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ABOUT THE FIRST SHIPPING CODICES AND ESPECIALLY ON THE NOMOS RHODION NAUTICOS

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1. During the period of great prosperity for Byzantium (476-632 AD), the Maritime Law makes again its appearance on the basis of the *Nomos Rhodion Nauticos*, which we will describe further down in this article, along with its extensions on the matter.

Following the Byzantine flourishing period [Bonfante, 1938 p.p. 155 ff, 158 ff, 167 ff] is the Islamic one (632-1096) which, later on, is followed by that of the Italian maritime cities' dominion (1096-1498), the last two being periods which, they too, left their imprint of triumph on the history of mankind.

It is upon the reunification of the Mediterranean under the rule of the Italian traditional maritime cities, when the new Maritime Law is formed and the relations between the ships' crew and their captains as well as between the captains and the shipowners are renewed, just like marine insurance is [Melis, 1975, p.p. 289, 294-307, 293-303,305,306][1] etc., on the basis of the organised shipping business which develops at the time.

Of course, sailing ships and the introduction of the compass played a major role to the development of the maritime sector and its relative procedures etc. More particularly, the systematic manufacture of compasses, initiated in 1595 by Stevinus Brugges, contributed to the supply of ships taking a wider form. However, the fact that the magnetic needle always pointed North was known to the sailors of the West since the 11th century (J.P. Roux: 1959, p.142; L. White: 1970, p. 122)[2].

After the taking of Jerusalem (1096) by the Crusaders, marine trade is revived, given the fact that the Mediterranean is reunified after its

partitioning[3] by the Arabs. During that time, the assises of Jerusalem are introduced and then incorporated into the already existing (1025) *Tabula Amalfitana*, which included detailed provisions (66 articles) concerning Maritime Law [Pleionis, 1971 p. 12]. At first, these assises were based on the customs of the Roman Times which still applied in the Byzantine Empire, under whose rule was Amalfi. In 1341, Amalfi became an independent Duchy. The legal relations upon which the business affairs were settled, assumed an objective form subject to the merchants' possession of shares on the basis of their merchandise's value and the shipowner's on the basis of their ship's value, while the ships' captains were responsible for the sailing to be safe and the delivery of the merchandise, the latter still being in excellent condition [Pleionis ib.].

As far as the crew is concerned, it was paid on a regular basis, however, its payment was stopped when a shipwreck occurred or the ship was captured by pirates. Furthermore, the Community was obliged to provide medical care to the crew members when they returned from their journeys. On the other side, the crew was subject to paying fines, as well as to punishment by being dismissed due to incapability or lack of discipline, etc.

After the ship had completed its journey, the captain rendered an account in front of a court of law and the net profit was distributed according to the number of shareholders, and more specifically per each share. In addition, *Tabula Amalfitana* provided also for the case of average, namely when the captain was forced to drop in the sea part, or the whole, of the merchandise on board. However, in case of piracy, the average burdened, without exception, all shareholders [Pleionis, 1971, pp. 5, 6, 7].

In another city in Italy, at Pisa, a river port whose seaport was Fraxinetum, the commercial hive of Etruria since Roman Times, a selection of customs and other habits was gathered under a uniform code, the so-called *Constitum Assus* [Pleionis, 1971 ib.]. Since the 12th century onwards, Pisa developed into a major commercial centre. During that same period, in view of the threat by the Arabs, Pisa was forced, perhaps even before its merchant fleet, to proceed to the construction of war ships. A century later, Pisa had become an important adversary of another city on the coasts of the Ligurian Sea, Genoa. Under these circumstances, deriving from its naval development between the 12th-

13th century, Pisa enacted the *Coustitutum Usus* and the Breve *Curius Maris*. From the first we are informed [Bragadin, 1955 p. 29][4] that the sailings started in March so as to avoid rough seas which often were the reason for shipwrecks. The captains and the merchants agreed on the route, however, in addition to this, the captain as well as his officers had the right to impose punishments on the crew, such as the beating up of crew members until they bleed, and imprisonment [Pleionis, 1971 ib].

The businessmen who occupied themselves with marine trade, paid an interest to the above, the usual amount of which was 10%. However, due to the possible sea risks the relevant interest rate was set a lot higher. In case of dispute concerning the interest, etc., the *Consolato di Mare* intervened in the matter, in order to set the interest rate, having taken under consideration the risks entailed in the journey. Furthermore, in case the debtor was economically destroyed or instead of profit he had experienced proven loss, he asked for the interest rate to be reduced, unless the loss was caused by negligence shown on his part. Here, it is important to mention that the chartered Secretary (*scrivanus*) kept the ship's log and dealt with the realisation of the commercial transactions with depositors, the latter being effected after the end of the sailing and in front of the proper Authorities [Pleionis, 1971 ib].

The Secretary was appointed by the ship's captain for the keeping of the ship's log; however, in case the ship met encountered a war ship, the log was used as evidence as to who the owner of the ship was, and as to the merchandise on board and the ship's charter. However, in case there was nothing written down in the log, then the report missing from the log was replaced by a sworn statement of the captain and the crew.

In case of average, the damage burdened the cost, and in case the value of what was saved or destroyed concerned the first half of the ship's journey, then only the cost of what was destroyed was taken under consideration. However, in the cases when the average concerned the second half of the ship's journey, taken under consideration was the selling price of the merchandise in the destination port [Pleionis, 1971 p. 10].

At sea, master of the ship was the captain, in fact, the ship was impossible to be abandoned without him consenting to it first. Therefore, the captain was the man who took the decisions during the ship's journey.

There is a number of Chapters and Articles which refer to the

definition of the supervisor and the merchant (*mercade*), as well as to their transportation and free settling in the ship. The strange thing is that at the time, it was allowed for one merchant ship to pirate another, and as for the capture at sea it was distributed by 1/3 between the captain, the crew and the merchants [Pleionis, 1971, pp. 10, 11]. Further to this, upon the ship's release, the persons saved had the right to a reward paid by the ship's owners, while in case of the ship being arrested by a war ship, the captain of the ship arrested, could on his own initiative pay an amount of money to the commander of the war ship as ransom for his ship's release. However, in case of embargo, a case considered to be of force majeure, each person was held responsible for the average. Finally, in case of seizure, at time of war, of the merchandise and the captain's denial to enforce the relevant decision, then the captain other than the one of the ship which had been taken had the right to sink it.

Also another city on the coasts of the Adriatic Sea, Trani, which was under the Venetian rule (1496-1509), used a selection of laws and case-laws, incorporated into the naval code "*Ordinamento e Consuetudo edito per Consules civitates di Trani*". It is in this code, too, where we come across an arrangement regarding the working relations between shipowners and crew, presented in the form of sailor partnership. According to this arrangement, the crew participated in the net profit even in the case when a crew member had fallen sick during the journey, and only in the case when a crew member had abandoned the ship, his participation in the net profit was reduced to half. The captain had the right to dismiss a member of his crew on the grounds of dispute or cursing, as well as of theft [Pleionis, 1971, p. 7].

The arrangements had to be made on shore and not at sea, or they were thought of as invalid. Additionally, the shipowner, too, was entitled to a compensation in the cases when the merchants failed to load their merchandise within the eight day period provided, due to good weather conditions. However, the merchants were also provided for in case the ship was not suited to sail and therefore, could not sail according to schedule. It is self evident that provided for were the cases when the merchants proceeded to the unloading of the ship before its scheduled time of sailing, consequently being forced to pay part of the freight, here 1/4, and when they backed out on their arrangement with the captain, for which they were obliged to pay 1/2 of the freight [Pleionis, 1971 ib]. In

case of average, the shipowner was obliged to pay 2/3 of the cargo's value minus the supplies for the persons responsible for the remaining 1/3.

It was also provided for that in case a person gathered various particles from a shipwreck, he ought, within three days, to come forward with those particles in front of a court of law. Further to it, in case their owner appeared in court, he was obliged to pay the person who recovered his particles half of their worth, however, in case the particles were recovered from the bottom of the sea the person who did so was paid 2/3 of their value while the owner reserved 1/3 of their value [Pleionis, 1971, pp. 10, 11]. Moreover, by means of the decision no. 27, a ship's captain could come to an agreement with a war ship's commander, regarding the release of his ship upon payment to the commander, as ransom [Pleionis, 1971 ib].

Here, it should be mentioned that in Aragon, close to the 13th century, there was a *Consulato di Mare* which operated with a view to render justice among those who occupied themselves with the shipping trade [Verlinden, 1965, pp. 19, 20][5]. In the year 1282, the Navy Court (*Consolato di Mare*) was established, which enacted provisions concerning legal proceedings, according to which the Consuls, before reaching to a decision, were obliged to consult the *probi hommes riparie,* or else the wise seamen or tradesmen.

The *Consolato* provided for the payroll: a) payment on the basis of participation in the net profit, b) payment in the form of a monthly wage, c) payment on the basis of the miles distance covered, d) payment on a journey by journey basis, set according to the captain's proper authority. Furthermore, provided for was the case of punishing a member of the ship's crew on the grounds of misbehaviour or even the ship's captain. The latter also had the right to mortgage the ship until the repayment of the loan upon the ship's arrival in the destination port, however, this was applied only in case the captain was not a co-owner of the ship, and therefore was able to borrow money from the ship's shareholders. However, the ship's co-owners did not have the right to sell their shares before the end of the ship's journey [Pleionis, 1971 ib].

2. In the year 1257, James the Conqueror founded the Court of Barcelona which developed into a true Court of Law in the year 1283. Following were the courts of Palma de Majorca (1343), of Tours (1363), of Gern (1385), of Perpignan (1388), as well as others located in the

Aragonian dominions of Sicily and Sardinia [Verlinden, 1965 ib], while in the year 1503 founded was the *Casa de Contratacion*. However, in Italy - to return to the words on its traditional maritime cities, it was the biggest naval cities, Genoa and Venice, which, in particular, developed the maritime business. In Genoa, there were several commercial-maritime companies established, whose Council changed every 3-4 years and whose shareholders, aged between 16-70, offered capitals in the form of shares, in exchange for proportional profits. In these companies, foreigners were not accepted, unless they had offered services of some nature to the city [Schaube, 1915, p. 82][6]. In time, these companies developed into agencies which engaged in the financing and supply of the well known Maonae[7].

Venice, being an adversary of Genoa, annually equipped 3,300 vessels with 36,000 men, and allowed its trade with Genoa to be carried out only by Venetian ships. The shipyards of Genoa, from where 17,000 vessels were shipped, had almost the monopoly in shipbuilding. Furthermore, its maritime laws where included in the *Statuta Navium* [Cioli, 1938, p. 115].

Also the maritime activities, despite the small tonnage the ships had at the time and their small keel in depth, were quite dense in the Mediterranean Sea, even reaching as far as the coasts of the Atlantic Ocean. [Luzzatto, 1925, p. 390, A. Fanfani, 1956, p. 267]. It is self evident that the ships' sails, already full of risks, were further endangered by pirates; for this reason, convoys (*mudue*) were organised, departing from Venice, at Easter and in August, with destination Syria and Egypt. There were also three more organised, which departed near Autumn, on Saint Peter's name-day, and in June, which sailed via Constantinople. [Renouard, 1968, p. 82].

Since the time during which opens up quite hesitantly the door between the Mediterranean Sea and the Atlantic Ocean onwards, there are more cities which develop into maritime centres, just like there are new rules of the Maritime Law introduced, deriving from the new enactments as well as the new customs. Here, we should also mention the new maritime rules of Orleron, a city which developed since the time of the Crusades and which stretched next to the port of Bordeaux, as well as the maritime rules of Wisby. The rules of Orleron were also accepted by the English during the reign of King Edouard II (1284-1327), who included the codification of these rules in "The black book of the admiralty" under the title "Laws of Orleron" [Pleionis, 1971, p. 12]. Regarding the maritime

laws of Wisby, a known port of the Baltic Sea, on Cotland island, they were published in Copenhagen (1505). These rules formed a legislation which included all relevant information and laws regarding maritime loans and maritime insurance contracts.

Subject to the above legal rules and provisions, all referring to previous rules of common and written law, renewed by the new terms and conditions of trade, the captain of the ships had more rights, and the punishments imposed on the crew were less severe. Finally, as to merchants, their interests regarding the way of loading and unloading the ship as well as the drawing up of the ship's itinerary were safeguarded.

It is also important to mention that Hansa as well [D÷llinger, 1970, Houmanidis 1994, pp. 417 - 418] had enacted a respective code, since in its 200 cities included were great ports on the coasts of the Atlantic Ocean and the Baltic Sea (Hamburg, Bremen, Kennixberg, Visby, etc.).

We shall not prolong this historical analysis in order to further examine, as we have already mentioned, the *Nomos Rhodion Nauticos*. Regarding the latter are the following.

Several variations of the *Nomos Rhodion Nauticos* were made known in Venice, the Adriatic Sea, South Italy and Sicily, having been drawn up probably between the 7th and 8th century and governing maritime relations, etc., but also referring to the protection against sea risks, being either storms, or attacks by pirates especially Slav and Arab. [A. Vasiliev, 1984 p. 307]. Ashburner (The Rhodian Law, Oxford 1909) accepts to draw up this law, between the 6th and 8th century, after having agreed to it together with Zachariae von Lingenthal [Vasiliev, ib].

Nomos Rhodion Nauticos derived from the Maritime Law which applied during the Hellenistic times in Rhodes, first being a selection of laws of maritime nature. It is also said, it was included in the Justinian legislation, together with certain moral standards and customs and some original provisions. It is also possible not to have been enacted during the Justinian times (527-625) but during the reign of the Emperors, Leon III (717-740) and Constantine V, the Kopronymos or Kavallinos (741-775) [Zois, 1991, p. 117 ff].

However, *Nomos Rhodion Nauticos* was included as part of the Royal Rules, in the 12th century, when, in fact, is ascertained that it was valid throughout the Empire. Nicolaos Pantazopoulos writes that through *Nomos Rhodion Nauticos* the common Maritime Law, which then applied

in all Eastern Europe, is codified into 47 Chapters. It is said that the provisions of this Law were known to the Roman judicials of the last years of the *Democracy of Lex Rhodia de iactu*, who commented on them, while their content, based on the general clauses of solidarity and good will, formed the regulation for damage, which resulted from an average and was allocated among the shippers. Part of this law was included in the Pandect (14,2) under the title "*De lege Rhodia de iactu*". [Pantazopoulos, 1990, p. 235, Houmanidis, 1990, p. 235].

3. The Maritime Code of Rhodes or *Nomos Rhodion Nauticos* or Maritime Law, constituted a matter of dissent between many authors regarding its relation with the island of Rhodes and its identification, or not, with the old Rhodian legislation. This is not due just to the Law's title but also to the fact that Rhodes had, indeed, maritime power as well as written laws and further to it a legislation which radiated on and affected both the Greek and the Roman world. Most opinions converge to the fact that the Maritime Law did not derive from the Rhodian legislation, that is why it is so-called "*False Rhodian Law*". Ashburner substantiates his opinion on the matter stating that the expression of the Law is not the same with that used in ancient Rhodes, but that it clearly reveals it is a work of the Byzantine Middle-Ages [Simsas, 1982, p. 169].

Manuscripts of the *Nomos Rhodion Nauticos* are found in the Vatican, in the monastery of Grotta Ferrata, in the national libraries in Italy, Paris, Munich and Vienna, in the university libraries of Leipzig and Messina, in the libraries Valliceliana, Laureziana and Ricardiana, in the Abrosian Library in Milan, as well as on the Holly Mountain, in the abbeys 'Ibiron' and 'Lavras', and on the Mount Sinai, on the island 'Patmos' and in Athens. These manuscripts date back to different times. For example, the manuscript in the abbey 'Ibiron' is written on paper of the 14th century, while that in the abbey 'Lavras' on parchment of the 12th century [Simsas, 1982, p. 167]. Because none of the records of the Byzantine legislation has been preserved until today, in that many copies as the Maritime Law, this fact should perhaps reveal its value and usefulness during the course of the centuries. This opinion is emphasized also by the fact that after a careful study of all chapters of the maritime Code of Rhodes, one comes easily to the conclusion that most issues of the Maritime Law which now applies both in Greece and internationally, had already been provided for in the Maritime Law, just like provided for

were also other issues arising from the daily maritime activities. The whole shipping business had been covered as far as the human factor is concerned (crew, captain, merchants, passengers, payroll, punishments), but also regarding the ship, the journeys, the cargo, the ship's loading and unloading, the averages, the shipping loans, the freight charters, the joint-ventures, etc., and other issues referring to the transportation of goods itself.

Since the middle of the 16th century onwards, the Maritime Law starts being published at an international level and there are many leading scientists who work on it, such as Shard (1561), Loewenklan (1596), Vinnius (1647), Pardessus (1828), Zachariae von Legenthalt (1865), Dejardins (1890), Dareste (1905), Ashburner (1909), and I. and P. Zeppos (1931), etc.

The structure of the text of *Nomos Rhodion Nauticos* is made up of a Preface, or Part A, and of Parts B and C.

Part A refers to who enacted the Law, why he did it, who authorised the Law before it was put into force and who ratified it. It is about statements of several Roman Emperors which virtually sanctioned the Law, in other words which enveloped it with legislative power. By a formal statement of imperial authorization was also the way how a number of provisions gained legislative power. There are three versions as to Part A - all identical, however placed in a text of not much consistency- this is why, in 1828, Pardessus in his work "*Selection of Maritime Laws prior to the 18th century*", suggests this part to be fake and unworthy. Following we quote, as an example, the first of these versions:

"*Nomos Rhodion Nauticos*, established by their Holiness the Emperors Andrianos, Tiberius, Lucius Septimius SeverusZ the venerable.

Tiberius Caesar, a respectable high priest, during his thirty second year of his reign, pronounces his opinion. When the sailors, the captains and the merchants approached and asked of him partial compensation for all bad incidents that happen in the sea and in case of rough seas, Nero (taking the floor) replied:

-Honourable, wise and mighty Caesar, I find it necessary that what your Majesty has enacted to be put into force, without me omitting any of its provisions, since I searched in Rhodes and have written down all matters which concern those who travel by boat, captains, merchants and passengers, as well as all relevant issues like payments in capital, co-

operational fees, purchases and sales of ships, shipbuilding activities and trusts in gold and silver as well as in other kind of goods.

All these were sanctioned by Tiberius Caesar who, after sealing them, gave them to Antoninus, the glorious Consul. They were then submitted to the consuls who were in the all blissful and most important city of all, Rome, which was under the consulship of Laurus and Agrippas, the glorious. They submitted them to the highest Consul, the Emperor Vespasian (*Titus Flavius Sabinus Vespasianus*), who sanctioned them in the presence of the Senate. Then Marcus Ulpius Traianus, together with the celebrated Senate, decided the Law of Rhodes to be put into force, and it to govern the Maritime Law, something which his uncle Augustus sanctioned by decision " [Simsas, 1982, p. 172].

Part B is made up of 19 chapters which are characterized by brevity, especially the first 13 ones.

Chapters 1-7 refer to the crew's payroll. This was set according to the hierarchy of the seamen, the share each one had of the profits from the maritime business. Mentioned are even some of the positions in this hierarchy, such as: captain, helmsman, boatswain, carpenter, sailor and deck-boy[8]. The captain received the highest wage, counting two shares, while the deck-boy was given the smallest, counting half a share. The sailors got one share while all the other crew members received one and a half share[9].

Chapters 8-13 form a regulation of internal services, concerning the passengers, while chapters 14 and 15 extend also to the captain and the sailors. More particularly, this is where the space each passenger can take up is set, the number of slaves that a merchant could bring along is limited, the portion of water for each person is determined and certain dangerous acts are forbidden, while certain measures of precaution which ought to be taken are provided for. The most important, perhaps, part of these chapters refers to the space that the passengers could take up in the ship, thus, for a man being a space of 1,92 m in length and 64 cm in width, while for a woman being a space of 64 cm in length and for a child, aged between 1-7 years, a space of 32 cm in length[10].

Chapters 16-19 describe the way in which the value of the ship was estimated, dealing also with matters regarding shipping loans. More particularly, in chapter 16 it is referred that a fully equipped ship was worth approximately 50 golden coins for every thousand bushels of

tonnage, therefore, the compensation in case of shipwreck, average, damages, etc., was to be calculated based on that. If the ship was old it was considered to be worth thirty golden coins for every thousand bushels. The ship's proportional participation to the compensation was determined after an amount equal to 1/3 of its value had been deducted, regardless whether the said ship was old or new.[11]

Chapters 17-19, which concern shipping loans, refer to the risk that the lender took up because the loans were not "landed"[12], to the interest and the repayment period of the loans, to the interests in default, to the prescription of the interests in the case the lender expressed weakness in paying the debt due to force majeure and finally to the captain's ability to contract loans when his ownership of the ship is higher than 75%. Also referring to maritime loans are Chapters 16-18 of Part C of the Maritime Law. There, reference is again given to the risk involved when taking maritime loans, referring for example that when the lender had accepted as guarantee for his loan either the ship, the cargo, or the freight and these were perished during the ship's sail due to force majeure, the borrower was not obliged to complete his repayment of the loan. Or, that it was forbidden to accept as guarantee something which was "landed". Further to the above, the repayment of loans was pursued only in case the guarantee (ship, cargo, freight) was destroyed before the lending time expired. However, even then the amount the lender was to receive was less than what he had originally granted as loan, since he ought to participate in the damage. A maritime loan was thought of as "landed" only in one case, namely when the borrower departed for another country after he had taken the loan. After the period in which the loan was to be repaid expired, the lender received part of the borrower's landed property against the latter's repayment of the loan. The loan was considered to be "landed" only as to the repayment of the capital, however, the interests were set like the ones for maritime loans (meaning they were high) for as long as the borrower remained abroad.

Maritime loans are considered to be the forerunner of maritime insurance, based on the fact that the high interests which the lenders enjoyed at the time were some sort of insurance. In case of ordinary loans the borrower was obliged to repay the loan, even if what he had acquired with it had been destroyed, i.e. a house. In the case of maritime loans, because they were granted for certain maritime purposes (purchase of a

ship, shipbuilding, ship repairs, crew payments, purchase of cargo, journey's expenses), the return of the loan was effected only after the successful end of the shipping expedition. In other words, the repayment of the loan was realised only after the ship was anchored in the desired port, with its cargo intact and therefore with the freight charter earned. In the opposite case, the destruction of what was mortgaged (ship, cargo, freight charter) eliminated the claim of the lender against the borrower and on his property.[13]

4. Part C is made up of 47 chapters, which are more extensive than those in Part B. In this Part the substance of the Maritime Law is set forth and, further to it, the various issues which the Law provided for are grouped at the same place according to their chapter titles.

Chapters 1-8 refer to matters of police protection. More particularly, they deal with matters like the stealing of the anchor by the crew, the stealing of the merchant or the passengers' belongings by the crew, the incident of third parties robbing or pirating the passengers, the stealing of the ship's rigging (ropes, sails, boats, etc.) and finally, the infliction of punishments on the persons responsible. Apart from the compensations to be submitted by the persons responsible, included in the punishments was enforcement of physical violence (torturing and wiping of the sailors responsible). Further to the above, the chapters also deal with issues concerning incidents of dispute and fights between crew members, as well as the compensation of the victims.

Chapters 9-11 deal with the average and the responsibility for the cause of damages on the ship or the cargo. The most important issues dealt here are those of the captain being obliged to ask the merchants who had their merchandise on board, to decide together on the value of the merchandise which were dropped in the sea and on each one's participation to the average, before the latter has been determined. Moreover, it is worth mentioning the part referring to the advice addressed to merchants so as to avoid loading ships which are old with heavy and valuable merchandise, because, in the case of average, they will be held responsible. For this reason the merchants ought to conduct a search, before they chartered a ship, on the quality and overall status of the ship they were going to use for transporting their merchandise.[14]

Chapters 12-15 refer to consignments, in other words the passengers' belongings, such as silver or gold or even slaves, which they placed for

safe keeping under the supervision of the ship's responsible persons, while special notice is given for the case of the ship's sudden departure from the port and the abandonment of persons on shore subject to their responsibility or the captain's, or for the case a slave has been left on shore, subject to the responsibility of the merchant or the passengers'. In order for the consignment to be agreed upon, there was need for three witnesses, while when the consignment concerned belongings of great value, it had to be in written.

Chapters 16-18 concern the issue of maritime loans, which has already been dealt with.

Chapters 19-25 refer to the chartering of the ship by the merchant, while chapter 12 is quite singular referring to the joint-venture between two shipowners and to the distribution of average between them subject to whether the joint-venture ("commenda") was oral or in written.

More particularly, the issues dealt with in these chapters refer to the pre-chartering of the ship against "engagement", namely advance payment, to the form of the charter agreement which has to be a written document signed by the two contracting parties, to the clauses which provide for the case there is a bridge of the contract for chartering caused either by the captain or the charterer, as well as to the ship's supplies (water, food, ropes), the way of loading the cargo, the freight rate and the time needed for the loading of the cargo on board. The most important issues of the above mentioned chapters, in our opinion, refer to the fact that the captain had the right to load one more cargo on board, in the case that the ship's capacity was not fully covered by the merchant's cargo, therefore, there was still available room for additional exploitation of the ship by the captain.

Also, the notions of the lay days and the demurrage are determined, both subject to time and value, in other words the duration the ship could remain in the port until the merchant brought over the merchandise he wanted to load on board, and the freight which had to be submitted by the merchant in order to keep the ship anchored in the port for a longer period.

The remaining chapters of Part C of the Maritime Law deal with various issues which are generally alike but which cannot be placed under relevant groups of adjoining Chapters. The issues dealt there concern the participation in cases of average, the responsibility of the crew for

damages on the ship or the cargo, the merchant's responsibility for damages on the ship during the ship's loading, sail or unloading of its merchandise, the losses/damages and responsibilities for goods sensitive to humidity, the collision of the ship with another one, the recovery of goods off the sea and the fee of the persons who realised the recovery.

