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**Clergy Wages in Greece—and their  
Correlation to Church Assets:  
Overview, Facts, and Proposals  
for Future Developments**

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# **Clergy Wages in Greece—and their Correlation to Church Assets: Overview, Facts, and Proposals for Future Developments**

## **Executive Summary**

The issue of church-state relations in Greece and of an eventual fuller separation of church and state resurfaces regularly in Greece's public discourse; every time this is the case, the issue of clergy wages, which are currently provided by the state i.e. the public sector, is raised as a focal point in this discussion. In spite of the subject's eminent position in the public sphere, concrete facts concerning its details and their complexity emerge rather rarely, if at all. This working paper attempts to remedy this by providing the existing framework, its history and development, as well as an overview of the legal archipelago on which it stands and of its correlation with the equally issue of church assets. Finally, two different proposals concerning possible future developments on the subject are provided.

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## **Introduction**

Recently, particularly towards the end of 2016 and due to a minor government crisis concerning a course in religion in secondary education, there has been much discussion in Greece's public discourse concerning issues arising from the relations between church and state, which is only expected to intensify in the face of planned constitutional reforms, with the possibility of a more comprehensive discussion of church and state relations on the table. The issue of clergy wages, which are currently provided by the state i.e. the public sector, is habitually raised as a critical point in every discussion of changes in Greece's church-state relations. In spite of the subject's eminent position in the public sphere, concrete facts concerning its details and their complexity emerge rather rarely, if at all. This working paper<sup>1</sup> attempts to remedy this by providing the existing framework, its history and development, as well as an overview of the legal archipelago on which it stands and of its correlation with the equally issue of church assets. Finally, two different proposals concerning possible future developments on the subject are provided.

A remarkable aspect of the discussion so far is that church authorities have been reluctant to take the initiative in offering suggestions, thereby allowing those it conceives as threatening its best interests space for manoeuvre, despite the coming attempts at substantial reform. This decade-long inertia of the church authorities when it comes to public discussion regarding church-state relations or even their possible separation, creates a series of problems which the church hierarchy fails to recognise – assuming that nothing will ever change no matter which party ends up being in government.

We do not know whether the present government, or the one to succeed, it will proceed to make profoundly radical changes to church-state relations as they now stand. What we do know is that, when these issues are finally discussed, given the poor presence of any well-founded

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<sup>1</sup> I am very grateful to Ioannis Peditis for translating this working paper from Greek to English.

counterargument to the prevailing disinformation discourse,<sup>2</sup> they will be discussed on the terms dictated by that discourse. In other words, when the issue of “separation”<sup>3</sup> is finally broached, it will be positioned in extreme terms in the absence of any preparation on the part of the church authorities.

Before embarking on a study of the issue at hand, hinting at sources that can prove enlightening as far as the context of the wider issue of church-state relations is concerned would be helpful. On the political-ideological relationship of church and state since the very inception of the latter, particularly concerning the tumultuous *foundation*<sup>4</sup> of the Greek autocephalous church after the establishment of the state and the imbalances that subsequently emerged, the reader may consult (Mitralexis, 2017) and (Mitralexis, 2015) as a whole. The latter also includes a concise summary of

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<sup>2</sup> As a basic example: the phrase “not to be seen anywhere else in Europe” usually means that exactly that or something similar happens in the larger part of the European Union, as opposed to the ones where it does not; e.g. regarding the case whether religion is taught in schools, which we examined in a previous study.

<sup>3</sup> This could be the object of a separate study, how the idea of church and state separation in Greece can mean almost everything, from really insignificant changes not noticeable in practice to particularly violent reclassifications which do not take place elsewhere in the European Union, depending on how the issue is presented by each speaker. It is, in other words, more a case of rhetorical fireworks when the phrase is not followed by the enumeration of specific actions that this separation would entail in the speaker's interpretation.

<sup>4</sup> A note for future inquiries on *symphonia* and *synallelia*: it is presented as a self-evident given in every discussion on church-state relations in Orthodox countries and not only Greece that these relations usually have some sort of continuity with the *symphonia* and *synallelia* system between church and state during the Byzantine empire: the consensus on this is almost unequivocal. I do wonder, however, whether upon closer scrutiny this would appear to be less accurate. In my continuing research on the matter of Greek church-state relations, I have come to understand that the church-state relations model as it emerged after the founding of the Modern Greek state and Greece's unilateral ecclesiastical autocephaly is quite modern and much more based on the church-state relations in Bavaria at the time (the underage king and his regents coming from Bavaria) rather than on some Byzantine heritage—and I was surprised to find in my interviewing that some Metropolitan bishops with an expertise on this subject share the same opinion. At the same time, both church and state are overjoyed to claim this Byzantine heritage and to state that Greece's church-state balance originates in the *symphonia* system—a view then shared by modernizing forces who can then point to Byzantium as the historical source of problems and discontent. (I do not possess sufficient overview of what happens in countries other than Greece.) It seems to me that the scholarly community has then picked up this self-fulfilling prophecy of both church and state and set it as the received wisdom on the matter for many decades now, but I do wonder whether this historical continuity and Byzantine legacy on church-state relations, particularly in Greece, is indeed accurate—and a legal perspective would be of much assistance here.

the economic dimensions of church-state relations in EU countries including models of taxation, and a juxtaposition with the situation in Greece (Chrysogelos, 2014). On the constitutional and legal standing of religions in EU countries, see (Papageorgiou K., 2017); on certain clarifications concerning the church's legal standing in Greece, see (Papageorgiou Th., 2017).

Of invaluable importance in exploring the issue of church-state relations in Greece is taking into careful account the details of the European Court of Human Rights judgment for the “Case of the Holy Monasteries v. Greece” (European Court of Human Rights, 1994). The PASOK government of 1987 under Minister Antonis Tritsis attempted, using an elaborate rationale based on earlier opinions by legal expert and professor Georgios Koumandos and others, to create legislation that would result in the transfer of church assets to the Greek state, without proper reimbursement. Eight monasteries brought this to the European Court of Human Rights, winning the case. It is crucial to note that, after the ECHR judgment of 1994 and its details in particular, the legal rationale employed by the 1987 PASOK government before, during and after that crisis, obsolete as it now is, cannot be considered in contemporary debates as valid. The rationale of the European Court of Human Rights supersedes it. Another discourse that, interestingly, emerges with considerable frequency dictates that church assets should not belong to the church, since these were acquired by the church during Ottoman times, indirectly as assets of *the Greeks*, not the church, or due to church privileges (on the opposite being the case, see Fotic, 1994). However, this requires a premise that is contrary to reality, i.e. that there were ecclesial legal entities respected by Ottoman law. Churches and monasteries were not legal entities, as there were no legal entities under Ottoman law in general (Supreme Court/Άρειος Πάγος 1929/2007); thus, assets that in reality belonged to a parish or monastery etc., had to circulate between persons, parishioners or monks, as their personal assets, which were returned to the by now existing ecclesial legal entities *after* the Greek War of Independence (cf. the report/memorandum of law 3800/1957, KNoB 1957, 698). Papachristou, 2015 sets the record straight on these issues, and a summary can be found in Papageorgiou Th., 2017, 21–24.

