, whereas others stress their ethnic identity, relying primarily on religious foundations in order to preserve their culture, tradition and ethnic customs and boundaries.<sup>401</sup> This chapter examines the question of religious minorities as well as state religious identity in the context

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<sup>399</sup> The term 'minority' refers to a group of people which in numbers is lower when compared to the rest of the population of a particular state or a region, whereas the term 'religious' refers to different religious characteristics including ethics and customs when compared to those of the majority of the population. This can be perceived to the extent that a 'religious minority' is defined as a group of individuals which is lower in numbers when compared to the rest of the population of a state, and bases its claims for identity on the particularities of its religious convictions. Richard Étienne and Pascal Tozzi, pp. 3-4.

<sup>400</sup> Oliver-Dee Sean, *Religion and Identity* (London: Theos, 2009), p. 11.

<sup>401</sup> Lori Peek, 'Becoming Muslim: The Development of a Religious Identity', *Sociology of Religion* 3 (2005), 218.

of modern Greece and Turkey.<sup>402</sup>

Modern Greece is demographically a homogeneous country.<sup>403</sup> Approximately 95% of Greek citizens are defined as ethnic Greeks.<sup>404</sup> This homogeneity of the Greek population<sup>405</sup> is related to the common language and religion of the population and it is the result of two population exchanges<sup>406</sup> and several wars that followed, in addition to particular domestic policies whose objectives were to establish a national state. The official religion of the Greek State is that of the Eastern Orthodox Church of Christ as defined by Article 3 of the Greek Constitution.<sup>407</sup> The Muslim community of Western Thrace<sup>408</sup> is the only official

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<sup>402</sup> A succinct description of the issue of minorities in Greece and Turkey was formulated in 2010 by a Resolution of the Parliamentary Assembly of the Council of Europe. Council of Europe, Parliamentary Assembly, Resolution 1704 (2010), Freedom of Religion and Other Human Rights of Non-Muslim Minorities in Turkey and for the Muslim Minority in Thrace (Eastern Greece) <<http://assembly.coe.int/Main.asp?link=/Documents/AdoptedText/ta10/ERES1704.htm>> [accessed 12 April 2015]. (stating “the Parliamentary Assembly is aware that—heavily influenced by History—the question of the religious minorities in Greece and in Turkey is emotionally very highly charged. It notes that the tenor of bilateral relations between Greece and Turkey during the 20<sup>th</sup> century largely determined the treatment of their respective minorities.”).

<sup>403</sup> Richard Clogg, *Concise History of Greece* (Cambridge: Cambridge University Press, 1992), p. 238.

<sup>404</sup> See Christos L. Rozakis, ‘The International Protection of Minorities in Greece, in Greece’ in *Greece in a Changing Europe*, ed. by Featherstone and Ifantis (Manchester: Manchester University Press, 1996), p. 97. Information on Greece contained in the US State Department’s International Religious Freedom Report 2011 provides a higher estimate. According to the Report, close to 95% of the population identifies itself as Greek Orthodox. U.S. Department of State, International Religious Freedom Report 2011: Greece <<http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm#wrapper>> [accessed 19 April 2015].

<sup>405</sup> According to the 2011 census, the legal population of the country, in other words those who have been legally registered at local registry offices, is 9,903,268 persons. Press Release, Greek Statistical Service, Census of 2011 (July 31, 2012) <[http://www.statistics.gr/portal/page/portal/ESYE/BUCKET/General/NWS\\_CENSUS\\_310712\\_GR.pdf](http://www.statistics.gr/portal/page/portal/ESYE/BUCKET/General/NWS_CENSUS_310712_GR.pdf)> [accessed 22 April 2015].

<sup>406</sup> During the periods of 1912 and 1923, the Greek population was re-configured through two population exchanges. The voluntary population exchange of 1919 between Greece and Bulgaria and the 1923 compulsory population exchange between Greece and Turkey. Ioannis N. Grigoriadis, ‘On the Europeanization of Minority Rights Protection: Comparing the Cases of Greece and Turkey’, *Mediterranean Politics*, 24 (2008).

<sup>407</sup> The Greek Constitution. (Athens: Printing and Publishing Directorate of the Greek Parliament, 2010), p.19.

religious minority which the Greek State recognises, and its minority status is defined and safeguarded by Section III of the Treaty of Lausanne.<sup>409</sup> However, there are other smaller religious and linguistic communities, which complete the multicultural minority situation in the country. Legal literature classifies the minorities in Greece into two main groups: religious and linguistic. Among the religious communities the estimated population of Old Calendarists is about 500,000;<sup>410</sup> 50,000 Greek Catholics; 30,000 Protestants; and approximately 5,000 Jews. Another heterogeneous group, which numbers between 200,000 and 300,000, comprises migrant settlers from Western Europe, creating the situation of a shifting population. On the other hand, among the linguistic groups there are Arvanites; Albanians;<sup>411</sup> Vlachs, whose language is Romanian; and Roma. Moreover, the Slavo-Macedonian population of the country, the so-called 'Macedonian minority'<sup>412</sup> has been described as both a linguistic and an ethnic group.<sup>413</sup> It is of great significance that the

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<sup>408</sup> The registered population of Western Thrace, which comprises the regions of Xanthi, Rodopi, and Evros, numbers 365,816 persons. There are no available recent statistics about the Muslim minority due to the restrictions on data analysis, which are related to ethnicity and religion. The census of 2001 indicated that the population of Western Thrace was 355,571 persons, while 85,000 of them were registered as members of the Muslim minority. Greek Statistical Service, General Secretariat of the National Statistical Service of Greece <<http://www.statistics.gr>> [accessed 29 April 2015].

<sup>409</sup> Christina Borou, 'The Muslim Minority of Western Thrace in Greece: An Internal Positive or an Internal Negative "Other"?', *Journal of Muslim Minority Affairs*, 1 (2009), 5.

<sup>410</sup> For detailed information about Greek Old Calendarists see the work of Dimitri Kitsikis, *The Old Calendarists and the Rise of Religious Conservatism in Greece* (California: Centre for Traditional Orthodox Studies, 1994).

<sup>411</sup> The Albanian Muslim group known as Çhams lived in the region of Epirus in North-Western Greece. For detailed information about this minority group see the important work of Eleftheria Manta, *The Chams of Albania and the Greek State (1923-1945)*, *Journal of Muslim Minority Affairs*, 4, (2009), 523-35 and the work of Lambros Baltiotis, 'The Muslim Chams of Northwestern Greece: The grounds for the expulsion of a "non-existent" minority community', *European Journal of Turkish Studies*, 12 (2011).

<sup>412</sup> Greece undoubtedly acknowledges an individual's right to self-identification. However, Greek authorities refuse to recognise that a distinct ethnic or linguistic minority exists within the Greek borders with the name 'Macedonian'. The recognition of a 'Macedonian minority' imposes challenging political ramifications for Greece, which are related to public security and public order. Theresa Papademetriou, *Greece: Status of Minorities* (Global Legal Research Center: The Law Library of Congress, 2012), pp. 3-4.

<sup>413</sup> Papademetriou, p. 17.

minority issue is a highly sensitive matter in the Greek political sphere, especially when it relates to the Muslim minority of Western Thrace. Therefore, there is no accessible data for the public official statistics in relation to minorities for this reason; statistical data disclosing information about minority communities in Greece are provided only after a strict and lengthy bureaucratic procedure.<sup>414</sup> In addition, the Greek Statistical Service has not included any questions in order to record linguistic and religious preferences of the minorities since 1951, a policy that discourages public discussions on issues related to religious, ethnic and linguistic diversity in modern Greek society.<sup>415</sup>

#### **4.2 The Muslim Minority of Western Thrace and other minority communities in present day Greece**

The official position of all Greek governments since the establishment of the Modern Greek State is that there is no ethnic or linguistic minority in Greece except the Muslim minority of Western Thrace.<sup>416</sup> Greek officials argue that the Muslim minority<sup>417</sup> of the country, which

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<sup>414</sup> Borou, pp. 5-6.

<sup>415</sup> Greece is among several other EU countries (Belgium, France, Germany, Netherlands, and Sweden) that do not collect data on the ethnic, religious, or linguistic aspects of their populations, because such a declaration would contravene the law on personal data protection. Processing of personal data related to an ethnic, cultural, or religious minority must be in conformity with Article 8 of the Charter of Fundamental Rights, Convention No. 108 for the Protection of Individuals with Regard to Automatic Processing of Personal Data <<http://conventions.coe.int/Treaty/en/Treaties/Html/108.htm>> [accessed 19 February 2015], and Directive 95/46/EC on the Protection of Individuals with Regard to the Processing of Personal Data and on the Free Movement of Such Data <<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:1995:281:0031:0050:EN:PDF>> [accessed 16 May 2015]. For more information on the tension arising from carrying out a census and asking people about their affiliation with minorities, see E.U. Network of Independent Experts on Fundamental Rights, Thematic Comment No. 3: The Protection of Minorities in the European Union, at 12 (Apr. 25, 2005). See also the work of Christos Rozakis, p. 98.

<sup>416</sup> See App., Comments of the Greek Authorities, in Report by Thomas Hammarberg, Commissioner for Human Rights of the Council of Europe, following his visit to Greece on 8–10 December 2008, Issue Reviewed: Human Rights of Minorities (hereinafter the Hammarberg Report), Comm DH (2009) 9 <[http://www.coe.int/t/commissioner/Activities/countryreports\\_en.asp](http://www.coe.int/t/commissioner/Activities/countryreports_en.asp)> [accessed 23 May 2015].

numbers approximately 100,000 persons in comparison to 362,000<sup>418</sup> Muslims who live outside of the borders of Western Thrace, consists of three groups.<sup>419</sup> The first group, which constitutes the majority of the minority population (50%), has Turkish origin; the second is composed of Pomaks, whose mother tongue is a Slavic dialect, constituting 35% of the population; and finally Roma is the third group, representing the remaining 15% of the total minority population.<sup>420</sup> Each one of the three groups is characterised by its own cultural background and specific origin, while the only common element among the population of the minority is that of religion. It is important to mention that Greece acknowledges that the majority of the Muslim minority population has Turkish origin (Gk. Τουρκογενείς) and they are not considered as ethnic Turks (Gk. Τούρκοι). This is the commonly accepted term to define Turkish citizens; while on the other hand Greece does not recognise the existence of an ethnic Turkish minority in Western Thrace.<sup>421</sup> Members of the Muslim minority who have a Turkish ethnic background argued before the European Court for Human Rights about the right of self-identification as a ‘Turkish’ minority. However, Greece has claimed that the Treaty of Lausanne recognises that there is only a Muslim minority in the region of Thrace and not a Turkish one. This stance of the Greek authorities has many practical consequences. For example, when Muslim associations try to register as ‘Turkish’, Greek courts deny their registration and, in many cases, these associations are commanded to close down based on principles of public security and public order.<sup>422</sup> It is worth mentioning that

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<sup>417</sup> See the work of Ronald Meinardus, ‘Muslims: Turks, Pomaks and Gypsies’, in *Minorities in Greece: Aspects of Plural Society*, ed. by Richard Clogg (London: C. Hurst & Co. Ltd, 2002), pp. 81-93.

<sup>418</sup> This number includes Muslim immigrants who originated from Balkan States and the Middle East, who have migrated to Greece since 1989 onwards because of the political and economic challenges they were facing in their mother countries. Stefanos Katsikas, ‘Muslim Minority in Greek Historiography: A Distorted Story?’, *European History Quarterly*, 2 (2012), 444.

<sup>419</sup> See also information provided by Greece in Report Submitted to the Committee on the Elimination of Racial Discrimination under Article 9 of the International Convention on the Elimination of all Forms of Racial Discrimination (CERD) (Nineteenth Periodic Report) at 8 (Mar. 27, 2008).

<sup>420</sup> Katsikas, ‘Muslim Minority in Greek Historiography: A Distorted Story?’, p. 449.

<sup>421</sup> Alexis Alexandris, ‘Religion or Ethnicity: The Identity Issue of the Minorities in Greece and Turkey’, in *Crossing the Aegean: An Appraisal of the 1923 Compulsory Population Exchange between Greece and Turkey*, ed. by Renée Hirschon (Studies in Forced Migration: Berghahn Books, 2003), p. 117.

<sup>422</sup> Papademetriou, p. 3.

until the beginning of the 1990s, administrative interventions by the Greek authorities into Muslim minority affairs had, in many instances, significant consequences upon the minority, resulting in socio-economic and political isolation.<sup>423</sup> However, in the case of the Muslim minority of Western Thrace, Turkey as a neighbouring country to Greece and as a 'kin state',<sup>424</sup> watches the interests of the minority through the Turkish Consulate, which is based in Komotini.<sup>425</sup> On the other hand, Greece oversees the situation and the conditions of the Greek minority in Turkey through the Greek Ministry of Foreign Affairs. The attachment of both the Muslim and the Greek minorities to Turkey and Greece correspondingly, which are their kin states, is undoubtedly attributed to historical, cultural, and religious aspects. The 1923 Treaty of Lausanne sets out the legal framework of the Muslim minority,<sup>426</sup> which identifies on one hand the rights and obligations of the Greek State in relation to the Muslim minority of Western Thrace, and for the non-Muslim minority in Turkey on the other, while establishing the boundaries between modern Turkey and Greece. The legal status of the Muslim minority is defined and based on the Convention on the compulsory exchange of populations between Greece and Turkey, which was signed in Lausanne in January 1923,<sup>427</sup>

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<sup>423</sup> Dia Anagnostou, 'Collective Rights and State Security in the New Europe: The Lausanne Treaty in Western Thrace and the Debate About Minority Protection', in *Security Dilemmas in Eurasia*, ed. by Constantine Arvanitopoulos (Athens: Institute of International Relations, Panteios University of Social and Political Science, 1999), p. 131.

<sup>424</sup> The European Commission for Democracy through Law, known as the Venice Commission in its 2001 Report, discussed the notion of the 'kin-state'. This Report was adopted on 19th-20th October 2001. In this Report, 'on the preferential treatment of national minorities by their kin-state', and under the principle that neighbouring countries should have and maintain good relations, the Venice Commission concluded that the primary responsibility for the protection of minorities is an obligation of the home states which accommodate minority groups within their borders, while kin-states play a significant role towards the protection of the cultural and linguistic characteristics of their kin-minorities. Simina Elena Tănăsescu, 'Treatment of Nationals by their Kin-States: The Romanian Case', *Transylvanian Review of Administrative Sciences*, 25E (2009), 157.

<sup>425</sup> Official website of the Turkish Consulate General in Komotini, Western Thrace, Greece  
<<http://www.embassypages.com/missions/embassy15280/>> [accessed 02 February 2015].

<sup>426</sup> Treaty of Peace with Turkey signed at Lausanne, July 24, 1923, 'The Treaties of Peace 1919-1923', *Carnegie Endowment for International Peace*, 2 (1924).

<sup>427</sup> Compulsory exchange of Turkish nationals of the Greek Orthodox Religion established in Turkish territory, and of Greek nationals of the Muslim religion established in the Greek territory. The areas of Istanbul and Western Thrace were exempted. Michael Barutciski, 'Lausanne Revisited Population Exchanges in

and on the Treaty of Lausanne signed in July 1923. The Convention, which was based only on the religious background of the exchanged populations, exempted from the compulsory exchange Muslim Greek citizens who lived in Western Thrace and those Greek Orthodox Turkish citizens who were residing in Istanbul and on the Islands of Imbros (Tk. Gökçeada) and Tenedos (Tk. Bozcaada).<sup>428</sup> Furthermore, Greece is obliged to protect the rights of the Muslim minority without any particular geographic limitations. According to a verdict of the Supreme Court of Greece (Gk. Άρειος Πάγος), the regulations of the Lausanne Treaty apply to the entire Greek territory. The only exception is for Muslims living in the Dodecanese Islands. This group is not considered to be a minority.<sup>429</sup> However, Greece officially supports the position that the provisions of the Treaty of Lausanne in relation to territorial aspects are limited and refer only to the Muslim minority population that strictly resides within the borders of Western Thrace.<sup>430</sup> A central debatable issue between Turkey and Greece in relation to the Treaty of Lausanne is the clause of reciprocity.<sup>431</sup> Both the Turkish

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International Law and Policy', in *Crossing the Aegean: An appraisal of the 1923 compulsory population exchange between Greece and Turkey* ed. by Renée Hirschon, (USA: Berghahn Books, 2004), pp. 23-38. Close to 360,000 Muslim Greeks left Greece to settle in Turkey while approximately 106,000 Muslims remained in Thrace and became Greek citizens. Papademetriou, p.26.

<sup>428</sup> Reneé Hirschom, *Crossing the Aegean: An appraisal of the 1923 compulsory population exchange between Greece and Turkey*.

<sup>429</sup> The Peace Treaty of Paris signed in Paris on 10th February 1947 between Italy and the countries of the Second World War formally ended the hostilities and came into general effect on 15th September 1947. John Grant and Craig Barker, *International Criminal Law Deskbook* (Routledge: Cavendish Publishing, 2006), p. 130. It is of great significance to mention that when the Dodecanese Islands were annexed to Greece, there were close to 5,000 Muslims who were Greek citizens on the Islands of Kos and Rhodes. These Muslims are not considered to be a minority. Papademetriou, p. 26.

<sup>430</sup> Papademetriou, p. 2.

<sup>431</sup> In relation to reciprocity, the Treaty of Lausanne established the principle of reciprocity in positive terms; however, it has been applied negatively in both countries. The Turkish Constitutional Court has interpreted Section III of the Treaty of Lausanne in accordance with the principle of reciprocity, stating that Turkey will respect the rights of minorities conferred by this Treaty as long as Greece respects them. This interpretation seems to be incompatible with Article 45 of the Treaty which provides for parallel rather than interdependent responsibilities vis-à-vis each State, and Article 60 § 5 of the Vienna Convention on Treaty Law which prohibits the reciprocity principle in the field of human rights. The recurrent use by both the Greek and Turkish States, of the reciprocity principle to refuse to implement the rights secured for their respective minorities



and Greek States have used and interpreted extensively the clause of reciprocity,<sup>432</sup> which is related mainly to religious freedom, to the educational policies of the minorities, and to the functional organisation and property rights of religious foundations, which are known as vakfs.<sup>433</sup> Nevertheless, the issue of reciprocity is an important aspect of Muslim-Christian relations in post-Ottoman States, and addresses positive Muslim responses to Christian friendship and partnership and vice versa.<sup>434</sup> Jacques Waardenburg has stressed the importance of reciprocity for the development of Muslim-Christian relations in the modern world: ‘What seems to be needed for Muslim-Christian relations nowadays is reciprocity, action and reaction, speech and response. Reciprocity may be the key term in these relations, as well as in the study of them.’<sup>435</sup>

The right to education for minorities is in general one of the significant elements that equips minority groups to maintain their cultural, ethnic, linguistic, and religious features. The EU Charter for Regional or Minority Languages states, in Article 8, that in relation to regional demographic reality, an appropriate level of use of a language should be sought that will fulfil the needs of a particular minority group accordingly. In that way, the number of individuals in a specific region who use a particular language, and who therefore have

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under the Treaty of Lausanne is not acceptable in the light of international human rights law; it is anachronistic, and finally detrimental to national cohesion. It seems that each State is in fact punishing its own citizens. It would therefore be desirable for Greece and Turkey to treat all their citizens without discrimination, at all administrative and judicial levels, regardless of the manner in which the neighbouring state might treat its own citizens. The Committee on Legal Affairs and Human Rights of the Council of Europe, ‘Freedom of religion and other human rights for non-Muslim minorities in Turkey and for the Muslim minority in Thrace (Eastern Greece)’, Document No: 11860, 21 April 2009, pp. 9-10.

<sup>432</sup> An example of an event displaying positive reciprocity occurred in 1949 when both Greek and Turkish Governments allowed their minority populations to elect the board members of their minority foundations. Kurban and Tsitselikis, p. 9.

<sup>433</sup> Papademetriou, p. 8.

<sup>434</sup> For the issue of reciprocity in the post-Vatican II scene see the work of Richard J. Sudworth, ‘The Church of England and Islam: contemporary Anglican Christian-Muslim relations and the politico-theological question, 1988-2012’ (unpublished doctoral thesis, University of London, Heythrop College, 2013), pp. 69-70.

<sup>435</sup> Jacques Waardenburg, ‘Critical Issues in Muslim-Christian Relations: theoretical, practical, dialogical, scholarly’, *Islam and Christian-Muslim Relations*, 1 (1997), 24.

linguistic homogeneity, illustrates the quality and level of the policies that should be applied in order to accommodate the cultural and linguistic needs of the population.<sup>436</sup> Education, particularly for minorities, is a complicated issue in Greece. Greece follows an education policy of minorities, which is based on a combination of intergovernmental agreements and protocols. Precisely, Articles 40 and 41 of the 1923 Treaty of Lausanne,<sup>437</sup> the 1968 Cultural Protocol, and finally the 2001 Agreement on Cultural Cooperation between Turkey and Greece, shape aspects of minority education.<sup>438</sup> Specifically, Article 40 of the Agreement on Cultural Cooperation states that the Muslim minority has the right to establish and administer schools and educational centres for instruction and educational purposes. These establishments have the right to use their own preferred language; however, they are operating without the financial support of the Greek Government. Through the implementation of these three agreements, Greece has formed an educational policy for the Muslim minority, adopting a number of particular legislations, which safeguard and protect religious freedom and ethnic identity; in addition, they operate minority schools under the principles of reciprocity between the two countries.<sup>439</sup> The actual purpose and function of the minority schools are related to the physical, mental, and moral developmental of minority students. In Greece 198 elementary schools have been established primarily for the Muslim minority, where students are taught in both the Greek and Turkish languages

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<sup>436</sup> Iris Kalliopi Boussiakou, 'The Educational Rights of the Muslim Minority under Greek Law', *Journal on Ethnopolitics and Minority Issues in Europe*, 1 (2007), 3.

<sup>437</sup> Konstantinos Tsitselikis, *The International and European Status for the Protection of Linguistic Minority Rights and the Greek Legal Order*, pp. 361–62; Kiriazopoulos, 343–45. See also Ministerial Decision No. Z2/0210 of 24 December 1987, "In Regard to the Registration of Muslim Students of the Religious Schools in Ehinós and Xanthi into Christian High Schools" (unpublished); Law No. 2621 of 23 June 1998, "In Regard to the Regulation of the Organization and Function of Technological Educational Institutions and Other Provisions", FEK A' (1996) No. 136; and Ministerial Decision No. C2/5560 of 25 November 1999, "The School Programme of the Religious Minority Schools", FEK B' (1999) No. 2162. The right to establish and manage private schools or other educational institutions is also found in Article 16(8) of the Constitution and Law No. 682 of 1977, "In Regard to the Private Schools of General Education and School Accommodation", FEK A' (1977) No. 224.

<sup>438</sup> Boussiakou. 'The Educational Rights of the Muslim Minority under Greek Law', pp. 3-5.

<sup>439</sup> Papademetriou, p.34. See also Konstantinos Tsitselikis and Lambros Baltsiotes, *Minority Education in Thrace [Η Μειονοτική Εκπαίδευση της Θράκης]*, (Athens: Sakkoula Publications, 2001).

depending on particular subjects. Religious Education is taught by qualified teachers who are experts in the subject of religion. Other subjects, such as the Greek language, History and Geography, are taught in Greek; while for other subjects, such as Mathematics, Physics and Religion, curriculums have been designed in Turkish. All the elementary schools have private status and are administered by elected school committees. Moreover, Celar Bayar High School in Komotini and Muzaffer High School in Xanthi, and another two religious schools, have been established.<sup>440</sup> However, Greece argues that under the regulations of the Lausanne Treaty, the governmental obligation is to offer bilingual education during primary school only. Nonetheless, modern educational circumstances demand that basic education should be both primary and secondary. The existence of only two minority high schools in Western Thrace has led many Muslim students to refuse to complete the nine-year mandatory education.<sup>441</sup> In relation to the appointment of teachers in elementary education, a total number of 436 teachers teach in the educational programme of the minority programme and 544 teachers in the Greek-speaking programme. The working status of all teachers is that of civil servants, and therefore they receive their salaries from the State through the Ministry of National Education and Religious Affairs. The Turkish Ministry of Education provides textbooks and teaching materials which are used for the minority programme, while Greece provides the appropriate schoolbooks used for the Greek programme. Regarding the number of teaching staff in high schools, there are 37 teachers for the minority programme and 70 Greek-speaking teachers. An important educational development for the minority was the adoption of Turkish as a second language during the academic year 2007-2008 and thereafter. Other educational developments include classes for adult education and counselling services for Roma families; there are also some optional courses for Muslim parents in order to develop their Greek language skills and be familiar with Greek civilisation.<sup>442</sup> Some minority representatives have raised the issue of training

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<sup>440</sup> Association of Western Thrace Minority University Graduates, *Minority Education in Greece: The Case of Western Thrace Turks* (Oct. 1, 2008) <<http://www.osce.org/odihr/33832>> [accessed 19 May 2015]. See also Dimitris Christopoulos and Konstantinos Tsitselikis, 'Legal Aspects of Religious and Linguistic Otherness in Greece Treatment of Minorities and Omogeneis in Greece: Relics and Challenges', *History and Culture of South Eastern Europe*, 5 (2003), 81–93.

<sup>441</sup> Boussiakou, 'The Educational Rights of the Muslim Minority under Greek Law', pp. 10-11.

<sup>442</sup> Papademetriou, pp. 34-35.

for Muslim minority individuals to become qualified teachers in order to accommodate the educational needs of minority schools. They argue that there is inadequate training offered by the Teachers Academy in Thessaloniki. This Academy offers a two-year or maximum three-year training programme for Turkish language teachers, in contradiction to other academies for teachers, which offer full four-year training courses. Finally, in relation to opportunities offered to Muslim students to enter Higher Education, since 1996 onwards, the Ministry of National Education and Religious Affairs has adopted a quota of 0.5% in order to offer spaces to minority students. Therefore, minority students have to compete among themselves, not with all the other students, in a nationwide exam which determines successful entry to Higher Education.<sup>443</sup>

Pomaks<sup>444</sup> are the second group of people; ‘a minority’ group within the Muslim minority of Western Thrace. Pomaks are a mountainous population currently inhabiting five Balkan countries: Bulgaria, Greece, FYROM, Albania, and Turkey. They live across the area of Greek-Bulgarian borders in the southern areas of the Rhodope Mountains.<sup>445</sup> Pomaks of Greece are considered as Slavophone Islamised Greeks. According to a popular theory, Pomaks are descendants of ancient Thracians, who then turned Slav and in a later period converted to Islam during Ottoman rule.<sup>446</sup> However, the identical Slav language and the common culture and tradition confirm the axiomatic fact that Pomaks are of Bulgarian origin.<sup>447</sup> The majority of Pomaks are Sunni Muslim.<sup>448</sup> Official information about the exact

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<sup>443</sup> Papademetriou, p.35.

<sup>444</sup> See the important work of Ömar Turan, ‘Pomaks, their present and Past’, *Journal of Muslim Minority Affairs*, 1 (1999), 69-83.

<sup>445</sup> Mainardus, ‘Muslims: Turks, Pomaks and Gypsies’, p. 83; Georgieva, p. 303. See also the work of Alexiev Bozhidar, pp. 57–113 and Mario Apostolov, pp. 727–42.

<sup>446</sup> Meinardus, p. 83. Another theory, based on Turkish historiographers, states that Pomaks have Turkish origins and are descended from the Turks, who, during the eleventh and twelfth centuries settled in the Balkan Peninsula. In addition, a different theory associates Pomaks with the migration of nomads during the eighth and ninth centuries because of their revolts against Umayyad Iran. All these different versions about the origin of the Pomaks identify them as Turks who came to the Balkans several centuries before the Ottoman invasion during the fourteenth century. Georgieva, p. 304.

<sup>447</sup> In addition, rich information through Ottoman sources demonstrates the latter theory about Pomaks' Bulgarian origin. The earliest evidence of Muslims in Rhodope comes from an Ottoman tax register office

number of Pomaks living in Greece has not been published. According to some estimates, the total Pomak population of Greece numbers approximately 30,000 persons,<sup>449</sup> while other accounts estimate that this number is higher.<sup>450</sup> It is said that Greek Pomaks are the last non-literate people in Europe.<sup>451</sup> It is important to note how Pomaks identify their ethnic background nowadays despite the characteristics that scholars attribute to them. During the Second World War and the outbreak of the Cold War in the late 1940s the Bulgarian occupation of Western Thrace had been considered by the Greek conservative government as a significant communist threat coming from the north. The policy that Greece followed in order to minimise this potential threat had a significant impact on the Pomak population. The objective aim of this ‘anti-Bulgarian’ policy, which had the support of the Turkish government, was the systematic ‘Turkification’ of the Pomaks.<sup>452</sup> In addition to this policy, the fact that the Turkish language is used primarily throughout the minority schools led the Pomaks of Greece to feel like Turks through their development of closer ties with ethnic Turks and Turkey.<sup>453</sup>

The European Commission on the Elimination of Racial Discrimination considers Roma as the biggest ethnic minority within the European borders. The majority of Roma are citizens of the European Union. Currently, among all the twenty-seven EU Member States, the estimated total number of the Roma population is between ten and twelve million and most of them are citizens of the European Union.<sup>454</sup> Roma are the third minority group within the

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between 1499 and 1502. The residents of the area had Bulgarian names, while the registrar defined them as ‘infidel’ (Tk. raya). Georgieva, p. 304

<sup>448</sup> James Minahan, *Encyclopaedia of the Stateless Nations: Ethnic and National Groups around the World* (Westport: Greenwood Publishing Group, 2002), p. 1517.

<sup>449</sup> Meinardus, p.83.

<sup>450</sup> Experts estimate that the total number of Pomaks living in the Balkans is about 500,000. According to them, a number between 80,000 and 120,000 live in Albania; 40,000 each in FYROM and Greece; and finally between 150,000 and 200,000 Pomaks live in Bulgaria. Georgieva, p. 304.

<sup>451</sup> Georgieva, p. 304.

<sup>452</sup> Meinardus, pp. 87-88.

<sup>453</sup> Papademetriou, p.29

<sup>454</sup> Ibid. p.18.

Muslim minority of Western Thrace, and are located mainly at the border with the Turkish region of Evros. Figures for the Roma population of Western Thrace vary between 5,000 and 18,000.<sup>455</sup> According to official estimates, the Roma population is approximately 250,000 – 300,000, among all the Greek regions; they are mostly Muslims, especially in the region of Western Thrace; this is the result of the continuing and increasing influence of the Turkish Consulate of Komotini upon the minority.<sup>456</sup> A large number of Roma are located in the urban centres of Athens and Peloponnese.<sup>457</sup> According to the Lausanne Treaty of 1923, the Roma population of Western Thrace has minority status, while those who live in other Greek regions are considered by the Greek government as a ‘vulnerable group.’<sup>458</sup> In Greece, Islam is the religion that most of the Roma follow and practise and they speak the Romani dialect. A significant number of Muslim Roma are self-identified with Turkey, having close connections with the Turkish Consulate General in Komotini, while others express their loyalty to Greece, the country which accommodates them.<sup>459</sup> Roma religious identity has therefore been politicised and connected with the different state actors.

#### **4.2.1 The Roman Catholic community**

One of the important religious communities in Greece is the Catholic community. The presence and origin of the Catholic community in the Greek peninsula has a long history. The Bishoprics of East Illyricum,<sup>460</sup> known geographically as Hellas, were under the

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<sup>455</sup> Meinardus, pp. 83-84.

<sup>456</sup> Kurban and Tsitselikis, p. 13.

<sup>457</sup> Committee on the Elimination of Racial Discrimination, Reports Submitted by States Parties Under Article 9 of the Convention: Greece, 7 (March 27, 2008), U.N. Doc. CERD/C/GRC/16-19 <<http://www.unhcr.org/refworld/publisher,CERD,STATEPARTIESREP,,4aa7b7562,0.html>> [accessed 29 January 2015].

<sup>458</sup> Papademetriou, p.17.

<sup>459</sup> Ibid. p.18.

<sup>460</sup> The political administrative division of the Roman Empire in the Eastern and Western halves of the Empire, which Constantine the Great introduced, annexed to the East Illyricum Prefecture the main provinces of Greece, Macedonia, Thessaly and Epirus. Aggelopoulos, ‘The Church of Thessalonica between Rome and Constantinople in the past and between Constantinople and Athens in the present in the spirit of St. Photius’.

jurisdiction of Rome until 395,<sup>461</sup> being under the supervision of the Bishop of Rome without a particular decision or canon,<sup>462</sup> and retaining this administrative status until 732/733 when the ecclesial administration of the territories of Eastern Illyricum were transferred to Constantinople.<sup>463</sup> The majority of the Greek Catholic population live in Athens, the Greek Capital, on the Aegean Islands of Syros and Tinos, and on Corfu Island of the Ionian Sea. Smaller Catholic communities, which have only a few members, can also be found in Crete, Santorini and Rhodes Islands, in Patras, Macedonia and Volos.<sup>464</sup> The estimated number of traditional Greek Catholics is approximately 50,000.<sup>465</sup> Furthermore, immigration has increased the Catholic population in Greece. The Polish and the Filipinos are the largest emigrant communities, with approximately 80,000 and 40,000 members respectively. In addition, there is a significant number of immigrant Catholics, about 45,000 originating from Iraq, Ukraine, Africa and Asia.<sup>466</sup> The majority of Catholics practise the Latin Rite, while about 5,000 members of the Catholic Church in Greece follow the Eastern Rite.<sup>467</sup>

The legal status of the Roman Catholic Church in Greece is challenging and complicated. In 1994 the Supreme Court of Greece dealt with two important cases related to the legal status of the Catholic Church. However, it is important to mention that all the foundations, Bishoprics and monasteries of the Catholic Church established prior to the foundation of the

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<sup>461</sup> Papadopoulos, *History of the Church of Greece*, pp. 17-18.

<sup>462</sup> Ibid. p. 19.

<sup>463</sup> Aggelopoulos, *The Church of Thessalonica between Rome and Constantinople in the past and between Constantinople and Athens in the present in the spirit of St. Photius*.

<sup>464</sup> Greek Helsinki Monitor & Minority Rights Group-Greece (2002), 'Religious Freedom in Greece' <[http://www.greekhelsinki.gr/bhr/english/organizations/ghm\\_mrgg\\_religious\\_freedom\\_2002.rtf](http://www.greekhelsinki.gr/bhr/english/organizations/ghm_mrgg_religious_freedom_2002.rtf)> [accessed 03 February 2015].

<sup>465</sup> Papademetriou, p. 17.

<sup>466</sup> Vasilis Angouras, 'Minorities in South East Europe: Catholics of Greece', (Center for Documentation and Information on Minorities in Europe - Southeast Europe, 2002), p. 2.

<sup>467</sup> Angouras, p. 3. The Eastern Rite is attributed to the Churches of Eastern Christendom, which are in ecclesial communion with Rome while retaining their own languages, rites and canon law according to the conditions of their union. Cross and Livingstone, p. 1669.

Kingdom of Greece in 1830 have full recognition as legal entities<sup>468</sup> and have no obligation to fulfil any other legal requirements.<sup>469</sup> The cases that the Supreme Court dealt with referred to the application of canon law to the personal status of the Greek Roman Catholics<sup>470</sup> and also to the question of whether the Roman Catholic Church of Greece and all of its foundations have legal personality.<sup>471</sup> It is still unclear whether the Catholic Church

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<sup>468</sup> The Treaty of 1864, signed in London, provided protection for religious freedom, making special reference to the Catholics of the Ionian Islands, and safeguarded the political and civil equality of individuals from different religions and denominations other than Greek Orthodox. The Treaty of London of March 29th 1864, available at <[http://www.mfa.gr/images/docs/diethneis\\_symvaseis/1864\\_london\\_treaty.doc](http://www.mfa.gr/images/docs/diethneis_symvaseis/1864_london_treaty.doc)> [accessed 23 February 2015].

<sup>469</sup> Georgios Androutsopoulos, *Religious Freedom in the Supreme Court [Η Θρησκευτική Ελευθερία κατά τη νομολογία του Αρείου Πάγου]* (Thessaloniki: Sakkoula Publications, 2010), p. 119.

<sup>470</sup> Androutsopoulos, p.128.

<sup>471</sup> The case initially arose in the Canea district of Crete. The local Catholic Church took legal action against its neighbours because they had broken down a part of the Church's surrounding wall. The defendants argued that the Roman Catholic Church has no legal personality and therefore lacked legal representation before the court. On an appeal, the court in Canea stated that the Treaty of Sèvres guarantees freedom of religion and worship to all, regardless of religious denomination. However, the court argued that in order to acquire legal personality every religious denomination should comply with specific legal requirements, something that the Catholic Church in Canea did not fulfil; therefore, canon law that regulates the status of the Church had not been adopted. The Catholic Church complained before the European Court of Human Rights, claiming that the denial of the Church's recognition as a legal personality was a discriminatory decision in relation to its rights to have a representation to the courts, freedom of religious belief, and the protection of its possessions. Greece's argument was based on the prevailing domestic legislation, which was not compliant with the Church's position in order to acquire legal personality. The ECHR did not accept the Greek argument, claiming that the restriction of the Church's right of representation to a court constituted a violation of Article 6 of the European Convention of Human Rights. The Court highlighted that similar restrictions are not imposed either on the Orthodox Church or on the Jewish community, which, as legal entities, enjoy the right to take legal action in order to protect their property rights in a court. Therefore, the ECHR held that in relation to the complaint of the Canea Catholic Church, there was a violation of Article 14 of the European Convention because of different treatment without the existence of objective and reasonable justification. The above decision led Greece to comply, enacting Law No. 2731/1999, [465]. However, the status of those legal entities which were established after 1946 is still unclear because this amendment provision does not clarify or provide any information about their fate. Papademetriou, pp. 85-86.



is a public law entity similar to the Orthodox Church of Greece, a private law entity as a foundation, or an entity having a particular legal status.<sup>472</sup>

#### 4.2.2 The Armenian community

The origin of the Armenian element among the Greek territories dates back to the late nineteenth century. Precisely, by the end of the 1870s and the beginning of the 1880s, the Armenian officials of the Ottoman Administration, together with the employees of foreign companies, moved with their families to Thessaloniki.<sup>473</sup> Furthermore, during the last decade of the nineteenth century, and especially after the events at Kum Kapi in Constantinople, hundreds of Armenian refugees settled on the East Aegean Islands. Finally, the dramatic events of the Armenian Genocide<sup>474</sup> of 1915 led a significant number of Armenians to seek refuge in Athens, Piraeus and Crete.<sup>475</sup> An important document by the Ministry of Foreign Affairs of 1930 stated that close to 80,000 Armenians migrated to Greece especially after the Asia Minor Catastrophe and the war of 1919–1922 that followed between Greece and Turkey.<sup>476</sup>

There is no exact figure for the number of Armenians who currently live in Greece. According to the data provided by the Armenian Church in Greece, the Armenian community in Greece is estimated to be between 50,000 and 70,000. On the other hand,

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<sup>472</sup> For the Roman Catholic community in Greece see also the important work of Charles Frazee, ‘Catholics’, in *Minorities in Greece: Aspects of Plural Society*, ed. by Richard Clogg (London: C. Hurst & Co. Ltd, 2002), pp. 24–47.

<sup>473</sup> Ioannis Hassiotis, ‘Armenians’, in *Minorities in Greece: Aspects of Plural Society*, ed. by Richard Clogg (London: C. Hurst & Co. Ltd, 2002), p. 95.

<sup>474</sup> For the Armenian Genocide see the work of Vahakn N. Dadrian, *The History of the Armenian Genocide: Ethnic Conflict from the Balkans to Anatolia to the Caucasus*, (Providence: Berghahn Books, 1995).

<sup>475</sup> Ioannis Hassiotis, ‘The Greek and the Armenian Massacres (1890-1896)’, *Neohellenika*, 4 (1981), 87-99, 96-109.

