

# COMMUNITY LAWS AND CUSTOMS OF WESTERN MACEDONIA UNDER OTTOMAN RULE

## INTRODUCTION

The study of the communal customs during the Ottoman Rule helps, particularly from the aspect of public law, to bring to light the political and social organization of the Greek communities at that time, and to better understand the close relationship that exists between these customs and the contemporary concept of local self-government<sup>1</sup>.

In the specific case of Western Macedonia there are sufficient sources for the period following 1865 and ending with the liberation of the region in 1912.

In 1865, following the declarations of the Hati-Sherif<sup>2</sup> (1839) and the Hati-Humagiun<sup>3</sup> (1856), Turkey passed a Vilayet Law concerning the administrative organization of the whole Ottoman Empire based on the concept of local self-government as developed by the enslaved Greek communities during the preceeding period. It was precisely under this regime that the Greek communities were developed<sup>4</sup>.

Due to the fact that communal customs are an expression of the Greek concept of political corporation, it can be considered that the same idea of corporation is extended also into other forms of collective life such as: religious (clergy), economic (guilds, crafts), and military ("armatoloi", "kleftes", pirates) fraternities. It is, therefore, important to investigate all these sources and not only the ones referring to the political organizations<sup>5</sup>. In doing so, one should bear in mind the fundamental rule of the development of Greek civilization; namely that its normal evolution is attainable only during periods of national indepen-

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1. N. Pantazopoulos, «Ἑλλήνων Συσσωματώσεις κατά τὴν Τουρκοκρατίαν» [Corporations of the Greeks during the Ottoman Rule], Offprint from *Γνώσεις*, (Athens, 1958), (for future references title will be *Ἑλλήνων Συσσωματώσεις*) pp. 5 f.

2. Aristarchi Bey, *Legislation Ottomane*, Vol. 2, (Constantinople, 1874) pp. 4 f.

3. Aristarchi Bey, *op. cit.*, pp. 14 f.

4. *Ἑλλήνων Συσσωματώσεις*, pp. 14 f.

5. *Supra*, pp. 11 f.

dence. As this study deals with the period of the Ottoman rule, a period not normal in its national and cultural life, the investigation of these four forms of corporations should be done with the utmost care. It should also consider the fact, that at the time of alien rule, certain organized forms of expressions of Greek civilization were, if not completely abolished, at least, forsaken or disfigured in a way which would make them hardly distinguishable from other forms<sup>6</sup>. Peculiar circumstances prevailing during the Ottoman occupation have so affected all forms of corporation that it becomes impossible to investigate one form of corporation without examining the rest and drawing comparisons between them. Due precisely to the abnormal political conditions prevailing at the time, it is natural to uncover precious information regarding the autonomy of each form of collective life into the sources referring to the other existing forms of corporations. Research on the communal customs (political units) in connection with the other forms of corporations, brings to light an interesting point: that the communities—which are an expression of the popular or demotic tradition of the Greek civilization—appear, repeatedly, to come not only into opposition with the other forms of corporations, but also into synthesis with them. Besides that, and this is very important, with the initiative of the Church, these various forms of Greek corporations influence considerably the evolution of the corresponding institutions of the other people of the Balkan peninsula<sup>7</sup>. Therefore, we will be able to follow the disruptive consequences of the Ottoman conquest on the institutions of the Greek civilization, and also try to appreciate the reunifying force of this civilization in reforming, adjusting and composing the inevitable opposing tendencies among the various corporations—in a period of alien rule—into harmoniously functioning institutions sufficient to cover the needs of the enslaved Christian peoples. Prior to engaging into the discussion of the main topic of this study it is imperative to outline the evolution of the concept of corporation during the first period of Greek Law (until 146 B.C.) which is unaffected by the injuring influences of foreign invasions.

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6. N. Pantazopoulos, *Ἱστορικὴ Εἰσαγωγή εἰς τὰς Πηγὰς τοῦ Ἑλληνικοῦ Δικαίου* [*Historical Introduction to the Sources of the Greek Law*], (2nd edition, Thessalonike - Athens, 1959), (for future references title will be *Ἱστορικὴ Εἰσαγωγή*), pp. 13 f.

7. N. Pantazopoulos, «Ἐκκλησία καὶ Δίκαιον εἰς τὴν Χερσόνησον τοῦ Αἴμου κατὰ τὴν Τουρκοκρατίαν» [*Church and Law in the Balkan Peninsula during the Ottoman Rule*], under print in *Μνημόσυνον Π. Βιζουκίδου*, (Thessalonike, 1960), (for future references title will be *Ἐκκλησία καὶ Δίκαιον*).

### HISTORICAL EVOLUTION

In the first period of the evolution of the Greek Law the possibility to organize corporations passed through various stages before it was recognized as an elementary right of all free men<sup>8</sup>. In the oligarchic regimes, as Aristotle describes it (Rep. Ath., II) the State belonged to those who could have their arms at the State's disposal i. e. to the members of military organizations and to the nobles whose common bond was their blood relationship. This was a form of public law corporation which bore in itself religious, political and economic jurisdictions. The right to be accepted to membership in the tribes was based on blood relationship and religion. All privileges and authority were in the hands of the members of the military organizations. They had the right to elect and be elected, to judge and to legislate. Therefore, the nobles were a highly privileged class which made use of these advantages with the intention to safeguard their financial position against all the other free citizens who were denied the right to form corporations<sup>9</sup>.

With the emergence of democracy, the unity of the nobles was disrupted as more free citizens acquired the right to form corporations. Religious, political and economic organizations composed of not noble citizens, which were illegally operating, received now official recognition. The Assembly of the People, "Ekklesia tou Demou", lost its aristocratic military features. Gradually, power shifted to political organizations which performed religious, military and economic functions. Solon's law on corporations affirmed the right of every free citizen to join private organizations. Thanks to this legislation, which was placed on new democratic foundations, the Assembly of the People was able to guarantee equality of civic rights and privileges. Now all citizens could participate in the Assembly of the People which was invested with religious, political, financial and military jurisdictions<sup>10</sup>. Free citizens could even form autonomous private fraternities which could function by the side of the wider expression of public organization which was the Assembly. The four forms of corporation constituted independent cycles organically connected, and functioning as contributors to the normal development of the political and social life of the City. The Assembly of the People

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8. N. Pantazopoulos, *Αἱ Ἑλληνικαὶ Κοινωνίαι* [Hellenic Societies], (Athens, 1946), (for future references title will be *Ἑλληνικαὶ Κοινωνίαι*), pp. 4 f.

9. *Ἱστορικὴ Εἰσαγωγή*, pp. 97 f.

