The Re-emergence of Religion in European Politics:

The Greek Case of Church - State Relations and Religious Freedom in the Context of Education

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ABSTRACT

Conducting research on the influence of religion on politics is nowadays a growing tendency as various authors seek to explore why and how the spiritual element affects the natural world of politics. The purpose of this study is to discuss the influence of the Christian religion on education in Europe. The exact research case is the Orthodox sphere and in particular the Greek state. The selection is not random. It has been observed that in the Orthodox part of Europe, the church - state relations are quite close to an extent that, especially in Greece, it makes many authors wonder whether such a relationship may be against the model of liberal, European state. As an example of the church - state relationship, the study also extends to the human rights field where cases of religious freedom competence in the Greek, public school are reviewed. By applying a mix of case study and content analysis under the prism of liberalism, the thesis argues for a potential transition to a post-secular epoch in Europe.

Keywords: Religion, State, Education, Religious Freedom, Liberalism, Secularism, Europe

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List of Abbreviations

CoE = Council of Europe
CoG = Constitution of Greece
ChoG = Church of Greece
ECHR = European Convention on Human Rights
ECtHR = European Court of Human Rights
EU = European Union
ICCPR = International Covenant on Civil and Political Rights
OSCE = Organization for the Security and Cooperation in Europe
OHCHR = Office of the High Commissioner of Human Rights
UDHR = Universal Declaration of Human Rights
UN = United Nations
UNGA = United Nations General Assembly
1. Introduction

In the past, scholars from various branches of social sciences had posited that religion’s influence on politics is declining and that discussing about religion is nowadays without relevance (Gill 2001, Fox 2006, Witte 2010). What led many modern thinkers, political scientists and sociologists to such claims was mainly the rapid expansion of secularism across Europe, establishing a complete separation of religion/church and state/politics (Fox 2006, Fischer and Motzkin 2008). Recently however things are starting to change as a re-entry of religion within global politics is observed, with numerous publications, academic journals, conferences etc. discussing the topic (Katzenstein 2006, Pepin 2009, Kubalkova 2013). This reality creates valid questions. If religion was conceived to play no role in politics, why do other authors believe the opposite? And what drives them to think so? Is the European, liberal democracy perhaps not that secular as it seems to be? This study discards any assumptions that religion and politics are not to be correlated. As Gill (2001:118) has pointed it out, religion has always mattered to a smaller or greater extent in shaping politics around the globe.

The thesis examines the role of religion in European politics in two levels. First in the dipole church - state. Particularly in Europe, except for being the place where democracy, liberalism, human rights and secularism flourished and producing policies based on these concepts, it is also the place where the church has gone hand in hand with the state on various, national matters. (Witte 2010, Garnett 2010). In Catholic Europe, particularly in Ireland, Poland and Latin European states, the church has established a strong link with the national identity (Manuel et al, 2006:5). Respectively, in Lutheran - Protestant countries of Scandinavia, the church has played an important role in the development of the nation, national conscience and independence (Sotirelis 1999, Nexon 2006). With the Eastern Orthodox Church, relations are tighter since in this context the church has historically been interconnected with the state, let alone the example of Greece where the church played a catalyst role in the 1821 Greek revolution and then the formation of the Greek state (Pollis 1993, Foundethakis 1999).

This special relationship between the church and the state in Europe has created a situation where the state’s main church potentially expects at least to some extent a more privileged
treatment compared to other churches by the state (Garnett 2010, McGoldrick 2011, Foundethakis 2017). But that may not always be the case. This is to say that sometimes the state faces the dilemma of taking an action that may favor or be against the church’s standpoint (McGoldrick 2011, Ungureanu 2012, Foundethakis 2017).

Albeit the biggest institution of religion, the church and its relation with the state is not the only aspect here. How the religious factor affects the state has an impact on many issues, among which the human rights one. So the second level of discussion is the field of human rights and particularly the freedom of religion in the European context. “In every age, religious tolerance and religious freedom are important” (Ahdar and Leigh, 2013:2). In Europe, the need for protection and promotion of human rights (including the religious freedom) is fundamentally served by the European Convention of Human Rights (ECHR). The ECHR was created by the (and now legally binds all the 47) member - states of the Council of Europe (Perrakis, 2013:137). Religious freedom is guaranteed by the Article 9 of the ECHR which imposes obligations upon state – parties to respect a variety of provisions about religious liberty (Shaw, 2012:322).

Having presented the two levels of discussion (church-state, human rights) in order to review the influence of religion on European politics, and before moving on, two clarifications are important. The first is about religion. Although the notions of religious freedom and tolerance are not foreign to the world’s major religions (Ahdar and Leigh, 2013:24), this study investigates only Christianity. From the 380 A.C. where Christianity became the official religion of the Roman Empire under the reign of Theodosius (Ahdar and Leigh, 2013:26) until today, Christianity has been the most common religion of the West (apart from Israel) including Europe (Katzenstein 2006, Taylor 2013). Christian theology upholds freedom at its whole and for all people; for Christianity, to be human is to be free (Casanova 2008, Tutu 2010). Of course Christianity has not been flawless: Nazis, Holocaust, Apartheid etc., all of them were caused by Christians. However, the truth is that mistreating and oppressing people are not only viewed as evil actions by most of the Christian religionists, but as actions against God Himself too (Tutu, 2010:3). As the Archbishop of Cape town, Desmond M. Tutu (2010:7) adds further “the potential for great good in the impact and influence of religion remains. I can testify that our own struggle for justice, peace, and equity would have floundered badly had we not been inspired by our Christian faith”.
Upholding Tutu’s view about the influence of religion on politics, we move on to the second clarification which is to conduct our research in the frame of liberalism, the current dominant political philosophy in the West (Ahdar and Leigh, 2013:52). A liberal democracy always remains loyal to the principle of freedom and equality of all its citizens, regardless of their group membership (Kymlicka, 1996:35). Liberalism accommodates the concept of secularism, as well as the models of religious pluralism and state neutrality found in a democratic society. Such notions will be used for the purpose of the research and will be discussed later at the ‘theory section’.

1.1 Research Problem, Question and Puzzle

The general research problem is: What is the influence of religion on politics in the European sphere? Coming from that, the research question is this: How does the religious factor affect politics in Greece, in the context of education? It emanates from the model of ‘why x despite y’ research puzzle: Despite Greece’s insistence on being a European, liberal, secular state (y), why then its main church seems in many ways to overlap the state (x) by for instance playing the catalyst role in determining the course of certain issues that are mostly political by nature?

1.2 Aim and Plan of the Research

Having outlined the general background and our specific research issues, this section demonstrates how this research is designed. To begin with, this study discusses the level of influence of religion on education by exploring such situations where the European, liberal state is affected by its dominant religion standpoints. The particular state taken into analysis is Greece because it is a representative case of our research puzzle in the sense that its main church (Orthodox) pursues to constantly intertwine with the state. Greece is a characteristic case of Orthodoxy which contrary to other doctrines of European religions (Protestantism, Roman Catholicism) grounds its human rights theology less in the dignity of the person and more in the integrity of the natural law and the Christian community (Witte, 2010:32).

The orthodox state has been viewed as an example where the separation with the church is hardly achievable as the influence of religion on politics is keen (McGuckin 2010, Skotiniotis 2016). For Huntington (1996) such states do not even belong to the West. Although such a view is quite extreme, the truth is that the Greek distinctiveness is providing breeding ground
for these views to flourish. Despite Greece’s repeated affirmations that it is a contemporary European state, descendant of the Enlightenment and where in fact the Athenian democracy constitutes a precursor of the notion of liberal democracy, it is experiencing tensions and contradictions which are foreign to the European values (Pollis, 1999, Ferrari 2001). Such divergence emanates from its Eastern Orthodox historic and cultural legacies which consist a fundamental part of Greece’s national identity (Pollis, 1993:355).

Building on this introductory frame the research proceeds by reviewing existing literature related to the topic in four manners. The first and most general aspect is about religion and politics with regards to the rise of the Christian church in Europe. The second aspect of review relevant to this research is the ECHR and particularly the article 9 of it about religious freedom, expression and tolerance. The third level of discussion will be the dipole state - church and in particular the interaction of the Greek state with its Orthodox church. Finally the role and the importance of the European Court of Human Rights (hereby ECtHR) is presented in the end of the literature review section. The reason for selecting this institution is simple: The ECtHR is responsible for interpreting the ECHR and examines cases of potential violations of its articles. Religion has been the bone of contention in many of the Court’s judgements (McGoldrick, 2011:499), thus cases of religious liberty competence will be used in our analysis.

All these perspectives are brought together and included in our theoretical framework, liberalism. The theoretical framework explains why the research is designed in a liberal ‘style’ accompanied with all the necessary notions and models. The selected sub - concepts are the theory of secularism and the notions of religious pluralism and neutrality of the state. Moving on, by identifying the author’s ontological and epistemological position, the thesis incorporates both quantitative and qualitative research techniques for collecting data and uses the methods of case-study and content analysis for the data discussion. Thus this will be the research design section.

The thesis discusses the gathered data in the Analysis chapter by dividing it into four parts. First, the impact of religion on the Greek state is discussed. The focus is on (religious) education which as an important aspect of human societies (Minst and Arreguin-Toft, 2014:88) has been a battleground between the state and church, especially with regards to the teaching materials (Ahdar and leigh, 2013:282). “As a mirror of society, the school is directly
concerned with the question of the place of religion in public life” (Pepin, 2009:9). Thus, in an era of globalization, it is required that education rise to the challenges of religious and cultural diversity in order to form citizens who are able to live together harmonically.

The religious factor as mentioned in the beginning of the introduction has an impact on human rights. In the second part, the protagonist is the freedom of religion as introduced by the Article 9 of the ECHR. Herein selective cases of conflict about religious liberty and education in the ECtHR between individuals and the Greek Authorities will be examined. The third part of the analysis is of an ‘international’ character because regarding the overall topic, one may reasonably wonder whether looking at one state only is sufficient. As a result, similar issues of religious influence in Greece are briefly explored in other European states. Is the Greek distinctiveness similar (or not) to other European states? And to which degree? The fourth part presents the conclusions of the study. Finally, the research is ended by summarizing the central puzzle and describing how we argued to that puzzle and how the research itself contributes to global politics.
2. Literature Review

This section discusses the way(s) which different scholars have used to illustrate the influence of religion on European politics. Despite the dominant viewpoint of the last century that religion and politics are disconnected, a huge body of new scholarship has emerged suggesting the opposite (Witte, 2010:14). Crediting such claim, this section is divided in four core perspectives: The emergence of Christian Church in European politics, the Article 9 of the ECHR on religious freedom and the link with the context of education, the historical background of the interaction of the Greek state with its Orthodox church and last the role of the ECtHR in upholding religious freedom.

2.1 Religion and Politics: The rise of Christian Church in Europe

In the scientific study of religion, as a concept, religion has been proved hard to define (Foundethakis, 1999:275). The most commonly assumed definition is best summarized by Smith (1996:5): “religion is a system of beliefs and practices oriented toward the sacred or supernatural, through which the life experiences of groups of people are given meaning and direction”. As said already, religion has often been and continues to be an inextricable component of politics (Taylor 2013, Fox 2018). For many years, especially during the 17th century, religion was a big cause of conflicts between the different polities (Casanova, 2008:64). The Thirty Years War for instance, originated from, and was often maintained by, conflicts over religion (Nexon, 2006:276).