<sup>476</sup> Lena Divani, ‘The Impact of the Minority System of the League of Nations in Greece: A Perspective of the Ministry of Foreign Affairs’, in Konstantinos Tsitselikis and Dimitris Christopoulos, *The Minority Phenomenon in Greece [Το Μειονοτικό Φαινόμενο στην Ελλάδα]* (Athens: Kritiki Publications, 1997), p. 177. For a historical account of the Asia Minor Catastrophe, see the work of Pentzopoulos, p. 45

according to the estimates of the Greek Ministry of Internal Affairs, the number of Armenians varies between 80,000 and 100,000.<sup>477</sup> The biggest Armenian communities are in Athens and Thessaloniki, which correspondingly number 10,000 and 11,500 members. The Armenian community in Greece is divided socially between traditional and modern communities, a fact which creates an inner diversity of the community. Traditionalists are those Armenians who immigrated to Greece prior to or a little after the Armenian Genocide. Modernist Armenians immigrated to Greece during the 1990s from the Republic of Armenia, for various reasons. It is important to mention that the modern community is larger than the traditional one, which, based on current data, has approximately between 13,000 and 15,000 members.<sup>478</sup> The majority of the members of the Armenian community in Greece are under the pastoral and spiritual direction of the Armenian Apostolic Church. In addition, there are approximately 1,500 members of the Armenian community who practise Catholicism and Protestantism.<sup>479</sup> Education and language are problematic aspects of the Armenian community. Three primary and one secondary schools operate in the Attica district, while there is only one Saturday school in Thessaloniki. All the Armenian educational institutions operate as private schools and not as ‘minority’ educational establishments, meaning that in many instances they are in danger of having to close down simply because of their official legal status.<sup>480</sup>

### 4.2.3 The Jewish community

One of the smallest religious communities, the Jewish community of Greece, numbers about 5,500 members, who reside mainly in Athens and Thessaloniki. There are also smaller Jewish communities in other Greek cities, such as Larissa, Volos, Trikala, Karditsa,

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<sup>477</sup> Arevik Badalyan works as a PR officer at the British Council Armenia, ‘Forming of the Greek Armenian community’, <<https://arevik.wordpress.com/2010/06/27/greek-armenian-community-the-struggle-continues/>> [accessed 17 February 2015].

<sup>478</sup> Noravank Foundation official website

<[http://www.noravank.am/eng/articles/detail.php?ELEMENT\\_ID=6526](http://www.noravank.am/eng/articles/detail.php?ELEMENT_ID=6526)> [accessed 12 January 2015].

<sup>479</sup> The Exarchate of the Armenian Catholics in Greece was founded in 1925, following the 1915 Armenian Genocide and the arrival of Armenian refugees in Greek territories. Angouras, p.30.

<sup>480</sup> Hassiotis, ‘Armenians’, p. 100.

Ioannina and on the Islands of Kerkyra and Rhodes.<sup>481</sup> Prior to the Second World War the Jewish population of Greece was about 75,000 people; the majority of them were exterminated by Nazi Germany.<sup>482</sup> In general, there are no reports of any incidents in relation to the exercise of freedom of religion by the Jewish communities in Greece. However, extreme right-wing press and media have sometimes presented anti-Semitic material; therefore, the European Commission against Racism and Intolerance encourages Greek authorities to keep the matter under review and consideration.<sup>483</sup> In contradiction to the legal challenges, among other religious groups in Greece, the Jewish community is officially recognised,<sup>484</sup> all Jewish communities are legal entities of public law similarly to the status that the State Church enjoys.<sup>485</sup> Finally, all local Jewish communities in Greece are represented by the Central Jewish Coordination and Consultation Council. The members of the Council are elected for a period of three years by a general assembly, which is composed of special representatives of the local communities. According to the Legislative Decree of 7th-10th May 1946, family matters of Jews in Greece are dealt with based on the Civil Code. The Chief Rabbi is chosen by the Jewish community and his appointment requires the approval of the Greek Minister of National Education and Religious Affairs.<sup>486</sup> The existence of the Jewish community in Greece and the strong interest that the Greek State maintains in the situation of the Greek Orthodox Patriarchate of Jerusalem creates a question on Israeli-Greek relations. This however does not lead to questions of reciprocity

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<sup>481</sup> Steven Bowman, 'Jewish' in *Minorities in Greece: Aspects of Plural Society*, ed. by Richard Clogg (London: C. Hurst & Co. Ltd 2002), p. 64.

<sup>482</sup> Bowman, pp. 46-62.

<sup>483</sup> Greek Helsinki Monitor & Minority Rights Group-Greece (2002), 'Religious Freedom in Greece', p.7.

<sup>484</sup> Papademetriou, p.17.

<sup>485</sup> Papademetriou, p. 5. Law 2456/1920 on Jewish Communities art. 1, E.K.E.D., Part A., No. 173, gives the right to Jewish Greeks to establish communities having legal entity in areas where there are more than twenty Jewish families. In addition, Article 5 of the same law provides Jewish communities with the right to establish educational centres, which follow their own curricula. Finally, Rabbis, the Jewish religious leaders, are chosen by their own communities and are appointed in cooperation with the Greek Ministry of Education and Religious Affairs. Law 2456/1920 is available at <<http://www.et.gr/idoocs-nph/search/pdfViewerForm.html?args=5C7QrtC22wFDzYxnlR7N6ndtvSoClr>> [accessed 18 February 2015].

<sup>486</sup> Greek Helsinki Monitor & Minority Rights Group-Greece (2002), 'Religious Freedom in Greece', p.31.

between Greece and Israel in relation to the situation of the Jewish community in modern Greece.<sup>487</sup>

#### 4.2.4 The so-called ‘Macedonian community’

An extremely challenging case for the Greek State, because of the complexity of the issue, is related to the so-called ‘Macedonian minority’,<sup>488</sup> a group of people who reside in Northern Greece. Diachronically, Greek authorities do not recognise that an ethnic or linguistic minority exists among its territories under the name ‘Macedonian’. The term ‘Macedonian minority’ refers to a small group of people who live in the region of Macedonia in Greece, speak a Slavic dialect, and seek official recognition from Greece as an ethnic or linguistic minority.<sup>489</sup> In the report considered by the Committee of the European Commission on the Elimination of Racial Discrimination, Greece argued that just because this small number of individuals who live in Northern Greece use Slavic oral idioms in addition to the Greek language, this does not constitute the existence of a national or linguistic minority. In addition, by applying the self-description ‘Macedonian’ to that minority group, some two and a half million Greeks are excluded from the right to identify themselves as Macedonians, as, for many centuries, they have been, in a regional and cultural context.<sup>490</sup> However, in its 2009 report the European Commission against Racism and Intolerance

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<sup>487</sup> For the developments of the Arab Orthodox faithful of the Patriarchates of Jerusalem, Antioch, and Alexandria see the work of Sotirios Roussos, ‘Greek Orthodox Church Networks in the Near East and the Emergence of Arab Nationalism (1899-1947)’, in *Homelands and Diasporas: Greeks, Jews and Their Migrations* edited by Minna Rozen (London: I.B.Tauris & Co Ltd, 2008), pp. 279-292.

<sup>488</sup> Greece and FYROM (Former Yugoslav Republic of Macedonia) have been engaged in a dispute since the late 1990s in relation to Macedonian identity. The Greek government rejects the existence of a Macedonian nation, insisting that all Macedonians are actually Greeks, having their origins from Thessaloniki and Kavala, territories of ancient Macedon, while FYROM asserts its existence as a unique Macedonian nation. This conflict is a part of the wider context of Balkan history and is related directly to the disintegration of Yugoslavia. See the important work of Loring M. Danforth, *The Macedonian Conflict: Ethnic Nationalism in a Transnational World* (Princeton: Princeton University Press, (1997), which examines the Macedonian conflict.

<sup>489</sup> Papademetriou, p. 8.

<sup>490</sup> The European Commission Committee on the Elimination of Racial Discrimination considers report of Greece.

advised the Greek authorities to have a positive attitude towards recognition of freedom of expression by members of the 'Macedonian' community.

### 4.3 The legal status of Islam in Greece

The establishment of the Balkan national states after the revolutions during the nineteenth century and the collapse of the Ottoman Empire has been characterised as the nationalist political movement, which appeared in South-Eastern Europe and became dominant. These political changes reversed the relationship between Christianity and Islam which had prevailed during the Ottoman rule, now rendering Islam as a minority religion in the newly established Balkan States of Bulgaria, Serbia, Montenegro, Greece and Romania.<sup>491</sup> However, the actual origin of Islam in the Balkans undoubtedly relates to the four centuries of Ottoman rule over this particular region.<sup>492</sup> In particular, the legal status of Islam in Greece dates back to 1830 when the Kingdom of Greece was established. Hence, while Orthodoxy was acknowledged as the predominant religion of the Kingdom, Islam and therefore the Muslim population received the status of a minority and were placed under legal protection.<sup>493</sup> A number of significant political and territorial changes in Greece led to Islam becoming the most important minority religion of the country.<sup>494</sup> The Muslim element in modern Greece is found in two forms: traditional Islam, which is related to the Greek citizenship of the Western Thrace minority, and the Islam of the immigrant Muslim population which, after the 1990s, settled in Greece due to the collapse of the communist regimes in the Balkan states; in addition, the unstable political and economic situation in the Middle East has caused an increase in Muslim immigration. However, particular legislation regulates solely the status of traditional Islam, known as 'Old Islam', under the umbrella of

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<sup>491</sup> Konstantinos Tsitselikis, 'The legal Status of Islam in Greece', *International Journal for the Study of Modern Islam*, 3, (2004), 402.

<sup>492</sup> Giorgos Karipsiadis, *The Greek case of state succession*, (Athens: Sakkoula Publications, 2000), 156-7.

<sup>493</sup> Tsitselikis, 'The legal Status of Islam in Greece', p. 402.

<sup>494</sup> The population exchange between Turkey and Greece, according to the regulations of the 1923 Convention of Lausanne, in addition to the annexation to Greece of the regions of Thessaly in 1881, Macedonia, Epirus and Crete in 1913, Thrace in 1920 and finally the Dodecanese Islands in 1947, significantly increased the Muslim population of the country. Tsitselikis, 'The legal Status of Islam in Greece', pp. 402-3.

international and intergovernmental agreements and treaties related to minority protection.<sup>495</sup> Immigrants from Balkan and Arab countries, who number approximately 200,000 persons, constitute the ‘New Islam’ of Greece.<sup>496</sup> Non-discrimination policy is a significant aspect for every democratic regime when relating to the minority question. In the particular case of Greece, Article 5 paragraph 2 of the Greek Constitution, Article 14 of the European Convention of Human Rights and Article 24 paragraphs 1 and 26 of the International Covenant on Civil and Political Rights, set out in general terms the existing legal framework in Greece towards non-discrimination policies. These regulations forbid any governmental act of discrimination on the grounds of religious freedom. In addition, Article 27 of the 1966 International Covenant on Civil and Political Rights and Article 30 of the 1989 Convention on the Rights of the Child provide further minority legal protection to some extent.<sup>497</sup> In combination with minority international agreements and treaties, a number of national legal provisions have been formulated, particularly with regard to the minority affairs of the Western Thrace Muslims in matters such as the acquisition and loss of citizenship; the taking of religious oaths; exemption from mandatory military service; establishing and operating of places of worship; family law; Religious Education; and instruction in the mother language. It is important to highlight that under the Treaty of Lausanne, minority protection legislation is applied solely to the Muslim population of Western Thrace and the Dodecanese Islands of Kos and Rhodes. The rest of the Muslim population of the country, despite their citizenship status, does not fall into the same legal category.<sup>498</sup>

The end of the Second World War and the establishment of the United Nations brought some changes to those existing up to that period concerning the protection system for minorities, which had been created by the League of Nations. Precisely, based on the memorandum<sup>499</sup> of the Secretariat General of the United Nations, the minority protection

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<sup>495</sup> Tsitselikis, ‘The legal Status of Islam in Greece’, p. 403.

<sup>496</sup> Ibid. p. 407.

<sup>497</sup> Ibid. p. 407.

<sup>498</sup> Ibid. pp. 407-8.

<sup>499</sup> United Nations doc, Etude sur la valeur juridique des engagements en matière des minorités, 7. 4. 1950, E/CN.4/367, Annexe, 27.3.1951.

system under the League of the Nations is considered to be abolished. However, in two cases only it still remains valid: in the case of the Treaty of Lausanne of 1923 and in the Agreement of 1921 between Finland and Sweden, which refers to the case of the Aaland Islands. Therefore, the Treaty of Lausanne is the only legal document still in force which regulates the status of the Muslim minority of Western Thrace in modern Greece on one hand and the Greek Orthodox minority of Istanbul on the other. It should be stated that only a limited number of scholars hold the opinion that the minority protection provisions of the Treaty of Lausanne should apply in all Greek territory including the Dodecanese Islands.<sup>500</sup> However, this argument is not accepted legally.

The implementation of the Lausanne Treaty for nearly a century in relation to minority affairs in Greece and Turkey has highlighted a controversial issue regarding the aspect of reciprocity as it refers to the minority provisions of the Treaty. In many instances both countries are violating the Treaty, while at the same time they accuse one another of non-implementation of the Treaty's provisions.<sup>501</sup> However, the controversy over reciprocity has no grounds because among the legal obligations between Turkey and Greece the Treaty does not recognise any legal reciprocity. In addition, human rights, particularly those relating to minority rights, are not considered under the aspect of reciprocity according to the international law of the treaties.<sup>502</sup> The aspect of reciprocity could apply in technical and practical methods between the two countries in the light of their mutual cooperation over the implementation of minority rights, and could similarly extend to facilitate the educational and socio-economic development of both minorities. Nevertheless, despite the difficulties and ambiguities created by the application of a Treaty signed about a century ago without any subsequent revision, in general the affairs of the Western Thrace Muslim minority are

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<sup>500</sup> Hlias Krispis, 'Legislation applicable to Greek Muslim citizens, especially those in the Dodecanese [Δίκαιον εφαρμοστέον επί των Μουσουλμάνων Ελλήνων υπηκόων, ιδία δε της Δωδεκανήσου]', *Journal of Greek and international jurisprudence [Εφημερίς ελληνικής και αλλοδαπής Νομολογίας]*, (1952), 162.

<sup>501</sup> Tsitselikis, 'The legal Status of Islam in Greece', p. 409. For an extensive overview, see the work of Alexis Alexandris, *The Greek minority of Istanbul and Greek-Turkish relations 1918-1974*.

<sup>502</sup> See Article 60 paragraph 5 of the Vienna Convention on the law of treaties.

<<https://treaties.un.org/doc/Publication/UNTS/Volume%201155/volume-1155-I-18232-English.pdf>> [accessed 11 February 2015].

regulated by the Treaty of Lausanne in addition to the rest of Greek legislation on minorities. However, a problematic situation relates to the rest of the Muslim population of the country, especially since the end of the 1980s with the arrival of the 'New Islam' in Greece. The majority of new Muslims, who are non-Greek citizens, are to be found in Athens and are not considered by the Greek authorities as a religious minority. There is no specific law in force relating to the religious matters of this minority group located in the Greek capital. Among the main obstacles they face in relation to religious practice, the most important is that there is no official established mosque that operates in Athens. There are about thirty unofficial Muslim places of worship operating in improper premises and facilities under the connivance of the Greek authorities. In addition, there is no Islamic cemetery in Athens and Muslim immigrants are therefore forced to use the cemeteries in Western Thrace for their funerals. Finally, there is no officially recognised religious leader in order to perform religious ceremonies for Muslims in the wider area of Athens. Muslim immigrants of Athens have established several national associations according to Greek law (Bangladeshi, Iraqi, and Pakistani). The fact that there is no official established body to represent the Muslim community of Greece as a whole creates a long-standing situation with regard to the process of their claims towards the Greek authorities.<sup>503</sup>

The members of the Muslim minority of Western Thrace enjoy similar political rights to all other Greek citizens; the Treaty of Lausanne and the other International Agreements and Protocols do not include any regulations on minority political rights. As a result, there is Muslim representation at national and municipality level.<sup>504</sup> Precisely, between 1989 and 1993 Muslim candidates were elected as independent MPs. However, their attempt to stress their national Turkish identity created conflicts in the political sphere of Greece,<sup>505</sup> which was one of the most significant issues of nationalistic argumentation expressed in Greece in

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<sup>503</sup> Tsitselikis, 'The legal Status of Islam in Greece', pp. 409-10.

<sup>504</sup> Ibid. p. 413.

<sup>505</sup> Helias Nikolakopoulos, 'The route towards the autonomous political establishment of the Muslim minority in Western Thrace', *Minorities in Greece*, Center of Studies for New Greek Civilisation (Athens: Moraitis School, 2004), pp. 119-162.



relation to politics and Minority affairs.<sup>506</sup> The amendments of the electoral law, however, prevented the direct independent election of MP representatives from the region of Thrace. The new electoral law, applied to the elections of 1993 and still in force, requires that a political party or an independent candidate has to get more than 3% of the votes at a national level in order to be elected to the Greek parliament.<sup>507</sup> Nevertheless, there is still minority parliamentary representation through cooperation between independent candidates and other political parties, which easily receive more than 3% of votes at a national level. The social and economic backgrounds of the population are the most important factors in relation to their influence through the political and religious leaders; this biases the electoral political choice of Thracian Muslims. In addition, the Turkish Government, through the Turkish Consulate of the Komotini district, undoubtedly plays a significant role in the electoral behaviour of the Muslim population of Thrace. Finally, Muslim immigrants do not have political rights until they receive Greek citizenship.<sup>508</sup>

Muslims also enjoy a judicial system known as *sui generis* (Sharia), which is applied in Western Thrace only.<sup>509</sup> Sharia is a modified judicial system originating from the Ottoman millet dealing with matters of inter alia; marriage; divorce; alimony; guardianship; and inheritance of Thracian Muslims, examined by their local Mufti.<sup>510</sup> Muslim immigrants are also treated under Sharia Law but under specific conditions, dependent on the Greek Civil Code. Application of Islamic law is accepted in Greek courts for hearings related to cases of

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<sup>506</sup> Maria Stoyanova, 'The electoral behavior of the Minority, 1989-2000' (unpublished postgraduate thesis, University of Athens: School of Political Sciences and Sociology), p. 200.

<sup>507</sup> Article 88 par. 10 of the presidential Decree 92/1994.

<sup>508</sup> Tsitselikis, 'The legal Status of Islam in Greece', p. 414.

<sup>509</sup> Sharia Law in Greece was introduced in 1914. Gazette of the Kingdom of Greece, 'On the applicable law of the annexed countries and their judicial organization', [Περί της εν ταις προσαρτωμέναις χώραις εφαρμοστέας νομοθεσίας και της δικαστικής αυτών οργανώσεως], Athens 1 February 1914, No: 25, Article: 4.

<sup>510</sup> Tsitselikis, 'The legal Status of Islam in Greece', p. 417. For more information about Sharia applied in Western Thrace, see Turgay Cin, *Yunanistan'daki Türk Azınlığın Hukuki Özerkliği [Legal Autonomy of the Turkish Minority in Greece]* (Ankara: Orion, 2009). In Russia, the question of the Mufti is an important point in relation to the State but it is also a question of how the Russian Orthodox Church relates to Islam. For the interaction between Islam and Orthodoxy in Russia see the work of Sergei Filatov, 'Tatarstan: at the Crossroads of Islam and Orthodoxy', *Religion, State and Society*, 3/4 (1998), 265-77.

Muslims of non-Greek citizenship only under the precondition that Sharia Law is implemented in the litigants' mother countries. However, in present day Greece, this special legal system is strictly applied to the Muslim population of Western Thrace and not to the Muslims of the Dodecanese Islands.<sup>511</sup> It is worthy of mention that the Sharia legal system is not compulsory for Muslim Greek citizens and is applied by the Greek courts in parallel with the Greek Civil Code. Hence, Muslim litigants have the right to choose between the application of the Islamic and Civil judicial systems for their cases.<sup>512</sup> The application of Sharia in Greece, which is not a subject regulated by the Treaty of Lausanne,<sup>513</sup> creates controversies with the Constitutional law because of its conflicting interpretation of Sharia Law in relation to the equality of the sexes and other provisions and conventions on human rights. In Greece there are currently three courts in Thrace which recognise Sharia; in the regions of Xanthi, Komotini and Didymoteicho. The majority of the decisions issued by Sharia courts are endorsed by the Greek courts, despite the fact that many of these decisions go against significant principles of human rights.<sup>514</sup> The application of Sharia Law in Greece has created many disputes and controversies because in many instances it is incompatible

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<sup>511</sup> Tsitselikis, 'The legal Status of Islam in Greece', p. 417. There are two different schools of thought related to the application of Sharia Law onto Muslim Greek citizens. The first and prevalent opinion is that Sharia Law is applicable solely to the Muslim minority in Western Thrace; Muslims living in other parts of Greece, including the Dodecanese Islands, are under the regulations and provisions of the Civil Code, which has been in force since 1946. The second school of thought argues that Sharia Law should apply to all Muslims in the entire country. Papademetriou, p. 38

<sup>512</sup> Tsitselikis Konstantinos, 'The position of the Mufti in the Greek legal order', in *Legal issues on religious otherness in Greece*, ed. by Dimitris Christopoulos (Athens: Kritiki/ KEMO, 1999), p. 271. See also the important work of Paroula Naskou-Perraki, *The legal framework of religious freedom in Greece* (Athens: A. N. Sakkoulas publications, 2000), p. 52,

<sup>513</sup> Article 42, paragraph 1 of the 1923 Treaty of Lausanne sets out that Greece has to take measures in order to adjust issues related to the personal and family status of the Muslims of Western Thrace according to the customs of the Minority. In addition, the Lausanne Treaty does not make any specific reference to the application of Sharia Law or Islamic courts.

<sup>514</sup> Papademetriou, pp. 37-38. Furthermore, Commissioner Thomas Hammarberg stressed in his report that Greece should undertake a full review of the Muftis' decisions according to civil law, and should review the aspects of application of Sharia Law upon consultation with the Minority. Council of Europe, 'Report by Thomas Hammarberg, Commissioner for Human Rights of the Council of Europe, following his visit to Greece on 8th-10th December 2008, Strasbourg, 19 February 2009.

with the principles of equality of the sexes; it is also at odds with the law over some discrimination issues. The application of Sharia Law has led many times to a violation of human rights, and especially the violation of women's and children's rights. A very important aspect of the application of Islamic law in Greece that should be noted is that Sharia Law is not in force among the majority of EU countries; countries which accommodate Muslim populations, such as Germany and France, which have a large Muslim population. In Turkey, on the other hand, where the majority of the population is of Muslim origin, Sharia Law was eradicated a long time ago. Finally, the form in which Sharia is applied in Greece creates violation of public order and morals according to the Greek Constitution, for example, polygamy, which Sharia permits.<sup>515</sup>

The question of the Muslim communities' integration within a non-Muslim majority society is a phenomenon that also prevails in other European countries. The increase of the Muslim immigrant populations in European territories since the 1980s, and especially the threat after 11th September 2001, has brought the political conflicts of the Middle East into European societies. This issue has recently changed the policies that EU countries follow towards Islamic communities. These attempts at changing policies had as an initial aim the integration of Islamic populations and the discouragement of Muslim extremism through the institutionalisation and application of integrative policies by European governments with respect to religious freedom. These attempts are considered under the fundamental need for dialogue between Muslims and state representatives in the light of multiculturalism and religious pluralism.<sup>516</sup>

#### **4.4 The legal framework and the role of the Mufti in modern Greece**

The Mufti, in present day Greece, is a civil servant and holds the post of a Chief General

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<sup>515</sup> Papademetriou, pp. 38-39. See also Iris Kalliopi Boussiakou, 'Religious Freedom and Minority Rights in Greece: The Case of the Muslim Minority in Western Thrace', *Hellenic Observatory Papers on Greece and Southeast Europe*, 21 (2008), 14-22.

<sup>516</sup> Yvone Yazbeck Haddad and Tyler Golson, 'Overhauling Islam: Representation, Construction, and Cooption of "Moderate Islam" in Western Europe', *Journal of Church and State*, 3 (2007).

Director according to the Greek Constitution and the relevant Law provisions on public servants.<sup>517</sup> The status and role of the Mufti<sup>518</sup> under the Greek system of law and order brings to the fore a number of questions, directly related to all aspects of social life, not only of the Muslims who live in Western Thrace<sup>519</sup> but for those who reside in other Greek urban centres and the Dodecanese Islands.<sup>520</sup> The role of the Mufti within Muslim society is strongly correlated, and was developed according to the political and historical circumstances and changes which occurred in these particular regions. The institutionalisation and establishment of the legal status of the Mufti were based on sacred

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<sup>517</sup> Dimitra Akritidou, *Μουσουλμανική Μειονότητα [Muslim Minority]* (Thessaloniki: Vaniass Publications, 2004), p. 32.

<sup>518</sup> The Mufti is the supreme religious leader for the Muslims of Western Thrace and the interpreter of the Qur'an in order to perform justice based on common law. The Mufti is also responsible for issuing opinions (fetvâ) according to Islamic Law (Sharī'ah). On the other hand, although considering the Mufti's opinion, the judge (Qāḍī) is not obliged to incorporate this opinion when making a final decision. Stamatis Georgoulis, *Ο Θεσμός του Μουφτη στην Ελληνική και Αλλοδαπή Έννομη Τάξη [The Institution of the Mufti under the Greek and Foreign Law]* (Athens: Protoporia Publications, 1993), p. 19.

<sup>519</sup> There are three elected Muftis in Rhodope, Xanthi and Komotini; two appointed Muftis by the Greek President of the Republic and 270 Imams. Committee on Legal Affairs and Human Rights of the Council of Europe, 'Freedom of religion and other human rights for non-Muslim minorities in Turkey and for the Muslim minority in Thrace (Eastern Greece)', Document No: 11860, 21 April 2009, p. 12.

<sup>520</sup> Muslim Greek citizens who permanently live outside the borders of Western Thrace do not have the opportunity to liaise with a local Mufti for their religious matters. It is important to mention that approximately twenty-five percent of the total population of Greek Muslim residents live in Athens, Thessalonica and the Dodecanese. For these particular minority groups an issue for the immediate application of the Lausanne Treaty arises because these areas are deprived of the presence of a Muslim religious representative. It is obvious that the Treaty of Lausanne is applicable throughout the Greek territory where Muslim Greek citizens reside without any geographical restrictions of its application among the districts of Western Thrace only. The argument that the Muslims of the Dodecanese are not being failed under the provisions of the Lausanne Treaty because the Dodecanese Islands were annexed to Greece with the 1947 Treaty of Paris on a later date than that of the Lausanne Treaty, has only political actuation without any legal basis. On that matter, the Greek Supreme Court, with the 1723 decision of 1980, reports that any one of the three Muftis of Xanthi, Komotini and Didymoteixon has jurisdiction and responsibility over religious matters for those Muslims who live outside Western Thrace. However, it is not determined if any one of the three Muftis has mandatory jurisdiction or the litigant has the right to entrust his/her matter to the Mufti of his/her choice. Tsitselikis, 'The position of the Mufti in the Greek legal order', p. 278.

Islamic law, which was reshaped and survived within the legal and regulatory framework initially identified by the Ottoman Empire and thereafter by the new Turkish State,<sup>521</sup> it was finally affiliated to Greek legislation in 1920 and remains so today.<sup>522</sup> The interpretation and understanding of the legal status of the Mufti in Greece is a complicated case because it is regulated by a number of legal texts, international treaties and Greek laws.<sup>523</sup> In chronological order, the 1913 Peace Treaty of Athens regulates matters concerning Muslims living in Greece as well as the status of the Mufti.<sup>524</sup> An important aspect of this Treaty, which is related to the present day disputes between Greece and Turkey on religious matters, is that the Athens Treaty instituted the election of the Mufti.<sup>525</sup> The 1920 Treaty of Serbs on

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<sup>521</sup> After the fall of the Ottoman Empire, the Kemalist regime in Turkey forbade any interference between religious and secular authorities and therefore Islamic Law was withdrawn permanently. Therefore, since 1928 Islamic law and the institution of a religious judge do not apply in Turkey. Consequently, the role of the Mufti is restricted to religious duties only. Tsitselikis, 'The position of the Mufti in the Greek legal order', p. 276.

<sup>522</sup> Tsitselikis, 'The position of the Mufti in the Greek legal order', pp. 275-276.

<sup>523</sup> When the regions of Thessaly and Epirus were annexed to the Greek Kingdom, because of the significant number of Muslims who resided in these territories, Greece officially recognised the institution of the Mufti with the 1881 Treaty of Constantinople. Nikolaou, p. 149 and Tsitselikis, 'The position of the Mufti in the Greek legal order', p. 5.

<sup>524</sup> Nikolaou, p. 230.

<sup>525</sup> The development of the legal framework of the appointment of the Mufti is the result of the integration of a number of Muslim religious customs, originating from the period of the Ottoman Empire, into the Greek legal order. The Mufti is considered by the Greek State to be the sole Muslim religious leader of Western Thrace, who, in addition to his religious duties, also has judicial responsibilities for the local Muslim community. At this point it should be noted that the statutory post of the Chief Mufti of Western Thrace has never been filled. Therefore, the process for the appointment of the Mufti has a particular significance for the Muslim minority as well as for the Greek Government. The first legal framework, which was regulating the position of the Mufti in Greece in implementation of the 1881 Treaty of Constantinople, stipulates the appointment and the dismissal of the Mufti by a Royal Decree pursuant Law ΑΛΗ' of 1882. The Law 2345 of 1920 on the appointment of the Mufti was in force until 1991 but has never been fully implemented. According to the provisions of this law, the local Prefect was responsible for announcing to the public the process of the election of the Mufti. The applications of the candidates for the post of the Mufti were submitted to the Minister of Religious Affairs, who had the privilege of crossing out the names of those candidates he believed did not meet the criteria for the position; and finally, the actual process of the election should have taken place. All Greek Muslim citizens who were registered in that particular area had the right to vote for the election of the Mufti. However, this statutory democratic process was never applied, and in practice the appointment of the Mufti by the Authorities

the other hand illustrates general aspects of Muslims' religious freedom without any particular reference to the legal status of the Mufti. Similarly to the Treaty of Serbs, the Treaty of Lausanne contains a separate section related to the protection of the non-Muslim minorities in Turkey and the Muslim minorities in Greece, without specific allusions to the aspect of the Mufti,<sup>526</sup> guaranteeing however the wider context of religious differentiation between Turkey and Greece.<sup>527</sup> In addition, Law 2345 of 1920 was replaced by Law 1920 of 1991; this recent change of legislation specifically regulates the legal status of the Mufti. This act had a significant impact in relation to State interference in religious affairs and particularly regarding the institutionalisation of the appointment of the Mufti, which abolished the electoral process.<sup>528</sup> Finally, Greece as a full European Union and United Nations member, recognises and respects all the international treaty provisions on the protection of religious identity of minorities, or, in a more general understanding, on the protection of religious freedom. Nevertheless, these international treaties, as Article 27 of the International Covenant on Civil and Political Rights of the United Nations states,<sup>529</sup> might only be facilitators of an interpretative approach in order to contribute to the issue of the legal status of the Mufti.

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prevailed according to particular political circumstances. According to the 1920 Law of 1991, the process of the appointment of the Mufti has the same principal provisions as the 2345 Law of 1920. The most important recent revision of this legislation on the appointment of the Mufti is that essentially the election process was abolished; a process that was actually never applied in practice. Tsitselikis, 'The position of the Mufti in the Greek legal order', pp. 285-286. For the disputes in relation to the appointment and election of the Mufti see also the work of Konstantinos Tsitselikis, 'Η Συνθήκη των Αθηνών 1913 στην Προκρούστεια Κλίνη', [The 1913 Treaty of Athens in the Procrustean bed] *Nomokanonika*, 5 (2002), 101-16.

<sup>526</sup> The Greek Government, however, decided to keep in force the previous system of Muslim religious courts and therefore incorporated this system into Greek legislation. Dimitris Tsourkas, 'Les juridictions musulmanes en Grece', *Hellenic Review of International Relations*, 2 (1981-82), 581-98.

<sup>527</sup> Tsitselikis, 'The position of the Mufti in the Greek legal order', p. 6 and Nikolaou, pp. 278-79, 310.

<sup>528</sup> Tsitselikis, 'The position of the Mufti in the Greek legal order', p. 282.

<sup>529</sup> 'In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practice their own religion, or to use their own language'. United Nations, 'International Covenant on Civil and Political Rights', 1 (1976), 179.

#### **4.5 Relations between the Muslim minority of Western Thrace and the Greek Orthodox Church**

Orthodoxy, and accordingly the Autocephalous Greek Orthodox Church, is recognised as the prevailing religion in Greece as promulgated by Article 3 of the Greek Constitution.<sup>530</sup> Islam, on the other hand, and therefore the Muslim minority of Western Thrace, received the status of an officially recognised religious minority faith and was placed under legal protection.<sup>531</sup> In accordance with Article 13 of the Greek Constitution, which signifies the freedom of religious conscience and characterises this as a privileged human right,<sup>532</sup> the Greek Orthodox Church and the Muslim minority of Western Thrace are protected by Greek legislation and have a legal institutional entity. The official relation between the Orthodox Church of Greece and the Muslim minority of Western Thrace is a questionable and uncertain issue. This is a very important aspect in the wider context of Muslim-Christian relations in South-Eastern Europe and especially in the regions of Greece and Turkey; the present study aims to highlight this and bring it to the forefront through the research fieldwork undertaken in Western Thrace and analysed in the following chapter. Post-Ottoman societies form the main themes and are of contemporary urgency in the wider context of Muslim-Christian relations as they relate to the state and to political and religious marks of the society and culture.

The Holy Synod of the Greek Orthodox Church consists of various administrative bodies and committees, which in general organise and prepare the pastoral, spiritual and liturgical work of the Church. Among the significant number of the different committees of the Holy Synod of the Greek Orthodox Church, there are Church committees on Divine worship and pastoral and spiritual work; Christian education and youth; inter-Orthodox and inter-Christian relations; social welfare and charity; and on the support of immigrants.<sup>533</sup> It is

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<sup>530</sup> Fokas, 'A new role for the Church? Reassessing the place of religion in the Greek public sphere', p. 14.

<sup>531</sup> Tsitselikis, 'The legal Status of Islam in Greece', p. 402.

<sup>532</sup> Papastathis, p. 84.

<sup>533</sup> See the official website of the Holy Synod of the Greek Orthodox Church on

<<http://www.ecclesia.gr/English/holysynod/committees/committees.htm>> [accessed 19 December 2014].

obvious therefore that the relations, if any, between the Muslim minority of Western Thrace and the Greek Orthodox Church are limited and depend on the efforts and the initiatives between the four Metropolitans of Western Thrace, Bishoprics (Didymoteicho, Xanthi, Alexandroupolis and Komotini districts) and the Muftis of Soufli, Xanthi and Komotini. At this point it is important to highlight the initiatives of the four Metropolitans of Western Thrace to support financially weak and poor families of this particular region in cooperation with the charity organisation 'Mission' (Gk. Αποστολή) of the Archdiocese of Athens. During their joint meeting in November 2014 at Alexandroupolis they decided to actively support those families of Western Thrace who are considered to live below the poverty line. During the discussion there was a common recognition of the intensely large number of citizens of Western Thrace who face financial problems. There was a common decision by the four Metropolitans to register those in need through the parishes of the area, which are under their spiritual and pastoral jurisdiction. In particular, the meeting decided that the parish priests of the Metropolitanates of Western Thrace, under the supervision of their bishops, would be responsible for undertaking the administration and preparation of this initiative. Despite the fact that the basic criterion for support was the number of unemployed members in each family and not that of religion, the way that the whole procedure was structured ended up indirectly exempting Muslim families. The decision for support was announced among the Orthodox parishes and Orthodox clergy were responsible for receiving applications from the candidate families which needed support.<sup>534</sup> However, in small communities and villages like those in Western Thrace, and because of the prevailing mentality and social circumstances, despite the harmonious coexistence of Muslims and Christians, it was impossible for an individual Muslim to seek support from the Christian Church.

The Church of Greece on the other hand, has in some particular circumstances, officially treated the sensitive issue of the mutual coexistence of Muslim and Christian populations of

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<sup>534</sup> Church News Agency, 'Joint Decision for Financial Aid to Families in Thrace: 'Mission' and Metropolitans of Thrace next to the families in need [Κοινή απόφαση για οικονομική ενίσχυση σε οικογένειες της Θράκης: 'Αποστολή' και μητροπολίτες της Θράκης δίπλα στις οικογένειες που έχουν ανάγκη], 7 November 2014 <[http://www.dogma.gr/default.php?pname=Article&art\\_id=7044&catid=6](http://www.dogma.gr/default.php?pname=Article&art_id=7044&catid=6)> [accessed 22 October 2014].



Western Thrace in such way that has in past years attracted public reaction and opinion and the attention of the Greek press.<sup>535</sup> The Holy Synod of the Greek Orthodox Church has been implementing a family financial support policy in Thrace since 1998.<sup>536</sup> The region of Western Thrace accommodates a high number of Turkish and Slavic-speaking Muslim populations and due to the increase of immigration through Turkey Thrace has been classified as one of the poorest Greek regions with a very low birth rate.<sup>537</sup> Therefore, in 1999, the Holy Synod of the Hierarchy of the Greek Orthodox Church decided to establish a sub-committee for family financial support with a monthly grant to all Christian Orthodox families with three children within the region of Western Thrace.<sup>538</sup> This project is still applied and, according to Encyclical Letter No. 2768 of 7th April 2003, issued by the Holy

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<sup>535</sup> The decision of the Greek Church to support financially the third child of the Orthodox families of Western Thrace as a response to the demographic problem of the area was compared to decision of 1967 by the Junta Coordinating Council of Thrace to financially support all the newborn children of Greek parents. Sunday Eleftherotypia, 'The Junta Recipe', [Η Συνταγή της Χούντας] 17.04.2005. The Holy Synod of the Greek Church responded immediately to this criticism, characterising this article as an attempt to interpret negatively the initiative of the Church of Greece in sponsoring the third child of Christian families in Thrace. The response of the Greek Church stated that the Holy Synod of the Church of Greece made this decision after considering the matter of the population decline of Greece and after consulting the observations of important organisations such as the Academy of Athens and the Greek Parliament. Furthermore, the Holy Synod acknowledges that it would be beneficial to support all the families in the country who are willing to have a third child; however, because of the Church's limited financial capacity this initiative began initially in Thrace due to the serious demographic decline in this particular area. Finally, this statement concludes that the Church decided to financially support its members only, avoiding support of Muslim families because of a possible threat against the Church if they should be accused of proselytism through financial support. Letter of the Holy Synod of the Greek Orthodox Church to the Director of Sunday Eleftherotypia newspaper. Protocol No: 1827, Athens 20th April 2005 <<http://www.iospress.gr/mikro2005/mikro20050514.htm>> [accessed 29 October 2014].

<sup>536</sup> Anastasios Anastasiadis, 'An Intriguing True-False Paradox: The Entanglement of Modernization and Intolerance in the Orthodox Church of Greece', in *The Orthodox Christianity in 21<sup>st</sup> Century Greece: The Role of Religion in Culture, Ethnicity and Politics*, ed. by Victor Roudometof and Vasilios Makridis (Surrey: Ashgate Publishing Limited, 2010), p. 54. See also the official website of the Holy Synod of the Greek Orthodox Church on <<http://www.ecclesia.gr/greek/koinonia/filanthropika.html>> [accessed 30 January 2015].

<sup>537</sup> Anastasiadis, p. 54.

<sup>538</sup> See the official website of the Holy Synod of the Greek Orthodox Church on <[http://www.ecclesia.gr/greek/holysynod/committees/ypo\\_tritotekno.html](http://www.ecclesia.gr/greek/holysynod/committees/ypo_tritotekno.html)> [accessed 28 February 2015].

