

**Abstract of Thesis submitted for the degree of  
Ph.D**

**by**

**Kyriakos A. Babasidis**

**on**

**“The Political and Cultural Dynamics of  
University Asylum Law in Greece ”**

## ABSTRACT

This thesis is about a special form of asylum, which is uniquely found in Greece. Besides all other forms of asylum such as ecclesiastical sanctuaries, political and diplomatic asylum, in Greece, in 1982 “University Asylum” was established as a constitutional right. It prohibits any state authority whether police, fire-brigade or army from entering university premises without the express permission of the university authorities or exceptionally in life threatening situations. As a result for the last twenty years in Greece, university campuses have been “non-policed” areas where crime control and order maintenance is solely a matter for the university community to deal with.

This thesis aims to analyse the historical and socio-political context which gave rise to university asylum and the consequences, for crime and disorder, of having non-policed areas. Accordingly the thesis starts with a discussion of the concept of asylum as has been found from antiquity. Different civilisations in different times and in different ways had exercised the concept of asylum, which basically is the protection accorded to pursued persons. The concept of asylum has been shaped in various forms corresponding to the needs of each historical period. The fundamental idea of the concept of asylum has been to create an intermediary inviolable place for those fleeing their persecutors, where the asylum seekers can enjoy temporary protection from the authorities or individuals pursuing them until negotiations begin.

However, in practice with the Greek “University Asylum” many problems of crime and disorder occurred inside universities, especially in universities located in urban areas, which sometimes were so serious that fear of crime increased and the feeling of security declined inside university premises. This research analyses the problematic of university asylum and its impact on crime and disorder inside universities. This study aims to contribute to the body of knowledge about the concept of asylum particularly university asylum. The main purpose of this thesis is the exposition and analysis not only of the university asylum law as it appears in books but also how it functions in reality as a mechanism of social control on university campuses. Greek university asylum is linked with the student political

movement and the crisis in French universities in May 1968, and of course the dark times of the Greek military junta (1967-1974) and especially with the Athens Polytechnic University revolt (November 14-17,1973) when the junta police fatally intervened within the Polytechnic premises causing the death of many students who protested against the regime. Accordingly, this research throughout does not aim simply to describe and graphically document the criminological situation inside Greek universities as it was in the past decades and as it is now, but also seeks to explain and to evaluate it, in the light of its symbolic, criminological, legal and political significance. In particular this study seeks to examine the consequences of asylum law for crime and disorder inside Greek universities.

For the needs of this study fieldwork has been carried out and empirical data gathered, which shown that although crime and disorder inside Greek universities is a serious problem it is often overestimated by the mass media. However, the problem of crime inside Greek universities is of less significance if compared with the criminality occurring outside university grounds. In addition the problem of university asylum raises not only legal and practical issues, in relation to criminal behaviour, but also political issues since from 1982 when the university asylum law was passed educational and socio-political conditions have changed. Accordingly some reformation of the university asylum law, if decided upon, should be in such a way that the fundamental meaning, the symbolism and ideology of the concept of university asylum remains the basic element of academic freedom, university teaching and scientific research in Greece.

# **THE UNIVERSITY OF HULL**

## **“THE POLITICAL AND CULTURAL DYNAMICS OF UNIVERSITY ASYLUM LAW IN GREECE”**

**BEING A THESIS SUBMITTED FOR THE DEGREE OF PH.D. IN  
THE  
UNIVERSITY OF HULL**

**BY**

**KYRIAKOS A. BABASIDIS, LL.B. (IN GREECE), M.A. (IN U.K)**

**SOLICITOR OF THE COURT OF FIRST INSTANCE AND COURT OF APPEAL (GREECE)  
MEMBER OF THE INTERNATIONAL BAR ASSOCIATION (IBA),  
AND KOMOTINI BAR-GREECE**

**FEBRUARY 2003**



## Acknowledgements

I wish to record my sincere gratitude and thanks to my supervisors, Professor Keith Bottomley, Director of Social Policy and Criminology, University of Hull, and Senior Lecturer Clive Norris, Social Policy and Sociology, University of Hull, for their unceasing support, constructive criticism and illuminating guidance of this thesis, as well as their invigorating enthusiasm and interest in my research which have contributed immensely to the completion of this work.

I need to lay my special tributes in honour of Clive Coleman who untimely died during the course of this study. He always shown to me kindness, inspiration and friendship. His memory will always be special.

I should like to express my gratitude to the following for their for their advice and help: Professor Yiannis Panousis Criminologist, Athens University, Professor Ioannis Schinas in the Law School, Thrace Democritous University.

I wish to record my gratitude to the Professor Aristotelis Haralampakis, in the Law School, Thrace Democritus University, Professor Panagiotis Kargados, in the Law School, Thrace Democritus University, Professor Phillipas Tsalides, in the Polytechnic School, Thrace Democritus University, Professor Nikos Paraskevopoulos, in the Law School, Aristotle's University of Thessaloniki, University, writer and researcher Achilleas Anthemides, Journalist and Editor Alekos Priftis, in the Newspapers *Apogevmatini* and *Chora*, Mr. Elias Argianas, for their advice and assistance.

I also thank my sister Dimitra Babasidou, and my friends Elena Housni, Zoi Ganitidou, Maria Tsalikidou, Savas Moustikiades, Akrivi Harari, Apostolos Kaproulias, Yiannis Bellas, George Ioannides, Dimitrios Tsianeclides, Nikos Koulocheris, Eftihios Vardoulakis for their valuable assistance in sending out and collecting the questionnaires.

I am greatly indebted to the Librarian and Members of Staff at the Brynmor Jones

Library, University of Hull who provided excellent services and the Graduate Research Institute of University of Hull for the Postgraduate Research Training for the programme that proved invaluable my research.

Finally, this work would not have been brought to fruition without the financial support of my parents and especially of my father, Mr. Aristeides Babasidis and the support of my mother Mrs. Voula Babasidou. Special thanks for her indispensable moral support during all the years carrying out my study go to my fiancé Dr. Niki Gotsopoulou, without her presence it would be impossible for me to complete my thesis.

Much as the assistance rendered by the above mentioned aides and well-wishers has influenced the evolution of this work, they are in no way responsible for any of its shortcomings; this responsibility I alone must bear.

**Kyriakos A. Babasidis**

**LL.B., M.A.**

**Solicitor of the Court of First Instance and Court of Appeal (Komotini Bar Association, Greece). Member of International Bar Association (IBA), Section on Human Rights and Criminal Law.**

# TABLE OF CONTENTS

TABLE OF CONTENTS.....	i-vi
------------------------	------

INTRODUCTION.....	1
-------------------	---

What is the problem with the University Asylum?.....	3
--	---

The structure and methodology of the thesis.....	5
--	---

## PART I

### HISTORICAL AND LEGAL BACKGROUND OF ASYLUM

#### CHAPTER 1

##### The Discovery and Historical Evolution of the Concept of Asylum

1. Introduction.....	10
2. Nature and Definition of Asylum.....	11
3. The Different Forms of Asylum.....	14
3.1. Shelter as Asylum.....	14
3.2. Asylum in sacred places.....	15
3.3. Asylum and sacred places in ancient Greece.....	19
3.4. Asylum in Roman Times.....	26
3.5. Ecclesiastical and Local Asylums.....	29
3.6. Political offence exception.....	37
3.7. Political Asylum.....	42
3.8. Humanitarian Asylum.....	47
3.9. Diplomatic Asylum.....	49
3.10. University Asylum: A unique phenomenon of Greece.....	54
4. Conclusion.....	57

## **PART II**

### **THE EMERGENCE OF UNIVERSITY ASYLUM FROM COMMON LAW TO CONSTITUTIONAL RIGHT**

#### **CHAPTER 2**

##### **History of Junta and the Athens Polytechnic University Events on November 17, 1973. Reproductions and Interpretations.**

Historical Chronology.....	62
1. Introduction.....	64
2. The “First” Polytechnic University Uprising (1896).....	65
3. The Social-Political Context of Manifestation of the Student Movement.....	66
4. The Situation of Greek Universities (1972-1973).....	69
5. The Social Background of the Greek Students.....	70
6. The Legislation of the Dictatorial Regime for the Greek Universities (1969-1973).....	71
7. The Occupation of the Athens Law School (February 21-22, 1973).....	75
8. The Events Previous to the Occupation of the Polytechnic University (November 14-17, 1973).....	81
9. What Happened at the Polytechnic University on November 14- 17,1973? Reproduction of the Events.....	83
9.1. Wednesday November 14, 1973.....	85
9.2. Thursday November 15, 1973.....	86
9.3. Friday November 16, 1973.....	88

9.4.	Saturday November 17, 1973.....	90
9.5.	Why did the occupation take place at the Polytechnic University and not at another university?.....	92
10.	Other Interpretations of the Events.....	93
10.1	The political significance of the Athens Polytechnic University revolt.....	93
10.2.	The symbolism of the Polytechnic University revolt.....	96
11.	The Trial for the Polytechnic University Events.....	98
12.	Conclusion.....	99

## **CHAPTER 3**

### **Academic Freedom and University Asylum in Greece**

1.	Introduction.....	102
2.	The Greek Constitutions towards Asylum and Human Rights.....	102
2.1.	The concept of Asylum in Greek constitutions from 1822 until 1973.....	103
2.2.	The 1975/1986/2001 Greek Constitution.....	106
2.3.	Protection of Human Rights in 1975/1986/2001 Greek Constitution.....	107
2.4.	Protection of Asylum in 1975/1986/2001 Greek Constitution.....	110
3.	Academic Freedom.....	113
4.	The Legal- Framework 1268/82 and University Asylum.....	125
4.1.	The analysis of the legal provisions for the University Asylum (1268/82 Act).....	127
5.	Conclusion.....	134

# PART III

## THE IMPACT OF UNIVERSITY ASYLUM ON CRIME AND DISORDER

### CHAPTER 4

#### The Criminological effect of University Asylum inside university premises

1. Introduction.....	139
2. Limitations and Reliability of Press Accounts.....	140
3. Policing Campuses.....	142
4. Crime and Disorder on the Campuses Located in Athens.....	144
5. The Criminological Situation on Regional University Campuses.....	150
6. University Occupations lead to Crime and Disorder.....	151
7. University Asylum and Occupations during the annual Commemoration day of Polytechnic University Uprising.....	162
Review of annul commemorating Polytechnic University revolt.....	163
8. The University Asylum case at Aristotle's University of Thessaloniki. The events led to partially lift of Asylum.....	184
8.1. The debate on the decision for partial lift of the University Asylum.....	190
8.2. What did the academics that supported the decision stand up for?.....	190
8.3. What did the academics that opposed the decision argue?.....	194
8.4 The reaction from the employees of the University.....	196
8.5. The reaction of the politicians.....	196
8.6. What did the representatives of police and justice argue?.....	198
8.7. How did the students of Thessaloniki University react?.....	199
8.8. The results of the decision to partially lift of University Asylum.....	202
9. Conclusion.....	204

## CHAPTER 5

### The Students' Perspective on Crime and Asylum

1. Introduction.....	208
2. The Research Questions.....	208
3. Questionnaire Design.....	210
4. Sampling Strategy.....	214
5. The Data.....	218
6. Data Analysis.....	222
6.1. Students experience of crime on and off university campus.....	222
6.2. Crimes witnessed inside and outside universities.....	230
6.3. Students' knowledge of University Asylum law.....	236
6.4. Students' attitude towards the crime problem and future reformation of University Asylum law.....	241
7. Key Findings.....	248
8. How do our findings relate to the presented hypotheses?.....	250

## CHAPTER 6

### The Contemporary Debate about Reform of University Asylum Law

1. Introduction.....	252
2. University Asylum: The Problematic of a Misunderstood law.....	252
3. Criticisms of the University Asylum Law.....	253
3.1. The academics' perspective.....	253
3.2. The judges' perspective.....	258
3.3. The journalists' perspective.....	259
4. The Answer to the Criticisms.....	261
4.1. The academics' response.....	261
4.2. The politicians' perspective.....	264
4.3. The position of the student political organisations.....	267
5. Alternative Solutions towards Criminality within Universities.....	276
6. Conclusion.....	280

<b>CONCLUSIONS</b> .....	281
Conclusions from the students' perspective.....	281
General Conclusions.....	283
<b>APPENDICES</b> .....	293
1. Interview of Professor of Criminology Yiannis Panousis.....	294
2. Interview of Rector Michalis Papadopoulos.....	309
3. Questionnaire (English version).....	312
3b. Questionnaire (Greek version).....	333
4. Questionnaire Responds.....	350
<b>REFERENCES</b> .....	380



# INTRODUCTION

For seven years between 1967 to 1974 Greece was governed by a military dictatorship which came to power by using military force against the democratic government that had been in power until 1967. The dictatorship took power against the public and politicians' will.

Although the dictatorship tried to control every aspect of social life and succeeded in improving the financial situation of mainly the farmers and other low class people, it never gained the support of Greek people. From the beginning, public and politicians campaigned against it. Many politicians both from left and right wing parties, fled abroad to escape arrest by the military police. Those politicians who had been arrested were exiled to isolated Aegean islands, where were located prisons for the political offenders.

In the effort of the Greek people to restore democracy from the beginning, young people and especially university students played from the beginning a significant role. Many students became members of political underground groups and organisations, both within and outside the university and were pioneers in the campaign against dictatorship. The dictatorship wanted complete control of the universities. Their aim was to replace the university academics opposed to the dictatorship and other staff with those friendly to the military government. The dictatorship also tried to intervene within the universities by cheating and fixing the student elections. Both attempts were unsuccessful for the dictatorship. Despite these efforts the dictatorship never managed to control the university community, which continued to oppose it until the end of the dictatorship.

The most important event of opposition towards the dictatorship was when the students of Athens occupied the inside and surrounding area of the Polytechnic University, on November 14, 1973. From there they demonstrated against the military dictatorship and called upon the dictatorship to organise free elections and reinstate political democracy. The occupation lasted three days and on the third night, military and riot police forces using guns, armoured vehicles and tanks broke

the front gate and entered into the Polytechnic University forecourt. Many students were killed. More were seriously injured and many others were arrested. This event happened in the early hours of November 17, 1973, and significantly influenced the future of the dictatorship. No foreign government was prepared to support the dictatorship after the fatal intervention in the Polytechnic University and the people's opposition to it intensified. Even the U.S.A. government, which had been supporting the dictatorship from the beginning, started to withdraw its support and to propose scenarios for the replacement of the dictatorship. Indeed after a few months (in July 1974) the dictatorship lost power and democracy was restored. Soon after democratic general elections took place. The new democratic government brought to trial the leadership of the dictatorship. All the leaders were found guilty of many felonies and sentenced to prison. Some of them are still serving life sentences. Some others have been released or died in prison.

The events of the Polytechnic University uprising on November 1973, gained a special symbolic importance and for that reason every year November 17, is a national commemoration day and holiday for the Greek universities. The events started to symbolise political and academic liberties and most significantly for this thesis the right to seek asylum.

In 1975, one year after democracy was restored, the parliament voted for a new Constitution which still is operative, and adopted the concept of asylum as a fundamental guarantee of academic freedom. According to Article 16 of the Constitution " the freedom of art, science, research and teaching is protected". Article 16 in fact provided for the protection of academic freedom. It is the legal obligation that the state government has not to intervene in academic research and teaching.

In Greece because of the Polytechnic events and the political pressure which followed, the democratic elected government passed in 1982 the 1268 Act which provided for the so-called "University Asylum". University Asylum based on Article 16 of the Constitution, has been recognised and institutionalised as written constitutional law, not only as common law, to reassert and strengthen academic freedom, which had been brutally degraded during the dictatorship period.

University asylum covers every area of the university. Moreover, the university administration is completely autonomous and the state is prohibited from intervening. Correspondingly, according to the university asylum state forces such as police, army, fire brigade etc., are prohibited from entering within the university areas without the special invitation or permission granted by the university authorities.

The university asylum owes its origin to the Polytechnic University events which, as indicated above, gained a symbolic importance. The familiar doctrine of the university asylum as derived from Article 16 of the Greek Constitution became symbolically significant for the government and the people. University asylum symbolises the protection given within universities to ideas, beliefs and political opinions. Thus, based on Article 16 of the Constitution many administrative laws consolidate the independence of the universities and also recognise students political parties as the linchpin of students' activism.

### **What is the problem with the University Asylum?**

The doctrine of University Asylum through the years has become the subject of political, legal and criminological speculation, in relation to the limits and definition of asylum. The Greek Constitutional law and the University Asylum law (1268/82) recognises universities as self-governed organisations able to provide asylum to every individual including persons who are not members of the university community (academics and students), even offenders who have committed common crimes and have fled to the university areas to avoid being arrested. Therefore criminals have the opportunity to find secure shelter within the university campuses, because it is prohibited for the police to enter the university premises without the special permission granted by the university authorities. This can only be granted by a special triumvirate or the university Senate, however, during the past two decades such permission has been granted extremely rarely.

Indeed, inside the university campuses, common crimes and even felonies, are committed without the police being made aware of these acts. Moreover gangs and immigrants commonly seek protection from the police by entering the university

grounds. Thus, one area of criminal activity which does cause a problem and gives rise to discussion about university asylum limits is drug dealing and drug use. It is reported that inside universities drug trafficking and use is relatively common, which have become worrying phenomena.

Another aspect of the impact of university asylum in crime and disorder are the occupations and vandalism that take place in the university as a type of political demonstration. Thus, during the commemoration of November 17, anarchists and other students occupy the Polytechnic University areas and commit serious vandalism inside the Polytechnic and the surrounding area. These occupations and acts of vandalism are repeated almost every year on November 17, and the invocation of the university asylum has become a shield for the occupants to vandalise without any fear, since it is impossible for the police to intervene without the special permission of the university authorities. In the Polytechnic University the acts of vandalism were sometimes on a huge scale, most often caused by “anarchists” and other protesters who do not belong to the university community.

This study aims to contribute to the body of knowledge of asylum particularly “University Asylum”, which is uniquely found in Greece. The main purpose in terms of theory of this study is the exposition and analysis not only of the university asylum law as it appears in statutes but also how it functions as a mechanism of domestic social control within university and to underline the consequences which it may have. It is concerned with the functioning of law and the way in which people behave in relation to the law. The thesis investigates the legal process of law creation and the consequences of the law in operation. This thesis is a case study and account of social-political analysis and tries to explore the link between politics, law and law implementation. The main task of the thesis is how the university asylum law in reality formulated and applied, whose interest does it express. For that reason the study involves empirical, descriptive work to make clear the notion between the law in books and law in action. We will measure the reality and the operation of the law and compare with the intention to prove the relationship between formal law and law in action in the case of university asylum and if there is significant deviation from the intent of the law in books. To this effort we must explore if the symbolism, ideology

and public opinion about the university asylum law acts as priority and necessity in order the law not to be changed although may needed.

In this context the present study aims to explore and discuss how problematic can be a symbolic law, to what extent university asylum is applied, the possibility for the universities to function without the presence of the law enforcement authorities, the way the university body itself enforce the rules. It will also discuss the quality and quantity of the crimes committed inside the university premises, the identity of the offenders use of the university as a hiding place for common criminals to escape being arrested. Moreover, this study aims to explore the attitude to crime of the students and other people involved with the university community, the role of academics, university authorities, students' political parties, state authorities and the police towards the criminality occurring within the university premises. Thus, in this study a discussion will take place about the possible solutions towards the crime problem within university grounds. In the final stage this study aims to explore the crucial factors which have significance influence upon the university asylum and focus on propositions for changes, if any could be made so that crime will be prevented without abusing the university asylum, and to contribute to the debate about whether university asylum law should be maintained in its present form, amended or abolished.

### **The structure and methodology of the thesis**

The study aims to explore the impact of the university asylum law from a criminological perspective. However, the historical, as well as the political and legal investigation of the topic is also needed to gain a clear and complete view of the concept and impact of university asylum.

The thesis is divided into three parts:

- Part I includes Chapters 1, which is the historical background of the concept of asylum and law relating to asylum.

- Part II of the thesis consists of Chapters 2 and 3, which discuss the Polytechnic University uprising, which led to the creation of the university asylum law, and the analysis of the operation of the new law.
- Part III of the thesis includes Chapters 4, 5 and 6 and discusses the impact of university asylum law, the students' perspective towards crime, order and university asylum and the contemporary debate about university asylum.

The individual chapters:

- In Chapter 1 the historical evolution of asylum is presented and the various types of asylum are described as these emerged during the past centuries, starting from the biblical times and finishing with the twentieth century.
- In Chapter 2 through the study of historical books and through press accounts of past and contemporary newspapers we discuss the history of the Greek Junta (1967-1974) and the Athens Polytechnic University revolt which resulted in many students' deaths and contributed to the fall of the military junta. The chapter explores how the events at Polytechnic University on November 17, 1973, were so serious that they influenced the political future of Greece and became a symbol of democracy and political protest against non-democratic regimes.
- Chapter 3 deals with the analysis of academic freedom and university asylum as a basic constitutional right. Moreover, there is an analysis of the law 1268/82 about university asylum right and the right of the universities to be self-governed and administratively autonomous. In this chapter it is made clear that the university asylum as civil law and constitutional right is a unique phenomenon found only in Greece. In Chapter 4 we will discuss and show how the political climate existed after democracy was restored that created a social demand for the government to pass a law to strengthen academic freedom and protect the right of university asylum.

- Chapter 4 deals with the impact of the university asylum law on crime and disorder within the university premises. It includes an exploration and discussion of various criminological as well as political effects of the university asylum law in the central and regional universities of Greece. The methodology we used in this chapter is a combination of press accounts, analysis of authentic official administrative documents of the university authorities, taped unstructured interviews of representatives of students' political organisations, taped unstructured interviews of university professors, internal documents of political parties. The author interviewed criminologist Professor Yiannis Panousis, who drafted the university asylum law, aiming to explore all criminal and political effects of the university asylum law and its effect on the crime rates inside the university premises. The complete transcript of the interview with Professor Panousis because of its historical importance provided in Appendix 1, and in Appendix 2 is provided an interview with Michalis Papadopoulos who is Rector of Thessaloniki University. It should be noted that all interviews as well as all texts from Greek sources have been translated from Greek to English by the author.

Moreover, students representatives of political organisations were interviewed in the headquarters of their parties. All interviews were unstructured because we wanted the persons being interviewed to be free and flexible to talk about the topic. In addition quite a few students and academics were interviewed by the author inside the Polytechnic forecourt, during the commemoration day of November 17, 1998 and 1999, while carrying out field research. However, some students appeared to be unwilling and afraid to give their names to be recorded. Indeed, occasionally we felt that we were watched by suspicious persons of anarchists appearance. However, we did not come across difficulties to carry out our field work within the Polytechnic University regardless the fear some students had.

In the second major section of Chapter 4 a case study of the impact of university asylum in Thessaloniki University is conducted. Through the case study we aim to discuss the practical effectiveness and the legality of an original decision made by the Senate of Thessaloniki University to partially

lift university asylum. In particular we concentrate on the reaction of the people involved with the university community and the politicians. Again, secondary data were gathered from various administrative documents, speeches of politicians about the university asylum issue, press accounts, T.V programmes, and unstructured interviews.

- Chapter 5 includes the analysis of the questionnaire research we conducted in five different universities of Greece. In this chapter we discuss the students' experience of the crime problem inside and outside the university premises. In addition important conclusions are drawn from the questionnaire analysis about students' knowledge about university asylum, specific legal provisions and their attitude towards the concept of university asylum in general. For further details of the methodology (e.g. piloting, sampling, etc.) see the section of Chapter 6 (below) dealing with the questionnaire design and methods.
- Chapter 6 deals with the current debate about reforming the university asylum law. It includes the various opinions of students, politicians, journalists and academics concerning the need to reform the existing legal provisions of the university asylum law. It also includes propositions for alternative ways of policing campuses. Again, in this chapter we used press accounts, and gathered secondary data from documents such as internal administrative documents of the university authorities, internal newsletters of the political parties and the students' political organisations. Finally, using the taped interviews of various persons involved with the matter we considered their viewpoint and suggestions about university asylum.

Finally, in the final concluding chapter the reader can find the conclusions of the thesis and the personal proposals of the author towards university asylum reformation.



# **PART I**

## **HISTORICAL AND LEGAL BACKGROUND OF ASYLUM**

### **CHAPTER 1**

#### **THE HISTORICAL EVOLUTION OF THE CONCEPT OF ASYLUM**

# CHAPTER 1

## THE DISCOVERY AND HISTORICAL EVOLUTION OF THE CONCEPT OF ASYLUM

### 1. INTRODUCTION

This chapter deals with the history of asylum from antiquity until the twentieth century. It starts with an examination of the nature and definition of the term “asylum”. Then it moves to a discussion of the historical evolution of asylum. It deals with the history of asylum and the different forms of the concept of asylum as these have been illustrated during the centuries from antiquity to the twentieth century, including the biblical time, Pharaonic Egypt, classical Greece, the Hellenistic period, the Roman Empire, medieval Europe, the Enlightenment, the European Reformation and from the French Revolution and the twentieth century. The examination starts with man’s basic need to find shelter, moves to asylum in sacred places such as temples, then to ecclesiastical sanctuaries of medieval Europe, and finally moves to the practice of political, humanitarian, diplomatic and finally university asylum, which is a form of asylum found uniquely in Greece. This chapter aims to show how from antiquity until modern days the ideas of inviolability and immunity resulted in the right of asylum and how these ideas became universally accepted as a fundamental “human right”. This is achieved through an observation and exploration of historical instances of the concept of asylum. It is beyond the scope of this chapter to attempt to deal with, or to cover in any detail all international legal provisions related to asylum. This chapter aims to show that the concept of asylum has been a significant one for the international community from antiquity until today, but in contrast the concept of university asylum has not been developed internationally, but only in Greece.

## 2. NATURE AND DEFINITION OF ASYLUM

The word “asylum” is the Latin form of the Greek word “asylon” (ασυλον)<sup>1</sup> which literally means something not subject to seizure, or freedom from seizure, or no right of seizure. Etymologically the word asylum comes from the Greek adjective “ασυλος” that means free from plunder, untouchable, inviolable. The word stems from the combination of the privation “α” plus “συλη”, “συλον” (no plus the right of seizure “α+συλον”) that gives the word asylon and means no right of seizure. Accordingly “ασυλον” means an inviolable place (A Comprehensive Etymological Dictionary of the English Language, 1966).

Asylum is an inviolable place of refuge, a place of protection for criminals and debtors, from which they cannot be forcibly removed without sacrilege (The Oxford English Dictionary, 2<sup>nd</sup> ed., 1989, p.737). “Asyilia”<sup>2</sup> is the privilege of immunity that individuals may enjoy within a specific inviolable place. For example, such privilege may be enjoyed by ambassadors (diplomatic immunity), and members of parliament (parliamentary immunity). According to International Law, leaders of a country while in the territory of a foreign country may also enjoy “asyilia”. English law first established the inviolability of people’s homes with Magna Carta Libertatum according to the principle “my home is my castle”. For centuries, all European countries enforced this law (Anthemides, 1996, p.40).

The inviolability of a house, apartment or reasonably limited garden may exceptionally be violated by search or arrest only with a warrant and only under specific legal circumstances. In many countries, especially those adhering to parliamentary democracy and the tripartite division of power (legislative, executive and judicial), the law often prohibits arrest not only in religious and sacred places but also in houses of parliament, other buildings of public assembly, local councils, halls of justice, universities and other premises used for formal administration of government and justice. Only the guards serving the premises on the special order of the chairman or president of the assembly can carry out arrests in such premises. All these places in fact lie outside the competencies of military and civil authorities and of any public prosecutor (Bianchi, 1994, p.148).

As a verb “asylum” means to give protection to someone or to place someone in an asylum (The Oxford English Dictionary, 2<sup>nd</sup> ed., 1989, p.737). The word asylum is synonymous with the word “sanctuary.” A sanctuary is a peaceful place that is safe and provides protection for people who are in danger. It is a privileged place of protection. The “Right of Sanctuary” is the right for a Bishop to protect a fugitive from justice or to intercede on his behalf. Especially in ancient Greek times and even more recently in medieval Christianity, sanctuary was the right the people had under religious or Christian customs or scripted laws, to be protected from soldiers, police or other authorities by staying in a church or temple or other sacred place (Longman Dictionary of Contemporary English, 1995, p.1248). Hence, in the wider sense the term can apply to any place in which by law or established custom a similar immunity is secured to fugitives (The Oxford English Dictionary, 2<sup>nd</sup> ed., 1989, p.p. 443).

In general, a “sanctuary” is a holy place or a building set apart for the worship of God, or other divinities such as a Christian church, a temple, a Jewish temple, the Mosaic tabernacle. However, it can also include the part of a church round the altar, the precincts of a church, a churchyard, an area of land which is under the Bishop’s authority, a territory or even a whole sacred-city where a fugitive from the law will gain immunity by fleeing there and seeking asylum (The Oxford English Dictionary, 2<sup>nd</sup> ed., 1989, p.443).

A “sanctuary” is the visible location where the right of asylum can be exercised. Within the sanctuary the fugitive is regarded as a protégé (meaning that the protégé is one under the protection of another higher authority, usually of divine nature authority, and the protégé therefore enjoys immunity from the civil authorities), (Bianchi, 1994, p.138). Once asylum was granted the protégé could not be removed. This way, they avoided being arrested. However, fugitives to whom asylum was granted within a sanctuary had to pledge an oath never to live in the realm. After pledging the oath fugitives had the right to free passage to the borders of the realm and to cross the borders without any right ever to come back. If the fugitives were found within the borders of the realm after thirty days, they could be hunted down with no right of asylum to be granted ever again. By English common law a fugitive

charged with any offence except sacrilege and treason might escape punishment by taking refuge in a sanctuary and within thirty days confessing his crime and taking an oath, which subjected him to perpetual banishment. In England by the year 1625 the right of sanctuary in criminal cases was abolished. Certain places, mainly the precincts of former royal palaces continued to be sanctuaries in civil cases until their privilege was abolished for good during the years 1697-1702. However, the abbey of Holyrood is still by law a sanctuary for debtors, but the abolition of imprisonment for debt has rendered the privilege useless (The Oxford English Dictionary, 2<sup>nd</sup> ed., 1989, p.443).

The protection given by a state to a person who has fled from political persecution in another country is called today "asylum" or "political asylum." It is the protection from arrest (The Oxford Large Print Dictionary, 1995, p.46). If someone cannot return to their home country for fear of being persecuted on account of their race, nationality, religion, membership of a particular group, or political opinion, they may be eligible for political asylum. If people are granted asylum, they may live and work within the asylum country as "asylees" until they gain permanent residence status. Political asylum accorded by a state in its territory to a fugitive coming from another state is generally referred to as "territorial asylum"; political asylum accorded in other places such as embassies, legations or consulates is referred to as "non-territorial" or "extraterritorial" asylum. The most common form of extraterritorial asylum which is accorded outside the territory of the state granting asylum is the "diplomatic asylum" (Bassiouni - Nanda, vol. I, 1973, p.p. 139-42). Territorial asylum is often referred to as internal asylum, as distinct from extraterritorial or external or diplomatic asylum (Bassiouni, 1974, p.92).

Political asylum is the most usual type of asylum because of its massive application during the last two centuries: Political asylum refers to the right of a person to remain in another country and seek protection because their own state acting through its government, or military, or police, or local authorities, or other state organs, without proper authorisation violates political or human rights (Bassiouni-Nanda, Vol. I, 1973, p.140 and Grahl-Madsen, 1980, p.1).

Over the centuries from antiquity until modern times, a huge terminology about asylum has developed, such as ecclesiastical asylum (sanctuary), local asylum, political asylum and diplomatic asylum, which are illustrated in the section about the historical evolution of asylum (see below).

However, Not despite its long historical evolution, but rather precisely because of its extensive historical evolution the concept of asylum has still not acquired the necessary clarity

(Garcia - Mora, 1956, p.5).

In general, the literature (English and international) is limited in terms of the history of asylum. In contrast, the emphasis has been laid on asylum as an international legal and human right, resulting in the development of a huge international law literature. In the past two centuries, in particular, the international community has been interested in war and political refugees, and the right of asylum has been recognised as a fundamental human right. As a result there is now an ever-growing literature concerning the international right of asylum and refuge as texts of international organisations (UN, EC. etc.), of international and national law, treaties and conventions, but which are not of central concern to this present thesis.

### **3. THE DIFFERENT FORMS OF ASYLUM**

#### **3.1. Shelter as Asylum**

The search for shelter is one of the oldest expressions of mankind. Adam and Eve were the first refugees in the history of man (Grahl-Madsen, 1966, p.9). Man obtained his basic needs such as food and shelter from nature. Primitive peoples needed a shield or barrier against their exposure to the fury of nature's elements, such as storms, winds, heat, rain or snow. They needed an escape from attacks of wild animals or, more importantly, to escape from the danger derived from human passions. They worked hard with nature to obtain shelter that afforded them protection, safety, privacy and freedom. They needed secure shelters to find their asylum. Humans developed certain physical places such as caves, riversides,

mountainsides, forests, and used certain resources such as timber, stone, earth, water and minerals, to create an environment, which ensures a certain degree of security and refuge (Sihna, 1971, p.6).

However, the concept of safety does not only mean physical safety but also safety from exploitation and fear (Mabogunje et al, 1978, p.5). The need for shelter focused firstly, on security meaning reasonable protection from exposure to extreme climatic conditions as well as from other life-threatening factors; and second, adequate means for appropriate social perception of private and public life, not being subject to danger (R. Jayakumar Nayar in Gearty and Tomkins ed., 1996. p.181). The practice of shelter is one of the oldest expressions of the human race because its aim is to serve humans and satisfy their basic need for survival. Shelter acts in a physical sense as an intermediary between persons and nature and also other people. The practice of shelter symbolises society itself and there are certain humanitarian considerations in its concept. Correspondingly, the practice of asylum as a means of escape from the revenge and passion of a pursuer is often believed to be as old as humanity itself, because such emotions are common to all humanity (Sihna, 1971, p. 6). However, asylum was not always recognised or practised by all human societies through history. In fact it was sporadic, at times selectively applied, at others deemed a privilege rather than a common human right (Bassiouni, 1974, p.86).

### **3.2. Asylum in sacred places**

Revenge was the main principle of the primitive criminal law. Revenge was the sentence on the criminal pronounced by the victims or their friends or relatives. The model of crime control based on self-help justice, and self-defence imposed by offenders and victims was dominant. People used to “take the law into their own hands” to punish injustice and to justify their individual retaliation (Bianchi, 1994, p.134). The wildness of the primitive law, the magical and religious character of this law which regarded offences against law as offences against God’s will, the pagan fear of the vengeance of angry Gods and the sentiments of humanity all contributed to the rise of the practice of asylum (Sihna, 1971, p.6). Holy places became inviolable by the pursuing mortals and provided asylum to the pursued because there was a strong belief based on religious superstition, that people ought to revere holy

places; otherwise the wrath of the God would fall upon the violators. Temples or altars were regarded as God's "residence" and so became for unfortunate people places of protection. However, criminals were the most unfortunate people so that even then, when they entered such places, gained holy protection from God himself. If the pursuer entered temples or altars to take revenge by killing or torture he also offended God and became damned. Because of this belief, places of divine sanctity became places of asylum for everyone (including criminals) and whenever a fugitive found asylum in such places nobody dared to take revenge, or even to touch him (the meaning of the Greek word asylum was untouchable) (Sinha, 1971, p.p. 4-6).

Such places were found also in earlier societies, many centuries before Christ, all over world in Australia, the South Seas, Africa, North and South America. There are accounts of cities of refuge for persons guilty of homicide in Chibsha in Colombia. Five cities of asylum were found on the Hawaiian Islands, which gave protection to the defeated in the war who sought to escape prosecution. The refugees were secure when they reached the gates of the place of asylum, which were widely opened in the time of war and were made easily recognisable. Cities of peace existed among the Creek and the Cherokee tribes of the North American Indians, places of asylum for war captives among the Creek Indians and in Hawaii; asylum places were also found in Oman and in the Kalabor district of Congo (Sinha, 1971, p.36, note 7).

In Pharaonic Egypt (1500-330 BC), people strictly enforced the laws and punished violators without mercy. Even the Pharaoh did not have the privilege to forgive. However, in contrast to the formal absence of asylum in Egyptian law, in ancient Egypt the Temples of Osiris at Burisis and Amon at Karnak held sanctuaries for fugitive slaves. This developed over centuries and by the time of the Ptolemaic Dynasty (around 150 BC) a particularly sophisticated practice of asylum had developed (Bassiouni, 1974, p.87). Even though asylum was not recognised by ancient Egyptian law, it did figure as an important aspect of international relations. It is worth noting the oldest document in diplomatic history, the peace treaty signed in 1280 BC between the Pharaoh of Egypt Ramses II and the King Hattusilli III who signed it as representative of the Hittites. This very important treaty was written in hieroglyphics on the temple of the Amon (Shearer, 1971, p.5), provided for the return



of persons sought by each sovereign who had taken refuge in the other's territory during the time of their war.

In Pharaonic Egypt the "right of asylum" only occasionally attached to sacred places such as temples territories. Asyilia could be requested only in temples, not cities and territories. Herodotus reports a slave's right of asylum in the temple of Hercules at the mouth of the Canopic river as something exceptional. In general, in Pharaonic Egypt fleeing to some holy precinct did not make a fugitive immune from arrest by secular officials. Only after the departure of the Ptolemaic crown in Egypt is there clear evidence that the institution of asylum flourished as religious immunity from civil law ( Rigsby, 1996, p.p. 540-1).

In Egypt the temples that offered refuge to fugitive slaves obliged them to work for the temple. Slaves preferred to stay and work in a temple than in their former servitude under their master who had life and death authority to them. Some temple areas in Egypt numbered more than forty thousand inmates. Those who did not work for the temple might run their own small business or practice a craft. Nevertheless, the temples apparently offered little freedom except that the slaves were free to return to their former masters (Bianchi, 1994, p.p. 139-40).

As stated above, in some ancient societies the practice of asylum never gained general acceptance. In Saudi Arabia for example, no one except Kings and priests, had the privilege of entering temples to seek refuge. A similar situation has been recorded in Assyria and in Persia, where crime could to be expiated only by punishment (Sihna, 1971, p. 7). However, in Saudi Arabia centuries later (AD 622), Prophet Muhammad while entering Mecca (the holy city of Islam) after fighting against its residents, who opposed him, declared two specific sites as sanctuaries (Bassiouni, 1974, p.87).

The practice of asylum was not found among the Jews until the time of King Solomon (around 985-935 BC). The Holy Scriptures mentions no cases of asylum. The crime of murder was avenged by the killing of the murderer by a member of the victim's family. According to the Law of Moses, the offender who was a murderer

was denied the right of asylum and had to be punished and put to death, even if he fled to an altar. This is illustrated by the case of Ioab who, having murdered the Army Generals of Israel and Juda, took refuge on the altar, and refused to leave it. Nevertheless, he was captured and executed there by soldiers upon Solomon's order (Sihna, 1971, p. 38 note 27). However, it would appear that Solomon might have recognised the principle of sanctuary on other occasions. For instance, Adonija had conspired against King Solomon. He fled to an altar after being accused, and left only after negotiating and having the King's promise to spare his life (Sihna, 1971, p. 38 note 27).

The institution of the "Asylum City" was also recorded in the Bible. Moses is reported to have established in Palestine six cities of refuge besides Jerusalem, namely Bezer, Ramoth, Golan, Kadesh, Sichem and Hebron. In these cities, if killers escaped there they had protection from the avenger, if they remained in the city. Moses established these asylum cities because although Jerusalem was regarded as the "holy city" (Rigsby, 1996, p.527), it was too far to be reached from many points of Palestine. These six cities were so located, that most refugees could easily reach one or other of them. The person accused of manslaughter after fleeing to an asylum city had to remain there until the day of his trial at the place of the murder. If found guilty, he would be abandoned to the avenger's discretion. If found innocent, according to Moses extremely tough law, he would either be imprisoned in the Asylum City or stay there until the death of the high priest of the city. Otherwise, he would be punished by death (Sihna, 1971, p. 8).

The Biblical law was further extended in the Talmud which records Jewish law about religious and secular life. In the Talmud, besides the six asylum cities designated by Moses, some forty-eight Levite cities were also recognised as refuge cities and the right of asylum was extended to foreign murderers (Sihna, 1971, p. 8). The establishment of the refuge cities had also a crime prevention effect. According to Jewish tradition the response to the question, "How do we know if our sin has been forgiven" was "When we are no longer committing that sin". The fugitives, by living inside the asylum cities, learned that it is not through punishment that men learn to abstain from sin and misbehaviour but from the awareness that he is sinning no more.

Asylum cities offered a far more humanitarian route toward that end than did prisons or executions. Through mercy, offenders had a second chance to save their lives and to become living examples for the rest (Bianchi, 1994, p.140).

### **3.3. Asylum and sacred places in Ancient Greece**

“Greece was one of the countries of antiquity where significant developments occurred in the institution of asylum” (Bassiouni-Nanda, Vol. II, 1973, p.336; see also Kourakis Nikos, 1989, p.p.17-18). The right of asylum is indeed counted as an exemplary feature of the Greek social order and religious life (Sinn, in Marinatos-Hägg ed., 1993, p.88). In classical Greece, tutors and philosophers enjoyed from their students an almost divine respect and glory. Their marble statues, such as those of Plato, Aristotle and Socrates, adorned the main entrances of the educational buildings. In the same way, places of learning enjoyed the privilege of *asylia* (inviolability) from those who were not involved with teaching. Such places were called “Academies” or “Schools”, for example the “School of Athens” or the “Peripatetic Academy of Philosophy” (Anthemides, 1996, p.17).

Likewise, it was the Greek ancient institution of the right of hospitality, which assured protection to the stranger that gave rise to the institution of “*proxenia*”<sup>3</sup>. “*Proxeni*”<sup>4</sup> were individuals or groups of individuals such as envoys ambassadors and merchants, possessed immunity on the basis of their function (Schumacher, in Marinatos- Hägg ed., 1993, p.68). They enjoyed immunity (*asylia*) from the right of reprisal, often as one of a range of privileges in order to act freely and without fear (Rigsby, 1996, p.19; for *asylia* and *proxenia* see also The Cambridge Ancient History, Vol. VII, Part I, 1984, p.p., 209, 228, 235, 262, 288-90).

In Modern Greek language “*proxenia*” as a noun means either the transmission of a serious message or a consulate building. Consequently, “*proxenos*”<sup>5</sup> means the consul. The Ancient Greeks, because they were a people involved in overseas trade and colonisation, established even from the eighth BC century scripted interstate treaties to ensure the security of their people, such as merchants, who could then obtain immunity (*asylia*), in order to make it possible for them safely to visit the harbour of a city, outside their own state. This is in strong connection with the

institution of proxenia (Schumacher, in Marinatos- Hägg ed., 1993, p.68). The privilege of immunity was granted not only to the individuals, but also to their personal belongings and to their commercial goods (Anthemides, 1996, p.42). Asyilia could also be accorded to a whole community. A treaty between two states could be signed to provoke the discontinuance of the right of reprisal, which was the right of the wronged party to exercise self-help justice and seize property not only of the offending party, but also of other citizens of the state (Schumacher in Marinatos-Hägg ed., 1993, p.69).

In ancient Greece, asylum was in fact institutionalised in two forms: one referred to individuals and the other to certain specific temples. The persons who enjoyed protection were, first, athletes who participated in the Olympic or Panhellenic Games, second Dionysian artists, third ambassadors or envoys and finally negotiators. In general, asyilia was the institution that guaranteed safe conduct for all those who, acting in the name of their own towns, crossed the city-state boundaries and for that reason were outside the jurisdiction of local justice (Sinn, in Marinatos-Hägg ed., 1993, p. 90). The other form referred to temples, those that granted sanctuary (Bassiouni, 1974, p. 87). However, not all temples, altars or sacred places offered asylum, although they were all suitable for that purpose (Sihna, 1971, p. 8).

In the Hellenistic period (second century BC) certain places, either temples with their precincts or whole cities with their territories, were declared by foreign states to be “sacred and inviolable” in honour of the city’s tutelary god, and consequently the concept of asylum widely developed (Rigsby 1996, p.1).

At this point we have to distinguish asyilia (inviolability) from “hiketeia or hikesia”<sup>6</sup> that is “supplication”; (supplication is a prayer or a humble request to God for help; consequently, a supplicant is one who humbly asks God for help or to be given something that he wants very much). Asyilia can bear upon entire cities and states. On the other hand the usual place for hikesia was every sanctuary or altar where everyone who found shelter as supplicant could take refuge and became part of the sanctuary and therefore “sacred”. As a result the supplicant (“hiketes” for male and “hiketis” for female)<sup>7</sup> put themselves at the discretion of the god rather than man and

was to be immune from violence. Supplication belonged to divine law and the privilege enjoyed by every sanctuary was valid for everyone, strangers, travellers and citizens alike (Schumacher, in Marinatos- Hägg ed., 1993, p. 69).

Full asylum (inviolability) was enjoyed only by a few sanctuaries that had themselves been declared as asylum places (*asyla*), and was offered even to those guilty of a criminal offence, as well as slaves and debtors who could escape punishment and capture as long as they remained in the sacred places (Bassiouni-Nanda, Vol. II, 1973, p.336).

The Greek city-states went even further and accorded asylum to foreigners fleeing from the justice of their own country. For example, after an oligarchic<sup>8</sup> revolution took place in Athens, things became dangerous for the Athenians, and the city of Thebes declared in 404 BC that “every house and city in Boeotia should be open to such Athenians as needed succour; and that whosoever did not help a fugitive should be fined” (Sihna, 1971, p.38, note 42).

Moreover, Greek city-states granted asylum to all political offenders. The victims of ostracism<sup>9</sup> (persons who were banished by a public vote or excluded by the community because of their political power, or political beliefs, or for offences against the state), always found asylum in other city-states where they were in most cases welcomed, and their own city-state could not exercise its jurisdiction over them, as long they were in the other city-state’s territory (Wan den Wijgaert, 1980, p.4, note 16).

Ancient Greek city-states have the right to disagree and refuse the extradition of a political refugee or other fugitive. For example, the Lacedaemonians declared war against the Messenians, because they had refused to extradite a murderer (Wan den Wijgaert, 1980, p.6). There were several reported instances in which extradition of political offenders was refused, because it was considered by the asylum state as a tool to attract asylum seekers from other enemy city-states and use them against their own state. Alcibiades the Athenian was used in this way by Sparta in the war against Athens (413-404 BC) (Wan den Wijgaert, 1980, p. 4). In such cases, serious political

and religious dilemmas arose which resulted in war between the city-states (Rigsby, 1996, p.11). In other words the institution of asylum was not only a matter of interstate practice but also a legal, religious and political right (Sinha, 1971, p.16).

Because of the multiplicity of gods, each Greek city-state was under the divine protection of a particular god, whose sanctity was dominant in the city whose patron he was. Consequently the city recognised the right of asylum only in the temple of its patron god (Sinha, 1971, p.9). An example was the temple of Artemis of Ephesus, the most famous in antiquity (Cox, 1911, p.2). Other such well known temples, were those of Poseidon on Kalaureia; of Apollo at Delphi; of Aiakeion at Aegina; of Neptune at Tainaron where the helots (as slaves were called) took refuge because they were massacred by the Lacedaemonians (Sinha, 1971, p.38, note 38, 49); of Amphitrite on Tenos, and many others (see Marinatos- Hägg, 1993; also see Rigsby, 1996).

The degree of sacredness and thus asylum of the temples was not something absolute. For instance, Apollo's temple at Delphi, as distinct from a hundred other temples of Apollo, was regarded as the most sacred (Rigsby, 1996, p.6). Although the sanctity of asylum was generally found in ancient Greece as a common custom, through fear of the gods, certain city-states restricted the right of asylum of certain criminals (Sinha, 1971, p.9). Certain temples required criminals to undergo a kind of trial or self-punishment, in order to propitiate the gods and persuade the patron god of the temple to accept them within the temple (Rigsby, 1996, p.10). It was the popular belief that every supplicant, criminal or not, was protected by the god Zeus Xenios or Zeus Hikesios (for supplicants). In order for the god to be pleased, the right of asylum, protection and guest-friendship ("xenia and philia")<sup>10</sup> had to be offered to all supplicants. Otherwise Zeus might cast his wrath upon the violators either of the temple or of the custom of hospitality (Schumacher, in Marinatos- Hägg ed., 1993, p.81), (for a discussion of xenia and philia, see *The Cambridge Ancient History*, volume IV, 2<sup>nd</sup> ed., 1988, p.355),

There are several examples of ancient Greek politicians who took advantage of the institution of hiketeia, and turned to sanctuaries seeking asylum to escape death, or

the revenge of their pursuer. Even members of various Greek royal families became supplicants to find protection and shelter in a temple (Schumacher, in Marinatos-Hägg ed., 1993, p.107, and note 2). Pausanias the King of Sparta, who was the victorious leader of the united army of the Greek city-states in the war against Persians in 479 BC. However, in the previous year his political enemies, the so-called “eforoi”<sup>11</sup>, branded him as a traitor while he was at war in Byzantine lands. When he returned to Sparta, he realised that the eforoi were well prepared against him and they demanded his death. Pausanias then sought asylum in the temple of the goddess Athena Halkios at Sparta. The pursuers did not respect the inviolability of the temple. However, they were reluctant to provoke the gods with a direct assault so they surrounded the temple with logs of wood, bricked up the gates of the temple, and damaged the roof in order to drive Pausanias out or starve him to death. In the end, they took him out just before he died, to avoid polluting the temple with the dead body (Encyclopaedia Epistimi kai Zoi - Science and Life- vol. 15, p.p. 314-7).

However, some eighty years later Pausanias’ grandson, also called Pausanias, was more successful in his request for asylum. He was the leader of Sparta’s army in the Corinthian war in 395 BC. He was accompanied by all of his army officers when he decided not to fight against the Thebans in Boeotia. His political enemies at home, because of his decision, accused him of being a coward who blemished Sparta’s glorious reputation. When Pausanias realised he would be found guilty and sentenced to death he escaped and sought asylum in the temple of Elias Athena in Tegea. He remained there as hiketes (supplicant) for the rest of his life and died peacefully. His pursuers respected the inviolability of the temple and did not dare to violate it, to avoid provoking the goddess’ wrath (Encyclopaedia Epistimi kai Zoi - Science and Life- vol. 15, p.p. 314-7).

Similarly, centuries later in Byzantine era, when Tarasios was the patriarch of the Byzantine Orthodox Church (AD 784-806), a thief escaped and became supplicant in the church of Holy Sofia in Constantinople (Istanbul). His pursuers bricked up the gates to force him to surrender. Tarasios opposed this method because it was against church’s rules and tried to help the fugitive by supplying him with food and water. However, the soldiers entered the church and arrested the offender. Tarasios

*intervened and finally managed to release the offender. This according to his opinion was evidence that the Church Canon Law was above the Common Law (Efthymiades, 1998, p.p. 34-38, 111).*

In ancient Athens again, when Antipater the Macedonian took control and became a benefactor of the city in 322 BC, he restricted the franchise by making it dependent on higher levels of wealth. More than 22.000 people were disfranchised due to their low income. Many of them went into exile. Demosthenes Hypereides who was the most democratic politician and orator in Athens, fled in 322 BC to the temple of Poseidon on the island of Kalaureia. Antipater sent Archias with a company of soldiers to capture Demosthenes. However, Archias was reluctant to violate the sanctity of the temple despite having orders to do so. It appears that he was influenced by the popular belief that the violator was always struck by the wrath of the divinity, so instead he tried to persuade Demosthenes to give up his hikesia. In this task he was partially successful as Demosthenes did indeed leave the sanctuary of the altar but only after having taken a lethal dose of poison. Even in his death Demosthenes was afraid to offend the Gods and managed to leave the temple so as not to pollute the sacred place with his death (October 322 BC) (Schumacher, in Marinatos- Hägg ed., 1993, p.p. 74-5; see also *The Cambridge Ancient History*, Vol. VI, 1927, p.460).

As seen above, the violation of a temple and the abuse of the right of asyilia, according to the common belief could be punished by god's wrath. For example, an earthquake buried the town of Helike (Achaia) in Peloponesus with all of its inhabitants in 373 BC. It was thought that the disaster was caused by the wrath of Poseidon because the people of Helike had killed Ionian envoys in the Poseidon sanctuary of the town (Sinn, in Marinatos- Hägg ed., 1993, p.93). Similarly, in 464 BC, a severe earthquake hit Sparta shortly after the massacre of helots, who had taken refuge in the temple of Napture Poseidon at Tainaron. It was believed that this sacrilege had brought down a curse known as "agos"<sup>12</sup> on the Spartans, and the earthquake was attributed to the divine wrath of Poseidon punishing the Spartans (Sihna, 1971, p.39 note 51). Similarly in Athens it was thought that a curse known as "Kylonos agos" was incurred because in 612 BC Kylonas and his defenders, having

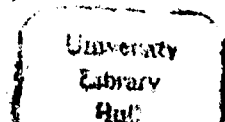


revolted unsuccessfully against the aristocrat Alkmeonides Megaklis, were massacred although they sought asylum at the altar of Athena (Anthemides, 1996, p.45).

The institution and the practice of asylum were also formalised in the Pre-Hellenic (around 800-323 BC) and Hellenistic periods (323-30 BC) through the "Amphictyonies"<sup>13</sup>, whereby an association of city-states agreed to protect a common sanctuary. In fact most of the time the institution of Amphictyonies extended to a political association between the states. The most famous Amphictyony was the one for the protection of the temple of Apollo at Delphi (Sihna, 1971, p.9), which was established, according to legend, in about 550 BC. The agreement meant that the temple of Delphi was regarded as the common seat ("hestia")<sup>14</sup> of all Greeks.

The Amphictyonies also organised athletic games and Dionysian Festivals. While these were underway, a truce existed and member states were prohibited from declaring war and individual participants enjoyed immunity (Rigsby, 1996, p.p. 54-7).

From the early sixth century BC, four main sanctuaries, Olympia, Delphi, Isthmian and Nemea, established several festivals (Mysteries) and organised pan-Hellenic athletic games, or theatrical and musical competitions (Agones). The Pan-Hellenic ideology, or in other words the union of Greek city-states had been developed mainly in the period of the Persian wars (fifth century BC). Then the whole political and religious system of ancient Greece defeated the Persians, and Amphictyonies created a feeling that these festival and athletic games were a representation of the Greek people. Major sanctuaries such as that of Delphi, became sites where Greeks could meet each other and enjoy political, cultural and athletic competition. For the duration of the games and the mysteries a "sacred truce" ("ekecheiria")<sup>15</sup> existed, which was a temporary cessation of hostilities between the states in order for visitors to come safely to the games. The participating states were not to engage in hostilities for the duration of the games. Accordingly the inviolability of the temple was also transformed for those who were coming to the games as participants. The asylum thus granted was only valid for a limited period, the duration of the games. It was an asylum function based upon time rather than space, but at the same time it was also



an illustration of territorial asylum, granted for the security of visitors and participants to the Pan-Hellenic games and mysteries. Fugitive slaves, debtors or criminals had the best chance to take advantage of the limited asylum and as a result they also gained the privilege of *asylia* the other visitors enjoyed (Rigsby, 1996, p.12; Schumacher, in Marinatos- Hägg ed., 1993, p.71).

As mentioned above, the practice of asylum in ancient Greece was associated with religion, legends, sense of hospitality regarded as duty and divine demand. Also with political activities, emergence of shared community values such as, freedom and autonomy, and especially with the institution of Amphictyony and of the city-states. At the time the basis of asylum was found in the sovereignty of the city-state, the idea of territorial asylum began to be developed. One of the most significant functions of Greek sanctuaries was to provide shelter and inviolability to refugees. The asylum granted to supplicants was related not only to religious but also to certain socio-political and cultural situations. Monasteries and churches in the Middle Ages (see below) fulfilled a similar function. Greek sanctuaries as places of refuge and the protection afforded by them can be compared with the modern institutions officially recognised as places of asylum, such as Christian churches, diplomatic missions or universities (Sinn, in Marinatos-Hägg ed., 1993, p.88). The presence of sanctuaries as *asyla* was related to the endless war and political realignment that so characterised classical Greek history, the honour and the fear of god and the absence of a strict civil law that led cities to developing legal autonomy and liberty, and consequently, fiscal and political autonomy. The practice of asylum in ancient Greece was a successful combination of two factors: religious faith and territorial sovereignty.

### **3.4. Asylum in Roman Times**

The Romans, unlike the Greeks, scarcely developed the concept of asylum (Wan den Wijngaert, 1980, p.4 note 16). In the founding of Rome, Romulus and Romus made provisions in the city for an open place, on the Capitolium, for refugees or fugitives (Bassiouni, 1974, p.87). This sanctuary was the temple of the “Asylean god”. Fugitives from the law (slaves and criminals) who fled there were granted the right of new citizens in Rome (Rigsby, 1996, p.576). Romulus, influenced by the example of Athens, which had traditionally welcomed refugees, established the “asylum of the

Capitolium". However, the Greek word *asylon* was only attached to the place of the Capitolium centuries after the foundation of Rome. There is no written report before AD 22 that calls it simply *asylum*. Romulus made a temple with the right of *asylum* for suppliants in a place called, in Latin, "Between two Groves". The lack of a proper name is clear evidence that this space was not sacred to any god. The lack of a Latin word for the right of sanctuary reveals the absence of this function. Romans apparently borrowed the Greek term *asylum* to apply to immunity from law but not the right for sacred places to be sanctuaries from the law. Consequently, it is difficult to find the right of refuge, apart from the time of Romulus. In fact, the Romulean sense of *asylum* at the Capitolium has no similarity with the declared inviolability, as practised in the Hellenistic world. The only example of a place being declared "sacred and inviolable" in the Greek sense was the temple of *Divus Julius* which was so declared in 42 BC (Rigsby, 1996, p.576).

In Republican Rome (509-27 BC), the right of *asylum* was very unusual and limited to a few temples. However, in 64 BC, Cicero reported the importance of places such as temples being untouchable whenever there was danger. Nevertheless, instances of flight to a temple in the Roman Empire (27 BC- AD 476) were limited. The Roman notion of law and order did not allow citizens to escape the power of law or fugitive slaves to claim a right of *asylum*. Criminals or slaves fled, most of the time, not to the temples as in Greece, but to the statues or houses of the emperor. Citizens of Rome were left to the emperor's discretion. It was up to him to decide for the death or life of a fugitive. The fugitive had the status of "*neocoros*"<sup>16</sup>. The "*neocorate*" temples, where a fugitive could claim "*neocoria*", because they housed the cult of the emperor, had the right of *asylum*. The "*neocoria*" came to be the new religious entitlement to seek, to be selected as the province's host for the provincial temple of the emperor, a cult of more than local patronage for a god honoured by all the Greeks (Rigsby, 1996, p. 29).

When the Romans dominated Greece (first BC century), they restricted by certain acts of the government the right of *asylum* from the Greek temples. Roman interpretation of the title "sacred and inviolable" was at best the right of a temple to provide a temporary refuge from civil law, and immunity from violence. Under

Roman rules only very few Greek temples received the right of asylum. Roman authorities feared that the right of asylum practised in their Greek provinces was a threat to their political power. The fear of a slave revolt and social disorder, made them suspicious of the right of asylum granted in Greek sanctuaries. For that reason and to secure public order Emperor Augustus, in AD 23, abolished the asyilia of the most famous temple of Artemis in Ephesus. However, during the reign of Emperor Tiberius (AD 22-23), the Roman senate reconfirmed the privilege of inviolability of some Greek cities, such as Elatea in Phocis and Tithorea, after receiving representations from these cities as to the importance of the custom. In fact, no Roman temple can actually be found that provided complete inviolability to suppliants. Even in the case of statues, fugitives were not completely protected from punishment. In any case, acts of refuge to temples are rarely reported in the Roman Empire. Flight to the emperor's statue or house was also rare. The Roman principles of law made asylum unnecessary, at least for Roman citizens (Rigsby, 1996, p.p. 576-86).

In summary, asylum during the Roman era was not abolished totally, but its scope and function was significantly restricted. Asylum was granted to fugitives and slaves for a short period, mainly for the time until the final decision of the emperor or of the judges. The view was taken that law should be enforced without deviation and no one should escape punishment of the law. Roman law itself was regarded inviolable, but no places were inviolable or immune from the law (Sihna, 1971, p.p.9-10).

However, regarding what today is called "university asylum", the Roman Empire played a most significant role. During the first century AD, as Christianity was spreading, the Roman Empire was under the power of the Flavian dynasty (AD 69-98). It was a period of the Roman Empire characterised by security, stability, socio-economic improvement, legal restoration, strengthening of the welfare system, and financial investment for cultural and educational progress. The great achievement of the Flavian dynasty was the restoration of a shaken realm. Vespasian Titus Flavius, who was Roman Emperor for the years (AD 69-79), was the founder and the most important representative of the Flavian dynasty (Langer, L.W., 1939, p.p. 107-8). He was also the champion of educational reform. He created professorial chairs,

endowed new schools and granted teachers, school secretaries, sophists, grammarians, philosophers and professors of universities, the privilege of *asylia*. As a result, all the above categories of academics enjoyed special immunity, in order to express their ideas freely and teach their students without fear of persecution. As seen above, in ancient Greece there was no need for teachers and philosophers to enjoy such a privilege, because they enjoyed an almost divine respect, glory and appreciation from their students and other citizens. In the Roman Empire, when the whole realm was shaken and people's trust, confidence and security was in question, Vespasian understood the social-political need to confirm by custom and by a certain legal administrative rule the privilege of *asylia* for academics (The Cambridge Ancient History, Vol. XI, 1936, p.44; see also Anthemides, 1996, p.p.17, 44; see also *Istoria tou Ellinikou Ethnous*, - The History of Hellenic Nation- Vol. 6, p.p. 295-6).

### **3.5. Ecclesiastical and Local Asylums**

It was the Roman Emperor, Constantine the Great, who officially recognised Christianity as a religion (AD 313-323). Constantine realised the failure of the persecutions against Christians. In AD 313, with his Edict of Toleration marked the beginning of a new historical era. Christians were no longer under the Diocletian edict of persecution (AD 303). Constantine declared his concerns about the security of the state, believing that it would be best served by granting freedom of religious choice not only to Christians but to all others as well (Grant, R. 1971, p.p.265-7). Constantine extended this official toleration of Christianity further by recognising the institution of the bishop's court and its substance by civil authority. The bishop's decisions were accepted as "sacred and honourable". In the ecclesiastical court, the priest and bishop's judgement was based not only upon the case but also upon the character of the people involved. Judgement was influenced by the idea of pastoral mercy. Sentences were expected to be moderate, designed to bring peace, not retaliations. Constantine believed that above all and above legal justice is humanity (Doerries, 1972, p. 85). Under Constantine's reign, churches became administratively autonomous and self-governed, and were allowed to give protection to fugitives within their walls or precincts. The protection afforded by churches was accepted as something sacred and of the greatest value (Cox, 1911, p. 2).

Constantine the Great, following Vespasian's example, maintained the immunity for particular classes whose work was regarded as of special significance, such as doctors, grammarians, teachers and professors of the universities. His respect for culture led him to give places of honour to professors of literature. Those who earlier had occupied these posts, such as the bishops, were allowed to retain their privileges. With the recognition of *asylia* for university professors and other teachers, they became a powerful social-class enjoying respect from the state. This concept of "university asylum" was later extended to teachers' and professors' family members who also enjoyed immunity (established by the Theodosianus Codex XIII 3,1, in AD 32 and (Justianus Codex X 52,6 in AD 535), (Anthemides, 1996, p.p. 17, 44). Special and personal *asylia*, granted to special classes such as students of architecture (Theodosianus Codex XIII, 4, 1 in AD 334); physicians and professors of literature (Theodosianus Codex XIII 3,3 in AD 333) and provincial priests (Theodosianus Codex XII, 1, 21 in AD 335) (Doerries, 1972, p.90).

In AD 392, Theodosius I regulated the church's privilege of the right of asylum, the free access given to the bishop's courts in civil suits and the binding force of their decisions. The clergy also were freed from trade-taxes (The Shorter Cambridge Medieval History, Vol. I, 1952, p.70-1). The Church not only influenced the imperial laws and administration, but it had become a new source of law, the scope of which was to develop the notion of humanity and strengthen Christian principles as well as to increase the number of Christians (The Shorter Cambridge Medieval History, Vol. I, 1952, p.70-1).

The institution of asylum granted by churches was a way in which the Christian religion could express its humanitarian ideas. It was also a practical expression of the Church's autonomy from state rule. In AD 438, Theodosius the Younger, extended the privilege of a church, as a place of refuge beyond the walls of the actual church's altar to the walls of the churchyard, including the bishop's houses, courts, cemeteries and other buildings or parts, but also excluded public debtors from seeking sanctuary in these places (Bassiouni-Nanda, Vol. II, 1973, p.337). During the years of Theodosius I (AD 367-376), the Christian Church became more prosperous, through the acquisition of property and the emperors became the most important benefactors

of the Church. The enormous increase in the property of the Church, brought with it correspondingly administrative autonomy. The Church became a powerful institution and its economic freedom strengthened its right of asylum, which was confirmed by certain state and internal ecclesiastical rules (The Cambridge Medieval History, Vol. IV, part II, and p.p.118-20). Pope Leo I confirmed the laws established by the Theodosianus Codex, which had attempted to set out official rules governing the practice of asylum (Bassiouni-Nanda, Vol. II, 1973, p.337).

Christianity, with the ideas of sanctity and mercy, became a peaceful power. The clergy became the intermediaries between Christianity and the people, and between the Church and unfortunates, such as criminals, the poor, slaves and refugees who sought asylum in a church. Although a church or monastery could deny at their discretion a person the right to asylum limited records exist of such refusal. On the other hand, because it was difficult to distinguish the seriousness of the crimes committed by an asylum seeker, churches became a secure shelter for everyone, even the most serious offenders (see Trenholme N., 1903). In AD 411, the Council of Orange decided that the fugitive who had fled to a church should not be surrendered. In AD 511, the Synod of Orleans extended the right of asyilia to the bishop's residence to thirty-five paces beyond the walls of the building. Similarly, in AD 681, the Council of Toledo prohibited a criminal's arrest around the church, within a distance of thirty-five paces. The Church's right of asylum during the fourth and fifth centuries AD was extended to all places under the authority of the Church, such as chapels, cemeteries, ecclesiastical hospitals and schools. Protection was afforded to all criminals. However, in AD 535, Justinian excluded those accused of homicide, adultery and rape (Sihna, 1971, p.11; see also Cox, 1991, p.p. 4-5).

The development of ecclesiastical asylum has shown an interesting long historical and legal pedigree. The institution of ecclesiastical asylum reached the purest form in Eastern and Western Europe in the twelfth century. Even so, in AD 1140, Pope Gratian's canon law regularised the law of asylum, excluded certain crimes, such as robbery and serious crimes committed in a church. Over the next five centuries various restrictions were made to the right of asylum. Pope Innocent III (1198-1216), excluded from the right of asylum highway robbers; Pope Innocent IV (1243-1254)

decreed penalties against clergy who granted asylum to murderers. In 1515, Louis XII of France had totally abolished the right of asylum in Parisian churches. In 1547, Henry II decreed criminals should be seized in all sanctuaries. Edicts by Pope Clement XI in 1720, Benedict XIV in 1750, Clement XIII in 1758, and Clement XIV in 1769, limited the right of asylum. In England (1625), the privilege of church sanctuary was not recognised any more as a right, due to a Parliamentary law (Verzijl J.H., 1972, p.p. 281-2; see also Sihna, 1971, p.p. 12-3; and Bassiouni-Nanda, Vol. II 1973, p.338).

It is noteworthy that in England there is no evidence for asylum in a church until the seventh century. In AD 597, Ethelbert, King of Kent, after having been baptised by Augustine the Apostle of the Saxons, drafted the first Anglo-Saxon code of laws. In the first section of the code he decreed that the punishment for a violator of the church "frith" (which etymologically means peace) was to be double the punishment for an ordinary breach of the King's Peace (Bianchi, 1994, p.p. 140-2).

A well-known sanctuary in medieval England was the Minster of Beverley in Yorkshire. In AD 937, King Athelstan accorded the privileges in honour of St. John of Beverley. Athelstan was the first Anglo-Saxon who established a law to rule over the entire territory of Beverley. The right of sanctuary began one and a half miles from the actual church's precinct in every direction and was indicated by a milestone. From the milestone onward, the fugitive could not be arrested. Refugees could stay in the Minster for no longer than thirty days. They were required, as a condition of their sanctuary, to try to settle their dispute with their pursuers, who were either individuals seeking revenge or public prosecutors. During these thirty days, refugees were considered guests of the Minster and food and lodging provided. If after the thirty days no settlement had been reached, they could extend their stay for two more months. Many fugitives stayed in the Minster and worked there for life, after taking the oath of obedience to the canons and town of Beverley authorities. In the years between 1478-1539, almost five hundred such cases were recorded. Criminals of all kinds (debtors, murderers, horse-stealers etc.) took the oath and remained in the Minster permanently (Cox, 1911, p.p.126-49). According to legend, King Athelstan had bestowed the stool on Beverley. Beverley Minster has one of the three Frith



Stools (sanctuary chairs) known in England. The other two are at Durham Cathedral and Hexham. The stool in Beverley Minster is today located near the altar. It was believed that the stool is the symbol of asylum (Bianchi, 1994, p.142).

In the Middle Ages, besides ecclesiastical asylum, there were different kinds of "local asylum", whereby various places enjoyed immunity from civil law and the King's authority. First of all, people's homes were regarded as inviolable. The Magna Carta influenced medieval laws in this respect. Palaces of Kings, Lords houses, certain castles, hospices, hospitals of knightly orders, schools and universities enjoyed not only inviolability but also administrative autonomy and the right of asylum. For example the University of Heidelberg even maintained its own judiciary system for its students until the beginning of the twentieth century (Rigsby, 1996, p.3; see also Bassiouni-Nanda, Vol. II, 1973, p.338).

In Paris (1208-1210) the meaning of the word 'universitas' was the society of Parisian professors and students who they enjoyed privileges such as free taxation. Between 1215-1231 the universities, which were under churches authority, became financially autonomous and self-governed. For 40 years (1220-1260), the University of Paris and its academic staff, due to Pope's support, became powerful autonomous institutions and enjoyed the right of asylum. Finally, (1261) the Pope Alexander IV recognised the university of tutors and students (*universitas magistrorum et scholarium*). From that moment onwards the University of Paris enjoyed the right to strike, immunity of taxation, the right to be self-governed on its own rules, and complete immunity from King's authority (Bernstein, 1978, p. 291; see also Benveniste, 1989, p.72). In 1452, after an educational reformation, the University of Paris was again under kings' authority and lost its privileges (for the above see N. Karapidakis, 'Asylum in Medieval West' in Newspaper *Kathimerini inset epta emeres-Daily- Seven Days*, p.p. 14-5, January-16-2000).

Robert de Sorbonne, who was a priest, in 1257, established the University of Sorbonne, which is the most famous in France and well known in Europe. At the very beginning the university was a hospice for the poor students who were studying theology and philosophy. Because it was under church authority it soon became the

most financial powerful university enjoying complete autonomy and asyilia from civil law. The same privileges were enjoyed by Oxford University, which included 3,000 tutors, and students in total, divided into four departments (the department of theology, medical school, arts department and ecclesiastical law) (Laurie, 1985, p.p. 88-95). In 1214 Pope Innocent III approved the Statute of Oxford University, which provided for its autonomy and the privilege of self-government. The same privileges were also enjoyed by the University of Cambridge, (see Durant, 1958, p.p. 1068-9). In 1249 the archbishop of Rouen, William of Durham established the University College in Rouen. It was enjoying privileges of complete autonomy and asyilia from civil law.

In about 1300 the University of Sorbonne, Oxford University, and the University of Paris were considered the most important academic places in Europe. But even the Cambridge University and the Universities of Bologna, Padova and Vienna all enjoyed the privileges of autonomy and the right the civil authority not to intervene within. In fact, all enjoyed the so-called today right of “university asylum” analysed below (for the history of medieval universities in Europe see Rigos, 2000, Chapters 2-6, p.p. 40-93).

The Great Charter “Magna Carta”, that King John of England introduced in 1215, guaranteed the freedom of man, the civil rights and the right of justice. Moreover, the charter introduced the right of man to seek protection in the law. In chapter 40 it states: “to no-one will we sell, to no-one deny or delay justice or right”. Magna Carta became the universal guarantee of impartial administration of justice and the foundation of constitutional freedom (McKechnie, S., 1914, p.398). Similarly, in the French Revolution Convention (1792), the right of justice was guaranteed by seeking asylum in law and not asylum from law with the following words: “The right of asylum is being abolished in France, for it’s now the law being the asylum of all people” (Bianchi, 1994, p.144).

Magna Carta recognised the English Church’s privilege of self-government and the right of sanctuary. Offenders must be punished according to the measure of their offence. Every man, even criminals, should receive justice but not revenge by the

law. Criminal law ought to be administered in a realistic, flexible, and not vindictive way toward criminals (Howard, 1954, p.13).

Moreover, Magna Carta Chapter 39, declares the right of “every freeman not to be imprisoned, or seized outlawed or exiled or deprived of his standing in any way, or forcibly prosecuted except by the lawful judgement of his equals or by the law of the land”. It is the most important chapter (Howard, 1954, p.14), because of its enormous significance in the development of the principles of the rule of law, the dominance of law, the right of life, liberty and property; all ideas that revealed the humanitarian intention of the asylum concept. The Magna Carta became the promise of security and protection to all people for their liberty, property, lands and the safety of their lives (McKechnie, 1914, p.379; see also Thorne et al, 1965, p.29). The idea that every man has the right not to be seized and forcibly removed from his own property without any legal reason is the basis of local asylum in people’s houses.

Magna Carta’s ideas established new humanitarian doctrines, which through centuries became the basis for a new anthropocentric political philosophy exercised during the eighteenth and nineteenth century. The French Declaration of the Rights of Man (1789) in article 7, inspired by Magna Carta, declares “no man should be accused, arrested or imprisoned except in cases determined by the law” (Jennings, 1965, p.39).

Several other charters adopted Magna Carta as the fundamental law. In England, the Petition of Rights (1628), the Habeas Corpus Act (1679), the “English Bill of Rights” (1698); in the New World the “Rights of Englishmen” (1606) and the Declaration of American Independence (1776) referred directly to clauses of the Charter of 1215 and especially to Chapter 39 of it (Howard, 1964, p.p.26-7).

Ecclesiastical and other local asylums flourished, based on the medieval ideas of peace, love and pity. It was these ideas, which led to the foundation of the concept of asylum as a humanitarian duty and right for all pursued persons. Even those guilty of a criminal offence had the right of life and forgiveness. This right was offered in places both religious and secular. However, local asylum, as exercised in non-

religious locations, was abolished from the seventeenth century when ecclesiastical asylum also began to be restricted until its total disappearance in eighteenth century (Bassiouni-Nanda, Vol. II, 1973, p.338).

To sum up, ecclesiastical asylum was established from the fourth century onward, rooted in the power of the Christian church and on the humanitarian principles of Christianity. Soon Christianity became the state religion in medieval Europe. The more powerful, rich and administratively autonomous the Church became in the historical period of the Middle Ages, the more it claimed respect for the inviolability of ecclesiastical asylum. As a result, the practice of the right of sanctuary became a universal phenomenon of Christianity. The belief of antiquity, that pagan temples especially the Greek temples, had the right to protect criminals from their pursuers on behalf of a divine duty and will, had been easily transferred to Christian churches, which inherited the privilege of immunity the Greek temples had always enjoyed.

During the reign of Constantine the Great (AD 306-337), the claim for churches to enjoy immunity and grant asylum was satisfied. The rise of ecclesiastical asylum was a religious concept based not only on the power of theological theory, but also on the power of most European states and the political power of the Church itself. During the medieval period, states continued to support the established laws of asylum. They were forced to do so, because their security and stability were based upon the power of the Church.

The development of ecclesiastical asylum reached its peak in the twelfth century. Then asylum was granted not only in churches and chapels, but also in cemeteries, monasteries, wayside shrines, bishops' courts, residences of the clergy, hospitals and schools that were under Church administration. Church asylum began from the twelfth century to cover a social need. There was a need for a remedy against the injustice of the state administration, particularly during the difficult and dark years of the medieval period, and against the power of the Kings who in many cases acted with prejudice and unfairness towards the ordinary people. Ecclesiastical asylum was the Christian version of the practice of asylum, by the clergy. The clergy became the intermediaries between the civil jurisdiction and certain privileges of the Church.

Intercession became the characteristic of the Church in Middle Ages. The institution of church asylum survived for several centuries throughout most European countries. However, in many cases it was restricted and abused. The provinces of the Byzantine Empire, Italy, Germany, France and of course England were the countries where the practice of asylum became one of the most important institutions in the medieval period.

The practice of ecclesiastical asylum began to decline in the seventeenth century, while the emergence of non-ecclesiastical states in most Europe, the influence of the theories of separation of church and state, the decline of the divine right of kings and particularly after the Reformation. It was totally abolished in the eighteenth century. Ecclesiastical asylum does not exist today.

### **3.6. Political offence exception**

The development of the right of sanctuary has been characterised by the fact that the place of refuge does not apply to all the territory of the host state, but only to specific limited spaces, such as within the walls and precincts of a church. The practice of ecclesiastical asylum is in fact a restricted form of territorial asylum granted to the whole territory of a state.

In ancient Greece the practice of asylum granted in the city-states was the first type of asylum based on territorial sovereignty. When the refugee entered the territory of refuge, the laws of his own city-state would no longer apply to him. Territorial asylum, based upon the exercise of the state's sovereignty and accorded by the official state authorities, became the foundation of "political asylum".

Greek city-states granted asylum to those accused in their home city for high treason, the victims of ostracism and those exiled by their political or military opponents. The practice of political asylum did not and could not exist during the Roman era, because all European territory was under the domination of Rome. Therefore there was no possibility for a fugitive to flee to another territorial jurisdiction. In Rome, political criminals (those who committed military crimes) and religious criminals (the Christians) were punished with the death penalty. The practice of territorial

asylum and, consequently, the practice of political asylum, appeared only after the fall of the Roman and Byzantine Empires, with the emergence of the multiplication of independent sovereign countries.

Before the Enlightenment, political crime continued to be regarded as most grave. Offences against the state, including high treason, conspiracy against the monarchy, revolt, military offences and disobedience to the crown authorities, and political crimes against the Church, such as heresy or religious doubt, and impiety towards the ecclesiastical authorities, were excluded from ecclesiastical asylum. The Church actively pursued the perpetrators of these crimes. The Church even threatened those who offered some protection to such offenders, for example princes, lords and aristocrats with excommunication for refusal to deliver such fugitives. Asylum for political and religious offenders was offered only occasionally by kings and aristocrats, and only when they were personally involved (Sihna, 1971, p.17; see also Wan den Wijgaert, 1980, p. 5 note 21).

After the European Reformation, while there were religious wars in Europe (1580 onward) between Catholics and the Protestants, thousands of people sought asylum in other countries, where their religion was dominant. Many English Protestants sought refuge in Netherlands; in 1585, King Henry III of France issued an edict ordering the deportation of French Protestants; they had either to convert to Catholicism or leave the country; then many France Protestants sought refuge in Germany, Russia and Denmark (Wan den Wijgaert, 1980, p.6). As a result, in Denmark, a new asylum town, Fredericia, was founded to grant residence to religious refugees. Within a few years the town boasted thousands of new inhabitants (Bianchi, 1994, p.144-5). Nowadays, in the centre of Copenhagen there still exists an asylum place, called Christiania, a large park that was occupied in the 70's by hippies. Since then people have lived there without policing. Order being maintained without police control and while crimes such as drug dealing and drug use are commonplace it seem to generally function successfully.

The religious wars made religious asylum a social need, and the practice of political asylum saved the lives of thousands of religious refugees. In the same period several

political thinkers and legal philosophers tried to develop new ideas with respect to the law of asylum. The Dutch jurist Hugo Grotius, who was a political refugee himself, wrote a treatise "On Laws of War and Peace" (1625), in which he developed a new theory of war. Grotius distinguished the laws between nations, from laws within states and therefore developed a notion of international law. He tried to stipulate permissible and illegitimate actions for states. For him, asylum was an inherent human right deriving from natural law. He believed that the right of asylum was rooted in a humanitarian duty (see Ishay, 1997).

The "political offence exception", that is, the exception of extradition for political offenders, was unknown both in theory and in practice before the French Revolution (in fact, extradition is the opposite of asylum); political offenders were usually extradited (Oppenheim, 1955, Vol. I, p.704). With the Enlightenment, a three hundred years debate was opened about natural human rights and the civil and political rights of man. However, the notion that political refugees could be granted asylum in another country was not developed before the French Revolution. Thomas Hobbes, the British political thinker, in his work "Leviathan" (1652), had established a minimal standard of human rights. He believed that political crimes should receive more severe punishment than ordinary crimes (see Ishay, 1997). The Italian criminologist Cesare Beccaria, in his book "Treatise on Crimes and Punishment" (1766), accepted asylum for those oppressed by a tyrannical power. However, he also argued that the idea of asylum promotes criminality (Wan den Wijgaert, 1980, p.8; see also Ishay, 1997).

Extradition treaties usually provided for the prevention of international criminality (political or common), and because of their widespread use became a legal institution. Between the years 1718-1830, there were recorded some ninety-two extradition treaties providing for the security of borders and the safety of roads from robbers, thieves and vagrants (Shearer, 1971, p.p. 8-10). On the other hand, extradition was used by states to punish political fugitives and preserve their political stability. Even after the French Revolution, the practice of extradition of political criminals did not disappear completely. In 1798, France signed a treaty with Switzerland, which was renewed in 1803 and again in 1828, providing for the

extradition for political criminals (Sihna, 1971, p.171). Nevertheless, the French Revolution gave the practice of asylum a new dimension. Article 120 of the 1793 French Constitution provided asylum to foreigners banished from their own country in fear of losing their freedom (Verzijl, 1972, p.283). From this year onward, it was considered in theory that political criminals should be excluded from extradition. It became states' right and duty to offer asylum to political refugees. Indeed, during the French Revolution, many French people and aristocracy themselves became refugees and sought asylum in other countries. However, in practice nation states were slow to recognise the political offence exemption when it was not in their interest to do so.

