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Περί της ιδρύσεως του εμπορικού και βιομηχανικού επιμελητηρίου Σμύρνης: 1921-1922

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ON THE FORMATION OF THE SMYRNA CHAMBER OF COMMERCE AND INDUSTRY, 1921-1922

Most of the historiography of the modern Greek presence in Asia Minor addresses military, political, religious, ethnic, and intellectual themes. While older studies exist on the economic conditions of Asia Minor the concern about the conditions prevailing in the 1920s has been overshadowed by the administrative and military problems during the Greek presence in Asia Minor and by the study of the ensuing tragic events. Only recently, the study and partial publication of significant archival material of the National Bank of Greece referring to its short-lived presence in Smyrna between 1919 and 1922 has begun to throw some light on the economic picture. The introductory remarks of Veremis and Kostis for

I owe a special debt of gratitude to Mr Michael S. Notaras (an old associate of SNM in Smyrna and at the Agricultural Bank of Greece) and to Dr Victoria Solomonides for their patient correspondence throughout the last few years which proved invaluable in the clarification of a number of issues pertaining to this study. Dr Domna Donta kindly guided me through the documents of the Greek Administration in Smyrna which exist in the Archives of the Ministry of Foreign Affairs; Ms Maria Chaireti placed at my disposal other documents of the Greek Administration in Smyrna which exist in the General National Archives of the State in the Academy of Athens; similarly Ms Y. Hadzi helped me with the Archives of the National Bank of Greece that pertain to the presence of the Bank in Asia Minor. The warm and precise support of all of them is greatly appreciated. Finally I express my thanks to Professors John O. Iatrides, Thanos Veremis and Paschalis Kitromilides for critical readings of the paper. This paper was prepared for an oral presentation at the Conference on GREECE AND ASIA MINOR at Anatolia College, 2 - 5 July 1985, Thessaloniki, Greece, but was not delivered.


the above mentioned study present a welcome background of the economic scene in the Ottoman empire which helps in the understanding of the Greek politics and policies in Asia Minor. The published texts from the archives of the Bank, on the other hand, allow us to see in action the mechanics of the application of these policies. It is, then, in the same spirit that I present here material — unpublished, as far as I can determine— which relates to the period between the establishment by the Greeks of a High Commission in 1919 (later renamed Greek Smyrna Administration) under the leadership of High Commissioner ("Ωπατος Ἀρ-μοστής") Aristidis Stergiadis and the evacuation of August/September of 1922. I report, specifically, on a memorandum that refers to the establishment and the functioning of the Chamber of Commerce of Smyrna. This memorandum, which is part of a file containing material relevant to the Chamber, was written by Stavros N. Macrakis3, is addressed to «His Excellency, the High Commissioner of Greece» and advocates the formation of a Chamber of Commerce in Smyrna. Although the evidence is not available, it is possible to conjecture that as a result of this memorandum legislation for the formation of the Chamber was enacted4, as we can

3. Stavros N. Macrakis (1899-1956) then barely 20 and a Law School graduate of the University of Athens was attached to the Stergiadis administration as a conscript from Herakleion, Crete. His selection for the position was not random. Born in Crete to a prominent Venizelist family of farmers, businessmen and politicians, he rapidly completed his legal studies. His uncle, Michael G. Macrakis, was at the time a member of Parliament and of the Liberal Party from Herakleion Crete with intimate business and social connections with the Turkocretans. Because of that he was expedited to Smyrna by Venizelos to assuage the Turkocretan population of Smyrna and obtain their support. This incident is related by M. Rodas, Η 'Ελλάς εις την Μικράν 'Ασίαν 1918-1922, Athens 1950, and L.M. Smith, Ionian Vision, Greece in Asia Minor 1919-1922, Allen Lane, London 1973, p. 861. The Turkocretans were Greek speaking and of Greek origin moslems who had left Crete at the end of the last century. The younger Macrakis followed in his footsteps thus ensuring compliance with the policies of Venizelos with respect to the Turks. He served as staff in the Directorate for Commerce and Industry in the High Commission from 30.8.1919 - 1922. Upon return from Smyrna in 1922, S.N. Macrakis studied political economy in Paris, then entered into business and political career in Herakleion Crete, and subsequently in 1928 went to Athens as one of the first Directors of the then established Agricultural Bank of Greece (ATE). He remained with the Bank until his death. He was intimately involved with the agricultural settlement of the refugees from Asia Minor and served in many important directorates of the Bank. For a more complete biographical note see my introduction to a book of his, posthumously published by the Bank, Αναστασιάδης τόν καμένον χωριόν μας στό πλαίσιο τῆς μεταπολεμικῆς μας Ἀνασυγκρότησης, ATE, Athens 1983.

4. I have in my possession (Σ1 of personal archives) a final draft (?) of this legislation
surmise from the first— and last—Bulletin (Spring 1922) of the Chamber of Commerce. To understand the concerns justifying the preparation of the memorandum, I relied principally on an unpublished study hereafter referred to as *Economic Survey* by G. Trakakis and whose list of contents entitled *By-laws of the Commercial and Industrial Chamber of Commerce of Smyrna* consisting of 42 articles in 22 typewritten pages. This legislates the change over from the «Ottoman Commercial Chamber of Commerce» to the *Commercial and Industrial Chamber of Commerce*. The letterhead reads *High Commission of Greece in Smyrna* and, therefore, it must have been prepared, according to Victoria Solomonides, earlier than October 1921 when the High Commission assumed the title «Greek Administration of Smyrna» after a shake-up of its services. I have been unable to determine the date it was enacted. That it was enacted may be inferred by the introductory statement in the first Bulletin whose publication was mandated by the «articles of the by-laws» (2-8).