Synod of the Greek Church, this initiative to support Thracian Christian families was successful.<sup>539</sup> The number of the third-born children among Christian families of Thrace has doubled for every year of application of this programme in comparison to its implementation year.<sup>540</sup>

Another indirect and unofficial aspect, which has positively affected relations between the Greek Church and the Muslim minority in modern Greek society, is based on the implications of the financial crisis which is affecting the everyday life of thousands of people worldwide. Greece is one of the European countries that has been most affected by the financial crisis and there are still severe consequences on Greek society. Nevertheless, the Church of Greece is playing a significant role through its philanthropic work and to some extent is maintaining social cohesion, despite the fact that the increase of impoverishment of the population has affected and decreased the contributions of the faithful, which form the Church's primary and most important financial source for its social and philanthropic work.<sup>541</sup> The Greek financial crisis, in addition to immigration to Greece from Africa, Asia and the Middle East, has had an even worse affect on the prevailing economic situation of Greek society. The majority of these immigrants are almost exclusively non-Orthodox. The Archdiocese of Athens, the eighty-two Metropolitanates of the Greek Church, as well as the Holy Synod, have several NGOs which provide material

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<sup>539</sup> Anastasiadis, p. 54.

<sup>540</sup> See the official website of the Holy Synod of the Greek Orthodox Church on <<http://www.ecclesia.gr/greek/holysynod/egyklioi/egkyklios2768.html>> [accessed 28 February 2015].

<sup>541</sup> Ignatius Georgakopoulos, Metropolitan of Demetrias and Almyros, 'The Greek Orthodox Church and the Economic Crisis', *Hellenic Observatory public lecture*, Clement House: Hong Kong Theatre, 12 November 2014 <<http://pemptousia.com/2014/11/the-orthodox-church-of-greece-and-the-economic-crisis/>> [accessed 14 March 2015].

See also the important work of Lina Molokotos-Liederman, 'Religion as a solution to social problems: a Christian Orthodox approach', in *Religion and Social Problems*, ed. by Titus Hjelm (New York: Routledge, 2011), pp. 82-97; Gerasimos Makris and Dimitris Bekridakis, 'The Greek Orthodox Church and the economic crisis since 2009', *International journal for the Study of the Christian Church*, 13 (2013) and Effie Fokas, 'Religion and Welfare in Greece: A new, or Renewed, Role for the Church?', in *The Orthodox Christianity in 21<sup>st</sup> Century Greece: The Role of Religion in Culture, Ethnicity and Politics*, ed. by Victor Roudometof and Vasilios Makridis (Surrey: Ashgate Publishing Limited, 2010), pp. 175-92.

aid to immigrants despite their ethnic or religious background in the form of food, clothing and shelter.<sup>542</sup> Immigrant integration is a significant aspect of social justice that allows the Church to maintain its vital role in Greek society. Philanthropic movements and initiatives from the Church without ethnic or religious discrimination indicate that this religious and social institution can adapt to present circumstances but it can also do so in a more effective way, particularly when it comes to the actual spiritual work of the Church, that is to say to communicate its soteriological message. Material aid and social welfare are important aspects to maintain social stability but there is a crucial need for the Church to exercise more coherent strategies and policies that will assist in an effective way and change attitudes on the local level.

Discussion about building a mosque in Athens is another important, but again indirect, factor in the relations between the Greek Church and the Muslim minority of Western Thrace.<sup>543</sup> In addition, the construction of an Islamic place of worship in the Greek capital is not in reality an issue on the official agenda of the Greek Church and the Muslim minority of Western Thrace; it is rather a challenging situation having an impact on the relations between the Church and the State on one hand and Greece and Turkey on the other. The number of Muslims who have been living and praying in Athens has significantly increased, especially since the beginning of the 1990s when the Greek economy had begun to prosper.<sup>544</sup> For some forty years the discussion over the need to build a mosque for them in the Greek capital has been characterised as an academic debate; a debate between those

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<sup>542</sup> George Mesthos, 'Prevailing Faith: The Church of Greece and Immigrants', Paper prepared for *ELIAMEP* Research Seminar, 26 November 2009, pp. 2-3  
<<http://www.eliamep.gr/wp-content/uploads/en/2010/06/Mesthos-ELIAMEP-26.11-Paper.pdf>> [accessed 18 March 2015].

<sup>543</sup> Regarding the politics of the official Church of Greece concerning the construction of a mosque in Athens see the work of Dimitris Antoniou, 'The Mosque that was not there: Ethnographic Elaborations on Orthodox Conceptions of Sacrifice', and Dia Anagnostou and Ruby Gropas, 'Domesticating Islam and Muslim Immigrants: Political and Church Responses to Constructing a Central Mosque in Athens', in *The Orthodox Christianity in 21<sup>st</sup> Century Greece: The Role of Religion in Culture, Ethnicity and Politics*, ed. by Victor Roudometof and Vasilios Makridis (Surrey: Ashgate Publishing Limited, 2010), pp. 155-74 and 89-110.

<sup>544</sup> Antoniou, p. 155.

multiculturalists and Greek State officials who argue on one hand that Athens could not be the only European capital without a mosque, and those who claim on the other that this would be a concession to the religion that had dominated Greece during the four hundred years of Ottoman occupation.<sup>545</sup> In an effort to explain why this project has continued to fail to materialise up to the present day, many have accused the Orthodox Church of Greece.<sup>546</sup> The concerns of the Greek Church in relation to the Athenian mosque relate only to the specific area or district of the Greek capital in which the Government should choose to construct it. These concerns have been publicly expressed by Christodoulos, the late Archbishop of Athens and all Greece. According to his psychoanalytic perspective, Christodoulos stressed that Greeks were subjected to Turkish rule for four hundred years. During the Ottoman occupation, Orthodox faith and religion had played the primary and most important role for the protection of the Greek language, history, religion and identity. In addition, under the common Greek perspective and understanding, everything Islamic is considered to be Turkish. Therefore, for these reasons, Christodoulos argued that the government should choose a place outside the city of Athens; that is to say, the Muslims would not be right in the centre of the capital. He finally added that there was a fear that the construction of a mosque with a minaret and the fact that a muezzin would be calling Muslims to prayer five times a day in the centre of Athens would provoke a reaction from Greek citizens with unanticipated implications.<sup>547</sup> Despite the fact that the Greek Church in principle was in favour of the establishment of a mosque in Athens, it had considered this possibility as a threat to Greek national identity because of the actual role such a religious institution would have through its cultural and social activities; and to some extent it was considered that religious propaganda could threaten national security.<sup>548</sup>

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<sup>545</sup> Athens faces mosque dilemma: Muslims push for official place of worship as hardliners express opposition to much-debated project, Athens Plus: The International Herald Tribune & Kathimerini SA (No 127), 26 November 2010, p. 2 <<http://wwk.kathimerini.gr/kath/entheta/extra/AthensPlus/26-11-2010.pdf>> [accessed 27 February 2015].

<sup>546</sup> Antoniou, p. 155.

<sup>547</sup> Ibid. p. 157.

<sup>548</sup> Sotiris Roussos, 'The Athens Mosque: From a Foreign Policy Tool to the Formation of Public Islam in Greece', *Journal of Modern Hellenism*, 28 (2010-2011), p. 157.

#### 4.6 The Greek Orthodox minority of Turkey

The collapse of the Ottoman Empire brought the minority issue in the newly established Turkish Republic to the forefront.<sup>549</sup> In the wider context, the minority question is an issue which arose particularly in Europe by the end of the nineteenth and the beginning of the twentieth century with the establishment of national states. The existence of minorities is the result of particular policies followed by national states in order to create homogeneity among their ethnic citizens.<sup>550</sup> In a more specific context, the Republic of Turkey can be characterised as a mosaic of diverse populations having unique ethnic, linguistic and religious characteristics. These diverse groups have maintained their own linguistic, religious, ethnic and cultural characteristics and have co-existed in Turkey since the establishment of the Republic for nearly a century.<sup>551</sup> However, the implementation of the Kemalist secular regime in Turkey has created serious conditions of religious discrimination, which affect the situation of religious minorities in the country.<sup>552</sup> The Greek Orthodox minority of Turkey, which is an officially recognised religious group as well as an ethnic minority by the 1923 Treaty of Lausanne,<sup>553</sup> is a small community made up of the

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<sup>549</sup> See the studies which look at the Armenians, the Greeks and the Syrians in Turkey from various modern perspectives: Göl, 'Imagining the Turkish nation through 'othering' Armenians', pp. 121-39; Kuyucu, pp. 361-80; Samur, pp. 327-40.

<sup>550</sup> Ulrike Schuerkens, 'Ethnic, Racial and Religious Minorities', *Social and Economic Development*, 5 (2004).

<sup>551</sup> Karimova and Deverell, p. 8. See also Toktaş, 'EU Enlargement conditions and minority protection: A Reflection on Turkey's Non-Muslim Minorities', pp. 489-518. A large amount of the literature refers to the issue of the Jewish community in modern Turkey and the political impact that has upon Israeli-Turkey relations as well as the question of Turkish relations with the EU. This political impact could be better comprehended when an international issue occurs between Turkey and any of the kin states of the minorities that Turkey accommodates; the non-Muslim minorities usually become part of the issue. However, Jewish-Orthodox relations in Greece are not as politicised. Şule Toktaş, 'Perceptions of Anti-Semitism among Turkish Jews', *Turkish Studies*, 2 (2006), 206.

<sup>552</sup> Prodromou, 'Turkey between Secularism and Fundamentalism?: The "Muslimhood Model" and the Greek orthodox Minority', p. 13.

<sup>553</sup> The Peace Treaty of Lausanne between Greece and Turkey, which was signed on 24th July 1923, the foundation and the establishment of the Republic of Turkey on 29th October 1923, as well as the exchange of Turkish and Greek populations, were the most significant events, until the first quarter of the twentieth century,

descendants of those who were permitted to remain in Turkey after the massive and compulsory exchange of populations agreed under the Treaty. The exchange of Greek and Turkish populations was a compulsory transfer of a large number of people, officially adopted in order to determine a minority problem based only on the religious identity of the population.<sup>554</sup> The members of the Greek Orthodox minority of Turkey reside mainly in the city of Istanbul, the Princes' Islands (Tk. Büyükada, Heybeliada, Burgazada, Kinaliada) of the Marmara Sea and the Islands of Imvros (Tk. Gökçeada) and Tenedos (Tk. Bozcaada) next to the Aegean coast of Turkey. The Greek Orthodox population of Turkey has decreased<sup>555</sup> from over 100,000 in the 1950s to less than 3,000 at present.<sup>556</sup> Since the establishment of the Turkish Republic in 1923 the status of the Greek Orthodox minority of Turkey has been inextricably linked with the status and role of the Ecumenical Patriarchate of Constantinople, which has been analysed in detail in the first chapter of the present study. The fact that the Turkish authorities approach the Greek Orthodox community and the Ecumenical Patriarchate as separate components of the whole Greek Orthodox minority is another problematic aspect, which creates more difficulties for the minority.<sup>557</sup> It is therefore dependent upon Ankara's political willingness to accept religious pluralism and develop democratic policies towards self-administration of all minority religious entities of the country. The Peace Treaty of Lausanne was the capstone which signified the end of the Greek-Turkish War and constituted the requirements of peaceful cooperation between modern Greece and Turkey. In addition, the Treaty and the compulsory population exchange have undoubtedly had both negative and positive impacts upon the general distribution of

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which affected and dramatically altered the situation of the Greek population of the late Ottoman Empire. Pentzopoulos, p. 51.

<sup>554</sup> Zürcher, 'Greek and Turkish refugees and deportees 1912-1924', p. 4.

<sup>555</sup> The Istanbul and Izmir pogrom between 6th and 7th September 1955 known as 'Septemvriana' events, followed by the events of 1964, led the vast majority of the Greek Orthodox citizens of Turkey to abandon the country. For the Istanbul events of 1955 see the work of Dilek Güven, 'Riots against the Non-Muslims of Turkey: 6/7 September 1955 in the context of demographic engineering'.

<sup>556</sup> Achilleas G. Adamantiades, 'The Status and Issues of the Greek-Orthodox Minority in Turkey', *Tolerance and Non-Discrimination*, 2 (2012).

<sup>557</sup> Prodromou, 'Turkey between Secularism and Fundamentalism?: The "Muslimhood Model" and the Greek orthodox Minority', p. 14.

the population for both countries.<sup>558</sup> The question regarding the full compliance with the terms of the Treaty by both the covenanters remains an uncertain issue, especially as it relates to minority rights.<sup>559</sup>

#### **4.7 The rise of Political Islam in Turkey and its impact on non-Muslim minorities**

Turkey, the last seat of the Ottoman Empire, is a secular state with a predominantly Islamic tradition, culture and heritage. By establishing the Turkish Republic in 1923, the Turkish Grand National Assembly officially abolished the institution of the Caliphate, which existed in the Ottoman Empire. Article 2 of the Turkish Independence Constitution, which stated that ‘The religion of the Turkish State is Islam’, was replaced in 1928; Kemalist ideology was adopted and constituted in 1937 according to the principles of nationalism and secularism. These political and ideological changes transformed Turkey, which became the first formally secular state among other Muslim countries. However, religious nationalism and the emergence of radical Sunni Islam contribute to religious and political identity in an ideological framework in modern Turkey<sup>560</sup>. In relation to state interference in religious affairs, *vis-a-vis* the Turkish Constitution maintains that ‘as required by the principle of secularism, there shall be no interference whatsoever of the sacred religious feelings in state affairs and politics’. However, despite the fact that the Kemalist reformation introduced absolute separation between the State and religion, Islam as the religion of the vast majority of the population, is under the control of the State. The State still controls Islamic religious practices through the Department of Religious Affairs in order to ensure that Islam is

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<sup>558</sup> During the process of separation, memory and history play a significant role. The separation of people creates ongoing problems; experiencing separation rather than symbiosis creates loss of communication and limits the understanding and respect of otherness. These effects were acute to the particular situation of Greece and Turkey where populations had had close relations over long periods and finally had been forced to separate. Hirschon, ‘History’s Long Shadow: The Lausanne Treaty and Contemporary Greco-Turkish relations’, (2008), 83.

<sup>559</sup> Pontifex and Newton, pp. 151-56.

<sup>560</sup> For the rise of Political Islam in modern Turkey see also the work of Bilal Sambur, ‘The Great Transformation of Political Islam in Turkey: The Case of Justice and Development Party and Erdogan’, *European Journal of Economic and Political Studies*, 2 (2009), 117-127.

practised according to the principles of secularism. It is well known that the teachings of Islam are not confined within the general limits of religion but it is also a system of law; there was an impression therefore that the absence of State control in religious affairs might result in the interference of religion, that is to say Islamic law, in governmental affairs. The period between 1923 and 1938 has been characterised as the landmark of secular reformations in Turkey. The Sharia courts and all the aspects of Islamic law that were in force until that period have been completely abolished from the political sphere and administration, despite the long Islamic tradition of the country. Another important aspect is that Islamic law is not considered at all when it comes to the question of international human rights and the obligations of the country. Therefore, Turkey does not make any reference to Islamic law in the country's international reports and statements, which are related to human rights. However, the application of Kemalist secularism and nationalism in Turkey has raised questions on human rights,<sup>561</sup> and particularly on the right to freedom of thought, conscience and religion in relation to Islamic norms.<sup>562</sup> The question of human rights is even

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<sup>561</sup> The relationship between human rights and Islamic law is an important subject of international discourse among modern societies. This discourse is not only theoretically relevant to the universal acceptance and application of human rights in general, but also particularly relevant to the practical realisation of the principles of human rights within the Muslim world. This is due to the general universal appeal of human rights on the one hand, and the legitimising influence of Islamic law in Muslim majority states as well as amongst Muslims in general, on the other. The principles of human rights have been accepted as part of the international legal system. In other words, that means that all states are obliged to follow the standards of human rights. This obligation relies on two conditions: either that states have signed and ratified international conventions and covenants on human rights, or because human rights have attained a universal character of customary international law. In addition, all states should follow customary international law irrespective of whether they have signed these treaties or not. Islamic law on the other hand is neither particularly recognised as such under the world system of international law, nor as a state law per se. Islamic law is usually applied as a part of the legal system of a state when it is recognised officially as the state religion. Christina Jones Pauly, 'Tensions between Islamic Law and Human Rights from the Perspective of Comparative Law', p. 1 <[http://www.humanrights.ch/upload/pdf/0000990827\\_cjp\\_text.pdf](http://www.humanrights.ch/upload/pdf/0000990827_cjp_text.pdf)> [accessed 17 April 2015].

<sup>562</sup> Angel Rabasa and Stephen Larrabee, *The Rise of Political Islam in Turkey*, (Santa Monica: RAND Corporation, 2008), pp. 32-35; Mashood Adebayo Badekin, 'Modern Muslim States between Islamic Law and International Human Rights Law' (unpublished doctoral thesis, University of Nottingham, 2001), pp. 325-27. For the rise of political Islam and its implications on the Turkish political sphere and society, see also the work



more complicated for Turkey, a country that accommodates within its territory forty-seven different ethnic groups.<sup>563</sup>

Another important factor that played a significant role in the political sphere of modern Turkey is the role of the military. The rise of violence among the left and right political wings in the 1970s led to the intervention of the military in order to re-establish public order and strengthen political Islam in Turkey.<sup>564</sup> The principal attempt at military intervention was to reinforce the role of Islam in society while trying to weaken and deconstruct the influences of communism. Therefore, under the lead of the military, Religious Education has been constituted as a compulsory subject in all schools. In general, the religious and moral education which was promoted in that period was under the control of the State.<sup>565</sup> In fact, the military approach was based on the tripartite: ‘the family, the mosque, and the barracks’, and attempted to institute a homogeneous society on one hand while it was trying to protect the population from communist ideologies on the other.<sup>566</sup> In order to construct this new political synthesis, the military employed the concept that the political ideology of the new regime should be a synthesis of the Ottoman, Islamic and Turkish cultures.<sup>567</sup> Therefore, the notion and inner understanding of nation and state were reinterpreted as a family and community according to Ottoman and Islamic ideology in order to bring the relevant ideas of the past into the present. Education, the press and the media were the instruments used to promote this ideology to the population. The attempt to apply this ideological programme

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of Eric Jan Zürcher and Henk van der Linden, *The European Union, Turkey and Islam* (Amsterdam: Amsterdam University Press, 2004), pp. 45-64.

<sup>563</sup> Arndt Kunnecke, ‘The Turkish Concept of “Minoritie” - an irremovable obstacle for joining EU?’, *European Scientific Journal*, 2 (2013), 77.

<sup>564</sup> For a detailed discussion about the cases and the impact of the military coup in 1980, see the work of Mehmet Ali Birand, *The Generals’ Coup in Turkey*, (London: Brassey’s Defense Publishers, 1987).

<sup>565</sup> Rabasa and Larrabee, p. 37.

<sup>566</sup> Cemal Karakas, ‘Turkey: Islam and Laïcism between the Interests of the State’, *Politics and Society*, 78 (2007), 17–18.

<sup>567</sup> Hakan Yavuz, ‘Political Islam and the Welfare (Refah) Party in Turkey,’ *Comparative Politics*, 1 (1997), 68; for the Ottoman and republican origins of the ‘Turkish-Islamic synthesis,’ see the work of Gökhan Çetinsaya, ‘Rethinking Nationalism and Islam: Some Preliminary Notes on the Roots of Turkish-Islamic Synthesis in Modern Turkish Political Thought,’ *The Muslim World*, 3-4 (1999), 350-76.

led to the foundation of a new Turko-Islamic culture and civilisation that would maintain the unity of society and thereby establish the stability of the State. However, this political synthesis is opposed to the 1982 Turkish Constitution, which defines Turkey as a secular state. Therefore, the strengthening of the role of religion within Turkish society reinforced nationalism and weakened the nature of secularism.<sup>568</sup> In the political context of modern Turkey as it relates to the minority question, the new Islamist political movement, which has emerged as a political party, demonstrates distinctive qualities and therefore is a phenomenon that deserves special attention. In Turkey the ruling Justice and Development Party (AKP), which came to power in November 2002,<sup>569</sup> has an Islamic background and presents a unique case for this aspect of political Islam. The political reformation process in Turkey continued with five packages by 2004 which instituted the establishment of minority associations.<sup>570</sup> Non-Muslim minorities in Turkey, and particularly the Greek Orthodox, the Armenians, and the Jews, view the minority policies of AKP with uncertainty. There is a sense that the direction of the AKP is to create a type of Islamic state in Turkey<sup>571</sup>. However, the positive attitude of the AKP Turkish Government towards non-Muslim minorities is a significant aspect, and shows the willingness of the Turkish authorities to improve the conditions of minorities.<sup>572</sup> Nonetheless, there is no legal framework for non-Muslim minorities in Turkey in order to solve their issues in relation to legal recognition, constitutional protection, religious freedom, and protection against discrimination. The approach of the AKP towards freedom of religion is coupled with and influenced by Islamic ideology and therefore remains restrictive for non-Muslim minorities and their religious freedoms.<sup>573</sup>

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<sup>568</sup> Rabasa and Larrabee, p. 38.

<sup>569</sup> Anna Maria Beylunioğlu, 'Freedom of Religion and non-Muslim Minorities in Turkey', *Turkish Policy Quarterly*, 4 (2015), 141.

<sup>570</sup> Beylunioğlu, p. 141.

<sup>571</sup> Rabasa and Larrabee, p. 65.

<sup>572</sup> For Turkey, the question of respect and protection of minorities is still one of the most problematic areas as it relates to the preconditions for accession to the EU according to the Copenhagen Criteria from 1993. Arndt Kunnecke, p. 78.

<sup>573</sup> Beylunioğlu, pp. 145-147.

The question of minority rights protection and religious freedom is an issue encountered in other countries among the wider area of South-Eastern Europe as a result of the nineteenth century nationalist movement. The Kosovo Constitution includes almost all the principal international legal standards in relation to minority rights; however most of them are not implemented in practice; this creates the main obstacles to minority rights protection in the country. Precisely, local and international independent organisations (the European Commission, the OSCE, the Kosovo Ombudsperson, Minority Rights Group International and the Humanitarian Law Centre) have reported that most of the Kosovo legislation relating to minority rights has not been implemented. Therefore, the application of the minority rights policy remains one of the main challenges in Kosovo.<sup>574</sup> A similar situation prevails in Bulgaria with the Muslim minority of the country. Based on the results of the last census of 2011, there are approximately 590,000 Muslims of ethnic Turkish background who live in Bulgaria. This number corresponds to 8.8 % of the total population of the country.<sup>575</sup> By the collapse of the communist regime in 1989 the situation of the ethnic minorities in Bulgaria had changed. However, Bulgarian minority policy towards the Turks has been uncertain since the establishment of the Bulgarian nation state in 1878. Approaches towards the Muslim minority have ranged from integration attempts with the recognition of minority rights to attempts at assimilation of the minority.<sup>576</sup> Although there is a legal codification of minority rights in Bulgaria, a negative attitude of Bulgarians towards the Turks still persists, which is probably due to the Ottoman past.<sup>577</sup> Another important factor

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<sup>574</sup> Adem Beha, 'Minority Rights: An Opportunity for Adjustment of Ethnic Relations in Kosovo?', *Journal on Ethnopolitics and Minority Issues in Europe*, 4 (2014), 86, 98, 100. See also the work of Clive Baldwin, *Minority Rights in Kosovo under International Rule* (UK: Minority Rights Group International, 2006).

<sup>575</sup> Marina Liakova, 'The Turkish minority in Bulgaria', *Euxeinos*, 8 (2012), 12. For the position of minorities in Bulgaria see the work of Elena Marushiakova and Vesslin Popov, 'Muslim Minorities in Bulgaria' in Blaschke, Jochen, *Migration and Political Intervention: Diasporas in Transition Countries* (Berlin: Parabolis, 2004).

<sup>576</sup> Liakova, p. 13.

<sup>577</sup> Liakova, p. 17. For the status of the Bulgarian Orthodox Church and the relations between Church and State in Bulgaria see the important work of Peter Petkoff, 'Freedom of religion or belief in the jurisprudence of the Bulgarian Constitutional Court', *Religion, State and Society*, 3 (2008), 225-50; 'Church-state relations under the Bulgarian Denominations Act 2002: Religious pluralism and established Church', *Religion, State and Society*, 4 (2005), 315-37; 'The law on religion in Bulgaria in the light of European integration', in *Orthodox*

affecting relations between Greece and Turkey is the political situation of the Republic of Cyprus. The history of the relations between Greece and Turkey during most of the twentieth century and especially after the establishment of the Turkish Republic in 1923, have passed through different challenging phases. The current political situation has undoubtedly improved and cooperation between the two countries is currently at its best compared to any other previous period. This situation creates a dynamic of stability in the Aegean Sea as well as in the wider area of the Balkan Peninsula. Because of this development, the Cyprus issue has been decoupled from the bilateral relations between Turkey and Greece<sup>578</sup> and therefore does not affect the minority policies that both Turkey and Greece follow. Nevertheless, despite the improvement of bilateral relations, it is still indisputable that there is limited progress in relation to the primary issue that both countries face.<sup>579</sup> The ongoing unresolved Cyprus conflict on the other hand is a question that Greece always raises when it comes to Turkish EU membership. The Republic of Cyprus does not fall under the Copenhagen criteria governing membership; however, many European Union countries deny Turkey full membership as long as the Cyprus issue remains unsettled.<sup>580</sup>

#### 4.8 Conclusion

Examining the various aspects of the modern historical context of the States of Turkey and Greece in relation to the minority question, it is obvious that the specific foreign policies followed by each country, in addition to the application of international conventions on human and minority rights, form the umbrella under which adjustments in the relations between minorities and the official State take place. Although both countries are demographically homogeneous, especially after their mutual but compulsory exchange of

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*Christianity and Contemporary Europe: Selected papers of the international conference held at the University of Leeds*, ed. by J. Sutton and WP van den Bercken (Leuven: Belgium Peeters Publishing, 2003), pp. 485-502.

<sup>578</sup> Rabasa and Larrabee, p. 81.

<sup>579</sup> Ekavi Athanassopoulou, 'Turkey's global strategy: Turkey and Greece', *LSE Research Online*, (2012), 17.

<sup>580</sup> Rabasa and Larrabee, p. 80. See also the work of Melike Baştürk, 'The Issue of Cyprus in the EU Accession of Turkey', *Claremont-UC Undergraduate Research Conference on the European Union*, (2011); Muzaffer Ercan Yılmaz, 'Capturing the Complexity of the Cyprus Conflict', *Turkish Journal of Politics*, 1 (2010); Olga Demetriou, 'EU and the Cyprus Conflict', *The European Union and Border Conflicts*, 18 (2005).

populations, they accommodate within their borders officially recognised minorities whose status is regulated by the 1923 Treaty of Lausanne; in addition they are home to other important religious and ethnic communities that have however no officially recognised minority status. Geopolitical and ideological factors obstruct the Turkish and Greek States in granting minority recognition to these communities, a policy which leads in many cases to violation of the principles of human rights, such as the rights of self-identification and freedom of religion. Religious identity is a key marker in the relationship between the two States, Greece and Turkey. However, it is often not explicitly acknowledged as a fundamental element in this encounter; at times this might lead to a disconnection between the two States and their actual relations, which could act as a factor of destabilisation as it is not fully understood as part of the State relations. However, the EU crisis has raised this issue in the contemporary agenda, as have also Turkish relations with Israel. Pope Benedict XVI and Ecumenical Patriarch Bartholomew I have illustrated the expectations they have from the EU leaders in relation to freedom of religion and minority rights in their common declaration of 2006 according to Christian doctrine:

“We have viewed positively the process that has led to the formation of the European Union. Those engaged in this great project should not fail to take into consideration all aspects affecting the inalienable rights of the human person, especially religious freedom, a witness and guarantor of respect for all other freedoms. In every step towards unification, minorities must be protected, with their cultural traditions and the distinguishing features of their religion. In Europe, while remaining open to other religions and to their cultural contributions, we must unite our efforts to preserve Christian roots, traditions and values, to ensure respect for history, and thus to contribute to the European culture of the future and to the quality of human relations at every level.”<sup>581</sup>

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<sup>581</sup> Common Declaration of Pope Benedict XVI and Ecumenical Patriarch Bartholomew I, *Greek Orthodox Theological Review*, 1-4 (2006), 396.

When it comes to the Muslim minority of Western Thrace, it is generally acknowledged that the Muslim Greek population of that specific region exercises and practises their religion and they have the right to apply Islamic law on family issues without obstacles, discrimination or any external intervention. However, the situation of the Muslims of the Dodecanese Islands, and the Muslim immigrants who reside alongside other Greek urban centres consisting of the so-called New Islam of Greece, is still problematic; the Greek State should immediately settle this issue according to European and international agreements. In addition, the lack of an officially established body to represent the whole Greek Muslim community is a question that the Greek authorities should immediately instate. On the other side of the Aegean, despite the fact that the Greek Orthodox minority of Istanbul and the Ecumenical Patriarchate of Constantinople also enjoy the right of religious freedom, the Patriarchate still faces difficulties in terms of administration because it has not been granted recognition as a legal personality, and because the closure of the Theological Academy of Halki deprives the Greek Orthodox clergy of the right to theological education. The clause of reciprocity, which is related mainly to religious freedom, to the educational policies of the minorities, and to the functional organisation and property rights of religious foundations, has been interpreted and applied according to the will of each country. The need for re-ratification of the Lausanne Treaty, and especially the review of the clauses which relate to minorities, would seem to require careful consideration by both countries.

## **Chapter 5**

### **Methodology**

#### **5.1 Methodology**

The present chapter conceptualises the methodology that was adopted for this research study. The first section gives a thorough description of the statistical methodological design that the researcher adopted, followed by the reasons for selecting the particular geographical areas and the informants' characteristics, describing the inclusion and exclusion criteria. The third part of the study describes the steps that the researcher followed according to the relevant University Department's ethical approval up to the recruitment of the informants. Subsequent sections explicate the way in which the design and analysis were conducted to investigate Christian-Muslim relationships in the specific geographical areas of Western Thrace in Greece and Istanbul in Turkey. The methodology that the researcher followed played a significant role in implementing the research thesis. Even though a large amount of the existing literature review has already investigated the minority question as well as the relations between Muslims and Christians in the specific areas of Istanbul and Western Trace, especially after the compulsory population exchange between Greece and Turkey in 1923, it did not discuss developmental points relating to the peaceful co-existence of the two religious minorities. This gap in the literature review appears to be vital for further development of the internal affairs of the minorities in these two specific regions. Due to the historical significance of the areas, the researcher was primarily interested in examining the effect of the constant geographical and population changes in the chosen locations without paying much attention to the fundamental elements of the leadership of governing these two minority groups: what are the challenges they face and what facilitates their co-existence. Therefore, the present study is placed in the existing literature, filling the gap about the administrative challenges of these two minorities as well as their operation within a diverse religious and political environment. It is the first study to focus on the development of the ecclesiology and political theology of the Ecumenical Patriarchate of Constantinople and the Autocephalous Greek Orthodox Church as it relates to Muslim-Christian relations in the

contemporary context of modern Greece and Turkey. It is therefore a pioneering study in the contemporary social and religious context of the twenty-first century. In addition, it is the first time that the Declaration of Human Rights has been investigated in the historical context of the states of Greece and Turkey from sociological and theological points of view. Finally, this research study contributes to a better understanding of the development of the relationships between faith communities, which are organised by religious groups, and it identifies the obstacles that Muslims and Christians face in Greece and Turkey in relation to religious freedom.

## 5.2 Design

This research study adopted the qualitative method of thematic analysis in order to analyse the data collected from interviews. Thematic analysis is considered as a systematic approach to gain in depth insight to data by identifying themes or patterns with regard to the subject under investigation.<sup>582</sup> In addition, thematic analysis enables the researcher to create themes relating to the textual data and, in the case of the present study, the transcripts. Furthermore, the design of thematic analysis interprets the data through identification of commonalities, relationships, patterns or/and theoretical constructs.<sup>583</sup> Thematic analysis is not considered as a research method per se but rather as an analytic approach, which aims to synthesise strategies in order to create specific meanings from the collected data.<sup>584</sup> Thematic analysis is better identified and described through its five major aims: (i) to see, (ii) to find correlations, (iii) to analyse, (iv) to observe a pattern, and (v) to quantify the qualitative data. One of the procedural advantages of thematic analysis is that it analyses a large volume of contextual data without losing its actual focus or context.<sup>585</sup>

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<sup>582</sup> Richard Boyatzis, *Transforming Qualitative Information* (USA: Sage Publications, 1998), pp. 29-54.

<sup>583</sup> Lyn Richards, *Handling Qualitative Data: A Practical Guide* (London: Sage Publications, 2005), pp. 10-63.

<sup>584</sup> Matthew Miles and Michael Huberman, *Qualitative data analysis: an expanded sourcebook* (USA: Sage publications, 1994), pp. 105-339.

<sup>585</sup> Boyatzis, pp. 29-54.



The fundamental analytic tool available to the researcher through thematic analysis is coding. Coding is the process through which the researcher closely investigates the transcripts. Through this process and based on the collected data specific themes, patterns, topics or/and relationships emerge. In addition, through coding the researcher is able to categorise the data for later theory-building.<sup>586</sup> The researcher identifies the themes deductively based on the theoretical constructs that the study aims to examine. Therefore, the researcher identifies the primary themes, which facilitates the cross case comparison. However, the researcher should adopt an inductive approach as well in order to be more accurate with the analysis and to build reliable results.<sup>587</sup> The inductive approach counterbalances the rigidity and the premature closure that a deductive analysis might hold. Such a process is facilitated by the observation of the direction of data, such as patterns, linguistic connotations, names that the participants attributed to events or/and situations, comparing data against codes, memos and revision of coding.

### **5.3 Rationale of the chosen Geographical Areas**

Greece is one of the South-Eastern European countries where Eastern Orthodoxy is the dominant religion. In addition, Greece accommodates an officially recognised Muslim minority located in Western Thrace, as well as other Muslim populations located in other major Greek urban centres and on the islands of the Aegean Sea. On the other hand, Turkey is a Muslim country, where the Ecumenical Patriarchate of Constantinople is based. Turkey accommodates an officially recognised Greek Orthodox minority, located in Istanbul. Furthermore, Istanbul and Western Thrace are the areas that were selected for investigation due to the religious populations that they accommodate; both Christian Orthodox and Muslim congregations. Finally, the exchange of Greek and Turkish populations in 1923, which was, for the first time in history, a compulsory transfer of a large number of people in order to

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<sup>586</sup>Kenneth Ponsford and Judith Lapadat, 'Academically capable students who are failing in high school: Perceptions about achievement', *Canadian Journal of Counselling*, 2 (2001), 137–56.

<sup>587</sup>Richards, pp. 10-63.

determine a minority problem based only on the religious identity of the population,<sup>588</sup> signifies the importance and uniqueness of the chosen regions.

#### **5.4 Researcher's Narration**

It is vital in a qualitative analysis for the reader to understand the researcher's framework and his biases since such biases might affect his position on the data. The researcher grew up in a traditional conservative region of Athens. Due to some family circumstances, he found refuge in his local church, which was his first encounter with the tradition and teachings of Greek Orthodoxy. Despite the fact that the other members of his family were not frequent churchgoers, since his childhood and until his ordination as a Greek Orthodox priest, the researcher has been an active member of his parish. During adolescence, he found himself exploring different religions but always maintained his faith in the Orthodox Church. After a life-threatening event, he became sure that the life path he wanted to follow was one of solitude within the priesthood. Therefore, at the age of twenty he was ordained as a deacon, which led him to become a priest at the age of twenty-five. After his ordination in 1996, he served in many parishes across Greece, Turkey and Great Britain. His interest in Muslim-Christian relations and the issue of religious freedom began between 1996 and 1997 while he was serving at the Metropolitanate of Eleftheroupolis in the Kavala district of northern Greece, an area which borders Western Thrace. During that period, he had the opportunity to communicate and interact with Muslim individuals and to gain an insight into the relations and interactions between Christians and the members of the Muslim minority of Western Thrace. During his pastoral work as a priest of the Greek Orthodox Church he encountered many challenges regarding the organisational and the leadership elements of the Greek Church, which led him to leave his country and land in the United Kingdom in order to serve as a parish priest at one of the communities of the Orthodox Archdiocese of Thyateira and Great Britain of the Ecumenical Patriarchate of Constantinople. The decision to serve in a region which is under the direct pastoral and spiritual jurisdiction of the Patriarchate of Constantinople gave him the opportunity to develop relationships with Orthodox clergy who

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<sup>588</sup> Eric Zan Zürcher, 'Greek and Turkish refugees and deportees 1912-1924', p. 4.

serve in Istanbul, where the Patriarchate is located, as well as to visit Turkey quite often. That relation and interaction with the Orthodox clergy, as well as with Muslim individuals, was instrumental for the researcher in relation to the experience and knowledge that he gained about the circumstances of the Greek minority of Istanbul and the operational challenges that the Ecumenical Patriarchate is facing. In addition to that, he was always interested in the causes that led to the Great Schism between the Latin West and the Orthodox East, and in the difficulties at a later stage that prevent fruitful dialogue between different religious denominations. His PhD thesis is a product of extensive pastoral experience and research among multicultural and diverse societies. Even though the researcher is a Christian Orthodox priest and his frame of mind is influenced by the doctrines and traditions of the Greek Orthodox Church, he tries to approach research questions with as much objectivity as awareness of these personal influences can provide.

## **5.5 Informants**

The present study recruited informants from the specific regions of Istanbul in Turkey and Western Thrace in Greece, where the officially recognised Greek Orthodox and Muslim minorities are correspondingly located. Because of the important role that the political and religious leaders still have in modern Greek and Turkish societies, the present study recruited Christian and Muslim religious leaders and political leaders from both regions. The informants from whom the researcher was interested in gathering data were political and Christian/Muslim religious leaders from the regions of Western Thrace and Istanbul, having accordingly a Christian Orthodox or Muslim background. In addition, the researcher was interested in recruiting adults only; therefore, all the participants were above the age of eighteen years, having at least five years of service in Western Thrace or Istanbul, and were in control during the period of the interviews. The researcher gathered data about the informants' exclusion and inclusion criteria through the databases of the Ecumenical Patriarchate of Constantinople, the Greek Ministry of Foreign Affairs, and the Interior Ministries of Greece and Turkey. The functional code<sup>589</sup> of a leader discerns two

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<sup>589</sup> For the functional code of a leader, see the work of George L. Alexander, *Presidential Decisionmaking in Foreign Policy: The Effective Use of Information and Advice* (Colorado: Westview Press, 1980).

fundamental types of conviction; philosophical and functional convictions. Philosophical convictions are related to the fundamental nature of political issues and political conflicts. Functional convictions on the other hand are related to the relationships between the strategic objectives and the specific policies within the context of political action. Therefore, the aim of the functional code of a political leader is not the development of a comprehensive theory on politics, but rather the better understanding of the practices to which a leader resorts in order to make a fair and reasonable decision.<sup>590</sup> Although the philosophical and functional convictions of a leader affect the decision-making process, they are not the only variables that influence a specific decision; internal policies and structures as well as international constraints also play a significant role in decision-making.<sup>591</sup> A very important aspect in leadership, and therefore of a political leader, is power, which arises from “the probability that one actor in a social relationship will be in a position to carry out his will despite resistance.”<sup>592</sup> The power to exercise control over others depends on the ability of a leader to accomplish it and, of course, on the support of the followers. In fact, the way to obtain an objective is usually related to the actions of others. Therefore, both dimensions of power should be considered; the capacity that the leader has and the approval of the followers.<sup>593</sup> Power, therefore, is not a symmetrical relation between the leaders who exert power and those who follow the rules of power.<sup>594</sup> Leadership is a fundamental form of politics in contemporary democratic societies. Political leaders play an important role in modern societies, especially in relation to their capabilities for creating alternatives and for choosing between rival policies for the public realm. In addition, the role of leaders as

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<sup>590</sup> Konstantinos Arvanitopoulos, ‘Ο ρόλος των ηγετών στη διαμόρφωση της εξωτερικής πολιτικής’, [The role of the leaders in shaping foreign policy] in *30 Χρόνια Ελληνικής Εξωτερικής Πολιτικής [30 Years Greek Foreign Policy]* (Athens: Livanis Publications, 2005), p. 300.

<sup>591</sup> Ibid. p. 302.