10. *Ἑλληνικαὶ Κοινωνίαι*, pp. 25 f.

constituted the 'composing force of all jurisdictions of the existing autonomous private organizations and coordinated their activities on a political basis.

Beginning with the second period of the evolution of Greek Law (146 B.C.), foreign invasions (Roman, Frankish, Turkish etc.) aiming primarily at political, religious, financial and military objectives, altered and disrupted the harmonious and well-organized functions of the various forms of Greek organizations. This phenomenon also appeared during the Ottoman rule. Although all four forms of corporations managed to survive it, they were compelled to follow an abnormal evolution influenced by the existing conditions.

When the Greeks lost their national independence, their political corporations fell initially into oblivion. They were taken over and were absorbed by the religious brotherhoods by virtue of the fact that the Turks granted privileges to the Clergy, such as political and judicial authority, over their co-religionists. The economic corporations barely survived, while the military retained their autonomy, although, in the process, they were forced to cut off their ties with the other forms of Greek organizations.

The gradual improvement of the economic position of the subjugated Greeks allowed them to strengthen their political and economic corporations in exchange for economic considerations paid to the Turks.

The prolongation of the Turkish occupation, and the lack of a Greek uniform state authority hindered the coordination of the activities of the autonomously and independently-growing forms of corporations. Occasionally a certain form of corporation would trespass the boundaries of one or more of these four forms by absorbing their jurisdictions and thus covering, limiting or distorting their genuine forms. As a result the form of the various organizations underwent a number of changes<sup>11</sup>.

### *1. Religious corporations.*

Political authority ceased to exist with the fall of Constantinople to the Turks. The Orthodox Patriarch, however, maintained his religious power which was greatly enhanced by the cession of political privileges to the Church which, in fact, substituted for the abolished political authority. Because of the hierocratic nature of their regime, the Ottomans

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11. *Ἑλλήνων Συνσωματώσεις*, pp. 12 f.

granted the Clergy collective privileges, thus acknowledging their Christian subjects as constituting a religious entity under the religious, political, economic and judicial leadership of the Patriarch. The Oecumenical Patriarch of Constantinople was officially recognized as the supreme leader of the Orthodox Church. It was established that the Patriarchs of Alexandria, Jerusalem and Antioch should communicate with the High Porte through the Patriarch of Constantinople who was now recognized as the religious and political leader not only of the Greeks but of all the Christians of the Ottoman Empire who were subject to taxation. The broadening of the Patriarch's authority may be found not only in political and religious motives but in economic as well. The Patriarch was represented in the various districts of the empire by high church officials who paid a tribute, "peskesh", to the Porte in recognition for the special privileges they had acquired. This "peskesh" was an essential presupposition for the recognition of the special privileges that were granted to the religious corporations.

Therefore, the concessions recognized in favor of the Clergy were special. These permitted the concrete application into practice of the general privileges granted to all the Christian tax-payers by the Koran such as the free use of their language, religion, property and extraterritoriality. At the same time the Turks granted a privileged status to a number of individual religious units such as the monastic community of Mount Athos and certain other monasteries. This status allowed them to organize their social lives autonomously on condition that they contributed additional financial exchanges<sup>12</sup>.

Grasping the opportunity opened to them, the religious fraternities, in accordance with the historical conditions, gradually mastered the activities of the other forms of corporations, thus supplanting them all. Especially in the field of law the Clergy showed a tendency to enforce the totalitarian application of the Christian or Patriarchal Law, i.e. the Roman Law, in their capacity as guardians of the official judicial tradition of the Byzantine Empire. In the beginning, official law applied exclusively to private relations such as marriage, divorce and inheritance; always, of course, in connection with religion and in the limits determined by the privileges granted by the Turks. Gradually it was extended, by presump-

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12. N. Pantazopoulos, «Τινὰ περὶ τῆς Ἑννοίας τῶν «Προνομίων» ἐπὶ Τουρκοκρατίας» [*Notes on the Meaning of «Privileges» during the Ottoman Rule*] Offprint from the *Ἀρχαίων Ἰδιωτικοῦ Δικαίου*, Vol. 10, (1943), (for future references title will be *Προνόμια*), pp. 6 f.

tion of competency, to most of the legal relations, which originally were subjected under the power of the Turkish or the popular Greek law<sup>13</sup>.

## 2. Political corporations.

Political corporations were not recognized, as a principle, by the turkish authorities, but remained in existence under the authority of the religious organizations. There are only a few cases of an existing administrative system being officially recognized by the Turks. This was done when a region voluntarily relinquished its sovereignty to the Turks by treaty. Yannena, Chios and Athens are among the communities which enjoyed such special political autonomy.

Gradually, the administrative representatives of the various communities were granted, in the name of the turkish government, certain tax assessing and tax collecting powers. This capacity was given to the community representatives with the intention to help the central administration cover its financial needs, on the basis of the system of allocation of tax collection, which was common to the turkish government<sup>14</sup>. These persons combined the role of the local official and of the representative of the turkish central government in their district. The Koran (Cap. 47,5) recognized to the non-moslem subjects certain "group rights" which were safeguarded by the payment of personal and other taxes to the ottoman treasury. To assess and collect these taxes, the government was compelled to grant tax and, later, administrative powers to individuals appointed by the turkish administration or chosen by the communities which constituted individual tax units. Political corporations, thus, acquired a sort of self-sufficiency from the religious fraternities in the purely political field, while, at the same time, they enjoyed a sort of autonomy from the turkish rule by administering locally the tax obligations of their communities to the Porte on the basis of the privileges granted to them.

To fulfill their obligations, they proceeded with organizing their community life in an autonomous way, taking into consideration the existing historical conditions of their respective regions. In the process,

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13. N. Pantazopoulos, *Ἀπὸ τῆς «Λογίας» Παραδόσεως εἰς τὸν Ἀστικὸν Κώδικα* [From the «Purist» Tradition to the Civil Code], (Athens, 1947), (for future references title will be *Λογία Παράδοσις*), pp. 111 f.; see also idem *Ρωμαϊκὸν Δίκαιον*, [Roman Law] (3rd edition, Thessalonike, 1959), pp. 58 f.; and idem *Aspect général de l'évolution historique du droit Grec*, Offprint from *Revue Internationale des Droits de l'Antiquité*, Vol. 5, (Mélanges Fernand de Visscher, Brussels, 1950), pp. 245 f.