While we shall indeed explain the situation regarding clergy salaries, it will also be worth providing short introduction to the issue, in order to reveal the abundance of disinformation both on the part of those of an anticlerical bent, as it were, and those wishing to defend the status quo. The former do not realise that the clergy salaries framework of the clergy was until recently de facto related to the taxation of parish revenues (indirectly, however, and also related to the mandatory and uncompensated eventual expropriation of 96% of the church's assets), while the latter will allege that the clergy salaries framework and its proportion to the aforementioned "expropriation" is legally recognised by the state. We often come across, online or in print, mentions of the "*Contract on the Acquisition of Church Assets by the State Towards the Restoration of the Landless*" (18/9/1952) as proof. However, reading the contract in question proves that it does not contain a single reference to the clergy salaries framework. Consequently, this document does not constitute a contractual obligation regarding salary payments but rather the imposed uncompensated removal of church assets. We can, therefore, assert that, on one hand, despite a persistent lack of awareness of the specifics on this issue in the anticlerical camp, as it were, there are also continuous attempts at disinformation and insufficient information spread among the pro-ecclesial "opposition" in order for it to be able to counter those claims.

In short:

a) The main permanent but rather general commitment of a state legal institution that carries constitutional status and which is often cited as relevant to the issue of the clergy salaries framework of the clergy is the Eleventh Resolution of the Fourth National Assembly of 1829 (Arheia Ethnikis Palingenesias, 1973, pp. 190-91), in which it is stated that the State will take over church assets – as was the case, gradually, for the first two centuries of the existence of the new nation – and that part of its will be go towards the "betterment of the priesthood" and the education of the young. This rather broad statement does not expressly seem to refer to the salary of the clergy (who did not receive payment then), but it does cover any form of state aid

towards the material or educational improvement of the clergy.<sup>5</sup> This constituted a commitment by the state,<sup>6</sup> for the purposes of general interests, which would be fulfilled by the acquisition of church (monastic) assets by the State. This general clause of the National Assembly was reproduced as binding directive in State Circulars<sup>7</sup> as well as in the Royal Decree of 13.12.1834 (article 10), which created the “Ecclesiastical Fund” for the management of the expropriated assets of the dissolved monasteries.<sup>8</sup> These assets have been said to equal 25% or 30% of the lands that comprised the Hellenic Territories at the time, however there is no detailed cadastral data to support that (Maurer, 1976, p. 516; Patrinelis, 2000, p. 143).<sup>9</sup> Despite the claim by the Holy Synod (Circular, 12/10/1833) that the “Ecclesiastical Fund” would “*provide the salaries of the bishops and the rest of the clergy*”, state contribution to the salaries of the clergy only began on 1/10/1945.<sup>10</sup>

b) Law 536/1945 (FEK [Government Gazette] A' 226/1945) forbade the payment of clergymen by their parishioners in kind,<sup>11</sup> it provided for the

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<sup>5</sup> The only express commitment is contained in what has been called the 1832 Constitution (i.e. the *Hegemonicon* Constitution of the Fifth National Assembly), which never materialized: that “the legislative power ... will likewise appoint a number of bishops and priests that are necessary on Greek Territory and secure their subsistence” (Chapter II§1 On Religion, par. 8).

<sup>6</sup> This was a legal commitment by the state itself, but not “a contract between church-state for the payroll of the clergy (the church was not a legal entity in 1829 and the dioceses were came under the direct control of the Ecumenical Patriarchate).

<sup>7</sup> Circulars of 8/10/1829 and 18/12/1829 by Governor I. Kapodistrias, 9/10/1829 by the minister of Religion N. Chrysogelos (Oikonomos, 1864, pp. 59, 62–63, 66).

<sup>8</sup> This state legal entity (FEK 41/1834) was established in order manage the property of the monasteries, which had been disbanded and expropriated by the Regency with its royal decrees of 25/9/1833 and 25/2/ 1834. The dissolutions of monasteries during the years 1833-34 are estimated to have been 416 (Kottaras, 1951, p. 26), 412 (Mamoukas, 1859, p. 148; Kokkinis, 1999, p. 240) or 313 (Tombros, 2001, p. 12).

<sup>9</sup> In 1833 the Greek State consisted of Continental Greece until the line between the Amvrakikos and Pagasitikos gulfs, Euboea, the Sporades, the Peloponnese and the Cyclades and covered 47.516 sq km.

<sup>10</sup> Sixty years after the first expropriation of monastery property the minister for religion and public education was still calling on the Metropolitan bishops to aid him “with his information on the matter of identifying funds for the salary of clergymen” (Circular 21257/11.11.1895; Holy Synod of the Church of Greece, 1901, p. 276).

<sup>11</sup> “More than 1.800 priests were being paid in kind directly by the parishioners. The present state of affairs under this old custom is abolished ... ending thus a tradition that is not that different from beggary” (Circular by the Ministry of Finance 95/17.9.1945).

creation of a special account for the payment of the clergy («Κεφάλαιον προς πληρωμήν μισθού εφημεριακού κλήρου»), and established 6000 positions for clergymen in the whole of the country – which included, besides the Church of Greece, the Church of Crete and, later, the Dodecanese (subject to the Ecumenical Patriarchate). The same law established 2 sources of revenue under the aforementioned special account: a) a special tax levied on all clergymen up to 25% of their gross (and up to 35% after 1968),<sup>12</sup> b) a “parish tax” on the parishioners (articles 3-10), in the form of a yearly payment of 300-3000 drachmas for every Christian Orthodox family (this was suspended in 1962). finally, it allowed for a state contribution to the above special account. This, then, proves that the claim that the State covered the salaries of the clergy in full from 1945 onwards is inaccurate.<sup>13</sup> Moreover, it is clear that, on top of the fact that the law introduced a permanent commitment to supplementing clerical salaries and established a consistent number of 6000 ordinary cleric positions according to the then demographic data,<sup>14</sup> it was applied to supplement the salaries of an additional 1.151 parish priests,<sup>15</sup> whose positions had in effect been made redundant when the law limited the number of positions to 6000.<sup>16</sup>

c) On 24/7/1968, law 469/1968 (FEK A' 162/1968) raises the salary grade of the clergy to that of civil servants. For the first time then, the state is obligated to supplement the above special account, in order for the clergy to receive salaries equal to those of civil servants. The state's financial

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<sup>12</sup> Articles 2 paragraph. 2 . A' of A.N. 536/1945 and 5 o A.N. 469/1968.