The end of the Thirty Years War has been of particular importance for the relationship between religion and politics. That is thanks to the Treaty of Westphalia in 1648 which put an end to the military conflict between the Catholics and the Protestants (ibid:256). The Peace of Westphalia has been one of the most important moments in the creation of the modern European religious-political order (Katzenstein 2006, Nexon 2006). It was the Westphalian model that provided breeding ground for contemporary principles such as state sovereignty (Philpott, 2000:244) and religious freedom (Foundethakis, 1999:230) to flourish. Despite the fact that due to the Westphalian model and with the aid of the Enlightenment later on, modern European thinkers learned to separate religion and politics by banishing the former to a protected private sphere (Foundethakis 1999, Pollis 1999, Casanova 2008), religion was not completely detached.
Quite the contrary, religion is still present. Religion has been and continues to be responsible for both political good and political evil; it has fostered both peace and war (Witte 2010, Witte and Green 2012). A good example regarding the place of religion in politics is the field of human rights. Many distinguished scholars have argued that religion should have no place in a modern regime of human rights, because it experiences tensions and contradictions that go against the principles of pluralism, toleration and equality inherent in a human rights regime (Witte, 2012:28). However, the truth is that religion has contributed to the development of human rights. Witte (2012:29) identifies two relevant instances:

First, religion has been the grassroot of many rights. From the classical Roman understandings of rights and liberties and individual - group rights and liberties developed by medieval Catholic canonists, to Protestant establishment of the freedom of individual conscience and of the logic of revolution against tyrants who persistently violated the people’s fundamental rights, we now know that the West had many human rights in place before there were modern democratic revolutions fought in their name (Witte, 2013:29,35).

Second, without religion, the state is left as the only guarantor of human rights. In reality though, the state cannot be the only agent as there are numerous mediating structures between the state and the individuals, with religious institutions being amongst them. Religious institutions have a crucial role in the cultivation of civil and political rights, meet critically the second generation of human rights, such as education, let alone they can offer deep insights for norms belonging to the third generation, like those of creation and collectivity. As far as Christianity is concerned, the church (as the main representative of religion) promotes the enjoyment of human rights and in exchange the state protects the church’s autonomy without government interference (Garnett, 2010:269). This mechanism refers to the principle of church - state separation that will be discussed next regarding the rise of church. Before that, we throw a quick but important glimpse on the presence of religion in Europe.

In the European level, religion’s presence is keen in many dimensions. Arsene Heitz, the creator of the European flag with the 12 yellow stars on a blue background stated that his design had been inspired by the reference in the Book of Revelation, the New Testament's final section, to “a woman clothed with the sun…and a crown of twelve stars on her head” (Economist 2004). In addition, the religious communities of the former communist regimes
contributed to the democratic revolutions of the 1989, thus in this way to the enlargement of the EU towards these regions (Philpott and Shah, 2006:51). Last but not least internal European transformation has played an important role to the new public interest in religion, a transformation occurring due to phenomena such as the process of globalization and the growth of transnational migration (Casanova, 2008:71).

As said before, the main institution of religion has traditionally been the church. For the aim of this study, religion refers to Christianity and the emergence of the Christian Church in Europe. How did the Christian Church become part of European politics? This question shall be answered next. In the decades after the resurrection of Jesus Christ a rapid expansion of the Christian movement was observed, from a few hundred believers in Jerusalem to numerous local churches across the Roman Empire (Ahdar and Leigh, 2013:24). The term ‘church’ stems from the Greek word ‘ekklesia’ and was adopted by the followers of Jesus to describe the individual local assemblies of believers. The role of the church has not only been to preserve the highest standards of moral right and duty among its believers, but also to cultivate them an understanding of common morality (Witte, 2010:33).

In the year 380, Christianity eventually becomes the official religion of the Roman Empire (Ahdar and Leigh, 2013:26). Since then, the Christian Church begins to develop its influence in the European public sphere. Initially the church pursued to be connected with the state: From the Byzantine Caesaropapism and the Roman Church State, to the Protestant Church establishment with the monarch as summus episcopus and the Roman Catholic idea of unity expressed during the Counter-Reformation (Foundethakis, 1999:228). For many centuries, the Christian Church was so addicted to influencing the state policy, an addiction that led to intolerance, persecution and suppression of other faiths (Ahdar and Leigh, 2013:29). Gradually and especially since the post-Enlightenment era, the unity of church and state was overthrown.

Of course, the separation is not a simple process for two main reasons (Foundethakis 1999, 2017): First because of the by nature different definition of those two. The state draws its power from the constituent power of the people, hence the relativity of truth, while the church from the truth of divine revelation. Second because of the pursuit of different goals in their respective activities. The church aims to maintain and increase the number of its believers and to protect its doctrines, while the state wishes to ensure the unimpeded exercise of the
religious liberty of its citizens, in conjunction with the tolerance which is observed in today’s multicultural European societies.

Nowadays, within the liberal democracies, separation of religious and political institutions is taken for granted (Cox, 2004:14). However, in Europe, the separation is viewed with much suspicion, mainly by those who hold that separation as a policy demands a public space totally purged from religious symbols, expression and activism, where religion is strictly limited to the private realm (Garnett 2010, McGuckin 2010). Such a reality with highly advanced levels of secularism established seems nonexistent today, as it is elaborated more later, at section 3.1.1. Especially in the case of Greece, this reality seems absent, mainly as a result of its Orthodox identity.

Why this identity determines certain circumstances will be presented later at section 2.3. For now, some basic elements of the Orthodox Church are sketched briefly. According to the CIA World factbook, the Orthodox Church is the oldest established Eastern form of Christianity and is characterized by high levels of nationalism and ethnicity (CIA n/d). Indeed, the Orthodox Church has made its peace with totalitarian regimes (both fascists and communists) and that is something that continues to bedevil it (Katzenstein, 2006:12). Therefore, “the Eastern Orthodox Church has historically been interdependent with the state in a nexus where the one reinforces the other” (Pollis, 1993:346). To the norm of church’s involvement in the political, economic and social life of the country by virtue of specific regulations (Foundethakis, 1999:234) Greece has been no exemption. No Orthodox country was part of the EU until Greece joined in 1981, which means that the Orthodox Church became an actor in the European integration process at a relatively late stage (Philpott and Shah, 2006:55).

2.2 UN, ECHR, Religious Freedom and Education

Having presented the bond between religion - politics and the emergence of the Christian Church in Europe, the second point of discussion is the freedom of religion, how it is established by the ECHR and in relation to the subject of education. A human right is a power given to every individual simply by reason of his / her status as a human being and as such it should be protected by positive law (Helmholz, 2010:106). Religious freedom is certainly such a right and in fact one of the most fundamental ones (OSCE 2007, Garnett 2010). In the human rights’ language, religious freedom has two meanings: The positive dimension is the
freedom to actively manifest one’s religion or belief in different spheres (public or private) and in various ways (worship, teaching etc.) and the negative dimension implies no discrimination due to religious belief (Ahdar and Leigh, 2013:127).

As we saw earlier, the legal conception of religious freedom began to take shape already from the sixteenth century, with the Treaty of Westphalia (Foundethakis, 1999:230). From the Second World War onwards, the modern human rights system that has come into existence places internationally accepted standards for the protection of human rights (Gunn, 2010:193). According to Gunn (2010:194), the four forces behind this framework are the UN, regional organizations like the CoE, civil society - NGOs and some individual states. For the needs of this research we will concentrate mostly on the second factor (CoE) and before that refer shortly to the UN.

At the international level, the first and foremost role for the establishment and promotion of all human rights and freedoms (including the religious ones) is played by the UN, with the drafting of the UDHR (Gunn, 2010:195). Article 18 of the UDHR firmly establishes the freedom of thought, conscience and religion (UNGA 1948, Garnett 2010). In the same manner, subsequent major international human rights treaties have played a vital role in guaranteeing the freedom of religion (Gunn 2010, Ahdar and Leigh 2013). For instance, the ICCPR covers the freedom of religion or belief in its 18th article (OHCHR 1966). The ICCPR goes further from the UDHR to oblige the state parties to respect the right of parents to ensure that their children are educated according to their own convictions (ibid).

While the United Nations is the predominant player in the international human rights system, regional human rights organizations are playing an increasingly important role (Gunn, 2010:205). The promotion and protection of human rights has evolved gradually at the European level (Martinez de Codes, 2001:32). Recently, the EU adopted the Charter of Fundamental Rights (2000) which has a binding effect upon the states and prohibits discrimination on the grounds of sex, race, color, religion, language etc. (YFJ, 2014:13). Articles 10, 22 of the Charter firmly guarantee the freedom of religion as well as religious diversity while Article 14 establishes the right of parents to ensure the education and teaching of their children is in conformity with their religious, philosophical and pedagogical convictions (European Union 2000). With this Charter, “European integration bears the hope
of creating societies with a vast degree of openness and inclusion”, as Charles Taylor (2006:21) writes.

Aside from the Charter though, the most advanced -in our opinion- instrument for the protection of fundamental rights and freedoms in Europe has been the ECHR, created by the CoE (Gunn, 2012a:258). The ECHR has been the first and foremost multilateral treaty drafted by the CoE, a significant human rights organization consisted of more than 45 states across Europe including amongst others Turkey, Armenia and Azerbaijan (Gunn 2010, Perrakis 2013). The idea of a European framework for the human rights protection was first initiated by the Mouvement Europeen in its conference in the Hague in 1948. One year later, the Mouvement drafted this idea into a plan which was submitted to the CoE. After a series of hard but fruitful discussions the final draft plan was adjusted and finally in 4th of November 1950 it became what we now know as the ‘European Convention of Human Rights and Fundamental Freedoms’ (Perrakis, 2013:141).

The notion of individual human rights holds a dominant position within the ECHR (Pollis, 1993, Martinez de Codes 2001). The Convention legally binds all 47 member - states and champions in a number of rights, including of course the freedom of thought, conscience and religion as embodied in the Article 9 (Council of Europe 1950, OSCE 2007, ECtHR 2018). Article 9 of the ECHR is one of the foundations of a democratic society¹ as it has the intention to protect the believers of any religion or doctrine in a systematic manner (Ktistakis 1999, Martinez de Codes 2001, Ahdar and Leigh 2013).

Respect for religious beliefs may arise in more specific contexts, for example in the social right of education. In a 2014 report, the European Youth Forum found that religion, social belief and origin is the second most mentioned reason of discrimination in the field of education (with the first being the gender) (YFJ, 2014:6). In addition to Article 9, Article 2 of the First Protocol of the ECHR provides that everyone has the right to education and that the state must respect the right of parents to ensure that the education of their children is in conformity with their own religious beliefs (Ahdar and Leigh 2013, ECtHR 2018). An ample amount of cases regarding religion and education has been brought before the ECtHR, suggesting that especially this topic has created a lot of tensions to the general concept of

¹ Kokkinakis v Greece, no. 14307/88 ECHR 1999-II [31]
religious liberty (Ahdar and Leigh, 2013:296-297). Some of these cases (relevant to the purpose of the research) will be discussed in the next sections.

Back to the Convention in general, now, central factor to it is the state. The ECHR declares that its signatories commit to secure that every person within their jurisdiction enjoys the rights and freedoms defined in the Convention (Garnett 2010, ECtHR 2018). Upon ratifying the Convention the state has a duty to issue major new constitutional and administrative provisions in order to ensure absolute respect for religious freedom and freedom of conscience, religious pluralism, equality and non-discrimination on the basis of religion (Foundethakis 1999, Witte and Green 2012). As far as education is concerned, religious freedom and freedom of education are two fundamental principles of the national constitutions and legal frameworks of the member-states (Pepin, 2009:16). According to the ECHR, the state carries the obligation to educate its citizens in a critical, objective and pluralistic manner and in line with the religious and philosophical convictions of the students’ parents (Sotirelis 1999, Pepin 2009).