According to Emmerich de Vattel (a political philosopher 1714-1767), political offenders were those who disobeyed their own country's authorities, those who were opposed to a new or old regime in their country, and those persecuted although innocent. Political offenders became the subject of political asylum (Grahl-Madsen, 1966, Vol. I, p.79).

In 1801, Napoleon Bonaparte condemned the authorities of Hamburg because they had extradited three Irish political offenders to the British Government. In his letter to the Senate of Hamburg, he stated that "they have violated the laws of hospitality in the most barbarian way. The death of the rebels will bring more blood to their persecutors" (Wijgaert, 1980, p.10; see also Sihna, 1971, p.171). Napoleon, however, was inconsistent himself, because of his personal interest. In 1802, he requested the English Government to expel French immigrants. The English refused such an expulsion because it was against human dignity, the laws of hospitality and the honour of Her Majesty. This became the cause of the long wars that followed between England and France (Wijgaert, 1980, p.10 note 50). In 1815, the British Government opposed extradition by expressing their opposition to the extradition of political refugees by the Governor of Gibraltar (Verzijl, 1972, p.283).

It is clear that, in spite of the principles demonstrated by the French Revolutionary Constitution, the practice of extraditing political criminals remained for many years. The first official document in which political offences were exempted from extradition was in 1831, when the French Government declared the prohibition of



extradition. In 1833, the rule found legal expression for the first time when the Belgian Extradition Act codified political asylum and the non-extradition doctrine. The French extradition treaty (1833), the France-Belgian treaty (1834), the extradition treaty between France and United States, the France-England treaty (1852) and the Belgian Extradition Law (1856), were a manifestations of the results of the Vienna Congress held in 1815. In Vienna the "Holy Alliance" (between Russia, Austria and Prussia) decided, in contrast to the revolutionary ideology, that they should use every means including extradition, to obtain the expulsion of rebels, revolutionaries and political offenders. In 1849 after the unsuccessful Hungarian uprising, Russia and Austria tried to obtain the extradition of 5,000 rebels and their leader, who had fled to Turkey. Turkey, supported by Britain, refused extradition. During the incident, Lord Palmerston wrote a letter to the "Holy Alliance" declaring that political asylum had become an international rule and extradition of political offenders was against humanity and hospitality (Wijgaert, 1980, p.p. 10-3; see also Shearer, 1972, p.p. 12-26, 106-9; also Verzijl, 1972, p.p. 276-88; also Sihna, 1971, p.p. 170-3).

Prior to the French Revolution, asylum had a general scope. It was granted to all persons, both common criminals and political or religious refugees. Political asylum related to the non-extradition practice and to the notion of political offences. After the French Revolution, with the revolutionary ideas dominating Europe, declarations, treaties, national laws and international rules began to distinguish political offences from common crimes. From the late eighteenth century, although extradition of common criminals was regularly practised, the denial of political asylum was regarded as inhumane. From the French Revolution onward, political asylum was considered in theory and practice as a duty of countries, based on ethical and humanitarian principles and on human rights such as liberty, democracy and independence.

However, it took fifty years for the general acceptance of the practice of political asylum. During the nineteenth century, even the least liberal states confirmed with acts, treaties, constitutional and municipal laws, the practice of political asylum. The French Revolution was based on the principles of morality as these had been

expressed during the Enlightenment. Human values and human rights were at its heart. As a result there was conflict between the new political theory, which promoted liberty and democracy, and the old political status quo. In this new era political asylum was regarded not only as humanitarian, but also as a fundamental political principle and right. Towards the end of the nineteenth century, the institution of political asylum reached the peak of its acceptance, whereby most states declared their unwillingness to extradite and expel political offenders. Thus, political asylum applies to all territory of a state and has a political function, since each state is completely free to act at its own discretion to grant asylum to political offenders (Oppenheim, 1955, Vol. I, p.p.676-8).

The practical and theoretical problem rose referred to the grounds under which someone would be characterised as a political offender and not a common criminal. The political offence exemption, historically, was offered as protection for those persecuted in the cause of democracy. However, even those who fight against democracy, such as terrorists and anarchists are eligible for political asylum because in all cases it is upon the state's discretion to exercise its territorial sovereignty. The subjectivity of the criteria for deciding who is and who is not a political offender remains the crucial factor for a state to interpret the concept of the political offence exemption, in order to grant political asylum to such offenders. International law and inter-state treaties are the only way for states to find a solution to this problem.

### **3.7. Political Asylum**

From the second half of the nineteenth century onward, the practice of asylum has existed only in its political form and the emphasis of the international community and international law has been laid on the protection of human rights, for obvious humanitarian reasons. Political refugees, even those regarded by their own state as terrorists or anarchists, are not normally extradited as an expression of "humanitarian asylum". With respect to this the international community during the twentieth century concluded several declarations and treaties recognising political asylum as a human right.

The twentieth century, as a result of numerous international conflicts, proved to be the century of mass movements of refugees who crossed frontiers to seek asylum. The international community responded to the refuge and asylum phenomenon. The notion of the individual's fundamental freedoms and human rights has been introduced in the international legal system and international instruments such as the Charter of UN, 1945, the Universal Declaration of Human Rights, 1948, the 1951 Geneva Convention on Refugee Status and its 1967 New York Protocol, and many others, which established the individual's international position with respect to political asylum as a human right. Moreover, the disregard of human rights by certain governments, resulting in persecution of innocent people, has underscored the understanding of flight and asylum as the ultimate human right.

Article 14 of the UDHR provides in its first paragraph that "everyone has the right to seek and to enjoy in other countries asylum from persecution" but without any assurance that the seeking will be successful. There is no right to "enjoy asylum" in any case. Each state is completely free to act at its own will and discretion (Oppenheim, 1995, vol. I, p.p. 676-8; also Garcia-Mora, 1956, p.120; also Grahl-Madsen, 1972, vol. II, p.p.2, 22, 79). The question of the right of political asylum is one of the intricate problems of the Bill of Rights. States are not under a legal obligation to grant asylum (Lauterpacht, 1950, p. 345-6).

The right to asylum results from violations of the human rights, such as prosecutions on account of race, religion, and political opinions. Only the denial of the other human rights entails and requires a claim of asylum (Van den Wijngaert, 1980, p. 69). Therefore, article 14 of UDHR provides for a right of asylum from persecution. The terminology used is significant. The distinction between prosecution and persecution is important. Persecution is based upon personal beliefs and factors such as political opinions, membership of a particular political movement or party, race, religion, ethnic traditions and nationality. On the contrary prosecution is based on criminal responsibility for common crimes, according to common criminal law (Van den Wijngaert, 1980, p. 70). As a result asylum as provided in article 14 of UDHR cannot be invoked by persons accused of common crimes, but only for political crimes.

A state has the right to grant asylum on its territory. The general objective of extradition treaties is the repression of crime. In modern extradition treaties, following the most significant provisions of the 1951 Geneva Convention, which are Article 33 and prohibits "refoulement" (non-expulsion or return), political offenders are usually excluded from extradition (Goodwin-Gill, 1986, p.p.897-918; see also Goodwin-Gill, 1983, p.p. 69-100).

Specifically Article 33(1) of the Convention sets forth:

No Contracting State shall expel or return ("refouler") a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion

(UN, 1988, p. 306).

The consequent asylum is called political asylum. As a general rule, extradition treaties do not usually define the term "political offences", although they exclude political offenders from extraditable crimes (Sihna, 1971, p. 173; also Van den Wijngaert, 1980, p.103).

A problem arises concerning the eligibility of refugees to seek asylum in another country on grounds of political persecution, (not prosecution for common criminal behaviour) and so to be granted political asylum. It is necessary to define which crimes are political offences, in order to make clear who are political offenders so that, according to the Geneva Convention provisions, they can be characterised as refugees eligible to seek and enjoy asylum. Thus, in international law theory and practice, the necessity has been felt to introduce certain terminological nuances, in order to distinguish political from common crimes (Van den Wijngaert, 1980, p.180).

In addition, the 1951 Geneva Convention definition of refugees incorporates objective and subjective criteria such as persecution and the fear of persecution. Although persecution is difficult to define precisely, it may be defined as the

sustained or systematic violation of fundamental human rights and freedoms demonstrative of a failure of state protection. A well-founded fear of persecution exists when one reasonably anticipates that remaining in the country may result in a form of serious harm which government cannot or will not prevent, including specific hostile acts, or an accumulation of adverse circumstances such as discrimination, prejudice, or failure of the state authorities to prevent or suppress violence and to create a secure and fair atmosphere (Hathaway, 1991, p. 105; see also p.p. 99-134). On the other hand, fear is a far more general and elusive term. In fact, the interpretation of the criteria depends upon the approach of each government, which makes the judgement. The Convention allows Contracting States to decide whether the events referred to give rise to "fear of persecution" or not (Joly, 1992, p.12).

Convention refugees are thus identifiable by their possession of four basic characteristics which need to stand accumulatively: first, they are outside their country of origin; secondly, they are unable or unwilling to avail themselves of the protection of that country, or to return there; thirdly, such inability or unwillingness is attributable to a well-founded fear of being persecuted; and finally, the persecution feared is based on reasons of race, religion, nationality, membership of a particular social group, or political opinion (Goodwin-Gill, 1983, p.13; also p.p.20-45).

However, there is no generally accepted definition of the term political offence, and no terminology exists for the classification of political crimes. A satisfactory definition remains to be formulated. Common crimes, as identified according to national criminal laws such as murder, robbery, burglary, violence, bribery, forgery, religious offences, bombing and terrorism, (see Shina, 1971, p.p.174-86) but which are committed not for personal gain, but out of political motives and/or under factors, objectives and circumstances with predominantly political characteristics are political crimes (Grahl-Madsen, 1966, p.84). It is often considered right to classify perpetrators of such crimes as political offenders and not as common criminals (Grahl- Madsen, 1966, p.84). A crime is considered political if it is committed from a political motive or for a political purpose, or both, or it is an offence against the state only (Oppenheim, 1955, p.707). Correspondingly, a political offender is the person

responsible for political offences, and he is eligible for political asylum according to the provisions of 1951 Geneva Convention. The category of political crimes is very wide and can in fact apply to every common crime, which is politically motivated or related to a political situation. As a result, the definition of the term political offence has developed significantly, empirically and pragmatically, from case law.

It is extremely difficult for asylum states to distinguish individuals who have committed political offences from those foreigners who are fugitives from their own state's justice and wrongly claim persecution in the sense of the Geneva Convention. Article 2 of the Montevideo Treaty on Political Asylum and Refuge (August 4, 1939) provides that asylum may be granted exclusively to persons pursued for political reasons or offences, or under circumstances involving concurrent political offences, which do not legally permit of extradition. In sum, it appears to be that political offence is a crime considered political if it forms part of an organised political activity, or an act committed with predominantly political characteristics or an act justifying non-extradition in order to avoid political persecution (Sihna, 1971, p.173).

The notion of a political offence is based on the proposition that there is a range of activity, which is outside the proper scope of the criminal law; to apply criminal law to such activities is an attempt to criminalise the exercise of fundamental human rights (Grahl-Madsen, 1966, p.83). A political offence "is one whereby the conduct of the actor manifests an exercise in freedom of thought, expression and belief (by words, symbolic acts, or writings not inciting to violence) freedom of association and religious practice, which are in violation of laws designed to prohibit such conduct" (Bassiouni, 1975, p.408).

In addition, there are criminal offences which are fundamentally illegitimate, directed against the political status quo of the State and which aim directly to attack the existence of the State or of one of its fundamental institutions (Shearer, 1971, p.181).

Thus, in respect of political offenders, the 1992 UNHCR Handbook on Procedures and Criteria for Defining Refugee Status,<sup>17</sup> paragraph 84 states: "Where a person is subject to prosecution or punishment for a political offence, a distinction may have to

be drawn according to whether the prosecution is for political opinion or for politically-motivated acts. If the prosecution pertains to a punishable act committed out of political motives, and if the anticipated punishment is in conformity with the general law of the country concerned, fear of such prosecution will not in itself make the applicant a refugee.” Whether a political offender can also be considered a refugee will depend upon various other factors. Again, there may be reason to believe that a political offender would be exposed to excessive or arbitrary punishment for the alleged offence. Such excessive or arbitrary punishment will amount to persecution. The personality of the applicant, his political opinion, the motive behind the act, the nature of the act committed, the nature of the persecution and its motive, and also, the nature of the law on which the prosecution is based, are crucial elements that must be interpreted, in order for a political offender to be considered a refugee, who is eligible to apply for asylum (Wallace, 1997, Chapter 7, note 26, p.314).

### **3.8. Humanitarian Asylum**

Before the twentieth century the world had never seen such universal social, economic and political upheaval (Marrus, 1985, p.3). In the twentieth century Europe has been at the centre of refugee movements, both as a refugee-producing and as a refugee-receiving continent, although refugees have significance not only for European countries but for all the nations of the world (Joly-Cohen, 1989, p.5). The twentieth century proved to be the century of the uprooted people (Aga-Khan, 1976, p.293).

The root causes of the major refugee movements reveal two main contributory factors: armed conflicts or serious internal disturbances, and human rights violations. Refugees move to another country where conditions are perceived to be more satisfactory (Loescher-Monahan, 1990, p.p. 45, 43). The basic principal guiding states to accept refugees in their territories is the principle of humanity, which is the basis of all humanitarian actions. This means that the interests of the asylum seeker as a human being should take precedence over the possibly conflicting interests of states. Humanitarian principles come first, then the legalistic approach. Humanitarian treatment should be acknowledged before all others (Loescher-Monahan, 1990, p.p. 45, 43). Refugees for humanitarian reasons cannot be sent back to their countries of

origin, to an unfair political and justice system. The protection of the individual against being returned to the country of origin, for humanitarian reasons, has become a right of States to grant asylum (Joly, 1992, p. 17).

“Humanitarian asylum” has been provided in article 14 of the UDHR in Article 1 of the United Nations Declaration on Territorial Asylum (December 14, 1967)<sup>18</sup> and in the Resolution of the Council of Europe<sup>19</sup>, where it has been recommended that member Governments “should be guided by the principles of a particularly liberal and humanitarian spirit in relation to persons who seek asylum in their territory”. In the same spirit, they should ensure that the asylum seeker should not return to, or remain in, a territory where he would be in danger of persecution. Humanitarian asylum is also laid down in article 2(1) of the resolution on Asylum in Public International Law adopted by the Institute of International Law (1950)<sup>20</sup> where it is made clear that: “Every State, which in the fulfilment of its humanitarian duties, grants asylum in its territory, does not thereby incur any international responsibility” (Grahl-Madsen, 1980, p.12). This means that although a state could accept in its territory refugees and provide them temporary food and shelter for humanitarian reasons, it has no obligation to grant to them eligibility to stay there permanently and seek political asylum. It seems that States accord asylum to refugees not only because of their legal obligation to do so, but also as a fulfilment of their moral duty towards mankind (Grahl-Madsen, 1980, p.14).

States have a humanistic duty to judge asylum cases sympathetically on humanitarian grounds, to conceive asylum more from an anthropocentric than a legal perspective, and to treat asylum seekers with respect and dignity. The concept is situated in the framework of human rights law and it is considered from the point of view of the individual, as a right of the individual to seek it and as a concomitant duty of states to grant it (Van den Wijngaert, 1980, p. 67).

The humanitarian protection of the individual seeking it may be satisfied by states affording protection to asylum seekers and their legitimate rights, such as human rights, political and private life, and protecting them from persecution for having



exercised those options of their political and personal life generally regarded as legitimate (Sihna, 1971, p. 282).

Humanitarian asylum, on the one hand, has a broader application because it applies to all persons, even those prosecuted for common offences who seek asylum for humanitarian reasons and on the other hand is more limited, because it does not provide protection to all political offenders, but only to those who risk being subject to persecution for political reasons (Van den Wijngaert, 1980, p. 71).

### **3.9. Diplomatic Asylum**

The practice of ambassadors enjoying immunity has been known from antiquity. The institution flourished, as seen above, in classical Greece (*proxenia*) rooted in pagan religious aspects and the duty of hospitality. Ambassadors then existed for only specific and temporary missions. Permanent diplomacy was unknown. The practice of granting asylum to foreign embassies, legations and consulates within a country began during the fifteenth AD century. This coincided with the decline of the ecclesiastic state, while independent nation states began to exercise their sovereignty within their borders, and make permanent their representations to other countries civil authorities. For instance, the Republic of Venice was the first to install permanent ambassadors in other Italian Republics. Italy was at that time separated into many autonomous republics, cities of lords or principalities (see Sihna, 1971, Chapter 2). However, territorial and political asylum was granted as a result of territorial sovereignty, whereas diplomatic asylum is in fact a restriction of this sovereignty. Under diplomatic asylum, the immunity is enjoyed in the residence of a foreign ambassador or in the embassy, which is located within the territory of another country, and there the fugitive enjoys exception from the jurisdiction of the territorial state.

It was Charles V King of France (1364-1380), who first declared that the ambassador's residence should be inviolable, as temples used to be, and should have the right of asylum; and he prohibited their violation (Bassiouni-Nanda, Vol. II, 1973, p.338). Ambassadors had always enjoyed a personal inviolability that was seen as necessary to carry out their diplomatic function (Sihna, 1971, p.209). In addition,

the privilege of immunity was often extended to the whole area or neighbourhood surrounding the ambassador's residence. Not only the embassy, but also other buildings, such as the ambassador's hotel or his family dwelling or even the carriages and coaches he used enjoyed immunity from the territorial jurisdiction of the state. At the most extreme, the entire district of the city where the ambassador used to live and work was regarded as inviolable. This was called "franchise des quartiers" and applied to everyone who was present in the area, regardless of their status (Bassiouni-Nanda, Vol. II, 1973, p.p. 340-1; see also Sihna, 1971, p.23).

Not only did ordinary criminals use the sanctuary offered in the district to escape punishment, but also others used it as a tax haven. The immunity of the quarter was used to a wide extent in Rome, Genoa, Madrid, Venice and other places in the sixteenth and seventeenth centuries (Sihna, 1971, p. 23). Within these districts, policing by the local police was unknown and the ambassador had the absolute control of the area. It has been reported that in 1680 the French ambassador in Madrid complained to the Spanish government because the mayor of Madrid entered the ambassador's district without his permission. However, in 1684, the Spanish government restricted the "franchise des quartiers" only to ambassadors' houses, "franchise d' hotel", which in fact benefited only the ambassadors personally. A typical example of diplomatic asylum is when the French ambassador at Rome in 1655 gave asylum to many Neapolitan exiles and rebels (Sihna, 1971, p.44, notes 138 and 139).

Diplomatic asylum was established on extraterritoriality, humanitarian and divine principles. Hugo Grotius' views on the privilege of extraterritorial rights were accepted as the legal basis of diplomatic asylum. Grotius suggested that, as ambassadors were representatives of their own states, they should only have to obey their own states' laws and civil authorities when abroad. This right, he argued, transferred from the person to the places in which they carried out their duties, their embassy or residence, where they should enjoy immunity from local jurisdiction. These places were to be regarded as if outside of the territory of the host-state and part of their own state (Sihna, 1971, Chapter 10).

The practice of diplomatic asylum was justified on humanitarian intervention for the protection of the fundamental rights of man, such as the right of life, liberty, human personality, personal safety, religious freedom and the right to equality before the law (see Harvard Research in International Law, supplement 5, 1932; see also Lauterpacht, 1950, Chapter 7); was justified also on political utility, and the nature of the crimes committed by the people benefiting from it (Sihna, 1971, p.276). In addition, ambassadors in general were regarded as persons of quality, respectable and low profile; so that the immunity they enjoyed was more a privilege than a right. These privileges were accorded to them in order that they could perform their functions in all security, and this security was considered as a necessary consequence of the privileges of ambassadors. However, there have been recorded instances indicating that in many cases ambassadors abused the system for personal gain rather than political necessity by offering protection to ordinary criminals within certain houses and districts in return for money. The improper use of the "franchise des quarties" became the cause of the restrictions that finally led to the abolition of the practice during the eighteenth century (Sihna, 1971, p.23). However, before that an international conflict occurred when Pope Innocent XI in 1687, refused to receive a new French ambassador after the death of his predecessor. The Pope also persuaded the Emperor of Italy, Spain, England and other states to forgo the privilege. In contrast, the French King Louis XIV, sent his ambassador to Rome accompanied by 800 soldiers. The Pope refused to concede. He excommunicated the French ambassador, and then broke off their diplomatic relations. Finally, after six years in 1693 and after the death of the Pope (1689), the King of France denied the "franchise des quartiers" (Sihna, 1971, p.45, note 143).

Nevertheless, during the eighteenth century it is recorded that the ministers of France in Genoa enjoyed the right of not allowing the local police to patrol around their houses and neighbourhood. Also, in Rome, the Spanish ambassador had the right not to permit police control at the embassy or quarters (Sihna, 1971, p.45, note 144; see also Bassiouni- Nanda, Vol. II, 1973, p.339).

Diplomatic asylum was first accorded to common criminals and excluded political offenders. In 1554, the Republic of Venice recognised in law the right of *asylia* only

to those guilty of common offences who had fled to diplomatic premises. The exclusion of political offenders, or of those who committed crimes against the Church remained until the early nineteenth century. As the ideas of the French Revolution gained popularity, the concept of asylum was extended to political offenders who were persecuted as a result of their fighting against tyranny. The practice of this diplomatic asylum expanded as a result of the internal revolutions taking place throughout the nineteenth century. In the Ottoman Empire, several nations claimed their independence, whereas in Europe the social-political stability after the French Revolution resulted in the practice of diplomatic asylum being restricted during the nineteenth century and abolished during the twentieth century.

However, in Spain during the civil war in the second half of the nineteenth century, the practice of diplomatic asylum became frequent. Many Spanish rebels found asylum at the Danish ambassador's house (1846). Marshal Serrano found asylum on the house of the British ambassador at Madrid (1873), after being pursued by the Spanish king. Many such instances are found in the provinces of the Ottoman Empire, for example in Crete, Armenia and Continental Greece during the revolution to gain independence, when many Armenian Christians found refuge in foreign legations during their massacre (1894). One year after the unfortunate war of Greeks against the Ottomans (1897) in Crete, many found refuge in foreign consulates; and many other Greeks found asylum in foreign legations at Smyrna at the time of massacre in 1922.

Even Ottoman political offenders found asylum in diplomatic premises. For example, Midhat Pasha who found refuge at the French Consulate in 1881, or Mavrogeni Pasha at the Russian embassy. In 1895, Said Pasha who was prime minister found asylum with his family at the British embassy (Sihna, 1971, p.p. 25-27, 47 notes 171 and 172). The practice of diplomatic asylum during the late nineteenth and twentieth centuries has continued to exist in Latin America because of the political revolutions there, especially in Spain during the Civil war (1936-1939). In Spain, thousands of Spanish people were saved from certain death by seeking diplomatic asylum in European states' diplomatic premises (Sihna, 1971, p.p. 29-30 and Chapter 10).

In sum, diplomatic asylum is founded upon the principle of the extraterritoriality of diplomatic missions and the necessity of guarantee of the diplomatic function. Later, when the ambassadors extended their immunity to other persons who took refuge in their dwellings, diplomatic asylum became a safe practice to escape from local jurisdiction. Initially, diplomatic asylum was given to common criminals but after the French Revolution it was given mainly to political offenders. In any case, it is arguable whether the practice of diplomatic asylum as found over the centuries was considered necessary for providing security for the diplomatic function. In fact, it became an institution providing temporary protection for individuals who were pursued because of their political beliefs or were in danger for such a reason. Of course, from the humanitarian perspective, diplomatic asylum has saved thousands of lives and it could be argued that it practically became another type of political asylum granted in embassies or legations. However, this should not be accepted because the concept of diplomatic asylum has to be distinguished from that of political asylum.

Political asylum is based on the territorial sovereignty of the asylum State. Whenever it is granted, the political refugee is not exempted from the local jurisdiction, whereas the diplomatic asylum granted to political offender cannot be considered as a form of political asylum, because it appears as a limitation of territorial sovereignty. Whenever diplomatic asylum is accorded in diplomatic premises, legations and consulates, the refugee, although within the territory of the host and pursuing state, is exempted from the jurisdiction of that state, because he happens to be inside the diplomatic premises.

### **3.10. University Asylum: A unique phenomenon of Greece**

The Greek legal system is the only one in Europe and elsewhere that includes specific civil law (1268/82) providing for the protection of the University Asylum (Kargados, 1996, p.60). According to Professor Yiannis Panousis, who is criminologist and drafted the university asylum law 1268/82, it is an internal asylum right, which consists of the recognition-transfer of a non-violated area by the State itself, on which it cannot exercise its authority (Panousis, in Newspaper *Kathimerini*, -Everyday- February 23, 1990). However, in Greece the university asylum law prohibits police or

other state force to enter into the universities without having special permission or invitation from the Rector or the Senate, even when there is a prima facie need e.g. to suppress disorder, investigate crime or arrest criminal suspects. As a result university grounds have become non-policed areas. The university authorities are responsible for order maintenance and crime prevention. University premises are asylum areas where no state authority is allowed to intervene therein.

The Greek university asylum reflects an old European tradition during the Western Middle Ages, when the universities were operating inside monasteries and they enjoyed the advantage that the state could not interfere in them. As we saw above (section about ecclesiastical and local asylum), the first universities (e.g. Oxford, Cambridge) of the 13<sup>th</sup> century and afterwards, were not state-owned but ecclesiastical. For this reason they enjoyed the advantage of asylum, just because the monasteries were not subject to the political but to the religious authority, that is to the Pope. This we can understand even today, when we observe first the form of the old university buildings and then the uniforms and robes that the professors and students are still wearing today during the official celebration of the graduation. In most countries of Europe and the United States, these uniforms constitute an evolution of the frocks of the Middle Age monks. And this, because during the Middle Ages, university professors were mainly priests and the students were studying mainly theology and philosophy (Newspaper *Estia*, -Altar- paper number 38.306, February 23, 1991, p.1).

In Oxford, for example, where the history of the city has been identified with the history of the university, the distinction between the citizens and the students was characteristic; that is, the distinction between "town and gown" which was preserved for a very long period of time (Rigos, 2000, p.84).

In Europe of the Middle Age, the battle between the king's and the Pope's authority for the jurisdiction over the universities lasted for three centuries, from the 13<sup>th</sup> until the 16<sup>th</sup> century. Finally, it was accepted that the king had full authority on the entire domain, excluding the churches, the monasteries and the areas where the boarding schools and the hospitals were operating within monasteries. The Pope, through the local bishops, had absolute authority in these churches, monasteries, boarding

schools and hospitals. Therefore, with the limits of one monastery (*intra muros*) only the abbot had every form of jurisdiction. Even criminals taking shelter there enjoyed asylum from the political authority and they were under the protection and philanthropy of God. Since the universities during Middle Age were operating within monasteries, they also enjoyed a similar asylum. Therefore, the State did not have the right to interfere, no matter what happened in them. As it is obvious, in order to avoid disturbances, the universities themselves were taking care for the correct operation and they prohibited the intrusion of foreign elements in their area. This means, actually, that in the Middle Age, within the boundaries of the European countries there were certain areas of internal asylum, that is, out of the control of the state authority; and which were subjected to the jurisdiction of a foreign power, of the Pope and Rome. That was exactly the university asylum during the Middle Age and until the end of the 17<sup>th</sup> century (Newspaper *Estia*, -Altar- paper number 38.306, February 23, 1991, p.1.).

However, the French Revolution abolished the rights of the internal asylum and imposed the people's dominance on the entire dominion, without exceptions. Since the authority belongs to the people then the monasteries and the universities belong also to the people. This means, that it was not possible for areas to exist that escape the control of the government, which is the representative of the people in order to govern the entire national space. These principles were accepted by most of the European countries and by the United States (Newspaper *Estia*, -Altar- paper number 38.306, February 23, 1991, p.1). This is the reason why university asylum does not exist in these countries. Because the dominant state authority rules *ipso facto* on all the aspects of a country, that is in the public, financial and private life.

In these countries, there was no need to institute special laws for the university asylum, since the western countries identify themselves with democracy itself, with the constitution, the personal freedom and the human rights. In these countries, and during periods of democracy, peace, constitutional legality, there is no need for any idea or for any scientific research to be protected by the university asylum (Anthemides, 1996, p.85).

However, on the contrary in Greece, the dictatorship during the period 1967-1974

(as we will analyse in the following chapter) was intensively undemocratic so that personal and human rights were violated and in many cases censorship was imposed. Furthermore, the events at the Polytechnic School (November 1973), illustrated in the most tragic way the anti-democratic and tyrannical face of the dictatorship that maligned Greece internationally, affected democracy and the academic freedom. For this reason, as Yiannis Panousis told me during my interview with him (May 5, 1999, see Annex 1), after democracy was restored in Greece (1974) it was the strong political demand of Greek society that university asylum should be legally provided with specific civil act.

In England, for example, which is considered one of the more democratic countries of the modern world, no one can even visualise events similar to the ones related to the destruction of the university buildings without the intervention of the police (Anthemides, 1996, p.p.50, 84; see also for USA, Germany, France and England, p.p.126-8).

In Germany, there is no law prohibiting the intervention of the police in the university areas, and the regulation exists that the police has the right, every time it considers it necessary, to police the university areas (Kargados, 1996, p.41).

In these countries, as well as in the USA, where approximately 80% of the universities and colleges are private, there are security groups operating under the jurisdiction of the rector's authorities, which are responsible for the safeguarding of the university area and work directly with the police. Thus university asylum cannot be applied (Anthemides, 1996, p.19).

Despite all these, in the countries of the Western Europe and in the USA, the literature and the legislation for the political asylum are rich. Also in these countries, the self-government of the universities is consolidated, as well as the academic freedom covering the university teachers and students. In Germany, for example, the German Constitution consolidated academic freedom; and furthermore, there is the decision of the German Federal Constitutional Court (23/9/1973), where the basic directive is formulated, that the state should not interfere in the freedom of scientific work in the universities; and it prohibits the police to interfere in the universities.



However, the decision of the German Federal Constitutional Court does not restrict the police from interfering and patrolling the university premises when they consider it necessary for the eradication of criminality (Kargados, 1996, p.p.38-41).

In contrast, university asylum law in Greece is one of the most important academic rules and the exploration and discussion of the consequences of university asylum law in action is the main task of this thesis.

#### 4. CONCLUSION

The practice of asylum has been known from antiquity. Fear of god's wrath and pagan superstitions were the reasons for the establishment of the practice of asylum in ancient civilisations. The practice of asylum was based on humanitarian principles, including the feelings of humanity, mercy, pity and respect for human dignity for the pursued. It was aimed to limit the duration of feuds to limit the pursuer's emotions of revenge towards the pursued (Cox, 1911, p.1). Certain places, for that reason, enjoyed "inviolability" from the pursuer. The variety of humanitarian, religious and magical concepts adopted by most societies in antiquity gave birth to the idea of inviolability and protection provided by certain sacred places; both linked to the right of asylum in such places.

In ancient Greece from even the eighth century BC, the practice of asylum became an integral part of social-political and religious life. There is evidence that the institution of asylum was deeply rooted in ancient Greek popular belief. Even a particular god was provided as a protector of those individuals seeking protection and hospitality. Certain sacred places were considered as places of asylum such as temples, god's altars, even a whole city or a divine district. In these places, innocent supplicants, criminals or political exiles found secure shelter and enjoyed inviolability. In the Hellenistic period (323-30 BC), the asylum concept dominated the function of the sacred temples and the Roman and Byzantine Empires easily inherited the ideas of asylum.

Christianity played a crucial role in the theoretical and practical development of the concept of asylum. During the medieval period, with the emergence of ecclesiastical

states in Europe, the practice of asylum found its expression through sanctuaries, which were in use until the seventeenth century. The sanctuaries were most often churches but also cemeteries and hospitals. They were places of refuge, having the right of immunity, outside the state control, where offenders of violent acts have the right of asylum while awaiting negotiations (Bianchi, in Duff and Garland ed., 1994, p.348). In England, and many other countries the kings often granted to abbey churches the privilege of sanctuary.

While the Enlightenment ideology dominated Europe, the fall of the ecclesiastical states, the founding of many sovereign countries, and after the French Revolution, the concept of asylum found a new political dimension. Asylum became the subject of many legal and constitutional regulations. Because of its acceptance and its widespread practical application in peoples' consciousness, asylum symbolised the protection of the freedom of thinking, speaking and expressing political ideas. During the nineteenth century, states accorded asylum more to political offenders rather than to common criminals. Although diplomatic asylum differs from political asylum, in practice it became a second form of political asylum granted in diplomatic premises.

From this historical survey it has been revealed that asylum was granted to those fleeing their pursuers, whether avengers or civil authorities, and to those persecuted for their political and religious activities, or for the protection of their scientific, academic and diplomatic activities. During the last century, the emphasis from the international community has been upon the refugees suffering violations of political and human rights.

Nevertheless, the practice of asylum rests on the basis of general considerations of humanity and not always on a legal basis. Asylum was founded upon humanitarian grounds in order to protect the individual seeking it. Humanitarian protection has been found to exist whenever there is threat and danger to human life. Asylum, historically, has been shown to be justified on the grounds of humanity. In the concept of asylum is found the "practical fulfilment of a humanitarian task" (Garsia-Mora, 1956, p.161). This is the reason why asylum, in theory and practice, has been maintained throughout human history and has been expressed in different ways,

according to the social and political needs of each historical period.

However, one particular form of asylum, university asylum, is found uniquely in Greece, where it has been institutionalised as civil law. Greek University asylum law is rooted on Middle Ages tradition and prohibits any state intervention within university premises, so that university grounds have since been non-policed areas. The reasons for and the consequences of this unique form of asylum are the central focus of the remaining chapters of this thesis.

# NOTES

---

<sup>1</sup>Asylum.

<sup>2</sup>Immunity, freedom from arrest.

<sup>3</sup>The transmission of messages by a person, in order for negotiations to begin.

<sup>4</sup>Plural number, meaning the persons who come as agents, as intermediaries to negotiate.

<sup>5</sup>Singular number, the agent, the intermediary; modern meaning: the consul.

<sup>6</sup>Entreaty, plea (for mercy), religious supplication, the institution of the supplication.

<sup>7</sup>The supplicant, e.g. like a supplicant at the altar; the person who plead, beseech, beg the gods for something usually protection.

<sup>8</sup>As a noun (oligarchy) is a small group of people who control and run a particular country. As an adjective (oligarchic) means less democratic or anti-democratic.

<sup>9</sup>If someone was "ostracised" people deliberately behave in an unfriendly way towards him and did not allow him to take part in any of their social and political activities; expel, exile.

<sup>10</sup>Xenia: hospitality, care for a stranger or visitor. Philia: friendship.

<sup>11</sup>Plural number, classical meaning: the people who were members of a particular social class. Mainly they were public servants; modern meaning: the tax inspectors, the tax assessors.

<sup>12</sup>Wrath, ire.

<sup>13</sup>A religious and political association of city-states, that became a significant custom in ancient Greece. The aims of Amphictionies, besides the protection of a temple from violation, were the promotion of common social-economic and political issues. The member States usually agreed on the rules of engagement for war on offensive and/or defensive alliances. in case of a war against enemies coming mainly from the North and East. For Amphictionies see details in Boardman J., and Hammond N.G.L ed., 1982, p.p. 310-20.

<sup>14</sup>Altar; seat; home.

<sup>15</sup>A time of peace in the middle of a war; truce; cease-fire; armistice.

<sup>16</sup>Modern meaning: the person who looks after a church, chapel or temple.

<sup>17</sup> The UNHCR Handbook.  
First edited 1979. Current edition 1992. Obtainable from website  
<http://www1.umn.edu/humanrts/instree/ainstls1.htm> Accessed on May 15, 2002.

<sup>18</sup> The whole text obtainable from U.N, 1988, p.p. 319-21 and website  
<http://www1.umn.edu/humanrts/instree/v4dta.htm> or  
[http://www.pbosnia.kentlaw.edu/services/chicago/legal\\_aid/treties/territorial.htm](http://www.pbosnia.kentlaw.edu/services/chicago/legal_aid/treties/territorial.htm)  
Accessed on May 15, 2002.

<sup>19</sup> Resolution (67) 14 of the Council of Europe, Committee of Ministers, of June 27, 1967 on Asylum to Persons in Danger of Persecution.

<sup>20</sup> Bath Session, September 11, 1950.

# **PART II**

## **THE EMERGENCE OF UNIVERSITY ASYLUM FROM COMMON LAW TO CONSTITUTIONAL RIGHT**

### **CHAPTER 2**

**HISTORY OF JUNTA AND THE POLYTECHNIC UNIVERSITY  
EVENTS ON NOVEMBER 17, 1973. REPRODUCTIONS AND  
INTERPRETATIONS**

### **CHAPTER 3**

**ACADEMIC FREEDOM AND UNIVERSITY ASYLUM IN GREECE**

## CHAPTER 2

### HISTORICAL CHRONOLOGY

**1896:** The “First Polytechnic University Uprising”

**August 4, 1936:** Yiannis Metaxas dictatorship

**1945-1949:** Greek Civil War, between nationalists and communists

**1955-1963:** Konstantinos Karamanlis right government

**1963-1965:** Georgios Papandreou central government

**1965:** Conspiracy against Georgios Papandreou and fall of his government

**1965-1967:** Serious political instability. Danger for new civil war

**April 21, 1967:** Military dictatorship established by Georgios Papadopoulos and Dimitrios Ioannidis. Lasted for seven years until July 24, 1974

**November 14, 1972:** Dictatorship announced piloting student elections

**January 16, 1973:** Dictatorship drafted a Bill Of Rights for the Universities

**February 12, 1973:** Legislative Decree 1347 had been issued provided for the deferment of national service as punishment for students who participated to gatherings and boycotting classes

**February 14, 1973:** Gatherings and demonstrations at Athens Polytechnic University. Police abused university asylum and broke into Polytechnic

**February 17, 1973:** Students clashed police at Athens Law School

**February 21-22, 1973:** First occupation of Athens Law School

**March 20, 1973:** Second occupation of Athens Law School. Police abused university asylum and broke into Athens Law School

**April 23, 1973:** Former Prime Minister from abroad sent a supporting message to the students

**October 24, 1973:** Student’s general assemblies and meetings

**November 1, 1973:** The dictatorship announced honest student elections

**November 4, 1973:** Demonstrations during the memorial service of former Prime Minister Georgios Papandreou. 8 protesters arrested and brought into trial

**November 14-17, 1973:** Polytechnic University occupation and uprising

**November 17, 1973:** Military police abused university asylum and brutally broke into Polytechnic University. Hundreds were wounded and many died

**November 18, 1973:** Declared martial law

**November 25, 1973:** New dictator Dimitrios Ioannidis replaced dictator Georgios Papadopoulos

**July 20, 1974:** Cyprus and Greece arm conflict with Turkey. Turkey army occupied 40% of Cyprus Island. Thousands of Greek soldiers and Cypriot civilians died and many more became refugees to the free 60% of the island

**July 24, 1974:** Junta fell because of the pressure of Cyprus tragic events. Democracy restored. Konstantinos Karamanlis became Prime Minister of the Greek national union government

**February 15-December 29, 1975:** The trial of the dictators accused for the Polytechnic University fatal events

## CHAPTER 2

### HISTORY OF JUNTA AND THE ATHENS POLYTECHNIC

#### UNIVERSITY EVENTS ON NOVEMBER 14-17, 1973.

#### REPRODUCTIONS AND INTERPRETATIONS

##### 1. INTRODUCTION

An understanding of the development of the University Asylum in Greece requires an historical understanding of the role of students in the social and political life of Greece. The modern history of the student movement begins after the Revolution of 1821<sup>1</sup> and peaks with the events of the Athens Polytechnic University<sup>2</sup> in November 1973. The student movement in Greece has always been identified with improvement in social conditions, the development of cultural relations between the individuals and improvement in the quality of every-day life. However, a detailed reference of all the historical events of the student movement is not possible since this is not the theme of our study. However mention will be made of the most important historical events of student protest before the Polytechnic University of November 17, 1973 in order that the students' action and impact on the political and social developments of the University Asylum in Greece is better understood.

Since 1821 and hence (after the foundation of the first new Hellenic free state) important historical events have been recorded referring to the activity of the students' movement. This chapter starts with a discussion of the student demonstration, which took place in Athens University (1896) and continues with the analysis of the social-political context in Greece after the civil war (1945-1949) in which the student movement was shaped. Then after outlining the socio-economic background of the student body, events of the Athens Polytechnic University (1973) will be analysed in detailed, in order to understand the influence the Polytechnic had on the concept of University Asylum. The political importance and the symbolism of the students' demonstration in Polytechnic University is a subject of this chapter as well.



## 2. THE “FIRST” POLYTECHNIC UNIVERSITY UPRISING (1896)

The most important event in the 19<sup>th</sup> century concerning the student movement took place in Athens in 1896 and is historically known as the “First Polytechnic University Uprising” (Lazos, 1987, page 164). The pretext for the episodes began with a dispute between Professor Galvanis of the Medical School and his students. The students claimed that Professor Galvanis made excessive demands on them by postponing their examinations and therefore unreasonably delaying their ability to professionally qualify. This caused many to suffer financial difficulties. The students elected a committee in order to settle the matter. However, Professor Galvanis gained the support of the Ministry of Education as well as of the Rector of the university and this infuriated the students who decided not to attend classes if Professor Galvanis was not dismissed. The intransigent stand of the Ministry drove the students to organise and to decide:

- a) to persist with their demands;
- b) to take up arms to defend themselves, in case the police entered the university grounds to attack them;
- c) to mobilise the whole student body around their struggle;
- d) and to take their protests to the Rector and the Ministry.

Armed clashes followed between policemen and students in all the faculties of the University of Athens, resulting in injuries on both sides. Professor Galvanis had political support that helped him, and the students went to the Prime Minister of the time, Theodoros Delygiannis, to protest. The students wanted Galvanis sacked. However the prime minister dismissed them and insisted they end their protest and return to their studies. The students decided to continue with protests and argued that by allowing the police onto the university grounds the rector encouraged a breach of the University Asylum<sup>3</sup>. So, 200-armed students occupied the university building. Moreover they circulated a brochure entitled “*Panepistimio*” -University- in which they narrated their story and invited the people to a gathering at the Propylaea<sup>4</sup> of the University of Athens the following day. These unprecedented events caused great public interest and crowds went to the university to support, advise and congratulate the students. So, a purely educative matter took a social and political form.

Deligiannis' s government seeing that the matter had taken dimensions it had not foreseen had recourse to strong-arm tactics. Terror reigned among the students who would only venture out in armed groups. Meanwhile the press started to blame the government, more people began to rebel and the situation got worse. Rather than back down the government tried brutally to occupy the University. A series of negotiations began between the students, the government and the police while crowds protested in the streets of Athens to support the students. In the street battles that followed lethal wounding on both sides were not avoided, and if the Cabinet had not decided to concede to the students, it is likely that the violence would have escalated further. The government promised to dismiss Professor Galvanis and grant amnesty to the students. After talks and negotiations the students ended their protest (December 1896).

However, Prime Minister Deligiannis reneged on his agreement and immediately after the students ended their protest retracted everything he had promised. The government then decided to criminally prosecute all the student ringleaders, and installed guards at the university so that it would not be possible for it to be occupied again and become a student fortress. When the government's betrayal became public it lost much political support and faced serious internal problems.

### **3. THE SOCIAL - POLITICAL CONTEXT OF MANIFESTATION, OF THE STUDENT MOVEMENT**

The period that follows from 1940 to 1973 was marked by class and social struggles and holds an important place in the foundation of the several social and labour parties as well as the political social scene as it is shaped until the putsch of 21<sup>st</sup> April 1967 where an important role was played by the student movement. Before we examine in detail the events of November 17, 1973 it will be useful to outline the political and social conditions within Greece, the role of the student movement in general and of the impact that the dictatorship exercised within the universities.

The coup d' etat of April 21, 1967 was not simply due to the initiative and will of some injudicious officers or to the mechanical interference of the USA as it is often written but can be seen as the historically reasonable outcome of the organisation of

the post civil war state and of the strategic role held by the army within the web of power (Dafermos, 1999, p. 19).

During the Greek civil war (1945-1949) and immediately after, the army did not usurp the role of elected politicians, however, the army did maintain a crucial role in the political matters of the Greek country (Dafermos, 1999, p. 19). Historically the army has been interested in the political life of the country especially throughout the 20<sup>th</sup> century (Veremis, 1977, p.p. 50-85). Yet, the basis for the army's decisive role was laid down during the time between the inter war period.

Before the Yiannis Metaxas dictatorship (1936-1940) a series of military movements were organised<sup>5</sup> mainly on the initiative of the bourgeois politicians in their efforts to seize power indirectly. The army, then, followed the politicians, and did not take initiatives or act autonomously vis a vis political power. Besides it had not yet assumed the role of the defenders against communism (Mouzelis, 1978, p.p. 252-3).

The radical change of the army's role began with the dictatorship of Yiannis Metaxas (August 4, 1936). It aimed, apart from the consolidation of the monarchy, to confront the popular mobilisations and the Greek Communist Party (K.K.E in Greek). The industrialisation and urbanisation of the period between the two wars, the influx of refugees from Asia and the economic crisis of 1930, presented for the first time in the Greek bourgeois system, a relative danger "from beneath" that is from the lower social classes. A small part of the labour class and of the refugees were being mobilised by the Communist Party, which in spite of the small number of votes (5,75%) it got at the elections of 1936 managed to play a significant arbiter role between the two big bourgeois parties (Mouzelis, 1978, p. 254).

In October 1944 the anticommunist military organisation IDEA<sup>6</sup> was created in Athens with the main target being the confrontation of the left wing movement. In 1946 an anticommunist party was inaugurated under IDEA's control. The whole of IDEA's action took place with the support of the bourgeois politicians since they knew very well that without an army of that kind it was impossible to maintain power (Haralambis, 1985, p.p. 30-48; Linardatos, 1978, Volume C).

The “national” army’s victory in the civil war (1945-1949) enhanced its role even more and made it the main supporter of the bourgeois regime. The army was then almost exclusively oriented towards the country’s internal political matters. In fact it had become the most important centre of power. From 1949 to 1967 the dualism (army-government) in the bourgeois power was perhaps the defining characteristic of post civil war Greece (Roumbatis, *Periodico Tetradio* – Magazine Notebook-, Volume13, p. 21).

In 1965 Georgios Papandreou’s government fell. For the next two years (1965-1967) disappointing governments appointed by the royal family failed to remain in power to gain acceptance from the citizens. The citizens became frustrated by the deterioration that the political exchanges but also the interference of royalty in the parliamentary system had created. Their hope for political improvements relied on the proclamation of elections in May 1967 -since they were convinced that it was the only way out of the crisis. However they were unprepared ideologically or organisationally for the military “coup” that followed and were unable to mobilise against the abolition of the parliamentary system by the colonels. So the military “coup” imposed itself without meeting any opposition on April 21, 1967 anticipating the elections proclaimed for May 1967.

The army’s intervention in the country’s political affairs was never seen as a solution by political parties or the press during the period 1965-1967. On the contrary the politicians were worried about the danger of a coming junta. Unfortunately they did not avoid it. The junta showed from the start its intentions for the creation of a permanent stratocratic regime. Throughout its duration (1967-1974) it turns *en masse* against the whole political world, clashes with monarchy, constructs an autarchic constitution, legislates for the full control of the political life and enacts the autonomy of army forces from the political power (Katiforis, 1975, p. 131).

The junta was embattled by the negative attitude of the citizens, the bourgeois politicians and by the blocking of Greece’s entrance into the European Economic Community. However, soon after they gained power the dictators completed the

autarchic changes in the institutional context. They took advantage of the deep crisis on the pro dictatorial political forces and decided to proceed to a controlled liberalisation that would allow their legalisation to be consolidated and in this way to secure their military regime (Dafermos, 1999, p. 28).

Meanwhile during the same period the radical student movement of the western countries was gaining momentum. The French student movement (May 1968), anti-Vietnam war marches in the US, the hippies' movement and the stretching out of the social-left movement created a universal political context where such ideas inspired and had the support of many young people. It was a period of great expectations where youth and students became highly interested in both national and international politics. This political atmosphere created a tendency of a search for revolutionary rather than gradual social change. In this political context the Greek military dictatorship continued its efforts to restrain the political activities of student unions (Dafermos, 1999, p. 29).

#### **4. THE SITUATION OF GREEK UNIVERSITIES (1972-1973)**

In 1972 when the anti-dictatorial movement appears in Greece the total number of Greek students was about seventy thousand.

Despite the large increase in student numbers that begun in 1961 (previously the universities were educating an intelligentsia), the expenses for education were extremely low. A rigid hierarchy dominated the organisation and bureaucracy of the universities. The Greek-Christian culture promulgated by the military conceived of the universities, as a conservative, national body, and not one for the promotion of progressive social change.

The tyrannical military regime, however, wanted to control every aspect of the social and political life of the country including the universities. Indeed the dictatorship specially introduced legislation, which created governmental oversight of all aspects of university life, and created, according to Dafermos (1999) "an asphyxiating atmosphere in higher education" (Dafermos, 1999, p.p. 30-1). Moreover, the military police collected information from their informers within the universities, even

gathering information on individual student's marks and progress. There even used to be a special undercover police force responsible for policing and supervising the students.

## **5. THE SOCIAL BACKGROUND OF THE GREEK STUDENTS**

During the early 1970's the universities in Greece divided into high class and low class according to their students socio-economic background. The students in the Medical School, Dentistry School, the Polytechnic University and Law School were largely derived from professional middle class backgrounds rather than from agricultural and working class background<sup>7</sup>.

Furthermore the Law School attracted a high number of children of politicians, solicitors, notaries, and judges and more generally of students coming from the ruling and financially wealthy social classes. At the very opposite were the faculties that in that period (1970's) came second in the preferences of the potential students. They were mainly economic faculties, which specialised in Business and Industrial Administration and Science of Agriculture and did not ensure a secure professional future. In those faculties students from working and low class background tended to dominate.<sup>8</sup> Between these two groups of faculties stood the rest of the faculties.<sup>9</sup>

As we shall see below the opposition to the dictatorship was centred on the Law School, the Polytechnic University, the Medical School and the Faculty of Dentists. That is, in the faculties that had a high percentage of students coming from the middle and upper social classes, which would ensure a secure professional future to their graduates.

The students of the rest of the faculties were less politically active. The majority of the students came from the lower social classes and their graduation assured them of a secure professional future<sup>10</sup> and improved their social and financial status. For that reason they were less likely to participate in political acts not to risk their improvement.

A remark can be made relating to the data of the National Statistic Service of Greece presented in the endnotes 7,8,9,and 10. While it may be normally argued that opposition is the prerogative of the lower classes it was the middle class students, whose professional futures were most in jeopardy who were more likely to be active in opposition to the dictatorship (Dafermos, 1999, p. 35).

That the more politically active of the students come from the urban middle classes was due, among other things, to their high level of general education relative to the students originating from the countryside or of working class families. In combination with the above, their motive for political action was perhaps that they considered themselves the rightful heirs of political power: but this had been denied them by the harsh and undemocratic reality of the military dictatorship. Moreover it was their fathers and mothers who had lost most from the imposition of the dictatorship.

## **6. THE LEGISLATION OF THE DICTATORIAL REGIME FOR THE GREEK UNIVERSITIES (1969-1973)**

The universities, as a ground of critical, independent thinking and research became a target of the junta immediately after it seized power. The dictatorship had to act carefully towards the universities because universities had been most active in the opposition to the setting up of the junta. Greek universities have always been the most popular place to promote democracy, social justice and independence, factors that all had been violated by the dictatorship.

The aim of the regime was the full control of university life pursued through a series of autarchic statutes as well as with the intense policing of the universities. Through the enactment Syntactic Act IE 1967, Royal Decree 454/1967, Legislative Decree 672/1970, Legislative Decree 180/1969, Legislative Decree 93/1969 they sought to:

- Control the appointment of professors at the universities without any previous electoral procedure. <sup>11</sup>
- Exclude left wing students from the universities by asking to submit “the certificate of social convictions”<sup>12</sup> issued by the police or the army where

indicated whether the students and their relatives had records of supporting the communism.

- To control the governance of the university by abolishing the principal of the election of the university authorities from the university teachers and imposing a regime of administrative, if not police, tutelage in the universities<sup>13</sup> (Alevizatos, 1983, p. 654).
- To expel students who broke any law.<sup>14</sup>

The professors' appointment measures without election and of the exclusion of progressive students from the universities aimed to determine the political make up of the university community. The regime seemed to believe that in that way, with the help of the autarchic legal context, it could avoid future student mobilisations.

Yet let us look more analytically at the Legislative Decree 93/1969, which determined the rights and obligations of the students as well as the competencies of the governmental committees (Legislative Decree 180/1969). A military mentality animated the Legislative Decree 39/1969, which created a host of asphyxiating obligations without giving analogous rights. It is noteworthy that while it considered the student as adults regarding their obligations (Article 118 par.2) it failed to stipulate the same for their rights. In fact the students were under the constant custody of the rector (articles 123, 124 par 2, 126, 127 par. 1,2,4 and 128) and under the constant threat of disciplinary penalty. The words punishment, expulsion, penalty, are seen abundantly in the text of the decree. So if the students would like to gather for any reason, even in order to organise an excursion or a concert, they were obliged to ask for the rector's approval (Articles 123 and 126). If an approval is not solicited or granted and the event takes place then a disciplinary penalty was enforced. At the political level the students unions was obliged to inform the rector within 24 hours of any resolutions they have taken.

Even though the decree does not explicitly abolish syndicalism in reality it manages to through a series of prohibitions. So it punished not only those who take part in boycotts from classes but even those who exhort their colleagues to do so. And of course it punished whomever "offended the grass roots of the state" or "spread ideas having as a manifest purpose by any means the overthrow of the established social



status" (Article 120). The penalties provided went as far as irrevocable expulsion (Article 121). The power was also given to the rector or to the commissioned professor to disperse the students' gathering if according to his judgement it deviates from its purpose; a purpose, which now requires advanced notification and authorisation (Article 125).

The students' past political activities did not escape the junta's attention either. It sought to exclude from the university grounds all students who had been sentenced for transgression of the laws relevant to the "security of the social status" and "public security" (Article 121). It must be noted that the five member disciplinary board that considered such matters included the Minister of Education who was usually a veteran officer of the army.

These provisions of Legislative Decree 180/1969 gave the governmental commissioner the control of the application of the laws in relation to the university. So that he could affect this task, he was given the power to take part in all the university administrative activities even in the professors associations and to be informed on whatever he wanted and asked for.

A powerful weapon in controlling the students was the power given by Legislative Decree 720/1970, which allowed the Minister of National Defence to withdraw the deferment of national service that students normally received. Any student who acted against the junta could be drafted into national service at once, since his deferment would be suspended because of anti-regime activities. Moreover, on February 1973 when the student demonstrations began, the Legislative Decree 720/1970 was amended with new provisions that expressly stipulated that the minister of National Defence could suspend the deferment of national service of students merely for boycotting their classes.

The military government seemed to be obliged to take such a measure in order to confront the student demonstrations that routinely took place since the provisions of the Legislative Decree 93/1969 entered into force. Because the professors of the universities refused to apply such provisions the Minister of Defence took

responsibility to decide the punishment of the students who broke the new rules (Newspaper *Athinaiki*, November 17, 1999, p.11).

1973 was the year of the most important mobilisations of the student movement, which especially with the events of the Polytechnic University created the impression of a popular uprising against the junta. Since the beginning of 1973 the student protests had provoked many arrests in all the country's universities especially in Thessaloniki and Patras as the movement had started to gain support and become more open in its defiance.

On February 14 one of the bloody episodes of 1973 took place, which consisted of the prologue to the dramatic events of the whole year. The Legislative Decree 1347/73 had been issued on February 12, 1973, which completed the Decree 720/1970 on conscription. The students had gathered in protest against the legislative Decree 1347/73 on February 14, 1973 at the Polytechnic University and waited for the results of the professors' general assembly. Those students who tried to get out of the Polytechnic University were savagely beaten while others informed the Senate of the events. The meeting was interrupted. The professors went out in the forecourt and the Vice-Rector called (phoned) the chief of police and informed him of the events. Assurances were given to the students and professors that if they left peacefully they would be unmolested. However, as they made their way past exits riot police squads were deployed to attack and assault them (Papazoglou, 1977, p.p. 32-3; Dafermos, 1999, p.p. 37-42).

Immediately after the students' refusal to vacate the forecourt the vice public prosecutor Spyropoulos arrived at the Polytechnic University and went to the Senate office along with the rector and the chief of police. About five minutes later they came back to the forecourt. And while the rector, the vice rector, the senate professors, the vice public prosecutor and the chief of police were in negotiations, a riot police force violated the university asylum and broke into the Polytechnic University and attacked the unsuspecting students. The majority of the students withdrew and finally sought refuge in the senate's conference room and in the rector's office. However, the police broke into the rooms and assaulted the students

by beating and chasing them and threw overturned chairs and armchairs. Several students managed to hide in the rector's secretary office in order not to be arrested and late that night were helped to escape by the Vice-Rector Ladopoulos and professors. At the conclusion of the violent dispersal many students were wounded and over two hundred. Along with the students and professors who were attacked even the vice public prosecutor was assaulted by the police but at the last minute the chief of police protected him (Papazoglou, 1977, p.p. 76-7).

Yet the students did not give in despite the sufferings they went through. Five days after the assault on the Polytechnic University the first small occupation of the Law School took place (February 14, 1973) followed some days later (February 21- 22) by the big occupation (see below).

## **7. THE OCCUPATION OF THE ATHENS LAW SCHOOL, FEBRUARY 21-22,**

### **1973**

The occupation of Athens Law School was the most massive, public, militant and impressive demonstration of the students of Athens against the dictatorship nine months before the Polytechnic University events. The first signs of turbulence appeared in November 1972 when the dictatorial regime tried to relieve the political pressure for more freedom in the university. The regime announced on November 14, 1972 that student elections would be held at the university of Patras where the Rector was a veteran officer and collaborator of the regime. However the fiasco at Patras was obvious. The dictatorship cheated and fixed the election results. The cheating was discovered and the student unions accused the regime of ballot rigging. As a result, when student elections in the other universities of Greece took place there was a cloud of doubt and tension. The student unions never accepted the results, even though there were not sufficient proofs that the results of this elections were also fixed, and continued to demonstrate against the elections. After two months on January 16, 1973 the dictatorship published a draft of a Bill of Rights for the Universities as a negotiating strategy (Papazoglou, 1977, p.p. 30-1). But the students immediately rejected the whole draft as unacceptable (Newspaper *Kathimerini inset Epta-emeres* -Daily special inset seven-days-, December 19, 1999, p.p. 8-9).

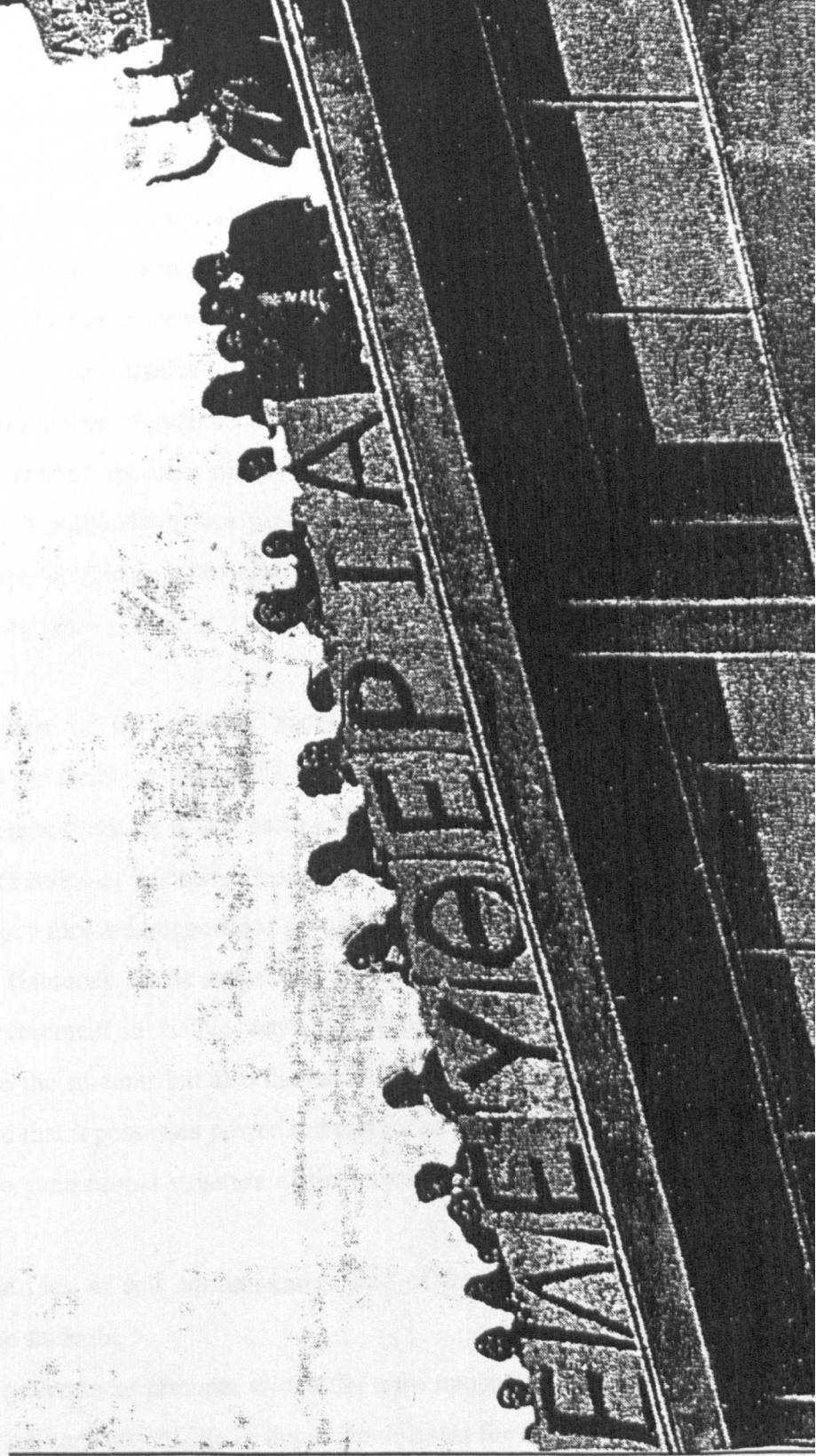
On February 6, 1973 a general boycott of classes was declared by the students of the Polytechnic University of Athens, in support of their demands for the abrogation of the Legislative Decree 93/1969 that had abolished the syndicalist freedoms of the students and also of the Legislative Decree 180/1970 that imposed military tutors in the universities. The answer of the dictatorship came on February 12, 1973 with the Legislative Decree 1347/1973, which may suspend deferments to military service of students who were syndicalistically active within the university. On February 14, 1973 the police violated the university asylum by entering the forecourt of the Polytechnic University and proceeded to arrest the demonstrators. Eleven students were brought to trial of which eight were convicted of criminal offences, while thirty-seven students had their deferment military services revoked (Newspaper *I Vradini tis Kyriakis* -The Sunday Evening- November 14, 1999, p.30). The Senate of the Polytechnic University protested against the violation of the university asylum and resigned on mass.

The Law School is located in Solonos street in the centre of Athens only 500 meters away from Polytechnic University (see map of Athens below). It is only 10 minutes walking distance and the communication between the two universities is very easy and students had the opportunity to walk through the centre of Athens and in few minutes reach either university. On February 17, 1973 the police clashed again with students at the Law School of Athens, the same day that it was announced that another fifty-one deferments would be revoked and on February 21, 1973 again another ninety-six were revoked (Magazine *Chronika tou 20ou aiona* -Chronicle of the 20<sup>th</sup> Century - for the year 1973, p. 1107).

The deferments, the forced drafts of the students in order to intimidate the rest, the interference in the student elections, the defence of the university asylum from the violations of the military regime added a special weight to the students requests and more intensity to their claim (Newspaper *Kathimerini inset Epta-emeres* -Daily inset seven-days- November 15, 1998, p. 15). All throughout February 1973 the students of Greece were in protest because of the obvious attempt of the regime to eradicate the student syndicalism. In this political context, almost four thousand students

gathered on the roof of the Athens Law School to demonstrate their opposition to the regime shouting political slogans and carrying placards with only one word written on them: "FREEDOM" (see photo No. 1). So the students remained in the Law School for two days under low temperature and with little food. Most importantly they had to overcome the unfriendly attitude of the university senate who in contrast with the senate of the Polytechnic University openly obeyed the dictatorship. The news of the occupation, despite the muzzling of the newspapers became quickly known, and people flocked to the Law School and tried to help the students. A large crowd surrounded the building in order to prevent the police entering the university. While around the building, and in the centre of the city, demonstrations and clashes with the police were constantly taking place. The students demanded that the Rector support their demands for the abrogation of Legislative Decree 1347/1973 (which was a continuation of Legislative Decree 720/1970) compelling students to military service (Newspaper *Kathimerini inset Epta-emeres*- Daily special inset seven-days- November 15, 1998, page 16). In the end, after the police threatened to violate the "university asylum" the students decided to withdraw from the Law School and in this way they ended their occupation (Lazos, Chr., 1987, p.p. 365-6).

Despite the junta's attempts at suppression the protests out of the law school became both national and international news, through coverage on foreign radio and the underground press and from this moment the regime seemed to abandon any attempt at negotiation with the students and opted for violent intervention for the repression of any anti regime action (Papazoglou, 1977, p. 100; also Magazine *Anti*, issue 199 "The occupation of the Law School forerunner of the Polytechnic University" p.p. 23-35, Kouloglou, St., and Florou, G.). The Press and Media Minister Telemahos Hytiris on November 17, 1995 during a press conference commended the contribution of Greek reporters, foreign correspondents and photojournalists, whom he said kept the Greek people and international public opinion informed during the military junta and their efforts helped lead to the junta's overthrow (Newspaper, *Ethnos*, -Nation-November 18, 1995, p.7).



**Photo No. 1:** Source file photo from newspaper *Kathimerini* (November 15, 1998). Almost four thousand students on the roof of the Athens Law School to demonstrate their opposition to the regime shouting political slogans and carrying placards with only one word written on them: "FREEDOM"

Indeed, in spite of the tough and brutal face shown towards the outside world, the regime was already starting to collapse (1974). The student movement had played a major part. With the incidents of the Law School occupation the level of tension within the university grounds and of confrontation with the dictatorial regime remained high and reached its peak with the events of the Polytechnic University in November 1973. In the universities of Greece (Athens, Thessaloniki, Ioannina, Patras), an increasing number of students and professors openly lined up against the regime. The regime entered its most difficult period, ignoring public opinion and clashing with the most politically active parts of the Greek society until its fall on July of 1974 (Newspaper *Kathimerini inset Epta-emeres*: -Daily, inset seven-days- November 15, 1998, p. 16).

The mass mobilisation of the students shook not only the dictatorial Greek government but also the secret services of the USA which had played a role as patron and mentor of the Greek dictators at that period. As a result the Head of Planning of the USA Air Force (Service of Scientific Research) the Greek- American G. Samaras on March 3, 1973 put forward suggestions for ending the crisis to the Minister of Education Nikolaos Gantonas. These suggestions included the following:

- a) the national government in visible ways and with big military parades would have to prove to the students but also the others that it has the overall control of the situation and that it possesses power and that it can govern;
- b) to change the organisational structure of the universities and of the universities in general;
- c) to abandon the idea of self administration and of free procedures (academic freedoms) to the students;
- d) to amplify the government presence within the universities;
- e) to introduce a military way of life in the universities as for example by students becoming cadet officers etc.

(Newspaper *Ta Nea* – The News- September 2, 1974).

The Minister of Education Nikolaos Gantonas seemed to have taken these suggestions seriously and addressed a report to the junta directorate, outlining the

causes of the students protests. According to Nikolaos Gantonas the students were protesting because of :

- a) the lack of national guidance of the students;
- b) the “mass media” which were against the junta;
- c) the lack of “healthy spiritual leadership” since according to his point of view, universities were filled with left wing professors, and students of the revolutionary left, who influenced the student body;
- d) the unresolved general problems of education;
- e) the interference of many government agents in the student matters;
- f) the attempt of politicisation and syndicalism of the students;
- g) the many benefits granted to the students etc. (Newspaper *To Vima tis Kyriakis* - The Sunday Step- November 16, 1980).

Alongside these points he made suggestions such as: the constitution of an under ministry for the “Youth Issues”, the abolition of student syndicalism, the study of the issue of free education. Cantonas decided to determine by law the notions of Academic Freedoms and Asylum. He suggested:

A few members’ committee must be constituted which will give the exact definition for these terms. We believe that the terms have been misinterpreted. As Academic Freedom must be determined as the right of academic teachers to freely formulate their opinions on scientific problems of their speciality without the interference of any external factor and the right of the students to form an opinion on these problems. Every other freedom besides the scientific is stranger to the notion of the term. The University must be considered an Asylum according to the Constitutional Law and Individual Rights notion. That is, as every residence constitutes a family asylum in the same way the university constitutes an academic asylum. If the rector as representative of the university considers that factors within and outside of the university, student included, trespass the asylum, he may at every time call for the police forces and if within the university the laws of the state are transgressed then it will be applied here everything as applied for the home asylum (N. Gantonas, Minister of National Education, in Newspaper *To Vima tis Kyriakis* -The Sunday Step- November 16,1980).



He also suggested the foundation of a "pan Hellenic National Organisation" for the students all over Greece. Finally he suggested abandoning the call for national service for the students except in a serious crisis (Newspaper *To Vima tis Kyriakis - The Sunday Step*- November 16, 1980). These measures were suggested by Minister Gantonas during the end of the academic year 1972-1973 and implemented after the events of the Polytechnic University.

On March 20, 1973 around two thousand students gathered at the Law School and over a thousand decided to occupy the grounds overnight in protest demonstrating against the acceptance of the continuing drafting of students into the military and arrests of activists by the security police. The Rectory warned them that every gathering on a university ground was illegal and that they should leave by five in the afternoon. The warning was rejected and the students continued the demonstration while the Law School was surrounded by police, and in many parts of Athens violent clashes took place between police and demonstrators. At five in the afternoon the police received the university Senate document asking them to expel the student occupants from the Law School building. With this the police violated the university asylum and broke into the Law School. In the clashes that followed thousands were wounded (Lazos, 1987, p.p. 373- 4). As well as the beating of parents, deputies and journalists some students were also killed (Kavadias, 1974, p. 22). However, even today it remains unclear how many students were killed because the dictatorship was reluctant to provide to the press any information for the number of the people killed. However, after the Law School events other demonstrations followed until the end of the academic year (1973). After these student demonstrations, on April 23, 1973 Konstantinos Karamanlis (Prime Minister of Greece 1955-1963, 1974-1980 and President of the Greek Republic 1980-1985 and 1990-1995) started to support students who opposed the dictatorship, from Paris through the newspaper *I Vradini* sent a political statement that strongly criticised the regime and demanded the military dictatorship to give the power to the politicians in order to avoid difficult political consequences. On May 18, 1973 a major student gathering took place at the end of the academic year and voted to continue the student opposition against the regime over the summer and during the next term (Lazos, 1987, p.p. 377- 8).

## 8. THE EVENTS PREVIOUS TO THE OCCUPATION OF THE POLYTECHNIC UNIVERSITY (NOVEMBER 14-17, 1973)

The occupation of the Polytechnic University in November 1973 may have begun as a spontaneous reaction of the student body to the decision of the Minister of Education Syfnaios to agree to the conducting of student elections with rules and procedures defined by the dictatorship. However, it was also a sign of the strength and maturity of the student movement that it managed to create a political conflict with the dictatorship without drifting into an unfocused paroxysm or wanton revolt (Christodoulakis, in the Newspaper *Kathimerini* -Daily- November 17, 1996). From October 24, 1973 general assemblies of the students took place in the universities of Athens and Piraeus, Patras, Ioannina and in Thessaloniki (Newspaper *I Vradini tis Kyriakis* The Sunday Evening- November 14, 1999, p.30). The assemblies took place in an electrified atmosphere and anti regime spirit in spite of the fact that the presidents were appointed by the military regime. On November 1, 1973 the Minister of Education Syfnaios announced the government's decision to conduct irreproachable and honest student elections which would be supervised by a committee constituted of distinguished students. Meanwhile the right of deferment was granted again to the students that had been drafted because they took part in the student mobilisations of February 1973 at the Law School. The acceptance of these decisions was received as a victory of the students. However, the oversight of elections by delegated student supervisory committees was rejected. Furthermore the students insisted on the abolition of the educative section of the secret police, on the abrogation of the decrees 93/1969, 720/1970 and 1947/1973, on the increase of expenses for education and on a number of other demands (Newspaper *Kathimerini inset Epta-emeres* -Daily inset seven-days- December 19, 1999, p. 4).

On Saturday November 3, 1973 the memorial service of Georgios Papandreou was announced for the following day (November 4), an event that had been organised mostly by parliamentary anti-dictatorial circles. Georgios Papandreou (who was the father of the later Prime Minister of Greece, 1981-1993, Andreas Papandreou) became himself Prime Minister of Greece after his victory in the 1963 general elections. He was the leader of Central Union. He was very popular and won 53% of the votes. Despite his popularity, after two years (1965) some politicians and the

Royal family conspired against his elected government and he lost power. In the years that followed (1965-1967) the political situation in Greece became unstable and insecure. Because of this political context the "coup" of 21<sup>st</sup> April 1967 established dictatorship. Georgios Papandreou was a symbol of democracy for most Greeks. His memorial on 4<sup>th</sup> November 1973, as was to be expected, turned into an anti-dictatorial outburst of the people who demonstrated their opposition to the military regime and its phoney liberalisation (see photo No. 2), (Lazos, Chr., 1987, p. 384; also Newspaper *Kathimerini inset Epta-emeres* -Daily-, inset seven days- December 19, 1999, p. 4).

After the memorial service bloody clashes took place between heavy armed police force and around five thousand demonstrators who headed towards the memorial of the "Unknown Greek Soldier" in order to place wreaths. Barricades were erected and slogans chanted, while the police opened fire over the heads of the demonstrators and charged the barricades. A bloody battle followed as demonstrators armed themselves with wooden stakes and stones. Seventeen protesters were arrested and were brought to trial on Thursday November 8 (Lazos, 1987, p. 384).

On Wednesday November 7, 1973 the students announced a gathering at the Law School for the day after the beginning of the trial in support of their general demands and specifically to show solidarity to those who were on trial. But the gathering did not take place because Rector Hastoupis closed down the university. The next day (November 8) riots and protest marches took place around the magisterial building in which the trial of the 17 was conducted (Newspaper *Kathimerini, inset epta-emeres, - Daily-, inset seven-days- December 19, 1999, p. 4).*

On Thursday November 8, 1973, the court pronounced that twelve of the defendants were not guilty while the remaining five were sentenced but conditionally discharged. Mass student protests were announced for the following days while everywhere there was a diffuse outburst against the regime. The particular focus of these protests was the cancelled student elections originally scheduled for February 15, 1974 (Papazoglou, 1977, p. 124).



**Photo No. 2:** Source file photo from newspaper *Kathimerini* (November 15, 1998). George Papandreou was a symbol of democracy for most Greeks. His memorial on 4<sup>th</sup> November 1973, as was to be expected, turned into an anti-dictatorial outburst of the people who demonstrated their opposition to the military regime and its phoney liberalisation.

## 9. WHAT HAPPENED AT THE POLYTECHNIC UNIVERSITY<sup>15</sup> ON NOVEMBER 14-17, 1973? REPRODUCTION OF THE EVENTS

In this highly charged political atmosphere the eruptive situation asked for a pretext to break out even if it sometimes was not real. That was exactly what happened with the occupation of the Polytechnic University. In the morning of November 14, 1973, general assemblies of the students associations took place in the faculties. The student gatherings progressed normally until the news arrived at the Polytechnic University that students and police were engaged in street battles around Athens centre. From that moment events moved quickly. The news, which did not correspond to reality, started at once to generate events. A protest march started off towards the Polytechnic University in spite of the opposition of the members of the Anti-EFEE (National Students Union Against Dictatorship) who wanted to wait and get more organised. The students clashed with police forces that had surrounded the Polytechnic University. Almost half of the demonstrators managed to enter the forecourt of the Polytechnic University.<sup>16</sup> The atmosphere was electric. At the assemblies of the Polytechnic University that took place in the afternoon the occupation of the university was suggested (Papazoglou, 1977, p.p. 125-7).

The proposal for the occupation of the Polytechnic University was made by students of the AASPE<sup>17</sup> (see report Greek Communist Party 1977, p. 36). AASPE did not co-ordinate with the other left wing groups (Lygeros, St., 1978, Volume B, p. 51). The same author wrote about the attitude of the left wing groups on the occupation of the Polytechnic University:

A meeting of the members of the revolutionary left of the student movement took place, which discussed the current situation and reached the conclusion that the necessary measures should be taken for an eventual occupation of the Polytechnic University. Because there were some objections to the suggestion that the revolutionary left should announce and organise the occupation the meeting reached the conclusion that the revolutionary left should announce the occupation and leave the organisational measures for later, when more facts would be available to inform the final decision

(Lygeros, 1978, Volume B, p. 51).

In addition Papazoglou (1977) writes: "The idea of the occupation of the Polytechnic University was suggested by the extreme left wing students (maoists, trotskists etc.)" (Papazoglou, 1977, p. 127).

However, although the left wing students played a crucial role in the occupation of the Polytechnic University they were supported by the socialists and the right wing students and the majority of the students who were not members or politically organised within the parties. In general, inside the Polytechnic University a combative spirit prevailed with anti-dictatorial slogans, which de facto, led to the occupation of the Polytechnic University:

The events imposed themselves without any decision or plan. The occupation of so many hundreds of students, the gathering meanwhile of people outside the Polytechnic University, gives the feeling that the occupation has begun (see photo No. 3). That happened around seven in the afternoon of Wednesday. The occupation took place "spontaneously" within the general climate of those moments that is, without premeditated plan of any political arrangement or organisation not only of the left (Report of the Central Committee of the Greek Communist Party p. 36).

The Rector of the Polytechnic University, Konstantinos Konofagos, was a bright example of a professor who actively opposed against the dictatorship. After democracy was restored he became an MP for the right-conservative Greek party 'New Democracy'. He also challenged the notion that the occupation was a premeditated conspiracy of the left. In his book (1982) he wrote:

The closure of the students inside the Polytechnic University was decided by the crowd of students that was at the Polytechnic University, as an elation of their common will. And they proceeded at once at the execution of the decision closing the doors of the Polytechnic University, which they turned into a symbolical yet practical fortress. The fortress of freedom (Konofagos, 1982, p. 87).





**Photo No. 3:** Source file photo from newspaper *Kathimerini* (November 15, 1998). The occupation of so many hundreds of students, the gathering meanwhile of people outside the Polytechnic University, gives the feeling that the occupation has begun.

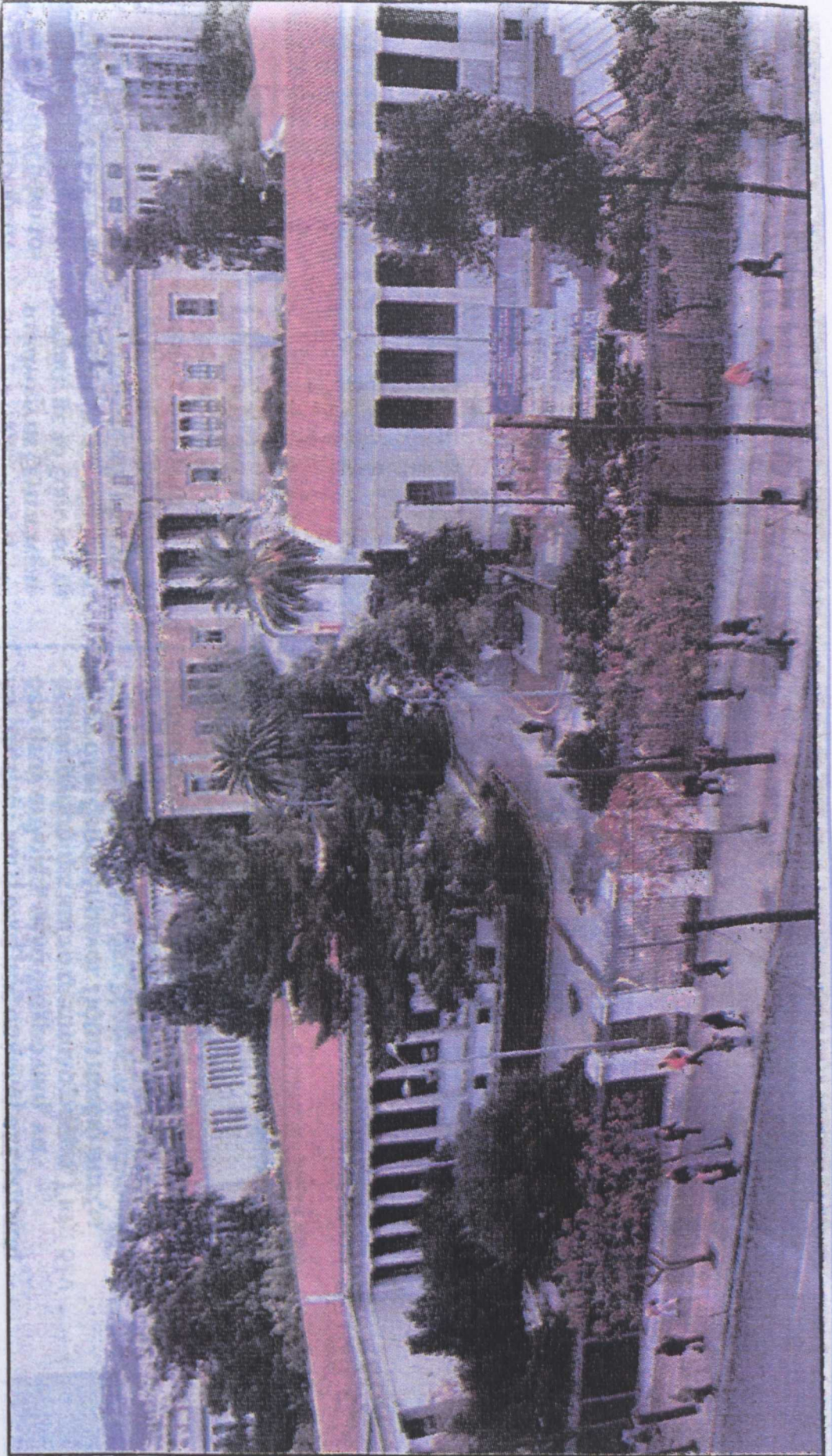
It is therefore certain that no organisation had pre-planned the occupation. No organisation and no student nucleus or student protest committee had discussed or concluded to the necessity of such a mobilisation with the aim of a frontal clash with the regime (Dafermos, 1999, p. 155). The spontaneous decision for the occupation of the Polytechnic University created a completely different situation from the one of the occupation of the Law School, which had been decided in advance. The lack of spontaneity the occupation gave the opportunity from the start for all the tendencies within the Polytechnic University to participate. In that way the opportunity would be given for the character and the evolution of the uprising to be determined not by organised powers even though there were such attempts or by committees of the student movement, but by the impulses of the moment of all the participants in the occupation, outside of organisational forms and the procedure of assemblies (Dafermos, 1999, p.156).

