

# Shaping the Church, Shaping the City

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IN LATE MARCH 2005, reports surfaced that the Greek Orthodox Church, the largest and richest Christian community in the Middle East, had secretly sold property in Jerusalem's Old City to Jewish investors in the United States. This sparked a controversy, which led to the deposition of Patriarch Irineos I, the head of the church at that time. Months after his November appointment by Church leaders, Irineos' successor, the newly elected Patriarch Theophilos III has yet to be fully recognized by Israel.<sup>1</sup>

The land deal reports, coupled with the face-off between the Church and Israel, has exposed a deep-rooted conflict between the region's Greek Orthodox community and its Church leaders. The lay, or non-clergy, community is virtually all Arab, while the upper tiers of the Greek Orthodox clergy are predominantly Greek. This division has been the *modus operandi* for over 1000 years. However, according to the local Arab communities, the Greek-dominated Church leadership is unable to empathize effectively with and represent their congregations. As a result, the Arab community has called for administrative and structural changes in the Church's Jerusalem Patriarchate. The purpose of this paper is to explore the relationship between the clergy and laity in the Jerusalem Patriarchate and to examine how this relationship dictates the Church's involvement in the region's volatile politics.

## THE SALE OF CHURCH LANDS

The Greek Orthodox Church is the largest land owner in the Holy Land, with holdings stretching from Jerusalem to the West Bank and Gaza Strip. Over the last 200 years, the Church has opted to lease most of its land to investors rather than selling it outright. These leases are usually scheduled to last for 99 years, after which the land is to be returned to Church control.

The Church's jurisdiction over the leased property, though clear in the West Bank, is far more ambiguous in Israel proper. For example, though the land upon which the Kneset is built was originally leased to Israel by the Church, the Church is unlikely to regain any level of real ownership of it in the future.<sup>2</sup> Since the Church owns considerable amounts of land west of the Green Line, the line which runs along the 1967 armistice line, the status of land ownership will have a major impact on future peace negotiations in the Israeli-Palestinian conflict. The current status of land ownership in Jerusalem is in dispute. A future peace deal would require that there be a clearly defined Israeli-Palestinian border. Church-leased land lying to the west of the border, on the Israeli side, would be permanently turned over to the Israeli government. Such a development would likely cause conflict, however, because the Church represents a large Arab constituency. There is little chance the Israeli government would allow this non-Jewish body to retain or regain ownership over any of Jerusalem's prime property.

The Israeli daily newspaper *Ma'ariv* was the first to report that a valuable land property had been sold by the Greek Orthodox Church to foreign Jewish investors. When they found out about the sale, Arab residents of East Jerusalem demonstrated for weeks outside of the Greek Orthodox Monastery and the Church of the Holy Sepulchre.<sup>3</sup> Shopkeepers in the Old City's Christian Quarter were concerned that the sale could lead to further Israeli expansion into the West Bank. Their fears were not unfounded as the majority of lands that Israel has annexed over the years have come through similar land purchases by private Jewish investors. If Israelis were to settle on the lands bought by these investors, even if the land is not donated directly to the Israeli government, Israeli military forces might be sent to protect the settlers, effectively putting the area under Israeli control as has typically happened in the West Bank. Ma'ale Adumim, the largest West Bank settlement, was transferred to government control in this manner. Old City shopkeepers fear that the settlement policies will now be expanded further into East Jerusalem.<sup>4</sup>

## THE CONTROVERSY OF THE SALE

After the death of Jerusalem Patriarch Diodorus, Irineos I, a native of Greece, had been an early favorite to be elevated to the position of patriarch in 2000. However, rumors began to surface that Irineos had ties to organized crime in Greece. The Israeli government additionally alleged that he was a close personal friend of Yasser Arafat and argued that this constituted a security threat to Israel. Israeli officials attempted to block his Holy Synod's

nomination, along with those of four other nominees.

