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Pilgrimage Centres of Greece and Tourism Development. The Legal Framework of Protection.

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Abstract

Religious sites, either as places of pilgrimage or as cultural resources, have always attracted the tourists' interest. The tourist value of religious areas is enhanced when these are combined with a special natural beauty. These choices are identified in many regions both in Greece and abroad and concern different religions and doctrines. The monasteries of Meteora, Mount Athos, St John the Theologian in Patmos etc. are indicative examples in Greece.

The protection of the sacred areas has drawn the attention of the Greek State which has adopted a special legal framework to protect the sacred sites, the monuments, the heirlooms and the treasures. This regulatory framework is composed of laws concerning specific regions, both continental and insular. There is similar legal protection in other countries as well.

This study examines the special legal framework governing the sacred places of Greece and at the same time treats the question often raised when conflicts arise between the religious character of the place –pilgrimage- and the cultural character of

the place –cultural interest leading to religio-cultural tourism. In other words, there is a question whether the sacred nature of the place complies with its cultural nature and to what extent cultural tourism affects the pilgrimage in sacred places with an active religious activity. There is also a question whether the implementation of restrictions and restraints on sacred places and sites and the reduction of disturbances from the "hordes" of tourists are practically possible.

The answers to these questions vary according to the perspective and the position of the person who examines the issue, namely according to what they consider prevalent: the pilgrimage character or the cultural character. In any case, by establishing the sacred nature of the place, the legislator tries to make the two elements compatible. However, the achievement of this goal depends on those who enforce the law.

Key words: Religious sites, legal protection, Greece

1. Introduction

Cultural Heritage Management (CHM) nowadays constitutes a global need and by extension a global phenomenon. The term "[c]ultural heritage management is the systematic care taken to maintain the cultural values of cultural heritage assets for the enjoyment of present and future generations." (McKercher & du Cros, 2002:43). It is for this reason that a series of Codes and Charters have been created and adopted by international organisations and institutions. Some examples of these are the 1964 International Charter for the Conservation and Restoration of Monuments and Sites (the Venice Charter) as well as the 1972 UNESCO World Heritage Convention whose principles constitute the basis for international protection. In many countries, these principles have been integrated into the national legislation either in the form of a law or through the implementation of policies for CHM of a given country's resources.

In the case of cultural-religious tourism, which is based on the use of the cultural-religious resources of a given destination, the exploration of specific methods of Cultural-Religious Heritage Management is necessary in order to compare patterns and improve methods. Searching for optimal ways to manage the cultural-religious resources upon sustainability principles constitutes an essential goal for both the managers of resources and for the residents of the community to which they belong (Moira, 2009:106). The main aim of Cultural-Religious Heritage Management is not to guarantee the tourist consumption of sites and resources as if they were commodities but to assure their preservation in favor of the generations to come. When speaking of cultural resources with religious interest, this is all the more necessary since they compose, combine and shape both the tangible and the intangible characteristics of a nation.

Throughout their existence, humans continue to produce unique traditions, many of which have non repetitive elements. These in turn create different types of cultures (Mckercher & Du Cros, 2002:44). For example, it is highly unlikely for a new Hagia Sophia or a new St. Peter's Basilica to be created, since the conception and construction of these edifices reflect a particular social, cultural, religious and economic era, impossible to reproduce. In this respect, by the time such cultural-religious masterpieces are recognized for their uniqueness, they have become of a tangible or intangible nature and their preservation is imperative.

Apart from the preservation of cultural-religious heritage for generations to come, another concern is to ensure access and understanding of this heritage for present generations. This can be attained by educating residents and visitors alike so that they understand the significance of a particular cultural-religious resource and by extension the importance of its protection; for instance, the creation of a museum. Cultural-religious heritage is an ample idea; that is to say, it is not only made up of tangible things, such as churches, temples, pilgrimage routes and holy heirlooms but also of intangible assets, namely cultural landscapes with religious significance and traditions to which tales, myths, narratives, devotional customs, festivities and other expressions of the popular religious tradition are linked (Moira, 2009:106).