Finally, what seems to be a fact, is that the *Nomos Rhodion Nauticos* was the first written legal document which introduces and determines notions referred to the daily maritime practice as we know them today. In fact, the resemblance between many parts of this Maritime Code and today's Codes of Private Maritime Law is remarkable. According to Mr. Th. Petimezas, the Maritime Law applied today in Greece, is a product of historical evolution, the beginning of which dates back to the beginning of the Middle Ages. Therefore, it is possible to say that the Maritime Law is, historically[15], the first written law document worldwide used widely, in which practically all issues relative to the maritime business are dealt with, such as the crew, the loans, the charter agreements, the average or the joint-ventures, the cargo, the ship's loading and unloading and the deadlines regarding the ship's stay in the port (lay days, demurrage, detention).

NOTES

[1] In Italy, the sector of marine insurance reached its peak at the 16th century with the Salviati family (1524-1526) who proceeded to the granting of marine insurance amounting to 15691.73 lire, and covered the areas of Florence, Ragusa, Ancona, Venice, and Constantinople, with the relevant insurance rates ranging between 2%-14%, depending on the distance and the type of cargo. Among the journeys examined were also those from Livorno to Geneva, Toulouse, Bordeaux, Havre, the Canaria islands, Southampton, as well as from Ancona to Patras, Beyrout, etc. [**F. Melis**: *Origini e sviluppo delle Assicurazioni in Italia*, (secoli XIV-XVI) Vol. I, (Le fonti) Introduzione Bruno Dini, ed. Istituto Nazionale delle Assicurazioni, Roma 1975, pp. 289, 293-307. **K. Voutsis**: *General Commercial Law* (in Greek), ed. Karaberopoulos 1981, Piraeus, p. 75.

[2] The people from Amalfi, Genoa and Venice, as well as the seamen of Majorca were informed that the magnetic needle always pointed North (**J.P. Roux**: *L'Islam en Occident, Europe et Afrique*, ed. Payot Paris 1959, p. 142; **L. White**: *Medieval Technology and Social Change*, ed. Oxford University Press, London 1970, p. 122).

[3] The opinion according to which the decline of the cities on the coasts of the Mediterranean Sea was caused by its partitioning by the Arabs, was first expressed by the Belgian Historic **Henri Pirenne**, *Mohammed and Charles Magne*, ed. Barnes Nobles Inc., New York 1965).

[4] In Pisa there was a Marine Consulate (*Consolato di Mare*) and a Corporate Council of merchants (*Consules Mercatorum*), which dealt with shipwrecks [**M. M. Bragadin**: *Histoire des republiques maritimes italiennes (Venise, Amalfi, Pise, Gânes)*, ed. Paiyot, Paris 1955. **L. Houmanidis**: *Economic History of Europe* (in Greek), ed. Papazissis, Athens 1995, p. 163, 164).

[5] **Ch. Verlinden**: *Modernità e Medio valismo…*, pp. 19, 20. The *Casa di Contratacin* (1503) regulated the affairs of private businesses, licensed merchants, supervised trade, determined the ships' sailings, collected taxes *ad valorem* and saw to the taking of measures for the safe transportation of gold and silver. This institution except for the School of Marine Studies which he administered, also had a chair of Cosmography and Marine Courts (**L. Houmanidis**: *Economy and Economic Thought in Spain from the beginning of the 16th century until the beginning of the 19th century*, (in Greek) "*SPOUDAI*" (Studies), Vol. 28, Number 3, 1978, extract p. 8; **P. P. Martin**: *Los hombres de negocios genoeses de Espa±a*

durante il siglo XVI; Fremde Karifleute, Bohmen auf der iberiscen halbinsel, Festschrif fur Hemrann Kellenbenz, Bohmen Verlag Koln-Wien 1970, p. 92 ff.

[6] **F. Schaube**: *Storia del Commercio dei popoli latini del mediterraneo sino la fine delle Crociate*, (Italian transl. by P. Bonfante), Biblioteca dell' Economista, Dir. V. Pareto, Serie V., Vol. XI, Torino 1915, p. 85; **R. Cessi**: *Studi sulle Maone Medievali,* Roma 1935. In Pisa there was a respective company (Vermiglia) (M. M. Bragadin: op. cit., p. 32). The Democracy of Genoa had taken up the role of a shipowner, however, also entrusting private businessmen (**Y. Renouard**: *Les hommes d' affaires italiens du Moyen* Age, ed. Armand Colin, Paris 1968, p. 82; **Ch. Diehl**: *Venise, Democratie des Patriciens*, (Greek translation by S. Monthanigos), Athens 1958, p. 78.

[7] **G. Luzzatto**: *Per la Storia delle construzioni navali a Venezia nei secoli XV-XVII, Studi in Onore di C. Manfroni,* Padova 1925, p. 390. In the year 1444 the Venetian ships built in Venice had a capacity of 700-750 tonnage. Later on, there were other ships built of a bigger capacity, of 1,000 tonnage (Regarding these **A. Fanfani**: *Storia Economica*, ed. Principato Milano - Messina 1956, p. 267).

[8] In the original text, respectively the words are: boatswain, captain, prow-man, shipbuilder, sailor, ship's boy. Here, we have to clarify that the joiner (shipbuilder) was the one who repaired and maintained the ship's parts and not the carpenter who built it. The young sailor (ship's boy) was the person who did all the secondary tasks and mainly was in charge of the launching and refloating of the ship by placing or moving the wooden rafts ("slips") underneath the ship.

[9] According to what today applies in Greece, regarding the large ocean-going bulk-carriers, the respective ratio, taking under consideration only the basic payment, is 2:1/2 for the captain and the ship's boy. For the remaining crew members the ratio is smaller than 2:1 1/2, for the sailor being 2:1, in other words, today, Greek sailors are paid relatively less that during that times. Of course, the nature as well as the responsibilities of their work are different that what applied in the past. For the current (1.1.96 - 31.12.96) labour contract regarding the payroll of Greek sailors, see the book by **Emmanuel Stavridakis**, *New Labour Contract for Bulk-Carriers of more than 4,500 dwt*, (in Greek "*Νέα Συλλογική Σύμβαση Εργασίας σε Φορτηγά Πλοία άνω των 4.500 dwt*"), ed. Stavridakis, Piraeus 1996, pp. 7, 8.

[10] The Greek measure of length was 0.4624 m. (24 dactyls), while the Roman one (*cubitus*) was 0.4436 m. The biggest measure of length, being 0.61 m., was used during the Byzantine times, however, it was the same time when also the smallest measure was used. The first was used in the royal inventories, while the second in private transactions. In the *Nomos Rhodion Nauticos* by Simsas, one has to assume that the measure of length was 46 cm. (two inches); see **M. Simsas**, op. cit., pp. 174, 188.

[11] Consequently, a new ship of 100 tonnage, costed approximately 750 gold coins (since 1,000 bushels = 6,666 kg of wheats and 1,000 bushels = 50 gold coins). We should

take under consideration the fact that, in the Byzantine times, merchant ships had an average capacity of 100-300 tonnage. See **K. Zois**: "Historical starting point of the ship's loading time (laydays, demurrage, detention)", *The Nomos Rodion Naftikos*, Archives of Economic History, Year A' ("in Greek *Ιστορική αφετηρία των προθεσμιών φόρτωσης του πλοίου (σταλίες, επισταλίες, αντεπισταλίες): Ο Νόμος Ροδίων Ναυτικός*", Αρχείον Οικονομικής Ιστορίας, Έτος Α'), Vol. I, no. 2, Athens 1991, pp. 119, 129.

[12] "Landed" were called the loans for investments on shore, in other words the loans which were not affected by any kind of risks, since they were repaid having as guarantee landed property. On the contrary, it was forbidden by the Law to consider the loans for maritime investments to be safe, because the lender participated in the risk of the sail. This is the reason why the interest rate for such loans was so high.

[13] The same notion regarding maritime loans was known since the time of Greek classic antiquity. A source for what went on concerning these loans, have been the forensic speeches of Demosthenes and other Athenian orators. The maritime loans were agreed upon subject to the ship or cargo for a one way sail or one with return. If the ship reached its destination port, the shipowner returned the capital increased by a high interest rate of 24-36%, the marine interest. If not, the borrower was not obliged to return even the capital he had initially borrowed. The institution of maritime loans with high interest rates and participation of the lender in the risks of the maritime business, was established in Athens during the first few decades of the 4th century, when lenders were mainly bankers, a role which the metics used to act. Up until the 13th century AC the terms and the substance of the maritime loans had not been changed.

[14] Here, it is mainly about the substitute of today's certificates of suitability of the ship provided by the official authorities or the registry authorities. At the time of *Nomos Rhodion Nauticos* the responsibility for the ship's suitability was transferred back and forth between the merchant and the shipper.

[15] In the Laws applied in the antiquity, one does not find the system of rules which regulate the relations concerning the Maritime Law. Regardless the undoubted development of the merchant and maritime relations between the city-states of the antiquity, there is not one document found governing these relations for which it seems that the customs and habits of the time applied (**K. Rocca**: *Maritime Law* (in Greek), ed. of the author, Athens 1968, pp. 7-8). We completely lack of historical records regarding the Law which regulated the maritime relations between the Phoenicians, the Chalcedonians, the Egyptians, the Cretans and the Rhodians (**Th. G. Petimezas:** Commercial Law, Vol. II, A, Maritime Law, ed. Estias Typography, Athens 1928, pp. 17-18). From all these ancient naval peoples, since the peak of the Minoan civilisation at about 1500 BC and the maritime domination of the Phoenician Cretans in the Eastern Mediterranean, the Babylonians, the Sinaitics, the Assyrians and the Egyptians, there were no evidence rescued regarding the Law which governed the maritime transactions with the

exception of the Codes of King Hammurabi which concerned the navigation activity on the river Euphrates. However, regarding the Maritime Law of the Phoenicians and the Chalcedonians there was no record rescued. The Maritime Law was formed during the pre-historic times almost exclusively on the basis of the customs and habits applied at the time and not on the basis of written laws (**N. A. Deloucas**: *Maritime Law*, ed. Saccoulas, (in Greek) Athens 1979, pp. 31-32). Besides, Il n'est resté rien, on a à peu prés rien des lois maritimes des Phénicians, des Egyptiens, des Crétois, des Athéniens et des Carthacinois, lois qui devraient cependant être developpées en égard à l'importance de la marine chez ces peuples (**Daniel Danjon**: *Traité de Droit Maritime*, Tome I, Librairie générale de Droit et de jurisprudence, Paris 1910, p. 7). A source for the Maritime Law of the Athenian Democracy have been the forensic speeches of the Athenian orators from which we are informed of the special legislative regulation of this Law's institutions and, more particularly, of the information regarding maritime loans, the average and other issues. The Roman Law did not provide much for the Law applied in the navigation sector (**K. Rocca**: op. cit.). Already from the times of Demosthenes there were some maritime habits applied (maritime laws), which later on took up important power, during the Hellenistic times (**L. Houmanidis**: *Economic History and Economic Theories in their historical evolution*, Vol. I (in Greek), ed. Papazisis, Athens 1980, p. 386). However, the provisions of the *Nomos Rhodion Nauticos* were known to the Roman judicials of the last years of Democracy (**L. Houmanidis**: op. cit.).

Abstract

L. HOUMANIDIS - C. ZOIS : *About the first shipping codices and especially on the Nomos Rhodion Nauticos*

In the present article, the authors present the evolution of the *Nomos Rhodion Nauticos* and how it was incorporated in the formation and development of the Maritime Law. For this end, there is reference to various codes dating back to different times, as well as to provisions of theirs concerning: piracy, marine insurance, the loading of cargo, the unloading of cargo, the average or damage/loss, the maritime business relations, etc., which lead us to the conclusion that the *Nomos Rhodion Nauticos* has been historically the first written document used widely.

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THE PYLIAN ECONOMY

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1. Introduction

The purpose of this paper is to examine the economic organisation of the Pylian Kingdom as it is revealed by the Linear B tablets. It is argued that the Pylian economy was not of an Asiatic type as f.e. Killen (1984) and others Finley 1973 have suggested. The available evidence strongly suggests that the palace exercised a limited control on the economic activity of Pylos, a market of minor importance existed and some of the commodities that were exchanged in this market functioned as media of exchange and played the role of the unit of account.

The rest of this paper is organised as follows: In the next section the hypothesis presented by Killen that the Mycenaean economy was of an Asiatic type is reviewed. The third section contains an appraisal of this theory. In the fourth section an account of the Pylian economy is given based on the evidence supplied by the Linear B tablets.

In the final section we state our conclusion.

2.The hypothesis of the Asiatic type economy

A number of scholars for example Finley 1973 and Killen 1984 characterised the Pylian economic organisation as Asiatic meaning by this a highly centralised system without private property. According to this

approach the palace owned all available factors of production including land and controlled all (or almost all) economic activities. The palace allocated its land to its holders in return for services to the centre. The land so allocated was held on the condition that the holders would continue to provide those services together with some of the produce of the land which acted as a kind of taxation. The Asiatic model must not be confused with the feudal system. Although they have some elements in common (for instance the local Abbeys and Manors in the Feudal society and the Palaces and the temples in the Asiatic model acted as redistribution centres) they have some key differences: in the Medieval world the small scale fiefs were allocated to craftsmen by local chieftains not by the monarch. In the Asiatic model by contrast it is the central authority which allocates conditional land holdings (Killen 1984, Hicks 1969).

According to this interpretation the Palace substituted the market in its role as a mechanism for the allocation of resources or to use Killen's expression (Killen 1984) the Palace acted as a redistribution centre. The Palace obtained mostly by taxation enormous quantities of raw materials and food stuffs and redistributed them in the form of working materials (intermediate products) and rations to the work force for the production of final commodities (e.g. cloth). The final beneficiary of this production was the Palace. The surplus of these products was also used for "financing" capital formation in the form of the buildings and public works e.g. roads. As Chadwick (1972) has emphasised the existence of the roads in the Pylian kingdom can be deduced from the considerable number of chariots that existed in Pylos. The evidence for this comes from the Linear B tablets of Sa series, where the wheels include silver and bronze parts which implies that they were not intended for farm carts.

3. The appraisal of the «theory»

The hypothesis of the Asiatic economy outlined in the previous section rests on the assumption that the palace is able to exercise its authority over the economic life of the kingdom. It will be argued in this section that there is no strong evidence in supporting this hypothesis. The Linear B tablets record only what interests the palace and therefore give a limited picture of the Pylian economy. This limitation would be of no

significance if the palace controlled the largest part of the Pylian economy. The available evidence however points to the conclusion that this is not absolutely true.

First: The Linear B tablets do not record details relating to the political and social organisation of the Pylian society. What emerges from the Pylos E- series relating to the land tenure was the picture of a society in which the status of its members was measured by the value of their land plots and by the type of tenure under which they hold them, the dominant criterion being the type of tenure. PY Er 312 gives the types of the land tenures and their values for three officials the wa-na-ka (αναξ) the ra-wa-ge-ta and the te-re-ta. The plot of land apportioned to the wa-na-ka and the ra-wa-ge-ta is the te-me-no (τεμενος). The plot of land apportioned to the te-re-ta is termed ki-ti-me-na ko-to-na .The same tablet gives the relative values of land in terms of pe-mo (σπέρμα), of the wa-na-ka the ra-wa-ge-ta and the three te-re-ta as 30:10:10 respectively.

The conclusion that wa-na-ka is an absolute monarch is derived from Er 312 referred to above. This view is disputed by Hooker (1987) who argues that from this evidence alone one cannot conclude that the term wa-na-ka refers to the head of the Pylian State. This term may refer to a personality having a higher status than that of the ra-wa-ge-ta in this particular locality. Furthermore Hooker (1987) argues that this tablet cannot be considered in isolation since it forms a unity with the tablets Er 880 and Un 718. (See also Lejeune in Minos 1975). The three tablets refer to a place called sa-ra-pe-da into connection with offerings to Poseidon.The occupants of sa-ra-pe-da include a personality called e-ke-ra-wo the da-mo (δημος) which appears to designate a village community, a ra-wa-ge-ta and a ka-ma which is a special category of ko-to-na ke-ke-me-na. Hooker (1987) argues that the wa-na-ka and the ra-wa-ge-ta in Er 312 may have been persons of higher standing at sa- ra pe-da - and not functionaries at all.

The references to the wa-na-ka may not refer to the same personality but to local lords (Hooker 1987). But if this is the case then the Pylian kingdom is characterised by a limited bureaucracy (Hicks 1969) which of course is inconsistent with the "classical" bureaucracies characterising economies of an Asiatic type. Finally the term wa-na-ka recorded in the tablets Fr 1215, 1220,1227,1235(recording the distribution of oil to various destinations) maybe a title given to a God (Hooker, cf. Il 2669 εκ

Διός ως τε θεοίσι και ανθρώποισιν ανάσσει).

The term ra-wa-ge-ta refers to an official of high status as it is seen by the possession of a temenos. His functions however are not clear. Palmer's (1963) identification of ra- wa-ge-ta with the " leader of the war host" is disputed .His appearance as a donor of offerings (Un 718, Un219) points out that the ra-wa-ge-ta may have connections with the cult.

The term te-re-ta is identified with the τελεστας (Palmer 1963) which means men of service i.e. men charged with performing certain duties as a condition of their land holdings. It is not clear however if these duties are connected with cult or with his place in the "feudal structure" of the Pylian society as some authors have suggested .If the te-re-ta are men of service they cannot be landowners of their own right but they have to hold plots from another for example from the king. Hooker (1987) however observed that the te-re-ta as presented in the tablets have an intimate connection with land and land holdings "but they are never brought into relationship with wa-na-ka". Therefore there is no evidence that they own a royal land and by implication there is no evidence that all the land of the kingdom belongs to the wa-na-ka.

Second: The available evidence does not support the view that all the land of the Pylian kingdom was royal. The En series refer to a land holding system known as ko-to-na ki-ti-me-na which is connected with te-re-ta and the Ep series refer to ke-ke-me-na ko-to-na pa-ro da-mo. One interpretation of ki-ti-me-na and ke-ke-me-na is that they refer respectively to private and public land on the ground that ki-ti-me-na is always associated with individuals (te-re-ta) and ke-ke-me-na nearly always is connected with the phrase pa-ro da-mo (i.e. from the community). This interpretation is not entirely precise because in Ep 301 8-14 and Ep 704.1 ke-ke-me-na ko-ko-na are held by individuals with no relation of the damo. Another interpretation, due to Duhoux (1976) is that ki-ti-me-na and ke-ke-me-na are not "legal" terms but agricultural terms and have to be interpreted as "fallow" and "cultivated" respectively. According to Duhoux the legal status relating to the land tenure is given by the terms o-na-to "ονατον" which may be translated as "lease", and e-to-ni-jo which seems to be "une concession entierement graduite, analogue a une usufruit" (Duhoux 1976). Duhoux adds a third type of holding, which according to him is conditional and includes the seven κτοινούχοι in Ep 301, the te-re-ta recorded in Eo\En series, and some

other categories of holders. According to Duhoux this land is royal and is allocated to its holders for services to the palace and held on the condition that the holders would continue to provide these services. But this view (i.e. that these lands were royal) is not supported by the Linear B tablets. The absence of a term to describe this type of land holdings together with the observation made by Hooker for the te-re-ta "that they have never brought into any relationship with wa-na-ka" makes the interpretation of these land holdings as conditional unfounded.

Even if it is assumed that the E series refer to land belonging to the wa-na-ka it cannot be concluded that all the land of the kingdom belonged to him .The E series refer to at most five places (Lejeune 1876,Killen 1984) one of them being the pa-ki-ja-ne, located near the centre. The only place mentioned in the E-series is a-ke-re-wa (located near the Navarino Bay) which is of the nine towns of the Hither Province of the Pylian kingdom. The available evidence therefore does not support the hypothesis that all land of the Pylian kingdom was "royal" which is a necessary condition for the validity of the Asiatic model.

Third: The direct palace control decreases the further one gets from the centre .All E series conclude with pe-mo (σπέρμα =seed) entries leading to the conclusion that these series were compiled for fiscal purposes. It was observed however that the palace has not a single system for collecting taxes. There is a marked difference of the contribution (taxes) levied on the land holdets listed in the Er312, Er880, Un718 and the Es do-so-mo and those of Ma and Na series. The former system prevailed in the area situated near the centre where the contributions are expected to be roughly proportional to the value of the land held by the contributor while in the latter the taxes are levied on whole districts or localities, the criterion for taxation being the taxable capacity of the district or locality as a whole and not the individual land holdings. Therefore the palace exercised a direct control to the areas adjacent to it and indirect control to more remote areas (Killen 1984). This may be due to its limited ability to control areas not adjacent to the centre, which of course is inconsistent with the "Asiatic" model. Exceptions of course existed.

This conclusion is consistent with the fact that the number of towns of the Hither Province, where Pylos was situated, is greater than the number of towns of the Further Province. These towns acted as administrative

centres and a "mayor" (ko-re-te-re) headed them. There were nine such towns in the Heather Province and only seven in the Further Province.

4. The Pylian Economy

We have tried to show in the previous section that the available evidence does not support the thesis that the Pylian economy was of an Asiatic type. It cannot be denied that the palace played an important role in the economic activity of the kingdom. But the theory that the palace owned the greater part of the land monopolised all industrial activity and played the role of a redistribution centre is not supported by the available evidence. The available evidence suggests (see also Halstead 1992) that the Pylian economy was divided into two sectors: the palatial sector and the non-palatial sector.

(i) The palatial sector: The Palace was the oikos of the wa-na-ka, which was probably the dominant economic unit of the Pylian state. Within the palatial sector one may distinguish two sub-sectors: The agricultural sub-sector and the industrial sub-sector. The commodities produced in the agricultural section included wool, wheat, figs, olives, grapes and flax. The agricultural sub-sector supplied the industrial sub-sector with rations figs, and wheat (see below) and raw materials.

In the industrial sub-sector both fully and semi-depended workers worked under the ta-ra-si-ja system receiving measured supplies of raw materials from the palace and being set centrally regulated production targets. Goods produced under the ta-ra-si-ja system included bronzes, chariots, textiles, weapons, and furniture, perfumed oil.

From a strict economic view the oikos of the wa-na-ka was a vertically integrated firm. Vertical integration in the production defined as a diversification of the production activity into stages of production that proceed or succeed those in which the firm is already engaged for example the palace controlled the production of flax i.e. the raw material of its own clothing industry. The aim of the palatial sector was to optimise the welfare of the palatial elite.

The oikos was not a self-sufficient economic unit, because the evidence suggests that it imported commodities from abroad, or bought them from

other economic units outside the palace (but within the kingdom); these imports were financed by the surplus ("treasure") that the oikos accumulated. Source of this treasure was the economic activity of the palace or more precisely the surplus of production over consumption and taxation. The economic importance of the palace depended mainly on the size and the quality of the land owned by it and on the economic efficiency of the sectors of economic activity under its control.

Evidence suggests that there was an extensive division of labour within the oikos (Palace). Tablets such as An18 with their enumeration of men pursuing various occupations read like lists of palace servants. The location of these activities was not necessarily that of the palace .For example the Jn series record the issue of weights of bronze to smiths located in various localities and the workshop of the chariot builders is located at the a-mo-te-ta-na-de (Ventris and Chadwick 1956).

It is not known whether the criteria related to the location of economic activity were economic or administrative. It is obvious however that in some cases economic criteria were dominant. Pottery works were probably, located, to places where the suitable raw material for pottery was available and ship building obviously was located near the coast. The palace acted as a mechanism of allocation of economic resources within the palatial sectors.

(ii) Parallel to the oikos of the wa-na-ka an independent and semi-independent economic sector seems to exist. An26 with their records of tailors, potters and goldsmiths might more reasonably refer to trades whose products were not the exclusive monopoly of the palace but the palace had an interest on them. As Hallstead (1992) has observed a wide spread exchange within the non-palatial sector existed, the evidence being the ambiguous distribution of wheel made pottery, which is a specialised product. Evidence also suggests that the non-palatial sector "exported" to the palatial sector pottery, cattle, goats and pigs.

From the analysis above we may reach the conclusion that the Pylian economy was a dual economy in the following sense. Within the palatial sector the palace acted as a redistribution centre i.e. allocated the economic resources between different uses. No such redistribution centre existed in the non-palatial sector and therefore one may reach the conclusion that market forces operated freely within it.

The free market mechanism probably was dominant and in the

commercial transactions between the palatial and the non-palatial sectors. The archaeological evidence suggest that the palatial sectors exported to the non-palatial sector specialist craft commodities and imported from it non-specialist craft commodities and staple grains.

(iii)The division of labour and the resulting economic specialisation leads to trade, and trade requires the use of some form of money. In economics money is defined by its functions. Money is everything (not necessarily coins) that can be used as a unit of account as a store of value and as a medium of exchange. As a medium of account (or a measure of value) acts as a common measure of value for the various commodities. As a store of value stores up the ability to buy goods and services in the future, and finally as a medium of exchange facilitates multilateral exchange .As Max Weber (1961) has observed the functions of the unit of account and the store of value were the older of the three. The Pylian economy is not an exception from this rule.

In the Pylian economy the wheat functions as a unit of account. This is evident from the tablets relating to land tenure where the value of the plots of the land is expressed in terms of pe-mo (wheat, seed). The role of money as a store of value was played by commodities of the Palace treasures. The clothes listed in "store" records in Knossos probably played this role. However there is no direct evidence for a commonly acceptable medium of exchange. In an economy characterised by the absence of a commonly acceptable medium of exchange the determination of exchange rates between various commodities (their relative prices) is unavoidable. These exchange rates were probably determined by the actual practice over a long period of time and probably reflected the economic and social conditions prevailing at that time. The Linear B tablets give some evidence for the relative prices of some commodities as well as for the commodities used probably as media for exchange.