Consequently, the ECHR is justifiably a vital instrument (perhaps the most significant one) for the protection and promotion of human rights across Europe. Additionally to what was illustrated before, there is another reason which highlights the importance of the Convention. Although international law has traditionally been concerned with the rights and duties of the states, it was the ECHR that first brought the individual to the eye of the things by establishing the right of individual petition for human rights violations against a state (Gunn 2010, Ahdar and Leigh 2013). According to Article 34 and since 1998 where this system was transformed from voluntary to binding on all member states, more than 800 million European inhabitants have the right to bring a human rights complaint against a state and seek justice to the ECtHR (CoE 1950, Ktistakis 1999, Gunn 2010, Perakis 2013, Ahdar and Leigh 2013). Despite the fact that the Court receives large numbers of applications throughout the years and usually the review and decision making processes take a lot of time, this tool still underlines the overall importance of the Convention in European politics.
2.3 State and Church: The interplay of the Greek State with the Orthodox Church

So far, it was attempted to illustrate the two main pillars of research: On the one hand, the impact of religion on politics with the Church’s capacity in it; on the other, the importance of religious liberty and how it is upheld in different conventions, particularly within the ECHR. The study now proceeds with a more specific depiction of the church-state pattern, with the example of our case study (Greece) and its Orthodox Church. This is done in order to explain why and how the church is linked to the state and vice versa. The configurations of the different state-church relation examples vary across the world, indicating a diversity of history, philosophy, constitutional culture, political systems etc. (Witte and Green, 2012:360). In some instances, even in the Western liberal democracies, the church and clericals are often involved in politics, by for example lobbying political stakeholders to make (or not) certain decisions (Ferrari 2001, Fox 2018).

The Orthodox world is a bizarre case of religious doctrine, distinguished from other Christian traditions by the vast dominance of conservatives in its power structure: whatever shifts may take place in the liberal world, the Orthodox Church embraces a fully conservative orientation refusing to accommodate such changes (Ramet 2006, Karagiannis 2009). The Orthodox Church seems to fear the dominance of other Churches, especially the Catholic one which it views as too liberal (Philpott and Shah, 2006:38) as well as the main opponent after the schism in 1054. With respect to the state level, serving as an aid for the discussion next, Orthodox Christianity embraces and operates under the model of ‘Caesaropapism’. As explained by different authors, Caesaropapism refers to the Byzantine concept of church-state unity, where the church subjects itself to substantial state control of its policies and properties but as an exchange benefits with a strong and singular spiritual voice in the civil society (Philpott and Shah 2006, McGuckin 2010, Witte 2010). Caesaropapism is vivid in the case of Greece, therefore serves as an important tool in order to grasp the interaction of the Greek state with its Orthodox Church.

Greece has developed a special symbiosis with its Church. This coexistence that has been the product of different historical events (Sotirelis, 1999:65-66) will be presented in a timeline order. Due to the given limitations in time and extent, this study includes only the most important highlights from the period that led to the creation of the Greek state until
nowadays. To begin with, for nearly four centuries (1453 - 1821) Greece was under the rule of the Ottoman Empire. Under that period, Orthodoxy was a synonym of Greeks’ national identity, a situation created thanks to a great degree to the recognition of the legal status of the Orthodox Church by the Muslim Turks as part of their general policy of religious toleration in the occupied territories (Foundethakis, 1999:239).

In 1821, the Greek fight for independence was initiated and ended with the successful creation of the Greek state in 1830. Even though the Ecumenical Patriarchate of Constantinople - the historical center of Orthodoxy - was against the revolution, Greek Orthodoxy played a crucial role in the liberation uprising (Foundethakis 1999, Pollis 1999). Shortly after the creation of the independent Greek state, the fact that the Patriarchate kept its distances from the revolution led the ChoG to become autocephalous from it in 1833 (Foundethakis 1999, Pollis 1999, Karagiannis 2009, Skotiniotis 2016). Since then, the ChoG begins to closely interact with the state, an action strongly served by the fact that first, especially during and definitely after the Ottoman ruling, the Church acquired the role of safeguarding the people’s national identity and cultural autonomy (Pollis 1993, Philpott and Shah 2006, Ramet 2006, Skotiniotis 2016). This role of the Greek Church in symbolizing the maintenance of the Greek culture and language has also been noted by the ECtHR\(^2\). Second, the autocephaly changed the status of the Church from a simple institution that embodied the Greek nation and irredentism to a state authority (Skotiniotis 2016).

In the next decades, the Church of Greece begun to realize and embrace the function of Caesaropapism. As a state authority, its internal administration was (and still remains) regulated by state - law (Karagiannis, 2009:150). The logic behind such standard is simple: By ceding large part of its autonomy to the state and letting the state regulate over its administrative issues, the Greek state succeeds in making use of the Orthodox Christian morale of the vast majority of the Greek people in order to legitimize the social and political power that the state itself possesses. In exchange, the Church maintains in this way the status of a state church which increases its prestige and privileged position in the Greek society (Stathopoulos 2008, Skotiniotis 2016).

\(^2\) Kokkinakis v Greece, no. 14307/88 ECHR 1999-II [14]
The following two examples from the relatively modern Greek History help to illustrate the fellowship of the state and church under the caesaropapism model. The first is from the Greek civil war (1946 - 1949) between the communists and the Greek Government. At that period, the role of the Church was developed to the extent of being the main carrier of the ‘anti-communism’ ideology. The church adopted fully that theory, clearing off its ranks those clergymen who had supported the left wing while those promoting anti-communism took the upper hand (Karagiannis, 2009:154). The second example falls within the 7-year dictatorship period of 1967 - 1974 and it is probably the darkest era of Orthodoxy.

The military junta that overthrew a falling democratic regime at that time pursued to intervene more within the church, by for instance directly appointing the Archbishop (Pollis 1993, Karagiannis 2009). From its perspective, at no time did the Greek Church oppose the military regime nor denounce the torturing and exiles of political prisoners; on the contrary it very well bestowed its blessing to dictator Papadopoulos’ rule (Pollis, 1993:352). Pollis (1993:353-354) uses this point to argue further that Eastern Orthodoxy in general and the Greek Orthodoxy in particular is a force that acts as the tail of the state: If the state leaders commit to democracy then so does the Church too. However, if the leaders select to go against democracy the Orthodox Church shall not oppose or resist to them.

After the re-establishment of democracy in 1974 and towards the end of the 20th century the debate over the church-state relations had been heated, this time the discussion revolving around Europe and its Christian nature (Philpott and Shah, 2006:56). The topic was brought to surface by the then Archbishop of Athens and All Greece, Christodoulos. Utilizing his political capital and his impressive skills in charismatic rhetoric and excellent English, Christodoulos commenced a sophisticated Orthodox campaign regarding European integration. His main argument was the preservation of the EU as a pure Christian project that would encompass the recognition of Christianity in the EU constitution and would not allow European integration in non-Christian countries, such as Turkey (ibid:56-57). Of course such radical views could not possibly be adopted by the Greek state.

Nevertheless, this did not prevent Christodoulos to neither stop communicating his views to the state and the Greek people nor to state by word “If countries totally irrelevant to [Europe’s] culture should also be included in the Union, then Europe will have been murdered, and we shall have nothing else to do but to entomb its unburied body”
(Archbishop Christodoulo 2003). Another subject worth observing regarding the church-state clash in Greece during Christodoulos mandate as Archbishop is the identity cards controversy. In 2000, the then Greek social-democrat government sought to follow a decision of the Greek Data Protection Authority, by removing the ‘Religion’ field from the national ID cards carried by Greek citizens (Philpott and Shah 2006, Karagiannis 2009).

In response, the Archbishop claimed that this policy was actually an intention of a wider plan to marginalize the Church from Greek public life and orchestrated different kinds of protests against that decision, the most significant of which were the huge demonstrations in Athens and Thessaloniki (Greece’s two biggest cities) (ibid). Despite his impressive capacity to mobilize the Greek people, the Government held still. It argued that the state and the church are two distinct authorities that do not rule together (Karagiannis, 2009:136). That was one of the truth is scarce times where the church and the state came in such direct and apparent conflict. For the record, in line with the practice followed by other EU members, the ‘Religion’ field was removed by the IDs.

Closing this discussion, today the religious factor is rooted deeply in a number of aspects, making the separation sound impossible (Sotirelis, 1999:64). At the legal level, in the current CoG which is in use since 1975, the Eastern Orthodox Church holds a predominant position (Foundethakis 1999, Freedom House 2018). In the first lines of the Constitutional text the preamble provides: “In the Name of the Holy, Consubstantial and Undivided Trinity” (CoG 2008, Foundethakis 1999, Stathopoulos 2008, Karagiannis 2009). In addition, Article 3 of the Constitution establishes the Eastern Orthodoxy as the predominant religion of the state (CoG 2008, Chrysogonos 2008, Foundethakis 1999). The Church holds a privileged status by the Constitution (Dimoulis, 1999:106) and as a public law legal person it is part of the public administration (Foundethakis 1999, Pollis 1999).

At the political perspective, even at occasions that are regarded as secular by nature, the religious factor is persistent (Stathopoulos, 2008:143). The President of Democracy and the members of the parliament have to take oath in the Name of the Holy Trinity, while provision for an alternative oath is made for deputies of other faiths but not for the non-religious. Their swearing-in ceremony takes place in the presence of the Archbishop of Athens and All Greece (Karagiannis, 2009:146). Moreover, from an educational standpoint, we see that religious education in Orthodox doctrine is compulsory in schools (Foundethakis, 1999:239).
Last but not least, in line with his predecessor, the current Archbishop of Athens and All Greece Ieronymos has attempted to put himself forward as the representative of the whole Greek people. By doing so, he strives to cut off any discussion of church - state separation (Skotiniotis 2016). His main argument is that the state and polity are created by the citizens who in turn are ‘born’ by the Church, thus for him there is a maternal relationship between the church and society. For him, separating the church from the state would be like terminating the companionship between the church and society, separating the mother (church) from its child (citizens - society). “Which mother would ever tolerate to be separated from her child”, he wonders (Archbishop Ieronymos, 2016:07.55 - 10.00).

2.4 The Key-Role of the ECtHR

The last point to examine in this section is the European Court of Human Rights (ECtHR). The judgements of the Court and its interpretations of the law serve as a fruitful way in order to identify the reasons that lead to certain events or actions as well as how the different parties (states and individuals) justify their acts in a legal, political and perhaps moral way. Here it is tried to explore how the Court functions to the direction of advancing human rights when interpreting the ECHR and specifically the Article 9 of it. The ECtHR consists of 47 judges, one from every state-party to it (Perrakis, 2013:176). During its first years, the Court had a limited impact. Nowadays however it has become an important and prolific player who offers the world’s most effective model of human rights tribunal, who has the ability to make judgements against states and who obliges the states not only to accept these judgements but to implement complementary measures from such judgements too (Gunn 2010, Perrakis 2013).

The ECtHR champions human rights, especially those of minority groups, who ought to enjoy special care, against the rule of the majorities in every state (Stathopoulos 1999, Foundethakis 2017). The state is viewed by the Court as a democratic society that includes pluralism, tolerance and broadmindedness (Stathopoulos, 1999:213). In case of conflict, the Court examines whether the state acted in a legitimate and proportionate way with regards to the opposition party (ECtHR, 2018:18). Regarding the ECHR, the Court uses a three way formula to interpret it: in the light of present day conditions, in harmony with other principles of international law and that the safeguards of the Convention are practical and effective (Shaw, 2012:323).
The ECtHR considers religious liberty as one of the foundations of a democratic society (Ungureanu 2012, ECtHR 2018). That’s why the Court seems unwilling to justify or accept any backlashes from religious freedom (Chrysogonos, 2008:286). The ECtHR has noted that a variety of existing church-state relations comply with the ECHR standards (McGoldrick, 2011:456) and gives national authorities a wide margin of appreciation in tackling issues of religious diversity (ECtHR 2018). What the Court does not accept under no circumstances is cases where due to specific church-state relations or even the state itself, the legitimacy of religious freedom has been unjustifiably breached (Ahdar and Leigh 2013, ECtHR 2018).

As far as the aspect of education is concerned, human rights advocates and tribunals have pointed out many difficulties on how to resolve different education related conflicts (Thorson Plesner, 2012:320). One big tension relevant for this study has to do with the course of religions which the Court demands to be carried out in an objective, critical and pluralistic manner with respect to parents’ religious and philosophical convictions (OSCE, 2007:68). Although opt-out from the course’s provisions are generally seen as safeguards measures by the Court (Ahdar and Leigh, 2013:281), such mechanism has been proven controversial as two core examples demonstrate.