The relationship between tourism and cultural-religious resources and values is dynamic and constantly changing in nature, creating opportunities and challenges, as well as conflicts. Intense interest to visit cultural monuments with religious significance -religious tourism- and the possibility of its development have begun to increasingly draw the attention of national tourism policies (Litras, 2001:17) and the competent institutions worldwide, such as UNESCO, the European Community, the Council of Europe, ICOMOS, etc. Being conscious of the economic importance of this kind of tourist movement, many states promote traditional celebrations of

religious events as a typical "tourist product". We are all aware of campaigns and offers for Christmas or Easter Holidays in Germany or Austria, France or Italy, for the celebration day of Mary, St Patrick's Day in Ireland, St Fermin in Pablona, etc. Notably, many destinations are very successfully branded upon celebrations of this kind; in particular, Christmas in Austria or in the "Santa Claus' village" in Rovaniemi, Finland, which are organized along with various events such as the opera of Vienna at Christmas and the Vienna New Year's Concert (Moira, 2003:97; Moira, 2007:163-164).

Furthermore, in many cases old customs are revived through the official organisation or religious-cultural routes of wide interest , such as the "Steps of St Paul tour in Greece" (G.N.T.O., 2003). In addition to the increase in the number of visitors already registered by 1997 in the case of St James of Compostela – the Pilgrim Route, two issues have been raised: the maintenance of the natural integrity of the route and the quality of the religious experience (Dennett, 1997). Indeed, the natural integrity of the route seems to be at stake due to the increase in the number of visitors, the changes in the ways these visitors travel, namely by motorcycles and cars instead of the traditional peregrination, as well as wider social and economic changes which affect the human attitude and exert intense pressure. These not only affect the natural environment that constitutes part of the experience of the "trip"[1], but also the residents of the host areas. This in turn affects the "quality of the experience" of the traditional pilgrims.

As a result, it is necessary to promote the rational management of visitors, whether either they are pilgrims or religious-cultural tourists. Moreover, what allows the maintenance of the natural integrity of these places and the co-existence of commercial interests with the religiousness and multiculturalism that visitors seek, is the cooperation, coordination and understanding of all the stakeholders involved, namely the Church, the State and the private sector. Within this framework, Cultural-Religious Heritage Management aims to promote the following:

1. Protection of the natural integrity of religious places
2. Respect of the religious significance of religious places
3. Guarantee of the quality of life of host communities, respecting their sovereign right for the use of religious places, while assuring a feeling of fulfillment for visitors.
4. Balance between commercial interests linked to tourist activity and the satisfaction of the spiritual and religious needs of the pilgrims.

Different actors of the public and the private sector are directly and indirectly involved in the management of religious tourism. In the case of Greece, the tourism policy is mapped via the competent authorities, for example the Ministry of Tourism, the Ministry of Culture, the Ministry of Education and Religious Affairs, etc. Equally important for the implementation of the tourism policy, in particular with regard to religious tourism, is the role of the local authorities, such as prefectures, municipalities, communities, etc. In addition, as far as the development of religious tourism is concerned, especially at a local level, the contribution of both the local population and the Church through the actions of its parishes is very important.

A traditional method of management of tourist activities in tourist areas is the *regulatory techniques of management.* The adopted regulations aim to:

[1] The journey-pilgrimage presupposes a series of experiences, such as silence, solitude, "sharing" of the experience and helping each other.

a) Regulate the number of visitors so as not to surpass the carrying capacity of the site/monument. For example, set a maximum limit of incoming visitors/pilgrims to a specific monastery.

b) Ban particular activities, such as the use of a car in order to approach a holy place, for example Mount Athos in Greece.

c) Restrict access, for example restrict or ban entrance to a confined area or during certain hours of the day, e.g. by programming the operation hours of Churches to which entrance for tourists is forbidden.

d) Differentiate the activities to confined zones. For example, rock climbing at the rock towers of Meteora is only permitted on certain rocks and not on those where monasteries are located (Moira, 2009:109).