<sup>592</sup> Max Weber, Peter Lassman, and Ronald Speirs, *Weber: political writings* (Cambridge University Press, 1994). For the important role of a leader, see the work of Andrej Skolkay, ‘Populism in Central Eastern Europe’, *Thinking Fundamentals*, IWM Junior Visiting Fellows Conferences, 9 (2000).

<sup>593</sup> Filipe Teles, ‘Political Leaders: The Paradox of Freedom and Democracy’, *Revista Enfoques*, 16 (2012), 116.

<sup>594</sup> Ibid. p. 117.

individuals is strengthened in the process of determining the way in which individuals view and express their preferences.<sup>595</sup>

Similarly to political leaders, religious leaders play a significant role in modern societies. Religious leaders are highly trusted and respected individuals within local communities worldwide. In many parts of Asia and the Middle East<sup>596</sup> people particularly consult them to ask for their support and guidance on family and personal matters. They are personally embedded in their regions, along with their network of volunteers and representatives, while their religious institutions and organisations control considerable resources. These sources of influence enable religious leaders to act accordingly and therefore to determine to some extent the understanding and the reactions of their faithful, and have the potential to promote and sustain societal norms, changes, attitudes, and behaviours that affect the development of a local community when a particular issue arises.<sup>597</sup> In addition, religious leaders have the space to contribute substantive input on strategies and priorities as well as the implementation of developmental objectives among the communities they serve.<sup>598</sup> Another important factor related to the role of religious leaders, and which promotes the peaceful coexistence of multicultural societies, is that religious leaders might be influential in efforts to eliminate discrimination and promote tolerance.<sup>599</sup> Moreover, the appropriate collaboration between religious leaders and governmental authorities can contribute to the improvement of the development of legal awareness and moral education; it can strengthen the resolution of disputes at community level and, finally, increase the capacity of the legal system to deliver justice.<sup>600</sup>

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<sup>595</sup> Ibid. p. 123.

<sup>596</sup> For the role of religious leaders in the Middle East, see the work of Robert Lee and Lihi Ben Shitrit, 'Religion, Society, and Politics in the Middle East' in *The Middle East* (Thousand Oaks: CQ Press, 2014), pp. 209-245.

<sup>597</sup> Nasser El Kholy, 'The Role of Religious Leaders and Communities in Development Efforts in Asia and the Middle East', *USAID*, (2009), 1.

<sup>598</sup> Kholy, p. 1.

<sup>599</sup> Ibid. p. 4.

<sup>600</sup> Ibid. pp. 6-7.

## **5.6 Procedures**

Participants' contact details were found through the databases of the Ecumenical Patriarchate of Constantinople, the Greek Ministry of Foreign Affairs and the Interior Ministries of the Greek and Turkish Republics. After the ethical approval of the Ethics Committee of Heythrop College, University of London, the researcher made the initial informal contact with the potential informants via telephone. The participants who responded positively to the informal invitation and agreed to participate in this research study then received a formal invitation which included the participants' informative forms, (Appendix III) in order to inform them in detail about the purpose of the study, and the consent form (Appendix IV); the informants completed, signed and returned these to the researcher within a month, posting them in a prepaid envelope included in the formal invitation. The final procedural stage consisted of face-to-face interviews with the informants. Each of the interviews lasted between fifty minutes to one hour. The arrangements between the researcher and the informants regarding place, time and the date of the meetings were made via telephone. All interviews took place between September and December 2013. For the completion of the interviews, the researcher visited all the informants at their work place (offices / Town Halls). Before the beginning of each interview all the informants were notified that the interviews would be audio recorded. A bilingual Greek-Turkish interpreter was recruited for the Turkish-speaking informants, to whom the researcher had also sent all the documents in Turkish. At the end of the interviews the researcher told the informants that they could always be in touch with him in relation to the progress of the study via phone or email; the researcher mentioned to all his participants that a copy of this study would be sent to them after it is published.

## **5.7 Apparatus**

In order to collect data from the selected informants the researcher used a digital voice recorder, only in order to record the interviews.

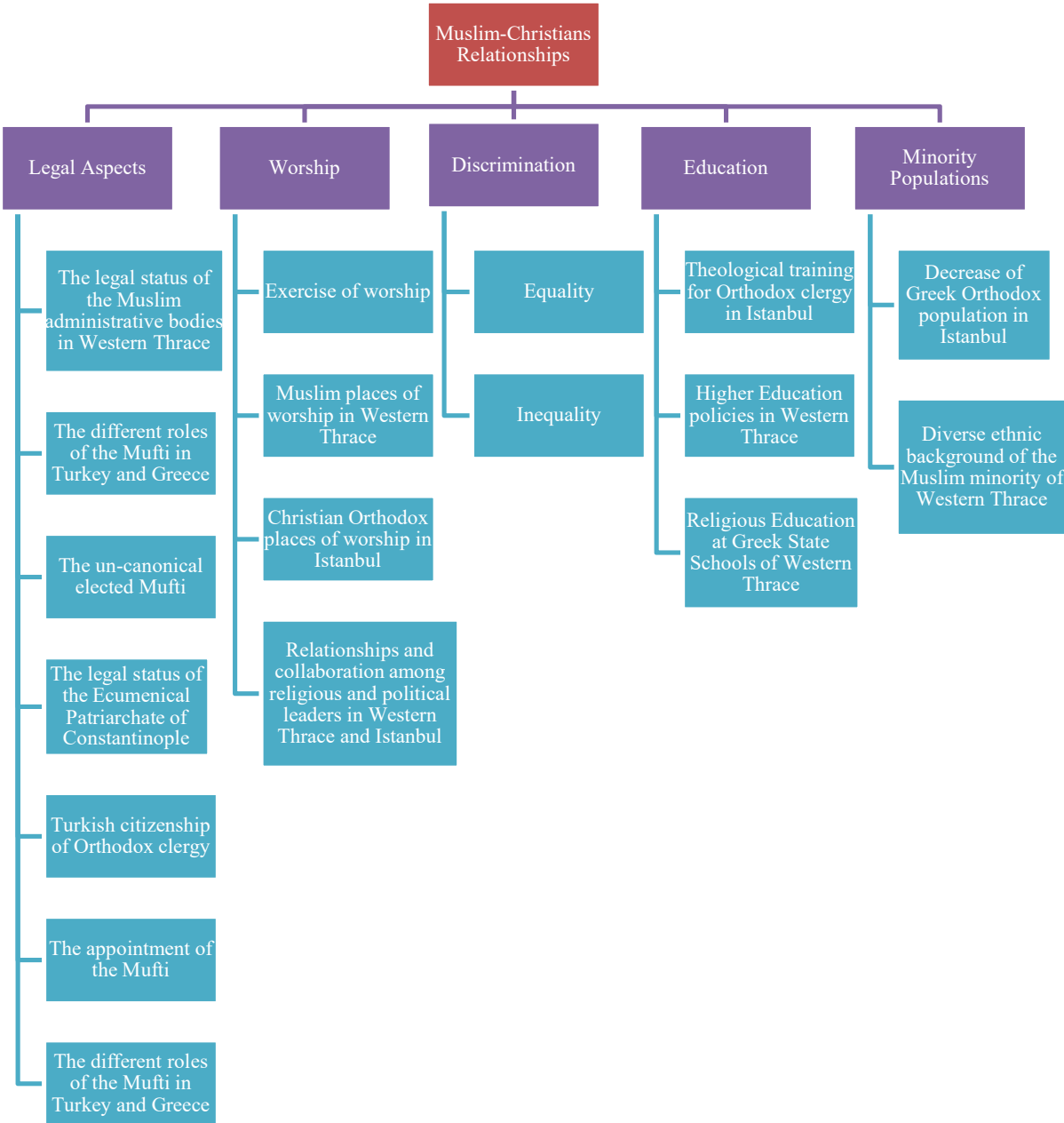
## 5.8 Ethics

The interviews were voice recorded. All participants' information and interview responses are confidential. The researcher will not share participants' individual responses with anyone other than the academic supervisor. The collected data will be destroyed once the project is completed and the data is no longer required (requirement of Data Protection Act, 1998). All the electronic files, which include personal information of any description, have been securely stored whilst in the researcher's possession on a password-protected computer. The present study is due for submission in September 2015 and all data will be securely destroyed by March 2016 at the latest. All the recordings have been digitally coded and only the researcher has had access to the codes. Finally, any identifiable data, or data that might identify informants by an exclusion method, was altered or omitted from the analysis.

## 5.9 Results and Analysis

During the course of data analysis, the eleven participants described the current situation of the Muslim minority of Western Thrace and the Greek Orthodox minority of Istanbul as it relates to freedom of worship; Religious Education; the diverse background of the minority population; and their interaction and collaboration with state representatives as well as with the members and religious leaders of the dominant religion of each area. They also discussed the challenges they face with regard to discrimination and inequality before the law when it comes to governmental minority policies; their coping and administrative strategies; and their attempts at peaceful co-operation between Muslim and Christian populations. While some participants acknowledged that there is still space for further development as it relates to the minority question in modern Greece and Turkey, the overall mood of the participants could be summarised by the following quotation: "*There is an absolute freedom of religion*". The following sections outline the main themes and subthemes (Graph 1) emerging from the analysis of the interview transcripts.

Graph 1: Themes and subthemes as have been revealed through the analysis of the data:





## **5.9.1 Legal aspects**

### **5.9.1.1 The legal status of the Ecumenical Patriarchate of Constantinople**

The legal status of minority religious institutions in Turkey is an unresolved issue which still creates administrative difficulties for the Ecumenical Patriarchate of Constantinople. Two of the participants pointed out: “*The Patriarchate as a legal institution does not exist; this situation creates significant problems in relation to the ownership of places of worship*”; “*The Patriarchate as a religious institution does not have legal personality*”. Therefore, there was a strong sense that the recognition of the legal personality of the Patriarchate by the Turkish authorities would assist the development of the administration and the function of the Constantinopolitan Church as a Christian religious institution. Another problematic aspect, according to one of the participants, is that the Turkish Government does not accept the ecumenical dimension and role of the Patriarchate, and therefore refrains from using the title ‘Ecumenical’: “*The Turkish avoid the title Ecumenical Patriarchate*”. In addition, another participant stated: “*They know that the Patriarch has an Ecumenical dimension, they know that the Patriarch is welcomed abroad as a country leader, they know all these things but their tongue cannot pronounce the title Ecumenical*”. It is thus well known to the authorities as well as to the public that the Patriarchate has an ecumenical role and dimension; however, there is no political will on the Turkish part to officially recognise and accept the title ‘Ecumenical’, which is directly related to the recognition of the legal personality of the Patriarchate and can cause friction between the two states.

### **5.9.1.2 Turkish citizenship of Orthodox clergy**

One of the recent developments in relation to the administration and appointment of lay and ordained individuals to the service of the Patriarchate relies on the decision of the Turkish authorities to grant Turkish citizenship to those who come to Turkey from other Orthodox countries in order to serve in the Patriarchate. This development was a main focus of discussion by all participants. To be more precise, one of the participants, in describing this important development, noted: “*The Turkish Government gave permission to stay in the*

country and permission to work to those people who are serving at the Patriarchate. That is a positive element. There is another important issue: the prospective Patriarchal election. The Government granted Turkish nationality to twenty Orthodox Bishops from Europe and the United States; that is a good sign. Therefore, in a Patriarchal election not only the Turkish-born Bishops but also those from abroad who have Turkish citizenship have the right to vote or to be nominated for the Patriarchal Throne". This decision of the Turkish authorities was perceived positively, safeguarding to some extent the future of the Ecumenical Patriarchate.

### **5.9.1.3 The legal status of the Muslim administrative bodies in Western Thrace**

Regarding the legal status of the three Muslim administrative institutions of Western Thrace, all of the participants acknowledged the legal recognition of these bodies as legal personalities by the Greek authorities: *"We do not have solely religious responsibilities but also legal jurisdiction and authority in regards to the family and customary law exactly as the Islamic law implies"*; *"The Mufti here has official responsibilities and a legal role regarding family law. The Mufti can marry people, give divorces, and elect Imams. The Mufti is an employee of the public sector"*. Hence, there is a strong belief that the recognition of the legal personality of the three Muslim administrative bodies of Western Thrace by the Greek Government strengthens the role and the presence of the Muslim minority leaders, thereby facilitating the implementation of their pastoral and judicial roles.

### **5.9.1.4 The different roles of the Mufti in Turkey and Greece**

The application of Sharia Law in family matters by members of the Muslim minority of Western Thrace on one hand, and the secular status of the Turkish State on the other, brings to the fore the different roles and responsibilities that the Mufti has in Turkey and Greece. One of the participants, comparing the situation between the two countries, suggested that *"The Mufti though has more rights and responsibilities in Greece than in Turkey"*. Another participant compared the role of the Mufti with the role of an Orthodox Bishop: *"The similar superior religious leader for the Muslim minority is the Mufti"*. Finally, it is acknowledged

that religious leaders of the Thracian minority are recognised as important members of Greek society: *“The Mufti is a significant and respectable individual”*.

#### **5.9.1.4.1 The appointment of the Mufti**

Most of the participants of Greek origin raised the question of the appointment of the Mufti in Western Thrace. It was described in this way: *“In 1991 the Greek Prime Minister invited me and told me that he would like to appoint me as a Mufti”*. In relation to the controversy about the appointment by the Government or the election of the Mufti by the members of the Muslim minority in comparison with the process of electing the Patriarch of Constantinople, it was argued that: *“The Greek Government appoints the official Mufti, as the Turkish authorities control at some point the election of the Patriarch”*. However, one of the participants, agreeing with the process of the appointment of the Mufti by the Greek authorities, stressed that the members of the minority should be actively involved in the whole process: *“Due to the fact that he has all these responsibilities he needs to be elected by the Greek Government with a procedure in which the members of the Muslim minority participate”*. There was a strong sense that the current process of appointing the Mufti requires further development, somehow adopting or taking into account public opinion as well.

#### **5.9.4.1.2 The un-canonical elected Mufti**

The overall feeling of the participants relating to the issue of the un-canonical elected Muftis could be summarised by the following participant’s statement: *“On that matter we have a bit of a problem”*. Three of the participants pointed out that the process of appointing the Muftis in Western Thrace by the Greek authorities and their coexistence with the un-canonical elected Muftis, has undoubtedly created some internal conflicts within the Muslim minority, which have political biases: *“Some people would like to play political games regarding this matter”*; *“This is a political issue, it is an issue between the two Governments: Greek and Turkish”*; *“For the un-canonical elected Muftis, it is obvious that there are some political triggers and views.”* This issue is well known to the Greek authorities, as well as to the local

society, as it is a significant challenging situation, which is still under discussion and which needs further consideration: *“There are the known issues of the doubts of the members of the minority in relation to the governmental appointed Mufti. These doubts mostly come from the local Muftis; there has been discussion and debate with regard to the legality of the election, allocation, and the legal body of the Mufti in Thrace”*. In addition, all the participants of Greek origin expressed their bewilderment with regard to the way that the Turkish authorities treat the Muftis appointed by the Greek authorities. One of the participants exemplified this matter, stating that: *“The Turkish ambassador is not visiting him because he has been appointed by the Greek Government and therefore he is not recognised by the Turkish authorities as a Mufti. The Turkish ambassador does however visit the un-canonical elected Mufti”*. Another participant expressed his bitterness and disappointment on this matter, highlighting the fact that the elected Muftis are not even recognised in other Muslim countries; he noted, *“Only Turkey recognises him. When Turkish ministers or State representatives are visiting us here, they always invite him for meetings and dinners, not us”*, while another participant argued that *“in all Christian countries the Mufti is appointed by the local governments”*. Moreover, two of the participants declined to make any comment on the appointment of the Mufti: *“I do not want to comment on that matter. So far, the Greek Government appoints the most appropriate person for this position”*; *“I do not want to talk on that matter due to the fact that it is not my territorial jurisdiction”*; while another compared the process of the appointment of Muftis to the appointment of Bishops by the Greek authorities: *“What I can only say is that even the Bishops are appointed. According to the Presidential Decree of the Greek Republic, all Bishops of the Greek Church are appointed. The Government has a specific role on that matter and especially our roles as Christian religious leaders include social and cultural responsibilities as well. Therefore, whatever exists for us needs to be the same for Muslim religious leaders. Even in the way a Bishop is elected, it is the Government that defines the process based on the Statutory Charter of the Greek Orthodox Church”*. Another participant refused to recognise the status of the Mufti who was elected by members of the Muslim minority, characterising this process of election as an illegal action, while emphasising that the Greek authorities should intervene to resolve this issue: *“We do not have the official and appointed Mufti and the non appointed Mufti. The elected Mufti from within the mosques or*

*from a group of people is not a Mufti. Therefore, whatever is happening is illegal and the Greek Government needs to look at it more carefully*". Moreover, two of the participants had the feeling that the situation with the un-canonical elected Muftis is driven by external factors originating from Turkey: *"There are some individuals here in Greece who receive orders from Turkey in order to create these problematic situations"; "Within the Muslim minority there are a few people who are driven by the Turkish extremists and they create problems here"*. Finally, another participant brought to the fore the illegal entry, capture and use of a property by the elected Mufti: *"The pseudo-Mufti is based in a building which belongs to us. What I mean about that is that I should have been there; it is a property that belongs to our local administrative body, and he does not have the right to be there"*. Therefore, there is a strong feeling of disappointment among the participants of Greek origin in relation to the un-canonical elections of the Muftis in Western Thrace, to their illegal actions, and to the complete absence and inactivity of the authorities on that particular issue. The only indirect political initiative in order to impugn this illegality was raised by one participant who linked the appointment of the Quran teachers at State schools with the limitation of the influence of the un-canonical elected Muftis: *"If the Greek Government appoints teachers of the Quran then the un-canonical Muftis will lose their power and authority"*.

## **5.9.5 Education**

### **5.9.5.1 Theological training for Orthodox clergy in Istanbul**

All of the participants referred to the necessity of the reopening of the Theological Academy of Halki, which was the only training institution for Orthodox clergy in Turkey. However, there were different views regarding the preconditions related to the reopening of the School. One of the participants, having the sense that the Academy would reopen shortly because the Turkish authorities are dealing with this matter, stressed that: *"We think that reopening the Theological Academy of Halki would be better for the future of the Greek minority. I believe that the Turkish Government is working on that; we are waiting for the reopening of the School"*. However, another participant, while agreeing to the need to reopen

the Academy, believes that this is dependent on and linked to the claims of the Turkish Government in relation to the establishment of a mosque in Athens and the election of the Muftis in Western Thrace: *“The issue of the reopening of the Theological Academy of Halki is something that Turkey and Greece are dealing with together. There is some negotiation about it. Our Government requests a mosque to be built in Athens and the members of the Muslim minority of Western Thrace to have the right to elect their Muftis. If Greece will agree to these requests then we will reopen the Theological School. Because the issue is under negotiation, I personally cannot comment any further. However, for us there is no fear or doubt about the reopening of the Theological School”*. Another participant believes that the reopening of the Academy is a political issue, pointing out: *“I cannot say anything further as it is a political issue and if I express any further views I will find myself in trouble”*. Two of the participants expressed the feeling that the actions of the Turkish authorities were based on a biased rationale when they decided to close the Academy: *“In 1971 the Turkish Government implemented a new law which opposed any private university. Therefore, they took the advantage based on that law and finally closed the Theological School of Halki. However, this theological institution had no connection or relation to the private universities due to the fact that it has been open and has operated since 1844 under a different rationale and legal status than those of the private universities”*; *“The Academy was closed as the Turkish Democratic Government was trying to find a way to stop the educational standards that the school of Halki was offering, due to the fact that they thought that the existence of such a school was harmful for the Government and facilitated the expansion of Orthodoxy in Turkey and possibly abroad”*. The issue of reopening the Halki Theological Academy is under negotiation and discussion without the participation of a representative on behalf of the Greek Orthodox minority; as one of the participants claims: *“We have no direct update though about the negotiations with regard to the future of the Academy. Even the Patriarch complains about that; they investigate the subject without inviting the Patriarch to be involved in these discussions. They do not discuss with us about this matter at all”*. In relation to the closure of the Academy, another participant expressed his concerns about the theological proficiency of those clergy and lay individuals who offer their services to the Patriarchate, stating: *“Our candidates who would like to have organisational posts within the Patriarchate have to go to the Theological University of*

*Thessaloniki in Greece to complete their studies*". Ultimately, the feeling that prevails regarding the reopening of the Theological Academy of Halki could be summarised in the following statement by one of the participants: *"It all depends upon the willingness of the Government now"*.

### **5.9.5.2 Religious Education in Greek State Schools of Western Thrace**

The recent decision of the Greek Government to appoint teachers of the Quran at Greek State schools was perceived positively by all the participants: *"I believe that the appointment of Quran teachers at Greek State Secondary schools is beneficial for the minority"*; *"It is a very positive step in order to resolve some of the issues of Muslim society"*; *"I believe that all Muslim students should have the education that Greece offers, with the addition of the teachers of the Quran. I think that this covers all our needs"*; *"That was a very good and wise decision of the Ministry of Education and the Greek Government"*; *"I am pleased that a Greek Orthodox Country pays attention to the teaching of the Quran"*; *"The intention and the initial thinking of the Greek Government was right; Muslim students needed to be assisted in order to adjust better to Greek culture and community"*; *"The Greek Government has shown respect to the Muslim minorities in Thrace by appointing teachers who have the experience and the qualifications to teach their children"*. In addition, one of the participants argued that this initiative by the Greek Government promotes dialogue between diverse religious groups: *"I believe that it can facilitate the development of the dialogue between Greek Orthodox and Muslims"*. Another participant, having the sense that minority educational policies are related to political strategies, argued: *"I do not want to comment on the political strategies of another country. I believe that the Greek Government made the right decision and it is an internal State policy to resolve minority issues as each country feels is in the best interest"*. Moreover, one participant referred to the lost teaching hours, because Muslim students in Greek State Schools used not to attend Christian Religious Education lessons: *"We have no objections to the teachers of the Quran entering State schools and teaching their subject because during Religious Education lessons Muslim students were unguarded and were wandering in the corridors and the schoolyards"*. However, this decision by the Greek Government created some reaction by a particular

group of people, which one of the participants brought to the fore, stating: “*The national extremists started to complain about this educational policy and accused the Greek Government*”. Therefore, there was a strong feeling amongst the participants that similar political initiatives facilitate the development of the prevailing circumstances of minority populations. However, one of the participants raised questions regarding the appointment of Christian religious teachers at Greek State schools, pointing out: “*As long as the Muslim issues have been resolved the Greek Government needs to sort out our issues and create legislation to secure the posts of our priests and theologians in schools*”.

### **5.9.5.3 Higher Education policies in Western Thrace**

The fact that the Greek Government has introduced and applied specific policies which assist Muslim students who originate from Western Thrace to enter higher education was emphasised by most of the participants, who also expressed their satisfaction because Muslim students no longer need to emigrate for educational purposes: “*The decision of the Greek Ministry of Education to grant benefits to Muslim minority students to enter Greek universities has enabled Muslim minority students to study in Greece and not to emigrate to Turkey. Prior to that decision, they were leaving Greece with bitterness at the unfairness, as it was not their desire to emigrate in order to study. In addition, those who have returned as scientists could not adjust to the Greek environment, not even linguistically, for the requirements of their science*”; “*The Greek Government created new spaces for Muslim minority students as a percentage without deducting university spaces for Greek students. After the second decade of the implementation of that decision, it is obvious that Muslim minority students choose to stay in Greece and study at Greek universities*”. Nevertheless, one of the participants expressed a feeling that there may be negative effects, such that the implementation of similar policies can have in specific circumstances: “*I have also heard that some Christians with no morals dare to say that they would convert to Islam as long as their children would have the benefit of entering higher education under better conditions and terms*”. Thus, the general interpretation by most of the participants of similar educational policies towards minority groups was identified as a positive development.



## **5.9.6 Worship**

### **5.9.6.1 Exercise of worship**

All the participants made a strong point that in both countries, Turkey and Greece, minority populations enjoy the right of free exercise of worship: *“They do have religious freedom and more specifically there is tolerance from the Christians”*; *“I have not witnessed any difficulty. Anyone who wishes to believe believes. There is no problem or at least no problems have come to my attention. There is religious freedom”*; *“The freedom is absolute and it is not only in areas where only Muslims live, but also in mixed areas the practice of religious beliefs and rituals is absolutely free and no one is questioning or challenging that”*; *“There is an absolute freedom, especially for the liturgies and prayers. Absolute freedom”*. However, one of the participants of Turkish origin, while recognising that free exercise of worship exists in Turkey, expressed the thought that there is room for improvement in relation to the situation of the Greek Orthodox minority as relates to freedom of worship, if both Turkish individuals and authorities change their attitude towards the minority: *“In Turkey religion is free. They have never come to us to ask what we are doing, neither Turkish people nor the Turkish governmental bodies. We have and follow exactly the same rituals as any other Orthodox Church in Greece. Now the aim is for them to change their attitude”*. Nevertheless, another participant of Turkish origin pointed out that in the wider perspective there is ambiguity of the understanding of religious freedom in Turkey: *“Religious freedom strictly speaking exists; however, in a broader understanding it does not exist”*, which highlights the need for authoritative clarification on the matter.

### **5.9.6.2 Muslim places of worship in Western Thrace**

Most of the participants acknowledged that there are a sufficient number of places of worship for Muslims in the wider area of Western Thrace. Nonetheless, one of the participants felt that in a specific region of Thrace Muslims are facing difficulties in properly practising their religion due to the lack of a place of worship: *“There are approximately 500 Muslims without a mosque in the Orestias district. Proposals to build a mosque in the area*

*of Orestias in order to cover their needs were not successful*". In addition, one participant raised the question of the establishment of a mosque in the Greek Capital, highlighting the long period during which this unresolved matter has been under discussion, pointing out, *"For nearly forty years, we have tried to establish and open that mosque in Athens"*. In relation to the establishment of new places of worship, one participant noted the simplification of the legal procedures for establishing places of worship of any religious denomination and the repeal of the previous legislation, which had previously required the compulsory positive recommendation of the local Orthodox religious leader for the establishment of any place of worship: *"There was an old legislation since 1936 which stated that the local Bishop had to agree and give his permission for the establishment of a place of worship. This law is not in force anymore"*. Thus, there is a strong sense that in the wider area of Western Thrace, although there are several places of worship which cover the needs of the members of the Muslim minority, attention is given to the non-existence of a mosque in the centre of Athens.

### **5.9.6.3 Christian Orthodox places of worship in Istanbul**

While there are no objections in relation to the adequate number of Christian Orthodox places of worship in Istanbul, there is a feeling of disappointment and disrespectfulness due to the fact that many former and historic Christian places of worship, which had previously been converted to museums by the establishment of the Turkish Republic in 1923, are now being re-converted to mosques. One of the participants expressed it as follows: *"Nowadays this church was converted to a mosque; we visited this place and so far the works have not been completed. They are changing a Christian church to a mosque which Muslims will use for worship. Similarly with the Church of St. Sophia of Trabzon district; the local authorities made that decision to convert this historical church to a mosque. The same might happen to the Church of the Holy Wisdom (Hagia Sophia) of Constantinople"*. Thus, there is a feeling of fear because of the recent decisions of the Turkish local authorities to re-convert former Christian churches to mosques, which currently operate as museums.

#### **5.9.6.4 Relationships and collaboration among religious and political leaders in Western Thrace and Istanbul**

In general, the relationships between Muslim and Christian Orthodox leaders are at a good level, according to most of the participants: *“We have a very good relationship with the Bishop”*; *“Personally, with the Bishop we are brothers”*; *“Our good relationship with the Orthodox Church is the outcome of the development of our experience. Nothing is written in the canon law, nothing is formal and official”*; *“In practice they are considered good”*. One of the participants, highlighting the current good ongoing relationships, pointed out that this situation has been achieved and maintained by keeping away any internal or external political interventions. *“Harmonious, very good. If we stay away from political areas and internal and external influences, I do believe that we will not have any problem”*. In relation to the common aspects of interest between Muslim and Christian Orthodox leaders, most of the participants pointed out that there is space for collaboration: *“We discuss about issues that can make people's everyday life even better; to be more precise, what I am planning to do is to publish a volume with all the religious monuments of our district. This publication will be the fruit of the collaboration between the local church and the Mufti”*; *“That was a movement that promoted and showed the good collaboration that we have with the Muslim minority, which went beyond the Greek borders”*; *“The truth is that the co-existence of the two communities is harmonious; that is a result of the Muftis who are open-minded, and we work together very well”*; *“We have worked together, providing the Muslim minority with materials, or even buildings, when needed to be used during their religious ceremonies”*. The official visits between Muslim and Christian leaders occur according to the protocol, as most of the religious leaders argued: *“We exchange visits during big celebrations and religious feasts”*; *“During the national celebrations we are always together side by side”*; *“I visited him according to our protocol”*; *“Our official relationships are defined by the protocol. In our personal relationships if you want me to tell you which I think is more important I can say that our relationships are very friendly; he visits me and I do the same. We exchange visits during religious celebrations”*. In addition, one of the participants added that Muslim and Christian leaders are working together in order to maintain a peaceful environment for the communities: *“We have a very good relationship, we have good*

*communication, we collaborate very well, and we exchange visits, mostly those that are defined by the protocol. The communication is not limited by these official visits but also very often for issues that concern our peaceful co-existence*". Another participant stressed that there are no common issues between Muslims and Christians, which require the collaboration of the religious leaders of the communities: *"I think that we can collaborate on many issues. However, there are no such issues that demand our common action. Therefore, apart from the collaboration defined by the protocol or by personal relationships, there is no collaboration"*. However, one of the participants believed that there is room for more collaboration in relation to social aspects: *"We might need to collaborate slightly more about social aspects"*. Two of the participants mentioned that apart from the exchange of visits according to the protocol, there is no ground for common interaction between Muslims and Christians: *"Besides that, we have nothing to share. They are coming to our celebrations and vice-versa"*; *"No, there is no common ground for collaboration; we send representatives when they invite us, and vice-versa"*. Finally, one of the participants expressed his disappointment, pointing out that his attempts to gather Muslims and Christians together during the celebration of religious feasts in order to develop their relationships, were unsuccessful: *"I always invite Christians to come and visit us during our religious feasts in order to build better relationships but they have never come"*. Therefore, despite the fact that most of the participants agreed that they follow the protocol in the way that they interact with one another, there were different and opposing views regarding aspects of and potential for collaboration between Muslim and Christian communities in both regions of Istanbul and Western Thrace.

### **5.9.7 Discrimination**

Three participants argued that in Turkey there is direct discrimination towards minority groups, expressing the feeling that it is a phenomenon with increasing trends: *"There is some discrimination"*; *"The Greek minority here has been subjected to many pressures from the Turkish Government"*; *"There is religious discrimination. It is a significant problem, something that is getting bigger and bigger and creates problems for the Christian community"*. Another participant, relating Turkish fundamentalism to discrimination against

minority populations, pointed out that *“in some regions, there are Muslim fundamentalists, and their actions reveal discrimination towards Christian populations”*. In addition, one of the participants argued that despite the fact that Turkish legislation protects minorities and therefore prevents discrimination policies, in practice even political individuals have different attitudes towards minority groups: *“The constitutional law and also other legislation regrets discrimination, but in everyday practices some politicians do not treat minority populations equally because they believe that their own religion is the best, that their lifestyle is the best, or even that their culture is the best”*. Thus, most of the participants believed that there is still space for development in Turkey in order to improve the policies and tactics that are creating discrimination amongst the citizens of the country. In addition, one participant argued that in Greece, discrimination against members of the Muslim minority had occurred in past years, noting: *“In the past there was discrimination especially towards young people”*, while another participant stated that *“There is no discrimination; there is freedom and free will for Muslims”*. In addition, from a sociological point of view, two of the participants argued that both Christian and Muslim citizens of Western Thrace are treated equally without any discriminating intentions by the authorities, pointing out: *“All the festivals and exhibitions organised by the Municipality are open to all citizens and all the invitations are sent to all the members and representatives of all minorities without any discrimination”*; *“They have never discriminated against any member of the Muslim minority and they have always provided their services”*. However, many participants stated that in both Turkey and Greece there is respect for diversity, especially as it relates to religious practices: *“They respect our faith and all of its aspects”*; *“They respect us with regard to our faith and they help us to facilitate our religious rituals”*; *“Such an atmosphere is nice because they do not perceive or treat others as strangers”*; *“As long as they respect my religion I need to show and express even more my love towards them”*. However, one participant of Turkish origin felt that the status of religious minorities was better in past years, expressing his frustration with the current policies of the Turkish Government towards minorities: *“We are treated as though we were a third world minority at the bottom of the social pyramid. We start thinking that during the Ottoman Empire the relationship between minorities and the Muslim representatives, even with the State, was*

*much better*". Thus, there were differing views among the participants regarding their experience of discrimination and in respect of diversity issues.

#### **5.9.7.1 Equality**

One of the participants felt satisfied in relation to the equality that members of the Muslim minority enjoy, pointing out: "*There is equality at all levels and that is enough for us for the time being*". In addition, another participant expressed his satisfaction and felt that he was treated equally by the authorities: "*I was very pleased that they asked me to attend the speech, treating me equally in the same way that they treat their Bishops*". Many of the participants therefore have the feeling that in Western Thrace all citizens, whatever their ethnic or religious background, are treated equally.

#### **5.9.7.2 Inequality**

Two of the participants felt that in many instances members of the Muslim minority have been treated unequally due to a lack of understanding; they noted: "*There are many problems with the local police because they cannot understand, and treat them differently*"; "*Many complaints have been made, especially about the unequal treatment from the police towards the Muslims*". However, four of the participants felt that in Western Thrace the authorities treat Muslims and Christians unequally, acting in favour of the Muslim minority: "*The Greek Government designed and applied specific legislation in order to give further benefits and resolve problems of the Muslim minority, something that the Greek Government does not do for the Christians of our region*"; "*We had some problems regarding building new Muslim places of worship or to make extensions. To meet their needs the Greek Government amended the specific legislation and introduced new policies in order to make their actions legal*"; "*If a Christian and a Muslim had committed a similar construction crime, the Christian would have to pay 100% of the fine while the Muslim would only pay 20%*"; "*I would say that they are treated better than the Christians are*". There were different and contradicting views among the participants, according to their experiences,

regarding the unequal treatment by the authorities towards the population of Western Thrace.

### **5.9.8 Minority Populations**

#### **5.9.8.1 Diverse ethnic background of the Muslim minority of Western Thrace**

Two of the participants placed an emphasis on the diverse backgrounds of the members of the Muslim minority, giving a thorough account of the ethnic and religious differences of the population; they pointed out: *“The Muslim population here is not homogeneous; they have different religious beliefs and practices and they differ in their ethnicity. A significant percentage originates from Turkey; another group is of Pomak origin; and another percentage is made up of travellers”*; *“Religiously we have the Souni and the Alevi Muslims. Those who originate from Turkey are mostly Souni; most of the Pomaks are Alevi, and a few are Souni”*. The participants wanted to question the claim that the population of the minority of Western Thrace is of strictly Turkish ethnic background.

#### **5.9.8.2 Decrease of Greek Orthodox population in Istanbul**

Many participants expressed their disappointment about minority policies in Turkey, arguing that the result of these specific policies had led to a reduction in the number of Greek Orthodox individuals living in Turkey: *“The decrease of the Greek Orthodox population here is unquestionable”*; *“The Greeks continue to leave the area, which means there are currently approximately three thousand”*; *“The Greek minority here has been subjected to many pressures from the Turkish Government”*. Because of the numerical decline of the Greek Orthodox population, there was a feeling of fear about the future of the minority in relation to the forthcoming Turkish political intentions towards minorities.

### **5.10 Correlations**

Following the first stage of identifying the themes, a deeper analysis was required to

highlight the interconnection and interaction of these particular themes. Therefore the following sub-chapters examine the types<sup>601</sup> of these interactions. First, there is the case of neutral interaction between the two themes, where the effect of one theme has neither a positive nor a negative correlation with the other theme. Then there is the positive interaction, which indicates the direction of that interaction, where the increase/decrease of the effect of one theme increases/decreases the effect of the other theme. Finally, there is negative interaction, implying that the increase/decrease of the effect of one theme decreases/increases the effect of the other theme.

#### **5.10.1 The legal status of the Ecumenical Patriarchate of Constantinople in relation to Christian Orthodox places of worship in Istanbul**

The data analysis revealed that there is a negative correlation between the aspect of property ownership of Christian Orthodox places of worship and the fact that the Patriarchate is not recognised by the Turkish authorities as a legal institution. As long as Turkey refuses to grant legal personality to the Patriarchate, the status of religious properties' ownership is a disputed issue, which prevents the Patriarchate from administering and managing places of worship in Turkey that are under the jurisdiction of the Patriarchate, as well as their ability to buy or sell land: *“The Patriarchate as a legal institution does not exist; this situation creates significant problems in relation to the ownership of places of worship”*. Moreover, the Patriarchate as a religious institution, without legal personality, cannot make any claims at national or international organisational level in order to protect historical Orthodox Churches in Turkey; although they currently operate as museums, there is a fear that they will be re-converted into mosques: *“The local authorities made that decision converting this historical church to a mosque. The same might happen to the Church of the Holy Wisdom of Constantinople”*. Finally, this situation prevents the Patriarchate from making official requests for funding at financial institutions or national and international charities in order to accomplish its worldwide administrative, spiritual, and pastoral work.

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<sup>601</sup> Steve Miller, *Experimental Design and Statistics* (London: Brunner-Routledge, 1984), pp. 133-135.



### **5.10.2 The appointment of the Mufti in relation to the un-canonical elected Mufti**

Based on the analysis of the data, negative correlation is noticeable in relation to the un-canonical elected Mufti in parallel to the appointment of the Mufti by the Greek authorities. The continuing abnormal practice of the election of the Mufti, a process which is opposed by Greek legislation, creates difficulties for the role of the appointed Mufti, who is a servant of the public sector. *“For the un-canonical elected Muftis, it is obvious that there are some political triggers and views.”*; *“There are some individuals here in Greece who receive orders from Turkey in order to create these problematic situations”*; *“Within the Muslim minority there are a few people who are driven by the Turkish extremists and they create problems here”*; *“The pseudo-Mufti is based in a building which belongs to us”*. This is one of the most significant internal conflicts that the Muslim minority of Western Thrace is facing at present. Despite the fact that this practice is followed by a small number of people, it has external support and influence originating from Turkey, which raises concerns at the level of international affairs. In addition, the reluctance of the Greek authorities to intervene constitutes a continuous violation of the law. In practice, in order to minimise the disputes over the appointment of the Mufti, the Greek authorities have to take into account, and seriously consider, the opinions of the members of the minority in relation to their future religious leaders before the final appointment of the Mufti is made. *“The Mufti needs to be elected by the Greek Government with a procedure in which the members of the Muslim minority participate”*.

### **5.10.3 Theological training for the Orthodox clergy in Istanbul in relation to discrimination**

Discrimination policies by the Turkish authorities do to interact negatively with the theological training and education of the Orthodox clergy in Turkey. The decision of the Turkish Government to close the Theological Academy of Halki in 1971 determined the future of the Ecumenical Patriarchate while, at the same time, it created organisational obstacles as it has been preventing the Patriarchate from appointing individuals with sufficient theological education to key positions. Those who are willing and have the

financial resources to undertake higher education theological training have to travel to Greece. *“Our candidates who would like to have organisational posts within the Patriarchate have to go to the Theological University of Thessaloniki in Greece to complete their studies”*. Hence, the decision of the Turkish Government to close the Theological Academy of Halki is perceived by some as religious discrimination against the Orthodox minority of Istanbul. The closure of the Academy also indicates that the International and EU Treaties and Conventions regarding religious minorities and freedom of faith are not being considered in Turkey, at the same time reinforcing discriminatory practices against religious minorities: *“There is religious discrimination. It is a significant problem, something that is getting bigger and bigger and creates problems for the Christian community”*. Since the closure of the Academy, the Turkish authorities have not taken into account the crucial request of many Turkish citizens - members of the Greek Orthodox minority of Istanbul - to incorporate Orthodox theological education and training at a higher level. The possibility of establishing a faculty of Orthodox Theology within a State university has never been considered by the Turkish Government as a solution to that problem: *“Our Government requests a mosque to be built in Athens (...) then we will reopen the Theological School”*.