Incidentally, the HIGH Commissioner was empowered by the Greek Parliament to legislate by decrees. These provisional laws according to the Treaty of Sèvres (Art. 72) had to receive a sanction from the local government. See C.G. Ténékides, *Les Capitulations dans la Région de Smyrne et le Traité de Sèvres*, October 1921(7). From other memoranda in my possession (Σ 7) supported by A. Kalliavas, *Το Οικονομικόν μέλλον της 'Ελληνικής Μικρας Ασίας*, Aronis, Athens 1922, it follows that previously there were four Chambers of Commerce in Smyrna:

1. The Chamber of Smyrna (Ottoman Commercial) with 1000 members of whom 650 Greeks,
2. The French Chamber (established 1889), with 80 Members,
3. The Italian Chamber, with 150 members and,
4. The British Chamber, with 60 members.

The expectations for the new Chamber must have been about 1300 members paying dues.

5. P.G. Trakakis, *Ἡ Βιομηχανία ἐν Σμύρνῃ καὶ ἐν τῇ Ἑλληνικῇ Μικραίᾳ*, Smyrna 1920. A report for the High Commission. This is a typewritten hard-bound copy of a four part survey consisting of 211 pages and an Appendix of 7 elaborate tables. The first section describes the historical, legal and institutional problems of industry prevailing during the Ottoman rule of the region. It is valuable to the historian since it elaborates on Ottoman practices, so different from Western ones. The second section describes the conditions of the work force (pp. 30-48), the third contains suggestions for improvements (pp. 48-64), while the fourth and longest analyzes in some detail many industries as well as many companies operating in the Santjak of Smyrna (pp. 64-211). It appears as an indispensable piece of work of analysis done professionally with high standards of clarity, precision, and relative objectivity by G. Trakakis a senior member of the administration of the National Bank of Greece’s branch in Smyrna. This study exists in the historic archives of the National Bank of Greece File 41, (1486) but Veremis and Kostis in *Ἡ Εθνική Τράπεζα*, have not presented it in their work as it was done for the Greek Administration of Smyrna and therefore not directly related to the Bank’s activities in Asia Minor; they do refer to it in p. 52 and passim. In view of the fact that this material is not generally available and because of its importance, I place the list of its contents in Appendix A. The *Study* chooses to analyze in some depth the following industries: *Carpet Production* with special emphasis on the technique and the costs of production (study of *The Oriental Carpet Ltd*). Weaving and
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tents I present in Appendix A. This Economic Survey gives significant statistical data on most aspects of industry in the district of Aidinion (Aidin Vilaet) until 1919.

Let me then briefly report on the Memorandum, the Bulletin and portions from the Economic Survey:

1. The Memorandum on the Chamber of Commerce (see Appendix B for the Greek Text). The summary of the memorandum is as follows: The Ottoman Chamber of Commerce in Smyrna was thirty six years old by 1920 and had nothing to show for accomplishments. The then director of the Chamber attributed the failure to a. the Turkish government, which had a negative attitude, and b. to the capitulations issued long ago in favor of most foreign subjects. Macrakis adds a third reason: he suggests that the Chamber was just a loose association of merchants and not a legal entity, an incorporated society in the tradition of related European organizations. He admits, however, that in Europe conditions are different while in Smyrna there is a need for guidance, direction, and follow-up. The current Chamber, writes Macrakis, is run by seven to eight staff at a cost of 4625 Turkish pounds a year; there have been no elections, and the annual balance sheets have remained unaudited. While there is no insinuation of wrong doing, the Turkish law permits no interference in any case. And there is no service provided to commerce. The Chamber has no income except for annual dues, membership is not compulsory, and it does not provide arbitration or any other control for commerce and manufacturing [p. 5]. «We have no right» to abolish the Chamber since this is not possible because there are no articles in the Turkish legislation

Fibers, Beer Production and Soft Drinks, Soaps, Glycerine, Cotton Oil, Leather, Acorn Extracts, Alcoholic Beverages, Confectionary, Production of Electricity, Gas, etc. In many instances (as in the case of the British owned Gas company), negotiations between the High Commissioner and the industries reveal the mechanics of the relations of foreign companies in the area during the Ottoman rule and the attempts to change procedures during the Greek administration.

6. Kalliavas, Οικονομικόν Μέλλον. Kalliavas writes (p. 25) that the «Smyrna Chambers of Commerce, perhaps because of the Turkish administration, did not show any particular initiative and energy to improve the conditions and the practices of commerce in Smyrna». The Greek Administration, he continues, «wishing to utilize more purposefully the extant commercial capabilities[…] took the initiative to assist in the organization of the Chamber of Smyrna on a new basis which would respond to the importance of the commerce of Smyrna».
on Chambers of Commerce and Manufacturing providing for their dissolution as is the case in the Greek mainland (Greek law 183, article 24). And the Commission is unable to «legislate before the Treaty of Sèvres is enforced». Because of these constraints the proposal of Macrakis is to reach the public through releases in the press and to recommend to the current president to call a meeting of the board members of all nationalities in order to have the by-laws changed according to a proposal prepared by some employee of the High Commission in the Directorate of the National Economy.

The idea was to prepare a variant legislation adapted to the current situation and following the general spirit of the Greek law, as the latter had been amended by adopting the Italian practice. This law could provide a 6% surcharge on the tax on gross income of the members, thus ensuring its viability and guarantee its enforcement while establishing the principle of arbitration. The memorandum then analyzes the issue of arbitration at some length (5 out of the 10 pages of the memorandum are devoted to this problem) indicating the emphasis of Macrakis and the Stergiadis policy. The material is worth reading as it is an analysis of the current state of commercial affairs under the Turkish rule and legislation with special emphasis on the problem of ‘capitulations’ and the ‘sensitivity’ (εύθιξία) of the foreign merchants to any change in their preferred status. These problems will be solved, according to the memorandum, through arbitration, moral pressure on the foreign merchants, and their representation on the Executive Committee of the Chamber of Commerce.