The evidence comes first from the ration lists of the women and children workers in Pylos. The ration lists indicate that the rations ("wages") consisted of cereals and figs. The entries in the Ab series indicate that women were allotted two units of wheat and figs and the children one unit. The formula for calculating the rations for women and children seems to be:

$$2w+c=t$$

Where w is the number of women, c is the number of children (irrespective of sex) and t the ration. For example in Ab 899 eight women, three girls and three boys receive 22 units if wheat.The formula introduced above gives

$$(2x8)+6=22$$

In some cases the ration is higher than the ration indicated by the above formula. In this case only TA supplements by the formula DA TA or TA DA (and in some cases the surplus). This surplus is interpreted by some authors (Ventris and Chadwick 1956) as allowance for specialised or heavy work and by others (Palmer 1963) as a ration ("wage") for the supervisor of the working team.

The ratio one wheat: one fig may be interpreted as the relative price of wheat for figs implying that one unit of wheat is exchanged with one unit of figs. These rations were intended for consumption by they also may describe payments in commodities that might be exchanged for other commodities (see also Chadwick 1973). The value of barley to wheat where the value of barley is given about half the value of the wheat is also available. The ratio of barley according to wheat barley is given about half the value of the wheat is also available. The reason for this is perhaps due to the fact that measurement is by volume not by weight (Chadwick 1973). However the use of wheat as the main ration suggests that wheat was grown in greater quantities than barley and therefore it was a better candidate as a medium of exchange than barley.

The evidence that wheat and figs are prices of some commodities is enhanced by the tablet PY Un 1322. This tablet refers to an o-no consisting of figs and wheat the standard element of the ration in Pylos. The prevailing opinion about o-no is that it means "payment" or an object given in exchange. Furumark suggested that the word o-no is actually ωνος meaning price. (Cf. Od O 388 ¦ "ο δ' αξιον ωνον έδωκεν").

PY Un 1322
1[.] no [.] ono [.] GRA 6 NI [.]
2.dekutuwoko ono GRA 2 NI 2
3.itewe ono GRA 12
4.wea$_2$ no[ri] no repoto *I 46 GRA 5
5.we [+,-5] *I 46 GRA 16

1. "…Oono 6 units of wheat [6 units]of figs
2. for net maker,2 units de wheat,2 units of figs
3. for the weaver ono 12 units of wheat
4. a kind of textile made of fine clothe *146 5 units of wheat
5. *I 46 16 units of wheat

The ideogram *146 refers to a kind of plot the net maker and the weaver are not referred to by name. Probably they are well known persons. What is important however is that the wheat fig ratio is 1:1 indicating the rate of exchange of these two commodities and that these two were used as means of payment.

In the tablets PY An35.5 and Un 443.1 o-no is associated with the term tu-ru-pte-ri-ja. These tablets read as follows:

PY An 35
5.a-ta-ro tu-ru-pte-ri-ja ono
6.LANA 2 CAP^f 4* I 46 VIN 10 NI 4

PY Un 443
1.ku-pi-ri-jo tu-ru-pte-ri-ja o-no LANA 10 * I 46 10

In An35 the term tu-ru-pte-ri-ja is followed by the list of commodities: 2 units of wool, 4 she goats, 3 pieces of some textile, 10 units of wine and 4 units of figs .In Un 443 the term is associated with 10 units of wool and 10 pieces of textile. Probably these commodities constituted the price for tu-ru-pte-ri-ja. This term denotes alum and this commodity was not available in southern Greece. Myceneans imported allume from Myles and Cyprus (Killen 1984). Further examples of the use of o-no are given below.

MY Oe 108

1.sa-pa o-no LANA 4
2.o-u-ko LANA 3
3. we [ ] vacat

KN Fh 347

1.ma-ro-ne\ ku-pi-ri-jo OLE 6 s2MU5
2.we-we-to\o-no OLE 1 a-ri-to-[.]-jo OLE V 2

KN Fh361

a OLE 21 s 2[
b ku-pi-ri-jo \o-no zo-a OLE 2[

KN Fh 372

ku-pi-ri-jo o-no OLE 100[

In the three Knossos tablets given above (Kn Fh 347,361,372 and in the tablet Un 443 3.1 the same person ku-pi-ri-jo is involved in the transaction. Probably ku-pi-ri-jo denotes the man from Cyprus. If this interpretation is correct we have documentary evidence that Mycaenians traded with Cyprus and imported allume as well as copper. Since the imports are paid with exports we can deduce from this tablets the commodities that the Mycaenians exported to Cyprus provided of course that the cu-pi-ri-jo carried his “payment” in his own country. They are oil from Knossos and wool from Pylos.

5. Concluding remarks

The main conclusion to be drawn from the previous discussion is that the palace acted as a redistribution centre (i.e. allocated economic resources) within its own sector.

Outside the palatial sector other mechanisms (probably free market) played this role. In fact there is no evidence that the palace as a redistribution centre, dominated the exchange relations either within the non-palatial sector or between the palatial and other centres of economic activity. The existence of independent centres of economic activity within the Pylian kingdom is inconsistent with the "Asiatic" economic model suggested by Finley and Killen.

Abstract

HELEN YANNACOPOULOU : *The Pylian Economy*

It is argued in this paper that the hypothesis made by Finley (1973) and Killen (1984) that the Pylian economy was an economy of the Asiatic type was not supported by the archival as well as by the archaeological evidence. It is suggested that the Pylian economy was a mixed one in the sense that a non-palatial sector existed side by side with the palatial sector.

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RESEARCH LINES IN ECONOMICS AND MARX'S MODEL OF EMERGENCE OF CAPITALISM

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1. Introduction

K. Marx's two models - external and internal - of emergence of capitalism correspond to two main research lines in economics - exchange and production line:

* internal way of emergence of capitalism corresponds to production research line;

* external way corresponds to exchange research line.

Philosophy of science offered following explanations of scientific progress:1)

(1) scientific revolutions as replacement of paradigmas;

(2) succesion of "scientific - explanatory programmes";

(3) "falsifiability" - theory is not verified as long as it is not refuted;

(4) research lines - clusters of theories belonging to same philosophy.

D. Papino defines research lines as following: "sequence of theories sharing certain thematic concepts and hypothesis, such that each theory can be located as a step on a given trajectory. Distinct lines of research may have a number of points in common. A Research line is distinct both from a Kuhnian paradigm and from Lakatosian research programme. The reason for this is that many different paradigmas could be located on the same line of research. On the other hand, any given line of research may connect different scientific research programmes with each other".2)

Two research lines exists in economics: "Economic knowledge is to be

associated with the concurrent development of two distinct lines of research, one dealing primarily with allocation and choice (exchange research line), the other dealing primarily with social organization, production and structural change (production research line).3)

Progressive research line is characterised with many discoveries concentrated around few central topics, while stagnating one are characterised by low density of discoveries.

Phisiocracy, Classical political economy and Marx's economy are examples of production research line, built upon following building blocks:

(1) social order;
(2) production;
(3) supply and
(4) value.

Marginalism and Neoclassical analysis are examples of exchange research line, built upon following building blocks:

(1) individual;
(2) consumption;
(3) demand and
(4) price.4)

Dichotomy (1) **plutology** - production research line and (2) **catallactics** - exchange research line characterize economic science: "Production of wealth, rather than exchange of existing goods and resources, is the distinctive feature of classical line of research and keeps it separate from catallactic. The essential novelty in the work of these economists was that instead of basing their economics on production and distribution, they based it on exchange".5)

Production researh line is macroeconomic, keynesian, pledge for egzo regulation. Exchange research line is microeconomic, pledge for endo regulation. J. Attali wrote: "For the first writes - theoreticians of egzo regulation, regulation is not possible without state, while the second group exclusively adopt market model, where crisis is outcome of market malfunctioning, differencies in the system, fault of mechanism".6)

F. Hayek wrote about the only two possible models of society: **Taxis** - purposefull society and **Cosmos** - society of spontainty. Democracy means market and vice versa, as Hayek's catalaxy derive its meaning from "barter" and "turn an enemy into friend".

Development of economics could be represented as division of two

theoretical research lines - production and exchange and two economic policies - state intervention - egzo regulation - and free-market - endo regulation. This intelectual milleu surrounded K. Marx.

2. Marx's two model of emergence of capitalism

K. Marx's model of emergence of capitalism encompass two different models, which could be separated according to initial forces, mechanisms and final outcomes. K. Marx's wrote: "The transition from feudal mode of production takes two forms. The producer becomes a merchant and capitalist, in contradiction to agricultural natural economy and the guild-encircled handicrafts of medieval town industry. This is the real revolutionary way. Or, the merchant takes possesion in a direct way of production. While this path serves historically as a mode of transition, nevertheless, it cannot do much for the overthrowing of the old mode of production, but rather preserves it and uses it as its premise".7)

Prime movers of development of capitalism are different in Western Europe and in Asia. In Europe development occurs along with the emergence of capitalism from the sphere of production, from "within", and this corresponds to the tradition of Classicists - production research line.

Asiatic Mode of Production is different model of emergence of capitalism from the sphere of exchange, impulses came from "outside" (trade) and this corresponds to exchange research line. Emergence of capitalism in Western Europe corresponds to production research line, while non-autonomous emergence of capitalism in Asia corresponds to exchange research line.

Internal (in K. Marx's terminology *primary*) path means that new - capitalist - modes of production subordinate production sphere, and this is real subsumption, while **external** (*secondary*) path means that emergence of capitalism doesn't occur due to autonomous factors, nor during very short transition from exchange towards production domination. K. Marx wrote: "On the one hand, circulation has not yet dominated over production, but rather, it is related to it as its premise. On the other, the process of production has not yet included circulation as its moment. In capitalist production, both is achieved".8)

Internal - West-European model dissolve the old mode of production, while the external - Asian model leads to lasting coexistence of old (Asiatic) and new (Capitalistic) modes of production. Trade and exchange, in Asia, in contradiction to Europe, are not strong enough to dissolve the old mode of production, which is the case put forward by Classical political economy and production research line. K. Marx wrote: "Usury has revolutionary influence in all precapitalist modes of production by only destroying and dissolving property relations, which present firm foundation of political system which also depends on their steadfast reproduction in the same form. In the Asiatic form, usury can last long time without provoking anything other but economic immobility. Only where and when there exist other conditions of capitalist mode of production, usury appears as one of the instruments of creation of mode of production".9)

Production sphere is in the very assence of Classical tradition of production research line, while the trade and exchange are in center of exchange research line. Exchange in Marx's writings is subordinate to production: "Usury and trade exploit a given mode of production, not creating it, remaining external to it. Usury tries directly to keep it as it is, in order to continually exploit it, it is conservative".10)

The "first", internal, model in Western Europe promoted transition from merchant to industrial capital, as merchant capital "externally" penetrateted into production. The "second", external, model of Asiatic mode of production, couldn't generate the process of capitalist development, as there is no accumulation of capital: Oriental state collected the surplus in the form of dual tax/rent. The emergence of commodity production is in the center of Marx's dual model of emergence of capitalism.

K. Marx wrote: "The exchange of goods begins (in Asiatic mode of production) where communities end, at points of their connection with other communities. But once when things become commodities in external life of the community, by reverse action they become commodities in its internal life, as well".11)

Internal model applied to Western Europe corresponds to production research line, while external model applied to Asia corresponds to exchange research line.

K. Marx's explanation of European transition and Asian stagnation could be fitted in this framework: production research line rest upon the significance of the process of production for generating surplus and eco-

nomic growth, enabling "transition" to the new forms of state and society, while "exchange" research line, by pointing out the significance of exchange explained its role in the process of reproduction of already existing economy, caused "non-transition" or stagnation.

Even during his lifetime Marx insisted upon this dual model of emergence of capitalism, and in letter to journal *Otecestvenie zapiski* wrote: "He (V. N. Danielson), by all means, transforms my outline of genesis of capitalism in Western Europe into philosophical and historical theory of universal development, fatally intrinsic to all nations, whatever their historical conditions might be, in order to arrive in the last instance to the economic formation which makes possible versatile development of man with the greatest rise of production forces".12)

He added: "Clearly, the events of prominent similarity, but that took place in different historical milliueus, brought about completely different outcomes".

3. Transition from feudalism to capitalism debate

Marx's dual model of emergence of capitalism was in the center of M. Dobb- P. Sweezy discussion on the origins of capitalism, which concentrated around Marx's dual model of transition to capitalism.13)

Rise of market, trade and exchange alone couldn't destroy according to M. Dobb: most important were factors stemming from the sphere of capitalist production (division of labour, rise of productivity, technological revolution). Dobb alligned himself to Marx's **internal model** which rested upon the production research line. P. Sweezy stressed the importance of external pressures from the sphere of trade and exchange, rise of commercial and usury capital, rise of towns, similar to Marx's external model of exchange research line.14)

Duality of explanation of emergence of capitalism in Dobb-Sweezy discussion could be summed up as follows:

INTERNAL MODEL	EXTERNAL MODEL
Production research line	Exchange research line
Internal prime-movers	External prime-movers
Impulses from the spher of production	Impulses from the sphere of exchange
Domination of old - feudal system	dominance of the new - capitalistic system

M. Dobb wrote: "The feudal mode of production has already reached an advanced stage before the capitalist mode of production developed, and this dissolution did not proceed in any close association with the growth of the new mode of production within the womb of the old one".15)

Along the production research line tradition M. Dobb wrote: "It couldn't be expected that the rise of exchange sharpened serfrom relations in order to secure forced labour necessary to till the soil for market purposes. Which new mode of production will follow the old one doesn't depend on exchange, but on the character of the old mode of production".16)

The cause of the decline of feudalism lays in its nonefficiency, being inadequate to the growing needs of the ruling classes; the pressure for extraction of surplus labour increased and led to the escaping of serfs from domains. Merchant and usurers "satisfied the needs of lords, princes and kings", as they weren't interested in production and acted as bloodsuckers and parasites. M. Dobb wrote: "Capitalism could not be seriously developed until feudalism decayed in a greater extent. If that decay was to be a historical lever. Then the development of capitalist production could not be the major means of this disruption".17)

P. Sweezy criticized Dobb's model along the other, "second" external model, based on excange research line. especially his definition of feudalism as serfdom, as an economy with a low techonological level, production for personal needs, extra-economic compulsion and natural production. P. Sweezy wrote: "The necessity of *natural production*, or lack of money transactions, or money circulation does not follow from this definition".18) Serfdom does not determine the feudalism, as it existed also in other modes of production. Sweezy summed up his critique: "Let us summarize the criticism of Dobb's theory of decline of feudalism. Since he failed to analyze the laws and lines of development of West-European feudalism, he falsely considered some historical development as immanent

to feudalism, while in fact their appearence may be explained only as a consequence of causes being external to the system".19)

I. Wallerstein concluded that P. Sweezy and A. G. Frank better understood K. Marx than M. Dobb and E. Laclau.20)

Feudalism- Capitalism debate could be summed up as follows.

M. Dobb	P. Sweezy
IMPULSES	
Production	Exchange
MODEL	+
"First"-nternal	"Second"-external
RESEARCH LINE	
Production	Exchange
SEQUENCE	
"Producer becomes merchant"	"Merchant masters production"
VALIDITY	
Western Europe	Asia/non-European regions
NATURE OF TRANSITION	
Democratic	Autocratic
RELATION TO FORMER MODEL	
in conflict to feudalism	articulation with pre-capitalias-tic modes of procuction

4. Recent contributions to feudalism - Capitalism debate

R. Hilton summarized Dobb-Sweezy discussion within the framework of three approaches- perspectives:

a) Property relations perspective (M. Dobb, K. Marx);

b) Exchange relations perspective (P. Sweezy, I. Wallerstein);

c) Eclecticism (P. Anderson).21)

Marx's model is movement from (1) Smithian external model, based on trade towards (2) Marxian model based on production. Marx's **Ger-**

man Ideology is an example of the first approach, while the **Capital** and **Grundrisse** are examples of the second one. This duality can be put, more broadly, in the framework of *generic approach*, close to exchange research line, which points toward the significance of trade, towns, barter, preferencies of individuals, while *genetic approach*, more close to the production research line points towards the significance of original modes of production and historical conjectures.

Instead of complexity of explanation of emergence of capitalism in Marx, his work reveal ambivalence, concludes R.Hilton.

Marx's "two ways to capitalism" confirms evolution from Smithian *exchange relations perspective* towards Marxian property *relations perspective*, and that this manifests a change in the subject of analysis in Marx's work: in **German Ideology** greatest significance is attributed to expansion of world market, while in **Capital** analysis is directed mostly towards expropriation of rural population, merger of merchant and industrial capital, and development of labour force as a commodity. Passage where K. Marx wrote about two ways to capitalism R. Hilton explains by ambivalence and inconsistence of hist theory. R. Hilton wrote: "Marx's ambivalence can also be illustrated with respect to the much quoted passage from Volume Three of **Capital** where Marx speaks of *two ways from feudalism to capitalism*:(a) the producer becomes merchant and capitalist...the really revolutionising path; (b) the merchant becomes industrialist. In the first case, analytical attention is directed to the pre-conditions which would allow producers (industrial or agrarian) to become capitalist; e. g., the growth of a propertyless 'wage-labour' force".

Discussion on transition from feudalism to capitalism between M. Dobb - the most prominent adherent of *perspective of property relations* and P. Sweezy - representative of *exchange relations perspective* shows that viable solution is to apply the "first"/internal way of development of industrial capital and emergence of capitalism "within" to Western Europe, and the "second"/external way of reproduction of merchant capital and non-transition to capitalism to Asia.

K. Marx's explanation of emergence of capitalism encompass primacy of production forces, economic and extra-economic compulsion, articulation of modes of production, of natural and commodity production, and at least *two ways of development* (one European based on transition from feudalism to capitalism, and the other, Asiatic, based on the Asiatic mode

of production). This might be the reason why R. Hilton concludes: "At first sight Marx's shift from 'productive force determinism' as an explanation of transition from feudalism to capitalism seems to be in conflict with many important economic and social trends observable in the period from around 1450 to 1700. These include the discovery of the Americas, the international expansion of European trade, and the development of inventions such as the printing press, the compass, the clock and improved fire-arms".22)

If we neglect the model of the Asiatic mode of production, which in all important aspects should be distinguished from the model of European capitalism, and also if we want strictly to define Marx's theory of economy either as *exchange relations perspective or property relations perspective*, we might conclude that there exist ambivalence and inconsistency. But, from Marx's theory of modes of production and conclusions from Dobb-Sweezy discussion we might draw different conclusions.

R. Gottlieb explains Marx's dual model of emergence of capitalism in the framework of distinction of hard and soft theory of transition: the "hard" one relates to the primacy of economic instance and the "soft" one widens the causes and includes non-economic factors, such as state, religion, ideology: in the first instance the model leads towards dissolution of feudalism with the impulses coming from the sphere of production, while the other set on no-economic factors contributes to the reproduction of system, as is stated in "exchange" research line.23)

Our analysis of Marx dual mode of emergence of capitalism and its comparison with two research lines reveals that Marx's theory of revolution-evolution could only be fruitfully interpreted within the context of previous social and economic thought. Marx's "synchronic" approach towards capitalism (reproduction along exchange research line, second model of non-transition, external one), as stated French structuralists , and "diachronic" one (transition to new mode of production, production research line, first model of transition, internal one), points out to the significance of the connection between previous economic thought and Marx's theory.24)

Revolution and evolution in Marx's analysis of capitalism are interwoven, which is wholly continuation and in accordance with two main research line in Economics - production and exchange research lines.

Abstract

MIOMIR JAKSIĆ : *Research Lines in Economics and Marx's Model of Emergence of Capitalism*

In this work a comparison is made between two research lines - "production" and "exchange" and Marx's model of emergence of capitalism. Production reseach line corresponds to Marx's "internal" model (social order, production, supply and value) while exchange research lines corresponds to "external" model (individual, consumption, demand and price). European capitalism is example of "internal", while Asiatic mode of production, is example of "external" model within Marx's theory.

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Η ΠΕΙΡΑΤΕΙΑ ΚΑΙ ΟΙ ΕΠΙΠΤΩΣΕΙΣ ΤΗΣ ΣΤΟΥΣ ΝΗΣΙΩΤΙΚΟΥΣ ΠΛΗΘΥΣΜΟΥΣ ΤΟΥ ΑΙΓΑΙΟΥ ΚΑΤΑ ΤΟΝ 17ο ΑΙΩΝΑ

ΧΑΡΑΛΑΜΠΟΣ ΓΚΟΥΣΙΟΣ

Πανεπιστήμιον Πειραιώς

1. Πειρατές και κουρσάροι στο Αρχιπέλαγος

1.1 Ένα ενδημικό φαινόμενο

Η Μεσόγειος, ιδιαίτερα το ανατολικό της τμήμα αποτελούσε ήδη, από τα αρχαία χρόνια, πεδίο δράσης των πειρατών. Παράλληλα, είναι γνωστό ότι η πειρατεία είναι συνδεδεμένη και με τις πολιτικοοικονομικές συνθήκες. Κατ' αυτό τον τρόπο, η παρακμή των ναυτικών χωρών της περιοχής όχι μόνο έδωσε πρόσφορο έδαφος για την ανάπτυξη της πειρατείας, αλλά κυρίως επιτάχυνε και σε ωρισμένες περιπτώσεις συντέλεσε για την παρακμή τους.

Η παρακμή του θαλάσσιου εμπόριου του Βυζαντίου -μαζί με τους άλλους λόγους- ήταν και η πειρατεία. Ο σημαντικότερος ίσως γεωγράφος-περιηγητής του 15ου αιώνα, ο ιταλός Buodelmonti, ο οποίος ταξίδευσε επί τέσσερα χρόνια στο ελληνικό αρχιπέλαγος, σημείωσε με μελανά χρώματα την εξάπλωση της πειρατείας λίγες δεκαετίες πριν από την άλωση της Πόλης, καθώς και τα δεινά των κατοίκων πολλών νησιών.(1)

Επομένως, το ότι η ιστορία της τουρκικής κατοχής στην Ελλάδα είναι γεμάτη με τη δράση των κάθε λογής και εθνικότητας πειρατών αποτελεί τη συνέχεια μιας κατάστασης η οποία είχε παγιωθεί και που η

Οθωμανική αυτοκρατορία, ακόμα και κατά την περίοδο της ακμής της, δεν μπόρεσε να ξεριζώσει.

Αντίθετα μάλιστα, οι Τούρκοι στην προσπάθειά τους να επικρατήσουν, σε ένα χώρο όπου η ναυτική τέχνη αποτελούσε αποφασιστικό παράγοντα, προσεταιρίστηκαν τους πειρατές των παραλίων της Β. Αφρικής. Τουλάχιστο μέχρι το τελευταίο τέταρτο του 17ου αιώνα, τα ομόθρησκα αλγερινά πειρατικά αποτελούσαν την ραχοκοκαλιά του τουρκικού στόλου. Σε τέτοιο σημείο, που ο περίφημος αρχιπειρατής Βαρβαρόσας ανακηρύχθηκε βασιλιάς του Αλγερίου, αλλά και ηγέτης του οθωμανικού στόλου στα μισά του 16ου αιώνα.(2)

Όπως ήταν φυσικό, αυτή η κατάσταση δεν θα μπορούσε να μείνει αναπάντητη από τις Μεγάλες Δυνάμεις της Δύσης, από τους Βενετούς κυρίως αλλά και τους Γάλλους, που τα συμφέροντά, τους γεωπολιτικά, εμπορικά και στρατιωτικά, άρχισαν να διακυβεύονται. Κατ' αυτό τον τρόπο στην αυγή του 17ου αιώνα το Αρχιπέλαγος μαστίζεται από Μουσουλμάνους αλλά και Λατίνους, ακόμα και λίγους Έλληνες πειρατές, οι οποίοι δρούσαν -όπως θα διαπιστώσουμε- άλλοτε ανεξέλεκτα και άλλοτε όμως και στην υπηρεσία των αντιμαχομένων.

Αυτή η κατάσταση προκάλεσε άμεσες ή έμμεσες εξελίξεις σε πολλούς τομείς, συνδεδεμένους με τη στρατιωτική, πολιτική, κοινωνική και κατ' επέκταση δημοκραφική κατάσταση η οποία επικρατούσε από τις αρχές του 17ου αιώνα στο Αιγαίο πέλαγος. Ιδιαίτερα θα μας απασχολήσουν οι δημογραφικές εξελίξεις που τη σημασία και τις επιπτώσεις τους θα επιχειρήσουμε να καταδείξουμε στην παρούσα διερευνητική μας προσπάθεια.

1.2 Οι Μαρτυρίες

Στην προσπάθεια μας να φωτίσουμε απ' όλες τις πλευρές τις ιδιαίτερες δημογραφικές συνθήκες οι οποίες δημιουργήθηκαν στο ελληνικό Αρχιπέλαγος κατά τον 17ο αιώνα, θεωρούμε ότι οι ξένοι ταξιδιώτες οι οποίοι επισκέφθηκαν την περιοχή, ή και ευρύτερα την Τουρκία, αποτελούν την πιο αξιόπιστη πηγή πληροφοριών.

Η περιηγητική και εμπορική δραστηριότητά τους τους καθιστά καλύτερους αυτόπτες μάρτυρες της πειρατικής μάστιγας. Ακόμα περισσότερο, η διπλωματική ή η ιεραποστολική ιδιότητα τους εφοδιάζει με πιο εξειδικευμένες γνώσεις σχετικά με την πολιτική των ισχυρών χω-

ρών εκείνης της εποχής έναντι της πειρατείας. Κάποτε μάλιστα, αποτελούσαν τους εντολοδόχους, άλλοτε πάλι τους μεσάζοντες στις σχέσεις των κυβερνήσεών τους με τους πειρατές. Μία από τις σπουδαιότερες περιηγητικές φυσιογνωμίες του 17ου αιώνα, ο Γάλλος Pitton de Tournefort, αναφέρει ότι στην νήσο Ιο ο συμπατριώτης του πειρατής De Cintray απολάμβανε τη φιλοξενία που του πρόσφερε ο πρόξενος της χώρας του, και που μάλιστα του παρέθεσε και πρόγευμα.(3)

Η βαρύτητα των περιηγητικών έργων και των διπλωματικών ή ιεραποστολικών αναφορών αποδεικνύεται και από το γεγονός ότι και οι ίδιοι οι συντάκτες τους έπεφταν συχνά θύματα της πειρατικής λαίλαπας. Σπανίως, άλλωστε, διαβάζουμε έργο στο οποίο να μην αναφέρεται πολλές φορές σαυτή τη μάστιγα.