<sup>13</sup> It is worth noting that, after A.N. 536/1945 came into effect, the contribution of the state to the payroll came to 4%, while the salaries of the 7.151 clergymen in 1945 cost 728.466.000 drachmas and was covered by: a) the special tax on the parishes (200.000.000 dr.), b) the parish tax (500.000.000 dr.), c) the state (30.000.000 dr.) (see Circular by the Ministry of Finance 95/17.9.1945, Π11638).

<sup>14</sup> During the census of 7.4.1951, Greece numbered 7.632.801 residents.

<sup>15</sup> The legal limitation to 6000 positions (see Circular by the Ministry of Finance 95/17.9.1945) aimed at reducing the number of serving clergymen (in fact 7151). However, the circular made clear that law 536/1945 provided for the salaries of all 7151 clergymen.

<sup>16</sup> To be exact, no clergymen were made redundant by law A.N. 536/1945 because it provided for the publication of a decree which would specifically assign the 6000 positions around the country, which was never published. In this manner, no clergymen were found without an assigned ordinary position.

contribution therefore increases, since the parish tax had been suspended since 1/9/1962.<sup>17</sup> The account would now be funded from state resources, as well the tax levied on parish revenues (35%).

d) On 19/9/1970, the Holy Synod of the Church of Greece issued a statute increasing the number of ordinary positions to 8000 (2/1969, FEK A' 193/1969). This statute did not make any provisions for salary payments, obviously considering that the additional number of positions would be covered under 469/1968, even if they still exceed the original 6000 positions stipulated by 536/1945 because the original law was never limited to 6000 clergymen as seen above.

e) The hierarchs of the Church of Greece (Archbishops, bishops etc.) have been receiving salaries from the state since 1/1/1980, the hierarchs of the Church of Crete since 7/10/1971 and those of the Church of the Dodecanese since 25/9/1969.<sup>18</sup>

f) Following the suspension of ODEP (*«Οργανισμός Διοικήσεως Εκκλησιαστικής Περιουσίας»*, Organization for the Administration of Church Assets),<sup>19</sup> the State, by contract (11/5/1988, law 1811/1988, FEK A' 231/1988), assumed responsibility for the payment of 85 clergymen working for the O.Δ.Ε.Π on receipt of land formerly belonging to the monasteries, for which they no longer had title deeds.<sup>20</sup>

g) The special tax levied on the gross revenues of the parishes was

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<sup>17</sup> Article 26 par. 2 Of bill 4242/1962 (FEK A' 136/1962).

<sup>18</sup> See corresponding articles a) 8 of bill 1041/1980 (FEK A' 75/1980), b) 1 of bill 986/1971 (FEK A' 193/1971) and 2 of bill 449/1976 (FEK A' 273/1976), c) 1 of bill 295/1969 (FEK A' 194/1969).

<sup>19</sup> The state, besides the "Ecclesiastical Fund", established in order to manage the property of the disbanded monasteries (1833-34), also established the "General Ecclesiastical Repository" (*«Γενικόν Εκκλησιαστικόν Ταμείον»*) towards the exploitation of revenue from the properties of the retained monasteries (law ΙΔ' /1909, FEK A' 270), which, after its financial collapse following the expropriations of the 1920s, was succeeded by ODEP (1930-1988). regarding the property and payroll in general, see the paper presented at the conference "The Church and the Left" (Aristotle University of Thessaloniki, 22–23 January 2013) by the Metropolitan of Messenia Chrysostomos Savvatos.

<sup>20</sup> Article 3 N. 1811/1988 (FEK A' 231/13.10.1988). the positions of all clerical positions covered by the state today were the result of a conversion, via various laws dating from the 1980s, of ordinary positions to civil positions; naturally, the Eparchies retain ecclesiastical clerks, who they pay from their own resources.

abolished on 28/1/2004 (law 3220/2004, FEK A' 15/2004), under prime minister Kostas Simitis of PASOK, and was not replaced. This meant that essentially, after 28/1/2004 the salary of the clergy comes out of the national budget without any contributions from the parishes themselves.<sup>21</sup> This is the first time that the state assumes the payment of clergy salaries *in toto*.

h) In 2013, law (4111/2013 (FEK A' 18/2013) states for the first time that the salaries of any clergymen still receiving payment through the special account established under law 536/1945 are henceforth to be part of the national budget.

i) Despite all these changes, the number of ordinary positions stipulated by the original law (536/1945) was never altered. It was still limited to 6000 positions until the introduction of law 3833/2010, which suspended all state appointments as part of the Memorandum of Understanding between the EU and Greece. However, despite the original stipulation, all positions exceeding the original 6000 had also been receiving payment from the national budget until then, following a preexisting agreement between the Church and State,<sup>22</sup> which left to the discretion of the Church the appointment of additional clergymen based on the number of families in each parish (law 2200/1940, article 51).<sup>23</sup> In any case, we can conclude that, since the introduction of law 4111/2013, which came into effect on 25/1/2013, all salaried clergymen were entered into the state budget as serving *ex tunc*. However, because the number of ordinary positions was never amended, the

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<sup>21</sup> It is worth noting that, aside from this discarded tax, the legal entities of the Churches of Greece, Crete and the Dodecanese pay today all taxes that public legal entities (ΝΠΙΔΔ) pay, amounting to at least EUR 20.000.000 per annum. I shall return to this matter later in this study.

<sup>22</sup> This has become standard administrative practice through a multitude of acts by Metropolitan bishops appointing new clergymen, on one hand, which were published by the state in the Official Government Gazette for them to acquire legal status and, on the other, through the registration of new credit in the “Funds towards the parish clergy salaries” («Κεφάλαιον προς πληρωμήν μισθού εφημεριακού κλήρου») for newly appointed clergymen, irrespective of the limitation to 6000 positions.

<sup>23</sup> B. Markos has pointed out (Markos, 2010, pp. 79–80) that in laws subsequent to the institution of the limitation to 6000 positions (see article 3 par.. 5 Of bill 3859/1958, FEK A' 155/1958), in order for appointments to be valid the only condition that had to be met was the proportional relationship between bishops and families as per law 2200/1940 and not the limit itself; the amount of 6000 positions was therefore overlooked by later law as well.

State was never in actual *obligation* to compensate any clergymen that filled positions which exceeded the stated limit of 6000, a fact which lays bare that the formulation of the laws being applied had long been obsolete.