The occupation was a surprise even for the organised student political groups (Lygeros, 1977, p. 52; Papazoglou, 1977, p. 127). It grew to gigantic dimensions at an explosive pace, spontaneously and without a specific centre of co-ordination and guidance. That is why the Polytechnic University became and is until today considered a place of free expression, without restrictions, commitments or obligations. In other words the Polytechnic University became and still is a place of asylum (Dafermos, 1999, p. 159).

### **9.1. Wednesday November 14, 1973**

From the morning of November 14, general assemblies of the student associations of the Law and Medical Schools of Athens took place. 400 students of the Law School began a march towards the Polytechnic University and crossing the centre of Athens they arrived outside of the Polytechnic University, (for general view of Polytechnic University see photo No. 4). The general assembly of the Law School pronounced a condemning resolution against the regime and for the restoration of democracy, the free student elections on December 4, 1973 and the release of the detained students.





**Photo No. 4:** Source photo from newspaper *Eleftheros Typos* (November 16, 2000). General view of the Polytechnic University forecourt and buildings. Main entrance in Patission str.

Around midday students from all the sections massed at the Polytechnic University and by the evening the crowd was over 12,000 inside and outside of the forecourt (see photo No. 5). In the afternoon the situation became more strained and the police blocked off the Polytechnic University by forming a cordon. The students raised the Greek flag at the central entrance of the Polytechnic University as a symbol of unity and uprising. The police understood that the control was lost and asked for the presence of Public Prosecutor who arrived at the Polytechnic University at 5:30 p.m. They then asked Rector Konofagos for permission to enter the Polytechnic University. The Rector refused categorically and he established an open communication with the students. At 9:00 p.m. the senate was convened, and voted in support of Rector's decisions. He discussed the matter with the Minister of Education over the phone and excluded every thought of police intervention. The students had already closed all the entrances of the Polytechnic University and organised a radio station, which transmitted their requests. The students formed a "Co-ordinating Struggle Committee" inside the Polytechnic University, which consisted of 28 student representatives from all the faculties. Among them there were Christos Lazos as representative of the Law School, Stavros Lygeros representative of the faculty of Physics and Mathematics, Olympios Dafermos from the faculty of Engineering, Kostas Laliotis from the faculty of Dentists who also today is Cabinet Minister of Greek Socialist government, and Nikos Christodoulakis from the faculty of Economics, who was responsible for the radio station of Polytechnic and who today is Deputy Prime Minister and Professor of Athens University.

The Co-ordinating Committee decided the organisation of the occupation. Late in the evening more than 3,000 students of all the faculties had already decided to remain in the Polytechnic University and spend the night there.

## **9.2. Thursday November 15, 1973**

On Thursday 15, the situation became more serious. The assemblies had gone on all night long and the occupation took a more broadly political character. The limited student demands were replaced by calls for the complete overthrow of the military dictatorship. At 9.00 a.m. the door of the Polytechnic University opened and more





**Photo No. 5:** Source file photo from newspaper *Kathimerini* (November 18, 1998). Around midday students from all the sections massed at the Polytechnic University and by the evening the crowd was over 12,000 inside and outside of the forecourt.

people flocked in (see photo No. 6). Besides the students, workers entered the Polytechnic University to demonstrate their opposition to the regime. The radio station of the students transmitted anti-regime slogans while the students printed leaflets to distribute to the people outside the Polytechnic University. The police remade a cordon while the Minister of Education asked the Rector for a decision of the Senate by 12.00 midday to abolish the right of asylum so the police could lawfully enter the university. In response the Senate of the Polytechnic University sent to the Minister the following statement:

Since yesterday the Senate had excluded every thought of intervention by the police in order to evacuate the place for two highly important reasons: 1) intervention in the space of the Polytechnic University would be an abolition of the Asylum 2) an intervention would eventually lead to bloody episodes. On that principle the Senate highly insists until today. The Senate has on that matter the unanimous opinion of the association of the professors... Echelon of the Senate tries to contact with the students who are inside the Polytechnic University. The Senate will do everything possible to settle the situation and wishes for a clear solution

(Newspaper *I Vradini* -The Evening- November 16, 1973, p. 9).

At 1.00 p.m. the government sent an answer to the Senate of the Polytechnic University and announced that: "the government is determined to unconditionally respect the self-administration of the universities and the decision of the Senate of the Polytechnic University on the upholding of the asylum" (Yiannou, 1997, p. 38).

By now the turmoil had expanded to other universities such as of Patras, Thessaloniki and Ioannina. In spite of the fact that the police kept armed forces outside of the Polytechnic University and in a large area around it during the morning, they departed early in the afternoon and allowed people to freely come and go out from the Polytechnic University. So outside of the University stood over twenty thousand people of every age in support of the students, providing moral support, money and medicine. In the evening the Public Prosecutor Kyriazis announced that he would not give any order to the police to intervene unless the Senate of the Polytechnic University asked for it. Late in the evening many people



left. Yet there still remained almost eight thousand outside of the Polytechnic University and four thousand students inside. At midnight the doors closed. The Co-ordinating Committee held a session while the radio station exhorted the Athenian citizens to rise up and topple the regime.

### 9.3. Friday November 16, 1973

From 4.00 a.m. on Friday the Co-ordinating Committee of the students decided on a program for allowing entry into the University and a strategy to safeguard the grounds specifically to isolate provocateurs and identify secret policemen who entered the Polytechnic University grounds. From morning until midday the Senate held a session in order to find a smooth solution. Several politicians who opposed the regime (Ioannis Zigdis, Georgios Mavros and the former Prime Minister Panagiotis Kanellopoulos) visited the grounds of the Polytechnic University and made political statements to support the students. From Canada, Andreas Papandreou (Prime Minister of Greece 1981-1989 and 1993-1996), who was self-extradited there to avoid been arrested by the dictatorship also sent a supporting political message to the students. The Minister of Education Syfnaios asked the Rector to order the evacuation of the grounds, while at the same time the Cabinet held a session and decided on plans for the evacuation of the grounds around the Polytechnic University without the use of weapons. However, the situation became more and more disorderly. The enthusiasm and the determination of the students reached its peak (see photo No. 7). Meanwhile outside the Polytechnic University were gathered more than twenty thousand (see photo No. 8). At 3:30 p.m. the Co-ordinating Committee of the students, broadcast over their radio station an invitation to the journalists to press conference at the hall of the Architecture Department. There they declared their manifesto. It stated:

Students of all the faculties have realised that our problems relevant to the democratisation of education and the running of the educational system cannot be solved without the change of the specific political situation. So the students and the Greek working people will remain in the Polytechnic University beginning a political struggle they invite the Greek people to rally...1) primordial condition for the solution of all the popular problems we consider the immediate end of the tyrannical regime of the junta and the establishment of



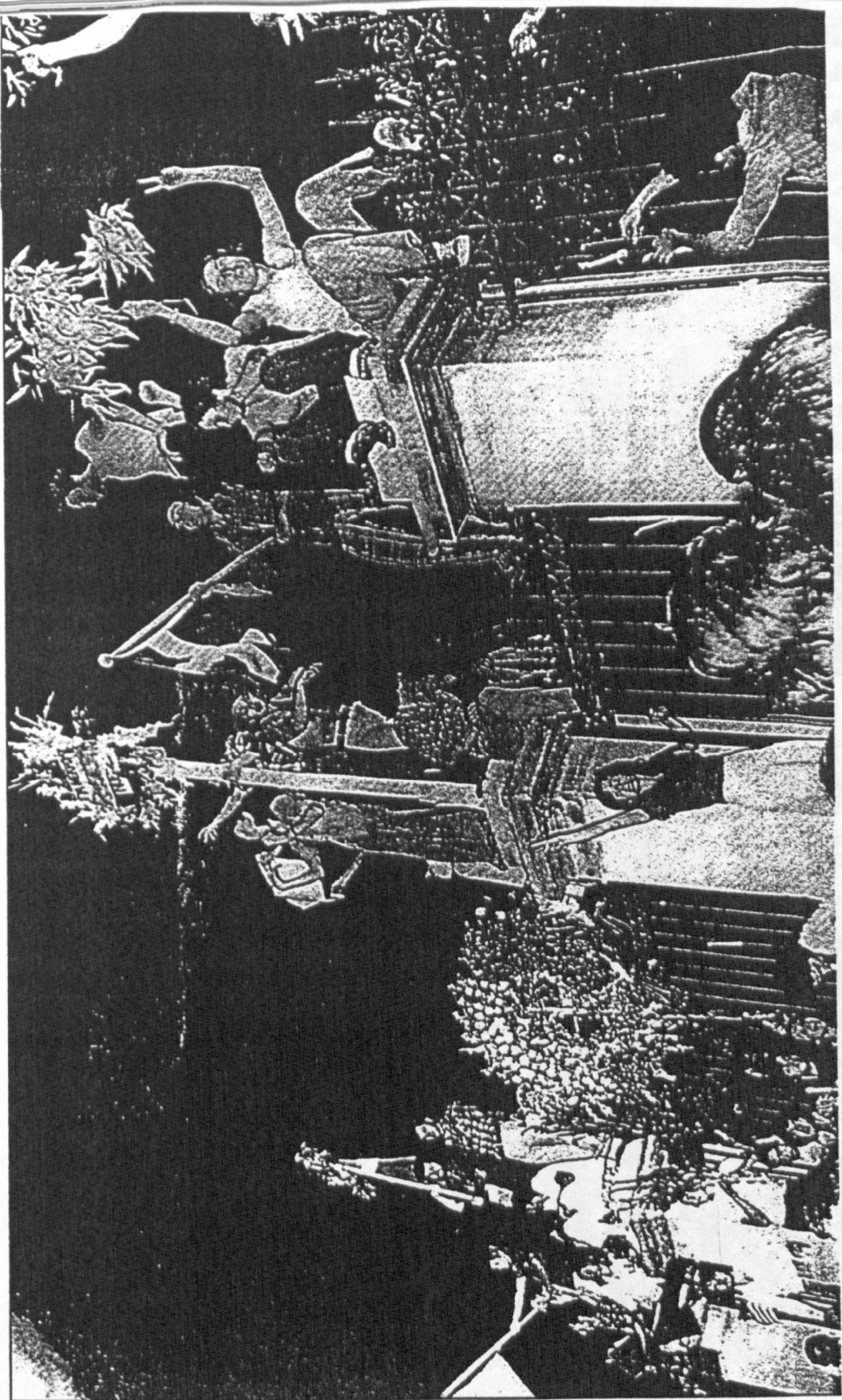
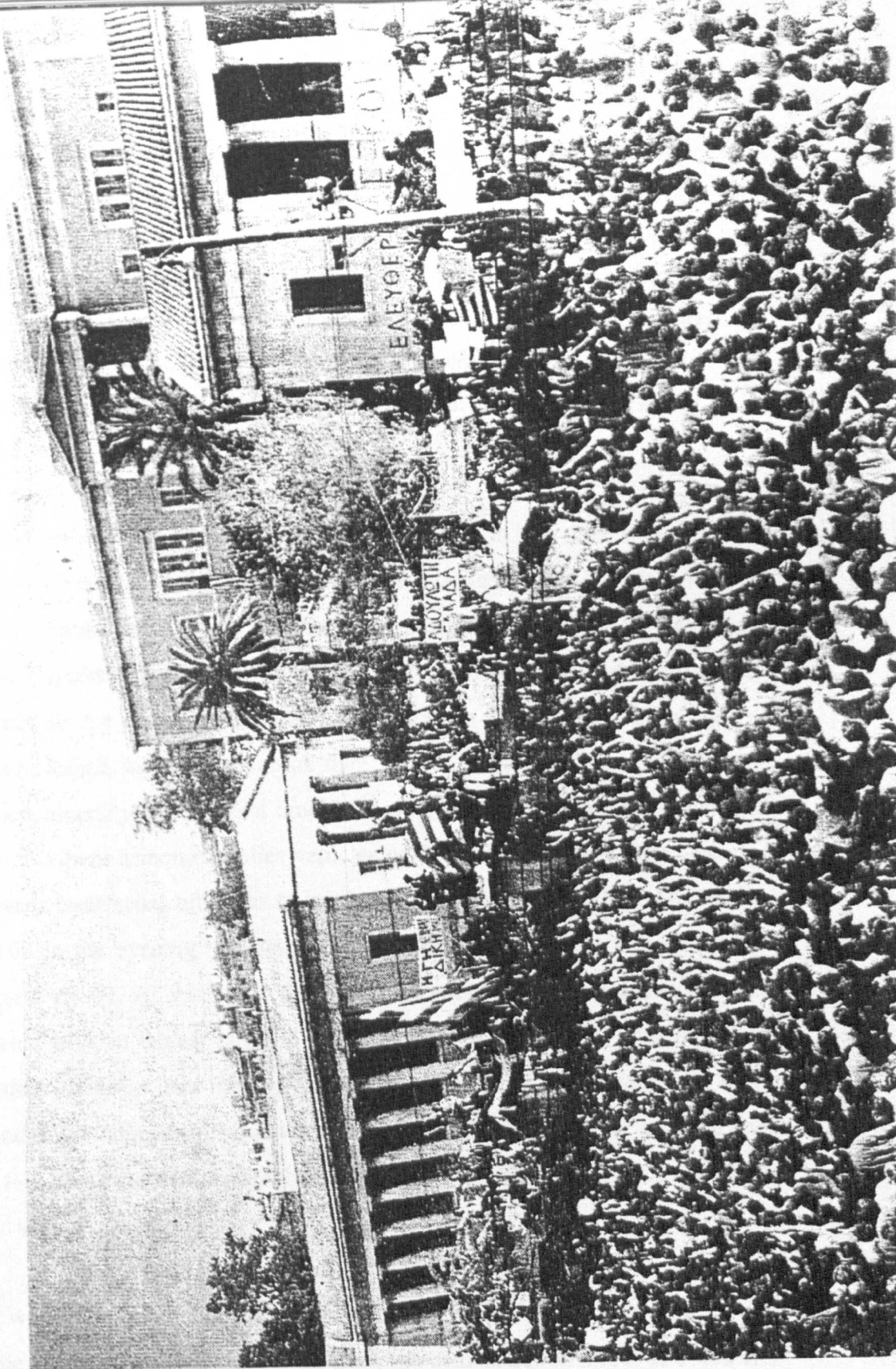


Photo No. 7: Source file photo from newspaper *Kathimerini* (November 18, 1998). The enthusiasm and the determination of the students reached its peak.



**Photo No. 8:** Source file photo from newspaper *Kathimerini* (November 18, 1998). Meanwhile outside the Polytechnic University were gathered more than twenty thousand.



the people' s sovereignty. 2) The establishment of the people' s sovereignty is linked with national independence from foreign interests that for years supported the tyranny in our country. The mass mobilisation of the Greek people and the demonstration of solidarity from all over Greece is the best answer to those who try to discredit us... Our presence here consists a centre of rallying and ? of the people' s struggle for the overthrow of the dictatorship. All united in the combat for Democracy and National Independence (Yiannou, 1997, p. 49).

After this statement the police tightened the cordon in the streets around the Polytechnic University. At 5.00 in the afternoon delegate students arrived from the University of Patras occupied by two thousand students. The situation outside the Polytechnic University became uncontrollable and clashes of demonstrators with the police spread to the centre of Athens. Student groups from other Universities of Athens also clashed with the police as they tried to break the ring and enter the Polytechnic University. For the first time there were wounded on both sides while in the streets of Athens armoured police vehicles made their appearance. The wounded students were transferred either to hospitals or inside the Polytechnic University. Around 8.00 in the evening the clashes outside of the Polytechnic University had become more strong. At 9.00 p.m. the first barricades were set up around it. The students used wooden tables, cars and buses which they set on fire. Student groups besieged state buildings near the Polytechnic University. The police called for more reinforcements including snipers, and tried to repel the student assaults with tear gas. Within a few hours the centre of Athens turned into a battlefield and the hospitals were filled with wounded.

The fatal wounding of the high school student Diomidis Komninos in front of the Polytechnic University served only to infuriate the demonstrators more. The students through their radio station appealed for medicine and doctors. The firing of tear gas and the clashes with the police went on (see photo No. 9). At 9:30 p.m. the police asked for back up from the army. Around 11.00 p.m. the police sealed off the whole area around the Polytechnic University. At midnight military back up arrived, the tanks made their first appearance, and the government instructed the police to break into the Polytechnic University. The government then mandated the Chief of Police

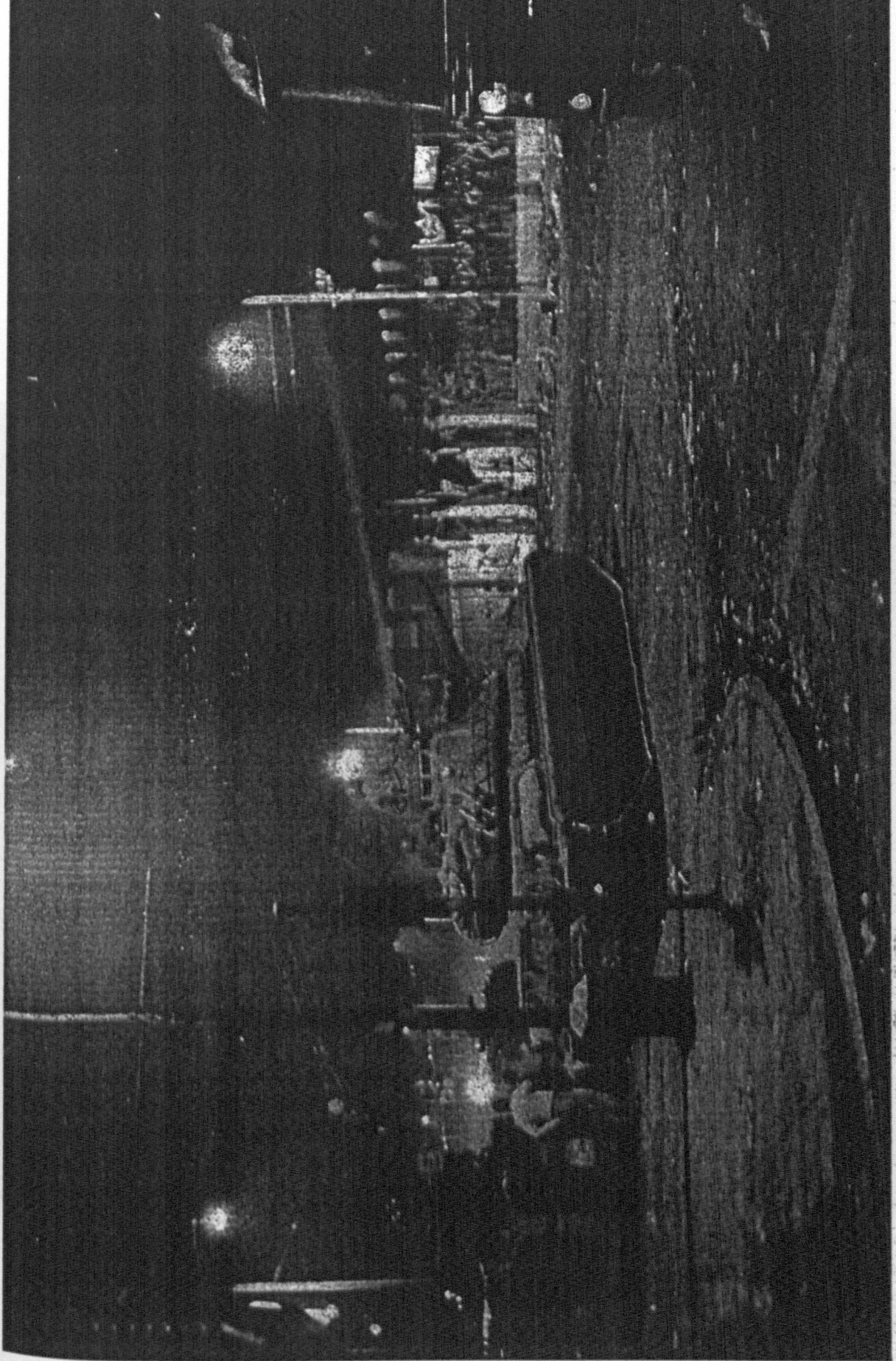


**Photo No. 9:** Source file photo from newspaper *Kathimerini* (November 18, 1998). The firing of tear gas and the clashes with the police went on.

to operate without the presence of the Public Prosecutor who had promised the students that university asylum would be respected and not violated (*Newspaper To Vima* –The Step- November, 16, 1973, p. 50). By 3.00 a.m. the tanks had completely surrounded the Polytechnic University.

#### **9.4. Saturday November 17, 1973**

The students facing such a huge military force realised the critical nature of the situation and asked for negotiations. At 2:30 in the morning of November 17, 1973 representatives of the students went to the main gate of the Polytechnic University and announced that they were prepared to vacate the Polytechnic University, but only under the security of the judges, and their professors, and in the presence of the International Red Cross and the representatives of the Press. Their terms were rejected at once. At 2.45 in the morning the police gave a 15-minute time limit to the students to evacuate the Polytechnic University unconditionally. However, the students were afraid of being arrested and tortured by the police. From their radio station and the loud speakers that the students had installed in the forecourt they invited the soldiers not to break into the Polytechnic University and to respect the university asylum. At 3.00 in the morning, while negotiations went on, a tank tore down the main entrance of the Polytechnic University crushing the students behind it (see photo No.10). A group of officers and commandos following the tank opened fire whilst entering the Polytechnic University (see photo No. 11). The tank sirens were sounded and the soldiers opened fire indiscriminately. The university asylum was violated and army squads broke into the Polytechnic University and arrested many students. Hundreds were wounded or arrested. On the roofs of the surrounding buildings there were snipers with orders to shoot to kill. At 3.30 in the morning the violent evacuation of the Polytechnic University ended while clashes went on in the surrounding streets. The army and police forces tried to clear the grounds inside and around the Polytechnic University (see photo No. 12) and concealed the number of the dead and the wounded. After a few hours martial law was declared. In the morning the newspapers that were not controlled by the regime mentioned tens of dead and hundreds of wounded and arrested, while the national radio in its first day news program at 8.00 in the morning announced that "police troops accompanied by



**Photo No. 10:** Source file photo from newspaper *Kathimerini* (November 18, 1998). At 3.00 in the morning, while negotiations went on, a tank tore down the main entrance of the Polytechnic University crushing the students behind it.





**Photo No. 11:** Source file photo from newspaper *Kathimerini* (November 18, 1998). A group of officers and commandos following the tank opened fire whilst entering the Polytechnic University.



**Photo No. 12:** Source file photo from newspaper *Kathimerini* (November 18, 1998). The army and police forces tried to clear the grounds inside and outside the Polytechnic University and concealed the number of the dead and the wounded.

tank forces entered into Polytechnic University forecourt and inevitably abolished the university asylum” ( for the above see Newspaper *To Vima* -The Step- 17 November 1973, Newspaper *I Vradini* –The Evening- 17 November 1973, Magazine *Epikera* -In Season- 18-24 August 1974, also see the conclusions of the Public Prosecutor on the Polytechnic University events D. Tseva of the 14 October 1974 and the historic file of the ERT that is the national Hellenic TV and Radio).

The number of the victims of the Polytechnic University is not even today fully ascertained. After the conclusion of the investigation of the public prosecutor Tsevas (17 October 1974) and the decree of the Board of Judges of Appeal of Athens it was confirmed that the dead from the Polytechnic University events were twenty three (see 21<sup>st</sup> November 1973, No. 18148.650.10 report of police), all outside the Polytechnic University mainly in the surrounding streets, the wounded were almost two thousands among them sixty three policemen and, according to the 20<sup>th</sup> November 1973 report of the military government, 866 students and demonstrators were arrested (Yiannou, 1997, p. 64; Newspaper *Ethnos-Nation*- November 15, 1999, p.p. 23-5).

In this way the occupation of the Polytechnic University was ended on November 17, 1973 and sealed the fate of the dictatorship. The immediate results was the declaration of martial law, tanks occupied the centre of Athens (Omonia Square) (see photo No. 13), censorship on the press, the postponement of the scheduled referring to the program government announcements for the year 1974 and, under the pressure of the events, the abdication of dictator Georgios Papadopoulos and his replacement by the low profile General Gkizikis. In fact backstage it was another tough dictator Dimitrios Ioannidis who governed until July 1974.

The events of the Polytechnic University’s occupation influenced the students of the other Greek cities. Occupations occurred simultaneously in other cities, as for example in Thessaloniki, Patras and Ioannina, placing pressure on the regime to respond to many fronts across all Greece (for the events of Thessaloniki and Patras and Ioannina see Lazos, 1997, p.p. 462-74; also Papazoglou, 1977, p.p. 145-50; see also Memis Magazine *Anti* issue 3, October 5, 1974, p.p. 13-5; also Newspaper





**Photo No. 13:** Source file photo from newspaper *Kathimerini* (November 18, 1998). The immediate results was the declaration of martial law, tanks occupied the centre of Athens (Omonia Square).



*Thessaloniki*, November 14, 1981; Newspaper *Thessaloniki*, November 17, 1998, p.30; Newspaper *Egnatia*, November 14, 1981; Newspaper *Ta Nea* -The News- November 15 and 17, 1982).

### **9.5. Why did the occupation take place at the Polytechnic University and not at another university?**

Why was there an occupation of the Polytechnic University and not at another university as for example at the Law School of Athens where militant mobilisations had preceded?

At the Polytechnic University there was no split of the student movement. Its unity was maintained through the student struggle committees, which continued to operate, and through the elected committees. The minor influence of left wing groups and the non affiliated nature of the majority of the members of the movement had a unifying effect which enabled secondary political and ideological disputes to be set aside. Hence, the student movement within the Polytechnic University could continue undistracted from internal disputes in its anti-dictatorial action (Dafermos, 1999, p. 156).

The authorities of the Polytechnic University Senate held an obviously softer attitude towards the student movement compared with other universities in Athens, evidenced by the fact they permitted the conducting of assemblies and the proclamation of elections beyond and against the government' s measures. Similar assemblies were not allowed in the other faculties. This resulted in the Polytechnic University becoming the main focus of opposition and the main gathering point for students from all over the city and even Greece (Dafermos, 1999, p.156). The Senate of the Polytechnic University gave its permission for students meetings before the occupation (see Report of Senate 50<sup>th</sup> Meeting, 13 November 1973). The regime considered this positive attitude of the Senate towards students' demonstration as "very friendly" to the students. For that reason just after the end of the occupation the Rector Konstantinos Konofagos with four other academics, members of the Senate, were arrested by the military police (Konofagos, 1982, p.p. 105-11). The Polytechnic

University for a second time after February 1973 became the place where the anti-dictatorial student movement focused.

In November 1973 the occupation of the Law School was impossible. The conflict among the student political organisations and groups that prevailed over the self-organisation of the student movement<sup>18</sup> would not permit any common agreement for any student demonstration. The major influence was that the politically active university students led by the political organisations would not easily allow an occupation develop beyond the control of the political organisations. The attempt of an occupation of the Law School, given the rigid stand of the senate, seemed an unattainable target. At the Polytechnic University the student movement did not face such problems and also ignored even the direct orders of the regime and therefore shaped its own course. This was facilitated because the regime avoided stifling the occupation at its birth, probably because they did not want to engage in an open confrontation with the university senate and professors of the Polytechnic University who had decided to stand up for the asylum of the university and opposed to any violation of the Polytechnic University's asylum. Thus the Public Prosecutor had promised that the police would not violate the university asylum of Polytechnic University.

## **10. OTHER INTERPRETATIONS OF THE EVENTS**

### **10.1. The political significance of the Athens Polytechnic University revolt.**

In the evaluation of the Polytechnic University events (November 1973) it is crucial to realise their influence on the recent political history of Greece as well as on the concept of university asylum.

For the continuing attempt of people for political and social progress and also for assertion of freedom and social rights, some events and dates obtained symbolic value. Such an event and date for the Greek political history is the Athens Polytechnic University uprising held on November 14-17, 1973.

The Polytechnic events were the progressive and anticipated results of the continuing opposition to dictatorship started the very first day of its establishment and rooted not

in organised political opposition but on the people who never accepted the military junta. Thus, the Greek political culture from the ancient times shaped democracy and social rights. It was very difficult for the Greek people to accept any tyrannical regime. The Polytechnic University revolt not only signalled the beginning of the end for the dictatorship but also symbolised the starting of a new political era. The era of political changeover from 1974 (when democracy was restored) until today (Lazos Chr., 1987, p.478).

The Polytechnic University uprising on November 1973 has been established in peoples' consciousness as the major political and symbolic point of the active opposition especially of the academic people and the students towards dictatorship and tyrannical regimes of any kind (Kalygas, in Newspaper *Kathimerini*, -Daily- November 18, 1979, Article).

Angelos Moschonas who is a member today of "New Democracy" (so called the central-right conservative party of Greece) and actively took part in the Polytechnic events, argued in a newspaper interview in 1986, that the Polytechnic events played a crucial role for the overthrow of the regime; first because over all it symbolised and expressed the total opposition of the people, who had been politically restricted for more than 6 years (1967-1973). Second, the isolated citizens realised that they were not alone, and that all people had the same political inspiration (Newspaper *Eleftherotypia tis Kyriakis* -Sunday Freepress- November 16, 1986, p.62, interview of Angelos Moschonas).

Christos Tsamis who was member of the Polytechnic demonstrators and today is a politician of the Greek Communist Party (KKE) argued that the Polytechnic events importantly influenced the people's political consciousness and shaped citizens opposition in the value of freedom and democracy (Newspaper, *Eleftherotypia tis Kyriakis* -Sunday Freepress- November 16, 1986, p.59).

Kostas Laliotis is today one of the most famous Cabinet Ministers, MP of the Socialist Party (so called PASOK). He not only took an active part as a student in the events but also was member of the student Co-ordinating Struggle Committee of the

Polytechnic University. In his article which appeared in the newspaper *To Vima* he argued that the Polytechnic uprising, as an event, as a symbol and as a message, personalised the vision and the sensitivity of the youth of the Polytechnic of 1973. It remains the everlasting experience of a generation (Kostas Laliotis in Newspaper *To Vima* -The Step- November 14, 1993).

The source of the uprising was the spontaneousness, the braveness, the spirit and the courage of the students . From the first day the demand for free student union elections and improvement in the education system modified into demand for the overthrow of the regime and democratisation of the country (Kavadias, 1974, p.p. 5-9; also Newspaper *I Vradini tis Kyriakis* –The Sunday Evening- November 14, 1998, p.31; and Newspaper *Odigitis KNE* -Guide KNE- November 1998, p.p.16-7).

The symbolism of the Polytechnic is founded on the motives of the students who faced a serious and dangerous situation not for personal gain but for the whole Greek society and the protection of university asylum(Christodoulakis, N., Newspaper *Kathimerini*, -Daily- November 17, 1976).

The former Prime Minister Panagiotis Kanellopoulos was among the few politicians who went to the Polytechnic University during the events. His public statement was serious support for the students. In the introduction of Karatzaferis Spyros book (1975) Panagiotis Kanellopoulos argued that even if a democratically elected regime violates people's rights of freedom, free speech and human rights, the massive unlawful demonstrations against it sometimes are lawful because of the existence of a higher unwritten common law provided for the respect of freedom, liberty and human rights (Karatzeferis, 1975, Introduction).

The Polytechnic movement was suppressed directly by the military through the use of soldiers, tanks and violence. However, the regime had little political support for its actions. The behaviour of the dictatorship towards the students was rooted in brutality, injustice and arrogance. These acts never gain supporters. On the contrary, they are opposed by the national and international public opinion. Even the dictators themselves after the events accused each other of mistakes and wrong handling of the

situation. Gradually out of a revolutionary situation that put down by the tyrannical dictatorship a new law provided for the protection of asylum emerged. As we will see in the following Chapter the Polytechnic University events on November 17, 1973 became the major impact for the emergence of the law 1262/82 about the "University Asylum".

## **10.2. The symbolism of the Polytechnic University revolt**

November 17, 1973 was one of the most abhorrent and bloody of the New Greek political history. The day after started the countdown towards the end of the regime. After the events demonstrations abroad against the regime rapidly increased. For the first time public opinion of the western European countries realised the real face of the Greek regime (Newspaper *I Vradini*, -The Evening- November 17, 2000, p.p. 21-2). The reaction of the Greek students who were studying abroad was immediate. In many European cities such as The Hague and Venice more than 30,000 students demonstrated outside the Greek embassies, declaring their support for the students in the Polytechnic. Marches also took place in Oslo, Munich, Amsterdam, Zurich, Brussels, London and New York. All the European democratic states disapproved the military and police brutality against the Greek students.

There were quite enough people (journalists and politicians) who paralleled the events in Paris 1968 with those in Athens 1973. It could be argued that during late 60's and early 70's the general criticism for the policy of the western governments as was expressed through the demonstration in Paris 1968. The French students on May 1968 created an impression all over Europe that their demonstration was a total political and social explosion of a whole generation that could not accept non-democratic policies. This was the same message that Greek students sent to the dictatorship with the Polytechnic University occupation. Outside the Polytechnic forecourt were located tanks and soldiers. In the same way outside the forecourt of the Sorbonne University on May 1968 were also tanks and troopers. The dream of the utopian society was the common inspiration not only for the French but also for the Greek students. In both cases, although the uprisings were suppressed, the idealism was not defeated. On the contrary, their ideology for real democracy dominated Europe and juntas were restricted again as phenomenon of the Latin America and the

Third World (Koundouros in Newspaper *Eleftheros Typos* -Free Press- special inset, May 28, 2000, p.11).

November 1973 in Greece, as May 1968 in France and Europe, sent a message calling for deeper social coherence, a fight against social inequality, injustice, and apathy. In fact, the events at the Polytechnic signalled a deep change in Greek mentality that became more opposed to the despotic governmental system which dominated Greece until that time. The Polytechnic became the link of the university asylum and the symbol of youth social-political fighting (Bacogianni in Newspaper *Eleftheros Typos* -Free Press, special inset, May 28, 2000, p.16).

The evaluation of the symbolism of the Polytechnic events is for this study a necessity, because those events were the peak expression of the people's passion against the dictatorship that led students to demonstrate (Newspaper *Eleftherotypia*-Freepress-, 16 November 1986 p. 62). However, the domestic and international political pressure and the criticism exercised by other governments to the brutal Greek regime in the period that followed the Polytechnic events became the major problem for the dictatorship until its final fall on July 1974.

The Polytechnic revolt was the pinnacle moment of the anti-dictatorial struggle and remains for every young generation in Greece a historical source, a bright example and a monumental symbol for the establishment of social justice and democracy. For that reason in Greece every year that date (November 17) is a commemoration day and official holiday for the Greek universities and high schools. The Polytechnic University is the focus of the memorial service taking place every year. There participate the government, the political parties, and the representatives of student unions coming from all over Greece and also the people who lay wreaths and tributes at the special bust located in the forecourt of the Polytechnic in honour of all the people who fought and died there. Athens Polytechnic University nowadays symbolises for Greece the national conscience, people's unity, Greek people reconciliation and unification.

## 11. THE TRIAL FOR THE POLYTECHNIC UNIVERSITY EVENTS

After democracy was restored (July 1974), and between February 15 and December 29, 1975 for eleven months the trial was held for the Polytechnic University events. The trial took place at the Athens Court of Appeal. 33 people were accused in total as being responsible for the fatal army and police intervention and the university asylum violation. Among the accused were army and police officers, the Chief of the army during the dictatorship Dimitrios Zagoriannakos, the dictator Georgios Papadopoulos and the dictator Dimitrios Ioannidis. All were facing charges for a number of first degree murders. They all refused the accusations and never pleaded guilty. During the eleven months trial some 250 witnesses testified to the Court (see photo No. 14). One of the defenders, barrister Dimitrios Alafantakis, argued that there was not such a law that protected the university asylum and questioned the accusation of university asylum violation. He also argued that the military dictatorship legally instructed the police to break into the Polytechnic University. In addition he argued that in no other European country was there either common or civil law to protect university asylum. He compared the Polytechnic University events with those held in Paris (May 1968), and concluded that the defendants had to be found not guilty because of the absence of a specific law providing for the university asylum. However, Rector Konstandinos Konofagos in his testimony replied to the defender that in no other country would the regime ever think to violate the university asylum and that during the dictatorship the Polytechnic University was the only asylum place where people could exercise their right to freely express their political and scientific ideas. He accused the dictators that with their decision to violate university asylum although him as Rector of the Polytechnic University asked not to do so, caused the fatal military police intervention and violated the tradition of the university asylum (Konofagos, 1982, p.137-8). Finally the Court with the decision number 723/1975 found guilty most of the defendants. The dictators Georgios Papadopoulos and Dimitrios Ioannidis were both sentenced to 25 years in custody. The Chief of the army Dimitrios Zagoriannakos although found guilty received parole.



**Photo No. 14:** Source file photo from newspaper *Kathimerini* (November 15, 1998). During the eleven months trial some 250 witnesses testified to the Court.



## 12. CONCLUSION

In this chapter we examined the student movement in Greece rooted in the second half of the 19<sup>th</sup> century, the social-political context before the establishment of the dictatorship, and the legislation of the regime for the universities. It has also presented the events of the occupation of the Law School, the fatal events of Polytechnic University and its symbolism.

The political environment in Greece after the civil war (1945-1949) was characterised by instability, military interventions and conspiracies organised either by the politicians or by militarist and para-militarists. The military “coup” imposed in April 21, 1967 came as the direct result of this instability.

For seven years (1967-1974) Greece was governed by a non-democratic, brutal dictatorship. The cabinet consisted only of army officers and the parliament remained closed. Several articles of the constitution concerning freedom of speech and political freedom were restricted or abolished. Meanwhile most students and youngsters in Greece inspired by the students’ demonstration in Paris (May 1968) and the progressive social movement in Europe and America, started to organise their opposition towards the regime. Greek universities became the site where youth expressed their social-political opposition to the regime.

The occupation of the Law School in Athens (February 1973) and the occupation of the Polytechnic University (November 1973) signalled not only for the students but also for the majority of the people the increasing opposition towards the regime.

Today students and the academic community consider the Polytechnic University as a sacred holy and historic place. It has become the national symbol of democracy, liberty, human rights and respect of human dignity. The students who had occupied for three days and nights the Polytechnic University in November 1973 were characterised by the regime as anarchists and criminals and they were punished and sentenced. However, these students convicted by the dictatorship were recognised as political offenders and refugees in their own country when democracy was restored in

July 1974. The democratic government opened the prisons and the students and other political prisoners were granted amnesty. Instead of being criminals they became public heroes, and victims of human rights abuses by a tyrannical regime.

The students in November 1973 demanded political and human rights. The dictatorship refused them. According to the military law the students were violators of the law because they had demonstrated and occupied the Polytechnic. The students to avoid being arrested asked for shelter and sought asylum within the Polytechnic University. The students because of the tradition and the academic culture considered the university a holy and untouchable place, as the holy temples in ancient Greece or the monasteries in medieval Europe(see Chapter 1). Universities for the students are the most friendly and familiar places. The students believed that even the tough junta could not touch them if they took shelter within the Polytechnic University. They believed that the dictators would respect the place where knowledge, science, research are pursued in an area of academic freedom. That is the reason why they sought asylum there and to avoid the armed military forces that came to fight them. In addition the Greek universities during the dictatorship were maybe the only places where the regime failed to exercise full control. The aim of the regime was to control every part of activity within the universities. The dictatorship introduced the Legislative Decrees 93/1969 and 672/1970 to give them the right to nominate, on their discretion, academics, chancellors and presidents of student unions. However, this effort was not successful because the majority of students and academics refused to co-operate with the regime.

The students remained for three days within the Polytechnic, which they thought was the most secure place for them. Unfortunately it was not. The dictatorship did not respect the place and decided to enter by using armed force and violence. The dictatorship not only did not respect the inviolability of the place and the university asylum but also did not respect the human rights of the students.

## NOTES

---

<sup>1</sup>The revolution of Greece to gain independence from Ottoman Empire started on 25<sup>th</sup> March 1821.

<sup>2</sup>Officially the name of the Polytechnic University in Athens is National Metsovio Polytechnic University.

<sup>3</sup> The concept of the “University Asylum” in Greece has been institutionalised in 1982 by the law 1268 (as being analysed below). However, University Asylum has been exercised as unwritten common law from the medieval and the Byzantine period when universities were under the authority of monasteries and the Pope. The concept of university asylum prohibited any state intervention there. In Greece, from the begging of the new Greek state era (1821 onwards) almost all Greek constitutions founded the liberty of art, freedom of science, as well as freedom of research and teaching (as analysed below).

<sup>4</sup> Meaning in Greek “before the front entrance”.

<sup>5</sup> Between 1916 and 1936 have been reported 38 military movements and conspiracies in Greece.

<sup>6</sup> IDEA (ΙΑΕΑ in Greek) was a paramilitary organization translated as “Holy Bond of Greek Military Officers”, founded on October 1944 in Athens.

<sup>7</sup> Medical School 38,3% to 27,7%, Faculty of Dentists 36,8% to 32,7%, National Metsovio Polytechnic University 41% to 26,4% (source National Statistical Service for the years 1972-1973).

<sup>8</sup> ASOEE (Business Administration) 21,5% to 47,6%, Panteios ( Social Administration) 22% to 46,5%, An. Viomihaniki (Industrial Administration) 19,8% to 51,7% and Geoponics (Science of Agriculture) 20,5% to 55% (source National Statistical Service of Greece 1972-1973).

<sup>9</sup> Faculty of Philosophy 29,7% to 36,1%. Faculty of Physics and Mathematics 29,5% to 39,8% (source National Statistical Service of Greece 1972-1973).

<sup>10</sup> The Faculties of Physics, Mathematics and Philosophy mainly educated students in order for them to teach in high schools and lyceums. This job secured to them a stable but not high salary.

<sup>11</sup> Syntactic Act IE 1967.

<sup>12</sup> Royal Decree 454/1967.

<sup>13</sup> Legislative Decree 672/1970 and 180/1969.

<sup>14</sup> Legislative Decree 93/1969.

<sup>15</sup> For the history and the events of Polytechnic University revolt see for details Grigoriades, S.N., 1975; Kavadias, F., 1974; Konofagos, K., 1982; Karatzaferis, Sp., 1975; Linardatos, sp., 1978; Linardatos, Sp., 1999; Ligeros, St., 1977 and 1978; Lazos, Chr., 1987; Yiannou, Y., 1997; Mantoglou, A., 1998; Papazoglou, M., 1977; Dafermos, O., 1999; Newspaper *I Vradini*-The Evening-November 14,15,16,17,1973; Newspaper *Kathimerini*, inset *Epta-emeres*-Daily-inset seven days-November 16, 1998;Newspaper *I Vradini*-The Evening-November 17,1978.

<sup>16</sup>. Reports and conclusions for the events of November 1973 approved on 4<sup>th</sup> Plenary Assembly of Central Committee of Greek Communist Party, July 1976, p.p. 34-5.

<sup>17</sup> AASPE (ΑΑΣΠΕ in Greek): Antifascist Anti-imperialistic Students Party of Greece.

<sup>18</sup> This happened mainly in the Law School, Faculty of Philosophy, Physics and Mathematics.

# CHAPTER 3

## ACADEMIC FREEDOM AND UNIVERSITY ASYLUM IN GREECE

### 1. INTRODUCTION

This chapter starts with the examination of the position of the various Greek constitutions towards the concept of asylum and human rights. The starting point for the discussion is 1822 when the new independent Greek State officially formed and was recognised by the international community. The discussion concludes with year 1973. It continues with the constitution of 1975, which is still in operation. The present Greek Constitution (1975) has been amended twice (1986 and 2001). A separate section about the provisions of 1975 Greek Constitution about asylum (political and home asylum) and human rights is included in this chapter. Then it continues with the examination of Article 16 of the 1975 Greek Constitution that provided for the academic freedom. This chapter aims to explain the notion of academic freedom and to show how the law established university asylum based on the provision of Article 16 and the idea of academic freedom. Finally this chapter ends with an analysis of the perceived problems in the operation of the university asylum law particularly with the provisions of the 1982 act.

### 2. THE GREEK CONSTITUTIONS TOWARDS ASYLUM AND HUMAN RIGHTS

As seen in Chapter 1 Greece was the country in which the notion of the right of asylum has been exercised from antiquity in many different ways and forms. This section deals with the concept of asylum in the written Greek Constitutions starting with the first Constitution (1822) of the new free Greek state, and the present Greek Constitution of 1975/1986.

Within the last 150 years the Greek state has had many constitutions. This has mainly happened for three reasons. First, the rapid expansion of the borders of the Greek state from 1821 until the end of the First World War in 1920 and the signing of the

Lausanne Convention in 1922. The New Greek state as established after the revolution against the Ottoman Empire was just a small part in the south compared with today's Greek country. During the 19th century with the Greeks winning the war against the Ottomans they little by little expanded their borders from south to north.

Second, Greece was under Ottoman Empire administration for more than 400 years. As a result Greeks had no experience of constitutional and administrative policy. And as soon as they incorporated new land in their territory they redrafted their written constitution and replaced it with a new one.

Finally, for more than 100 years there was no clear and final decision if Greece was to be a monarchy or republic. The two governmental systems replaced each other many times. Correspondingly every change in the governmental system was accompanied by replacement of the constitution. The present Constitution 1975/1986 is exceptional in that it has not been replaced for such a long time (27 years).

### **2.1. The concept of Asylum in Greek constitutions from 1822 until 1973**

The first Constitution (Syntagma) of the new independent Greek state was written in 1822 and known as the "Constitution of Epidaurus" (the village where it was decided) and in Part Δ' (4), Section Ζ' (7) paragraph υδ' (54) provided for the public servants immunity from arrest (Mavrias – Pantelis, 1990, p.29).

In the 1823 Constitution of "Estrous" (the place where it was decided) Part Σ (6), Chapter Ζ (7) paragraphs ξδ' (63) and ξσ' (65) provides for the immunity of the members of parliament and public servants (Mavrias – Pantelis, 1990, p.41).

In the 1827 Constitution of Troizina Chapter Ε (5) Article 6 articulated a clear provision of asyilia (immunity from arrest and persecution) for the Greek Parliament Members. Chapter Ζ' (7) and Article 103 granted asyilia to the Governor of the Greek State (Mavrias-Pantelis, 1990, p.p. 49,51).

In the 1832 Greek Constitution known as the "Constitution of the Monarchy" Chapter Β' (2) Article 46 provided for every citizen's home to be asylum place.

Article 149 also provided for parliamentary untouchability. The word untouchability although is synonymous to the word immunity, also introduces a deeper meaning. Dealing not only with the immunity from arrest and persecution but also indicating no right even to criticise the person who enjoys such a privilege. Articles 150, 151, 180 and 234 provided for the immunity of parliament members, senators and the Monarch (Mavrias-Pantelis, 1990, p.p. 61,69, 72, 76).

In the 1844 Greek Constitution, Article 8 also provided for the home asylum; Article 22 for the immunity and untouchability of the monarch.

The use of the word untouchability indicates that the monarch not only enjoyed asylum for his acts but also that it was prohibited to be accused at all. With the privilege of asylum the person accused could avoid arrest or punishment but not accusation. On the contrary the monarch enjoyed not only the privilege of asyilia, but also the privilege never to be accused, as some kind of human god, for any of his acts. This is untouchability. Noteworthy that the meaning of the word "asylum" is rooted in the religious sense of the untouchability temples used to enjoy in ancient times. The word "asyilia" refers to the lawful representatives of the states for domestic and international purposes (Newspaper *Estia*, -Altar- number of paper 32346, April 19, 1989, p.1).

Article 56 of the 1844 Constitution provided for the parliament and members of the senate the privilege of immunity for their time in office (Mavrias-Pantelis, 1990, p.p.85, 89). Similarly, the 1844 the Constitution of 1864 in Article 12 provided for home asylum, Article 29 for the Monarchs' untouchability; and Articles 62-63 for parliamentary immunity (Mavrias-Pantelis, 1990, p.p. 95-6, 99).

The first Greek Constitution for the twentieth century was written and decided in 1911. It was an amendment of the 1864 Constitution. In Article 12 it provided for the home asylum. In Article 29 for the Kings' untouchability; Articles 62-63 provided for the asyilia of parliament members (Mavrias-Pantelis, 1990, p.p. 105, 107, 111).

Again, in 1925 and 1927 "Constitutions of Greek Republic" Articles 15, 54 and 56 provided respectively for the home asylum and the immunity from arrest for any sort of offence for the members of parliament (Mavrias-Pantelis, 1990, p.p. 120, 127, 144, 152).

The 1948 Draft Constitution of Greece, the first attempt at a written constitution after the second world war, in Article 18 provided for the home asylum, Article 54 for the immunity from arrest for members of parliament, and Article 72 for Kings' untouchability (Mavrias-Pantelis, 1990, p.p. 171, 178, 181).

The 1952 Greek Constitution drafted after the Greek civil war (1945-1949) is not only often considered the most complete and effective compared with its predecessors but also with those which followed in 1968 and 1973. Article 12 provided for the protection of home asylum. Article 13, for the first time in Greek constitutions, provided for the protection and respect of all people of any religion and nationality, who found themselves within the Greek territory. In fact Article 13 strengthened political asylum generally although it was not clearly written so. Again, for the King and the members of parliament, it provided the privilege of immunity from arrest (Articles 29, 62, 63) (Mavrias-Pantelis, 1990, p.p. 197, 200, 205).

The 1968 Greek Constitution was written by the military dictatorship that had already held power for one year. It was primarily aimed at limiting the power of parliament, political parties and the monarch. However, Article 13 protected home asylum. As in Article 13 of the 1952 Constitution, the 1968 Constitution, in Article 8, provided for the protection of all peoples' life and freedom within the Greek territory. Article 67 and 68 protected members of parliament from arrest. However, some new provisions restricted the members of parliament immunities. For the first time Kings' privileges were abolished in order for the dictatorship to ensure its control over the Royal family (Mavrias-Pantelis, 1990, p.p.219, 233-4).

The 1973 Constitution was written and decided by the dictatorship as well. In fact in most respects it was a copy of the 1968 Constitution. The crucial difference was that the Monarchy was abolished and the chief of the Greek state became the "President

of the Republic". Articles 8, 13 and 68 were exact copies of the 1968 Constitution. However, for the first time constitutional rights were restricted. Article 24 paragraphs 2, provided for the restriction of home asylum (Mavrias-Pantelis, 1990, p.p.256, 261).

As seen above, during the 19<sup>th</sup> and 20<sup>th</sup> century the New Greek state established many written constitutions. All included provisions either for the protection of home asylum or for the immunity from arrest for the monarchs, the privilege of parliamentary untouchability and to some extent provided privileges for the public servants, which were partly even respected by the military junta.

In the sections follows we will examine the concept of asylum in the present Greek Constitution 1975/1986/2001

## **2.2. The 1975/1986/2001 Greek Constitution**

The present Constitution of Greece was adopted by a specially empowered Parliament on 7<sup>th</sup> June 1975 within a year after the fall of the seven-year tyrannical military dictatorship (1967-1974). A constitutional amendment was initiated in 1985 and became effective in 1986 (Yiannopoulos, p.8 in Kerameus-Kozyris eds., 1993). The latest amendment took place in 2001.

The Constitution of 1975/1986/2001, which replaced the Constitution of 1952, (avoiding reference to Constitutions of 1968 and 1973 because these two constitutions never gained acceptance by the democratic politicians) contains a mixture of traditional and more modern provisions based in part on the experience of the dictatorship, aiming to prevent such a political situation happening again in Greece. Despite its many defects, repetitiveness and lack of precision, the Constitution of 1975/1986/2001 is, in human rights terms, an improvement compared to its predecessor. It guarantees complete judicial protection of the individual (Dagtolou, p.21, in Kerameus-Kozyris, eds. 1993).

Certain constitutional provisions may not be amended at all because of their high significance, considered as the basis of the Greek state. These provisions pertain to



the form of government as a “Republican Parliamentary Democracy” and to the sovereignty of the people, the respect of human dignity, the principle of equality, the free access to public offices, the free development of personality, freedom of religion, personal freedom, respect of human right, respect of international laws and justice, promotion of international peace and relations between states (Articles 1 and 2) (Dagtoglou, p. 21-22 in Kerameus and Kozyris, eds. 1993).

### **2.3. Protection of Human Rights in 1975/1986/2001 Greek Constitution**

Because of the experience of the dictatorship (1967-1974) in the area of human rights, the Greek Constitution of 1975/1986/2001 explicitly guarantees human dignity and emphasises the rights of the citizen in the state (Dagtoglou, p.49 in Kerameus and Kozyris, eds. 1993).

The Constitution places the human being and the respect of human dignity in the centre and adopts a humanistic orientation to express the protection of the dignity of man. In its first part (Article 2 paragraph 1) it proclaims that “the state has the fundamental duty to respect and protect the dignity of man” and Article 7 (paragraph 2) prohibits the infringement of the dignity of man and provides for its punishment by law. In its second part (Articles 4-25) the Constitution defines and protects among other rights the individual and social rights, such as the rights of equality, life and corporal integrity, the right to freely associate, freedom of opinion and of the press, protection of property, the right of judicial protection, the right to work and the right to strike. Fundamental rights such as the free establishment of political parties and the right to belong to them are also protected (Article 29) as a response to the seven years of dictatorship, which had prohibited these rights (Dagtoglou, p.47 in Kerameus-Kozyris, eds. 1993). The European Convention also protects human rights by the Protection of Human Rights and Fundamental Freedoms (1950) and its Protocols. Greece ratified the Convention with the Law 2329/1953 and again after the restoration of democracy with the Law 53/1974). Greece also ratified the Protocols of the Convention. Thus the Convention and its Protocols have become “an internal part of domestic Greek law” according to the provisions of the Constitution (Article 2 paragraph 2) that proclaims that Greece adhering to the generally

acknowledged rules of international law and more importantly Article 28 par.1 provides that:

The generally accepted rules of international law, as well as international treaties, as from their ratification by statute and from their coming into force under the conditions of each of them shall constitute an integral part of domestic Greek law shall prevail over any contrary statutory provision. Thus, the generally accepted rules of international law and the international treaties ratified by Greece rank between the Constitution and acts of Parliament

(Dagtolou p. 47 in Kerameus-Kozyris eds.,1993).

With the signing of the Treaty of Accession to, and Membership in, the European Community Greece gave foremost protection to human rights as it recognised the jurisdiction of the European Court of Human Rights and in 1985 recognised the right of the individual petition for Human Rights violations, and in 1984 ratified the European Social Charter of 1961 and acceded in 1985 to the UN International Covenant on Economic, Social and Cultural Rights. Finally as member of the UN and the EU Greece agreed to respect human rights according to their provisions (Dagtolou, p.p.47-9 in Kerameus and Kozyris, eds. 1993).

The Greek Constitution of 1975 tried to strengthen human rights protection in order to persuade the international community that after the restoration of democracy in 1974, human rights and human liberties were given full protection. The seven years of military junta (1967-1974) was a period where a large-scale violation of human rights took place, and the international reputation of Greece was seriously damaged. The Constitution voted in 1975 was the best opportunity for Greek state to declare to the international community, especially to the Council of Europe and to the European Community its respect of human rights, thus signalling its desire to resume full membership of the international community. During the dictatorship Greece was judged guilty by the European Commission of Human Rights for violations of the European Convention on Human Rights.

On May 3, 1967 shortly after the beginning of the dictatorship (April 21, 1967) when the permanent representative of Greece in the Council of Europe addressed a letter to the Secretary – General of the Council of Europe in which, invoking Article 15 of the Convention on Human Rights, he stated that by Royal Decree No. 280 of April 21, 1967, the application of various Articles of the 1952 Greek Constitution had been suspended in view of internal dangers threatening public order and the security of the State. In subsequent letters of May 25, and September 19, 1967 the Greek military government gave further information in regard to Article 15<sup>1</sup> of European Convention on Human Rights. The governments of Denmark, Norway and Sweden submitted that by Royal Decree No. 280 and other legislative measures, and by certain administrative practices the Greek military government had violated Articles 5,6,8,9,10,11,13, and 14 of the Convention. In relation to all these allegations they contended that the Greek government had failed to show that the conditions of Article 15 of the Convention permitting measures of derogation were satisfied. The European Commission on Human Rights, after reviewing all the evidence and commissions reports from Athens and hearing many witnesses in Strasbourg and Athens, concluded that in many cases the Greek military Security Police tortured persons arrested for political reasons and failed to take any steps to remedy the situation.

The Commission also examined the other allegations made by the applicant governments and concluded that there was not in Greece on April 21, 1967 a public emergency threatening the life of the Greek nation, as a consequence of which the Greek derogation were invalid; also that there were violations of nine Articles of the Convention including the right to liberty, the right to a fair trial, freedom of association, and the right to free elections. Its conclusions were contained in a report transmitted to the Committee of Ministers of the Council of Europe in November 1969. As a result the Ministers in December 1969 discussed the situation in Greece and finally after a dramatic meeting the Greek Foreign Minister announced the decision of the Greek military government to withdraw from the Council of Europe and to denounce the Convention on Human Rights. Consequently, the Committee of Ministers adopted a resolution in which they took note of the Greek declarations and drew the conclusion that Greece would cease to participate in the work of the

Council of Europe immediately (Robertson, 2<sup>nd</sup> eds.1982, p.p.92-6; and also Robertson, and Merrills 1989,3<sup>rd</sup> eds., p.p.115-9).

Happily in July 1974 in Greece democracy was restored and the seven-year period of dictatorship that never gained acceptance from the Greek people finished. The Greek Constitution of 1975 tried to ensure through a constitutional mechanism that a military dictatorship could never come to power again. In addition the leaders of the dictatorship were imprisoned for life and many of them died in prison.

#### **2.4. Protection of Asylum in 1975/1986/2001 Greek Constitution**

The 1951 Geneva Convention and its 1967 Protocol became part of the Greek domestic laws, according to Article 28 of the Greek Constitution that obliged Greek state to incorporate into the Greek domestic legal system any international law<sup>2</sup> which is generally accepted by the international community. However, there is no other Greek domestic law referring to refugees and asylum even to political asylum.

Article 5 of the present Greek Constitution (1975/1986/2001), provided for the protection of free movement and for the prohibition of extradition. According to Article 5 paragraph 2:

All person living within Greek territory shall enjoy full protection of their life, honour and freedom, irrespective of nationality, race or language and of religious or political beliefs. Exceptions shall be permitted only in cases provided by international law. The extradition of aliens prosecuted for their action as freedom-fighters shall be prohibited (Tragakis, Caratzas, Zombola, 1998, p.416. The Constitution of Greece, in English).

This means that every alien who has been banished in his home country for the cause of liberty is protected within the Greek territory. In fact, this Article had been copied from the French Constitution (1789). It refers to all aliens who seek political asylum in Greece. For the application of Article 5, the necessary prerequisite is that the alien has to be banished because of his activities against a tyrannical or anti-democratic oppressive government (Pararas, 1982, p.150). The crucial fact is that the anti-regime activities of the asylum seeker have to be interpreted as such according to Greek law. An alien may be eligible to take

advantage of Article 5 if his activities are part of campaign to gain independence, autonomy, self-govern or sovereignty for his country (Roukounas, 1982, p.36). The protection is afforded to every alien even if his nationality is different than of the state asking for his extradition. The protection of Article 5 covers every political offender but not terrorists (Manesis, 1979, p.125).

It is important to make clear that Article 5 of the Greek Constitution (1975/1986/2001) does not introduce any right of political asylum and none exists in Greek jurisprudence since 1985<sup>3</sup> (Voulgaris, 1981, p.132). On one hand Article 5 prohibits extradition but on the other hand it does not provide any legal obligation for the Greek state to offer political asylum (Dagtolou, P., D., 1991, volume A, p.310 see also Loverdos, "Article 5 paragraph 2 of the 1975/1986 constitution. The constitutional establishment of political asylum" (in Greek) law journal, Law Tribune 1988, p.38). The Greek authorities have the discretion to move out of Greek territory every foreigner or political offender who is not eligible for protection according to 1951 Geneva Convention on Refugees Status (Manolopoulou-Varbitsioti, 1983, p.99; see also "Who is a refugee? A comparative case law study Greece" in Naskou-Perraki eds., 1999, Asylum and Refugees).

The Greek state contains very few domestic laws or jurisprudence providing for the protection of political asylum. However, historically, because of the frequent offer by the Greek state of humanitarian asylum, Greece became a state, which in general respects refugees. On this point, it is interesting to refer to what was written by Van Heuren Goehart who was the United Nations High Commissioner in the 6<sup>th</sup> Report (1951):

Noteworthy the generosity of Greece to offer protection and hospitality to foreigner refugees despite that half a million native Greeks became themselves refugees, due to the Second World War and the Greek Civil War that destroyed Greece financially

(The refugee in the Post-War World, Preliminary  
Report of a Survey of the Refugee Problem p.p.235-6).

The present Greek Constitution (1975/1986/2001) in its second part, among others, protected individual and social rights, and Article 9 provided for the protection of sanctuary of home, and Article 16 for the freedom of art, science, research, teaching and self-government of universities (Article 16 par.5). It is with respect to Article 16 that the “University Asylum” is founded (see analysis below) (Dagtolou p.47, in Kerameus and Kozyris, eds., 1993; also Mavrias-Pantelis, 1990, p.p. 315-19).

Article 5 of the Greek Constitution has been harmonised to Articles 13 and 14 of the Universal Declaration of Human Rights. Article 9 of the Greek Constitution has been harmonised in accordance to Articles 3,12 and 25 of the UDHR that protects personal, private and family life. Finally Article 16 of the Greek Constitution is parallel to Articles 26 and 27 of the UDHR that provided for the right of education (Hortatos, 1984, p.p.38-9). Specifically, Article 9 provides that:

1. Every person’s home is a sanctuary. Personal and family life is inviolable. No house search shall be made except when and as specified by law and always in the presence of representatives of the judicial power.

2. Violators of the preceding provision shall be punished for violating the sanctuary of the home and for abuse of power, and shall be liable to full damages to the sufferer, as specified by law

(Tragakis, Caratzas, Zombola, 1998, p.418,

The Constitution of Greece, in English).

During the centuries the importance of home asylum has not declined at all. Home asylum as an untouchable place exists from antiquity. Hestia or Estia (home/altar) for the ancient Greeks and Domus for the Romans was not only a place of living but also a secret shelter. However, the legal notion of home asylum is rooted in England’s Magna Carta Libertatum (1215) where the phrase “my home is my castle” found its first legal expression. The first Constitution, which established home asylum, was the American Declaration of Human Rights of Virginia (1776, Article 10). In France home asylum was established for the first time in the Constitution of 1791 (Title IV Article 9) (Dagtolou. P., D., 1991, p.p. 333-4).

Article 9 of Greek Constitution 1975/86/01 prohibits the entrance of state force or other individual to people's home without permission. This actually means that Article 9 provided for citizen's personal security. Article 9 also prohibits the removal by force of the residents of the home or prohibits the disturbance by state force (police, army, etc.) to enter into the home without a search warrant.

Article 9 applies not only to the individual and the family living in the home, but also covers any private professional place such as offices, stores etc. where the individual is working. However, it has to be clear that Article 9 does not provide for home asylum as a place where criminals can remain without any danger and commit crimes. So in extreme cases, as for example when police want to avoid a public danger because a house is on fire and people are trapped in there law allows free entrance in people's home (Dagtolou, P., D., 1991, p.p. 339-41).

It is important to make clear that university asylum law is not rooted in Article 9 of the Constitution 1975 because home asylum is provided as an individual right without any application in public buildings such as universities. University asylum is based on Article 16 of the Constitution 1975, which provided for the academic freedom and the self-administration of the universities (Civil law).

Again the Greek Constitution contains Articles 61-62 provided for the protection of the members of Greek parliament who enjoy immunity from arrest (asylia) not only for criminal law but also for civil law breaches (Mavrias-Pantelis, 1990, p.365).

### **3. ACADEMIC FREEDOM**

Until now, in this chapter we have presented the provisions of all-Greek constitutions from 1821 onwards relating to the concept of asylum. We have explored the provisions of the Greek constitutions concerning "home asylum", "parliamentary asylum", "monarch's immunity" and political asylum. The concept of university asylum is closely related to the constitutional provision for academic freedom. Therefore in this section we will explain the relation of academic freedom to university asylum law.

The term academic freedom signifies the capacity to undertake scientific research and teaching without the restricting interference of the state authority. Based on the rational principle that science is advanced when the scientific research and teaching are not restricted, the centuries old Pan-European tradition accepts the existence of academic freedom. Efforts to control what was taught or to restrict the scientific research were a common phenomenon during the Middle Ages and beyond which however was unsuccessful. Let us not forget, for example Galileo, who despite persecution maintained his theory that the earth is moving around the sun and was finally vindicated scientifically (Georgiades, 1990, p.12).

University asylum is closely related to the freedom for scientific research and teaching and to the complete self-government of the universities. Therefore, it is included in the consolidation of the academic freedom as it results from Article 16 of the Constitution 1975/86/01. According to Article 16 paragraph 1, “the arts and the sciences, the research and the teaching are free. Their development and promotion constitutes an obligation of the state. Academic freedom and the freedom to teach do not acquit from the duty to obey the Constitution. Academic freedom is not only a personal right but also a “statutory guarantee”; in other words, it is the constitutional consolidation of the university institution. According to Article 16, the state is obligated to protect the university institution so that the university can conduct scientific research and teaching.

The strict establishment of freedom of scientific research and teaching constitutes a novelty of the 1975 Constitution, which did not exist in the 1952 and 1911 Constitutions. In the first Greek Constitutions of the newly formed Greek state of the 19<sup>th</sup> century, we do not find any provisions dedicated to freedom of research and teaching. Neither in the Constitution of Epidavros 1822, Estrous 1823, Troizina 1827, the Constitution of Monarchy 1832, nor in the Constitutions of 1844 and 1864 (see Matzoufas, 1997, Part 2, Chapter 1).

However, the Constitution of 1927 that was in force until 1935, provided in Article 21 that science and teaching are free and under the protection of the state, which undertakes to care for and promulgate free knowledge (Manesis, 1976, (6), p.18). This Article originated from Article 142 of the German Constitution of Weimar



(1919); which provided that, "the University is the unification of science, research and teaching that should be consolidated by the Constitution. Their art, their science and their teaching are free. The state guarantees their protection and participates in their development" (see Matzoufas, 1997, p.p.96-7).

Similar to Article 142 of Weimar, is the Article 5 of the fundamental law of Bonn and of the Italian Constitution of 1948. The first similar provision in the European area is the one included in the Belgian Constitution of 1831, in Article 17. However, neither the Universal Declaration of Human Rights in 1948 nor the European Convention on Human Rights in 1950 provides for the protection of the freedom for the scientific research and teaching (Matzoufas, 1997, p.127; see also Stasinopoulos, 1972, p.p.9-34).

Specifically Article 16 of the Greek Constitution 1975/86/01 provides that:

1. Art and science, research and teaching shall be free and their development and promotion shall be an obligation of the State. Academic freedom and freedom of teaching shall not exempt anyone from his duty of obedience<sup>4</sup> to the Constitution.

2. Education constitutes a basic mission for the State and shall aim at the moral, intellectual, professional and physical training of Greeks, the development of national and religious conscience and at their formation as free and responsible citizens.

...5. Education at university level shall be provided exclusively by institutions, which are fully self-governed public corporate bodies. These institutions shall operate under the supervision of the State and are entitled to financial assistance thereof; they shall operate on the basis of their statutory laws. Merging or splitting of university level institutions may take place notwithstanding any contrary provisions, as a law shall provide. A special law shall define all matters pertaining to students associations and the participation of students therein.

6. Professors of university level institutions shall be public functionaries. The remaining teaching personnel likewise perform a public function under the conditions specified by law. The statutes of respective institutions shall define matters relating to the status of all the

above. Professors of university level institutions shall not be dismissed prior to the lawful termination of their term of service...

(Tragakis, Caratzas, Zombola, 1998, p.p. 421-2

The Constitution of Greece in English).

For the analysis of Article 16 of the Constitution 1975/86/01, the political climate existing during 1975, immediately after the fall of the dictatorship and during the voting of the new Constitution should also be taken into consideration. The policy of the dictatorship, beyond the asphyxiating control exercised on the academic freedom of teachers and students, was also governed by an extreme conservatism, the objective of which was to control completely the universities; so that the students should be instilled with ideas promoting the dictatorship and they should assist for its preservation in authority for many years. That is, the objective of the dictatorship was through the complete control of the universities to form a generation of teachers and students that would serve, both theoretically as well as practically, the regime (Matzoufas, 1997, p.146). This is one major reason that the students opposed and demonstrated during the period of the dictatorship. To prevent the dictatorship from reaching its aim. The opposition of the students mainly concentrated on the Polytechnic University events (November 1973).

The Constitution of 1975, through Article 16, tried to manage exactly this danger for the future. By consolidating academic freedom, the Constitution of 1975/86/91, seeks to consolidate the freedom of its possessors and to restrict at the same time the freedom of others. Who are these others? Mainly the instruments of the state (army, police) but also citizens. These should be obstructed from developing actions that would restrict the possessors from exercising the academic freedom. The possessors of the academic freedom right are the university teachers, the students and, in second place, the remaining personnel and the people working at the university. Article 16 of the Constitution 1975/86/01 ensures freedom of speech, the free transmission and formulation of scientific thoughts, research, theories, ideas, knowledge, conclusions and teachings. It ensures the free formulation of university, research or teaching writings, books, notes, lectures; as well as the free expression through different learning and teaching methods (Kargados, 1996, p.20). Based on Article 16, the

academic scientist has the constitutionally consolidated freedom to select any intellectual method for research, analysis and any method for teaching and organising his course; as well as any language dialect he believes that it is the appropriate one to express precisely and clearly his ideas (Manesis, 1980, p.703). The possessors of the academic freedom right are all those who exercise legally a research or teaching work at the university, even when they have also another professional occupation, or they exercise occasionally the academic profession, or they are invited at the university for lectures and seminars; and even when they are foreigners (Manesis, 1980, p.699).

However, possessors of the academic freedom right are also the students, because they are not simply the recipients of knowledge from the teachers but also the producers of knowledge, contributing also in the scientific research and teaching. The students have the maturity to participate in scientific speculations and the ability to judge and to compare scientific theories so that they can form their own conclusions and opinions. The students participate in research groups, perform experiments and collaborate with the teachers in the analysis of scientific researches. The students are not simply users of the university or just passive observers or visitors of the university. The students participate in the battle and the creation of ideas. The relationship governing the student is a relation of collaboration with the teachers; a relation of participation in the issues of the university; a relation of co-governing with the administrative instruments of the University; and a relation of scientific knowledge and research (Manesis, 1980, p.700; see also, Georgiades, 1990, p.17).

Specifically in Greece, the students' movement, which (as we saw) was intensively politicised and organised, and especially during the seven-year dictatorship 1967-1974, reacted systematically to any limitation of the democratic rights attempted by the regime, such as, for example, the freedom of speech, the pluralism of politics, of the political and syndicate parties, and the free transmission of ideas that constitute the basic prerequisites for the promotion of scientific research and teaching in the universities. The goal of the Constitution of 1975/86/01 was to not disturb the relation formed during the dictatorship, and mainly from the events at the Polytechnic

School in 1973, between the universities and the Greek society. A relation of mutual respect. A relation of care and protection from the Greek society to the teachers and mainly the students that were the principal actors in the reaction against the regime; and who were prosecuted so hard by it (Manesis, 1980, p.685).

Paragraph 6 of Article 16 distinguishes the university teacher from the common public employee, to provide for them privileges. "The university teachers are public officials. The remaining teaching personnel executes also a public function, under the conditions specified by the Law...".

The distinction is essential, because the public employee is always under a relation of dependency and hierarchy towards his director and the state administration or government. On the contrary, the university teachers, according to Article 16 paragraph 6, are detached from the state hierarchy and enjoy independence in the exercise of their teaching and research. Any effort from state bodies to restrict or lead the research or teaching of the university teachers by administrative laws is definitely inappropriate (Georgiades, 1990, p.12; and Stasinopoulos, 1957, p.337 ff.).

Nevertheless, the Constitution of 1975/86/01 does not consolidate an unlimited and unrestrained academic freedom; neither does it guarantee to its possessors (university teachers and students) an unlimited and unfettered exercise of the personal right for academic freedom. Academic freedom, similar to all other fundamental rights, is subjected to restrictions (Kargados, 1996, p.p.21-3).

The limits of academic freedom are determined by the duty to obey the Constitution according to paragraph 1 of Article 16; and the Constitution requires simply "obedience" and not "allegiance" to it. Of course, maybe it should be better if such a restriction did not exist at all in the Constitution. It is a constitutional limitation

because with the relevant vagueness and the difficulty to explain the words obedience and allegiance, restrictions are created for the academic freedom right.

The word "obedience" (see above endnote 4), in Article 16, was preferred over the word "allegiance". The difference in the meaning of these two words is essential and very significant. The "obedience" to the Constitution is the external behaviour, conforming to the Constitution and the non-violation of the Constitution. That is, the abstinence from acts that constitutes disobedience to the provisions of the Constitution. The difference from the word "allegiance" is essential, because with the word "obedience", the conformity to the Constitution due to beliefs and the ideological identification with it are not required. Only to conform to the Constitution but also are free to avoid or react to the government's laws and acts that restrict the scientific research and teaching (Manesis, 1980, p.686; see also Matzoufas, 1997, p.p.213-26). If the word "allegiance" existed in Article 16, then the university teachers should be obligated either to be identified ideologically and politically with the specific ideology expressed by the Constitution, or to reject specific positions that are also rejected by the Constitution. However, the Constitution of 1975/86/01 respects the university teachers and their views that many times could be also opposite to the positions of the Constitution. The Constitution considers as a fact that the exercise of academic freedom by the university teachers will never become a threat for the democratic regime. When academic freedom is undermined, then the road is prepared for tyranny regimes that will impose restrictions indiscriminately, to university teachers or to democratic politicians (Georgiades, 1990, p.18).

The freedom for the scientific research and teaching is the freedom for doubt and questioning both from the side of the university teachers as well as by the students. The meaning of "allegiance" is incompatible with science; it restricts and refutes science. Science is knowledge and proof. The meaning of allegiance is dogmatism. That is why allegiance and the pursuit of sciences are contradictory. If Article 16 contained the sentence "allegiance to the

Constitution”, it would mean the establishment of the state expediency and of the predominance of the state interests, which is a characteristic of the “police states” and of the anti-democratic governments (Manesis, 1980, p.683).

On the contrary, the Constitution 1975/86/01 as provided for in Article 16 give university teachers the freedom to disagree and critique even to the fundamental rules and structures of the Constitution. However the duty simply “obedience to the Constitution”, imposed on the university teachers one obligation. To prove their disagreement and criticism through scientific research, analysis and teaching, and not only through theories of political dogmatism and propaganda (Manesis, 1980, p.685).

Paragraph 5 of Article 16 of the Constitution of 1975/86/01, provided that:

The universities provide education and they are legal entities of the Public Law, with complete self-government. The universities are under the supervision of the state, they have the right to be supported financially by it and they operate according to the laws concerning their organisation (Venizelos, 1986, *The Greek Constitution 1975/86*, in Greek).

Indeed, academic freedom, as a personal right, is developed and protected by the best possible manner in self-governed universities (Dagtolou, 1991, Vol. B, p.679). Academic freedom and the self-government of the universities constitute the best possible frameworks and the necessary condition for the promotion of the scientific research and teaching.

The meaning of the complete self-government of the universities requires, according to Article 16 of the Constitution 1975/86/01, that the universities exercise administrative competencies independent of any state institution, and in which the state Service does not interfere; each university has the capacity to decide for itself its

own development; to decide its own administrative procedures; to decide its own procedures for the selection of teaching and other personnel; and to draft its own operational and regulation manual. The self-government of the universities includes the administrative independence that generates the authority for the universities to elect by themselves their administrative instruments and to decide upon all the issues that concern the community of students and universities. A fundamental element of the complete self-government of the universities, beyond the selection of the research and teaching personnel, and for all the development stages without the interference of the state is the formation of courses of study; the freedom to decide on appropriate teaching methods; the formation of programmes of study; the right to award academic titles; and, naturally, financial self-sufficiency and independence (Matzoufas, 1997, p.299). However, according to Article 16 paragraph 5b, the state is constitutionally obligated to support financially the universities, without however interfering in the financial management of these funds.

Whenever the universities operate correctly, they constitute the ideal framework for the scientific research and teaching, because, except for providing the necessary materials and technical means, they offer also the capacity for work and collaboration to the teachers and students with similar scientific interests and intellectual concerns.

Article 16 of the Constitution 1975/86/01 renders the state responsible for the development and promotion of science. This means that the state is committed by paragraph 5 of Article 16 of the Constitution to assist financially (that is, from the state budget) for the appointment of the necessary number of teaching and administrative personnel for the universities and to offer the necessary means and the material-technical support to the carriers of academic freedom (that is, to the university teachers and students) in order to promote the science in the interior of the universities (Matzoufas, 1997, p.241, 373).

However, apart from the issue concerning the provision, by the state to the universities, of the appropriate means and areas for the scientific research and teaching, there is also the obligation for the abstinence of the state authority from interfering in these areas. In order to ensure the unhindered execution of the research and teaching, the university teachers have the right to order the removal from the teaching area of all those that disturb the necessary peace and obstruct the teaching, irrespective of whether they are students, citizens or representatives of the state authority. The freedom for scientific research and teaching, the free transmission of ideas are impossible to exist under the control and the fear for the police that have undertaken the role to safeguard the state authority. For this reason, the preservation of the order and safety in the areas used by the university for its operation belongs only to the universities themselves (Georgiades, 1990, p.20).

According to Vasilis Kremmidas, the parliament is the area for the politicians and the university is the area for the teachers and students. These are the only areas where ideology is freely produced. They are the only areas that constitute sanctuaries (Kremmidas, 1996, p.25). So, there is the meaning and the justification for the concept of university asylum.

In any case, societies today are characterised by intense state interference, from the politicisation and globalisation of the economy and from the scientism of the production relations, resulting from the fact that science is now a motivation force, not only for the technical but also for the social-political progress. Science today is not isolated from the politics and governments often, in order to evaluate proposed policies request scientific verification and evaluation in order to refine policy. Thus, we could allege that there is no politics-free science (see Evrigenis, D., 1975, p.p.1-4). Today, the university has been converted not only to an area for access to knowledge but also as a tool to promoting the social, political, financial and technological reformation of the modern society. However, this does not mean that politics should dictate science to be subject to the requirements of the politics. The university has been converted into a free and open social institution and for this



reason it is vulnerable to external interventions (Ray, 1997, p.206). University asylum is the defence of the university against these external interventions

Another element of academic freedom is the pluralism of the scientific theories and knowledge, and therefore, the freedom of continuous scientific dialogue. However, this pluralism cannot be achieved under the threat of police arrests and the application of judicial measures against the scientists that do not agree with social-political theory supported by the state. Scientific knowledge cannot be dependent upon and subjected to the state authority and cannot be produced under state's safeguarding and watching (Rigos, 2000, p.147). However, science is not the expression of ideas but also the practical application of the investigations and their results. University asylum does not only protect the free scientific dialogue but restricts also the state authority from imposing the application of specific only scientific knowledge; or from restricting the publication of scientific views and discoveries to the rest of society. University asylum protects the scientist so that he can fulfil his objective; which is first to research scientifically and then to publish freely the results of his investigations. In any event, the scientific knowledge accepts only the scientific and not the institutional criticism. The scientist has the right, as well as the obligation, to inform the entire society and to illuminate the people (see for the above, Manesis, 1980, p.p.708-713).

Konstantinos Tsatsos, former President of the Hellenic Republic (1975-1980), wrote (1972) that the state should consolidate the independence of the universities, and it is only natural for the universities to be safeguarded against the interference of any influence originating outside of the university. Scientific truth and knowledge do not exist without a complete freedom. Freedom not only from the state but also from any social or intellectual tyrant (Tsatsos, 1972, p.p.196 ff.).

According to the opinion of the professor of Constitutional law and prominent constitutional writer in Greece, Aristovoulos Manesis, university asylum results from

a university tradition, according to which, the observance of the order and safety in all the areas destined for operation and use by the university (such as, for example, the buildings, the libraries, the laboratories, the halls for seminars and teaching, the surrounding areas, the courtyards, as well as all the campus) belongs to the absolute competency and responsibility of the authorities governing the university. Without the volition and the necessary permission by the University's Senate, the police cannot interfere except when a criminal act is performed against the life or the body safety of anyone existing within the university space. University asylum is protected by all the members of the scientific community; that is, the university teachers, the students and anybody else legally existing in the university; that is, with the permission of the competent university instruments. University asylum is connected irrevocably, both with the freedom of the scientific research and teaching as well as with the complete self-government of the universities; and therefore, it is included in the consolidation of the academic freedom provided for in Article 16 of the Constitution 1975'86/01 (Manesis, 1980, p.p.702-703).