After the 1967 Israeli occupation of the West Bank, the Israeli government claimed the historical right to approve or veto the appointed patriarchs. Until the election of Irineos I, however, this right had never been exercised. Both the clergy and the community resented the supposition that the government has authority over the laws of the Church. According to Archbishop Theodosius (Atallah Hanna), this attempt to impose controls over Church affairs was virtually unheard of. It caused uproar among the clergy, and Synod members refused to acknowledge any foreign authority overseeing interior Church matters. Jordanian and Palestinian officials were quick to criticize the Israelis, accusing them of trying to manipulate the election of the next patriarch in order to gain greater political influence over the Church. Once Irineos I was officially elected by the Holy Synod, Jordan and the Palestinian Authority (PA) quickly approved the appointment, while Israel held back its confirmation, refusing to acknowledge Irineos I as the rightful Patriarch for three years.

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This changed suddenly in 2004. Some, such as Archbishop Theodosius, suspect that this policy-change was a result of a backroom deal between Israel and Irineos, whereby Irineos agreed to approve the land sale after receiving Israeli recognition as patriarch.<sup>5</sup> Israel's control over the operation of the Church is already significant. Israel can potentially withhold visas and travel rights from Greek monks and refuse to

renew senior Church members' VIP cards. Rumors of backroom deals only stand to increase the image of an Israeli stronghold on the Church.

The reported land sale involved Church property around the Jaffa Gate, which, if transferred to Israel, would place the Israeli-West Bank border in the heart of the Old City, putting part of the Christian and Armenian Quarters under Israeli control. The new border would be less than a kilometer away from the Western Wall and the Jewish Quarter, and very close to the Jewish settlements bordering East Jerusalem. Such a situation could lead to the splitting of Arab East Jerusalem into a northern and southern section, effectively ending the Palestinian campaign to have East Jerusalem become the capital of a future autonomous state.

For many Palestinians, this land sale is frustratingly similar to the land investments made before the creation of Israel, which helped draw the 1948 borders. It raises the suspicion that there is collusion between the leaders of the Jerusalem Patriarchate of the Greek Orthodox Church and the Israeli government. Such an alliance would disregard Palestinian demands. The land deals are especially harmful to the Christian Palestinian community, which finds itself further marginalized by high emigration rates. The Christian population in the region has diminished drastically over the past 150 years and currently makes up less than two percent of the populations of Israel, Jordan, and the Occupied Palestinian Territories.<sup>6</sup> Christians have the highest relative emigration rate of any religious community in the region, in part because of the established and accessible Christian communities in the United States, Australia, and Europe. Better job opportunities exist in these countries, and, on top of that, Palestinians who leave the Middle East to study or work in Europe or America often face major obstacles when attempting to return to the West Bank, such as the withholding of residential permits by the Israeli government. The land deals also increase the hostilities facing Christian Arabs in the region, who unfairly receive blame from other Arabs for “selling out” to Israel and helping to destroy the Palestinian campaign for East Jerusalem as the capital of the future state. The Latin Patriarchate has had more success keeping its community from leaving than the Jerusalem Patriarchate. Though much smaller, this patriarchate has dedicated itself to building schools in and around Jerusalem, the most notable being the College Des Freres in the Old City. The Latin Patriarchate also subsidizes housing for newly-married Catholics.<sup>7</sup>

Reports of the land deals placed full responsibility for the sales on Patriarch Irineos I and served to renew the community’s complaints that the Church leadership is out of touch with its constituency. The parties involved in the land deal were an unnamed private group of Jewish investors in America and Nicolas Papadimas, the Patriarch’s financial advisor. According to Archbishop Theodosius, Irineos had given Papadimas power of attorney, thereby allowing him to sign documents for the Patriarch. When questioned as to why he gave this authority to an aide, Irineos explained that he needed help dealing with English documents. Papadimas, however, claimed that Irineos had full knowledge of the terms of the deal and wanted to “prove himself” to Israel. Papadimas’ whereabouts are currently unknown, and 600,000 Euros disappeared from the patriarchate along with him. This turn of events exposed the fragile nature of the relationship between Greeks and Arabs within the clergy, and between the clergy and the Arab laity within the larger structure of the Jerusalem Patriarchate. In order to better understand

the nature of the interactions between these groups, one has to consider the Church structure, its history in the region, and the current political atmosphere in and around Jerusalem.