14. *Ἑλλήνων Συνσωματώσεις*, pp. 14 f.

except for the taxing privileges, they also claimed to extend their capacities to the judicial field as well. However, we have already mentioned, that the judicial jurisdictions were administered by the Church which applied them over and above its religious rights (marriage, divorce, inheritance) as a "presumption of competency". Consequently, the political corporations in their effort to undertake and maintain their privileges of autonomy and self-sufficiency, which were usurped by the Church, found themselves in constant opposition to the religious fraternities. At times the struggle ends with the victory of the political corporations which succeed in limiting the judicial power of the Church to the exclusive functions of its religious privileges. Occassionally a compromise was reached which, in its application, was rather typical than essential <sup>15</sup>.

### 3. Economic Corporations.

Economic corporations are also accorded "privileges" in return for financial charges. These "privileges" are instrumental in formulating an autonomous and individual community life. Whenever the necessary prerequisites exist, financial autonomy is granted to permit the economic exploitation of the organized groupings. This is done despite the official bureaucratic pretexts which endeavor to cover the actual reason for concession <sup>16</sup>. For example, a firman signed by Sultan Ahmet I in 1605 <sup>17</sup>, specified that the Christians residing in Thessalonike and the non-permanent resident merchants from the region of Agrafa would be excluded from rendering certain services, or paying various taxes, if they would "*remit on time the entire sum allocated to them for that year, receiving in lieu a written receipt*". It appears that as of the beginning of the 17th century special "privileges" are granted to organized economic groups in exchange for advance payment of their annually assessed taxes. A decisive step toward the development of the economic brotherhoods was taken by Sultan Mustafa III, who issued a firman in 1773 dealing with the

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15. *Ἑλλήνων Συσσωματώσεις*, pp. 14 f., 29 f., footnotes 34 - 37; also N. Pantazopoulos, *«Öffentlich-Rechtliche Institutionen der Griechen während der türkischen Herrschaft», Internationalrechtliche und Staatsrechtliche Abhandlungen, Festschrift W. Schätzkel* (Düsseldorf, 1960), (for future references title will be *Institutionen der Griechen*), pp. 365 f.

16. *Ἑλλήνων Συσσωματώσεις*, pp. 18 f., see also *Institutionen der Griechen*, pp. 368 f.

17. J. Vasdravellis, *Ἱστορικά Ἀρχεῖα Μακεδονίας* [*Historical Archives of Macedonia*], Vol. I, (Thessalonike, 1952), p. 4.

autonomous status of the guilds. Referring to the long-existed customary law status of the guilds, the firman acknowledged their exclusive right "to review, consider and decide on the litigation and matters concerning their crafts, on the basis of their old customs which have the force of law, in whose spirit all differences should find their final solution". Moreover, the guilds are invested with the power to "impose all sorts of penalties as a public reprimend, expulsion from the guild, withdrawal of permission to exercise the craft, bodily punishment and temporary imprisonment". The broad rights of the guilds almost replaced the state authority<sup>18</sup>.

It is, therefore, explained how the financial brotherhoods started to use their own law in their transactions. In their commercial disputes and relations, the guilds used the French Commercial Code which was translated into Greek in 1817<sup>19</sup>. In the particular case of Chios, the commercial companies established by the Genoese were recognized with all their privileges by the Turks after they had occupied the island. These companies were so powerful that they replaced the communal authorities and exercised broad judicial jurisdictions. In the practice of these, they applied their own law by means of the "commercial tribunal"<sup>20</sup>.

The activities of the political corporations should be evaluated in the light of the research on economic brotherhoods. Actually, under the cover of financial brotherhoods, there exist political organizations, as in the case of Mandemohoria (cast iron villages) of Chalkidiki, the Ambelakia of Thessaly, the 24 villages of Pilion, the Mastihohoria (mastic villages) of Chios, the silver mines of Pontos and a number of others. In return for paying in advance to the ottoman treasury the taxes allocated to their particular district, these economic brotherhoods acquired the right to appoint the officials of their local government. According to the system of allocation of tax collection, these community officials were responsible for assessing on each member of the community its tax share, collecting the taxes, and finally remitting them to the Turks<sup>21</sup>.

18. B. Tchoneff, *Spomena Knija Sofijskija Krojaski esnaff...* in A. Myrtilos Apostolides, *Ἀρχαῖον Θρακικὸν Λαογραφικὸν Θησαυρὸν*, Vol. I, (1934 - 35), p. 102, fn. 1.

19. N. Papadopoulos, *Ὁ Ἐμπορικὸς Κώδιξ τῆς Γαλλίας* [*The Commercial Code of France*], (Vienna, 1917), also *Λογία Παράδοσις*, pp. 159 f.

20. A. Vlastos, *Χιανὰ*, [*Studies on Chios*], Vol. II (Hermoupolis, 1840), pp. 155 f. especially 160 - 162; also G. Zolotas, *Ἱστορία τῆς Χίου* [*History of Chios*], Vol. III, Part I (Athens, 1926), pp. 80 f.

21. *Institutionen der Griechen*, p. 368.



#### 4. Military corporations.

Among the various forms of autonomous groupings, the military organizations ("kleftes", "armatoloi" and pirates) present a special interest. Starting with the 15th century, these groups were in a position to place entire regions—mostly remote—under their control. Operating as "kleftes" i.e. guerrillas, they could live out of their loots from raids against the Turks. Many a time, the Turks would accord them official recognition and would assign them the task of guarding narrow passages and securing land communications. These groups were known as "armatoloi". Their leaders were appointed by the Turkish government. Many times the leadership of these groups passed from one member of a family on to another for a long or a short time. Hereditary control resulted in establishing the "kapetanata", areas which were controlled by hereditary military leaders under the typical rule of the Sultan.

Mani, in Peloponnesos, was the most important of them all. Since the mid-18th century, it was a semi-independent hegemony under the Maniat-Bey, its own "kapetanos", who was appointed by the Turkish Fleet Admiral. Although subject to nominal taxation, he actually paid tributes very rarely. "Kapetanata" or "armatolikia" i.e. regions which existed under military self-government, were also the following: Vermion in Macedonia, Olympos and Pilion in Thessaly, Chimara and Souli in Epirus, Roumeli in Sterea Hellas, Agrafa in Evrytania, Sfakia in Crete and many others<sup>22</sup>. The leaders of the military brotherhoods had also judicial and economic competency, which lasted until they were repelled in 1824 by orders of the local assemblies of Sterea Hellas following the declaration of the Greek war of Independence<sup>23</sup>.