Finally, it is significant to mention that despite its importance, the ECtHR has also received much criticism. One comment as noted at the end of section 2.2 was that generally the process of examination and decision making takes a lot of time. Another point (mainly for the Convention and indirectly for the Court too) has been the need to extend the list of protected rights within the ECHR to economic, social and cultural rights (Perrakis, 2013:238). Furthermore, some scholars believe that providing the state a wide margin of appreciation to decide what constitutes an appropriate manifestation of religion can lead to clear instances of state intolerance (particularly against minority religions) (Little, 2012:148). Nevertheless, under no circumstances should such criticisms undermine the significance of the ECtHR. These are issues that leave room for improvement of its overall function. The Court has performed an outstanding work throughout the years and it is for that reason that some relevant judgements delivered during this process are and will be used later too at the next sections.

3 see Folgera v. Norway, no. 15272/02 ECHR 1999-II [84(h)] and recently Papageorgiou and Others v. Greece, nos. 4762/18 and 6140/18 ECHR 1999-II [87]
2.5 Summary

To sum up, the main point of argument has been the fact that religion is an inalienable part of politics and that can be observed in many aspects (law, state, human rights) (Witte, 2010:42). This reality is also apparent in Europe, where the Orthodox Church propels a fusion with the state in different sectors of the social life, as long as this affiliation is mutually advantageous (Foundethakis 1999, Katzenstein 2006, Ahdar and Leigh 2013). The Greek Church is no exception to this situation. When it comes to the human rights level, thanks to specific regulations established by the ECHR, every individual in Europe enjoys a number of rights, including not to be subjected to any form of coercion by the state that would impair his religious freedom (OSCE, 2007:30). Article 9 of the Convention guarantees religious liberty and is supplemented, among others, by Article 2 of additional Protocol 1 of the ECHR, concerning the right of parents to ensure the education of their children in symphony with their religious convictions (ECtHR, 2018:6). In practice, though, violations can occur and for that reason the ECtHR comes to play. The Court has developed a liberal framework when exercising its jurisdiction, that brings together the principle of religious freedom, with notions of state neutrality and pluralism (Ungureanu, 2012:319). Such theoretical models are also presented in detail in the next chapter.
3. Theoretical Framework

The goal of this chapter is to provide a solid theoretical framework which can explain the influence of religion on politics. For the needs of this research the role of the main theory is played by IR liberalism. IR liberalism is useful as it includes points relevant to the research, such as the importance of education (in overcoming defects in society), the fact that the state is not the only key-actor but rather interacts with other institutions (like the religious ones) and also it places the individual and individual rights (religious freedom being one of them) at the center of its attention (Minst and Arreguin-Toft, 2014:86-90). Thus, this section examines the influence of religion through liberalism, accompanied by three other, interconnected, theoretical models.

3.1 A Liberal Perspective…

The origins of liberal theory are traced in the 18th century Enlightenment Era. The contribution of the Enlightenment to liberalism rests to the Greek idea that individuals are rational human beings capable to improve their condition by creating a just society (Minst and Arreguin-Toft, 2014:87). Thus for the liberal philosophy, the individual human being is the central focus, the basic unit of the society (Ahdar and Leigh, 2013:54). The centrality of human beings is also reflected in Christianity, as Tutu (2010:1) reminds us. Also, liberalism conceptualizes best the notion of individual human rights (Pollis, 1993:339), such as the right to education. Education constitutes an important gear of the liberal society.

The notion of individual human rights as well as human rights in general is heavily relied on certain institutions, such as the state, to give them content and coherence (Witte, 2010:12). “The ideal liberal state does not promote one or more national cultures, religions, ways of life and so on” (Modood and Meer, 2013:35). On the contrary, the liberal state is ought to push forward the ideas of pluralism, religious neutrality and toleration towards other religions and individual freedoms (Cox, 2004:14). These values are fundamental in political and social life and for freedoms such as to choose, change or manifest religion (ibid). The liberal tradition puts a lot of emphasis on education. According to liberals, through learning and education, humans become capable of developing those institutions needed to ensure and advance human welfare (Minst and Arreguin-Toft, 2014:88). The ideal education, liberalism poses, is the one that forms good citizens living and acting in a rationally autonomous way and of
course such education aims to accomplish it in line with the parents’ views and interests in certain matters, like the course of religions (Ahdar and Leigh, 2013:243-244).

3.1.1… encompassing Secularism...

Secularism is a concept closely related with liberalism. In simple words, secularism is the classic liberal idea of drawing the religious element out of the political sphere, in other words, a state where a demarcation of the church from the government exists (Fox 2006, Ahdar and Leigh 2013). The origins of secularism are to be traced way back in history. The principle of church-state division can already be found in the teaching of Jesus to render to Caesar the things that are Caesar’s or in the Saint Augustine’s two cities (Ahdar and Leigh, 2013:93). The word secular derives from the Latin word saeculum which means an era (Gunn, 2012b:27). The Oxford English Dictionary mentions that the earliest English use of the word secular appeared in 1290 and differentiated among those who had taken vows (holy orders) by whether they lived a religious, monastic life separated from the world, or lived and worked in the world (=thus called secular) (ibid).

Consequently, “from as early as the 13th century, secularism came to distinguish things belonging to the world that were not part of the religious realm” (ibid:27). Considering such principle, the medieval canon law further issued a number of protections for the church, from the secular authorities, like the right to make its own laws, define its own doctrines, appoint its own clergy, the right of the clergy to control church property, its immunity from civil prosecution and many other rights (Witte, 2010:22). Such formulations are still in use in the current Western tradition. This does not mean though that the church as an institution chose to vanish from the political sphere. Because the secularization of the Western society altered the role of religion as the principal reference grouping of the people and replaced it by nationality, the church in many democratic states sought to become part of the civil society, pursuing to influence public policy not only on religious but secular matters too (Pollis, 1993:346).

As an important piece of the Western society, Europe is the center of secularization. As mentioned earlier, the secularization of the European state as a result of the Westphalian Treaty was the response to the nasty religious wars that arose from the fusion of religion and politics in medieval Europe. The Enlightenment came to complete the puzzle and so modern Europeans managed to create an open, liberal, secular public sphere where freedom and
public reason triumph while religion was placed to a protected, private sphere (Casanova, 2008:64). Since the Treaty of Rome in 1957, establishing the ongoing process of European integration, Western Europe has undergone a drastic process of secularization (ibid).

Hence, Europe has been characterized as an area with advanced levels of secularization (Pepin, 2009:16), incorporating values of pluralism, tolerance and inclusiveness. The European, secular state has been viewed as the entity which does not assert any religious competence to make its decisions and which protects religious freedom by refraining from interference with this freedom’s enjoyment as well as by favoring the coexistence of different religions (Foundethakis 1999, Gunn 2012b). So is religion in the European state really limited to the private realm only?

In religious discourse, the term ‘secular’ has acquired a negative meaning, implying a lack of religion in society (Holscher, 2008:60). However, as Ungureanu (2012:315) argues, “secularization involves neither a systematic conflict between state and religion, nor the attempt to exclude the latter from the formation of the body politic”. To support this argument, he brings the example of Lutheran Protestantism in the Scandinavian countries where the modern nation state has emerged through a fusion of church and state, claiming that the Protestant church did not oppose but rather contributed to the processes of democratization and individualization. This reflection comes in line with the contemporary argument that religion in the European space is claiming back its position in the public sphere (Fischer and Motzkin 2008, Modood 2012).

Indeed, according to Modood (2012:2), quite a number of academics hold that nowadays secularism is under question. The great philosopher and sociologist Jurgen Habermas (2006) has argued that today the transition from a secular to a post - secular society is actual and that religious believers should strive to find solutions for modern society’s problems from within their religious beliefs. That being said, the research’s main argument is reinforced: That despite the creation and advancement of the secular state in Europe, nowadays, religion is not to be found to an exclusive, private domain but rather it has re-appeared in the public space and shapes it.
3.1.2... Pluralism...

(Religious) Pluralism is the idea of harmonious coexistence of different religious cultures in a liberal, democratic society (Ahdar and Leigh 2013. ECtHR 2018). In the immediate aftermath of 9/11 this idea seemed naive, since in many contexts religious diversity was mostly seen as a backlash (Durham Jr, 2003:43). However, the Catholic need for protection of human rights and religious freedom in today’s rapidly evolving multicultural societies, inevitably has led to respect and protection of religious pluralism too (Martinez de Codes 2005, Stathopoulos 2008). That need emanates directly from the global migration flows and demands the recognition and promotion of the rights of religious minorities (Foundethakis, 1999:273). At the European level for instance, it has been argued that modern-day Europe is to a big extent the result of the interaction of migrations of religious groups, an interaction that tests the strength of Europe’s tolerance (Foundethakis 1999, OSCE 2007).

In this situation, this profound commitment to tolerance, religious freedom and respectful pluralism in Europe has been affirmed repeatedly by the ECtHR (Durham Jr, 2003:46). The Court has recognized that pluralism is built on “the genuine recognition of, and respect for, diversity and the dynamics of cultural traditions, ethnic and cultural identities, religious beliefs, artistic, literary and socio-economic ideas and concepts”, and that “the harmonious interaction of persons and groups with varied identities is essential for achieving social cohesion”\(^4\). Should tensions were caused by pluralism, “the role of the state is to ensure that competing groups tolerate each other”\(^5\).

3.1.3... and State Neutrality

Neutrality in general is a distinctive feature of liberalism (Ahdar and Leigh, 2013:56) and requires careful examination. In terms of religion, the liberal neutral state is expected to organize the exercise of various religions in a way that all religious groups are able to practice their faith and participate in democratic politics (Philpott and Shah 2006, Stathopoulos 2008, Ahdar and Leigh 2013). The applicability of the concept of state neutrality in Europe has been questioned by some authors as being utopian or even impossible (McGoldrick 2011, Ahdar and Leigh 2013), due to different reasons such as the diversity of the European state systems and in some occasions their uniqueness (e.g. French

\(^4\) see Gorzelik and others v. Poland, no. 44158/98 ECHR 1999-II [92]
\(^5\) see Serif v. Greece, no. 38178/97 ECHR 1999-II [53]
‘laïcité’) or the amalgamation of Europe with Christianity (McGoldrick 2011, Taylor 2013, Foundethakis 2017).

Reasonably, neutrality seems an ambiguous term. To be able to use it as a well standing theoretical model it has to be supplemented by and associated with the notion of equality. In the case of religion, equality designates that in a just society all religious bodies ought to be treated equally and without bias by the state (Ahdar and Leigh, 2013:78). Equality and neutrality find complete balance with religious freedom. A liberal state committed to human rights and especially religious liberty should insist on equality and mutual respect among its citizens (Durham Jr, 2003:51). To its functions, the state has to take into account all its citizens and be neutral towards all religions even the dominant one (Stathopoulos, 2008:142). In case certain restrictions are to be placed on the freedom of religion, this must be done in an impartial way to preserve pluralism and proper functioning of democracy (ECtHR, 2018:17).

In the context of education, regardless the particular state system, the state always carries the responsibility to regulate for education in an impartial and neutral fashion that will cultivate the principles of toleration, respect and equality among the children (OSCE, 2007:35-36). The liberal state may satisfy this duty of neutrality either by designing an educational curriculum which religious content is impartial and non-coercive or in the example of teaching the subject of religions, by granting the right to opt out on account of conscientious objection (OSCE 2007, Ahdar and Leigh 2013).