Asterios Georgiadis, a Civil Law professor, in a speech he gave at the University of Thessaloniki (October 28<sup>th</sup> 1990), said that university asylum does not cover everyone existing within the university area, but only the university teachers, the students and the people invited by the university to present their scientific views or to assist in an university research and teaching. This, according to Georgiades, means that the university asylum does not cover private citizens or groups of citizens that intrude and occupy the university areas in order to serve non-university objectives (Georgiades, 1990, p.20).

#### **4. THE LEGAL-FRAMEWORK 1268/82 AND UNIVERSITY ASYLUM**

The university asylum was established in Greece with the Law 1268, which was passed in the summer of 1982. The justification for university asylum is the consolidation of the free transmission of ideas; the free cultivation of science and philosophy; and academic freedom. The Law 1268/82 was proposed by the socialist government of PASOK which had assumed government a year before, (1981), and

which wanted to create new conditions for the Greek universities. The objective of the 1268/82 Act was to “democratise the Greek Universities and to recognise the University Asylum”.

It should be noted that in 1975, during the voting on the Constitution, PASOK (the socialist party), which at the time was the opposition party, proposed to include in Article 16 an explicit reference to University Asylum. However, the conservative government of the time, the New Democracy party, through the Cabinet Minister of Education Panagiotis Zeppos, refused the constitutional provision of the University Asylum but they promised the establishment of a certain civil law about university asylum (see Parliament report on the discussion for the 1975 Constitution, p. 505,509).

However, the Senate of the Aristotle University of Thessaloniki, with its decision (September 15, 1976), demanded the government to voting a special university asylum law. The Senate made the following statement: “The Senate will defend in anyway the University Asylum” (Anthemides, 1996, p.28). Government’s respond was immediate. The Cabinet Minister of Education at the time (George Rallis who three years after became Prime Minister), on September 23, 1976 released No. 104919 administrative document about government’s policy for the universities of Greece, and promised to draft a special law for the University Asylum together with the voting of the Law-Framework for the universities, which was finally passed on July 16, 1982 (Anthemides, 1996, p.29). Nevertheless, the university asylum in Greece constituted the main focus when a committee was formed to elaborate a new legal frame concerning the universities. The deliberation of this committee was delivered in 1977 to the conservative government of the time. Anything planned from 1975 until 1982 was navigated unanimously by all the parliament parties and constituted the provisions of the Law 1268/82 (see introductory reports of the parties for the voting of the Law 1268/82).

According to the introductory report, the objective of the Law 1268/82 was to substantiate and consolidate the complete self-government of the universities, as provided for in Article 16 of the Constitution 1975/86/01 (Dagtolou, 1987, p.25).

The Law 1268/82 had as its objective the consolidation of the democratic university by promoting the following fundamental principles

1. The Law 1268/82 should really consolidate the self-government of the universities; regulate the general issues for their articulation; and allow the settlement of the individual problems by their university and society.
2. It should provide for the assembly of National Council for the Universities, with the participation of the professors, the students and the society.
3. It should consolidate: a) academic freedoms, the free transmission of ideas, the demotic Greek language, a democratic dialogue, a free syndicalism of the teachers and students, and university asylum; b) the provision of equal education opportunities and possibilities for the entire population

(for the above see introductory report of 1268/82 Act in Kladis – Panousis, 1984, page 5; see also Panousis, 1989, p.13).

The drafters of the Law 1268/82, Dionysis Kladis and Yiannis Panousis, according to Vegleris (1984) named the law as “Legal-Framework”, according to the corresponding law in France, which was drafted in order to provide guidelines for the French reformation of the universities, after the student uprising in Paris, in May 1968. This law, voted in November 1968, was subjected to many modifications because it mapped-out only the central principles and directions for the universities (Vegleris, 1984, p.13).

Correspondingly, the Legal-Framework of 1982 in Greece, attempted to provide only the underlying principles for a new regime of university governance, which has been both supplemented and modified over time. However, the framework governing university asylum, has remained unchanged for two decades now, that is, since the time it was first written (1982) and until today (2002).

#### **4.1. The analysis of the legal provisions for the University Asylum (Law 1268/82 Article 2 paragraphs 4-8)**

In this section we will discuss the legal issues of the provisions concerning university asylum. The 1268 Act was implemented in 1982. It was an attempt to formulate with a specific law both the democratisation of Greek universities and the concept of university asylum, which had been brutally abused by the junta. This section deals with the analysis and justification from the legal point of view of various issues of Articles 1, 2 and 3, which are the specific Articles of the 1268/82 Legal-Framework providing for the self-government of the universities and university asylum.

Specifically, the 1268/82 Act consists the following (as translated from Greek in English by the author):

#### **Legal-Framework 1268/82**

#### **Article 1**

#### **The Mission of the Universities**

1. The state has the obligation to provide University education to any Greek citizen that desires this, within the procedures specified by the law.

2. University education is provided by the universities, the mission of which is: a) to produce and transmit the knowledge through research and teaching; and to cultivate the arts. b) to contribute in the creation of responsible persons with scientific, social, cultural and political conscience; and to provide the necessary means to ensure their complete education for a scientific and professional career. c) to contribute to the management of the social, cultural and development needs of the country.

3. Within the framework of their mission, the universities should contribute to the management of the need for the continuing training and the continuous education of the people.

## Article 2

### Academic Liberties and University Asylum

(Paragraphs 4-8)

4. To strengthen academic liberty, the liberty of scientific research and the free distribution of ideas, "University Asylum" is recognised.

5. University Asylum covers every area of the universities and prohibits any intervention in these areas of State force without invitation or permission of the competent organ.

6.a) This organ consists of a triumvirate, consisting of the Rector, or someone legally substituting, a representative of the tutors and a representative of the students.

b) The representative of the tutors and his or her substitute must be members of the University Senate and elected by the whole body of the tutors who are members of the Senate. The representative of the students and his or her substitute must be members of the Senate and elected by the whole students body that are a member of the Senate.

c) This organ can make decisions only if all three members agree unanimously. In the case of non-agreement an extraordinary meeting of the Senate on the same day shall take place, in order to make decision. The final decision can only be valid if a two thirds (2/3) majority are in support.

7. Intervention of State force without permission of the competent organ of the University is not prohibited except when flagrant felonies or flagrant crimes against human life are being committed.

8. Those in violation of paragraph 5 of the University Asylum shall be punished with at least six months sentence, but only after being officially accused by the Senate or the triumvirate.

### **Article 3**

#### **The Self-government Right of the Universities**

1. The universities are fully self-governed public corporate bodies. The supervision of the State is exercised through the Minister of Education and Religion.

2. The organisation of the operation of the universities is formulated by the provisions of the present law, (meaning the law 1268/82). In order to consolidate the mission of the universities, the Law 1268/82 proceeds to the Article 2, which institutes the University Asylum as a protective mechanism for the academic freedom and for the university grounds, where scientific research and teaching are conducted.

The objective of the universities is to transact scientific research and teaching and to provide education of high-level standards. According to paragraphs 2 and 3 of Article 1 of the Law 1268/82, the objective of the universities is the advancement of knowledge, research, teaching and the cultivation of arts, as well as the creation of responsible citizens. Paragraph 4 of Article 2 of the Law 1268/82 consolidated the University Asylum in order to reinforce the objective of the universities.

According to Article 2 paragraph 1 of the Law 1268/82, academic freedom in teaching and in research as well as the free proliferation of ideas within universities is protected. Academic freedom involves mainly three things: Firstly, university authorities' right to manage their university as hosts, freely and without any disturbance from any intervention whatsoever, whether it is launched from inside or outside university. Secondly, professors' and university teachers' right to teach and to research freely without any disturbance from any intervention whatsoever. Thirdly,

students' right to use all the means provided by the university freely and without any disturbance whatsoever.

The proliferation of ideas differs from research and teaching. It is the ideas apart from those that are provided for by man's individual freedoms in the Greek Constitution. It is, viz., propaganda and objection, whether ideological or political, that are classified thus in universities' secondary function or social policy, exercised by professors, administration clerks and students according to their own program and means of action under the protection of university asylum and with university authorities' facilitation. Article 2, paragraph 1, safeguards the free movement of ideas, protecting, in this way, the freedom of political demonstrations in universities. However, the movement of ideas is not unlimited and equal for all factors. We should accept that the Law 1268/82 would not aim at the conversion of universities into spaces of daily political altercations and confrontations. The goal is to allow a democratic discourse and airing of conflicting ideas and ideologies (Vegleris, 1984, p.p. 54-5, note 29).

In the opposite direction stands Matzoufas (1997) and Stasinopoulos (1972), who argue that the university teachers and professors are eligible to use the results of their scientific research only to justify scientific theories not to support political propaganda, (Stasinopoulos, 1972, p. 15, also Matzoufas, 1977, p. 137).

It is provided in Article 2, paragraph 5 of the Law 1268/82 that police cannot enter into university areas without the permission of the competent university authority. The Supreme Court of Greece made clear in 1994 with judgement number 230/94 that university asylum covers all designated university areas where the police has no right to intervene. In other words the Supreme Court made clear that university asylum applies to all university areas (buildings and open places such as fields, parks etc. which are under university authority) (cf. *Nomiko Vima-Law Tribune-*, vol. 42, 1994, p. 688, no. 230/1994 judgement of the Greek Supreme Court, Part E').

The university is the protected and privileged place of scientific life and of the recognition of the freedom of science. For this reason, it was necessary for the



1268/82 Act to specify the spaces and the boundaries of the state power. According to Article 2, paragraph 5 provides that all university premises where scientific research are produced, as for example, classrooms, libraries, laboratories as well as university students' residencies, university athletic premises etc. are not under States' authority and state force intervention there is prohibited.

University asylum is established in Article 2, paragraphs 4 and 5 . The competent university authority has the right to give a permission for lifting the asylum as provided in paragraph 6a) and b). This authority is the triumvirate consisting of the Rector, a teaching staff's representative and a student' representative. It is provided in paragraph 6c) that if this body does not decide unanimously whenever there is a relevant request, then the final decision is taken by the Senate on the same day by a majority of at least 2/3rds of its members. However, as the Senate is a large body of about 70-80 members it is difficult to convene at short notice. Unfortunately, the law does not provide for what will happen in the event of inertia or failure of either the triumvirate or of the Senate to be convoked on the same day. In practice this has been more difficult than it seems. Only once in 1985 the triumvirate reached a decision to lift the university asylum, as we will see below in Chapter 5. It has been suggested that the Senate should be able to be convened on the day after the meeting of the triumvirate (Kargados, 1996, p. 61). This was never provided for in the Law 1268/82 because the law drafters thought that in case of crime committed within the university areas the decision for either the police intervention or not should be taken as soon as possible.

However, the intervention of a state force is allowed without the permission of the competent authority solely as long as flagrant felonies (*flagrante delicto*) or crimes are committed against human life (Article 2, paragraph 7). It should be pointed out here that, according to Greek legislation, a crime is deemed to be committed *flagrante delicto* when the offender is caught at the time it is being committed or also immediately after it has been committed as long as the perpetrator is pursued by the police or the victim or other citizens; and also when there are objects or traces from which it is inferred that he/she has committed a crime very recently (Article 242, par. 1, Code of Penal Proceedings). Therefore, these extremely serious crimes will be

prosecuted within the university campus without special restrictions and without special permission or invitation by the university authority being indispensable (Kargados, 1996, p.62). Thus, the prohibition of police intervention covers even serious crimes, like, for instance, drugs trafficking, thefts, actions of vandalism etc. Moreover, those policemen or other persons of a public force, for instance, firemen, who violate the provision in paragraph 5 and enter university premises without permission, can be sentenced to at least 6-months custody (Article 2 paragraph 8).

The State on the basis of Article 16 of the Greek Constitution of 1975/86/01, apart from the obligation to provide universities with all the appropriate means and material-technical infrastructures is also obliged to create the best conditions of scientific research and teaching. Moreover, the State has the obligation to care also for securing the best organisational means for accomplishing the inviolable status of university campus, and the protection of the freedom of scientific research and of academic freedom. The state, along with its executive authorities, shall not violate any form of legislation whatsoever as well as the limits set by the Greek Constitution about the protection of academic freedom. Therefore, the problem arising has two sides. Firstly, how will academic freedom be protected in the best way when scientific research and teaching are prevented by illegal actions committed in university campuses. Secondly, in which way is it possible that university and academic freedom will not be in danger by the firm grip of the state and of the executive authority's instruments? The dilemma brought up is whether a university should deal with any illegal action committed within its campus completely on its own or whether the illegalities occurring within universities should be left to the police (Kargados, 1996, p. 51).

Lest university asylum should be transformed, by the bad application of the law, into a double-edged sword, which, with the one edge, will put academic freedom in danger of being undermined, and, with the other, in danger that the asylum of academic freedom be converted into an sanctuary for criminals and criminal behaviour. Crimes such as vandalism in university buildings, disruption of teaching, theft or destruction of books, laboratories, archives, arson in university buildings,

drug dealing, sexual abuse, money and property theft etc. are threatening the academic freedom.

The Law 1268/82 tries to ensure its most effective application somewhere in the middle. So, Article 2 paragraph 7 provided for the exception of flagrant felonies and for the crimes against life, that is homicide and attempt of homicide, committed within university campuses, which may be prosecuted on the basis of the common penal provisions without a special permission being needed. The contradiction in paragraph 7 lies in the fact that, for as long as the period of flagrant crimes lasts, that is 48 hours, the police will not be in need of special permission to enter university premises and arrest the perpetrator. However, if 48 hours pass, then special permission is necessary for the police to enter because the crime is no longer deemed to be "flagrant". Finally, unless the perpetrator is arrested within 48 hours in this way, they can seek shelter in the university campus and evade arrest.

The rector, the senate and the other university administration authorities, according to 1268/82 Law provisions, are eligible to act like hosts in their own home and, on a parallel with the performance of their many administrative duties on the basis of Article 16 of the Greek Constitution and of the Law 1268/82 Article 2, act to secure serenity and tranquillity on university premises. The state will not intervene but also provide protection against any intervention whatsoever so that universities will be able to exercise the social benefit of education entrusted to them by the state itself. On the basis of this philosophy, academic freedom will be protected sufficiently. Academic freedom is protected *ex officio* by the state without material restrictions and the need for special permission in order to prosecute serious *flagrante delicto* crimes. As far as the prosecution of other crimes committed in a university is concerned, special permission should be granted by the administration authorities of this university, which is the most competent and appropriate body to decide itself whether the intervention of the police to prosecute illegalities contributes or not to the protection of the right of academic freedom. In general, this view that will restrict the presence and circulation of the police within university campuses, as it has been said above, will manage, as it is also said above, firstly, not to disrupt university's tranquillity, secondly, not to provide the police and other state authority's instruments

with the pretext of misusing the power of the state and, thirdly, to reinforce universities' full self-administration, as provided for in Article 16 paragraph 5 of the Greek Constitution (Kargados, 1996, p. 63).

The debate on the university asylum law provisions keeps on because of the criminality occurring within the university premises and the fear caused to the members of the university community. The danger, as it will be shown analytically in the following chapters, of violent incidents and of criminal activity occurring in university campuses today is mainly caused by small groups of either students, or youth gangs, illegal immigrants, mafia-style gangs finding shelter in universities or self-called anarchists or individual criminals exercising their antisocial behaviour in the spaces covered by university asylum, for which the presence of the police is considered indispensable. However, as concerns the problems arising from the institution of university asylum and the 1268/82 Act provisions, a detailed analysis is made in the following chapters.

## **5. CONCLUSION**

The Greek Constitution of 1975, which is still in force today and was amended in 1986 and in 2001, was brought into force after the seven-year colonels' dictatorship (1967-1974) tried to bring about the modernisation and democratisation of the Greek State.

The Constitution of 1975 it introduced one of the most positive novelties in relation to the previous constitutions. Following the model of Article 142 of the German Constitution of Weimar (1919), it provided for the protection of academic freedom, which is the manifestation of scientific research and teaching performed by university teachers and students as well as of full self-administration of universities by university instruments without any intervention whatsoever by state authority.

The request of participating in the administration of university had been an invariable claim of students' movement that became massive through the resistance against the military Greek junta and culminated in the incidents that took place in the Athens

Polytechnic University in 1973. Greek dictatorship's policy about universities would provide for the full control on universities, appointing the councils of students' union's as well as of university teachers and rectors. The dictatorship tried to impose state control on universities and to strangle academic freedom. After the fall of the dictatorship, the political powers in Greece tried to implement Greek society's greatest desire for educational reformation in universities through Article 16 of the new constitution passed in 1975. Article 16 is the expression of the democratisation of academic freedom, universities' full self-administration as well as of students' and university teachers' participation in the collective university instruments. The by Law 1268/82 safeguarded legislatively the provisions in Article 16 of the Constitution 1975 as well as the institution of university asylum, which exists only in Greece.

In no other European or American country does there exist a similar law prohibiting state force (police, fire brigade, army etc.) from entering university premises without special permission granted by the university Senate. The institutionalisation and practical application of the Law 1268/82 about university asylum aimed to make the protection of the provisions in the Greek Constitution about academic freedom more effective. The protection of academic freedom aimed to be not only is a constitutional provision, but, above all, it was a socio-political claim that has been fulfilled through the 1268/82 act. Universities are not only places producing scientific knowledge but also places reproducing a predominant ideology as well as expressing political and ideological fermentation. Yet, it is equally fair that the freedom of doubt, disagreement and of dispute be safeguarded in a democratic regime.

However, there are many and significant arguments expressing criticism against university asylum, arguing that it will not protect academic freedom better inasmuch as it will allow, in reality, illegality in university campuses and, as a result, lead to a serious harm and abolition of academic freedom itself.

Nonetheless, university asylum has been institutionalised in order to protect universities against state interventions, safeguard full self-administration and to support academic freedom. If, finally, it benefits or harms academic freedom, will

depend, primarily, on the way in which competent persons apply the provision in Article 2 of the Law 1268/82 about university asylum. The human element and the way of application are important factors that, as it will be shown in the following chapter, create the problematic side effects of university asylum in action.

## NOTES

---

### <sup>1</sup> Article 15

#### “Derogation in time of emergency”

- 1) In time of war or other public emergency threatening the life of the nation any High Contracting party may take measures derogating from its obligations under this Convention to the extent strictly required by the exigencies of the situation, provided that such measures are not inconsistent with its other obligations under international law.
- 2) No derogation from Article 2 except in respect of deaths resulting from lawful acts of war, or from Articles 3,4, (paragraph 1) and 7 shall be made under this provision.
- 3) Any High Contracting Party availing itself of this right of derogation shall keep the Secretary-General of the Council of Europe fully informed of the measures which it has taken and the reasons therefore. It shall also inform the Secretary General of the Council of Europe when such measures have ceased to operate and the provisions of the Convention are again being fully executed.

<sup>2</sup> Greece ratified the 1951 Geneva Convention with Law Decree 3889/1959 and its 1967 Protocol with Civil Law 3897/1968.

<sup>3</sup> See Council of the (Greek) State negative decision 830/1985 referring to the application for political asylum of a Turkish citizen.

<sup>4</sup> In the original text is the word allegiance not obedience. The text from which Article 16 has been quoted is in English language. However, there is a serious mistranslation. The Greek Constitution Article 16 paragraph 1 provided the word *υπακοή* (epakoe). According to reliable English-Greek Oxford University Press dictionary edited by Hornby and Stavropoulos (latest 14<sup>th</sup> edition 1999) the word *υπακοή* translated in English as obedience. The word allegiance translated as *υποταγή* (epotayi not epakoe). The difference is crucial.

Etymologically the word *υπακοή* (epakoe) comes from the combination of the words *υπό+ακοή*. It means that somebody is listening, takes under consideration and finally respects the directions and ideas provided by somebody else. To obey and respect someone's thoughts, opinions or ideas it is not necessary to believe that these are correct. When someone obeys to a constitutional provision means that respects the provision as of a high significance rule but not necessary support the provision. This is the meaning of the word obedience.

On the other hand, etymologically the word *υποταγή* (epotayi) comes from the combination of the words *υπό+τάσσομαι*, meaning that somebody has surrendered and been under the life and death authority of another person. This is the meaning of the word allegiance. However, the Greek text of the Constitution 1975 provided for *υπακοή* = obedience not *υποταγή*=allegiance. If the Constitutional provided for allegiance this would be equivalent not only to respect but also dogmatic to serve the directions and ideas provided as an order given of a complete unmistakable authority, and to act this way to promote these directions and ideas. On the contrary the Constitution 1975 requires the university teachers only to respect the provisions but not necessary to accept them of a high authority body commands. Accordingly it does not require promoting politically the ideas and directions of the constitutional provisions.

# **PART III**

## **THE IMPACT OF UNIVERSITY ASYLUM ON CRIME AND DISORDER**

### **CHAPTER 4**

#### **THE CRIMINOLOGICAL EFFECT OF UNIVERSITY ASYLUM INSIDE UNIVERSITY PREMISES**

### **CHAPTER 5**

#### **THE STUDENTS' PERSPECTIVE ON CRIME AND ASYLUM**

### **CHAPTER 6**

#### **THE CONTEMPORARY DEBATE ABOUT REFORM OF UNIVERSITY ASYLUM LAW**



# CHAPTER 4

## THE CRIMINOLOGICAL EFFECT OF UNIVERSITY ASYLUM INSIDE UNIVERSITY PREMISES

### 1. INTRODUCTION

In this chapter we will discuss the impact of the university asylum on crime and disorder. Through press documents we will consider the criminality and the problematic forms of crimes, which have dominated some Greek university campuses.

We can divide the criminality problems resulting from university asylum into two main categories. First, there is the important problem related to the crime rates at the universities because of the abuse of university asylum right by criminals and anti-social people, particularly at the Zografou-Athens and Thessaloniki campuses. Second, there is the question of whether students occupying the campuses, as a form of political protest, cause the crime problem occurring at the campuses in the form of serious vandalism.

This chapter starts with a brief description of the different types of campuses existing in Greece. Then follows an examination of the criminal activity committed at various university campuses.

We then continue with a review of the vandalism and the criminality that has occurred during the annual commemorations (November 17) held in the Polytechnic University between 1974 and 2001. The occupations of universities symbolises students' political opposition and demonstrations towards governmental education policy and reforms. Most problems have arisen from the occupations of campuses that take place on almost a regular basis every year during the commemoration of the Polytechnic University events. The losses from the damage and the vandalism inside the campus and around the Polytechnic University are impossible to precisely determine but run into several million EURO's.

In the second part of this chapter we are going to examine the specific case of crimes in the campus of Thessaloniki city, which have significantly increased in the last few years. By means of documents and various newspapers reports we are going to discuss the criminological situation there, which has provoked serious debate.

## **2. LIMITATIONS AND RELIABILITY OF PRESS ACCOUNTS**

It is necessary to clarify that the mass media in Greece have contributed a lot to the shaping of the public opinion that the 'anarchists' are the group most frequently found to threaten order within universities and especially during the annual commemoration of the Polytechnic. 'Anarchists' have been mentioned on a regular basis by the press and media and reports focus on the crimes against university property, vandalism and violations of drug regulations in which they are alleged to participate. Moreover, press and media quite often emphasise the role and characteristics of 'anarchists' -the groups of youth who frequent one of the best-known squares in the centre of Athens, Exarheia Square. The media have very often identified the marginal and non-marginal juvenile groups of Exarcheia square as associated with criminal behaviour and political motivated offences within universities. Headlines of a sensational and frequently misleading nature are quite usual in newspapers and even on television news reports in which groups of youth have been named as 'trouble makers' 'mafia style groups' and 'violent anarchists occupiers of university areas'. In addition the press have created a stereotype of the 'anarchists' with a cultural and political dimension by describing the life style of the 'anarchists'. The media very often recognise and label youths as "anarchists" from the clothes they wear, their way of speaking and place of residence.

However, it is true that many times different groups through underground and official press have identified themselves as 'anarchists' using different names such as 'Wolves of Exarcheia' 'Greek Anarchistic Movement' etc. and have published statements and articles with anarchistic contents. This contributes significantly to the 'anarchists' becoming the stigmatised groups of youth constituting the 'usual suspects' responsible for the crime and deviance occurring within or around university premises.

Moreover, Anna Panagiotarea who is Assistant Professor at the Media and Journalism Department of the Aristotle's University of Thessaloniki and a very well known journalist on Greek TV, believes that there is serious misunderstanding among the journalists about the concept of university asylum and those responsible for abusing it. Only a few people working in the Greek media know that university asylum was established as a space of freethinking and exchange of ideas, and to provide security of the academic community and the property of the campus. The predominant impression, however, according to Panagiotarea, is that university asylum operates as a space of refuge for political protest rooted on the anarchism, as an area where all illegal transactions can take place, as a free zone where the government is not present, where laws are not in effect and where everything is allowed. This is the general impression that is systematically shown by the mass media (Panagiotarea, Anna, in Periodical *Panepistimioupolis* –Campus – Vol. 2, January 1999, p.13).

In fact, it is not clear whether the groups of youth who behave in criminal manner within and around university premises are 'anarchistic groups'. This is one hypothesis that this study empirically tries to explore.

However, whilst recognising the limitations press accounts may have in terms of reliability in reporting the news and promoting misleading beliefs and perceptions that effect public opinion, in this chapter we shall be making use of many as possible press headlines and reports describing the crime problem within university premises, because we cannot ignore that sources of mass media are most accessible sources in investigating events of the moment. In addition we believe that most press accounts presented in this study are sufficiently reliable and accurate because they are reporting interviews of people involve (students and academics) not just reportages and journalists' personal opinions. From such interviews it is possible to draw reliable information and valid implications for our study.

On the other hand, it must be acknowledged that the crime problem within Greek universities and its link with university asylum law is a current social-political matter. This chapter which is a case study of how university asylum law in reality was formulated and developed, inevitably needed to draw upon empirical and

descriptive work such as press accounts and media reports, which constitute one of the major sources for the continuing debate on university asylum.

### 3. POLICING CAMPUSES

Policing university campuses is a difficult and serious matter. Even in countries where the law of university asylum does not exist, the watching of huge areas with classrooms, libraries, student's centres, clubs and open-air spaces by either the police or private security forces does not always have the desired results.

The April 27, 1999 issue of *The Guardian Higher Education* reported that according to a Home Office report on policing campuses the majority of higher education institutions are failing to provide security and ensure crime prevention as their proper priority. The report of the Home Office was based on 161 British institutions. Drugs, burglary, theft, vandalism, theft from or of bicycles and cars, street muggings in surrounding areas are the commonest crimes reported. Innovative and better strategies for protecting staff, students and visitors are needed in the institutions, and much better cooperation between the security staff and the police is recommended by the Home Office report *Policing the Campus* (*The Guardian Higher Education*, April 27, 1999, p. i-iii).

In Greece, where law 1268/82 provided for university asylum and prohibits the police from entering the university campuses, things are even more difficult and complicated in terms of policing any campuses.

In Greece the various universities can be divided into the following categories based on their location:

- First category consists of universities located in the centre of big cities, which do not have a forecourt or garden and their main entrance is located in front of big central roads, as in the case of the Athens Law School, which is situated in Solonos street (see map of Athens in the following page, position 106), which is one of the main streets of Athens, and the Chemistry Faculty of Athens, which is also located in Solonos street five minutes walking north from the Law School (see map of Athens position 93). The campus of these universities only consists of buildings, since there is no forecourt and it is





Map showing street names in Greek, including: AGORACRITOU, PARASSIOU, DERIGNY, FILIPPIDOU, CHEYDEN, METRO, FERRON, IPIROU, AVEROF, OMONIA, AGIOU KONSTANTINOY, AGIOS KONSTANTINOS, PIRELOS, ATHINAS, SYNTAGMA, and AMALIAS. Landmarks include: AGIOS PANTHEIMON, ETHNIKON MOUSION (MUSEUM), POLYTECHNION, and SYNTAGMA. Public transport routes are marked with numbers: 74, 88, 105, 14, 16, 37, 68, 67, 96, 93, 11, 83, 108, 98, 15, 8, 70, 77, 71, 82, 10, 101, 76, 85, 01, 92, 95, 9, 36, 37, 44, 43, 42, 30, 32, 49, 35, 34, 33, 52, 45, 60, 79, 75, 84, 94, 80, 53, 59, 99A-91, 9, 116.



therefore easier for security staff of the university to safeguard as well as the police to watch the main streets surrounding the buildings.

- Second category consisting of those universities located in central locations of big cities, with a relatively small front yard and a decent fencing, such as the Polytechnic University of Athens which is located in one of the most busy streets of Athens, Patisson road (see map of Athens positions 67 and 68); the Economics University – ASOEE, which also located in Patisson road (position 74 in the map), close to the Polytechnic University; Panteion University of Athens in Syggrou road (far away from the centre of Athens, south of position 116 in the map); and the Law School of the Democritus Thrace University, which is located in the centre of Komotini town. Although it is easy for the guards of those universities to watch who is entering the building, it is difficult to get any troublemakers who may be in the building out of it. It is also difficult for them to guard the area around the campus because they are big and surrounded by main streets of the city with lots of traffic.
- Third category consists of the campus of Athens National and Kapodistrian University, with its facilities located in the Zografou area, in the northern part of Athens, far from the centre of Athens. Although there is a fenced forecourt, the open-air spaces of the campus are huge, more than 10,000m<sup>2</sup> and include a number of large buildings, not just classrooms but also students' lawns and clubs. It is very difficult to guard and inspect the outdoor spaces because they are huge and dark during the night.
- Fourth category consists of the campuses of the universities in Patras and Ioannina, as well as the Democritus Thrace University in Komotini. These universities are quite big, but they are not located in big cities as opposed to the ones mentioned above. This means that it is hard for people outside the universities to have access to them, especially at night, because they are far away from the centre of the city. Nevertheless, the forecourt of the campus at Patras is a shelter for gypsies, Albanians and illegal immigrants of other nationalities. They all want to board ships departing from Patras port to some country in Europe mainly France and U.K. in order for them to seek asylum, find a job and shelter there. Even in those campuses it is difficult for the campus security staff to watch the area and inspect it during the night.

- Fifth and last category consists of the campus of the Aristotle's University of Thessaloniki. It is located in the centre of Thessaloniki city and occupies a massive outdoor space. It should be noted that the campus of Thessaloniki is the biggest one in Greece, covering more than 40,000m<sup>2</sup>. It includes buildings and teaching halls of all departments, event halls, laboratories as well as student unions, students' lawns and clubs. Most importantly, it also includes a large hospital, the A.H.E.P.A Hospital. University security guards cannot continuously watch over the campus of Thessaloniki. Unfortunately, the campus is located in the centre of the city and it has become so large an area of intense criminal activity, drug dealing, arms dealing, smuggling illegal CDs, sheltering gangs and people who are on the fringes of society. The problem becomes even worse due to the fact that a lot of people have to go through the campus on their way home or to work, as one of the main public roads connecting two of the main avenues in Thessaloniki passes through the campus. Similarly if they want to go to the A.H.E.P.A Hospital, which receives visitors throughout the day and night, they also have to pass through the campus. The obvious rise of crime rates within the campus of Thessaloniki makes students and professors feel insecure and afraid. Further on, in the subsection related to the university of Thessaloniki we are going to discuss in this chapter what the Senate's reaction was in their effort to solve the crime problem.

#### **4. CRIME AND DISORDER ON THE CAMPUSES LOCATED IN ATHENS**

In October 1997 newspaper *Exousia*-Power- published a reportage referring to the campus of the University of Athens, located in the Zografou area. The title of the article was "Campus: The Drug Asylum". The newspaper carried out its investigation and it located specific areas of the campus where heroin addicts take drugs, such as the tunnel behind the Faculty of Theology, the boiler room, as well as areas inside the students' centre. According to the reportage, drug dealers wait for the users at the tunnel to sell them their dose and then the drugs get distributed throughout the campus. A third year student of Chemical-Engineering talked to the newspaper and said that he has seen heroin, hashish, Indian hemp and pills being used at the campus. Another student of Philosophy Department said that at the Faculty of Physics they set up parties where they are trafficking heroin and there is even prostitution during the

party. The newspaper argued that policing and patrolling is impossible because there are only two guards at the university during the day and about twenty during the night. That is a very limited number of people when it comes to controlling an area of about ten thousand square meters that includes a parking place and other dark areas with no lighting. The problem with drug dealers and drug users finding shelter at the campus of Zografou became obvious when the Greek police, with a continuous operation in 1993, broke up the haunts of drug addicts located in the urban areas of Athens. Following that drug users and dealers found that the campus of Zografou was a safer place for them. The result was a fight began between different gangs that wished to gain the control of the campus in order to sell drugs there.

On October 12, 1997 Giannis Drandakis, who was a branded drug dealer, killed inside the campus Nikos Karampotis, another drug dealer, in order to attain the control of the campus where he had transferred his criminal activity. In the same reportage of the newspaper *Exousia* the Chief Constable of the police department of Zografou area, claimed that he cannot order patrols in the roads of the campus because of the university asylum and he was afraid that the students would react to the presence of the police and maybe incidents would be provoked. He argued the police could not prevent seventy thousand students from using drugs within campus. The police, because of the university asylum, are entitled to patrol only around the perimeters of campuses. Nikos Markatos, the former Rector of the Polytechnic University, stated to the newspaper that due to the university asylum the police are not allowed to patrol the roads of the campus. But on the other hand police were not doing their job effectively, either. The former Rector insisted that many drug dealers had escaped and only students have been arrested (Newspaper *Exousia*-Power-October 21, 1997, p. 19).

Furthermore, newspaper *Ethnos* -Nation- reads on May 2000:

The campus of Zografou is unguarded. Drug dealers and all kinds of criminals exploit the university asylum and find shelter there at nights. A lot of things happen there, which are not being reported.



It is stressed in the same reportage that the criminals exploiting the university asylum have destroyed the campus of Athens University at Zografou and it has become an asylum place for crimes. The few security guards of the university are not enough to control the campus while the law regarding the university asylum binds the hands of the police. Haralampos Haralampidis, professor of Mathematics Department, said to the newspaper that the academics are afraid to stay late at night. A solution would be for every university to have its own police force, as in America, where all universities are under heavy control by police and private security companies. Professor Markos Koutras said that there is a serious security problem in the campus of Zografou, while Dimitra Makri, a student of Biology, stated to the newspaper that there must be policing, however without violating the university asylum. Finally, Nikos Pagoudakis, who is responsible for the safety of the facilities of the campus, claimed that the only way to protect the area would be the hiring of more security guards (Newspaper *Ethnos-Nation*-May, 24, 2000, p.16)

More recently (November 12, 2001) Greek National TV ET 1 Channel, performed a programme prepared by a famous Greek reporter, Kostas Hardavelas. The programme was called "People: Darkness in universities". The reporter investigated the criminological conditions focused in university buildings and student halls. All students who were asked declared they were afraid to walk in Zografou campus after eight or nine in the night. They reported many offences committed by outsiders who find shelter in the dark spaces of Zografou campus. Most common offences they said were drug use and dealing, sexual assault and money theft. In particular Hrisavgi Hatsidakou, a female student of Athens Law School who was invited to the studio, reported that even inside the buildings of Law School located in the most central area of Athens in Solonos street, she came across drug users and dealers, thefts and other criminals who bothered the students and demanded their money. Although the police were called they could not intervene because of the university asylum and the criminals were never arrested (ET 1 channel, Greek National TV, programme "People", November 12, 2001).

Newspaper *Eleftheros Typos* -Free Press- published an article about some serious events that took place on the night of May 19, 2000 within the campus of Zografou. It was reported that:

The campus is unprotected against the criminals. During a party of the Faculty of Pharmaceutics at about 4 'o clock in the morning, a group of anarchists burned, with firebombs, cars parked in the campus. The fire brigade was called and soon entered the area to put out the fire.

In that case, noteworthy to discuss in terms of legality the presence of the police and fire brigade. Law 1268/82 article 2 paragraph 7 prohibits state force to intervene without special permission (Kargados, 1996, p 55). First came the fire brigade and the police came a bit later but could not arrest the anarchists. Both forces had not been granted permission by the university authorities. However, there were no accusations for abusing police and fire brigade university asylum law, because the students themselves called them not only to protect the burning properties but also to protect themselves from the anarchists' life threats (Newspaper *Eleftheros Typos-Free Press*-May 22, 2000, p.22).

In the same paper there was a report of an attempted homicide of a policeman, Tryfonas Tsemperlidis. Manolis Baltatzis, professor of Geology, had called him to check a suspect who had been following the professor for several days. The policeman entered the campus, in civil clothes and on his private motorcycle, so that he would not be recognised and it would not be known that he was in violation of the law of university asylum. As soon as he approached the suspect and asked for an identity card the suspect shot the policeman in the head and escaped through the campus.

At the end of the article the journalist claimed that the campus of Zografou is full of such hardened criminals, that the campus had been left to the mercy of all kinds of criminals who exploit the university asylum and have turned the place of the free exchange of ideas into a criminals' shelter (Newspaper *Eleftheros Typos-Free Press*-May 22, 2000, p.23). Two days earlier the same newspaper had the title: "Occupations by all kinds of criminals have turned the campus of Zografou into Wild West!" (Newspaper *Eleftheros Typos-Free Press*- May 20, 2000, p.21).

Another article in the newspaper *I Vradini* – The Evening- read: “The students centre of the Polytechnic University is left in the hands of God. The police are unable to protect the students from drugs”. The newspaper presents important official documents and reports of both the managing authorities of the university and the police of the area of Zografou. The newspaper reveals also a document of Nikos Markatos, former Rector of the Polytechnic University, addressed to the President of the National Youth Foundation that is the responsible authority of the students clubs and centres. In that document, dated March 11, 1996, the former Rector points out that the university asylum does not apply to the students’ houses and halls and the police are allowed to intervene therein. Another document details a request from the president of the National Youth Foundation of the area of Zografou the police to intervene in the students’ centre of the Polytechnic University to tackle the escalating problem of drug use and dealing within the students’ centre. But the answer of Chief Constable, Theodoros Simoglou, was surprising. In a document he sent to the university in October 1999 he claimed that the police, after discreet investigations, found no incidents of drug trafficking inside the students’ centre and that the police, in co-operation with the persons in charge of the students’ centre, must organise things so that they keep the common rooms of the building under control.

In spite of the police beliefs, the logbook that the guard of the centre keeps each night, informs us of the opposite. For example, on February 23, 1999 he noted down incidents of drug use and drug trafficking. On March 1, 1999 he recorded that twelve persons not being residents of the students’ centre were drunk and started a fire. On March 19, 1999 he noted down that unknown persons destroyed the toilets. On March 2, 1999 the night guard wrote an internal memo asking for protection because persons outside of the university threatened that they would beat him up when he tried to eject them for selling marihuana cigarettes (Newspaper *I Vradini*- The Evening- October 21, 1999, p.45).

A really interesting incident of criminal activity that has been reported during the last years in the universities of Athens are the damage and vandalism to statues with historical value that decorate either the areas inside the buildings or the front yards of the universities. When damage and graffiti were made on the statues standing before the gates of the University of Athens, Dimopoulos, former Rector of the university of

Athens, asked for the judgement of the Prosecutor of the Supreme Court regarding the protection of the monuments being in the area of the University. Newspaper *Ethnos tis Kyriakis* – The Sunday Nation - November 15, 1998, reported that the Prosecutor of the Supreme Court suggested vandalism should become a felony so that it would apply under university asylum law (1268/82 Article 2) and the police could immediately intervene, without any restrictions due to the university asylum, each time that vandalism of historical monuments and statues occurred (Newspaper *Ethnos tis Kyriakis*-Sunday Nation, November 15, 1998, p.44).

Damage and desecration of monuments and statues of the university of Athens, occurred once more in February 1999, after a demonstration by the students against the reform that the government attempted in education, when unknown demonstrators wreaked their anger upon the statues. Konstantinos Dimopoulos, who was Rector at that time, referred for the second time within three months to the university asylum and asked from the government and the other Parliamentary parties to find a common solution in regards to the problem. Newspaper *Ta Nea* – The News - February 6, 1999, mentioned that the scene was horrible. The statues of Ioannis Kapodistrias who was the first Governor of the New Greek State and Founder of the University of Athens were full of graffiti in favour of Vassilis Evaggelidis, a criminal anarchist who was sentenced to many years of imprisonment due to serious crimes that he had committed. The statue of the Patriarch Gregorios VI was full of graffiti against the reform of education. Rector Konstantinos Dimopoulos stated that the damage from the vandalism cost about 30 million GDR (£ 55,000) to the university and that he supported the university asylum but that the place of the university must be safeguarded as a place for the exchange of ideas and not vandalism. According to Konstantinos Dimopoulos the vandalism was perpetrated by persons who do not belong to the university and who did not get arrested and for that reason the government should take measures and propose a legislative reform about university asylum (Newspaper *Ta Nea*-The News-February 6, 1999, p.19).

Finally, after the damage of the statues that occurred for the second time (November 1998 and February 1999), the Ministry of Justice with a legislative amendment converted the crime of damaging statues and monuments into a felony according to

the expert opinion of the Prosecutor (Newspaper *I Vradini*-The Evening- February 9,1999,p.24).

Often university asylum did not even protect professors from students who are troublemakers. Such students, if they want to, can enter campuses at any time they want, through the use of violence without being hindered by anybody, and dissolve a session of the Senate, interrupt classes and lectures. This happened for example in the Medical School of Athens (1989) or, more recently (May 2001), in the Theology School of Thessaloniki, when an anarchist student (as he declared himself to be so) interrupted an official ceremony, yelling and swearing from the microphones of the hall without getting arrested.

The Newspaper *Ta Nea* –The News- reported that small groups of young people had interrupted some seminars in the Law School of Athens through use of violence in January 1995. According to the article of the newspaper *Ta Nea*, a small group of young people –it wasn't clear if they were students or not, because nobody was arrested- took advantage of the university asylum in order to interrupt the seminars taking place at the Law School. They played havoc, destroying various things that belonged to the School and, with unprecedented barbarism they beat up a professor who attempted to rescue the property of the university. The report of the newspaper ends as follows:

If the University Asylum institution is used by students who occupy campuses and by university authorities in this unacceptable way, then university asylum becomes a means of political authoritarianism and abolition of the university autonomy (Newspaper *Ta Nea* –The News– January 12, 1995, p. 18).

##### **5. THE CRIMINOLOGICAL SITUATION ON REGIONAL UNIVERSITY CAMPUSES**

Even campuses located in small cities face similar security problems, like, for example, the campus of Komotini. The local newspaper *O Hronos* – The Time (April 28, 1999) reported that the keys of the students' centre were stolen and that many burglaries were committed in all the rooms of the student houses. Televisions,

cameras and mobile telephones were stolen. The police reported they didn't know anything about those incidents because the university authorities did not officially report them. In addition due to the university asylum law the police can neither enquire about the thefts by itself, nor intervene. However, on November 11, 1998, Aristotelis Haralambakis, Vice-Rector of Democritus Thrace University and who is professor of Criminal Law stated to the local television channel of Komotini, that in his university there is neither a problem of criminality nor a problem concerning the enforcement of the university asylum (Local Newspaper of Komotini town O *Hronos*- The Time- April 28,1999, p.1).

Philippos Tsalidis, Vice Rector of Democritus Thrace University and professor of the Polytechnic School of Xanthi, took the initiative to better safeguard the campus of Komotini. He placed an electronic iron bar in the central entrance to control the entrance of persons and cars. But the students considered that with this activity the university asylum is restricted and at last, after intense reactions of the students, the bar was moved away.

At the University of Patras, there has been reported that groups of gypsies and illegal immigrants, mainly from Asia, occupy illegally the outdoor spaces and live there in makeshift tents until they find some way of getting illegally into ships departing to Europe from Patras port, or into some truck or train travelling to the Greek mainland.

However, it is generally accepted that university buildings and campuses located in small cities, like those of Ioannina, Crete, Komotini, and Patras, show low crime rates and the few crimes committed are not serious. In other words, the criminality developed in the universities of the small cities is significantly less than that of the universities of Athens and Thessaloniki and it does not cause any great concern or fear of crime to students and academics.

## **6. UNIVERSITY OCCUPATIONS LEAD TO CRIME AND DISORDER**

In Greece students often occupy university spaces as a form of political protest. The students, to express their opposition against bills and reforms coming from the government in relation to the university educational system or in order to put forward requests that concern a specific university (e.g. resolutions of the rector of a

specific university), express their opposition by occupying university areas. As a result, students take over the control of the buildings, courses get disrupted, professors and other university personnel are denied entrance and the university ceases to operate. The political pressure exerted on the government and the university authorities each time that a university is under occupation is an important weapon in the hands of the students as regards the negotiation and satisfaction of their requests. Moreover, the students usually occupy university buildings located in central parts of a city close to busy streets, post placards outside the main entrances to inform the people that the building is under occupation, and the university is closed. This way, it is easy for citizens and mass media to relay the news, and then there is more political pressure on the government and the university authorities. It is not to the advantage of either the government or the students to have the universities remain closed for a long time during the academic period and the courses disrupted.

However, many times things get out of control, either because the universities remain closed for long periods of time or due to the heated political atmosphere. Factually, many and extensive destructive actions against university property are due to the occupations and are committed by the students occupiers. Often during the occupations, the students cannot protect the spaces by themselves, and the university areas become areas of lawlessness and vandalism. On the other hand, as the university authorities (e.g. the rector, the guards of the university and other university administration authorities) cannot enter the university during the occupation, control of the university spaces is entirely left upon the students and other individuals not belonging to the university who take advantage of the occupation and the protection granted to them through the university asylum.

Of course, one occupation is different from another, both in the way it is manifested and in regards to its cause; the requests put forward, its organisation and results. Very often, students occupy a university because they fight for the solution of substantial and serious problems concerning the students and the university operation. That is, they fight for better quality of education, improvement of the labs, the libraries, the curricula etc. These occupations take place following decisions of the student associations, often with a great majority of the students voting for the occupation and the students participating in large numbers. These occupations do not

bring about untoward incidents (destruction or other crimes), as they are organised, watched over by the student associations and the student political parties, and are aimed at resolving student and university problems, not at destroying and vandalising the universities. Very often, depending on the seriousness of the requests, the occupations last for weeks and the operation of universities is suspended for quite some time. Such occupations are of concern not only to the university community but also to the society at large and, of course, the government. These occupations come to an end only when the students themselves decide it. The police cannot intervene and remove the occupiers, as that is prohibited according to the university asylum law.

Some times, however, occupations lead to the extensive destruction of university property. Typically these are occupations held by small groups of students, who do not have the approval of the majority of students, and involve persons not belonging to the university community or students from other universities entering the university and engaging in destructive activity. In these situations, abuse of the university asylum enables the vandals-occupiers to destroy and cause damages of tens or hundreds of thousands of EURO's on one hand, and on the other hand it is impossible to prevent such occurrences. It is understood that the university authorities cannot take action in order to safeguard the university places and the Senate cannot hold a meeting in order to lift the asylum because the students do not let them enter the university. Moreover, the guards employed by the university cannot intervene in any way, since the students-occupiers are in total control of the buildings. As a rule, occupations come to an end not because the students' requests are met but because the occupiers are few and after a few days they get exhausted and leave on their own. But unfortunately, before they give up the buildings, they can take advantage of the university asylum and cause extensive damages to university property as a means of taking revenge on the government and the university authorities that did not satisfy their requests.

In many occupations university premises are not only entered by student groups, but also by members of para-state, terrorist and anarchic groups. They find shelter there and turn the university into an area of lawlessness where criminal acts are encouraged. It is noteworthy that about one hundred metres behind the Polytechnic



University in Athens (see map of Athens positions 68) there is the famous Exarheia Square, frequented by dropouts and anarchists. The back entrance of the Polytechnic University is two minutes walking from Exarheia Square. This explains why each time that students occupy the Polytechnic University, groups of anarchists easily enter the Polytechnic University and organise their actions from therein.

In February 1990, students who were against certain governmental policies occupied Athens Polytechnic University. From the very first day outsiders and anarchists from Exarheia Square, infiltrated the area. These persons who frequent around Exarheia Square are usually antisocial persons and troublemakers who call themselves anarchists or are described as anarchists by the mass media. They are usually of young age and wear military attire, leather gloves, and a black and white neckerchief, similar to what is worn by members of PLO (Palestine Liberal Organisation). Some are students but most of them are not. The destruction that was done inside the Polytechnic University during the occupation was extensive. On February 14, 1990, the occupation was ended after a whole night's destruction. Because of the university asylum, the police were outside the Polytechnic University. The anarchists from inside were throwing firebombs the whole night. Neither the triumvirate nor the senate managed to make a decision on lifting the asylum, although they were meeting on this issue all night long. In the morning (February 14), the university employees came upon a tragic scene. All the buildings had suffered serious damages. Doors, windows, windowpanes and chairs were completely destroyed, computers, smashed, offices destroyed and graffiti everywhere and trophies of historical value were destroyed. Professor desks disappeared and important documents, as well as students' thesis, were burnt. The anarchists destroyed the Polytechnic University together with the hard work of professors and students. Nevertheless, no one was arrested or punished. Due to the university asylum, the police did not intervene and the troublemakers could easily get away (Anthemides, 1996, p.p. 38-9).

On September 24, 1991, similar events were repeated in Polytechnic University. This time, however, the destruction was more violent and more extensive. That night, one of the darkest pages in the history of the Polytechnic University was written. The occupiers caused much damage to property and even burnt down the old Rectors headquarters. The damage were impossible to assess in terms of either

material or spiritual value because archives scientific researches and studies dating back to previous centuries, pieces of art, masterpieces of painting, priceless heirlooms as well as many books and scientific manuals were destroyed. Both the fire brigade and the police, who lacked the indispensable permission to enter, watched the destruction from outside. The Rector of Athens Polytechnic University of that time Nikos Markatos, appeared all night on TV channels. He apologised that the triumvirate could not decide to lift university asylum because it was feared if police intervened, occupiers or policemen might be killed within university. Nor could the Senate manage to take a decision by a majority of the 2/3, as it is provided for in Article 2 paragraph 6c of the Law 1268/82, for fear that would be accused of lifting university asylum and causing people's death. The disaster was complete. All Greek people watched live through TV channels the destruction of Athens Polytechnic University. The show was tragic. What was saved from the great fire is due to the University teachers and staff, who single-handed, tried to save what they could.

Finally, when the Senate reached the decision, in the early hours of the next morning to lifting university asylum and permit police to intervene it was too late. It was the second time after 1985 in Chemistry School when university asylum was lifted. The damages were so extensive and the cost of replacement reached the amount of approximately two and half million EURO's. It took nine years Polytechnic University to be restored. The Rectors burnt headquarters never reopen as an administration building any longer. It reopened, just on June 2, 2000, as the Polytechnic University's museum, where photographic and other materials from the events of November 1973 are displayed. Also, the radio transmitter the students used during the November 1973 events has been returned since June 2, 2000 when the inauguration ceremony was held. The radio transmitter among other stuff had been confiscated by the Military Police and kept in the headquarters of the Athens Court Martial since November 24, 1973 (Newspaper *I Vradini*-The Evening- June 10, 2000, p.23 and *I Vradini tis Kyriakis*-Sunday Evening- November 19, 2000, p. p 76-7; also Newspaper *Eleftherotypia tis Kyriakis*- Sunday Freepress- November 11, 2001, p.p. 16-7).

Christos Papadelis, professor of the University of Thessaloniki in regards to this stated the following:

There have been many instances of “anarchists” breaking out on University premises, breaking, burning, robbing and destroying laboratories, computers and other University property without getting punished and without making up for any of the damages caused. The indecisiveness of the Rector authorities, the rigidity of article 2 paragraph 6 of law 1268/82, provided for the Senate, an authority with a lot of members, should be convened and decide, by majority of 2/3, as to whether university asylum will be lifted in order to call the police; on the other hand the inability of the police to guard successfully the campus and find out if there are crimes being committed inside the large spaces of the University along with the inaction of the judicial power in deciding what their position will be, have as their sole result the destruction of Universities in the name of the Asylum’s institution. The University Asylum is being degraded, Greek citizens pay the damages through their taxes without being responsible for the damages, Greek students are so afraid they can’t take a late-evening walk inside the campus. University Asylum in its form today, does not meet the needs of the contemporary University community and the Greek society in general

(Papadelis Chr. in the meeting of the Senate).

With the mass destruction held on October 24, 1991, a valuable piece of Polytechnic University history was degraded. Ironically, everything was started because some very few students and anarchist occupied Polytechnic University. However, nobody was arrested and punished. Nobody paid for the damages. The Rector Nikos Markatos because of his attitude that night and his refusal to agree as member of the triumvirate for the lifting of university asylum was strongly criticised by the academics and the mass media. They accused him of allowing occupiers to burnt down the Polytechnic for electoral gain: so that the students would vote for him in the forth-coming election. The students were against lifting university asylum. Nikos Markatos agreed with the students. However, the criticism against him focused on the issue that even when control was completely lost, he did not take any action to avoiding the mass destruction of the Polytechnic. However, Markatos despite these criticisms (as we will see below) still insists that it was the preferable option: the

Polytechnic may have burnt but neither policemen or students were killed. Moreover, the students did support him and voted for his re-election in 1993 as the Rector of Polytechnic University.

Similar destruction, but not so extensive also happened in the University of Thessaloniki due to occupations and the protection offered to the occupants by the university asylum. The professor of Theology at the University of Thessaloniki, Vasilis Yioultsis, maintained that with all these university occupations and the untoward incidents that were happening, the sacredness of the institution of the asylum has been degraded, constricted, and reduced to being only a building offering shelter, without persons and things. The sad state of the Polytechnic, which was burnt down in October 1991 downgraded the symbolism of the Polytechnic, which, after the events of 1973, had been associated with the fight for democracy and education. According to Professor Yioultsis, the institution of the university asylum was undergoing a crisis due to the occupations and destruction, and solutions needed to be found before the university asylum could fully recover its sacredness (Vasilis Yioultsis in Periodical *Panepistimioupolis-Campus*-Volume 2, January 1999, p.23).

After the serious incidents at the Polytechnic in October 1991, the rectors of all universities reacted immediately. In November 1991, there was an extraordinary meeting of the Synod of Rectors, which is the meeting of all university rectors where they discuss on a regular basis the most important issues relating to universities reviewed the situation relating to the university asylum. Finally, the view prevailed that the legal framework of the university asylum did not need to change (Newspaper *Macedonia*, November 8, 1991).

Nevertheless, the Synod of Rectors heavily criticised the Rector of the Polytechnic, Nikos Markatos. Most Rectors accused Markatos of abusing and degrading university asylum. Yiannis Panousis, who is the drafter of the university asylum law, participated in the Synod (held November 1991), as he was Rector of Democritus Thrace University. He accused Nikos Markatos of not taking the responsibilities he was entrusted with.

Yiannis when interviewed by myself (see Appendix 10) argued that the Rectors must be accountable to the history of the university and the university community, not to his electors. Rectors should have in mind the fact that they should protect both the property and image of the university not secure their re-election. The price Rectors pay in such situations is political. The pressure Rectors have from occupations and re-elections is significant to their decision to lifting or not university asylum. Priorities have to be made. They have to decide that universities' property and history are their priority, not their re-election. According to Panousis there are some Rectors who are cynically saying that they know how to protect universities but they do not tell until they finish their term as Rectors. They are afraid to say what they really think about occupations and university asylum because they want to avoid confronting such a controversial topic.

On February 17, 1993, the students were protesting against a bill of the central-right government of New Democracy concerning universities. The students marched in the centre of Athens and clashed with the police. The police attacked them, and the students broke into the Polytechnic University. There they found refuge and escaped the arrest. Some hours later they left in peace without causing any damage (Newspaper *Typos tis Kyriakis* – Sunday Press – February 21, 1993). The invasion of the persecuted students into the Polytechnic University when no damage and vandalism occur is not illegal. On the contrary, it proves the material purpose of the university asylum. University asylum operates as an intermediary space, where persecuted students find a temporary refuge in order to gain time, things settle down and later in peace and calmness they can negotiate with the police. The problems start when the persecuted students commit destructive acts to the university property. They misinterpret the meaning of the university asylum. By destroying university property, which they use daily for their studies, e.g. libraries, laboratories etc., they think that they revenge the police and the government. Actually, they revenge themselves who are members of the university community, and lead to the degradation of the university asylum and the downgrading of the university as a whole.

In August 1994, a group of anarchists who call themselves “Wolves of Exarheia” broke into and occupied the University of ASOEE located in Patission road, three

hundred metres away from the Polytechnic University (see map of Athens position 74). They demanded from the government the release of the anarchists George Balafas and George Campouris, who were imprisoned for serious charges concerning terrorist activity, possession of weapons and throwing of bombs. The university of ASOEE suffered great destruction. The anarchist occupiers took advantage of the fact that it was a period of summer holidays (August) and they had the whole courtyard and several buildings under their control. The Rector of ASOEE, after the meeting and the decision of the triumvirate, invited the police to intervene and remove the anarchists out of ASOEE. Finally the police intervened and arrested 51 anarchists. Most of them were sentenced to 8 months imprisonment for disturbance of the university peace and outstanding damage of property belonging to the Greek state (Newspaper *Estia* – Altar-Paper Number 160/101, September 16, 1994).

During the occupations, not just vandalism and destruction of the university property have been reported, but also serious assault on university staff. For example on January 11, 1999, the students of Metallurgists Faculty of the Polytechnic University, decided to occupy the building. Other buildings of the Polytechnic University were already under occupation for about two months. The students, in an announcement they made, demanded professors and the employees to evacuate the building. Professor Yiannis Paspaliaris refused to leave his office and then the students locked him in his office and maltreated him. Professor Paspaliaris called for help the Vice Rector of the Polytechnic University, Lefteris Papagiannakis, who released him. This fact was noted and reported to the Senate of the Polytechnic University. Finally, the Senate imposed a penalty on a student who beat Professor Paspaliaris. This infuriated the students who met in a charged atmosphere to support the student who had been penalised. After that, some violent events followed and some students attacked and beat Vice Rector Lefteris Papagiannakis, while other students broke in his office and smashed computers and desks and sprayed on the wall the slogan “Block loutish professors” (Newspaper, *To Vima tis Kyriakis* –The Sunday Tribune – January 31, 1999, p. A. 49).

Theodoros Loukakis, who is professor of Polytechnic University, in an article by him in the newspaper *To Vima* –Tribune- maintained that violence, occupations and

illegal acts by groups of students, organised or not, are not condoned anywhere in the world. Prohibiting professors to enter their own offices is a deprivation of human, individual and academic rights and freedoms of employees. Each time that students occupy university buildings, the main and other entrances are locked and the professors can enter the university only when the students allow them to do so. The professor maintained that, under these circumstances, no research can be conducted nor any scientific knowledge can be produced. He suggested that the university should hire security companies, which would protect the students within the grounds of the university asylum so that the professors can do their job without being afraid of the troublemakers and the criminals (Newspaper, *To Vima tis Kyriakis* – The Sunday Tribune – January 31, 1999, p. A 20). The answer given by the Rector of the Polytechnic University Themistocles Xanthopoulos to the proposal of professor Theodoros Loukakis was negative, because he said the students would never accept security companies inside the grounds of the asylum. This would make the students react and would bring more problems and violence within the Polytechnic University.

As already mentioned, many university buildings are located in the centre of Athens and around the Exarheia Square, where the anarchists usually meet. These universities (e.g. the Polytechnic University, ASOEE, Law School, Department of Chemistry) are often occupied and used by anarchists as bases for their operations and as refuge place. The anarchists inside the universities are protected by the university asylum and each time they commit damaging and violent acts in the central roads of Athens, they break into the universities in order to avoid been arrested.

For instance, late at night on February 9, 1999, 50 hooded young anarchists with black flak jackets entered the Polytechnic University from the back entrance. Suddenly they stormed out from the Polytechnic University, through the main entrance and in Patisson street, and threw firebombs to cars and shops, located in the surrounding area they sprayed slogans on the walls, in honour of the felon Harris Temberekidis who was killed by the policemen during a pursuit in the mountains of Peloponnesos. The damages caused by the anarchists in the streets around the Polytechnic University (Stournara street, Patisson, see map of Athens position 67)

were enormous. When the police tried to arrest the anarchists, they broke back into the Polytechnic University and, protected as they were by the university asylum, escaped arrest. Many hours later, around 5:30 a.m. the next morning (February 10, 1999), the anarchists came out of the Polytechnic University holding steel bars and throwing firebombs, and destroyed more shop windows and cars in Stournara street, before returning again to the Polytechnic. When they fled to the Polytechnic University, the police pursued them but did not manage to arrest them (Newspaper *Apogevmatini* – Afternoon- February 10, 1999, p. 16).

Newspaper *To Vima* –Tribune- in a commentary maintains that nowhere in the world it is so easy for a public building to be occupied by anarchists or criminals as it is for the universities in Greece. The universities, the newspaper goes on, are easily made into refuges for criminal activities of antisocial groups of anarchists, while the science and purpose of the universities get degraded. The newspaper proposes to the government and the Senate a systematic and organised guarding of the university buildings (Newspaper *To Vima tis Kyriakis* – Sunday Tribune- January 31, 1999, p. A18).

*The Guardian* (January 15, 2000) published a typical photo of a Greek rioter, who was wearing a woollen hat, gloves and flak jacket. The photo was taken the moment the rioter was throwing a firebomb. The newspaper reported that on January 14, 2000, across the barricade protest ended in violence. The police fired tear gas through the gates of the Polytechnic University (because they must gain permission to enter the university) at the protesters and anarchists who had found shelter and protection within Polytechnic University grounds. The police were being attacked with firebombs by rioters following a protest over educational reforms the socialist government of P.A.S.O.K party introduced (Newspaper *The Guardian*, January 15, 2000). Some anarchists immediately left the Polytechnic grounds because of the effects of the tear gas. The police arrested two anarchists, Kostas Karpouzou, and Panagiotis Katsilas, as they left the university. Both were brought to trial for serious crimes (Newspaper *Eleftheros Typos*-Free Press- January 15, 2000, p. 15). They were both sentenced for eleven and a half years in custody. It was the first time anarchists-occupiers who committed vandalism had been arrested and sentenced to



prison. Neither of them was a student of the Polytechnic University. Both argued to the Court that were political criminals and brought to trial because they were anarchists. They pleaded not guilty of vandalism and serious damage on university property. Their punishment gained widespread support from the academic and wider community because it was the first time in fifteen years that troublemakers had been convicted and sentenced for illegal occupation and damaging Polytechnic University (Newspaper *Eleftheros Typos*- Free Press-June19, 2001, p.18).

## **7. UNIVERSITY ASYLUM AND OCCUPATIONS DURING THE ANNUAL COMMEMORATION DAY OF THE POLYTECHNIC UNIVERSITY UPRISING**

The commemoration of November 14-17, 1973 students' uprising at the Athens Polytechnic University against the military junta take place every year 14-17 November (see photo No. 15). The commemoration traditionally ends with the march towards United States of America embassy. It is common political belief, which also historically has been proved that the USA government of that period (1967-1974) strongly supported Greek military junta and had been political and financial mentor of the dictators. For that reason the student protesters of November 14-17, 1973 shouted slogans against Greek dictatorship and also against the USA and NATO. Students had symbolically blamed the USA government for the deaths during the Polytechnic events. This is why every year the commemoration of Polytechnic events ends with the march to the USA Athens' embassy.

Every year on November 17 at about 4.30.p.m, everybody evacuates the Polytechnic University and the gates of the forecourt are locked. The march towards USA embassy starts from the outside road (Patisision road) located in front of Polytechnic forecourt. The march goes along the main roads of Athens and concludes outside the USA embassy. It takes about one-and-a-half hours for the protester to cover the distance. All political parties support the march and student political organisations left, right and centre. The march is a major political event for Greece. However, often the march has been disrupted by violence provoked by various group of peoples self-proclaimed anarchists and also other young people who all together almost every year managed to mar the day by provoking clashes with the police,



Photo No. 15: Source photo from newspaper *Athesmestos Typos* (November 18, 1998). A typical commemoration day. This is a photo of November 17, 1998.

setting fire to cars, retail stores in the surrounding area, and causing extended damages to the university and other state buildings. Always during the clashes the rioters have claimed the concept of university asylum.

However, in the last twenty years there has only been three times when university asylum was lifted after the decision of the triumvirate or the Senate and the police legally intervened within university grounds. The first time was on November 17, 1985 after the commemoration march at the School of Chemistry in Athens. The second time was on October 24, 1991 as seen above. The third and last time was during the commemoration on November 17, 1995.

### **Review<sup>1</sup> of annual commemorating Polytechnic University revolt (November 17)**

This section will briefly discuss what has happened every year during the commemoration starting with the year of 1974, and ending with the year 2001.

**November 24, 1974:** One year after the events of the Polytechnic University. Democracy was restored on July 1974 and the dictators were imprisoned. The first commemoration meeting took place on November 24, 1974, since the first free elections after the dictatorship (1967-1974) took place on November 17. About 800,000 people gathered in the Polytechnic and the streets around it. The gathering and the march towards the American Embassy were carried out without any violent events and clashes.

**November 17, 1975:** For the first time for the march towards United State Embassy, the members of the Co-ordinating Struggle Committee of the Polytechnic uprising participated. They were holding the original flag (Greek Nation flag) that they had as symbol during the three days uprising (November 14-17, 1973). About 500,000 people participated in the march. Massive police forces were watching the march from some distance, and no clashes were reported.

**November 17, 1976:** 300,000 people participated in the march. For the first time there were violent events and clashes between demonstrators and the police. Four people were arrested during the clashes. At the Polytechnic University entrance, 80 anarchists caused damage to the shops at Panepistimiou road (see map of Athens positions 78 and 99). There were fierce clashes and while the violent incidents were still going on, the chief of the police, Konstantinos Vamvoukas, had a heart attack. Nevertheless, the police protected Polytechnic University and the anarchists did not manage to occupy it.

**November 27, 1977:** That was a pre-election period and the police had prohibited all meetings. The commemorating of the Polytechnic University and the march to the U.S. Embassy finally took place on November 27. More than 300,000 people participated in the march. During the march there were many incidents of violence and clashes with the police. The public prosecutor Konstantinos Sanidas ordered the police to evacuate Patission road, which passes in front of the main entrance of Polytechnic University. The demonstrators reacted and clashed with the police. 32 demonstrators and 4 policemen were injured, and 44 people were arrested. But there was no occupation of the Polytechnic University, because the police managed to cut off the entrance to the Polytechnic University.

**November 17, 1978:** About 420,000 people participated in the march towards the U.S. Embassy. About 1,000 anarchists had another march in Panestimiou road and caused a lot of damage to shops. The clashes of the police with the anarchists were fierce. The police safeguarded the Polytechnic University and the anarchists did not manage to occupy it. The next day (November 18) the anarchists tried to occupy the Polytechnic University. However, the police repelled them but there was much damage in the surrounding streets to shops and vehicles.

**November 17, 1979:** About 250,000 people gathered in the Polytechnic University. The students demonstrated against the Educational Legal Frame 815, which the government of New Democracy had passed. There were extensive clashes between the anarchists and the police. The damage to the shops in Panepistimiou and Patission roads were more serious than any other year. The anarchists broke

hundreds of shops windows in Panepistimiou road with chains and stones. Outside the Polytechnic University (Patisson road) there were clashes between members of O.N.NE.D (which is the political youth of the right-wing party of New Democracy) and anarchists. The members of O.N.NE.D tried to prevent the anarchists from occupying Polytechnic University. Members of the Communists' Youth of Greece (KNE) stepped into those clashes, and finally chased away the anarchists. Seven anarchists were arrested. For the first time the political youth of the students' parties, right and left, united, tried to safeguard the sacredness of the Polytechnic University and the space of the university asylum.

**November 17, 1980:** More than 300,000 demonstrators participated in the march. This was one of the most eventful commemorations of the Polytechnic University. Days before, the police had information that anarchists were getting ready to clash with the police. The government forbade the march to reach the U.S. Embassy. Strong police forces had cut off the access to the streets leading to the U.S. Embassy. The demonstrators tried to break the ring formed by the police. Even more fierce clashes occurred outside the Polytechnic University in Stournara street and Patisson. The anarchists found refuge in the forecourt of the Polytechnic University and from there they attempted attacks with clubs and stones against policemen. The public prosecutor, Kouvelis, as well as the chiefs of police, Patsios and Pilos, were seriously injured during the violent events. Chaos reigned in the streets around the Polytechnic University. You could hear gunshots at a distance of 100 metres from the Polytechnic University. Demonstrators Iakovos Koumis and Matina Kanellopoulou were killed by gunshot. The perpetrators were never found. The uproar reigned throughout the night in the centre of Athens. The anarchists in retaliation destroyed and looted hundreds of shops in the centre of Athens. 25 anarchists and 8 policemen were seriously injured. The leader of opposition of that time, socialist Andreas Papandreou, asked in the parliament for the riot police to be abolished. The underground political and anarchist organisation "Revolutionary Organisation October'80) set on fire the buildings of two commercial super stores "Katrantzos" and "Minion" both located in the central of Athens near Omonia Square (see map of Athens position 8). The disaster was enormous (Newspaper *Eleftherotypia*- Freepress- special inset, Here Polytechnic-Here Internet, November 13, 2001, p. 10).

**November 17, 1981:** The gathering and the march to the U.S. Embassy were peaceful. About 200,000 people participated. For the first time a Prime Minister of Greece (Andreas Papandreu) laid a wreath at the Polytechnic Memorial in the forecourt of the Polytechnic University. The members of the Communists' Youth of Greece (KNE), which in those days was the strongest student political organisation within universities, undertook the safeguarding of the Polytechnic University. The commemoration ended without any violent events and destruction.

**November 17, 1982:** About 200,000 people participated in the commemoration and the march. Four months earlier (July 1982) the law 1268/82 recognising the university asylum had been passed. During the march to the U.S. Embassy there were some minor clashes, which lasted for just a short while.

**November 17, 1983:** For two days (November 17-19) there were fierce clashes between the anarchists and the police. The streets around the Polytechnic University had been turned into a battlefield. The police used tear-gas while the anarchists claimed university asylum, occupied Polytechnic University and used its premises as refuge and base of operations for the attacks against policemen. The anarchists were throwing stones and firebombs. 10 arrests were made but no one was brought to trial.

**November 17, 1984:** About 200,000 people participated in the march towards the U.S. Embassy. About 500 anarchists threw firebombs at the entrance of the Athens University administration offices located in Panepistimiou road. Clashes with the police followed and many shops were ruined. There was no arrest and the anarchists scattered in the streets around.

**November 17, 1985:** This was one of the most eventful commemorations. About 150,000 people participated in the march. The anarchists clashed with the police again. In Solonos street, near the Law School (see map of Athens position 106), a policeman, Anastasios Melistas shot and killed a 15-year-old demonstrator Michalis Kaltezas. The retaliations that followed had no precedent. The anarchists occupied Chemistry School, located in Solonos street just few meters south to the Law School. Another group of anarchists occupied the Polytechnic School, located in a distance of

about 150 metres from the Chemistry School (see map of Athens position 93). The anarchists destroyed whatever they could find in front of them in the universities. The destruction lasted many hours. Anarchists kept gathering at the Chemistry School. Offices, libraries, laboratories were completely ruined. Priceless objects were stolen, such as the bible trimmed in gold from 1700. The police were outside of the Chemistry School in Solonos street. The police could not intervene without special permission provided for by the law on university asylum. The then Rector of the University of Athens, Professor Michalis Stathopoulos, who is today the Cabinet Minister of Justice, called urgently for the triumvirate meeting. The student representative, Yiannos Tsamorgelis, voted for the lifting of asylum. The triumvirate decided unanimously to lift university asylum and provided the police with the special permission to intervene within Chemistry Department. It was the first and last time that the triumvirate decided to lift university asylum. However the next day, Yiannos Tsamorgelis who was a member of the triumvirate as representative of the students was forced to flee abroad after anarchists and other students threatened his life for supporting the lifting of asylum. He fled and the Rector forced him to remain abroad for several months. Tsamorgelis is still paying for his decision to agree to the lifting of university asylum. After he graduated he gained a masters and doctorate at the universities of Oxford and Cambridge, but when he returned to Greece and applied to become a lecturer in Athens University, his application was denied after opposition from Senate because he was one of the triumvirates who in 1985 agreed for the lifting of university asylum. This is the main reason why representative of students have refused to participate in the meeting of the triumvirate. Never from 1985 onwards has a student member of the triumvirate voted for the lifting of asylum.

The university asylum was lifted two more times (on October 24, 1991 and November 17, 1995) but it was a decision of the Senate not the triumvirate. Both times the representative of the students was absent, so that it was impossible for the triumvirate to reach a decision.

**November 17, 1986:** A year after the bloody events of 1985 the Polytechnic University for 4 days (November 14-18) was encircled by the police. 17,000 policemen were protecting the Polytechnic University. About 120,000 people

participated in the march towards the U.S. Embassy. Despite the great number of policemen there were damages to shops around the Polytechnic University and clashes caused by the anarchists. There were no arrests.

**November 17, 1987:** Since October 1987 the students had occupied most of the universities of Athens and Thessaloniki. The students were protesting against the governmental student reform. The commemoration day of the Polytechnic University in November 1987 found the universities in a chaotic state and unprotected. About 100,000 people participated in the march towards the U.S. Embassy. A group of anarchists took advantage of the fact that the universities were under occupation and during the three days (November 14-17, 1987) there were serious clashes between the anarchists and the police. The anarchists claimed the university asylum and used the Polytechnic University as base of their enterprises. The police were waiting for them outside the forecourt. The damages in the surrounding streets from the clashes were extensive. The streets surrounding the Polytechnic University looked like a battlefield. 81 persons, anarchists and policemen, were injured during the violent events.

**November 17, 1988:** The participation of people in the commemorating of the Polytechnic University towards the U.S. Embassy diminishes every year. In 1988 about 85,000 people participated. This happens because the violent events and the occupations each year mar the commemoration. Eventually the Polytechnic University was not occupied. However, again in November of 1988 there were clashes between demonstrators and the police and lootings of shops in the surrounding streets. The police used tear-gas to disperse the anarchists who were destroying shops. 17 people were arrested, but they were released later on.

**November 17, 1989:** 80,000 people participated in the march. In the centre of Athens, Omonia Square, at Patisson and Panepistimiou roads there were fierce clashes between anarchists and the police (see photo No. 16). The anarchists tried to burn down 19 public buildings (banks, ministries and public offices). 12 citizens who had no relation to the violent events were seriously injured. Five policemen were injured and hospitalised. The centre of Athens was like hell. The anarchists fled to





**Photo No. 16:** Source photo from newspaper *Eleftheros Typos* (November 18, 1989). In the centre of Athens, Omonia Square, at Patisision and Panepistimiou roads there were fierce clashes between anarchists and the police.

Polytechnic University and claimed protection of university asylum. The anarchists, however, did not damage any property of the Polytechnic University and in the first hours of November 18, they left on their own.

**November 17, 1990:** One of the most peaceful commemorations. Only 50,000 people participated in the march. The violent events of the previous years as well as the heavy fall of rain deterred the people from going to the march and there were no occupations or clashes.

**November 17, 1991:** As we saw above, on October 24, 1991 in the Polytechnic University there was an enormous amount of damage. The old Rectorate and the Library had been completely destroyed by fire. The Rector of that time Nikos Markatos for political reasons and lest more deaths were to be caused from the intervention of the police was hesitant to ask from the Senate the lifting of the university asylum. The Polytechnic University was on fire throughout the night. When finally the decision was taken to give permission to the police and the fire brigade to intervene, it was too late. It took nine years to restore the damage. After 1985 in 1991 for a second time university asylum was lifted.

Three weeks after, in November 1991, the commemorating of the Polytechnic was held in a heavy atmosphere, due to the events of October 24, 1991. Only 20,000 people participated in the march. The atmosphere was rather charged. An organized group of fascists and neo-nazis right extremists appeared for the first time outside the Polytechnic University in Patission road. The anarchists occupied the Polytechnic University and used it as a base of operations. From there they were throwing firebombs at the police. The fascists neo-nazis cooperated with the police and invaded Polytechnic University premises running after the anarchists. This facilitated the work of the police because the neo-nazis right extremists as being civilians had the right to enter the Polytechnic University without need of a special permission. Within Polytechnic University there were fierce clashes and the anarchists left from the exits at the back of the Polytechnic University, jumping over the railing. There were no arrests. Once again the commemoration of the Polytechnic University was

marred, the university asylum was degraded, and the image of the university tarnished.

**November 17, 1992:** Only 30,000 people participated in the march and no occupation of the Polytechnic University took place. However, anarchists stayed behind and burnt the post office in Dolour Street (see map of Athens position 47), which is 200 metres away from the Polytechnic University. The police pursued them. There were clashes and 2 policemen got injured and 26 anarchists were arrested (see photo No. 17). However, they were released because there was no evidence about their participation in the arson of the post office.

**November 17, 1993:** Only 10,000 people participated in the march. A group of 50 anarchists in the streets outside the Polytechnic University threw firebombs to buses and cars while they tried to occupy the university. But the police stepped in and the anarchists fled.

**November 17, 1994:** 20,000 people participated in the march. Late in the afternoon 50 anarchists occupied Polytechnic University and another group of anarchists occupied the Panteion University, which is located in Syggrou street at a distance of about 7 kilometres from the Polytechnic University. The anarchists after destroying shops around the Polytechnic University negotiated with the then Rector Nikos Markatos. At 8:30 p.m. they departed Polytechnic University after the Rector guaranteed that the police would not arrest them. However the clashes in the Panteion University continued until late into the night. The traffic at Syggrou road was interrupted. For many hours the anarchists stayed in the Panteion University while the police were waiting for them in Syggrou road. Finally, at dawn the anarchists departed from the back gates.

**November 17, 1995:** The events that took place in the Polytechnic University at the night of November 17 were so violent that the institution of the university asylum was shaken to its foundations as professors, students, politicians and the Greek society in general, started to question its value.





Με συμπλοκές  
πρόσφατες ο  
Ασφάλει  
σημιόδεσθηκ  
Χθροση πορεία  
την επετειο  
εξεγερσης  
Πολυτεχνειου  
ελαχιστοι ητα  
Ελληνες πολιτες  
τημησαν πραγια  
τη 17η Νοεμβρι



**Photo No. 17:** Source photo from newspaper *Eleftheros Typos* (November 18, 1992). There were clashes and 2 policemen got injured and 26 anarchists were arrested.

The violent events and the clashes of the anarchists with the police had started from the evening of November 14. Shops, banks and other buildings in the streets surrounding the Polytechnic University were destroyed. The anarchists besides the looting also burnt Greek flags. This caused the people to become furious. On November 16, the Senate of the Polytechnic University met extraordinarily to evaluate the situation. The Rector Nikos Markatos unlike 1991 was fully determined about the whole thing and from the beginning proposed to the Senate in case there was an occupation and vandalism in the Polytechnic University that the police should step in promptly and the university asylum be lifted. The media and whoever reprehended Nikos Markatos for his stance back in 1991, now maintained that the Rector, this time, was fully determined because he was not going to be a candidate as a Rector anymore.

According to the report of Amnesty International about the events of November 17, 1995, at about 4 in the afternoon in addition to the commemoration march two other groups of people were also present inside and near the Polytechnic University: the students of Athens Polytechnic University who had been on strike and occupied the department of Architecture and who were holding meetings in the buildings of the university discussing their demands about fees and improvements to study conditions with their teachers: and another group of demonstrators and anarchists who had decided to take advantage of the commemorative day to express their solidarity with an anarchist who was sentenced for criminal behaviour. The anarchists had also occupied Panteion University located in Syggrou Road and ASOEE University located in Patision Street two hundred metres from Polytechnic University. Noteworthy that at the same days (November 14-17, 1995) anarchists had occupied the Theology Department of the University in Thessaloniki. The damages there were very serious. According to the Rector of Aristotle's University of Thessaloniki of that time Antonis Mantis computers and doors were the main targets of the anarchists. The anarchists left the premises in the late evening of November 17, 1995 under the watchful eye of the police who arrested some 32 anarchists. The damages caused were estimated of 6,000 EURO's (see ANA-Athens News Bulletin, No. 744, November 18, 1995, p.4).

Back to Athens Polytechnic University, in the evening of November 17, 1995, when the march towards US Embassy had started and most people left from the Polytechnic inside and surrounding area violent incidents erupted between demonstrators, anarchists and members of the anti-riot police forces which eventually encircled the whole area (see Report of Amnesty International, October 1996, AI Index EUR 25/06/96).

However, as Sophia Vidali argued, the street conflicts on November 17, 1995 were generally associated with the occupation of the Polytechnic University by the anarchists. Thus, during the last twelve years the police and media have held the anarchists responsible for all of the major street conflicts in the centre of Athens, especially those held during the annual commemoration of the Polytechnic University revolt on November 17, 1973 (Vidali, S, in Ruggiero, V., South, N., and Taylor, I. eds. 1998, p. 342).

According to the Report of Amnesty International at about 4.30 p.m. on November 17, 1995, a group of hooded youths entered the Polytechnic University premises by the side gate of the forecourt located in the Tositsa Street (map of Athens position 96). Police said that more than 200 anarchists had occupied the building shortly after 6.00 p.m. and barricaded themselves in the Architecture Faculty. Some of them later emerged and started hurling firebombs in the Patisson and Stournara streets, located in front corner of the major gate of the forecourt. However, there were almost three times the number the police had thought. Police started to fire tear gas canisters into the buildings from outside the forecourt, to flush out the youths and anarchists, who fought back with stones, pieces of wood, tables from the seminar rooms and offices, firebombs, and whatever they could lay their hands on. However, Rector Nikos Markatos was determined to take action and solve the situation. The Senate of the Polytechnic University had already in each meeting decided to lift the university asylum if the occupation lasted over an hour. Rector Nikos Markatos announced at 7.00 p.m. that he had given to the occupants an hour to evacuate peacefully the buildings and the other university areas. When the deadline expired the Rector extended it an extra hour but warned that after the new deadline went unheeded he would allow the police to enter the premises. Police requested written permission from the Rector that they could move in freely but no such document had reached

their hands by 9.00 p.m. While conflict went on the Senate issued the following resolution late in the night:

The Senate of the Athens Polytechnic University considers that university asylum had been violated. It calls on all people assembled on the Polytechnic University premises to leave within an hour. It states in every direction that it is determined to use every measure to safeguard the premises of the Polytechnic University (ANA-Athens News Agency Bulletin, No. 744, November 18, 1995, p.3).