Finally, in order to achieve the objectives of protection, regulatory techniques of management follow an escalation of incurred punishment for violation of the above, starting with a simple warning and, in extreme cases, ending with a fine. The regulatory techniques, restrict the freedom of action of tourists and in many cases decrease the overall enjoyment of their travel experience to a certain extent. Despite this fact, these techniques remain the ordinary remedy for the increasing growth of pressure by tourism (Hall & Mac Arthur, 1993).

2. The International Institutional Protection

International initiatives and actions have resulted in the institutionalisation of the protection of cultural heritage through International Law. This kind of "internationalisation" is justified by the general acceptance that monuments and other artistic creations not only belong to a given nation, but constitute a *common heritage of mankind.* The joint consent and recognition of the responsibility of preserving cultural goods for future generations has resulted in and facilitated the communication among people and cultures as well as the cooperation of states toward exchanging information about conservation techniques and monument restoration, monumental complexes and other artistic creations which constitute and shape the "identity" of nations and of humanity as a whole.

2.1. The Venice Charter

The protection of cultural heritage has gradually become a major concern for the international community. In 1964 the Venice Charter was adopted, following an initiative of ICOMOS. The Charter sets a framework of principles that refers to the respect of all values (artistic, historical, scientific, moral, sentimental, symbolic, and environmental), which are attributed to and recognized through architectural monuments and historical complexes (ICOMOS, 1964). This Charted has codified all previous directives and guidelines, and constitutes an internationally agreed text (Bouras, 2007).

2.2. The UNESCO World Heritage Convention

Having recognized that cultural and natural heritage was increasingly at risk not only because of the usual depletion, but also because of the continuous development of social and economic life, and by admitting that this damage or extinction of some of certain goods "makes the world's heritage banefully poorer", the Convention for the Protection of the World Cultural and Natural Heritage was signed in Paris on 16 November 1972. According to the Convention, by using the term *Cultural Heritage*, we refer to monuments, urban complexes, cultural landscapes, industrial monuments and artistic creations.

Of course, the religious monuments are characterised as part of cultural heritage since the religious art has had a tremendous impact on various parts of the world for long periods in history and has influenced the development of architecture, monumental art and urban planning. Furthermore, religious monuments and complexes reflect important phases of the history of mankind and are very closely linked to ideas, convictions, living traditions etc. Furthermore, genuinely religious monuments or religious monuments combined with other cultural elements are characterised as part of natural heritage since very often it is impossible to separate these two features. Illustrations of this case are the rocks where the monasteries of the Mount Athos are situated or the Cappadocia's Göreme National Park with the sap churches. In those cases the cultural element and the unique natural environment are indeed indivisible.

The cultural landscape. The notion of cultural landscape, which has been established by UNESCO, has also a particular interest for religious tourism. The term 'cultural landscape' (WHC, 2008:85-86; ICOMOS, 2008) refers to the combination of natural and human environment expressing the long and close relation of man with his natural environment. It has been acknowledged that many regions are connected to ideas, convictions, traditions and customs and integrate a particular spiritual relation between man and the environment. The term was established in the 19th century by German historians and French geographers. The term and the philosophy of the cultural landscape have been promoted by Professor Carl Sauer and the School of Anthropogeography of Berkeley, USA. UNESCO has connected the natural and the cultural element under a common framework according to which three categories of cultural landscapes have been formed (Fowler, 2003:18). The three categories of cultural landscapes that have been adopted are:

a) *Clearly defined landscape,* namely the landscape that is intentionally designed and created by man. This category also includes landscapes-gardens and landscapes-parks constructed for aesthetic reasons and often connected to *religious* or other monumental edifices and entities.

b) *Organically evolved landscape,* namely the landscape that initially occurs from a social, economic, administrative or/and *religious imperative* and has taken its current form in connection to its natural environment or even as a response to its natural environment. This evolutionary procedure is reflected to the characteristics of the form and components of these landscapes.