#### **5.10.4 Decrease of the Greek Orthodox population of Istanbul in relation to discrimination**

Further analysis of the collected data revealed that specific minority policies applied by the Turkish authorities, which underlie discriminatory attitudes, have a negative interaction with the numerical decrease of the Greek Orthodox population of Istanbul. *“There is religious discrimination. It is a significant problem, something that is getting bigger and bigger and creates problems for the Christian community”*; *“The Greeks continue to leave the area which means there are currently approximately three thousand”*. It is obvious therefore that as long as the Turkish authorities do not treat all Turkish citizens equally, especially those who belong to religious minority groups, this is a phenomenon which leads to the decrease of minority populations. Citizens face discriminating policies because of their religious differentiation in relation to many aspects of their everyday lives (education, freedom of

thought and expression) and therefore decide to leave their motherland and emigrate to other countries.

### **5.11 Discussion**

The present study reinforces the important role that religion plays in contemporary Greek and Turkish societies as it relates to Muslim-Christian relations in response to the question of religious freedom and expression and the position of minority groups. It appears that significant steps have been made to reinforce the peaceful co-existence of the Muslim minorities in Western Thrace and Orthodox minorities in Istanbul. However, despite the significant steps that both countries do demonstrate, it seems that both Turkey and Greece still need to pay attention to important and sensitive aspects in regards to Muslim-Christian relations.

The results endorse and support the opinion of the scholars, who have maintained that the denial by the Turkish authorities to grant legal status to minority religious institutions creates administrative difficulties for the Ecumenical Patriarchate. The Patriarchate, as suggested in the literature, has not been registered as a legal body because of the lack of clarity in the Turkish legal system, and in the light of the principle of secularism, which prevails in Turkey. The recognition of the legal identity of the Patriarchate by the Turkish authorities would safeguard property ownership such as schools and churches. None of the churches or other places of worship which are under the jurisdiction of the Ecumenical Patriarchate in Turkey are owned by the Patriarchate. All the churches and chapels as well as other buildings used for worship are owned by minority foundations, which are administered independently of the Patriarchate because the Patriarchate is prohibited by the law from purchasing any type of property. This practice is also applied for Muslim mosques and Alevi prayer houses. Concerns have been raised with regard to the subject matter. One might wonder what could lie behind the scene that appears to want the Patriarchate to be without a voice when it comes to legal identity, and Turkey to consciously deny that there is any conflict between the two establishments. The refusal by the Turkish authorities to recognise the Patriarchate's legal identity perpetuates tension and diplomatic conflicts,

which in turn affect not only the Orthodox minority but also the Turkish population. Continuing in that train of thought, the Patriarchate being a legal entity would not only administer Christian places of worship, but it would also be responsible for the preservation and maintenance of the large number of Christian monuments in the country, which are strongly related to the history and the heritage of culture in Turkey, instead of converting these historic Christian places of worship to museums and mosques, practices which have been applied for nearly a century. Such administrative freedom could be perceived as a potential threat to the internal political affairs of the Turkish Government. It is noticeable though that since 2010 the Turkish Government has allowed the conduct of annual religious worship services at the Sümela Monastery near Trabzon, on the Black Sea, as well as in other Christian churches and monasteries, which have been converted to museums since 1923. However, it can be concluded that religious shrines of all faiths should be returned to their rightful owners and religious services should be conducted as frequently as desired without any governmental interference. The results supported the existing literature with regard to the religious ceremonies and the return of properties to their rightful owners, but also added the significant aspect of religious tourism, which will reinforce the local economy. The study suggests that if places of worship are returned to their owners, then immediately these places would be poles of attraction for the faithful, who would like to visit them.

Another issue that appears to attract conflicting opinions is the title 'Ecumenical', which the Patriarchate has used since the fourth century. Turkish authorities do not recognise the Ecumenical dimension of the Patriarchate, claiming that it is the religious institution of the Orthodox population of Turkey only. The possibility of a future recognition of the legal status of the Patriarchate will accordingly bring into the discussion the question of the title 'Ecumenical' by the Turkish authorities. Undoubtedly, the Turkish authorities should grant legal status to all religious minority institutions of the country in order to ease their administrative work and development. Despite the Patriarchate has demonstrated its ecumenical dimension, the denial of the Turkish Government to recognise the title 'Ecumenical' that the Patriarchate uses is a questionable aspect. The Patriarchate understands itself as an ecumenical religious institution by its pastoral practice, mission and

history for seventeen centuries. Both issues seem to have had a multifaceted effect on the population of the Greek Orthodox minority and the Turkish population. At times, there is tension between them in relation to their religious identity and freedom. The results also revealed the significance of a recent decision by the Turkish Government, which is strongly related to the administrative development of the Patriarchate. In 2010, the Turkish Authorities granted Turkish citizenship to Bishops with foreign nationality, who are under the pastoral jurisdiction of the Patriarchate and are located outside the Turkish borders. Therefore, having Turkish nationality meant that they could become members of the Patriarchal Holy Synod, which determines the line of succession of the Greek Orthodox Patriarch. However, this unquestionably positive decision of the Turkish authorities obviously recognises the ecumenical jurisdiction and dimension of the Patriarchate of Constantinople. In other words, the Turkish authorities recognise that the Orthodox leaders, the Metropolitans and the Bishops, who are based outside Turkey and are responsible for the pastoral care of Orthodox populations, are under the authority and the direct jurisdiction of the Patriarchate. Therefore, the Ecumenical Patriarchate of Constantinople is not only responsible for the pastoral and spiritual care of the Greek minority of Turkey but is also responsible for its flock in all its jurisdictions worldwide, having indeed an ecumenical role and dimension.

The reopening of the Theological Academy of Halki is another significant problem, which the Patriarchate and its community are still facing, as the results of the present study have revealed. Since its closure, a decision that was in opposition to the regulations of the Lausanne Treaty of 1923, the Ecumenical Patriarchate has had to send abroad those candidates who desire to be ordained and who are required to maintain and continue the patriarchal ecclesiology, order and tradition. Based on the results of the study and in accordance with the principle of reciprocity between Turkey and Greece, Turkish political leaders have stated that they have the political willingness to re-open the Academy but under two conditions only: the establishment of a mosque in Athens and the election of the Muftis in Western Thrace by the members of the Muslim minority. These requirements by the Turkish authorities to the Greek Government appear to be in question as the demands become disproportionate. The right to higher education for the Orthodox clergy of the

Patriarchate is not in accordance with the policies towards minorities that the Greek Government applies. On the other hand, and under the aspect of reciprocity between Greece and Turkey, as the Treaty of Lausanne stipulates, the claims of the Turkish Government towards the Greek authorities that the establishment of a mosque in Athens will automatically lead to the reopening of the Halki Academy is irrational. The School of Halki had been operating since 1844, long before the need to apply reciprocity between Turkey and Greece, which was actually adopted in 1923 by the Treaty of Lausanne. In addition, the reopening of the Academy, as well as the establishment of a mosque in Athens, are respective internal Governmental Affairs of Greece and Turkey in relation to the minority policies of each country according to international and European Law and according to aspects of freedom of thought, belief, religion and expression, as the Human Rights Act regulates. Such requests leave a bitter feeling of extortion to Turkish citizens, particularly the members of the Greek Orthodox minority of Istanbul. If the 'Silent School', as it has been characterised, was to reopen, it is expected that in addition to the clerical candidates of the Patriarchate who would have the opportunity to enter higher education and undertake theological training in their motherland, other individuals from Balkan countries and the wider area of the Middle East, would also be able to undertake Orthodox Theological studies in Turkey. Having in mind Victor Hugo's quote stating that 'He who opens a school door, closes a prison', Turkish authorities should consider the implications of the closure of the Theological Academy of Halki. In addition, the results acknowledge that specific governmental policies towards religious minorities in Turkey create issues of discrimination, especially when the criterion of these policies is based on the religious identity of the citizens. There is a need for reformation of the specific minority legislation in Turkey in the light of equality and the freedom of religion and expression for every individual, as the Turkish Constitution regulates. However, a change of mentality and acceptance of diversity requires political will and sufficient time.

The harmonious and peaceful co-existence between Christians and the members of the Muslim minority of Western Thrace appears to be a prototype example, according to the analysis of the data collection. This co-existing situation might be a model for application to other regions of Greek territory, where the Muslim element has been increasing, such as in

the Aegean Islands and the Greek capital, as well as in other Balkan States, which accommodate significant numbers of Christian and Muslim minority populations. Most importantly, the results acknowledge that there is no discrimination towards the Muslim minority, whose members enjoy equal rights similar to the rest of the population. In addition, educational policies applied in the specific region of Western Thrace in favour of the Muslim population have demonstrated the political willingness of the Greek authorities to improve the possibly difficult conditions of the Muslim minority. Nevertheless, taking into account the principle of equality of all Greek citizens, the Greek authorities should seriously examine the possibility of extending the application of these educational policies to other regions as well, where Muslim populations are located. Other important elements, which facilitate the development and proper administrative organisation of the Muslim minority, are the recognition of the legal status of the three administrative bodies in Western Thrace, in addition to the fact that Muftis, the three Muslim religious leaders, are appointed as servants of the public sector. However, the appointment of the Muftis by the Greek Government in relation to the demands for electing the Muslim minority leaders is a problematic aspect, which the Greek authorities should immediately instate. If the whole process of the appointment of the Mufti were to be developed in a way that would incorporate the role of the members of the minority, it would undoubtedly solve a chronic problem, which plagues the Muslim minority of Western Thrace. On the other hand, the active and enhanced role of Muslim Greeks in relation to their internal religious affairs will minimise the external influence and therefore strengthen relations between the Greek Government and the members of the Muslim minority, creating trustworthy coherence. Finally, as the results affirm, the relations and cooperation between Muslim and Christian religious leaders in both Greece and Turkey are limited as defined by the protocol. Initiatives should be taken from both sides in order to improve their existing relational situation. There are many aspects in our modern societies, which demand common actions, especially in relation to culture, tradition, poverty, religious discrimination, and education. Religious identity and diversity should no longer be the cause of separation but the criteria for amalgamation among the nations.

### **5.12 Limitations of the study**

This study has investigated the development of the ecclesiology and political theology of the Ecumenical Patriarchate of Constantinople and the Autocephalous Greek Orthodox Church in response to Muslim-Christian relations in the contemporary context of modern Greece and Turkey. This study is a combination of the existing literature on the specific topic and the vision and the experience of the political and Muslim and Christian Orthodox religious leaders of Istanbul and Western Thrace. However, the study focused on the views of political and religious leaders and not on the views of the public, that is, the members of the Greek Orthodox minority of Istanbul and the Muslim minority of Western Thrace. Despite the fact that there are a significant number of Muslim populations in many Greek urban centres as well as on the Aegean Islands, on one hand, and the fact that Greek Orthodox Turkish citizens live in other Turkish regions besides Istanbul, on the other, the present study has restricted its examination of the question of Muslim-Christian relations to the areas of Istanbul and Western Thrace, where the two official religious minorities are based.

### **5.13 Further studies**

The significant increase of Muslim immigrants to Turkey and Greece from the wider areas of Africa and the Middle East is an important aspect, which creates the necessity for further studies in order to acquire an authoritative view and understanding of Muslim-Christian relations in modern Greece and Turkey. A sufficient number of immigrants find a refuge in these two specific countries, therefore making a decision about their permanent residence. It is also recommended that any further studies should include other areas in Greece and Turkey in addition to Istanbul and the Western Thrace regions, where Muslims and Orthodox reside. Finally, consideration of public opinion would give a better understanding of the phenomenon.

### **5.14 Conclusion**

The present chapter, by application of the thematic analysis of qualitative research, is



intended to approach and bring to the fore the current situation that exists among the Muslim and Greek Orthodox minorities that correspondingly prevails in Western Thrace and Istanbul, as it is reflected and interpreted according to the experience and the knowledge of the selected political and religious leaders of these two specific regions. In addition, in highlighting the existing literature about the challenges still faced by the populations of both minorities and in relation to the positive initiatives of the Greek and Turkish authorities towards religious minorities, the researcher has accentuated and proposed those aspects which require further development in order to safeguard religious freedom on one hand and the avoidance of discriminatory practices because of otherness on the other.

## Chapter 6

### Conclusion

The analysis of the geopolitical changes in the Balkans especially during the end of the nineteenth and the rise of the twentieth century in the light of the nationalist political movement has not only demonstrated an ecclesial turn of the Ecumenical Patriarchate of Constantinople and the Autocephalous Greek Orthodox Church but has also determined in a new perspective the relations between Orthodoxy and Islam and the question of religious minorities. This ecclesial turn in Eastern Orthodox thinking, is similar to the same dimension being demonstrated in other Christian Churches and Christian encounters with Muslims and Islam<sup>602</sup>. The contemporary ecclesial developments of the Church of Constantinople have shaped its relations with Islam maintaining however the rituals and the teachings of Orthodoxy according to the tradition and the decisions of the Ecumenical Councils. Despite the tensions between Muslims and Christians in the specific regions of Istanbul and Western Thrace, history has revealed that both communities have lived in an engaged coexistence for nearly a century. Nevertheless, the priorities of the Orthodox Church relay on the promotion and support of the idea of religious freedom, the protection of human rights and free exercise of worship regardless nationality, race, language or religion. On the other hand, the rise of political Islam in Turkey despite the recent -although limited- positive developments of the Turkish Authorities towards religious minorities renders the Church of Constantinople in a state of captivity under the political conditions of the Turkish society, a situation that creates significant obstacles to the pastoral and spiritual work of the Constantinopolitan Church, weakening on the other hand the improving attempts for the relations between Orthodoxy and Islam. The recognition of the legal personality of the Patriarchate and the lack of clerical theological education and training are the most important challenges that the Orthodox Church faces in modern Turkey. In addition, the possibility of the concession of full EU membership to the Turkish Republic albeit its secular identity and the distinctive revision of 'Laïcité' is a questionable aspect,

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<sup>602</sup> Sudworth, 'The Church of England and Islam: contemporary Anglican Christian-Muslim relations and the politico-theological question, 1988-2012'.

which still requires extensive consideration due to the existent attempts of the authorities for re-Islamisation of the Turkish society. These policies undoubtedly violate legitimate rights of religious minorities in Turkey having been characterised as a calculated long-term strategy of harassment. The thesis proposed that the very existence as well as the future of the Ecumenical Patriarchate of Constantinople, which as a Christian institution with the combination of its history and its ecclesial praxis for nearly seventeen centuries has signified its actual role and purpose not only among the Orthodox Church, but within global Christianity, is depended on the immediate and necessary developments of the Turkish policies towards religious minorities as well as on the change of the mentality that Turkish society perceives and understands the otherness.

Examining the political and the ecclesial changes of the nineteenth centuries in the Balkan peninsula, which alternated the organisational structure of the Orthodox Church, the thesis has focused on the nationalist political movement, which resulted into the establishment of national states after their liberation from the Ottoman rule and correspondingly to the establishment of national churches, starting with the unilateral and un-canonical establishment of the Greek Orthodox Church. This practice has accordingly resulted in the decrease of the direct territorial sovereignty, administrative and canonical rights of the Ecumenical Patriarchate over these lands. In addition, the thesis analysed the political situation after the end of the Balkan wars, the demarcation of national borders and the compulsory exchange of populations based on religious identity, which have created the phenomenon of religious minorities in the Balkans having both positive and negative aspects for minority and majority populations, and therefore formulated the existing relational situation between Christian and Muslims religious groups. The thesis has also sought to reflect on and examine the particular situation of the minority question and Muslim-Christian relation in contemporary Greece considering the prevailing ecclesial situation of the country, which is a unique phenomenon and required particular attention. Despite the Greek Church autocephaly, the transnational jurisdiction of the Ecumenical Patriarchate over many Greek regions such as the Dodecanese Islands, Mount Athos and Crete creates an incomparable situation as it relates to the official Greek Church responses to Islam. Investigating the angle of the Muslim minority of Western Thrace, the thesis illustrated that

the Muslim Greek population of that specific region enjoys free exercise and practise of religion having the right to apply Islamic law on family issues without any obstacles, discrimination or any external intervention. However, the phenomenon of the so-called 'New Islam' in Greece consisted of the Muslims, who mainly reside at the Dodecanese Islands, and the Muslim immigrants who live alongside other Greek urban centres is a challenging issue that the Greek State should settle according to the European and international agreements. Albeit the political intervention into ecclesial affairs in Greece during the twentieth century, Orthodoxy undoubtedly has played a significant role in forming religious identity in modern Greek society.

Underlying the various aspects of the modern historical context of the Greek and Turkish States in relation to the minority question, the thesis illustrated that specific foreign policies followed by each country are forming the umbrella under which adjustments in the relations between minorities the official State and the Church take place. Religious identity is a key marker in the relational model between the two States, which in many cases creates discrimination and inequality. The thesis has also given special consideration to the clause of reciprocity, as regulated by the 1923 Treaty of Lausanne, which is related mainly to religious freedom, educational policies of the minorities, and to the functions of religious foundations and the status property ownership. Reciprocity has been interpreted and applied many times according to subjective factors of each country. The thesis therefore, proposed that there is a need of ratification of the Lausanne Treaty, and especially a review of the clauses, which relate to minorities.

Finally, investigating the existing literature about the challenges that the populations of the Greek Orthodox and the Muslim minorities are facing in Istanbul and Western Thrace in relation to the positive initiatives of the Greek and Turkish authorities towards religious minorities one hand, and the application of the thematic analysis of qualitative research on the other, the thesis approached and brought to the fore the current situation that exists among Muslim and Orthodox populations that correspondingly prevails in Western Thrace and Istanbul.

## Appendix I

### Patriarchal and Synodal Tome of the Proclamation of the Autocephalous Church of Greece

Ανακήρυξις τοῦ Αὐτοκεφάλου τῆς Ἐκκλησίας τῆς Ἑλλάδος, 29 Ἰουνίου 1850

#### ΠΑΤΡΙΑΡΧΙΚΟΣ ΚΑΙ ΣΥΝΟΔΙΚΟΣ ΤΟΜΟΣ

Τῆς ἐν Κωνσταντινουπόλει Ἁγίας καὶ Ἱερᾶς Συνόδου,  
τῆς συγκροτηθείσης ἐν ἔτει ἀπὸ Χριστοῦ Σωτῆρος χιλιοστῶ ὀκτακοσιοστῶ πενηκοστῶ,  
ἐν μηνὶ Ἰουνίῳ, Ἰνδικτιῶνος Η΄, περὶ τῆς ἐν Ἑλλάδι Ὀρθοδόξου Ἐκκλησίας.

Εἰς τὸ ὄνομα τοῦ Πατρὸς καὶ τοῦ Υἱοῦ καὶ τοῦ Ἁγίου Πνεύματος. Ἀμήν.

† Ὁ δεσπότης τῶν ἀπάντων καὶ Κύριος ἡμῶν Ἰησοῦς Χριστὸς ἐν τῇ νυκτί, ἣ παρεδίδοτο, διατιθέμενος τοῖς ἱεροῖς αὐτοῦ Μαθηταῖς καὶ Ἀποστόλοις τὴν κοινὴν αὐτοῦ καὶ χαρακτηριστικὴν τῶν χριστιανῶν ἐντολήν, τὴν πρὸς ἀλλήλους ἀγάπην, «οὐ δύναται», ἔφη, «τὸ κλῆμα καρπὸν φέρειν ἀφ' ἑαυτοῦ, ἐὰν μὴ μείνη ἐν τῇ ἀμπέλῳ». Καὶ ἀντιλαμβανόμενος τῆς ἀνθρωπίνης ἀσθενείας, αὐτὸς πάλιν ὁ πάνσοφος διδάσκαλος ἡμῶν ἠρμήνευσε τρανῶς, ὅτι αὐτὸς ἐστὶν ἡ ἀμπελος ἡ ἀληθινή, εἰς ἣν ἐντέλλεται ἅπαντας ἡμᾶς μένειν. «Μείνατε ἐν ἐμοί». Ἐντεύθεν ἐν τῷ χριστιανικῷ ὀρθοδόξῳ πληρώματι ἡ ὑμνουμένη ἐκείνη, καὶ τοσοῦτον φιλοτίμως σπουδαζομένη ὑπὸ τε τῶν θείων Ἀποστόλων καὶ τῶν σεπτῶν Οἰκουμενικῶν Συνόδων, καὶ καθ' ἑκάστην ἐν ταῖς δεήσεσι τῶν πιστῶν θερμῶς ἐξαιτουμένη ἐ ν ὄ τ η ς . «Μείνατε ἐν ἐμοί». Εἷς γὰρ Κύριος, ᾧ λατρεύομεν· μία πίστις, ἣν παρελάβομεν καὶ ἐν βάπτισμα, ὃ βεβαπίσμεθα. Ταῦτα εἰσὶν αἱ συνθηκαὶ τῆς μιᾶς ἀληθοῦς Ποίμνης τοῦ Ἀρχιποίμενος Χριστοῦ, ἧτοι τῆς Μίας, Ἁγίας, Καθολικῆς καὶ

Αποστολικῆς Ἐκκλησίας, ποιμαινομένης ὑπὸ πολυπληθῶν ὑπηρετῶν αὐτοῦ, ἀγραινούντων καὶ φυλασσόντων φυλακὰς ἐν τῇ νυκτὶ τοῦ πλάνου τούτου βίου, ἐπὶ μιᾷ ἐλπίδι, εἰς ἣν καὶ ἐκλήθημεν ἅπαντες. Ἀλλ' ἡ σοφία τοῦ Θεοῦ, ὡς ἅπασαν τὴν κτίσιν συνέχει, ἐν θαυμασίᾳ ἀλληλουχίᾳ καὶ τάξει διέπουσα, οὕτω καὶ τὴν ἁγίαν αὐτοῦ Ἐκκλησίαν, ἠυδόκησε τῇ αὐτῇ ἀρμονίᾳ οἰκονομεῖσθαι· καὶ τὸ Ἅγιον Πνεῦμα, τὸ θέμενον τοὺς μὲν Ἀποστόλους, τοὺς δὲ Προφήτας, τοὺς δὲ Ποιμένας καὶ Διδασκάλους, ὥσπερ διὰ τῆς τῶν θείων Ἀποστόλων χειροθεσίας ἀνέδειξεν ἐν τῇ διακονίᾳ τῆς πίστεως, τοὺς μὲν Ἐπισκόπους, τοὺς δὲ Πρεσβυτέρους, τοὺς δὲ Διακόνους· οὕτω τὸ αὐτὸ Πνεῦμα, καὶ διὰ τῆς ἀποφάνσεως τῶν Οἰκουμενικῶν Ἁγίων Συνόδων ἐκανόνισεν ἐν τῇ οἰκονομίᾳ τῆς ἐ ν ό τ η ο ς τοὺς μὲν Πατριάρχας, τοὺς δὲ Ἀρχιεπισκόπους καὶ Μητροπολίτας, τοὺς δὲ Ἀρχιπρεσβυτέρους καὶ Ἀρχidiaκόνους κ.λ.π. Οὗτοι δὲ πάντες, εἴτε ὁμότιμοι ἐν ἀδελφικῇ ὑπαλληλίᾳ, εἴτε ὑποτασσόμενοι ἀλλήλοις ὡς «ἡγουμένοις», κατὰ τὴν διακονίαν, ἦν ἕκαστος ἔλαχεν, ἔχοντες τὸ αὐτὸ πνεῦμα τῆς πίστεως καὶ τὴν αὐτὴν ἀποστολικὴν κατὰ τοὺς κανόνας χειροτονίαν, ὡς μέλη ὑπουργικὰ συναρμολογούμενοι εἰς ἓν σῶμα Χριστοῦ, ὅπου γῆς ἂν ὦσιν, ἓνα Ναὸν Ἅγιον καταρτίζουσι, καὶ συνδεόμενοι τῷ συνδέσμῳ τῆς ἀγάπης, κἄν κεχωρισμένοι καὶ ἀφεστηκότες δοκῶσι κατὰ τὰς τοῦ κοινωνικοῦ βίου χρείας τε καὶ περιπετείας τῶν πολιτευμάτων, ἀδιάστατοι καὶ ἀχώριστοι εἰσὶν ἐν τῇ τῆς Ἐκκλησίας ἐ ν ό τ η τ ι . Ἐπὶ ταύτῃ τῇ βάσει ἀνέκαθεν ἡ τοῦ Χριστοῦ Ἐκκλησία, ἥτοι αἰ σεπται Οἰκουμενικαὶ Σύνοδοι, ὡς γε πρὸς τὴν τοῦ βιωτικοῦ πολιτεύματος καιρικὴν χρείαν ἀφορῶσαι, ἢ ἐχώρισαν ἢ συνήψαν ἐπαρχίας ἐκκλησιαστικὰς, καὶ ἢ ἄλλοις ὑπέταξαν ἢ αὐτοκεφάλους ἀνέδειξαν αὐτὰς τῆς ἐν τῇ πίστει καὶ ἐν τῇ ἐκκλησιαστικῇ κανονικῇ τάξει ἐ ν ό τ η τ ο ς ἀλωβήτου διαμενούσης. Ἐπεὶ τοίνυν καὶ τινες τῶν ὑπὸ τὴν ἐκκλησιαστικὴν κυριαρχίαν τοῦ Πατριαρχικοῦ, Ἀποστολικοῦ, Οἰκουμενικοῦ Θρόνου τῆς Κωνσταντινουπόλεως ἀγιώταται Μητροπόλεις, καὶ Ἀρχιεπισκοπαὶ καὶ Ἐπισκοπαί, αἱ ἀπαρτίζουσαι σήμερον τὸ θεόσωστον καὶ θεοστήρικτον Βασίλειον τῆς Ἑλλάδος, διὰ καιρικὰς περιπετείας, καίπερ διατηροῦσαι τῇ τοῦ Θεοῦ χάριτι τὴν τῆς πίστεως ἐ ν ό τ η τ α , ἀπελείφθησαν ὅμως ἐπὶ τινα καιρὸν τῆς ἐκκλησιαστικῆς καὶ κανονικῆς

σχέσεώς τε καὶ συναφείας πρὸς τε τὴν Ὁρθόδοξον αὐτῶν Μητέρα, τὴν ἐν Κωνσταντινουπόλει Μεγάλην Ἐκκλησίαν, ἐξ ἧς ἤρτηντο, καὶ δὴ πρὸς πάσας τὰς λοιπὰς Ὁρθοδόξους τοῦ Χριστοῦ Ἐκκλησίας· ἡμεῖς οἱ διὰ τῆς χάριτος τοῦ Παναγίου Πνεύματος συνελθόντες ἐν πλήρει Συνόδῳ πρὸς καταρτισμὸν τῆς κανονικῆς ἐνότητος τῆς ἐν Ἑλλάδι Ἐκκλησίας μετὰ τῶν λοιπῶν Ὁρθοδόξων Ἐκκλησιῶν, ἀκούσαντες διὰ τῶν ἐπισήμων γραμμάτων, τῶν ἐπισταλέντων ἡμῖν παρὰ τοῦ εὐσεβοῦς Ὑπουργείου τοῦ Θεοσώστου Κράτους τῆς Ἑλλάδος τὴν τε περὶ τούτου αἴτησιν τοῦ ἐκεῖ σύμπαντος εὐλαβεστάτου Κλήρου, καὶ τὴν συντρέχουσαν ἐπιθυμίαν παντὸς τοῦ Ὁρθοδόξου Ἑλληνικοῦ Λαοῦ, τῶν ἐν Ἁγίῳ Πνεύματι τέκνων ἡμῶν ἀγαπητῶν καὶ περιποθήτων, συνιδόντες δὲ καὶ τὴν χρεῖαν τῆς κατ' ἐκείνῳ τὸ νεοσύστατον Κράτος διακονίας τῆς πίστεως, καὶ τῆς ἐκκλησιαστικῆς οἰκονομίας τῆς ἐ ν ό τ η τ ο ς , καὶ συσκευάμενοι, ὅπως ἢ τε ἅγια ἡμῶν Πίστις διατηρηθῆ ἔσαι ἀλώβητος, καὶ οἱ κανόνες τῶν θείων Πατέρων ἀπαραβίαστοι καὶ ἀπαρασάλευτοι, ὥστε εἶναι πάντας ἡμᾶς, ὡς ἐν τῇ αὐτῇ πίστει, οὕτω καὶ ἐν τῇ αὐτῇ οἰκονομίᾳ τῆς ἐ ν ό τ η τ ο ς , καὶ κλήματα ἀδιάσπαστα τῆς θείας ἀμπέλου, ὠρίσαμεν τῇ δυνάμει τοῦ Παναγίου καὶ Τελεταρχικοῦ Πνεύματος, διὰ τοῦ παρόντος ΣΥΝΟΔΙΚΟΥ ΤΟΜΟΥ, ἵνα ἡ ἐν τῷ Βασιλείῳ τῆς Ἑλλάδος Ὁρθόδοξος Ἐκκλησία, Ἀρχηγὸν ἔχουσα καὶ κεφαλὴν, ὡς καὶ πᾶσα ἡ Καθολικὴ καὶ Ὁρθόδοξος Ἐκκλησία, τὸν Κύριον καὶ Θεὸν καὶ Σωτῆρα ἡμῶν Ἰησοῦν Χριστόν, ὑπάρχη τοῦ λοιποῦ κανονικῶς αὐτοκέφαλος, ὑπερτάτην ἐκκλησιαστικὴν ἀρχὴν γνωρίζουσα Σύνοδον διαρκή, συνισταμένην ἐξ Ἀρχιερέων, προσκαλουμένων ἀλληλοδιαδόχως κατὰ τὰ πρεσβεία τῆς χειροτονίας, Πρόεδρον ἔχουσα τὸν κατὰ καιρὸν Ἱερώτατον Μητροπολίτην Ἀθηνῶν, καὶ διοικοῦσαν τὰ τῆς Ἐκκλησίας κατὰ τοὺς θείους καὶ ἱεροὺς κανόνας ἐλευθέρως καὶ ἀκωλύτως ἀπὸ πάσης κοσμικῆς ἐπεμβάσεως. Οὕτω δὴ καὶ ἐπὶ τούτοις καθισταμένην διὰ τοῦ παρόντος Συνοδικοῦ Τόμου τὴν Ἱεράν ἐν Ἑλλάδι Σύνοδον, ἐπιγιγνώσκομεν αὐτήν, καὶ ἀνακηρύττομεν πνευματικὴν ἡμῶν ἀδελφὴν, καὶ πάσι τοῖς ἀπανταχοῦ εὐσεβέσι καὶ ὀρθοδόξοις τέκνοις τῆς Μίας, Ἁγίας, Καθολικῆς καὶ Ἀποστολικῆς Ἐκκλησίας ἐπισυνιστῶμεν ὡς τοιαύτην τοῦ λοιποῦ ἀναγνωρίζεσθαι καὶ μνημονεύεσθαι τῷ ὀνόματι «Ἱερά Σύνοδος τῆς Ἐκκλησίας τῆς Ἑλλάδος»· δαψιλεύομεν δὲ

αὐτῇ καὶ πάσας τὰς προνομίας καὶ πάντα τὰ κυριαρχικὰ δικαιώματα τὰ τῇ ἀνωτάτῃ ἐκκλησιατικῇ ἀρχῇ παρομαρτοῦντα, ἵνα τοῦ λοιποῦ μνημονεύηται ὑπὸ τῶν ἐν Ἑλλάδι Ἀρχιερέων ἐν ταῖς ἰδίαις ἐπαρχίαις ἱερουργούντων, τοῦ Προέδρου αὐτῆς μνημονεύοντος πάσης Ἐπισκοπῆς Ὁρθοδόξων, καὶ χορηγῇ τὰς πρὸς χειροτονίαν Ἀρχιερέων ἀπαιτούμενας κωνονικὰς ἐκδόσεις. Ἴνα δὲ ἡ κανονικὴ ἐ ν ὁ τ ῆ ς πρὸς τε τὴν ἐν Κωνσταντινουπόλει Μεγάλῃν Ἐκκλησίαν, καὶ πρὸς τὰς λοιπὰς Ὁρθοδόξους τοῦ Χριστοῦ Ἐκκλησίας διατηρήται κατὰ τοὺς θείους καὶ ἱερούς κανόνας καὶ τὰ πατροπαράδοτα ἔθιμα τῆς Καθολικῆς Ὁρθοδόξου Ἐκκλησίας, ὀφείλει ἡ Ἱερὰ Σύνοδος τῆς Ἐκκλησίας τῆς Ἑλλάδος, μνημονεῦειν ἐν τοῖς ἱεροῖς Διπτύχοις τοῦ τε κατὰ καιρὸν Οἰκουμενικοῦ Πατριάρχου καὶ τῶν λοιπῶν Πατριαρχῶν κατὰ τάξιν, καθὼς καὶ πάσης Ἐπισκοπῆς Ὁρθοδόξων· λαμβάνειν δέ, ὡς ἂν χρήζη, καὶ τὸ ἄ γ ι ο ν μ ῦ ρ ο ν παρὰ τῆς Ἁγίας τοῦ Χριστοῦ Μεγάλῃς Ἐκκλησίας. Κατὰ δὲ τὰς κανονικὰς καὶ πατροπαράδοτους διατυπώσεις, ὁ Πρόεδρος τῆς Ἱερᾶς Συνόδου ἀναγορευόμενος ὀφείλει ἐπιστέλλειν τὰ ἀναγκαῖα συνοδικὰ γράμματα πρὸς τε τὸν Οἰκουμενικὸν καὶ πρὸς τοὺς λοιποὺς Πατριάρχας, καθὼς καὶ οὗτοι ἀναγορευόμενοι τὸ αὐτὸ ποιήσουσιν. Οὐ μὴν ἀλλὰ καὶ ἐν τοῖς συμπίπτουσιν ἐκκλησιαστικοῖς πράγμασι, τοῖς δεομένοις συσκέψεως καὶ συμπράξεως πρὸς κρείττονα οἰκονομίαν καὶ στηριγμὸν τῆς Ὁρθοδόξου Ἐκκλησίας, ἤρρεσεν, ἵνα ἡ μὲν ἐν Ἑλλάδι Ἱερὰ Σύνοδος ἀναφέρηται πρὸς τὸν Οἰκουμενικὸν Πατριάρχην καὶ τὴν περὶ αὐτὸν Ἱερὰν Σύνοδον· ὁ δὲ Οἰκουμενικὸς Πατριάρχης μετὰ τῆς περὶ αὐτὸν Ἁγίας καὶ Ἱερᾶς Συνόδου παρέχει προθύμως τὴν ἑαυτοῦ σύμπραξιν, ἀνακοινῶν τὰ δέοντα πρὸς τὴν Ἱερὰν Σύνοδον τῆς Ἐκκλησίας τῆς Ἑλλάδος. Τὰ δὲ πρὸς τὴν ἐσωτερικὴν ἐκκλησιατικὴν διοίκησιν ἀφορῶντα, οἷα φερ' εἶπειν τὰ περὶ ἐκλογῆς καὶ χειροτονίας Ἀρχιερέων, περὶ ἀριθμοῦ αὐτῶν καὶ ὀνομασίας τοῦ θρόνου αὐτῶν, περὶ χειροτονίας ἱερέων καὶ ἱεροδιακόνων, περὶ γάμου καὶ διαζυγίου, περὶ διοικήσεως Μοναστηρίων, περὶ εὐταξίας καὶ ἐκπαιδεύσεως τοῦ ἱεροῦ Κλήρου, περὶ τοῦ κηρύγματος τοῦ θείου λόγου, περὶ ἀποδοκιμασίας ἀντιθρησκευτικῶν βιβλίων, ταῦτα πάντα καὶ τὰ τοιαῦτα κανονισθήσονται παρὰ τῆς Ἱερᾶς Συνόδου διὰ συνοδικῆς πράξεως, μὴ ἀντιβαιούσης τὸ παράπαν τοῖς ἱεροῖς κανόσι τῶν



ἀγίων καὶ ἱερῶν Συνόδων, καὶ τοῖς πατροπαραδότοις ἐθίμοις, καὶ ταῖς διατυπώσεις τῆς Ὀρθοδόξου Ανατολικῆς Ἐκκλησίας. Ἐπ’ αὐτοῖς οὖν τοῖς ὅροις, αὕτη ἡ ἀρχήθεν καλλιγόνος Μητήρ, ἡ ὡς ἄμπελος εὐθινοῦσα ἐν τοῖς κλίτεσι τοῦ οἴκου Κυρίου, ἡ ἐν Κωνσταντινουπόλει Μεγάλη τοῦ Χριστοῦ Ἐκκλησία, ἐν Ἁγίῳ Πνεύματι συνοδικῶς ἀποφαινομένη, ἀναγορεύει καὶ κηρύττει τὴν ἐν Ἑλλάδι Ἐκκλησίαν αὐτοκέφαλον, καὶ τὴν ἐν αὐτῇ Σύνοδον ἀδελφὴν ἐν Πνεύματι ἑαυτῆς τε καὶ πάσης ἄλλης ἀνὰ μέρος Ὀρθοδόξου Ἐκκλησίας· ἔτι ἀναγνωρίζει πλήρη καὶ κυρίαν καὶ Ἀποστολικὴν τὴν ψήφῳ καὶ δοκιμασίᾳ τῶν ἐν Ἑλλάδι ἱερωτάτων Μητροπολιτῶν καὶ Ἀρχιεπισκόπων καὶ Ἐπισκόπων γινομένην χειροτονίαν, ἣν ἔλαβον ἐντεύθεν ἀπὸ τοῦ Ἀποστολικοῦ Οἰκουμενικοῦ τούτου Θρόνου ἢ καὶ ἀφ’ ἑτέρου Ἀποστολικοῦ Θρόνου ἢ καὶ Συνόδων αὐτοκεφάλων, τῶν ἐν τῷ Ὀρθοδόξῳ πληρώματι· ἔτι δὲ κατέχει πλήρη, κυρίαν καὶ ἀποστολικὴν πᾶσαν χειροθεσίαν αὐτῶν, καὶ πᾶσαν ἱερὰν τελετὴν νομίμως τελουμένην, καὶ τοιαύτην ἀξιῶ κατέχεσθαι καὶ παρὰ πάντων τῶν Ὀρθοδόξων. Ταῦτα ὥρισεν ἐν Ἁγίῳ Πνεύματι ἡ ἐν Κωνσταντινουπόλει Ὀρθόδοξος Ἱερὰ Σύνοδος, εὐχομένη ἀπλέτῳ πόθῳ, καὶ διαπύρῳ ἀγάπῃ τῇ φίλῃ αὐτῆς ἐν Χριστῷ ἀδελφῇ, στηριγμὸν ἐν τῇ πίστει καὶ ἐν τῇ ἐνότητι, προκοπὴν ἐν τοῖς παραγγέλμασι τοῦ Κυρίου, καὶ ἄγρυπνον προσοχὴν εἰς τὴν Ὀρθόδοξον διδασκαλίαν τοῦ Ποιμνίου, εἰς ὃ τὸ Πνεῦμα τὸ Ἅγιον ἐπέστησε ποιμαίνειν, ὅπως ἂν εἴπωσι καὶ οἱ ἀντικείμενοι τῇ εὐσεβείᾳ «Τὶς αὕτη ἡ ἐκκύπτουσα ὡσεὶ ὄρθρος, καλὴ ὡς σελήνη, ἐκλεκτὴ ὡς ὁ ἥλιος, θάμβος ὡς τεταγμένοι»· ὁ δὲ Θεὸς τῆς εἰρήνης, ὁ ποιήσας τὰ ἀμφοτέρωθεν, καὶ τὸ μεσότειχον τοῦ φραγμοῦ λύσας, δώη ἡμῖν τὸ αὐτὸ φρονεῖν ἐν ἀλλήλοις πάντοτε, χάριτι καὶ οἰκτιρμοῖς τοῦ Πρώτου καὶ Μεγάλου καὶ Ἄκρου Ἀρχιερέως Χριστοῦ τοῦ Θεοῦ ἡμῶν, πρεσβείαις τῆς Παναχράντου αὐτοῦ Μητρός, τῆς ἀειπαρθένου καὶ Θεοτόκου Μαρίας, τοῦ τιμίου ἐνδόξου Προφήτου Προδρόμου καὶ Βαπτιστοῦ Ἰωάννου, τῶν ἀγίων ἐνδόξων Πανευφήμων Θεοκηρῦκων καὶ Πνευματοφόρων Ἀποστόλων, τῶν Ὁσίων καὶ Θεοφόρων Πατέρων ἡμῶν καὶ πάντων τῶν Ἁγίων. Ἀμήν.