At around 11.20 p.m. and while negotiations and clashes went on about 200 people peacefully left the Polytechnic University protected by other demonstrators who decided to remain inside. For those who left assurances was given by the Rector Nikos Markatos and the police that if they left voluntarily they would avoid being arrested. The remaining occupants lit fires in the Polytechnic yard, which were put out by three fire engines. It was estimated that when the conflict started there were some 1800 students within the university premises.

However, after some hours of uncertainty as to whether the riot police would enter the university grounds, the Cabinet Minister for Public Order Sifis Valirakis said that he had been advised the application for police intervention by the university authorities was not in order because the decision had been taken before any clashes, occupation, and vandalism occurred. After that, the Senate requested the police to postpone any intervention. For a couple of hours the clashes stopped and negotiations started. The police forces were patrolling around the Polytechnic forecourt and in the surrounding roads. The police had been instructed by their superiors to arrest any youth leaving the Polytechnic premises without holding a student's identity card. Some 30 were arrested: 10 outside the main gate of the forecourt and 20 in the surrounding areas. At about 1.30 a.m. of November 18, 1995 the clashes started again because the anarchists tried to break the police cordon and escape. When they realised that this was impossible they backed off into the buildings and waited there for some hours. Finally, at about 7.30 a.m. November 18, the police who had then obtained permission from the Senate and the Cabinet Public Order Minister entered the Polytechnic University premises and arrested all people present; a total of about 512 anarchists (see photo No. 18). It was the third and last time after 1985 in





**Photo No. 18:** Source file photo from newspaper *Eleftherotypia* (November 13, 2001). Finally, at about 7.30 a.m. November 18, the police who had then obtained permission from the Senate and the Cabinet Public Order Minister entered the Polytechnic University premises and arrested all people present; a total of about 512 anarchists.



Chemistry School and 1991 again in Polytechnic University when university asylum was lifted. The police enterprise was well organized and the arrested people offered no resistance. The police placed them into categories: under-age students, workers, and unemployed etc. Among the arrested anarchists 49% were between 17-19 years old. However, only 16% of them were students of the university. 17% were high school students. The others were unemployed, workers or other professionals. After their transmission to Police Headquarters 472 of the arrested were charged and brought to trial. 16 were anarchists treated in hospital suffering from respiratory problems and 8 with major injuries. Even Rector Nikos Markatos was also admitted to hospital suffering from respiratory problems from the tear gas the riot police fired (see ANA- Athens News Agency Bulletin, No. 744, November 18, 1995, p.3; also Newspaper *Eleftherotypia* -Freepress- November 18, 1995; and Newspaper *Ta Nea* - the News-November 18, 20, 21,1995; Newspaper *Avgi* -Daybreak- November 23,1995),

90 of the people arrested were brought to trial separately in Juvenile Court because they were not adults. A group of 136 was brought to trial on December 1995. The rest were brought to trial in groups of 15. The juveniles were sentenced to education measures and community service. The rest who faced accusation of serious property damage, including damage inside the Polytechnic University, were sentenced to between two and four months imprisonment and only one was acquitted (see Amnesty International, report October 1996, AI Index EUR, 25/06/96, p.p. 15-7).

Greek people overnight were watching live through TV channels all the violent incidents and the police attempts to evacuate Polytechnic University. The debate that started due to this situation still remains a focus for university community and politicians. University asylum was seriously marred and lost its symbolic value. However, from 1995 and afterwards as we will see below no serious incidents took place during the annual commemoration day of the Polytechnic revolt.

This way ended the tragic and violent events on November 17, 1995. Let us now go on the flashback of annual commemorations days of Polytechnic revolt November 14-17, 1973.

**November 17, 1996:** This year for the first time after several years the annual commemoration of the Polytechnic revolt was a real anniversary to honour all those people who had participated in the political opposition towards the junta. During the commemoration of 1996 the co-operation of Polytechnic University authorities with the students and the police was a real success. The Rector Nikos Markatos agreed with the students to establish an organising committee to be responsible during the three days commemoration. Some 300 students and professors and other teaching staff of the Polytechnic University were on duty to protect the Polytechnic inside area. These people were wearing on their left sleeve a special badge to indicate that they were responsible members of the organisational committee. In addition, the members of the Greek Youth Communist (KNE) volunteered to patrol inside and outside the area and to intervene immediately if it was necessary to pull out people who might be suspicious to provoke violence. On the other hand, some 5,000 police officers were on duty and another 10,000 on stand by to prevent a reoccurrence of violence, which has marred anniversary events, humiliate the concept university asylum and degraded university over the past years and especially 1991 and 1995.

The Rector admitted in public that if any violence occurred the university authorities might consider having the next annual commemoration in some other place not in the Polytechnic, because they cannot cope anymore with the violence and the damages that had happened the previous years. To the Rector's statements the anarchists opposed by signing an announcement indicating their future negative and violent attitude if the Rector's suggestion became reality. However, the 23<sup>rd</sup> anniversary of the 1973 students revolt was supremely successful compared to that of 1995.

According to press reports, the police cordoned off all roads surrounding the Polytechnic University and the march route. The march towards U.S. Embassy was attended by a few thousands people (about 8,000). After the march was ended a considerable number of students returned to the Polytechnic University to reinforce the groups still guarding the Polytechnic premises. Within the Polytechnic the Rector Nikos Markatos with the Vice-Rectors George Polyzos and George Tsamasfyros remained while the duration of the march to indicate this way that they were determined to prevent any occupation and violence to occur.

So, in 1996 commemoration everything went well. It was estimated that increased vigilance on the part of authorities and students contributed to the peaceful commemoration (ANA-Athens News Bulletin, No. 1043, November 18, 1996, p.4). In addition, the close co-operation between the Rector and the police resulted in the best guarding of the surrounding area that made it impossible for anarchists to approach the Polytechnic University forecourt. Riot police had even cordoned off the main gate. The press and media argued that the 1995 violent incidents became an example to avoid and that the university authorities, students and the police seemed to have learned their lesson and from then on be more responsible and effective. Cabinet Minister of Public Order George Romeos thanked in public police forces for their efforts at keeping effectively the order and protecting the Polytechnic University premises and the surrounding areas during the commemoration of 1996.

**November 17, 1997:** This year went on in the same peaceful way as the previous year (1996). 12,000 people attended the march towards U.S. Embassy. University authorities, students, and the police in close co-operation had taken the same measures with the previous year (1996). Once more it seemed that this was the solution to occupations and violence committed by the anarchists.

**November 17, 1998:** The Commemoration of November 1998 was one of the most difficult years both for the police as well as for the university authorities of the Polytechnic University. On the commemoration day of the Polytechnic revolt almost all universities happened to be under occupation. On the one hand, the students forcibly protested against the educational reform proposed by that time Cabinet Minister of Education Gerasimos Arsenis. On the other hand, the Senate of the Aristotle's University of Thessaloniki (as we will see below) on September 24, 1998 decided the lifting of the university asylum. It was a controversial decision on the Senate and included the right of the police to enter the campus freely during the night hours (from 11 at night until 7 in the morning of the next day). This decision (as we are going to see below) caused a lot of mobilisations and reactions on the part of the students not only in Thessaloniki but also throughout Greece. The students in most universities occupied them in protest of that. The university asylum at that time (September – December 1998) became the big issue, which concerned not just the university community but also the parties of the Parliament and the Greek society in

general. In such an atmosphere the commemoration day of the Polytechnic revolt and the institution of the university asylum were the focal point of the political headlines.

From October 1998 the police as well as the university authorities had information that during the commemoration and the march to the U.S. Embassy (which takes place on November 17) there would be some serious events in retaliation to the restriction of the university asylum at Thessaloniki and there was information that the anarchists were planning a comeback in order to avenge the arrests that took place in November 1995.

The university authorities of the Polytechnic University since October 1998 had asked for help and co-operation of the police and the Minister of Public Order in order to avoid any violence and occupations. The professors of the Polytechnic met with the chief of the police and reckoned that the commemoration day of 1998 was very critical because tension and suspicion prevailed both in the Polytechnic University as well as in other universities. Moreover, the Senate of the Polytechnic University was especially concerned because the anarchists on November 4, 1998 in an underground newspaper so called *Perasma* published the following announcement:

The settings of lies are being put up again this year (1998) at the commemoration day of the Polytechnic revolt. The state has not yet picked up its pieces since the historical revolt, of those who were at the front gate of the Polytechnic University in the morning of November 17, 1973. November 17, 1995 was the revolt and the outbreak of the social controversies of our times. The revolt of November 17, 1995 was a leading and historical event like the revolt of 1973. The roadblocks of the social war continue to stand tall against the power of the state. Anarchists' revolts lie in ambush in every step of the state. Anarchy continues to be the worst nightmare of the power of the state (see Newspaper *To Vima* – Tribune – November 15, 1998, p. A. 55).

This announcement was signed by various groups of anarchists. The Senate of the Polytechnic University and the police were afraid that serious events and destruction

might break out, similar to those of 1995. The Senate of the Polytechnic University met in an extraordinary meeting on November 6, 1998. After evaluating and discussing all the data it issued the following announcement:

The smooth progress of the commemoration day of the Polytechnic revolt depends utterly and only on factors, which are external to the university. The professors of the Polytechnic University, the students, the employees and the Senate neither have any legal nor any material competence, nor practical capability and emphatically refuse to take any responsibility in regards to:

- The prevention of actions of sabotaging, damaging, violence and control of the people who come into the space of the Polytechnic University.
- The handling and checking of vandalism and damages by whoever such may be perpetrated.

For that reason we call the government to prevent such actions of violence and to organise a plan for the effective prevention of violence, without injuries and violent events, which mar the historical and symbolic commemoration of the Polytechnic revolt of 1973 and degrade the meaning of the university asylum. The Senate of the Polytechnic University believes that the real abolition of the university asylum occurs each time that acts of violence occur, which are manifested rapidly whereas the Senate in order to take a decision for the lifting of the university asylum and allow the police to intervene needs a lot of time and legal procedures. In order to take a decision for the lifting of the university asylum either unanimity from triumvirate is needed or a majority of 2/3 of the Senate, which is a large and slow body (Newspaper *To Vima* – Tribune – November 15, 1998, p. A52-3).

In other words the Senate of the Polytechnic University admitted its inability to maintain order within the university premises and transferred the responsibility for the checking of criminal acts and the keeping order to the government and the police. Finally at a joint meeting, which took place at the police headquarters and where a

representative of the ministry of Public Order, the Senate of the Polytechnic University and the police participated, the following measures were decided:

1. 5,000 policemen to guard for three days (November 14-17) the Polytechnic University (see photo No. 19). Two Public Prosecutors and the Chief Constable to be present.
2. The police surrounded the Exarheia Square, which is located a hundred metres behind the Polytechnic University where groups of anarchists gather.
3. The police surrounded the Polytechnic University, ASOEE, Panteion University, the Law School, the Chemistry Department and the campus in the area of Zografou.
4. The Rector of the Polytechnic University announced that during those three days the doors would be locked at 8 p.m. and the Polytechnic University would be evacuated.
5. A group of 350 professors and students of the Polytechnic University took the responsibility for the organising of the commemoration day and had a special armband on their sleeves in order to stand out in public.
6. The Senate was at a constant meeting from the night of 13 November until the morning November 18, 1998 ready to take a decision for the lifting of the asylum.
7. The triumvirate ought to be at a constant meeting together with the Senate from the night of 13 November until the morning November 18. This way if the triumvirate failed to decide because of the student representative absence then the Senate would immediately decide upon lifting of the university asylum and would give the special permission to the police to intervene.





**Photo No. 19:** Source photo from newspaper *Ependitis* (November 15, 1998). 5,000 policemen guarded for three days (November 14-17) the Polytechnic University.

8. The Senate recognised the failure of the existing law about the university asylum and decided in advance that in case of reasons due to violence and despite its will it was prevented from meeting, this would automatically mean lifting of the university asylum and the police would intervene and enforce the order in the university premises (for the above measures see Newspaper *I Vradini* – Evening – November 9, 1998, p. 21; Newspaper *Exousia* – Power – November 16, 1998, p.22; Newspaper *Ta Nea* – The News – November 16, 1998, p. 17; Newspaper *Kathimerini* – Everyday – November 17, 1998, p.7).

Finally after all that co-operation and preparation and the measures taken, the commemoration day of November 17, 1998 was held in absolute peace and security. 10,000 people participated in the march to the U.S. Embassy. During the march it was necessary for the police to step in and arrest 155 suspects as a precaution. The suspects remained at the police headquarters all night and next morning 149 of them were released. The remaining 6 were brought to trial because they carried crowbars, knives and firebombs.

The next day (November 18, 1998), the press and the media praised the collaboration of the Senate, the students and the police. The commemoration day of the Polytechnic revolt, despite the tense atmosphere, which existed, was carried out safely and orderly. The anarchists were counteracted and isolated. Cabinet Minister of Public Order Filippos Petsalnikos congratulated publicly the police because they acted in an organised way with decisiveness and effectiveness. It was one of the few years that the commemoration day of the Polytechnic revolt marked the real historical symbolism of the revolt of 1973 and upgraded the true meaning of the university asylum (Newspaper *Athesmeftos Typos* – Uncommitted Press- November 18, 1998, p.p. 8-9; Newspaper *Exousia* – Power – November 18, 1998, p.p. 20-2).

**November 17, 1999:** The 26<sup>th</sup> commemoration day of the Polytechnic revolt coincided with the visit of the former president of the United States Bill Clinton in Athens, which eventually was postponed for a few days because the government was afraid there would be serious demonstrations and vandalism by some groups of anarchists and other anti-American groups. The police and the Senate of the



Polytechnic University believed that during the commemorating there would be intense anti-Americanism and there was great danger that there would be clashes and a violent occupation of the Polytechnic University. On the other hand the government agreed with the police and the Senate that left-wing political powers would take advantage of the commemoration day of the Polytechnic revolt and the established march towards the U.S. Embassy. In other words the commemoration day would be transformed into an anti-American demonstration with the Polytechnic University as its focal point. This could have indeterminable results, clashes and damages. The Senate of the Polytechnic University decided to take the same measures with those of the commemoration day of 1998. Activation of its decision taken on November 1998 in regards to an automatic lifting of the university asylum in case that there were occupations and violence. On the other hand, 5,000 policemen undertook to safeguard the Polytechnic University. The universities of ASOEE, Panteion, Law School, Chemistry Department with decisions of their Rectors remained closed for 5 days (November 13-18). So the police focused its guard around the Polytechnic University and at the Exarheia Square, where anarchists tend to gather (Newspaper *Ta Nea* – The News- November 3, 1999, p. 71).

The leader of the opposition Kostas Karamanlis, MP who is the president of the central-right wing party, New Democracy, met at the headquarters of this party with the Rectors of all universities. The meeting took place on November 15, 1999. Kostas Karamanlis stated that university asylum is not provided for the universities to be transformed into areas for the accommodation of criminals and committing crimes. He asked the Rectors and especially the Rector of the Polytechnic University, Themistoklis Xanthopoulos, to support the proposal of the opposition for modification of Law 1268/82 Article 2 about the university asylum. Moreover, the leader of the opposition proposed the automatic lifting of the university asylum without any meeting of the triumvirate or the Senate in case rioters and occupiers invaded the university premises and destroyed university property (Newspaper *Apogevmatini* – The Evening – November 16, 1999, p. 7).

Finally the measures and the collaboration of the police, the Senate, the students and the opposition party brought success. There were no clashes or any occupation of the

Polytechnic University. 10,000 people attended the established march to the U.S. Embassy and it was completely peaceful.

However, note the following incident: Konstantinos Resvanis, who is professor of Physics in Athens University, on the morning of November 17, 1999 tried to go to his laboratory. Two policemen asked him for his professor ID in order to let him pass to his laboratory, which is located in the Chemistry Department, in Solonos street, some distance from Polytechnic University. Professor Konstantinos Resvanis did not carry his ID and the policemen did not let him go to his laboratory. Finally the professor on that same day (November 17, 1999) sent a written complaint to the Public Prosecutor and maintained that the university asylum had been violated because the policemen abused his academic freedom and freedom of scientific research. The Public Prosecutor acted immediately and instructed Chief Constable to handle the matter of the university asylum and academic freedom with care without impeding the operation of the university (Newspaper – *Eleftheros Typos* – Free Press – November 17, 1999, p. 15; and Newspaper *Athinaiki* – Athenian – November 17, 1999, p. 10).

**November 17, 2000:** The 27<sup>th</sup> commemoration day of the Polytechnic revolt was one of the most peaceful. There were neither clashes nor any occupations. 8,000 people participated in the march towards the U.S. Embassy. Organising measures and the co-operation of the police with the Senate and the students after 1996 produce results and there was security and order. The commemoration day of the Polytechnic University had not been marred by any violent acts since 1996. Proper policing, activation of the university community and the small number of participants (only 8,000) had as their result the maintenance of order within the areas of the Polytechnic University.

**November 17, 2001:** This year for the first time the commemoration of Polytechnic University uprising was included in the “Universal Students’ Day”. The decision was made on May 2001, when the representatives of students international met at Prague. Prague remains a symbol of student movement.

On November 17, 1939, the students of Czechoslovakia demonstrated against the German Nazis. The Nazis killed inside student lawns of the university at Prague 9 students and more than 1200 were arrested and sent to military campuses. Fifty years later, November 17, 1989, the Czechoslovakian students rose up against the Communist government and demanded democratisation. By coincident it was November 17, 1973 when the Greek students upraised against the military junta. During the meeting in Prague (May 2001) the Greek Cabinet Minister of Education, Petros Efthimiou and the Secretary General of the Ministry, Dionisios Kladis, who was with Professor Yiannis Panousis drafter of the university asylum law asked the representatives of the European Student Organisation to include the commemoration of Polytechnic University events (November 17, 1973) as part of the celebration of the "Universal Student Day", which is on November 17. The "European Student Organisation" adopted their proposal. The commemoration of Polytechnic events has been recognised as part of the celebration of the Universal Students Day- November 17. The European Student Organisation has also requested United Nations authorities to declare November 17, as the Universal Student Day under the U.N protection. However, such decision has not been yet made by the U.N. Thus, the year 2001 commemoration of November 17, happened to take place with the Pan-European Student Meeting, held in Brussels to discuss the new role of the students towards the new international educational conditions (Athens News Agency, Bulletin November 6, 2001).

Noteworthy, the New Democracy party for the first time in 28 years organised on November 15, a day conference (venue Zappeion) about Polytechnic events. There participated as speaker members of the Struggle Co-ordinating Committee and the leader of opposition Kostas Karamanlis who this time avoided to speak about university asylum or to ask changes and amendments of the existing legal frame. Is this a signal of opinion change by the leader of opposition? It is difficult to say.

The commemoration of Polytechnic events on November 17, 2001, was in general peaceful. More than 7,000 people participated in the march towards the U.S. Embassy. 5,000 policemen had cordoned off for three days (November 15-18) the Polytechnic University and also ASOEE and Panteion University and followed the march to prevent any attempt of the anarchists to occupy the buildings. The

Polytechnic University authorities co-operated successfully with the police and the Student Unions. They expelled out a group of anarchists who tried on November 15 late in the night to occupy the Polytechnic University. Students and members of student political organisations safeguarded 24 hours per day for three days the Polytechnic and managed to prevent occupations and violence within university premises. The triumvirate was at a constant meeting together with the Senate from the night of 15 November until the morning November 18 ready to make decision to lift university asylum if needed. However, the commemoration day of the Polytechnic University was not marred by any violent acts. Once again order was maintained within the areas of the Polytechnic University. It appears that the 1995 tragic experience forced the university community and the police to act more carefully and responsibly towards university asylum (Newspaper *Espresso*, November 17, 2001, p.p.8-10; and Newspaper *Ependitis-Investor*-November 18, 2001, p.18).

#### **8. THE UNIVERSITY ASYLUM CASE AT ARISTOTLE'S UNIVERSITY OF THESSALONIKI. THE EVENTS LED TO PARTIALLY LIFT OF ASYLUM**

The campus of Thessaloniki is the biggest in Greece. It is located in the centre of Thessaloniki city and includes 41 departments of different faculties, 40,000 students, over 2,000 teaching staff, about 2,500 administrative and other employees and also laboratories conference centres and the A.H.E.P.A Hospital. Every day thousands of other people use the roads through the campus site because they connect two major roads in Thessaloniki and the campus also encompasses a major public park.

The open spaces of the campus of Thessaloniki became safe shelter for refugees from Albania but soon after the refugees left, there remained only the criminals and gangs, who took advantage of the university asylum and occupied many places within the campus. From the early months of 1998 the situation within the campus became extremely dangerous and criminal incidents created panic to the people and the students.

For example newspaper *New Macedonia* reported in January 1998 that a 16 year old had been found dead in the campus. "There it was difficult to approach the body.

There were syringes everywhere” (Newspaper *New Macedonia*, January 18, 1998). *The (English) Times Higher* reported from Thessaloniki that there have been several accusations during the first three months of 1998 that the Aristotle’s University of Thessaloniki had become a criminal base for guns and drugs trafficking. The local district attorney investigated those accusations and the media reported that criminal groups were carrying out illegal activities under cover of the right of university asylum. The Rector Michalis Papadopoulos had received details of alleged theft, underground CD sale, pimping, prostitution, drugs and gun trafficking at the university, and also threatening appearance of strangers at the amphitheatres who used aggressive behaviour towards the students to gain money from them. As *The Times Higher* reported the Rector and other professors admitted that criminal activities were jeopardising both the university’s image and the privilege of university asylum (Newspaper *The Times Higher*, May 1, 1998).

In response to these report the Senate meeting in May 1998 discussed the issue and there was a discussion as to whether what should be used so that the police could be free to enter. However, students who opposed any measures to limit the university asylum interrupted this meeting before any decision was taken. Another meeting was held at the Court House with the participation of judges, prosecutors, academics, representatives of the university and the police. The discussion did not lead to any decision to lift university asylum because the law requests the university Senate to decide for the lifting and permission the police to enter the university premises (Newspaper *Eleftheros Typos-Free Press*-September 21, 1998, p. 28).

A few months later, with the beginning of the new semester, (September 1998) the criminal activity on the campus of Thessaloniki had reached extraordinary proportions. According to reports from mass media and the student unions, which the Rector had received, the campus had become home to violent mafia-style gangs, mainly Albanians, who not only were selling drugs and guns but also threatened the lives of academics, students and visitors of the A.H.E.P.A Hospital. Floodlights and student patrols had not been effective and the issue of university asylum became once more a serious media debate (Newspaper, *The Times Higher*, Education Supplement, October 30, 1998).

On September 15, 1998, the Deans of the various Faculties met to discuss the issue of criminality in the campus in relation to the concept of university asylum. At the Deans' meeting, the Dean of the Law School, professor of Criminal Law Nikos Paraskevopoulos, presented a long list of crimes, which had been officially reported by the guards of the university or by the professors and students.

From March 1998 to September 1998, a period of six months, 14 car thefts and robberies of people, mainly women that were walking within the campus, had been officially reported, as well as 6 attacks upon students with knives or with crowbars by groups of either Albanians or other young people, 2 drug related deaths due to overdose, 9 incidents of drug trafficking, 7 sexual assaults on female students by strangers and 3 sexual assault on women working as employees at the university. Also, 13 other crimes of various kinds had been recorded such as illegal entry in a professors' office and lecture rooms, break-ins into labs of the Chemical Department, break-ins and thefts in the Department of Musical Studies and the Meteorology observatory, prostitution, and arson attacks on the buildings (see document of the Administration Office of the Aristotle's University of Thessaloniki about crimes reported by members of the university community, Thessaloniki 1998).

At the Deans' meeting, Professor Nikos Paraskevopoulos maintained that the serious security problem within university grounds needed to be solved through honest and effective enforcement of the law, not with proposals about reforming or changing the university asylum institution, which is a valuable statutory achievement. Professor Paraskevopoulos confirmed that university asylum was established for fortification of academic freedom, free exchange of ideas and free scientific research, and covers all grounds of the universities. He proposed, however, an emergency solution: to separate the spaces where academic freedom is guaranteed 24 hours a day from those generally accessible public areas where it is unnecessary to have permanent asylum. The permanent spaces should include the interior of buildings visited only by students and professors, namely all the professors' offices, libraries, laboratories and the archives, all spaces, which are built and have a roof, spaces where a student or a professor can do scientific research and exchange ideas and knowledge at any time, even late at night or in the early hours, are covered by university asylum law 24

hours per day, On the contrary, he argued that in the open spaces, which can be accessed by all citizens, the exchange of ideas does not take place 24 hours a day but during working hours at which point of time all events in the university, meetings, seminars and conferences that can be attended not only by students and professors but also by citizens, are over.

The interpretation provided by Professor Paraskevopoulos led to the conclusion that the police could patrol during the night hours the open spaces of the campus, namely the streets, the grove, the parking places, the park and the grounds surrounding A.H.E.P.A Hospital. The Deans' meeting accepted the proposal of Professor Paraskevopoulos. Only the Dean of the Polytechnic University of Thessaloniki disagreed with the proposal (see document of the Secretariat of the Senate, document number decision 652/22-9-1998).

However, on September 20, 1998, there was a fight between Albanian criminals inside the campus, which resulted in one dead person and another one seriously injured. The Albanians were members of a gang who had taken refuge for three months (since June 1998) in the construction site of the Philosophy Faculty. For unknown reasons, the Albanians started fighting and their fight ended with the murder of one person and the serious injury of another, while the culprits escaped arrest (Newspaper *I Vradini*- The Evening- September 22, 1998, p.20). At the same time, the Rector gave permission for the police to enter university premises in order to investigate the murder of the Albanian criminal. Besides, Law 1268/82 Article 2 paragraph 7 permits the entrance of the police when it concerns a crime against the life of a person. Moreover, the Rector asked the police to eject any Albanians who were in the building of the Philosophy Faculty, who amounted to more than 30 people (Newspaper *Ta Nea*-The News-September 21, 1998, N.A16245N411).

In view of all the pressure from the mass media during the previous months of 1998 and because of the recent murder within the campus, Rector Michalis Papadopoulos called an extraordinary meeting of the Senate on September 23, 1998, to discuss the problem of criminality within the campus and the application of the university asylum. The Senate in the meeting discussed the decision of the Deans. The students avoided sending representatives. Finally the Senate approved the decision of the

Deans unanimously emphasising that the criminality problem must not mean any change to the institution of the university asylum (see document of the Secretariat of the Senate, document number decision 2597/23-9-1998). That decision of the Senate was immediately notified to the Chief Constable and to the district attorney of Thessaloniki. Since that day, the police have the right to patrol and intervene at the open spaces of the campus of Thessaloniki from 11:00 p.m. until 7:00 a.m. and in case of holidays and weekends 24 hours a day.

The decision was highly controversial in the university community. The student unions and the students' political organisations reacted at once. In an announcement they indicated that the decision of the Senate was null, and a small groups of students occupied the Rector's headquarters as an act of protest. The students maintained that that decision was abuse of university asylum and it was the beginning for the total abolition of the concept of university asylum (Newspapers *Eleftheros Typos*-Free Press-September 25, 1998, p.30; also *I Vradini*-The Evening-September 29, 1998,p.42; *Thessaloniki*, September 24, 1998).

Students and some academics protested because they claimed that study and research goes on 24 hours a day throughout the university grounds so that it is impossible to separate time and place of conducting scientific research. In particular, they were concerned that the backlash against the decision would provoke militant students and/or anarchists to mount violent protests and damaging occupations, which would in turn lead the public, media and finally the university community to ask for the university asylum abolition. The students marched through the centre of Thessaloniki city and the Rector Papadopoulos invited the students for discussions and negotiations about the university asylum issue (Newspaper *Eleftheros Typos*-Free Press-September 29, 1998, p.4).

The Rector had invited all the community of Thessaloniki to express their opinion towards the Senate's decision. Rector Papadopoulos said that this decision was the result of mature and intensive discussion that took place in the Senate throughout the previous year (Periodical *Panepistimioupolis*-Campus, vol. 1, October 1998, p.14).



Despite all that, in addition the Rector asked the students and the professors who disagreed with the decision to prepare their own proposal for the policing of the university's grounds and to discuss it. The presidents of the "Chambers of Commerce" of Thessaloniki, the "Union of Merchants", the "Union of Daily Newspaper Editors" and other associations of Thessaloniki, sent a document to the Rector in support of the decision for partial lifting of the university asylum, as proof that the society of Thessaloniki accepted the decision which aimed, according to what is reported in that document, at handling criminality in the University of Thessaloniki, which directly affected the rest of the citizens (see document number 2137/2-11-1998 Rector's Office file).

Similar supporting documents were sent by the "Council of the Union of the University Administrative Employees" (see document of the Secretariat of the Senate, number 1351/29-9-1998) and the "Council of the Union of Educational Personnel of the University" (see document Secretariat of the Senate, number 441/29-9-1998).

However, the students reacted forcefully. Throughout Greece general meetings of students were convened and in the mid-October 1998 a great number of universities all over Greece were under occupation. The students were demonstrating against the partial lifting of the asylum at the university of Thessaloniki (Newspaper *Apogevmatini*-Afternoon- November 13, 1998, p.12). The Cabinet Minister of Education, Gerasimos Arsenis, asked for a meeting with Rector Papadopoulos on October 2, 1998. The Minister of Education expressed to the Rector his disagreement concerning the decision of the Senate of Thessaloniki University. Here is what the Cabinet Minister of Education said:

We (the government) understand the concern of the Senate, but we also understand how intensely the students believe that the measures taken by the Senate should not have any side effects to the institution of the university asylum. Therefore we agree with the idea of discussing the issue anew at the Senate so that all opinions can be heard (Newspaper *Thessaloniki*-October 3, 1998, p.40/24)

Rector Papadopoulos in response claimed that the decision of the Senate had to be taken, because crime was rampant within campus, which covers over 40,000m<sup>2</sup> including 24 buildings. In a newspaper article Rector stated:

Drugs, fights, assaults, thefts have caused an image that does not befit the university, the free exchange of ideas, the university asylum and academic freedom and we must change that (Newspapers *Macedonia*, October 3, 1998, p.59; and *Thessaloniki*, October 2, 1998, p.45/29)

The Rectors' Synod, met on October 6-8, 1998 to discuss the issue. Rector Papadopoulos insisted that the decision of the Senate was right and necessary (Newspaper *I Vradini*-The Evening- October 5, 1998, p.45).

A few days before the Rectors' Synod (October 1, 1998), the student unions of Thessaloniki called for press conference to inform the mass media of their positions and their refusal to accept the Senate's decision. Student Sotiris Balas from the Forestry Department argued that Rector Papadopoulos was given the decisions from 11 student associations of Thessaloniki who disagreed with the partial lifting of the university asylum and who were going to organise a music concert as a form of protest outside the Rectors' Office (Newspaper *Thessaloniki*, October 1, 1998, p. 44/28). The evening before (September 30, 1998), the representatives of the student associations that were against the Senate's decision met with the representatives of the labour unions of Thessaloniki and asked for their support (Newspaper *Eleftherotypia*-Free Press-October 1, 1998, p.45).

### **8.1.The debate on the decision for partial lift of the University Asylum**

The decision taken by the Senate for partially lift of the university asylum caused serious debate. In this section we are going to present the viewpoints of some academics who played crucial parts during and after the decision taken.

### **8.2.What did the academics that supported the decision stand up for?**

Rector Michalis Papadopoulos justifying the decision of the Senate gave many interviews in newspapers and television channels. In an interview, he said:

When the legislator was granting the inviolability of the asylum to the university, he couldn't imagine that from a place of free exchange of ideas it would be turned into a place for perpetration of crimes. The decision of the Senate is attempting to protect the university asylum from an unprecedented vilification... I would be the last one to ask for the abolition of the asylum. We have to give the asylum its proper meaning. It is an asylum for free exchange of ideas and the omnipotence of academic freedom. Not an asylum for crime that causes xenophobia and feelings of racism to the citizen. University asylum also protects the unimpeded operation of the democratically elected members of the university. It is quite an irony that small groups who supposedly fight for the protection of the asylum, can prevent with unacceptable actions the operation of the Senate, disgracing the place, the people and the institutions (Interview of Rector Michalis Papadopoulos in Periodical *Panepistimioupolis -Campus-*, Vol. 2, January 1999, p.p.14-6. The whole interview is cited in Appendix 11).

In another interview to the newspaper *Thessaloniki* Rector Michalis Papadopoulos argued that times have changed and there was a need to rethink the concept of asylum in the light of new criminological circumstances. The Rector also believed that the situation they are dealing with today is completely different from the situation that existed back in 1970's and 1980's. During these years, new historical features have been developed and the university must work under these new conditions (Interview of Rector Michalis Papadopoulos in newspaper *Thessaloniki*, January 4, 1999, p.59/38).

Furthermore, the Rector stated that he was against any proposal to stockade the zone of the campus. The university cannot remain closed in the centre of the city with strict control of who is coming in and who is going out. We want the university open to the people, he said, and we are trying to safeguard our students (Newspaper *Athesmeftos Typos*-Uncommitted Press-October 2, 1998, p.52).

Nikos Paraskevopoulos, Dean of Law School of Thessaloniki who proposed the lifting of the asylum in his article in the newspaper *Eleftherotypia*-Freepress-September 24,1998, claimed that it is obvious that the university asylum should be

neither abolished nor changed. The asylum on the one hand should safeguard academic freedom and on the other hand it should safeguard the people entering the university grounds. It is a combination that many times was difficult to achieve. No results can ever be achieved either by fencing the area, more lighting or employing a private security company. Each university has its own land planning peculiarities, therefore based on such peculiarities and having as a guide the protection of academic freedom, the Senate of each university must decide about the grounds of the asylum. Correspondingly, in Thessaloniki university it was needed the right of entry of the police after 11.00 p.m. in the open spaces because the gangs that find a refuge there at night will be broken up and crime rate will substantially decline (Newspaper *Eleftherotypia*-Free Press-September 24, 1998).

Approximately a year before the decision of the Senate of the University of Thessaloniki, former Rector of Athens University Michalis Stathopoulos who voted in the triumvirate in 1985 for lifting university asylum in Chemistry Department and who had served as Cabinet Minister of Justice, argued that in cases of extreme violence the essence of university asylum is abused, so that the police ought to intervene immediately without any special invitation or permission (Newspaper *Aggelioforos*- Messenger, November 9, 1997).

Rector of the National and Kapodistrian Athens University, Konstantinos Dimopoulos, and Rector of Athens Polytechnic University Themistoklis Xanthopoulos argued that the patrolling would be done only at night hours and holidays and in preventive way. However, it was not the first time that the police had entered university grounds. The police intervened in the Polytechnic School of Patras in 1995 when a student committed suicide, whereas the University of Crete has assigned its patrolling to a private security company (Newspaper *Ta Nea*-The News-September 25, 1998).

The importance of the decision for partially lifting of the university asylum was underlined also by Rector of Panteion University Elias Sidiropoulos and Rector of the University of the Aegean Sea Themistoklis Lekkas who stressed that the decision for the first time differentiates between an asylum of exchange of ideas and an asylum of perpetrating crimes (Newspaper *Ta Nea*-The News-September 25, 1998).

Konstantinos Simopoulos, who is Rector of Democritus Thrace University, intervened saying that the issue of the university asylum always caused tensions and that the decision taken by the Senate of Thessaloniki University touched for the first time the heart of the problem regarding the university asylum. (Newspaper *Macedonia*, October 2, 1998, p.59). During the meeting of the Rector's Synod he argued that if the same problems had occurred in his campus like the ones on the campus of Thessaloniki, he would have taken the same decision (Newspaper *Thessaloniki*, September 25, 1998).

Furthermore, crucial was the support for the decision from many professors at Thessaloniki University. Panagiotis Xohelis, for example who is Dean of Philosophy Faculty, Theodoros Hatzipanelis, Dean of the Department of Educators and Anestis Philippidis, President of Theology Department at the same university all agreed that the professors many times cancelled their lectures because drug trafficking was taking place outside the seminar buildings and the students were afraid to go to the seminars (Newspaper *Aggelioforos- Messenger-* September 24, 1998; and Newspaper *Aggelioforos tis Kyriakis-Sunday Messenger-* September 27, 1998).

The situation had become especially dangerous for female students and teachers. For example a female professor of the Philosophy Faculty of Thessaloniki University, who did not want her name be published, complained to the newspaper *Ta Nea* that there was a very serious crime problem within campus. There was much sexual harassment, even rapes of young women, which were not reported. In her opinion the only effective way to change the situation was to abolish university asylum and the partial lifting of the university asylum was a step towards that end (Newspaper *Ta Nea-The News-*September 22, 1998, No. A16246N241).

Some academics, however, found the decision for partial lifting of the university asylum an unavoidable measure in order to control a large area like the one of Thessaloniki campus. Rector of Macedonian University of Thessaloniki, and professors of the Law School Michalis Chatziprokopiou and Kostas Stamatis, argued that since the university by itself does not have an effective mechanism for maintaining public order, the police were responsible provided they do not act in an

arbitrary way. What is preferable, Professor Stamatis wondered. To have a policeman appear to you to protect you as you are walking to your office or in the name of the university asylum to have a stranger who under the threat of a gun or a knife would demand your wallet? (Stamatis K., 1998 in Periodical *O Politis*-The Citizen- No. 58, November 1998).

### **8.3. What did the academics that opposed the decision argue?**

As expected, the decision for partially lifting the university asylum caused strong opposition. There were many academics opposed to any such decision for partially lifting of the university asylum. Let us start with Yiannis Panousis who is former Rector of Democritus Thrace University, and drafted the law of university asylum. He argued that the decision of the Senate at Thessaloniki went from one extreme to the other. Meaning from lack of control to full policing the grounds by state force. He stated that:

It is dangerous to give the police a role to play that they do not know anything about. The control carried out by the police can lead to control of social and political beliefs, something that does not fit to the idea of the asylum. Nevertheless, universities cannot become places for the perpetration of crimes. There have been instances of no enforcement of the law. The police have the right to enter in the universities when the asylum is being violated. We should give the asylum the importance it deserves and uplift the idea of the asylum, the Greek university and the Greek society (Newspaper *Ta Nea*-The News-September 25, 1998; and newspaper *Ellada*-Hellas-September 24, 1998).

When Yiannis Panousis was interviewed by author (May 3, 1999; see Appendix 10), he argued that there was a serious legal problem with the Senate's decision:

The concept of asylum cannot be cut into pieces. It is impossible to say that there exists an asylum space in the morning and not during the evening hours. The Senate of the University of Thessaloniki attempted to do something that did not exist within the law 1268/82, Article 2. To say that we can have an asylum on a timetable that is not actually an asylum.

Furthermore, Former Rector of the Polytechnic University, Nikos Markatos who had the experience of 1991, and 1995 when the asylum was lifted after the tragic events and the destructive acts of the anarchists inside the Polytechnic, in his article in the newspaper *Ta Nea*-The News- (October 12, 1998) claimed that the proposal to adopt a “schedule” of operation of the asylum, practically leads to the abolition of the university asylum. According to Nikos Markatos the solution to crime problem inside the universities lies upon the proper enforcement of the existing law, without any changes. As far as the practical view of the matter is concerned, he believed that criminals would enter the campus even if the asylum were abolished. Nikos Markatos questioned whether the entrance of the police would mean less criminality or lead to more damage and destructive actions. According to Markatos, the problem lies upon the limited number of guards responsible for guarding large areas without facilities and proper lighting. The responsibility though also lies with the academic professors who failed to organise the universities in such a way that crime would have no place there (Newspaper *Ta Nea*- The News- December 12, 1998, No. A16263N241).

A moderate view was that of former Rector of Panteion University, Emilios Metaxopoulos who argued that it is unacceptable for non-university related young people to break in the university whenever they like and to cause damage and disrupt the work of the university. He argued that legal provisions relating to university asylum need to be discussed and reformed but was opposed to the decision taken for partial lifting of the university asylum (Newspaper *Thessaloniki*, September 25, 1998).

In the same way Rector of Patras University Stamatis Alachiotis was opposed to the decision by arguing that the presence of the police within the universities’ grounds causes unwanted reactions by the student political parties and police should intervene only when needed (Newspaper *Ta Nea*-The News-September 25, 1998)

Among the few academics of Thessaloniki University who opposed the decision was Dimitrios Nikitas, Dean of Literature Department. According to him the Senate overreacted. He argued that the professors and the students together should collaborate in order to find the best solution towards crime problems (Nikitas D., in Periodical *Panepistimioupolis-Campus*-Vol.2, January 1999, p.19).

#### **8.4. The reaction from the employees of the University**

The employees working at the University of Thessaloniki with compliments and relief accepted the Senate's decision. For example Nikos Manoussaridis, who is president of the "Union of Administrative Employees" of Thessaloniki University, said that the decision to lift the asylum during night hours, would mean that the groups of illegal immigrants and Albanians will break up and the members of the University's community will work without danger (Newspaper *Aggelioforos tis Kyriakis*-Sunday Messenger-September 27, 1998).

Furthermore, Konstantinos Theodossiadis, director of the Student Club and Kostas Tsirivilidis, who is president of the union of employees working in the Students' Club, argued that the life of the employees and students was in danger. The gangs as soon as they find a chance, they break into the club with knives, wooden sticks and stones, threatened employees, kicked them and robbed them at knife point throw out the students and they steal food and anything else they can find. The best solution was the decision taken (Newspaper *Ethnos tis Kyriakis*- Sunday Nation- September 27, 1998; Newspaper *Acropolis*, September 22, 1998).

#### **8.5. The reaction of the politicians?**

Politicians also took a stand on the concept of university asylum, as it emerged from the Senate's decision of the University of Thessaloniki,

The leader of political opposition Kostas Karamanlis, whose central-right party "New Democracy" is the second largest political party in Greece (43% on the general elections held on April 9, 2000) when he visited Aristotle's University of Thessaloniki (October 1998), stated that:

I congratulate the Senate for the decision it took so that the university asylum can actually be protected. The decision is exceptionally important and there is quite a strong symbolism in it. At some point we must open our eyes and face reality. The university's asylum exists to protect academic freedom and the free exchange of ideas, not to be an excuse or nurturer of



criminal activities and criminal people. A free and open society and its institutions like the university are protected only when there is strict abiding to law and order (Newspaper *Thessaloniki*, October 29, 1998, p. 45/29).

Anna Benaki MP had been Minister of Justice during the three years (1990-1993) when New Democracy party was in government. She is still professor in the Law School of Athens University. While visiting Democritus Thrace University in Komotini to participate as speaker in one-day conference (November 15, 1998) I asked her to tell me her opinion about the decision taken by the Senate of Aristotle's University of Thessaloniki. She replied:

It was a decision, which was fitting to Thessaloniki situation and I agree with it. Obviously, there must have been some special conditions prevailing in that particular university, which required the taking of some restrictive measures. University asylum is an achievement. Therefore it should serve these purposes and should not become an argument or a cover for obstructing freedoms and restricting any freedom in teaching and research. There are not magical formulas. It is a matter of the concern of each university each time and each academic community to both define the spaces of asylum as well as the conditions in which this will apply.

In contrast, Nikos Konstantopoulos, who is the leader of the Euro-communists and his party so called "Coalition of the Left Wing and Progress", is a minor but important political power (4% of the votes in the general election held on April 9, 2000), which is represented in the Greek Parliament was opposed to the decision for partial lifting of the university asylum. When Nikos Konstantopoulos visited Thessaloniki he stated the following in response to a question from a journalist:

We believe that the university asylum is a concept we have to face with material discussion. Discussion is needed on a political and social level to actually strengthen the university asylum. There must exist guarantees so that to prevent the unwilling attitude of abusing the university asylum at the first opportunity (Macedonia News Agency Bulletin, September 24, 1998).

We have already seen above, that former Cabinet Minister of Education Gerasimos Arsenis, of the central-left-socialistic party PASOK, which is currently in power (2002), disagreed with the Senate's decision of the University of Thessaloniki and asked Rector Michalis Papadopoulos to review the decision and the Senate to meet again and start an open discussion about the university asylum. But, the Minister in his interview (November 15, 1998) in NET, which is National TV Channel of Greece after a reporter's question made clear that there was no government, plans to reform the existing legal framework about university asylum. He also added that the Senate's decision of the University of Thessaloniki will not overall affect the university asylum institution and that its a decision that concerns only the campus of Thessaloniki and has only local importance (see video-file *NET TV*- November 15, 1998).

#### **8.6. What did the representatives of the police and justice argue?**

The Chief Police Constable of Thessaloniki Kostas Oikonomou was pleased with the decision taken by the Senate. The police have more opportunities for better policing and the feeling of security would be increased (Newspaper *Aggelioforos*-Messenger-September 24, 1998).

Public Prosecutor Charalabos Vourliotis examined the legality of Senate's decision and found that it was 100% according to the legal provisions and he himself was determined to co-operate with the Chief of Police and the Rector in order that the policing during the night hours would be effective (Newspaper *Eleftherotypia*-Free Press-September 25, 1998)

Thus, the President of Athens Law Bar Antonios Roupakiotis, while attending the day conference with Anna Benaki in the Law School of Democritus Thrace University in Komotini (November 15, 1998) was asked by a reporter of ERA (that is the National Greek Radio Station) to express his opinion about the Senate's decision at Thessaloniki. He said:

We the people of law and justice are obliged to point out the historicity of the university asylum, the social function of the asylum and the possibilities it offers. However, let us not hide behind sophisms. Whoever

stands up for the historicity symbolism and the functionality of the asylum is obliged to stand up for the function of the asylum. Securing the function of the asylum means from wherever such risks might come from. Whether from the outside or from the inside of the universities. The decision of the Senate safeguards the practical use of the university asylum.

### **8.7. How did the students of Thessaloniki University react?**

Nevertheless, the students did not have the same positive reaction towards the Senate's decision (September 24, 1998). From the first day a group of students who were members of E.A.A.K (United Independent Left Movement) occupied the office of Rector Papadopoulos, asking to get the decision recalled and also demanded the Rector to resign. Another student political party, P.K.S (Pan-Studential Co-operation Movement), which belongs to K.K.E (Communist Greek Party), sent an announcement to the media which demanded "hands off the asylum", while all the other student political organisations called extraordinary general meetings. With a joint announcement, eleven student unions from various departments of the university condemned the decision, described it as an illegal lifting of university asylum, saying that it was one step before the final abolition of the institution, and asked that the decision of the Senate be repealed (Newspaper, *Eleftherotypia*-Free Press – September 25, 1998).

In their announcement, the student associations of eleven university departments stated the following:

The Senate of Aristotle's University of Thessaloniki with its decision, wrote one of the darkest pages in the history of the university community. Whatever the reasons are (criminality within campus), the responsibility for lifting asylum is great. Only the junta (1967-1974) had done the same thing. One can take material and effective measures to check criminality without abusing the right of university asylum, which is a right of the students and the people in general (*Macedonia, Press Agency Bulletin*-September 28, 1998).

The representative of the Association of Independent Students, Theodoros Vapelas, said that his association was against the lifting of asylum in any shape or form, and the representative of P.K.S (Pan-Studential Co-operation Movement) a left-wing, again said that his party considered criminality a broader phenomenon of Greek society, not related to the concept university asylum.

The representative of the central-right student organisation DAP-NDFK, Nikos Liakopoulos, which belongs to the party of New Democracy, also disagreed with the decision, whereas the leader of opposition party New Democracy, Kostas Karamanlis, agreed with the decision and congratulated the Senate for it. Nikos Liakopoulos said that the Senate's decision was hasty and made under the pressure of recent crimes. He doubted that the measures would have any positive result.

Yiannis Raptis, the representative of P.A.S.P, the student political organisation of the socialists political party P.A.S.O.K now in power, pointed out that it was very unfortunate and controversial to have policemen with uniforms entering university premises, even during the night.

Yiannis Kavouridis, representative of E.A.A.K (which is a student organisation of the far left), said that his organisation was totally opposed to the abuse and abolition of university asylum (for all the above see Newspaper *Aggelioforos*-Messenger-September 24 and 25, 1998).

Nikos Vlassis, representative of the New Horizons which is a rightwing student political organisation, agreed that the campus needed to be policed during holidays and weekends, but he could not make up his mind on whether this should also happen every night (Newspaper *Ta Nea*-The News-September 25, 1998).

Antonis Saoulidis, who was a member of P.A.S.P and member of the Board of Directors of the Law School Student Union, said that the Senate's decision did not abolish university asylum but, on the contrary, safeguarded it. According to his opinion, however, 1268/82 Act offered solutions and the Senate didn't have to make a special decision. Better practical enforcement and interpretation of the university

asylum law would suffice (Newspaper *Aggelioforos*- Messenger-September 26, 1998).

The students who were not members of any student political organisations had different viewpoint than the representatives of the student parties. Most politically uncommitted students agreed with the Senate's decision to have the university policed during the night, holidays and weekends.

A student of the Philosophy Department, Stamatis Deves, expressed his reservations regarding the Senate's decision and said that the limits of the powers of the police will have to be specified. Labros Alamanos, student in Agronomy Department said that the guarding of the campus must be undertaken by a private security company and not by the police. (Newspaper *Aggelioforos*-Messenger-September 24, 1998; and Newspaper *Ethnos tis Kyriakis*-Sunday Nation-September 27, 1998).

Maria Savopoulou, student of the Medicine School, said that she always left the university at night together with friends, because there are many drug-addicts around there who rob the students (Newspaper *Ethnos tis Kyriakis*-Sunday Nation-September 27, 1998). The majority of the students found the decision as the best security measure towards crime problem. For example Efthimia Argyriadou and George Koumadakis, both students of Law School, argued that no student could walk around the campus at night. They disagreed with the negative reaction adopted by the student political organisations that opposed the Senate's decision because, as they said, it was a necessary measure to have university asylum lifted during night hours (Newspaper *Aggelioforos tis Kyriakis*-Sunday Messenger-September 27, 1998).

In addition Anastasia Alexopoulou, student of Theology, and Katerina Vlacha student of the Philosophy and Educators Department argued that the Senate's decision was right because at night times the campus was turned into an asylum for criminals. Moreover, they proposed that the measure be extended also during daytime (Newspaper *Macedonia* – September 25, 1998).

Finally, despite all the demonstrations from student unions and student political organisations, the measure for partial lifting of university asylum during night hours and holidays, was decided.

### **8.8. The results of the decision to partially lift of University Asylum**

However, were the results of the decision concerning the lifting of university asylum during night hours, holidays and weekends, positive or negative? Was the Aristotle's University of Thessaloniki Senate vindicated concerning the controversial decision taken on September 23, 1998?

The police seemed to take advantage of the permission given to them and were actively involved in patrolling the university campus. As a result the presence of gangs and drug users declined at the beginning and the campus safety seemed to increase day after day. The police managed to limit drug trafficking, confront fringe groups, Albanian illegal immigrants, and eradicate organised crime, which was conducting its illegal activities within campus.

On March 23, 1999, the police in a well-planned enterprise entered the campus and managed to arrest 30 aliens (primarily Albanians), and illegal traders who were selling stolen and counterfeit CDs. The operation of the police took place after a report by Professor Nikos Margaris who was attacked and injured by members of a gang when he tried to take pictures of the illegal trading with his amateur camera. It is noteworthy that the police enterprise took place at 4:00 p.m. It was not in accordance with the Senate's decision, which permitted entry only after 11:00 p.m. Besides, all this illegal trading activity at the campus of Thessaloniki was taking place during morning and evening hours when there were many people around. The left wing student parties demonstrated once more and spoke about abolition of university asylum. George Bakogiorgos, member of K.K.E (Communist Greek Party) said that the target of the police operation was not to eliminate financial crime but it aimed at completely abolishing university asylum (Newspaper *Aggelioforos-Messenger*- March 24, 1999, p.9).

During the operation of the police, two local District Prosecutors were present who claimed that the police correctly intervened within the campus without informing the

Senate because illegal sale of CDs when it is committed continuously is a flagrant crime and therefore based on Law 1268/82 Article 2 paragraph 7 the police have the right to intervene without the Senate's special permission (Newspaper *Macedonia*, March 24, 1999, p.15). Moreover, the police operation proved that finally the Senate's decision was not the crucial factor. It was the effective intervention by the police that led to success and the Rector Michalis Papadopoulos congratulated publicly the police (Newspaper *Eleftheros Typos*-Free Press- March 26, 1999, p.47).

The police carried out a similar operation a few days after, on April 9, 1999. The police arrested 12 more Russian aliens and members of gangs who were selling illegal CDs. The police confiscated 16,700 illegal CDs in total, sales of which, the police claimed, were being used to support other organized criminal activities such as armed dealing (Newspaper *Eleftheros*-Free- April 9, 1999, p.16).

But despite the successful operations by the police and the existence of the decision for free entrance during night hours, the gangs were not eliminated. On the contrary, they tried to create an atmosphere of terror and fear, when the Senate and the police decided to tighten their patrols during the summer months of 1999. Specifically, on August 31, 1999, strangers threw a firebombs at a university owned bus. The bus was completely destroyed and the damages were more than 10,000 EURO's. The Senate talked about a blow by drug dealers aiming at intimidation of the people because the safety measures had become stricter while the press spoke about a new era of criminality within Thessaloniki campus that would start with the new academic year (Newspaper *I Vradini*-The Evening-September 1, 1999, p. 14).

Indeed, the situation within Thessaloniki's campus a year after the Senate's decision (September 1999) to partially lift university asylum was similar to what it had been before the decision was taken. Crime had re-occupied campus. The gangs came back, as did the drug traffickers, the acts of violence, the thefts and the presence of gangs of illegal immigrants. The students and academics that had doubted the effectiveness of the measures that the Senate took on September of 1998 were eventually vindicated. In May 2000, the newspaper *Ethnos* reported characteristically: "At the campus of Thessaloniki when the night falls, all shadows are suspicious. Students and professors are unprotected" (Newspaper *Ethnos*-Nation-May 24, 2000, p. 16).

In September 2000 two serious crimes upset the campus of Thessaloniki. It was September 19, 2000, when a homeless woman named Kyriakoula Berli, was found dead in the toilets of the Philosophy Department and the next day (September 20, 2000) one university employee, Mrs. Aggeliki Palassi, was attacked and injured by a knife holding drug user (Newspaper *Thessaloniki*, September 20, 2000, p.13).

The university community of Thessaloniki was upset once more trying to find out the best possible solution to protect university premises and personnel involved. It should be mentioned that since September 2000, two years after the Senate's decision for lifting of university asylum, the Union of Independent Students, which had disagreed at the beginning with the decision, but after more crimes occurred, reviewed its attitude towards the decision taken by the Senate and with a new announcement asked for more policing of the area and claimed that the concept of asylum cannot be identified with criminality (Newspaper *Apogevmatini*-Afternoon-September 22, 2000, p.18).

Finally, a rape of a student caused more terror and panic within the campus of Thessaloniki. It was on September 9, 2001 when a 23 year old, female student reported to the police that she had been raped outside the university's gym. The offender was young and was wearing a hood and black glasses. After he raped the student whose name was not made public, he robbed her and vanished within the campus and was never arrested (Newspaper *Apogevmatini*- Afternoon- September 11, 2001, p. 13).

## 9. CONCLUSION

In this long chapter it has been shown through press and media records the impact of the university asylum, which is not only criminological but also political. The university asylum has raised a lot of controversies.

During occupation of universities many times students-occupiers have lost control. Lawlessness and anarchy has reigned throughout university premises. Shocking



pictures have been broadcast live through TV Channels when Polytechnic University had been occupied. The university asylum issue is the focal point of the political headlines each year during the commemoration day of the Polytechnic revolt. We should remember: 1976, the clashes and destruction when the march to the U.S. Embassy was prohibited; 1980, two dead and many injured; 1985, one dead at the Chemistry Department, the great destruction resulting to the lifting of the university asylum for the first time; 1995, the anarchists gave a clear political meaning on their vandalism. Some 500 anarchists arrested and the university asylum lifted.

Universities proved unable to safeguard their grounds by their own methods. On the other hand criminals and gangs abuse university asylum and transform the campuses of big cities, into places for crime commitment.

In the second part of this chapter we also discussed a different aspect of the problem arising from university asylum. In the Thessaloniki University campus, the abuse of the right of university asylum comes from outsiders, primarily from immigrants and local drug users and organised criminal gangs.

In Thessaloniki the Senate defined the place and time of applying the university asylum law. University asylum was partially lifted and operated under schedule. Under the pressure of the events and the mass media, they decided hasty and controversial measures, which on the one hand had temporary results and on the other hand the institution of the university asylum has become devalued.

From the students' perspective, there is no single student union or student political organisation, which has officially accepted the Senate's decision as correct. However, they are in a difficult position since the antithesis between student political organisations and the majority of politically uncommitted students, led to indecisiveness weakness of the politically organised groups.

Despite all this, four years after, the situation remains almost the same. The university community and the citizens of Thessaloniki feel fear of crime since there are killings and other serious criminal activities inside the campus.

## NOTES

---

<sup>1</sup> The sources of the review are drawn from newspaper *I Vradini-The Evening*-November 17,1999, p.p.38-9; newspaper *I Vradini tis Kyriakis-The Sunday Evening* -November 18,2000, p.p.76-7; newspaper *Typos tis kyriakis-Sunday Press*-November 15,1998, p.p.74-5.

# CHAPTER 5

## THE STUDENTS' PERSPECTIVE ON CRIME AND ASYLUM

### 1. INTRODUCTION

In this Chapter we are going to discuss the findings of the survey of the students of five different Greek universities. The questionnaire research was chosen as the best way to check students' attitude towards crime in connection with the university asylum law.

At the start of the chapter the research questions are presented. Then we examine the research design and sampling strategy. We will justify the aims of the questions we decided to include in the questionnaire, the group to whom we had chosen to administer it, the pilot work that was undertaken, the sampling strategy used for gathering data, and the types of questions we designed. The chapter concludes with the detailed presentation of the data analysis.

In the final section follows the key findings of the questionnaire and an analysis as to how the findings relate to the research questions.

### 2. THE RESEARCH QUESTIONS

The object of the survey was to explore the extent to which asylum law (1268/82) is a major factor in promoting students and other outsiders to behave in a criminal manner therein. The crucial question this study attempts to answer is whether the university asylum law (1268/82) is linked to high crime rates. In particular we need to confirm whether, from the students experience the crime problem within universities is greater compared with their experience of crime outside the university. We noted, in previous chapters, that students seemed to be divided on whether the crime problem and fear of crime within universities is greater if compared with crime rates outside the university campuses. Most of the socialist and left wing student political organisations believe that criminality within universities is actually lower than outside universities. In addition, they argued that university asylum law was

only marginally linked to the crime problem within universities. According to them university asylum law is one of the most successful educational and legal institutions. On the other hand, there exists a strong opposition arguing that crime rates within universities are high because of the protection provided for criminals by the university asylum law and that if the university asylum law were abolished and police allowed to police and investigate fully crime rates would rapidly decline.

As we have already seen, the absence of state policing on university property has led many to argue that this leads to a state of lawlessness and gives a licence for criminality to flourish. However, there is very little data to establish the truth of these claims. Certainly, there have been spectacular events of criminality but what is less clear is how the absence of policing affects the day-to-day behaviour of students and staff on the campuses of Greek universities. For instance does the absence of policing lead to greater criminality on the campuses? Are the students more likely to become victims of crime inside or outside the campuses? Do students behave in more anti-social way inside the university non-policing areas? Do students frequently come across various crimes committed inside the universities? Do students come across common criminals who use the university campuses as their free zone to commit crimes against the students? What is the effect of the university asylum law in regard to crime prevention? What is the attitude of the students towards asylum in connection to crime? Who are the troublemakers that disturb university function? Are they students or outsiders who abuse the university asylum and commit crimes? How do university authorities and police behave towards crime and disorder on the university property? Thus many press accounts concluded all these past years that there is a serious situation around university asylum law and action has to be taken by the government, the academics and the students. What sort of action though? This is another question that the questionnaire research aims to answer. All these are issues that the questionnaire survey seeks to explain from the students' perspective.

A key question however is whether the university asylum law has actually lessened academic freedom by allowing criminals to offend within university campuses and to remain unpunished.

In addition, another aim of the questionnaire was to reveal whether the students are sufficiently informed about the university asylum legal provisions or is there some misunderstanding in their knowledge of the real purpose of the university asylum law. Another aim here is to probe whether students believe university asylum law is the key factor that influences the criminality that occurs within university campuses. The main questionnaire focus was to examine the above arguments, and to discover whether the students believe that the university asylum law (1268/82) should be abolished or the existing legal provisions need any amendments.

### **3. QUESTIONNAIRE DESIGN**

At the start of this chapter the research questions were presented that needed to be tested by the questionnaire. A well-designed questionnaire has to be designed to fit the study's aims and the nature of the respondents. Moreover, we cannot argue that our questionnaire is the perfect one. A debate still remains over the questionnaires as research method. Making sense of quantitative data is never straightforward. It is really difficult to reach the ideal level in terms of sampling strategy, questionnaire design, and the reliability of the questions. On the other hand, whereas questionnaires have disadvantages and limitations they still remain one of the most suitable and effective methods for gathering data and measuring ideas and attitudes.

Our questionnaire aimed to examine contemporary attitudes of the students towards crime and the concept of university asylum. The purpose of the questionnaire was to measure some characteristics or opinions of its respondents. The questions were chosen to explore the experiences, opinions and the attitude of the students towards crime inside and outside universities in respect of the university asylum law and if there is any link between crime and university asylum. Our aim was also to gather information from a number of university students to learn about their attitude towards various issues such as reforms that might be needed to the university asylum law to prevent crime, police effectiveness in policing campuses, and the university authorities ability to take measures for policing university properties.

To answer these questions a long-scale questionnaire was designed and delivered to the students of different universities, different faculties and different years of study.

The questionnaire (English and Greek version obtainable in Appendix 3) consisted of 78 questions and although administering such a long-scale questionnaire was time consuming it was decided that this was necessary in order to cover the range of information needed. The author carried out the research himself and with the invaluable assistance of some friends. The university asylum issue is for the Greek society and especially for the Greek university community important. For that reason the questionnaire was a long one including many questions. They included opinion and attitude questions, multiple choices questions, and follow up questions and of course the last section included some background information questions about the respondents. Noteworthy, that one of the major problems was translation. The questionnaire was designed in English and then translated into Greek. However, regardless how good a translation is it is impossible in some case to render the exact meaning. For instance in English a crime witness has to be an eyewitness, who has observed the crime with his own eyes. In Greek, however, a witness may be somebody who had seen a crime being committed, or who had heard with his own ears that a crime had been committed but without actually observing the crime, or somebody who had certain and reliable information that a crime had been committed.

The questionnaire (see Appendix 3) was a complex one, divided into six separate Sections, as follows:

- Section A: Explored the personal experience of the students of criminal victimisation. Questions related to whether the students had been victims of crime inside or outside university premises, what kind of criminal behaviour they had been victims of, the offenders' sex and identity. For example in question A3 the students had the opportunity to choose among a long crime list which crimes and how many times they had been victims, and if they had been victimised inside or outside university premises. These kinds of question we believe are important because they give us a clear view to compare whether criminality is greater inside or outside university campuses. In addition open questions explored students' attitudes towards police effectiveness and university authorities abilities to protect the student victims of crime.
- Section B: Explored students' experiences as witnesses of criminal victimisation. Questions related to whether the students had been eyewitness

of a crime or if they had heard from certain sources such as fellow students that a crime had been committed within the university. Again, a long list of crimes was provided for the students to choose from, as in question A3 of Section A. Thus, questions related to the specification of the crimes reported, sex and identification of offenders and students confidence in police capability. For instance question B5 asked the students to indicate if the offender of the crime witnessed was: Student, or Academic staff, or Employee of the university except academics, or another outsider. Question B6a asked the students to explain why (if applicable) they had not reported the crime witnessed to the police. We think that the analysis of the self and witnessed victimisation is appropriate for comparing crime rates within and outside universities.

- Section C: Explored students' knowledge on university asylum law in general and in particular. One aim in Section C was to find out what were the sources of students' knowledge about the university asylum law and whether the students had sufficient knowledge about university asylum in order not to result in any misunderstanding or abuse of university asylum. That is why we asked the students in question C to indicate the specific source of information they use to learn about university asylum. Question C was the first and the only one in the section where students were asked to choose among nine options: "Fellow students", "University staff", "Student political parties", "Political parties", "Law Books", "Other relevant books", "Press and mass media", "Other source", "I have no knowledge about university asylum". All other questions (C1-C26) provided for the students only three options. Indeed, the students were asked to answer 25 quantitative interview multiple-choice and attitude questions on a scale of 1 to 3 (representing "Correct"; "Undecided"; and "Not Correct" respectively). It is important to note that maybe it would have been preferable to have just two options "Correct" or "Not Correct". However, we thought that this might press students who were not 100% certain for an answer to choose the wrong option. That is why we decided to give them a third opportunity to declare "Undecided". However, we believe that it would have been much more convenient for the students and for the analysis of the data to have had the option "Don't know" instead.



- Section D: Explored students' attitude towards university asylum law and propositions for reformation. Here the students were asked through 20 questions to show whether they agreed or disagreed with some statements about university asylum. The students in this section had the opportunity to choose to tick one answer among five possible answers on scale 1 to 5 (with 1 representing Strongly Agree and 5 representing Strongly Disagree). We created the scale (Strongly Agree, Agree, Undecided, Disagree, Strongly Disagree) because we aimed to elicit through it if the students believed that university asylum law was linked to high crime rates within universities. For instance question-statements D1: "The university asylum promotes the anti-social behaviour of the students", and D2: "The university asylum is a factor that leads to more criminality inside the universities" are two of the most crucial for the research. Our aim was to reveal whether there is a connection between university asylum law and criminal behaviour within universities. In addition, we tried to explore whether the students were reluctant or not to propose any reformation of the existing legal provisions. That is why we included attitude questions to draw implications. For instance, question D17: "The police need to patrol and police university premises during the late night hours when no teaching taking place", or D8: "Rather than state police, private police employed by the university should control university areas" are both questions from which we can assess whether the students are likely to accept reforms about the way of policing campuses.
- Section E: Personal view points about the concept of university asylum. The five questions were open questions, giving particular attention to the students' point of view about the concept of university asylum. Questions related to the students' personal opinion about crime rates within universities, and the real purpose and practical use of university asylum. In question E1 students were asked how they felt the crime problem inside universities compared to crime problem outside university was: "Much less", or "Less", or "Approximately the same" or "More" or "Much more". It was a crucial question to measure students' feeling towards criminality inside and outside university properties. Thus, the students in this section had the opportunity briefly to write down their overall personal proposals for reformation.

- Section F: Classification and background. Questions related to students' sex, age, year of study, place of residence, time they spend within the university campus, their department and faculty.

The questionnaire included questions aiming to discover opinions about criminality inside and outside universities and to explore if there was any link between crime and university asylum law. Some questions aimed to elicit the opinion of the student body in general rather than the opinions of the politically active and motivated members of the student political organisations. This is the reason members of student political organisations were not specifically sampled, since such students already have a party political position, which may or may not be representative of general student opinion. The same goes for the students of the Athens Polytechnic University who also were not sampled, because we thought that their answers might not be objective enough since to the students of the Polytechnic University the impact of the history of the Polytechnic revolt is greater and they might not be representative of the general student body. The questionnaire was strictly anonymous and the researcher promised confidentiality.

#### **4. SAMPLING STRATEGY**

At first we thought that a long questionnaire, which included 78 questions, would be difficult for the respondents to answer. On the other hand, with a long questionnaire it was possible to gather more useful data. We knew that we had to be very patient and well organised while sending out the whole number of the questionnaires. In the first place some 30 questionnaires were sent out as a pilot sample to check if the questionnaire was understandable or needed some improvement. We visited the students' dining house located in the major campus of the Democritus Thrace University at Komotini city. During the course of the weekdays in the dining room hundreds of students from different departments meet. Among the students who were in the dining house on one particular day we chose 30 students and asked them to fill in the questionnaires. While waiting for the students to complete the questionnaires we discovered that the students needed about 18-20 minutes to fully answer the questionnaire. In addition, we found out that we needed to explain more to the respondents how to answer questions A3 and B2. Because it was difficult for the respondents to understand clearly what we had asked them to do we added to the

final version of the questionnaires at A3 and B2 a simple example to guide them. Then, after some improvements had been made we sent out a second pilot sample of 20 questionnaires again to students we found in the dining room and it was clear that the changes had led to much greater clarity.

We were worried how to deal with the problem of non-response. Because it was impossible to post via the Greek mail service the questionnaires due to financial and practical reasons we decided to send out the questionnaires in a more personal way. We organised a team of people we knew, either friends who were students themselves or employees as administrative staff of the universities. The team was fully briefed at a training session, which gave them clear instructions about how to administer the questionnaires.

As mentioned above, to gather data we targeted students of Athens University, Thessaloniki, Patras and Thrace. It was believed that gathering data from the above universities would provide a representative and objective sample. We followed different methods for each university.

- At Democritus Thrace University we divided the faculties into two categories. First category was the students who were studying in Law School, which is the biggest School of the University. Second category was the students of the remaining faculties such as Philosophy School, History and Ethnology, Social Administration, Education, Gymnastics Academy, etc. To the second category students our team sent out the questionnaires by visiting the students' houses and halls located in the main campus. Our team went to student rooms and asked the students to answer the questionnaires. This means that our team gave them the questionnaires and after some days by appointment returned to collect them. This method was quite successful because on one hand the students had plenty of time in their home to complete the questionnaire, they did not throw them away and on the other hand we managed to collect back 96 out of 200 questionnaires, 48% response rate. To the first category students of Democritus Law School the author personally sent out the questionnaires. He was first granted special permission from the Dean of the School, and then he made arrangements with

the teaching staff so that during the exams in the amphitheatre he could deliver some 310 questionnaires. The examination time of a second year paper (civil law) was chosen which was considered as of the most difficult so that a lot of third and fourth years students have to repeat the paper. That is why the amphitheatre was so crowded! The students were asked by the university teachers optionally to remain after the exams for a few more minutes to complete the questionnaires and to return the questionnaires to the teaching staff that had the responsibility to collect them. The author himself was there in charge of this exercise. This method also was successful because we were very pleased by the number of the returned questionnaires (177 out of 310), response rate 57%. In total at Democritus Thrace University we had 53% response rate (see Table 6.1).

**Table 6.1** Response rates of the universities where the questionnaires were distributed

<i>University</i>	<i>Questionnaires sent out (number)</i>	<i>Valid Questionnaires Returned (number)</i>	<i>Response rates %</i>
Democritus Thrace	510	273	53
Athens and Panteion	200	88	44
Thessaloniki	150	53	34
Patras	125	69	55
Total	985	483	49

- At Athens and Panteion Universities we sent out and collected questionnaires after receiving official permission from the University authorities to enter university buildings to carry out our research. Specifically, we organised two teams, one for each university. Our teams consisted of author's friends who had recently graduated at Athens and Panteion University. The teams organised a space with tables and chairs near the main hall and entrance of the universities, through which the students enter and leave the university. To the students who approached the tables and declared an interest in our research our team delivered questionnaires and asked them within three days to bring them back. Our teams were told not to clarify any questions in favour of the respondents. At Panteion University we also accepted voluntary assistance from students who co-operated with the author and gathered data

by sending out and collecting the questionnaires from the students themselves personally. We worked this way continually for three days. The author himself was present all these days and supervised both teams at Athens and Panteion University. We collected back 88 completed questionnaires out of 200. 44% response rate (see Table 6.1).

- At Patras University we co-operated with some staff of the administration office that are friends of the author. They took responsibility to deliver and collect the questionnaires from the students. When students from any department visited the administration and enquiries office for various reasons, the staff delivered them questionnaires and asked them after some days to bring them back. We left with the administrative staff 125 questionnaires, and we received back 69. 55% response rate (see Table 6.1).
- At Thessaloniki we co-operated with students who sent out to other fellow students and collected them back. At this university the response rates were quite a disappointment because out of 150 we received back only 53 questionnaires that is 34% (see Table 6.1).

Noteworthy that the process took a long time to be completed. In addition, the author himself had to travel from Thrace to Athens, Thessaloniki and Patras, which is a long distance (approximately 900 kilometres from one end to another) in order to supervise the sending out and collection of the questionnaires.

According to the plan the sending out of the questionnaires was due to start in January 1999. However, from the very beginning there was serious delay. In January 1999 Democritus Thrace University was under occupation and the students and staff were on strike because the government intended to establish a new Law School at Panteion University. Democritus University remained closed until April 1999. No classes or exams took place. This caused a long delay because we had to postpone the survey until May 1999. We finally finished data collection from that particular university in July 1999, just before the students left for summer holidays.

At Athens the starting point was the beginning of the first semester of the term 1999-2000. Unfortunately, a very strong earthquake hit Athens on September 7, 1999 and

all universities at Athens because of the serious damage remained closed until November 1999.

However, although we postponed the distribution of the questionnaires at Athens we moved quickly to Thessaloniki and Patras and we finished collection from these universities by January 2000. Immediately after, (February 2000) we started sending out the questionnaires at Athens University and we managed to finish collection from there, in early April 2000. With the arrival of May 2000 we had completed the collection of the whole sample and covered the whole geographical area we had targeted. Within one year (from May 1999 until May 2000) we managed to collect our sample: of 985 questionnaires that had been sent out in total 483 that is 49% were returned. This number excluded the 50 questionnaires of the pilot samples, which were also excluded from the analysis. We were pleased with the response rates, considering that we had to overcome many difficulties in terms of time and distance. Although the length of time between the first and last questionnaire being completed was long this did not create any differences between early and late respondents because at the time the debate about university asylum remained as one of the most important issues concerning Greek politics and the university community.

Finally, in May 2000 we started coding the sample and we were ready to analyse the data using the S.P.S.S 8.0 version. The questionnaire analysis was finished in August 2000.

## **5. THE DATA**

The questionnaire was delivered to students of five different Greek Universities. National and Kapodistrian Athens, and Panteion University both located in Athens, Aristotle's University of Thessaloniki, Saint Andrews University of Patras, and the Democritus Thrace University. These universities had been chosen as the most representative. Specifically, Athens, Panteion and Thessaloniki are all located in the centre of big cities, one regional but also large university in Patras, and the Democritus Thrace University which is a representative of a regional university of the North far away from the South and the capital Athens.

We believed that the students of the above universities would make a representative sample. In total we covered 35 different departments and faculties. We avoided delivering questionnaires to the students of the Athens Polytechnic University. Since, as this was a study of Greek University Asylum in general, including the students from the Polytechnic University, which has for many years been at the heart of the asylum problem would, make the sample unrepresentative as a whole; on reflection this was probably an error as it may have been useful to compare the experiences and attitudes of the students at the Polytechnic with other students. The target universities chosen covered a large geographical area of the whole continental Greece divided into four different areas (Athens, Thessaloniki, Patras, Komotini-Alexandroupolis). These areas differ between them in terms of popularity and mentality. This is one reason why we believe that the data gathered is representative.

Classification questions were asked in Section F. The students who responded could be classified as follows: 57% of the sample were collected from students of Democritus Thrace University, 18% of the sample were students of National-Kapodistrian Athens University and Panteion University of Athens. 14% of the samples were students of Saint Andrews Patras University and 11% of the sample was from Aristotle's University of Thessaloniki (see Table 6.2).

**Table 6.2** Distribution of sample amongst the different universities

<i>University</i>	<i>Valid questionnaires returned (number)</i>	<i>Sampling rates %</i>
Democritus Thrace	273	57
Athens and Panteion	88	18
Thessaloniki	53	11
Patras	69	14
Total	483	100

We believe that the sample was representative of the student body. For instance the respondents were 63% female students and 37% male. Those numbers correspond to the total body of Greek students since in the universities the percentages of female and male students are 60% to 40% (see Table 6.3).

**Table 6.3** Respondent in sample by gender

<i>Sex of sampled students</i>	<i>Students (number)</i>	<i>Percentages %</i>
Male	176	36
Female	306	63
Total	483	99

However, there was a limitation. Among the 483 students of the total sample 50% (241 Questionnaires) were studying Law. This is a very high number. The explanation of this is that first we had better access to law Schools (Athens and Komotini). Second it had been decided to check the knowledge of the students regarding the university asylum law. Some questions were quite tricky and required specific legal knowledge. It seemed to us rational to address more questionnaires to Law students supposing that they would be better informed about the legal provisions of the university asylum law, they are more likely to participate in political debates and more likely to be active politically, if compared with students from other departments. Indeed, in general, law students did appear to answer more correctly than the others.

Some 16% were students of Departments such as Literature, Philosophy, History and Ethnology, Psychology, Theology; 8% were students of Polytechnic School. It should be noted here that in the sample there were no students of Athens Polytechnic University but only students of Patras Polytechnic School and a few from Thessaloniki Polytechnic School. As noted above we avoided collecting questionnaires from students of Athens Polytechnic University because we thought their answers would not be objective. However, Polytechnics with Law Schools are among the most crowded universities in Greece. For that reason we decided not to exclude Polytechnics in general but only students from Athens Polytechnic University.

Of the students who responded from Panteion University 5% were studying Departments of Social Administration and Economics; 6% were students of Education and Gymnastic Departments; 9% of the sample was students of Biology,



Medicine, Pharmacology, Veterinary Medicine, and Geology; and 7% were students of Chemistry, Physics and Mathematics. As well as the wide variation of the Departments and Faculties covered in this study there was variation in terms of age and year of study of the student responded. Table 6.4 shows the age distribution of the students responded.

**Table 6.4 Respondents in sample by age**

<i>Year of age</i>	<i>Frequency in number</i>	<i>Percentage %</i>
18	46	10
19	66	14
20	83	17
21	68	14
22	69	14
23	64	13
24-26	80	17
Total	483	99*

\*In this and subsequent tables percentages may not total 100 due to rounding.

29% of the sample was students in the first years of study It is natural for almost one third of the sample to be first year students because first year students usually participate more than the mature students in the seminars and in general in all university activities than the others. 11% of the sample was in the second year. 22% in the third year. 17% in the fourth year. 8% in the fifth year. 8% in the sixth year and 3% in the seventh year of study (see Table 6.5).

**Table 6.5** Respondents in sample by year of study

<i>Year of study</i>	<i>Frequency in number</i>	<i>Percentage %</i>
1 <sup>st</sup>	142	29
2 <sup>nd</sup>	52	11
3 <sup>rd</sup>	105	22
4 <sup>th</sup>	84	17
5 <sup>th</sup>	39	8
6 <sup>th</sup>	36	8
7 <sup>th</sup>	16	3
Total	483	98

Among the students who responded at that particular time when the research was carried out only 18% were residents of the student lawns or student houses, and 83% were in private accommodation. Moreover, 69% had never been residents of student lawns or houses. Of the student respondents 42% spent from at least twenty-one hours to more than forty-one hours per week within university campus. This variable reveals that the students who responded had a clear picture of what was going on within university premises because they spent a lot of time there. These figures reflected the reality since 80% of the total student body were in private accommodation and only 20% in student houses.

## 6. DATA ANALYSIS

The questionnaire aimed to discover if students had been victims or witnesses of crime during the last 12 months or, if they were first year students during the first 3 months from September until Christmas. Only 12% of the students said that they had been victims of crime. 87% had not been victim of crime during the required period.

### 6.1. Students experience of crime on and off university campus.

Among the victims only 13% had been victims of crime inside the university premises. However, nearly three-quarters (74%) of the victims had been victims outside the university campuses. Some 13% had been victims both inside and outside the university (see Table 6.6).

**Table 6.6** Number and percentage of students reporting they had been a victim of crime on and off campus.

<i>Students victims of crime</i>	<i>Number of victims</i>	<i>Percentage %</i>
On campus	7	13
Off campus	41	74
Both, on and off campus	7	13
Total	55	100

Property crimes were the most common crimes that students had been victims of on and off campus as Table 6.7 show. Specifically property crimes were half (50%) of the total number of crimes that students had been victims of on campus and 62% off campus. Almost one-third were violent crimes that students had been victims of both, on campus (31%) and off campus (35%). On the contrary the students were unlikely to become victims of sex offences.

**Table 6.7** Number and percentage of type of crimes that students had been victims on and off campus

<i>Crimes</i>	<i>Number of crimes on campus</i>	<i>Percentage of total crimes on campus %</i>	<i>Number of crimes off campus</i>	<i>Percentages of total crimes off campus %</i>
Property crimes	8	50	51	62
Violent Crimes	5	31	29	35
Sex offences	3	19	2	2
Other	0	0	1	1
Total	16	100	83	100

The most common crime occurring on the campus was property theft (44%). Other frequent crimes on campus were burglary (11%), physical assault (11%), bicycle theft (11%), and vandalism (22%) (see Table 6.7a).

**Table 6.7a** Number and percentage of specific crimes that students have been victims of

<i>Crimes</i>	<i>Number of crimes on campus</i>	<i>Rates of crimes on campus %</i>	<i>Number of crimes off campus</i>	<i>Rates of crimes off campus %</i>
<i>Burglary</i>	1	6.2	6	7.2
<i>Illegal entry in a residence</i>	0	0	10	12.0
<i>Assault</i>	1	6.2	14	16.8
<i>Threat</i>	2	12.5	7	8.4
<i>Physical assault</i>	2	12.5	6	7.2
<i>Money theft</i>	1	6.2	10	12.0
<i>Property theft</i>	4	25	14	16.8
<i>Robbery</i>	0	0	2	2.4
<i>Vehicle theft</i>	0	0	1	1.2
<i>Bicycle theft</i>	1	6.2	3	3.6
<i>Sexual assault</i>	3	18.7	1	1.2
<i>Attempted rape</i>	0	0	1	1.2
<i>Rape</i>	0	0	0	0
<i>Property Vandalism</i>	1	6.2	7	8.4
<i>Other</i>	0	0	1	1.2
<b>Total</b>	<b>16</b>	<b>99.7</b>	<b>83</b>	<b>99.6</b>

One of the most important findings was that students were on average five times more likely to become victims of crime off-campus rather than within the university grounds. Off campus students were most likely to become victims of assault (17%), property theft (17%), illegal entry into their residence (12%), money theft (12%), vandalism of their property (8%) and threat (8%). The students were very unlikely to

become victims of more serious crimes. Only one percent reported becoming a victim of attempted rape and two percent armed robbery.