Going forward, we have to note that the number and dispersal of the clergy are defined under regulation 230/2012 “On parish priests and deacons” (FEK 73B/9.4.2012) and regulation “On churches, parishes and parish priests” (FEK 193A 19.9.1970) before that, on top of the relevant charter of the Church of Greece. Further, Church public entities can regulate specific matters via their right to publish regulatory acts, as these matters no longer impinge on public finances. One can trace the rate of development of additional appointments of parish priests in the changes effected through the charter.

Here, we must also underline three additional elements:

**First**, that, naturally, during these developments, the de facto most fundamental aspect of the process would have been the gradual expropriation, mostly uncompensated, or donation of the larger part of excess ecclesiastical assets, which have been connected to the issue of ecclesiastical salaries. Despite all that, the church authorities, possibly because of excess trust to the state or simply because of indifference, never made sure to mention this relationship during the formulation of new laws.

**Second**, that the payment, subsistence and even survival of the clergy have been completely different issues before and after the urbanisation of Greece: the clergy would not have been able to survive on what they made then under present circumstances. Besides, the absence of state support during the early twentieth century entailed horrendous grievances and inequality, as bishops in larger parishes did not face financial difficulties while provincial priests were forced to depend on small donations in kind from their parishioners in order to feed their families.

**Third**, that the clergy’s state salary status is essentially non-existent, something that its defenders do not appear to have grasped. At present, it is caught in a “death trap,” it is steadily dwindling, since it falls under the same MoU obligation that covers the employment conditions of civil servants—despite the fact that clerics are not legally considered public servants (Council

of State decisions: ΣτΕ 507/1983, ΣτΕ 4548/1995, ΣτΕ 3120/2002); it allows for the appointment of one new cleric for every five that have retired. It is assumed that this requirement (law 3833/2010) will not go on indefinitely but we have every reason to believe that it will continue for quite some time. As a result, the ability of the church to man local parishes is undermined, as the number of said parishes remains unchanged, as do their needs, which of course cannot obey the logic of redundancies that plague the state, which are the direct result of previous governments attempting to fight unemployment by hiring more civil servants through a steady process of deeply ingrained nepotism. Many clergymen already minister to their flocks without any salary, which hinders their full-time preoccupation with the needs of their parish: they are usually appointed in an assisting capacity.<sup>24</sup> It is, therefore, the very defence of the status quo that has now, during Greece's MoU years since 2010, set an expiration date to the existence of the clergy salaries framework as we know it. Under the present circumstances, the framework is threatened not just by potential future political decisions but also the mere passage of time itself.

In addition to the foregoing, it has to be made clear that, were salary payments to be discontinued tomorrow, the church authorities would not have the ability or resources to make up for them (furthermore, as a result of the financial crisis and of property tax ΕΝΦΙΑ/ΕΝΦΙΑ, which is purported to exceed the amount of 10.000.000 euros per annum for all church public entities of the Church of Greece, these generate sizeable loss with every passing year). Here, we have to note that 92% of the clergy in Greece is married with large families of, usually, three or more children. Even if an arrangement took place for sizable parts of already expropriated church assets to be returned in order for them to be commercially exploited, the amount of time needed to generate sufficient revenues for salary and retirement funds for the clergy would defeat the purpose. It is also completely unclear whether there is enough former church property to be returned that hasn't been developed and/or in use by private citizens.

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<sup>24</sup> It may seem self-evident that a parish priest's vocation constitutes more than full-time employment and not, as the uninformed believe, four Sundays a month.

	<b>Serving during the third quarter of 2016</b>	<b>Recruitments during the fourth quarter of 2016</b>	<b>Retirements during the fourth quarter of 2016</b>	<b>Serving at the end of the fourth quarter of 2016</b>
Metropolitan Bishops	103	2	0	105
Titular & Auxilliary Bishops	15	0	2	13
Parish priests	9.607	15	54	9.568
Employees	265	1		266
<b>Total</b>	<b>9.990</b>	<b>18</b>	<b>56</b>	<b>9.952</b>

*Quarterly changes: clergy numbers are steadily going down due to the MoU provisions for public servants.*

### **Interlude: a note on taxation**

A note on taxation would be helpful here.<sup>25</sup> While the impression that Greek church entities are somehow exempt from some, or even all, tax obligations has somehow lingered on Greece's public opinion, quite the contrary is the case. Greek church entities have all tax obligations that public legal entities (ΝΠΙΔΔ) have, plus some additional ones, e.g. certain transactions are taxed on the model of *private* legal entities, i.e. higher. The last exceptions were rescinded by the law 3842/2010. This is not the case with the places of worship themselves (i.e. churches), as these are exempt from property tax *in the case of every religion*: "the entities of the Church of Greece are subject to taxes for all tax objects as is the case with all legal entities; i.e. ΕΝΦΙΑ (Law 4223/2013 FEK A 287), income tax (Law 4172/2013, FEK A

<sup>25</sup> Examining the legal and financial standing of entities and assets *in Greece* belonging to Orthodox churches *beyond Greece* or on Mount Athos (provisions in Greece's Constitution §105), like Patriarchate Exarchies, *metochia* etc., would be well beyond the scope of this paper.

167), tax on inheritances - donations (Law 2961/2001, FEK A 266), VAT (Law 2859/2000, FEK A 248), Stamp duty (28 / 28.07.1931, Government Gazette A 239), they withhold—and return withheld sums—on their employees and suppliers, etc. Exemptions, however, which are not specific to the Orthodox Church, are provided for: (a) the real estate tax (TAF)/municipal taxes for places of worship and religious use in general, which is the case with taxes and charging fees for every religion's places of worship, (b) for the ENFIA of places of worship and generally religious and charitable use, as is the case with every religion, (c) from municipal fees, reimbursement fees for places of worship of every religion. These are, therefore, exemptions for every religious community, so that there is no preferential treatment of the Orthodox Church" (Papageorgiou Th., 2017, 14–15).

There are no reliable and official sources, but the estimation is that only the ENFIA property tax for the "Church of Greece" (the central agent based in Athens) plus the 82 dioceses and the Monasteries and Parishes of Greece (not considering Crete, the Dodecanese and Mount Athos) for 2013 is estimated as being over 10.000.000 euros. An error that often emerges here as a result of an offhand treatment of sources concerns the confusion between the central legal entity "Church of Greece" and the Church of Greece, i.e. the sum of all legal entities of the 82 dioceses and the Monasteries and Parishes of Greece belonging in that jurisdiction. Thus, an offhand treatment of sources could lead to perceiving the tax paid by the central legal entity "Church of Greece" as the one paid by the Church of Greece.<sup>26</sup> However, the taxes of the latter should amount to more than 20.000.000 Euros per annum. Indicatively, an earlier church update regarding the taxation of the church (Holy Synod of the Church of Greece, 2012) *prior to the introduction of ENFIA* names 12.584.139 EUR as the Church of Greece's taxes for 2011. In addition to this the ENFIA of about 10.000.000 EUR introduced in 2013 (law 4223/2013), a total exceeding 20.000.000 emerges. There is no official information adding together the taxes of each one of the thousands of ecclesial public legal entities every year.