## CHURCH STRUCTURE

The Greek Orthodox Church is the largest Christian church in the Middle East and maintains strong historical ties to the Byzantine Empire. It is decentralized and divided into four ancient patriarchates, or areas of Church governance. A single patriarch leads each autonomous patriarchate, which is theoretically equal to all other patriarchates. The four patriarchates are those of Jerusalem, Constantinople (Istanbul), Antioch (Syria), and Alexandria. There are also a number of autonomous and semi-autonomous branches of the Greek Orthodox Church, all of which are smaller and hold less influence than the patriarchates.<sup>8</sup> The Jerusalem Patriarchate covers Israel, the Occupied Palestinian Territories (OPT), and Jordan. It is comprised of 200,000-230,000 Greek Orthodox Church members, almost all of whom are Arab.<sup>9</sup> It is responsible for the caretaking of Church properties in the Holy Land, and for ensuring the survival and safety of the Greek Orthodox population in the area. Its land holdings are worth billions of dollars.<sup>10</sup>

The Church has a hierarchical clergy. In each patriarchate, the clergy is ruled by the patriarch and eighteen of the highest ranking archbishops and bishops. This group is known as the Holy Synod. It is primarily charged with handling the higher-level administrative matters and disputes, but when necessary, must also elect a new patriarch. A patriarch typically holds his position until death, at which point the Holy Synod congregates to select a new leader. Holy Synod members are in turn appointed by the new patriarch. In practice, the patriarch will usually review the previous Synod membership and re-approve the same group.<sup>11</sup> In general, the hierarchical relations between patriarch and Synod are unclear. The patriarch often claims the sole right to make decisions, but the Synod argues that all decisions must be accepted by them before they can be implemented.<sup>12</sup>

The first millennium of Christianity saw the fracture of the Church into a number of different sects, most notably Roman Catholicism and Eastern Orthodoxy. The Eastern Orthodox Church dominated the Middle East and eventually became the official religion of the Byzantine Empire. Around the same time, Greek became the official language and was adopted by the Orthodox Church. This influence began to fade, however, after Alexandria and Antioch distanced themselves from Constantinople's Greek identity, and Islam and Arabic began to spread to the region. Today, the Church's official

language has become a subject of debate in the Jerusalem Patriarchate, as Greek is no longer spoken by the laity outside of the Church. The modern Arab community has called for the institutionalization of Arabic as the official language of the Church. At the turn of the 20th century, some patriarchates, such as the Syria based Antioch Patriarchate, changed the official language from Greek to Arabic.<sup>13</sup> The clergy in the Jerusalem Patriarchate, however, have not been receptive to the idea of changing the language.<sup>14</sup>

The demographic make-up of the clergy has also caused considerable controversy in the modern Jerusalem Patriarchate. Soon after taking over administrative control of the Byzantine Empire, the Ottomans recognized an increasing Arab identity in the Christian communities in the region, but also acknowledged the continued wealth and influence of the Greek

Orthodox Church.<sup>15</sup> In order to maximize their control over the community and its wealth, and to minimize any threat of unrest among the local Arab Christian communities, the Ottomans installed Greek priests in the Church leadership. This strategy minimized the possibility that a religious leader would organize popular unrest, as foreign clergy were less likely to recognize, understand, or empathize with local frustrations. As a result, the synods of each patriarchate became dominated by Greek bishops and patriarchs who continue to exclusively control the Church today.

This tactic of government intervention into Church affairs was inherited from Byzantine tradition, in which the government controlled the Church by appointing leaders and influencing the voting process. Eventually, the Jerusalem Holy Synod became known as the Hagiophatic Brotherhood, or Brotherhood of the Holy Sepulcher, in reference to the exclusivity of the Synod's membership. Once the Brotherhood cemented itself in the Church's hierarchy, it claimed responsibility for appointing foreign priests to high positions in the Church. The election of archbishops and patriarchs by Church officials has always held far more legitimacy in the eyes of local Christians than a direct appointment of religious leaders by a non-Christian

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This land sale raises the suspicion that there is collusion between the leaders of the Jerusalem Patriarchate of the Greek Orthodox Church and the Israeli government, which results in a disregard of Palestinian demands.