Ο Άγγλος Roberts συλλαμβάνεται από Αφρικανούς πειρατές και μένει σκλάβος τους για τέσσερα χρόνια(4). Ένας άλλος με τρόμο αναφέρει ότι «οι πειρατές δεν αρκούνται στο να αφαιρέσουν τα χρήματα ή οτιδήποτε πολύτιμο έχει πάνω σου αλλά αφού σε ρίξουν σε ένα σακί σε πετάνε στο βυθό της θάλασσας"(5). Κάποιοι άλλοι έτρεφαν την ψευδαίσθηση ότι η διπλωματική τους ιδιότητα θα τους προστάτευε, τουλάχιστον από τους ομοεθνείς κουρσάρους, οι οποίοι όμως "αποδεικνύονται χειρότεροι και από τους βαρβάρους"(6).

Γενικά η ναυσιπλοΐα στο Αιγαίο ήταν τόσο επικίνδυνη που ο πρέσβης της Γαλλίας στην Κων/πολη Louis Deshayes απέτρεπε τους μελλοντικούς ταξιδιώτες να χρησιμοποιούν την θαλάσσια οδό, αν και ήταν πιο σύντομη και φτηνή(7). Προτροπή η οποία δεν εισακούσθηκε βέβαια μια και ο χερσαίος δρόμος πρόσβασης στη περιοχή δεν εστερείτο προβλημάτων, αφού και η ληστεία σημείωνε ιδιαίτερη άνθηση, σε σημείο μάλιστα που ο Άγγλος περιηγητής W. Lithgow μνημονεύει ότι "οι ληστές είναι τόσο καλά οργανωμένοι που τον εφοδίασαν με μία συστατική επιστολή για να αποφεύγει την ταλαιπωρία από άλλες συμμορίες"!(8)

1.3 Στα λημέρια των πειρατών

Ο Άγγλος περιηγητής Randolph αναφέρει τη νήσο Μήλο σαν τον μεγαλύτερο κουρσαρότοπο όλων των ελληνικών θαλασσών, όπου "συγκεντρώνονται όλοι οι Χριστιανοί πειρατές"(9). Από την πλευρά του ο Frieseman ονομάζει την Ιο "Μικρή Μάλτα" επειδή είχαν τα λημέρια

τους οι Μαλτέζει πειρατές(10). Συμπληρωματικά στοιχεία μας δίνει και ο Λατίνος Επίσκοπος Sebastiani, ο οποίος περιόδευε στο Αιγαίο σύμφωνα με τα οποία οι πειρατές παραχείμαζαν στην Πάρο και την Αντίπαρο (11), Ακόμα τη σχετική πληροφορία του Sauger για την Αστυπάλαια(12), καθώς και τις αναφορές του Thevenot για τη Κίμωλο (13), όπου φαίνεται ότι αυτά τα νησιά αποτελούσαν τις βάσεις των ευρωπαίων πειρατών. Υπάρχουν όμως και περιπτώσεις μονίμου εγκατάστασής τους όπως στη Μύκονο, "επειδή το μπουγάζι παρέχει άφθονη λεία"(14).

Η επιλογή αυτή ασφαλώς δεν ήταν καθόλου τυχαία, μια και από την ευρύτερη θαλάσσια περιοχή που περικλείουν αυτά τα νησιά περνούσε ο θαλάσσιος δρόμος ο οποίος οδηγούσε προς και από τις αγορές της Ανατολής. Γιατί, όταν οι πειρατές δεν μεταβάλλονταν ανάλογα με την περίσταση σε κουρσάρους στον πόλεμο κατά της Υψηλής Πύλης, η βασική τους απασχόληση ήταν το εμπόριο. Η μέθοδος μόνο ήταν λίγο αναορθόδοξη, από τη στιγμή που λήστευαν τα πλοία που περνούσαν από τα λημέρια τους ή από τις ενέδρες στα Κύθηρα, στους Φούρνους ή την Ικαρία, και στη συνέχεια εμπορεύονταν τα κλοπιμαία με τους κατοίκους των νησιών, Έλληνες και Λατίνους.

Σύμφωνα με τον J.B. Tavernier, στη Σίφνο και στη Μύκονο το εμπόριο διεξάγεται αποκλειστικά από τους πειρατές και "οι πρόξενοι της Γαλλίας ασχολούνται σχεδόν αποκλειστικά με την αγορά της λείας" (15). Η τελευταία πρόταση ενισχύει αναντίρρητα την άποψη της ύπαρξης στενών δεσμών των πειρατών με τις Μεγάλες Δυνάμεις, πέρα από την στρατιωτική στήριξη. Ο ίδιος περιηγητής επαναλαμβάνει την ίδια άποψη και για την Κέα, όπου τα εμπορεύσιμα φορτία των μοναδικών σκαφών που έφταναν στο νησί αποτελούνταν από τις λείες των κουρσάρων. Από την πλευρά του ο Thevenot διευκρινίζει ότι στη Μήλο γινόταν η εκποίηση των λαφύρων των πειρατών, ενώ ο Radndolph υποστηρίζει ότι οι κάτοικοι της Σαντορίνης αγόραζαν τα προϊόντα της πειρατείας και τα μεταπωλούσαν στη Σμύρνη.(16)

Επομένως, χωρίς να παραγνωρίζονται καθόλου οι αρνητικότατες επιπτώσεις τις οποίες προκαλούσε η δράση της πειρατείας στο ελληνικό στοιχείο, και τις οποίες θα εξετάσουμε στη συνέχεια, αυτό το παράνομο εμπόριο ήταν διπλά επωφελές για τους Έλληνες. Γιατί από τη μια πλευρά υπονόμευε την Οθωμανική αυτοκρατορία -μια και της στερούσε απαραίτητους για την επιβίωσή της πόρους-, και από την άλλη έδινε στους κατοίκους την ευκαιρία να αποκτήσουν χρήσιμες εμπορικές-επι-

χειρηματικές εμπειρίες. Στη Μύκονο οι κάτοικοι, εξηγεί ο Tournefort, είναι οι πιο έμπειροι ναυτικοί του Αιγαίου και όλες οι οικογένειες ζουν από το εμπόριο(17).

Αντίθετα με την παρουσία και τη δράση των Χριστιανών, οι Μουσουλμάνοι πειρατές δεν φαίνεται να είχαν κατά τον 17ο αιώνα ούτε μόνιμες εγκαταστάσεις ή καταφύγια, ούτε τόσο έντονη δραστηριότητα, τουλάχιστο συγκρινόμενη με το παρελθόν. Βέβαια οι Αλγερινοί πειρατές συνέχιζαν να μπαίνουν στην υπηρεσία των Οθωμανών, κυρίως έως το τελευταίο τέταρτο του αιώνα, όπως επίσης αναφέρονται επιδρομές και λεηλασίες, σε σαφώς μικρότερο όμως αριθμό, τόσο συγκριτικά με προηγούμενους αιώνες όσο και αναλογικά με την αντίστοιχη δράση των Χριστιανών πειρατών.

Θεωρούμε ότι αυτό το γεγονός οφειλόταν στις καινούργιες πολιτικοοικονομικές συνθήκες που επικρατούσαν στο Αρχιπέλαγος, αλλά και σε ευρωπαϊκό επίπεδο, από την αυγή του 17ου αιώνα.

Πρώτα απ' όλα, οι δηομολογήσεις τις οποίες συνήψε ο Ερρίκος Δ' με τον Σουλτάνο έδωσαν στους Γαλλους πρωτεύοντα ρόλο στην περιοχή, ενώ η έντονη διπλωματική και ιεραποστολική δραστηριότητα μετατράπηκε γρήγορα και σε στρατιωτική, κυρίως μέσω των Φράγκων πειρατών, οι οποίοι αμφισβήτησαν έντονα την παντοδυναμία των Βορειοαφρικανών. Γενικά η δράση των τελευταίων ήταν αντιστρόφως ανάλογη προς την παρουσία των Χριστιανών πειρατών-κουρσάρων για της οποίας το μέγεθος ήδη μιλήσαμε.

Αλλά και οι εντεινόμενοι εμπορικοί ανταγωνισμοί ανάμεσα στις ευρωπαϊκές ναυτικές δυνάμεις, καθώς και η προσπάθεια δημιουργία σφαιρών επιρροής στην Οθωμανική αυτοκατορία, προσέλκυαν και άλλους στόλους στην ανατολική Μεσόγειο. Η παρουσία τους όμως, σε συνδυασμό με την δημιουργία νηοπομπών, ολλανδικών και αγγλικών, για την προστασία των πλοίων αποδυνάμωσε ακόμα περισσότερο την ισχύ των μουσουλμάνων πειρατών.

Ένας άλλος σημαντικός λόγος υπήρξε το γεγονός ότι οι απώλειες του τουρκικού στόλου, αποτελούμενου βασικά από κουρσάρικα αλγερινά, κατά τη διάρκεια των δύο βενετοτουρκικών πολέμων ήταν τέτοιας έκτασης, ώστε η Υψηλή Πύλη έστρεψε το βάρος της στη δημιουργία ενός οθωμανικού μονίμου πολεμικού ναυτικού.(18)

Και, η δραστική ελάττωση του ζωτικού τους χώρου, αλλά και η παράλληλη μετατόπιση του εμπορικού κέντρου βάρους έξω από την Με-

σόγειο, λόγω της εκμετάλλευσης καινούργιων θαλάσσιων δρόμων, έστρεψε την προσοχή της βορειοαφρικανικής πειρατείας προς την περιοχή του Ατλαντικού.(19)

Θα επιθυμούσαμε να μνημονεύσουμε εδώ και την παρουσία των Ελλήνων πειρατών κυρίως των Μανιατών, των οποίων η δράση έχει ιδιαίτερη ιστορική σημασία κατά τον 18ο αιώνα. Ο André Guillet μάλιστα ονομάζει το Οίτυλο "Μικρό Αλγέρι" (20) εξ' αιτίας της δράσης των Μανιατών που οι επιθέσεις τους περιορίζονταν στο ανάμεσα στη Λακωνική χερσόνησο και τα Κύθηρα στενό πέρασμα.

2. Η δημογραφική αιμορραγία του τουρκικού στοιχείου

2.1 Η περίπτωση της Άνδρου

Ο Γάλλος περιηγητής Thevenot επισκέφθηκε τα Κύθηρα στα 1655 και αναφέρει ότι από τους 6000 περίπου κατοίκους "υπάρχουν πολλές τουρκικές οικογένειες οι οποίες καταδυναστεύουν τους Έλληνες και Λατίνους" (21).

Κατά το τελευταίο τέταρτο του 17ου αιώνα όμως και ιδιαίτερα κατά την διάρκεια και μετά τους Βενετοτουρκικούς πολέμους η πληθυσμιακή μείωση ήταν κάτι περισσότερο από δραματική, αφού στο νησί δεν απέμειναν παρά ελάχιστες οικογένειες και αυτές απομονωμένες στην ενδοχώρα (22). Ο Άγγλος πρόξενος στην Κων/πολη P. Rycaut, ο οποίος γραψε ένα μνημειώδες έργο για τις συνθήκες που επικρατούσαν στην Οθωμανική αυτοκρατορία, αναφέρει ότι οι συμφορές των Τούρκων ιδιαίτερα κατοίκων από τους Φράγκους κουρσάρους στην υπηρεσία της Γαληνοτάτης έλαβαν τέτοια έκταση ώστε, προς στιγμήν, η Υψηλή Πύλη σκέφτηκε να μεταφέρει τους εναπομείναντες σε ασφαλέστερο μέρος. (23)

Παράλληλα, Βενετοί από την βενετοκρατούμενη Τήνο αλλά και Τήνιοι πειρατές λεηλατούσαν τα υπάρχοντα των Τούρκων στο νησί με σκοπό να καταστήσουν ανίσχυρη την τουρκική παρουσία και κατ' επέκταση εξουσία. Η έλευση του Γάλλου Αρχιπειρατή Crevelier στα 1670, όπως άλλωστε επισημαίνει ο Paul Lucas, ολοκλήρωσε απλά το έργο της δημογραφικής συρρίκνωσης. Έτσι "οι περισσότερες τουρκικές οικογένειες που ζούσαν στο νησί πωλούσαν τα υπάρχοντά τους και έφευγαν". (24)

2.2 Η περίπτωση της Αίγινας. Γενίκευση του φαινόμενου.

Ο Γάλλος Jean Giraud, πρόξενος της Αγγλίας στην Αθήνα, δημοσίευσε ένα πολύτιμο έργο, καρπό των περιηγητικών του παρατηρήσεων αλλά και των αναφορών των συμπατριωτών του Καπουκίνων μοναχών, οι οποίοι είχαν ιδρύσει μοναστήρι στην Αθήνα. Ήδη το 1654 Βενετοί κουρσάροι συνέλαβαν στην Αίγινα 60 Τούρκους και τους χρησιμοποίησαν σαν σκλάβους-κωπηλάτες στα πειρατικά κάτεργα αλλά και στα πλοία της Γαληνότατης. Αυτή η δημογραφική αιμορραγία του τουρκικού στοιχείου στο νησί σύντομα ολοκληρώθηκε, αφού από τις 80 οικογένειες οι οποίες ζούσαν σ' αυτό δεν είχε καταφέρει να επιβιώσει καμιά λίγα χρόνια αργότερα (1672). Ο Jean Giraud μάλιστα σκιαγραφεί και το φρικτό τέλος τους αφού "όλα τα σπίτια των Τούρκων κατάντησαν να είναι ερειπωμένα".(25)

Ο P. Belon, η μεγαλύτερη αναμφίβολα περιηγητική φυσιογνωμία του 16ου αιώνα, σημειώνει την ύπαρξη τουρκικών οικογενειών στο νησί της Πάτμου, όπου μάλιστα ο Καδής παρενέβενε και σε θρησκευτικές προστριβές τους με τους Έλληνες. Η έντονη παρουσία των χριστιανών πειρατών στην περιοχή και οι αφόρητες γι' αυτούς συνθήκες που επικρατούσαν καθιστούσαν την επιβίωσή τους αδύνατη: Ο Stochove παρατηρεί στα 1633 ότι "όχι μόνο δε κατοικεί κανένας Τούρκος στο νησί, αλλά δεν υπάρχει ούτε Καδής και αν εμφανιστεί του δίνουν 30-40 ρεάλια και φεύγει για 6 μήνες" (26).

Αυτή ακριβώς η τελευταία διαπίστωση του περιηγητή μας οδηγεί στην εξέταση του εν γένει περιορισμού οποιασδήποτε εκδήλωσης της οθωμανικής κυριαρχίας.

Πέρα, αλλά και μέσα από τον αποδεκατισμό του τουρκικού πληθυσμού, πολύ σύντομα, οι πειρατές υλοποιούν και τον πολιτικό στόχο της αποδυνάμωσης της οθωμανικής εξουσίας: ενώ ακόμα μέχρι το 1672 ο Τούρκος βοεβόδας ερχόταν στην Αίγινα για να εισπράξει τους φόρους. 'Ενα χρόνο όμως αργότερα δηλαδή το 1673 ο Crevelier ηγούμενος ενός πειρατικού στόλου 10 πλοίων (!), αποβιβάσθηκε στο νησί και είσπραξε τους φόρους. Την ίδια χρονιά ο Τούρκος Καδής που τόλμησε να πατήσει το πόδι του στην Αίγινα βρέθηκε σκλάβος στην ναυαρχίδα του αρχιπειρατή. (27)

Αυτή η αδυναμία της Υψηλής Πύλης να ελέγξει την εις βάρος της κατάσταση που είχε δημιουργήσει η δράση των πειρατών, είχε μία σο-

βαρώτατη συνέπεια, εφ' όσον η διοίκηση των περισσοτέρων νησιών περνούσε στα χέρια τοπικών αρχόντων, Ελλήνων, με τις γνωστές πολιτικο-κοινωνικές επιπτώσεις.

Στην Αίγινα, η τοπική αυτοδιοίκηση συνεχίσθηκε απρόσκοπτα σε σημείο που ο Γάλλος ηγούμενος Fourmont υπολογίζει ότι στα 1729 ζούσαν στο νησί 4000 Έλληνες και "ένας συμπατριώτης τους έχει πάρει το χρίσμα του βοεβόδα για να εισπράττει τους φόρους" (28)

Στην Άνδρο ο Γάλλος μισσιονάριος Sauger επιβεβαιώνει ότι ο φόβος της χριστιανικής πειρατείας αποτρέπει σιγά-σιγά κάθε ιδέα διοικητικής έστω παρουσίας των Τούρκων στο νησί, σε σημείο που στα 1680 "οι Έλληνες πρόκριτοι είναι οι ουσιαστικοί κυρίαρχοι του νησιού (29)." Στη Σύρο, όπου δεν υπήρχε κανένας Τούρκος, ο Καδής στην ολιγόχρονη παρουσία του στο νησί "προσέφευγε στους καπουκίνους μοναχούς, όταν παρουσιάζονταν Φράγκοι πειρατές στα συριανά νερά" (30)

Ο πατέρας Richard, σε αποστολή στα νησιά των Κυκλάδων για την ενθάρρυνση της δράσης της Καθολικής Εκκλησίας, υπογραμμίζει ότι λίγο μετά το πρώτο μισό του 17ου αιώνος ότι οι "Βενετοί έχουν αιχμαλωτίσει όλους τους Τούρκους και δεν επιτρέπουν καμιά εγκατάσταση". Έτσι ενώ παλαιότερα ο Καδής ερχόταν κάθε δύο χρόνια στην Σαντορίνη, "είχε παύσει να έρχεται ώστε τελικά οι γέροντες είχαν την διακυβέρνηση του νησιού". (31)

Κατά τη διάρκεια του Α' Βενετοτουρκικού πολέμου οι Βενετοί πειρατές συνέλαβαν 600 Αιγινίτες, οι οποίοι κατέληξαν στα πειρατικά κάτεργα και στα πλοία της Γαληνότατης. Πριν από την κατάληψη της Κρήτης και πιο συγκεκριμένα στα 1668, οι Χριστιανοί κουρσάροι, αφού λεηλάτησαν το νησί πήραν 600 Έλληνες για κωπηλάτες στις γαλέρες.

Λίγο αργότερα το δράμα των κατοίκων ολοκληρώνεται: Αλγερινοί πειρατές οδήγησαν 300 Αιγινίτες στα κάτεργα του Καπουδάν πασά στην βενετοκρατούμενη ακόμα Κρήτη. Έτσι από τους 5000 κατοίκους που αριθμούσε το νησί της Αίγινας, ο Jean Giraud υπολογίζει να απέμειναν το πολύ 3000 κατά τα 3/4 γυναίκες και παιδιά (32). Αυτό βέβαια ήταν απόλυτα φυσιολογικό, αν αναλογιστεί κανείς τις απώλειες των εμπολέμων μπροστά στο λιμάνι του Χάνδακα.

Ακόμα όμως και μετά το τέλος των εχθροπραξιών τα δεινά των Αιγινητών συνεχίστηκαν, εφ' όσον η πειρατεία, είτε με τη μορφή της χριστιανικής κούρσας η οποία στόχευε στην οικονομική αποδυνάμωση

των Οθωμανών, είτε με τη μορφή της χριστιανικής πειρατείας η οποία δρούσε ανεξέλεκτα έπληξε ανεπανόρθωτα τους κατοίκους του νησιού: Ο Giraud αναφέρει ότι τα περισσότερα πλοία των Αιγινητών βρίσκονται στα χέρια των χριστιανών πειρατών, αλλά και τα "ελάχιστα που απέμειναν δεν έκαναν εμπόριο γιατί ο φόβος είναι μεγάλος"(33). Οι κάτοικοι περιήλθαν σε οδυνηρή θέση από τη στιγμή μάλιστα που οι πειρατές κατέστρεψαν το μεγαλύτερο μέρος των αμπελώνων του νησιού. Γι' αυτό "οι Αιγινίτες αναγκάστηκαν να πουλάνε τα υπάρχοντά τους μόνο και μόνο για να επιβιώσουν" (34). Ο Άγγλος περιηγητής του 18ου αιώνα John Sandwich μας πληροφορεί ότι στο νησί δεν υπάρχουν παρά 300 σπίτια και αυτά σε ένα χωριό 4 μίλια από τη θάλασσα…(35)

3. Τα δεινά του ελληνικού πληθυσμού και σ' άλλες περιοχές

3.1 Στα σκλαβοπάζαρα της οθωμανικής αυτοκρατορίας

Πολλές φορές η αιχμαλωσία στα πειρατικά ή τα κουρσάρικα καράβια οδηγούσε στον θάνατο από τις φοβερές κακουχίες, την πείνα και την κακομεταχείριση: "όποιος κουραστεί και δεν μπορεί να κωπηλατήσει, τον μαστιγνώνουν μέχρι αναισθησίας και τον πετάνε στη θάλασσα". (36) Άλλες φορές πάλι οι αιχμάλωτοι κωπηλάτες μεταφέρονταν στα παζάρια της Τρίπολης, του Αλγερίου ή της Κων/πολης, όπου κατέληγαν και πολλοί Έλληνες νησιώτες αμέσως μετά την σύλληψη τους κατά τη διάρκεια των πειρατικών επιδρομών.

Το βιβλίο του Pierre Dan, ο οποίος επισκέφτηκε τα σκλαβοπάζαρα της Β. Αφρικής, αποτελεί μια σπουδαία μαρτυρία για τις συνθήκες που επικρατούσαν κατά τον 17ο αιώνα. Στο Αλγέρι μάλιστα συνάντησε χιλιάδες Χριστιανούς σκλάβους, από τους οποίους πολλές εκατοντάδες ήταν Έλληνες (37). Φαίνεται ότι ο αριθμός τους ήταν τόσο μεγάλος ώστε το Πατριαρχείο Αλεξανδρείας είχε οργανώσει αποστολές ιερέων, τόσο για συμπαράσταση όσο και για την εξαγορά τους. Για τον ίδιο σκοπό άλλωστε οι Κυκλαδίτες κατέβαλλαν το "τουρκοτέλι" δηλαδή μια εισφορά με σκοπό την επιστροφή κάποιων συμπατριτών τους.

Ο Βέλγος Stochove και ο Γαλλος Du Loir περιγράφουν με τη σειρά τους τον εξευτελισμό των αιχμαλώτων στο σκλαβοπάζαρο, το ονομαζό-

μενο μπεζεστένι, της Πόλης όπου "οι άνδρες προορίζονται για δούλοι σε τουρκικές οικογένειες, ενώ οι γυναίκες πωλούνται για να ικανοποιούν τις ορέξεις των κυριών τους".(38)

Από την πλευρά του ο πρεσβευτής Louis Deshayes βεβαιώνει ότι "τα χαρέμια του Σουλτάνου εμπλουτίζονται από γυναίκες της Σίφνου και της Σερίφου" τις οποίες αιχμαλώτισαν πειρατές. (39)

Δεν είναι ασφαλώς τυχαίο το γεγονός ότι η λαογραφική μας παράδοση είναι ιδιαίτερα πλούσια σε δημοτικά τραγούδια, ποιήματα και άλλο υλικό τα οποία εκφράζουν τα δεινά τα οποία υπέστη ο χειμαζόμενος ελληνισμός από την εξάπλωση της πειρατείας. Μια από τις μεγαλύτερες κατάρες ήταν να "γίνεις σκλάβος στην Μπαρμπαριά". (40)

3.2 Συμμαχίες και εκδικήσεις

Οι Έλληνες των νησιωτικών περιοχών μπροστά στα αδιέξοδα τα οποία είχαν δημιουργήσει οι πειρατικές επιδρομές προσπάθησαν να προφυλαχθούν. Ο ρόλος μάλιστα των βιγλατόρων ήταν σημαντικός μια και από τη βίγλα έβλεπαν μακριά στο πέλαγος και στην εμφάνιση πειρατών ειδοποιούσαν για τον κίνδυνο που πλησίαζε. Στη Σαντορίνη μάλιστα ο πατέρας Richard αναφέρει την ύπαρξη μιας τεράστιας καμπάνας: "όταν κτυπούσε, οι κάτοικοι έτρεχαν να κρυφτούν" για να σώσουν τη ζωή τους ή να διαφυλάξουν την ελευθερία τους (41).

Ο Thevenot παρατηρεί ότι στο λιμάνι της Πάτμου δεν μένει κανείς τη νύχτα από το φόβο των πειρατών και "όλοι καταφεύγουν στα βουνά για να σωθούν "ακόμα και αν το πλοίο δεν είναι πειρατικό"!… (42)

Οι περιορισμένες όμως δυνατότητες διαφυγής ή απόκρυψης, καθώς και η αδυναμία του Σουλτάνου να τους ανακουφίσει από αυτή τη λαίλαπα, ανάγκαζαν τους νησιώτες να προσφεύγουν σε αναζήτηση άλλων λύσεων. Μια από αυτές αφορούσε την συνθηκολόγηση με τον ισχυρότερο, δηλαδή τους πειρατές. Το επιβεβαιώνει ο Άγγλος Randolph στην περίπτωση της Σκύρου, όπου οι κάτοικοι αναγκάσθηκαν να συνθηκολογήσουν με τους πειρατές "οι οποίοι τους απειλούσαν ότι θα τους εξανδραποδίσουν και ότι θα καταστρέψουν τα αμπέλια τους" (43). Εξυπακούεται ότι οι Σκυριανοί ήταν αναγκασμένοι να πληρώνουν διπλό φόρο, και στους Τούρκους και στους πειρατές (44).