The memorandum concludes by saying that the specifics are included in the «attached by-laws»7 and remarking that «if at the present time we cannot apply what theory and experience we have to secure in all respects the Chamber of Commerce of Smyrna through the legislative measures, the love and interest of the appropriate services, their close follow-up, as well as the acceptance of its objectives on the part of the businessmen will, nevertheless, be adequate for the moment to guarantee its success». As these concluding words suggest, the Macrakis memorandum is not merely an analysis of the Chamber of Commerce in Smyrna and its future needs. It is also a policy statement regarding the Greek

7. The draft of the By-laws is in the file mentioned earlier.
government’s attitude towards the Moslems and the minorities in the area of Smyrna. It is obvious that the staff of the Stergiadis administration and Stergiadis himself followed closely the instructions of Eleftherios Venizelos to softpedal the various issues and not to scare, intimidate, or impose on the Ottoman or the other minorities their own laws and institutions. In this case while most of the commerce was in Greek and non-Ottoman hands, the administration did not impose its own will on the Turks. Instead, it bent over backwards to accommodate all the parties. As Birge writes: «It is quite evident that the Greek authorities are doing what they can to win the favor and approval of the Moslem element and of the other nationalities». Llewllyn Smith describes the same situation, characterizing the administration’s policy as a «policy of firmness with the Greeks, and fairness with the Moslems». A similar picture emerges from the Trakakis memorandum addressed to the US consulate.

8. J.K. Birge (chairman). A Survey of Some Social Conditions in Asia Minor, May 1921. The Social Survey is a mimeographed report of 128 pages; it consists of a preface, 9 sections and... an alphabetical Index with 148 entries! From «Abattoirs» to «Young Women’s Christian Association»; and spares no entries such as «Prostitution, Segregation of», or «Venereal Diseases (E-3, 12)». The chapters consist of A. General Information, B. History of the City (by V.L. Jumeston), C. Municipal Administration (by (Reverend) J.K. Birge), D. Industrial Conditions (by G.S. Stearns), E. Health (by E.W. Bankin), F. Recreation (by Miss (Sara) Snell and Miss (Margaret) Forsyth), G. Correctional System (by S.R. Harlow), H. Charities (by Miss (Annie) Pinneo) and, I. Education (by Miss (Ruth) Perkins). Harlow was assisted by Vincent L. Humeston, Pandelis Raptarkis (as of '84, a lawyer in Athens) and Ismael Hakki. A balanced ticket! The Social Survey Committee consisted of Miss Olive Green (secretary) and E.O. Jacobs (treasurer) who had given a copy of the survey to Spyros Vassilas on September 1921; Vassilas was a section head for Commerce and Industry in the Stergiadis commission (see M.I. Notaras, Εις την 'Ιωνίαν, Αίολίαν καί Λυδίαν, Πριν πενήντα χρόνα, Athens 1972 and Smyrna Archives). Other members not listed above as authors were: Miss Nancy MacFarland, Mrs Georgie Underwood Peterson and Miss Helen Crosby. How the report got into the hands of Macrakis is not known but it must have been one of the documents studied in the preparation of the memorandum on the Chamber of Commerce. In fact there is a timid recommendation in D. that the Chamber of Commerce «carefully consider, a. procuring of cheap motor power for manufacturing purposes, both in the city and the suburbs...»


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The constraints faced by the Stergiadis administration are discussed in some length in the Economic Survey. This survey reviews the legislative environment pertaining to the Ottoman empire as it affected the businessmen of the various nationalities. It shows how the Greek Commission was confronted by a rather peculiar situation of lack of coherence, which one would suspect, was exacerbated by the disintegration of the Ottoman Empire. The Commission felt that it was its duty if not «its historical obligation», to redress this dysfunction. We read in the Economic Survey\textsuperscript{11} that the «foreigners, the subjects of the Great Powers, or the various protégés [sic] using the interference of the diplomatic representatives – others using the oblique methods of easy deals in addressing the vulnerable (φάλλωτος) Turkish authorities— were putting aside all resistance and every obstacle. They could thus obtain results and manage their affairs in a way that would have been unacceptable in well governed countries expertly administered». Obviously, the Greek Administration was anxious to change the status quo which they viewed as a ‘free for all’ situation while the foreign businessmen expressed great concern regarding the planned annexation of Aidini to Greece writing to foreign newspapers that «it would be best for the foreign element in Smyrna to have a Turkish administration under the control of the allied forces». Further, the Survey discusses extensively the issue of capitulations which, significantly, were maintained intact in the Treaty of Sèvres. Venizelos seems to have briefed Stergiadis on the contents of the Treaty a few months before the signing of July 28 / August 10, 1921 and the Commission staff was well informed of its contents. Hence the sensitivity of the Memorandum on this matter. The discussion of the Survey further indicates that the staff was not unprepared. But the Greek Administration inherited the system of capitulations from the Ottoman rule. And it was an issue of great concern to all. Thus one finds an extended discussion on the subject by Korizis\textsuperscript{12}; again the introductory remarks of Veremis\textsuperscript{13} give an adequate setting for the economic environment in Asia Minor for the first quarter of this century. It should be noted that the capitulations were unilaterally lifted by Turkey in 1913. However, they were reinstated with the article 261 of the Treaty of Sevres. An international law expert

\textsuperscript{11} Trakakis, Ἡ βιομηχανία ἐν Σμύρνη, p. 16.
\textsuperscript{12} Ibid., p. 16 where letter of the «Anglosmyrniote» Whitall to the Times of London.
\textsuperscript{13} Veremis and Kostis, Ἡ Ἐθνική Τράπεζα, p. 143 as well as p. 178.