3.2 Theory in Action - Greece

In this part, it is attempted to illustrate the Greek stance towards the principles of the liberal thought and the subconcepts it encompasses. It is already mentioned that Greece consists a solid reflection of the situation in the Orthodox world, regarding among other issues, the level of influence of religion on politics. As Ramet (2006:148) notes, there are many causes that explain why the Orthodox world has been kept distant from the Western, liberal tradition, with the most significant being that Orthodoxy has not experienced neither the Renaissance nor the Enlightenment. Here, we shall identify relevant such causes in the Greek society and the results these causes have produced. For this purpose, this sector is subdivided in two parts: Liberalism - secularism on the one hand, pluralism and state neutrality on the other.
3.2.1 Liberalism - Secularism

So far we can identify as key features of the liberal theory the individual human rights, the principles of tolerance and equality and the religious pluralism - impartiality of the state. Contemporary actors like the EU and the ECtHR that constantly penetrate the Greek public life seek to press the Greek state to advance the incorporation of such features (Karagiannis 2009, McGuckin 2010). This reality shows that the philosophical traditions and values of the Western liberal world seem downgraded in the Orthodox contexts (Karagiannis, 2009:139). The biggest reason why the liberal features in Orthodoxy appear to be in retreat is the commitment of the Orthodox leaders to the rationale that their Church is the one, true Church that determines the survival of the state and the lives of the people, therefore the Orthodox state and the people must be protected from the liberal - secular agenda that has engulfed the West and undermines this role of the Orthodox church (McGuckin, 2010:185).

Similarly to the core liberal features, secularism in the Eastern Orthodox culture is also found in a degraded position. A secular society that champions separation of church and state is probably not an Orthodox one (McGuckin, 2010:185). In the case of Greece the dispute over the secular or non-secular nature of the state is acute. Karagiannis (2009:145) identifies three reasons behind the low levels of secularization in Greece: Incomplete distinction between the political and religious spheres, shrinking of religious freedom and the particular nature of the CoG which legitimates the strong public presence of the ChoG and its officials. “Of course the institutional separation of the state and church is not the biggest problem the country has to deal with but still it is not an issue of less importance and certainly it constitutes a loose end to be resolved for contemporary Greece” (Skotiniotis 2016).

3.2.2 Pluralism - State Neutrality

The issue of church - state separation has also an impact on the models of pluralism and state neutrality, when the larger church gets favored by the state and thus holds a privileged position over the smaller religious communities (Foundethakis, 1999:234). One example of such privilege is the projection of Orthodox religious symbols and images in most of the public spaces, such as courts, public services, hospitals, police departments and school rooms, which indicates that the ChoG has managed to monopolize its presence to the public sphere. The interesting point here is that the church has established a strong presence in the Greek public sphere thanks to a large extent to the political body itself. Extra to the
invocation to the Holy, Consubstantial, and Indivisible Trinity found in the preamble of the text of the state’s fundamental law, article 3 of the CoG defines the Greek Orthodox religion as the dominant religion of the country (CoG 2008, Chrysogonos 2008, Ferrari 2008, Skotiniotis 2016). Such a principle clearly counters the notion of neutrality and undermines the religious pluralism of the society.

A constitutional text belonging to the Western, liberal tradition ought to be independent of any religious legitimation, meaning that the state should not establish any religion (even the official one) as the most dominant. (Holscher, 2008:56). The Greek Constitution currently seems to diverge from this norm (Dimoulis, 1999:103). Additionally to the article 3 of the constitution, “other matters like religious images in public buildings and the religious oath of state officials are waning the concept of neutral state, even if we accept the argument (supported also by the ChoG) that these realities possess only symbolic character” (Skotiniotis 2016).
4. Research Design

Having completed our theoretical discussion, we proceed with our research design. The research design is an important gear of the research, because it sketches the format of the study, including how and what arguments to make (Roselle and Spray 2016, Halperin and Heath 2017). This chapter serves to illustrate the author’s stance on how to understand knowledge, what data and how are collected and which of the existing research methods are operationalized in order to analyze such data. It is divided in four parts: First a discussion about ontology and epistemology, second the data sampling, third the employed methods and fourth an ending discussion, regarding the validity and reliability of the data.

4.1 Ontology and Epistemology

Both deriving from the Greek language, ontology and epistemology are the first steps taken regarding research knowledge and practice. Ontology answers the questions of ‘what is the nature of the social world’ and ‘what exists’, while epistemology refers to knowledge, in other words, what kind of knowledge is in our disposal about social phenomena and how can we know about it (Pierce 2008, Halperin and Heath 2017). Our study adopts a positivist stance.

Simply put, positivist stream holds that scientific knowledge of the social world is only what we can observe, so the researcher can explain social phenomena by discovering empirical facts and generating casual relationships (Halperin and Heath, 2017:5). This means that reality exists independently of the researcher, therefore the scope of the researcher is to obtain the meaning that exists in empirical regularities and not in his personal conscience. This process produces certain data and outcomes upon which positivism relies. Linking this discussion with the research question, the aim of the researcher here is not to assess the actions of the state or the Church but rather to explore religion’s influence towards the state and reveal what outcomes this influence causes in the context of education.

Before moving on, it is necessary to acknowledge the possible limitations of taking a positivist view. Positivism is not the unique way of gaining knowledge, but rather one of many other approaches out there. Moreover, it has been criticized that a positivist research
requires a huge amount of sources and data to make objective claims (Pierce, 2008:24), something that especially for this thesis (if not any) given the existing limitations in time and length is impossible. Recognizing and considering the impossibility of collecting the universe of information potentially available, this study uses multiple sources of data and applies a mixed-methods data analysis in order to address the research problem from different angles, utilizing thus what is called as ‘triangulation’ technique (Halperin and Heath, 2017:161). Triangulation is elaborated more in the next parts.

4.2 Data Sampling

Engaging with the empirical world requires collecting information as evidence to advance our arguments and this is what we call data (Halperin and Heath, 2017:168). For the purpose of this study and since triangulation is employed, the sources of data vary. Three distinctions are imperative here. The first two are about the data itself and the third about the sources of data.

As far as the first is concerned, data is usually distinguished between primary and secondary. This study relies much on secondary data, that is information and arguments collected by other scholars which are processed and (re)analyzed again by the researcher (ibid:176-177). These data represent authored work found in books, academic articles, websites, statistics etc. The main issue here to be aware of is the quality of these data (high or low) and perhaps their bias, matters that we tackle at section 4.4.

The second classification is between quantitative and qualitative data. A positivist research would emphasize more on the quantitative perspective, that is, the numerical credential of the data. However, it is the researcher’s firm belief here that the current examination should also revolve around the qualitative side, meaning to extract the particular language and content used in the different set of data. One could argue that one perception supplements the other: A qualitative approach would focus on the specific content behind any data leaving aside the question about how many such data it has processed while a quantitative formula would look for as many data as possible to push forward an argument but perhaps neglecting to investigate whether these data are similar or distinctive to each other (ibid:178). Hence, both quantity and quality are employed in this research. The source of data here is not necessarily unique for both of them respectively. For instance, the CIA World Factbook about the number of religious adherents in every state can be used by both a quantitative research (how
many adhere to the Orthodox religion in Greece) and a qualitative research (what does this big number of Orthodox believers tell us about the strength of Orthodoxy in Greece).

The third stratification is about primary and secondary sources of data. As the name implies, the sources are where we collect our data from. Primary sources refer to immediate, first-hand accounts of a topic, collected or written by people who had a direct connection with it, whereas secondary sources are materials that add a layer of interpretation or analysis to the primary sources (ibid:252-253). The thesis has already engaged with primary and secondary sources of data and will continue at the same fashion in the analysis chapter. Examples of employed secondary sources are the different books and scholarly articles about religion and politics. Primary sources such as statistics (i.e. CIA factbook), speeches (i.e. by the two Archbishops) and reports (i.e. Freedom House, YFJ) are recruited too.

In addition to primary sources, other original sources are the different legal documents like the ECHR, the Toledo Guiding Principles, the CoG, the Greek Educational Act, cases of the ECtHR and other. The various legal texts entail particular importance for our research since they serve as the starting point of our discussion points, such as the content - protection of religious freedom in a given context (e.g. the Greek public school). Most states nowadays express and advance their commitments to fundamental human rights, including the right to religious freedom, by putting these rights in legal documents and by authorizing courts to control the actions of governments that invade these rights (Garnett, 2010:275). Today, many researchers tend to engage into political debates about the actual nature of different concepts in the society, for example the subject of church - state separation, by first exploring how these concepts are consolidated legally. Such an approach is conducted in this study as well.

4.3 Methodology

Remembering our ontological and epistemological position and the different kinds of data collected, the chapter now continues with an explanation of the particular methods used to conduct the research. The combination of more than one methods is essential in order to overcome the mentioned limitation in part 4.1 of positivism and to provide an in-depth understanding of the topic. The employed methods are case-study and content analysis and to better comprehend them, this part is subdivided accordingly.

4.3.1 Case - Study
As already discussed, this study focuses on a single case; the Greek state as a representative example to examine the influence of the Orthodox Church. By doing so, it allows us to study our case extensively, say something meaningful about it and engage with similar academic debates that may be traced in other contexts (Halperin and Heath, 2017:214). The latter is very important, especially from a ‘Global Politics’ perspective, because it serves to test our empirical material to other contexts - European states to see if and to what degree the liberal theory and practices are applicable in such contexts (ibid:215). This task is carried out in part 5.3.

According to Pierce (2008:55), an effective case study should entail self - containment and typicality. Self - containment implies that the variables being researched should be clearly distinguishable (church, state, religious liberty etc.), while typicality refers to make a careful, right and conscious selection of the case among the range of other, potential cases (i.e. Greece as a typical, Orthodox state where the church holds a powerful status in the society). Thus, it is necessary that the case study be carefully researched -something that is definitely apparent from section 2.3- and that the needed access to relevant sources of data is likely to be achievable (ibid), a criteria satisfied thanks to a large extent to the fact that the language of the national data is the mother tongue of the author (Greek). At this point, it is worth-reminding that our case-study is grounded mostly on secondary data, like monographies, academic journals. statistics etc. as mentioned in section 4.2 and that issues regarding their quality – bias are dealt with in section 4.4.

The biggest challenge that the case-study faces is the debate over its nature. For some scholars a case study is not a method per se but rather it is viewed as a tool of a broader methodology. For example, Halperin and Heath (2017:214-217) consider the case study as a form of comparative research method. This research though perceives the case study as an autonomous method and a valid research tool, as has been best argued by a prominent scholar of case-study researching Robert K. Yin (2013). Consequently, we use the case study as an empirical inquiry to investigate a phenomenon (influence of religion on politics) within its real-life context (Orthodox sphere - Greece). Furthermore, we accompany the case-study with the content analysis method, so as to amplify the study by getting a deeper analysis of the existing materials.
4.3.2 Content Analysis

The second method of data analysis is content analysis. This method implies the systematic analysis of various kinds of texts, like official - cultural - personal documents (Halperin and Heath, 2017:345). This textual analysis refers to interpreting the actors’ perceptions, attitudes and motivations embedded in the text (ibid:160-161). Content analysis can be either qualitative or quantitative, although eventually all reading of texts tends to be considered as qualitative (ibid:346). In this research, we use content analysis as a way to uncover the meanings and purposes embedded in the textual content therefore we advance its qualitative aspect (ibid:336).

A successful content analysis requires from the researcher to describe how the results of the study were obtained (Boréus and Bergström, 2017:24), by identifying what kind of documents are to be examined (e.g. original documents, reports, statistics or other written-oral materials) and how (Halperin and Heath, 2017:160, 346). It has already been argued that the main research issue is the influence of religion on the context of education. This is subdivided in church - state relations on the one hand, cases of religious freedom competence on the other. Regarding the first level, the thesis applies a content analysis into relevant articles of the CoG as well as other materials such as the Greek Educational Law. The variables we want information about in these texts are how religious liberty and other relevant to it concepts (i.e. state neutrality) are promoted and protected and what the church officials stand for regarding certain policies that affect religious education in schools. We are also looking at the Toledo Guiding Principles by OSCE to see how the teaching of religions in school ought to be. Last but not least, we examine different statistics for Greece, about religion and the ratio of religious groups.