Τα γεγονότα στην Άνδρο ηταν ακόμα πιο χαρακτηριστικά μια και οι κάτοικοι παρακαλούσαν τους δυνάστες τους να καταλάβουν την Τήνο

για να απαλλαγούν από τους πειρατές. Ανδριώτες προύχοντες συνάπτουν μάλιστα σχέσεις με τους πειρατές με τον προφανή σκοπό να τους εξευμενίσουν. Αυτή όμως η ενέργεια προκάλεσε την εκδίκηση των Τούρκων, αφού κάποτε ο Καπουδάν πασάς διέταξε τον απαγχονισμό ενός προύχοντα και τριών συνεργατών του.(45)

Στην Μύκονο, η συνεργασία με τον αρχιπειρατή Angelo Maria προσέλαβε δραματικές διαστάσεις, αφού ο Καπουδάν πασάς με την συνοδεία πειρατικών πλοίων λεηλάτησε το νησί επί τρείς ημέρες και εξανδραπόδισε πολλούς κατοίκους. "Αμέσως όμως μετά την αναχώρηση του, διηγείται ο Rondolph, ο πειρατής επέστρεψε…"(46)

Μια άλλη διέξοδος η οποία αναζητήθηκε προέβλεπε την εγκατάσταση στο νησί καθολικών μοναχών, με την ελπίδα ότι θα περιοριστεί η δράση των Χριστιανών κουρσάρων. Έτσι οι Παριανοί προσκάλεσαν Καπουκίνους μοναχούς, οι ελπίδες τους όμως αποδείχθηκαν εντελώς αβάσιμες, από τη στιγμή κατά την οποία συνεχίζονταν οι πειρατικές βιαιότητες, ακόμα και σε "βάρος των Λατίνων κατοίκων".(47)

Σ' αυτό το σημείο θα εξεταστεί μια άλλη παράμετρος της Χριστιανικής πειρατείας με θρησκευτικές προεκτάσεις αυτή τη φορά. Οι μαρτυρίες των διαφόρων περιηγητών του 17ου αιώνα σαφώς αποδεικνύουν ότι οι πειρατές χρησιμοποιήθηκαν σε μεγάλη έκταση αφ' ενός μεν για την απρόσκοπτη εγκατάσταση των μοναχικών ταγμάτων στον κυκλαδικό κυρίως χώρο, αφ' ετέρου δε για τη στήριξη, πολλές φορές με βίαια μέσα, του έργου του προσηλυτισμού των Ορθοδόξων. Η επίτευξη αυτού του στόχου θα επέφερε ασφαλώς ιδιαίτερες δημογραφικές ανακατατάξεις. Αυτό άλλωστε αποτελούσε το κύριο μέλημα των μοναχών μια και το λατινικό ή το καθολικό στοιχείο έφθινε συνεχώς.

Πολλοί ξένοι περιηγητές, μεταξύ των οποίων ο γιατρός Jacob Spon, μνημονεύουν την οικειότητα των καθολικών ιερέων με τους ομόδοξους πειρατές (48). Στο ημερολόγιο μάλιστα των καπουκίνων της Νάξου, ο αρχιπειρατής Daniel προσφωνείται σαν ένας εξαίρετος συνεργάτης και φίλος των καθολικών μισιοναρίων.(49)

Αλλά και ο πρεσβευτής της Γαλλίας στην Κων/πολη ο μαρκήσιος Villeneuve σαφώς υπενθυμίζει τους σκοπούς της συνεργασίας των καθολικών ιερέων και των πειρατών ενάντια στους "σχισματικούς" Έλληνες, καταλήγοντας στο συμπέρασμα ότι οι Λατίνοι πειρατές είναι όργανα των ιεραποστόλων και κάνουν ότι μπορούν για να εξυψώσουν το γόητρο της Καθολικής Εκκλησίας.(50)

Η προσπάθεια όμως αυτή δε στέφτηκε με επιτυχία αντίθετα μάλιστα μια και σημειώθηκε προοδευτική δημογραφική μείωση του καθολικού στοιχείου. Έτσι ενώ στη Σαντορίνη η αναλογία ορθοδόξων-καθολικών ήταν 1:3, οι περιηγητές του 18ου αιώνα την ανεβάζουν σε 1:6 και ο Choiseul-Gouffier ομολογεί ότι οι μισιονάριοι απέτυχαν.(51)

Κλείνοντας το θέμα μου θα ήθελα να αναφερθώ σε μια συνολική θεώρησή του, καθώς και στις διαπιστώσεις που προκύπτουν από τη διερεύνησή του.

Στο Αιγαίο κατά τον 17ο αιώνα, ιδιαίτερα δε στο σύμπλεγμα των Κυκλάδων, επικρατεί ουσιαστικά μια τριπλή κατοχή, εφ' όσον εκτός από τους Τούρκους και τους Βενετούς δρουν και οι πειρατές, οι οποίοι επιβάλλουν τον νόμο τους. Στην περίπτωση μάλιστα κατά την οποία ο νόμος του ισχυρότερου τείνει να επικρατήσει τότε πρέπει μάλλον να χρησιμοποιήσουμε τον νεολογισμό "πειρατοκρατία".

Όσο υπερβολικός και αν φαίνεται αυτός ο όρος δικαιολογείται από το γεγονός ότι οι πειρατές κατ' αυτή την περίοδο εμπορεύτηκαν περισσότερο από όλους τους άλλους, είχαν τον πρώτο λόγο ουσιαστικά στις ναυτικές επιχειρήσεις, επέτυχαν τη δημογραφική σχεδόν εξάλειψη και την διοικητική αποδυνάμωση του τουρκικού στοιχίου, αλλά και έπληξαν όσο κανείς τον ελληνισμό. Το ότι η πειρατεία προξένησε πολλά δεινά στους Έλληνες αποδεικνύεται και από το γεγονός ότι ταύτιζαν κάθε Δυτικό ο οποίος έφτανε στην περιοχή τους με πειρατή.(52)

Τα λόγια του André Guillet είναι ενδεικτικά: "Εξ' αιτίας των αγριοτήτων των Δυτικών κουρσάρων ο λαός (οι Έλληνες) έχει εξαγριωθεί εναντίον μας και μας μισεί περισσότερο και από τους Τούρκους. Όμως οι δικές μας βαρβαρότητες έχουν προκαλέσει αυτό το μίσος". (53)

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Abstract

CHARALAMBOS GOUTSIOS : *Piracy und its consequenees on the populetion of Aegean Islands during 17th century*

Although piracy was an endemic phenomenon ever since ancient times, the 17th century forms a stepping stone in its development. To the pirates already ravaging the Aegean islands and capturing their inhabitants besides the Muslim pirates, Christian corsairs, who literally force their own laws, can now be added.

The writer maintains - according to the bibliographical sources - that Turkish suffered demographic bleeding on the Greek islands as well. This benefited the enslaved Greek maritime regions, which took a selfadministration in its communities, with the lapse of time.

On the other hand, the thriving of piracy caused the Greeks to suffer other misfortunes, for exemple demographic ones, to such an extent that not only the slave markets of the Orient or Africa but also the Ottoman ships were full of Greek slaves. This resulted ot demographic decrease in various areas.

THE ROLE OF NATIONAL PARLIAMENTS IN THE EUROPEAN UNION : THE CASE OF SWEDEN

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1. Introduction

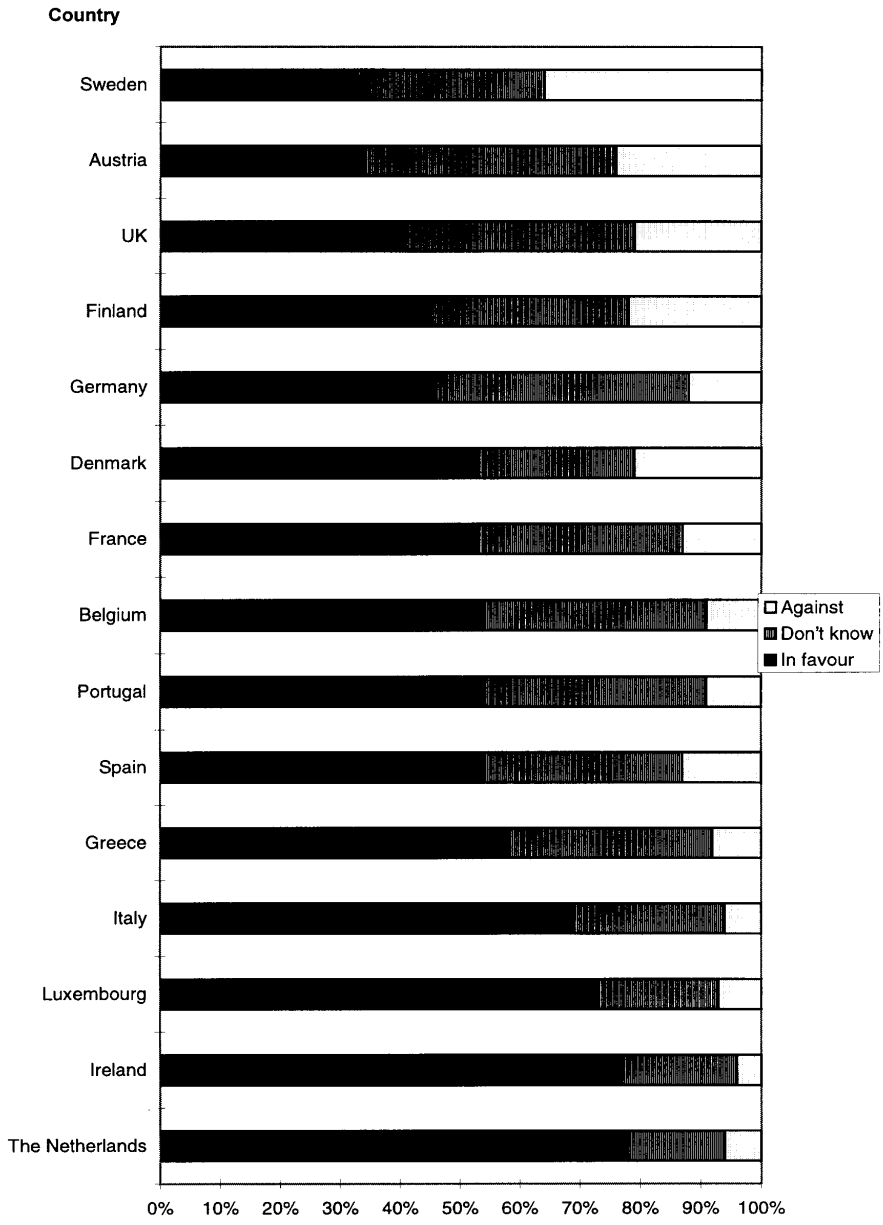
The Swedish parliament, *the Riksdag*, has met a new challenge over Swedish membership of the European Union (EU). In this article we consider the role of the Riksdag with regard to the EU. We describe how the Riksdag has changed its working methods concerning EU matters. The main structures under consideration are the EU Advisory Committee, the standing committees, the Chamber, and the parliamentary groups. We analyse how the Riksdag could work for more openness and how it can influence EU issues. We believe there is a role for the Riksdag in creating better conditions for democracy in EU matters, thereby increasing the legitimacy of the union.

The Swedish path to membership in the EU was complex. Due to Sweden's policy of neutrality, membership was ruled out during the era of the cold war. But when the iron curtain came down in 1989, the balance of power in Europe was restructured, and the road to membership opened up (see Kite 1996). Faced with a changed international system, Swedish reappraisal of membership proceeded rapidly. Rather suddenly the Social Democratic Government proposed membership in October 1990 as part of an economic crisis policy package which the Government pursued (see Gustavsson 1998; Sundelius 1994).

In the 1994 referendum the electorate just managed a yes to Swedish membership (see Gilljam and Holmberg 1996). What is more, support for membership did not last very long. Soon after votes had been counted,

and Sweden had entered the union, popular support began to decline (cf. Lindahl 1997). Recent opinion polls indicate that less than one third of all citizens are in favour of Sweden being a member of the EU. As indicated in Figure 1, evidence from surveys shows that Swedish citizens are Europe's most reluctant members. In addition, about half of the 22 Swedish MEPs, elected in the 1995 European elections, actively dispute Swedish membership. The Greens and the Left Party, both fierce opponents of membership, gained strong support at the European elections. As if this were not enough, voter turnout (less than 42 per cent) was the lowest figure recorded in modern times at any nation-wide election. It is hard to avoid the conclusion that Sweden's membership is fraught with a crisis of legitimacy.

Figure 1. Attitudes towards EU membership.



Source: The Eurobarometer 44.2 MegaBis.

Part of the legitimacy crisis emanates from the view of many Swedish citizens of the EU as a large, inaccessible bureaucracy with democratic shortcomings.[1] Another explanation for the low figures is that there is a general trend of distrust amongst the Swedish electorate towards politicians and also political institutions as such. The timing of Swedish membership could also have been more successful had it not been for the concurrent economic crisis, leading to unemployment rates unheard of in Sweden since the early 1930s.

It is, of course, not a democratic problem per se that many citizens are sceptical of the EU. If we accept that the EU is flawed by a democratic deficit, it may well be a positive sign that people are sceptical towards the EU as it works today. The role of national parliaments should not be to legitimise a system that is not perceived as functioning well, but rather to make the system function better. For this reason national parliaments have a role to fulfil with regard to the legitimacy of the EU.

Legitimacy is not an easy concept to define, but we are inclined to agree with David Beetham (1991) in his attempt to cover the concept from three aspects. According to him, power is legitimate to the extent that:

i) it conforms to established rules,

ii) the rules can be justified by reference to beliefs shared by both dominant and subordinate players, and

iii) there is evidence of consent by the subordinate to the particular power relation (p.16).

In order to improve the functioning of the political system, a national parliament may aim its reform efforts at any of Beetham's three dimensions. However, we believe it is reasonable to assume that the key to improved legitimacy lies in the last two aspects, especially in increasing the citizens' consent of the political institutions. Accordingly, national parliaments should try to make the system work so that it deserves the consent of the people. National parliaments have lost powers to the EU and to the Council of Ministers. To compensate for this, national parliaments should try to influence how their Governments deal with the EU. However, with regard to the EU we consider that another traditional task for national

1. The legitimacy crisis of representation in Europe in the subject of intensive scholarly studies and political debates. For an interesting overview with critical assessments diagnosing weaknesses and their solutions concerning policies and institutional change, which have been canvassed, see Banchoff and Smith (forthcoming).

parliaments should be emphasised, namely control of the government. This also means working for increased openness, both in regard to EU issues when treated domestically and in regard to the EU institutions.

The Amsterdam Treaty, as accepted by the heads of Governments in June 1997, contains a protocol on the role of national parliaments in the EU. According to the Treaty, "scrutiny by individual national parliaments of their own government in relation to the activities of the Union is a matter for the particular constitutional organisation and practice of each Member State". However, it also stated that it is desirable "to encourage greater involvement of national parliaments in the activities of the European Union and to enhance their ability to express their views on matters which may be of particular interest to them".[2]

A guiding principle used when formulating the rules about how the Riksdag deals with EU matters, has been that the Riksdag is the foremost representative of the people. Accordingly, the Riksdag should exercise active and real influence and thereby have the possibility of influencing in advance the standpoints Sweden takes in the EU. The co-operation between the Riksdag and the Government should take place under such forms that Swedish interests are furthered in the best way. The Riksdag's work should focus on issues which would have been decided by the Riksdag had Sweden not become a member of the EU.[3]

The aim of this article is to describe and analyse the institutional solution which the Riksdag, has chosen and to evaluate this in the light of the discussion on the crisis of legitimacy.[4] The focus is on the Riksdag's influ-

2. Chapter 19 in the Treaty as accepted in June 1997.
3. Rules governing the conduct of EU bisiness in the Riksdag are to be found in the Riksdag Act, which has a status somewhere between normal law and constitutional law. When Sweden became a member of the EU, the rules in the Riksdag Act on EU matters were to be found in different parts of the Act. The Committee on Constitutional Affairs proposed some new rules in the Riksdag Act when they made a review of EU issues in the Riksdag. to make it easier to find the rules on the handling of EU business in the Riksdag most of the rules were put in a new chapter of the Riksdag Act (Chapter 10) (cf. Government bill 1994/95:19, bet. 1994/95:KU22, 1996/97: KU2).
4. The role of parliaments in member states has recently been given greater attention by political scientists. Most notably, Philip Norton has edited a volume on parliaments' role in eleven countries (Norton 1996). Other studies of interest on this theme from the Swedish point of view include Bergan (1997), Bergam and Gidlund (1996), Christensen (1997), Hegeland and Mattson (1995 and 1996), Jerneck (1996), Judge (1995), Maurer (1995), Smith (1996).

ence and how the Riksdag may contribute to greater openness regarding EU issues.

2. Openness and Influence

Parliaments' choice of organisational forms assumes some assessment of the alternatives in terms of goals and values. Parliaments must take into account various goals some of which are difficult to achieve simultaneously. For instance, the decision making process must normally proceed smoothly and often rather rapidly. To achieve legitimacy, parliament must be able to legislate, or decide on other proper measures, to solve perceived problems. It cannot only dedicate itself to never ending filibustering activities or matters of procedure. Hence, the process must be efficient and the outcome of the authoritative decision effective.

At the same time democratic decision making demands broad public support. To achieve democratic legitimacy, decisions in parliament must have the support of the members of the parliamentary party groups, the party members and the electorate. Consequently, not only decision making efficiency but also achieving public support through a sometimes time consuming and complex democratic process are values which parliaments must consider.

When choosing amongst organisational forms as a response to EU membership, the Riksdag faced alternative options. The Riksdag chose to both establish new structures and reform those already in existence. To analyse the changes we focus on four main structures in the Riksdag in relation to EU matters: the EU Advisory Committee, the Standing Committees, the Chamber, and the Parliamentary Parties. Besides these structures, the EU Information Centre is also covered in the study.

The organisation of the study is illustrated in Table 1. The processes in each structure will be analysed by asking how they contribute to the Riksdag's influence on EU matters, and how they further openness. Openness refers to both openness in the Swedish polity, especially regarding the relationship between the Riksdag and the Government, and to openness in the EU.

Table 1. Structures under study

Structures	*Influence Openness*
The Standing Committees The EU Advisory Committee The Chamber The Parliamentary Parties	

The nature of the relationship between influence and openness is an empirical question. Influence over negotiations is often said to require secrecy. On the other hand, openness may make other values easier to realise, such as involvement by many people which in itself can further the legitimacy of the national and European political system.

We close the article by discussing the role of the Riksdag based on our results and in the light of the crises of legitimacy of the EU.

2.1 The Standing Committees

The standing committees have a central role in the Riksdag's work. This has been so for a long time. Nils Stjernquist, who has studied the Riksdag during both its bicameral and unicameral periods, lays stress upon the committee's importance for most of these periods (1966, 1987, 1997). Two basic principles of the Swedish committees distinguish them from their counterparts in various other parliaments. A set of permanent committees is required and all matters on the agenda must be prepared by a committee before being voted on in the Chamber (cf. Stjernquist 1997:153).

When the Committee on the Constitution first considered the issue of the relationship between the Riksdag and the Government in the light of Swedish membership of the EU, the Committee stated that the important role of the standing committees in the Swedish parliamentary system implied that they should follow EU issues closely until they were discussed and dealt with by the Council. The committee issued a statement to the effect that the authority of the standing committees was in no way affected (bet. 1994/95:KU22).

In the review of the Riksdag's work on EU matters, the committee once more underlined the important role of the committees. The committee found it necessary that the standing committees monitored the subject areas where decisions were no longer taken in the Riksdag but in the EU. That was also valid for areas where co-operation was not supranational.[5]

To underline how important it is that the standing committees are active in EU issues, the obligation of the committees to monitor the activities of the EU within their respective subject area was regulated in the Riksdag Act (Ch. 10 π 3).

Information flow

The Government should deliver all new documents from the Commission to the Riksdag. The Secretariat of the Chamber distributes the documents to relevant standing committees. The EU Advisory Committee and the Research Service of the Riksdag receive practically all documents that the Secretariat of the Chamber distributes.

More important proposals from the Commission should be accompanied by certain fact memoranda (*faktapromemorior*) from the Government. The memoranda should *inter alia* give an account of the main content of the proposal and how Swedish rules are affected by the proposal. Since the beginning of 1997 the memoranda have been distributed to all members of the Riksdag, but they are not formal matters on the Riksdag agenda, which means that the standing committees do not have to prepare a report for the Chamber on them. A committee can take an initiative with respect to a memorandum and the proposal of the Commission, but this has not yet happened.

The Riksdag Act (Ch. 10 π 2) states, since 1 January 1997, that the Government should inform the Riksdag of its view concerning the proposals put forward by the Commission of the European Communities which it deems significant. This could be done in writing and/or orally. One form could be to include the Government's view in the memoranda, if the Government has taken a standpoint. The Government can also present its

5. The Committee on the Constitution reviewed the Riksdag's handling of EU matters during 1996. During the review the other standing committees and the EU Advisory Committee sent reports to the Committee on the Constitution on their views on the handling of EU matters in the Riksdag. The Committee on the Constitution then submitted a formal report to the Chamber for a decision by the Riksdag (bet. 1996/97:KU2)

view at a closed meeting with a standing committee. However, these routines still have to be established.

When the Committee on the Constitution reviewed the Riksdag's handling of EU matters, it claimed that there is no difference with regard to the desire for openness and free discussion in the law making process in Sweden compared to that of the EU. In the same way as the Swedish law making process can be followed in official publications, it should also be possible for anyone interested to follow the EU law making process. These memoranda could play an important role in this respect, and the Government should ensure that they are available for the public. The fact memoranda are published in a specific official series.

Work of the Standing Committees

Apart from the material that comes from the government through the Secretariat of the Chamber, the secretariats of the standing committees also receive summonses to EU Advisory Committee meetings, along with the Council meeting agendas. The committees can thus follow the issues that are addressed by the Council.

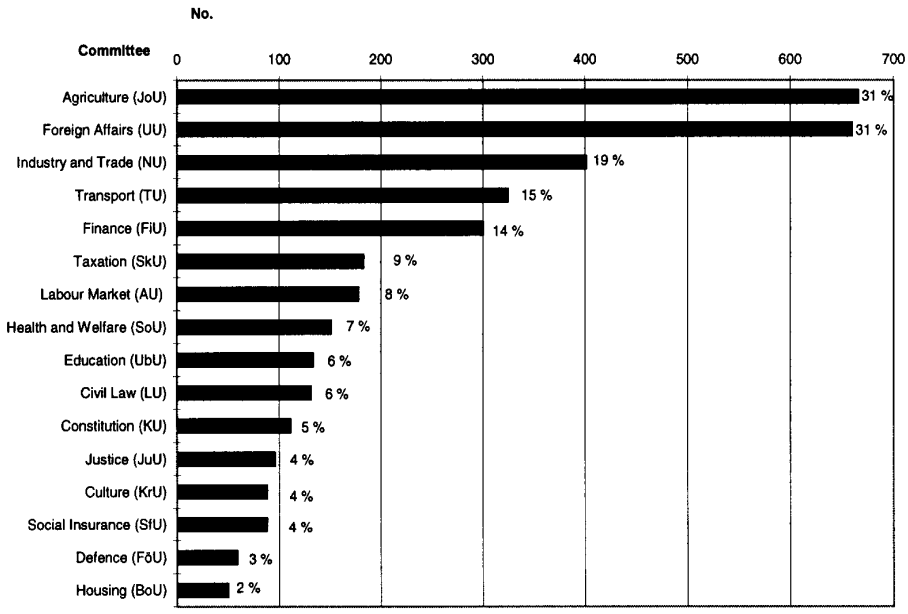
The secretariats of the standing committees distribute some of the material they receive to the members of the committees, but most documents are only notified and distributed on request. However, few members of the committees ask for the documents.

A general impression, confirmed by the reports from each standing committee to the Committee on the Constitution in spring 1996, is that the standing committees find it difficult to decide which EU documents are relevant. A committee may receive a document first in an English version and then in a Swedish version, with few signs of its relevance. To some extent the paper flow may become easier to survey after Sweden has been a member for a longer period, when the Riksdag can monitor issues all the way from the initial informal steps to the formal and binding decision in the Council of Ministers as well as their implementation. When Sweden became a member, many current issues had already been under preparation for some time in the EU institutions.

Of course, the committees are involved in EU matters to varying degrees. Figure 2 shows how many EU documents the Secretariat of the Chamber has distributed to each committee (Swedish abbreviations in brackets) since the beginning of 1995 up to June 1997. For instance, 8 per

cent of all documents the Secretariat has received have been distributed to the Committee on Labour Market (AU), i.e. somewhat below 200.

Figure 2. Distribution of EU documents from the Secretariat of the Chamber to the standing committees. N=2148 documents



Source: Compiled from data in the diary of the Secretariat of the Chamber.

The table gives some information about the paper flow to each committee. Several documents have been distributed to more than one committee and the percentage figures for this reason come to more than 100 per cent.[6] It should be underlined that this refers only to the documents distributed to the committees through the Secretariat of the Chamber. Documents from the EU Advisory Committee, i.e. agendas for meetings in the Council, are not included. The committees also receive information and documents directly from the Government and others.

Totally the Secretariat of the Chamber received more than 1300 documents of this kind during 1995/96 (January 1995 - September 1996). The

6. On average each document has been distributed to 1.7 committess

Secretariat has received around 800 documents during 1996/97 up to June 1997.

It is the Committee on Agriculture which has received most documents. Almost everything which lies in that committee's area is affected by EU rules. The Committee on Foreign Affairs receives practically as many documents as the Committee on Agriculture. The Committees on Industry and Trade, Transport and Finance also receive numerous documents. The committees that are least involved, in terms of the number of documents, are Housing and Defence.

Concerning the Committee on Foreign Affairs, it can be noted that the deliberations prior to meetings in the Council of Ministers regarding the second pillar (as well as the third pillar) take place in the EU Advisory Committee. Not even the Committee on Foreign Affairs proposed during the review made by the Committee on the Constitution that these deliberations should not take place in the EU Advisory Committee.