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government.<sup>16</sup> Before this century, the governments controlling the Holy Land had never rejected the Synod's choice for Patriarch.<sup>17</sup>

The Greek Orthodox Church is the last major church that continues to generally exclude local groups from the upper-tiers of priesthood. Out of the Jerusalem Patriarchate's 120 higher-clergy members, fewer than twenty are Arab. Arabs, however, do constitute a vast majority of lower priests.<sup>18</sup> There has never been an Arab Patriarch of Jerusalem, and out of the nineteen total members of the Holy Synod, only two are Arab – Archbishop Theodosius and Archbishop Sivistros.

The lay community has demanded certain reforms in Church administration and practices since the early 20<sup>th</sup> century, most notably headed by Khalil Sakakini and Khalil Jibran in the 1910s and 1920s. According to Jordanian MP Audeh Qawas, these reforms include the use of Arabic instead of Greek during mass, greater transparency in the financial dealings of the Church, the appointment of more Arab bishops to prominent positions, the cessation of land sales, and the establishment of a Mixed Council to strengthen the link between the high priests of the Church and its lay people. This Council would include eight lay people and nine clergy members, and would theoretically provide a formal body to communicate the community's concerns to the Holy Synod.<sup>19</sup>

The clear call from the community to "Arab-ize" the Church has been met with an equally clear refusal from the Greek clergy to give up their influence. The leaders of the Jerusalem Patriarchate have not recognized the community's complaints as legitimate, arguing that the nationalities of archbishops and patriarchs should not matter and that devotion to the Church is the only important factor.<sup>20</sup> In an interview with *Ha'aretz* reporter Yehouda Letani, Irineos' predecessor, Diodorus I, questioned:

When did the Arabs come here?...The Greeks have been here for over 2000 years. They came with Alexander of Macedonia in the year 322 BC, and since then we are still here. The Arabs arrived only during the 7th century. This is our Church, the church of the Greeks, if they do not accept our laws, they have one alternative – choose another Church, or establish one of their own.<sup>21</sup>

According to West Bank native Archbishop Theodosius, an advocate of reform in the Church, the fault for the division between the leaders of the Greek Church and the Arab lay, does not lie entirely with the Greek-influenced Brotherhood of the Holy Sepulchre. The maintenance of the family name is important for most Arabs, but this requires marriage; an



action that is incompatible with becoming a Greek Orthodox bishop or higher level clergyman.<sup>22</sup> In addition, Archbishop Theodosius notes, there are a significantly greater number of Greeks in ecclesiastical training than Arabs. He believes that the need to increase the involvement of the lay Orthodox community in the Church supercedes the need to appoint Arabs to high Church positions.

When asked if he and Archbishop Sivistros wanted to see more Arabs in the Holy Synod, Archbishop Theodosius agreed with the other leaders of the patriarchate, “It does not matter where you are from, just that you are sincere to the mission of the Church.” He said, “We care about quality, not nationality. Priests should be educated, dedicated to the Church, and understand its history.” He feels that the greatest problem facing the Church today is corruption, and that if the Synod can work to increase transparency in the Church’s dealings, calls to “Arab-ize” the church will diminish.<sup>23</sup>

## RESPONSE TO THE SCANDAL

After the reports of the land deal surfaced in March, the Holy Synod came under intense local pressure to accept accountability for the sales. By May, the Holy Synod had unanimously voted to strip Irineos I of his position, demoting him to “monk”. Canon law does not directly address the rights and regulations of the Patriarch with regards to selling Church land, nor does it clearly deal with the rights of the Synod or lay community to demote a Patriarch. These ambiguities have become an important issue now that Irineos I has refused to answer the calls for his demotion. He referred to an Ottoman law stipulating that a Patriarch has the position until death, much like the Catholic Pope.

Nevertheless, by mid-November 2005, the Synod had elected Theophilos III the new patriarch. They held a ceremony ordaining the decision on November 22, 2005 in the Church of the Holy Sepulchre. In order to legally complete the process, the Synod had to get the backing of the three outside players: Israel, the PA, and Jordan. Israel now sided with Irineos I, and refused to recognize Theophilos III, while Jordan and the PA both gave their approval to Theophilos III. Another standoff was in the making, but this time the roles were reversed.<sup>24</sup> Irineos I still occupies the Patriarch’s chambers in the monastery and is under the constant guard of the Israeli police and military. In his first public statement since being elected, Theophilos III pledged to cancel the Jaffa Gate land deals.<sup>25</sup>