The category of cultural landscape comprises two subcategories:

- *Relict or fossil* landscape, namely the landscape in which an evolutionary procedure was interrupted at a certain point in the past, either abruptly or gradually. However, the important and particular characteristics of this landscape remain visible today.
- The *continuing landscape*, namely the landscape which maintains its active social role within the modern society, is closely connected to the traditional way of life and in which the evolutionary procedure continues taking place. In addition, all the important material proof of its evolution through the time are on display in this landscape.

c) *Associative cultural landscape*. The integration of these landscapes into the UNESCO World Heritage List is rather due to the existing strong religious, artistic or cultural connections of the natural element than to substantial proof of cultural nature.

It is according to the aforementioned criteria that UNESCO has integrated into its list the Jurisdiction of Saint-Émilion with the vineyards (France), the National Park

of Uluru–Kata Tjuta National Park (Australia), the Sacri Monti of Lombardy and Piedmont (Italy), the sanctuaries and the pilgrimage routes to the Kii mountains (Japan), the Sacred Valley and the Forest of the Cedars of God (Liban), the Cultural Landscape and Archaeological Remains in the Bamiyan Valley (Afghanistan) and the Sacred Groves of Oshogbo (Nigeria), as cultural landscapes and landscapes with A special religious-spiritual character. This classification, in combination with the special religious-cultural characteristics of the landscape of this category, allows us to use the term *religious-cultural landscape* (Moira, 2009:131).

2.3. The Charter of Cultural Tourism

The Charter of Cultural Tourism was adopted by ICOMOS in 1999. The main aim of the Charter is to actively contribute to the limitation of dangers and to the minimisation of the negative impacts of tourism on cultural heritage. At the same time it aims to balancing the conflicts and controversies of the tourism actors and those responsible for the protection of the heritage. The Charter tries to create norms of good practice and dictate a 'code of behaviour' towards the cultural heritage of a place to the tourism stakeholders and the tourists.

The Charter's principles try to facilitate the access to a tourist place and the understanding of its significance, achieve a sustainable relation between the eventual conflicting values of tourism and cultural heritage, guarantee a constructive experience for the tourist and ensure the participation of the hosting community in the procedures of conservation of the cultural wealth of its land. The purpose of the adoption of the Charter is to implement its principles in as many counties and regions, with differences in the nature and importance of their cultural wealth, as possible. Because of this, the principles are not specified and the used terms are concise. The Charter's principles should therefore adapt to the local conditions and practices, which requires the cooperation of all those who are directly involved in the management of culture and tourism.

2.4. Code of Ethics in Tourism

The implementation of the Code of Ethics, which has been adopted by the World Tourism Organisation (UNWTO), has a particular importance for religious tourism. In October 1999, during the UNWTO's General Assembly in Santiago, Chili, a text with exceptional interest for world tourism in general and religious tourism in particular, was adopted. This text was the "Global Code of Ethics for Tourism". The purpose of the adoption of the Code is to establish principles aiming at the development of tourism and the creation of a reference framework for the different actors of the tourism sector. The Code is intended to minimise the negative impacts of tourism on the environment and the cultural heritage and, at the same time, maximise the benefits of tourism through the promotion of sustainable development, the decrease of poverty and the development of understanding among the peoples (UNWTO, 2007; Fennell & Malloy, 2007, Moira & Katsoula, 2008:301-302).

Certainly the Code is a set of principles without being binding for the states and the tourism actors. Nevertheless, the aim of the World Tourism Organization is to encourage the adoption of these principles by the states and the actors in the form of legal texts or other binding legal instruments (regulations, directives etc.).

