Ladies and Gentlemen,

Allow me not to make further addresses as I enjoy the great honour of being here with you today in both my capacities: of course, as the President of the Hellenic Republic, honouring this emblematic Conference today, but also as your colleague for many long years. I assure you that my most important capacity before taking over my present duties was my academic one, which has taught me the importance of institutions, and of serving the public interest.

I feel greatly honoured to be here with you today to open this emblematic Conference, this unique Conference I could say, which brings together at this historic venue, jurists from Australia, great judges, great lawyers, who have all gathered here today in order to seek what this place, what Greece, could contribute through its tradition to our modern legal culture.

Let me also say that I feel proud, both as the President of the Republic and as a Greek, of the Greek-Australians and even more so of the Greek jurists of Australia who are a shining piece of the mosaic of Australia’s national identity; of the great nation that is gradually being built. I am addressing the representative of Australia, the ambassador of Australia, to say that yes, through the identity that it is shaping, Australia is showing the path of coexistence to our modern world. What you have achieved is unique: you show the path of coexistence to people who live in a big country, each one keeping the elements of their national identity while at the same time learning to co-exist, to contribute and to create something new. This is what this world, our difficult world, needs. An open society, a society of creation.

So, thank you for being here today, especially here, in Rhodes. It is not by chance that you have selected this place. This is not only the place where
many of you come from, especially my friend, Manolis Varitimos. Rhodes, as we heard earlier, has a long legal tradition dating back to ancient times. This is where the Rhodian Maritime Law was created and was applied far beyond the then borders of Rhodes. Its general principles continue to inspire rulings and legislation.

Allow me to tell you very briefly, from my point of view and always in my double capacity of the President of the Republic and of your colleague, what we Greeks, and you, can promote as the contribution of the Ancient Greek civilization to the modern legal world. Because there is a contribution, an important one that is not only limited to the legal culture. It is a contribution to the Western Civilization, to the European civilization in general. The contribution of Ancient Greek civilization, of the Ancient Greek spirit, can be summarized as going in two directions.

First direction: Even today the ancient civilization, the Ancient Greek spirit, inspires our legal culture through the notion of freedom.

Second direction: Yes, Ancient Greece does inspire the modern legal culture through the teachings of democratic governance, which started as direct democracy and subsequently evolved. It shaped, for the first time, the notion of the citizen, of man as a citizen; an extremely important notion as it entails rights and responsibilities.

Allow me to discuss very briefly these two components of the Ancient Greek spirit’s contribution to the modern legal culture. First of all, the notion of freedom. The Ancient Greek spirit has, above all, taught and continues to teach the notion of freedom. Why? Because this was the very greatness of the Greek spirit.

The Greek spirit was able to achieve greatness precisely because it was free, creative and challenging. Contrary to other peoples who adhered to myths and dogmas, the ancient Greeks discovered the notion of freedom of thought. It is this freedom that allowed them to take the information, transform it into knowledge and finally into wisdom. This is what allowed the ancient Greeks and the ancient Greek spirit to disenchant the world, in the words of Max Weber who wrote of “the disenchantment of the world” (in German “die Entzauberung der Welt”). The Greek spirit disenchanted the world by removing the bondage of myth, of legend. It has made free thought possible and it is this freedom that has led man to claim additional rights, over and above the freedom of thought.
Freedom of thought is the fundamental freedom which shapes other forms of freedom. This led the Ancient Greek spirit to that which Cornelius Castoriadis codified as a three-part process: the search for the causes of a phenomenon, secondly the comprehension of the causes and finally the elucidation. As Castoriadis called it: that is the holistic conception of a given proposal, of a given view of things.

This freedom was first created by the Pre-Socratic philosophers in Ionia and by the Sophists. It was they, Heraclitus for instance, who said “Everything flows and nothing stands still” or Protagoras who said “Humans are the measure of all things”. They were the first to discover the relativity of knowledge and the need for knowledge to advance and create. They were the ones who, right from the start, learned to challenge one another and to achieve perpetual creativity.

This is therefore the first component of the Ancient Greek spirit’s contribution to modern legal culture and to our culture in general. It is the notion of freedom, of free thought, which creates the free man who has rights and responsibilities. The man who ceases to be subjected to others, does not recognise despots, kings and generally any power that is not founded on democratic rule and popular sovereignty.

I now come to the second component, which is directly linked to the first one.

Ancient Greece shaped the first democratic foundations of governance. Ancient Greece, mainly ancient Athens and then other cities of the time as well, created the institution of direct democracy; of a democratic governance. It created, as I said earlier, the notion of the citizen who has rights, responsibilities and more importantly, civil rights. The right to vote and to be elected. This is the origin of these rights. Of course, at our age, democracy has become representative democracy but its roots can still be found in Ancient Greece.

Let me stress once more that Ancient Greece taught us the meaning of democratic rule, the meaning of governing man on the basis of his participation in the political system that governs his country. The great difference between the Greeks and other peoples of that era was the reaction of Greeks to despotism. Greece resisted despotism. This contribution cannot be challenged in any way even today.
The Persian wars made this clear. You are aware of it. As jurists, you know that the victory of the Greeks at the Persian wars, in Marathon and Salamis, was the victory of spirit and freedom over despotism. The boundaries between East and West were marked as a result of the Persian wars. It was the Persian wars that stopped despotism from expanding, which allowed Athens to defend all the principles I have highlighted, both freedom and the democratic ideal.