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<sup>26</sup> An example of such horrid confusion by the prestigious newspaper *I Kathimerini*, taking the 2014 taxes of 1.722.288 Euros for ENFIA and 2.476.428 Euros in total for the legal entity "Church of Greece" as the taxes for the whole of the Church of Greece: <http://www.kathimerini.gr/837450/article/epikairothta/politikh/enfia-yyoys-17-ekat-eyrw-plhrwse-h-ekklhsia-to-2014>.

### **(Mis)understandings**

Returning to clergy salaries: it is really interesting to see how the issue of the clergy salaries framework of the clergy is treated in Greek public discourse. On one hand, church critics claim that the prevailing status surrounding the clergy salaries framework of the clergy in Greece is not to be seen *anywhere* else in Europe, so we should be “more like the rest of Europe.”<sup>27</sup> Even if that assessment were to be precise, which it is *not*. It appears to overlook one fundamental fact: that the salary of the clergy has to be seen against the amount of other benefits provided to the church by the state.

For example, when in Germany the federal government provides the Evangelical and Roman Catholic churches with funds of about *half a billion euros* a year due to past church assets, regardless of other benefits in money or in kind and regardless of benefits provided by the individual states themselves, but mainly regardless of the ecclesiastical tax (Kirchensteuer) paid by the members of specific religious communities directly to the state, then the question whether the German nation pays the wages of its clergy or not becomes meaningless. Because the essence of the difference between the direct payment of salaries from the state and the granting of enormous amounts to the churches from state funds is ultimately inconsequential. This, however, will not interest the anticlerical critic, who will immediately call out “for all state benefits to the church to be abolished,” forgetting that they had just a moment ago wished for things to be “more like in the rest of Europe.”

Another phenomenon is that of half-truths that end up being utter lies. An often-cited example is the claim made by Tasos Kourakis, who later became a minister, during the conference “The Church and the Left,” that in Germany it is only members of specific religious communities that pay taxes to their churches and not all taxpayers, e.g. atheists or those belonging to

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<sup>27</sup> It is pertinent that A. Korais, the quintessential translator of the ideas of the European Enlightenment into the Greek public discourse, correctly anticipating the prospect of a “national religion” wrote of the state-funded payroll of the clergy that “the public sector of each city is to pay the salary of the clergymen of the religion that reside in it” (A. Korais, Correspondence, vol. IV, p. 374).

different religions, which, according to Mr Kourakis, is something we could also do in Greece,<sup>28</sup> so that those who are not Christian would not pay the salaries of the clergy indirectly.<sup>29</sup> Of course, reality is different from that claimed by the minister to be: as we explained above, despite the existence of such a tax in Germany, that is only one of the benefits received by the church (in this case the Evangelical and Roman Catholic churches) by the state. Huge amounts are given for different reasons to the churches paid for by taxes received from all taxpayers. There, too, this happens because of past expropriations and general obligations of the state towards the church and not as a bonus...

We can see then, even in outline, not just how complex this issue is, particularly if when factor in the thorny question of what has happened to church assets and the rather sparse attention devoted to it, but also how vague and insufficiently informed public discourse is regarding the matter. As the framework suffers from a bipartite confusion, we must, after examining the issue in detail, offer some suggestions for the future. We are inclined towards extricating the issue from its status as simply a state budget issue and its relation to the still outstanding matter of the uncompensated expropriation of the assets of the church. Given that we do not know what the future of the relations between church and state is going to be, if the church public entities may go on to become private entities following the possibility of complete separation, we will offer proposals for both outcomes.

In the first case, we will have a streamlined rationalisation of the situation, while, in the second, we will suggest a concordat in the vein of similar agreements that have taken place between church and state in several European nations. According to the second scenario, the state stops paying the salaries of the clergy but pledges, in turn, to pay out a yearly amount to the

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<sup>28</sup> When the Sublime Porte proposed that the state take over the payroll of the clergy of the Ecumenical Patriarchate aided by a contribution from the faithful Metropolitan of Chios Gregorios commented that it secularized the clergy, as it were, by turning clergymen into employees, and thereby subjugating the clergy to the state (Gregorios o Byzandios, 1866, pp. 5, 7).

<sup>29</sup> By the same token, why should a resident of the Cyclades have to pay through their taxes for a highway in Macedonia if they are not to use it themselves?

church in proportion to the expropriated but uncompensated assets, said amount to vary yearly according to the current inflation rate and which will be used to pay the salaries of the clergy. This will be equivalent to what is happening in Germany with the yearly payments we mentioned above. It is worth noting here that the Evangelical church requested that the state stop paying that amount because it would be able to handle its own expenses, but the request was denied by the state.<sup>30</sup> It was denied based on the rationale that the yearly amount corresponds exactly to the cost of the assets that had previously been expropriated by the state and therefore would not be able to suspend it without being subject to a massive one off payment that it would not be able to support.

Let us now examine the issue in more detail:

### **Assets – Clergy Salaries**

The numeric data today (January 2017) stands as follows: 9.686 clergymen receive a state salary, i.e. 118 bishops and 9.568 parish priests/deacons, belonging to (a) the 82 metropolitan dioceses (Metropolises) of the Church of Greece, (b) the Archdiocese of Crete and the 8 Metropolises of the Church of Crete, (c) the Dodecanese's 5 Metropolises, while 266 further employee positions have been filled. According to both law and practice, clergymen belong to the public sector's common salary grid without any positive or negative discrimination.<sup>31</sup>

Concerning the alleged ability of the each of the churches (of Greece, Crete, the Dodecanese) to pay the salaries of their priests themselves directly now or not before long, an overview of their financial situation would deem that impossible as the yearly cost is about 193.000.000 euros (2016). ΣThis is directly related not just to the fact that the church currently has insufficient liquidity of funds but also to the nature of its assets.

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<sup>30</sup> "The German Evangelical Church would accept the cessation of state subsidies" 12/11/2013, <http://www.skai.gr/news/world/article/245796/i-germanikieuaggeliki-ekklisia-tha-dehotan-diakopi-ton-kratikon-epihorigiseon/>.

<sup>31</sup> <http://www.minedu.gov.gr/grafeio-typoy-kai-dimosion-sxeseon/deltia-typoy/12932-03-03-15>. A table showing examples of clerical salaries has been uploaded here: <https://inspol.files.wordpress.com/2016/11/mistoi-klirikon.pdf>.

As to the composition of the real estate specifically belonging to the Church of Greece ( the “Church of Greece” as a public entity, its dependent organizations, monasteries, parishes etc.) the following stand:

A. physical property, not officially registered or surveyed, large parts of which have long been trespassed.

B. bank bonds, which were practically rendered close to worthless since 2008 due to a number of changes in the banking sector, which were amplified during the 2010–17 crisis.