The code consists of ten articles covering all the aspects of the tourism phenomenon. The ten articles comprise the following principles (UNWTO, 1999:5): 1. Tourism's contribution to mutual understanding and respect between peoples and societies, 2. Tourism as a vehicle for individual and collective fulfilment, 3. Tourism, a factor of sustainable development, 4. Tourism, a user of the cultural heritage of

mankind and a contributor to its enhancement, 5. Tourism, a beneficial activity for host countries and communities, 6. Obligations of stakeholders in tourism development, 7. Right to tourism, 8. Liberty of tourist movements, 9. Rights of the workers and entrepreneurs in the tourism industry, and 10. Implementation of the principles of the Global Code of Ethics for Tourism.

The Code encourages journeys aiming at *religious*, therapeutic, educational and *cultural* or linguistic exchanges, which it characterises as being particularly beneficial forms of tourism. It is also underlined that tourism is a vehicle for collective and individual integration. Moreover, it considers tourism as a user of the *cultural heritage of humanity* and *factor conducing to its upgrade.* According to the Code, the tourism resources belong to the common heritage of humanity and, therefore, the communities in possession of them have special rights and obligations to conserve them. The Code urges the states to develop tourism policies and activities that respect the artistic, archaeological and cultural heritage. These policies have to protect the cultural heritage in order to bequeath it to the next generations. Special mention is made by the Code to the protection and upgrading of the monuments, the sacred pilgrimages and museums as well as the archaeological and historical places which should be open to tourists. Public access to religious edifices is also encouraged as long as the usual needs of worship are safeguarded. (UNWTO, 1999:5).

It should be stressed that the economic resources deriving from visits to cultural places and monuments should be used for the conservation, protection, development and embellishment of this heritage. The tourist activity should be designed in a way that allows the traditional cultural products, handcrafts and folklore products to survive and flourish and not to degenerate and become standardised.

The Code of Ethics refers to the obligations of the tourism agents regarding tourism development. It supports that the professionals of the tourism sector ought to contribute to the cultural and spiritual integration of tourists and provide them with the possibility to exercise their religious duties during their journey.

Unfortunately, the aforementioned texts have no binding force for the States with religious monuments. They are just 'declarations of principles' and it is up to the States to observe them.

On the contrary, these principles become binding when they are integrated into the State's internal law system. In the case of Greece, a legal protection regime has been adopted in the form of rules of law.

3. National institutional protection. The legal regime of the holy place

In the ecclesiastical field, all forms of art (architecture, painting, sculpture, music) have been cultivated. What's more, they are not isolated cultural elements but they are integrated into historic complexes (Panagopoulos, 2004:211). Often enough the value of the religious monuments is greater due to the fact that they were often built in regions with particular natural beauty. These choices are identified in many monuments both in Greece and abroad and concern different religions and doctrines. The monasteries of Meteora, Mount Athos, the monastery of Hagios Ioannis Theologos (St John the Theologian) in Patmos etc. are illustrative examples in Greece. A similar practice was followed in ancient times for the construction of many religious monuments, such the Oracle of Delphi, the Temple of Apollo Epicurius in Bassae etc. The purpose was to unify and identify the structure with nature, to promote the religious area due to the special natural environment as well as to

enhance the natural environment through the human construction of special value (Panagopoulos, 204:212).

The protection of the holy places has drawn the attention of the Greek state, which has adopted a special legal framework in order to protect the holy places, the monuments, the heirlooms and the treasures. This regulatory framework is composed of laws concerning specific regions, both continental and insular.

There is a similar legal protection in other countries as well. Virgin Mary of Lourdes in France, which has been characterised as a protected area since 1995, the region of pilgrimage to Fatima in Portugal and the Byzantine region between the rivers Stilaro and Assi[2] in Italy. In Israel, the Law 5727 of 1967 protects the Holy Places from desecration and any act obstructing the free access of the faithful of any religion to the Holy Places (Israel Ministry of Foreign Affairs, 1967).