This is still important today. I do not in any way underestimate the importance of other, neighboring nations. Yet, if we look at the present reality, Greece is the country of stability, of normality, of democracy. In general, it is the outpost of the West towards the East. We Greeks practice this despite the difficulties, the sacrifices, especially of recent years. Democracy and freedom are a living experience for the Greeks exactly because this is our heritage and we need to serve it. We serve it and shall continue to do so as people who belong to the West, to Europe, as a nation of Europe wishing to leave its mark on the future and contribute to European integration at the same time. This is the great vision of the Greeks: to defend our history, our heritage and through this to contribute, from within the European Union, to the history of the future, to mankind as a whole. I assure you, this is not arrogance. It is a sense of duty that we Greeks feel towards the principles that our modern legal culture inherited from Ancient Greece: freedom and democracy.

I will conclude by acknowledging what nobody can challenge. Looking at our present legal culture, which we share despite some differences, we must acknowledge that the institutions, the Res Publica, were shaped in Rome, Ancient Rome. Our common legal culture is governed by the heritage of Ancient Rome. According to the Gospel we need “to render unto Caesar what is Caesar’s and to God what is God’s”. But we also need to acknowledge another truth: that Ancient Rome, which remains the heart of the institutions, of modern institutions, which inspires us since so long ago through the great emperors and the great philosophers, owes a lot to the Ancient Greek heritage.

First, the fact that the Laws of the Twelve Tables, the basis of Roman law, has its origins in Ancient Greece. If we look at the research on the Laws of the Twelve Tables, the first basic law of Rome, we see that it relied on the laws of the ancient Greek cities. To a large extent, it relied on ancient Greek laws, on the manner that they regulated the economic and social
relations of the time, and mainly on the ancient Greek laws of the Greek colonies in Magna Graecia, the coastal areas of Southern Italy.

Secondly, yes, we do owe the notion of “public interest” and generally the notion of *Res Publica*, the foundation of democracy and of the state, to Rome. But the root of *Res Publica* can be found in Greece: in the “common interest” analysed by Aristotle mainly in his work “Politics”, but also in “Nicomachean Ethics”.

Finally, to Rome we owe the great general principles which, as you judges but also lawyers know very well, are not only the basis of our legal thought today, but of Court rulings too. The great clauses originate in Rome and especially in late Rome, in the end of the Roman Empire and the great emperors of the time. It is a fact, for example, that principles such as good faith, the accepted principles of morality, clemency, were shaped in Ancient Rome by emperors, as I said earlier, who shaped them through a special procedure, the *Cognitio Extra Ordinem*.

The *Cognitio Extra Ordinem* was the law-making procedure used by the emperors when the Law of the Twelve Tables had become obsolete and was not adequate any more, when not even *Jus Honorarium*, which was what the Praetorians had created, the *Jus Praetorium*, was adequate. It then became necessary, especially when the Roman Empire had grown but had huge problems of internal cohesion, for the emperors to issue, through this special procedure, general principles, which were used by the judges as the basis for their rulings. This is the *Cognitio Extra Ordinem* in very general terms.

These emperors, for example, Trajan, Hadrian, Antonine, Marcus Aurelius, Septimius Severus created the principles I have just explained. Septimius Severus’ *Apokrimata* contain fundamental principles of our present legal culture, they contain rules of the law which govern our legal culture, court rulings, even today. But it is easy to understand that these emperors, especially through the *Cognitio Extra Ordinem* procedure, shaped these principles as a result of their general way of thinking, which was purely Greek. The basis of their inspiration was the philosophy of the Stoics, which had become accepted through different philosophers of Rome who had taught the emperors as their teachers. So once again we find that Ancient Greece, through its philosophy, is present in the Roman culture and in our modern legal culture.
This is, in general terms, the contribution of Greece, of ancient Greece. As I told you, we Greeks do not in any way, monopolize either knowledge or culture. We render unto everyone what is theirs. We feel proud of this heritage but at the same time, we feel the great burden of history. This heritage is not enough to vindicate us in the future. We need to shape our own contribution on its basis.

This is what I am here to tell you today, at this emblematic Conference. Greece will contribute with all its might to ensure that our modern legal culture gets the principles and values it deserves. We live in difficult times. Peace, democracy, are under threat and need to be protected incessantly. We see this everywhere and it is strange to note the complacency of the modern world.

We are therefore here, through this Conference, you, us, all of us who believe in freedom and democracy, who believe in man, to fight in order to awaken the conscience, to think how old principles and values are especially important even today. They are the only basis on which we can build a future that is worthy of man. Man, that must fulfil his destiny, on which we ought to reflect in order to treat others as fellow human beings, to consolidate the basic principles of peace, humanism, solidarity, democracy and justice in the modern world.

I wish the Conference success and I thank you for the great honour that you have given me by asking me to declare its opening. May many other Conferences follow, always here, in Rhodes. I will be with you under any capacity, even after the end of my mandate, when I will hopefully have more time to spend here with you.

Thank you very much.