We would like to emphasise that membership of the EU has given the Riksdag more insight into some foreign policy matters, which earlier the Government dealt with on its own. The Riksdag has also gained more insight into issues which belong to the third pillar.

Occasionally a minister or the state secretary come the week before the Council meeting to the standing committee involved. The minister also goes to the EU Advisory Committee in the same week for information and deliberation. Even if the distinction between information and deliberation is not clear-cut, the meetings with the standing committees tend to focus more on information than deliberation. The Committee on Agriculture is one of the committees which most often meets with the minister the week before a Council meeting. The Committee on Industry and Trade, which also occasionally meets a minister prior to Council meetings, has formed three groups within the committee which monitor certain EU issues. Each group, which consists of a few members of the committee, is responsible for a certain area, for instance trade or energy.

As mentioned above, the Government produces fact memoranda on important Commission proposals. Since the beginning of 1997 they have been distributed to all members of the Riksdag, but they are still also distributed to the appropriate standing committee. Table 2 shows how many memoranda each committee has received.

Table 2. Number of memoranda on important Commission proposals to each standing committee.

Committee	Total number	Total %	1995/96 Total number	1996/97 Total number
Agriculture (JoU)	61	29	35	26
Transport (TU)	52	24	34	18
Industry and Trade (NU)	44	21	30	14
Foreign Affairs (UU)	32	15	23	9
Taxation (SkU)	18	8	14	4
Finance (FiU)	17	8	10	7
Civil Law (LU)	15	7	6	9
Health and Welfare (SoU)	11	5	9	2
Labour Market (AU)	9	4	5	4
Culture (KrU)	7	3	6	1
Social Insurance (SfU)	8	4	4	4
Constitution (KU)	4	2	3	1
Justice (JuU)	3	1	3	0
Education (UbU)	3	1	2	1
Defence (F÷U)	1	0	1	0
Housing (BoU)	1	0	1	0
	(N=213)		(N=134)	(N=79)

Source: Compiled from data in the diary of the Secretariat of the Chamber.

A fact memorandum may go to more than one committee and therefore the percentage figures come to more than 100 per cent.[7] The data shows that the Committee on Agriculture receives more fact memoranda about important Commission proposals than any other committee. Of the 213 fact memoranda which have been registered in the diary of the Secretariat of the Chamber, 29 per cent have been distributed to the Committee on Agriculture. The Common Agriculture Policy (CAP) obviously ac-

7. On average each fact memorandum has been distributed to 1.3 committees

counts for a major part of the decision making process in the EU, and it influences the national agricultural policies. Of the 47 reports the Committee on Agriculture presented to the Chamber during 1994/95 and 1995/96, EU issues were considered in 35 reports (bet. 1996/97:KU2).

The committees on Transport and on Industry and Trade are the committees who receive the largest number of fact memoranda after the Committee on Agriculture.

One way for the standing committees to follow EU issues, is to ask the ministry concerned to come to the committee and discuss certain Commission proposals or give a general account of current EU issues. In its review of the handling of EU issues in the Riksdag, the Committee on the Constitution discussed what the committees could do after they have gathered information. The committee discussed the issue of increasing the scope for the committees to influence the Government with regard to EU issues. The Committee on the Constitution had considered the possibility for committees to, inter alia, submit written statements to the Government. The Committee on the Constitution did not propose anything in that regard but stated that they would continue to investigate the issue.

In spring 1997 the Committee on the Constitution claimed that the views expressed by the standing committees to the government should be of help for the government when it prepares a proposal on negotiating positions. To the extent that there have been informal deliberations with the standing committees, it is reasonable that the views of the committees are reported in the written material for the meetings of the EU Advisory Committee (bet. 1996/97:KU25).

In an internal memorandum[8] the possibility for the standing committees to make statements of their own, without going to the Chamber, is discussed. In the paper it is argued that the intention was that the committees should primarily prepare Riksdag matters, but certain committees had been given additional tasks. There is no explicit ban on the committees from making statements, but there can hardly be any scope for this in the preparation of Riksdag matters, according to the paper. Issues under consideration in the EU are not Riksdag matters in a formal sense. The conclusion is that there is no constitutional barrier against giving the committees the right to make statements to the Government on these issues.

8. The memorandum was written by the staff of the Committee on the Constitution during the review of the Riksdag's handling of EU issues in 1996.

These statements do not, of course, have a legally binding status. Nor can such a statement bind the Riksdag.

As we have mentioned, according to the new provisions in the Riksdag Act, the Government should inform the Riksdag of its view concerning the proposals put forward by the Commission which it deems significant. We believe that the Riksdag must find forms to inform the Government of what it thinks of the Government's position. This could be through resolutions by the Chamber. One way of stimulating the standing committees to propose such resolutions could be to make the fact memoranda from the Government formal Riksdag matters. However, that may lead to an even greater flow of paper than today. On many occasions, informal contacts between the standing committees and the relevant ministry can probably be appropriate channels.

We can expect the work of the committees to change in the future. Many issues may be under consideration for years in the institutions of the EU, and the standing committees and the EU Advisory Committee may find new forms for dealing with long-term issues. Especially if a standing committee has considered, for instance, a green or white paper, it is likely that the committee will follow any proposal on legislation from the commission which is based on the paper. The committee may then want to remind the Government and the EU Advisory Committee about its view when the proposal is considered in the Council of Ministers. One way of doing this would be to put together in a single document the statements in the standing committee's reports to the Chamber on relevant issues.

EU related issues in formal Riksdag matters

Of course, EU matters are also part of formal matters in the Riksdag. When an EU directive is to be implemented into Swedish law, a bill is submitted from the Government to the Riksdag, where motions can be put forward. The matter is then prepared in a standing committee and a decision made in the Chamber.

The Government has presented a few reports on EU issues within certain areas, for instance trade. These reports are formal Riksdag matters, and are referred to the relevant committee which prepares the matters for a formal decision in the Chamber. Motions can be proposed in relation to these governmental reports. One such example is a report on consumer

policy. A few motions were put and the Committee on Civil Law proposed that the Riksdag should make a resolution on the labelling of food. The Riksdag considered the proposal from the Committee on Civil Law and decided that the Government should work in the EU for better labelling of food (skr.1995/96:181, bet. 1995/96:LU26).

We believe that Government reports to the Riksdag about developments in the EU in a specific area are a good means of informing the Riksdag, and the public, about EU matters.[9] The political parties have an opportunity to present their view in motions, and experience shows that the standing committees deal with these formal matters seriously and work thoroughly with them.

An issue which come up each year in the EU is the annual report of the European Court of Auditors. The Swedish Government gave an account of the Annual report for 1995, as well as of other reports from the Court of Auditors, in the Economic Spring Bill in April 1997 (bill 1996/97:150). The Government also gave an account of Sweden's opinion when the reports were considered by the Council, as well as the Government's view on the contents that concerned Sweden. Before the annual report was dealt with by the Council, it was discussed in the EU Advisory Committee (transcripts March 14, 1997). For that meeting the Government had produced brief information notes on the issue.

Since the annual report concerned the first year of Swedish membership of the union, Sweden did not receive very much coverage. The Court of Auditors noted, however, that Sweden was one of the countries that made little use of the European Social Fund. In the Economic Spring Bill, the Government stated that the preparations for using the funds had taken time. The Left Party referred to the Government's explanation in a motion and considered that close attention should be paid to why the flow of money from the EU to Sweden does not function.

The Standing Committee on Finance stated in its report (bet. 1996/97:FiU20) on the Economic Spring Bill that it welcomed the account of the reports from the Court of Auditors. The committee agreed with the Government that there were several reasons to support efforts within the EU for increasing efficiency and strengthening control and auditing. The committee stressed that if the Court of Auditors made any observations regarding

9. Cf. speech by Minister of Defence, Björn von Sydow, "Decision making in a European Perspective", delivered in Umea June 14, 1997.

Sweden in the future, the committee would assume that the Government would give the Riksdag an account of the measures they had taken arising from the observations. The Government had earlier proclaimed that it would give such an account (prop. 1994/95:40).

It can be noted that the Committee on Finance has held an internal hearing about the Court of Auditors and that the Swedish member of the Court participated in an open hearing held by the EU Advisory Committee and the Committee on Justice about, among other things, fraud. Both hearings were held in spring 1997.

The Standing Committees: Discussion

The flow of information on EU matters to the standing committees is impressive. However, the problem is that it is difficult for the committees to decide which information is relevant. Moreover, the schedule of the EU does not always correspond to the schedule of the committees. Even though the committees are more active now than during 1995, much remains to be done.

One way for the standing committees to influence the government is to propose the Chamber to make a resolution. As we have seen, that opportunity has been used. However, the committees still have to find a way of informally influencing the Government. Decisions by the Chamber may be too cumbersome to be appropriate for giving rather loose negotiating instructions.

When committees prepare reports on Riksdag matters, we consider it is important that they take relevant EU aspects into consideration. It is obvious, for instance, that the Committee on Agriculture is limited in what it can do, since the greater part of agriculture policy is determined at the EU level. However, the committees should also see the opportunities membership provides for influencing the development of the EU.

Concerning openness, the standing committees may also contribute by arranging open hearings about EU issues.

2.2 The EU Advisory Committee

When Sweden became a member of the EU, an Advisory Committee on European Affairs (the EU Advisory Committee) was established. In many ways it resembles its counterpart in the Danish Folketing on which

it was modelled.[10]

Formal rules

For each electoral period the Riksdag appoints the EU Advisory Committee to confer with the Government on matters relating to the EU. The committee shall comprise an uneven number of members, and with no less than 15 in total. This is the same rule as for the standing committees, and during the present electoral period, the number of members in all standing committees as well as the EU Advisory Committee is 17.

According to the Riksdag Act, the Government shall keep the EU Advisory Committee informed about matters prior to meetings of the Council of Ministers. The Government shall also confer with the committee concerning the conduct of negotiations in the Council prior to decisions which the Government deems significant as well as on other matters as determined by the committee.

There is special protection for minorities regarding the right to consultation. If at least five members of the committee request consultations with the Government, the committee is obliged to grant the request, unless it finds that the delay would be seriously detrimental. The rights of minorities in the EU Advisory Committee has a parallel in the rules for standing committees regarding the right to gather information.

The Work of the EU Advisory Committee

The EU Advisory Committee normally meets on Fridays if there is a Council meeting scheduled the following week. This means that there is a committee meeting practically every Friday except in August. The Committee met 33 times prior to meetings in the Council of Ministers during 1995 and 36 times in 1996. During 1997 (up to June) there have been 21 meetings of the Committee concerning deliberations with the Government prior to the Council meetings.[11] Each meeting of the Council of Ministers in the following week is an item on the agenda of the meeting of

10. For a comparison between the Swedish and Danish European Committees, see Hegeland and Mattson (1996).

11. Occasionally the EU Advisory Committee meets without deliberating with the Government about issues at the Council of Ministers. This happened 6 times 1995, 4 times 1996 and4 timew 1997 (up to June).

the EU Advisory Committee, and Table 3 shows the number of times officials from a ministry have been present at a Committee meeting prior to a meeting with the Council of Ministers.

Table 3. Number of times each ministry has deliberated with the EU Advisory Committee prior to a meeting in the Council of Ministers.[12]

Ministry	Total no.	Total %	1997 (to June)	1996	1995
Agriculture (incl. Fishery)	40	16	6	17	17
Foreign Affairs	40	16	11	15	14
Finance	28	11	6	12	10
Communications	21	9	5	8	8
Trade	20	8	3	9	8
Education	13	5	2	6	5
Commerce	12	5	1	8	3
Labour	12	5	4	3	5
Environment	11	5	2	4	5
Prime Minister's office	11	5	2	3	6
Culture	11	5	1	6	4
Justice	10	4	2	3	5
Home affairs	6	2	1	1	4
Health and Social	8	3	1	3	4
Defence	1	0	01		0
TOTAL	244		47	99	98

Source: Compiled from internal memoranda from the secretariat of the EU Advisory Committee and the records.

12. The ministries have undergone some changes during the period, but to bring about comparability we present the figures as the ministries are organised at present. However, Trade is accounted for separately. In a few instances more than one Ministry participates in the same deliberation with the committee. Thus, the number of Ministries present (244) is higher than the number of times there have been deliberations (234). The table should be read as follows: For example: representattives of the Ministry of Communications have been at the EU Advisory Committee 21 times, 8 times each in 1995 and 1996, and 5 times in 1997 up to June. This means that the minstry has participated in 9% of all the deliberations that have taken place prior to Council meetings.

The figures give a picture of who the EU Advisory Committee meets. As is evident from the transcripts as well, officials from the Ministries of Agriculture and Foreign Affairs are familiar faces to the committee. There are also numerous meetings in Ecofin, which means that the Minister of Finance fairly often deliberates with the committee. The Finance Ministry is responsible for Council meetings on budget issues as well.

The EU Advisory Committee has regularly conferred with the Government about the Intergovernmental Conference (IGC) since early 1995. Usually the committee has met with the State Secretary at the Ministry for Foreign Affairs, who has represented Sweden during most of the negotiations at the IGC. In total, the committee has conferred with the Government approximately 50 times over the IGC, including deliberations over the telephone with among others the Foreign Affairs Minister during the Amsterdam meeting in June 1997.[13]

The Committee receives written information before the meeting, normally on Monday, even though additional written information may be distributed during the week. The information comprises Council agenda with commentaries. On more important items on the Council agenda, the Government produces Council memoranda (*ministerrídspromemorior*). If possible, these should contain information about the Swedish standpoint. In the report to the Committee on the Constitution, the EU Advisory Committee stated that by and large the written information provided contained the information desired, even though its quality varied and on some matters could be improved. However, the information on issues in the second and third pillars did not match expectations (bet. 1996/97:KU2).

At the Committee meetings, a minister starts by giving the background to a matter and presents the Government's position. In addition to the written information distributed before the meeting, the Government may at this time also give information on developments in COREPER (the Committee of the Permanent Representatives) during the preceding days. Department aides are also present to supply more detailed information if needed. The committee members may ask questions and involve the minister in a discussion.

13. In late 1995, the Government submitted a report to the Riksdag about the IGC (skr. 1995/96:30). The EU Advisory Committee deliberated with the Government over IGC approximately 13 times 1995, 23 times 1996, and 15 times during 1997 up to and including the Amsterdam meeting.

In Table 4 there is information on the number of occasions deliberations have taken place between the EU Advisory Committee and the Government without a minister being present prior to a meeting of the Council of Ministers.

Table 4. Minister's absence in the EU Advisory Committee

	Total	1997 (until June)	1996	1995
Number of deliberations	234	47	91	96
No minister present	57	8	24	25
No minister present, %	24 %	17 %	26 %	26%

Source: Compiled from internal memoranda from the secretariat of the EU Advisory Committee and the records.

During 1995 and 1996, the Government was represented by a person other than the minister in about 25% of the deliberations. However, these figures probably exaggerate the absence of ministers; sometimes the Committee does not, in practice, demand that the minister should be present. For instance, it is always a state secretary who represents Sweden at Council meetings on budget issues, and the Finance minister does not have to deliberate with the Committee on these issues.

We want to emphasise that the figure for 1997 is lower than for the two previous years, and this we believe is not a coincidence. The EU Advisory Committee wrote in its report to the Committee on the Constitution that their experience was that the discussions over Sweden's negotiating positions are meaningful only if they are conducted with the person who is responsible for the positions. It is therefore desirable that ministers are present at the committee's deliberations prior to meetings at the Council of Ministers. Only if there are strong reasons could there be exceptions. The Committee on the Constitution added that if deliberations prior to the European Council (i.e. meetings of the heads of state and prime ministers) take place in the EU Advisory Committee, the guidelines for the presence of ministers are applicable. This was clearly addressed to the prime minister G÷ran Persson who had tended not to appear prior to European Council meetings.

The Riksdag endorsed those statements in December 1996, and there-

after the presence of ministers has increased. We believe that this trend will continue. It should be noted that often when ministers are absent, their deputy - most often a state secretary - explains why the minister cannot be present. The reasons given, such as meetings in other countries, seem to be acceptable as far as we are able to judge.

It can be noted that at an EU Advisory Committee meeting prior to an extra European Council meeting in October 1996, there were demands that the prime minister should be summoned to the committee meeting (this was before the Committee on the Constitution had published its report). The committee decided not to summon the prime minister, but expressed its wish that the prime minister would in future give information to and deliberate with the committee prior to meetings with the European Council. This statement was noted in the records of the committee meeting. Earlier, the committee had not made statements of such a kind.

The Mandate given by the EU Advisory Committee

After deliberating with the minister over issues at a forthcoming Council meeting, the committee chair may sum up the discussion and declare whether or not the minister's proposal on a negotiating strategy is opposed by a majority of committee members. There has been no outright rejection in the Committee of a proposed negotiating strategy. However, the world is neither black nor white and this does not exclude the Committee from having influenced ministers on some matters.

When the Committee on the Constitution proposed that the EU Advisory Committee be established, it claimed the assumption could be made that the Government would not take a standpoint at odds with what the EU Advisory Committee had expressed in its deliberations. On the other hand, statements from a body within the Riksdag could not be binding on the whole of the Riksdag and such statements would lack formal constitutional status. The Committee on the Constitution also underlined that it is the Government that represents Sweden at the Council of Ministers, and that the Government has full political responsibility for its actions (bet. 1994/95:KU22).

In the early months of the EU Advisory Committee, the majority interpretation in the Committee of the powers of the committee was that the committee could not make any formal recommendations to the Government (cf. the transcript of the committee January 27, 1995). In its re-

port to the Committee on the Constitution, the EU Advisory Committee maintained that it should also henceforth be the EU Advisory Committee, and no other body, that should decide in what way the view of the Committee should be formulated and interpreted.

The Committee on the Constitution claimed that one means by which the EU Advisory Committee could make its opinion clearer would be by making a written statement on issues where the Government had presented a negotiating strategy. The Committee on the Constitution underlined that such statements lack formal legal status. In this article we give two examples which we think come close to the kind of statements that the Committee on the Constitution had in mind. They concern the wish that the Prime Minister should attend the EU Advisory Committee prior to meetings in the European Council, and the role of COSAC (The Conference of European Affairs Committees).

It cannot be ruled out that making frequent use of written statements could be one means of giving the EU Advisory Committee a more central role. The committee could shape its own role which would probably enhance the legitimacy of the Riksdag as a whole.

There is a discussion on whether the mandate the EU Advisory Committee currently gives is binding on the Government. In a legal sense the answer is that it is not binding on the Government. The Riksdag can make a resolution (tillkännagivande) on how it believes that the Government should act on a specific issue in EU institutions, but not even a decision of this kind is legally binding on the Government. The Committee on the Constitution has, on another occasion, stated that resolutions by the Chamber may imply political obligations. It has also underlined that the basis must be that the wishes expressed by the Riksdag should be fulfilled. If there are circumstances impeding such fulfilment or, if the Government makes a different assessment than the Riksdag, the Government must have the option of not taking the action necessary to fulfil the resolution. A prerequisite for this would be that the Government reports its assessment to the Riksdag (bet. 1994/95:KU30, pp. 42-43).

If a statement is made by the EU Advisory Committee, it can never be legally binding on the Government (nor on the Riksdag). One could argue that its strength partly depends on the political situation. It is more difficult for the Government to act against the advice of the committee, if the committee has a good reputation. On the other hand, if it is considered

that the committee is not taking its tasks seriously, the Government may disregard its advice.

It can be noted that the Government should present a report to the Committee after each Council meeting (*aterrapport*). We believe it is important that the reports contain an accurate description of how the representatives of Sweden have acted at the Council meeting. Some of the reports which have been submitted to the Committee have lacked full information on this point, even though the reports show a higher standard now than during the first year of Swedish membership in the EU.

Openness and secrecy

A central dilemma for internationalised democracy is how to reconcile the conflicting demands of openness and secrecy (Stenelo 1984, 1990). Openness is closely associated with democracy, while secrecy can promote efficiency. This is especially true when decision making is made through bargaining, as the case is in the relationships among the member states in the EU.

Most of the documents distributed to the members of the EU Advisory Committee concern the meetings of the Council. The secretariat of the EU Advisory Committee receives all the material that the Government sends to the Secretariat of the Chamber (mostly documents from the Commission), but only minor parts of that material are distributed to the members of the committee. Instead the committee members receive lists of these documents and can obtain any document they wish. There could be around one thousand documents a year that the Secretariat of the Chamber receives, and already the written information for the meetings of the Council of Ministers means that the papers for a single meeting in the committee can well exceed one hundred pages. Most of the documents the EU Advisory Committee deals with are public and thus available to the media.

The meetings of the EU Advisory Committee are closed, only committee members, substitutes and staff are allowed to be present at the proceedings, according to the Riksdag Act. Of course, the ministers invited and their aides are also present. Normally a person from the EU secretariat of the Foreign Ministry is present, regardless of the subject area the deliberations concern. The committee may permit other persons to be present, and in a few instances secretaries of standing committees have

been present when issues in their committee's subject areas have been discussed.

A record shall be kept of the meetings of the EU Advisory Committee. These records show, among other things, which ministers and representatives of the Government have been present. More interesting is the rule that demands that a transcript shall be made of all statements made when the committee confers with the Government. When the committee discusses intra-committee issues such as its own planning, no transcript is made.

The Government's representatives have the opportunity to comment on the transcript before it is confirmed by the committee, which normally occurs after two weeks. The shorthand transcript is thereafter made public. However, some information in the transcripts is classified as secret. This may cover information about Sweden's bargaining position or relations with other states.

Our survey of the transcripts and the records shows that the committee has conferred with the Government prior to meetings of the Council of ministers on 234 occasions (up to June 1997). In about 70 of these cases (30 %) some information in the transcripts has been classified as secret.

It should be noted that even though information in the transcripts may have been classified as secret at a certain point in time, such classification may change when the matter has been concluded in the EU. For instance, information about Sweden's fallback negotiating position may no longer be secret after the Council has made its decision.

Regarding the deliberations over the IGC there was some discussion in the Committee at what point in time these transcripts should be approved. In April 1996, the Committee stated that they should not be approved - and thus become public - until after the negotiations at the IGC had been closed, i.e. June 1997. However, in October 1996 the committee decided to approve the transcripts which meant that they became public (bet. 1996/97:KU2, p. 69-70, records of the EU Advisory Committee on April 26, 1996 and October 10, 1996).

Whether the system of transcripts should be kept or not was discussed in the evaluation made by the Committee on the Constitution. The EU Advisory Committee claimed that for deliberations to be meaningful, they must be held under confidential forms. If this were not the case, the deliberations could not give the Riksdag the influence intended. According to the EU Advisory Committee, the Government has occasionally been re-

strictive in disclosing certain information of a confidential nature. The committee's view was that there were strong reasons to reconsider whether transcripts really should be made.

In its report, the Committee on the Constitution referred to the reasons for keeping transcripts. The committee considered that, for the examination of ministerial performance of duties and the handling of Government business, it was still the case that it was necessary to be able to establish what had transpired during the committee's deliberations with the Government. The arguments against transcripts had also turned out to be partially valid. However, the view of the Committee on the Constitution was that some form of documentation of the deliberations was needed and therefore the transcripts should be kept. The possibility of keeping parts of the transcripts secret was to some extent increased, by making it possible to classify as confidential deliberations about economic policy - in practice those regarding the Economic and Monetary Union (EMU). The Conservative Party, which opposed the keeping of records when the issue was discussed in late 1994, maintained its standpoint that there should be no transcripts.

Public sessions

When the EU Advisory Committee was established, it was not given the right to arrange public sessions. However, this right was gained as a result of the review made by the Committee on the Constitution. This right can only be used for the provision of information, not for discussions with the Government about the conduct of negotiations in the Council of Ministers. The standing committees can also decide that a meeting they arrange should be public in whole or in part, insofar as it relates to the gathering of information. If the EU Advisory Committee wants to have an open session, there must be "strong grounds" for it, according to the wording of the Riksdag Act. There is no such provision if a standing committee wishes to arrange an open session. According to the Committee on the Constitution, the task of the EU Advisory Committee is to confer with the Government prior to decisions in the Council of Ministers. To arrange public hearings on issues which are under consideration in the institutions of the EU, is primarily a task for the standing committees. Issues raised at the IGC do not - because of their general character - relate to a specific standing committee. Therefore, the Com-

mittee on the Constitution argued, the IGC could be the subject of public hearings arranged by the EU Advisory Committee. The EU Advisory Committee has used this right to arrange public hearings, for instance about the democratic aspects of the Economic and Monetary Union (EMU). The hearings have been arranged together with the relevant standing committee.

Information

Overall, the EU Advisory Committee must depend on the Government to obtain information about issues in the EU. However, the secretariat of the EU Advisory Committee also produces memoranda about certain issues and gathers information from sources other than the Government. For instance, they use information from the Danish European Committee and material obtained via the Internet. Since mid 1996 there have been signs that the Committee is even more active than before in obtaining information on its own initiative.

There are also signs - such as the arranging of public hearings - that the committee now focuses more on external information than it did initially. Each meeting of the committee actually contributes to openness about EU issues; during and after the meetings, journalists wait outside closed doors to interview the ministers and - occasionally - members of the committee. Information on current issues and inter-party controversies can thus easily reach the media.

Since spring 1996 the EU Advisory Committee has had a press secretary. One of her tasks is to issue press releases before the meetings of the committee. The press secretary works half-time for the committee and half-time for the EU Information Centre.

The EU Information Centre of the Swedish Parliament

The main task of the EU Information Centre is to inform interested persons and organisations about the EU. The Centre is staffed by eight employees and it publishes fact sheets, answers questions by telephone and mail, maintains a database with answers to the most common questions, and performs similar activities.

The centre is not so much a resource for the Riksdag as it is a source of information for external organisations. Its activities are mainly directed towards the general public. As shown in Table 5, 75 per cent of all tele-

phone calls are made by the general public and institutions of education. Only 2 per cent of the calls on the special line are made by members or staff of the Riksdag or by civil servants from the Government.