The research clearly shows the massive extent of under reporting which is much greater within the university than outside. Only 19% of the students who had been a victim of crime on campus had reported the crime to the police, and only 6% of the students who had been victims inside universities reported to the university authorities. Some 6% reported both to the police and the university authorities. However, two thirds (69%) of students who had been victims of crime on campus neither reported the matter the police or to university authorities (see Table 6.7b).

**Table 6.7b** Reporting rates of those students who had been a victim of crime on campus

<i>Victimised students on campus reported</i>	<i>Number of crimes reported</i>	<i>Reporting rates %</i>
To the police	3	19
To the university authorities	1	6
Both to the police and university authorities	1	6
Did not report at all	11	69
Total	16	100

Students who had been victims of crime outside the university were for more likely to report the crime. Over half (54%) of them reported the crime (see Table 6.7c).

**Table 6.7c** Reporting rates of students who had been a victim of crime off campus

<i>Victimised students off campus reported</i>	<i>Victimised students (number)</i>	<i>Reporting rates %</i>
To the police	22	54
Did not report	19	46
Total	41	100

Those who reported to the police that they had been victims of crime outside university stated that either they thought it was their duty to do so or they wanted the offenders to be found and punished. Some of them reported the crime because it was

theft of valuable property or wallets with a lot of money in, credit cards and identification cards, which they needed back.

The reasons the students gave for non-reporting the crimes had been victims of on campus were interesting. The majority (67%) justified their decision not to report the crime, because they thought there were no charges for the offenders to face, as the police had no authorisation inside universities due to university asylum. Some students argued that theft was common crime inside universities and the authorities paid little attention to less serious crimes.

**Table 6.7d** Reasons for not reporting the crimes committed on campus

<i>Reasons for not reporting</i>	<i>Percentage %</i>
Police cannot intervene inside university premises because such intervention is prohibited by the university asylum law	67
Less serious crime are not authorities priority to deal with	9
Property crimes are most common on campus and the university authorities pay little attention on them	6
Other reasons	18
Total	100

Most of those who did not report to the police the crimes off campus justified their decision (see Table 6.7e) by saying that they had little trust that the police would act effectively and quickly, especially when it concerned less serious crimes (32%). Quite many (14%) were not willing to report because they became victims of property crimes concerning of less valuable things. A few said that they knew the offender who was a friend and they didn't want them to be prosecuted (10%). Some others said that paper work would take a long time and there were not willing to lose their time (5%)

**Table 6.7e** Reasons for not reporting the crimes off campus

<i>Reasons for not reporting</i>	<i>Percentage %</i>
Police can do very little about less serious crimes – Question of capability	32
The offender were friend of the victim	10
Stolen things were not valuable or less serious crime	14
The victim found themselves the offender	7
Too much paper work, require too much time for the victims to spend	5
Other reasons	31
Total	100

Of the students who had been victims of crimes inside universities only 19% knew who the offender was. Among the known offenders 70% were male but only 30% were female.

From the comparison shown in Table 6.8 has proved that both students who lived inside or outside university campus had been the same number of times victims of crime on campus. In contrast, the research show that students who lived outside university were twice more likely to become victims of crime off campus.

Table 6.8 show that while those who live off campus are somewhat (25%) more likely to become a victim of crime than those who live on campus and that those who live on campus are equally likely to be a victim of crime on or off campus but that

those who live off campus are nearly 100 times more likely to be a victim of crime off campus than on campus.

**Table 6.8** Students victims of crime by place of residence

<i>Place of students' residence</i>	<i>Students</i>		<i>Students victims of crime</i>		<i>How many times students had been victims of crime on campus*</i>		<i>How many times students had been victims of crime off campus*</i>	
	<i>No</i>	<i>No</i>	<i>%</i>	<i>No of times</i>	<i>%</i>	<i>No of times</i>	<i>%</i>	
On campus	76	7	9	8	10	7	9	
Off campus	407	48	12	8	0.2	76	19	
Total	483	55	11	16		83	100	

\* note that as an individual student may be a victim of crime more than once the numbers in this column can be greater than the number of victims. The percentage in this column may also be greater than 100, however for the purposes of comparison the ratios between the student groups will be valid.

Among those students who had been victims of crime males were 12% and females were 11%. Table 6.9 shows that male students were more likely to become victims of crime on campus (4%) than females (3%). In addition, it has been proved that while men and women seem equally likely to become victims of crime on campus men are over twice as likely (27%) to be come victims off campus compared with females (11%) (see Table 6.9).

**Table 6.9** Students victims of crime by gender

<i>Students' sex</i>	<i>Students</i>		<i>Students victims of crime</i>		<i>How many times students had been victims of crime on campus*</i>		<i>How many times students had been victims of crime off campus*</i>	
	<i>No</i>	<i>No</i>	<i>%</i>	<i>No of times</i>	<i>%</i>	<i>No of times</i>	<i>%</i>	
Male	177	22	12	7	4	48	27	
Female	306	33	11	9	3	35	11	
Total	483	55	11	16	3	83	17	

\* note that as an individual student may be a victim of crime more than once the numbers in this column can be greater than the number of victims. The percentage in this column may also be greater than 100, however for the purposes of comparison the ratios between the student groups will be valid.



Table 6.10 clearly shows the massive extent of criminality at Thessaloniki University. It was also revealed that in urban universities (Thessaloniki and Athens) crime problem is much more compared to the universities that are located at regional Greek cities (e.g. Komotini and Patras) where crime problem is moderate. Students of Aristotle's University of Thessaloniki were for more likely to become victims (25%) than students of other universities. Students of Thessaloniki were also more likely to become victims both on campus (13%) and off campus (64%). Students of Athens and Panteion Universities were less likely to become victims of crime (10%) than those of Thessaloniki. Again, students of Athens Universities were frequently become victims of crime on campus (6%) and off campus (26%). However, crime problem seems to be much more at Thessaloniki University where the campus is the largest one in Greece. It has been proved that students of Thessaloniki are eight times more likely to become victim of crime than at Komotini University. At Komotini only 1% of crimes occurred on campus and 8% off campus.

**Table 6.10** Students victims of crime by university attended

<i>Students by university Attended</i>	<i>Students</i>		<i>Students victims of crime</i>		<i>How many times students had been victims of crime on campus*</i>		<i>How many times students had been victims of crime off campus*</i>	
	<i>No</i>		<i>No</i>	<i>%</i>	<i>No of times</i>	<i>%</i>	<i>No of times</i>	<i>%</i>
Democritus-Thrace	273		22	8	3	1	21	8
Aristotle's-Thessaloniki	53		13	25	7	13	34	64
St. Andrews-Patras	69		6	9	2	3	5	7
National and Panteion-Athens	88		14	10	5	6	23	26
<b>Total</b>	<b>483</b>		<b>55</b>	<b>11</b>	<b>16</b>	<b>3</b>	<b>83</b>	<b>17</b>

\* note that as an individual student may be a victim of crime more than once the numbers in this column can be greater than the number of victims. The percentage in this column may also be greater than 100, however for the purposes of comparison the ratios between the student groups will be valid.

## 6.2. Crimes witnessed inside and outside universities

Students were asked to indicate if they had been witnesses of crime either inside or outside university during the last 12 months or from September until Christmas if they were first year students. The replies indicated that the students had been witness of crime more frequently than they had been victims of crime. The students were asked to answer not only if they were eyewitness but also if they knew for sure or had certain and reliable information from somebody else (friends, fellow students, relatives etc.) that a crime had been committed.

Quite a few students (97) (constitutes 20% of the total sample) had been witnesses of crime. 19 students (20%) had been witnesses of a crime committed inside university, 37 students (38%) had been witnesses of crime committed outside university and 41 (42%) witnessed both inside and outside universities crime(s) to be committed. The total number of the crimes that the student had witnessed inside universities was 278 and outside universities were 321. Students were 8% more likely to witness crime inside the university than outside (see Table 6.11). The actual numbers of witnessed crimes (a total of 599) may seem to be high but there is a high possibility that the students would have witnessed the same crime and so that any one specific crime might have been declared more than one time.

**Table 6.11** Number and percentage of students who had witnessed crimes on and off campus.

<i>Place where crimes witnessed</i>	<i>Crimes in numbers</i>	<i>Percentages of crimes witnessed %</i>
On campus	278	46
Off campus	321	54
Total	599	100

Far the most common type of crimes witnessed by the students inside universities was property crimes (53%). Violent crimes and drug offences were then follow (16%). Sex offences were the least likely to be witnessed (13%) (see Table 6.12). Table 6.9 shows that almost half of the crimes (48%) witnessed off campus were

property crimes, almost one-fifth (21%) were drug offences and violent crimes (19%). Again, sex offences were the least likely to be witnessed off campus (12%)

**Table 6.12** Number and percentage of type of crimes witnessed on and off campus

<i>Crimes witnessed</i>	<i>Number of crimes witnessed on campus</i>	<i>Percentage of total crimes witnessed on campus %</i>	<i>Number of crimes witnessed off campus</i>	<i>Percentages of total crimes witnessed off campus %</i>
Property crimes	148	53	154	48
Violent Crimes	44	16	60	19
Sex offences	36	13	40	12
Drug offences	44	16	67	21
Other	6	2	0	0
Total	278	100	321	100

From the comparisons shown in Table 6.12 it is clear that almost all kind of crimes were found more frequently outside universities than inside. There were though some exceptions such as bicycle theft, vandalism and sexual assault, which were found to be more frequent inside universities than outside. However, independently speaking the most common crimes witnessed by the students on campus were drug use (11%), property vandalism (9%), bicycle theft and burglary (both 8%), sexual assault (6%), physical assault (5%), drug dealing (5%). Money theft was 5% but on the contrary armed robbery was only 2% (see Table 6.12a).

Again, the most common crimes witnessed outside university premises were drug use (11%) and drug dealing (10%). Burglary was found to be about 9%, money theft 7%, physical assault 6%, and vandalism 7%. Again serious crimes such as armed robbery, attempted rape, rape and prostitution were found to be fewer than 3%. We can easily understand that drug use and drug dealing were the most common crimes

witnessed by the students both inside and outside university, then follows burglary and vandalism. Serious offences were witnessed less frequently.

**Table 6.12a** Numbers and percentages of crimes witnessed by students on and off campus

Crimes witnessed	<i>Number of crimes on campus</i>	<i>Rates of crimes on campus %</i>	<i>Number of crimes off campus</i>	<i>Rates of crimes off campus %</i>
<i>Burglary</i>	23	8.2	29	9.0
Illegal entry in a residence	15	5.4	22	6.8
Assault	10	3.6	13	4.0
<i>Threat</i>	13	4.6	14	4.3
<i>Physical assault</i>	15	5.4	21	6.5
<i>Money theft</i>	14	5.0	24	7.5
<i>Property theft</i>	16	5.7	18	5.6
<i>Shoplifting</i>	7	2.5	8	2.5
<i>Robbery</i>	6	2.1	12	3.7
<i>Vehicle theft</i>	5	1.8	3	1.0
<i>Bicycle theft</i>	23	8.2	12	3.7
<i>Prostitution</i>	7	2.5	12	3.7
<i>Sexual assault</i>	18	6.4	9	2.8
<i>Attempted rape</i>	6	2.1	11	3.4
<i>Rape</i>	5	1.8	8	2.5
Receiving stolen property	5	1.8	7	2.2
Fraud /deception	14	5.0	9	2.8
<i>Drug use</i>	31	11.1	35	11.0
<i>Drug dealing</i>	13	4.6	32	10.0
<i>Vandalism</i>	26	9.3	22	6.8
Total	278	97.1	321	99.8

The students were asked to think about the most recent crime witnessed by them inside university premises and to indicate if they knew who the offender was. Only 18% of the students knew who the offender was. The vast majority (94%) were male. Of the known offenders 52% were outsiders (non members of the university community). 13% were university academic staff. 35% were students of the university (see Tables 6.13a and 6.13b).

**Table 6.14a** Offenders' profile by gender

<i>Sex of identified offenders</i>	<i>Offenders in numbers</i>	<i>Percentages %</i>
Male	16	94
Female	1	6
Total	17	100

**Table 6.14b** Offenders' profile by occupation

<i>Occupation of identified offenders</i>	<i>Offenders in numbers</i>	<i>Percentages %</i>
University students	8	35
University academics	3	13
Outsiders	12	52
Total	23	100

However, 74% of the students who witnessed a crime committed inside university did not report it to the police and/or to the university authorities. Only 14% reported it to the university authorities and only 4% reported it to the police and 8% reported it both the police and the university authorities. Of those crimes never reported the most common were drug use and dealing, sexual assault, burglary, illegal trading in CD, vandalism and bicycle theft. The students who reported only to the university authorities justified their decision that they trusted the university authorities ability more than the police. In addition, the majority of the students explained that they did

not report to the police because the police had no right to intervene within universities. The majority of the students said that the university asylum law keeps away the police, so there is no point in the students reporting it. We identified the more frequent justifications for not reporting to the police, which are presented in the list that follows. Students were reluctant to report to the police crimes witnessed because:

- The police had no legal authorisation to intervene within university premises.
- Since the crime was reported to university authorities it was useless to report also to the police.
- Illegal CD markets inside universities allowed students to buy cheap CDs; for that reason they wanted such market to maintain.
- Students were afraid to be involved with the police by reporting a crime.
- Students did not trust police abilities and effectiveness.

Concerning the most recent crimes committed outside university premises and witnessed by the students, they answered that only 16% reported the crime to the police. Most common unreported crimes witnessed outside university properties were again drug use and drug dealing, money theft, property theft and vandalism.

In short it has been elicited that the students were not to report to the police crimes committed either inside or outside university premises. This is a clear message that the students in general do not trust police and their capability, and do not believe that police are an effective public force that can protect them and maintain order.

From the findings presented in Table 6.14, it is clear that students who lived off campus were 1,5 times more likely to witness a crime committed off campus. However, those students who lived inside university campus were four times more likely to witness crime committed on campus than those students who lived outside university.

**Table 6.14** Students witnesses of crime by place of residence

<i>Place of students' residence</i>	<i>Students</i>		<i>Students witnesses of crime</i>		<i>How many times students had been witness of crime on campus*</i>		<i>How many times students had been witness of crime off campus*</i>	
	<i>No</i>	<i>No</i>	<i>%</i>	<i>No of times</i>	<i>%</i>	<i>No of times</i>	<i>%</i>	
On campus	76	17	22	120	158	32	42	
Off campus	407	70	17	158	39	289	71	
Total	483	87	18	278	58	321	66	

\*note that as an individual student may be a victim of crime more than once the numbers in this column can be greater than the number of victims. The percentage in this column may also be greater than 100, however for the purposes of comparison the ratios between the student groups will be valid.

Table 6.15 shows that there is not a great deal of difference by gender. Females were more likely (61%) than males (51%) to witness a crime on campus. However, males were more likely (71%) than females (64%) to witness a crime off campus.

**Table 6.15** Students witnesses of crime by gender

<i>Students' sex</i>	<i>Students</i>		<i>Students witnesses of crime</i>		<i>How many times students had been witness of crime on campus*</i>		<i>How many times students had been witness of crime off campus*</i>	
	<i>No</i>	<i>No</i>	<i>%</i>	<i>No of times</i>	<i>%</i>	<i>No of times</i>	<i>%</i>	
Male	177	39	22	90	51	125	71	
Female	306	58	19	188	61	196	64	
Total	483	97	20	278	58	321	66	

\* note that as an individual student may be a victim of crime more than once the numbers in this column can be greater than the number of victims. The percentage in this column may also be greater than 100, however for the purposes of comparison the ratios between the student groups will be valid.

Table 6.16 confirms the general impression that Aristotle's University of Thessaloniki had the wider problem with crime. It was found that students of this university were twice more likely to be witnesses of crime than students of Athens university, thirteen times than at Komotini and twenty six times than at Patras

university. Once more it became clear that universities located in urban areas were much more involved with crime than regional universities.

**Table 6.16** Students witnesses of crime by university attended

<i>Students by university Attended</i>	<i>Students</i>		<i>Students witnesses of crime</i>		<i>How many times students had been witness of crime on campus</i>		<i>How many times students had been witness of crime off campus</i>	
	<i>No</i>	<i>%</i>	<i>No</i>	<i>%</i>	<i>No of times</i>	<i>%</i>	<i>No of times</i>	<i>%</i>
Democritus-Thrace	273		42	15	49	18	78	29
Aristotle's-Thessaloniki	53		22	42	125	235	132	240
St. Andrews-Patras	69		4	6	6	9	12	17
National and Panteion-Athens	88		29	33	98	111	99	113
Total	483		97	20	278	60	321	66

### 6.3. Students' knowledge of University Asylum law

The vast majority of the students (74%) stated that their knowledge of university asylum law came from press accounts and the mass media. The second most common source of knowledge was fellow students (64%), followed by student political parties (35%) and student unions (22%). Information from academic university staff was a limited source of knowledge (11%), as was information from legal texts (14%), and other relevant texts (9%). Only a few students (5%) answered that they had no knowledge about university asylum. This is interesting because it proved that in general the vast majority of the students are informed by various sources of information about university asylum. It appeared that the most common alternative source of knowledge for the students who used other sources of information (3%) was their family and close relatives (for the above see Table 6.17).



**Table 6.17** Students' source of information about university asylum

<i>Sources of Information</i>	<i>Frequencies in numbers</i>	<i>Percentages %</i>
Press and mass media	360	74
Fellow students	309	64
Student political parties	170	35
Student unions and associations	107	22
Legal texts	67	14
Academic university staff	55	11
Other relevant (not legal) texts	46	9
No knowledge about University asylum	25	5
Other source	15	3

From the findings presented in Table 6.17, it is clear that the impact of press accounts and mass media about university asylum law is enormous. There is always a danger, which has been underlined by various people involved with university asylum (see Chapter 4) that mass media present inaccurate information or misrepresent facts resulting to misunderstanding about the concept of university asylum.

Interestingly, the results confirmed that on average 50% of the students answered correctly the questions about specific legal provisions of the university asylum law. Nevertheless this means that the other 50% failed to answer correctly questions about important university asylum legal provisions. From their answers there was clear evidence that the majority of the students misunderstood some provisions of university asylum law. For example students proved to be misinformed about the university authority responsible for lifting university asylum and granting permission

to the police to intervene, the rectors' duties, and the exceptional crimes when the police can enter without permission.

Specifically, according to university asylum law (1268/82, Article 2), the triumvirate or the Senate with a majority of 2/3 has the right to make the decision to permit police or other public force (for example fire brigade) to intervene within university premises. Only 33% of the students knew correctly who comprised the triumvirate (see question C9) and only 29% were correct about the Senate's authorisation to grant permission (see question C17)

**C9.** The permission must be approved by a special triumvirate organ which consisted of the rector, one representative of the tutors and one representative of the students. *The right answer is "Correct"*

Correct  
33%

Undecided  
56%

Not Correct  
9%

**C17.** The permission may also be given by the university Senate. *The right answer is "Correct"*

Correct  
29%

Undecided  
58%

Not Correct  
11%

Almost half of the students (47%) knew that it was not correct the permission might not be given solely by the Student Union Committee (see question C12)

**C12.** The permission may also be given solely by the Student Union Committee.

The right answer is "Not Correct"

Correct

6%

Undecided

45%

Not Correct

47%

Only 7% knew it was not correct that the Rectorate Council has no any legal authority to make a decision to permit police intervention within university (see question C24)

**C24.** The permission for police to enter the university premises may be given in extreme cases by the Rectorate Council of the university.

The right answer is "Not Correct"

Correct

30%

Undecided

60%

Not Correct

7%

In addition only 8% of the students knew that even in cases of serious fire the fire brigade cannot enter if special permission is not granted.

Just half of the students (51%) were correct that special permission is needed in order for the police to intervene, which I think is not a very good response rate because this is one of the basic and most crucial provisions of the university asylum law and more correct answers would be expected (see question C8).

**C8.** In order a state force (e.g. Police, Fire brigade etc) to enter to the university, special permission must be approved. The right answer is "Correct"

Correct	Undecided	Not Correct
51%	30%	17%

However, the vast majority failed to realise that in case of flagrant felony or when a crime against human life has been committed the police has the right to enter university premises without permission. Indeed, more than one third of students (37%) thought the police could not enter (see question C10).

**C10.** The Police may intervene in the university area if flagrant felonies or flagrant crimes against human life are being committed.

The right answer is "Correct"

Correct	Undecided	Not Correct
37%	37%	25%

Forty two percent of the students knew that the Rector has no authority to permit police to enter university premises, without the agreement of the members of the triumvirate, and 71% of the students didn't know that alternatively the Senate could make the decision.

In terms of history and background of university asylum law the students were more likely to answer correctly. Specifically, the vast majority (84%) were right that university asylum was established to defend academic freedom and more than half (55%) that university asylum law provided for universities self-government. Nearly

three quarters (73%) correctly answered that university asylum in general prohibits any state force to intervene within universities.

Surprisingly, only 40% of the students correctly answered that the events at Polytechnic University (November 1973) had caused the introduction of the university asylum law. This result is interesting because November 1973 events at Polytechnic University politically symbolises academic freedom and it would be expected that the vast majority of the students would link university asylum with Polytechnic University.

Over three quarters of the students (77%) knew that university asylum law applies to all university grounds not only seminar rooms and libraries. Moreover almost half the students (47%) knew that university asylum protects not only the students and academics but also every citizen who happens to be inside university premises.

However, there was confusion as to whether criminals have the right to find shelter within university grounds and to avoid being arrested with just over a third (38%) correctly identified it.

#### **6.4. Students' attitude towards the crime problem and future reformation of University Asylum law.**

Interesting findings were revealed from the attitude questions about students' beliefs towards the impact of university asylum law upon crime in general and in particular. These questions elicited that a majority of the students (58%) agreed that "groups of anarchists" were the most frequent offenders within university grounds. In addition many students (40%) believed that juvenile gangs take advantage of the university asylum law, they abuse and overuse it and commit crimes within university premises. On the contrary, the students were less likely to accept that other students of the university or illegal immigrants, or known criminals find shelter within university asylum and commit crimes therein.

In terms of the frequency of crime students believed that drug related crimes were the most frequent offences on campus - with 46% citing drug use, 38% drug trafficking and 32% drug dealing as the most frequent crimes occurring on the

university campus. However, nearly three quarters of the students strongly disagreed or disagreed (total 73%) that the university asylum promotes anti-social behaviour of the students within university premises.

Half of the students (51%) disagreed that university asylum was a factor linked to more criminality inside university areas, although as many as one third (33%) thought the opposite that university asylum is an element that leads to high crime rates within university grounds.

Even so the vast majority of students (60%) thought that university asylum law still remains one of the most important institutions and symbol of human liberty, and over fourth fifths (81%) thought that university asylum is a democratic institution precious for the maintenance and strengthening of academic freedom. However, over two thirds (70%) thought that the protection provided by the university asylum should be a privilege enjoyed only by members of the university community (meaning academics, students and other staff of the universities). Other individuals not belonging to the university should be excluded from the protection of university asylum.

In the light of these beliefs it is not surprising that four out of ten (42%) students thought that there was an urgent need for the university asylum law to be reformed. However, there were almost an equal number of undecided students (37%). Less than one fifth (19%) thought there was no need for any amendment of the university asylum law. In general it is clear that the vast majority of the students (74%) thought there needed to be an informed public debate about university asylum and that reform could be achieved without undermining the principle of asylum.

As to the specifics of reform, student opinion was almost equally split between those who supported the law to allow the police free access to the campuses (43%) and those who believed this would completely undermine the concept of asylum (47%). Again, when asked whether the police should patrol university premises during the night when no teaching is taking place, the students were equally divided. Some 38% were against the idea and 34% supported it, while over a quarter (27%) were undecided. However, a majority of the students (59%) supported the idea that private

security police hired by university authorities should patrol within university grounds. Furthermore, a clear majority of the students (54%) agreed with the proposition that the police should police university premises during the period of summer holidays.

In the same way, the students appeared divided on whether order maintenance within universities was only an internal matter for the university community to resolve and outsider intervention from government or the police was not needed. Thus 38% thought order maintenance should be dealt with internally whereas 36% thought outside intervention was necessary, with one quarter (25%) of the student's undecided. However, despite the high level of the rejection of government or police intervention on the campus, two thirds of students (68%) believed that Student Societies and Student Unions would be unable to maintain order because they do not have the necessary mechanisms to control the university premises without any external force to intervene. Moreover, almost three quarters of the students (73%) believed that a respect for history and tradition were not enough to guarantee that university asylum was not abused.. Accordingly, the students thought that some source of external control inside the university premises was required. On the contrary, 42% of the students argued that the university community itself could develop a special ethos and culture to preserve order. Again, there was significant opposition to this (36%), with 20% undecided.

Interestingly, more than one third of the students (36%) believed that crime was a serious problem for the universities to solve. On the other hand, the same percentage (36%) believed crime was not a serious problem, and 27% were undecided. However, nearly three quarters of the students (74%) strongly agreed or agreed that crime rates and crime problems within university premises were considerably lower compared with crime rates and crime problems outside universities.

The students were asked to compare the crime problem inside universities premises with the crime problem outside universities (see below question E1). A clear majority of the respondents (53%) felt that the crime problem inside universities was "Less" than outside universities. Moreover, 30% of the students felt that the crime problem inside universities was "Much less" if compared with outside universities.

This means that a total majority of 83% of the students felt that the crime problem was not as great inside the universities when compared with outside the university. Only 13% had the opinion that the crime problem inside and outside universities were “Approximately the same”, and 3% of the students felt that the crime problem inside universities was “More” or “Much more” if compared with outside university.

**E1.** According your point of view, if you compare the crime problem inside universities with the crime problem outside universities you find it:

Much less	Less	Approximately the same	More	Much more	Total
147	256	63	9	3	478
30%	53%	13%	2%	1%	99%

From the open-ended question the following main themes emerged:

- The vast majority of the students argued that the main aim of the university asylum was to protect the university community (students and teaching staff) from any state force intervention and to consolidate academic freedom. In addition, to protect the free formulation of ideas and political theories, and to secure free political speech.
- The vast majority of the students were more likely to argue that university asylum enabled the universities to maintain their constitutional autonomy and self-government.
- The vast majority of the students noted that university asylum was an institution provided for the protection of the students’ political and syndicalism activism.



- A few students commented that university asylum also provided for the protection of the universities from tyrannical governments, and that university asylum is a symbol of human liberty.
- Only a few students argued that the main purpose of university asylum was to prevent any fatal events to happen again such as in Polytechnic University on November 1973.

From the attitude questions it was revealed that a significant proportion of the students (38%) believed that university asylum has not achieved its main purpose and practical use. The majority justified this opinion by arguing that abuse of university asylum often takes place, which leads to high crime rates within universities. Thus, it is common for some groups of anarchists or juvenile gangs to take advantage of the protection offered by university asylum law and commit crimes therein.

Moreover, many students argued that it is the outsiders, anarchists and known offenders who abuse university asylum, not the students and other members of the university community. A frequent result of the abuse is criminality and fear of crime within universities.

On the other hand only 16% of the students stated that university asylum had achieved its main purpose. Among those students many commented that university asylum had successfully protected academic freedom. Besides, according to students' comments criminality is a serious problem but it is a problem under control. In any case the crime problem within university grounds is limited compared with outside universities. However, significant number of students proved to be undecided (29%) and many others (13%) said they did not know if the main purpose of university asylum had been achieved.

A large number of the students (43%) agreed that university asylum law has to be reformed. Only 13% of the students suggested university asylum law should remain as it is. 29% of the students were undecided whether any changes to existing legal framework of university asylum law were needed or not. 11% said they did not know about it. From the percentages presented here it is clear that almost the same number

of students who answered that they were undecided or they did not know if the main purpose of university asylum had been achieved (42% in total), again were undecided or did not know if amendments were needed to the existing legal form (41% in total).

The majority of those students who answered that the university asylum law should remain in its existing legal framework had the opportunity to justify it briefly. Most of them argued that if even small changes were to take place to the existing legal framework of the university asylum this would be equal to abolition. They felt that the value of the concept of university asylum was untouchable. The history and its symbolism were important elements and opposed changes. The students also argued that a new reformed university asylum law never would have the same validity or acceptance by the university community and by the democratic community. University asylum according to respondents had become a bond of the educational system. Any efforts to amend the existing legal provisions would lead to controversy and to unwanted political debate. In addition peoples' trust towards the democratic political system would decline, because the university asylum law provided for the protection of the political activists students and academics.

Thus, some students argued that there was no any need for amendments to the existing legal framework because the university asylum law in general operated successfully. With the university asylum law the university community has the authority to take all necessary measures to maintain order and prevent criminality within university premises. Practically and politically this worked successfully, and the few problems and crimes that take place during the annual commemoration of November 17 are responsibility of the Senate of the Polytechnic University; the law is not to be blamed.

Moreover these problems are minimal and of little significance if compared with the symbolism of the university asylum law. The students argued that priorities have to be made. For them the priority is to strengthen university asylum law and academic freedom. Any reformation would alter the real meaning of the concept of university asylum. Thus, the solution to crime problem within university grounds can be found through better practical exercise of the existing legal frame not through alterations.

As seen above, many of the students (43%) proposed changes to the existing legal form. Many students proved to be in favour of a more flexible university asylum law that would permit more flexible rules for the police to intervene within university premises and at their discretion. Many students emphasised that university asylum should provide for the students and the academics only. Accordingly, specification articles were needed to accompany 1268/82 Act in order to make clear that only members of university community have the privilege of the university asylum. This way outsider who abuse university asylum would easily be expelled from the university grounds and the police easily would be able to arrest them.

Quite a lot of respondents suggested that private police forces or security staff could be hired by the university authorities to patrol overnight and to check who enters the university campus. Some others suggested that during late night hours and summer holidays period, the police ought to have the right to patrol the university grounds. Interestingly, many students suggested some new articles to amend the existing legal provisions in order to specify and clarify in which cases and university spaces the police would have the right to intervene without permission. For example, they suggested the police should be able to intervene without permission in case of serious vandalism, life danger, drug dealing and to arrest hooligans and anarchists.

In the same way some students suggested that the university authorities with the student unions should decide a specific code of application referring to the university asylum. It is important to note that the vast majority of the students (81%) were not in favour of complete abolition of the university asylum. On the contrary, many students (42%) wanted the university asylum law to continue to exist, but with improvements and to be adjusted to contemporary social-political, educational and criminal conditions.

Finally, the majority of the students commented that better information was most needed because there were serious misunderstandings in terms of application and interpretation of the university asylum law. If the people were better informed, then abuse of the university asylum would be reduced. Many students also added that a public debate should start about the application of university asylum. For the students

who responded the most important aim was to protect university premises from anarchists and other troublemakers, without lifting university asylum. The university asylum was meant to be a democratic institution but instead had become a serious drawback for the Greek universities.

## 7. KEY FINDINGS

We can now summarise the most important findings from the questionnaire analysis:

- First, the self-report victimisation elicited that only a limited number of students had been a victim of crime inside the university premises. In contrast, the students were four times more likely to be victims of crime outside the university than inside.
- Second, the majority of the students who had been victims of crime decided not to report to the police or the university authorities. The most important reason not to do so was that they were aware of the limited ability of the police to respond. Thus, they were well informed that the police have limited authorisation to intervene within university grounds without special permission.
- Third, whereas, very few students (11%) self-reported that they had been victims of crime, many more (20%) stated that they had been a witness of crime.
- Fourth, the most common offences reported by the students inside university premises were drug use and trafficking, burglary, vandalism and sexual assault. Equally, the same crimes proved to be the most common also outside universities. Serious crimes, such as rape, violent robberies and homicides, were less likely to be committed inside universities.
- Fifth, the overall estimation of the students was that crime rates inside university grounds were significantly less if compared with crime rates outside universities.
- Sixth, whereas regional universities have little crime problem universities that located in urban areas such as Aristotle's University of Thessaloniki and Athens Universities have much more crime problem.

- Seventh, students' knowledge about university asylum predominantly comes from the press and the mass media. Then in importance comes Student Political Organisations, followed by Student Unions. This finding reveals the importance of the press and mass media towards university asylum issue. Whereas the students believed that they had poor knowledge about the concept of university asylum and university asylum law it was revealed from their answers that in general they were reasonably well informed. However, students had limited knowledge about specific provisions such as which authority is responsible for deciding to permit police to intervene inside universities.
- Eighth, it became clear that the majority of students (58%) believed anarchists and juvenile gangs often abuse university asylum and create fear of crime within university premises. However, the students did not support the view that university asylum was the crucial factor that promotes the antisocial behaviour of the students or leads to more criminality inside the university premises.
- Ninth, the data analysis revealed that there was serious misunderstanding in terms of application and interpretation of the university asylum law. Both were the most important elements that lead to high crime rates inside university grounds. For that reason the vast majority of the students thought some changes and amendments to the university asylum law were necessary. However, almost every student respected and appreciated the symbolism and the history of the university asylum and wanted the university asylum to remain as one of the most important and unique institutions of the Greek national education system.
- Ninth, there is no doubt that the students had little trust or appreciation of the university internal authorities such as student union or even security staff of the university to provide protection for the students and maintain order. The majority of the students proved to be ready to accept private security companies to patrol university grounds and even state police to patrol university campuses during the late night hours and the summer holidays. Thus, the students believed that it is the outsiders who offend within university premises

- Finally, it was a surprise to find that the majority of the students did not connect university asylum directly with the symbolism of the Polytechnic University events (November 1973).

## 8. HOW DO OUR FINDINGS RELATE TO THE PRESENTED HYPOTHESES?

A hypothetical model for crime opportunities inside university premises was presented, along with hypotheses about the university asylum. These can now be tested against the findings of our questionnaire survey.

- The first hypothesis that the university asylum is the key factor in provoking criminality within university grounds was only partly confirmed. The students felt that the university asylum was a factor provoking criminality on-campus but it was only of moderate significance. It was not confirmed that the university asylum is the crucial element promoting criminality.
- The second hypothesis that the university asylum is a factor leading to higher crime rates within university campuses if compared to crime rates outside university grounds was not confirmed. Our findings suggest that crime rates within university premises are lower if compared to crime rates outside university. Accordingly, it was not confirmed that in order for crime rates to decline the university asylum law needs to be abolished. However, a significant number of the students (42%) supported a limited reformation of the existing legal framework.
- The third hypothesis that the university asylum has acted as protection for the offenders not to be arrested and university grounds have for a long time provided covering and safe shelter for anarchists and juvenile gangs was confirmed. Our findings confirm that because of the misapplication and miss-interpretation of the university asylum law it has become not just the legal defence of the university community against unwanted state interventions but has provided assistance for anarchists and juvenile offenders to commit crimes therein, which gives strong empirical support to the hypotheses.
- Finally, it was confirmed that on average the students were not very well informed about university asylum legal provisions. The students lacked knowledge about crucial provisions of the university asylum law.

In conclusion we feel that there are good reasons to view the findings of the questionnaire research as important. They suggest that the impact of University Asylum on criminality within university campuses is not as great as many believe. The absence of state policing does not appear to lead to higher levels of crime within the university. Indeed students are for more likely to be victimized off campus than on it. Moreover, while the students recognise that University Asylum is a framed institution, which leads to some undesirable consequences they also recognise its fundamental significance as beneficial institution for the Greek Higher education system.

# **CHAPTER 6**

## **THE CONTEMPORARY DEBATE ABOUT REFORM OF UNIVERSITY ASYLUM LAW**

### **1. INTRODUCTION**

In this final chapter we will discuss how the concept of university asylum is a misunderstood concept that turns university areas into places of unlawfulness and unchecked criminal activity. This chapter explores also the viewpoints of the people involved with university asylum. Their thoughts about the criminality resulting from the university asylum law and their suggestions for reforms are presented. Various interest groups (academics, journalists, judges, politicians and of course students) have expressed serious criticism of the use of the university asylum law. There are even some who propose the abolition of the university asylum, and there are many more who suggest a reform of the present legal framework

This chapter starts with an analysis of these criticisms. It continues with a discussion of the predominant opinions of respondents opposed to either abolition or amendment of the existing legal provisions. Finally, this chapter ends with a section discussing alternative solutions to the criminological problems that have emerged within university premises and presenting the concluding arguments about university asylum.

### **2. UNIVERSITY ASYLUM: THE PROBLEMATIC OF A MISUNDERSTOOD LAW**

Yiannis Panousis, whose opinion is very important because he is Professor of Criminology at the Media Department of Athens University, he used to be the Rector of the Democritus University of Thrace and drafted the law of university asylum. According to Panousis, from ancient times asylum consisted of sacred spaces where political opponents of the established order could find refuge on one hand, and where, on the other hand, criminals could find a place of temporary safety. Asylum



was a place where the offender could gain some time for negotiations. For Panousis asylum has never been and never will be a space for committing or planning new crimes. Asylum protected the criminals but not the crime. Yiannis Panousis goes on to claim that from ancient times asylum does not purify the person being pursued. University asylum was established to protect certain functions (namely the free academic exchange of ideas), certain people (namely the members of the university community) and certain areas (namely teaching, training, research and administrative areas of the university). University asylum is not a place –as the majority of people think- that protects all those pursued by the State because of criminal behaviour. Protecting criminals from being punished through the institution of university asylum is something that the public does not consent to, and criminal acts committed within the area covered by university asylum are not covered by any kind of asylum (Panousis Y., 1991, p.p. 73-4 and also Newspaper *Kathimerini*-Daily- February 23, 1990).

For Yiannis Panousis, then, the notion of university asylum law has been misunderstood. University asylum does not give the right to anyone to occupy campuses and commit crimes therein, or the right to cause damage to university property by destroying facilities and preventing professors and students from coming in and working therein (Newspaper *Estia*, -Altar- September 22, 1992, p.2). This misunderstanding has resulted in providing asylum for troublemakers, criminals, antisocial groups and fringe groups of nationals and foreigners, gangs, drug users and drug dealers.

### **3. CRITICISMS OF THE UNIVERSITY ASYLUM LAW**

#### **3.1. The academics' perspective**

Professor Ioannis Xirotiris, in an article in the newspaper, *Macedonia*, December 17, 1995, questioned the use of and need for the university asylum law. According to Xirotiris, university premises are not a shelter for criminals. The aim of universities is not to encourage anarchists and anti-social people. The misuse and the wrong application of the university asylum law have resulted in a tragic situation. Under the protection of the asylum law, students have assaulted professors; criminals occurring university premises have abused sacred symbols, symbols of the universities and of

the Greek state. Professor Xirotiris wonders if university asylum exists to protect criminals and, in general, to promote criminality (Newspaper *Macedonia*, December 17, 1995).

A Professor of Democritus University Law School, Panagiotis Kargados, has much criticised the restriction of police entry in cases of serious crimes. The university asylum law (Article 2 paragraph 7) distinguishes the crimes committed on university premises into serious and not serious. However, crimes that are not felonies or against human life could still destroy or harm academic freedom. So, for instance, hindering teaching by students themselves, which is not a *flagrante delicto* crime or a crime against life, will restrict the right of freedom of both teachers and students to a large extent. Far from remaining non-prosecuted or unpunished it should be prosecuted by the police *ex officio*, without the triumvirate. According to Professor Kargados the rapid restoration of university community's tranquillity will be accomplished in this way. Similarly, critics argue that it is not acceptable for crimes like drug trafficking in university campuses, to go on without being prosecuted. Kargados also argued that the more the cost of illegality is reduced, and the more the prompt arrival of the police is hindered, the more criminality is increased. According to Kargados' legal analysis, Article 2 of 1268/82 allows serious damage and the abuse of academic freedom by vandals and common criminals. Thus, it allows criminality to occur without determining how and why it is perpetrated. In addition, the results of the application of the university asylum law, as observed during the last fifteen years, are contradictory to the provisions of the 1975/86/01 Constitution, which in Article 16 guarantees academic freedom as a basic and unlimited right. The 1975/86/01 Constitution not only defends academic freedom but also provides for academic freedom as a high value right. According to Kargados, if a common (not constitutional) law such as 1268/82, in practical application leads to abuse of a constitutional provision, it should be abolished. In the present case, Kargados argues that the practical application of 1268/82 Article 2 provokes criminality, which is contradictory to the aim of the Constitution. The aim of 1268/82 Article 2 is to protect academic freedom, and for that reason should be strengthened. However, university asylum law should be abolished, because it has never achieved its goal and crimes such as vandalism, disruption of teaching, theft or destruction of books, laboratories and archives are protected instead.

According to Professor Kargados, special laws could be provided for, to make police access to university premises as easy as possible, so that academic freedom could be more effectively protected against any illegal action or disturbance (Kargados, 1996, p.p. 74-5 and 51 - 4). However, this theory presupposes a basic principle: that the intervention of the state, i.e., police intervention, will be carried out only so academic freedom will be protected and not restricted, as happened during the colonels' dictatorship and in Athens Polytechnic University in 1973.

The view, which is the most prevalent one, accepts that university asylum means that the intervention of state agents is forbidden absolutely and without any exception whatsoever. According to this theory, a state body, such as the army, police or fire brigade, shall not enter without special permission or invitation granted by a university's authority without any flexibility and exceptions. This could lead to a legal and practical impasse. It is possible, in theory, to have a situation where a police officer who is also a student at the same time, is prohibited from entering the university campus to attend their lessons, or a police officer or soldier would be forbidden to enter university campuses in order to deliver a document, or even to give a lecture to students in the context of a scientific seminar or carry out scientific research. Even an ambulance, could be prohibited from entering university premises in order to offer treatment to a student or a university teacher who is in urgent need of it (Kargados, 1996, p. 55).

However, as Professor Yiannis Panousis told me while I interviewed him (see Appendix 10), when he drafted Article 2 of 1268/82, he had in mind only police and army intervention, not other state services, such as fire brigades and ambulances. Thus, a relevant judgement no. 4/1989 of Patras Magistrate's District Attorney (cf. *Pinika Hronika* -Criminal Chronicles-, vol. 29, p.1007), held that police or armed forces personnel are legally allowed to enter university premises without a special permission, in order to deliver documents to persons therein and serve other functions which are not coercive and not related to criminal matters, for example, to inform a student of the death of a relative. Finally, if the policeman is off duty, there is no reason to deny entry to university premises.

However, the possibility of the state's misuse of authority at the expense of academic freedom still remains, and the suspicion created by the incidents at Athens Polytechnic University in November 1973 have not fully died down. Police presence on a university campus will cause irritation and nervousness, escalate political tension and rivalry within universities and remove, in general, all those indispensable conditions of tranquillity and contemplation that are necessary for carrying out scientific research and teaching. To prevent all this nervousness and potential agitation, police presence on university premises should be avoided (Kargados, 1996, p. 55).

Achilleas Anthemides, who is a writer and researcher, and expert on university law for three decades, has been studying and commenting on the institution of university asylum and the legal provisions referring to university administrative rules. In his book *To Panepistimiako Asylo –The University Asylum-*(1996) he strongly criticised university asylum and argued that as it is legislated, university asylum is “third world material”. He concluded by proposing the abolition of the institution of university asylum (Anthemides, 1996, p.p. 51, 131). He justified his proposal by drawing on his comparative research and arguing that nowhere in the world does university asylum appear as a written law. Thus, he only accepted that academic freedom provided for university function but he strongly denied that university asylum as an ethical or common law necessity for protecting academic freedom (Anthemides, 1996, p.76). He commented, when interviewed for this study (September 24, 1999):

Where have we found the Greeks' university asylum? Historically, it never appeared either during the Byzantine era or later. Let us not hesitate to propose that criminal and penal law apply equally wherever criminal acts are committed, including university premises. This is not culture; this is not civilisation, to stand in front and watch the Polytechnic University burn. The poor students! They don't even know what university asylum is about and frequently they abuse it. And on the other hand, professors, for what do they need university asylum? Nowadays, democracy in Greece secures their rights. Professors are free to teach communism, democracy, socialism or even fascism and whatever they want. Free teaching is the aim of the university. So, why do professors want to be protected behind a castle? This way, I think we cannot progress as a state (Anthemides, interviewed September 24, 1999).

Minas Georgiades, who is Professor of Chemistry in Athens Agricultural University argued that university asylum law is disastrous and has led to unsolved situations. He believed that the results of the application of the university asylum law are so tragic that it seems as if fascism has come to dominate university premises. Just as the Nazi refused people entrance to particular buildings without having such a right in the same way, students and other occupants of the universities have prohibited professors from entering the universities and doing their jobs. Finally, he concluded by arguing that university asylum law has downgraded universities and needs to be amended (Newspaper *I Vradini*-The Evening- November 13, 1998, p.9).

Professor Asterios Georgiades, of civil law in Thessaloniki Law School, in a speech to academics and the public (October 26, 1990) argued that university asylum is a negative law and its poor application in practice has led to violation of academic freedom (Georgiades, 1990, p.21).

A professor of Thessaloniki Law School, Christos Papadelis, at a meeting of the Senate (September 1998), argued that university asylum is the basis of university autonomy and self-government and historically symbolises the freedom of the academic community. In his view, abolition is out of the question. However, improvements are needed regarding the law's practical results (Papadelis Christos, in a meeting of the Aristotle's University of Thessaloniki Senate, September 1998).

Professor of Polytechnic University Phillip Constantinou, had in the years 1997 and 1998 also been a member of the Celebration Committee for the commemoration of the Polytechnic events. When interviewed by the author in the Polytechnic University during the commemoration (November 17, 1998) he argued that university asylum is a sacred idea which should exist and be kept at any cost, because it was the colonels' dictatorship, the oppression and all the events in the Polytechnic, which were the cause of establishing the asylum. However, he admitted that in practice, several criminological problems had emerged. In his view, in many cases, there was a misunderstanding of the concept of university asylum. He himself had faced situations such as small violent groups within the university premises who terrorised him and made it impossible for him to work. Often, he was forced to keep

watch in his laboratory to prevent serious damage by vandals. Once, he had found drug users inside his office and, because of the university asylum law, he was unable to call the police and secure his office. Professor Constantinou, who had studied in Canada, argued that there such sad situations as barbaric occupations or people to setting fires within university premises, could never take place. However, he thought that no change was needed to the university asylum law, because university asylum is a *status quo* that is indelibly planted in every one's mind. According to him, university asylum cannot be abolished or changed in Greece, because this would result in more violence and demonstrations.

### **3.2.The judges' perspective**

A Judge of Greek Supreme Court, Panagiotis Papanikolopoulos, argued that the provision of 1268/82 Article 2 paragraph 7 that allows police to intervene only in cases of flagrant felonies and crimes against human life is a travesty, it has no link with the concept of university asylum, and has degraded universities. In addition, it promotes criminality. Finally, Judge Panagiotis Papanikolopoulos suggested that the police in criminal cases should be allowed freely to intervene in university premises (Newspaper *Estia-Altar-paper* number 231/101, December 9, 1994, p.8).

Judge Konstantinos Trakas argued that university asylum is imperfect, ineffective and difficult in terms of practical application. He questioned how it is possible for police to know if flagrant felonies or crimes against human life are being committed, if it is prohibited to patrol inside university premises. He suggested the automatic lifting of university asylum whenever a crime occurs within universities. He also suggested the amendment of act 1268/82 Article 2. According to his proposition, the triumvirate authority should be replaced by a Rectorate Council, to consist of five members: the Rector, two Vice Rectors, one representative of the employees and one representative of the students. He suggested that Rectorate Council could decide on the lifting of university asylum with a majority of three. In his way, the decision could be reached more flexibly and quickly, enabling the police to intervene more easily (Newspaper *Athesmeftos Typos-Uncommitted Press-* November 18-19, 1998, p.4).

Former President of Greek Supreme Court, Judge Vassilis Kokkinos argued that the occupations and clashes that took place repeatedly in the years between 1990 and 1995 were proof of youth sub-culture. According to Judge Kokkinos, Greek state and the police need to take action to confront anarchists and other antisocial students and to enforce the university asylum legal provisions without any tolerance. However, he was quite satisfied because the Polytechnic University authorities and the police on November 17, 1995 did their job successfully and managed to arrest and record some 500 anarchists. He suggested that if every year the police isolate these 500 anarchists then clashes would never happen again (Newspaper *Eleftheros Typos*-Free Press- December 12, 1995, p.6).

### 3.3. The journalists' perspective

University asylum has been the focus of some debate in the press and media. Well-known journalists and TV broadcasters who affect public opinion have occasionally discussed the issue. Journalist Yiannis Lomverdos, suggested that the university asylum law should be changed. He argued that, nowadays, the aim of university asylum is different compared with the years after the dictatorship. In his view, now the protection of people's security is more important. The institution of university asylum has been degraded because of serious misunderstanding. It would be preferable for the university community to move over and agree on its abolition. Otherwise, in his view, the concept of asylum leads to violation of people's freedom and democracy (Newspaper *Exousia*-Power-January 22, 1998).

Journalist Emilios Chekimoglou argued in the newspaper, *Macedonia*, that if the university asylum law continues to exist in the same legal form, soon it will be impossible for students, university staff and academic to have access to the university premises. Campuses will become autonomous areas occupied by criminals and anti-social youths. In his view, university asylum needs to be abolished because as long as it exists, it provides an excuse for the police and public authorities to neglect their duty to secure campuses and protect academic freedom (Newspaper *Macedonia*, July 3, 1998).

Journalist Achilleas Fakatselis wrote in the newspaper, *Eleftherotypia tis Kyriakis*, that the academic community ought to propose the complete abolition of the

university asylum law, because day by day, serious criminological problems arising within university premises (Newspaper *Eleftherotypia tis Kyriakis*- Sunday Freepress- June 7, 1998).

Dimitris Rizos, who is the editor and owner of the newspaper *Adesmeftos Typos*, argued that it is a joke to stick with such a problematic misunderstood law as the university asylum law. Everything has changed, he argued, so why not university asylum? (Newspaper-*Adesmeftos Typos*- Uncommitted Press- November 17, 1998, p.3). He expressed the same view during a TV programme with journalist-TV broadcasters Olga Tremi and Yiannis Pretederis, two of the most famous Greek journalists. The cabinet Chancellor Yiannos Papadoniou, MP, also participated in the programme, which was shown on November 17, 1998 by MEGA Channel. Dimitris Rizos said to the Chancellor:

Enough is enough. Overall can you Mister Chancellor, tell me what does university asylum means nowadays? University asylum only exists in favour of tramps and muggers to freely enter and shit over the sacred places such as universities and the Polytechnic. It is time to dare a bit more and suggest its abolition.

The Chancellor replied that:

Every individual including the students ought to respect university premises. University asylum has been institutionalised in favour of the students and the university community. Lately, there is serious abuse of the university asylum law. However, our government stands up for the existence of the university asylum, which is a symbol of democracy (TV programme by MEGA Channel, November 17, 1998).

Journalist Viki Flessa, in a special edition about university asylum (Newspaper *Kathimerini*-Daily-), argued that the time had come for either changes or abolition of the university asylum law and that during the course of the past twenty years, the impression created in the public is that the university asylum law is unsuccessful and



ineffective. She stated that there is an urgent need to amend the existing legal framework otherwise university asylum will lead to tragic situations.

#### **4. THE ANSWER TO THE CRITICISMS**

##### **4.1. The academics' response**

Yiannis Panousis, when interviewed by the author (see Annex 10), ironically agreed with Achilleas Anthemides' assertion that university asylum is "third world material". He argued that university asylum is a unique "material". In support of that view, he noted that university asylum law is unique world-wide and is a peculiarity of the Greek society on the specific subject. He pointed out that: "England and France (where he studied) did not have the experience of the Polytechnic University uprising. In France, of course, there was the experience of student demonstrations in May 1968, but the France authorities handled them in a different way, because they had another way, another public administrations system, a different understanding of the situation and a different frame of mind and mentality". He added: "it is wrong to say that because university asylum does not exist somewhere else, it need not exist in Greece as well. There are thousands of things, which do not exist elsewhere, and other things that exist elsewhere, that have not been adopted in Greece". Yiannis Panousis believed that in the course of the past two decades, a malfunction in the law's application had emerged, that was not envisaged when the law was drafted: an apparent degradation of the concept of university asylum. In his view, there was a serious responsibility on rectors, other teaching staff, the police and the students, all together to enforce the law in practice. The poor interpretation and application of the law has resulted in criticisms. University asylum has been abused because of a misunderstanding of it, which allows both students and small criminal groups of people to vandalise the universities.

Nevertheless, because of the confusion that exists in terms of application, he expressed willingness to engage in public and official dialogue, to amend issues regarding university asylum law. However, he insisted that in theory and in practice, the university asylum law is a needed institution. From his point of view, the right of university asylum should remain as a legal institution, albeit with some amendment, because it is a symbolic satisfaction of the mature demand of the university

community and Greek people, rooted in the experience of dictatorship and the 1973 Polytechnic University events. Although he believed that some improvements to the existing legal provisions may be needed, he insisted that the existing legal provisions, if properly applied and interpreted, could lead to the best results, allowing crime prevention and the protection of academic freedom. He argued that university asylum is not the only problem in Greek universities that has to be solved. University asylum from time to time causes some trouble, but there are other serious problems concerning Greek universities, which are more troublesome. In his view, commercialisation, the privatisation of universities and the globalised market in education are more serious issues than the concept of university asylum (Panousis, when interviewed by author, May 3, 1999, see Annex 10).

The Rector of Athens University, Konstantinos Dimopoulos, said that a university is not a cemetery or monastery where complete silence predominates. On the contrary, university is a place where active people and contradictory opinions are found. In his view, crime problems occur on university premises because some people misunderstand and abuse university asylum. Criminal action such as vandalism of sacred symbols, marble statues and laboratories are not included in the idea of asylum. Rector Dimopoulos argued that it has to be made clear to everyone exactly what is the aim of the concept of university asylum. State authorities, parliamentary parties, academics and students need to keep university asylum confined within certain limits (Newspaper *Kathimerini*-Daily-November 15,1998, p.22). In an even clearer subsequent statement (February 1999) the Rector said:

I strongly support the concept of university asylum. Today, more than ever a legal amendment is needed. The university asylum law was promulgated for the free proliferation of ideas, not for vandals and outsider offenders. I believe that the government need to propose improvements and to find a better combination for both asylum to exist and university premises to be protected from criminals

(Newspaper, *Ta Nea*-The News-February 6, 1999, p.19).

The Rector of Athens Polytechnic University, Themistocles Xanthopoulos, argued that a university is a sacred and untouchable place. Especially within a democratic society, such as the Greek society, university asylum has a specific and historical

symbolism. It is offered without exception to every individual, whether a member of the academic community or not. However, there is some limitation. People who are under asylum protection have to respect the sacredness and the history of the host place. The law is too weak, however, in providing the mechanism for the Senate to exercise its right in practice. In the Rector's view, if the law remains in its existing legal form, the Senate of the Polytechnic University would be able to safeguard university grounds but, on the other hand, be denied any responsibility for confronting the perpetrators in case vandalism or other criminality occurred (Newspaper *Kathimerini*- Daily-November 15, 1998, p.22).

On the other hand, a former Rector of Athens Polytechnic University, Nikos Markatos, has been strongly criticised for the way he handled the catastrophic 1991 and 1995 occupations of the Polytechnic (see Chapter 5, the Review of commemoration, years 1991 and 1995). He refused to allow the police and fire brigade immediately to intervene. The results were tragic. A major part of the Polytechnic University was burned down. Nikos Markatos argued that university asylum law in its existing legal formulation is straightforward and clearly provided for the protection of universities. The crucial element is that the Senate has to distinguish when the situation is dangerous and when it is not. This is a difficult task. Former Rector Markatos defended his decision not to permit the police to enter the Polytechnic University, even though it was obvious, as shown on TV, that the Polytechnic was in the grip of a serious fire. He argued that it is difficult to make a decision to permit police intervention, especially when people are within the university grounds, carrying with them cans of gasoline or inflammable substances. He explained that he did not permit the police to enter the Polytechnic University premises, because he was afraid that police intervention would cause human deaths. He thought at that particular time that it was preferable to allow the occupants to burn the Polytechnic than to permit police intervention, to avoid students' deaths. However, this was a very controversial decision, for which Nikos Markatos still faces serious criticism by the academic community and the mass media. He is also of the opinion that if a vote were held within the academic community, nobody would vote against the existing Law 1268/82 Article 2 providing for university asylum (Newspaper *Ethnos tis Kyriakis*- Sunday Nation-November 15, 1998, p.44).

The Rector of Democritus University of Thrace, Konstantinos Simopoulos, argued that there is no need to amend the university asylum law. Moreover, he added, universities with the exception of Athens and Thessaloniki do not have a significant crime problem. In his view, it is not fair and rational to amend or abolish a symbolic law because of the troubles that occur only within specific universities such as Thessaloniki and Athens Polytechnic (Local Newspaper of Komotini town, *Elefthero Vima*-Free Tribune- November 13, 1998, p. 1). In the same way Assistant Professor of Criminal Law in Komotini Law School, Yiannis Bekas, argued that university asylum guarantees security as long as the university authorities and the police act in the best way (Local Newspaper of Komotini town, *O Hronos*-The Time-November 12, 1998, p.4; and also *Paratiritis tis Thrakis*- Observer of Thrace-November 12, 1998, p.7).

Finally, the Synod of Rectors, in a meeting (November 7, 1998) discussed the issue of university asylum. They asked the government to take the initiative by calling academics, students, student unions, political parties and representatives of mass media for a public dialogue about university asylum. The Synod of Rectors stated that if propositions for amendment came out of public dialogue, difficulties would be limited (Newspaper *Ethnos tis Kyriakis*- Sunday Nation-November 15, 1998, p. 44).

#### **4.2. The politicians' perspective**

As seen above (Chapter 5) the Former Cabinet Minister of Education, Gerasimos Arsenis, MP, refused to discuss any suggestion for changes to the existing legal framework of university asylum. Since then (November 1998) the government of PASOK (which gained a victory with 43,8% of the votes in the latest general elections, April 2000) has avoided making any other comment referring to university asylum. Likewise, other left wing parties are totally opposed to any changes of the university asylum law. However, the leaders of the left wing parties have avoided speaking directly. They expressed their position through the youth and students political organisations of their parties. We will discuss these below. It should be noted that the left wing parties in Greece are the Communist Party (KKE) (got 5% of the votes in general elections, April 2000), the EURO-Communists party so called Coalition of Left and Progress (which got 4% of the votes), and the Democratic

Social Movement (DIKKI) which got 2,5% of the vote. Left wing parties have a total of 11.5%. If we add the socialist there is a total of 55.3% for leftists and socialists.

On the other hand, the leader of the opposition, Kostas Karamanlis, MP, (leader of the central-right Party "New Democracy" which got 42.8% of the votes in the general elections, April 2000) suggested reforms to the university asylum law. During the meeting he had with the Rectors (November 10, 1978) he made the following statement:

The government of PA.SO.K need to take action and amend the university asylum law, in order to achieve the protection of academic freedom, and to prevent criminal activities within the universities' grounds. The aim of university asylum is to protect academic freedom, not to protect criminals and provoke criminality

(Newspaper *Apogevmatini*-Afternoon-November 11, 1998, p.13).

Likewise, Aris Spiliotopoulos, MP, the spokesman for New Democracy, made clear that his party, when it comes to power, will call for a parliamentary debate about university asylum. He suggested that government and opposition need to agree to amend the university asylum law and to bring into force more flexible legal provisions. His party suggested a Rectorate Council consisting of five members (the Rector, two Vice-Rectors, one representative of university employees and one representative of the students) to replace the triumvirate. The decision to lift university asylum would be reached with a majority of three out of five, not unanimously. In this way, Aris Spiliotopoulos and his party believed that it will be much easier to reach an immediate decision for police to intervene. Moreover, one year later (November 1999) Spiliotopoulos came back and asked the government of PASOK to be more active, to dare make a political decision for amendment. He said that: "it is unacceptable every year during the commemoration of Polytechnic for violence to abuse the real meaning of university asylum, and for the government to remain passive observers, taking no action" (Newspaper *I Vradini*-The Evening-November 16, 1999, p.11).

In addition, the leader of the New Democracy party, Kostas Karamanlis, in his speech at the meeting of the General Political Committee of his party (Athens, November 16,1998) made the following statement:

University asylum protects a free and open society and also academic freedom and freedom of speech. University asylum is not provided for to cover criminality within the university premises. Until today, the socialist government of P.A.S.O.K has responded improperly. Whatever happens it will be the governments' responsibility. The responsibility goes to the government because it insists on sticking to an old-fashioned interpretation of university asylum. Our party, New Democracy, propose to improve the law. We do not suggest abolishing university asylum. However, amendment to the law is urgently needed

(Leader of Opposition Kostas Karamanlis, see Report of New Democracy, General Political Committee, meeting held in Athens- November 16, 1998).

Moreover, Kostas Karamanlis repeated the same statement for second time one year later (November 1999). He called for discussions and asked the Rectors of all universities to support his proposition to amend university asylum law (Newspaper *I Vradini*-The Evening-November 16,1999, p.11).

However, another politician of the central right party (New Democracy), Prokopis Pavlopoulos-MP, who is also a professor of Constitutional Law in Athens Law School and a former Cabinet Minister of Justice (1989-1991) disagreed with his party leader and argued that the troubles with university asylum are rooted in the bad application of the law. He insisted that it is controversial whether new legal provisions would be more effective and successful. According to Professor Pavlopoulos, even under new legal provisions, there will be serious trouble in terms of application of the law if the Rector, the Senate, the students, the police and the Cabinet Ministers of Public Order and of Education are politically cowardly, reckless of the consequences and unfair (Newspaper *Kathimerini*-Daily-November 15, 1998, p.44).

Mikis Theodorakis, who is a famous musician domestically and internationally, is a former Cabinet Minister (1990-1993). He used to be an active member of the Greek Communist Party (KKE), and his music and songs became symbolic during the Polytechnic University uprising (November 14-17, 1973). He argued that behind the violence that takes place every year during commemoration of the Polytechnic University events the political parties are hidden. The problem of university asylum, in his view, is not a legal problem, but mainly a political problem. According to Mikis Theodorakis only the university authorities, the students unions and the student political organisations should be responsible for maintaining order within university premises (Newspaper *Eleftheros Typos*-Free Press-January 13, 1991).

#### **4.3. The position of the student political organisations**

In Chapter 6, through the questionnaire survey we identified students' (who were not political activists) perspective towards university asylum. In sum, students felt that university asylum is not the originating cause of criminality and anti-social behaviour and agreed that crime rates inside campuses are lower compared with outside. However, time to time had been recorded some serious phenomena of criminality within campuses, which increase fear of crime. In addition various small criminal groups and troublemakers find shelter inside university grounds. As a result many students asked for reformation of the university asylum law and for new flexible provisions in order either state or private police to intervene and safeguard within university premises.

However, it is crucial for this study to examine the position of student political organisation towards university asylum. As seen above (Chapter 3) the student movement in Greece during the 1970s and early 1980s was politically strong. However, student political organisations continue nowadays to exert a political influence on student unions and actively participate in the university administration system. According to the Law 1268/82, student political organisations have the right to be represented on student union committees and university authorities, in accordance with the results of the annual student general elections. This means that every Spring, in Greek universities, student general elections take place and according to the results, they appoint their representatives. The general student elections are political in every sense and the results are a serious political message

for the government and its education policy. Continuously, for the last fourteen years, DAP-NDFK, the student political organisation of the central-right party “New Democracy”, has been the winner of the student elections. DAP-NDFK every year has won a clear victory, with 35 to 40% of the student votes. Accordingly 35 to 40% of the students who participate in university authorities are representatives appointed by the central-right student political organisation (DAP-NDFK). PASP is the student political organisation of the socialist party (PASOK). The socialist party PASOK has remained in government for almost two decades (1981-1990 and 1993 onwards). However, PASP for the last fourteen years has come second in the annual student general elections, with 20% -25% of the votes. PKS is the student political organisation of the Greek communist party (KKE). PKS is the third student political power, with 10-12% of the votes. However, its political influence is considerable. Student communists are in general very active during demonstrations and gatherings. Finally, there follow the other left wing students organisations such as EAAK (Single Independent Left Wing Movement): the student political organisation of the Democratic Social Movement Party (DIKKI): and the student political organisation of the Coalition of Left and Progress party (SYN). Altogether, the far left student political organisations account for a total of 18-20% of the student votes.

From the above, it is easy to realise that Greek universities are dominated by two major and powerful student political blocks, which are in political conflict. On one side, is the central-right (DAP-NDFK) with 35-40% of the student votes and on the other side, are the leftists and socialists, with approximately 35-40% of votes. The remaining 15-20% is divided among other student organisations, either political or non political. For the purposes of this study I interviewed with most of the representatives of the student political organisations at national level. What they told me follows below.

One representative of the student organisation of DIKKI at national level I interviewed was a Law student and insisted on remaining anonymous. He told me that his organisation believe that university asylum has been safeguarded to protect the free exchange and contest of ideas within the universities. However, university asylum is not an institution provided solely for the benefit of the academic community but also for the whole Greek society. For DIKKI, university asylum is



important not only because it covers students but also because it functions as a place where opposition might occur towards government policy or an undemocratic regime such as the junta. University asylum operates as a level of social research and social communication for the development of social political movements. He also told me that asylum aims to prevent intervention inside the universities. This aim, up to now, has been achieved quite satisfactorily because, ever since 1982 (when the university asylum law was passed), democracy and freedom have dominated universities. Students and academics are no longer criminalised because of their political opinions and/or actions. Likewise, the legal framework of university asylum fully protects both students and academics. In terms of crime rates within universities, the student organisation of DIKKI argue that this is simply a pretext that the conservatives use to justify lifting or, if possible, abolishing university asylum. He also told me that he personally had never been an eye witness to a serious crime committed within the university premises. He argued that whenever criminality occurs within universities it is either limited or propagated by outsiders who abuse university asylum. Students and academics have no link with criminality. He concluded that not only is his organisation opposed to changes of any kind, but also they propose to extend the asylum right to cover more places, not only the university grounds.

Evia is a national representative of the student political organisation of the Euro-Communists, the party of the Coalition of the Left and Progress. She asked for her family name only not to be reported but she allowed me to use her first name. For her organisation, it is clear that students, academics, and the people in general are not ready to accept any changes regarding the university asylum law. Although she admitted that crime problems occurred occasionally within universities she argued that there is no link between criminality and university asylum. She concluded that the best solution towards crime problems within universities would be found by improving the educational system as a whole.

George Poulikakos represented the Single Independent Left Wing Movement (EAAK) at national level. He told me that university asylum was the result of a great political battle within student movement against authority, as well as of broader social strata existing during the time period 1967-1981. University asylum is

basically the reflection of a coalition of social political powers opposed to the dictatorship. I asked him if the goals of university asylum had been achieved since it was institutionalised in 1982. He replied that nowadays there is some retreat from university asylum. Each institution, he said, reflects the social situation of the time period in which it is founded. However, even after the recent retreat of university asylum, any reforms in the existing legal framework is out of the question. There has recently, he added, been an attempt to restrict or abolish it on the pretext of criminality. But, if the police were hypothetically granted permission through a certain legal framework to enter university premises, the phenomenon of high crime rates would not decline. Even if universities became safeguarded castles locked with iron bars and shut doors, still criminals would climb over the fence and join the general criminality existing outside universities. It is obvious, he said, that criminality has nothing to do with university asylum. His personal view is that criminality is a phenomenon irrelevant to the university asylum law. High crime rates within campuses reflect the low standard of living conditions and unemployment of students and other young people. If the university asylum law were changed in any way, he argued, it would be a victory for the global economy, which requires free entrance to every place where trade and financial activity make take place, including universities. So university asylum remains the only defence against globalisation, and that is why it has to remain in the future.

The representative of the communist student political organisation (PKS) at national level, told me that university asylum is an inalienable right of the students, because it is the right to political freedom of thought, speech and exchange of ideas. Nevertheless, university asylum aim twenty years after its legal institutionalisation, has not been fulfilled. The calls for the abolition or amendment of university asylum have been rejected by the PKS student organisation. University asylum, for PKS, is a necessary condition for gathering and opposition towards governments bad educational policy. Parties and the government, according to PKS, try to influence students' political demonstrations and political activities. This is the reason why they have suggested the lifting or the abolishing of university asylum. He added that police and private security are in contradiction to the concept of university asylum.

Criminality, according to PKS is a social phenomenon rooted in the financial difficulties people have and in sub-cultures that are not members of the university community. Universities are the reflection of society. Correspondingly, the more crime exists outside universities the more crime is reflected inside universities. Likewise, it is utopia to expect that, all of a sudden, if the police entered the university grounds, crime would vanish. It is obvious that it has to remain in its existing form. For PKS it is unacceptable even for a discussion of certain improvement to take place, because it might be an excuse for lifting university asylum.

I deliberately left until the end the representatives of the socialist and central-left student political organisation (PASP) and the central-right (DAP-NDFK). Their political position is significant because both represent a total of about 60-65% of the student votes.

PASP support the maintenance of the university asylum law as it has been shaped since 1982. For PASP, the symbolism of university asylum is clear and even a small change in the existing legal framework may lead to abolition. The Secretary of PASP at national level, Thanos Vourdas, told me that there is still a misunderstanding and serious abuse of the university asylum law, which apparently led to disturbing criminality and violence. However, the violence that occurs occasionally is not a persuasive argument to amend the university asylum law; it is only a pretext to do so. According to the PASP position, university asylum was established for historical and symbolic reasons, and provides for the protection of academic freedom and the freedom of political activism. Thanos Vourdas insisted that to prevent criminality it is necessary to make university premises full of life by often organising conferences and events, by electronically lighting every space of campuses, by reconstructing campuses as lively and busy places. He also proposed the removal of the existing fences from every university and free entrance for everybody. In this way criminals would have no incentive to hide therein, because fences would no longer protect them.

Moreover, Thanos Vourdas suggested that a special committee be established and be responsible for both the organisation of the Polytechnic University commemoration

day and the improved application of university asylum. This committee, according to Thanos Vourdas, should consist of representatives (students and academics) of Athens Polytechnic University, representatives of EFEE (National Student Union Association), politicians, representatives of the parties, and the Secretary of the Youth. He made no mention of the police or other representatives of public administrative authorities. According to PASP, the police have nothing to do within the universities. He told me that university asylum and criminality within universities is a domestic situation that needs to be solved by the university community alone.

Christos Kourousis, the Secretary of DAP-NDFK at national level, had a different approach to contribute. He told me that DAP-NDFK has a clear and realistic approach towards university asylum. In his view, the substantial meaning and the symbolism of university asylum nowadays is very different from twenty five years ago. Things and time have changed. Society and the university community has to be more adjustable to changes. University asylum has occasionally been abused. DAP-NDFK is not against the concept of university asylum but against the abuse of university asylum. University asylum is the basic condition for the smooth function of scientific research. In addition, university asylum provides for unhindered student assembly, free student unions and self-government of universities. That is why DAP-NDFK supports not the abolition of university asylum but the amendment of specific provisions of the Law 1268/82 Article 2. It is important to protect university premises. This is a serious task for the university community. Whenever crime occurs within universities, automatically university asylum is abused. He suggested that the university community is obliged to deal with the problems which come from serious crimes such as drug dealing, vandalism and homicide. He added that, in fact, university asylum through the existing legal provisions obstructs the execution of the fundamental meaning of the concept of university asylum. Finally, DAP-NDFK has suggested that the university authorities should employ many more security staff to safeguard university grounds.

The Secretary of DAP-NDFK, during a press conference in which he announced their suggestions, stated:

We propose the modernisation of university asylum's existing legal provisions. We propose to adjust university asylum according to the reality of the present time. We need to welcome the 21<sup>st</sup> century with updated university asylum (Newspaper *Apogevmatini*-Afternoon, November 14, 1998, p.11).

It is noteworthy that the leader of the opposition, Kostas Karamanlis, welcomed the propositions of DAP-NDFK. In a conference organised by DAP-NDFK, held on February 26, 2000 in Thessaloniki, Kostas Karamanlis promised that if he won the general elections and became prime minister, the amendment of the university asylum law would be a priority of his future government (see report of the conference February 26,2000: File records of ONNED the Youth Political Organisation of New Democracy).

Let us now discuss what exactly the propositions for amendment proposed by the DAP-NDFK student political organisation. According the university asylum law (see Chapter 4 section 5) a unanimous decision of the triumvirate is needed to permit police to enter university grounds. In any other case, the Senate is responsible for reaching the decision, with a two thirds majority. Usually, the Senate contains approximately 70-80 members. The number depends on the number of sites in the university. Past experience shows that the triumvirate has never reached unanimous decision to lift university asylum, with one tragic exception (see Chapter 5, the Review of commemoration, year 1985).

Noteworthy, that during the 1991 and 1995 occupations it was the Senate of Polytechnic University, not the triumvirate, that reached a decision to permit police to enter. In the 1991 occupation, the Senate could not reach the majority of 2/3 soon after met. It was too late when, finally, early the next morning, the Senate reached a decision with a 2/3 majority (see Chapter 5, Review of commemoration, year 1991). As result, overnight the old rectorate building and the library of Polytechnic University were set on fire. DAP-NDFK had in mind all these tragic incidents, which degraded the concept of university asylum. DAP-NDFK proposed specifically, that the triumvirate be abolished. Instead, the Rectorate Council would be the university authority responsible for taking a decision. The Rectorate Council would consist of

five members: the Rector, two Vice-Rectors, one representative of the employees who is a member of the Senate, and one representative of the students who is member of the Senate. According to the DAP-NDFK proposition, the Rectorate Council would be able to reach a decision to permit the police to enter the university grounds with a simple majority of three out of five. If the Rectorate Council could not reach an agreement, then the Senate would be the authority responsible for making the final decision. DAP-NDFK also suggested that the exceptions of flagrant felonies and crimes against human life, should extend to other crimes such as vandalism, burning, serious damage to property and sexual assault.

The above suggestions seem to be rational. However, there is serious political and legal criticism referring again to application in practice. The Professor of Constitutional Law, at Athens Law School, Prokopis Pavlopoulos, did not seem to agree with DAP-NDFK propositions, although he is an MP of the same political party. When was asked about the DAP-NDFK proposition, argued that he was not persuaded by the proposition that the Rectorate Council would be more effective in reaching a decision to lift university asylum. He was unwilling to support the extension of the exceptional crimes. He argued that, first of all, to extend the list of crimes excepted, it was necessary to distinguish what sort of crimes they would be. Otherwise, if the extension of crime was not specific, there would be a danger of more trouble (see DAP-NDFK internal newsletter, volume 2, November 1998).

When Yiannis Panousis was asked by the author, if it would be any improvement to substitute the triumvirate with a Rectorate Council, he argued that a combination of the academic tradition that it is in the power of the university authorities to decide, and workability and flexibility, is required. He also named two conditions. First of all, the students should be present at the meetings of either the triumvirate or the Rectorate Council. According to Yiannis Panousis, it is crucial that the representative of the students confirm a decision to break university asylum. The second condition is a law to prohibit Rectors from being reelected for a second term. Yiannis Panousis argued that most of the time, in order to be reelected, rectors need to make a political decision. They have to decide what is a priority for them. Thus, they would have to decide whether permitting the lifting of asylum may lead to the loss of students' support and their votes on the rectorian elections. Otherwise, they

may gain students' support and their votes but, as happened in 1991, may see the university burnt and completely destroyed. In any decision, the cost to the rector would be political. Yiannis Panousis said that if rectors knew in advance that they had a fixed term to serve, not a continuous term, they would think differently. In that case, rectors would be accountable to history and the university, not to the electors who would decide on their reelection, and so they would not avoid handling controversial issues such as the lifting of university asylum (see Annex 10, Yiannis Panousis interview).

I also interviewed Elias Argianas who is a mature student, very experienced in university matters (the whole transcript and translated from Greek to English interview by the author and it is available under request). He has been a right wing politically active student for eleven years. He graduated twice; he was a student of the Gymnastic and Athletic Academy (1988-1992) and student of the History and Ethnology Department –Thrace University (1993-1998). During his studies he was a member of the Central Council of EFEE (National Student Union Association), and also of the University Senate. According to Elias Argianas university asylum represents Greek democracy, which is nowadays of very great value. University asylum symbolises the absolute freedom of speech and serves the enthusiasm of young generation. Although he is a right wing student, he did not support the propositions of the right opposition party (New Democracy). He was critical towards the effectiveness of the proposal to substitute the triumvirate with a five member Rectorate Council. However, he argued that a new legal framework for university asylum would be useful, if it offered flexibility and with the condition that the university community remained accountable. The existing provisions had proved in the course of the years to be unworkable in practice and too weak to prevent serious violence within campuses. Elias Argianas argued that small minority groups such as anarchists and other youths occasionally created a great deal of violence within universities. Violence offered great opportunities for TV shows.

However, according to Elias Argianas, if university asylum were abolished, more criminality within universities would occur. Campuses would be a space, which was no longer considered strictly for students. As long as university asylum exists, students and academics have the opportunity to isolate themselves from antisocial

people and handle violent situations on their own. Elias Argianas made the point that within the regional universities, nobody worries about university asylum. In regional universities students and academics know each other very well, they have strong bonds because of their personal relationships and always prevent outsiders from making any trouble within university grounds. In such universities, unlike what is happening in Athens and Thessaloniki, the entire university community is close to each other and forms a very hard core which does not allow any outsiders, whether criminals or police to intervene. On the contrary, in Athens and Thessaloniki, the mass student population, urbanism, the anonymity between students, professors and other staff, and the central location of university campuses all make it is much easier for outsiders and cunning youths to intrude and cause problems.

## 5. ALTERNATIVE SOLUTIONS TOWARDS CRIMINALITY WITHIN UNIVERSITIES

Let us now discuss what alternative solutions towards crime problems within universities are suggested by academics and students who support the existing legal framework of university asylum.

A Professor of the Law School, Thessaloniki, Phaedon Kozyris (who also used to be a professor of Ohio State University and has experience of the USA's university security system) proposed that a special university force, accountable to the university authorities, should be responsible for safeguarding university premises. In addition, he proposed special student patrol groups with mobile phones and walkie-talkies, responsible to inform the Rector, the Senate and the police immediately whenever crimes were committed (Kozyris Phaedon, in periodical *Panepistimioupolis-Campus*- Volume 2, January 1999, p.24).

It has also been suggested that university premises could be policed by private security companies and a special police body consisting of students themselves for safeguarding studies, preventing the destruction of universities inner premises and, in general, for securing all university teachers' and students (Efstathiou, 1989, Newspaper *Estia*, -Altar- issue no. 32347, 20/4/1989). This idea has been suggested in the remote past, but proved, unworkable because, students' unions do not possess



the mechanisms, organisation and equipment (guns, motorcycles, cars, phones, C.C.T.V etc.) necessary to protect and police university premises.

Professor Prokopis Pavlopoulos, also proposed that a special university police force accountable to the university authorities should be provided for the protection of university asylum. However, he named one necessary condition. The university police force should have the duty to report to the Senate what happens, day and night, within the university. In addition, guards need to be very well trained and educated in order to act protectively and not to abuse university asylum (see DAP-NDFK internal Newsletter, Volume 2, November 1998).

Professor of Thessaloniki Law School, Christos Papadelis, proposed that the duties of the triumvirate be extended to include not only decisions to lift university asylum but also examining the legality of the decision whenever students decide to occupy university areas. He added that if the triumvirate decide that such occupation is not legal, the police would then automatically have the right to intervene and remove the occupants (see report of Christos Papadelis speech, October 1998, to the Senate of Aristotle's University of Thessaloniki).

The Senate of the Polytechnic University of Crete decided something more original. To prevent students and /or outsiders from occupying university areas and to prevent criminal behaviour within university premises, they employ private security company (Group 4) to guard the campus. This decision was strongly criticised by academics, firstly, because it requires payments that most Greek universities can not afford; and secondly, because its effectiveness is controversial. Likewise, students and student unions are reluctant to accept uniformed forces, either private or state, within university premises. For instance, Professor Yiannis Panousis argued that he himself could never accept private security companies such as Group 4 policing within universities. He argued that private security companies could never provide better policing services than the state police. Compared to the state police, Group 4 is poorer in terms of organisation, equipment, police methods and number of personnel. In addition, he argued that Group 4 cannot prevent criminality because as a private security force, it has no authority to arrest and prosecute criminals. So, Panousis concluded, if universities decided to allow any force to police campuses, it

is preferable to allow the state police, as private security companies provide only the façade of protection. If a serious situation occurred within universities, Group 4 would be unable to control it because they are not aware of the peculiarities of the university culture. Group 4 and other private security companies have no idea how to handle situations within university premises.

In addition to Yiannis Panousis, Nikos Paraskevopoulos, who is a professor at Thessaloniki Law School, argued that if private security companies policed campuses, it would not be legal according to Article 16 of the Constitution (Newspaper *Eleftherotypia*-Freepress- September 24, 1998).

As seen above, the central-right student political organisation (DAP-NDFK) proposed the amendment of the existing legal provisions on university asylum. On the other hand, the socialist student political organisation (PASP) along with left wing students (PKS) rejected any proposal to change the university asylum law. However, all three political student organisations have agreed to a joint statement as a minimum list of alternative solutions. Specifically they proposed the following:

- Universities should fence areas that the university authorities have characterised as dangerous and in need of safeguarding.
- University authorities should employ security staff who have the duty to watch the main entrances and exits of the universities and to check the identification of those who enter or leave university premises.
- University authorities should be responsible for safeguarding the main entrances of campuses with iron security bars.
- Automatic lighting should be installed in all spaces within campuses, parks and other outdoor spaces.
- University authorities should plan better traffic conditions within university roads and streets. In addition surveillance cameras (C.C.T.V) should be installed to watch roads and streets within campuses.
- University authorities and departments, in co-operation with student unions and other groups, should organise events, scientific conferences, seminars, concerts, theatrical acts, other cultural shows, social events and parties, in order to create within campuses lively conditions all day and night. In this

way outsiders and sub-cultures would be prevented from finding shelter within campuses.

- Finally, university authorities should employ more security personal who must have special training, education and be armed (for the above suggestions see periodical *Panepistimioupolis-Campus*, Volume 2 , January 1999, p.27; see also promoting leaflets DAP-NDFK, PASP, PKS).