As far as the pirates are concerned, we are informed by a notary-public document from Myconos, dated March 5, 1666, that: The Archon Angelos Maria on the one hand, owner of an armed vessel, and the two captains Yiangos and Nicolos Skavouni on the other hand, have agreed that the above mentioned vessel "*armed with pirates (levantes) and all the necessities will sail and undertake piratic invasions in the order and*

22. *Ἑλλήνων Συνσωματώσεις*, pp. 16 f.; also *Institutionen der Griechen*, pp. 366 f.

23. See § ι' of the «Συνέλευσις τῶν Προκρίτων καὶ Ἀρχηγῶν τῆς Στερεᾶς Ἑλλάδος» [*Assembly of the Notables and Archons of Sterea Hellas*], of Dec. 23, 1823, in J. Mayer's *Ἑλληνικά Χρονικά*, No 6, (Messolongion, 1824), p. 2; also § γ' of the Assembly at Salona (Amphissa) supra, No 36, (Messolongion, May 3, 1824), p. 1; also N. Pantazopoulos, «Ὁ Ἰωάννης Γενατῆς», Offprint from *Ἀθηνᾶ*, Vol. 53, (1949), p. 298, note 4.

*customs of the corsairs*'. As for the profits from the piracy, they are to be shared in two parts: one for the owner and the other for the two captains <sup>24</sup>.

#### THE POLITICAL CORPORATIONS OF WESTERN MACEDONIA

This general examination of the subject was essential to perceive the character of the Greek political organizations under the Ottoman rule. We can now investigate more specifically their activities in Western Macedonia.

The domination of one form of organization over the other was never entire on account of their direct subordination to the Ottoman administration. The limitation of the authority of the Clergy within its primarily defined competencies granted by the privileges they had attained from the Turks, rendered possible the separation of the judicial functions of each form of corporation. The Church's jurisdiction now revolves around private matters closely connected with the Christian religion, such as marriage, divorce and inheritance <sup>25</sup>. In many regions the two forms of autonomous organizations, guilds and community, operated jointly in the administration of their communal affairs. This system existed in the Macedonian communities of Thessalonike, Serrai, Melenikon, Veria, Naoussa, Kozane, Siatista, Kastoria, Moschopolis, Korytsa, Monastirion, Krousovon, etc.

The previous description leads us to the conclusion that there were four forms of organization which became active during the Ottoman era. The intervention of the Ottoman administration, as we have already mentioned, prevented the coordination of activities among the various organizations. Instead, the corporations pursued an independent evolutionary process whereby many times they crossed over their own narrow boundaries and attempted to extend their control over other forms of corporations. Gradually, though, the various organizations succeeded in coordinating their activities and, in the end, they were in a position to cooperate closely under a combined administration.

In Macedonia the close cooperation between military and political groups had, at the time of the 1821 Revolution, reached such proportions

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24. G. Petropoulos, *Νοταριακαὶ Πράξεις Μυκόνου τῶν ἐτῶν 1663 – 1779*, [Notary Public Documents from Myconos of the years 1663-1779], (Athens, 1960), No 562, pp. 341 - 342.

25. *Institutionen der Griechen*, p. 366.

that it prompted the Turk Marshal Mehmet Emin to issue a special order on July 20, 1822, which stated <sup>26</sup>: *"It has been decided that for no reason should community officials or muchtars be appointed from the ranks of these infidels, because they can no more be trusted with discharging loyally the duties of their office. On the contrary they may seriously endanger the interest of the State due to their treacherous behaviour and their cooperation with the revolutionary bands of the "armatoloi" operating in the Veria, Naoussa and Edessa districts"*.

As for the economic organizations, they were the ones which created the fundamental prerequisites for the organization of the political corporations to which they consequently adhered. Thus established, the communities (political groups) came under the spiritual influence of the Church. In their capacity as representatives of the Patriarchate and the Turkish Administration, Church officials became the supreme religious and political leaders of the communities.

The cooperation of the communities, the guilds and the "kapetanata" (Greek "popular" or "demotic" tradition), with the Church (Greek "purist" tradition), led to the reformation of the nation's forces and to the adoption of the concept of corporations.

Especially in Macedonia, the various forms of organization achieved a harmonious coordination of their autonomous activities by the beginning of the 20th century. This is particularly important because Macedonia had, since the time of Alexander the Great, become the guardian of Greek civilization, and had struggled hard to reform and coordinate the concept of Greek autonomous corporations to correspond to the new historical conditions. Thessalonike, especially, among all Greek cities, may pride itself in the fact that through the Roman, Byzantine, Venetian and Ottoman administrations, has preserved, conformed, formulated and developed to this day, in closely-bound and unbroken continuity, Hellenism's fundamental concepts of organized corporations. Also, in other Macedonian towns the political and economic groups coordinated their activities and functions during the Ottoman period. One of the oldest data concerning close cooperation between two different forms of organized corporations comes from Moschopolis which was considered to be the Athens of that period.

As early as the 16th century, the guilds of Moschopolis had already been so well-developed that they could effectively participate in the life

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26. J. Vasdravellis, *supra*, Vol. II, (Thessalonike, 1954), No 321, p. 295.

of their community, assuming its financial responsibilities. The governing organ of the community was a council of notables composed of seven members. During the 17th century its members increased to twelve. The president, titled "Megas Archon"<sup>27</sup>, of the community was nominated by firman of the Sultan for an indefinite period. The relations between the Church, on the one hand, and the guilds and the community, on the other, were regulated by a statute of 36 articles drawn up by 63 clergymen in 1713<sup>28</sup>. According to its terms, the guilds were to retain their superior position over all other forms of corporations and to exert judicial jurisdictions. Under its chief craftsman (*protomaistor*) each guild formed its own court which acted as a court of first instance. The higher court was composed of the chiefs of all the guilds meeting under the chairmanship of the chiefmaster of the guilds (*archisyndechniarchis*). The leading position of the guilds in the communal life of Moschopolis should be attributed to their exceptionally progressive social policy. Thus, Moschopolis had an orphanage as early as 1750<sup>29</sup>, which was also used as a home for the needy and as a hospital. Another evidence of their progressive social activities is that each guild took its turn in paying the expenses of a student of Greek philosophy and theology<sup>30</sup>. Therefore, the guilds had permanently established the concept of providing scholarships to students. Such a broad social policy rendered Moschopolis one of the most important cultural centers of that period. As a matter of fact it was one of the three Greek communities (the others being Constantinople and Smyrna) under Ottoman rule that had a printing establishment of its own during the 18th century<sup>31</sup>. Schools, churches and social welfare institutions were also maintained by the guilds.