3.1. The recognition of Tinos as a holy island

The first recognition of a region as holy concerned an insular area: the island of Tinos. Tinos, 'the island of Megalochari', is the fourth largest island of the Cyclades complex. Its inhabitants are Orthodox (70-80%) and Catholics (20-30%) and they greatly honour Virgin Mary. The Church of Panagia Evangelistria (Our Lady of Good Tidings) was built in 1824 on the spot where the Panagia Evangelistria icon, depicting Mary kneeling in prayer, was discovered on the 30th of January 1823, following a dream of a nun named Pelagia.[3] Apart from the pilgrimage to the Virgin Mary, one can find chapels, museums, rooms hosting important artistic collections, the mausoleum of the victims of the military ship "Elli", and several auxiliary buildings in the Temple. In Tinos, there are more than 800 chapels scattered around the island. Together with the churches, their number exceeds 1,000[4]. The island is an important pilgrimage destination for Catholics as well. The Monastery of the Sacred Heart of Jesus in Exomvourgo, close to the Orthodox pilgrimage of Zoodohos Pigi (Life-Giving Source), is the greatest organised pilgrimage destination for the Greek Catholics (Moira 2009:164-165). Tinos was designated as a holy site by virtue of the Decree 948/1971 (Gov. Gazette 145/A).

The Panagia Evangelistria Church is administered by the Panhellenic Holy Foundation of Evangelistria of Tinos, a legal entity of public law, under the surveillance of the Greek state (Law No. 349/1976, Gov. Gazette 149/A). The Holy Foundation has its own resources and management. It is managed by a committee of nine citizens, the Metropolite of Syros, Tinos, Andros, Kea and Milos being its President.

3.2. The recognition of Patmos as a holy island

Patmos in one of the islands of the Dodecanese (S. Aegean). It was a place of exile, during the period of the Roman Empire. John, the beloved disciple of Jesus, was

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[2] The latter was characterised as 'sacred' in 1994 by virtue of a decision of the Regional Council of Calabria. (Panagopoulos, 2004:214).

[3] The icon is said to have miraculous powers. To seek the icon's aid, a sick person sends a young female relative or a mother brings her sick infant. As the pilgrim descends from the boat, she falls to her knees, with traffic indifferently whizzing about her, and crawls painfully up the padded lane on the main street the 1 km to the church. In the church's courtyard, the pilgrim and her family camp for several days, praying to the magical icon for a cure. This process is very similar to the ancient one observed in Tinos's temple of Poseidon. Source: http://www.sacred-destinations.com/greece/tinos-panagia-evangelistria.htm (accessed on 17.7.2009)

[4] Source: http://www.e-tinos.gr/proskinimata/index.php (accessed on 25.7.2008)

sent to exile there in 95 A.D., where he wrote the Book of Revelations, in the Cave of Revelation, which is situated in the Monastery between Hora and Skala.

The Emperor Alexios I. Komnenos assigned the island of Patmos to Osios Christodoulos Latrinos, who constructed the monastery of St. John Theologos of Patmos, which became a pole of attraction for Christians. The island, enjoying special benefits, flourished and evolved in a religious and spiritual centre. The Patmiada School was founded in Patmos in 1713 (Moira, 2009:163).

The island of Patmos was proclaimed a holy island in 1981 by law 1155/1981 (gov. gazette 122/A'). According to the unambiguous provision of Article 1 of the above mentioned law, Patmos of the Dodecanese islands is proclaimed as holy. The aim is to safeguard the island's religious character and protect its holy sites along with its artifacts and treasures. It also aims at creating the appropriate conditions in order to communicate the orthodox spiritual wealth to the whole world, as well as to establish the island as a global pilgrimage centre with spiritual radiance both in Greece and abroad.