Moreover, DAP-NDFK proposed three extra alternative solutions, which have not been adopted by other student political organisations. They are:

- The legal establishment of a special university force. They named it “Special Group of Watchers”. The aim of this group would be to patrol and watch every university area and to judge if there is abuse of the university asylum law. This group would consist of students, security staff and former-retired policemen. They need to be sufficiently educated about the university asylum law, and aspects of university asylum, and experienced in youth crime. The duty of the “Special Group of Watchers” would be to intervene whenever occupations take place or crimes are committed, and immediately to inform the Rector and to call the police if flagrant felonies and other crimes against human life are committed.
- The establishment in every university of a special committee consisting of academics, staff and students. The committee would be required to meet once a month to record crime rates, to report crime incidents, to discuss all relevant aspects and situations occurring during the course of each month and to propose solutions to the Senate.
- Finally, a post-graduate taught course to be organised in police academies where post-graduate policemen could be educated in university asylum law, so that a special police force for university asylum could be established (for all the above see DAP-NDFK promotional leaflet).

## 6. CONCLUSION

Serious criticisms have been raised against university asylum law, because the meaning is misunderstood and the majority of people and mass media believes that the law provided for the protection of political protesters and criminals. The majority

of the people involved with university asylum suggested that the law should not be reformed. However, a few journalists, judges, the opposition central right party and the students of the central right political student organisation suggest that more effective and flexible legal provisions are needed in order for the police more easily and frequently to intervene within universities and safeguard university property. They do not, however, suggest the abolition of university asylum. In addition, even those who criticise university asylum recognise its historic symbolism and the social demand to remain and strengthen the concept of university asylum.

Those academics, students and politicians who support the existing legal framework of the university asylum law, argue that it is a matter of better application in practice and interpretation. If the university asylum law is applied incorrectly criminality is encouraged. If it is applied properly crime rates within universities would decline significantly. Various alternative solutions to the university asylum law have been suggested but all have advantages and drawbacks. The high financial cost of these and the legal and practical difficulties of enforcing such measures have been major issues of criticism.

## CONCLUSIONS

The basic aim of this study is to explore the history and impact of the university asylum law, uniquely existed in Greece since 1982 and to measure the dynamic aspect of the relationship between the law implementation and the social process. The fundamental hypotheses that this study aims to test is whether and how the university asylum law, which prohibits the police entering university grounds, has any impact in provoking criminality within university premises, resulting to high crime rates, and whether reformation or abolition of the university asylum law is needed as a measure of crime prevention. In addition this study explores the attitudes to the concept of university asylum and its impact on crime and disorder of the university community (students and academics) and political parties. Finally an outline and analysis of the alternative solutions proposed for resolving the "problems" caused by the university asylum law application is also presented.

### **Conclusions from the students' perspective**

First, based on the findings and analysis of the questionnaire survey, it can be concluded that from the students' perspective the concept of university asylum today continues to reflect the same practices, theories and ideology as when the university asylum act was passed in 1982. It has been elicited that the university asylum reflects a continuing extension of the symbolism of the Polytechnic events (November 1973) and the university community's fight for human and educational rights. For that reason, replacement of the university asylum is out of the question for the vast majority of the students. However, since 1982 when the university asylum law passed things have changed. It has reformed the educational system, and changed the mentality of the society. It has changed the political, and social-economic conditions and priorities of the students and Greek people in general.

Second, clearly, from the findings it can be concluded that whereas the students of the universities are ready to accept more tight ways of policing campuses and absolute enforcement of the university asylum they are less likely to support any effort to abolish it. However, they believe some reformation is necessary. In contrast,

to non-political activist students, the majority of the student political organisations support the university asylum in its existing legal framework.

Third, the university asylum has become a strong bond with university teaching and scientific research. This suggests that the university asylum has to remain as a democratic institution for the maintenance of human rights and as the constitutional defence for the university communities' independence.

Fourth, an analysis of students attitudes towards the asylum law leads to the conclusion that a better application of existing provisions, rather than abolition, are most needed.

Fifth, the widespread uncertainty of the respondents about crucial provisions of the university asylum law suggests that is necessary for students to improve their information and legal knowledge about the university asylum. To this effort mass media and student syndicalism play the most significant role. That is why the mass media and journalist have to inform the people clearly to avoid misunderstandings and in reliable and authentic way.

Sixth, there is a widespread belief that crime inside university premises is a serious problem for the university community and public authorities to solve. However, it is less serious if compared with the crime problem outside university. While the university asylum theoretically is an element provoking criminal behaviour, empirically it has been proved that it has limited influence on crime rates. It seems that the level of criminality inside university premises has been over-emphasised and overestimated by the press and mass media. In fact the students' level of fear about crime inside university premises proved to be under control and the students have been found to worry more about criminality outside university grounds. Even so both the university community and the state authorities have to co-operate closely in order, on one hand, for crime rates to decline and the feeling of security to increase inside university grounds, and on the other hand to respect and not to abuse the university asylum.

Seventh, while university asylum is of great symbolic significance for students, they are worried about its impact on crime within university premises, because they feel unable to face and solve criminality without police intervention. The students therefore want measures to be taken but without limiting the fundamental meaning and symbolism of university asylum.

Finally, we have shown how university asylum has been conceptualised and developed with reference to time, space and social-political context. The investigation took place in this study suggests that university asylum is an extraordinary enduring feature of the current Greek university.

### **General conclusions**

We have shown that the role of university asylum is not so much real as historic and symbolic. It reflects the uniqueness, the difference and the peculiarity of the Greek students and society in general. It is a phenomenon existing only in Greek universities, not only as common but also as enacted law.

University asylum is closely related to the Polytechnic University events that occurred on November 14-17, 1973. It is clear that if the Polytechnic University uprising never had happened the university asylum law would never have been established. We have also shown that the military junta politically persecuted the students of the Polytechnic. They asked for asylum inside the university. The students had the characteristics of political refugees. They were political offenders demonstrating against a tyrannical regime. The only difference was that they sought asylum not in a foreign country but internally, they sought asylum within the university, which was the most familiar and friendly place for them. The students according to international common law and for humanitarian reasons were eligible to be granted asylum. They decided to occupy the Polytechnic, which was the area of their "academic home". For them the Polytechnic University was their own mental home, where they found hospitality and shelter, both offered by their professors. The students assumed that the university area was for them an asylum where they could enjoy immunity from arrest. From there they marched to demand academic freedom. However, the notion of academic freedom is linked with the political freedom. The students when they realised that their academic requests had not been satisfied

expanded them politically and socially. They rose up against the junta. The regime reacted fatally and violated the human right of asylum and particularly the concept of university asylum.

The state of affairs prevailing in Greek society during the first few years after the abolition of the dictatorship and the restoration of democracy (1975), made imperative the establishment and recognition of the university asylum as a socio-political right to remedy the injustice not only against the students, but also professors and other members of the university community who had been persecuted by the dictatorship.

University asylum was established to provide a free arena for academic work and political activism, which was needed after the tragic experience of the junta and the Polytechnic revolt (1973). University asylum is an area legally recognised where the police has no authority, regardless of whether or not the people who take refuge there are members of the university community or not.

However, university asylum is the institution that enables universities to protect free speech and free dissemination of ideas, to develop scientific as well as social theories and political views even if they are controversial or revolutionary theories, which do not conform to dominant socio-political practices. But this does not mean, as some seem to believe that university asylum is a totally free space, where anarchy can prevail or where unlawfulness will always be tolerated. University asylum is not a broad and unqualified immunity. The law itself does not intent to turn the university into an area of unlawfulness where criminal acts can go on unpunished, nor into some illegal refuge for offenders who are neither members of the university community (students and professors) nor have anything to do with it.

University asylum was legally institutionalised in 1982 by the 1268 Act. Since then, the social and political conditions have changed tremendously. Greece is governed by democracy on all levels and each and every Greek citizen can express himself or herself freely. It is therefore reasonable to wonder whether or not the university asylum meets the needs and demands of today's university community as well as those of the Greek society in general.



During the last few years the topic of university asylum has been increasingly a topic of debated discussion and controversy. The question that has to be answered is whether the enactment of university asylum caused more positive than negative results (see Newspaper *To Vima* –The Tribune– January 8, 1995).

The question that should be answered is whether university asylum ultimately ensures the protection of academic freedom or leads to its restriction because it allows criminality to occur. There is a danger that any illegal action whatsoever committed within university spaces may become devoid of its unlawful character, since it will remain non-prosecuted and unpunished, in the name of protection of academic freedom. There is always the danger that university campuses will be transformed into an anomic space.

Occasionally the abuse of the law by students and outside troublemakers has created the impression that university asylum law has been the main reason for the criminality occurring within university premises. The media has also conveyed such an impression. Students who are troublemakers, under the protection of university asylum and following their own fringe ideologies (e.g. anarchism), through the use of violence, enjoying the protection of the university asylum can turn universities from research and knowledge centres into lawless places without getting arrested, punished and without having to pay compensation for the damages caused (Newspaper *Estia*, -Altar- No. 38.306, February 23, 1991, p.1, also No. 38.307, February 25, 1991, p.1, and No. 32.346, April 19, 1989).

Greek students, professors, and the Greek people have witnessed numerous incidents of outsiders abuse university asylum institution in a criminal way. The abuse of the right of university asylum has led to the complete lack of protection of professors and students from outside antisocial behaviours, drug dealers but also students who are drug user, from arsonists and terrorists having in their possession explosives and firebombs. Vandals have occupied campuses while destroying and/or stealing things of scientific, artistic or archaeological value and writing graffiti on marble statues.

Almost every year we observe the phenomenon of students occupying the Polytechnic School campus during the commemoration of Polytechnic University (November 1973) events. This type of occupation sometimes leads to major property damage of the Polytechnic as well as to street clashes with the police in the surrounding area. There have been numerous instances where groups of anarchists in the name of university asylum have seriously damaged and vandalised the universities while the university body remained inactive. The anarchists, occupying Polytechnic campus, use the Polytechnic as their shelter and base of criminal activity. As Georgiades has argued:

Criminal activity within Polytechnic campus leads to the distortion of the concept university asylum and the misapplication of the law lead to the restriction of constitutional rights as well as to the abolition of all academic freedom provided in article 16 of the Constitution (Georgiades, A., 1990. p.21).

The essence of university asylum in today's society, where the absolute freedom of expression has been consolidated, is profaned by drugs users, by various "night visitors" and by illegal buying and selling of smuggled goods. The criminality, which exists over the last few years within universities brings about fear and panic to citizens (Newspaper *Thessaloniki*, October, 1998, p.2).

However, in contrast to what is portrayed by the press and TV criminality inside university properties is less compared to criminality outside. Universities are not isolated from the rest of society. The phenomena that plague Greek society, plague to a degree Greek universities too. Criminal behaviour such as drug dealing is much more frequent in other public places, for example the Omonia Square in Athens.

The critics of university asylum law argue that it is becoming more and more accepted both by the university community and politicians that universities now need not fear the state's intervention. The state authority today is not the same as that existing in the early '70s, and governments enjoy the confidence of democratic parliaments. In other words, the Greek police forces belongs to the Greek people and the Greek democratic government, and are committed to the mission of protecting

the whole social body and of serving all citizens on the basis of the law. Why, therefore, should they need special permission to be granted by university authorities in order to exercise their duties? The police and army in Greece have ceased to be class-discriminating instruments oppressing the human rights of political dissidents. Democracy has been strengthened year by year in Greece since 1975 and the socio-political as well as financial conditions have been improved so much that Greece is today a country, which is equal to those of the European Union, governed by the communal law and respects human rights. Democracy functions under the best conditions and therefore some argue there is no need whatsoever for a special place in which the state authority will not be applied, and the police should patrol freely and protect university premises against any sort of crimes that are committed on them.

Efforts to find ways for policing campuses have been introduced but proved not very effective. For instance the Thessaloniki University experience shows that it is difficult to argue that intermediary solutions such as the partial lifting of the university asylum brought the desirable results towards crime prevention.

Academics seem to be divided in their views on a reform plan. However, they are generally open-minded towards the possibility because of the crime problems within universities. Even Professor of Criminology Panousis Yiannis, who drafted the law of university asylum, admitted that the existing provisions do not cover the problem of criminality. It was impossible in 1982, when the law was passed, to guess what would be the status of society and universities after two decades. As he stated:

We have to find ways to protect the asylum. Because we are not catching up with the events any more. We did not have in early 1980's any experience in handling such serious situations (referring to the occupations and destruction of universities). What we need to do is to examine how the institution of the Asylum is used in practice. We can find solutions for the crime problem through article 2 existing provisions of the university asylum law (1268/82) (Yiannis Panousis, when interviewed by the author, see Appendix 10)

At the political level, the central right opposition party and its student political organisation seem to care more about the crime problem than the symbolism of the university asylum law. They campaign for reforms with more flexible new provisions. Their aim is to make easier access for the police to intervene more frequently in criminal cases.

On the other side, the socialist government, the majority of the student unions, the central-left and left wing student political organisations prioritise the symbolism of university asylum as it was enacted since 1982. They argue that university asylum in its existing form is the symbolic satisfaction of the social demand and even a little reform is equivalent to the abolition of university asylum's symbolic and substantive content. In addition, the potential political cost and public opinion to the government involved in the decision in lifting or reforming the university asylum is a major factor in the indecisiveness and the rigidity exhibited by the government.

Overall, in response to the question if whether the university asylum law should be abolished, the university community (academics and students) and the politicians clearly answered negatively because the symbolism and ideology of university asylum law acts as the major priority. As Ioannis Shinas, who is professor for trade law in Thrace Law School in Greece, told me, that university asylum law is today a symbol of human rights and democracy. The Greek state, after democracy was restored ought to have declared the dead students as national heroes and should defend the university asylum and human rights to remedy the juntas' behaviour. Similarly, Yiannis Panousis, when I interviewed him, told me that it was a public demand, the public opinion pressure after the restoration of the Greek democracy (July 1974) which led to the university asylum being introduced not only as common law and old tradition but also as special written criminal law, in order that never again should any power, any government or any individual dispute or violate the university asylum. From the exposition and analysis of the law in action in case of university asylum law proved to be that there is significant deviation from the intent of the law in books.

However, as Roshier and Teff in their book (1980) argued, that a law is important law when it has been emerged as a symbolic law. In some cases even if the law is

not successful in practical application is less important. It is more important the symbolic function of the law. It is clear that the symbolic qualities of asylum law illustrate its significance as ideology (Roshier-Teff, 1980, p.p.22-24).

To the question of whether the existing legal framework of university asylum needs to be reformed the answer is not straightforward. Even those people who support the reform do not guarantee better practical results in terms of preventing crime and tackling criminality within university grounds and that the quality of the university's community life will be improved.

The impact of the university asylum is both criminological and political. The university asylum space is not an independent area, where the law is not observed and where criminal activity is permitted. It is not true that the university asylum space is a non-policing area. The university asylum law clearly permits the presence of the police in case of serious crimes. It is proved that when there were successful police operations and strict surveillance of the campus, this was not because of any permission granted by any university authority, but because the police and the District Attorney correctly enforced the existing law. The large and successful operation of the police on November 1995 is clear evidence of this.

In other words it has been shown that we cannot blame the law if humans abuse the law, by interpreting the law erroneously so that finally the law becomes a dangerous weapon of immunity. We cannot blame the law if humans do not respect the grounds of the university. For that reason we certainly reject the abolition of the university asylum law. The solution to the problem raised by the university asylum law, that is, whether it protects or harms academic freedom, depends on the success of the results of exercising the legal provisions of university asylum and on the people involved. The law gives the right to the triumvirate to call the police whenever violence occurs. We cannot blame the law if the members of the triumvirate never meet to reach a decision. It is clear that it is a matter how people (professors, students, police, judges and citizens) interpret and enforce the university asylum law. The problem is that such actions and enforcement cannot be anticipated, but only appreciated in retrospect, in accordance with the results of the practical application.

We believe that the university community must awake, to take effective measures and safeguard both academic freedom and the concept of university asylum. The solution lies in the activism of the university community, the co-operation of the university authorities with the students and the student political organisations, with the government and the political parties and with the police. The university community has no right to remain spectators of a sub-cultural situation within the universities. The academic community has to act immediately and systematically to educate the students with a special ethos and respect for the university asylum as well as the university itself. It is also a matter of civilisation for students to learn to honour the university properties. The law must be observed, aiming at respect for science, history and the asylum space. Thus, the students through their unions and political organisations must contribute actively by finding effective internal policing mechanisms, to safeguard university properties.

As regards the people who abuse university asylum and who do not have any link with the university community, the solution lies upon government's contribution. The problem arises from the abuse of the university asylum by organised groups whether politically motivated in case of the anarchists, or just common criminal gangs. Action should be taken not to abolish the university asylum law but to strengthen it. The state forces ought to isolate such groups and keep them away from the university grounds. They have to act preventively in the case of anarchists and other rioters. From antiquity the prerequisite to appeal to the asylum of any area (home asylum, church asylum, political asylum, diplomatic asylum or university asylum) is to respect that area and its asylum. Asylum is a democratic, international human right and it must be granted to those who respect the asylum, who respect the society, who respect public properties and civilisation, without misusing the institution of the asylum in order to commit new criminal acts.

It is nonsense to distinguish places and time when the university asylum law applies. It is also nonsense to argue that the police should not be allowed to intervene. The truth is that the police may intervene under the conditions set out in the asylum law.

Thus, we believe that it was impossible for the law drafters to imagine in the political context of early 1980's that they had to draw up a large list of exemption crimes so

that whenever these crimes were committed the police had the right to intervene without permission. Because of the experience they had at that particular time they excluded only flagrant felonies and life danger crimes. However, twenty years of application experiences are enough to learn that we need to make priorities and the law needs some improvements. We respect the symbolism of the university asylum law but also we respect the peoples' right not to fear crime inside universities.

The problem of university asylum should be resolved through the use of dialogue and democratic procedures among all those involved (professors, students, administrative authorities and the government). The experience shows that some crimes are more problematic than others. Crimes such as drug use and dealing, serious vandalism, high value university property theft, sexual harassment, rape and underground market of stolen or illegal goods are the commonest crimes reported. We believe that it is necessary for the university authorities to concentrate on these crimes and create an effective internal mechanism to minimise their frequency.

We believe that the crime problems within university properties are strongly associated with the low level living conditions in urban areas where most of the problematic universities are located, the poor application and misguided interpretation of the asylum law, the inactivity of the university authorities, the ineffectiveness of the police, the inability of the students' associations, the limitations of the legal framework, the inability of victims to sue or report and the inability of the university itself to apply disciplinary penalties.

We believe that the solution of the university asylum problem depends on firstly, the correction and moderate reform of the existing legal provisions; secondly, the proper functioning of the existing university administrative authorities; thirdly, the correct application and interpretation in theory and practice of the university asylum law; fourthly, and most significantly, the activism of the university community. Professors and students ought to act in such a way as to improve educational and financial conditions and to create within the universities a culture of high standards. Through such a culture, they could prevent domestic criminal behaviour and protect the university from outside criminals and troublemakers. In short maintaining order

within a non-policed community such as the university community, is the duty of the members of this particular community...



# APPENDICES

## APPENDIX 1

**INTERVIEW OF YIANNIS PANOUSSIS : Professor of Criminology, former Rector of Democritus Thrace University and drafter of University Asylum law (1268/82 article 2)**

**Interview tape recorded by author: Athens, May 3,1999**

**Question:** First of all, professor, I would like you to describe to us the historical background of the era that steered you and which social and political conditions guided you, or if you would like, let's say, compelled you, to introduce the subject of asylum not just as a general idea but as an idea which is made part of a law. And I think that the first articles of that law start and the second article.....

**Answer:** As you know from the preamble of the law the students' movement participates, the dictatorship and when we say .....actually the university movement as at that time there was a students' movement, there was the movement of the assistants and the assistant professors but there was also the so called university group, that is the progressive professors at that time, had raised various matters in regards to the need of change of conditions in the Universities. Those matters had to do with the chair, the participation, the existence and the recognition of the university groups, with the sections etc. So one of those demands of the university movement was the safeguard of the asylum. Of course, this was due, to a great degree, to the experiences that the Law and Polytechnic schools had at the time of the dictatorship with the transgression of the University campus by the tanks and the forces of the dictatorship. So then that was a mature demand which one could say that the

university tradition-which however doesn't exist in Greece and I should come back to this point at a certain point of time – would cover, that is no English or French Minister of Education or even a Minister of Public Order to violate the asylum not because there is a law to it but because the academic tradition would prevent such a thing. However, in Greece we still live in post-dictatorship conditions with all the consequences that such thing might create mainly as regards to suspicions. At the time was no problem of abolishing of the asylum from anywhere else. Suspicion, the historical event had to do with the intervention of the police. For that reason as you very well know in provision two of that article we continuously speak about state forces.

**Question:** Which you mean is only the police?

**Answer:** In our mind it is the police. I don't know if that term could cover, for example, the fire brigade. Or cover another form of a state entity, ok? State entity. We are not speaking about any kind of force or any entity. When we say that the asylum must be protected we mean that the intervention of any state forces in these areas is forbidden. The matter was further discussed within the committee for the drafting of the bill, in which as you know I was a participant, too, I personally wrote the article, that is I personally worked out the wording of that article, actually the wording of the paragraphs of second article. I don't remember if there was any other correction of secondary importance. You should know that this article was combined on the one hand with the prohibition of the secret research etc. that has been provided for in the same article paragraph two. On the other hand it was combined with the recognition of freedom in teaching and research again in paragraph 2.1. That is, for one to move on to 2.5, actually to 2.4 and 2.5 further on, you should read 2.1. and 2.2. We recognize complete freedom in teaching and research, we forbid secret research and we consider for those things to be happening freely there is one

condition. This is the self-evident condition of the traditions of other universities which is not self-evident in Greece because of the political burdens, let's say experiences, that no one else should enter in that space.

**Question:** Is there any relation between article 9 of the Constitution, or rather article 16? If the asylum of a citizen's residence can be applied to Legal Entities of the Public Sector? Because such a thing is not specifically mentioned in the Constitution, in article 9.

**Answer:** No, not at all. And some times when someone would call upon that I don't consider that they come from the same rationale. So in the course of things..... and as you know each law has its own historic interpretation. Which is not binding, but in any way is explanatory. One understands how things are. The second element that this provision wanted to have, after defining the rationale, was to define the spaces and to define the procedures. It was a provision which was based on participative procedure, on joint responsibility. Something like, look here now, we are all jointly responsible for this thing. It's not just one person who is responsible. Everybody is. Management, the director and the professor. And in any case the Senate, the highest instrument according to the law. If you pay close attention to it, except for the cases of felonies against life etc. the specified penalty was minimum and I will come back to this, this is why I am mentioning. That is the violators of the provisions of paragraph 8 of article 2 are sentenced to imprisonment of at least six months after the approval of the instrument etc. Keep this and we will come back to it. In any case let's say that this at a first stage operated preventively. That it whoever was ever thinking to meddle, I mean any of the force of the states, with the university just put the idea out of their heads. When the participative procedure within the University starts to degenerate little by little, the idea that you don't enter the university has been established in the mind, the understanding of the police or the forces of the state

or the political entities, then we are finished. It was then that the unpredictable phenomena, in my opinion, for me to undertake the responsibility of the no prediction, but also of unpredictable things. Firstly, the correlation of the forces inside the universities or the shrinking of representation by the students or the political party logic of who is a representative, how is he elected in the three member instrument, whether the three member instrument is a representative instrument, how much of a representative instrument is it, to which political party does this student of the three member instrument belong to, and if he is belongs to another political party etc. with the culmination of it, in my opinion the case of the Chemistry School, which you probably know of course, and if you want to have some information about it the student who participated there, Yiannos Tsamorgelis is still paying for it. And maybe you know that too, that after fifteen years the man went to Oxford, in Cambridge he did his doctorate studies and came here become a candidate lecturer and he was hit hard, because 13 years ago as a student he had agreed..... and the issues in regards to the Chemistry School were different then. That the whole system wouldn't blow up, correct? So a malfunction appeared and we hadn't imagined that there would be no responsibility on such an important matter and on the part of the Rector, for who the important is not if he wants to get reelected but it is important that he should take responsibility. We are speaking generally, without mentioning and names. And on the part of the member of DEP (teaching and research staff) who were afraid, and on the part of the student who wouldn't attend, would not represent anyone, there was no representation, no elections etc. The second thing is that the Senate started having problems when there was a lack of quorum, disagreements, margin ballots etc. The third symptom of degradation in this system is on the part of the police, if you want, who in any case even though the law says that it says, when an institution is being destroyed, in my opinion, and I say this will all the weight that

such a statement might carry, and obviously sees that it is being burned down, it is being destroyed, this and that and that the Council is unable to take any decision, the Senate is inactive-is unable to do anything, my opinion is that they interfere. They interfere and pay for the damages if they want to, of article 8 of paragraph. That is, they interfere in order to salvage the property and the lives which are in danger when this whole thing is being burned down. I am not saying that they should interfere and kill or injure or do other things. And afterwards let's see if any Senate will have the guts or any other instrument which would sue them to take them to court.

**Question:** Isn't it thought that right there we have a political issue which manifests itself?

**Answer:** A double political issue manifests itself. Rectors who... and I have called this in one of my articles as the syndrome of glib democracy. That is, Rector who had been elected by democratic forces, I am not naming them you see, and because they wanted to be reelected they thought that if they gave permission to come inside in order to salvage the property they wouldn't be reelected or they would be stigmatized, on the one hand, they would call the instruments to convene, and they wouldn't come, and the situation was in limbo and the system was being destroyed and the police who, if you want in the final analysis, had as their alibi the lack of a quorum or the lack of a decision, and they wouldn't interfere either. So, both sides wouldn't see that the Polytechnic School, let's say for example, is being burnt down. This is a syndrome of a glib democracy. Me, personally, as a Rector of Thrace I didn't have such events but at any time I was aware of any information telling me there was a bomb or anything else I was telling them to come in, taking responsibility for my words, even if some people would call me a fascist. Taking responsibility for my words.

**Question:** Maybe because you had the advantage that you were the author of the Bill.

**Answer:** No.

**Question:** You had the freedom of choice if you want....

**Answer:** I might not go.....I had the presumption of innocence, I don't know. But I would see that I called the police, I wouldn't even ask anybody because I would consider it a self-evident thing that I was not going to discuss or find out who is a representative of who or to call the Senate in order to have one policeman or the fire brigade come in because there was a fire or because we had with a bomb or anything else. So, there were cases of bad interpretation and bad application. For the reason I just explained to you. In that appeared what you referred to indirectly and that some people would call the social asylum concept, that is that the asylum doesn't just cover what the Law says. That is, someone who had stolen a wallet might run and come into the area of the asylum and say, well they cannot arrest me now. And the police would sit outside and wait for the thief would just sit there. Or five bums might get together, sit inside the asylum and do anything they pleased, I don't know, use drugs or something.

**Question:** The police call upon this. Here in Zografou that such a thing had occurred...

**Answer:** Why, I told you why they would call upon this. Because they say, OK give me permission to go in. You don't give it to me I am not going to go in. What I can understand on the part of the Rectors, who, let's say, had that syndrome, is judgment, that is, actually, and if I had the actual fact I would have been persuaded. If the Rector really believed that regardless from the instruments and the procedures, that if let's say 100 police men were to come in and they would meet 100 existed with Molotov etc. who couldn't control themselves and we might have some blood

shedding so we better burn this thing down instead of having a death, then I can respect that viewpoint. I don't know if I would do the same but I respect it. But if the problem becomes that the Rector who gave permission to come in is not a democrat, this, I am sorry, I do not consider it a serious argument. They cannot come in but if one or two thousand come in we are going to have an uncontrolled situation and we will have some dead people. So, better burn it down instead of having dead people. This I understand. But this is not what was heard. What was heard was we didn't have the majority, we didn't have a quorum, the Rector didn't have the authorization and these are the things we would hear.

**Question:** Things about procedures.

**Answer:** Yes. Things about procedures. And the theory of social asylum. Look here, if our country wants to create some social asylum places let's talk about it. But historically, the political .....the academic asylum doesn't mean that. If we consider that the Law in general, because I have written in one article of mine that the National Assembly of France has said that the biggest asylum of a man is the Law, that is if we don't have trust our laws, if we don't trust our policeman, if we don't have trust our judges, we don't trust anybody and we only trust that having a place for asylum where we are going to hide for how long really we are going to salvage., this is something to discuss about. Let's include the churches and various places of social asylum. OK. But this is not the University asylum, which speaks about the safeguarding of academic freedom, of spiritual research, of free exchange of ideas, it doesn't speak about social solidarity, social protection, it doesn't say such things. Where one thinks like this, that space appears to be in an academic sense, a broader social point of view, not a place for protection really of anyone who could be potentially persecuted but a place of perpetration of criminal acts. So all of a sudden then some groups appear, which are not going in there to say: "down with the State,



down with the professor” and such things. There go there and they destroy things. And they use asylum as an argument for destruction. If I need to, I destroy wherever I am, I destroy things, because this is how I like it. I go to parks and I go here and there. I disagree but ...They say this. But when he says that he has the right to destroy because it is an asylum then he has misunderstood. An asylum is not this. It doesn't protect anyone socially, nor does it protect any criminal acts which are not part of the dangers of life that anyone leads, not even the student. I don't understand how asylum allows me to break the doors, to me the student, or break this down. Nor does asylum allow me to forbid to the professor to come in, because I have sit-in. I make sit-in. That's a practice which you either accept or you don't accept under the circumstances. It doesn't have anything to do with asylum. We must stop mystifying some things. It has nothing to do with asylum. Nor can one only group claim asylum, claim it and destroy, claim it for its own ideas of others, nor is asylum related to sit-in. Two completely different things. I simply don't like the confusions of the young people. In this frame of mind I wrote what I wrote and I said what I said and I repeat that we need to look over some things.

**Question:** In regards to its application.

**Answer:** Firstly and as regards to its application. If we say that application poses some matters, of how can we say this, matters of theory, then it also poses some matters of change of the legislative pattern, let's see it. But not the opposite. I don't start from sophisms. That the asylum is not needed as an idea, for protection, as a place for protection. But let's leave asylum aside. I would say let's see the problems in their application first. And then we can see. The case of Thessaloniki, of the University of Thessaloniki made me think, because they attempted to do something that didn't exist in the Law. I have not read it to be honest, I love the Rector of Thessaloniki, I respect him, he is a very good colleague and a friend of mine and a

very good scientist. However, whatever he might be saying asylum cannot be cut into pieces. And that's what I had say that.....In my opinion, asylum cannot be cut into pieces. Nor can it be leased by time. Allocated. That is, you cannot say I have an asylum in the morning and I don't have one in the evening. I wrote that article in the periodical *Economicos Tahidromos* that we should find again a way and at an unsuspected time, let's say at the beginning of the year before we enter the events and it appears that we are suspects, define some things, all the spaces where they occur such things. You could say if you want that I do not consider students hostels as an asylum, they are not a place for free exchange of ideas. OK. But to say that you can have an asylum between 8 and 10 and not between 10 and 12, for example, regardless of the real facts, how you are going to get them out, how they are going to come in etc., that's not an asylum. I don't think that it can be understood by any law that we want another dimension which would say that by decision of the Senate or the Synod of the Rectors or under some provisions giving a power of attorney, each University is allowed according to its peculiarities to define time and spaces.

**Question:** Mrs. Anna Benaki-MP (who is professor of Athens Law School) recently spoke about this very thing you are saying and her political entity and especially DAP has included that in its pre-elections brochure, which is a formal document, and proposed that the Council of the Rectors....what you had written in the '90ties, nine or ten years after, a party which didn't agree with what you were saying then is coming now and says what you have been saying. Where do you think is based this change of direction?

**Answer:** Look, I think what is required here is a combination of the academic tradition, that is the power of the academic instruments to decide, and workability and flexibility. But I would say on two conditions. First condition is that there would be a student who would be present because the Rector convenes the Council of the

Rectorate with two vice rectors. No one else is needed. There is a quorum. We must absolutely have a student who would be present. Not because we would like to cast half of the responsibility but to have an idea and secondly and even though it might seem strange to you, I think to a great degree, that the application of the asylum and the procedure as we are discussing it here, depends on the existence of Rectorate term. Not a continuous term. The Rector who knows that he is there for a certain term, even four years, thinks differently, if he will be accountable to history or the University and not to his electors than the Rector who from the moment he gets elected thinks how he is going to be re-elected and avoids this kind of frictions. So, I believe that we are all responsible and decisions can be made within the Rectorate in the presence of students, or if you want an expanded Rectorate, it wouldn't bother me but let's not think of other things. We should have our mind upon the fact that we should salvage the image, the property of the University, its value. So, I believe that on the one hand those on the one side were saying that we shouldn't touch this at all, as there are some historical memories after the passage of thirty years and after having so many wars around us, this is not the case so much now. And on the other hand the other side which says that we should completely change the Law and that it should be done etc. we are led to mean solution of what we want now, and according to my opinion we want an atmosphere of calm discussion. The Synod of the Rectors who went at a certain point of time, I wasn't there, to Thessaloniki to discuss their proposal, I repeat doesn't seem to be so able against the rationale of the pressures, the sit-ins, the re-elections, and what bother me very much and without naming anybody I would say that there are Rectors who are saying when I finish my term I will tell you exactly how you should protect it, so let me continue as much as I can here what I am doing. Without any effort and then I will tell you are going to do, so they say to the State or the entities, the leaders of political parties etc. This shows

a....this is not being said overtly by the Rector, overtly to the University or even as a whisper, he is careful let's say. So what should be done here is we should re-examine the role of the function in general of our University, its placement, the new problems which are being posed with new groups, intra-cultural societies, refugees, immigrants etc. and look at the asylum again in that perspective. Oh, I should tell you something else about Thessaloniki which I forgot. To be honest, I don't understand that theory saying that the policeman see drugs being sold and they don't go in. We are talking about the city of Thessaloniki here, which is an immense space, there are cars passing by, there are roads in it, and they are not ours that is. Well, I don't understand. So a policeman with civil attire or not, passes by with his car and he sees five suspects and says I am not going to arrest them because they are going to accuse me for violation of the asylum. I would like to see which Senate, which instrument, which entity is going to sue the policeman who arrested three drug pushers. I would like to see this and be amazed by it. This is a complete alteration of history. I repeat, the asylum does not protect, is only protected from any state forces, it does not protect the social forces when they go in, it doesn't cover anything like that, or any small group and let me say that the responsibility is borne by the Rector and the police but you can understand in each case what they are doing.

**Question:** Based on what you are saying about the state forces a discussion started lately in regards to the private. That the areas should be guarded by special groups which will....

**Answer:** I disagree. Not only to discuss it ideologically. You know there has been an issue in general about the police force, and because these days I am a little bit involved on a theoretical level with police. I cannot accept that the police, with all the troubles that it has and which is, however, let's say, an institution of our democracy that it gives us less guarantees than a private police force who are

civilians, under temporary contract, whose ethics and character is are unknown besides the fact that they are more beefy.....I cannot understand why a private police force would guard....I have understood that if we want to create a police corps which has a way to do something....that is, you see a police station something will be done, they break a door and grabs a student from the neck, so the contract of the Rectors or the Chairmen with the local police station or policemen who are more familiar with such things. Would I have some guarantee if I would put Group 4 to guard the University? What kind of guarantee? What will Group 4 do against 500 raving students? What will they do? Will they resist better? Will they fire? They don't carry guns.

**Question:** Couldn't they however isolate specific crimes which are being perpetrated? Let's say drugs?

**Answer:** But you see Group 4 has no authority in that, it doesn't persecute, it cannot arrest anybody. It watches over the area, you know, and prevents situations from occurring. This watching over and prevention could be done in a thousand ways. And I repeat, a special technique is needed, we live in the area of technology today and we say this every day. So, you are telling me that there are no such techniques? I remember once the Panteion School and the University were being burned down and there is no technique to obstruct the passage, to safeguard a space? Now that the Polytechnic school got burned down they finally understood that there are techniques also. Whether electronic techniques or visual ones or.....So, Group 4 implies more dangers for them, I cannot see any special efficiency and why the student should accept such a thing. They don't have any idea of the peculiarities of the situations. For example 10 students want to have a sit-in, that is, a what are we going to do now thing. Is this bad? What is Group 4 going to do with such things. I am not convicted that we are going to find any solutions from there, on the contrary we are going to

make things more complex. We need a more sincere discussion. Without any interim formalities. The Polytechnic School in Crete tried to do it, and you see where it ended up, they tried to do it here in Athens, too saying that one or two guys supposedly would be the guards but they were not guards, it was the group 4 team and they were fake. If you want to put some guards there, let's put some guards from the University. And we can report somewhere also. If though they think that are going to keep this thing with force, it cannot be kept with force. Here another kind of agreement is needed and clear rules of the game. Not just muscles. Because they are a thousand and the others cannot be a thousand.

**Question:** The most extreme point of view on the subject of University asylum. I had read a writing of Achilleas Anthemides. He was saying that the concept of the University asylum as it got legislated in the law, is third world stuff. He almost proposed the abolition of it as it looked like from his book and of course he made a historical reference that nowhere in the world does it appear as an institution, as a concept.

**Answer:** And he was right. It is like that. But you know something. I can find for you more of this third world stuff they are peculiarities of the Greek society. On this specific subject. England or France, for example, didn't have the experience of the Polytechnic School. They had '68. They had another way, another public administration, another frame of mind, another understanding of the situation, I don't know what, and they handled it in a different way. Our country handled it at the crucial time. If someone wants to draw some conclusions after a very important discussion and a very serious one and not political arguments just opposing each other as to the need that it should be handled differently, because things are different now, well let's look at it. But we are not going to start saying that this doesn't exist anywhere else. There are thousand of things which do not exist elsewhere and other

things which exist elsewhere and we don't adopt them because we don't like them, right? Why don't we evaluate professors here whereas in all other Universities they are evaluated? Why don't we do this? Or anything else about university. No, I am not in favor of excommunications. I am not in favor of fire works either. All of a sudden the Greek University has a thousand troubles and they are talking about the asylum. Of course, the asylum causes some great troubles from time to time and of course it bothers. But there are a thousand troubles around. We should discuss all other troubles, too, and this is where we should put the asylum for a discussion. As things are now, the frame-Law could become another management for the University, another structure, another system and we should see the role of the asylum there, which can be electronically etc. violated.

**Question:** Will it have a role?

**Answer:** I will tell you something. I believe, now of course we are going to make a guess about the future, ok? For other reasons, yes. The same people who are saying that the police should not go in and control things, are the same ones who have been sold to obscure private entities. That is the University is corrupted today. The fact that we don't want symbolically the area to fall into the hands of the people in the uniforms doesn't mean that the Greek University has not fallen into the hands of those involved into corruption or of private interests which are tougher than the public ones. So we should see what is the University. If we consider the University as a commercial place of production of, I don't know, products of the globalized market this is one thing, and we will have another structure and another system and if we think that it is an institution of democracy and of the executive power this is another thing. So, for me it wouldn't interest me that it gets protected from commerce. It would interest me that it gets protected from a democracy which in my opinion is in danger. I am not sure it is in danger because of the state forces. No, I ma

not sure, it not in danger because of the state forces of our country. But a democracy which is in danger, and we should either measure up to that freedom and I have written about it before that we too much freedom came upon us all of a sudden and so we are not ready not to need any asylum because we know how to protect our freedom, or to be obliged to protect the self-evident things with bars or Laws or policemen.



## APPENDIX 2

INTERVIEW OF MICHALIS PAPADOPOULOS: Rector of Aristotle's University of Thessaloniki.

(Interviewed by journalist Anna Panagiotarea. Published in periodical *Panepistimioupolis-Campus*-Volume 2 January 1999, p.p.14-6, and translated from Greek by the author).

**Question:** Mr Papadopoulos do you think that the decision taken by the Senate on September 24, 1998 aims to lifting university asylum?

**Answer:** I am certain that is not abolishing or abusing university asylum. On the contrary, the decision of the Senate aims to protect the concept university asylum from a degradation that the concept university asylum suffers the last years. We have to take under consideration that the university asylum law drafters could never imagine that the university asylum law would be overused and abused by several kinds of criminals and anti-socials who commit crimes within universities under the protection of university asylum. Universities are the places provided for the free movement of ideas and scientific research not for committing any kind of criminal acts. Often through the mass media has revealed that illegal immigrants found shelter within the university buildings that are under construction, anti-social people come hear carrying guns to solve their own differences, gypsies appear to camping within campus, black market dealers of illegal CD and PC programs, drug users and drug trafficking are only some few examples that university asylum law is not aiming to protect. Nowadays we have the privilege to live in a democratic country. Every one within the territory of the country has the right to express without any fear whatever he believes. So that some times the traditional meaning of the concept university asylum interpreted on different context. However, no one could argue positively that after some time there would not be any changes in terms of mentality of the people, social administration, or way of government, so that abuse of university asylum will not take place. The last person on this earth who would ask university asylum to be abolished. However, between to edge position there is a third road. We have to

interpretative university asylum in the correct way. We have to agree that university asylum provided only for the free movement of ideas and to secure academic freedom. Not for illegal activity that cause to the people xenophobia and racism.

**Question:** How you react to students' demonstration and refusal to accept the decision of the Senate.

**Answer:** My opinion is that it is ironic students to believe that within 40,000 square meters and after midnight during the night any scientific research or product of science can happen. Late in the night the whole university community is absent. For that reason it is a necessity while the duration of the night state force to protect university premises. It is not only university authorities duty to protect university. It is a duty of all of us including students, the academics and the people of Thessaloniki. The Senate declared that it is open to discuss and decide any other realistic measures to protect university premises. It is very serious that Spyros Vougias-MP candidate major of Thessaloniki said that he is afraid to approach his office in the university during the night. Every official body and every citizen of Thessaloniki agree that during the night university is a free zone of anomy.

**Question:** Students proposed the library and the student centre to operate 24 hour per day so that campus be lively overnight. What do you think about this proposition?

**Answer:** Nobody accepts to come hear and work overnight. It is an unrealistic suggestion. To find realistic solution political parties, the Synod of Rectors and the Cabinet Ministers of Education Gerasimos Arsenis need to make clear their opinions about university asylum. Even these who disagree without decision must support practical application of the decision. University asylum provided for the uncommitted function of the democratic elected university authorities and student bodies. It is ironic few people who they argue that they fight for the protection of university asylum to prohibit with illegal acts the meetings of the Senate and the function of the universities authorities. It is the time to change our mentality because time has changed. It is the time to respect university premises to respect the people of the university and the university asylum.

**Question:** However, recently we realize that anti-social behaviour within university caused social panic.

**Answer:** The Rector, the Senate and other University authorities provided for taking action and measures whatever the political cost. It is easy to handle power to be popular. The difficult task is to take action to reform traditional rules. However, this

is our aim. We dream of a public university provided for academic freedom scientific research production of knowledge adjusted to the new world of the new millennium. Our task is to go on whatever the cost. We have decided to leave back events and mentality of the past.

## APPENDIX 3

# QUESTIONNAIRE

(ENGLISH VERSION)

Please read carefully

This questionnaire is parts of an independent research project for the requirements of a thesis which examining the impact of “University Asylum” law on crime in Greek Universities. **In this questionnaire and specifically in parts A’ and B’ you are going to be asked about your personal experiences of crime inside and outside the university during the last year. If you are a first year student then you are going to be asked about the period before Christmas.**

You are also going to be asked about your knowledge and opinions about “University Asylum” law. **It is important that you answer truthfully so as we can estimate the real picture of the crime problem, which occurs within universities and the extent, to which this is related to university asylum.** Your answers are completely anonymous so please so please answer them as completely and accurately as possible.

Of course you do not have to answer every question but the research will be greatly enhanced if I can gain as full a picture as possible as to the impact of university asylum on the crime problem in Greek Universities. Not only are we interested in your personal experience of crime but you attitudes as well so their will also be space to present your personal opinion about the subject.

If you have any queries or comments about the questionnaire do not hesitate to contact with me on my mobile number: 0932266001

**Thank you in advance.**

**Kyriakos Babasidis  
Attorney in law  
Candidate PhD student**

**SECTION A' - You as a victim of crime**

**\*Important notice:** The period of time you are going to be asked about in "Section A" is the last 12 months, and if you are a first year student the months between your registration in the university and Christmas, that is from September until December.

**A1.** Have you been victim of crime during the last 12-month period you are student in the university. If you are a first year student answer for the period between your arrival and Christmas?

- YES   
NO

*\* If "YES" continue to questions A2-B8, otherwise go to Section B.*

**A2.** Have you been victim of crime inside or outside the university area?  
*Remember: we are only interested in the last 12 months or the period before Christmas if you are first year student.*

- Inside only (university premises)   
Outside only   
Inside and outside

**A3.** In the last 12 months or the period between your arrival to the university and Christmas if you are a first year student, please indicate which of the following crimes you have been a victim of crime and how many times you have been a victim of that crime?

**Example:** Please number the appropriate boxes or leave blank the boxes if you have not been victim of that crime.

	Inside University	Outside University
Theft	<input type="checkbox" value="3"/>	<input type="checkbox"/>

The Example indicates that you have been a victim of theft during the last 12 months or if you are a first year student from your register day until Christmas, three times (3) inside university premises. It also indicates that you have not been a victim of theft outside the university during this period

Please now continue according the example.

Crimes	Inside University	Outside University
Burglary	<input type="checkbox"/>	<input type="checkbox"/>
Illegal entry in your residence	<input type="checkbox"/>	<input type="checkbox"/>
Illegal attack	<input type="checkbox"/>	<input type="checkbox"/>
Threat	<input type="checkbox"/>	<input type="checkbox"/>
Physical assault	<input type="checkbox"/>	<input type="checkbox"/>
Money theft	<input type="checkbox"/>	<input type="checkbox"/>
Property theft	<input type="checkbox"/>	<input type="checkbox"/>
Robbery	<input type="checkbox"/>	<input type="checkbox"/>
Vehicle theft	<input type="checkbox"/>	<input type="checkbox"/>
Bicycle theft	<input type="checkbox"/>	<input type="checkbox"/>
Property Vandalism	<input type="checkbox"/>	<input type="checkbox"/>
Sexual assault	<input type="checkbox"/>	<input type="checkbox"/>
Attempted Rape	<input type="checkbox"/>	<input type="checkbox"/>
Rape	<input type="checkbox"/>	<input type="checkbox"/>
Other	<input type="checkbox"/>	<input type="checkbox"/>

If "Other" specify (Inside University).....

If "Other" specify (Outside University).....

**A4.** Have you reported that you've been victim of crime **inside** the university?  
*(This question refers to your most recent experience as victim of crime during the last 12 months, and if you are a first year student the period between your arrival and Christmas).*

- Yes, to the Police
- Yes, to the university authorities only
- Yes, to the Police and university authorities
- Nobody

Please write down the offence .....

**A4a.** If you did not report this crime that occurred **inside** the university to the Police please state your reasons. If you did report it continue to the next question.

.....  
.....  
.....

**A4d.** If you only reported this crime that occurred **inside** the university to the University authorities can you write why you did not also report it also to the Police?

.....  
.....  
.....

**A5.** Have you reported that you've been victim of crime **outside** the university?

Yes, to the Police   
Nobody

Please give reasons for your answer.....  
.....  
.....

**A6.** Did you know the perpetrator of the most recent crime you have been victim of **inside** the university during the last 12 months or if you are first year student the period between your arrival and Christmas?

Yes   
No   
I have some idea but I am not certain

\*Now, answer questions A7-A8 only if you are certain you know the offender otherwise do to

**Section B**

**A7.** Was the offender male or female?

Male  Female

A8. Was the offender student?

Yes

No

**SECTION B' - You as witness of crime**

**\*Important notice: The period of time we are interested in "Section B" is the last 12 months, and if you are first year student the period between your registration in the university and Christmas. Also we ask to answer if you personally saw or have been informed by others that crimes committed.**

B1. Have you been a witness of an offence committed during the last 12 months, or if you are a first year student the period between October and Christmas ?

Yes

No

*\*If "Yes" continue to questions B2-B7 otherwise go to SECTION C.*

B2. Please number the appropriate boxes (in the same way you did in A3) to indicate what kind of crimes and how many times you have witnessed a crime or leave blank in case you have not been a witness of that crime. Remember we are interested only for the last 12 months, and if you are first year student for the period between your arrival to the university and Christmas and for crimes that you personally saw or have been informed by others that committed.

**Inside University**

**Outside University**

Burglary

Illegal entry in a residence

Illegal attack

Threat

Physical assault

Money theft

Property theft

Shoplifting

Robbery



Vehicle theft	<input type="checkbox"/>	<input type="checkbox"/>
Bicycle theft	<input type="checkbox"/>	<input type="checkbox"/>
Property Vandalism	<input type="checkbox"/>	<input type="checkbox"/>
Prostitution	<input type="checkbox"/>	<input type="checkbox"/>
Sexual assault	<input type="checkbox"/>	<input type="checkbox"/>
Attempted Rape	<input type="checkbox"/>	<input type="checkbox"/>
Rape	<input type="checkbox"/>	<input type="checkbox"/>
Receiving stolen property	<input type="checkbox"/>	<input type="checkbox"/>
Fraud or Deception	<input type="checkbox"/>	<input type="checkbox"/>
Drug use	<input type="checkbox"/>	<input type="checkbox"/>
Drug dealing	<input type="checkbox"/>	<input type="checkbox"/>
Other	<input type="checkbox"/>	<input type="checkbox"/>

If "Other" specify (Inside University).....

.....

If "Other" specify (Outside University).....

.....

**B3.** Thinking about the most recent crime witnessed by you **inside** the university, did you know the identity of the offender?

Yes

No

Not applicable

I have some idea but I am not certain

\* Please, answer questions B4-B5 only if you are certain you know the offender

**B4.** Was the offender male or female?

Male

Female

Not applicable

**B5.** Thinking about the most recent crime witnessed by you inside the university area during the last year, and if you are a first year student the period between October and Christmas ,was the person(s) who committed the crime:

Student(s)

Academic staff

Employee(s) of the university except academics

Other(s) from outside the university

**B6.** Thinking about the most recent crime that you witnessed inside the university, who did you reported to?

The Police

The University Authorities only

The Police and University Authorities

Nobody

Please write down the offence.....

**B6a.** If you did not report this to the Police please state your reasons.

If you did report it, continue to the next question B6b.

.....  
.....

**B6b.** If you only reported it to the university authorities can you write why you did not also report it to the police?

.....  
.....

**B7.** Thinking about the most recent crime you witnessed outside the university area during the last 12 months and if you are first year student the period between your arrival to the university and Christmas, did you report it to the Police?

YES

NO

Please write down the offence.....

## SECTION C'

In this Section (from C1 to C26) tick one box on each line to indicate whether you believe the statements are Correct or not Correct. However, before give answers to question C1 – C26 can you please answer question C where you may tick more than one box.

C. What is the source of your knowledge about the "University Asylum"?  
(You may tick more than one box).

Fellow students

Academic university staff

Student Unions

Student political parties

Law books

Other relevant books

Press and Mass Media

I have no knowledge about University Asylum

Other

If "Other" specify.....

\*Questions C1-C26 you may tick only one box.

C1. You are sufficiently informed about "University Asylum".

Correct

Undecided

Not Correct

**C2.** “University Asylum” was introduced to protect universities from state Intervention.

Correct	Undecided	Not Correct
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**C3.** “University Asylum” was introduced to strengthen academic freedom.

Correct	Undecided	Not Correct
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**C4.** “University Asylum” was introduced to protect individual(s) from arrest.

Correct	Undecided	Not Correct
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**C5.** “University Asylum” was introduced mainly because of the 17<sup>th</sup> Nov. 1973 Athens Polytechnic School revolt.

Correct	Undecided	Not Correct
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**C6.** As a general rule “University Asylum” law prohibits any state force to intervene in university areas.

Correct	Undecided	Not Correct
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**C7.** "University Asylum" covers only some areas of the university mainly the education buildings and libraries.

Correct

Undecided

Not Correct

**C8.** In order a state force (e.g. Police, Fire brigade etc) to enter to the university, special permission must be approved.

Correct

Undecided

Not Correct

**C9.** The permission to enter the university must be approved by a special triumvirate organ which consists of the rector, one representative of the tutors and one representative of the students

Correct

Undecided

Not Correct

**C10.** The Police may intervene in the university area if flagrant felonies or flagrant crimes against human life are being committed.

Correct

Undecided

Not Correct

**C11.** University Asylum law applies only to people involved with the university community (students, professors, staff) not to every person who happens to be inside the university premises.

Correct

Undecided

Not Correct

**C12.** The permission may also be given solely by the Student Union Committee.

Correct

Undecided

Not Correct

**C13.** In case of serious fire the fire brigade has the right to intervene without special permission

Correct

Undecided

Not Correct

**C14.** Permission may also alternatively be given solely by the Rector.

Correct

Undecided

Not Correct

**C15.** Criminals can hide themselves in the university areas and find shelter to avoid being arrested by the Police.

Correct

Undecided

Not Correct

**C16.** The majority of the crimes on university campuses are committed by immigrants.

Correct

Undecided

Not Correct

**C17.** The permission to enter university premises may also be given by the university Senate.

Correct

Undecided

Not Correct

**C18.** Drug use is a frequent phenomenon inside the student clubs and other university premises.

Correct

Undecided

Not Correct

**C19.** The majority of the crimes on university campuses committed by students.

Correct

Undecided

Not Correct

**C20.** "Anarchists" are a group, which cause criminal problems and provoke panic and fear of crime in the university campuses.

Correct

Undecided

Not Correct

**C21.** It is easy to buy drugs in the university campuses.

Correct

Undecided

Not Correct

**C22.** Known criminals commit most of the crimes in the university campuses.

Correct

Undecided

Not Correct

**C23.** Youth gangs find shelter in the university campuses.

Correct

Undecided

Not Correct

**C24.** The permission Police to enter the university premises may given in extreme cases by the Rectorate Council of the university.

Correct

Undecided

Not Correct

**C25.** The most serious crime committed in the university campuses is drug trafficking.

Correct

Undecided

Not Correct



C26. Prostitution is common offence within university campuses.

Correct

Undecided

Not Correct

### SECTION D'

In this Section you are going to be asked whether you agree or disagree with the following statements, about the "University Asylum"

\* Please tick only one box.

D1. "University Asylum" promotes the anti-social behaviour of students.

Strongly Agree

Agree

Undecided

Disagree

Strongly Disagree

D2. "University Asylum" is a factor that leads to more criminality inside the universities.

Strongly Agree

Agree

Undecided

Disagree

Strongly Disagree

D3. There is an urgent social need for "University Asylum" law to be changed.

Strongly Agree

Agree

Undecided

Disagree

Strongly Disagree

**D4.** Public debate about “University Asylum” should begin immediately.

Strongly Agree	Agree	Undecided	Disagree	Strongly Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**D5.** The protection of “University Asylum” should be given only to members of the university and not to all individuals.

Strongly Agree	Agree	Undecided	Disagree	Strongly Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**D6.** There is a need for the Police to have free access to some university areas.

Strongly Agree	Agree	Undecided	Disagree	Strongly Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**D7.** If the law were reformed and the Police allowed to have free access to some university areas “University Asylum” undermined.

Strongly Agree	Agree	Undecided	Disagree	Strongly Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**D8.** Rather than state Police, private Police employed by the university should control university areas.

Strongly Agree	Agree	Undecided	Disagree	Strongly Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**D9.** The “University Asylum” law should be maintained in its present form and no changes are needed.

Strongly Agree	Agree	Undecided	Disagree	Strongly Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**D10.** Order maintenance in the universities is internal matter for the university communities and there is no need for outsiders to intervene.

Strongly Agree	Agree	Undecided	Disagree	Strongly Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**D11.** There is no need for any sources of control inside the universities because traditionally people respect universities as honoured and untouchable places.

Strongly Agree	Agree	Undecided	Disagree	Strongly Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**D12.** Crime rates and crime problem within university premises are much higher compared with crime rates and crime problem outside universities.

Strongly Agree	Agree	Undecided	Disagree	Strongly Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**D13.** The “University Asylum” became a democratic institution for the maintenance of academic freedom.

Strongly Agree	Agree	Undecided	Disagree	Strongly Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**D14.** Students and other members of the university community develop a special ethos and culture in the universities and become less likely to offend than non-members of the university community.

Strongly Agree	Agree	Undecided	Disagree	Strongly Agree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**D15.** Any, even small changes to “University Asylum” law should be resisted because it will lead to complete abolition.

Strongly Agree	Agree	Undecided	Disagree	Strongly Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**D16.** Students Societies and Students Unions have the mechanisms to control the universities without any external force to intervene.

Strongly Agree	Agree	Undecided	Disagree	Strongly Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**D17.** The police need to patrol and policing university premises during the lat night hours when no any teaching is taking place.

Strongly Agree	Agree	Undecided	Disagree	Strongly Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**D18.** Criminality is not a serious problem within university premises.

Strongly Agree	Agree	Undecided	Disagree	Strongly Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**D19.** "University Asylum" also symbolises human liberty.

Strongly Agree	Agree	Undecided	Disagree	Strongly Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**D20.** The police need to patrol university premises during the summer holidays

Strongly Agree	Agree	Undecided	Disagree	Strongly Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## SECTION E'

In this section you are going to be asked to give your personal views and suggestions about "University Asylum". This will provide the research a clear picture of the situation and you will have the opportunity to present your personal opinion about the subject. It is significant and helpful. Thank you.

**E1.** According your point of view, if you compare crime problem inside universities with crime problem outside universities you find it:

- Much less
- Less
- Approximately the same
- More
- Much more

**E2.** What in your view is the main purpose of "University Asylum"?  
Please briefly give reasons for your answer.

.....  
.....  
.....

**E3.** Has "University Asylum" achieved its purpose and in principle and in practice?

- Yes
- No
- Undecided
- I don't know

Please justify your answer.....

.....

.....  
.....

**E4.** In your opinion does the “University Asylum” law need to be changed?

Yes

No

Undecided

I don't know

If “No” justify.....

.....  
.....  
.....

If “Yes” please write if you have any suggestions for ways in which it should be changed.....

.....  
.....  
.....

**E5.** Please write below any further comments you may have on “University Asylum” and its legal or criminological significance.

.....  
.....  
.....  
.....  
.....  
.....

## SECTION F'

In this section you are going to be asked some background questions about yourself.

F1. What is your year of study? *Please tick appropriate box.*

1<sup>st</sup>     2<sup>nd</sup>     3<sup>rd</sup>     4<sup>th</sup>     5<sup>th</sup>     6<sup>th</sup>     7<sup>th</sup>

F2. Are you male or female?

Male     Female

F3. Please, write in the box below how old are you in years.

F4. Do you live in the university campus now?

Yes   
No

F4a. *If your answer in A4 is "Yes"*

For how long do you live in the university campus? Please indicate in months.

.....

F4b. *If your answer in A4 is "No"*

Have you ever lived in the university campus? If so for how long?

.....

F5. Please, write in the box the number of hours on average you spend each day on the university campus

F6. Please, indicate below your University and Department.

University of.....  
Department of.....

**Thank you for being so co-operative and helpful.**



**APPENDIX 3b**

**QUESTIONNAIRE**

**ORIGINAL GREEK VERSION**

**(AS SENT OUT TO THE STUDENTS OF GREEK UNIVERSITIES)**

# Ερωτηματολόγιο

Παρακαλώ διάβασε με προσοχή!

Το ερωτηματολόγιο που κρατάς είναι ένα απαραίτητο κομμάτι έρευνας που διενεργείται για τις απαιτήσεις εκπόνησης διδακτορικής διατριβής η οποία εξετάζει τις εγκληματολογικές πτυχές του νόμου για το Πανεπιστημιακό Άσυλο". Σε αυτό το ερωτηματολόγιο και ειδικότερα στα μέρη Α' και Β' πρόκειται να ερωτηθείς σχετικά με προσωπικές σου εμπειρίες για εγκλήματα μέσα και έξω από τους πανεπιστημιακούς χώρους κατά τον τελευταίο χρόνο. Στην περίπτωση που είσαι πρωτοετής φοιτητής/ρια οι ερωτήσεις αναφέρονται χρονικά στην περίοδο από την αφιξή σου στο πανεπιστήμιο μέχρι τα Χριστούγεννα.

Επίσης θα σου ζητηθεί να καταθέσεις και τις προσωπικές σου απόψεις σχετικά με το "Πανεπιστημιακό Άσυλο" και τη λειτουργία του.

Είναι εξαιρετικά σημαντικό να προκύψει από τις απαντήσεις σου η πραγματική εικόνα του προβλήματος της εγκληματικότητας στα πανεπιστήμια και η όποια συνάφειά του με το νόμο για το "Πανεπιστημιακό Άσυλο". Γι' αυτό το λόγο απάντησε με ειλικρίνεια, με ακρίβεια και χωρίς φόβους κι ενδοιασμούς, γιατί σου υπόσχομαι και εγγυώμαι ότι οι απαντήσεις σου είναι άκρως εμπιστευτικές και το ερωτηματολόγιο αυστηρά ανώνυμο.

Αν και μπορείς να απαντήσεις σε όσες και όποιες ερωτήσεις εσύ θέλεις, παρακαλώ προσπάθησε ν' απαντήσεις σε όλες και αν αυτό δεν είναι εφικτό, σε όσο το δυνατό περισσότερες. Αυτό θα παίξει σημαντικό ρόλο ώστε να προκύψει μια σωστή εκτίμηση για την έρευνα.

Εάν έχεις οποιαδήποτε σχόλια ή παρατηρήσεις σχετικά με το ερωτηματολόγιο μη διστάσεις να επικοινωνήσεις μαζί μου.

Ευχαριστώ εκ των προτέρων.

Κυριάκος Μπαμπασίδης

Δικηγόρος

Υπ. Διδάκτωρ Εγκληματολογίας

Τηλ. Επικοινωνίας: 093/2266001

## ΜΕΡΟΣ Α': Εσύ ως θύμα Εγκλήματος

\* Σημαντική παρατήρηση: Η χρονική περίοδος για την οποία ενδιαφερόμαστε στα μέρη Α' και Β' του ερωτηματολογίου είναι οι τελευταίοι 12 μήνες, και εάν είσαι πρωτοετής φοιτητής/ρια για τους μήνες από την εγγραφή σου στο πανεπιστημίο σου μέχρι τα Χριστούγεννα, δηλαδή από το Σεπτέμβριο έως το Δεκέμβριο.

A1. Υπήρξες θύμα εγκλήματος τους τελευταίους 12 μήνες που είσαι φοιτητής/τρια; Εάν είσαι πρωτοετής φοιτητής/ρια η ερώτηση αναφέρεται από τη στιγμή που γράφτηκες στο πανεπιστήμιο μέχρι τα Χριστούγεννα.

ΝΑΙ

ΟΧΙ

\*εάν "ΝΑΙ" συνέχισε στις ερωτήσεις A2 - A8, σε άλλη περίπτωση πήγαινε στο ΜΕΡΟΣ Β'.

A2. Υπήρξες θύμα εγκλήματος μέσα ή έξω από τον πανεπιστημιακό χώρο; Ενδιαφερόμαστε πάντα για τους τελευταίους 12 μήνες ή εάν είσαι πρωτοετής για την περίοδο από την εγγραφή σου στο πανεπιστήμιο μέχρι τα Χριστούγεννα.

Μέσα μόνο (στο πανεπιστημιακό χώρο)

Έξω μόνο

Και μέσα και έξω

A3. Τους τελευταίους 12 μήνες ή την περίοδο από την εγγραφή σου στο πανεπιστήμιο μέχρι τα Χριστούγεννα εάν είσαι πρωτοετής φοιτητής/ρια, έπεσες θύμα ποίων από τα παρακάτω εγκλήματα και για πόσες φορές;

\* Διευκρίνιση

Αρίθμησε ανάλογα ή άφησε κενά κουτάκια εάν δεν ήσουν θύμα του συγκεκριμένου εγκλήματος.

Υπόδειγμα:

Εγκλήματα

Μέσα σε  
Πανεπιστημιακό  
χώρο

Έξω από  
Πανεπιστημιακό  
χώρο

Κλοπή

Το υπόδειγμα δηλώνει ότι έπεσες θύμα κλοπής τους τελευταίους 12 μήνες ή αν είσαι πρωτοετής την περίοδο από την εγγραφή σου μέχρι τα Χριστούγεννα, τρεις (3) φορές μέσα στον πανεπιστημιακό χώρο και καμία φορά έξω από αυτόν.

Παρακαλώ, συνέχισε κατά το υπόδειγμα.

Εγκλήματα	Μέσα στο	Έξω από
	Πανεπιστημιακό χώρο	Πανεπιστημιακό χώρο
α. Διάρρηξη κατοικίας σου	<input type="checkbox"/>	<input type="checkbox"/>
β. Παράνομη είσοδος στην κατοικία σου χωρίς απώλειες περιουσίας σου	<input type="checkbox"/>	<input type="checkbox"/>
γ. Παράνομη επίθεση	<input type="checkbox"/>	<input type="checkbox"/>
δ. Απειλή	<input type="checkbox"/>	<input type="checkbox"/>
ε. Σωματικές βλάβες - τραυματισμός	<input type="checkbox"/>	<input type="checkbox"/>
στ. Κλοπή χρημάτων σου	<input type="checkbox"/>	<input type="checkbox"/>
ζ. Κλοπή περιουσίας σου	<input type="checkbox"/>	<input type="checkbox"/>
η. Ληστεία (ένοπλη, ή με χρήση βίας ή απειλής)	<input type="checkbox"/>	<input type="checkbox"/>
θ. Κλοπή αυτοκινήτου σου	<input type="checkbox"/>	<input type="checkbox"/>
ι. Κλοπή δικίκλου σου	<input type="checkbox"/>	<input type="checkbox"/>
ια. Φθορά ιδιοκτησίας σου - βανδαλισμός	<input type="checkbox"/>	<input type="checkbox"/>
ιβ. Σεξουαλική παρενόχληση	<input type="checkbox"/>	<input type="checkbox"/>
ιγ. Απόπειρα βιασμού	<input type="checkbox"/>	<input type="checkbox"/>
ιδ. Βιασμός	<input type="checkbox"/>	<input type="checkbox"/>
ιε. Άλλο/α	<input type="checkbox"/>	<input type="checkbox"/>

Εάν "Άλλο/α" διευκρίνησε τι εγκλήμα/τα ήταν μέσα στο πανεπιστημιακό χώρο.....

Εάν "Άλλο/α" διευκρίνησε τι εγκλήμα/τα ήταν έξω από τον πανεπιστημιακό χώρο .....

A4. Δήλωσες ή κατήγγειλες ότι υπήρξες θύμα εγκλήματος μέσα στον πανεπιστημιακό χώρο;

(Αυτή η ερώτηση αναφέρεται για το πιο πρόσφατο από τα εγκλήματα και πάντα για τους τελευταίους 12 μήνες και εάν είσαι πρωτοετής φοιτητής/τρια για τους μήνες από την εγγραφή σου μέχρι τα Χριστούγεννα).

Ναι, στην Αστυνομία

Ναι, στις πανεπιστημιακές αρχές

Ναι, και στην αστυνομία και στις πανεπιστημιακές αρχές

Σε κανέναν

Παρακαλώ, γράψε ποιο ήταν αυτό το έγκλημα;.....

.....

A4α. Εάν δεν ανέφερες στην αστυνομία το παραπάνω έγκλημα που έλαβε χώρα μέσα σε πανεπιστημιακό χώρο, παρακαλώ γράψε τους λόγους σου. Εάν το ανέφερες συνέχισε στην επόμενη ερώτηση. A4β.

.....  
.....  
.....  
.....

A4β. Εάν ανέφερες το έγκλημα μόνο στις πανεπιστημιακές αρχές μπορείς να γράψεις γιατί δεν το ανέφερες επίσης και στην αστυνομία;

.....  
.....  
.....

A5. Έχεις δηλώσει ή καταγγείλει στην αστυνομία ότι έπεσες θύμα εγκλήματος έξω από τον πανεπιστημιακό χώρο;

ΝΑΙ

ΟΧΙ

Παρακαλώ αιτιολόγησε σύντομα την απάντησή σου .....

.....  
.....

A6. Γνωρίζεις ποιός είναι ο δράστης του πιο πρόσφατου εγκλήματος που έπεσες θύμα μέσα στον πανεπιστημιακό χώρο, τους τελευταίους 12 μήνες και εάν είσαι πρωτοετής φοιτητής/ρια την περίοδο από την εγγραφή σου στο πανεπιστήμιο μέχρι τα Χριστούγεννα;

ΝΑΙ

ΟΧΙ

Υποψιάζομαι αλλά δεν είμαι  
απόλυτα σίγουρος/η

\* Τώρα, συνέχισε στις ερωτήσεις A7 - A8 μόνο εάν είσαι απόλυτα σίγουρος/η ότι γνωρίζεις το δράστη, σε άλλη περίπτωση πήγαινε στο ΜΕΡΟΣ Β"

A7. Ήταν ο/η δράστης άντρας ή γυναίκα;

Άνδρας

Γυναίκα

A8. Ήταν ο/η δράστης φοιτητής/ρια;

ΝΑΙ

ΟΧΙ

## ΜΕΡΟΣ Β': Εσύ ως μάρτυρας εγκλήματος

\*Σημαντική παρατήρηση: Η χρονική περίοδος για την οποία ενδιαφερόμαστε είναι πάντα οι τελευταίοι 12 μήνες που είσαι, φοιτητής/ρια ή εάν είσαι πρωτοετής φοιτητής/ρια από την εγγραφή σου στο πανεπιστήμιο μέχρι τα Χριστούγεννα. Επίσης ζητάμε να απαντήσεις για εγκλήματα που είτε εσύ ο ίδιος είδες είτε άκουσες από άλλους ότι συνέβησαν.

B1. Ήσουν μάρτυρας εγκλήματος κατά την προαναφερόμενη χρονική περίοδο;

ΝΑΙ

ΟΧΙ

\* Εάν "ΝΑΙ" συνέχισε στις ερωτήσεις B2 - B7. Σε άλλη περίπτωση πήγαινε στο ΜΕΡΟΣ Γ'.

B2. ΠΑΡΑΚΑΛΩ, **ΑΡΙΘΜΗΣΕ** ΑΝΑΛΟΓΑ Ή ΑΦΗΝΕ ΚΕΝΑ ΚΟΥΤΑΚΙΑ **(ΠΗΓΑΙΝΕ ΣΤΟ Α3)** ΓΙΑ ΝΑ ΑΠΟΔΩΣΕΙΣ ΠΟΣΕΣ ΦΟΡΕΣ ΚΑΙ ΣΕ ΠΟΙΑ ΕΓΚΛΗΜΑΤΑ ΗΣΟΥΝ ΜΑΡΤΥΡΑΣ.

Να θυμάσαι ότι ενδιαφερόμαστε πάντα για τους τελευταίους 12 μήνες και εάν είσαι πρωτοετής φοιτητής/ρια για την περίοδο από την εγγραφή σου στο πανεπιστήμιο μέχρι τα Χριστούγεννα, και για εγκλήματα που είτε εσύ είδες είτε άκουσες από άλλους ότι συνέβησαν. **(Ανατρέξτε στο παράδειγμα στο Α3)**

Εγκλήματα	Μέσα στον Πανεπιστημιακό χώρο	Έξω από τον Πανεπιστημιακό χώρο
α. Διάρρηξη	<input type="checkbox"/>	<input type="checkbox"/>
β. Παράνομη είσοδο σε κατοικία	<input type="checkbox"/>	<input type="checkbox"/>
γ. Παράνομη επίθεση	<input type="checkbox"/>	<input type="checkbox"/>
δ. Απειλή	<input type="checkbox"/>	<input type="checkbox"/>
ε. Σωματικές βλάβες - τραυματισμός	<input type="checkbox"/>	<input type="checkbox"/>
στ. Κλοπή χρημάτων	<input type="checkbox"/>	<input type="checkbox"/>
ζ. Κλοπή περιουσίας	<input type="checkbox"/>	<input type="checkbox"/>
η. Ληστεία (ένοπλη ή με χρήση βίας ή απειλής)	<input type="checkbox"/>	<input type="checkbox"/>

θ. Κλοπή αυτοκινήτου

ι. Κλοπή δικύκλου

ια. Κλοπή εμπορευμάτων από καταστήματα

ιβ. Φθορά ξένης ιδιοκτησίας - βανδαλισμός

ιγ. Σεξουαλική παρενόχληση

ιδ. Πορνεία

ιε. Απόπειρα βιασμού

ιστ. Βιασμός

ιζ. Αποδοχή κλεμμένων αντικειμένων

ιη. Απάτη

ιθ. Χρήση ναρκωτικών

κ. Διακίνηση ναρκωτικών

κα. Άλλο/α

Εάν "άλλο/α" διευκρίνησε ποιο έγκλημα/τα ήταν μέσα στον πανεπιστημιακό χώρο .....

Εάν "άλλο/α" διευκρίνησε για ποιο έγκλημα/τα ήταν έξω από τον πανεπιστημιακό χώρο .....

B3. Έχοντας υπόψιν σου το πιο πρόσφατο έγκλημα που ήσουν μάρτυρας μέσα στον πανεπιστημιακό χώρο, γνωρίζεις ποιός ήταν ο δράστης;

ΝΑΙ

ΟΧΙ

Υποψιάζομαι, αλλά δεν είμαι απόλυτα σίγουρος/η

\* Παρακαλώ, απάντησε στις ερωτήσεις B4 - B5 μόνο εάν είσαι απόλυτα σίγουρος /η ότι γνωρίζεις το δράστη.

B4. Ήταν ο/η δράστης άντρας ή γυναίκα;

Άντρας

Γυναίκα

B5. Έχοντας υπόψιν σου το πιο πρόσφατο έγκλημα που ήσουν μάρτυρας μέσα στον πανεπιστημιακό χώρο, κατά τους τελευταίους 12 μήνες και εάν είσαι πρωτοετής από την εγγραφή σου μέχρι τα Χριστούγεννα, ήταν το πρόσωπο που διέπραξε το έγκλημα:

Φοιτητής/ρια

Ακαδημαϊκό προσωπικό

Εργαζόμενοι στο πανεπιστήμιο

Άλλος/οι εξωπανεπιστημιακοί

B6. Έχοντας υπόψιν σου το πιο πρόσφατο έγκλημα που ήσουν μάρτυρας μέσα στον πανεπιστημιακό χώρο, σε ποιόν το δήλωσες - κατήγγειλες;

Στην αστυνομία μόνο

Στις πανεπιστημιακές αρχές μόνο

Και στην αστυνομία και στις πανεπιστημιακές αρχές

Σε κανέναν

Συμπλήρωσε στο κενό τι έγκλημα ήταν:.....

.....

B6α. Εάν δεν το δήλωσες στην αστυνομία αιτιολόγησε τους λόγους σου. Εάν το δήλωσες στην αστυνομία συνέχισε στην επόμενη ερώτηση B6β.

.....

.....

.....

B6β. Εάν το δήλωσες μόνο στις πανεπιστημιακές αρχές αιτιολόγησε γιατί δεν το δήλωσες και στην αστυνομία;

.....

.....

.....



B7. Έχοντας υπόψιν σου το πιο πρόσφατο έγκλημα που ήσουν μάρτυρας έξω από τον πανεπιστημιακό χώρο, κατά τους τελευταίους 12 μήνες και εάν είσαι πρωτοετής από την εγγραφή σου μέχρι τα Χριστούγεννα, το δήλωσες στην αστυνομία;

ΝΑΙ

ΟΧΙ

Συμπλήρωσε στο κενό τι έγκλημα ήταν: .....

.....

**ΜΕΡΟΣ Γ’:** Στο μέρος αυτό του ερωτηματολογίου σημείωσε με ✓ εάν θεωρείς ότι είναι σωστό ή λάθος κάθε μία από τις προτάσεις που ακολουθούν (Γ1 -Γ26), και που αναφέρονται στις γνώσεις σου σχετικά με το νόμο για το “Πανεπιστημιακό Άσυλο” γενικά και ειδικότερα.

Πριν όμως από αυτό απάντησε στην ερώτηση Γ στην οποία μόνο μπορείς να σημειώσεις περισσότερα από ένα κουτάκια με ✓

Γ. Ποιά ή ποιές είναι οι πηγές για τις γνώσεις σου σχετικά με το “Πανεπιστημιακό Άσυλο”

\* Μπορείς να επιλέξεις περισσότερες από μία απαντήσεις

Άλλοι φοιτητές - συμφοιτητές

Ακαδημαϊκό διδακτικό προσωπικό

Φοιτητικοί σύλλογοι και ενώσεις

Φοιτητικές παρατάξεις

Νομικά βιβλία

Άλλα σχετικά με το θέμα βιβλία

Τύπος & Μ.Μ.Ε.

Δεν έχω γνώση για το “Πανεπιστημιακό Άσυλο”

Άλλη πηγή

Εάν “Άλλη πηγή” διευκρίνησε ποιά.....

\* Στις ερωτήσεις Γ1 - Γ26 μπορείς να επιλέγεις μόνο μια απάντηση σε κάθε ερώτηση.

Γ1. Είσαι ικανοποιητικά ενημερωμένος/η για το "Πανεπιστημιακό Άσυλο";

Σωστό Αναποφάσιτος/η Λάθος

Γ2. Το "Πανεπιστημιακό Άσυλο" αναγνωρίστηκε για να προστατεύει τα πανεπιστήμια από την κρατική ανάμειξη.

Σωστό Αναποφάσιτος/η Λάθος

Γ3. Το "Πανεπιστημιακό Άσυλο" αναγνωρίστηκε για την κατοχύρωση της ακαδημαϊκής ελευθερίας

Σωστό Αναποφάσιτος/η Λάθος

Γ4. Το "Πανεπιστημιακό Άσυλο" αναγνωρίστηκε για να προστατεύει τους πολίτες από σύλληψη

Σωστό Αναποφάσιτος/η Λάθος

Γ5. Το "Πανεπιστημιακό Άσυλο" αναγνωρίστηκε κυρίως εξ' αιτίας των γεγονότων του Πολυτεχνείου της 17ης Νοεμβρίου 1973.

Σωστό Αναποφάσιτος/η Λάθος

Γ6. Ως γενικό κανόνα ο νόμος για το "Πανεπιστημιακό Άσυλο" απαγορεύει οποιαδήποτε επέμ-

βαση δημόσιας δύναμης στον πανεπιστημιακό χώρο.

Σωστό Αναποφάσιτος/η Λάθος

Γ7. Ο νόμος για το "Πανεπιστημιακό Άσυλο" καλύπτει μερικούς μόνο χώρους του πανεπιστημίου κυρίως τις διδακτικές αίθουσες και τις βιβλιοθήκες.

Σωστό Αναποφάσιτος/η Λάθος

Γ8. Για να εισέλθει μια δημόσια δύναμη (π.χ. Πυροσβεστική κ.τ.λ.) στο πανεπιστήμιο χρειάζεται ειδική άδεια εισόδου

Σωστό Αναποφάσιτος/η Λάθος

Γ9. Η άδεια πρέπει να εγκριθεί από ειδικό τριμελές όργανο που αποτελείται από τον πρύτανη, έναν εκπρόσωπο του διδακτικού προσωπικού και έναν εκπρόσωπο των φοιτητών.

Σωστό Αναποφάσιτος/η Λάθος

Γ10. Η αστυνομία μπορεί να επέμβει στον πανεπιστημιακό χώρο χωρίς άδεια εάν διαπράττονται αυτόφωρα κακουργήματα ή αυτόφωρα εγκλήματα κατά της ζωής

Σωστό Αναποφάσιτος/η Λάθος

- Γ11. Ο νόμος για το “Πανεπιστημιακό Άσυλο” αναφέρεται μόνο σε όσους ενέχονται στην πανεπιστημιακή κοινότητα (π.χ. φοιτητές, καθηγητές κ.τ.λ.) και όχι σε κάθε πολίτη που βρίσκεται μέσα στον πανεπιστημιακό χώρο.
- Σωστό Αναποφάσιτος/η Λάθος
- Γ12. Η άδεια για επέμβαση δημόσιας δύναμης μπορεί να εγκριθεί αποκλειστικά από το Δ.Σ. του Φοιτητικού Συλλόγου
- Σωστό Αναποφάσιτος/η Λάθος
- Γ13. Σε περίπτωση πυρκαγιάς η Πυροσβεστική Υπηρεσία μπορεί να επέμβει στους Πανεπιστημιακούς χώρους χωρίς άδεια εισόδου.
- Σωστό Αναποφάσιτος/η Λάθος
- Γ14. Η άδεια εισόδου μιας δημόσιας δύναμης στο πανεπιστήμιο δίνεται από τον πρύτανη μόνο
- Σωστό Αναποφάσιτος/η Λάθος
- Γ15. Εγκληματίες μπορούν να κρυφτούν σε πανεπιστημιακούς χώρους και να βρουν καταφύγιο εκεί ώστε να αποφύγουν την σύλληψη από την αστυνομία
- Σωστό Αναποφάσιτος/η Λάθος
- Γ16. Η πλειοψηφία των εγκλημάτων που λαμβάνουν χώρα στους πανεπιστημιακούς χώρους διαπράττονται από αλλοδαπούς
- Σωστό Αναποφάσιτος/η Λάθος
- Γ17. Η άδεια για επέμβαση δημόσιας δύναμης μπορεί να δοθεί από τη Σύγκλητο
- Σωστό Αναποφάσιτος/η Λάθος
- Γ18. Η χρήση ναρκωτικών είναι σύνηθες φαινόμενο μέσα στις φοιτητικές εστίες και τους υπόλοιπους πανεπιστημιακούς χώρους
- Σωστό Αναποφάσιτος/η Λάθος
- Γ19. Η πλειοψηφία των εγκλημάτων που λαμβάνουν χώρα μέσα στους πανεπιστημιακούς χώρους διαπράττονται από φοιτητές
- Σωστό Αναποφάσιτος/η Λάθος
- Γ20. Οι “Αναρχικοί” είναι ομάδες που συχνά διαπράττουν εγκληματικές πράξεις στους πανεπιστημιακούς χώρους και προκαλούν φόβο και ανασφάλεια στους φοιτητές
- Σωστό Αναποφάσιτος/η Λάθος

Γ21. Είναι εύκολο να αγοράσει κανείς ναρκωτικά μέσα στα πανεπιστήμια

Σωστό Αναποφάσιστο/η Λάθος

Γ22. Σεσημασμένοι εγκληματίες είναι αυτοί που διαπράττουν τα περισσότερα εγκλήματα μέσα στους πανεπιστημιακούς χώρους

Σωστό Αναποφάσιτος/η Λάθος

Γ23. Συμμορίες (αηλίκων κτλ.) βρίσκουν καταφύγιο στους πανεπιστημιακούς χώρους

Σωστό Αναποφάσιτος/η Λάθος

Γ24. Η άδεια εισόδου σε δημόσια δύναμη σε εξαιρετικές περιπτώσεις μπορεί να δοθεί από το πρωτανικό Συμβούλιο

Σωστό Αναποφάσιτος/η Λάθος

Γ25. Το πιο συχνό έγκλημα που διαπράττεται στους πανεπιστημιακούς χώρους είναι η διακίνηση ναρκωτικών

Σωστό Αναποφάσιτος/η Λάθος

Γ26. Η πορνεία είναι τακτικό φαινόμενο στα πανεπιστήμια

Σωστό Αναποφάσιτος/η Λάθος

**ΜΕΡΟΣ Δ':** Στο μέρος αυτό του ερωτηματολογίου θα ερωτηθείς αν συμφωνείς με τις θέσεις που ακολουθούν σχετικά με το "Πανεπιστημιακό Άσυλο" και για τυχόν αλλαγές του θεσμού.