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however argues that nevertheless Article 68 of the same Treaty «equates the territory of Smyrna to a territory detached from the Ottoman Empire. A territory detached from the Ottoman Empire means territory exempted from the regime of «capitulations»14. He recommends accordingly that the Greek Administration ignore the issue of capitulations altogether. However, Macrakis argued that because of the «sensitivity that the foreign consulates exhibit in reference to the subject of CAPITULATIONS» it is not useful to include a foreigner in the Committee or Arbitration while at the same time it is not in the interest of the administration to submit to the regime of capitulations; it would be more profitable to evade the direct issue and utilize a «sort of moral pressure» by introducing and article in the By-laws which would make public the results of an arbitration should a member refuse to submit to its decisions taking cover behind the ambiguity of the political situation. Such an article was not included in the By-laws but the argument goes to show the thinking that was behind the policies of the Stergiadis administration. Still another view suggests that because of the difficulties encountered in their administration, the capitulations should «be considered as a weak counterweight for the foreigners to the missing Turkish legislation»15.

2. The Bulletin of the Chamber of Commerce.

The first-and last Bulletin of the Chamber of Commerce appeared with great delay in the spring of 1922. In the By-laws submitted with the Macrakis memorandum there is an article (# 2, Section 8) which requires the «publication of a periodical at least twice a year, where studies and articles, statistical data for imports and exports, and, whatever related to commerce and industry, be published». Indeed the Bulletin de la Chambre de Commerce et de l’Industrie de Smyrne (Δελτίον του Εμπορικού και Βιομηχανικού Επιμελητηρίου Σμύρνης) appeared as the first clouds of a reversal in the Eastern front must have been gathering and as the Treaty of Sèvres «was soon consigned to the waste bin as the Turkish

14. C.G. Ténékides, Les capitulations dans la Region de Smyrne et le Traité de Sèvres, October 1921. (The author refers to the eighteen months of the «excellence of the Greek Administration» which begun on May of 1919. Historical Archives of the Ministry of Foreign Affairs, Greek Administration of Smyrna, 1/18, 18β 1922.

15. Δελτίον του Εμπορικού και Βιομηχανικού Επιμελητηρίου Σμύρνης, published every three months in French and in Greek. 1ère Année, No. 1, Janvier - Avril 1922.

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nationalists began to assert themselves in the heart of Anatolia»16. Yet, there was no sign of this in the Bulletin. As the titles of the various articles and the style of the contents indicate, the Bulletin exuded confidence. All the data provided are of interest and very valuable. The table of contents of the Bulletin is as follows: «The economic upheaval during the post-war period» by A. Typaldos. «The workers in Smyrna». «The forest wealth of Asia Minor». «Figs». «Carpets». «Statistical study of the imports and exports from the port of Smyrna». «Statistics for sowing for the year 1921-1922». «Winter sowings». As can be seen the Bulletin covers many subjects of some importance and I could not possibly go into all of them here. I chose however, the subject on the commerce of figs since it gives the opportunity to view commerce in a many-dimensional perspective. The intense interest in the commerce of figs can be understood by looking at the number of exported dried figs from Asia Minor to the world and the US17 in particular. 80% of the total were exported in 1921 to the US and England (11,140 and 10,526 tonnes of dried figs respectively out of a total of 26,304 tonnes) and employment in fig packing (although seasonal) amounted to 9% of the total labor force in Smyrna (1050 men, 2300 women and 650 children, i.e. 4000 out of a labor force of 44,40018. Clearly, figs were exported in great numbers to the United States, perhaps ending their careers baked into «fig Newtons»! The author of the Bulletin article — probably A. Kalliaváς according to memorandum Σ5 in the Macrakis archives, but also see Kalliaváς18 made sure to present a «tutorial» on the caprification process which incidentally is a most intriguing «biological epic in which an agressive insect and an introverted fruit» according to Hrdy and Bennett19 are responsible for the pollination. The article describes the male wild figs from trees called capri-


figs (ολυνθοι) which are required for the pollination. These are brought from the mountains (Imam-kioi, Kiosk, Sultan-Hisar, Karagats) of Asia Minor strung together and hung on the female trees to «mature the fruit».

It seems that the author was unaware of the role of the wasps which pollinate — yet never themselves lay their eggs into — the «golden Smyrna» fig variety. Indeed, for domesticated fig trees only the visitations are required! It must be recalled that efforts to transplant the Smyrna fig to the US had started in 1881-1882 in California. The cross of the figs originating from the Spanish cultures and the Smyrna fig had already been called Callimyrna (California-Smyrna): it was in 1900 that a successful caprifig pollen was transferred to the Smyrna-type figs to obtain fruit by using the fig wasp Blastophora Psenes L. However, the interest continued for many years in the Smyrna production; exports were checked by US representatives in Smyrna for various diseases and warms. As Kalliavás notes: «A prominent American entomologist after a local examination concluded that the observed warms are normal with the figs»20.