Dispersal of real estate and inability of management: In 1930 the property of 152 monasteries of the Church of Greece, after a series of presidential decrees during the 1930s, was registered and divided into two categories: “to be preserved” and “to be liquidated.” Its management was assigned to ODEP.<sup>32</sup> During the period between 1930 – 1988, ODEP's management model seemed to fail to produce positive results. Management took place either centrally (Athens) or locally through local ODEP councils, which were aided by local branches of the National Bank of Greece, which had taken over the registration, evaluation and count of monastery property that was to be liquidated,<sup>33</sup> following a contract with ODEP. Several ODEP properties were left exposed to trespass or remain unsurveyed until now (Kotsonis, 1975, pp. 9–15, 25–27).

ODEP's mission was to liquidate real estate belonging to the church and to purchase bonds from the National Bank of Greece and other banks, using the revenue gained from the sale of monastery real estate. It constituted, in effect, a financial tool provided to the National Bank by the state (the Church of Greece owned 0.3% in 30.9.2014, down from 1.75% in 1998 including hospitals, institutes and endowments).

Similar weaknesses have been emerging to ODEP's real estate management model from 1988 until today. Following the abolition of ODEP,

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<sup>32</sup> Law 4684/1930 (FEK A' 150/1930). See table of decrees: <http://efimeriosgr.blogspot.gr/2014/11/961.html>.

<sup>33</sup> “The National Bank ... had been working since 1931 on the inventory and evaluation of monastic property, but did not proceed to counting the estates, although it received 4% of all of ODEP's assets” (Kotsonis, 1975).

the management of the real estate of the church has been the work of EKYO.

Despite facing similar issues with real estate management, the Greek state has been able to oversee matters in an elementary fashion locally through forest inspection services, public real estate corporations, port authorities etc., which have the necessary means at their disposal to dispose of trespassers immediately. In contrast, the Church of Greece lacks those privileges, despite being a public entity, and therefore operates as a private citizen in similar circumstances: it has to file a suit or request a restraining order through the long process of Greek justice.

Up to now, the Church of Greece, the Church of Crete and the Church of the Dodecanese have not had at their disposal the following:

a) a complete ecclesiastical land register. The Church of Greece has digitised its records, but has not finished the registration/analysis of legal data (control or the creation of deeds, where applicable) or surveying the real estate belonging to the 152 monasteries which were under ODEP management;

b) (the Church of Greece especially) an effective peripheral system in place to protect against trespassing and misuse of their holdings around the country;<sup>34</sup>

c) sufficient personnel and the organisational wherewithal for an effective utilisation of their property based on criteria of domestic economy.

The only privilege enjoyed by the Church which has been enforced by appropriate legislation is protection against adverse possession, which has, in reality, created a false sense of security as there are recorded cases of second or third generation trespassing built contracts in ecclesiastical property from which there is no realistic escape.

Property rental is a basic source of revenue for the public entities of the Churches of Greece, Crete and the Dodecanese – which, of course, has taken the same hits suffered by the real estate sector in general in recent years (this can be indicated by the deficit of 1.5 million euros suffered by the central

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<sup>34</sup> The four “Organizations for the Administration of Monastery Assets” («Οργανισμοί Διαχείρισης Μοναστηριακής Περιουσίας», ODMP) of the Municipalities of Chania, Rethymnon, Heraklion and lasithion remain under the remit of the Church of Crete.

administrative public legal entity entitled “Church of Greece” for 2015).

Earlier, we outlined the chaotic legislative situation surrounding the status of the payroll of the clergy (to which we will come back later). In order to actively contribute to the aspect of the discussion surrounding church and state relations which concerns the payroll of the clergy we will advance the outlines of two proposals: the first concerns the possibility of a tidy resolution of the issue with the state taking over the payroll along with a financial contribution by the church. The second concerns the possibility of the state abandoning the payroll completely and of a parallel concordat<sup>35</sup> regarding compensation for the expropriated church assets.

It is clear that these proposals could not be adopted piecemeal, for example selecting only those of their terms which *take away* from the church or vice versa; they can only be conceived as a whole.

### **First proposal (concrete compensation – contribution by the Church)**

The first proposal presupposes the legal, financial and practical rationalisation of the issue of the payroll of the clergy. The aims are:

a) the legal commitment of the State to finance 10.500 ordinary positions for the Church of Greece, the Church of Crete and the Eparchies of the Dodecanese, with any excess positions to be financed by their immediate Eparchy and/or the Church of Greece, the Church of Crete or the Ecumenical Patriarchate (for any excess positions in the Dodecanese).

the contribution of the Church to the cost of the payroll via a programme of utilisation and exploitation of church assets and the attainment of set financial targets.

As to a): The way things stand, law 3833/2010 has instituted a

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<sup>35</sup> This term refers to international religious agreements, between the Holy See and (usually Catholic) state leaders towards the regulation of their bicameral legal or property relations, the status of parishes, various religious institutions, and/or that of catholic residents within the state etc.

proportion of 1 new appointment for every 5 clergymen set to retire. In reality, the above measure has limited the appointments of clergymen by the state and any new appointees remain unpaid by the state and have to rely on their previous professions, if any, in order to survive or on mutual support funds (these exist in 3-4 of the 82 Eparchies under the Church of Greece). Consequently, the above legal regulation must have two phases: a present stage and a secondary stage to be enacted only after the repeal of the limitation on hiring under the MoU.

A. A recapitulation of the legal framework currently in effect:

1. law 536/1945 up to now: 1) provided for state support of the payroll of the clergy via a special account, 2) established 6000 positions for ordinary clergymen (even if in 1945 there were 7151 appointees), 3) allowed for a church contribution of 25% before and 35% after 1968 through taxation on church revenues, while Orthodox families contribute with a yearly “parish tax” to the state (which was abolished in 1962).

2. the “tax” paid by the church was in effect from 1/10/1945 until 28/1/2004, when it was repealed by the government under Kostas Simitis (law 3220/2004). Financing the payroll after that date was the sole responsibility of the state.

3. Law 4111/2013, under minister Anna Diamandopoulou, without providing a solution to the issue of the discrepancy between the instituted number of positions and the actual number of appointees, stipulated that any and all clergymen drawing salaries until then would continue receiving payment out of the state budget and not a “special account.” This was a typically fiscal decision for the correct appearance of state balances. It consciously overlook the discrepancy and moreover, according to paragraphs 10-11 of the bill 3833/2010 emerging from the MoU, it undermined the possibility of a fixed future number of clergymen during the MoU.