Moschopolis is not the only Macedonian town which practiced social policy. By a special Statute of 1813 called "Systema", the community of Melenikon proceeded to reorganize all the social institutions of the community, i.e., schools, churches and hospitals. In the terms of the Statute it is stated that "*an assembly of twenty prudent and moderate brethren*

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27. L. Koutsonikas, *Γενική 'Ιστορία της 'Ελληνικής 'Επανάστασεως* [General History of the Greek Revolution], Vol. I, (1863), pp. 97 - 98.

28. K. Skenderis, *'Ιστορία της 'Αρχαίας και Συγχρόνου Μοσχόπολεως* [History of the Ancient and Contemporary Moschopolis], (2nd edition, Athens, 1928), pp. 10 f.

29. Ph. Michalopoulos, *Μοσχόπολις* [Moschopolis], (Athens, 1941), p. 15.

30. K. Skenderis, *supra*, p. 11.

31. P. Lambros, *Chryssallis*, Vol. IV. (1866), p. 398; also Ph. Michalopoulos, *supra*, p. 23.

*without class distinction*”, probably proposed by the guilds, elect each year three trustees and three inspectors who are responsible for administering the social institutions of the community and the management of its property. All documents concerning the management of the community’s property are to be sealed. However, this seal is composed of three pieces and each separate piece is respectively in the possession of each one of the three corresponding trustees. Thus, the ratification of a document is proved impossible without the consent of all three<sup>32</sup>.

The case of Melenikon points also to the fact that the communal affairs were administered by the economic corporations i.e., the merchants and the six guilds of the craftsmen<sup>33</sup>. As in Moschopolis, it is they who assume the financial responsibility for meeting the objectives provided in the Statute. The impressive thing in this Statute is its liberal and democratic spirit recognizing equality of privileges and obligations to natives and foreigners, wealthy and needy.

This system of administering the affairs of the community by usually a twelve-member council, directly or indirectly elected by the guilds, appears to have been in existence in other Macedonian towns as well, no doubt in Thessalonike and Serrai. The Statute has also provided that special duties connected with the administration of the community should be assigned to small committees usually of three or five members to be elected annually. An important source of information on the subject is the Code of the Archbishopric of Serrai of the year 1614 whose provisions on the election of community chiefs could be considered as valid throughout Macedonia. This evidence states the following<sup>34</sup>: “*All the people and the community of the Most Holy Archbishopric of Serrai assembled... And, thus, when all the people were assembled, young and old, voted and elected unanimously 12 righteous, good and virtuous men... And from each guild they chose one man, the most righteous, the best and the most virtuous. And, in the name of God and in their soul, they entrusted them, at the risk of being punished by unbound aphorism, with discriminating and preserving the communal expenses of the Castle and the City of Serrai, and allocating the financial burdens and ex-*

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32. «Σύστημα» [Regulation], of Melenikon, articles 4, 5, and 29, see P. Pennas, *Τὸ κοινὸν Μελενίκου καὶ τὸ σύστημα διοικήσεώς του* [The Community of Melenikon and its Administrative System], (Athens, 1946), pp. 29, 42.

33. P. Pennas, *supra*, pp. 43 - 44.

34. C. Mertzios, *Μνημεῖα Μακεδονικῆς Ἱστορίας*, [Documents of the history of Macedonia], (Thessalonike, 1947), p. 73.

penses to the Christians, to each according to his ability, and they named the chief of the 12"<sup>35</sup>.

Thus, as early as 1614, the political and economic corporations worked closely together. Free and democratic elections reinforced the concept of corporations in order to fix tax obligations of the members of their communities. As we have already mentioned, the administration of communal affairs was conducted by the representatives of the guilds, who, composing a twelve-member council, elected the chief of the elders, the "*Protogeros*" or "*Proestos*". They also appointed small committees for the administration of the community's affairs.

Another source of information on the same subject dated June 16, 1764, is registered in the Code of the Archbishopric of Kastoria. This evidence refers to an arrangement made between the Church and the Community. It informs us that "*an agreement made by the most Holy Archbishop compels the Kastorians to defend their interests and be bound together in the noncombatant bonds of love, in which to live in confederacy inviolably...*"<sup>36</sup>. The people of Kastoria promised that "*no one should object to any decision of the community on any financial matter; that each one should accept the decision with submission because the voice of the people is the voice of God; and that obedience is the stimulant of life, while disobedience is the cause of death*"<sup>37</sup>. Thus, with the assistance of the Church, the community of Kastoria had by the mid-18th century acquired substantial strength so that it could prevent attempts by individual members to enter into special agreements for the purpose of excluding themselves from the payment of taxes<sup>38</sup>.

According to Pouqueville, the Clergy, in some regions of Western Macedonia, had limited its judicial functions to merely acting as an arbiter on matters which did not fall under its exclusive jurisdiction<sup>39</sup>. That the division of judicial responsibilities between the Church and the community developed smoothly in Western Macedonia is also substantiated by an early 19th century manuscript on Kozane, written by Harisis Megdanis. This writer states that the Christian citizens of Velvendo "*settle their*

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35. See P. Papageorgiou, «Αἱ Σέξεις», *Byzantinische Zeitschrift*, Vol. III, (1894), p. 280.

36. Cf. the manuscript of the Codex of Kastoria, p. 140, in P. Tsamisis *Ἡ Καστοριά καὶ τὰ Μνημεῖα τῆς* [Kastoria and its Monuments], (Athens, 1949), p. 32.

37. Article Z' of the agreement, in P. Tsamisis, *supra*, p. 33.

38. Article 5, *supra*, p. 33.

39. Pouqueville, *Voyage dans la Grèce*, Vol. II. (Paris, 1822), p. 349.

political affairs in a democratic way and by common consent'' despite the fact that *"they refer to the spiritual authority of the Bishop of Serbia"*<sup>40</sup>.

More evidence pointing to this direction is provided by an old book found in the Church of the Assumption at Libohovo (Vlachoplachia). A monk by the name of Kallinikos was requested by the community to enter into the book on March 25, 1817 a note to the effect that *"the priests and the community chiefs have agreed to absent themselves from work during the Easter week and work on Thursday"*<sup>41</sup>.

More numerous and precise data on the coordinated activities of the Clergy, on the one hand, and the economic and political corporations, on the other, are available at Kozane. The cooperation between Church and community was assured by a written promise drawn up by 18 clergymen and approved by the Bishop Theofilos of Kozane on October 20, 1785. According to its provisions, a court was established *"to meet each Thursday and Sunday in order to pass judgement on private differences between Christians"*. Very interesting are the reasons which are mentioned in connection with establishing the necessity for setting up such a court: *"[whereas]...all sense of law and order and justice and truth is lacking, discord and dissension, disorder and consequently injustice and falsehoods have prevailed in our society; [whereas]...we are aware of these evils which threaten our community with total destruction and extinction, and, whereas, the desires of each individual constitute the law, and not vice versa; [whereas]...moved by Christian eagerness and being conscious of our responsibilities, we decided to improve our community and, therefore, every single one of us; [whereas]...we are aware also of the fact that our community is based on the fear of God, and the common concordance and love and observance of the law which is the expression of justice"*<sup>42</sup>...we decide to establish a Court".