Following the fig saga in the Bulletin we learn of the black market for caprifigs thought to be valuable yet scarce and more importantly for our discussion we also learn that the Greek Administration was claiming to have been successful in repatriating Moslem farmers who had earlier fled in fear of the Greek occupation. The «90% of the fig plantations came back under the previous owners». This implies that the administration had been successful in allaying the fears of the Moslem population and in inducing them to return to their villages and properties. In the still unpublished report Trakakis21, while paying tribute to the political acumen of Stergiadis, recalls that in areas where Moslem populations had deserted their farms during the retreat of the Kemalist forces, by «forming a special organization he arranged so that the [deserted] farms were cultivated and that the proceeds from the produce minus the costs, were deposited in a special account in the name of the rightful Ottoman farmer». At the same time as a result of the «wise and highly political inspiration» of the High Commissioner, «the Greek population (150,000) that was expelled six years earlier was denied immediate repatriation because Stergiadis was predicting danger and problems during a massive repatri-

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ation of exiles who upon return to their homes and farms would inescapably cause friction between them and the current owners established by the Turkish government.

The memorandum on the formation of the Chamber of Commerce, the subsequent legislation, and the resulting Bulletin contribute in a small—but consistent—way in the assessment of the coherence of policies adopted and the efficacy in policy execution of the Stergiadis administration and of the quality of the staff. The material presented here is consistent with other material that became recently available with the publication of the archives of the National Bank of Greece as well as with the surviving material of the Stergiadis administration in the Archives of the Ministry of Foreign Affairs. All together, my conclusions are not difficult to draw. On studying a minute part of the record of the High Commission in Smyrna one cannot but support the view of many authors that it was:

a. Benevolent
b. superbly staffed and connected (see lists of staff members in Notaras, in the National Archives of the State, and Veremis and Kostis. It is worth noting that many names in the Administration and the Bank have left their mark in important and responsible positions in mainland Greece after 1922.

c. effective in policy execution. The feverish pace of administrative work and the data collected on the wealth and available know-how in the region leave one very impressed. Indeed, the comparison with mainland Greece administrative practices may not be favorable.

Despite the catastrophe that ensued, these studies have not been in vain. The intense interest in some industries—as for example tobacco and carpets (the latter fully analysed in the Economic Survey of Trakakis)—has paid some dividends: these industries have become sources of occupation in mainland Greece where there was a massive «Technology


23. The industry of carpets was in fact led by Macrakis in Athens since he served continuously in the early 1930s as the Chairman of the Board of the Ταπητουργικός Όργανος (Carpet Institute), an organization which did much to promote the industry in mainland Greece, employ the specialists that migrated from Asia Minor and which helped appoint the otherwise stark houses of modern-day Greece.
Transfer» (to use a modern description of the process) whereupon the expertise came with the immigrants and refugees. Thus the weak infrastructure of Greece was strengthened significantly by the infusion of know-hows. The technical culture of the Thomson Seedless (Sultanina) grapevine, for instance, owes many debts to the refugees as this is attested by among other the experts of the League of Nations in Société des Nations\textsuperscript{24}. So, what Seferis sensed coming must surely have been true: an accentuation of the transformation that the refugee population imposed on the mainland, insular Greeks\textsuperscript{25}.

\textsuperscript{25} George Seferis, \textit{Ένας Έλληνας – Ό Μακρυγιάνης, Δοκιμές}, Egypt, 1941.
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This index exists only in my personal copy of the study – not in the unbound version at the archives of the National Bank.

As the Veremis study indicates, the records from the National Bank of Greece are extremely valuable for the study of the economic industry in Asia Minor.
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Προς τήν A.E. τον Ύπατον Άρμοστήν τῆς Ἑλλάδος

Λαμβάνω τήν τιμήν να υποβάλω ύμίν τά πορίσματα τά οποία ήρυσθην εκ τής καταστάσεως τού ενταύθα Ἐμπορικού καί Βιομηχανικοῦ Ἐπιμελητηρίου καί τά μέτρα τά οποία ένδεικνυται να ληφθοῦν πρὸς συναρμόνισιν τῆς δράσεως τοῦ ὡς ἄνω Ἐπιμελητηρίου πρὸς τάς σημερινὰς συνθήκας ἀλλὰ καί ἀνάγκας τοῦ τόπου.

Τὸ Ἐπιμελητηρίου Σμύρνης παρ’ ολόν τὸν 36 ἔτη βίον τὸν δὲν δύναται να λέξη ὅτι παρουσίασε τά ἀποτελέσματα ἔκθειν τά ὅποια, ἢ εὐφύτες τῶν σκοπῶν ἐνός τοιοῦτοῦ ιδρύματος, θὰ ἀρνεῖ δικαίως να περιμένειν.

Κατὰ τὴν σύντομον καί ελάχιστα διαφωτιστικὴν ἐκθέσιν τῆς νῦν Διευθυντοῦ τοῦ Ἐπιμελητηρίου καί τὰς προφορικὰς πληροφορίας τὰς οποίας παρέχομεν εἰς ή μάς, εἰς δύο λόγους, ἢ καλῶς ἤνοικασμεν, ἀποδίδεται ἡ ἄποτυχία τοῦ ιδρύματος. Πρῶτον διότι ἡ Τουρκικὴ Διοίκησις όχι μόνον δὲν υπεβοήθη τοῦτο, ἀλλὰ καί ἄντε ὅδε δὲν θὰ ἴδηνται τὰς νὰ εἰπῃ. Καὶ δεύτερον διότι ύπήρξαν ἀπὸ τὸν ξένους ὑπηκόους διομολογήσεις εἰς τὰς ὅποια πολλαῖς προσέπεσαν.