Table 5. Who puts questions by phone to the EU Information Centre? Questions during two weeks in spring 1997.

	No. of questions	%
The public	167	37
Mass media	16	4
Authorities and Interest organisations	31	7
Institutions of education	172	38
Private enterprises	54	12
Parliament and Government	7	2
Libraries	5	1
Total	452	

Source: The EU Information Centre

Answering questions by phone is one of the main activities of the Centre. In 1996 it received as many as 14,583 telephone calls. The subjects varied, but a large number concerned questions about EU institutions, community law and the IGC. In Table 6, statistics on the subjects for the first half of 1996 are shown.

Table 6. Subjects of the questions. January 1 - July 30, 1996

Subject	No.	%
EU institutions, EU law and IGC	2051	29
EC budget, EMU and regional policy	1165	16
Common market	885	12
Social policy, culture and consumer policy	683	10
Trade, industry, and taxes	619	9
Environment, energy and transportation	453	6
Agriculture	415	6
Second pillar	234	3
Relations to third countries	223	3
Third pillar	383	5
Total	7111	100

Source: The EU Information Centre

The EU Information Centre contributes to improving openness. The centre gives information about the EU which might be conducive to improving knowledge about EU institutions and policies and enhancing understanding of EU among Swedish citizens. Judging from the number of calls, it is reasonable to assume that it has a function to fulfil in giving the public information about EU matters.

Organisationally, the only formal link between the EU Information Centre and the EU Advisory Committee is the press secretary they share. There are not too many contacts between other parts of the Riksdag and the Centre.

The Conference of European Affairs Committees (COSAC)

The Conference of European Affairs Committees, COSAC, was established in 1989 and comprises members from the European Affairs Committees of the national parliaments. COSAC meets twice a year and, under the Amsterdam Treaty of June 1997, it may make any contribution it deems appropriate for the attention of EU institutions, in particular on the basis of certain legislative proposals. It is stated in the Treaty that contributions made by COSAC shall in no way bind national parliaments or prejudice their position.

On June 5, 1997, the Swedish EU Advisory Committee endorsed the conclusions in a paper, written by the staff of the committee, about the IGC and COSAC. There was consensus that members of the committee participating in COSAC meetings do not have authorisation and cannot act on behalf of the EU Advisory Committee, the Riksdag or Sweden. It has also become clear that COSAC has an informal and purely advisory role and this should not be institutionalised. The EU Advisory Committee decided that the paper should be sent to the Speaker of the Riksdag and to the Cabinet Office.

In the COSAC meeting in the Netherlands on June 9-10, 1997 (before the Amsterdam Treaty was agreed upon) six members of the Swedish EU Advisory Committee participated. Members of the Swedish delegation suggested that they find it difficult to see any justifiable reasons for COSAC resolutions, but that they could accept either having the resolutions or not having them. There is, moreover, consensus that COSAC is not an independent body and that statements by the members are not binding on anyone (Ytterberg 1997).

Even though COSAC may serve a useful purpose, we are not too optimistic about its possible contribution to openness and influence as discussed in this article. The EU does not need more complicated decision making rules, rather it should try to simplify those that do exist.

The EU Advisory Committee: Discussion

The EU Advisory Committee has existed for some time now. The Committee has in many ways established its routines, with regular meetings prior to the Council of Ministers. There have been changes in its activities, however. One example is the interest recently devoted to the European Court of Justice. The committee is likely to pay particular attention to cases where Sweden is a party or where Swedish interests are in some way involved. In the process leading up to the formation of the EU Advisory Committee, the focus was on the relationship with the Government, and especially on the deliberations prior to the meeting of the Council of Ministers.[14] As the committee learns more about EU processes, it obviously adapts its working methods.

We believe that the system of having a specific committee following the issues in the Council of Ministers on a regular basis has its advantages. However, there are certain risks. Other parts of the Riksdag may claim that EU matters are taken care of by the EU Advisory Committee. If that is the case, important EU aspects on other issues may be overlooked. Another risk is focusing on the formal decision made by the Council of Min-

14. The Riksdag Act Ch.10 § 5 states:
"The Government shall keep the EU Advisory Committee informed on matters which will be treated by the Council of Ministers. The Government shall also confer with the EU Advisory Committee concerning the conduct of negotiations prior to decisions which the Government deems significant and on other matters as determined by the AU advisory Committee…"
An equivalent formulation was used in one of the official governmental commissions which looked at the relationship between the Riksdag and the Government before Sweden became a member of the EU, and it stated thet the EU Advisory Committee should have the right to confer with the fovernment about any other issue on *the agenda of the Coundil* (SOU 1994: 10, p. 94, italics added). A strict interpretation would be that the EU Advisory Committee should not deal with EU matters outside the agenda of the Council, such as Schengen. However, in practice the Committee has dealt with some EU issues outside the Council agenda as well, even though the man focus is on Council meetings.

isters. The informal process is more important in the EU than in the Swedish one, and if there is excessive focus on the Council of Ministers, more important parts, such as the informal work in the Commission, may be overlooked.

It could be argued that the EU Advisory Committee does not have much influence on the Government. The Committee has not explicitly rejected any negotiation proposal of the Government. However, as we have argued elsewhere this is to a large extent a result of the parliamentary situation (Hegeland and Mattson 1996). In Denmark, where the Government has weaker support in Parliament, an organisational solution similar in many ways, has given the Parliament much influence on EU matters. We do not believe that the standing committees in the Riksdag would often have reached standpoints other than those of the EU Advisory Committee if they had deliberated with the Government prior to meetings in the Council.

The complex relationship between influence and openness is evident where it concerns the transcript of the EU Advisory Committee's deliberations with the Government. On the one hand, the transcripts facilitate openness and democratic control afterwards. On the other hand, the transcripts may make the representatives of the Government less willing to inform the EU Advisory Committee about sensitive issues. As a result the members of the EU Advisory Committee may have less insight into the reasoning of the Government, which means less influence. The transcripts are available two weeks after the meeting, and experience shows that not very many people are interested in them.

When it comes to openness, it can be noted that most of the material from the committee is public. The members of the committee are, of course, in themselves also important players in disseminating information about EU affairs. Generally speaking, we consider that the committee contributes to openness on EU issues. There are several signs that the committee focuses more on external information. The activities of the EU Information Centre, although not a part of the EU Advisory Committee, also further openness.

2.3 The Chamber

The formal rules about the work of the Chamber have not been revised

as a result of EU membership, but of course the Chamber's role as the authoritative decision maker has changed. It has a role in implementing EU directives into Swedish law, and appropriating funds for the Swedish membership fee for the EU[15], but the Chamber's formal decision making powers have decreased. Rules decided by the Council of Ministers may, at least formally, take priority over decisions taken by the Riksdag.

According to the Riksdag Act the Government shall keep the Riksdag continuously informed of developments within the framework of EU cooperation and submit a written report to the Riksdag each year giving an account of activities within the EU. The report is a formal Riksdag matter and the parties may propose motions on it. The report is also discussed in the Chamber. Even though we agree that EU aspects should be part of national political issues where relevant, we consider that this report, which contains much interesting information, provides a good opportunity for a more general debate about the EU in the Chamber.[16] The RiksdagTs handling of this annual report suggests that the Chamber may have an important role as a forum for debates and democratic control.

Debates

It is common among the parliaments of the member states to arrange debates on EU matters *in pleno*, should the committee on European affairs so demand. It is true that these debates are not concluded by a vote, except in the German Bundesrat, but through this mechanism, the chambers are given a central role in parliament's consultation procedures. The possibility of submitting a matter to the chamber is actually open to all European

15. Laws and norms promulgated by the Government are published in the Swedish equivalent to the Gazette: *Svensk Författningssamling (SFS).* The Celex number of the corresponding EU rule is shown on the statute. 183 statutes in the SFS contained such a reference to EU rules on September 1, 1996 (skr. 1996/97:15, p. 5). There are more than 3000 laws and statutes in *SFS* which are in force. The fee to the EU is one of 27 expenditure areas in the state budget and is prepared by the Committee on Finance.

16. Furthermore, the report, which during 1996 and 1997 contained more than 300 pages, is also published in a shorter version. In 1996 the public was eplicitly given an opportunity to give its opinion on the report. More than 2000 answers were received, and most of them were critical of the EU. The answers were compiled in a separate publication, "Views about the EU", which was distributed to , among others, the members of the Riksdag.

committees, except for the Swedish committee (Bergman 1997:47).

As a consequence, debates on EU matters in the Riksdag Chamber are arranged by other means. These include the parliamentary control procedures, specifically interpellations and questions, which can be initiated by single MPs (cf. Mattson 1994). It is also possible to arrange debates on current issues including EU related issues. The Government can also give information in the Chamber about current events, such as meetings in the European Council, which gives the opposition parties the opportunity to present their views and question the Government on the current topic. Debates on EU matters can also be raised as an indirect consequence of legislative or budgetary initiatives in Governmental Bills or motions. This is so, for instance, when the Riksdag debates reports from the standing committees on matters which are related to the EU. Evidence unequivocally shows that the Riksdag has become more internationalised and Europeanised over the last two decades (Jerneck et al. 1988, Jerneck 1996).

First, we will look at Information from the Government, and the debates arranged at the request of party leaders or leaders of the parliamentary groups, that is Debates on current issues. As shown in Table 7, the Government has informed the Riksdag on various issues on 73 occasions during 1990/91-1996/97. Of these debates, 24 have been devoted to EU related issues, such as information from the Government on developments in certain areas, for example Schengen.

Table 7. Debates in the Chamber: Information from the Government and Debates on current issues 1990/91-1996/97

Sessions	Information from the Government		Debates on current issues	
	EU related issues	Total	EU related issues	Total
1990/91	3	8	0	0
1991/92	2	10	0	5
1992/93	4	16	0	2
1993/94	2	11	0	0
1994/95	4	10	0	4
1995/96	3	9	0	9
1996/97	5	9	1	5

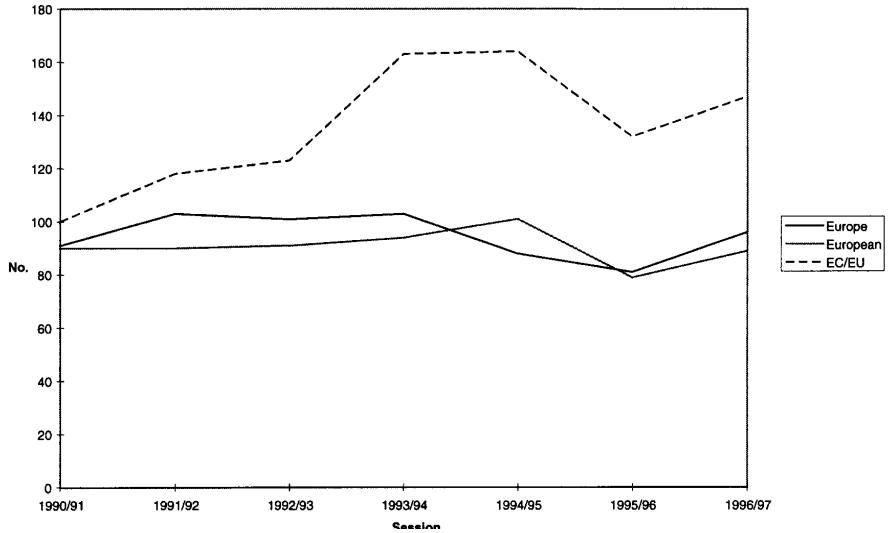
Source: The Secretariat of the Chamber

Debates on current issues have been arranged on fewer occasions, only 25, and only in one of these instances was the topic directly related to the EU. At the request of the leader of the Conservative caucus, the Riksdag debated Sweden's relationship to the Economic and Monetary Union in June 1997.

We have also studied the number of times EU related words were used in the debates during the period 1990/91-1996/97. We are the first to admit that this is a crude tool to measure the involvement of parliament in EU affairs, but we nevertheless believe that the figures can give us an insight into the development of EU related debates in the Chamber.

It would be natural to assume that EU membership has caused a rapid increase in the usage of EU related words in the Chamber. However, interestingly enough our figures suggest that the Riksdag discussed EU related matters as much after joining the union as in the years before. Figure 3 shows the total number of times the words "Europe", "European" and "EC" or "EU" were used in debates in the Chamber. EU and EC were used more often at the end of the period than in the beginning, whereas the frequency of Europe and European did not increase as much as might have been expected. The EU is given more attention after membership than before, but the difference is less dramatic than we expected.

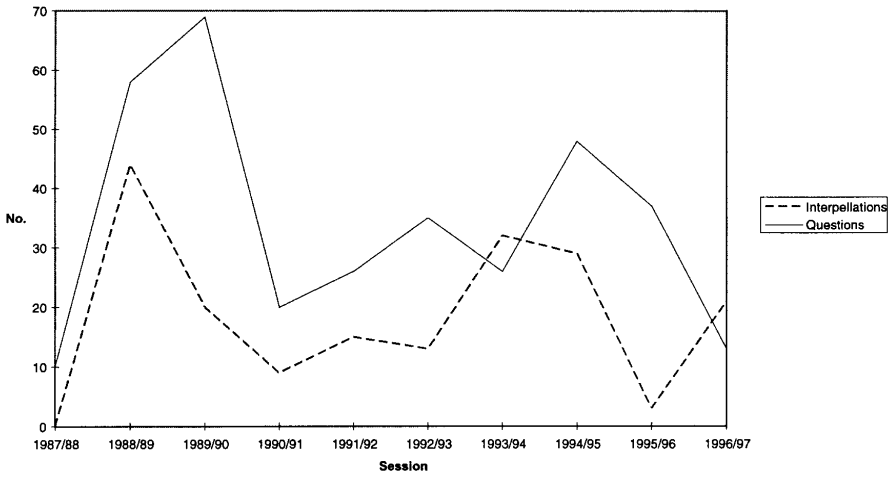
Figure 3. EU words in the debates 1990/91-1996/97.



Source: The Rixlex database

If we study how often EU issues are raised in interpellations and questions, for which we have data over a longer period, a somewhat different pattern appears. Peaks were reached in the sessions 1988/89 and 1989/90. As Figure 4 shows, EU related issues attracted immense attention in these years.[17] There was a rapid increase from almost nothing in the first year of our series.[18]

Figure 4. Interpellations and questions on the EU 1987/88-1996/97.



Source: The Rixlex database

The curves are quite unexpected. An explanation for the extensive interest in the EU/EC in the years 1988-1990 could be that EEA negotiations were in process, but we cannot rule out other possible explanations.

The fact that the number of questions and interpellations fall sharply after reaching a peak can be interpreted as a sign of decreased interest in the topic. After the initial intensive interest in EU related issues, interest

17. The method applied is to search for how many interpellations and questions which have been classified as concerning the following issues: Europe, EC/EU and European. The Figure shows the number of times each word was found in the detabase among the keywords.
18. The fact that the institutions of parliamentary questioning have been reformed in recents years do make comparisons over time difficult.

declined to a lower average level. One might suspect that the Riksdag went back to "business as usual" without directing over much interest towards EU related issues.

The Chamber: Discussion

Both influence and openness will be improved insofar as EU issues become a natural element on the national political agenda. In the same way as debates in the Chamber are important parts of democratic control in "traditional" domestic issues, we believe this applies to issues related to the EU as well. It would be troublesome if national political issues and EU issues become so detached that each type of issue is dealt with separately by different groups of politicians. National issues as well as EU issues should ideally be dealt with in a common forum, preferably in a common polity. The fundamental chain of delegation and accountability of parliamentary government will be broken if EU issues are dealt with separately from the national political debate.

2.4 The Parliamentary Parties

Political parties are very important players both in general political life and in parliament. In Sweden there has been consensus that the activities and organisation of the political parties should not be regulated in law, since such regulation might have constituted an encroachment on the freedoms of expression and association (Holmberg and Stjernquist 1996:19). It is for this reason that the work of the political parties on EU matters is not regulated in the Riksdag Act.

The European integration process has functioned as a catalyst for the international contacts of Swedish political parties (Jerneck 1997:129). The Swedish political parties are members of international party groups, and participate in the policy making of these groups.[19] It can be noted that the material from the EU Advisory Committee goes to the offices of the Swedish parliamentary parties, both in the Riksdag and in the European

19. Johansson (1997) is an interesting study of Conservatives and Christian Democrats in the European Parliament. See Ladrech (1993) for studies of Socialist party cooperation. For a general discussion about the implicaitons of the EU membership for th Swedish party system see Widfeldt (1996).

Parliament. The members of the European Parliament can thus discuss the issues at the EU Advisory Committee meetings with their party colleagues in the committee. The parties in the Riksdag have officials among their parliamentary staff who are responsible for EU matters.

The contacts between the Riksdag and the Swedish members of the European Parliament mainly go through the political parties. However, there are contacts between the Riksdag and the EU institutions through the standing committees as well. Individual members of the Riksdag also visit EU institutions on their own initiative. Jerneck (1997:132-134) suggests that the Social Democratic Party and the Conservative Party have generally developed most international contacts.

Contacts between the standing committees and the EU Advisory Committee are also mostly channelled through the party groups. In their answers to the Committee on the Constitution, several standing committees, as well as the EU Advisory Committee, consider that contacts between the standing committees and the EU Advisory Committee should go through the party groups, though they do not believe this should be formally regulated. The Committee on the Constitution, which probably had in mind the norm that the activities of political parties should not be regulated, noted that several committees referred to the contacts within each party group, but the Committee did not explicitly state that this was a good solution. It could also be mentioned that the two largest parties have overlapping membership in the EU Advisory Committee and the standing committees. The Social Democratic Party's members and their alternates in the EU Advisory Committee cover in practice the subject areas of all standing committees. The Conservative party's representatives in the committee cover at least those committees whose areas are most affected by the EU. The five smaller parties in the EU Advisory Committee have also - to some extent - a division of labour between members and alternates, but each of these parties has too few members to cover more than 2 or 3 standing committees.

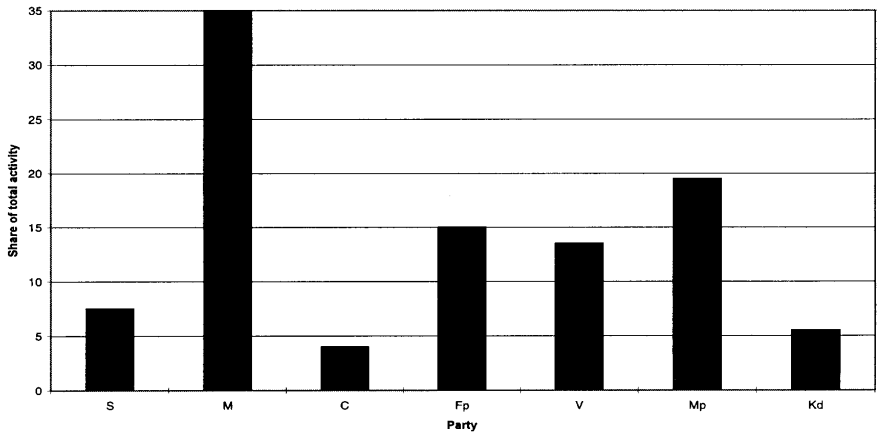
Members of the Riksdag are the foremost representatives of their political party and may participate in official governmental commissions as representatives of their party. These commissions are important players in the political system. There are examples of commissions dealing with Swedish standpoints from an EU perspective, and we consider that commissions of this kind - with representatives of the political parties - can be

a way of increasing democratic influence on Swedish policies in the EU.

How, then, do the various parliamentary parties act in the Riksdag and are they able to gain influence? Two indicators on party activity will be presented as our measures: activity in the EU Advisory Committee and the share of motions submitted relating to the EC/EU.

Data on how active the representatives of each party is in the EU Advisory Committee can be found in Christensen (1997). The figures are presented in Figure 5.

Figure 5. The political parties' share (%) of total activity in the EU Advisory Committee. N=25878.



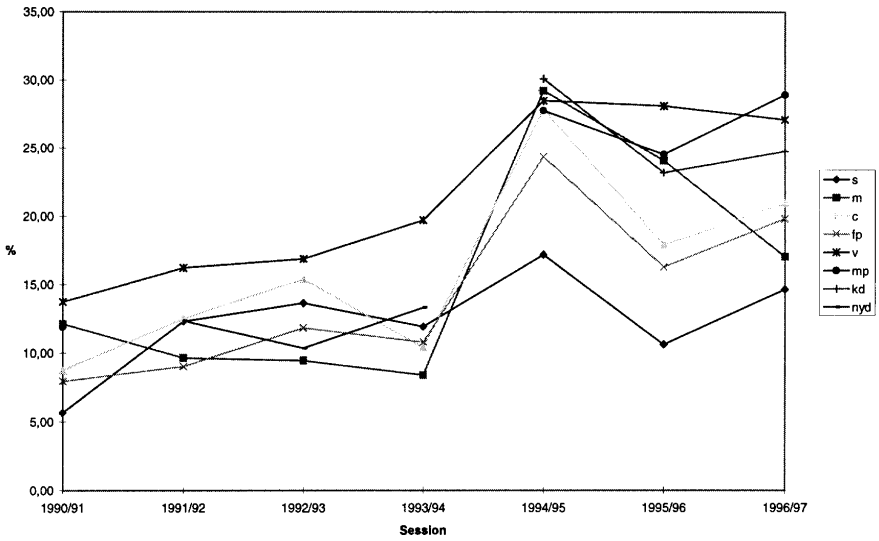
Source: Christensen (1997:155). Example: representatives of the Liberal party (fp) accounted for 15 per cent of what has been recorded in the verified transcripts.

Christensen (1997) has gathered the data from the transcripts of the meetings of the EU Advisory Committee from January 1995 to November 1996. During this time the Committee had 70 meetings. Deliberations from 184 items on the Committee's agenda from this period are included. The source is the verified transcripts, and each sentence from a member of the committee has been coded as one item. The Social Democrats have eight members in the EU Advisory Committee, the Conservative party

four members and the other five parties each have one member. All parties have alternates who participate in parts of the meetings.

The other indicator of the parties' activity in the Riksdag regards motions. Figure 6 shows the share of the partiesT motions dealing with EU related issues. For instance, of the motions put forward by the Conservative Party in 1991/92, almost 10 per cent dealt with EU issues.

Figure 6. The share of the parties' motions relating to EC/EU.



Source: The Rixlex database

One conclusion to draw from the two indicators is that the Left Party and the Green Party are the two most active parties on EU matters. Together, representatives from these two parties account for one third of the total activity in the EU Advisory Committee. In addition, Figure 6 shows that motions from these two parties more often than motions from the other parties deal with EU related matters.[20]

These parties have in common a similar sceptical view of the EU, as

20. If we look at particular Riksdag matters, this view is confirmed. One example is the first annual account from the Government about activities within the EU, on which only the Left Party and the Green Party put forward motions (skr, 1995/96:190, motions 1995/96:U43 (v) and 1995/96:U44 (mp)).

well as a critical attitude concerning how the Riksdag deals with EU matters. They have claimed that the EU Advisory Committee meetings concern information and not deliberation between the Riksdag and the Government. They want to have arrangements ensuring that the Riksdag can influence EU matters.[21]

The Conservative party is considered to be the leading opposition party. Their members in the EU Advisory Committee are, in total, the most active, but we do not share the view in Christensen (1997:154) that this indicates that the Conservative party is the foremost opposition party in EU matters. It is true that the Conservative party fiercely opposes the Social Democrats on economic issues, as when meetings of the finance ministers (Ecofin) are discussed in the committee. However, even though the Conservatives are also active in the Committee on issues other than economic, in the final analysis they often agree with the Government's view.

We would like to add that our impression is that the Conservative party has the most developed routines for handling EU matters in the Swedish Riksdag. Being the largest opposition party, they have the resources to follow these issues. They also have many contacts at the European level (cf. Johansson 1997; Jerneck 1997).

The Social Democrats are not very active in the EU Advisory Committee. They have 47 per cent of the members of the Committee, but only account for 7.5 per cent of all activities. Neither is a large share of their motions related to the EC/EU. Since there is a Social Democratic Government, the party's members in the EU Advisory Committee have access to channels other than the committee meetings. Being in government, there is not much need to put forward motions. Yet, it is surprising that only a small share of Social Democratic motions deal with EU related issues.

Our data on the motions permits a comparison over time. It should be emphasised that interest among the parties in EU related issues has increased over the years in all parties. Thus there seems to be evidence for the conclusion in Jerneck (1997) that the parties have become Europeanised. The average share of EC/EU motions increased from 10 per cent in 1990/91 to more than double this in 1996/97. The average reached a peak in 1994/95 when Sweden entered the union.

21. Perhaps it looks peculiar that the two parties that claim the Riksdag has very little influence on EU matters are the most active, but one could argue that it is more peculiar that the other parties are not more active.

The Parliamentary Parties: Discussion

Political parties are important players in the political process. When EU aspects of political issues are covered, the dimensions of conflict may not always be the same as we are used to (cf. Hix and Lords 1997). Still, we consider that the parties have a role in presenting comprehensive views on political issues. They can contribute to openness and the critical attitude of some parties may benefit the political debate.

3. The Riksdag and the EU

If the co-operation between the Riksdag and the Government should work well on EU matters, both parties must be prepared to adjust. The Riksdag should find forms to deal with the flow of information and the Government should be open to parliamentary influence.[22]

If the Riksdag is to have any influence, it must be involved at an early stage of the process. Relevant documents must be made available and the Riksdag must have a chance to see what is important in the flow of information. Although these statements are widely accepted, they are no less true on that account. However, we would also consider that the Riksdag must be partly open to new ways of dealing with EU matters. Membership means that the parliament has lost formal power. One way to retain some political influence is to focus on parliamentary control. Parliament has in some ways a unique role and a unique responsibility in controlling

22. In an internal memorandum from the Government, instructions for certain decisions taken at COREPER are given. Different kinds of reservations are mentioned, among them parliamentary reservations. They may be used when the Swedish government has not had the opportunity to deliberate with the Riksdag and the issue is so important that the Government believes that deliberations with the Riksdag are necessary. According to the memorandum, the use of this kind of reservation should be limited. We believe that the Government must be prepared to work for the influence of national parliaments in the EU, even if this may, in the short run, lead to less efficient decision making in the EU. Thus, the Government should not hesitate to suggest in decision making bodies in the EU that decisions cannot be made until gevernments have had a reasonable chance of consulting their national parliaments. See *Cirkulär 4 Rktlinjer för handläggning αv s.k. A-punkter och skriftliga beslutsförfaranden i EU-fragor.* Utrikensdepartementet, Eu-sekretariatet (1996).

the Government, e.g. by constantly stressing the importance of openness.