B. Content of the proposal:

1. Basic principles: the number of positions for ordinary clergymen is an internal issue of the Church of Greece and falls under its religious

freedom and autonomy as per article 13 of the constitution and articles 9 and 11 of the European Convention on Human Rights. As a result, the 6000 positions instituted by law 536/1945 reflect an obsolete state-centered frame of church-state relations. It is a right of the Church to define its needs in terms of the positions of ordinary clergymen that it requires.

2. The state, in turn, is not obligated to pay however many clergymen are appointed by the church. The amount of salaried positions funded by the state will depend on i) the size of church assets received by the state through donations, uncompensated expropriations or compulsory purchase at reduced prices (1833-1834, 1909, 1922, 1930, 1952; this would have presupposed the registration and recording of ecclesiastical assets, which is yet to be done, see below) and ii) the fiscal abilities of the state. As a consequence, the extent of salaried positions paid for by the state depends on the amount of church assets in possession of the state<sup>36</sup> and not on the constitutional definition of the state as religious or secular.

As to b):

Ways for the church to contribute:

1. The Church of Greece could be asked to pay a special “tax” of up to 35% of church revenues (as it did from 1945 to 2004).

2. It could be stipulated that the Church's income tax (established by law 3842/2010 for the agents of the Church of Greece) and its property tax (with ΕΝΦΙΑ/ΕΝΦΙΑ adding up to at least EUR 10.000.000 for the Church of Greece, leaving aside the Churches of Crete and the Dodecanese as we wrote above) will be go towards the payroll.

3. By recording and registering church assets (A), protecting church assets (B) and exploiting/utilizing church assets (C):

A. It is imperative that the assets that have been acquired by the

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<sup>36</sup> Nikos Papachristou has answered the spontaneous cry of “how did the church come upon all this property?” (Papachristou, 2015). For a more comprehensive answer see (Kolovos, 2012).

state and those remaining in the possession of the church be recorded,<sup>37</sup> and that any outstanding issues relating to those assets be resolved as a prerequisite for the exploitation of said assets, which could lead to a partial or full take-over of the payroll by the church itself in the future.

This will be a complex yet feasible undertaking, despite occasional topographical uncertainty, owing to extensive trespassing of both church and state property, and it will require a large concentration of legal data (verification and certification of deeds and contracts between church and state etc.), as well as extensive surveys.

As part of the above process, definitive findings regarding the following should be made public:

1. details on the nature of the assets of the hundreds of monasteries that were disbanded and whose property was expropriated by the state (1833-34), and an agreement as to their value, in the event that they are kept by the state. Law 4301/2014 established that the assets of these monasteries would henceforth belong to the Eparchies. This is, of course, an entirely theoretical prediction. In practice, none of these properties have ever been registered and surveyed. Moreover, in most of those cases, there is no real possibility to retrieve the former holdings of the monasteries – e.g. most of what is now Piraeus has been built on lands that used to belong to the Monastery of Saint Spyridon; half of the area of Kolonaki in Central Athens, was erected on lands that used to belong to the Petrakis Monastery; the part of Athens extending from the NIMTS hospital, along Vassilissis Sophias avenue to the Gennimatas Hospital also used to belong to the Petrakis Monastery; a considerable part of the Immitos region used to belong to three monasteries, those of Saint John the Hunter, Kaissariani Monastery and Asteriou Monastery. The list goes on. The value of lands formerly belonging to monasteries, like the aforementioned, which cannot be returned due to extensive public building (residential properties, roads etc.) needs to be assessed in order for the state to provide commensurate compensation in the

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<sup>37</sup> There are frequent appeals to it (Tsoumas, Tasioulas, 1983, p. 96), where they mention that 1.292.000 hectares of church land remain: 367 sq kms of forests, 753.3sq. kms of grass land and 189.9 sq kms of arable land. This study, however, was the result of geotechnical inspections, not the yet inexistent official cadaster

form of a contribution to the payroll of the clergy.

2. i) specifics regarding the ecclesiastical assets that were expropriated after 1909 without compensation,<sup>38</sup> either with a view towards benefiting the landless or small farmers,<sup>39</sup> or, after 1922, towards rehabilitating refugees<sup>40</sup> (these would probably exceed hundreds of thousands or even a million hectares – see indicatively table 231 in Liapis 2012, pp. 85–92; Liapis, 2015, pp. 39–47), or were rented out by the state without the concession of the monasteries,<sup>41</sup> ii) the amount of lands that, although expropriated, were never given out to the landless or refugees, iii) an agreement that the state returns those lands that were never used as above to the church, provided that they are ripe for exploitation, or provides compensation for damages due to lost revenue once their value has been established, if not (eg. Due to zoning restrictions or because they have been designated as NATURA protected territories).

3. i) how many of the 770.000 hectares turned over to the state (Contract 18/9/1952, FEK A' 289/1952) at 1/3 of their value (as per the Constitution of 1952) in order to rehabilitate landless and small farmers after the German Occupation and the Greek Civil War, were actually delivered to those in need and how much of that land ended up being retained by the state. The assets that were retained by the state should be returned to the church with a view to them being contributed towards the payroll. ii) the amount of public residential property accorded to the church as compensation as per the

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<sup>38</sup> 1.Law 1072/1917 (FEK A' 305/1917). During periods of constitutional instability, special laws published by the revolutionary and dictatorial governments, allowed the state to seize expropriated land before the owner had been compensated (which they usually were not), directly contravening the Constitution (1911, 1927), see decision number 3473/14.2.1923 (FEK A' 57/1923). This process constituted a usual state technique for the expropriation of private estates and monastery property during the period 1920-30.

<sup>39</sup> (Kottaras, 1951, p. 42), in which it is demonstrated that not the “landless,” but practically any interested party could acquire church assets for free by this procedure.

<sup>40</sup> Law 15/2/1923 (FEK A' 57/1923): “Monasteries, all religious institutions, and generally all legal entities governed by public law that own land with all that is on it as well as buildings for agricultural purposes are hereby subjected to total expropriation.”

<sup>41</sup> Lands belonging to Monasteries and ODEP are hereby given to landless farmers and landless livestock farmers: article 1 of bill 327/1947, FEK A' 84/1947.

above Contract, that was, in fact, exploitable (it turned out that part of that property was not exploitable due to zoning and other restrictions). If the state does not desire to return any of the above then their value should be assessed and put towards, along with the total cost of damages suffered by the church during this time, funding the payroll.

4. The Contract that took place on 11/5/1988 between church and state (law 1811/1988, FEK A' 231/1988) and the specific property it concerns. This Contract stipulated that any assets exploited by the Monasteries *despite the absence of appropriate title deeds* should be given to the state, which will, in turn, provide compensation *equal to 1% of its budget*, via the Ministry of Education and Religion, in order to cover Church expenses (staff and clerical payroll etc.). This amount (indicatively, this amount would come to about 23.447.157.30 euros for the years 1989-2007) was never paid out. A provision should be made for this amount to be divided among the Monasteries by Decree of the Holy Synod.