Ἡ σύντομος κατάστασις τῆς οποῖαν παρουσιάζει σήμερον δύναται να συνοψισθῇ εἰς τα ἐξῆς θέλῃς. Ἐν ὧν τῶν παλαιῶν μελῶν προσδρομίῃ τῆς ἀναφάρας Διοικητικῆς Ἐπιτροπῆς. Ἐκλογαί δὲν ἔγινον ἀπό ἑτέρους, θὰ ἀρνεῖ ὅτι τὸ προσχεμόμενον τῆς ἐν Ἀγγλία καί Ἀμερική ἐπιτυχίας, ἐν τούτους λαμβανομένης ύπ’ ὅψιν τῆς διαφορᾶς τῶν ἐκεῖ συνθηκῶν, ἐν γένει ἀλλὰ καί εὐθυμῶς τὴν μόρφωσιν τῶν χωρῶν τοῦτον ἀντιθέτη, πρὸς τὴν παρ’ ἡμῖν ἀνάγκη τῆς πολιτικῆς καὶ ὀδήγησιν καί ἐκ τῶν συνεχῶς παρακολούθησες αὐτοῦ, ἐκδοθὲν εἶναι ἢς, ὅτι ἐναμφίβολος ἢ ἐπίτυχα τοῦ.

Ἡ ἐσωτερικὴ κατάστασις τῆς ὅποιον παρουσιάζει σήμερον δύναται να συνοψισθῇ εἰς τὰ ἐξῆς θέλῃς. Ἐν ὧν τὸν παλαιὸν μελὸν προσδρομίᾳ τῆς ἀναφάρας Διοικητικῆς Ἐπιτροπῆς. Τοῦτο ἐναμφίβολος ἢ ἐπιτυχᾶ ἢ παρακολούθησης ἀνεξέλεγκτος καί ανεπικύρωτος. (Διὰ τὸ τελευταῖο τὸν δὲν θέλομεν ν’ ἀποδόσωμεν μορφῆν εὶς τοὺς Διευθυντάς, ὅστε ἄλλως τοὺς ἐξήρξαμεν ἐκ τοῦ Τουρκικοῦ Νόμου τὸ δικαίωμα ἐπεμβάσεως). Ὁσον ἀφοῦ δὲ τὴν ἐξισφράσειν τῆς ἐπιμορίας, ἢ ἐξερεύσωμεν ὀρθωσμένης ἐπικυρώσεις ἐγγράφου μλ. εἰναι ἂν ἀμφίβολος.

Ἡ πρώτη σκέψις τῆς ὅποιον προκαλεῖ ἢ ἀνοτέρῳ ἐκτιθεμένῃ κατάστασις εἶναι ἢ διάλογος.

ΠΕΡΙ ΔΙΑΛΥΣΕΩΣ

Οὐδ᾽ ὁδήγει ἐν τούτῳ τοῦ Τουρκικοῦ Νόμου περὶ Ἐμπορικῶν καί Βιομηχανικῶν Ἐπιμελητηρίων ὑπάρχων διάταξις περὶ διαλύσεως τῶν Ἐπιμελητηρίων, ἵνα ἠταχτοῦν περὶ τὴν διοίκησιν ἢ τὴν ἐκπλήρωσιν τῶν ἔργων αὐτῶν ἢ δι᾽ ὑπάρξει τῶν καθηκόντων αὐτῶν ἢ διὰ τὴν παράβασιν ἐν γένει τοῦ Νόμου, ὅποιος ἢς ἀντιθέτη προβλέπεται ὁ Ἑλληνικὸς Νόμος ἐν ἄρθρῳ 24.
Μη δυνάμενοι δὲ να νομοθετήσωμεν πρὸ τῆς Ισχύος τῆς Συνθήκης τῶν Σεβρῶν, ἀρ’ ἔνος, καὶ ἀρ’ ἑτέρου μὴ ὑπαρχοῦσας διατάξεως ἐν τῷ Τουρκικῷ Νόμῳ περὶ περιπτώσεως διαλύσεως (πολλὰς τῶν ὁποίων θὰ εὑρίσκομεν λόγῳ τῆς παντελῆς ἀκαταστασίας περὶ τὴν λατογραφίαν τοῦ Ἐπιμελητηρίου, ὡς ἐμφανίζεται ἐκ τῶν ἐν τῇ ἁρχῇ τῆς παροῦσης δικαίωσεις), δὲν ἔχουμεν ἅλλον τρόπον ενεργείας παρὰ τὸν ἐξῆς:

Νὰ ἀνακινήσωμεν τὸ ζήτημα εἰς τὸν τύπον διὰ τῆς δημοσιεύσεως εἰς τὰς Ἐλληνικὸς, Γαλλοφώνους, Ἀρμένικος καὶ Τουρκικὰς ἑφημερίδας, ἄρθρων περὶ ανάγκης τῆς ἀναδιανομῆς τοῦ Ἐπιμελητηρίου Σμύρνης, ἵνα ταχθῇ τὸ τά ὧν ὁ ἄρης τοῦ ἀποστολῆς τοῦ καὶ τῶν ἀναγκῶν τοῦ τόπου. Καὶ λαμβάνοντες ἐξ αὐτοῦ ἀφορμήν νὰ συστήσωμεν εἰς τὸν νῦν Πρόεδρον αὐτοῦ, ὁ ὁποῖος ἄλλως εἶναι ἀπὸ τοῦτο πρόθυμος νὰ καλέσῃ εἰς Γενικὴν Συνέλευσιν τὸν ἅλλον τόπον τής Ἀποστολῆς τοῦ καὶ τῶν ἀναγκῶν τοῦ τόπου, οἰ καὶ ἀποφασίζωμεν ἐπί τοῦ προταθησομένου νέου καταστατικοῦ.

Καὶ ἐδώ γεννάται τὸ ζήτημα:

Ποια θὰ είναι ή μορφή τοῦ νέου Ἐπιμελητηρίου, ή μᾶλλον ποια δέον νὰ είναι καὶ ποια δύναται νὰ είναι.