Ἐν ἔτει σωτηρίῳ ,αων’ Ἰουνίου κθ’

† Ἀ ν θ ι μ ο ς ἐλέω Θεοῦ Ἀρχιεπίσκοπος Κωνσταντινουπόλεως Νέας Ρώμης καὶ Οἰκουμενικὸς Πατριάρχης ἐν Χριστῷ τῷ Θεῷ ἀποφαίνεται.

† Ὁ πρῶην Κωνσταντινουπόλεως Κ ω ν σ τ ἄ ν τ ι ο ς ὁ Α ´ ἐν Χριστῷ τῷ Θεῷ συναποφαίνεται.

† Ὁ πρῶην Κωνσταντινουπόλεως Κ ω ν σ τ ἄ ν τ ι ο ς ὁ Β ´ ἐν Χριστῷ τῷ Θεῷ συναποφαίνεται.

† Ὁ πρῶην Κωνσταντινουπόλεως Γ ρ η γ ὁ ρ ι ο ς ἐν Χριστῷ τῷ Θεῷ συναποφαίνεται.

† Ὁ πρῶην Κωνσταντινουπόλεως Γ ε ρ μ α ν ὸ ς ἐν Χριστῷ τῷ Θεῷ συναποφαίνεται.

† Ὁ πρῶην Κωνσταντινουπόλεως Ἀ ν θ ι μ ο ς ἐν Χριστῷ τῷ Θεῷ συναποφαίνεται.

† Κ ὺ ρ ι λ λ ο ς ἐλέω Θεοῦ Πατριάρχης τῆς Ἁγίας πόλεως Ἱερουσαλήμ ἐν Χριστῷ τῷ Θεῷ συναποφαίνεται.

† Ὁ Καισαρείας Π α ῖ σ ι ο ς .

† Ὁ Ἐφέσου Ἀ ν θ ι μ ο ς .

† Ὁ Ἡρακλείας Π α ν ἄ ρ ε τ ο ς .

† Ὁ Νικομηδείας Δ ι ο ν ὺ σ ι ο ς , ἔχων καὶ τὴν γνώμην τοῦ σεβ. γέροντος Χαλκηδόνος Κυρίου Ἰ ε ρ ο θ έ ο υ .

† Ὁ Δέρκων Ν ε ό φ υ τ ο ς .

† Ὁ Πρόεδρος Διδυμοτείχου Μ ε λ έ τ ι ο ς .

† Ὁ Νεοκαισαρείας Λ ε ό ν τ ι ο ς .

† Ὁ Κρήτης Χ ρ ὺ σ α ν θ ο ς .

† Ὁ Σερρών Ἰ ά κ ω β ο ς .

† Ὁ Βιζύης Γ ρ η γ ὁ ρ ι ο ς .

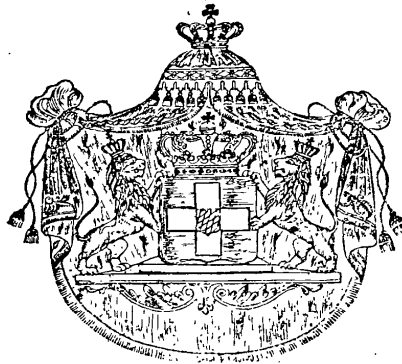
† Ὁ Σωζοαγαθουπόλεως Π ρ ο κ ό π ι ο ς .

† Ὁ πρῶην Μεσημβρίας Σ α μ ο υ ή λ .

† Ὁ Σταυρουπόλεως Κ ω ν σ τ α ν τ ῖ ν ο ς .

## **Appendix II**

### **Declaration of the Independence of the Church of Greece**



**ΕΦΗΜΕΡΙΣ** **REGIERUNGS-BLATT**  
**ΤΗΣ ΚΥΒΕΡΝΗΣΕΩΣ** **DES KOENIGREICHS**  
**ΤΟΥ ΒΑΣΙΛΕΙΟΥ ΤΗΣ ΕΛΛΑΔΟΣ.** **GRIECHENLAND.**

ΑΡΙΘΜ. 23.  
 ΝΑΥΠΑΙΟΝ, 1 Αυγούστου.

1853

N. 23.  
 NAUPLIA, 13 August

ΣΥΝΟΜΙΣ ΤΩΝ ΕΜΠΕΡΙΕΧΟΜΕΝΩΝ  
 Διακήρυξις περί της ανεξαρτησίας της Ελληνικής Εκκλησίας. — Κοινοποιήσις. — Διορισμός του προσωπικού της Ιεράς Συνόδου. — Διάταγμα περί αρμοδιότητος των στρατιωτικών δικαστηρίων. — Διάταγμα περί του ότι τα δικαστήρια να ενεργώσιν ασφαλιστικάς πράξεις. — Δηλώσεις. — Διορισμοί.

▲ τα κήρυξις περί της ανεξαρτησίας της Ελληνικής Εκκλησίας.

Ο Θ Ω Ν  
 Ε Λ Ε Ω Θ Ε Ο Υ  
 ΒΑΣΙΛΕΥΣ ΤΗΣ ΕΛΛΑΔΟΣ,

Λαβόντες υπ' όψιν την περί διακήρυξως της ανεξαρτησίας της Ελληνικής Εκκλησίας και περί συστάσεως Συνόδου διαρκούς όμοφώνως έκφρασθεισαν έφ'εσιν των ένταύθα συνηγμένων Μητροπολιτών, Αρχιεπισκόπων και Επισκόπων του ήμετέρου Κράτους, άκούσαντες δέ και την γνώμη του ήμετέρου Ύπουργικού Συμβουλίου άπεφασίσασμεν και διατάττομεν τά ακόλουθα.

Άρθρ. 1.  
 Η όρθόδοξος Άνατολική Άποστολική Εκκλησία του Βασιλείου της Ελλάδος, έν Πνεύματι μη άναγνωρίζουσα άλλην κεφαλήν, παρά τον Θεμελιωτήν της Χριστιανικής πίστεως τον Κύριον και Σωτήρα ήμών Ιησούν Χριστόν, κατά δέ τό διοικητικόν μέρος έχουσα άρχηγόν τον Βασίλεα της Ελλάδος, είναι αυτοκέφαλος και ανεξάρτητος από πάσης άλλης εξουσίας, φυλαττομένης άπαραχαράκτου της δογματικής ενότητος, κατά τά παρά πασών των όρθοδόξων Άνατολικών εκκλησιών άνέκαθεν προσθευόμενα.

Άρθρ. 2.  
 Η ύπερτάτη Εκκλησιαστική έξουσία έναπόκειται, υπό την του Βασιλέως κυριαρχίαν, εις χείρας Συνόδου διαρκούς, φερούσης τό όνομα «Ιερά Σύνοδος του Βασιλείου της Ελλάδος».

Ο Βασίλεως προσδιορίζει δι' οργανικού διατάγματος την Γραμματείαν της Επικρατείας, ήτις θέλει ενεργεί τά της Κυριαρχίας ταύτης, και υπό την όποίαν θέλει διατελεί κατά τουτό ή Σύνοδος. Η Σύνοδος αύτη παρεδρεύει εις την καθέδραν του Βασιλείου, κρατεί ιδίαν σφραγίδα έχουσαν έγκεχαραγμένον σταυρόν άπράλλακτον μέ τον έν μέσω των

INHALTS-ANZEIGE

Declaration über die Unabhängigkeit der Griechischen Kirche. — Bekanntmachung. — Verordnungen. Die Ernennung des Personals des heiligen Synode betr. — Die Kompetenz der Militärgerichte betr. — Die Fornahme von conservatorischen Acten. — Dienstes-Nachrichten. — Berichtigung.

Declaration über die Unabhängigkeit der Griechischen Kirche.

OTTO  
 VON GOTTES GNADEN  
 KOENIG VON GRIECHENLAND.

Wir haben nach dem einstimmigen Wunsche der hier versammelten Metropolitén, Erzläschefe und Bischöfe Unseres Reiches, die Unabhängigkeit der griechischen Kirche aussprechen, und eine permanente Synode anordnen zu wollen, so wie nach Vernehmung Unseres Gesamt-Ministeriums beschlossen und beschlossen, wie folgt:

Art. 1.

Die orthodoxe, morgenländische, apostolische Kirche im Königreiche Griechenland, indem sie geistig kein anderes Haupt als den Stifter des christlichen Glaubens, Unseren Herrn und Heiland Jesum Christum anerkennt, hinsichtlich der Leitung und Verwaltung der Kirche aber den König von Griechenland zu ihrem Oberhanpte hat, ist frei und unabhängig von jeder anderen Gewalt, unbeschadet der Einheit des Dogma, wie solches von allen orthodoxen morgenländischen Kirchen von jeher anerkannt worden ist.

Art. 2.

Die höchste geistliche Gewalt ruht, unter der Oberhoheit des Königs, in den Händen einer permanenten heiligen Synode.

Der König bezeichnet durch eine organische Verordnung das Staatsministerium, welches diese Oberhoheitsrechte auszuüben hat, und welchem die Synode in dieser Beziehung untergeordnet ist.

Sie hat ihren Sitz an jenem der Staatsregierung, und führt ein eigenes Siegel, bestehend in dem aus dem Staatssiegel zu nehmenden

πρωτοτύπων του Κράτους και φέρουσιν την περιγραφὴν «Ἱερά Σύνοδος του Βασιλείου της Ελλάδος».

Ἄρθρ. 3.

Ἡ Σύνοδος σύγκεται ἀπὸ πόντα μέλη, ἐξ ὧν εἰς Πρόεδρος και δύο τουλάχιστον Σύμβουλοι· τὰ λοιπὰ δύο μέλη ἡμποροῦν νὰ εἶναι ἐπίσης Σύμβουλοι· ἀλλ' ἡ Κυβέρνησις, ἂν τὸ ἐγκρίνη, δύναται νὰ διορίσῃ ἀντ' αὐτῶν ἕνα ἢ δύο παρόδρους, ἐκτὸς δὲ τούτου ἕνα ἢ δύο συμπληρωτικούς Συμβούλους ἢ παρόδρους, οἵτινες ὅμως δὲν ἔχουν χῶραν εἰς τὴν Σύνοδον, εἰμὴ ἐν περιπτώσει ἀπουσίας ἢ ἀσθενείας ἐνὸς ἐνεργεῖα μέλους.

Ὅλοι αὗτοι διορίζονται παρὰ τῆς Κυβερνήσεως.

Ἄρθρ. 4.

Ὁ Πρόεδρος και οἱ Σύμβουλοι θέλουσιν λαμβάνεσθαι ἐκ μόνων Μητροπολιτῶν, Ἀρχιεπισκόπων ἢ Ἐπισκόπων, οἱ δὲ πάρεδροι ἐκ πρεσβυτέρων ἢ ἱερομονάχων.

Κατ' ἔτος θέλει γίνεσθαι νέα ἐκλογή· ἀλλὰ τὰ μέχρι τούδε ὑπάρχοντα μέλη ἡμποροῦν νὰ διορισθῶσιν ἐκ νέου. Ἐκαστος τῶν ἐνεργεῖα Συμβούλων και παρόδρων λαμβάνει, ἐκτὸς τοῦ μισθοῦ, τὸν ὅποιον πορίζεται ἀπὸ τὸ ἰδιαιτέρον του ἐκκλησιαστικὸν ὑπόδηγμα, και ἐπιμίσθιον, δι' ὅλην τὴν διάρκεια τῶν συνοδικῶν χρεῶν του.

Ἄρθρ. 5.

Αἱ ὑποθέσεις θεωροῦνται ἐνταῦθα, καθ' ὃν τρόπον συμβαίνει και εἰς ὅλας τὰς λοιπὰς ἐπιτροπὰς. Εἰς τὰς συζητήσεις ἀποφασίζῃ ἡ ψῆφος τῶν πλειόνων. Κατὰ δὲ ἰσοψηφίαν, ὁ Πρόεδρος ἔχει τὴν νικῶσαν.

Ὅλα τὰ μέλη χρεωστοῦν νὰ ὑπογράψωσιν τὰς ἀποφάσεις· ἀλλ' οἱ ἐτερογενωμοσύντες ἡμποροῦν νὰ καταχωρήσωσιν εἰς τὰ πρακτικὰ τῶν συνεδριάσεων τὸν λόγον τῆς διαφύρου γνώμης των.

Ἄρθρ. 6.

Εἰς τὴν Σύνοδον παρευρίσκειται εἰς βασιλικὸς ἐπίτροπος, διοριζόμενος και αὐτὸς, καθὼς και ὁ Γραμματεὺς τῆς Συνόδου, παρὰ τοῦ Βασιλέως· οἱ λοιποὶ ὑπάλληλοι τοῦ γραφείου διορίζονται ἀπ' εὐθείας παρὰ τῆς Συνόδου και ἐπικυροῦνται παρὰ τῆς Κυβερνήσεως.

Ἄρθρ. 7.

Ὁ Γραμματεὺς εἶναι ἀρχηγὸς τοῦ γραφείου και κρατεῖ τὸ πρωτόκολλον τῶν συνεδριάσεων· ἡμπορεῖ προσέτι νὰ λαμβάνῃ μέρος εἰς τὰς συζητήσεις, χωρὶς ὅμως νὰ ἔχη ἀποφασιστικὴν ψῆφον.

Ὁ βασιλικὸς ἐπίτροπος παρεδρεύει εἰς ὅλας τὰς συνεδριάσεις τῆς Συνόδου, και ἀντιπροσωπεῖ παρ' αὐτῇ τὴν Κυβέρνησιν. Κάθε πράξις γενομένη ἐν ἀπουσίᾳ του εἶναι ἀκυρος.

Ὁ αὐτὸς ἔχει τὸ δικαίωμα κατὰ παραγγελίαν Βασιλικῆς τιμῆς Ἀρχῆς, ἢ και δυνάμει τῆς ἰδίας του θέσεως, νὰ καθυποβάλλῃ προτάσεις εἰς τὴν Σύνοδον, τὰς ὁποίας αὐτὴ λαμβάνει ἀμέσως εἰς σκέψιν και ἀποφασίζῃ περὶ αὐτῶν ὅ, τι κρίνει εὐλογον.

Ἄρθρ. 8.

Ὁ Πρόεδρος, οἱ Σύμβουλοι και οἱ πάρεδροι ὀρκίζονται τὸν ἑξῆς ὄρκον·

« Ὁμῶς πίστιν εἰς τὸν Βασιλέα, ὑποταγὴν εἰς τοὺς νόμους τοῦ Βασιλείου, εὐσυνείδητον ἐκπλήρωσιν τῶν διαπιστευθέντων μοι γρεῶν, τιστὴν διατήρησιν τῶν δικαιωμάτων και προνομίων τῆς ὀρθοδόξου Ἀνατολικῆς Ἀποστολικῆς Ἐκκλησίας τοῦ Βασιλείου τῆς Ελλάδος, διατήρησιν τῆς ἀνεξαρτησίας τῆς ἀπὸ πάσης ξένης ἐξουσίας, ἐνθέρμον ὑπεράσπισιν τῶν συμφερόντων αὐτῆς, ἀποχρῆν ἀπὸ παντὸς πλάγιου σκοποῦ, και ἀκριβῆ ἐκτέλεσιν ὧν ἐν γένοι, και ἐν μέρει ἐνὸς ἐκάστου τῶν καθηκόντων τῆς ὑπηρεσίας μου ».

Ὁδε Β. Ἐπίτροπος, ὁ Γραμματεὺς και οἱ λοιποὶ ὑπάλληλοι τοῦ Γραφείου, θέλουσιν ὀρκισθῆ τὸν συνήθη τῶν ὑπαλλήλων ὄρκον.

den Griechischen Kreutze mit der Umschrift «*Heilige Synode des Königreiches Griechenland*».

Art. 3.

Die Synode besteht aus 5 Mitgliedern.

Diese sind ein Präsident und wenigstens zwei Ræthe. Die beiden übrigen Mitglieder können ebenfalls Ræthe seyn; die Staats-Regierung behält sich jedoch vor, nach ihrem Ermessen statt derselben einen oder zwei Beisitzer zu bestimmen.

Ausser dem können 1 oder 2 Suppleant - Ræthe oder Beisitzer ernannt werden, welche jedoch erst im Verhinderungsfalle eines activen Mitgliedes Zutritt haben.

Die Ernennung geschieht durch die Staatsregierung.

Art. 4.

Der Präsident und die Ræthe sollen Metropolitane, Erzbischöfe oder Bischöfe, die Beisitzer aber Presbyter oder Hieromonachen seyn.

Jedes Jahr ist zu einer neuen Ernennung zu schreiten. Die alten Mitglieder können jedoch wieder ernannt werden.

Jeder active Rath und Beisitzer erhält, ausser dem ihm von seinem Kirchenname ohnediess schon zukommenden Gehalte, noch eine Zulage für die Dauer dieser Function.

Art. 5.

Der Geschäftsgang ist collegialisch.

Bei Berathungen entscheidet die Majorität. Bei Gleichheit der Stimmen hat der Präsident eine entscheidende Stimme.

Alle Mitglieder haben den Beschluss zu unterschreiben.

War eines oder mehrere anderer Ansicht, so können sie im Sitzungsprotokoll die Gründe ihrer abweichenden Meinung niederlegen.

Art. 6.

Der Synode beigegeben ist ein von der Staats-Regierung zu ernennender Staatsprocurator und Secretær.

Das übrige Kanzleipersonal wird von der Synode bestellt, von der Staats-Regierung aber bestätigt.

Art. 7.

Der Secretær ist Vorstand der Synodal - Kanzlei und fuhr das Sitzungs Protocol.

Er ist berechtigt, an den Berathungen Antheil zu nehmen, ohne jedoch eine entscheidende Stimme zu haben.

Der Staatsprocurator hat allen Sitzungen der Synode beizuwohnen, und bei derselben die Staatsregierung zu representiren. Jeder in seiner Abwesenheit gefasste Beschluss ist ungültig.

Auch hat derselbe das Recht, aus Auftrag einer königlichen Behörde oder auch von Amtswegen Anträge an die Synode zu stellen; worüber diese unverzüglich berathen und Beschluss fassen muss.

Art. 8.

Von dem Präsidenten, den Ræthen und Beisitzern ist folgender Eid zu leisten:

« Ich schwöre Treue dem König, Gehorsam den Gesetzen des Königreichs, gewissenhafte Verwaltung des mir anvertrauten Amtes, treue Bewahrung der Rechte und Freiheiten der orthodoxen morgenländischen apostolischen Kirche im Königreiche Griechenland, Aufrechthaltung ihrer Unabhängigkeit von jeder auswärtigen Gewalt, gewissenhafte Beförderung der Wohles derselben, mit sorgfältiger Entfernung aller Nebenrücksichten, und pünktliche Erfüllung aller und jeder mit meinem Amte übernommenen Pflichten. »

Von dem Staatsprocurator, Secretær und dem übrigen Kanzleipersonal ist der gewöhnliche Beamteneid zu leisten.

Ὁ ὄρκος θέλει γίνεσθαι παρὰ μὲν τοῦ Προέδρου, τῶν Συμβούλων, τῶν Παρέδρων, τοῦ Βασιλ. Ἐπιτρόπου καὶ τοῦ Γραμματέως ἐνώπιον τοῦ Βασιλέως, παρὰ δὲ τῶν λοιπῶν ὑπαλλήλων ἐνώπιον τῶν μελῶν τῆς Συνόδου, συνεδριάζόντων ἐπὶ τούτῳ.

Ἄρθρ. 9.

Εἰς ὅλα τὰ ἐντὸς τῆς Ἐκκλησίας ἐνεργεῖ ἡ Σύνοδος ἀνεξαρτήτως ἀπὸ πάσης κοσμικῆς ἐξουσίας. Ἐπειδὴ ὅμως εἰς τὴν ὑπεράστην ἐξουσίαν τοῦ Κράτους ἀνήκει ἡ κυριαρχικὴ ἐποπτεία ἐφ' ὅλων τῶν ἐντὸς τοῦ Κράτους γινομένων πραξεῶν, συμβεβηκότων καὶ σχέσεων, ἔχει ἡ Κυβέρνησις τὸ δικαίωμα τοῦ νὰ λαμβάνῃ γνώσιν τοῦ ἀντικειμένου τῆς διαπραγματεύσεως, καὶ ἐπομένως, πρὶν ζητηθῆ ἡ ἔγκρισις (τὸ ἐνεκρίθῃ) τῆς Κυβερνήσεως, δὲν ἠμπορεῖ νὰ κοινοποιηθῇ οὐδὲ νὰ ἐκτελεσθῇ καμία συνοδικὴ ἀπόφασις. Εἰς τὸ προοίμιον τῆς ἐκδόσεως τῆς τοιαύτης ἀποφάσεως πρέπει πάντοτε νὰ ἀναφέρεται ἡ ζητηθεῖσα καὶ ληφθεῖσα ἔγκρισις.

Ἄρθρ. 10.

Εἰς τὰ ἐσωτερικὰ τῆς Ἐκκλησίας ἀνάγονται, κατὰ τοὺς εἰς τὰ ἄρθρα 11, 12, καὶ 17 ἀναφερομένους λεπτομερεστέρους προσδιορισμούς:

- α. Ἡ περὶ τῶν δογμάτων διδασκαλία
- β'. Τὸ εἶδος καὶ ἡ ἐκτέλεσις τῆς λατρείας
- γ. Ἡ ἐκτέλεσις τῶν καθηκόντων ἐκάστης τάξεως τοῦ Κλήρου
- δ. Ἡ θρησκευτικὴ διδασκαλία τοῦ λαοῦ
- ε. Ἡ Ἐκκλησιαστικὴ πειθαρχία (la discipline de l'Église)
- ς. Ἡ δοκιμασία καὶ ἡ χειροτονία τῶν ἐκ τοῦ Κλήρου.
- ζ. Ἡ καθιέρωσις τῶν εἰς τὴν λατρείαν ἀναγομένων πραγμάτων καὶ οἰκοδομημάτων
- η. Ἡ δικαιοδοσία εἰς καθ' αὐτὸ Ἐκκλησιαστικὰ ἀντικείμενα, π. χ. εἰς τὰ τῆς συνειδήσεως, τῆς ἐκτέλεσεως τῶν θρησκευτικῶν καὶ τῶν Ἐκκλησιαστικῶν χρεῶν, κατὰ τὰ θόγματα, τὰ δογματικὰ βιβλία, καὶ τὸν ἐπὶ τούτων τεθεμελιωμένον κανονισμόν τῆς Ἐκκλησίας.

Ἄρθρ. 11.

Ἡ Σύνοδος ἐπαγρυπνεῖ εἰς τὴν ἀκριβῆ διατήρησιν τῶν παρὰ τῆς Ἀνατολικῆς Ἐκκλησίας προσβέουμένων δογμάτων, καὶ ἰδιαίτερος εἰς τὸ περιεχόμενον τῶν εἰς χρῆσιν τῆς νεολαίας καὶ τῶν ἐκ τοῦ Κλήρου προσδιορισμένων καὶ περὶ θρησκευτικῶν ἀντικειμένων πραγματευομένων βιβλίων καὶ, ὡς ἂν πληροφορηθῆ θετικῶς, ὅτι ὅποιοςδήποτε ἄνθρωπος ἐπιχειρεῖ νὰ ταραξῆ τὴν Ἐκκλησίαν τοῦ Βασιλείου δι' ἐτεροδιδασκαλίας, διὰ προσηλυτισμοῦ, ἢ κατ' ἄλλον τινὰ τρόπον, προσκαλεῖ τὴν κοσμικὴν ἐξουσίαν νὰ ἐπιφέρει θεραπείαν εἰς τὸ κακὸν κατὰ τοὺς πολιτικὸς νόμους.

Ἄρθρ. 12.

Ἡ Σύνοδος ἐπαγρυπνεῖ προσέτι περὶ τὴν ἀκριβῆ ἐκτέλεσιν τῶν Ἐκκλησιαστικῶν διατάξεων καὶ ἐθίμων, περὶ τὴν εὐπρέπειαν τῶν Ἐκκλησιῶν, τὴν εὐταξίαν τῶν ἱερῶν τελετῶν καὶ ἐν γένει περὶ τὴν δημόσιον λατρείαν, διατάττει ὅσα κρίνει συντείνοντα εἰς τὴν εὐκοσμίαν τῶν ἐκ τοῦ κλήρου καὶ εἰς βελτιώσιν αὐτῶν, καὶ φροντίζει, ὥστε οἱ ἱερωμένοι νὰ μὴ ἐνασσωλῶνται, ἀπεναντίας τῶν ῥητῶς ἀπαγορευόντων Ἐκκλησιαστικῶν καὶ πολιτικῶν θεσμῶν, εἰς πολιτικὰ πράγματα, μηδὲ νὰ λαμβάνωσι τὴν παραμικρὰν μετοχὴν εἰς αὐτά.

Ἄρθρ. 13.

Ὅλα τὰ ἀντικείμενα, ὅσα ἀνάγονται μὲν εἰς τὰ κατὰ τὴν Ἐκκλησίαν, δὲν ἀφορῶσιν ὅμως τὸ δογματικόν, ἀλλὰ, χωρὶς νὰ εἶναι καθ' αὐτὴν κοσμικὰ, ἔχουσι τινὰ σχέσιν πρὸς τὴν ἐπιβράτεια καὶ τὸ κοσμικὸν συμφέρον τῶν κατοίκων, εἶναι μὲν τῆς ἀρμοδιότητος τῆς ἱερᾶς Συνόδου, ἀλλὰ χωρὶς ἰδιαίτεραν συγκατάθεσιν καὶ σύμπραξιν τῆς κοσμικῆς Ἀρχῆς, δὲν ἠμπορεῖ ἡ Σύνοδος μὴ νὰ διατάξῃ τι περὶ αὐτῶν.

Der Präsident, die Ræthe und Beisitzer, der Staatsprocurator und Secreter leisten den Eid in die Hænde des Königs, das übrige Kanzlei-Personal aber in einer Sitzung der Synode.

Art. 9.

In allen inneren Angelegenheiten der Kirche handelt die Synode unabhängig von der weltlichen Gewalt.

Wegen der hoheitlichen Oberaufsicht der Staatsgewalt über alle innerhalb des Staates vorkommende Handlungen, Ereignisse und Verhältnisse, ist dieselbe jedoch berechtigt, von dem Verhandelteten Einsicht zu nehmen, und vor Einholung der Genehmigung der Staatsregierung (des Placet) darf kein Synodalbeschluss bekräftigt gemacht oder vollzogen werden.

Im Eingange der Ausschreibung solcher Beschlüsse ist jederzeit der erhaltenen Genehmigung Erwähnung zu thun.

Art. 10.

Zu den inneren Angelegenheiten der Kirche gehören, unter den in Art. 11, 12 und 17 anzugebenden näheren Bestimmungen:

- 1 die Glaubenslehre,
- 2 die Form und Feyer des Gottesdienstes,
- 3 die geistliche Amtsführung,
- 4 der religiöse Unterricht,
- 5 die Kirchen-Disciplin,
- 6 die Prüfung und Ordination der Kirchendiener,
- 7 die Einweihung der zum Gottesdienste gehörenden Geræthschaften und Gebäude, und,
- 8 die Ausübung der Gerichtsbarkeit in rein geistlichen Sachen, næmlich in Sachen des Gewissens oder der Erfüllung der Religions- und Kirchen-Pflichten, nach ihren Dogmen, dogmatischen Büchern und ihrer darauf gegründeten Verfassung.

Art. 11.

Die Synode wacht für die Reinerhaltung der von der morgenländischen Kirche angenommenen Dogmen, und namentlich über den Inhalt der zum Gebrauche der Jugend oder der Geistlichkeit bestimmten und von religiösen Gegenständen handelnden Bücher, und ersucht, sobald sie mit Gewissheit erfährt, dass irgend jemand die Kirche des Reiches, sey es durch neue Lehre, durch Proselitenmacherei oder auf sonstige Weise zu stören begehrt, die weltliche Gewalt, dem Uebel, den weltlichen Gesetzen gemäss, zu steuern.

Art. 12.

Die Synode wacht ferner für die genaue Befolgung der geistlichen Verordnungen und Gebræuche, für die gute Ordnung der Kirche und der Kirchlichen Ceremonien, so wie für den Cultus überhaupt; sie hat alles dasjenige, was zur Beobachtung des Anstandes der Geistlichkeit, so wie zu ihrer Verbesserung dienen kann, zu verordnen, und dafür Sorge zu tragen, dass die Geistlichen sich nicht, gegen das Verbot der geistlichen und weltlichen Gesetze, in weltliche Dinge mischen oder auch nur irgend Antheil daran nehmen.

Art. 13.

Alle Angelegenheiten der Kirche, welche zwar die Kirche, nicht aber das Dogma selbst betreffen, welche vielmehr, ohne jedoch zu den rein weltlichen Dingen zu gehören, irgend eine Beziehung auf den Staat und auf das weltliche Wohl der Einwohner haben, sind ebenfalls von der Zuständigkeit der Synode; allein ohne Mitwirkung und Genehmigung der Staatsregierung darf keine einseitige Anordnung von derselben getroffen werden.

Ἡ ὑπεριόχῃ ἐξουσία τοῦ Κράτους ἔχει μάλιστα τὸ δικαίωμα ὄχι μόνον νὰ ἀπαίτῃ τὸ νὰ πληροφορηθῆται προηγουμένως περὶ ὅλων τῶν τοιούτων διαθέσεων, ἀλλὰ καὶ δι' ἰδίων διαταγμάτων νὰ ἐμποδίσῃ, ἂν ὑπάρχῃ τι ἐν αὐταῖς δυνάμενον νὰ κατασταθῇ ἐπιβλαβὲς ὡς πρὸς τὸ δημόσιον συμφέρον.

Ἄρθρ. 14.

Τοιαῦτα ἀντικείμενα συμμίκτου εἶδους (Ἄρθρ. 13) εἶναι, πρὸς τοὺς ἄλλους, κατ' ἐξοχὴν τὰ ἑξῆς:

1. Διατάξεις περὶ τῆς ἐξωτερικῆς λατρείας, περὶ τοῦ καιροῦ αὐτῆς, τοῦ τόπου εἰς ὃν, τοῦ ἀριθμοῦ κ. λ'
2. Ἡ σύστασις, διαλυσις, ἢ ὁ περιορισμὸς μοναστικῶν καταστημάτων
3. Ὁ περιορισμὸς, ἢ ἡ κατάπαυσις τῶν περὶ τὰς ἐκκλησιαστικὰς τελετὰς πομπῶν, παρατάξεων κτλ., καθ' ὅσον αὐταὶ ἀνάγονται εἰς τὸ ἐπουσιώδες μέρος τῆς λατρείας
4. Ὁ διορισμὸς εἰς θέσεις ἐκκλησιαστικὰς καὶ ἡ ἄδεια τῆς χειροτονίας πρεσβυτέρων καὶ διακόνων
5. Ἡ διαίρεσις τῆς περιφερείας τῶν διαφόρων ἐκκλησιαστικῶν ἁγοῶν
6. Διατάξεις περὶ ἐκπαιδευτικῶν, περιβαλτικῶν καὶ τιμωρητικῶν καταστημάτων διὰ τοὺς ἐκ τοῦ Κλήρου.
7. Ὑγεινομικαὶ διατάξεις, καθ' ὅσον ἀνάγονται συγχρόνως εἰς ἐκκλησιαστικὰ καταστήματα
8. Ἐκτακτοὶ ἐκκλησιαστικαὶ τελεταὶ, πρὸ πάντων ὅταν αὐταὶ πρόκειται νὰ γένουν εἰς ἐργασίμους ἡμέρας, ἢ ἐκτὸς τοῦ ναοῦ
9. Νόμοι ἀφορώντες τὰ κατὰ τοὺς γάμους, καθ' ὅσον δὲν ἀνάγεται εἰς τὴν πολιτικὴν συμφωνίαν.

Ἄρθρ. 15.

Διατάξεις ἀναγόμεναι εἰς ἀντικείμενα συμμίκτου εἶδους, καὶ ἀποφασισθεῖσαι παρὰ τῆς Συνόδου, ἐπικυρωθεῖσαι δὲ παρὰ τῆς Κυβερνήσεως ἔχουν ἰσχύον νόμων, καὶ ὡς τοιοῦτοι κοινοποιοῦνται παρὰ τῆς Κυβερνήσεως διὰ τῆς ἰδίας αὐτῆς ἐφημερίδος.

Ἄρθρ. 16.

Ὅλοι οἱ ἁγιοερεῖς τοῦ Βασιλείου διατελοῦν ὑπὸ τῆν ὑπεράττην ἐφορείαν τῆς Συνόδου, λαμβάνουν παρ' αὐτῆς διατάξεις, καὶ ἀναφέρουν πρὸς αὐτὴν ὅλα ὅσα ἀνάγονται εἰς τὰ ἐσωτερικὰ καὶ ἐξωτερικὰ καθήκοντά της.

Ὁ ἀριθμὸς καὶ ἡ ἔκτασις τῶν ἐπισκοπῶν τοῦ Βασιλείου προσδιορίζεται παρὰ τῆς Κυβερνήσεως κατὰ γνωμοδότησιν τῆς ἱερᾶς Συνόδου.

Αἱ ἐπισκοπαὶ θέλουσιν προικοδοτηθῆ καταλλήλως: οἱ δὲ Ἀρχιεπίσκοποι καὶ ἐπίσκοποι διορίζονται μὲν κατὰ πρότασιν τῆς Συνόδου παρὰ τῆς Κυβερνήσεως, κατὰ δὲ γνωμοδότησιν τῆς αὐτῆς ἱερᾶς Συνόδου, πλὴν καὶ τοῦτο μόνον εἰς τὰς παρὰ τῶν ἱερῶν κανόνων προσδιορισμένας περιπτώσεις, μετατιθενταὶ, παύονται, καὶ πρὸς ποινὴν, γίνονται ἐντελῶς ἐκπτώται τῆς θέσεώς των. Περὶ διαίρεσιν τῶν ἐνοριῶν, περὶ προικοδοτήσεως αὐτῶν, καθὼς καὶ περὶ τοῦ εἰς αὐτάς, καὶ εἰς ἄλλας ἐκκλησιαστικὰς ὑπηρεσίας διορισμοῦ, θέλει γένην φροντίς δι' ἰδιαιτέρων διαταγμάτων.

Ἄρθρ. 17.

Εἰς τὰ καθ' αὐτὴ ἐκκλησιαστικὰ ἀντικείμενα ἔχει ἡ Σύνοδος τὴν ὑπεράττην δικαιοδοσίαν ἐφ' ὅλων τῶν ἐκ τοῦ Κλήρου, καὶ κατὰ τὰ εἰς τὸν 8 ἀριθμὸν τοῦ 10 Ἄρθρ. ἐνδία λαμβάνοντα, οὐχ ἥττον καὶ ἐπὶ τῶν λαϊκῶν αὐτῶν· ἀλλ' αἱ ἀποφασεῖς της δὲν ἔμπορουν νὰ ἐκτελεσθῶν εἰμὴ μετὰ προηγουμένην ἐπικύρωσιν τῆς Κυβερνήσεως, καὶ συμφώνως μὲ τὸς ὑπάρχοντας νόμους.

Εἰς ἃ κοσμικὰ ἀντικείμενα ὑπέκεινται οἱ ἐκ τοῦ κλήρου εἰς τοὺς κοσμικοὺς νόμους καὶ τὰ κοσμικὰ πολιτικά ἢ ἐκκλησιαστικὰ δικαστήρια.

Die Staatsgewalt ist sogar berechtigt, nicht allein von allen solchen Anordnungen Einsicht zu nehmen, sondern auch durch eigene Verordnungen dabei alles dasjenige zu hindern, was dem öffentlichen Wohle nachtheilig seyn könnte.

Art 14.

Solche Gegenstände gemiscater Natur (Art, 13) sind unter anderen insbesond-re:

1. Anordnungen über den äusseren Gottesdienst, dessen Zeit, Ort, Anzahl, etc;
2. Die Errichtung und Abschaffung oder Beschränkung Klosterlicher Einrichtungen;
3. Die Anordnung, Beschränkung oder Abschaffung der nicht zu den wesentlichen Theilen des Cultus gehöri-gen Feierlichkeiten, Ceremonien, Prozessionen, Feiertage und dergleichen mehr;
4. Die Besetzung der Kirchenämter, und die Ertheilung der Erlaubnis zu Priester- und Diakonen-Weihen;
5. Die Eintheilung der Sprengel der verschiedener kirchlichen Behörden;
6. Anordnungen über geistliche Bildungs-Verpflegungs- und Straf-Anstalten;
7. Gegenstände der Gesundheits-Polizey, in so fern sie zu gleicher Zeit auf kirchliche Anstalten Bezug haben;
8. Ausserordentliche Kirchliche Feierlichkeiten, zumal, wenn dieselben an Werktagen oder ausserhalb der Kirche statt haben sollen;
9. Ehegesetze, in so ferne sie den bürgerlichen Vertrag nicht betreffen.

Art. 15.

Von der Synode beschlossene, und von der Staatsregierung bestatigte Verordnungen über Gegenstände gemischter Natur haben Gesetzes Kraft, und sind im Regierungsblatt von der Staatsregierung als solche zu publiciren.

Art. 16.

Alle Bischöfe des Königreichs stehen unter der Oberaufsicht der Synode, erhalten von ihr Befehle und berichten ihr alles, was auf die Wirksamkeit der Synode Bezug hat.

Die Zahl und Ausdehnung der Bisthümer ist nach Vernehmung der Synode von der Staatsregierung zu bestimmen.

Die Bisthümer sollen auf gehörige Weise dotirt und die Erzbischöfe und Bischöfe auf Vorschlag der Synode von der Staatsregierung ernannt, und nach Vernehmung der Synode, jedoch nur in den kanonischen Fällen, versetzt, quiesciert oder, zur Strafe ganz entsetzt werden.

Wegen Eintheilung und Dotation der Pfarreien, so wie wegen Ernennung zu denselben und zu anderen geistlichen Aemtern wird durch besondere Verordnungen Vorsorge getroffen werden.

Art. 17.

In rein geistlichen Dingen übt die Synode die höchste Gerichtsbarkeit über die gesammte Geistlichkeit, und nach den Bestimmungen der Art. 10 Num. 8 auch über die Layen aus. Ihre Entscheidungen können jedoch erst nach erlangter Bestätigung der Staatsregierung und den bestehenden Gesetzen gemess, in Vollzug gesetzt werden.

In weltlichen Dingen stel en die Geistlichen unter den weltlichen Gesetzen und unter den weltlichen Civil- und Strafgerichten.

Άρθρ. 18.

Αντικείμενα, τὰ ὅποια πρέπει νὰ θεωρῶνται ὡς πολιτικὰ, νὰ δικάζονται κατὰ τοὺς πολιτικούς νόμους, καὶ νὰ διευθετῶνται μόνον παρὰ τῆς κοσμικῆς ἐξουσίας, εἶναι.