Parliamentary Control

Control of the executive is an important part of the powers of the Riksdag. The Riksdag has lost formal powers to the Government which legislates together with other Governments at the European level. It is crucial to parliamentary democracy that the Riksdag continuously follows up the actions of the Swedish Government in the Council of Ministers. One way for parliament to increase its control over the Government in EU matters could be to analyse the reports the Government delivers after each meeting in the Council of Ministers more closely than today.

An important part of parliamentary control is the examination of ministers' performance of their duties and the handling of Government business conducted by the Committee on the Constitution.[23] Since Sweden became a member of the EU, the Committee on the Constitution has touched upon some matters relating to the EU. For instance, the Committee on the Constitution has given an account of the Government's organisation of its handling of EU issues. The committee stated that it would monitor that organisation in the future. The committee also suggested that the Government's application of the rules concerning public documents in issues related to the EU should be followed (bet. 1995/96:KU30). In 1997 it examined the information the Government had given concerning deliberations in the EU Advisory Committee about the third pillar (bet. 1996/97:KU25).

An important part of the Committee on the Constitution's work in controlling the Government concerns administrative matters. One of the administrative matters is the publication of Swedish laws and statutes. The Committee has stated that the analysis will also cover regulations from the EU, which are directly binding by their publication in the Official Journal (bet. 1995/96:KU30). One interpretation is that the Committee has widened its area of competence to cover EU institutions. It is not the Swedish Government that publishes the Official Journal and the Government is hardly responsible for the Official Journal. If the Committee on

23. It can be noted that the Parliamentary Auditors, one of the institutions which reviews the actions of the Government, has EU matters as one of its areas of interest during 1997. They will for instance analyse the role of the Government in implementing EU rules in Sweden.

the Constitution is critical towards the publication procedure of the Official Journal, we assume that it will state that the Swedish Government should use its channels of influence in the EU to make things work better. This means that the control of the Riksdag is only indirect, and points to the essence of the democratic deficit in the EU. The Riksdag has delegated powers but it is difficult for the Riksdag to ensure the accountability of the EU.

Other means of controlling the executive are questions and debates in the Chamber. We have presented data on how often EU issues are discussed in the Chamber above, and we believe that activities in the Chamber can be an important means of control with regard to EU matters.

Concluding remarks

In this article we have focused on the Riksdag and especially its relations to the Government regarding EU matters. However, the Riksdag and the Government have in one sense a common "opposition party", the EU. It is important for both the Riksdag and the Government to further Swedish interests in the EU. For instance, both the Riksdag and the government want to increase openness and transparency in the EU. We believe that it may be in the interest of Sweden to demonstrate a united front, since this may increase the effectiveness of Sweden's bargaining position. However, parliament can never give up its role of ensuring that democratic values are defended. Democratic influence and control may interfere with efficiency, and perfect balance is not achieved once and for all. It is an ongoing process, and we are eager to see how parliament creates its role in this new system and how its relationship to the Government evolves.

For the EU to gain legitimacy, its responsiveness to the opinions of citizens must be improved. An important function of national parliaments with regard to decision making in the EU is to increase openness. With a more open EU, there may be scope for national parliaments to have a voice in the matter.

Our comprehensive description of the Riksdag's handling of EU matters in the EU Advisory Committee, the standing committees, the Chamber, and the parliamentary parties, gives an assessment of how the Riksdag has confronted these challenges until now.

Acknowledgements

Our article draws on a large number of different types of sources. We have taken advantage of information from various internal sources in the Riksdag, including the database Rixlex, and especially from the EU Advisory Committee. We are grateful to different people in the Riksdag who have helped us to find and interpret the information. Some information has been gathered through participant observation. We gratefully acknowledge the comments of Torbjörn Bergman, Ulf Christoffersson, Magnus Jerneck and Annika Sandström on earlier drafts of this article as well as the professional linguistic editing by Brian Turner. For any remaining shortcomings we accept full responsibility.

Abbreviations

bet.	standing committee report
COREPER	The Committee of the Permanent Representatives
COSAC	The Conference of European Affairs Committees
EC	The European Communities
EMU	The Economic and Monetary Union
EU	The European Union
fp	Liberal Party
IGC	The Intergovernmental Conference
kd	Christian Democratic Party
m	Conservative Party
mp	Green Party
nyd	New Democracy Party
s	Social Democratic Party
skr.	written communication (from the Government)
v	Left Party

Abstract

HANS HEGELAND and INGVAR MATTSON : *The Role of National Parliaments in the European Union : The Case of Sweden.*

The role of the Swedish parliament (the *Riksdad*) in handling EU matters is analyzed. Four structures are described: the Standing Committees, the Advisory Committee on European Affairs, the Chamber and the Parliamentary Parties. For each of the four structures the ability of the Riksdag to gain influence in the EU is discussed. Moreover, their importance for facilitating openness in the public debate on the EU through improved transporency is elaborated on. The Advisory Committee on European Affairs deliberates with the government each week, before the meetings in the Council of Ministers. The Committee fulfills an important function in regard to influence and openess. The most active political parties in EU-matters are the most EU negative parties.

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DOES IT EXIST AND CAN WE USE IT: COMPETITION AMONG CONSUMERS? (Pricing a real novelty: the Austrian point of view)

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The attainment of those initial sales is often the hardest part of marketing a new innovation… One of the most important strategic goals of pricing, especially when the product is innovative, is to obtain trial (Nagle 1987, p. 139 and p. 196).

I. Introduction

You do not doubt there's competition among producers. But among consumers? And with competition I mean what it once meant in economic science and still means in everyday language: active rivalry. Of course when you -as a consumer- look in the mirror you see things you do and don't like. And, maybe, one of the things you don't like, is that urge in you to keep up with the Joneses. That's rivalry for sure. And then there's the way you behave when you buy you weekly groceries: you try to get in the shortest line with your shopping cart. That's rivalry too.

The first form of rivarly is well known. It's studied by the sociologist and one of the principles of marketing. Doesn't advertising heighten conspicuous consumption? The second form is, since the days of Adam Smith, studied by the economist: the laws of supply and demand. If there's a shortage, you did up the prices -or what ever it takes to compete: a quick move with your shopping cart for instance.

That second form of rivalry -is it still active today? I want to look at ec-

onomics: the market process, not sociology: the behavior of conspicuous consumers. Except for my shopping cart behavior every Thursday, and when buying or selling a house once or twice in my life, I nearly never feel that I have to compete. There's enough for everyone; the producer competes (Udell 1964, p. 45; Dickson 1992, p. 71; Hunt and Morgan 1995, p. 8).

But then so what if there is or isn't competition among consumers? First, suppose there isn't. Is, in the modern market, competition one-sided? First, suppose there isn't. Is, in the modern market, competition one-sided? Do, as a rule, only producers compete? Second, suppose there is competition among consumers. If we know the why and is thereof, maybe we can use it in marketing too. Are you -as a producer- using competition among consumers?

II. Free entry: the why and is of competition among producers

Let's start at the beginning. Why is competition a problem among consumers but isn't among producers? For the producer the question isn't difficult to answer -if he doesn't, he's out of business in no time. He offers a product that competes with others. Something we can see and is independent of the market situation. A shortage, a surplus, or an equilibrium - the producer competes. To sell a product in a world of scarcity and change it has to be the best.

And if there's free entry, the why implies the is of competition. A condition Smith was already aware off. "The exclusive privileges of corporations, statutes of apprenticeship, and all those laws which restrain, in particular employments, the competition to a smaller number than might otherwise go into them, have the same tendency, though in a less degree. They are a sort enlarged monopolies…" (Smith [1776] (1974), p. 164).

I give another answer. It isn't based on something we can see, but on a deduction from a self-evidence- man act: we try to improve our situation. What's otherwise the use of acting? We search for new ends and means - the entrepreneurial element in human action. The self-evidence is the fundamental axiom of the Austrian School of economic thought. But "[e]ntrepreneurial activity from being competitive? Israel Kirzner says, "is always competitive and … competitive activity is always entrepreneurial"

(Kinzer 1973 p. 94). For what would stop entreprenewrial activity from being competitive? "Competition … is at least potentially present so long as there exist no arbitary *impediments to entry*. So long as others are free to offer the most attractive opportunities they are aware of, no one is free from both the urge and the need to compete" (Kirzner 1973 p. 97). And if a competitor seeks to outdistance his rivals this means transcending, entrepreneurially, a given ends-means relation.

III. Competition among consumers: the why not

But competition among consumers isn't that obvious. the billboards on Times Square show the consumer as a sovereign king, way above all down-to-earth competition. To speak of a chocolate or steel king, however, is misleading. For the producer, pride comes before a fall. The producer competes, the consumer chooses. Serving-the-customer is a basic normative idea of our society.

In other words, if the consumer doesn't compete, he isn't out of "business" in no time. "[T]he masterful housewife," as Wesley Mitchell said, "cannot win away the husbands of slack managers as the masterful merchant can win away the customers of the less able" (Mitchell 1912, p. 274). The Amish in Pennsylvania, who are living the way their ancestors did, are still alive. The producer has to please someone else, the consumer only himself. If no one may steal a march on me, free entry is absent.

What's the answer of the Austrians-making, again, a deduction from a self-evidence? Aren't their central ideas: discovery, entrepreneurship, and alertness? Ideas bound up with competition. And didn't the older Austrians put the consumer instead of the producer at the center of their theory? Value was no longer governed by past resource costs but by judgements concerning future usefulness in meeting consumer wants.

Acting implies -as we saw- entrepreneurship: choosing ends and means. But the ends and means aren't given, they have to be discovered. Being human, however, both producer and cosnumer err. Choosing implies making errors. An error isn't always a calculation mistake, solved with better calculation. Either is it always the result of a lack of knowledge, solved with knowledge that exists and we can search for. There's

also the possibility of a entrepreneurial error: an opportunity-costlessly available- is overlooked. We don't see the ten-dollar bill laying in front of us-for free. And it's the correction of these errors that interests the Austrians. Errors solved with the entrepreneurial element in each of us: alertness. Alertness is "the propensity … toward fresh goals and the discovery of hitherto unknown resources" (Kirzner 1973, p. 34).

But now the Austrians have the same problem. Thought the consumer discovers, errs, and is alert the quetion still is: Why should he do this rivalrously? The answer isn't as obvious as it was for the producer. There are differences in free entry. In theory the producer can fulfil his entrepreneurial role without any means. He acts in between two markets: a buying and a selling market. Pure arbitrage is possible. Entry is free; rivalry is fierce. The consumer, on the other hand, acts in a buying market only. He has to possess means, entry isn't free.

IV. Competition among consumers: the why

Let's not give up our discussion of the market. There's rivarly when a consumer looks over his shoulder. He wants to know what opportunities others are about to embrace in order to embrace an at least as attractive one. Discovery and adjustment are two-fold. It is explicit rivalrous behavior: I try to steal a march on my fellow consumers. But it also includes - as is said for the producer- various, hardly secondary, degrees of cooperation and copycat behavior. "[I]mitation can be an extremely entrepreneurial act, particularly if it entails the opening of new markets for the innovative product" (Baumol 1993, p. 157; cp. Hunt and Morgan 1995, p. 8). "I remember him [Sam Walton, the founder of Wal-Mart] saying over and over again: go in and check our competition… If you get one good idea, that's more than you went into the store with, and we must try to incorporate it into our company" (Walton 1993, p. 81). Why does this count for the consumer as well?

Firts, if I look at what others do, and at least not make a worse offer, I increase my chances to gain. I use the knowledge of others and gain by buying what everyone else does, through lower prices, a greater efficiency.

Second, I am not only hopeful of the gains I get if I imitate, but, just as

important, fearful of the losses if I don't. Suppose I stick to my consumption pattern. Consumption patterns, however, change. Heating is no longer done by coal but by gas. Getting coal becomes difficult and expensive.

Third, I feel a certain urge to watch others. If I don't, the gains are lower: I will give up potential utility. Still not to use a washer is an example.

Consumers cooperate and imitate. If you want to survive, you have, if not to set, at least to confirm a trend. Trends, fashions, and fads are the expressions of a competitive error-solving process. They are the work of the producer as well as of the consumer. In disequilibrium, imitation can be a way to discover opportunities. The risk, the cost, of doing everything on one's own may be too great. For the producer, "imitation may by able to achieve a given increase in productivity far more cheaply, in terms of real resources consumed in the process, than can be done by innovative effort" (Baumol 1993, p. 165). For the consumer, imitation replaces single high-cost consumers by groups of low-cost consumer. Consumers join together into retail cooperatives or different competing trends.

Competition isn't a contest with one winer. Less successful consumers aren't eliminated; they are removed to a more modest place. Competition among consumers is niche competition. There's a place for everyone-even for the Amish. Niche competition, Lester Thurow says, is win-win. Competiton among consumers in the old days and the exception I noted in these days are forms of head-to head competition. "Head-to head competition is never win-win, at best it is win-lose, and everyone can see it as potentially lose-lose" (Thurow 1992, p. 58).

V. Disequilibrium: the is of competition among consumers

Now we know why consumers compete. They do it because they make errors, and try to correct them-disequilibrium phenomena. A disequilibrium points to market ignorance. From the ignorance emerge profitable opportunities competitive-entrepreneurial alertness exploits (Kirzner 1979, p. 30). All that's necessary to let this happen, is that we live in a disequilibrium: a world of change. Which of course we do. So the why and is of competition among consumers are the same. There's competition at all times and places. Competition among consumers isn't bound up with a

shortage. Just as competition among producers isn't with a surplus.

What about free entry? Is there no role for it here as there was for it in competition among producers? Sociologically and psychologically there are costs to change a consumption pattern. I am not looking, however, for a change in prefernces. What Veblen describes can of course -as I did in the beginning- be called competition but it doesn't fit in here, it's sociology. Likewise Robinson Crusoe had to be competitive. Competitive he had to be towards his own ideas. Ideas competing for recognition (Dewey 1933, p. 103). But that's phychology and not my interest either. Nor, assuming stable preferences, I am looking for a change in relative prices or in income that could explain a change in consumption. I am looking for a competitive market process set in motion by unexploited opportunities. So again: What about free entry?

It all depends on how one looks at it. Though for the producer entry is free for pure arbitrage it isn't for imitaiton. For the producer imitation is stifled by patent protection-patent litigaitons enough. A protection that's unknown to the consumer. The producer has an advantage in arbitrage, equalizing prices, the consumer in imitation, equalizing utilities.

VI. The marketing mix

Indeed the end of the bidding up of prices by consumers since the days of Smith is one thing. But as long as they make entreprieneurial errors they compete when they try to solve them. The question is: if there are entrepreneurial errors and consumers try to solve them competitively, how to use this for pricing?

Why pricing? Because of all the P's of marketing, pricing is less thought of from the point of view of competition among consumers. A producer prices a product from as little as possible to whatever the traffic will bear. He thinks about costs, competitors, and -in modern marketing- especially customers. Product, place and promotion, however, don't only put the customer first, but use competition too. Not only, just as pricing does, do they use competition among producers. Aren't there cooperative, adaptive, opportunistic, and predatory prices (Nagle 1987, p. 86)? But they also use competition among consumers. They use the first form

of rivarly, I noted in the beginning: to keep up with the Joneses. And they try to stimulate the consumer's entrepreneurial alertness. "*The advertiser* [for istance] *has, as it were, injected a pleasant surprise into the world of the consumer*. The consumer finds that his world, his range of options, is a little richer than he dared anticipate" (Kirzner 1988, p. xx).

Price, in the 1970s, was the last P to include the consumer: his price sensitivity (Nagle 1987, p. xi; cp. Monroe 1990, p. 368). The emphasis, however, still is on the price-sensitive consumer per se: his entrepreneurial alertness -not on his competitive- entrepreneurial alertness. The reasons is probably the one I started with. Today, competition among consumers -the bidding up of prices- in dormant. So, if it doesn't exist, and there's nothing else to replace it, what's there to be used?

To put it differently. Pricing tries to harvest the value the other P's sow the seeds of (Nagle 1987, p. 1). "[P]rofits, not just sales, …[are] the objective" (Hunt and Morgan 1995, p. 11). We know, however, that a price creates value too. A high price can fill status needs. But there's another way to create value-use the competitive-entrepreneurial consumer. Price can be used as an instrument of communication. It brings to the attention: it creates value for competing consumers. Then price doesn't only harvest but sows the entrepreneurial process too. It induces immediate overt behavior by strengthening the announcement of the offer (cp. Waterschoot and Bulte 1992, p. 89).

VII. Pricing a real novelty

I look at the introduction of an innovative new product - a real novelty. Something that's a potential mass product. How to price if there isn't a market yet? That's where entrepreneurial consumers come in. Then the consumer's entrepreneurship, the discovery of new means and ends, is paramount. The product has to be discovered, information diffused. The producer needs all the help he can get. Just as in the days of Smith, he can use competing buyers. Then it couldn't hurt, either, to bring the buyers together and organize the bidding.

Pricing a new product is one of the most difficult pricing problems. "The newer the product, the greater the uncertainty associated with the

key [marketing] variables" (Oxenfeldt 1975, p. 176). There's no price sensitivity you can use. When told of a new product, those who buy it do it often "whatever" the price is (Nagle 1987 p. 139). Price sensitivity comes afterwards.

There are three price strategies; penetration, skim, and neutral pricing (Nagle 1987, p. 113). You can set a price relatively low, relatively high, or equal to the ecnomic value of most of the potential buyers. In other words, price sensitivity is important, isn't important, or isn't relavant. All three strategies have their drawbacks.

The first strategy, a low price, is often thought to be the most effective, though costly, deal to introduce a new product. It tries, as Alfred Oxenfeldt says, to "overcome the reluctance of people to buy new products by offering special inducements" (1975, p. 190)? But is there nothing more to do, then to give these usual inducements: "a combination of low price - effective for only a limited, and often specific, period- and specially easy return privileges" (Oxenfeldt 1975, p. 190). And for the rest to rely there on that "[m]ost of what individuals learn about innovative products comes from seeing and hearing about the experiences of others" (Nagle 1987, pp. 138-139). There's no price sensitivity yet. A low price for a new product by the inexperience of the buyer is no bargain. So it's role can't be that great.

The second strategy, to set a high price because the first group of buyers you try to reach are price insensitive, has its drawbacks too. Who are they? It's said, they are the innovators, consumers who try the new product early and "to whom the later adopters, or 'imitators', look for guidance and advice" (Nagle 1987, p. 139). And where can you find them? It seems natural to turn to the places where money doesn't count. In Beverly Hills, rivalry among the rich and famous, because of 'free entry', is fierce. At Rodeo Drive, if you have to ask for the price, you can't afford it. That, indeed, comes close to being price insensitive. Though in the very poor neighborhood of South-Central Los Angeles competition can be as fierce. Trends needn't be expensive. Money plays no role, either because one has or hasn't enough of it. The extremes meet. These are the places for a producer to send his trend-watcher. If he wants to see what rivalrous consumers are discovering.

That's one thing, for sure. What, however, if the situation is a "reversal of a 'follow the leader' strategy" (Dixit and Nalebuff 1991, p. 10)? If

everyone considers you a leader, a trend-setter, the surest way to keep that position is to play monkey. The best strategy is to follow the trend once it's adopted by the majority. In their eyes you can't loose. So, again, in economic competition the winner doesn't take it all. There's a place for everyone-even for the imitating trend-setter. Our problem becomes: If the innovators some-times, somehow don't lead, but imitate the imitators, how to reach the imitators - your future mass market?

Finally, the third strategy, to set a neutral price, doesn't look that great either. It's a passive strategy. It's one you use because of the default of the other more activist ones. And it's a negative strategy. It's the surrender of price to the other P's (Nagle 1987, p. 120). Still, it's the strategy I propose. However, I add some promotional pricing. Something that makes it the better world of the other two. The emphasis on and the sharp dichotomy between a skimming and a penetration price -as is used in the marketing literature (Dean 1976, p. 147; Kotler 1964, p. 44; Monroe 1990, p. 292)- clarifies. But not without a cost.

VIII. The rule of competitive-entrepreneurial pricing

When you want to use competing consumers, what price tactic to add to that neutral price? In other words, if the utter ignorance of means and ends creates entrepreneurial errors, how to use them for pricing? I give the rule of competitive-entrepreneurial pricing.

A competing consumer is error-solving. He's alert to price signals and watches others. By doing that and at least not to offer a worse bid he increases his chances to gain and minimizes those to lose. The producer can use this. For the producer the trick is to make it look as if the price signals a trend. For this, a simple sweepstake will do. The tactic might be to give a gift to every one hundredth who orders with a certain mailorder house, buying a product hitherto not sold by post. Or, to give a lottery ticket to every buyer who books a trip to a new destination with a certain travel agency. These tactics simply suggest that the buyer - isn't alone. He's riding a trend: solving an error. This is the rule of competitive-entrepreneurial pricing.

It's essential not to give the gift to everyone. Give it every one hun-

dredth buyer, or -if it's a prize- make the chance to win one out of thousand. Otherwise it looks, at worse, as an ordinary cut in prices, valid for everyone-without any suggestion of a trend, at best, as the tactic of selling a new product with a gift of known value. The last, indeed, helps selling the first. You're speeding-up the discovery process. Just as you speed-up the consumer's economizing process by making the sale for a limited period or as long as supply lasts. It's better, however, to compare the rule with pricing a known product below the equilibrium price. The resulting signs of a shortage: waiting lines, delays in delivery, and the ticket scalper signal a trend too-not, however, of an unknown bu of a known product.

Why settle on the neutral price? It signals the right value. A skimming price, almost by definition, would be contradiction. First, the happy few aren't interested in vulgar lotteries for the many. Second, the innovators aren't generally a random sample of buyers (Nagle 1987, p. 139). A lottery, however, picks the winners at random. They innovators know that. So, it has little appeal to them. And a penetration price isn't necessary. For the consumer the gains are still pure discovery gains. Gains to be compared with the old way of spending. They aren't to be mixed up with the gains by economizing that are possible later on. Try to ride the trend. Don't throw money away by cutting prices.

IX. How the goevernment stifles entreprineurial pricing

In pricing, next to costs, competitors, and customers there's of course the law. This doesn't seem to be a problem. Isn't, at least since the signing of the Sherman Act in 1890, the government one of the staunch defenders of competition? But though we all know of her trying to improve with anti-trust policy competition among producers, we never hear of her doing the same for competition amongs consumers. In general the latter is thought to be taken care of, first, by the sheer number of buyers: there are many. Second, by a policy to create a more equal distribution of income. Just as on the producer's side of the market, big firms, oligopolies, are suspect, so too on the consumer's side, the big spenders, the wealthy oligarchy. But there's more. There are the specific regulations of the Federal Trade Commissions (FTC). Unfair or deceptive prices are forbidden

(Monroe 1990, pp. 405-406). The producer must be able to compete; attempts to manipulate the competitive structure are forbidden. The consumer must be able to express his wishes; he isn't to be misled.

For the FTC the rule of competitive-entrepreneurial pricing looks deceptive. So it ought -at least potentially- to be banned. By a gift, you lure the consumer to buy a good who's value is unknown to him. And will, indeed the future price -the one without the gift- be unchanged? A gift, to make it worse, only a few will have. It seems the buyer is misled. That, however, can't be. It aren't calculation or knowledge errors we're talking about. Then, indeed, you can lower the consumer's price sensitivity when you make comparison with competing offers difficult. The producer, for instance, uses calculation problems by pricing his eau de toilette 1.25 oz $17 instead of, as his competitor does, 1.50 oz. $20. And doesn't he use knowledge problems by pricing his firtilizer the same as his competitor? Claiming, however, that his fertilizer lasts twice as long. But does it (Nagle 1987, p. 61-62)?

Here, however, it's new ends and means we are talking about. That's what the market is trying to find out. We aren't talking of products that are known and have substitutes, products which aren't that new (Tellis 1986, p. 151-2). The regulations of the FTC stifle the discovery process. A process set in motion by competitive-entrepreneurial pricing.

X. Conclusion

The good news is that on pricing a real novelty you don't walk alone. Indeed, you have to start from scratch, but you can use competition among consumers in sprending the news. Of course you are serving the customer, but that doesn't mean he can't help you to deliver the message. Where trends are conceived, consumers compete. They discover -create- the market for you. Trends aren't sold by competing producers, they are bought by competing consumers.

How do you do it? By passively relying on word-of-mouth recommendation? No, you can take the steer: You let the consumer know that he, too, isn't walking alone. Give him a lottery ticket when he buys your product. Now he knows, there's a chance he'll be a winner out of say-

indeed-thousand other buyers. Then you give him value for money even before uses your product.

Competition among consumers doesn't only help the producer. It helps the consumer to compete: to correct errors, too. Just as competition among producers helps the producer. "[I]f our story," Walton says in his autobiography, "doesn't prove anything else about the free market system, it erases any doubt that spirited competitions is good for business - not just customers, but the companies which have to compete with one another too. Our competitors have honed and sharpened us to an edge we wouldn't have without them" (1993, p. 242).

The government has nothing to do with this tactic. It can't be deceptive. There's, simply, nothing to be deceptive of yet. You help the consumer to discover new ends and means. To ban it the government stifles the discovery process the market is. In pricing new goods the government isn't the solution to spreading information the consumer might value. She's -again- part of the problem: holding him ignorant.

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