Οἱ σκοποί, τα δικαιώματα καὶ αἱ υποχρεώσεις τῶν Ἐπιμελητήρων διάφοροι εἰς τὰς διαφόρους χώρας παρουσιάζονται. Ἐνώ εἰς τὴν 'Αγγλίαν καὶ τὰς Ηνωμένας Πολιτείας τῆς 'Αμερικῆς ἀποτελοῦσιν ἑλευθέρας ενώσεις εμπόρων καὶ βιομηχανῶν, εἰς άλλας, όπως εἰς τὴν Γαλλίαν, Ἰταλίαν κλπ. ἀποτελοῦσι ταύτα ιδρύματα δημοσίου δικαίου. Ἡ προστασία τῶν συμφερόντων τοῦ εμπορίου καὶ τῆς βιομηχανίας, ἐπιδιωκομένη κατά τὸ δεύτερον σύστημα, διὰ τῆς κοινῆς προσπάθειας τῶν επισήμων ἀντιπροσώπων τῶν εμπορικῶν καὶ βιομηχανικῶν τάξεων ἀπὸ ὅν άλλος καὶ τοῦ Πολιτείας ἀπὸ τέτοιο ἀποστολῆς, γίνεται πληρεστέρα.

Ὁ Ἐλληνικός Νόμος 184 ώς ἐτροποποιήθη διὰ τὸν ἅλλον τοῦ ἀριθ. 1863, γενόμενος εἰς τὸν Ιταλικὸν, θεωρεῖ τὰ 'Επιμελητήρια «Ὡς νομικά πρόσωπα δημοσίου δικαίου» καὶ θέτει διατάξεις ώς ἡ τοῦ ἀριθ. 18 τοῦ Νόμου 1863, περί προσθήκης φόρου 6%, ἐπὶ τοῦ δημοσίου φόρου τῆς καθαρᾶς προσφορᾶς, ἐξαναφοράς τῆς ἑλικίας, ἐν τῇ ἀλλικῇ λαθὸς τοῦ Ἐπιμελητηρίου ὡς ἡ τῶν ἅλλον ἀριθ. 59 ἐγγυώτητος τῆς πιστῆς ἐφαρμογῆς τοῦ Νόμου ώς ἡ τῶν ἅλλον οἰκονομίας τοῦ Σμύρνης ή τῶν ἅλλον καθαροῦ νόμου καὶ ἀποφασίζωμεν ἐπί τοῦ προταθησομένου νέου καταστατικοῦ.

Αντιθέτως ὁ Τουρκικός Νόμος ἀκολουθῶν τὸν πρώτον τύπον τῆς ἑλευθερίας ἑνίσταται, οὐπερὶ πόρους ἐξουσιάζει ἑκτὸς τῶν ἐτσι διατηροῦν τῶν ἑγγεραμμένων ἐμπόρων καὶ τῶν τελῶν ἑπικυρώσεως, οὐτέ ὑποχρεωτικὴν καθιστὴν τῆς ἐγγυώτητος τῶν ἐμπορικῶν καὶ βιομηχανικῶν τάξεων ἀρ’ ἔνος καὶ τοῦ Πολιτείας ἀρ’ ἑτέρου, γίνεται πληρεστέρα.

Δὲν πρόκειται σήμερον νὰ κρητενίσωμεν ἐκ βάθρου καὶ νὰ ὀκοδομήσωμεν ἐκ νέου. Ἡ προσπάθεια μας θὰ ἐπικεφαλήζει εἰς τὸ νὰ νομοθετήσομεν ποινήν ἑως εἰς τὸν θυσίαν ὑποπτοῖντον ἀργαλείαν καὶ νὰ ἀναπτύξωμεν τὴν ὅρασιν τῶν ἑπιτρέπουσας ὑποθέσεις, ἂν ὁ πολεμικὸν ἐπιτρέπουσιν εἰς πειστικὴν καὶ συνθήκην. Τὸ νέον καταστατικὸν δὲν θὰ στηρίζῃ καὶ νὰ ἐκκαθαρίσουμεν ἐκ νέου, ἔξω ἐκ τῶν ἑπικεφαλήζει τοῦ Τουρκικοῦ. Θὰ προέλθῃ ἐκ τῆς ἐλευθερίας.
Η σπουδαιότερα καινοτομία ή όποια πρόκειται να είσαχθη εις τον νέον οργανισμόν του Έπιμελητηρίου είναι ο θεσμός της Διαιτησίας, ο οποίος λόγος της σημασίας του άλλα και λόγο των περιπλοκών τάς όποιας παρουσιάζει χρήζει ιδιαιτέρας εξετάσεως. Περί αυτής σημειώνομεν —με τήν δυνατήν συντομίαν— τά εξής.

ΔΙΑΙΤΗΣΙΑ

Μία έκ τών σπουδαιότερων ελλείψεων του Τουρκικού Νόμου περί εμπορικών και Βιομηχανικών Έπιμελητηρίων είνε τό οτι δεν καθιερώνει μεταξύ των καθηκόντων των Έπιμελητηρίων, τόν θεσμόν τής Διαιτησίας διά τάς διαφοράς εμπορικής φύσεως, θεσμόν, τό οποίον ή σημασία είνε εκδήλως είς πάντα λόγο της πρακτικότητος αυτού συνισταμένης κυρίως είς τήν ταχείαν άνευ υπαγωγής είς πολυπλοκώς δικονομικούς τόπους, εκδίκαιον και διακυβέρνον τόν υποθέσεων ύποθέσεων ύπό άνθρώπους εμπειρών περί τό έμποριόν και τάς εμπορικάς συνήθεις.

