



# Ecclesiastical Law (Erasmus)

**Unit 5<sup>th</sup>:** Church and state relations in Europe (part B)

Kyriakos Kyriazopoulos  
School of Law A.U.TH.



European Union  
European Social Fund



MINISTRY OF EDUCATION & RELIGIOUS AFFAIRS  
MANAGING AUTHORITY

Co-financed by Greece and the European Union



EUROPEAN SOCIAL FUND

# License

- The educational material subjects to Creative Commons licensing.
- For the educational material, such as images, that subjects to another form of licensing, the license is explicitly referred.



# Funding

- This educational material has been developed as part of the educational work of the academic teacher.
- The project "Open Academic Courses at Aristotle University of Thessaloniki" has only fund the reconfiguration and reshaping of the educational material.
- The project is implemented under the Operational Program "Education and Lifelong Learning" and is co-funded by the European Union (European Social Fund) and National resources.



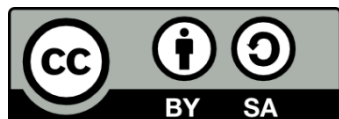


ARISTOTLE  
UNIVERSITY OF  
THESSALONIKI

OPEN  
ACADEMIC  
COURSES



# Church and state relations in Europe (part B)



European Union  
European Social Fund



MINISTRY OF EDUCATION & RELIGIOUS AFFAIRS  
MANAGING AUTHORITY

Co-financed by Greece and the European Union



# Unit Contents

---

## 1. Church and state relations in modern Europe (part B)



# Unit Objectives

---

- General understanding of the Church and state relations in modern Europe.





ARISTOTLE  
UNIVERSITY OF  
THESSALONIKI

---

# **Church and state relations in modern Europe**

## **(part B)**

# Institutional unity and separation

---

- Finland, United Kingdom and Sweden → these states provide legislative guarantees of relative ecclesiastical autonomy for their churches.
- States that provide limited autonomy for their churches.
- Denmark offers limited administrative autonomy for its state churches.





# Denmark's state-church system

---

- There is no supreme ecclesiastical body for the state churches.
- In other European states there have supreme bodies.
- Greece has two state churches: the Orthodox Church of Greece and the Orthodox Church of Crete.



# State church ≠ Free church

- State church → statute enacted by the respective Parliaments.
- Free church → statute enacted through their legislative bodies.
- In some countries state churches are organized as public law corporations, in others as private law corporations.
- State churches are never organized as private law corporations.



# Systems of institutional separation

---

- Subdivided into three subsystems:
  - ✓ Subsystems of Catholic established Church
  - ✓ Subsystems of special recognition of one or more parts of a disguised established Church
  - ✓ Subsystems of a multinational state



# Subsystem of Catholic established Church

---

- They prevail in Lichtenstein, Monaco and Malta.
- Catholic established Church does not have the status of a state church.



# Subsystem of special recognition

---

- This subsystem has assimilated the human rights principles.
- It may provide the basis for giving privileges or better treatment for an established church or churches.
- Law, Constitution or practices – special recognition.



# Notes and remarks

- Divergent religious communities enjoy religious freedom and equality.
- Divergent religious communities are separate communities.
- **Moldova** → two Orthodox Churches – separate ones – only religious communities are protected by the state's law, not schematics nor heretics (divergent communities).



# Church of Bessarabia

---

- It does not protect divergent religious communities (they should be registered in accordance with state law of Moldova).
- Is a canonical Church not a separate church?
- Moldovan case study states that it did not violate the religious manifestations of Orthodox communities as it did with the divergent orthodox religious communities.



# Reference Note

---

Copyright Aristotle University of Thessaloniki, Kyriakos Kyriazopoulos  
“Ecclesiastical Law (Erasmus). Unit 5<sup>th</sup>: Church and state relations in Europe  
(part B)”. Edition: 1.0. Thessaloniki 2015. Available on the Internet address:  
[http://opencourses.auth.gr/eclass\\_courses](http://opencourses.auth.gr/eclass_courses).





# Licensing Note

The current material is available under the Creative Commons Attribution - Share Alike [1] or later, International Edition. Excluded are the individual works of third parties, e.g. photographs, diagrams etc., which are contained therein and are mentioned alongside with their terms of use in the “Use of Third Parties Work Note”.



The copyright holder may give to the license holder a separate license to use the work for commercial use, if requested.

[1] <http://creativecommons.org/licenses/by-sa/4.0/>





ARISTOTLE  
UNIVERSITY OF  
THESSALONIKI

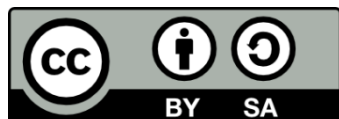
OPEN  
ACADEMIC  
COURSES



# End of unit

Editing: Marianthi-Eleni Diamantopoulou

Thessaloniki, 26-04-2015



European Union  
European Social Fund



MINISTRY OF EDUCATION & RELIGIOUS AFFAIRS  
MANAGING AUTHORITY

Co-financed by Greece and the European Union



EUROPEAN SOCIAL FUND



ARISTOTLE  
UNIVERSITY OF  
THESSALONIKI

---

# Notes

# Notes Preservation

---

Any reproduction or adaptation of the material should include:

- the Reference Note,
- the Licensing Note,
- the declaration of Notes Preservation,
- the Use of Third Parties Work Note (if available),

together with the accompanied URLs.