What is of particular interest in this document is the fact that reference is made to the principles of concord and mutual support among the citizens who constitute the particles of the community. These are the very same principles which can be found in classical Greek Law as

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40. M. Kalinderis, *Γραπτά Μνημεία από τη Δυτ. Μακεδονία τῶν χρόνων τῆς Τουρκοκρατίας* [Documents from Western Macedonia during the Ottoman Rule], (Ptolemais, 1940), p. 22.

41. *Supra*, p. 43.

42. P. 63a of the Codex of the Bishopric of Serbia and Kozane, in M. Kalinderis, *Σημειώματα Ἱστορικά* [Historical Notes], (Ptolemais, 1939), p. 25. For the decisions of this court, *supra* pp. 30, 32 and 35.

expressed in Democritos' axiom; "if the community is salvaged everything else is salvaged; if the community is destroyed, everything else is destroyed too"<sup>43</sup>. Naturally the establishment of the court was followed by a close cooperation between Church and community in recodifying the local customs of Kozane during the period 1789 - 1803<sup>44</sup>. These Statutes, the "*Local Law*" as they were expressly called, were codified "by all former prelates by common consent and conviction of the brotherly bound chiefs of the Kozane community". This law aims at the "orderly development of mores, and the improvement and stability of good habits to the common benefit of the country"<sup>45</sup>. At the same time the Church is interested in the organization and operation of the financial corporations and is in close cooperation with them. This conclusion is reached after the investigation of about 20 statutes that were set up during the years 1780 - 1910<sup>46</sup>.

It should be emphasized that, whereas the communities of the islands proceeded with the codification of local customs independently of the will of the Clergy, in Kozane the formulation of local statutes was achieved with the assistance of the Church.

Thanks to their progressive social policy, the communities and guilds of Macedonia assumed as early as the mid-17th century, a leading position in the effort to reconstruct the Greek nation. It was precisely this factor which compelled the Church to follow a more liberal legislative policy and to reform its administrative structure by drawing from the long and successful application of institutions of the communities and guilds in the adaptability of democratic principles in their administration.

During his first term (1764 - 1768) the great Patriarch Samuel I, the Handjeris, reorganized the institution of the Patriarchate by introducing the following radical measures: He abolished the existing absolute, autocratic administrative system of the Patriarch in the affairs of the Church. Following the way institutions were applied in many Macedonian communities which provided for a 12-member community council, by which committees of a limited number of citizens were appointed for the management of

43. *Ιστορική Εισαγωγή*, p. 127.

44. M. Kalinderis, *Τὰ Ἀντὰ Ἐγγραφα τῆς Δημοτικῆς Βιβλιοθήκης Κοζάνης* [*The Loose-leaf documents of the Municipal Library of Kozane*], (Thessalonike, 1951), pp. 92 - 102.

45. Cf. the document signed by the Bishop of Servia and Kozane Theophilos, Kozane, Jan. 19, 1796, lines 6 - 9, in M. Kalinderis, *supra*, p. 93.

46. M. Kalinderis, *Αἱ Συντεχνίαι τῆς Κοζάνης ἐπὶ Τουρκοκρατίας* [*The Guilds of Kozane during the Ottoman Rule*] (Thessalonike, 1958).



the community's property, the Patriarch formed a permanent Synod composed of eight clergymen. At the same time he established a four-member committee composed of two distinguished laymen and two merchants with the task of managing the Church's finances, and assessing the compulsory contributions to be paid to the Patriarchate by the Christians which are necessary to cover the expenses of the Bishopsrics. Furthermore, he divided the Grand Patriarchal Seal into four pieces, each to be kept by one of four Synod prelates<sup>47</sup>.

All of the above sources referring to the activities and functions of the political and economic corporations of Western Macedonia prior to the Revolution of 1821 presuppose the existence and operation of established and well-developed communal institutions. As a rule, these institutions were unwritten laws. Only communities which had succumbed to the Turks by treaty had acquired privileges which guaranteed and secured in broad lines their communal and religious autonomy<sup>48</sup>. The other communities, taking advantage of various opportunities presented to them, exploited the Turks' tax needs, and developed, according to the historical conditions prevailing at the time, their individual, unwritten public and private law. This law, however, followed some common general principles which were autonomy, autarchy, arbitration, good faith, common interests, compulsory application of all contracts irrespective of the fulfillment of a certain type, accounting by elected leaders at the end of their term in office for their administration, equity, charity and others<sup>49</sup>.

The Greek communal institutions and especially these of Western Macedonia had a strong influence on the Ottoman administrative legislation. The Vilayet Law of 1865 recognized and placed within the limits of the

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47. A. Komninos Hypsilantis, *Tà μετὰ τὴν Ἀλωσιν* [The Historical Facts after the Fall of Constantinople], (Constantinoupolis, 1870) pp. 397 f. Also Zacharias Mathas, *Κατάλογος ἱστορικῶς τῶν Πατριαρχῶν* [Historical Index of the Patriarchs], (Athens, 1884), pp. 154 f.; and my study under print *Ἐκκλησία καὶ Δίκαιον*, see note 7.

48. *Προνόμια*, pp. 14 f.

49. N. Pantazopoulos, «Ein Beitrag zur Entwicklung der Diaitesie im altgriechischen Recht, *Festschrift P. Koschaker*, Vol. III (Weimar, 1939), pp. 199 f., also *Λογία Παράδοσις*, p. 337; *idem* «Ἡ Πτώσις τοῦ Βυζαντίου ὡς Ἀφετηρία Ἀναγεννήσεως τοῦ Ἑλληνικοῦ Δικαίου» [The Fall of Byzantium as a Starting Point of the Renaissance of the Greek Law], Offprint from *Θέμις*, Vol. 64, (1953), pp. 15 f.; also *Ρωμαϊκὸν Δίκαιον*, pp. 117, *Institutionen der Griechen*, p. 369; *Ἱστορικὴ Εἰσαγωγή*, *passim*.

Ottoman administrative legislation the Greek concept of local self-government<sup>50</sup>.