A legal battle is also beginning to take shape between the new leadership of the Jerusalem Patriarchate and the Jewish investors who leased the



land. Both sides seem confident they will win the court case.<sup>26</sup> While the Archbishop and leaders of the lay communities in Palestine and Jordan may have different takes on the question of Arab leadership in the Church, all three believe that Israel played a major role in pressuring Irineos I to sell Church land. All three also seem equally worried that Israel will now attempt to exert similar pressures on Patriarch Theophilos III.<sup>27</sup>

The resolution of this case, however, will not resolve the major discord within the clergy and the unrest among the lay community. The presence of Israeli guards inside the monastery has angered a large number of local Christians, especially members of the clergy. Archbishop Theodosius said that this is the first time a foreign, non-Christian military

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body has occupied the monastic residences.<sup>28</sup> According to the Executive Committee of the Orthodox Congress in Nazareth, “There is a general feeling among our church members that if the present conditions within the Jerusalem Patriarchate do not change for the better, and if its disregard for the basic needs and rights of the church members remains as it is now, a bitter conflict at all levels between the church hierarchy and the Orthodox community is imminent.”<sup>29</sup>

The ethnic tensions between the upper and lower tiers of the Patriarchate are exacerbated by the perceived lack of involvement of the Church in the daily lives of the Christian lay community in the area. An Orthodox Church Executive Committee Report held that “the Patriarchate has not built one single church, a school, an educational or a social institution in Israel as far back as we know, while its financial contribution toward the building of new churches, schools and youth centers, financed by the local communities, is minimal.”<sup>30</sup> Furthermore:

Almost all the upper hierarchy within the Patriarchate are Greek nationals, totally unconcerned and completely cut off from the affairs of the community where Arabs constitute more than 99 percent [of the population]. Problems like caring for the poor and the needy, the lack of educational social and communal institutions, the extremely difficult housing problems and immigration of Orthodox Christians are unattended to.<sup>31</sup>

## IMPLICATIONS FOR FUTURE ISRAELI-PALESTINIAN NEGOTIATIONS

Should the Church go through the “Arab-ization” process that the lay community has been calling for, the Palestinian demand for East Jerusalem as a future capital would suddenly hold serious negotiating clout. If the Greek Orthodox Church, more specifically the Brotherhood of the Holy Sepulchre, began to include more Arab clergy members, one would expect a greater influence of Palestinian national identity to appear within the Church. This would theoretically reduce the sale of Church land to middlemen and allow Palestinians to retain prime real estate.

The Greek Orthodox Church is bound to play an important role in shaping the future of Jerusalem. The Jerusalem Patriarchate is subject to much more political pressure and public scrutiny than other Church regions, but has thus far been reluctant to answer public demands for reform. The pressures it faces from within conflict with those it faces from the Israeli government. The Church’s response to this scandal will set a precedent for its future leaders and reveal its true strength in land related negotiations. If Theophilos III follows Irineos I’s example, the dream of making East Jerusalem the capital of a future Palestinian state will become an impossibility. If Theophilos III integrates the Arab community into the upper tiers of the Church, however, Palestinian negotiating power over the status of Jerusalem will gain the strong backing of the Church. This scandal has served to highlight the fragile arrangement of Greeks and Arabs within the Church, and the evolving controversy is forcing the patriarchate to confront both the political demands from without and social concerns from within. Although further developments may only reach the public in the form of rumors, if at all, the decisions made in the coming months will determine the future of the Church and the shape of the Holy Land.

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<sup>1</sup> Berman, Yaniv. 2005. A Church in Crisis. The Media Line. December 4. [http://www.themedialine.org/news/news\\_detail.asp?NewsID=11990](http://www.themedialine.org/news/news_detail.asp?NewsID=11990)

<sup>2</sup> Interview with Nabil Mushahwar. January 6, 2006.