As far as the second aspect is concerned, we are specifically interested in the protection of religious freedom on the European level. Consequently, we consider the ECHR as it was presented in section 2.2, a convention directly linked with the examination of court cases by the ECtHR about the article 9 and article 2 of the Additional Protocol I. On the ground of conflicts about religion (and education) between individuals and states, the ECtHR has taken significant decisions. All of these decisions hold big value about the status of human rights and religious liberty in the state. The content analysis of these cases attempts to illustrate how the Court upholds religious freedom, what has constituted a violation of it, how it justifies its
decisions and what this jurisprudence has to say about the situation of religious freedom in Greece. Some of the Court’s decisions provide important buffers for human rights’ protection in Europe.

4.4 Validity and Reliability

A well-standing research is one that ensures validity and reliability of its findings (Halperin and Heath, 2017:149). Validity refers to correspondence between the theory, method(s) of analysis, conclusions and the data (Pierce 2008, Halperin and Heath 2017). Validity tends to be distinguished as internal (the produced results lead to unambiguous conclusions) and external (the extent to which our findings are likely to be observed in similar situations or cases) (Halperin and Heath, 2017:149). Reliability means that the research design is consistent and repeatable, that if the research was to be done over and over again, it would produce the same results (Pierce 2008, Roselle and Spray 2016, Halperin and Heath 2017).

Debates about validity and reliability of the methodology always arise. Issues such as the use of secondary material and their quality are tackled by using data that falls within the same research topic as ours, has been used in credible published research, is relevant up to date and their purpose of collection is relevant to the purpose of our research. Respectively, the data bias is dealt with by verifying an argument with as many sources possible (a requirement for positivist research), critically reflecting that the selected data corresponds to reality. As for reliability, conducting content analysis with consistency, reproducibility, and objectivity (Halperin and Heath, 2017:354-355) is expected to act as a safeguard for reliability. When it comes to validity, the situation is more complex, since we use a single-case study.

Case studies are generally viewed as having great internal validity but perhaps losing strength on how far the findings from one case may be traced to others (Halperin and Heath, 2017:217). Could for example the conclusions about religious freedom in Greece be traced in other Orthodox countries or non-Orthodox ones? Although this question will be part of the discussion at section 5.3, still it is hard to resolve it completely. Generalizing single-case studies might even be impossible as this method is usually devoted in exploring and discussing one example out of many (Yin 2013, Halperin and Heath 2017).

Does that mean then that we are unable to make generalizations in this research? Not
necessarily. Halperin and Heath (2017:174) argue that being unable to make generalizations would be little more than an anecdote, however, they also state that generalizing does not mean that our findings apply to everyone but rather can be detected to more than one case. That being so, shifting most of the focus on one country (Greece) does not mean that we are lost. Reminding the discussion in the beginning of section 2.3 about the nature of Orthodox Christianity and what different scholars have commented about it, it is likely that similarities with Greece be found in at least other Orthodox states or even in other conservative Christian countries.

Hence, considering all the above mentioned in this last part and bringing this discussion to a closing, what is seemingly at stake here is to be as much precise and careful as possible, when analyzing our data and drafting our conclusions. A meticulous study shall guarantee validity and reliability for our research and make it legitimate. With this in mind, we move on to the fifth and perhaps most important chapter, the ‘Analysis’.
5. Analysis

As a vital part of the research, this chapter serves to present the analysis of our data. Holding in mind the two main actors (state and church), the theory of liberalism and the employed methods of case study and content analysis to discuss the data, the study proceeds with addressing the research question in the context of education. Education is a very good example of discussing the influence of religion on politics. From Aristotle to Rousseau and from Montesquieu to modern liberal thinkers, education is viewed as a fundamental part of the society, contributing to the welfare of the individuals. The right to education applies equally to all people, regardless of their religious or non-religious affiliation (Thorson Plesner, 2012:319). How the education is structured by the state though, what influence the education draws by the religious factor and what impact this influence has on religious liberty are issues to be discussed next.

To discuss the research question, the chapter is divided accordingly. The first part concerns the political debate over the subject of religions and the influence that the Greek state receives from its Orthodox church, with regards to religious education. The second part reviews cases from the ECtHR about religious freedom in Greece in the school context, as mentioned in section 1.1. Third, the study explores briefly similar issues of religious education and church state relations in other European countries, in order to argue whether what is observed in Greece can also be depicted in other occasions and to what extent. Finally, the inferences from the analysis are presented.

5.1 Religious Influence and Education in Greece

The importance of education - in transmitting the theoretical and practical knowledge to the students that promotes respect for human rights, fosters mutual understanding, tolerance and pluralism and prevents discrimination of any kind (sex, race, language, religion etc.) (UNESCO 1990, Martinez de Codes 2001)- has been underlined by many liberal authors and recognized by most of the states worldwide. When it comes to religious education though, fulfilling this aim is challenging. Despite the general consensus that religious education is an appropriate topic for inclusion in the school curriculum (Ahdar and Leigh, 2013:266) and the comprehensive framework provided by the project of ‘Toledo Guiding Principles on Teaching about Religions and Beliefs’ which elaborates how the teaching about religions in
schools can be fair, accurate, impartial, inclusive and non-doctrinal (OSCE, 2007:16,40), several concerns arise.

The general problem is how religions as a subject is structured in the school curriculum. One concern is that most educational systems have been designed in order to address the needs of relatively homogenous and monocultural societies (Pepin, 2009:52), placing thus the securing of religious pluralism under question. Also, another issue to consider is the right of parents (according to article 2 of the additional Protocol I of the ECHR) to have the final say in the religious education of their children (Martinez de Codes, 2005:22). Moreover, the question of exemption for certain pupils from the course of religions is always contested (Ahdar and Leigh, 2013:266). Finally, and perhaps the most significant challenge to take into account is the exact attitude taken by the state towards religious education.

Ahdar and Leigh (2013:266 - 270) sketch five such approaches: a) confessional, b) secularist, c) neutrality, d) civic liberalism, e) separatism. The latter three are according to the authors the most dominant models in Europe now. We present briefly each three of them. Neutrality implies that the school’s task is to present the major religions without showing any preference. Civic liberalism holds that the overall purpose of education is to develop a child’s capacity for autonomous choices as future citizens of the liberal state, therefore the school should be equally accessible for all segments of the population and detached from parental religious backgrounds. Religious lessons here are based on mutual toleration and citizenship. Finally, separatism propels a strict separation between the state and religious groups, leaving religious education to the latter and to parents outside state schools.

Why which character for its education the state upholds is a very important challenge is because these three, albeit the most dominant currently in Europe (ibid:269), none of them applies to the case of Greece. We choose to skip the secularist attitude for reasons of length and time and jump straight to the confessional approach which is adopted by the Greek state. In general, within a confessional pattern religious education has the objective to develop religious beliefs to the pupil and is often linked with the established religion of the state (ibid:266-267). Religious minorities are accommodated through specific provisions, most commonly the right to opt out from the course of religions. The question about state neutrality is usually vivid in the confessional context.
Greece is a representative example of this approach. The Greek state commits itself in its educational mission to nurture the national and religious conscience of the Greek people (CoG 2008, Karagiannis 2009). This mission draws heavy influence by the religious factor (Foundethakis, 2017:8), since the Orthodox church in Greece has generally been part and parcel of the Greek public life (Karagiannis, 2009:162). According to Stathopoulos (2008:146), the teaching of religions in Greece implies the indoctrination of the students in the Orthodox dogma as the only religious truth. This has provided breeding ground for controversy among scholars who on the one hand view the scope of education as problematic, while others tend to be less concerned about the nature and purpose of education. This debate as well as the interaction between the state and the religious factor on certain educational issues will be discussed next. First, we begin by presenting the structure of the Greek educational system.

5.1.1 The Design of Greek Public Education

The education system in Greece consists of three levels: Primary, secondary and tertiary education. Primary is divided into one or two years of kindergarten and six years of primary school. Secondary comprises two stages: Three years junior high school and three years senior high school. Tertiary refers to university education. In this framework, religious education commences during the third year of primary school and stops at the last year of the senior high school. Between primary and secondary education, religion as a course is compulsory, however, the right to opt out is provided for atheists or those believing in another religion/doctrine. Regarding the person instructing the course, the teacher must be an adherent of the same religion as the pupils (Chrysogonos, 2008:274).

The character of religious education in Greece always sparks debates around it. Most of the discussions come from the legal framework establishing the education and how each author interprets it. Article 16.2 of the Constitution defines that it is the state’s mission to foster the national and religious conscience of the Greek people. Further, article 1.1.a. of the currently into effect Educational Law 1566/1985 holds that the school should aid the students to become free, responsible and democratic citizens (....) and to harbor faith to the homeland and the genuine elements of the Orthodox Christian tradition. Based on this and other relevant principles, the Educational law attempts to illustrate the purpose of each of the

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6 A simple presentation of the Greek educational system can be found online by the Fulbright Foundation at: https://www.fulbright.gr/en/study-in-greece/the-greek-educational-system
7 Retrieved at: https://eacea.ec.europa.eu/national-policies/eurydice/content/legislation-27_en
educational scale: In the primary and junior high school level, the school should familiarize the pupils with moral, religious, national and humanitarian values and help them organize these values in a broad system of values (article 4.1.e, 5.1.a). For the senior high school there is a specific reference saying that among the school’s purposes here is to help the students realize the deeper importance of the Orthodox Christian ethos (article 6.2.b).

Sotirelis (1998:37-38) notes that both the primary and junior high school’s provisions are neutral. For the senior high school things get more complicated as there is this special reference to the Orthodox Christian ethos that cultivates an emotional character to this provision (ibid:39). One could say that this seems to go against the principle of neutrality. Alternatively, a closer look to the phrase “realize the deeper importance of the Orthodox Christian ethos” may just simply imply to delve into the study object rather than fully embrace the Orthodox religion.

5.1.2 The Debate over the Subject of Religions

A burning issue to also review is religions as a school subject. Combining articles 16.2 and 3.1 of the Constitution, the main goal of the course is to cultivate to the students the necessary knowledge about the Orthodox Christian religion (CoG 2008). This does not mean though that other religions are excluded, as students get to know other world known religions such as Buddhism, Judaism, Islam or other forms of Christianity like Roman Catholicism and Protestantism. And of course there is always the possibility to opt out if some students or their parents wish too. It is also important to mention that there is a special provision according to article 14.17 of the Educational Law, where Roman Catholic and Protestant students can be instructed in a special, confessional, religious course. Students belonging to another religion cannot be taught this special course, except for the Greek Muslim minority students in Thrace.

The nature and pursued aims of the subject have caused split opinion among the authors. Two main sides are distinguished. On the one hand, those supporting the confessional character of the course, considering article 3 of the CoG about the dominant religion in Greece as well as article 16.2 about the development of national and religious conscience of the students as the overall purpose of education (Yangazoglou, 2009:2). Their arguments vary. One view holds that since religious freedom is guaranteed both at the European (Article 9 of the ECHR) and the national level (Article 13.1 of the CoG), that reality compels the course to revolve around
all the world main religions and doctrines and even theories of atheism (Chrysogonos, 2008:276), therefore religious pluralism in the teaching of religions is secured. Also the right to opt out is deeply highlighted, as this does not have any negative effect on the student (Mitralexis, 2018:17).

In addition, there are those arguing that orienting the teaching of religions more towards the orthodox doctrine and less towards other religions and doctrines is not necessarily negative. They invoke both the claim that Orthodoxy constitutes a compositional part of the Greek nation and the large homogeneity of the Orthodox Greek people (Yangazoglou, 2009:2). Indeed, from different statistics, it is observed that the vast majority of the Greek people (more than ⅘) belongs to the Orthodox Christian doctrine. Then this numerical fact is connected with article 2 of Additional Protocol I of the ECHR and article 18 of the ICCPR about the right of parents to educate their children according to their own religious convictions. Since this right is guaranteed and the large majority of the Greek people are Orthodox, they argue they have the right to proclaim that the state ensure that the teaching of religions emphasizes more on the Orthodox Christian faith.