To achieve those targets, the legislator set up a special committee consisting of members coming from the clergy, the municipal authority, the local society and the judicial authority. In fact, he reinforced it with decisive competencies. Thus, the committee puts forward measures (to the political and ecclesiastic authorities) to safeguard the island's holiness and promote its spiritual radiance. Moreover, the committee is responsible for monitoring the application of the law and undertaking any action that would help accomplish its objectives effectively. The committee is constituted by decision of the Prefect and participation in it is considered honorary, that is why no remuneration or compensation is given.

In order to protect the sacred character of the island, the exercise of the monastic life, divine worship and the task of the Patmiada School, the legislator forbids the operation of enterprises that cause nuisance. According to the law, such enterprises are brothels, holiday clubs, gambling centres, assembling spaces etc.

3.2. The recognition of Meteora as a holy site

The region of Meteora consists of huge, peculiar natural formations that rise above the city of Kalambaka, on the northwest side of the Thessaly plain. Hermits have settled on these rocks since the 11th century, and during the 15th century more than 24 of the monasteries were built. This resulted in the creation of the monastic state of Meteora. Nowadays, only six[5] of the monasteries (rich in artifacts, manuscripts and icons) operate. The rocks in Meteora constitute a wonder of nature, supplemented harmonically by the wonder of human technique (Moira, 2005:105, 107-108). They are included in the UNESCO World Heritage List as part of the World Cultural and Natural Heritage. The continental part that was proclaimed as holy –by law 2351/1995 (Gov. Gazette 225/A) is Meteora[6]. The aim was to protect the region's monuments and artifacts and at the same time safeguard its special religious character. To achieve the above, the legislator does not allow the use or

[5] Varlaam Monastery, Megalo Meteoro – Metamorfosi, Aghia Triada, Aghios Nikolaos Anapafsas, Roussanou Monastery, Aghia Varvara Monastery and Aghios Stefanos.

[6] The boundaries of the region are defined by a common ministerial decision of the Ministers of Culture and Environment, Land Planning & Public Works, following an opinion of the Assembly of the Holy Monasteries of Meteora, the Prefectural Council, the Community of Kastraki and the Municipality of Kalambaka, aiming at freely exercising monastic life and divine worship (article 1, par. 3). In 1999, the 25572/5523/1888 (gov. gazette 1975/B') common ministerial decision defining the boundaries of the region of the Holy Site of Meteora was issued.

exploitation of land or the exercise of professional activities that can in any way disturb the holy character of the region of Meteora or hinder the exercise of the monastic life or divine worship.

By the same law, photographing and video recording for commercial purposes are prohibited. However, they can be allowed by the Ministry of Culture, provided that the Assembly of the Holy Monasteries of Meteora has given its consent to this. Furthermore, the exercise of professional activities, camping, overnight staying, performances, events, as well as the performance of exercises or shows of glide, can be allowed under specific constraints related to the kind of activity, the place, the time and the duration if the exercise of the monastic life and divine worship can be assured.

The institutionalisation of bans and restrictions was made necessary due to the rising number of visitors (pilgrims and religious tourists) and the actions taken by local authorities in order to exploit the broader area for tourist purposes.

Undoubtedly, according to the unambiguous provision of Article 1, par. 2 of the law, the recognition of the region's holiness doesn't offend its protection as a monument, site and architectural ensemble, as provided for in the Convention of Granada of 1985 concerning the Protection of the Architectural Heritage of Europe (Law No. 2039/1992, Gov. Gazette 61/A').

3.4. The status quo of Mount Athos

The region of Mount Athos (Hagio Oros, in Greek) was inhabited by monks in the 9th century, and the first Monasteries were constructed during the 10th century. The peninsula was named Mount Athos during the mid-Byzantine era, following a script of the emperor Konstantinos IV, Makedonomachos (11th century). In 1453 it was occupied by the Turks. However, throughout the whole occupation period and especially during the 17th and 18th century it was a cultural centre. Nowadays, 20 monasteries[7] operate, inhabited by approximately 1.400 monks. The region constitutes a self-governed part of the Greek state and is managed by a Holy Community, based in Karies. Spiritually, it comes within the jurisdiction of the Ecumenical Patriarchate. Women are not allowed to enter Mount Athos. The landscape is exceptional, and in addition, the monasteries in Athos are rich in icons of the Byzantine and mid-Byzantine period, manuscripts, codes, old gospels, rare editions, heirlooms etc (Moira, 2005:166). The region was added to the UNESCO World Heritage List in 1988 as a monument of World Natural and Cultural Heritage.