Although the interpretation of the above mentioned law is made difficult because it confuses the discrimination between various terms such as municipality, village, community and in the same way introduces other terms such as small village, townlet, quarter, parish, farm etc. without giving any definition of the relation between them<sup>51</sup>, we can, in broad lines, describe it as follows. At the lowest level was the "communal district, i.e. a settlement of 50 or more houses". The community was recognized as a self-contained, and self-governing district with administrative, judicial and taxing jurisdictions<sup>52</sup>. The communities were administered by a council of three to 12 archons, the "demogerondes", who were elected by Moslems and Christians alike. At the head of the "demogerondes" were placed the muchtars (seal-keepers), usually two, whose main responsibility was to assess and collect taxes. The law refers to them as "agents of the Administration" i.e., they were the link between the community and the local administration as well as the central government<sup>53</sup>. The archons of the community were elected and released of their duties by the members of the community while the archons of the high levels were appointed by the imperial government<sup>54</sup>. In communities with a mixed population, the petty differences between Moslems and Christians were tried by a joint council composed of an equal number of Moslems and Christians and presided over by the senior muchtar<sup>55</sup>. Private disputes of a religious nature, as well as criminal and commercial, fell outside these "justice-of-the-peace" type courts. They were subjected as for first rank to the jurisdiction of the municipal courts and as second

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50. Aristarchi Bey, *Legislation Ottomane*, Vol. III, (Constantinople, 1874), pp. 7 f.; also *Ἑλλήνων Συσσωματώσεις*, pp. 21 f.; and *Institutionen der Griechen* pp. 371 f. The same policy is also followed in Crete by the *Organic Law*, of 1867 as well as the succeeding relative Orders, before Crete was united with the main part of Greece. See *Κρητικοὶ Κώδικες* [*Cretan Codes*], Vol. I, (Chania 1877).

51. Greek translation of the *Vilayet Law* of 1865 in D. Nicolaides, *Ὁθωμανικοὶ Κώδικες*, [*Ottoman Codes*], Vol. III, (Constantinople, 1890), pp. 2911 f., articles 4, 5, 54, 56, 63.

52. *Vilayet Law*, of 1865, article 5; D. Nicolaides, *supra*, pp. 2912.

53. Law of 1865, articles 54 - 62, D. Nicolaides, *supra*, pp. 2925 - 27; Law of General Administration of the Vilayets, (1873), articles 59 - 60, D. Nicolaides, *supra*, p. 2954.

54. Law of 1865, articles 6, 29, 43, D. Nicolaides, *supra*, pp. 2912, 2919, 2923, also Law of 1873, article 44, D. Nicolaides, *supra*, p. 2950.

55. Law of 1865, articles 58 - 60, D. Nicolaides, *supra*, p. 2926.

rank to the subprefecture courts<sup>56</sup>. Religious differences fell under the jurisdiction of the Christian and Moslem religious courts. The Christian court was composed solely of clergymen, while the Moslem court was composed only of one judge of the Holy Moslem Law (Kadi)<sup>57</sup>. Private conflicts between Christians were tried by courts composed of clergymen and laymen. By right, presiding judge of these courts was the Archbishop of the region. Criminal cases were subjected as for first rank to mixed municipal courts of Moslem and Christian judges and for second rank to mixed courts meeting in the capital of the subprefecture<sup>58</sup>. Commercial cases could be brought before special mixed courts known as commercial courts<sup>59</sup>. Finally in the seat of each Prefecture functions a supreme mixed court of annulment<sup>60</sup>. Side by side with the mixed courts, in each of the administrative levels there were established mixed administrative councils with advisory authority only<sup>61</sup>. Except for the mixed councils there were "*special councils in the villages, municipalities, towns and townlets, which consider the common interests and the affairs of each nationality as well as their ordinary private affairs*"<sup>62</sup>.

The Vilayet Law of 1865 did not affect the privileges granted to the Christians which were guaranteed by the imperial decrees of 1839 and 1856; on the contrary they were safeguarded by an imperial decree (berat) issued in favour of the Oecumenical Patriarch Joachim III in 1860. Therefore, the Christians maintained their right to establish separate but strictly religious communities headed by the Archbishop of the region or by his appointed delegate. Consequently, it may be concluded that from 1865 to 1912 the multiform activities of the other three forms of corporation had a religious covering. The privileges granted by Mohammed the Conqueror were, in this period, renewed and guaranteed. The Patriarch and, through him, the Clergy, was acknowledged as the religious and political leader of the Christians. It is of interest to note that according to the 1860 decree the Patriarch was elected by a joint council composed

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56. Law of 1865, articles 38, 39 ff., 52 ff., D. Nicolaides, *supra*, pp. 2922 f. and 2925 f.

57. Law of 1865, articles 37, 40, 52, D. Nicolaides, *supra*, pp. 2921 - 22, 2925.

58. Law of 1865, articles 50 - 53 and 39, D. Nicolaides, *supra*, p. 2924 - 25, 2922.

59. Law of 1865, articles 23 f. and 42, D. Nicolaides, *supra*, pp. 2917 and 2922.

60. Law of 1865, articles 18 - 22, D. Nicolaides, *supra*, pp. 2916 - 17.

61. Law of 1865, articles 14, 25, 33, 46 - 48, D. Nicolaides, *supra*, pp. 2915, 2918, 2920, 2923 - 24; see also Law of 1873, articles 61 - 129, D. Nicolaides, *supra* pp. 2955 - 2972.

62. Law of 1873, article 61, D. Nicolaides, *supra*, p. 2955.

of eight clergymen and four laymen. This was precisely the procedure adopted in 1767 by Patriarch Samuel the Handjeris, who imitated the system of democratic administration used by the communities<sup>63</sup>.

It was also during this period that the Greek communities of Western Macedonia adopted written statutes. Here follows a list of such statutes in a chronological order: 1. Korytsa, Statute of 65 articles (1877)<sup>64</sup>. 2. Kozane, Statute of 117 articles, (1895)<sup>65</sup>. 3. Kroussovo, end of the 19th century<sup>65 a</sup>. 4. Siatista, Statute of 85 articles (1902)<sup>65 b</sup>. 5. Kastoria, Statute of 34 articles (1902)<sup>65</sup>. 6. Kozane, Statute of 160 articles (1911)<sup>67</sup>.

With the exception of minor differences, all statutes express the same concept of collective cooperation of the simultaneously functioning forms of religious, political and financial corporations under the supervision of the Archbishop. However, each one of them preserves its selfsufficiency especially in their judicial jurisdictions.