1. Συμφωνίαι, διαθῆκαι καὶ ἄλλαι πολιτικαὶ πράξεις τῶν ἐκ τοῦ κλήρου·

2. Προσδιορισμὸς περὶ κινήτων καὶ ἀκινήτων κτημάτων, περὶ εἰσοδημάτων, ἐπικαρτίας, καὶ λοιπῶν δικαιωμάτων τῶν ἐκκλησιῶν, τῶν Μοναστηρίων καὶ τῶν ἐκ τοῦ Κλήρου ἀτόμων·

3. Διατάξεις καὶ ἀποφάσεις περὶ ὅλων τῶν πολιτικῶν πράξεων τῶν ἐκ τοῦ Κλήρου, ὅσα δὴλ. ἡμποροῦν νὰ θεωρηθοῦν ὡς ἀσυνομικῶν διατάξεων παραβάσεις καὶ ὡς πολιτικὰ πταίσματα ἢ ἐγκλήματα·

4. Νόμοι ἀφορῶντες τὰ κατὰ τοὺς γάμους, καθ' ὅσον ἀνάγεται εἰς τὴν πολιτικὴν συμφωνίαν καὶ τὰ ἀποτελέσματα αὐτῆς·

5. Διατάξεις περὶ διευθέσεως τῶν βιβλίων τῶν γεννήσεων, θανάτων καὶ γάμων, θεωρουμένων ὡς καταστήτων τῆς πολιτικῆς καταστάσεως, καὶ περὶ τῆς τάξεως καὶ τῆς ἀποδεικτικῆς ἰσχύος τῶν βιβλίων, τὰ ὅποια θέλουσιν κρατεῖ οἱ ἱερεῖς τῶν ἐκκλησιῶν, καὶ ὅλων τῶν εἰς τὰς ἐφημερίδας ἀναγομένων ἀποδεικτικῶν ἐγγράφων·

6. Γενικαὶ διατυπώσεις περὶ ὑποχρεώσεως πρὸς οἰκοδομὴν καὶ διατήρησιν ἐκκλησιῶν καὶ ἐκκλησιαστικῶν κτιρίων·

Άρθρ. 19.

Μὲ ἐξωτερικὰς κοσμικὰς ἢ ἐκκλησιαστικὰς Ἀρχάς, οὐδὲ ἡ Σύνοδος οὐδ' ἄλλος τις τῶν ἐκ τοῦ Κλήρου ἡμπορεῖ νὰ ἔχη ἀλληλογραφίαν ἢ κἀμίαν ἄλλην ἄμεσον σχέσιν. Πᾶσα τοιαύτη ἀλληλογραφία γίνεται διὰ τῆς ἀνηκούσης Γραμματείας τῆς Ἐπικρατείας.

Άρθρ. 20.

Ἡ ἐκκλησιαστικὴ ἐξουσία, καθ' ὅσον δὲν ὑπερβαίνει τὰ ὅρια τῶν καθηκόντων τῆς, ἔχει δικαίωμα εἰς τὴν ὑπεράσπισιν τῆς κοσμικῆς ἐξουσίας, καὶ ἐπομένως ὅλαι αἱ πολιτικαὶ Ἀρχαὶ ὑποχρεοῦνται, ὡςάκις ἀποδείχθῃ, ὅτι προσεβλήθησαν τὰ δικάα τῆς, νὰ τὴν προστατεύουσιν καὶ νὰ τὴν ὑποστηρίξουσιν κατ' αἰτησίαν τῆς.

Άρθρ. 21.

Ἐπίσης ὁμοῦ καὶ καθὲ Ἕλληνα, ὅστις νομίζει ἑαυτὸν ἀδικουμένον παρὰ τῆς ἐκκλησιαστικῆς Ἀρχῆς, ἀπ' ἐναντίας τῶν ὑπαρχουσῶν δικτάξεων, ἔχει τὸ δικαίωμα νὰ ἐπικαλῆται τὴν Βασιλικὴν ὑπεράσπισιν.

Τοιαῦτα παράπονα κατὰ καταχρήσεων τῆς ἐκκλησιαστικῆς ἐξουσίας ἡμποροῦν νὰ γίνωνται ἀπ' εὐθείας πρὸς τὴν Κυβέρνησιν, ἢ πρὸς πᾶσαν ἄλλην διοικητικὴν Ἀρχὴν· θέλουσιν δὲ ἐξετάζεσθαι παρὰ τῆς ἀνηκούσης Γραμματείας τῆς Ἐπικρατείας, ἥτις δὲν ἀποφασίζει περὶ αὐτῶν, εἰμὴ ἀφ' αὐτῆς ἀκούσῃ τὴν γνώμην τῆς Συνόδου, ἐξαιρουμένων μόνον τῶν περιστάσεων, αἰτινες ἀπαιτοῦν ταχὺτητα, καθ' ἃς ἡ εἰρημένη Γραμματεία ἡμπορεῖ, πρὶν ἔτι ἐρωτήσῃ τὴν Σύνοδον, νὰ ἀναβάλῃ τὴν διάταξιν, ἥτις ἔδωκεν αἰτίαν εἰς τὰ παράπονα.

Άρθρ. 22.

Ἡ Κυβέρνησις ἡμπορεῖ εἰς ἐπίσημους περιστάσεις νὰ διατάξῃ διὰ τῆς Συνόδου δημοσίους δεήσεις καὶ εὐχαριστηρίους ἐορτάς.

Ἡ Βασιλικὴ ἐξουσία ἔχει ἐκτὸς τούτου τὸ δικαίωμα νὰ συγκαλῇ, ὑπὸ τὴν προστασίαν τῆς, γενικὰς Συνόδους τοῦ Κράτους, νὰ διευθετῇ τὰ πρὸς τοῦτο ἀναγκαῖα, π. χ. νὰ διορίξῃ Πρόεδρον καὶ Γραμματεῖς, χωρὶς ὁμοῦ νὰ παρῆσθῃ παντάπασιν εἰς τὰ περὶ δογματικῶν.

Άρθρ. 23.

Ὁ Πρόεδρος, ὁ Βασιλικὸς Ἐπιτροπος, οἱ Σύμβουλοι τῆς Συνόδου, καθὼς καὶ οἱ Συμπληρωματικοὶ Σύμβουλοι, ἔχουσιν

Art. 18.

Als weltliche, nach weltlichen Gesetzen zu beurtheilende und ausschliesslich von der weltlichen Gewalt anzuordnende und zu richtende Gegenstände sind zu betrachten:

1. Verträge, testamentarische Dispositionen und andere bürgerliche Handlungen der Geistlichen;

2. Bestimmungen über bewegliche und unbewegliche Güter, Renten, Nutzungen und sonstige Rechte der Kirchen, Klöster und geistlichen Personen;

3. Verordnungen und Erkenntnisse über alle bürgerlichen und als gemeine Polizeyübertretungen, Vergehen oder Verbrechen zu betrachtende Handlungen der Geistlichen;

4. Ehegesetze, in so ferne sie den bürgerlichen Vertrag und dessen Wirkungen betreffen;

5. Anordnungen über die Einrichtung der Geburts-Sterbe- und Trauungsbücher als Register des Civilstandes, ferner über die Einrichtung und Beweiskraft der Kirchenbücher und anderer pfarramtlichen Documente; endlich

6. allgemeine Normen über die Verbindlichkeit zur Erbauung und Erhaltung der Kirchen und geistlichen Gebäude:

Art. 19.

Mit auswärtigen weltlichen oder geistlichen Behörden darf weder die Synode noch eine andere geistliche Behörde oder ein einzelner Geistlicher in Correspondenz oder in irgend ein anderes unmittelbares Verhältniss treten.

Jede solche Correspondenz geht durch das zuständige Staatsministerium.

Art. 20.

So lange die geistliche Gewalt die Grenzen ihres Wirkungskreises nicht überschreitet, hat dieselbe ein Recht auf den Schutz der weltlichen Gewalt, und alle königlichen Behörden sind verbunden, bei nachgewiesenen Verletzungen ihrer Rechte, auf deren Anrufen sie zu schützen und zu unterstützen.

Art. 21.

Jeder Grieche, welcher sich gegen die bestehenden Verordnungen durch die geistliche Gewalt beschwert glaubt, ist befugt, den landesfürstlichen Schutz anzurufen.

Eine solche Beschwerde gegen den Missbrauch der geistlichen Gewalt kann direct bei der Staatsregierung, oder auch bei jeder Verwaltungs-Stelle angebracht werden; sie ist von dem zuständigen Staats-Ministerium untersuchen zu lassen, und nur nach Vernehmung der Synode zu verbescheiden, eilige Fälle ausgenommen, in welchen auch schon vor der Vernehmung der Synode die angefochtene Verfügung von dem genannten Staats-Ministerium sistirt werden kann.

Art. 22.

Die Staatsregierung kann bei feierlichen Anlässen durch Weisungen an die Synode öffentliche Gebete und Dankfeste anordnen.

Auch ist dieselbe berechtigt, unter königlichem Schutze allgemeine Kirchen-Versammlungen zu berufen, die desfalls nothwendigen Anordnungen zu treffen, namentlich auch deren Präsidenten und Secretäre zu ernennen, ohne sich jedoch in das Dogma selbst einzumischen.

Art. 23.

Der Präsident, Staatsprocurator, und die Ræthe der Synode, auch die Suppleant-Ræthe nicht ausgenommen, haben den Rang



τὸν βαθμὸν τῶν Συμβούλων τῆς Ἐπικρατείας, οἱ δὲ Πάρεδροι καὶ ὁ Γραμματεὺς τὸν τοῦ Ἰπουργικοῦ Συμβούλου· ἀλλ' ὁ Πρόεδρος καὶ ὁ Ἐπίτροπος τοῦ Βασιλείου, κατὰ τὴν εἰς ὅλας τὰς ἐπιτροπὰς φυλαττομένην τάξιν, προηγούνται τῶν Συμβούλων.

Ἄρθρ. 24.

Εἰς ἐκκλησιαστικὰς τελετὰς μνημονεύουν οἱ Ἀρχιερεῖς πρῶτον μὲν τὸν Βασιλέα, δεύτερον δὲ τὴν ἱερὰν Σύνοδον λέγοντες·

« Μνήσθητι, Κύριε, τῆς ἱεραῆς ἡμῶν Συνόδου, ἣν χάρισαι κ. τ. λ. »

Ἄρθρ. 25.

Ἡ ἐπὶ τῶν Ἐκκλησιαστικῶν καὶ τῆς Δημοσίου Ἐκπαιδευσεως Γραμματεία τῆς Ἐπικρατείας νὰ δημοσιεύσῃ καὶ ἐνεργήσῃ τὸ παρὸν διάταγμα.

Ἐν Ναυπλίῳ, 23 Ἰουλίου (4 Αὐγούστου) 1833.

ΕΝ ΟΝΟΜΑΤΙ ΤΟΥ ΒΑΣΙΛΕΩΣ  
H ANTIBASILEIA

Ὁ Κόμης ΑΡΜΑΝΣΠΕΡΓ Πρόεδρος, ΜΑΟΥΡΕΡ, ΕΪΔΕΚ.  
Οἱ Γραμματεῖς τῆς Ἐπικρατείας Σ ΤΡΙΚΟΥΠΗΣ Πρόεδρος, Α ΜΑΥΡΟΚΟΡΔΑΙΟΣ, Γ. ΨΥΛΛΑΣ, Γ. ΠΡΑΪΔΗΣ, Ι. ΚΟΛΕΤΤΗΣ, Δ. ΣΜΑΤΣ.

ΚΟΙΝΟΠΟΙΗΣΙΣ.

Η ΕΠΙ ΤΩΝ ΕΚΚΛΗΣ. ΚΑΙ ΤΗΣ ΔΗΜ. ΕΚΠ. ΓΡΑΜ. ΤΗΣ ΕΠΙΚΡ.

Κοινοποιεῖ,

Ὅτι, διὰ Βασιλικῆς Διατάγματος ἀπὸ 13 τοῦ λήγοντος, διώρισεν ἡ Κυβερνησις ἐπιτροπὴν, συγκειμένην ἀπὸ τῶν ἐπὶ τῶν Ἐκκλ. κ.τ.λ. Γραμματέα τῆς Ἐπικρατείας, καὶ ἀπὸ τοῦ δύο ὑπουργικοῦ Συμβούλους τῆς αὐτῆς Γραμματείας, διὰ νὰ δευθῆναι τὰς μετὰ τῶν ἀπὸ 1 (13) Ἰουλίου συγκληθέντων καὶ προσκληθέντων Μητροπολιτῶν, Ἀρχιεπισκόπων καὶ Ἐπισκόπων τοῦ Κράτους συνδιαλέξεις.

Ἐπὶ τούτῳ ἐγένοντο μέχρι τοῦδε 4 συνεδριάσεις, εἰς τὰς ὁποίας πορευθέντων βαθμῶν 36 ἐκ τῶν ἐντὸς τοῦ Βασιλείου Ἀρχιερέων (ὅσοι δηλαδὴ ἔσθασαν μέχρι τοῦδε εἰς Ναύπλιον) καὶ ἐγνωμὸδὸ ἦσαν ὁμοφώνως ὑπὲρ τῆς πολιτικῆς ἀνεξαρτησίας τῆς Ἑλληνικῆς Ἐκκλησίας καὶ τῆς συστάσεως Συνόδου διαρκούς. Τὰ πρωτόκολλα τῶν συνεδριάσεων τούτων, προσυπογεγραμμένα παρὰ τῆς ἐπιτροπῆς, καταχωροῦνται ἐνταυθα κατὰ τὴν τάξιν τῆς ἡμερησίου, φυλαττομένης ὁμως εἰς τὰς ὑπογραφὰς τῆς σειράς, καθ' ἣν ἔτυχον ὑπογραψάντες οἱ ἄγιοι Ἀρχιερεῖς.

Συνεχῆς Πρωτόκολλον περὶ τῆς γνώμης τῶν ἐν Ἑλλάδι Σεβασμιωτάτων Μητροπολιτῶν, Ἀρχιεπισκόπων καὶ Ἐπισκόπων ὡς πρὸς τὴν πολιτικὴν ἀνεξαρτησίαν τῆς Ἐκκλησίας τῆς Ἑλλάδος καὶ τὴν σύστασιν Συνόδου διαρκούς.

Σήμερον, τῆ 15 Ἰουλίου περὶ τὰς δέκα πρὸ τῆς μεσημβρίας, συνήλθον οἱ κατωτέρω ὑπογεγραμμένοι Ἀρχιερεῖς ἐπὶ παρουσίᾳ τῆς διὰ τοῦ ἀπὸ 13 τοῦ π. μηνος Β. Διατάγματος πρὸς διευθύνσιν τῶν συνδιαλέξεων μετὰ τῶν συγκληθέντων καὶ προσκληθέντων Σεβασμιωτάτων Μητροπολιτῶν, Ἀρχιεπισκόπων καὶ Ἐπισκόπων τοῦ Κράτους, διορισθεῖσης ἐπιτροπῆς, συγκειμένης ἐκ τοῦ ἐπὶ τῶν Ἐκκλησιαστικῶν καὶ τῆς Δημόσ. Ἐκπαιδευσεως Γραμματέως τῆς Ἐπικρατείας Κ. Σ. Τρικουπῆ, καὶ τῶν Ἰπουργικῶν Συμβούλων τῆς αὐτῆς Γραμματείας Κωνσ. Δ. Σχιναῖ καὶ Σκαρ. Δ. Βυζαντίου.

Εἰς τοὺς ἐμπροσθέντας ἐκοινοποιήθη καὶ ἀνετύχθη ἀποχρόντως ὁ σκοπὸς τῆς συγκλήσεως καὶ προσκλησεῶς των πρῶτον μὲν παρὰ τοῦ Προεδρ. τοῦ Ἐπιτροπῆς Κ. Σ. Τρικουπῆ, μετὰ ταῦτα δὲ καὶ παρὰ των δύο ὑπουργικῶν Συμβούλων, «ὅτι δηλ. ἡ Κυβέρνησις ἔχει κατὰ νοῦν νὰ βελτιώσῃ καὶ ὅλους τοὺς λόγους τῆν καταστάσιν τῆς Ἑλληνικῆς

der Staatsræthe, die Beisitzer und der Secretær aber den der Ministerialræthe.

Der Præsident und Staatsprocurator haben, der collegialen Ordnung gemass, den Vortritt vor den Ræthen.

Art. 24.

Bei kirchlichen Ceremonien werden die Bischöfe zuerst für den König, und dann auch für die Synode, beten mit den Worten:

« Herr, gedenke zuerst unserer heiligen Synode, die Du etc. »

Art. 25.

Das Staats-Secretariat des Kirchen- und Schulwesens ist mit der Bekanntmachung und dem Vollzuge beauftragt.

Nauplia den 4 August (23 Juli) 1833.

IM NAMEN DES KOENIGS  
DIE REGENTSCHAFT

GRAF V. ARMANSBERG PRÆD. V. MAURER. V. HEIDECK.

Die Staats-Secretäre, S. TRICOUPIS PRÆD. A. MAVROCORDATOS. G. PSYLLAS. G. PRAIDES. J. KOLETTI. V. SCHMALZ.

BEKANNTMACHUNG.

DAS STAATSECRETARIAT DES KIRCHEN- UND SCHULWESENS

THUT KUND.

Dass durch das allerhöchste Decret vom 13<sup>ten</sup> Juli eine aus dem Staats-Secretær des Kirchen- und -Schulwesens und den beyden Ministerialræthen desselben Ministeriums bestehende Commission ernannt wurde, um die Verhandlungen mit den untern 1 (13<sup>ten</sup>) Juli einberufenen und respective eingeladenen Herren Metropolitnen, Erzbischöfen und Bischöfen des Reichs zu leiten.

Zu diesem Ende sind bis jetzt 4 Sitzungen gehalten worden, denen allmählich 36 Prælaten, næhmlich alle die bis heute hier eingetroffen sind, beigewohnt, und sämmtlich für die Unabhängigkeit der griechischen Kirche des Koenigreichs und die Einsetzung einer permanenten Synode gestimmt haben. Das Protocol dieser Sitzungen, auch von der genannten Commission unterzeichnet, wird hier nach der Tageordnung eingerückt, so dass aber bei den Unterschriften die Reihe befolgt wird, nach welcher die Herren Prælaten, ohne alles Præjudiz für Rangverhältnisse, unterschrieben haben.

Protocol über die Ansicht der Herrn Metropoliten, Erzbischöfe und Bischöfe der griechischen Kirche des Koenigreichs Griechenland, über die politische Unabhängigkeit der griechischen Kirche und die Einsetzung einer permanenten Synode.

Heute den 15 (27<sup>ten</sup>) Juli um 10 Uhr vor Mittag erschienen vor der durch Allerhöchstes Rescript vom 13 d. M. zur Leitung der Verhandlungen mit den einberufenen und respective eingeladenen ehrwürdigen Herren Metropolitnen, Erzbischöfen und Bischöfen der griechischen Kirche des Koenigreichs niedergesetzten Commission, bestehend aus dem Staatssecretær des Kirchen- und Schulwesens Herrn Sp. Tricoupi und den beyden Ministerialræthen des genannten Ministeriums, Constantin Demetrios Schinas und Carolatos D. Byzantios, die unterzeichneten Metropolitnen, Erzbischöfe und Bischöfe.

Den erscheinenden wurde der Zweck ihrer Einberufung und Einladung zuerst durch den Vorstand der Commission, und dann auch noch durch die beyden Ministerialræthe eröffnet, und denselben weitläufig auseinander gesetzt, dass « die Staatsregierung beabsichtigte, den Zustand der griechischen Kirche auf jede Weise zu verbessern, und für alle Zeiten zu sichern; dass die Staatsregierung

« Ἐκκλησίας καὶ νὰ τὴν ἀσφαλίσῃ διὰ πάντα· ὅτι ἡ Κυβέρ-  
 » νησις προσπαθεῖ πρὸ πάντων νὰ ἐπαναγάγῃ τὴν Ἑλληνικὴν  
 » Ἐκκλησίαν εἰς τὴν ἀφεύκτως ἀναγκαίαν ἐξωτερικὴν ἀξιο-  
 » πρέπειαν, τὴν ὁποίαν εἶχε κατὰ τοὺς πρὸ τῆς κατακτῆσεως  
 » χρόνους, καὶ τὴν ὁποίαν πρέπει νὰ ἐπαναλάβῃ αὐτὴ πρὸς  
 » τὸ συμφέρον τῆς ἰδίας θρησκείας, καὶ ὅτι τὰ κυριώτερα  
 » μέσα πρὸς ἐπιτυχίαν τοῦ μεγάλου τούτου σκοποῦ εἶναι τὰ  
 » δύο ταῦτα, 1.) ἡ ἐπίσημος καὶ ὀριστικὴ διακήρυξις τῆς  
 » πραγματικῶς ἤδη ὑπαρχούσης ἀνεξαρτησίας τῆς Ἑλλη-  
 » νικῆς Ἐκκλησίας ἀπὸ πάσης ξένης ἐξουσίας, καὶ ὅσον  
 » ἀποβλέπει τὴν ἐξωτερικὴν αὐτῆς θέσιν (φυλαττομένης  
 » ἀπαρραχράκτου τῆς δογματικῆς ἐνότητος κατὰ τὰ παρὰ  
 » πασῶν τῶν Ἐκκλησιῶν τοῦ Ἀνατολικοῦ ὁμίματος ἀνε-  
 » καθῶν προσθευόμενα) 2.) ἡ σύστασις διαρκoῦς Συνόδου, δι-  
 » ορισμένης παρὰ τοῦ Βασιλέως καὶ θεωρουμένης ὡς Ἵπερ-  
 » τάτης Ἐκκλησιαστικῆς Αρχῆς, κατὰ τὸ παράδειγμα τῆς  
 » Ρωσικῆς Ἐκκλησίας.

» Ἄν δὲ καὶ ἡ ἀπὸ 15 (27 Μαρτίου) πρὸς ἐξακρίβωσιν  
 » τῆς καταστάσεως τῆς Ἑλληνικῆς Ἐκκλησίας διορισθεῖσα  
 » ἐπιτροπὴ, καθὼς καὶ τὸ Ἵπουργικὸν Συμβούλιον, ἐνέκρινεν  
 » ἤδη τὰ ἐνταῦθα ἐκτεθέντα, εἶχε μὲν ὅλον τοῦτο σκοπὸν ἡ  
 » Κυβέρνησις νὰ μὴ κάμῃ κἀνὲν ὀριστικὸν κίνημα περὶ τοῦ  
 » ἀντικειμένου τούτου, πρὶν ζητήσῃ προηγουμένως καὶ πλη-  
 » ροφορηθῆ τὴν περὶ τῶν δύο τούτων προτάσεων ἀτομικὴν  
 » γνώμην τῶν ἐντός τοῦ Βασιλείου Σεβασμιωτάτων Αρχιε-  
 » ρέων, ὡς προερχόντων καὶ προϊσταμένων τοῦ Κλήρου τῆς  
 » Ἑλληνικῆς Ἐκκλησίας· καὶ πρὸς τοῦτο μόνον ἀποβλέπει  
 » ἡ συγκάλυξις καὶ πρόκλησις τῆς Σεβασμιότητός των.»

Ταῦτα ἀκούσαντες οἱ κατωτέρω ὑπογεγραμμένοι Μητρο-  
 » πολιταί, Αρχιεπίσκοποι καὶ Ἐπίσκοποι, ἐπέστησαν εἰς αὐτὰ  
 » τῶν νοῦν ἐφ' ἱκανόν.

Ὁ ἐπὶ τῶν Ἐκκλησιαστικῶν κ.τ.λ. Γραμματεὺς ἐπρόβαλεν  
 εἰς τὴν ὁμῆγρον, ὅτι δύναται νὰ σχεθῆ ἢ ἀνέσει καὶ κατ'  
 » ἰδίαν· διότι ἡ γνώμη τῶν συγκροτούντων αὐτὴν ἀπαιτεῖται  
 » νὰ ἴναι ἐν καθάρῳ καὶ ἀνεπηρέαστῳ συνειδήτῳ, καὶ ἐπὶ  
 » τούτῳ ἐξήλθον τὰ μέλη τῆς ἐπιτροπῆς ἀπὸ τοῦ δωμάτιου  
 » τῶν συνδιαλέξεων.

Προσκληθεῖσα μεθ' ἱκανόν ἡ Ἐπιτροπὴ παρὰ τῆς ὁμῆγ-  
 » ρεως, ἐπανήλθε καὶ ἔδωκε νέας περὶ τῶν προκειμένων ἀνα-  
 » πτύξεις, τὰς ὁποίας ἐπροκάλεσεν ἡ ὁμῆγρος, ἧτις ἐπρόβαλε  
 » καὶ αὐτὴ νὰ συζητήσῃ κατ' ἰδίαν τὰς προτάσεις.

Ἐπ' αὐτῷ ἀνεχώρησεν αὐτίς ἡ ἐπιτροπὴ, καὶ ἐπανελθούσα  
 » μετὰ μακρόν, ἤκουσε παρὰ τῆς ὁμῆγρεως, ὅτι « ἡ ἐνδόμυχος  
 » πεποίθησις των εἶναι καθ' ὅλα σύμφωνος μὲ τὰς γενομένας  
 » προτάσεις· ἐπομένως ἐπιθυμοῦν ἐξ ὅλης καρδίας, πρῶτον  
 » νὰ διακηρυχθῆ παρὰ τῆς Κυβερνήσεως, ὅτι ἡ ὀρθόδοξος  
 » Ἀνατολικὴ Ἀποστολικὴ Ἐκκλησία τοῦ Βασιλείου τῆς Ἑλ-  
 » λάδος, ἐν πνεύματι μὴ ἀναγνωρίζουσα ἄλλην κερλίαν, εἰ-  
 » μὴ τὸν ἀρχηγὸν τῆς χριστιανικῆς πίστεως, τὸν Κύριον ἡμῶν  
 » Ἰησοῦν Χριστόν, εἶναι αὐτοκέφαλος καὶ ἀνεξάρτητος ἀπὸ  
 » πάσης ἄλλης ἐξουσίας, φυλαττομένης ἀπαρραχράκτου τῆς  
 » δογματικῆς ἐνότητος, κατὰ τὰ παρὰ πασῶν τῶν ὀρθόδοξων  
 » Ἀνατολικῶν Ἐκκλησιῶν ἀνεκἀθεν προσθευόμενα· κατὰ δὲ  
 » τὸ εἰς τὸν Βασιλικὸν Θρόνον ἀνήκον δικαιητικὸν τῆς Εκ-  
 » κλησίας μέρος, μὴ ἀντιβαῖνον εἰς τοὺς ἱεροὺς κανόνας,  
 » γνωρίζει ἀρχηγὸν τὴν Α. Μ. τὸν Βασίλευα τῆς Ἑλλάδος.  
 » Δεύτερον νὰ συζητῆ διαρκῆς Σύνοδος συγκειμένη ἀπὸ μό-  
 » νους Αρχιερεῖς, καθιερωμένη παρὰ τοῦ Βασιλέως, καὶ θεω-  
 » ρουμένη ὡς Ἵπερτατὴ Ἐκκλησιαστικὴ Αρχὴ, διευθύνουσα  
 » τὰ τῆς Ἐκκλησίας, κατὰ τοὺς Ἐκκλησιαστικοὺς κανόνας ».

Τὸ πρωτόκλιλον τοῦτο, ἀναγνωσθὲν παρὰ τοῦ Ἵπουργικοῦ  
 » Συμβουλίου Κ. Σχινᾶ, καὶ ἐγγραφῆν, ὑπεγράφη ὑπὸ πάντων

ung namentlich darnach strebe, der griechischen Kirche wieder jene durchaus notwendige würdige äussere Stellung zu geben, welche sie in den Zeiten vor der Eroberung des Landes gehabt habe, und im Interesse der griechischen Religion selbst wieder- einnehmen müsse, und dass die Hauptmittel zur Erreichung jenes grossen Zieles, gewissermassen die Grundlage von allem Ue- brigen, folgende beide sind: 1.) die feierliche und unabänderliche Erklärung der factisch schon bestehenden Unabhängigkeit der griechischen Kirche von jeder fremden Gewalt, hinsichtlich ihrer äusseren Stellung (unbeschadet der Einheit des Dogma, wie solches von allen Kirchen des morgenländischen Ritus von jeher anerkannt worden ist); 2.) die Niedersetzung einer vom König zu ernennenden permanenten heiligen Synode als höchsten geistlichen Gewalt, nach dem Beispiele der russischen Kirche. »

» Wie wohl nun schon die unterm 15 (27) März, zur Un- tersuchung des Zustandes der griechischen Kirche, niederge- setzte Commission, so wie das Gesamtministerium, sich einstimmig dafür ausgesprochen haben, so gedenke dennoch die Staats- rigierung keinen definitiven Schritt zu thun, ehe sie vorher auch noch die individuelle Ansicht der ehrwürdigen Prälaten, als der Vorsteher der Geistlichkeit der griechischen Kirche, über jene bey- den Fragen eingeholt und wahrgenommen habe, und dieses sey eben der Zweck ihrer Einberufung und Einladung gewesen. »

Nachdem die unterzeichneten Metropolitēn, Erzbischöfe und- Bischöfe alles dieses vernommen haben, überlegten sie lange die Sache.

Darauf bemerkte der Staats-Secretär des Kirchen- und Schul- wesens den versammelten Herrn, dass sie sich mit Ruhe und allein über diese Gegenstände berathen könnten, weil es erforderlich wäre, dass ihre Meinung aus reinem Gewissen und in freier Ueber- zeugung hervorgehe, und zu diesem Ende entfernten sich auch wirklich die Mitglieder der Commission aus dem Zimmer der Berathung.

Auf Einladung der Versammlung kehrte nach geraumer Zeit die Commission zurück, und gab über die der Berathung unter- worfenen Gegenstände neue Erleuterung'n, die von der Ver- sammlung selbst veranlasst wurden, welche noch einmal verlangte, die vorgelegten Fragen allein überlegen zu dürfen.

Daher entfernte sich wieder die Commission, kehrte erst nach langer Zeit zurück, und erhielt zur Antwort von Seiten der Ver- sammlung, dass die vorgelegten Fragen mit ihrer innern Ueberzeu- gung vollkommen übereinstimmten, dass folglich die Versammlung sehnlich wünschte, dass es von der Staats-Regierung feierlich ausge- sprochen werden möge.

1. Dass die orthodoxe, morgenländische, apostolische Kirche des Königreichs Griechenland; indem sie geistig kein anderes Haupt anerkennt, als den Stifter des christlichen Glaubens, unsern Herrn und Heiland Jesum Christum, frei und unabhängig von jeder an- deren Gewalt ist, unbeschadet der Einheit des Dogma, wie solches von allen orthodoxen, morgenländischen Kirchen von jeher aner- kannt worden ist; was aber die Leitung und Verwaltung der Kirche betrifft, welche nur dem königlichen Throne angehört, so er- kennt sie, weil es die Kirchengesetzen durchaus nicht zuwider- leuft, S. M. den König von Griechenland als ihr Oberhaupt an

2. Dass eine blos aus Prälaten bestehende, und vom Könige zu ernennende permanente Synode eingesetzt werden möge, welche, den Kirchengesetzen gemäss, die kirchlichen Angelegen- heiten leiten soll.

Dieses Protocolle wurde vom Ministerial-Rath C. D. Schinas

τῶν παρευρεθέντων, καὶ διελύθη ἡ Συνεδρίασις περὶ τὴν τετάρτην ὥραν.

- Ἐν Ναυπλίῳ, τῇ 15 Ἰουλίου 1833.  
 Ὁ Κερίθου Κύριλλος. Ὁ Εὐρέπου Ἰακώβος.  
 Ὁ Οὐβῶν Παΐσιος. Ὁ Ψύδρας καὶ Αἰγίνης Γεράσιμος.  
 Ὁ Ρέοντες Διονύσιος. Ὁ Αἰαρίσσης Κύριλλος, Τοποτηρ. Ἰλένης.  
 Ὁ Τζίας καὶ Θεριῶν Νικόδημος.  
 Ὁ Δομαλῶν Ἰωνᾶς, Ἐκκλησιαστικὸς Τοποτηρητὴς Ναυπλίας.  
 Ὁ Ταλαντίου Νεόφυτος, Τοποτηρ. Ἀθηνῶν.  
 Ὁ Ἀγκύρας Ἀγαθάγγελος.  
 Ὁ πρῶτον Σπυριδίας Μακάριος.  
 Ὁ Τριπόλεως Διονύσιος.  
 Ὁ Καρυωπέλεως Κύριλλος.  
 Ὁ Ἀδραμερίων Ἰγνάτιος.  
 Ὁ Ἐλάας Παΐσιος, Ἐκκλησιαστικὸς Τοποτηρ. τῶν Μεσσηνιακῶν φρουρίων.  
 Ὁ πρῶτον Μετῶν Μελέτιος, Ἐκκλῆσ. Τοποτηρ. Ἄργους.  
 Ὁ Ἡλιοπέλεως Ἀνθίμος.  
 Ὁ Ρεθίμνης Ἰωαννίκιος.  
 Ὁ Εὐδοκιάδος Γρηγόριος.  
 Ὁ πρῶτον Παραμοθίας Προκόπιος.  
 Ὁ πρῶτον Μενδενίτης Γρηγόριος, Τοποτ. Σαλώνων.

Αἰτῶ τὸν ἅγιον πρῶτον Μεσσηνιακοῦ Κ. Βαρθολομαίου, ὁ Αἰαρίσσης Κύριλλος, ὡς ἔχον τὴν γνώμην αὐτοῦ.

Ἡ ΕΠὶ ΤῶΝ ΣΥΝΔΙΑΛΕΞΕΩΝ ΕΠΙΤΡΟΠΗ  
 Σ. ΤΡΙΚΟΥΠΗΣ,  
 ΚΩΝΣΤΑΝΤΙΝΟΣ Α. ΣΧΙΝΑΣ,  
 ΣΚΑΡΛΑΤΟΣ Δ. ΒΥΖΑΝΤΙΟΣ.

(Συνέχεια τοῦ ἀνωτέρου πρωτοκόλλου.)

Τῇ 16 Ἰουλίου, περὶ τὴν δευτέραν ὥραν μετὰ μεσημερίαν.

Εἰς τοὺς σήμερον ἐμφανισθέντας Σεβασμιωτάτους Μητροπολίτας, Ἀρχιεπισκόπους καὶ Ἐπισκόπους ἐκοινοποιήθη παρομοίως καὶ ἀνεπτύχθη κατ' ἑκτάσιν ὁ σκοπὸς τῆς συγκαλέσεως καὶ προσκλήσεώς των, καὶ ἐπομένως ἀνεγνώσθη τὸ πρωτόκολλον τῆς χθεσινῆς συνεδριάσεως· μεθ' ἧς ἐξεφράσθησαν ὅλοι ὁμοφώνως, ὅτι ἡ ἐννοια τοῦ πρωτοκόλλου εἶναι ἐντελῶς σύμφωνος μετὰ τὴν ἐνδόμυχον αὐτῶν πεποιθήσιν, καὶ μὲ τὰς πρὸ πολλοῦ ἐκπεπονημένας ἐγκαρδίους ἐνστάσεις των. Ὅθεν καὶ συγκατατίθενται εἰς τὰ διαλαμβανόμενα, καὶ ἐπικυροῦν κατὰ πάντα τὸ εἰρημένον πρωτόκολλον, προσθέτοντες καὶ αὐτοὶ τὰς ὑπογραφὰς των.

- Ἐν Ναυπλίῳ, τῇ 16 Ἰουλίου 1833.  
 Ὁ Ναυπιάτου καὶ Μεσσηνιακοῦ Περφόριος.  
 Ὁ Ἀθηνῶν καὶ Λεβαδείας Ἀνθίμος.  
 Ὁ Τήνων Γαβριήλ.  
 Ὁ Ἀνδρούσης Ἰωσήφ.  
 Ὁ Καρυωπέλεως Νεόφυτος.  
 Ὁ Καρυωπέλεως Δανιὴλ, Τοποτηρητὴς Λακεδαιμονίας.  
 Ὁ Χίου Δανιὴλ.  
 Ὁ Μυρρίνης Σωφρόνιος, Τοποτηρητὴς Συρίας.

Ἡ ΕΠΙΤΡΟΠΗ  
 Σ. ΤΡΙΚΟΥΠΗΣ,  
 ΚΩΝ. Α. ΣΧΙΝΑΣ,  
 ΣΚΑΡΛΑΤΟΣ Δ. ΒΥΖΑΝΤΙΟΣ.

(Συνέχεια τοῦ ἀνωτέρου Πρωτοκόλλου.)

Τῇ 21 Ἰουλίου 1833 περὶ τὰς 4 μετὰ τὴν Μεσημερίαν

Σήμερον, τῇ 21 Ἰουλίου, παρόντων τῶν ὑπογεγραμμένων δύο Ἀρχιερέων καὶ τῆς ἐπιτροπῆς, ἀνεγνώσθη πρῶτον ἀναφορὰ πρὸς τὴν ἐπὶ τῶν Ἐκκλησιαστικῶν καὶ τῆς Δημοσίου Ἐκπαιδεύσεως Γραμματείας παρὰ τοῦ Μητροπολίτου Ἀνδρου καὶ Σύρας Κυρίου Διονυσίου, αἰτουμένου μὲν τὴν συγγνώμην τῆς Κυβερνήσεως, διότι ἐξ αἰτίας τῆς ὑγείας του δὲν ἠμπορεῖ νὰ μεταῖψῃ εἰς Ναυπλίον, βεβαιούντος δὲ, ὅτι εἶναι σύμφωνος εἰς πᾶν ὅτι καλὸν καὶ ἅγιον κατὰ τοὺς ἀποστολικούς καὶ συνοδικούς κανόνας ἐργασθῆναι ἢ ὁμύλησαι τῶν ἁγίων Ἀρχιερέων καὶ ἡ Α. Μ. ἐπικυρώσῃ εἰς δόξαν τῆς ἁγίας τοῦ Χριστοῦ Ἀνατολ. Ἐκκλησίας.

vorgelesen, und von sämmtlichen Anwesenden genehmigt und unterschrieben. Die Sitzung endigte sich um 4 Uhr nach Mittag.

- Nauplia, den 15 Juli, 1833.  
 Kyrillos Metr. v. Corinth. Jakob, M. v. Eubœa.  
 Paisios, M. v. Theben. Gerasimus, M. v. Ægina und Hydra.  
 Dionysios, M. v. Rheon und Prastos. Kyrillos, gew. Metr. v. Larissa, g. Sellv. v. Elis.  
 Nicodemus, M. v. Kea und Thermia  
 Jonas, B. v. Damala, g. St. v. Nauplia.  
 Neophytos, Bischof von Talanti und geistl. Stellvert. v. Athes.  
 Agathangelos, gewesener M. v. Ankyra.  
 Makarios, gew. M. v. Silivria.  
 Dionysios, M. v. Tripolis.  
 Kyrillos, B. v. Karyoupolis.  
 Ignatz, B. v. Adramerion.  
 Paisios, B. v. Elæa, u. g. St. der messenischen Festungen.  
 Meletios, B. v. Metra und g. Stellv. v. Argos.  
 Anthimos B. v. Heliopolis.  
 Joannikios, B. v. Rethymna.  
 Gregorios, B. v. Eudokias.  
 Prokopios, gew. Bischof v. Paramythia.  
 Gregorios, gew. B. v. Mendenitza, g. Stellv. v. Salona.  
 Für den Bischof von Moschonisi (Bartholomæus), der Metrop. von Larissa.

Die Commission  
 S. TRICOUPI.  
 C. D. SCHINAS.  
 SCARL. D. BYZANTIOS.

Fortsetzung des obigen Protocolls; den 16ten Juli, um 2 Uhr nach Mittag.

Den heute erschienenen ehrwürdigen Herrn Metropolitens, Erzbischofen und Bischöfen wurde der Zweck ihrer Einberufung und respective Einladung weitläufig auseinander gesetzt, und dann auch das Protocoll der gestrigen Sitzung vorgelesen, worauf sie sämmtlich und zwar einstimmig erklärten, dass dessen Inhalt auch ihrer Ueberzeugung, ihren schon längst gehegten Ansichten und Wünschen vollkommen entspreche, weswegen auch sie demselben beitraten, und Solches in jeder Beziehung bestätigten, und unterschrieben.

Nauplia, den 16 Juli 1833.

- Der Metropolit von Naupaktos, Porphyrios.  
 Anthimos, M. v. Athen und Livadien.  
 Gabriel, M. v. Tenos.  
 Joseph, B. v. Androussa.  
 Neophytos, B. v. Karystos.  
 Daniel, B. v. Charioupolis, g. St. von Lacedæmona.  
 Daniel, gew. M. v. Chios.  
 Sophronios, B. v. Myrrhina, g. St. v. Syra.