Mount Athos has been governed since 972 (when ascetism was officially organized under the issuance of the Typico by the Byzantine emperor Ioannis Tsimiskis) by a peculiar political and ecclesiastical status quo. Its peculiarity derives from the emperor's chrysobulls (decrees) and "Typika", the Patriarch's sigillia (documents), the sultan's firmans, and the "General Rules" laid by the Ecumenical Patriarchate. Nowadays, since the Treaty of Sevres (10 August 1920), which was ratified by the Treaty of Lausanne (24 July 1923), Mount Athos lies under Greek dominance and is governed according to what is strictly stipulated by the Constitution. The Greek Constitution of 1975 – as amended in 1986, 2001 and 2008-

[7] 17 Greek: Vatopedi monastery, Aghios Pavlos monastery, Ibiron monastery, Karakalou monastery, Ksiropotamou monastery, Megistis Lavras monastery, Stavronikita monastery, Pantokratora monastery e.t.c., one Russian - Panteleimonos monastery, one Bulgarian: Zografou monastery and one Serbian: Chiliandariou monastery.

and particularly Article 105[8] stipulates the status quo of Mount Athos (Mylonopoulos, 2001:96).

According to it, the peninsula of Athos, beyond Megali Vigla, which constitutes the region of Mount Athos, is a self-governed part of the Greek state, whose dominance remains untouched. Spiritually, it comes within the direct jurisdiction of the Ecumenical Patriarchate. It is administered, according to its status, by its 20 Monasteries, dispersed around the peninsula of Athos. The entire territory cannot be expropriated.

The administrators are representatives of the Holy Monasteries and they constitute the Holy Community. No alteration whatsoever is allowed neither in the administration system or in the number of Monasteries of Mount Athos nor in the hierarchy or position as far as their subjects are concerned.

The status quo of Mount Athos and its mode of operation have been defined in detail by the Constitutional Map of Mount Athos, which has been drawn up and voted by the 20 Holy Monasteries in collaboration with the representative of the state, and has been ratified both by the Ecumenical Patriarchate and the Greek Parliament (article 105 par. 3).

4. Conclusions

By setting a special legal framework for the above mentioned regions and by proclaiming them as holy sites, conflicts often arise between the religious character of the site (pilgrimage) and its cultural character, leading to religious–cultural tourism. The question, thus, set is whether the holiness of the site goes hand in hand with socio-culture and if and to what extent cultural tourism contradicts pilgrimage in holy sites that show intense cultural activity. Furthermore, one wonders whether it is practically possible to apply bans and restrictions to holy sites and reduce the nuisance caused by the "swarms" of tourists.

It is often said that religious sites are holy, and as such, their sole purpose is to provide space for the exercise of the monastic life and divine worship, and not to be exploited as cultural resource. Others accept the prevalence of the cultural character and believe that these places, although legally designated as sacred, should be accessible to anyone with an interest in culture.

Responding to those questions can vary depending on one's point of view, i.e. on whether the pilgrimage character prevails over the cultural character. Certainly, by establishing the holy nature of the place, the Greek legislator tries to make the two elements compatible. The achievement of this goal depends on those who enforce the law.

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[8] Article 105 of the Greek Constitution is merely a repetition of those included in previous Greek Constitutions, and specifically in articles 106-109 of the Constitution of the 4th National Assembly of Athens published in 1926, articles 109-112 of the Constitution of 1927, article 103 of the Constitution of 1952 and article 122 of the Constitution of 1968.

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