In reverse, those who criticize the character of education hold a different view. Through the educational law 1566/1986 and relevant to it legislation, they claim that the character of the course is confessional - monophonic, aiming at transmitting the students the truths of the Orthodox Christian faith as the only true religion (Chrysogonos, 2008:275). As the aforementioned statistics indicate that Orthodoxy has the highest rate of believers in Greece, one source to ground their argument is the obvious strength of the Orthodox religion in Greece as a reason why the subject of religions is adjusted accordingly. For them, in a pluralist and democratic school that promotes respect for religious and cultural distinctiveness, the solution lies in the replacement of the current confessional, monophonic, unilateral course with a subject that contains the history and doctrines of all religions, without showing bias to any religion or doctrine (Mallios 2018). In this way, the pupils can be informed about all religious perspectives.

5.1.3 Church - State Relations on Education: A Relevant Example

The discussion about the educational character of the Greek public school reveals the strong impact of religion and is included in the overall issue of church - state relations. As it was

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8 CIA World Factbook, ARDA, World Data
pointed out in section 2.3, the ChoG generally holds a privileged position within society and that can be extracted from many sources (Mallios 2018). Some good examples are the projection of its symbols and images in the classrooms (Ahdar and Leigh, 2013:266) and the article 3 of the CoG which inevitably establishes the ChoG as the most powerful one in the country (Foundethakis, 2017:8). The confessional character of the subject of religions is strongly favored by the ChoG which presses for an as much monophonic character as possible, as a way to secure and increase its number of adherents (Yangazoglou, 2009:3). This vision is also supplemented by the right provided to the ChoG by the state that clergymen can be appointed as teachers of religions in the public schools (Dimoulis, 1999:124).

As shown previously, the great majority of Greek citizens profess the Orthodox faith. This fact, in conjunction with the wide acceptance of the official church by the Greek society, in spite of the former’s often intolerant attitudes, has led to an interweaving of state–society–church which is more or less taken for granted (Foundethakis, 1999:240). Hence, the Greek authorities have adopted a cautious approach of avoidance of tensions with the official Church, because of the latter’s influential position in the society (ibid:241). As we argued towards the end of section 2.3, sometimes necessities lead to a conflict of interests between the state and the church. In these rare moments, the outcome is unpredictable. It can be that the government’s position prevails, as that was the case with the ‘Identity Cards’ issue. In other occasions however, as the following recent example related to the course of religions illustrates, the Church’s strong status is reaffirmed.

In 2016, the former Minister of Education Nikos Filis announced some changes concerning the course of religions that would introduce a non-confessional teaching (Mitralexis, 2018:5). In August 2016, those changes were published and immediately the Archbishop Ieronymos reacted to this plan, indicating his and the Church’s strong opposition and requesting an open dialogue with the government. It was that keen the Church’s lobbying towards the government that eventually in 2018 the Council of State deemed those changes as unconstitutional9. For the storyline, Filis was later dismissed from the government’s reshaping by the (then) Prime Minister Tsipras in 2018.

5.2 Religious Freedom and Education: The ECtHR’s Jurisdiction on Selective Cases

In the previous part, we focused on the church - state relations in the context of education and the debate about religious education in the Greek public school. This second part remains in education and touches upon religious freedom. We will explore the nature of religious freedom in the Greek legal order and then discuss the status of religious freedom in the contemporary Greek society. At the end, we complete this part by reviewing selective cases examined by the ECtHR regarding potential violations of the ECHR in education in Greece to highlight that religion can always be a principal cause of dispute between states and individuals and support the argument that religion matters significantly in politics.

5.2.1 Freedom of Religion in the Greek Legal Framework

Defending religious liberty is by nature a complex issue. “Precisely because religion, any religion, has, by definition, absolute demands, religious freedom is an unerring touchstone for the degree of freedom of a state” (Foundethakis, 1999:275). A democratic state expects all religions to respect the religious freedom of others and at the same time the state itself is obliged to maintain this pluralism in order for all its citizens to be treated as equals, regardless of their religious convictions (Stathopoulos, 2008:142). According to Sotirelis (1999:21), in Greece, one of the most significant problems that the state always struggles with is undoubtedly the protection of religious freedom in all its forms.

The foremost source that informs us about the protection of religious liberty in Greece is the Constitution. Article 13.1 of the CoG safeguards the inviolable of religious freedom (CoG 2008, Chrysogonos 2008). It holds: “Freedom of religious conscience is inviolable. The enjoyment of civil rights and liberties does not depend on the individual’s religious beliefs” (CoG 2008). This phrase implies that every individual is allowed to advocate his religion and change it whenever, to proclaim and transmit his religious beliefs or never reveal them (Chrysogonos, 2008:270). Stathopoulos (1999:203-204) supports that “the freedom of religious conscience is a form of the most personal and most internal freedom of humans, the freedom of conscience. Freedom of conscience is inalienable from our hypostasis and it is a freedom that does not or should not bother the others as it has to do with us only”. This is very important for the state, as it is expected not to hinder the development of the personality and to provide the necessary means for the free development of it.
Interconnected with 13.1 is the next paragraph of the article (13.2) which defines that “all known religions shall be free and their rites of worship shall be performed unhindered and under the protection of the law. The practice of rites of worship is not allowed to offend public order or the good usages. Proselytism is prohibited” (CoG 2008). The term ‘known’ refers to any religion in the country that operates with obvious doctrines, worship, organization and purposes. It does not have to be known to the authorities nor does it require any approval from the church, something that used to be the case in the past and for that reason Greece was deemed to violate the ECHR (Ferrari, 2008:107), when four Jehovah Witnesses who were exercising their faith in a ‘house of worship’ without permission from the church and the Ministry of Religions and were arrested by the Greek authorities, appealed to the ECtHR. By principle, every religion is considered to be known unless if it is found by the authorities to violate public order or to proselytize.

5.2.2 Views on Religious Freedom in the Greek Society

Even though religious freedom seems to be well secured in the Constitution, grave concerns regarding respect towards it emerge (Dimoulis 1999, Chrysogonos 2008). The main obstacle that the achievement of a catholic protection of religious freedom for all Greek citizens encounters is the article 3 of the Constitution which as it was depicted in the previous part proclaims Orthodoxy as the dominant religion in Greece (Mallios 2018). Some authors interpret this specific clause as just an ascertainment of the numerical dominance of the Orthodox population in the country (ibid). Indeed as we saw in part 5.1 of the research, there are official statistics that do confirm this percentage.

Nevertheless, other scholars believe that proclaiming Orthodoxy as the main religion is the natural continuation of the tight relations between the state and the church, an actuality that leads to a lack of respect from the state towards religious minorities and thus indicates a sign of divergence from the liberal democratic tradition (Stathopoulos 1999, Sotirelis 1999, Foundethakis 2017). So it seems that “the rationale for restricting religious freedom by the Greek state is that such freedom threatens and erodes the Greco-Christian (Orthodox) foundations of the Greek state” (Pollis, 1993:350). This in practice has caused numerous incidents of discrimination or other legal and administrative restrictions against the non-Orthodox citizens, such as Protestants and Jehovah’s Witnesses (ibid:349). In a 2014

10 see Manoussakis and Others v Greece, no. 18748/91 ECHR 1999-II
measurement led by the ‘Religion and State Project’, it was found that Greece scores the highest rate of state religious minority discrimination in Southern Europe11.

5.2.3 Selective Cases: *Valsamis and Efstratiou v Greece*

Restrictions on the exercise of religious freedom violate the ECHR and the underlying values of the European Community and charges have been brought against Greece before the ECtHR (Pollis, 1993:350). In this section, we examine two cases concerning religious freedom and education in Greece which in our opinion are representative of the previous observances in respect of how religious education is delivered for the pupils, what relevant rights the students are granted and why conflicts arise.

With regards to the first case12, the three applicants were Jehovah’s Witnesses. Elias and Maria Valsamis are the parents of Victoria, who was a pupil of junior high school in Athens. According to their religion, pacifism is a fundamental tenet and forbids any practice associated with war or violence, even indirectly. On September 20 1992, they submitted a written declaration in order that their daughter Victoria be exempted from attending religious-education lessons and any other event that was contrary to her religious beliefs, including national-holiday celebrations and public processions. Victoria was given the right to opt out, so she was exempted from attendance at religious-education lessons.

In October 1992, however, she, in common with the other students at her school, was asked to take part in the celebration of the National Day on 28 October, when the outbreak of war between Greece and Fascist Italy on 28 October 1940 is commemorated with school and military parades. Victoria informed the headmaster that her religious beliefs forbade her joining in the commemoration of a war by taking part in the school parade. According to the applicants, the school authorities refused to accept her statement, so they decided that their daughter should not attend the parade. As a result, on 29 October 1992 the headmaster of the school punished Victoria for her failure to attend with one day’s suspension from school. In response, on April 1993 the applicants applied to the ECtHR.

A similar story was repeated again13 one year later where the three applicants were also Jehovah’s Witnesses. Petros and Anastassia Efstratiou were the parents of Sophia, who was

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12 see Valsamis v Greece, no. 21787/93 ECHR 1999-II
13 see Efstratiou v Greece, no. 24095/94 ECHR 1999-II
also a pupil at the same school level as Victoria Valsami but in another city, Komotini. Like Victoria, Sophia was exempted from attendance at religious-education lessons. Sophia also invoked her religious beliefs in order not to attend the same school parade like Victoria but in her case the punishment was higher, as Sophia was suspended from the school for three days. Like Valsami, the Efstratiou family appealed also to the ECtHR, on April 1994.

Since the applicants of both cases made the same claims before the Court and the Court delivered the same decision for both cases, we shall examine these proceedings as one. **First**, the applicants alleged that they were the victims of a breach of article 2 of additional protocol 1 of the ECHR, because they considered that this article prohibited requiring their daughter to participate in events extolling patriotic ideals to which they did not subscribe. The Government’s response was that the parade had no military overtone and that the pupils’ inclusion to school parade was part of the state’s broader educational mission, as noted at the end of section 5.1. **Second**, they asserted that article 9 of the ECHR guaranteed their right to not manifest, by gestures of support, any convictions or opinions contrary to their own. They disputed both the necessity and the proportionality of the interference, regarding the seriousness of the penalty, which stigmatized and marginalized them. Here, the Greek State held that Article 9 protected only aspects of religious practice in a generally recognized form that were strictly a matter of conscience. The state supported that it was not under an obligation to take positive measures to adapt its activities to the various manifestations of its citizens’ religious beliefs.

**Third** the applicants alleged, without giving any particular examples, that their suspension from school was contrary to Article 3 of the Convention. The Government did not express any view. **Fourth**, they complained of a breach of article 13 of the Convention that no effective remedy was available to them for submitting their complaints and having the disciplinary penalty set aside. The Government accepted that it was not possible to apply to the Supreme Administrative Court to have the disciplinary measure - which was purely educational - set aside. It held however that the applicants could avail themselves of those provided by article 57 of the Civil Code, for infringement of personal rights and section 105 of the Introductory Law to the Civil Code, for compensation for damage sustained as a result of an unlawful act by a public authority. The protection guaranteed by the courts therefore satisfied the requirements of article 13.
Considering the argumentations made by both sides, the ECtHR finally delivered its decision on December 18, 1996. By seven votes to two the Court found no violation of article 9 and article 2 of the additional protocol 1. It observed that the applicants had been exempted from religious educations as requested, therefore their religious freedom was not violated (ECtHR, 2018:26). As regards the compulsory participation in the school parade, the Court held that neither the purpose of the parade nor the arrangements for it could have offended either girl’s pacifist convictions, and that such commemorations of national events served, in their way, in celebrating peace rather than war (Ahdar and Leigh 2013, ECtHR 2018). Additionally, the Court considered the duration of the suspensions as too low to constitute a violation of article 3 of the Convention. It did note however that the applicants did not have an effective remedy before a national authority in order to raise the complaints they later submitted at Strasbourg, consequently there had been a breach of Article 13 of the Convention taken together with Article 2 of Protocol No. 1 and Article 9 of the Convention. For that reason it held that the Greek state was to pay 600,000 drachmas as compensation to the applicants.