Die Commission.  
 SP. TRICOUPI.  
 C. D. SCHINAS.  
 SCARLATOS D. BYZANTIOS.

Fortsetzung des obigen Protocolls den 21ten July, 1833, um 4 Uhr nach Mittag.

Heute, den 21ten Juli, in Gegenwart der zwei unterzeichneten Prælaten und der Commission, wurde zuerst eine Bittschrift des Metropolitens von Andros und Syra Herrn Dionysios an das Ministerium des Kirchen- und Schulwesens vorgelesen, wodurch sich dieser Prælat die Nachsicht der Staats Regierung ausbittet, weil er, wegen seiner zerrütteten Gesundheit, nicht hat nach Nauplia kommen können, und zugleich versichert, dass er in allem, was seine Herrn Collegen, den apostolischen und Synodalgesetzen gemäss, für gut halten, und S. M. zum Ruhm der heiligen, morgenländischen Kirche bestatigen werden, vollkommen einverstanden sey.

Ἐκοινοποιήθη ἐπομένως καὶ ἀνεπτύχθη κατ' ἑκτασιν εἰς τοὺς ἐμφανισθέντας ἀγίους Ἀρχιερεῖς ὁ σκοπὸς τῆς συγκαλέσεώς των, καὶ ἀνεγνώσθησαν τὰ πρῶτόκιλλα τῶν δυο προλαβουσῶν συνεδριάσεων, τῶν ὁποίων τὰ ἐνδιαλαμβανόμενα εὐρόντες αἱ εἰρημένοι κατὰ πάντα σύμφωνα μετὰ τὴν ἐνδόμυχον αὐτῶν πεποιθήσιν, καὶ μετὰ τὰς πρὸ πολλοῦ ἐκπεμπομένας ἐγκαρδίου εὐχὰς των, συγκατετέθησαν εἰς αὐτὰ καὶ ἐπεκύρωσαν κατὰ πάντα, προσθέσαντες καὶ αὐτοὶ τὰς ὑπογραφὰς των.

Ἐν Ναυπλίῳ, 21 Ἰουλίου 1833.  
Ὁ Βρεσθένης Θεόδωρος.  
Ὁ Ζαρνάτας Γαβριήλ.

Ἡ ἘΠΙΤΡΟΠὴ  
Σ ΤΡΙΚΟΥΠΗΣ.  
Κ Α. ΣΧΙΝΑΣ.  
Σ. Α. ΒΥΖΑΝΤΙΟΣ.

(Συνέχεια τοῦ ἀνωτέρω Πρωτοκόλλου).

τῆ 26 Ἰουλίου 1833 περί τῆν 1 μετὰ Μεσημέρ.

Εἰς τοὺς σήμερον ἐμφανισθέντας σεβασμιωτάτους Μητροπολίτας ἐκοινοποιήθη παρομοίως καὶ ἀνεπτύχθη κατ' ἑκτασιν ὁ σκοπὸς τῆς συγκαλέσεως καὶ προσκλήσεώς των, καὶ ἐπομένως ἀνεγνώσθησαν τὰ πρῶτόκιλλα τῶν προλαβουσῶν Συνεδριάσεων μεθ' ὃ ἐξεφράσθησαν ὅλοι ὁμοφώνως, ὅτι ἡ ἔννοια τῶν πρωτοκόλλων εἶναι ἐντελῶς σύμφωνος μετὰ τὴν ἐνδόμυχον αὐτῶν πεποιθήσιν, καὶ μετὰ τὰς πρὸ πολλοῦ ἐκπεμπομένας ἐγκαρδίου εὐχὰς των ὅθεν καὶ συγκατατίθενται εἰς τὰ διαλαμβανόμενα, καὶ ἐπικυροῦν κατὰ πάντα τὰ εἰρημένα πρῶτόκιλλα, προσθέτοντες καὶ αὐτοὶ τὰς ὑπογραφὰς των.

Ἐν Ναυπλίῳ, τῆ 26 Ἰουλίου 1833.  
Ὁ Σίφνου Καλλίνικος.  
Ὁ πρῶτον Βιζύης Ἰωσήφ.  
Ὁ πρῶτον Μπέλιγραδέϊου Ἀνθίμος.

Ἡ ἘΠΙΤΡΟΠὴ  
Σ ΤΕΡΙΚΟΥΠΗΣ.  
ΚΩΝ. Α. ΣΧΙΝΑΣ.  
ΣΚΑΡΑΤΟΣ Α. ΒΥΖΑΝΤΙΟΣ.

ΔΙΟΡΙΣΜΟΣ  
Τοῦ προσωπικοῦ τῆς ἱερᾶς Συνόδου.

Ο Θ Ω Ν  
Ε Λ Ε Ξ Θ Ε Ο Υ  
ΒΑΣΙΛΕΥΣ ΤΗΣ ΕΛΛΑΔΟΣ,

Ἀκούσαντες τὴν γνώμην τῆς ἐπὶ τῶν Ἐκκλησιαστικῶν καὶ τῆς Δημοσίου Ἐκπαίδευσως Γραμματείας, ἀπεφασίσαμεν νὰ διορίσομεν καὶ διορίζομεν.

1. Πρόεδρον τῆς ἱερᾶς Συνόδου τὸν Μητροπολίτην Κορίνθου Κ. Κύριλλον,
2. Ἐπίτροπον τῆς Ἐπικρατείας τὸν Ἰππυργικὸν Σύμβουλον Κ. Κωνσταντῖνον Δ. Σχινᾶν,
3. Συμβούλους, τὸν Μητροπολίτην Θεβῶν Κ. Παΐσιον τὸν Μητροπολίτην Σαντορίνης Κ. Ζαχαρίαν, τὸν πρῶτον Μητροπολίτην Λαρίσης, Ἐκκλησιαστικὸν Τοποτηρητὴν Ἠλίδος, Κ. Κύριλλον, καὶ τὸν Ἐπίσκοπον Ἀνδρούσης Κ. Ἰωσήφ, καὶ

4. Γραμματέα, τὸν ἱερομόναχον Κ. Θεοκλ. Φαρμακίδην. Τοῦ ἐπιμίσθιον τῆς ὑπηρεσίας τοῦ Προέδρου προσδιορίζεται εἰς 3000 Δραχ. κατ' ἔτος, τὸ τοῦ Ἐπιτρόπου τῆς Ἐπικρατείας, καὶ ἑκάστου Συμβούλου, εἰς 2400 Δραχ. Ὁ μισθὸς τοῦ Γραμματέως προσδιορίζεται εἰς 2400 Δραχ. ἔτησιως τῷ δίδεται δὲ καὶ ἐπιμίσθιον 600 Δραχμῶν. Τοῦ ἐπιμίσθιον τοῦ Ἐπιτρόπου τῆς Ἐπικρατείας θελεῖ πληρῆνεται ἀπὸ τῶν Ταμείων τῆς Ἐπικρατείας τὸ δὲ ἐπιμίσθιον καὶ ὁ μισθὸς τῶν λοιπῶν μελῶν τῆς Συνόδου πρὸς τὸ παρὸν θελεῖ χορηγηθῆ ἀπὸ το Ταμεῖον τῆς Ἐπικρατείας ἀλλὰ θελεῖ ἀποδοθῆ μετὰ ταῦτα ἀπὸ τὸ δια τὰ Ἐκκλησιαστικὰ καὶ τὴν Δημόσιον Ἐκπαίδευσιν σχηματισθῆσόμενον Ταμεῖον.

Τέλος διορίζομεν ὡς πρῶτον συμπληρωτικὸν Σύμβουλον τὸν Ἐπίσκοπον Ἠλιουπόλεως Κ. Ἀνθίμον, καὶ ὡς δεῦτερον

Darauf wurde den erschienenen H. Praelaten der Zweck ihrer Einberufung mitgetheilt, weitläufig auseinandergesetzt, und das Protocoll der vorigen Sitzungen vorgelesen; und da sie den Inhalt desselben mit ihrer inneren Ueberzeugung, und mit ihren längst gehegten Ansichten und Wünschen vollkommen übereinstimmend gefunden haben, so willigten sie darin ein und, bestätigten ihn in jeder Hinsicht, indem sie auch ihre Unterschriften hinzusetzten.

Nauplia, den 21<sup>ten</sup> Juli 1833.  
Gabriel, Metropolit v. Zarnata.  
Theodoret, B. v. Bresthena.

Die Commission.

SP. TRICOUPLI.  
C. D. SCHINAS.  
SCARLATOS D. BYZANTIOS.

Fortsetzung des obigen Protocolls; den 26<sup>ten</sup> Juli, um 2 Uhn nach Mittag.

Den heute erschienenen ehrwürdigen Herrn Metropolit, Erzbischofen und Bischöfen wurde der Zweck ihrer Einberufung und respective Einladung weitläufig auseinandergesetzt, und dann auch das Protocoll der gestrigen Sitzung vorgelesen, worauf sie sämmtlich, und zwar einstimmig, erklärten, dass dessen Inhalt auch ihrer Ueberzeugung, ihren schon längst gehegten Ansichten und Wünschen vollkommen entspreche, wesswegen auch sie demselben beitraten, und solches in jeder Beziehung bestätigten und unterschrieben.

Nauplia, den 26<sup>ten</sup> Juli 1835.  
Kalliniokos, Metropolit von Sifnos.  
Ioasaph, gew. Metr. v. Bizya.  
Anthimos, gew. Metr. v. Belgrad.

Die Commission.

SP. TRICOUPLI.  
C. D. SCHINAS.  
SCARLATOS D. BYZANDIOS.

Die Ernennung des Personals der heiligen Synode betr.

O T T O  
VON GOTTES GNADEN  
KOENIG VON GRIECHENLAND.

Wir haben, nach Vermählung Unseres Staatsministeriums des Kirchen und Schulwesens, beschlossen zu erneuen und ernennen hiemit:

1. Zum Präsidenten der heiligen Synode den Metropolit von Corinth, Herrn Kyrillos;
2. zum Staatsprocurator den Ministerialrath Herrn Constantin D Schinas;
3. zu Ræthen, den Metropolit von Theben, Herrn Paisios; den Metropolit von Santorin, Herrn Zacharias; den gewesenen Metropolit von Larissa und jetzigen geistlichen Stellvertreter von Elis, Herrn Kyrillos, und den Bischof von Andrussa, Herrn Joseph, und
4. als Secretær, den Priester Herrn Theokl. Pharmakides.

Für den Präsidenten bestimmen Wir die Functionszulage auf 3000 Drachmen jährlich; für den Staatsprocurator und jeden Rath auf 2400 Drachmen. Den Gehalt des Secretärs setzen wir auf 2400 Drachmen fest, und bewilligendemselben noch eine Zulage von 600 Drachmen. Die Zulage des Staatsprocurators ist aus der Staatskasse zu bezahlen; die Zulage und der Gehalt der übrigen Mitglieder der Synode aber einstweilen aus der Staatskasse nur

συμπληρωτικόν Σύμβουλον τὸν Ἐπίσκοπον Τχλαντίου Κ. Νεόφυτον.

Εἰς ἕκαστον τῶν Κυρίων τούτων θέλει γνωστοποιηθῆ ὁ διορισμὸς του, καὶ ἕκαστος θέλει προσκληθῆ ἀμέσως μετὰ τὴν ὀρκωμοσίαν του ν' ἀναλάβῃ τὴν σημαντικὴν ὑπηρεσίαν του.

Ἡ ἐπὶ τῶν Ἐκκλησιαστικῶν κ.τ.λ. Γραμματεία ἐπιφορτίζεται τὴν ἐκτέλεσιν καὶ κοινοποίησιν τοῦ παρόντος διατάγματος.

Ἐν Ναυπλίῳ, τὴν 25 Ἰουλίου (6 Αὐγούστου) 1833.

ΕΝ ΟΝΟΜΑΤΙ ΤΟΥ ΒΑΣΙΛΕΩΣ

Η ΑΝΤΙΒΑΣΙΛΕΙΑ

Ὁ Κόμης ΑΡΜΑΝΣΠΕΡΓ Πρόεδρος, ΜΑΟΥΡΕΡ, ΕΪΔΕΚ.  
Ὁ ἐπὶ τοῦ Βασιλικῆ Ὀίκου, τῶν Ἐξωτερικῶν, τῶν Ἐκκλησιαστικῶν καὶ τῆς Δημ.σ. Ἐκπαιδευτικῆς Γραμματεῖς τῆς Ἐπικρατείας Σ. ΤΡΙΚΟΠΗΣ.

ΔΙΑΤΑΓΜΑ

Ἐπὶ ἀρμοδιότητος τῶν στρατιωτικῶν δικαστηρίων.

Ο Θ Ω Ν

Ε Λ Ε Ω Θ Ε Ο Υ

ΒΑΣΙΛΕΥΣ ΤΗΣ ΕΛΛΑΔΟΣ,

Ἀπαντῶντες εἰς τὴν ἀπὸ 4 (16) Μαΐου ἀναφορὰν τῆς ἐπὶ τῶν Στρατ. Γραμματείας, προσθέντων εἰς τὴν ἀπὸ 29 Ἀπριλίου (11 Μαΐου) ἀπόφασίν μας τὰ ἐφεξῆς. Εἰς τὰ δικασθῆσόμενα ὑπὸ στρατιωτικῶν δικαστηρίων στρατιωτικὰ πταίσματα ὑπάγονται καὶ τὰ κοινὰ πταίσματα καὶ ἐγκλήματα, ὅσα πράττονται ἀπο στρατιωτικῶν ἢ ὑπάλληλων τοῦ στρατοῦ εἰς τὸ ὅποιον διατελεῖ σώμα ἢ φρουρὰν (garnison): τῆς ἀρμοδιότητος τῶν κοινῶν δικαστηρίων εἶναι λοιπὸν ἐκεῖνα μόνον τὰ κοινὰ πταίσματα καὶ ἐγκλήματα, τὰ ὅποια πράττονται ἀπὸ στρατιωτικῶν ἢ ὑπάλληλων τοῦ στρατοῦ ἐλλείποντα ἐπὶ ἀδείᾳ ἢ ἀπὸ λευποτάκτην, ἢ ἀπὸ στρατιωτικῶν ἐκ συμφώνου μὲ πολίτας.

Ὁ ἐπὶ τῶν Στρατ. Γραμματεῖς νὰ ἐνεργήσῃ καὶ νὰ δημοσιεύσῃ τὴν παροῦσαν ἀπόφασίν μας.  
Ναύπλιον, 2 (14) Ἰουνίου 1833.

ΕΝ ΟΝΟΜΑΤΙ ΤΟΥ ΒΑΣΙΛΕΩΣ

Η ΑΝΤΙΒΑΣΙΛΕΙΑ

Ὁ Κόμης ΑΡΜΑΝΣΠΕΡΓ Πρόεδρος, ΜΑΟΥΡΕΡ, ΕΪΔΕΚ.  
Ὁ ἐπὶ τῶν Στρατ. Γραμ. τῆς Ἐπικρατείας Α. ΜΑΥΡΟΚΟΡΑΛΤΟΣ.

ΔΙΑΤΑΓΜΑ

Ἐπὶ τοῦ ὅτι τὰ δικαστήρια νὰ ἐνεργῶσιν ἀποφασιστικὰς πράξεις.

Ο Θ Ω Ν

Ε Λ Ε Ω Θ Ε Ο Υ

ΒΑΣΙΛΕΥΣ ΤΗΣ ΕΛΛΑΔΟΣ,

Ἐπὶ τῇ προτάσει τοῦ ὑπουργικῆς μας Συμβουλίου ἀπεφασίσμεν νὰ ἀπονεύωμεν καὶ ἀπονέμομεν διὰ τοῦ παρόντος εἰς τὰ τρία, εἰς Ναύπλιον, Μεσολόγγιον καὶ Θήβας καθεδρεύοντα Δικαστήρια, ἐκτὸς τῆς διὰ τοῦ ἀρθροῦ 6 τῆς ἀπὸ 22 Φεβρουαρίου (6 Μαρτίου) ἀναθεώσεως εἰς αὐτὰ πολιτικῆς δικαιοδοσίας, καὶ τὸ δικαίωμα νὰ ἐνασχολῶνται εἰς ἀσφαλιστικὰς πράξεις (actes conservatoires) κατὰ τοὺς ὁρισμοὺς τῆς πολιτικῆς διαδικασίας τοῦ 1830 ἔτους Κεφ.λ. ΙΕ.

Τὰ Δικαστικὰ ἔξοδα θέλουσιν πληρόνεσθαι κατὰ τὸ ἀπὸ 15 (27) Αὐγούστου 1830 περὶ δικαστικῶν ἐξόδων Διάταγμα, προπίντων κατὰ τὸ 16 ἄρθρον αὐτοῦ.

Ὁ ἐπὶ τῆς Δικαιοσύνης Γραμματεῖς νὰ ἐνεργήσῃ τὸ παρὸν διάταγμα.

Ἐν Ναυπλίῳ, τὴν 11 (23) Ἰουνίου 1833.

ΕΝ ΟΝΟΜΑΤΙ ΤΟΥ ΒΑΣΙΛΕΩΣ

Η ΑΝΤΙΒΑΣΙΛΕΙΑ

Ὁ Κόμης ΑΡΜΑΝΣΠΕΡΓ Πρόεδρος, ΜΑΟΥΡΕΡ, ΕΪΔΕΚ.  
Ὁ ἐπὶ τῆς Δικαιοσύνης Γραμ. τῆς Ἐπικρατείας Γ. ΠΡΑΪΔΗΣ.

vorzuschiesen, gegen dereinstigen Rückersatz aus der für das Kirchen und Schulwesen zu bildenden Casse.

Endlich ernennen Wir als ersten Suppleantrath den Bischof von Heliopolis, Herrn Anthimos, und als 2<sup>ten</sup> Suppleantrath den Bischof von Talanti, Herrn Neophytos.

Sämmtliche Herrn sind von ihrer Ernennung in Kenntnis zu setzen, und einzuladen, nach geleistetem Eide ihre wichtige Stelle unverzüglich anzutreten.

Das Saatsministerium des Kirchen und Schulwesens ist mit dem Vollzuge und der Bekanntmachung beauftragt.

Nauplia den 6 August (25 Juli) 1833.

IM NAMEN DES KOENIGS

DIE REGENTSCHAFT.

GRAF V. ARMANSPERG PRDT. V. MAURER. V. HEIDECK.  
Der Staats-Secretair, Präsident des Ministerrathes, S. TRICOURPE.

VERORDNUNG.

Competenz der Militärgerichte betreffd.

OTTO

VON GOTTES GNADEN

KOENIG VON GRIECHENLAND

In Erwiederung auf den Bericht vom 4 (16) Mai und nachtraglich zu Unserer Entschliessung vom 29 April (11 Mai, verordnen Wir, dass unter den von den Militaergerichten abzuurtheilenden Militaer-Vergehen auch die gemeinen Vergehen und Verbrechen verstanden werden sollen, welche von einem Militaer oder bei der Armee Angestellten bei seinem Corps oder in seiner Garnison begangen worden sind, von der Zuständigkeit der gewöhnlichen Gerichte also nur diejenigen gemeinen Vergehen und Verbrechen sein sollen, welche von Militaeren oder bei dem Heere Angestellten im Urlaub, oder von einem Deserteur, oder von Militaeren gemeinschaftlich mit Bürgerlichen, begangen werden.

Unser Staats-Secretariat des Krieges ist beauftragt mit dem Vollzuge und mit der Bekanntmachung gegenwaertiger Entschliessung  
Nauplia den 2 (14) Juni 1833.

IM NAMEN DES KOENIGS

DIE REGENTSCHAFT,

GRAF V. ARMANSPERG PRDT. V. MAURER. V. HEIDECK.  
Der Staats-Secretair des Kriegs A. MAVROCORDATOS.

VERORDNUNG

Die Vornahme von conservatorischen Acten.

O T T O

VON GOTTES GNADEN

KOENIG VON GRIECHENLAND.

Wir haben, nach Vernehmung Unseres Gesammt-Ministeriums, beschlossen zu beauftragen, und beauftragen hiemit unsere drey in Nauplia, Missolonghi und Theben niedergesetzte Gerichte, ausser der ihnen bereits durch unsere Verordnung vom 22 Febr. (6 März) Art. 2. ertheilten Civilgerichtsbarkeit auch noch mit dem Rechte der Vornahme von conservatorischen Acten nach den Bestimmungen des Gesetzes über das Civil Verfahren von 1830 - Cap 15.

Die Gerichtskosten sind nach dem Tax- Decret vom 15 (27) Aug. 1830 insbesondere nach Art. 16 - daselbst zu erheben.

Unser Staats-Secretariat der Justiz ist mit dem Vollzuge und der Bekanntmachung beauftragt.

Nauplia den 23 (11) Juny 1833.

IM NAMEN DES KOENIGS

DIE REGENTSCHAFT

GRAF V. ARMANSPERG PRDT. V. MAURER. V. HEIDECK.  
Der Staats-Secretaer der Justiz G. PRAÏDES.

ΔΗΛΟΣΟΠΟΙΗΣΙΣ.

Ἡ ΓΡΑΜΜΑΤΕΙΑ ΕΠΙ ΤΟΥ ΒΑΣΙΛΙΚ. ΟΙΚΟΥ ΚΑΙ ΤΩΝ ΕΞΩΤΕΡΙΚΩΝ.  
 Δηλοποιεῖ.

Ὅτι ὁ Κύριος Ριχάρδος Ολλανδίων διορισθεὶς παρὰ τοῦ Μεγαλειοτάτου Βασιλέως τῆς Μεγάλτης Βρετανίας γεν. Προξενος εἰς τὰς νήσους τοῦ Αἰγαίου πελάγους, ἐκτὸς τῆς Εὐβοίας, ἀνεγνωρίσθη ὡς τοιοῦτος ἀπὸ τὴν Κυβέρνησιν τῆς αὐτοῦ Μεγαλειότητος, δυνάμει τοῦ ὑπ' Ἀρ. 4514 Διατάγματος, ἐκδοθέντος τὴν 27 Μαΐου (8 Ἰουνίου) τοῦ τρ. ἔτους.

Ὅτι ὁ Κύριος Ρόκος Μαρτουσελῆς διορισθεὶς Γεν. Πρόξενος τῆς Α. Μ. τοῦ Βασιλέως τῶν δύο Σικελιῶν εἰς τὴν Ἑλλάδα, ἀνεγνωρίσθη ὡς τοιοῦτος δυνάμει τοῦ ὑπ' Ἀρ. 4145 Βασιλικῆς Διατάγματος, ἐκδοθέντος τὴν 8 (20) Μαρτίου τοῦ αὐτοῦ ἔτους.

Δυνάμει τοῦ ὑπ' Ἀριθμ. 4891 Βασιλικῆς Διατάγματος ὁ Κύριος Σ. Βάρδας ἀνεγνωρίσθη ὡς Προξενικὸς Πράκτωρ τῆς Βρετανικῆς αὐτοῦ Μεγαλειότητος εἰς Μισολλόγγιον.

Δυνάμει τοῦ ὑπ' Ἀρ. 4777 Βασιλ. Διατάγματος ὁ Κύριος Μανρακῆς ἀνεγνωρίσθη ὡς Προξενικὸς Πράκτωρ τῆς αὐτοῦ Μ. τοῦ Βασιλέως τῶν Γάλλων εἰς Εὐβοίαν.

Δυνάμει τοῦ ὑπ' Ἀρ. 5713 Βασιλ. Διατάγματος ὁ Κύριος Τσουκόλης ἀνεγνωρίσθη ὡς Πρόξενος τῆς αὐτοῦ Μ. τοῦ Βασιλέως τῶν δύο Σικελιῶν εἰς Πάτρας.

Ἐν Ναυπλίῳ, τὴν 31 Ἰουλίου (12 Αὐγoustου) 1833.

Ὁ ἐπὶ τοῦ Βασιλικῆς Οἴκου καὶ τῶν Ἐξωτερικ. Γραμμ. τῆς Ἐπικρατείας  
 Σ. ΤΡΙΚΟΠΗΣ.

ΔΙΟΡΙΣΜΟΙ.

Διὰ Βασιλ. Διατάγματος 1 (13 Μαΐου) καὶ 3 (15 Ἰουνίου) διορίσθησαν

Οἱ Κύριοι Ν. Σιλβέργος, Μ. Ἀργυροπούλος, Π. Κένταυρος, Κ. Ν. Λεβίδης Ἰπουργικὸι Σύμβουλοι.

Α. Ἀρόσις ἐπὶ τῆς Διεκπεραιώσεως Γραμματέως.

Μ. Σαλτέλης, Θεολόγος Σχινᾶς, Κ. Ν. Μανουργοδάτος, Κ. Σπαθῆς, Σκαρ. Παπαρηγόπουλ., Στεφανὸς Φάραγκας, Αλ. Γλαράκης Ἰπουργὸς καὶ Γραμματεῖς.

Α. Κουτσαλέτης, Γ. Θερνίος, Γ. Βασιλείου, Α. Σιλβέργος, Γραφεῖς.

Εἰς τὴν ἐπὶ τῶν Οἰκονομικῶν Γραμματειῶν.

Ὁ Ἰπουργικὸς Σύμβουλος Κύριος Κ. Λεβίδης, ὅστις ὑπηρετήσων εἰς τὸ Διεκπεραιωτικὸν τῆς Ἀντιβασιλείας ἄχρι τῆς εἰς τὴν ἐπὶ τῶν Οἰκονομικῶν Γραμματειῶν μεταθέσεώς του, θέλει ἐπιφορτισθεῖσαι καὶ εἰς τὰ μέλλον νὰ διεκπεραιῇ ἐκ τῆς Γερμανικῆς, Γαλλικῆς καὶ Ἰταλικῆς διαλέκτου, ὅσας τὴ δημόσιας ὑπηρεσίας τὸ απαιτήσῃ.

Διὰ Βασιλ. Διατάγματος τῶν 27 Ἀπριλ. (9 Μαΐου) 1833 ἐδιορίσθησαν

Οἱ Κύριοι Γ. Ἀθανασίου Ἰπουργικὸς Σύμβουλος.  
 Γ. Βέλιος, Α. Μάμουκας, Ν. Ἰωαννίδης, Α. Γεωργαντᾶς, Πέτρος Παπαρηγόπουλ. Ἰπουργικὸι Γραμματεῖς.  
 Γραφεῖς.

Εἰς τὴν ἐπὶ τῆς Δικαιοσύνης Γραμματείας.

BEKANNTMACHUNG.

MINISTERIUM DES K. HAUSES

UND DER AUSWERTIGEN ANGELEGENHEITEN.

Herr Richard Wilkinson Esquire, von S. M. dem Könige von Grossbritannien und Hannover zu Ihrem General Consul in den zu dem Königreiche Griechenland gehörigen Inseln des Archipels, mit Ausschluss von Euboea, ernannt, wurde durch allerhöchste Entschliessung vom 8 Juny (27 May) d. J. als solcher anerkannt.

Eben so wurde durch allerhöchste Entschliessung vom 8 (20) März d. J. Herr Rocco Martuscelli als General-Consul S. M. des Königs beyder Sicilien in Griechenland anerkannt.

Durch eine königliche Entschliessung N<sup>o</sup> 4891 wurde der Herr S. Vardas als Consular-Agent S<sup>r</sup>. Königl. Grossbritannischen Majestet in Misolonghi anerkannt.

Durch eine königliche Entschliessung N<sup>o</sup> 4777 wurde der Herr Manarakis als Consular-Agent S<sup>r</sup>. Majestet des Königs der Franzosen in Euboea anerkannt.

Durch eine königliche Entschliessung N<sup>o</sup> 5713 wurde der Herr Tzukolis als Consul S<sup>r</sup>. Majestet des Königs beider Sicilien in Patras anerkannt.

Nauplia den 12 August (31 July) 1833.

Der Staatssecretär des K. Hauses und der Auswärt. Angelegenheiten S. ΤΡΙΚΟΠΗΣ.

DIENTES-NACHRISTEN.

Laut K. Entschliessungen vom 13 (1) May und 15 (3) Juny 1. J. wurden die Herrn

N. Silvergus, M. Argyropulos, P. Kentaurus, C. N. Levidis, D. Drossos zu Ministerialrathen.  
 zum expidirenden Secretär.

M. Saltellis, Theol. Schinas, C. N. Maurogardatos, C. Spathis, Sc. Paparigopulos, St. Pharngas, A. Glarakis zu Ministerialsecretären.

A. Koutsalexis, G. Therinos, C. Basiliu, D. Silvergus. zu Kanzellisten.

im Finanzministerium ernannt.]

Der Ministerialrath Herr C. N. Levidis, welcher bis zu seiner Beförderung in dem Dollmetscherbureau beschäftigt gewesen war wird laut K. Verordnung vom 18 (6) Juny auch künftig hin, so oft es der öffentliche Dienst erfordert, mit Uebersetzungen aus der deutschen, französischen und italienischen in die Griechische Sprache beauftraget werden.

Laut K. Entschliessung vom 9 May (27 April) 1833 wurden die Herrn

G. Athanasiu zum Ministerialrathen.  
 G. Vellios, A. Mamoukas, N. Johannides, D. Georganidas, P. Paparigopulos. zu Ministerialsecretären.  
 zu Kanzellisten.

im Jus ministerium ernannt

Ὁ Κύριος Δόκτωρ Γαίβ θηλει ὑπηρετεῖ εἰς τὴν ῥηθείσαν Γραμματεῖαν μὲ τίτλον, βαθμὸν καὶ μισθὸν Ἰπουργικῆς Συμβουλίου, ἕως αὐτῆς ἡμέρας παρὰ τῆς Α. Μ. τοῦ Βασιλέως τῆς Βαυαρίας τὴν παραίτησίν του ἀπὸ τῶν συνδέσμων τῶν Βασιλ. Βαυαρικῶν ὑπηκόων, καὶ τότε θηλει διορισθῆ ἑνεργεῖα Ἰπουργικῆς Συμβουλίας.

Herr Doctor Geib wird mit Titel, Rang und Gehalt eines Ministerialrathes bey demselben functioniren, bis er von S. M. dem Könige v. Bayern die erforderliche Entlassung aus dem bayer. Unterthansverbande erhalten hat, worauf er zum wirklichen Ministerialrathe ernannt werden wird.

Ἀπὸ Βασιλικῆς Διατάγματος τῶν 4 (16 Ἰουνίου) διορίσθησαν

Οἱ Κύριοι Ν. Θεοχάρης, Σπ. Σκούφος, Ἰ. Μίσσιος. Ἰπουργικὴ Σύμβουλοι.

Ὁ ἰατρός τῆς Αὐλῆς Κύριος Βίβμπερ ἐδιορίσθη ἱατροσύνβουλος.

Ὁ ἰατρός Κ. Ἀποστολίδης ἱατροπάρεδρος.

Ἢ. Σπανόπουλος εἰς τῆς Διεκπεραιώσεως Γραμματεῖας.

Σ. Ἀντωνιάδης, Κ. Ρίζος, Νερουλός, Σκαρλ. Ρωσσέτος. Ἰπουργικὴ Γραμματεῖς.

Α. Σκουζέ, Χρ. Ζαχαριτίσας. Γραφεῖς.

Εἰς τὴν ἐπὶ τῶν Ἐσωτερικῶν Γραμματεῖαν.

Laut K. Entschliessung vom 16 (4) Jony wurden die Herrn

N. Theocharis, S. Scoufos, J. Missios. } zu Ministerialræthen.

Der Hofmedicus Herr Dr. Wibmer zum Medicinalrathe.

Der Dr. Apostolides zum Medicinalassessor.

P. Spanopoulos, zum expedirenden Secretær.

S. Antoniades, C. Nerulos Risos, C. Rosettos. } zu Ministerial-Secretæren.

D. Scuses, Ch. Zacharitzs, } zu Kanzellisten

im Ministerium des Innern ernannt.

Laut K. Entschliessung vom 15 (3) May wurden die Herrn

C. D. Schinas, Sc. D. Byzantios. } zu Ministeriaræthen.

A. Rhangavis, Baron Bibra, D. Philopatrides } zu Ministerialsecretairen.

D. Petrocokinos, P. Klados. } zu Kanzellisten.

im Ministerium des Schul- und Kirchenwesens ernannt.

Ἀπὸ Βασιλικῆς Διατάγματος τῆς 15 (3) Μαΐου διορίσθησαν

Οἱ Κύριοι Κωνσ. Α. Σχινᾶς, Σκαρλάτος Βιζάντιος. Ἰπουργικὴ Σύμβουλοι.

Α. Ραγκαβῆς, Βαρών Βίβρας, Α. Φιλοπατριδῆς. Ἰπουργικὴ Γραμματεῖς.

Α. Πετροκίρκινος, Ἢ. Κλάδος. Γραφεῖς.

Εἰς τὴν ἐπὶ τῶν Ἐκκλησι. καὶ τῆς Διημερ. Ἐκπαιδεύσ. Γραμματεῖαν.

Laut K. Entschliessung vom 14 (2) May l. J. wurden die Herrn

N. Dragounis zum expedirenden Secretær.

D. Papiolakis, Ph. Rock } zu Ministerialsecretæren.

St. Perrhides zum Kanzellisten.

im Ministerium des Königl. Hauses und der auswärtigen Angelegenheiten ernannt.

Laut K. Entschliessung vom 14 (2) May l. J. wurden die Herrn

N. Dragounis zum expedirenden Secretær.

D. Papiolakis, Ph. Rock } zu Ministerialsecretæren.

St. Perrhides zum Kanzellisten.

im Ministerium des Königl. Hauses und der auswärtigen Angelegenheiten ernannt.

Die Statusmässige Ministerialrathstelle bleibt vor der Hand unbesetzt.

Ἀπὸ Βασιλικῆς Διατάγματος τῶν 2 (14 Μαΐου) ἐδιορίσθησαν

Οἱ Κύριοι Ν. Δραγούμης ἐπὶ τῆς Διεκπεραιώσεως Γραμματεῖας.

Α. Παπιολάκης, Φωκίων Ρόκκ, Ἰπουργικὴ Γραμματεῖς.

Στ. Περρίδης Γραφεῖς.

Εἰς τὴν ἐπὶ τοῦ Βασιλ. Οἴκου καὶ τῶν Ἐξωτερικῶν Γραμματεῖαν.

Ἢ κατὰ τὸν κανονισμὸν θίσις Ἰπουργικῆς Συμβουλίου μένει ἐπὶ τοῦ παρόντος κενή.

Ἀπὸ Βασιλικῆς Διατάγματος τῶν 25 Μαΐου (6 Ἰουνίου) διορίσθησαν

Οἱ Κύριοι Γ. Καραγιαννέπουλος Τισχημένος Διευθυντῆς τοῦ Γραφεῖου.

Α. Βούλγαρης, Μ. Ξανθοπούλος, Ἢ. Δραγούμης, Ἢ. Κουτσαλέξης. Ἰπουργικὴ Γραμματεῖς.

Ἢ. Ζαφειρόπουλος Γραφεῖς.

Εἰς τὴν ἐπὶ τῶν Ναυτικῶν Γραμματεῖαν.

Laut K. Entschliessung vom 6. Jony (25) May wurden die Herrn

Carajanopoulos Tisamenos zum dirigirenden Secretær.

A. Bulgaris, M. Xanthopoulos, J. Dragounis, J. Koutsalexis. } zu Secretairen.

J. Zaphyropulos zum Kanzellisten

im Marineministerium ernannt.

BERICHTIGUNG

Regierungs Blatt No. 22, Inhalts Anzeige lies Zeile 2 statt Griechischer Truppen—Bayerischer Truppen.



## Appendix III

### Participants' Informative Form



#### Informative Form

**Title of Project:** The development of the Ecclesiology and the Political Theology of the Ecumenical Patriarchate of Constantinople and the Autocephalous Greek Orthodox Church in response to Muslim Christian relations in the contemporary context of modern Greece and Turkey until 2014.

**Information and Purpose:** The interview for which you are being asked to participate in, is a part of a Doctorate research study at the Heythrop College, University of London that focuses on the origins, the historical background and the development of the Orthodox Ecclesiology and the political theological responses of the Ecumenical Patriarchate of Constantinople and the Autocephalous Greek Orthodox Church from the perspective of Christian-Muslim relations in the contemporary context of Greece and Turkey. Greece is one of the South-eastern European countries, where Eastern Orthodoxy is the dominant religion. Istanbul and Thrace are the areas that were selected for investigation due to the religious population that they accommodate; both Christian Orthodox and Muslim congregations.

**Your Participation:** Your participation in this study will consist of an interview lasting approximately one hour. You will be asked a few of questions about your experience regarding the Greek and Muslim minority issues in the specific area of Istanbul and Western Thrace. There are not right or wrong answers. You may pass on any question that makes you feel uncomfortable. At any time, you may notify the interviewer that you would like to stop



the interview and your participation in the study and you are not obliged to give any reason for withdrawing from the study.

**Benefits and Risks:** The benefit of your participation is to contribute information and your experience in order to overcome possible conflicts and difficulties, which will facilitate to the peaceful co-existence, freedom of religious practice and legal recognition that Muslim and Christian minorities face towards their relations with the state and with the dominant religions in Greece and in Turkey. In addition you will contribute to deepen the understanding of the development of the relationships between faith communities, which organised by religious groups and identify the obstacles that Muslims and Christians maintain in Greece and Turkey.

**Confidentiality:** The interview will be voice recorded; however, your name will be digitally coded. Your name and identifying information will not be associated with any part of the written report of the research. All of your information and interview responses will be kept confidential. The researcher will not share your individual responses with anyone other than the academic supervisor. The data will be destroyed 6 months after the completion of the study.

If you have any enquiries or concerns you can contact:

**The researcher:** Archimandrite Nikodemos-Nikolaos Anagnostopoulos,  
Email: nikolaos-nikodemos.anagnostopoulos@heythropcollege.ac.uk  
Tel: +447581426269, +306998015834

**Research supervisor:** Dr Anthony O'Mahony,  
Email: a.omahony@heythrop.ac.uk  
Tel: +442077966600

**Heythrop College University of London**  
Tel: 020 7795 6600, Email: enquiries@heythrop.ac.uk

By signing below, I acknowledge that I have read and understand the above information. I am aware that I can discontinue my participation in the study at any time.

Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

## Appendix IV

### Participants' Consent Form



#### HEYTHROP COLLEGE UNIVERSITY OF LONDON

#### Ethics Sub-Committee Consent form for participants

*(Boxes will expand as text is entered)*

<b>Name of Participant:</b>	<b>Address:</b>
<b>Email:</b>	<b>Phone:</b>
<b>Title of project:</b>	
<b>Brief outline of project, including its purpose and the activities for participants:</b>	
<b>Name of researcher:</b>	
<b>Position of researcher:</b>	
<b>Contact address for researcher:</b>	
<b>Contact number for researcher:</b>	
<b>Email for researcher:</b>	
<b>Address and telephone number of the College:</b> Heythrop College, University of London, Kensington Square, London, W8 5HN, 020 7795 4164.	
<b>Signature of researcher (this must be an actual or scanned signature, not a typed name):</b>	<b>Date:</b>

<b>Statement to be signed by the participant:</b>	
I confirm that I have read the information sheet dated _____ for the above study, have had the opportunity to ask questions about this project and have had these answered satisfactorily.	<input type="checkbox"/>
I understand that my participation is voluntary and that I may withdraw at any time during the project, without having to give a reason.	<input type="checkbox"/>
I agree to take part in this project.	<input type="checkbox"/>
I consent to the sound recording/videoing of the following activity (please select)	<input type="checkbox"/>
❖ focus group	<input type="checkbox"/>
❖ interview	<input type="checkbox"/>
❖ other (please specify)	<input type="checkbox"/>
❖ not applicable	<input type="checkbox"/>
I agree that my observations/comments/contributions may be anonymised and quoted in any report (private or published) arising from this research.	<input type="checkbox"/>
It has been explained to me that if I return this form by email, with my name entered below, this will be equivalent to my signing the form and will be understood as signifying my consent to participate.	<input type="checkbox"/>
<b>Signature, electronic signature or typed name of participant:</b>	<b>Date:</b>

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