'Ο δικαστής είς τάς πλείστας τών εμπορικών υποθέσεων, είναι άδαής και ξένος τών κρατουσών συνηθειών και εθίμων τής άγοράς και τών τεχνικών ζητημάτων τά οποία αναφέρονται εν τή υποθέσει. Προσθέτον τάς δεδομένης μέ τάς χειρόπεδας τών δικονομικών διατυπώσεων, και αντλών τά δεδομένα είς τόν νεκρόν και κακοπιστών συνήθης προστάτεσαν τών διαδικών, δεν δύναται να λάβη ζώσαν εικόνα τής υποθέσεως, και επομένος να ικανοποίηση τό περί δικαίου αίσθημα τού πολίτου.

'Η Διαιτησία —εύεργετικός άπό πάσης άπόψεως θεσμός— δεν προβλέπεται ώς ανωτέρω είπομεν ύπό τού Τουρκικού Νόμου περί Έμπορικων και Βιομηχανικών Έπιμελητηρίων. 'Αντιθέτως είς όλα τά ξένα κράτη όπου υπάρχουν Έπιμελητήρια καθιερούται ή Διαιτησία. Καί ό Ελληνικός Νόμος 184 τού 1914 προβλέπει διά τού άρθ. 40 - 54 περί διαιτησίας καί καθιεροϊ αύτήν εις τάς εξής περιπτώσεις: α) εάν αίτησωσι τούτον οί ενδιαφερόμενοι, β) έαν άμφοτεροι οί διαφερόμενοι συνωμολόγησαν έγγραφως είτε κατά τήν σύναψιν τής δικαιοπραξίας είτε κατόπιν τής δικαιοπραξίας είτε κατά τήν υποθέσιν τής δικαιοπραξίας, δεν δύναται να λάβη ζώσαν εικόνα τής υποθέσεως, και επομένος να ικανοποίηση τό περί δικαίου αίσθημα τού πολίτου.

'Εν τή πράξει έν τούτοις γεννάται τό ζήτημα:

Έφ' όσον έξακολουθεΐ υφιστάμενον τό καθεστώς τών Διομολογήσεων, δεν θά ύπαρξη...
τούτο κώλυμα εἰς τήν ἐπέκτασιν τῆς Διαιτησίας καὶ ἕπι τῶν ἐμπόρων ἐλαττωμάτων, τῶν ὑπηκοότων τῶν ἐμπόρων ἐλαττωμάτων, διτοσμοῦ δημοσίας τάξεως, δὲν στερεῖ αὐτούς τοῦ δικαίωματος (ὑπὸ ὅχι καὶ τῆς ὑποχρέωσις ἐκ μέρους τοῦ Προξενείου του) τῆς ἕκ τῶν ὑπέτορων καταχρόσωσεν ὑποθέσεν αὐτοῦ.

'Εν προκειμένῳ θὰ ὑπέβαλον τὸ ἔξοδον. 'Εὰν εἶναι δύνατον καὶ σκόπους νὰ γίνουν αἱ δικαιοσύνες ἐνέργειας παρὰ τοὺς ἐνταῦθα Προξενείοις τῶν ἐμπόρων ξένων, ὑπηκοότερων τῶν ὃποιων άλλος ή τυχόν παραίτησις απὸ τῶν Διομολογήσεως, δεν στερεῖ αὐτοῦ τοῦ δικαιώματος (διὰ οὐ καὶ τῆς ὑποχρέωσις ἐκ μέρους τοῦ Προξενείου του) τῆς τῶν ὑπέτορων καταχρόσωσεν ὑποθέσεν αὐτοῦ;

Τὰ ηδύναιμα μάλιστα νὰ προτείνομεν, όπως, ἀντιθέτως πρὸς τὸ ἀρθ. 13 τοῦ Νόμου 184, καθηερώσωμεν ἐν τῇ ἐκλογῇ τῶν ἐμπόρων τῶν διήκονων τοῦ Διομολογήσεως, ὡς τέτοιοι ἡ μισοφοβία τῶν ἐμπόρων ἐκμισθωτῶν, ἡμικρήνα ὑπήκοοτικός ἐμπόρος, ὁποῖος καὶ εἰς τὸν τόπον, ὁποῖος ἀναγκαζότατα, λέγομεν, ταῦτα, θέλουσι νὰ δώσουν μίαν εὐρείαν ἐφημορίαν εἰς τὴν πολλάκις άλλως τε ἀμφισβητούμενην ἀπόψειν, ἀναληγόμενον εἰς τὴν συμπερασματικήν ἐκ τῶν ὑπήκοοτέρων ἐμπόρων, ἐντελώσι τοῦ δικαίου, διὰ τοῦτον ἑμεῖς δεν διεξάγομεν ἐν τῷ πρώτῳ ἐκτελώσι τῶν Διαιτητῶν.
Το παρελθόν και το παρόν του Έπιμελητηρίου έγέννησαν εις ή μάς τάς σκέψεις τάς ὑποίας ἐν γενικώταταις γραμμαῖς ἐκθέτομεν ἀνωτέρω.

Ἀν σήμερον δὲν δυνάμεθα νὰ ἐφαρμόσωμεν ὑσα καὶ ή θεωρία καὶ ή πείρα ὑπαγορεύουν καὶ νὰ ἐξασφαλίσωμεν τὸ Ἕπιμελητήριον Σμύρνης ἀπὸ πάσης ἀπόνεος, διὰ τῆς λήψεως νομοθετικῶν μέτρων, ἢ ἐκ τοῦ πλήσιον ἐν τούτως μετ’ ἀγάπης καὶ ἐνδυναμώσωμεν τὸ παρακολούθησις ὑπὸ τῶν εμπόρων, θὰ χρησιμεύση πρὸς τὸ παρόν ὡς ἐγγύησις τῆς ἐπιτυχίας του.

Εὐπειθέστατος
ΣΤΑΥΡΟΣ Ν. ΜΑΚΡΑΚΗΣ

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