In general lines, the legal status recognized by the above mentioned statutes is the following: All Christians, Ottoman subjects, permanently residing in the community, who have reached the age of 18 and have fulfilled their financial responsibilities to the community, have voting rights. The right to be elected is given under the same presuppositions to all citizens who have reached the age of 30 with the exception of scientists who acquire this right after the completion of the 20th year of their age<sup>68</sup>.

The electoral assembly meets annually in the town hall or in the cathedral and by "general and immediate secret ballot" elects the council of the community ("Demogerondia"). The council may be composed of 7 members as in Siatista, 8 as in Korytsa, 10 as in Kozane (1911), 15 as in

63. Firman of 1860, D. Nicolaides, *Ὀθωμανικοὶ Κώδικες* [Ottoman Codes] (1st edition, Constantinople, 1869), pp. 24 f.

64. *Γενικοὶ κανονισμοὶ τῶν κοινῶν καθιδρυμάτων τῆς πόλεως Κορυτσᾶς* [General Regulations of the welfare Institutions of the city of Korytsa] (Thessalonike, 1877).

65. *Κανονισμὸς τῆς Ὀρθοδόξου Κοινότητος Κοζάνης* [Regulation of the Orthodox Community of Kozane] (Constantinople, 1895).

65a. Manuscript belonging to Ass. Prof. C. Vavouskos.

65b. Manuscript belonging to Mr. Anastassios Megas.

66. A. Sigalas, *Ἀπὸ τὴν Πνευματικὴν Ζωὴν τῶν Ἑλληνικῶν Κοινοτήτων τῆς Μακεδονίας*, [From the Cultural Life of the Greek Communities of Macedonia], (Thessalonike, 1939), p. 128. I was unable to secure this statute which is mentioned by the author.

67. *Κανονισμὸς τῆς Ἑλληνο-Ὀρθοδόξου Κοινότητος Κοζάνης* [Regulation of the Greek-Orthodox Community of Kozane], (Thessalonike, 1911).

68. Law of 1865, articles 63 - 64, D. Nicolaides, *supra*, edit. 1890, Vol. III, pp. 2927 - 28.

Kroussovo, or 16 as in Kozane in 1895<sup>69</sup>. This community council is occasionally called "*General delegation*" ("*Geniki Antiprosopeia*")<sup>70</sup> obviously because it is composed of representatives of all forms of corporations, and, according to the statutes it forms "*the highest corporation of the town*". It has the right to appoint smaller committees to administer the communal affairs and to supervise the various institutions of the community, such as schools, libraries, churches, hospitals, etc.<sup>71</sup>. Occasionally, these committees are appointed directly by the electoral as in the case of Siatista. In the event the community council ("*Demogerondia*") does not perform judicial functions, it appoints the number of laymen needed for the function of the mixed court for the trial of the private conflicts between the Christians of each community, as it has been already mentioned<sup>72</sup>. Only in Korytsa and Siatista, the community council performs judicial functions following an old custom. In both cases, the Archbishop is *ipso jure* the presiding judge<sup>73</sup>.

The statutes of Siatista and Kozane explicitly provide for the participation of the economic corporations in the elections of the community council<sup>74</sup>. In these statutes it is defined that aside from the administrative organs of the community for the preparation of its general assembly, which elects the council, there should also participate 3 representatives from the class of guilds and 3 more from the merchants<sup>75</sup>.

Of special interest are the attempts of the Patriarchate to unify the rules governing the status of the communities, by issuing general regulations, as was the case with the county of Dryinopolis (in Northern Epirus)<sup>76</sup>.

In western Macedonia the coordinated functions of the autonomous but still depending on each other forms of corporations are administered by the Clergy. Nevertheless, the communities retained their democratic way of administering their affairs and, in the process, they kept their ties with the economic and military corporations.

69. *Κανονισμός Κοζάνης*, 1911, article 14, p. 7; also of 1895, article 18, p. 9.

70. *Κανονισμός Κοζάνης*, 1895, article 18, p. 8; also *Κανονισμός Κοζάνης* 1911, articles 8 f., pp. 5 f.

71. *Κανονισμός Κοζάνης*, 1895, article 25, p. 9; article 38, p. 13.

72. *Κανονισμός Κοζάνης*, 1895, article 98, p. 26.

73. *Κανονισμός Κοζάνης*, 1895, article 24, p. 11.

74. *Κανονισμός Κοζάνης*, 1895, article 16, p. 7; article 19, p. 9.

75. *Κανονισμός Κοζάνης*, 1911, article 157, p. 47.

76. *Γενικός Κανονισμός της Ἐπαρχίας Δρυϊνουπόλεως* [*General Regulation of the Province of Dryinopolis*], (Constantinople 1908).

## CONCLUSION

The conflicts resulting between the various forms of corporations on account of their diversified activities were now replaced by a close cooperation. Thus, we observe that the opposition between the religious corporations, which represented the Greek "purist" tradition, and the other groups, representing the "popular" or "demotic" tradition, was decreased so that a harmonious cooperation existed between them<sup>77</sup>. This expression of joint activities is of particular importance to the modern Greek civilization. The demotic and democratic tradition of self-government applied in Macedonia, influences by the end of the 18th century the Church also, as we have already mentioned. This influence contributed to the reorganization of the administrative system of the Patriarchate. In addition, it influenced the administrative organization of the Turkish state which incorporated the existing system of local self-government into the provisions of the Vilayet Law of 1865 connecting it with the system of local decentralization.

Therefore, the investigation of the communal institutions is especially interesting not only to the Greeks but to the other Balkan peoples as well, since large sections belonging to the Balkans remained under the Ottoman occupation until the end of the Balkan Wars (1913)<sup>78</sup>.

It would be of great importance to ascertain whether the concept of the various forms of Greek corporations had any influence on the corresponding institutions of the Balkan peoples either directly or indirectly (Church, Vilayet Law of 1865). It would also be of interest to examine whether forms of organized social life applied by the peoples in the Balkans, as for instance the institution of Zadruga, affected the evolution of corresponding institutions in Greece, such as the Tselingata, which constitute a form of financial corporation.

As far as Greece is concerned it should be added that with the "Municipal Law" of 1833/34 the institution of the self-government of the communities is abolished. In spite of the efforts made later, the organic connection of the present with the past in the field of administrative legislation was not realized. This was due to the fact that the Greek legal life was greatly affected by foreign influences in its effort to adjust itself to the new historical conditions.

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77. *Ελληνικά Κοινωτία*, p. 9; see also *Institutionen der Griechen*, p. 369.

78. N. Tontorov, *Origin of the Capitalistic Relations in Bulgaria's Weaving Production during the First Half of the 19th Century*, (Moscow, 1957), (in Russian).