\* Σημείωνε με ✓ μόνο ένα κουτάκι σε κάθε ερώτηση - θέση

Δ1. Το "Πανεπιστημιακό Άσυλο" προάγει την αντικοινωνική συμπεριφορά των φοιτητών

Συμφωνώ πολύ Συμφωνώ Αναποφάσιτος/η Διαφωνώ Διαφωνώ ριζικά

Δ2. Το "Πανεπιστημιακό Άσυλο" είναι παράγοντας που οδηγεί σε περισσότερη εγκληματικότητα μέσα στα πανεπιστήμια

Συμφωνώ πολύ Συμφωνώ Αναποφάσιτος/η Διαφωνώ Διαφωνώ ριζικά

- Δ3. Υπάρχει κοινωνική επιταγή να αλλάξει ή να τροποποιηθεί ο νόμος για το "Πανεπιστημιακό Άσυλο"
- Συμφωνώ πολύ  Συμφωνώ  Αναποφάσιτος/η  Διαφωνώ  Διαφωνώ ριζικά
- Δ4. Πρέπει άμεσα να ξεκινήσει δημόσιος διάλογος για το "Πανεπιστημιακό Άσυλο"
- Συμφωνώ πολύ  Συμφωνώ  Αναποφάσιτος/η  Διαφωνώ  Διαφωνώ ριζικά
- Δ5. Η προστασία που παρέχει ο νόμος για το "Πανεπιστημιακό Άσυλο" πρέπει να δίνεται μόνο στα μέλη της πανεπιστημιακής κοινότητας και όχι σε όλους τους πολίτες ανεξαιρέτα
- Συμφωνώ πολύ  Συμφωνώ  Αναποφάσιτος/η  Διαφωνώ  Διαφωνώ ριζικά
- Δ6. Υπάρχει ανάγκη η αστυνομία να έχει ελεύθερη πρόσβαση σε προκαθορισμένους πανεπιστημιακούς χώρους
- Συμφωνώ πολύ  Συμφωνώ  Αναποφάσιτος/η  Διαφωνώ  Διαφωνώ ριζικά
- Δ7. Εάν ο νόμος για το "Πανεπιστημιακό Άσυλο" τροποποιηθεί και επιτραπεί στην αστυνομία να έχει ελεύθερη πρόσβαση σε μερικούς χώρους του πανεπιστημίου τότε η ιδέα του "Πανεπιστημιακού Ασύλου" συνολικά υπονομεύεται
- Συμφωνώ πολύ  Συμφωνώ  Αναποφάσιτος/η  Διαφωνώ  Διαφωνώ ριζικά
- Δ8. Είναι καλή λύση, ιδιωτική αστυνομία εργοδοτούμενη από το ίδιο το πανεπιστήμιο να περιφρουρεί τους πανεπιστημιακούς χώρους
- Συμφωνώ πολύ  Συμφωνώ  Αναποφάσιτος/η  Διαφωνώ  Διαφωνώ ριζικά
- Δ9. Ο νόμος για το "Πανεπιστημιακό Άσυλο" πρέπει να παραμείνει ως έχει και καμία αλλαγή δεν είναι απαραίτητη
- Συμφωνώ πολύ  Συμφωνώ  Αναποφάσιτος/η  Διαφωνώ  Διαφωνώ ριζικά
- Δ10. Η διατήρηση της τάξης και η περιφρούρηση των πανεπιστημιακών χώρων είναι εσωτερική υπόθεση της ίδιας της πανεπιστημιακής κοινότητας και δεν υπάρχει ανάγκη για εξωπανεπιστημιακούς παράγοντες να παρεμβαίνουν
- Συμφωνώ πολύ  Συμφωνώ  Αναποφάσιτος/η  Διαφωνώ  Διαφωνώ ριζικά

Δ11. Δεν χρειάζεται κανένα είδος ελέγχου και αστυνόμευσης μέσα στους πανεπιστημιακούς χώρους διότι ιστορικά και κατά παράδοση οι άνθρωποι σέβονται και τιμούν τα πανεπιστήμια ως “άθικτα”

Συμφωνώ πολύ  Συμφωνώ  Αναποφάσιτος/η  Διαφωνώ  Διαφωνώ ριζικά

Δ12. Το πρόβλημα με το έγκλημα μέσα στους πανεπιστημιακούς χώρους δεν είναι διογκωμένο σε σχέση με το πρόβλημα της εγκληματικότητας έξω από αυτούς

Συμφωνώ πολύ  Συμφωνώ  Αναποφάσιτος/η  Διαφωνώ  Διαφωνώ ριζικά

Δ13. Το “Πανεπιστημιακό Άσυλο” είναι θεσμός δημοκρατικός και ενισχύει την διατήρηση της ακαδημαϊκής ελευθερίας

Συμφωνώ πολύ  Συμφωνώ  Αναποφάσιτος/η  Διαφωνώ  Διαφωνώ ριζικά

Δ14. Οι φοιτητές και τα υπόλοιπα μέλη της πανεπιστημιακής κοινότητας καλλιεργούν ένα εξαιρετικό ήθος και κουλτούρα στο πανεπιστήμιο και γι’ αυτό είναι λιγότερο πιθανό να εγκληματίζουν μέσα σ’ αυτό σε σχέση με άλλους εξωπανεπιστημιακούς.

Συμφωνώ πολύ  Συμφωνώ  Αναποφάσιτος/η  Διαφωνώ  Διαφωνώ ριζικά

Δ15. Οποιαδήποτε, έστω και μικρή τροποποίηση στο νόμο για το “Πανεπιστημιακό Άσυλο” πρέπει να αποκλειστεί διότι ουσιαστικά οδηγεί σε κατάργηση του θεσμού.

Συμφωνώ πολύ  Συμφωνώ  Αναποφάσιτος/η  Διαφωνώ  Διαφωνώ ριζικά

Δ16. Οι Φοιτητικοί Σύλλογοι και οι Φοιτητικές Ενώσεις έχουν τους απαραίτητους μηχανισμούς να περιφρουρούν τους χώρους του πανεπιστημίου με επιτυχία, χωρίς άλλη εξωτερική δύναμη να παρεμβαίνει

Συμφωνώ πολύ  Συμφωνώ  Αναποφάσιτος/η  Διαφωνώ  Διαφωνώ ριζικά

Δ17. Η αστυνομία χρειάζεται να περιφρουρεί τους πανεπιστημιακούς χώρους μόνο τις νυχτερινές ώρες που δεν γίνονται μαθήματα

Συμφωνώ πολύ  Συμφωνώ  Αναποφάσιτος/η  Διαφωνώ  Διαφωνώ ριζικά

Δ18. Το πρόβλημα της εγκληματικότητας δεν είναι σοβαρό μέσα στους πανεπιστημιακούς χώρους

Συμφωνώ πολύ

Συμφωνώ

Αναποφάσιτος/η

Διαφωνώ

Διαφωνώ ριζικά

Δ19. Το “Πανεπιστημιακό Άσυλο” συμβολίζει την ελευθερία του ανθρώπου

Συμφωνώ πολύ

Συμφωνώ

Αναποφάσιτος/η

Διαφωνώ

Διαφωνώ ριζικά

Δ20. Η αστυνομία πρέπει να αστυνομεύει τα πανεπιστήμια την περίοδο των καλοκαιρινών διακοπών

Συμφωνώ πολύ

Συμφωνώ

Αναποφάσιτος/η

Διαφωνώ

Διαφωνώ ριζικά

**ΜΕΡΟΣ Ε’:** Σε αυτό το μέρος του ερωτηματολογίου θα σου ζητηθεί να καταθέσεις τις προσωπικές σου απόψεις και προτάσεις για το “Πανεπιστημιακό Άσυλο”. Αυτό θα ενισχύσει την έρευνα ώστε να προκύψει μια ξεκάθαρη εικόνα για την κατάσταση και παράλληλα θα σου δοθεί η ευκαιρία να συνεισφέρεις και εσύ την αποψή σου για το θέμα. Αυτό θεωρούμε ότι είναι εξαιρετικά σημαντικό.

Ε1. Κατά την γνώμη σου, το πρόβλημα της εγκληματικότητας στους πανεπιστημιακούς χώρους συγκρινόμενο με το πρόβλημα της εγκληματικότητας έξω από αυτούς είναι:

Σημαντικά μικρότερο

Μικρότερο

Περίπου το ίδιο

Μεγαλύτερο

Σημαντικά μεγαλύτερο

E2. Ποιός είναι κατά την άποψή σου, ο βασικός σκοπός του “Πανεπιστημιακού Ασύλου”;

Σύντομα αιτιολόγησε την απόψή σου

.....  
.....  
.....  
.....

E3. Έχει επιτευχθεί κατά την γνώμη σου ο σκοπός και η πρακτική χρήση του “Πανεπιστημιακού Ασύλου”;

Ναι

Όχι

Αναποφάσιτος/η

Δεν ξέρω

Αιτιολόγησε την απάντησή σου .....

.....  
.....

E4. Είναι ανάγκη κατά την άποψή σου να αλλάξει ο νόμος για το “Πανεπιστημιακό Άσυλο”;

ΝΑΙ

ΟΧΙ

Αναποφάσιτος/η

Δεν ξέρω

Εάν “ΟΧΙ” αιτιολόγειςαι .....

.....  
.....

Εάν “ΝΑΙ” γράψε τις αλλαγές που εσύ θα πρότεινες .....

.....  
.....  
.....  
.....  
.....  
.....  
.....



Ε5. Ολοκληρώνοντας, πρόσθεσε τυχόν άλλες παρατηρήσεις και σχόλια που έχεις να καταθέσεις σχετικά με το "Πανεπιστημιακό Άσυλο"

.....  
.....  
.....  
.....

**ΜΕΡΟΣ ΣΤ':** Σε αυτό το τελευταίο μέρος του ερωτηματολογίου θα απαντήσεις σε ερωτήσεις σχετικά με τον εαυτό σου.

ΣΤ1. Σε ποιά έτος είσαι φοιτητής/ρια;

1ο  2ο  3ο  4ο  5ο  6ο  7ο

ΣΤ2. Είσαι  Άντρας

Γυναίκα

ΣΤ3. Συμπλήρωσε στο κουτί πόσων χρόνων είσαι:

ΣΤ4. Διαμένεις τώρα σε πανεπιστημιακές εστίες;

Ναι

Όχι

ΣΤ4α. Εάν στο ΣΤ4 η απάντηση είναι "Ναι" εδώ και πόσο καιρό διαμένεις σε πανεπιστημιακές εστίες; Γράψε σε μήνες .....

ΣΤ4β. Εάν στο ΣΤ4 η απάντηση είναι "Όχι". Έχεις ποτέ διαμείνει σε πανεπιστημιακές εστίες και για πόσο καιρό; Γράψε σε μήνες .....

.....

ΣΤ5. Συμπλήρωσε, πόσες ώρες κατά μέσο όρο την εβδομάδα βρίσκεσαι σε χώρους πανεπιστημιακούς

ΣΤ6. Είσαι φοιτητής/ρια του Τμήματος.....

Πανεπιστημίου .....

*Ευχαριστώ πολύ για τη συνεργασία και τη βοήθεια σου στην έρευνα.*

## APPENDIX 4

### Questionnaire Responds

<b>SECTION A'</b>
-------------------

**Table A1** Students victims of crimes

<i>Students who answered</i>	<i>Frequency</i>	<i>Percentage %</i>
YES	55	12
NO	421	88

**Table A2** Students victims of crime on and off campus

<i>Students victims of crime</i>	<i>Frequency</i>	<i>Percentage %</i>
On campus	7	13
Off campus	41	74
On and off campus	7	13
Total	55	100

**Table A3 Number and percentage of crimes that students have been victims of**

<i>Crimes</i>	<i>Number of crimes on campus</i>	<i>Rates of crimes on campus %</i>	<i>Number of crimes off campus</i>	<i>Rates of crimes off campus %</i>
Burglary	1	6.2	6	7.2
Illegal entry in a residence	0	0	10	12.0
Assault	1	6.2	14	16.8
Threat	2	12.5	7	8.4
Physical assault	2	12.5	6	7.2
Money theft	1	6.2	10	12.0
Property theft	4	25	14	16.8
Robbery	0	0	2	2.4
Vehicle theft	0	0	1	1.2
Bicycle theft	1	6.2	3	3.6
Sexual assault	3	18.7	1	1.2
Attempted rape	0	0	1	1.2
Rape	0	0	0	0
Property Vandalism	1	6.2	7	8.4
Other	0	0	1	1.2
<b>Total</b>	<b>16</b>	<b>99.7</b>	<b>83</b>	<b>99.6</b>

**Table A4** Reporting rates of those students who had been a victim of crime on campus

<i>Victimised students on campus reported</i>	<i>Number of crimes reported</i>	<i>Reporting rates %</i>
To the police	5	21
To the university authorities	2	8
Both to the police and university authorities	1	4
Did not report at all	16	67
Total	24	100

**Table A5** Reporting rates of those students who had been a victim of crime off campus

<i>Victimised students on campus reported</i>	<i>Number of crimes reported</i>	<i>Reporting rates %</i>
To the police	22	54
Did not report at all	19	46
Total	41	100

**Table A6** Known perpetrators of crimes on campus

<i>Students who have been victims on campus</i>	<i>Number of students</i>	<i>Percentage %</i>
Students who knew the perpetrator	3	19
Students who did not know the perpetrator	10	62
Students who were not certain they knew the perpetrator	3	19
Total	16	100

**Table A7** Gender of known perpetrators on campus

<i>Sex of perpetrators of crimes committed on campus</i>	<i>Number of perpetrators</i>	<i>Percentage %</i>
Male	7	70
Female	3	30
Total	10	100

**Table A8** Occupation of known perpetrators of crimes committed on campus

<i>Perpetrators</i>	<i>Number of perpetrators</i>	<i>Percentage %</i>
Students	3	70
Not students	7	30
Total	10	100

**SECTION B'****Table B1a** Number and percentages of students who witnessed crimes

<i>Students who witnessed crime(s)</i>	<i>Students in numbers</i>	<i>Percentages %</i>
<b>YES</b>	97	20
<b>NO</b>	380	80
<b>Total</b>	<b>477</b>	<b>100</b>

**Table B1b** Number and percentages of students who witnessed crimes on and off campus

<i>Students who witnessed crime(s)</i>	<i>Students in numbers</i>	<i>Percentages %</i>
On campus	19	20
Off campus	37	38
Both, on and off campus	41	42
<b>Total</b>	<b>97</b>	<b>100</b>

**Table B2 Numbers and percentages of crimes witnessed by students on and off campus**

<i>Crimes witnessed</i>	<i>Number of crimes on campus</i>	<i>Rates of crimes on campus %</i>	<i>Number of crimes off campus</i>	<i>Rates of crimes off campus %</i>
Burglary	23	8.2	29	9.0
Illegal entry in a residence	15	5.4	22	6.8
Assault	10	3.6	13	4.0
Threat	13	4.6	14	4.3
Physical assault	15	5.4	21	6.5
Money theft	14	5.0	24	7.5
Property theft	16	5.7	18	5.6
Shoplifting	7	2.5	8	2.5
Robbery	6	2.1	12	3.7
Vehicle theft	5	1.8	3	1.0
Bicycle theft	23	8.2	12	3.7
Prostitution	7	2.5	12	3.7
Sexual assault	18	6.4	9	2.8
Attempted rape	6	2.1	11	3.4
Rape	5	1.8	8	2.5
Receiving stolen property	5	1.8	7	2.2
Fraud /deception	14	5.0	9	2.8
Drug use	31	11.1	35	11.0
Drug dealing	13	4.6	32	10.0
Vandalism	26	9.3	22	6.8
Total	278	97.1	321	99.8

**Table B3 Known and unknown perpetrators of crimes committed on campus**

<i>Students who witnessed crime on campus</i>	<i>Perpetrators in numbers</i>	<i>Percentages %</i>
They knew for sure the perpetrator	17	18
They did not know the perpetrator	75	77
They had some idea but they were not sure	5	5
Total	97	100

**Table B4 Known perpetrators' profile by gender**

<i>Sex of known perpetrators</i>	<i>Percentages %</i>
Male	94
Female	6
Total	100

**Table B5 Known perpetrators' profile by occupation**

<i>Occupation of known perpetrators</i>	<i>Perpetrator in numbers</i>	<i>Percentages %</i>
University students	8	35
University academics	3	13
Outsiders	12	52
Total	23	100

**Table B6 Reporting rates of students who had been witnessed crimes on campus**

<i>Students who witnessed crimes on campus reported it to</i>	<i>Frequencies in numbers</i>	<i>Percentages %</i>
The Police	2	4
The University Authorities only	7	14
The Police and University Authorities	4	8
Nobody	37	74
Total	50	100



**Table B7** Reporting rates of students who had been witnessed crimes off campus

<i>Students who witnessed crimes off campus reported it to</i>	<i>Frequencies in numbers</i>	<i>Percentages %</i>
The Police	5	16
Did not reported it	26	84
Total	31	100

<b>SECTION C'</b>
-------------------

**Table C** Students' source of information about university asylum

<i>Sources of Information</i>	<i>Frequencies in numbers</i>	<i>Percentages* %</i>
Press and mass media	360	74
Fellow students	309	64
Student political parties	170	35
Student unions and associations	107	22
Legal texts	67	14
Academic university staff	55	11
Other relevant (not legal) texts	46	9
No knowledge about University asylum	25	5
Other source	15	3

\* Note that percentages do not total 100 because of multiple answers

**Table C1** You are sufficiently informed about “University Asylum”.  
*Opinion question.*

<i>Answers</i>	<i>Frequencies in numbers</i>	<i>Percentages %</i>
Correct	89	18
Undecided	164	34
Not Correct	223	46
Total	476	98*

\*In this and subsequent tables percentages may not total 100 due to rounding

**Table C2** “University Asylum” was introduced to protect universities from state intervention. *The right answer is “Correct”*

<i>Answers</i>	<i>Frequencies in numbers</i>	<i>Percentages %</i>
Correct	263	54
Undecided	106	22
Not Correct	108	23
Total	478	99

**Table C3.** “University Asylum” was introduced to strengthen academic freedom.  
*The right answer is “Correct”*

<i>Answers</i>	<i>Frequencies in numbers</i>	<i>Percentages %</i>
Correct	404	84
Undecided	53	11
Not Correct	23	5
Total	480	100

**Table C4** “University Asylum” was introduced to protect individual(s) from arrest.  
*The right answer is “Not Correct”*

<i>Answers</i>	<i>Frequencies in numbers</i>	<i>Percentages %</i>
Correct	39	8
Undecided	56	12
Not Correct	384	79
Total	479	99

**Table C5** “University Asylum” was introduced mainly because of the 17<sup>th</sup> Nov.1973  
 Athens Polytechnic School revolt. *The right answer is “Correct”*

<i>Answers</i>	<i>Frequencies in numbers</i>	<i>Percentages %</i>
Correct	193	40
Undecided	188	39
Not Correct	98	20
Total	479	99

**Table C6** As a general rule “University Asylum” law prohibits any state force to  
 intervene in university areas. *The right answer is “Correct”*

<i>Answers</i>	<i>Frequencies in numbers</i>	<i>Percentages %</i>
Correct	350	72
Undecided	64	13
Not Correct	63	13
Total	477	98

**Table C7** "University Asylum" covers only some areas of the university mainly the education buildings and libraries. *The right answer is "Not Correct"*

<i>Answers</i>	<i>Frequencies in numbers</i>	<i>Percentages %</i>
Correct	23	5
Undecided	84	17
Not Correct	373	77
Total	480	99

**Table C8** In order a state force (e.g. Police, Fire brigade etc) to enter to the university, special permission must be approved. *The right answer is "Correct"*

<i>Answers</i>	<i>Frequencies in numbers</i>	<i>Percentages %</i>
Correct	248	51
Undecided	144	30
Not Correct	84	17
Total	476	98

**Table C9** The permission to enter the university must be approved by a special triumvirate organ which consists of the rector, one representative of the tutors and one representative of the students. *The right answer is "Correct"*

<i>Answers</i>	<i>Frequencies in numbers</i>	<i>Percentages %</i>
Correct	162	33
Undecided	272	56
Not Correct	43	9
Total	478	98

**Table C10** The Police may intervene in the university area if flagrant felonies or flagrant crimes against human life are being committed.  
*The right answer is "Correct"*

<i>Answers</i>	<i>Frequencies in numbers</i>	<i>Percentages %</i>
Correct	180	37
Undecided	178	37
Not Correct	120	25
Total	478	99

**Table C11** University Asylum law applies only to people involved with the university community (students, professors, staff) not to every person who happens to be inside the university premises.  
*The right answer is "Not Correct"*

<i>Answers</i>	<i>Frequencies in numbers</i>	<i>Percentages %</i>
Correct	157	32
Undecided	94	19
Not Correct	226	47
Total	478	98

**Table C12** The permission may also be given solely by the Student Union Committee.  
*The right answer is "Not Correct"*

<i>Answers</i>	<i>Frequencies in numbers</i>	<i>Percentages %</i>
Correct	29	33
Undecided	217	56
Not Correct	229	9
Total	478	98

**Table C13** In case of serious fire the fire brigade has the right to intervene without special permission. *The right answer is "Not Correct"*

<i>Answers</i>	<i>Frequencies in numbers</i>	<i>Percentages %</i>
Correct	294	61
Undecided	142	29
Not Correct	39	39
Total	475	99

**Table C14** Permission may also alternatively be given solely by the Rector. *The right answer is "Not Correct"*

<i>Answers</i>	<i>Frequencies in numbers</i>	<i>Percentages %</i>
Correct	60	12
Undecided	209	43
Not Correct	205	42
Total	474	97

**Table C15** Criminals can hide themselves in the university areas and find shelter to avoid being arrested by the Police. *The right answer is "Correct"*

<i>Answers</i>	<i>Frequencies in numbers</i>	<i>Percentages %</i>
Correct	184	38
Undecided	108	22
Not Correct	182	38
Total	474	98

**Table C16** The majority of the crimes on university campuses are committed by immigrants. *The right answer is "Not Correct"*

<i>Answers</i>	<i>Frequencies in numbers</i>	<i>Percentages %</i>
Correct	58	12
Undecided	148	31
Not Correct	269	56
Total	475	99

**Table C17** The permission to enter university premises may also be given by the university Senate. *The right answer is "Correct"*

<i>Answers</i>	<i>Frequencies in numbers</i>	<i>Percentages %</i>
Correct	142	29
Undecided	278	58
Not Correct	53	11
Total	473	98

**Table C18** Drug use is a frequent phenomenon inside the student clubs and other university premises. *Opinion question*

<i>Answers</i>	<i>Frequencies in numbers</i>	<i>Percentages %</i>
Correct	223	46
Undecided	128	26
Not Correct	124	26
Total	475	98

**Table C19** The majority of the crimes on university campuses committed by students.  
*Opinion question*

<i>Answers</i>	<i>Frequencies in numbers</i>	<i>Percentages %</i>
Correct	84	17
Undecided	160	33
Not Correct	231	48
Total	475	98

**Table C20** "Anarchists" are a group, which cause criminal problem and provoke panic and fear of crime in the university campuses.  
*Opinion question*

<i>Answers</i>	<i>Frequencies in numbers</i>	<i>Percentages %</i>
Correct	280	58
Undecided	91	19
Not Correct	102	21
Total	473	98

**Table C21** It is easy to buy drugs in the university campuses. *Opinion question*

<i>Answers</i>	<i>Frequencies in numbers</i>	<i>Percentages %</i>
Correct	154	32
Undecided	200	41
Not Correct	121	25
Total	475	98



**Table C22** Known criminals commit most of the crimes in the university campus.  
*Opinion question*

<i>Answers</i>	<i>Frequencies in numbers</i>	<i>Percentages %</i>
Correct	35	7
Undecided	167	35
Not Correct	273	56
Total	475	98

**Table C23** Youth gangs find shelter in the university campuses.  
*Opinion question*

<i>Answers</i>	<i>Frequencies in numbers</i>	<i>Percentages %</i>
Correct	193	40
Undecided	142	29
Not Correct	138	29
Total	473	98

**Table C24** The permission Police to enter the university premises may given  
in extreme cases by the Rectorate Council of the university.  
*The right answer is "Not Correct"*

<i>Answers</i>	<i>Frequencies in numbers</i>	<i>Percentages %</i>
Correct	146	30
Undecided	289	60
Not Correct	33	7
Total	468	97

**Table C25** The most serious crime committed in the university campuses is drug trafficking. *Opinion question*

<i>Answers</i>	<i>Frequencies in numbers</i>	<i>Percentages %</i>
Correct	184	38
Undecided	171	35
Not Correct	115	24
Total	470	97

**Table C26** Prostitution is common offence within university campuses. *Opinion question*

<i>Answers</i>	<i>Frequencies in numbers</i>	<i>Percentages %</i>
Correct	39	8
Undecided	119	25
Not Correct	312	65
Total	470	98

**SECTION D'****\*Includes only attitudes questions****Table D1** "University Asylum" promotes the anti-social behaviour of students.

<i>Answers</i>	<i>Frequencies in numbers</i>	<i>Percentages %</i>
Strongly Agree	43	9
Agree	13	3
Undecided	68	14
Disagree	237	49
Strongly Disagree	113	23
Total	474	98

**Table D2** "University Asylum" is a factor that leads to more criminality inside the universities.

<i>Answers</i>	<i>Frequencies in numbers</i>	<i>Percentages %</i>
Strongly Agree	34	7
Agree	124	26
Undecided	69	14
Disagree	182	38
Strongly Disagree	66	14
Total	475	99

**Table D3** There is an urgent social need for “University Asylum” law to be changed.

<i>Answers</i>	<i>Frequencies in numbers</i>	<i>Percentages %</i>
Strongly Agree	56	12
Agree	145	30
Undecided	180	37
Disagree	62	13
Strongly Disagree	31	6
Total	474	98

**Table D4** Public debate about “University Asylum” should begin immediately.

<i>Answers</i>	<i>Frequencies in numbers</i>	<i>Percentages %</i>
Strongly Agree	133	27
Agree	226	47
Undecided	53	11
Disagree	49	10
Strongly Disagree	15	3
Total	476	98

**Table D5** The protection of “University Asylum” should be given only to members of the university and not to all individuals.

<i>Answers</i>	<i>Frequencies in numbers</i>	<i>Percentages %</i>
Strongly Agree	143	30
Agree	195	30
Undecided	54	37
Disagree	61	13
Strongly Disagree	23	6
Total	476	98

**Table D6** There is a need for the Police to have free access to some university areas.

<i>Answers</i>	<i>Frequencies in numbers</i>	<i>Percentages %</i>
Strongly Agree	62	13
Agree	145	30
Undecided	106	22
Disagree	118	24
Strongly Disagree	145	9
Total	476	98

**Table D7** If the law were reformed and the Police allowed having free access to some university areas “University Asylum” undermined.

<i>Answers</i>	<i>Frequencies in numbers</i>	<i>Percentages %</i>
Strongly Agree	80	17
Agree	147	30
Undecided	69	14
Disagree	150	31
Strongly Disagree	29	6
Total	476	98

**Table D8** Rather than state Police, private Police employed by the university should control university areas.

<i>Answers</i>	<i>Frequencies in numbers</i>	<i>Percentages %</i>
Strongly Agree	118	24
Agree	167	35
Undecided	80	17
Disagree	69	14
Strongly Disagree	41	9
Total	475	99

**Table D9** The “University Asylum” law should be maintained in its present form and no changes are needed

<i>Answers</i>	<i>Frequencies in numbers</i>	<i>Percentages %</i>
Strongly Agree	10	2
Agree	35	7
Undecided	135	28
Disagree	211	44
Strongly Disagree	84	17
Total	475	98

**Table D10** Order maintenance in the universities is internal matter for the University Communities and there is no need for outsiders to intervene.

<i>Answers</i>	<i>Frequencies in numbers</i>	<i>Percentages %</i>
Strongly Agree	56	12
Agree	128	26
Undecided	120	25
Disagree	150	31
Strongly Disagree	22	5
Total	476	99

**Table D11** There is no need for any sources of control inside the universities because traditionally people respect universities as honoured and untouchable places.

<i>Answers</i>	<i>Frequencies in numbers</i>	<i>Percentages %</i>
Strongly Agree	10	2
Agree	41	8
Undecided	74	15
Disagree	246	51
Strongly Disagree	106	22
Total	477	98

**Table D12** Crime rates and crime problem within university premises are much higher compared with crime rates and crime problem outside universities.

<i>Answers</i>	<i>Frequencies in numbers</i>	<i>Percentages %</i>
Strongly Agree	79	16
Agree	277	57
Undecided	54	11
Disagree	55	11
Strongly Disagree	12	2
Total	477	97

**Table D13** The “University Asylum” became a democratic institution for the maintenance of academic freedom.

<i>Answers</i>	<i>Frequencies in numbers</i>	<i>Percentages %</i>
Strongly Agree	137	28
Agree	255	53
Undecided	51	11
Disagree	24	5
Strongly Disagree	9	2
Total	476	99

**Table D14** Students and other members of the university community develop a special ethos and culture in the universities and become less likely to offend than non-members of the university community.

<i>Answers</i>	<i>Frequencies in numbers</i>	<i>Percentages %</i>
Strongly Agree	38	8
Agree	166	34
Undecided	95	20
Disagree	144	30
Strongly Disagree	32	7
Total	475	99



**Table D15** Any, even small changes to “University Asylum” law should be resisted because it will lead to complete abolition.

<i>Answers</i>	<i>Frequencies in numbers</i>	<i>Percentages %</i>
Strongly Agree	13	3
Agree	41	8
Undecided	122	25
Disagree	234	48
Strongly Disagree	66	14
Total	476	98

**Table D16** Students Societies and Students Unions have the mechanisms to control the universities without any external force to intervene.

<i>Answers</i>	<i>Frequencies in numbers</i>	<i>Percentages %</i>
Strongly Agree	10	2
Agree	50	10
Undecided	89	18
Disagree	245	51
Strongly Disagree	82	17
Total	476	98

**Table D17** The police need to patrol and policing university premises during the late night hours when no any teaching is taking place.

<i>Answers</i>	<i>Frequencies in numbers</i>	<i>Percentages %</i>
Strongly Agree	31	6
Agree	132	27
Undecided	130	27
Disagree	145	30
Strongly Disagree	38	8
Total	476	98

**Table D18** Criminality is not a serious problem within university premises.

<i>Answers</i>	<i>Frequencies in numbers</i>	<i>Percentages %</i>
Strongly Agree	19	4
Agree	157	32
Undecided	130	27
Disagree	141	29
Strongly Disagree	31	6
Total	478	98

**Table D19** “University Asylum” also symbolises human liberty.

<i>Answers</i>	<i>Frequencies in numbers</i>	<i>Percentages %</i>
Strongly Agree	71	15
Agree	218	45
Undecided	111	23
Disagree	65	13
Strongly Disagree	11	2
Total	476	98

**Table D20** The police need to patrol university premises during the summer holidays

<i>Answers</i>	<i>Frequencies in numbers</i>	<i>Percentages %</i>
Strongly Agree	64	13
Agree	169	41
Undecided	129	27
Disagree	68	14
Strongly Disagree	19	4
Total	476	99

<b>SECTION E'</b>
-------------------

**Table E1** According your point of view, if you compare crime problem inside universities with crime problem outside universities you find it:

<i>Answers</i>	<i>Frequencies in numbers</i>	<i>Percentages %</i>
Much less	147	30
Less	256	53
Approximately the same	63	13
More	9	2
Much more	3	1
Total	478	99

**Table E2-3** Has "University Asylum" achieved its purpose and in principle and in practice?

<i>Answers</i>	<i>Frequencies in numbers</i>	<i>Percentages %</i>
Yes	77	16
No	182	38
Undecided	140	29
I don't know	61	13
Total	460	96

**Table E4** In your opinion does the "University Asylum" law need to be changed?

<i>Answers</i>	<i>Frequencies in numbers</i>	<i>Percentages %</i>
Yes	208	43
No	61	13
Undecided	142	29
I don't know	53	11
Total	461	96

## SECTION F' Respondents' background

**Table F1** Students respondent by year of study

<i>Year of study</i>	<i>Frequencies in numbers</i>	<i>Percentages %</i>
1 <sup>st</sup>	142	29
2 <sup>nd</sup>	52	11
3 <sup>rd</sup>	105	22
4 <sup>th</sup>	84	17
5 <sup>th</sup>	39	8
6 <sup>th</sup>	36	8
7 <sup>th</sup>	16	3
<b>Total</b>	<b>484</b>	<b>98</b>

**Table F2** Students respondent by gender

<i>Students</i>	<i>Frequencies in numbers</i>	<i>Percentages %</i>
Male	177	37
Female	306	63
<b>Total</b>	<b>483</b>	<b>100</b>

**Table F3** Students respondent by year of age

<i>Year of age</i>	<i>Frequencies in numbers</i>	<i>Percentages %</i>
18	46	10
19	66	14
20	83	17
21	68	14
22	69	14
23	64	13
24	26	5
25	24	5
26	30	6
Total	476	98

**Table F4** Students who lived in the university campus at the time the research was carried out

<i>Students</i>	<i>Frequencies in numbers</i>	<i>Percentages %</i>
Who lived on campus	76	17
Who did not live on campus	407	83
Total	483	100

**Table F4a** Length of students' residence on campus

<i>Length in months</i>	<i>Frequencies in numbers</i>	<i>Percentages %</i>
Less than 6	15	20
6-12	13	17
13-24	18	24
25-36	17	22
More than 37	11	15
Total	76	98

**Table F4b** Length of students' residence who used to live on campus but they were not at the time the research was carried out.

<i>Length in months</i>	<i>Frequencies in numbers</i>	<i>Percentages %</i>
Less than 6	6	2
6-12	1	0
13-24	1	0
More than 37	4	1
Never lived on campus	471	97
Total	483	100

**Table F5** Hours on average students weekly spend on the university campus

<i>Time in hours</i>	<i>Frequencies in numbers</i>	<i>Percentages %</i>
Less than 9	110	23
10-20	169	35
21-30	125	26
31-40	40	8
More than 41	39	8
Total	483	100

**Table F6** Students by university attended

<i>University</i>	<i>Frequencies in numbers</i>	<i>Percentages %</i>
Democritus-Thrace	273	57
National and Panteion-Athens	88	18
S. Andrews-Patras	69	14
Aristotle's-Thessaloniki	53	11
Total	483	100

## REFERENCES

### Books in English

- Amnesty International. (1996), *Greece: Unfair Trials of People Arrested at Athens Polytechnic University*. Report October 1996, A.I. index EUR. 25/06/96.
- Bassiouni, Ch. – Nanda, V. Volume I and II, *A Treatise on International Criminal Law*. Illinois-USA: Charles Thomas Publisher.
- Bassiouni, Ch. (1974), *International Extradition and World Public Order*. Sijthoff-Leyden: Oceana Publications Inc.
- Bassiouni, Ch. (1975), *International Terrorism and Political Crimes*. Springfield: Charl C. Thomas Publications.
- Bianchi, H. (1994), “Abolition: Assensus and Sanctuary” in Duff, R. A., and Garland, D., eds., *A Reader on Punishment*. Oxford: Oxford University Press.
- Bianchi, H. (1994), *Justice as Sanctuary*. Bloomington and Indianapolis: Indiana University Press.
- Boardman, J. and Hammond, N.G.L. (1982), 2<sup>nd</sup> edition, Volume iii, part 3, ‘Amphictyonies’ in *The Cambridge Ancient History*. Cambridge: Cambridge University Press.
- Boardman, J., Hammond, N.G.L., Lewis, D. M., Ostwald, M. (1988) Volume IV. 2<sup>nd</sup> eds., *The Cambridge Ancient History*. Cambridge: Cambridge University Press.
- Brownlie, I. (1994), 3<sup>rd</sup> edition, *Basic Documents on Human Rights*. Oxford: Clarendon Press.
- Buergenthal, Th. (1979), ‘Codification and implementation of international human rights’, in Henkin, A. eds., *Human Dignity: The Internationalisation of Human Rights*. New York: Aspen Institute for Humanistic Studies.
- Buergenthal, Th. (1995), 2<sup>nd</sup> edition, *International Human Rights in a Nutshell*. St Paul: West Publishing Co.
- Bunyan, T. (1997), *Key Texts on Justice and Home Affairs in the European Union*. Volume 1 (1976-1993), from Trerri to Maastricht. London: Statewatch Publication.
- Bury, J.B., Cook, S.A., Adcock, F.E. (1927), Volume VI, *The Cambridge Ancient History*. Cambridge: Cambridge University Press.
- Cook, S.A., Adcock, F.E., Charlesworth, M.P. (1936) Volume XI, *The Cambridge*



- Ancient History*. Cambridge: Cambridge University Press.
- Cox, R.J.Ch. (1911), *The Sanctuaries and Sanctuary Seekers in Mediaeval England*. London: George Allen and Sons.
- Davies, P. (1988), *Human Rights*. London, New York: Loutledge.
- Doerries, H. (1972), *Constantine the Great*. New York: Harper and Row Publishers.
- Drost, N. P. (1951), *Human Rights as Legal Rights*. Leyden: Oceana Publications Inc.
- Duff, R. A., Garland, D. (1994), *A Reader on Punishment*. Oxford: Oxford University Press.
- Efthymiades, St. (1998), *The Life of the Patriarch Tarassios by Ignatios the Deacon*. Birmingham University Press.
- Egan, S. (1994), 'European integration and refugees', in *Human Rights: A European Perspective* by Heffernan Liz. Dublin: The Round Hall Press in association with Irish Centre for European law.
- Ernest, K. (1966), *A Comprehensive Etymological Dictionary of the English Language*. London: Elsevier Publishing Company.
- Gallagher, D. (1989), *The Era of Refugees: The Evolution of the International Refugee System*. Washington: Refugee Policy Group.
- Garcia-Mora, M. R. (1956), *International Law and Asylum as a Human Right*. Washington: Public Affairs Press.
- Gearty, C., Tomkins, A. (1996), *Understanding Human Rights*. London: Mansell Publishing Ltd.
- Ghandi, P. R. (1995) 1<sup>st</sup> edition, *Blackstone's International Human Rights Documents*. London: Blackstone Press Ltd.
- Goodwin-Gill, G. (1983), *The Refugee in International Law*. Oxford: Oxford University Press.
- Grahl, M. A. (1966) Volume I., *The Status of Refugees in International Law. Refugee Character*. Leyden, Sijthoff.
- Grahl, M. A. (1972), Volume II, *The Status of Refugees in International Law in Asylum, Entry and Sojourn*. Leyden: Sijthoff.
- Grahl, M. A. (1980), *Territorial Asylum*. New York: Oceana Publications, Inc.
- Grant, R. (1970), *Augustus to Constantine*. New York: Harper and Raw Inc.
- Hathaway, J. C. (1991), *The Law of Refugee Status*. Toronto, Vancouver: Butterworths Canada Ltd.

- Hathaway, J. C. (1997), *Reconceiving International Refugee Law*. The Hague: Kluwer Law International Publications.
- Henkin, A. (1979), *Human Dignity: The Internationalisation of Human Rights*. New York: Aspen Institute for Humanistic Studies.
- Hornby, A.S., Stavropoulos, D.N.(1999), 14<sup>th</sup> edition, *Oxford English-Greek Learner's Dictionary*. Oxford: Oxford University Press.
- Howard, D. A. E. (1964), *Magna Carta : Text and Commentary*. Virginia: Virginia University Press.
- Humphrey, J. P. (1988), "The Magna Carta of mankind" in Davies, P. eds. *Human Rights* London, New York: Loutledge.
- Hussey, J.M. (1967) Volume IV. Part II., *The Cambridge Medieval History*. Cambridge: Cambridge University Press.
- Independent Commission on International Humanitarian Issues (ICHI) (1986), *Refugees: Dynamics of Displacement*. London: Zed Books.
- Institute for Public Policy Research (1991), *The Constitution of the United Kingdom*. London: I.P.P.R.
- Ishay, M. R. (1997), *The Human Rights Reader*. New York: Routledge.
- Jayakumar, R. N. (1996), "Not another theory of Human Rights" in Gearty, C. and Tomkins, A. eds. *Understanding Human Rights*. London: Mansell Publishing Ltd.
- Jennings, I. (1965), *Magna Carta: and its Influence in the World Today*. London: Her Majesty's Stationery Office.
- Joly, D., Cohen, R. (1989), *Reluctant Hosts: Europe and its Refugees*. Research in Ethnic Relations Series. Arebury: Gower Publishing Company Ltd.
- Joly, D., Nettleton, C., Poulton, Hugh. (1992), *Refugees. Asylum in Europe?* Boulder and San Francisco: Westview Press.
- Joly, D. (1996), *Haven or Hell? Asylum Policies and Refugees in Europe*. London: MacMillan Press Ltd.
- Katrakis, A. (1998), *The Schengen Treaty*. Jurisprudence Research Association. Athens and Komotini: Ant. N. Sakkoulas Publishers.
- Kelsen, H. (1950), *The Law of the United Nations*. London: Stevens and Sons Ltd.
- Kerameus, K., Kozyris, Ph. (1993), *Introduction to Greek Law*. 2<sup>nd</sup> eds. Deventer, Boston: Kluwer Law and Taxation Publishers.
- L.S.F.O. (1969), *Basic Law for the Federal Republic of Germany*. Edited by The

- Linguistic Section of the Foreign Office (L.S.F.O) of the Federal Republic of Germany. Wiesbaden: Press and Information Office of the German Federal Government.
- Langer, L. W. (1939), *An Encyclopedia of World History*. London: George Horrap and C.O Ltd.
- Laurie, S.S. (1985), *The Rise and Early Constitution of Universities with a Survey of Medieval*. New York: Humboldt Publishing Co.
- Lauterpacht, H. (1950), *International Law and Human Rights*. New York: Frederick Praeger Inc.
- Lauterpacht, H. (1968), *International Law and Human Rights*. London: Stevens Publications.
- Lillich, R. B. (1984), *The Human Rights of Aliens in Contemporary International Law*. Manchester: Manchester University Press.
- Loescher, G., Monahan, L. (1990), *Refugees and International Relations*. Oxford: Clarendon Press.
- Mabogunje, A.L.- Hardoy, J. E.- Misra, K. P. (1978), *Shelter Provision in Developing Countries. The Influence of Standards and Criteria*. Chichester – New York- Brisbane – Toronto: John Willey and Sons..
- Marinatos, N., Hagg, R. (1993), *Greek Sanctuaries*. London, New York: Loutledge.
- Marrus, M. R. (1985), *The Unwanted: European Refugees in the Twentieth Century*. Oxford: Oxford University Press.
- McKechnie, S. W. (1914) *Magna Carta: A Commentary on the Great Charter of King John*. Glasgow: James Maclehose and Sons (Publishers to the University).
- Mitchel, B. and Pearson, M. L. (1975), 2<sup>nd</sup> edition, *A Biography of the Constitution of the United States: its Origin, Formation, Adoption, Interpretation*. New York: Oxford University Press.
- Munro, C. R. (1999) 2<sup>nd</sup> edition, *Studies in Constitutional Law*. London: Butterworths.
- Okojie, P. (1999), 'Migration and the refugee question' in Hegarty, A. and Siobhan, L. eds. *Human Rights: an Agend for the 21<sup>st</sup> Century* London: Cavendish Publishing.
- Oppenheim, L. F. L. (1955) Volume I, 8<sup>th</sup> edition, *International Law: A Treatise*. Edited by Lauterpacht, H. London, New York.
- Pagels, E. (1979), 'The roots and origins of human rights', in Henkin, A. eds.,

- Human Dignity: The Internationalisation of Human Rights*. New York: Aspen Institute for Humanistic Studies.
- Polland, E. (1995), *The Oxford Large Print Dictionary*. Oxford: Oxford University Press.
- Previte-Orton, C.W. (1952) Volume I., *The Shorter Cambridge Medieval History*. Cambridge: Cambridge University Press.
- Procter, P. (1995), *Longman Dictionary of Contemporary English*. Essex: Longman Group Ltd.
- Proudfoot, M. J. (1957), *European Refugees : 1939-52. A Study in Forced Population Movement*. London: Faber and Faber Publication.
- Rigsby, K. J. (1996), *ASYLIA: Territorial Inviolability in Hellenistic World*. Oxford: University of California Press Ltd.
- Robertson, A. H. (1982) 2<sup>nd</sup> edition, *Human Rights in the World*. Manchester: Manchester University Press.
- Robertson, A. H., Merrills, J. G. (1989) 3<sup>rd</sup> edition, *Human Rights in the World*. Manchester and New York: Manchester University Press.
- Roshier, B., Teff, H. (1980), *Law and Society in England*. New York: Tavistock Publications Ltd.
- Shearer, I. A. (1971), *Extradition in International Law*. Manchester University Press, Oceana Publications INC.
- Sihna, S. Pr. (1971), *Asylum and International Law*. The Hague: Martinus Nijhoff.
- Simpson, J. (1938), *Refugees: Preliminary Report of a Survey*. London: Oxford University Press.
- Simpson, J. (1939a), *Refugees: A Review of the Situation since September 1938*. London: Royal Institute of International Affairs.
- Simpson, J. (1939b), *The Refugee Problem: Report of a Survey*. London: Oxford University Press.
- Simpson, J., Weiner, E. S. C. (1989) 2<sup>nd</sup> Edition, *The Oxford English Dictionary*. Oxford: Clarendon Press.
- Szabo, I. (1982), Volume 2, 'Historical foundations of human rights and subsequent developments' in *The International Dimensions of Human Rights*. Unesco Paris – France: Greenwood Press.
- Thorne, S. E., Duncham, H. W. Jr., Kurland, P. B., Jennings, I. (1965), *The Great Charter*. New York: Puntheon Books.

- Tragakis, G., Caratzas, H., Zombola, H. (1998), *English-Greek, Greek-English, Dictionary of Law Terms and the Constitution of Greece*. Athens: Nomiki Bibliothiki, Harry Caratzas.
- Trenholme, N.M. (1903), *The Right of Sanctuary in England. A study in Institutional History*. University Missouri Studies. Columbia, Missouri.
- UNHCR. (1981), *Collection on Notes Presented to the Subcommittee of the Whole on International Protection by UNHCR, 1977-1980*. Geneva: UNHCR.
- United Nations – Centre for Human Rights Geneva. (1988), *Human Rights: A Compilation of International Instruments*. New York: U.N.
- United Nations, (1951), *The Refugee in the Post-War World, Preliminary Report of a Survey of the Refugee Problem*. Geneva: U.N.
- Vallat, F. (1970), *An Introduction to the Study of Human Rights*. Based on a series of lectures delivered at King's College. London: Europa Publications.
- Van den Wijngaert, Ch. (1980), *The Political Offence Exception to Extradition, in the Delicate Problem of Balancing the Rights of the Individual and the International Public Order*. Deventer: Kluwer Law.
- Vasak, K. (1982), Volume 2, *The International Dimensions of Human Rights*. Unesco Paris – France: Greenwood Press.
- Verzijl, J. H.W. (1972), Volume 5, *International Law in Historical Perspective*. Institute for international law of the University of Utrecht Publications.
- Vidali, S. (1998), "Youth deviance and social exclusion in Greece" in Ruggiero, V., South, N., Taylor, I., eds., *The New European Criminology: Crime and Social Order in Europe*. London and New York: Routledge.
- Vincent, R. J. (1991), *Human Rights and International Relations*. The Royal Institute of International Affairs. Cambridge: Cambridge University Press.
- Wade, E. C. S., Bradley, A. W. (1997) 12<sup>th</sup> edition, *Constitutional and Administrative Law*. London: Longman.
- Walbank, F. W., Astin, A. E., Frederiksen, M. W., Ogilvie, R. M. (1984) Volume VII. Part 1, 2<sup>nd</sup> eds., *The Cambridge Ancient History*. Cambridge: Cambridge University Press.
- Wallace, R. (1997), *International Human Rights Texts and Materials*. London: Sweet and Maxwell.
- Weimar Constitution: 11 August 1919*, Part 2, The Basic Rights of German People, Section on the Individual Person. Article 112: emigration right, Article 115:

home sanctuary and inviolable.

Weissbroadt, D. (1988), "Human Rights: an historical perspective" in Peter, D. eds., *Human Rights*. London, New York: Loutledge.

### Books in Greek

- Alivizatos, N. (1983), *I Politiki Thesmi se Krisi 1922-1974. Opsis tis Ellinikis Empirias*-The Political Institutions in Crisis 1922-1974. Aspects of Greek Experience. Athens: Themelio.
- Anthemides, A. (1996), *To Panepistimiako Asylo -The University Asylum-*. Thessaloniki: Erodios Publications.
- Benveniste, R. (1989), Volume 1, *Ta meseonika panepistimi. Koinonikes opsis kai politicos rolos, Panepistimio. Ideologia kai Pedia. Istoriki diastase kai prooptikes* -The Medieval universities. Social views and political role, Universities: Ideology and Education. Historical Scale and Respective-. (Report of International Conference). File of Greek Youth History, Athens.
- Caratza, L. (2000), *Tesseris Nomiki Kodikes* -Four Legal Codes, 10<sup>th</sup> eds. Athens: Nomiki Bibliothiki.
- Hronika tou 20ou eona* -Chronicle of the 20th Century-. (For the Year 1973), Athens: Domiki Publications.
- Dafermos, O. (1999), 2<sup>nd</sup> edition, *Fitites kai Diktatoria. To Anti-Diktatoriko Kinima 1972-1973* -Students and Dictatorship: The Anti-Dictatorial Movement 1972-1973-. Athens: Gavriilides Publications.
- Dagtoglou, P. D. (1987), *Panepistimiaka*-About Universities-. Athens: Ant. Sakkoulas.
- Dagtoglou, P.D. (1991), *Syntagmatiko Dikaio: Atomika Dikaiomata Tomos A-* Constitutional Law: Individual Rights. Volume A-. Athens, Komotini: Ant. Sakkoulas.
- Daskalaki, G. (1953), *Pagkosmia Diakirixi Anthropon Dikaiomaton*-The Universal Declaration of Human Rights-. Athens.
- Durant, W. (1958), *Pagosmia Istoría tou Politismou Tomos IV-* Universal History of Civilization Volume IV-. Athens.
- Encyclopedia *Epistimi kai Zoi* -Science and Life-, Volume 15.
- Encyclopedia *Istoría tou Ellinikou Ethnous* -The History of Greek Nation-,

Volume 6.

- Gregoriades, S., (1975), *Istoria tis Diktatorias. 3 Tomi*-The History of the Dictatorship. 3 Volumes-. Athens: Kappopoulos Publications.
- Hortatos, K. (1984), *Anthropina Dikaiomata kai Diethnis Enommos Taxis*-Human Rights and International law and Order-. Athens, Komotini: Ant. Sakkoulas.
- Karatzafaris, Sp. (1975), *I Sfagi tou Polytechniou. 2 Tomi*-The Slaughter in Polytechnic. 2 Volumes-. Athens: Alkaios Publications.
- Kargados, P. (1996), *Is ta oria tis Akadimaikis Eleftherias*-The Limitations of Academic Freedom-. Athens, Komotini: Ant. Sakkoulas.
- Kavadias, F., (1974), *Edo Polytechnio* -Here Polytechnic-. Athens: Ant. Sakkoulas Publishers.
- Kladis, D., Panousis, Y. (1984 edition), *O Nomos Plesio gia tin Domi kai tin Litourgia ton AEI*-The Legal Frame for the Structure and the Fuction of the Universities-. Athens: Ant. Sakkoulas.
- Kladis, D., Panousis, Y. (1996 edition), *O Nomos Plesio gia tin Domi kai tin Litourgia ton AEI*-The Legal Frame for the Structure and the Function of the Universities-. Athens, Komotini: Ant. Sakkoulas.
- Konofagos, K. (1982), *I Exergesi tou Polytechniou*-The Polytechnic University Uprising-. Athens: Personal Edition.
- Lazos, Chr.(1987), *Elliniko Fititiko Kinima 1821-1973*-The Greek Student Movement 1821-1973-. Athens: Gnosi Publishing.
- Linardatos, Sp. (1978), *Apo ton Emfilio sti Hounta 5 Tomi*--From the Civil War to the Junta. 5 Volumes-. Athens: Papazisis Publications.
- Linardatos, Sp. (1999), *Politikoi kia Politiki: 70 Chronia Anamnisis, Agones, Documenta*-Politicians and Policy: 70 Years Memories, Struggles, Documents-. Athens: Proskenio-Angelos Sideratos.
- Lygeros, St. (1977and 1978), *To Fititiko Kinima kai Taxiki Pali stin Ellada. 2 Tomi*. - The Student Movement and Social Struggle in Greece. 2 Volumes- Athens.
- Mandoglou, A. (1998), *I Exegersi tou Polytechniou*-The Polytechnic University Uprising-. Athens: Odysseas.
- Manesis, A. (1979), *Atomikes Eleftheries*-Individual Freedoms-. Athens: University Seminars. Athens: The University of Athens Publications.
- Manesis, A. (1980), *Syntagmatiki Theoria kai Praxi 1954-1979. Tomos I* Constitutional Theory and Practice 1954-1979-. Volume I. Thessaloniki:

- Sakkoulas Publishers.
- Manesis, A., Papadimitriou, G. (1989), *To Syntagma tou 1975/86-The 1975/86 Constitution*-. Athens, Komotini: Ant. Sakkoulas.
- Manolopoulou-Varvitsioti, K. (1983), *Tetradia Diethnous Dikaiou Ar. 9-Notebooks of International Law. Number 9*. Athens, Komotini: Ant. Sakkoulas.
- Matzoufas, P. (1997), *Akadimaiki Eleftheria-Academic Freedom*-.Thessaloniki: Sakkoulas Publication.
- Mavrias, K., Pantelis, A. (1990), 2<sup>nd</sup> edition, *Syntagmatika Kimena: Ellinika kai Xena-Constitutional Documents: Hellenic and Foreign*-. Athens: Ant. N. Sakkoulas Publishers.
- Mouzelis, N. (1978), *Neoelliniki Kininia, Opsis Ipanaptixis-New Greek Society, Views of Under-development*. Athens: Exandas.
- Naskou-Perraki, P. (1991), *To Nomiko Kathestos ton Prosfygon sti Diethni kai Elliniki Ennomi Taxi. I Symvasi tis Genevis tou 1951 peri tou Kathestotos ton Prosfygon-The Legal Status of Refugees in International and Greek Law. The 1951 Geneva Convention for the Refugees Status*. Athens, Komotini: Ant. Sakkoulas.
- Naskou-Perraki, P. (1999), *Peri Asylou kai Prosfygon-About Asylum and Refugees*-. Athens: Ant. Sakkoulas.
- Panousis, Y. (1989), *Panepistimio Kathigites kai Fitites, (Arthra 1986-1989)-University: Professors and Students, (Articles 1986-1989)*. Athens, Komotini: Ant. Sakkoulas.
- Panousis, Y. (1991), *To Telos mias Panepistimiakis Epochis-The End of a University Era. Articles 1989-1991*. Athens, Komotini:Ant. Sakkoulas.
- Papazoglou, M. (1977), *Fititiko kinima kai Diktatoria-Student Movement and Dictatorship*-. Athens: Epikairotita Publishers.
- Pararas, P. (1982), *To Syntagma tou 1975. Tomos 1- The 1975 Constitution. Volume I*. Athens and Komotini : Ant. Sakkoulas.
- Ray, M. (1997), *O Tsomski gia tin Politiki.-Tsomski about Politics*-. Athens: Stachi Publications.
- Rigos, A.(2000), *Panepistimio Ideologikos Rolos kai Logos. Apo ton Meseona sti Neoterikotita .-University Ideological Character and Discussion from Medieval until Today*-. Athens: Papazisis Publishers.
- Roukounas, E. (1982), *Diethnes Dikaio. Tomos 1-International Law. Volume I*.



- Athens: Ant. Sakkoulas.
- Vakalopoulos, A. (1997), 13<sup>th</sup> edition, *Nea Elliniki Istoría 1204-1985*-New Greek History 1204-1985. Thessaloniki: Vaniás Publications.
- Vegleris, F. (1984), *O Nomos Plesio 1268/82 kai I Nomiki tou Glossa*-The Legal Frame 1268/82 and its Legal Vocabulary. Athens: Ant. Sakkoulas.
- Venizelos, E. V. (1986), *To Elliniko Syntagma 1975/86*-The Greek Constitution 1975/86. Thessaloniki: Paratiritis Publishers.
- Veremis, Th. (1977), *I Epemvasis tou Stratou stin Elliniki Politiki 1916-1936* -Army Interventions in Greek Politics 1916-1936-. Athens: Exandas.
- Voulgaris, I. (1981), *I Syntagmatiki Prostatia tou Alodapou sta Pente Chronia Efarmogis tou Syntagmatos tou 1975*-The Constitutional Protection of Alien. Five Years of Application of the 1975 Constitution. Komotini: Ant. Sakkoulas.
- Yiannou, Y. (1997), *Polytechnio ' 73* -Polytechnic' 73-. Athens: Gutenberg.

#### **Articles in international Journal and Periodicals**

- Aga-Khan, Sadruddin. (1976), Volume I., 'Legal problems relating to refugees and displaced persons'. RCADI (Recueil des Cours de l' Academie de Droit International), p.293.
- Dehousse, F. (1948), Volume 3, "Armed conflict" in *International Science Review*, 108, p. 7.
- Goodwill-Gill, G. "Non-Refoulement and the new asylum seekers", *Virginia Journal of International Law*. (1986) Volume 26(4), p.p. 897-918.
- Harvard research in international law. "Diplomatic privileges and immunities" in *American journal of international law*. (1932), Volume 26, supplément 5, p.65.
- Hathaway, J. C. (1984) Volume 33. "The evolution of refugee status in international law: 1920-1950", *International and Comparative Law Quarterly*, p.p.348-51.
- Saari, V. and R. Higgins Cass. (1977), "The United Nations and the International Protection of Human Rights: A Legal Analysis and Interpretation", *International Law Journal*, California W., p.p.591-602.
- Schermens, H., G. (1977), No. 52, "The final act of human rights of Helsinki; their juridicial meaning" in *Holland Mensenrechten in de slotache van Helsinki*;

lun juridische betenekis Nederlanden Jur. bl., p.p.802-5.

Petritsopoulou, V. and Sakka, Nikolopoulou, N. (1980), *The Spanish Constitution 1978 - To Ispaniko Syntagma-* Translated by the authors in *Journal The Constitution -To Syntagma-* Athens: The Panteion University, p.p. 575-639.

Weis, P. (1954), "The International Protection of Refugees", *American Journal of International Law*, p.206.

Zwanborn, M. (1989), 'The scope for a refugee policy of the European Communities as part of an overall human rights policy', in *Refugees in the World: The European Community's Response*. Report of the International Conference, The Hague, 7-8 December 1989. Netherlands International Human Rights, p.p.101-2.

### Articles in Greek Journal and Periodicals

Council of Greek State, Decision number 230/1994, Part E', *Journal Nomiko Vima -Law Tribune-* Volume 42, p. 688.

Evrigenis, D. (1975), *Panepistimiaki didaskalia kai politiki*-University teaching and politics- in *Journal Armenopoulos*, Volume 29, p. 3 ff.

*Journal Pinika Hronika -Criminal Chronicle-* vol. ΛΘ, Number of Judgment 4/1989, p. 1007.

Kourakis, N. (1989), *O thesmos tou asylou stis archees Ellinikes polities*-The institution of asylum in the ancient Greek city-states" in *Periodical Prosfyges-Refugees-* Volume II, year 7/1989, p.p.17-8.

Edited by the High Commission Office of the United Nations for the refugees in Greece.

Kozyris, Ph. (1999), *Merikes skepsis gia to asylo*-Some thoughts about asylum- in *Periodical Panepistimioupolis-Campus-* Volume 2, January 1999, p.p.24-5. Thessaloniki: Aristotle's University Press.

Kremmidas, B. (1996), *O xaraktiras tis sygrousis tou idiotikou me to kratiko stin tritovathmia ekpedefsi*-The character of the conflict between private and public in university level education- in *Periodical O Politis-The Citizen-* Volume 23, June 7, 1996, p.p.7-11. Athens: Gavriilides Publications.

Lomverdos, A. (1988), *Arthro 5 paragrafos 2 edafioB tou syntagmatos 1975/86* -Article 5 paragraph 2 section B of the 1975/86 Constitution-, *Journal Nomiko Vima-Law Tribune-* 1988, p.38.

- Loukakos, P. *O elechos tis politikis exousias pano stis enoples dynamis*-The influence of the political power upon the army-. Periodical *Sychrona Themata*-Modern Issues- Volume 9, p.p.35ff.
- Manesis, A. (1976), *I syntagmatiki prostasia tis akadimaikis eleftherias*-The constitutional protection of academic freedom” in Periodical *O Politis*-The Citizen- Volume 6, November 1976, p. 6.
- Memis, Chr. (1974), *I nychta ton tanks sti Thessaloniki pou lismonithike*-The forgotten night of tanks in Thessaloniki- in Periodical-Anti-,Volume 36, October 5, 1974, p.p.13ff.
- Panagiotarea, A. (1999), “Sesylimena ta imetera ipo touton” (in ancient Greek), in Periodical *Panepistimioupolis* -Campus- Volume 2, January 1999, p.p.12-3. Thessaloniki: Aristotle’s University Press.
- Stamatis, K. (1998) *To panepistimiako asylo*-The university asylum- in Periodical *O Politis*-The Citizen- Volume 58, November, 1998, p.p. 18-20. Athens: Gavriilides Publications.
- Stasinopoulos, M. (1957), *Eleftheria gnomis ton kathigiton ton anotaton scholon (akadimaiki eleftheria)* -The freedom of thinking of the academic professors (academic freedom)-, in Journal *Epitheorisi Dimosiou Dikaiou*-Review of Public Law-Volume A, p.p.337ff.
- Stasinopoulos, M. (1972), *Akadimaiki eleftheria*-Academic freedom-in Journal *Nomike Melete*-Legal Studies- p.p. 9-34.
- Tsatsos, K. (1972), *Akadimaiki eleftheria*-Academic freedom- in Journal *Aforismi kai Stoxasmi*-Aphorisms and Reflections- Volume 1972, p.p. 196ff.
- Yioultsis, V. (1999), *Panepistimiako asylo*-University asylum- in Periodical *Panepistimioupolis*-Campus- Volume 2, January 1999,p.p.22-3. Thessaloniki: Aristotle’s University Press.

### Articles in Greek Newspapers

- Argiriou, Alexis. *Newspaper The Tribune* -*To Vima*- Athens, January 22, 1984.
- Bakatselos, Kostas. ‘The uprising in Iaonnina: a research” *Newspaper The News –Ta Nea*- Athens, November 17, 1982.
- Chistodoulakis, Nikos. “How the uprising occurred” *Newspaper Kathimerini-Daily*- Athens, November 17, 1996.
- Diakogiannis, Yiannis. ‘The necessity of struggle has politicize us’ *Newspaper The*

- News -Ta Nea-*, Athens, November 15, 1982.
- Efstathiou, Georgios. "University asylum and the right of asyilia" *Newspaper Estia-Altar-* paper number 32346-7, Athens, April 19-20, 1989.
- Georgiades, Minas. 'Universities asylum and EU' *Newspaper I Vradini-The Evening-Athens*, November 13, 1998.
- Kalligas, Konstantinos. "How we reached the Polytechnic" *Newspaper Kathimerini - Daily-* Athens, November 18, 1979.
- Karabellas Stavros. "27 years with offenders and victims" *Newspaper Eleftherotypia-Freepress-* Special inset Here Polytechnic-Here Internet-Athens, November 13, 2001.
- Karapidakis, Nikos. "Asylum in medieval west" *Newspaper Kathimerini, Epta emeres-Daily, inset seven days-* Special edition on asylum, Athens, January 16, 2000.
- Laliotis, Kostas. "Me and the Polytechnic" *Newspaper To Vima- The Tribune-* Athens, November 14, 1993.
- Panousis, Yiannis. "University asylum. It was far away of the law substance the acts took place in Polytechnic on February 14,1990," *Newspaper Kathimerini - Daily-* Athens, February 23, 1990.
- Panousis, Yiannis. "The university asylum". *Newspaper Kathimerini-Daily-* Athens, February 23, 1990.
- Papanikolopoulos, Panagiotis. 'About Polytechnic: the responsibilities of outrages committed'. *Newspaper Estia-Altar-* paper number 230 - 231/101, Athens, December 8-9, 1994.
- Paraskevopoulos, Nikos. "The university asylum today" *Newspaper Eleftherotypia-Freepress-* Athens, September 24, 1998.
- Trakas, Konstantinos. "The university asylum". *Newspaper Athesmeftos Typos-Uncommitted Press-*Athens, November 18-19, 1998.
- Xirotiris, Ioannis, "Who serves the university asylum?". *Newspaper Macedonia,* Thessaloniki, December 17, 1995.

### **Published Reports and Proceedings**

- Georgiades, Asterios, *Akadimaiki Eleftheria kai Panepistimiako Asylo*  
 "Academic freedom and university asylum" (Encomium in the  
 Aristotle's University of Thessaloniki), October 28, 1990

DAP-NDFK, student political organisation, promoting leaflet.

PASP, student political organisation, promoting leaflet.

PKS, student political organisation, promoting leaflet.

“Findings of Public Prosecutor Dimitrios Tsevas for the Polytechnic University events”, Athens, October 14, 1974.

### **Unpublished Reports and Proceedings**

Administration Office of Aristotle’s University of Thessaloniki, “Crimes reported by members of the University community” (Thessaloniki, 1998, photocopied).

DAP-NDFK student political organisation “Internal Newsletter”, Volume 2 (Athens, November, 1998, photocopied).

File records of ONNED (which is the youth organization of New Democracy Party), “Reports of student political organisation DAP-NDFK conference” (held at Thessaloniki, February 26, 2000, tape recorded and photocopied).

Karamanlis, Kostas, “Speech to the General Political Committee of New Democracy Party”, (Athens, November 16, 1998, tape recorded and photocopied).

Papadelis, Christos, “Speech to the Senate of Aristotle’s University of Thessaloniki”, (Thessaloniki, October 1998, taped recorded and photocopied).

Parliamentary proceedings of Greece, “Introductory report of parties on voting of law 1268/82”. (Athens, Greek Parliament, July 17, 1982, photocopied).

Parliamentary report on the discussion for the 1975 Constitution. (Athens, Greek Parliament, 1975, photocopied).

Rector’s Office of Aristotle’s University of Thessaloniki “Document number 2137” (Thessaloniki, November 2, 1998, photocopied).

Secretariat of the Senate of Aristotle’s University of Thessaloniki, “Document number –decision of the Senate 2597” (Thessaloniki, September 9, 1998, photocopied).

Secretariat of the Senate of Aristotle’s University of Thessaloniki, “Document number 652” (Thessaloniki, September 22, 1998, photocopied).

Secretariat of the Senate of Aristotle’s University of Thessaloniki, “Document number 1351” (Thessaloniki, September 29, 1998, photocopied).

Secretariat of the Senate of Aristotle’s University of Thessaloniki, “Document number 441” (Thessaloniki, September 29, 1998, photocopied).

### **Published Interviews**

- Moschonas Aggelos right wing politician and Tsamis Christos left wing politician, “What was the Polytechnic university uprising”. Interview by Kosonas Akis in Newspaper *Eleftherotipia-Free Press*- Athens, November 16, 1986.
- Papadopoulos, Michael, Rector of Aristotle’s University of Thessaloniki, Interview by Journalist Pliatkas Kostas. Newspaper *Thessaloniki*, January 4, 1999.
- Papadopoulos, Michael, Rector of Aristotle’s University of Thessaloniki, “Time Changed”. Interview by journalist Panagiotarea Anna. Periodical *Panepistimioupolis –Campus-* (Volume 2, January 1999) p. p. 14-6.

### **Unpublished Interviews**

- Argianas, Elias, student member of EFEE (National Student Union Association of Greece). Interview by author, January 18, 1999, Athens.
- Benaki, Anna, professor of Criminal Law, former Cabinet Minister. Interview by author, November 15, 1998, Komotini. Tape recording.
- Panousis, Yiannis, professor of criminology, former rector of Democritus University of Thrace and drafter of the university asylum law 1268/82. Interview by author, May 3, 1999, Athens. Tape recording.
- Constantinou, Phillipos, professor of Polytechnic University, member of the Celebration Committee. Interview by author, November 15, 1998, Athens in the Polytechnic University. Tape recording.
- Poulikakos, George, student of the Biology Department of Athens University, representing of the United Independent Left Movement (EAAK). Interview by author, March 23, 1999, Athens. Tape recording.
- Student (anonymous) of Athens Law School, representing the left-wing student political organisation of DIKKI party. Interview by author, March 23, 1999, Athens. Tape recording.
- Anthemides, Achileas, the author of the book *University Asylum* (1996). Interview by author, September 24, 1999, Thessaloniki. Tape recording.
- Kourousis Christos, student of Medical School of Athens University, representing the central-right student political organisation of DAP-NDFK. Interview by author, Athens, February 25, 1999. Tape recording.
- Vourdas, Thanos, students of Crete Polytechnic University, representing the central-left student political organisation of PASP. Interview by author, Athens

November 9, 1998. Athens. Tape recording.

Student (anonymous) of Architecture Department of Polytechnic University.

Interview by author, November 17, 1998. Athens, outside the Polytechnic University. Tape recording.

### **Sound recordings**

Roupakiotis, Dimitrios, president of Athens Bar Association. Statement by ERA (National Greek Radio), to reporter Machaira Vaso. Komotini, November 15, 1998, sound cassette.

Students of Democritus University of Thrace. Interviews by ERA (National Greek Radio), reporter Machaira Vaso. Komotini, November 14, 1998, sound cassette.

### **Video recordings**

Arsenis Gerasimos, former Cabinet Minister of Education-MP. Interview by NET (National Greek T.V) with reporter Machairas George. (Athens, November 15, 1998), videotape recording.

Haralambakis, Aristotelis, Vice Rector of Democritus University of Thrace. Statement in RODOPI TV. (Komotini, November 19, 1998), videotape recording.

Rizos Dimitrios, journalist, and Papantoniou Yiannos, the Chancellor. Debate programme in MEGA Channel presented by Tremi Olga and Pretenderis Yiannis. (Athens, November 18, 1998), videotape recording.

Hrisavgi Hatsidakou, student of Athens Law Scholl. Discussion with reporter Kostas Hardavelas, programme "People: Darkness in universities" in ET 1 Greek National T.V. (Athens, November 12, 2001), video recording.

### **Newspapers**

*The Guardian Higher Education* (London), April 27, 1999.

*The Times Higher, Education Supplement* (London), October 30, 1998.

*The Times Higher* (London), May 1, 1998.

*Elefthero Vima* –Free Tribune- (Komotini- Greece), November 13, 1998.

*O Hronos* –The Time-(Komotini-Greece), April 28, 1999.

*O Hronos* –The Time- (Komotini), November 12, 1998.  
*O Hronos* -The Time- (Komotini), November 16,1998.  
*Paratiritis tis Thrakis* -Observer of Thrace-(Komotini), November 13, 1998.  
*Ta Nea* –The News-(Athens), November 18, 1995.  
*Ta Nea* –The News- (Athens), November 20, 1995.  
*Ta Nea* –The News- (Athens), November 21, 1995.  
*Acropolis*, (Athens), September 22, 1998.  
*Aggelioforos* –Messenger-(Thessaloniki), March 24, 1999.  
*Aggelioforos* –Messenger-(Thessaloniki), November 9, 1997.  
*Aggelioforos* –Messenger- (Thessaloniki), September 22, 1998.  
*Aggelioforos* –Messenger- (Thessaloniki), September 24, 1998.  
*Aggelioforos* –Messenger- (Thessaloniki), September 25, 1998.  
*Aggelioforos* –Messenger-(Thessaloniki), September 26, 1998.  
*Aggelioforos tis Kyriakis* – Sunday Messenger- (Thessaloniki), September 27, 1998.  
*Apogevmatini* -Afternoon- (Athens), February 10, 1999.  
*Apogevmatini* –Afternoon-(Athens), November 11, 1998.  
*Apogevmatini* –Afternoon- (Athens), November 13, 1998.  
*Apogevmatini* –Afternoon- (Athens), November 14, 1998.  
*Apogevmatini* –Afternoon-(Athens), November 16, 1999.  
*Apogevmatini* –Afternoon- (Athens), September 22, 2000.  
*Apogevmatini* –Afternoon- (Athens), September 11, 2001.  
*Athesmeftos Typos* –Uncommitted Press-(Athens), November 17, 1998.  
*Athesmeftos Typos* –Uncommitted Press- (Athens), November 18, 1998.  
*Athesmeftos Typos* –Uncommitted Press- November 19, 1998.  
*Athesmeftos Typos* –Uncommitted Press- (Athens), October 2, 1998.  
*Athinaiiki* –Atheninan- (Athens), November 17, 1999.  
*Avgi* -Daybreak-(Athens), November 23,1995.  
*Egnatia* (Thessaloniki), November 14,1981.  
*Eleftheros* –Free- April 9, 1999.  
*Eleftheros Typos* –Free Press- (Athens), December 12, 1995.  
*Eleftheros Typos* -Free Press- Inset ‘The lost spring’ (Athens), May 28, 2000.  
*Eleftheros Typos* –Free Press- (Athens), January 13, 1991.  
*Eleftheros Typos* –Free Press-(Athens), January 15, 2000  
*Eleftheros Typos* -Free Press- (Athens), June 19, 2001.



*Eleftheros Typos* –Free Press- (Athens), May 20, 2000.  
*Eleftheros Typos* –Free Press- (Athens), May 22, 2000.  
*Eleftheros Typos* –Free Press- (Athens), November 17, 1999.  
*Eleftheros Typos* Free Press- (Athens), September 21, 1998.  
*Eleftheros Typos* –Free Press- (Athens), September 25, 1998.  
*Eleftheros Typos* –Free Press- (Athens), September 29, 1998.  
*Eleftherotypia* –Freepress- (Athens), November 18, 1995.  
*Eleftherotypia* –Freepress- (Athens), November 20, 1995.  
*Eleftherotypia* –Freepress-(Athens), October 1, 1998.  
*Eleftherotypia* –Freepress-(Athens), September 24, 1998.  
*Eleftherotypia* –Freepress- (Athens), September 25, 1998.  
*Eleftherotypia Special inset edo Polytechnio-edo internet*–Freepress Special inset  
 Here Polytechnic-Here Internet- (Athens), November 13, 2001.  
*Eleftherotypia tis Kyriakis* –Sunday Freepress- (Athens), June 7, 1998.  
*Eleftherotypia tis Kyriakis* –Sunday Freepress- (Athens), November 11, 2001.  
*Ellada* –Hellas- (Athens), September 24, 1998.  
*Ependitis* –Investor- (Athens), November 14, 1998.  
*Ependitis* –Investor- (Athens), November 18, 2001.  
*Estia* -Altar- (Athens), April 19,1989.  
*Estia* –Altar- (Athens), February 23, 1991.  
*Estia* -Altar- (Athens), September 16, 1994.  
*Estia* -Altar- (Athens), September 16, 1994.  
*Espresso* (Athens), November, 17,2001.  
*Ethnos* -Nation- (Athens), May 24, 2000.  
*Ethnos* -Nation- (Athens), November 15, 1999.  
*Ethnos* -Nation- (Athens), November 18,1995.  
*Ethnos tis Kyriakis* –Sanday Nation- (Athens), November 15, 1998.  
*Ethnos tis Kyriakis* –Sunday Nation- (Athens), September 27, 1998.  
*Ethnos tis Kyriakis* –Sunday Nation- (Athens), September 27, 1998.  
*Exousia* –Power-(Athens), January 22, 1998.  
*Exousia* –Power- (Athens), November 16, 1998.  
*Exousia* –Power- (Athens), November 18, 1998.  
*Exousia* -Power-(Athens), October 21, 1997.  
*I Vradini* – The Evening- (Athens), December 3, 2000.

*I Vradini* –The Evening- (Athens), November 16, 1973.

*I Vradini* –The Evening- (Athens), February 9, 1999.

*I Vradini* –The Evening- (Athens), June 10, 2000.

*I Vradini* –The Evening- (Athens), November 13, 1998.

*I Vradini* -The Evening- (Athens), November 17, 1998.

*I Vradini* –The Evening- (Athens), November 9, 1998.

*I Vradini* –The Evening- (Athens), October 21 1999.

*I Vradini* –The Evening-(Athens), September 1, 1999.

*I Vradini* –The Evening- (Athens), September 22, 1998.

*I Vradini* –The Evening- (Athens), September 29, 1998.

*I Vradini* -The Evening-(Athens), November 17, 1999.

*I Vradini tis Kyriakis* –Sunday Evening- (Athens), November 19, 2000.

*I Vradini tis Kyriakis* -The Sunday Evening- (Athens), November 14, 1999.

*I Vradini tis Kyriakis* -The Sunday Evening-(Athens), November 18, 2000.

*Kathimerini* -Daily-(Athens), February 23, 1990.

*Kathimerini Special Inset epta emeres* –Daily Special Inset Seven Days –  
(Athens), November 15, 1998.

*Kathimerini Special Inset epta emeres*–Daily Special Inset Seven Days –  
(Athens), December 19,1999.

*Kathimerin Special Inset epta emeres* –Daily Special Inset Seven Days–  
(Athens), January 16, 2000.

*Kathimerini* –Daily-(Athens), November 17, 1998.

*Kathimerini* –Daily- (Athens), November 17, 1996.

*Macedonia*, (Thessaloniki), December 17, 1995.

*Macedonia*, (Thessaloniki), July 3, 1998.

*Macedonia*, (Thessaloniki), November 8, 1991.

*Macedonia*, (Thessaloniki), October 2, 1998.

*Macedonia*, (Thessaloniki), October 3, 1998.

*Macedonia*, (Thessaloniki), September 25, 1998.

*Nea Macedonia* –New Macedonia-(Thessaloniki), January 18, 1998.

*Odigitis KNE* -Guide Greek Youth Communists- (Athens), Vol. November 1998.

*Ta Nea* –The News-(Athens), February 6, 1999.

*Ta Nea* -The News- (Athens), January 12, 1995.

*Ta Nea* –The News- (Athens), November 13, 1999.

*Ta Nea* –The News-(Athens), November 16, 1998.  
*Ta Nea* -The News- (Athens), September 2, 1974.  
*Ta Nea* –The News-(Athens), September 21, 1998.  
*Ta Nea* -The News- (Athens), September 22, 1998.  
*Ta Nea* –The News- (Athens), September 25, 1998.  
*Thessaloniki*, November 14, 1981.  
*Thessaloniki* October 6, 1998.  
*Thessaloniki*, January 4, 1999.  
*Thessaloniki*, November 17,1998.  
*Thessaloniki*, October 1, 1998.  
*Thessaloniki*, October 2, 1998.  
*Thessaloniki*, October 29, 1998.  
*Thessaloniki*, October 3, 1998.  
*Thessaloniki*, September 20, 2000.  
*Thessaloniki*, September 22, 2000.  
*Thessaloniki*, September 24, 1998.  
*To Vima* -The Tribune- (Athens), January 15, 1995.  
*To Vima* -The Tribune- (Athens), January 8, 1995.  
*To Vima* –The Tribune- (Athens), November 15, 1998.  
*To Vima* –The Tribune-(Athens), November 17, 1973.  
*To Vima tis Kyriakis* – The Sunday Tribune - (Athens), January 31,1999.  
*To Vima tis Kyriakis* -The Sunday Tribune- (Athens), November 16, 1980.  
*To Vima*-The Tribune-(Athens), November 16, 1973.  
*Typos tis Kyriakis* -Sunday Press- (Athens), February 21, 1993.  
*Typos tis Kyriakis* -Sunday Press- (Athens), November 15, 1998.

### **Periodicals**

Periodical *Anti* (Athens), Volume 1999.  
Periodical *Ta Epikera* -Timely- (Athens), August 18-24,1974.  
Periodical *Panepistimioupolis* –Campus- (Thessaloniki), Volume 1, October 1998.  
Periodical *Panepistimioupolis* –Campus-(Thessaloniki), Volume 2, January 1999.

### **Network resources**

Hellenic Resources Network: (ANA) Athens News Agency Bulletin No. 744,  
November 18, 1995, by the Greek Press and Information Office.

Hellenic Resources Network: (ANA) Athens News Agency Bulletin No. 1043,  
November 18, 1996, by the Greek Press and Information Office.

Hellenic Resources Network: Macedonian Press Agency Bulletin,  
September 24, 1998.

Hellenic Resources Network: Macedonian Press Agency Bulletin,  
September 28, 1998.

Hellenic Resources Network: (ANA) Athens News Agency Bulletin  
November 6, 2001, by the Greek Press and Information Office.

### **Website addresses** (all accessed on May 15, 2002)

[http://www.pbosnia.kentlaw.edu/services/chicago/legal\\_aid/treaties/territorial.htm](http://www.pbosnia.kentlaw.edu/services/chicago/legal_aid/treaties/territorial.htm)

<http://www.umn.edu/humanrts/instree/v.4dta.htm>

<http://www1.umn.edu/humanrts/instree/ainstls1.htm>