In our view, these two cases reflect the general discussion about the advancement of religious freedom in Greece. Some tend to overlook the specific parameters of the cases and focus only on the conviction of the state to argue that religious freedom in Greece in the context of education and generally is in low levels. The truth is that the two cases are only just a small example of the many cases brought before the ECtHR in most of which Greece has been convicted, a fact that can confirm the lack of respect towards religious freedom. Others however could adopt another view, the one that despite the negative aspects, the state always struggles to overcome its side effects on human rights. This reality can be confirmed by the fact that the ECtHR in its judgement recognized Greece complying with articles 3, 9 and 2 of the Additional Protocol 1 separately.

5.3 A European Glance: Exploring Patterns of Church - State Relations and Educational Systems

So far we have discussed how religious education is provided in Greece and what role the church and the state play in that context. It was also attempted to designate the impact of religion on human rights, by reviewing selective cases from the ECtHR on religious freedom and education. In this part, we try to expand our research by exploring existing church - state relations and educational systems in other European countries. In our view, Europe is a
setting where the distinction between the religious and the political element can be realized variously. Not all states are similar to each other. In some secularism is advancing while other understand the choice to cooperate with one or more religions as liberal. The form of religious education varies too. Some countries adopt a confessional or non-confessional, compulsory or optional.

In Orthodox Christianity, the symphony between the state and the national church seems a general trend (Pollis, 1993:340). In this context, religious education -with the exception of Russia- adopts a confessional, compulsory character with the possibility of exemption (Mitarexis, 2018:13). In Bulgaria, religions is offered as a ‘mandatory-optional’ or a ‘free-choice optional’ discipline in all public schools, with the teaching mostly revolving around the Orthodox Christianity (ibid). In Romania, the subject, predominantly Orthodox, is an integral part of the compulsory curriculum, where students are able to opt out, but there is no alternative subject (Pepin, 2009:32). Like Greece, the only acceptable religious symbols in schools are those of the Orthodox religion (ibid:33) sparking here too discussions about secularism and state neutrality.

In Russia, a brand new subject on religious education was introduced in 2013 (Blinkova and Vermeer, 2018:194). It is interesting to note that this subject is a product of a compromise between the Russian Orthodox Church which after the fall of communism regained its power and aimed for a course devoted to the history of Orthodox Christianity and the Russian state which wanted to guarantee the secular and non-confessional character of the course (ibid:195). This historical agreement generated a compulsory subject for fourth and fifth grade pupils (9–11 years old), called ‘Fundamentals of Religious Cultures and Secular Ethics’. It consists of six optional modules from which parents have to choose only one for their children to attend. Four of the modules are for each of the traditional religions that have contributed to the development of the Russian state (Orthodox Christianity, Buddhism, Judaism, Islam), the fifth module is on world religions and the last is a secular module on ethics (ibid).

In Western European countries, where Catholicism and Protestantism prevail, the co-existence of the state with the church can be classified in various ways, based on the degree of involvement of the state in the internal administration of the official church or the involvement of the church in the political, economic and social life of a country by virtue of
specific regulations (Foundethakis, 2017:2). There are states with an established church (England), states with quasi separation (Germany, Italy, Spain, Sweden, Ireland, Poland) and states following a complete separation with the church (France, Portugal, Belgium, Holland) (ibid). Respectively, religious education in this framework takes various forms; it can be non-confessional (England, Sweden), confessional - optional (Spain, Italy, Holland), confessional - compulsory, but with the possibility of exemption from the course (Germany, Ireland) or teaching general matters on religion (France) (Mitarexis, 2018:11).

After hard-fought combats and religious fanaticism, England is a special case for both aspects. First, conflicts between Roman Catholics and the Protestant reformers led to the creation of the Church of England with the King as the Head of it. The status of the Church of England is determined by two factors: Holding privileges that are denied to other faiths, but also receiving external control by the Parliament and the monarch (Ferrari, 2001:55). A major privilege of the Church is the presence of most senior Anglican bishops in the House of Lords (Foundethakis, 1999:235-236). Second, English religious education is mapped out with the participation of many religious communities, something that illustrates the link of the education with the religious diversity of the country (Mitarexis, 2018:14). Though, Mitarexis reminds us that in spite of being open to religious diversity, the education still focuses more on the culture of Christian religion (ibid).

In Italy and Spain there is no official religion. All religious groups (or at least those that are larger in number or have been active in the country for a long time) are better regulated through bilateral provisions (Ferrari, 2001:55). Religious education in both countries is confessional (in Italy it is designed by the Catholic Church) but it is up to the pupils to select taking the course or not (Mitarexis, 2018:14). After 2011, with the decision of the ECtHR on the ‘Lautsi case’, the debate over the neutral character of the Italian state on education was reheated.

The situation in Sweden is both similar and very different to Greece. The Lutheran Reformation was officially established in the 1520s with the cooperation of theologians, clergy and the urban populace (Philpott, 2000:238). Like Greece, the Church played a catalyst role in the history and independence of the state something that is always recognized by the state (Sotirelis, 1999:69). However, the Swedish state has managed to regulate in many issues a lot better than Greece. The protection of religious freedom is better in Sweden
In 2000, the Lutheran Church was disestablished as the state’s official church (Modood 2012, Foundethakis 2017) something that with the ChoG is unlikely to happen. Finally, Swedish religious education is the public school is provided non confessionally and results from the critical and neutral stance of the state on educational matters (Mitralexis, 2018:13).

France follows a unique model of absolute church - state separation where the secularism of the state (laïcité) is constitutionally proclaimed (Ferrari, 2001:55). The French state remains loyal to the principle of neutrality and in the example of religious education in public school, no specific course exists. On the contrary, the pupils are instructed general facts on religion through other -relevant to religions- subjects, such as history, geography, literature, linguistics etc. (Mitralexis, 2018:14).

The discussion could be extended more with the inclusion of examples from the post-communist Eastern Europe. However, considering our limitations, we believe it is better to stop here. In general, we mention that the Church in these countries experienced traumatic episodes, especially during the Stalinist period (Foundethakis, 2017:4). Their diversity fits our categorization where the Eastern Orthodox states experience a re-emergence of religion in the public space while others seem to move towards a separation (ibid).

In conclusion of section 5.3, a great diversity of how religious education is instructed in the European, public school is observed. Across Europe, different models of teaching about religions -from confessional to non-confessional ones- are used and that indicates both similarities and differences with the Greek case. One big similarity is that the debate over the design and content of religious education is part of the larger concept of church-state relations where even in other Orthodox or Western European countries the way religion education is offered reflects the place of the church in the society. In reverse, there are also occasions where the state abides by a complete neutral and secular stance. That can either take the form of strict separation (France) or less strict where both sides remain satisfied (e.g. Sweden) and where phenomena such as religious freedom violations in the public school hardly occur.
5.4 Inferences

Taking into careful consideration all the aforementioned, we now display our inferences. It has become apparent that religions and beliefs are important forces in the lives of individuals and communities and therefore have great significance for society as a whole (OSCE, 2007:19). To what extent a liberal state succeeds its mission in accommodating all the different religions is certainly a big discussion, especially in the case of Greece. While firmly committed to this state model, Greece's historical and cultural legacies make the incorporation of fundamental European norms an agonizing enterprise (Pollis, 1993:355).

Government restriction and regulation of minority religions is often a sign of the dominant religion’s influence in a state (Fox, 2006:538). The model of established church in the CoG and the increasing influence of the ChoG in the society are the main reasons why Greece presents large deviations from the liberal tradition (Foundethakis, 2017:8). Religion is once again back into play and it is our view that the initiation of a European era that could be characterized as ‘post-secular’ might be underway. In this study, we draw this point through the example of church-state relations in education and how religious education is designed. As it was depicted in section 5.3, we can see the presence of the religious element in the political sphere of many European countries. In this sense, we must be very careful with our theoretical assumptions because if secularism is viewed as an ideal concept, then post-secularism can reasonably be seen as a hostile agent.

We believe that a post secular society could be a positive advancement only in the form of cooperation between the state and the church and other religious groups. Thus, we can dream of a society that is open, liberal and pluralistic and where state neutrality would imply that all religions are treated equally by the state. Unfortunately, the current subsidence of progressive ideas in the Greek society and political system do not grant large optimism for such cooperation to arise but that is also the greatest challenge (Skotiniotis 2016). To overcome this challenge, some vital reformations are needed. Starting from the Constitution, the proclamation of Orthodoxy as ‘dominant’ religion in Greece should be abolished (ibid). Even if we accept the symbolism behind it, it is more appropriate that the Constitution recognize rather than proclaim the role that the Church has played in the development of the nation.
Second, a dynamic regulation in the field of education is vital. Most of Christian parents believe they have a God-given mandate to raise their children in ‘the way they should go’, rejecting any liberal-neutral doctrinaire (Ahdar and Leigh, 2013:249). Our response to that is a liberal education that prepares children for lives of rational autonomy, so that individuals be trained into habits of critical reflection and upon adulthood they shall be enabled to choose from the widely possible varieties of conceptions of good (ibid:244). The aim of school education is to train thinking individuals who will be knowledgeable of their roots but also capable of respecting the cultural pluralism, religious beliefs and spiritual values (Martinez de Codes, 2005:25). Understanding these convictions is necessary if people are to understand one another in our diverse societies and build a world that is more egalitarian (OSCE, 2007:19).

Teaching about religions and other convictions, together with the broader objective of intercultural and citizenship education should play a catalyst role in cultivating tolerance and justice (Pepin, 2009:10). As Foundethakis (1999:272) observed and with that we conclude this chapter: ‘Tolerance, as a vehicle to approach Christian faith and love, was the central idea of a message of Pope John Paul II in 1994’: “Unfortunately we are still witnessing attempts to impose a particular religious idea on others either directly by proselytism which relies on means which are truly coercive or indirectly by the denial of certain political or civil rights ... Freedom of conscience ... does not lead to intolerance but to tolerance and reconciliation. This tolerance is meant to be transformed into a positive commitment to ensuring freedom and peace for all”.
6. Conclusion

To sum up, it becomes clear that religion is now a major player in politics (Gill, 2001:135). The return of religion has been expressed by various authors from a multidisciplinary field that includes philosophers, sociologists, historians, scholars of development, post-colonial studies and even non-academic persons, such as journalist and religious leaders (Kubalkova 2013).

Specifically, we tried to discuss the re-emergence and influence of religion on European politics with the example of education: We applied a case study of Greece where we depicted the political debate over the subject of religions, the church state relations on education and then we discussed the status of religious freedom in the Greek legal order -with the method of content analysis- and society. Next, we used this method to review selective cases of religious freedom competence brought before the ECtHR to note that religion can be a cause of conflict between states and individuals and support further the argument that religion matters in politics.

We proceeded with presenting church - state patterns in other European states and how religious education is provided in these contexts. This step was in our opinion specifically important for global politics as we extracted fruitful conclusions, such as the fact that in Orthodox Christianity, the fusion between the state and the national church seems a general trait while in Western Europe different models of church - state relations and religious teaching are observed. That reality led us to further contribute to the global politics discussion by arguing that a conversion to a post - secular epoch in Europe is currently perhaps underway. In our opinion, this could be a positive change provided that cooperation between religious institutions and the state is guaranteed, under the prism of open pluralistic societies where the individuals will have the relevant educational background and will be capable of understanding each other, respecting human rights and thus living peacefully.
7. Further Discussion

Researching a topic within a specific time and length frame can be positive because it tests our ability to distinguish the most important points to be included in the study but also less positive as certain issues might be excluded or not tackled extensively. This research is certainly no exemption to this rule, nevertheless, we firmly believe that it has been conducted in an adequate way. To finish up, as Gill (2001:135) points out: “Scholars are now developing the foundations that will make it possible to test empirically a variety of hypotheses related to religious political behavior. Given the central role that religion plays, the investigation of this topic promises to yield substantial benefits to political science”.
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