<sup>3</sup> Amayreh, Khaled. 2005. Church Sacks Patriarch. *Al Ahram Weekly online*. May 12. <http://weekly.ahram.org.eg/2005/742/re2.htm>

<sup>4</sup> The property deals are carried out in the form of long-term leases, usually for a period of 99 years. The contracts are usually drawn up between the landowner, such as the Church, and a leaser, usually a private individual or company located in Israel or America. These individuals are often associated with groups such as the Keren Kayemeth LeIsrael (KKL), a subsidiary organization of the Jewish National Fund (JNF), and donate the land to the Israeli government to control. The Jaffa Gate property sale closely resembles past property sales in which the Israeli government gained rights to the land.

<sup>5</sup> Interview with Father Constantine Qarmash. December 22, 2005

<sup>6</sup> “Les Chrétiens de Jerusalem Depuis 1840” and “Cristianos de Tierra Santa” 1994

<sup>7</sup> Interview with Nabil Mushahwar.

<sup>8</sup> Walsh, Andrew. 2005. What Athens Has to Do With Jerusalem. Religion in the News. July 20 [http://www.bishopaccountability.org/news2005\\_07\\_12/2005\\_07\\_20\\_Walsh\\_WhatAthens.htm](http://www.bishopaccountability.org/news2005_07_12/2005_07_20_Walsh_WhatAthens.htm)

<sup>9</sup> Interview with Dr. Audeh Qawas. January 12, 2006.

<sup>10</sup> Interview with Father Constantine Qarmash.

<sup>11</sup> Interview with Nabil Mushahwar.

<sup>12</sup> Greek Orthodox Patriarch Diodorus I, Latin Patriarch Michel Sabbah, Armenian Patriarch, Custos of the Holy Land, Coptic Archbishop Abraham, Syriac Archbishop, Ethiopian Archbishop, Anglican Bishop Samir, Greek-Catholic Patriarchal Vicar, Lutheran Bishop, Maronite Patriarchal Vicar, Catholic Syriac Patriarchal Vicar. "Memorandum of their Beatitudes the Patriarchs and of the heads of the Christian communities in Jerusalem On the significance of Jerusalem for Christians". Jerusalem. 14 November 1994

<sup>13</sup> Interview with Nabil Mushahwar.

<sup>14</sup> Qarmash, Fr. Constantine. Letter to Christians of the West: 'And you shall know the truth, and the truth shall set you free.'

<sup>15</sup> Fitzgerald, Rev Thomas. 1996. History of our Faith. Greek Orthodox Church of America. <http://www.goarch.org/en/ourfaith/articles/article7102.asp>

<sup>16</sup> Interview with Nabil Mushahwar.

<sup>17</sup> Interview with Archbishop Theodosius. January 8, 2006

<sup>18</sup> Interview with Dr Audeh Qawas.

<sup>19</sup> Interview with Dr. Audeh Qawas.

<sup>20</sup> At the end of the 19th century, the Orthodox Church faced social unrest in its Antioch Patriarchate. The congregation spoke Arabic and demanded to see more Arab priests in high positions. They were successful in pushing for liturgical linguistic reform as well and have elected Arab patriarchs since the turn of the 20th century. Nabil Mushahwar, head of the lay community in Ramallah and Jerusalem, notes that the other major churches in the region followed suit over the next century, most significantly with the Latin Church, as it elected Michel Sabbah, a Palestinian, as its Patriarch in Jerusalem in 1993.

<sup>21</sup> Letani, Yehouda. 1992. The Harsh Summer of the Patriarch. Haaretz. September 25

<sup>22</sup> Interview with Nabil Mushahwar.

<sup>23</sup> Interview with Archbishop Theodosius.

<sup>24</sup> Dymond, Jonny. 2005. Autumn of a Patriarch. BBC Online. May 25. [http://news.bbc.co.uk/2/hi/middle\\_east/4579299.stm](http://news.bbc.co.uk/2/hi/middle_east/4579299.stm)

<sup>25</sup> Interview with Archbishop Theodosius.

<sup>26</sup> Interview with Dr. Audeh Qawas.

<sup>27</sup> Interviews with Nabil Mushahwar, Dr. Audeh Qawas, Archbishop Theodosius

<sup>28</sup> Interview with Archbishop Theodosius.

<sup>29</sup> Annual Report. Executive Committee of the Orthodox Congress. ECOC board. Nazareth. 1994

<sup>30</sup> Annual Report, 4.

<sup>31</sup> Annual Report, 6.