This Contract has not been acted on so far. Recently, the legislating body, accepting a ruling from the supreme Court, established (law 4301/2014) that the presidential decrees of the 1930s regarding the assets of the church, in essence comprised "title deeds" to the lands of the monasteries and that, therefore, the Contract can only be applied to those lands that, while still belonging to the monasteries, have not been surveyed or registered.<sup>42</sup> It is imperative that:

a) the value of those lands be assessed following registration.

b) a decision be made to either amend the Contract with updated tables and reassess the fiscal commitments of the state accordingly or to terminate the Contract by mutual agreement.

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<sup>42</sup> Following the Contract of 11/5/1988, participating monasteries agreed to cede to the state only those properties for which they did not have the title deeds. (see article 2 par F of the Contract, article 2 of law 1811/1988, FEK A' 231/1988, see Holy Synod Encyclical no. 5647/2613/11.111.2014 <http://efimeriosgr.blogspot.gr/2014/11/961.html>).

## B. Protection of Church Assets.

New enhanced and radical measures to protect the church assets need to be introduced by law, comparable to those of the state, including an ecclesiastical cadaster.

## C. Timetable regarding the exploitation of church assets.

We will need to provide for specific steps with established financial targets for the exploitation of church assets and more particularly the gradual increase of church contribution to the payroll, proportional to achieving the above targets.

Here, of course, we run into a major legal impediment which the legislator has, heretofore, overlooked: when we speak of the exploitation or return of church assets, we refer to the assets of the monasteries. The monasteries, however, are self-governing public entities (8 of which resorted to the Court of Justice when the Holy Synod invited them to sign the Contract of 1988; some did not). Will the monasteries concede to have their assets evaluated and used within the scope of an agreement between church and state as a financial consideration for the payroll of the clergy? This is an internal matter whose outcome cannot be yet determined, as the Monasteries have been victims to forced expropriations and severely unfair treatment for the past 200 years, often having to accept agreements with the state on the suggestion of the Holy Synod, which ended up not being applied, thereby incurring severe financial damages to the Monasteries, some of which do not have sufficient means to survive even today.

According to our first proposal, therefore, the State could make a legal commitment regarding the payroll with a the financial contribution of the church in the ways mentioned above. And it is only after the process regarding the evaluation, return or release of all church assets under discussion has been streamlined and rationalized that a discussion regarding the contribution to or even the full assumption of the payroll by the church itself, once it has acquired the means to do so – which it absolutely does not have now. Within this framework, we also have to factor in the fact that the overwhelming

majority of residential property managed by the Church of Greece today and which could plausibly be utilized, is bound by zoning restrictions and expropriations by the local municipalities' authorities. While there are not enough funds in order to go through with those expropriations, these are still not recalled by the State (often despite the existence of irrevocable court decisions) or are reinstated, resulting in the assets not being exploited.

### **Second Proposal (subtracted compensation in the form of subsidies)**

Our previous proposal may run into two substantial obstacles that may hinder its being materialized.

The first would be if any legal and regulatory initiatives regarding church-state relations were undertaken by a government which aimed at a complete separation between church and state. In that eventuality, our previous proposal, which clearly presupposes full collaboration between church and state and the partial funding of the payroll would be irrelevant; especially considering that payroll is the first issue to come up during discussions concerning possible separation. Such a government would desire to fully disengage from the payroll issue, potentially to convert the public entities of the church into private entities etc., which would have a much smaller practical outcome than is expected whenever the question is raised (this is a primarily symbolic matter and it is as such that it emerges).

The second concerns the ability of the Greek State to streamline these processes. The previous proposal presupposed the full recording, registration and review of all assets, in a rational fashion, unencumbered by bureaucratic impediments. The surprising inability of recent governments to proceed in this manner raises a potential problem regarding the application of our proposal.

We would, as a result, be facing the disinclination of the state to collaborate on the payroll issue, on one hand, and its inability to properly manage the issue of ecclesiastical property, expropriated or not, on the other.

However, we can advance a proposal covering such a contingency,

keeping in mind the complexity of the issue and the present state of affairs as outlined above.

According to the second proposal:

a) The state could stop funding the payroll, which would be taken over by the church in more or less the same way a private employer does for their employees. (we could also include here a provision for public insurance without considerations).

b) The state, provided that it is unable to offer a just solution regarding the ecclesiastical property and assets and its constant expropriations or de facto neutralization, will submit to a yearly payment to the church of about 200.000.000 euros as an subtracted compensation, adjusted for inflation and GDP fluctuations. This amount now comprises about 0.1% of GDP. Whether or not the church would utilize these funds in order to cover the payroll (which today stands at about 193.000.000 euros) or not, would be left at its own disposal. Hereupon, an aid grant could be factored in, to support the function of ecclesiastical education institutions, which would now be funded by the Church.

Something similar takes place in other countries, like Germany, which, while not directly paying the salaries of the clergy, still provides funds of up to several million euros each year to the Evangelical and Roman Catholic churches in the form of compensations for expropriated assets. In this way, we could “end the funding of the payroll by the state” as is so monotonously chorused in discussions regarding the separation of church and state. It is understood such a situation could not happen “for free,” without any provision regarding the shameful history of state requisition of ecclesiastical property or its artificial neutralization. Anti-clericalist discourse holding that state salary payments were a gift of the state to the church which could be freely given and taken, has to be prepared to face reality; or, in the final analysis, the Greek and European courts, which do not treat the rights of legal entities to their property with the same equanimity. In any case, a solution such as the one we are proposing could put such a decision on the table, if, for symbolic reasons, this issue carries the weight accorded to it by the anticlerical side, while still ensuring a fundamental sense of fairness in church-state

relations.

A common thread running through both proposals is the disassociation of the issue of the payroll from the institutional nature of the relations between church and state and its transformation into a problem of property relations between a giver and receiver of property. The issue, then, is shown to be related to the history of the problem of the ecclesiastical property, which was expropriated or removed without compensation from 1833 onwards and whose solution has nothing to do with whether the institutions of the church are public or private legal entities or if religious weddings will no longer be valid in the eyes of the state. However, given the tension surrounding the issue of church-state relations and the demand for separation from some political sides, as well as its insistent connection with the issue of the payroll of the clergy, one could potentially expect that well-documented proposals like the present one would be the object of discussion and study from those exerting urging that church and state be separated. These proposals are not put forward in that hope, however, that would be naive, as anyone familiar with the *species* of political discourse on this matter, which has always been an arena for “symbolic battles” among various political factions and not a platform for practical debate.

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